

RESOLUTION NO. 040930-02

WHEREAS, under Texas Local Government Code Section 272.001(k), public notice and auction requirements do not apply to the sale of land owned or managed by a municipally-owned electric utility, provided that the governing body of the municipality adopts a resolution stating the conditions and circumstances for the sale and the public purpose that will be achieved; and

WHEREAS, in 1994, Austin Energy purchased a subdivision known as Elm Ridge Subdivision, Phase 1B, in order to maintain access to the Garfield Substation as it was being built, and after completion of the substation, Austin Energy sold the subdivision, retaining 14 lots adjacent to the substation and the transmission lines to facilitate access to our equipment, and the utility has since determined that it has adequate space for access; and

WHEREAS, Habitat for Humanity is a well-respected, non-profit agency, serving people from Austin and the surrounding areas; and


WHEREAS, providing the opportunity for home ownership to individuals who would not otherwise have the chance constitutes a legitimate public purpose; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Authorization is given to Austin Energy for the negotiation and execution of a contract with Habitat for Humanity for the sale of 14 lots in the Elm Ridge Subdivision, Phase 1B, because the sale of these lots to Habitat for Humanity helps meet the needs of our community and the surrounding areas.

ADOPTED: September 30, 2004

ATTEST:


Shirley A. Brown
City Clerk