10 11 12 13 14 15 16 17 18 19 20 21 22 23

24

25

2627

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 including but not limited to the deposit of funds in the amount awarded by the Court appointed Special Commissioners.

BE IT FURTHER RESOLVED:

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

Owners: EP Austin Purchase Company LLC, a Delaware limited liability

company.

Project: Fallwell Lane Capital Renewal Project.

Public Use: Roadway, drainage, and water line improvements.

 Location: East State Highway 71 (southeast corner of State Highway 130

and Fallwell Lane), Austin, TX 78617.

The general route of the project is from the west access road of State Highway 130 east to the entrance road to the South Austin

Regional Wastewater Treatment Plan.

Property: Described in the attached and incorporated "Exhibit A" and

"Exhibit B."

ADOPTED: ______, 2023 **ATTEST:** _____

Myrna Rios City Clerk