

## **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 owners 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 of Austin against the owners 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:	Cynthia S. Schneider
Project:	Howard Lane from Cameron Road to SH-130 Project
Public Purpose:	A permanent slope easement for the public use of constructing, placing, replacing, upgrading, and repairing of fill for the lateral support of the abutting roadway and maintaining a permanent slope easement in, along, upon and across the tracts of

roadway and maintaining a permanent slope easement in, along, upon and across the tracts of land described in Exhibit "A," with the right and privilege at all times of having ingress, egress, and regress, in, along, upon and across such tract of land for the purpose of making additions to, improvement on, repairs to the lateral support or slope easement and associated appurtenances as may reasonably be required in connection therewith, in, along, upon, under and across said tract of land; the right to clear, cut, fell, remove, and dispose of any and all timber, underbrush, building improvements, and any other obstructions from said tract of land; and the right to enter upon said tract of land in order to move thereon such vehicles, tools, equipment, and persons as the City may deem necessary and convenient to the exercise of its permanent easement rights to be acquired in this proceeding.

Location: No physical address – located at the northwest corner of the intersection of Howard Lane and Harris Branch Parkway, on the northeast side of Austin, Travis County, Texas.

The general route covered by this project includes Howard Lane from Cameron Road/Harris Branch to Austin City Limits, in Austin, Travis County, Texas, and is part of a larger County project that is planned to continue beyond Austin City Limits to east of SH-130.

Property: Described in the attached and incorporated Exhibit A.

**ADOPTED:** \_\_\_\_\_, 2014      **ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk