

## **RESOLUTION NO.**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire certain real property interests for public purposes as set out below; and

**WHEREAS**, the City of Austin has attempted to purchase those needed real property interests but has been unable to agree with the owners on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owners now having, or who may acquire, an interest in the real property interests necessary to the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

### **BE IT FURTHER RESOLVED:**

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners: Northtech Nine, LP

Project: The Martin Hill Transmission Main Project will provide water for the northwest and north quadrants of the City of Austin. It is a part of the City of Austin's

Strategic Water Facility Plan and will provide additional transmission capacity from the Martin Hill Reservoir. The proposed 54-inch main will extend from Parmer Lane to the Martin Hill Reservoir. Approximately two thirds of the project follows the McNeil Road/Howard Lane alignment until it veers north to terminate at the reservoir site. Easements are needed for the portion of the project east of the McNeil Road Cut-off to the Martin Hill Reservoir site.

**Public Purpose:** The permanent water line easement described in the attached Exhibit “A” is necessary for the purposes of installing, laying, constructing, maintaining, inspecting, repairing, removing, replacing, renewing, using and operating water lines, together with all facilities, connectors and appurtenances; and

The temporary working space, staging area, and material storage site easement described in the attached Exhibit “B” is necessary to permit the City, its agents, employees, and contractors to enter upon said real property for the construction of the above referenced permanent water lines and related facilities, and to stage and store building materials for the purposes of constructing and installing permanent water lines.

**Location:** 4616-9 West Howard Lane  
Austin, Travis County, Texas

**Property:** Described in the attached and incorporated Exhibits A and B.

**ADOPTED:** \_\_\_\_\_, 2012

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk