

## **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 uses 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:

Owner: Larry L. Davis

Project: Fort Branch Watershed Management Area  
Reach 6 & 7 Channel Rehabilitation – Truelight  
Area and Eleanor Drive Area Project

Public Use: The permanent drainage easement described in the attached Exhibit “A” is necessary for the purpose of constructing, operating, maintaining, repairing, replacing, upgrading, and making connections with a drainage channel and related facilities in, under, upon and across said tracts of land.

Location: 1112 Eleanor Drive  
Austin, Travis County, Texas 78721  
This project includes improvements for nearly 5,000 linear feet along Fort Branch Creek corridor from approximately the creek crossing at Fort Branch Boulevard to the Eleanor Street cul-de-sac. The creek parallels Fort Branch Boulevard, Lott Avenue and Eleanor Street through this area.

Property: Described in the attached and incorporated Exhibit A.

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

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

Shirley A. Gentry  
City Clerk