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3 **ORDINANCE NO.**
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5 **AN ORDINANCE AMENDING THE FISCAL YEAR 2012-2013 AUSTIN**
6 **CONVENTION CENTER OPERATING FUND OPERATING BUDGET**
7 **(ORDINANCE NO. 20120910-001) TO PAY A FINAL JUDGMENT RELATING**
8 **TO THE CONDEMNATION OF LOTS 1-8, INCLUSIVE, OF BLOCK 38 OF THE**
9 **ORIGINAL CITY OF AUSTIN, AND DECLARING AN EMERGENCY.**
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11 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
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13 **PART 1.** The Council amends the Fiscal Year 2012-2013 Austin Convention Center
14 Operating Fund Operating Budget (Ordinance No. 20120910-001) to increase revenue in
15 the amount of \$1,820,000 from funds currently in the registry of the Travis County
16 District Court relating to the case of City of Austin v. Harry M. Whittington, et. al.
17 (Cause No. D-1-GV-07-00942), a condemnation case involving lots 1-8, inclusive, of
18 Block 38 of the Original City of Austin.

19 **PART 2.** The Council amends the Fiscal Year 2012-2013 Austin Convention Center
20 Operating Fund Operating Budget (Ordinance No. 20120910-001) to increase
21 expenditures by \$6,325,000 to pay the final judgment in City of Austin v. Harry M.
22 Whittington, et. al. (Cause No. D-1-GV-07-00942).

23 **PART 3.** The Council amends the Fiscal Year 2012-2013 Austin Convention Center
24 Operating Fund Operating Budget (Ordinance No. 20120910-001) to decrease the ending
25 balance by \$4,505,000 to pay the final judgment in City of Austin v. Harry M.
26 Whittington, et. al. (Cause No. D-1-GV-07-00942).

27 **PART 4.** The Council finds that the need to fund this judgment that has just been entered
28 constitutes an emergency and a grave public necessity to meet an unusual and unforeseen
29 condition that could not have been included in the original budget.

30 **PART 5.** This ordinance takes effect immediately.

PASSED AND APPROVED

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_____, 2013

Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk