

RESOLUTION NO. R-2016-3620

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, the BCRUA has previously determined the necessity to acquire a parcel of land owned by Gary L. Gross and Cathy L. Gross, situated in Travis County, Texas containing 5.217 acres ("Property"), for a permanent raw water intake facility and related appurtenances; and

WHEREAS, the City of Leander, on behalf of the BCRUA, filed a petition for condemnation to acquire the Property; and

WHEREAS, on March 11, 2016, the City of Leander and Gary and Cathy Gross reached a mediated settlement agreement ("MSA") for final resolution of the condemnation case, attached as Exhibit "B" to the Agreed Final Judgment; and

WHEREAS, on March 23, 2016, the BCRUA approved a resolution for the MSA and on April 14, 2016, the City of Round Rock approved a resolution for the MSA; and

WHEREAS, an Agreed Final Judgment in Cause No. C-1-CV-14-007201 is now ordered, adjudged, and decreed that the fee simple title to the Property is hereby decreed and vested in the City of Leander, on behalf of the BCRUA; and

WHEREAS, the City Council wishes to approve and authorize the BCRUA to execute the Agreed Final Judgment; Now Therefore

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

That the Council hereby approves and authorizes the BCRUA to execute the Agreed Final Judgment, a copy of said Judgment 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 July, 2016.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk