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 or transfer of funds in the amount awarded by the Court appointed Special Commissioners, updated appraisals, negotiated settlement, or judgment.

BE IT FURTHER RESOLVED:

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

Owners: Texas State Affordable Housing Corporation.

Project: Walnut Creek – Eubank Tributary Stream Stabilization.

Public Use: Stabilize the channel and improve habitat by implementing retaining walls, slope stabilization, earthwork, planting strategies, and stormwater flow dissipation.

draft

Location: 11630 North Lamar Boulevard, Austin, Texas 78753.

The general route of the project is within Walnut Creek's designated Eubank Tributary, from North Bend Drive to the west turn of Eubank Drive.

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

ADOPTED: _____, 2026 **ATTEST:** _____

Erika Brady
City Clerk

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