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23

RESOLUTION NO.

2 WHEREAS, the City Council of the City of Austin has found that public 3 necessity requires the City to acquire certain real property interests for public uses 4 5 as set out below; and 6 **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 7 interest, or the damages, if any; NOW, THEREFORE, 8 9 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:** The City Attorney, or other authorized designee, is hereby authorized and 10 directed to file, or cause to be filed, a suit in eminent domain on behalf of the City 11 12 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, 13 and to take whatever other action may be deemed appropriate to effect the necessary 14 15 acquisitions. **BE IT FURTHER RESOLVED:** 16 The City Attorney, or other authorized designee, shall file eminent domain 17 proceedings for: 18

- 19Owners:Eric Malsam, Ellen Piepho, Nancy J. Duncan, and 230420Thornton Road Condominium Owners Association, Inc.21Project:West Bouldin Creek-Del Curto Storm Drain22Improvement Project
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24	Dublic Hase	A starm drain infrastructure project to reduce flood risk.
25 26	Public Use:	A storm drain infrastructure project to reduce flood risk. A permanent drainage easement described in the attached
20 27		Exhibit A, is to install, construct, operate, use, maintain,
28		repair, modify, upgrade, monitor, inspect, replace, make
29		connections with, remove and decommission the existing
30		drainage facilities.
31	.	
32	Location:	2304 Thornton Road, Units A and B, Austin, Travis
33 34		County, Texas 78704
35		The general route of the project is in south central Austin
36		in the South Lamar neighborhood and its area is bounded
37		by Bluebonnet Lane, Del Curto Road, Delcrest Drive,
38		Kinney Road and Thornton Road with offshoots along
39		Southland Drive and Iva Lane, in Austin, Travis County,
40		Texas. (District 5).
41 42		
42	Property:	Described in the attached and incorporated Exhibit
44	riopenty.	A.
45		
46		
47		
48	ADOPTED:	, 2019 ATTEST:
49		Jannette S. Goodall
50		City Clerk
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