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## 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: San Clemente at Davenport – North, Ltd.

Project: Loop 360 at Westlake Waterline Relocation Project

Public Use: Accommodating proposed roadway improvements, by allowing water infrastructures in conflict to be adjusted.

A water line easement is needed for construction, operation, maintenance, replacement, upgrade, repair, decommissioning and removal of water and wastewater lines and associated

appurtenances and making connections therewith in, upon, over and across, the tract of land as described in "Exhibit A".

The temporary ingress and egress easement described in the attached Exhibit "B" is necessary to permit the City, its agents, employees, and contractors to enter upon said real property in order to move thereon vehicles, tools, and equipment, and persons as the City may deem necessary and convenient.

Location: 3800 North Capital of Texas Highway, Austin, Texas 78746

The general route of the project is along Loop 360 south of Plaza on the Lake toward Cedar Street and ending at Westlake Drive.

Property: Described in the attached and incorporated Exhibits "A" and "B".

ADOPTED: _	, 2021	ATTEST:	
			Jannette S. Goodall
			City Clerk