

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 owner on the value of the property interests, 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 owner 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: Charles W. Alff, Gay Green, Ralph Hudnall, James Alff, Joan F. Johnson, Judy L. Noack, Rebecca R. Williams, John Alff, The Heirs at Law of Lloyd Hudnall, deceased, and The Heirs at Law of Timothy W. Alff, deceased.

Project: Harris Branch Interceptor Lower B Project

Public Use: A permanent wastewater easement described in Exhibit “A” for the purpose of installing, operating, maintaining, repairing, replacing, and upgrading permanent wastewater lines and appurtenances thereto, in order to increase and improve the City’s ability to provide sanitary sewer services to the public and to prevent leakage from wastewater lines to protect public health; and

The temporary construction easements described in the attached Exhibits “B” and “C” are necessary to permit the City, its agents, employees and contractors to enter, exit, and re-enter the tract of land for the purposes of construction on the property.

Location: (No physical address) The property is located off Hill Lane, on the east side of SH 130, 0.4 mile north of Parmer Lane, in northeast Austin, Travis County, Texas 78653.

The general route of the project will start west of Gilleland Creek, connecting to the future Wildhorse Ranch N 290 manhole and continue adjacent to the future LCRA electrical transmission main alignment along the south bank of Gilleland Creek, crossing under SH 130, connecting to the existing “Lower A” manhole.

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

ADOPTED: _____, 2012

ATTEST: _____

Shirley A. Gentry
City Clerk