

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 damages; **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 needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to effect the needed acquisitions.

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner: Las Entradas Development Corporation, a Texas Corporation

Project: Wildhorse North Interceptor North of Highway 290

Public Purpose: the permanent wastewater line easements described in the attached Exhibits "A," "B," and "C" are necessary to construct, operate, maintain, repair, replace, upgrade, decommission, and remove wastewater lines, and related infrastructure including without limitation manholes, vent release tubes, and similar improvements, and to make connections therewith in, on, under, and across the land described in Exhibits "A," "B," and "C," 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 safety;

the temporary construction easements described in the attached Exhibits "D," "E," and "F," are necessary to construct the Project.

Location: 11616 East U.S. Highway 290, in the extraterritorial jurisdiction of Manor, Travis County, Texas

Property: Described in the attached and incorporated Exhibits "A," "B," "C," "D," "E," and "F."

ADOPTED: _____, 2010

ATTEST: _____

Shirley A. Gentry
City Clerk