

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 purposes 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 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:

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 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: Wayne Allen Barbee

Project: Springdale / 290 Improvements Project

Public Purpose: a permanent waterline easement for the public use of construction, operation, maintenance, replacement, upgrade, repair, decommissioning, and removal of water lines and associated appurtenances and making connections therewith in, upon, over 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 and repairs to said waterline or any part thereof; 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 may be necessary and convenient to the exercise of its permanent easement rights; and

a temporary work space easement in, along, upon, and across the land described in Exhibit B, attached hereto and incorporated herein by reference, for the public use of permitting the City, its agents, employees, and contractors to enter upon said real property in order to move thereon vehicles, tools, and equipment and do whatever is reasonably necessary to construct the waterline in the permanent waterline easement referred to above.

Location: (no physical address)
Vacant lot off US 290 East, between Springdale Road and Chimney Hill Boulevard, Austin, Travis County, Texas.

The general route covered by this project includes the Chimney Hill Subdivision and the Walnut Trace Subdivision on either side of Springdale Road.

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

ADOPTED: _____, 2015

ATTEST: _____

Jannette S. Goodall
City Clerk