

RESOLUTION NO.

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

WHEREAS, the City of Austin has attempted to purchase the needed real property interest 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 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: Najib Wehbe

Project: South IH-35 Water/Wastewater Program

Public Purpose: the permanent water line easement described in the attached Exhibit "A" is necessary to construct, operate, maintain, replace, upgrade, repair, decommission, and remove water lines and associated appurtenances and making connections therewith in order to increase and improve the City's ability to provide water services to the public.

Location: South end of Derby Downs Drive, Travis County, Texas

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: _____, 2010

ATTEST: _____

Shirley A. Gentry
City Clerk