

## **RESOLUTION NO.**

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

**WHEREAS**, the City has attempted to purchase those needed real property interests but has been unable to agree with the owner 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:**

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 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:	Jerry M. Barr a/k/a Jerry Maylan Barr; Phyllis M. Cox a/k/a Phyliss Marie Cox; Beverley S. Lewellen a/k/a Beverly Susan Lewellan; Ronald Travis Barr; Michele E. Times a/k/a Michelle Times; Michael Kersman, Jr. a/k/a Michael Kersman; Cynthia A. Shoemake; Jessica L.
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Cordell; Jeffery M. Tyler, Joseph Ray Landraneau; Charlie Traxell a/k/a Charlie Troxell; Amber Maxey; Ashley Medellin; and The Unknown Heirs and/or Devisees of John W. Tyler, Jr., Deceased.

Project: Onion Creek Floodplain Buyout Program Project

Public Use: Development of flood damage reduction features, ecosystem restoration features and recreation features, in, along, upon, and across the 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 flood damage reduction, ecosystem restoration and recreation; 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 Plaintiff may deem necessary and convenient to the exercise of its fee simple title rights to be acquired in this proceeding

Location: 5409 Vine Hill Drive, Austin, Travis County, Texas 78744

The general route covered by this project includes the area along Lower Onion Creek, in the Onion Creek Forest, Onion Creek Plantation, and Yarrabee Bend neighborhoods, near the intersection of South Pleasant Valley Road and East William Cannon Drive, in Austin, Travis County, Texas. (District 2).

Property: Described in the attached and incorporated Exhibit  
A.

**ADOPTED:** \_\_\_\_\_, 2015

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

Jannette S. Goodall  
City Clerk

Draft