

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 real property interests 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 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:

Owners: Roy Lee Loggins, Charles Brown, Albert Loggins, Ray Loggins, Susie Marie Brown, Clarence Doug Simms, Tommy Joe Logans, and Felicia Dee, who are the heirs to the estate of Ethel Mae Simms.

Project: Fort Branch Watershed Management Area Reach 6 & 7
Channel Rehabilitation – Truelight Area and Eleanor Drive
Area Project

Public Purpose: the permanent drainage easement described in the
attached Exhibit “A” is necessary to contain or modify
the flow of rainwater runoff to prevent or lessen the
likelihood of flooding and erosion.

Location: 1239 Eleanor Street.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: _____, 2010

ATTEST: _____

Shirley A. Gentry
City Clerk