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:

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

Owner: Kramer Plaza Limited Partnership, a Texas limited partnership

Project: CPO Corridor Project: Burnet

Public Use: The construction of a shared-use-path route and landscaping within the project area will address congestion and enhance safety for pedestrians and cyclists.

> A Street Right of Way is needed to construct, operate and maintain the Facility in, upon and across, the tract of land with the right and privilege at any and all times to enter said premises, or any part

thereof, to construct, operate, and maintain the Street Right of Way as shown on Exhibit "A".

A Temporary Construction Easement in, along, upon, and across the land described in Exhibit "B," attached hereto and incorporated herein by reference, is needed for the public use of permitting the City of Austin, 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 to the exercise of its temporary easement rights, and do whatever is reasonably necessary to construct the Right of Way referred to herein.

Location: 11400 Burnet Road, Austin, TX 78759

The general route of the project is along Burnet Road between Koenig Lane and MoPac Expressway.

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

ADOPTED:

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2021 ATTEST: ____

Jannette S. Goodall City Clerk