

# Late Backup

## ORDINANCE NO.

# 16  
2-4-10

### AN ORDINANCE ABOLISHING NORTHWEST AUSTIN MUNICIPAL UTILITY DISTRICT NUMBER ONE; AND PROVIDING FOR EMERGENCY PASSAGE.

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

##### PART 1. Council finds that:

- (A) the Northwest Austin Municipal Utility District Number One ("District") was created from an area that, at the time of the District's creation, was located wholly within the municipal boundaries of the City of Austin;
- (B) the City and the District have agreed to abolish the District in accordance with settlement terms in the matter of *Northwest Austin MUD No. 1, et al. v. City of Austin, et al., No. GN203378, in the District Court of Travis County, Texas*;
- (C) upon abolition of the District, the City will assume all of the assets and liabilities of the District, including the District's debt service for utility bonds;
- (D) the services that have been furnished and the functions that have been performed by the District can be furnished and performed by the City; and
- (E) abolition of the District is in the best interests of the residents and property in the City and the District.

##### PART 2. The City of Austin abolishes the District in accordance with Local Government Code Section 43.074.

##### PART 3. Council finds that abolition of the District is required immediately upon passage of this ordinance, and this constitutes an emergency. Because of the emergency,

1 this ordinance takes effect immediately on its passage for the immediate preservation of  
2 the public peace, health and safety.

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4 **PASSED AND APPROVED**

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8 \_\_\_\_\_, 2010

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Lee Leffingwell  
Mayor

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13 **APPROVED:**

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David Allan Smith  
City Attorney

**ATTEST:**

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Shirley A. Gentry  
City Clerk

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