

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 needed real property interests but has been unable to agree with the owner on the value of the property interests, or the damages, if any; **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 owner now having, or who may acquire, an interest in the real property interests necessary to the City, described and located 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:

Owner: The Successor Trustee(s) of the Fragosa Family Trust

Project: North Acres Final Conveyance Project

Public Use: A permanent wastewater line easement described in Exhibit "A" for the purpose of installing, operating, maintaining, repairing, replacing, and upgrading permanent wastewater lines and appurtenances thereto, in

order to increase and improve the City's ability to provide sanitary sewer services to the public and to prevent leakage from wastewater lines to protect public health.

Location: 10623 Denell Circle, Austin, Travis County, Texas 78753

The general route of the project is along Polecat Creek, west of Dessau Road.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: _____, 2013

ATTEST: _____

Jannette Goodall
City Clerk

DRAFT