

RESOLUTION NO. R-2016-3371

WHEREAS, the City of Round Rock, Texas (the "City") is a participating and founding member of the Brushy Creek Regional Utility Authority, Inc. (the "BCRUA"); and

WHEREAS, certain property (the "Property") owned by Gary L. Gross and Cathy Gross ("Owners") is necessary for the construction of a portion of the BCRUA deep water intake facility on Lake Travis; and

WHEREAS, on behalf of the BCRUA, the City of Leander ("Leander") filed Cause No. C-1-CV-14-007201, The City of Leander v. Gary L. Gross and Cathy Gross, In the County Court at Law No. 2, Travis County, Texas for the purpose of acquiring the property through the power of eminent domain; and

WHEREAS, on March 11, 2016 Leander and the Owners conducted a mediation whereby a tentative agreement was reached which resolves all issues in dispute between them; and

WHEREAS, a copy of the Mediated Settlement Agreement is attached hereto as Exhibit "A"; and

WHEREAS, the City of Council wishes to approve the Mediated Settlement Agreement, Now Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Council hereby accepts and approves the Mediated Settlement Agreement, a copy of said Agreement being attached hereto as Exhibit "A" and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 14th day of April, 2016.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk