

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 uses 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: James W. Organ, Sr., Henry Homer Organ, Jr., Thomas Cornelius Organ, Buelah Limuel, Princess Geary, Andrew Shigg, Jr., Carton J. Shigg, Ashley Shigg, Amber Shigg, Ronald A.E. Shigg, Jr., Annette Shigg, Charles W. Organ, Orsby Organ, Irving E. Organ, Donald R. Organ, and Keith Organ.

Project: Austin Clean Water Program: Govalle 4 – Webberville/San Bernard/4th Street Wastewater Improvement Project. The general route previously covered by this completed project included various streets in central east Austin, including Webberville Road, San Bernard Street and 4th Street.

Public Use: A 350 square foot permanent wastewater line easement for the public use of placing, constructing, operating, repairing, upgrading, replacing, relocating, decommissioning, and maintaining a permanent wastewater line in, along, upon and across the following described tract of land described in Exhibit A, with the right and privilege at all times of having ingress, egress, and regress, in, along, upon and across such tract of land for the purpose of making additions to, improvement on, repairs to, and/or removal of said wastewater line and associated appurtenances and making connections therewith; the right to place, replace, construct, operate, repair, upgrade, relocate, and remove the wastewater line, access manholes, and other appurtenances as may be reasonably required in connection therewith, in, along, upon, under, and across said tract of land; the right to clear, cut, fell, remove, and dispose of any and all timber, underbrush, building improvements, and any other obstructions from said tract of land; and the right to enter upon said tract of land in order to move thereon such vehicles, tools, equipment and persons as the City of Austin may

deem necessary and convenient to the exercise of its permanent easement rights to be acquired in this proceeding.

Location: 3017 East 12th Street
Austin, Travis County, Texas

Property: Described in the attached and incorporated Exhibit A

ADOPTED: _____, 2012

ATTEST: _____

Shirley A. Gentry
City Clerk