

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: H-E-B, LP, A Texas Limited Partnership successor in interest to HEB Grocery Company, LP, a Texas limited partnership.

Project: Cap Ex South, CKT987 & 1031 Structure Relocation 2021 Project.

Public Use: Relocating various structures along the existing circuits 926, 927, 987, and 988.

Location: 8801 South Congress Avenue, Austin, Texas 78745.

The general route of the project is along Interstate Highway 35 from Texas State Highway 71 South to Texas State Highway 45.

Property: Described in the attached and incorporated “Exhibit A,” and “Exhibit B”.

ADOPTED: _____, 2025

ATTEST: _____
Myrna Rios
City Clerk