10 11 12 13 14 15 16 17

18

19

20

21

22

23

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;

BE IT FURTHER RESOLVED:

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

Owners: Northwest Center, Ltd.

Project: Burnet Road Corridor Project

Public Use: Constructing a shared-use path route and landscaping within the project area that will address congestion and enhance safety for pedestrians and cyclists.

A Street Right of Way is needed to construct, operate and maintain the Facility in, upon and across, the tract of land as 25 described in "Exhibit A". 26 A Temporary Construction Easement described in the attached 27 "Exhibit B" is necessary to permit the City, its agents, 28 employees, and contractors to enter upon said real property in 29 order to move thereon vehicles, tools, and equipment, and 30 persons as the City may deem necessary and convenient. 31 5901-6113 Burnet Rd., Austin, Texas 78757 Location: 32 The general route of the project is along Burnet Road between 33 Koenig Lane to MoPac Expressway. 34 Property: Described in the attached and incorporated "Exhibit A" and 35 "Exhibit B". 36 **ADOPTED:** , 2022 **ATTEST:** 37 Myrna Rios 38 City Clerk 39 40