

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:

Owners: Michael R. Eledge, Thomas M. Mays, Mark N. Hardeman
aka Mark Hardeman, and Francine Fields Hardeman

Project: Williamson Creek Tributary 2 Spring Meadow Road - Lark
Creek Drive Stream Rehabilitation Creek Project.

Public Use: the temporary working space easement described in the
attached Exhibit "A" is necessary to construct water quality
improvements and stabilize the stream bank in the easement
areas described in the attached Exhibits "B," "C," and "D";

the drainage and access easement described in the attached
Exhibit "B" is necessary to construct, operate, maintain,
repair, replace and upgrade and make connections with a
drainage channel and related facilities in, under, upon and
across the property described in Exhibit "B" and to construct,
use, maintain and replace a controlled accessway in and over
the property described in Exhibit "B";

the permanent drainage easement described in the attached
Exhibit "C" is necessary to construct, operate, maintain,
repair, replace and upgrade and make connections with a
drainage channel and related facilities in, under, upon and
across the property described in Exhibit "C"; and

the permanent drainage easement described in the attached
Exhibit "D" is necessary to construct, operate, maintain,
repair, replace and upgrade and make connections with a
drainage channel and related facilities in, under, upon and
across the property described in Exhibit "D".

Location: The property is located on the east side of Stassney Lane at Williamson Creek in the City of Austin, Travis County, Texas. The general route covered by this project will include Williamson Creek Tributary 2 from Nuckols Crossing to East Stassney Lane, traversing along the stream bank between Spring Meadow Road and Lark Creek Drive.

Property: Described in the attached and incorporated Exhibits A, B, C, and D.

ADOPTED: _____, 2012

ATTEST: _____

Shirley A. Gentry
City Clerk