

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE AWARD AMOUNT OF SPECIAL COMMISSIONERS IN A CONDEMNATION ACTION STYLED CAUSE NO. C-1-PB-24-000536, THE CITY OF PFLUGERVILLE, TEXAS v. FIRST AUSTIN INVESTMENTS, LLC., FOR THE ACQUISITION OF A PERMANENT EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT FOR THE SECONDARY COLORADO RIVER RAW WATER LINE PROJECT AND AUTHORIZING RELEASE OF SAID AMOUNT AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO EXECUTE ALL DOCUMENTS TO FACILITATE THE ACQUISITION OF SAID PARCELS OF LAND.

WHEREAS, the City of Pflugerville, Texas (the "City") has found and determined that public necessity requires the City to acquire certain permanent water pipeline easements; temporary construction easements; and access easements in connection therewith in Travis County, Texas from landowners for the public purpose of construction, operation, and maintenance of a raw water pipeline for a project known as "Secondary Colorado River Raw Water Line Project" ("Project"); and

WHEREAS, the City of Pflugerville City Council passed by recorded vote Resolution 2102-24-01-09-1171 on January 9, 2024 directing the City Manager or the City Manager's Designee to execute all documents to institute eminent domain proceedings and directing the City Attorney to initiate condemnation proceedings; and

WHEREAS, Special Commissioners appointed by the court with jurisdiction over condemnations in Travis County, Texas conducted a hearing on August 29, 2024, and considered evidence and arguments as to the value of the property sought to be condemned and damages, if any, that will be sustained by the landowner, and awarded the landowner First Austin Investments, LLC., the amount of **One Hundred Sixty-Nine Thousand Seven Hundred Eighty-Five Dollars and 00/100 (\$169,785.00)**. A copy of the Special Commissioner's Award is attached and incorporated into this Resolution; and

WHEREAS, the City of Pflugerville hereby adopts the amount awarded by the Special Commissioners for the acquisition of a permanent easement and temporary construction easement for the Secondary Colorado River Raw Water Line Project; and

WHEREAS, the City of Pflugerville City Council is authorizing the release of said funds into the registry of the Court or release of said amount by other lawful means as consideration for the City's acquisition of said easements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS; THAT:

SECTION 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council of the City of Pflugerville, Texas and made a part hereof for all purposes as findings of fact.

SECTION 2. The City of Pflugerville City Council adopts the Special Commissioners Award amount of **One Hundred Sixty-Nine Thousand Seven Hundred Eighty-Five Dollars and 00/100 (\$169,785.00)** and hereby release said amount into the registry of the court or release of said amount by other lawful means as consideration for the acquisition of the right-of-way for the Secondary Colorado River Raw Water Line Project.

SECTION 3: The right-of way to be acquired is described by legal description and survey as part of the Special Commissioners Award that is attached to this Resolution.

SECTION 4: This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED on this _____ day of _____, 2024.

Victor Gonzales, Mayor
City of Pflugerville, Texas

ATTEST:

Trista Evans, City Secretary