

## **RESOLUTION NO.**

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

**WHEREAS**, the City has attempted to purchase those needed real property interests, but has been unable to agree with the owner on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

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 against the owner now having, or who may acquire, an interest in the real property interests necessary to the City, described below, for the public uses set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

### **BE IT FURTHER RESOLVED:**

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

Owners:	David Hemmasi as Independent Executor for the Estate of Majid Hemmasi, and Austin IR Tacoma LP, a Texas limited partnership
Project:	Austin Energy Circuit 975 Phase 2 Project

Public Uses: Electric transmission and distribution facilities. Specifically, an easement and right of way along, over, under, and across that portion of the Property bounded and described on Exhibit A and B, attached hereto and incorporated herein (the "Easement"), to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade or remove (in whole or in part) electric transmission, distribution and electric telecommunications lines and systems; and all necessary or desirable appurtenances and structures (the "Facilities"), in the Easement, and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities and permit GRANTEE unimpeded access to the Facilities.

Location: 3109 Gregg Lane, Austin, Travis County, Texas 78653

The general boundaries of the project are on the south side of East Howard Lane across from Kearns Drive, approximately one-half mile south of Immanuel Road within the Austin 2-Mile Extraterritorial Jurisdiction, Travis County, Texas.

Property: Described in the attached and incorporated Exhibit A and B.

**ADOPTED:** \_\_\_\_\_, 2018

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk