

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 interest for public purposes as set out below; and

WHEREAS, the City of Austin has attempted to purchase those real property interest but has been unable to agree with the owner on the damages thereof; **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 owners now having, or who may acquire, an interest in the real property interest 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: Carlos and Kelly Gonzales

Project: Ft. Branch – Truelight Area and Eleanor Drive Project

Public Purpose: the drainage easement described in the attached Exhibit "A" is necessary to construct structural improvements to stabilize the Fort Branch creek bank from erosion and increase the size of the creek to reduce the potential frequency and depth of flooding in the surrounding neighborhood.

Location: 1224 Fort Branch Boulevard, Austin, Texas

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: _____, 2010

ATTEST: _____
Shirley A. Gentry
City Clerk