# **RESOLUTION NO. 20080131-040**

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire certain real property interests for public purposes as set out below; and

WHEREAS, the City of Austin has attempted to purchase those needed real property interests but has been unable to agree with the owner on the fair market value thereof; NOW, THEREFORE,

# BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That 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 of Austin against the owner now having, or who may acquire, an interest in the real property interests needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisitions.

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

Owner: R. Sue Long

Project: Govalle 1 – South 2<sup>nd</sup> Street Reroute, Phase I, Wastewater

Improvement Project, a portion of the Austin Clean Water

Program

Intended Purpose: the permanent wastewater line easement described in the attached Exhibit "A" is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public, to prevent leakage from wastewater lines to protect public health and safety, and to comply with a federal mandate:

> the temporary working space easement described in the attached Exhibit "B" is necessary to install the permanent wastewater lines and appurtenances thereto in the permanent wastewater line easement described in the attached Exhibit "A;" and

> the temporary staging area and material storage site easement described in the attached Exhibit "C" is necessary to stage equipment and store material needed to install and repair the wastewater lines described in the attached Exhibit "A" and other areas in the Wastewater Improvement Project.

Location:

612 West Monroe, Austin, Texas 78704

Property:

Described in the attached and incorporated Exhibits A, B,

and C.

ADOPTED: January 31, 2008



# MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS

R. SUE LONG TO CITY OF AUSTIN (WASTEWATER EASEMENT) January 8, 2007

# **DESCRIPTION FOR PARCEL 5118.31WE**

DESCRIPTION OF A 0.082 ACRE (3,557 SQUARE FOOT) TRACT OF LAND OUT OF A PORTION OF A 30-FOOT WIDE ALLEY AS DEDICATED BY THE SUBDIVISION PLAT OF MRS. A. J. PACE SUBDIVISION, A SUBDIVISION RECORDED IN VOLUME 2, PAGE 186, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID PORTION OF SAID 30-FOOT WIDE ALLEY BEING THAT SAME 0.121 ACRE TRACT VACATED AND DESCRIBED IN A QUITCLAIM DEED EXECUTED SEPTEMBER 12, 1994 TO R. SUE LONG, RECORDED IN VOLUME 12272, PAGE 566, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.082 ACRE (3,557 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found having Texas State Plane Coordinate (Central Zone, NAD83 (CORS), U.S. Feet, Combined Scale Factor 1.00010) values of N=10,064,011.26, E=3,110,338.60, on the north right-of-way line of West Monroe Street, a 60-foot wide right-of-way, at the southwest corner of said 0.121 acre tract and at the southeast corner of Lot 6 of said Mrs. A. J. Pace Subdivision, for the southwest corner of this tract;

THENCE, N 26°42'36" E, with the west line of said 0.121 acre tract, the west line of the vacated portion of said 30-foot wide alley and the east line of said Lot 6, a distance of 179.32 feet to a 1/2" iron pipe found at the northwest corner of said 0.121 acre tract, at the northeast corner of said Lot 6 and at the southeast corner of a tract of land described in a Special Warranty Deed executed October 27, 1979 to Frank J. Sosa ET UX. Olivia G. Sosa, recorded in Volume 6808, Page 1235, Deed Records of Travis County, Texas, for the northwest corner of this tract;

THENCE, S 63°14'52" E, across said 30-foot wide alley, with the north line of said 0.121 acre tract, a distance of 20.00 feet to a 60d nail set for the northeast corner of this tract, from said point, a 1/2" iron rod found on the east line of said 30-foot wide alley and on the east line of Lot 4 of said Mrs. A. J. Pace Subdivision, at the northeast corner of said 0.121 acre tract, bears S 63°14'52" E, 9.67 feet;

**THENCE**, S 26°42'36" W, across said 0.121 acre tract and the vacated portion of said 30-foot wide alley, a distance of 176.43 feet to a 60d nail set on the north right-of-way line of West Monroe Street and on the south line of said 0.121 acre tract, for the southeast corner of this tract;

0.082 Acre (3,557 Square Feet) Wastewater Easement

Exhibit "A"
Page 1 of 3

5118.31WE

THENCE, N 71°27'59" W, with the north right-of-way line of West Monroe Street and the south line of said 0.121 acre tract, a distance of 20.21 feet to the POINT OF BEGINNING and containing 0.082 acre (3,557 square feet) of land.

# **BEARING BASIS NOTE**

The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83 (CORS) Combined Scale Factor 1.00010). Project control points were established from reference station "AUSTIN RRP2" having coordinate values of N=10,086,515.89, E=3,109,682.48 and "H-20-3001" (CB11) having coordinate values of N=10,061,108.04, E=3,109,304.63.

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

**COUNTY OF TRAVIS** 

That I, Gregorio Lopez, Jr., a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 12-th

day of January, 2007, A.D.

Macias & Associates, Inc. 5410 South 1st Street Austin, Texas 78745

512-442-7875

Registered Professional Land Surveyor

No. 5272 – State of Texas

FIELD NOTES REVIEWED

**Austin Clean Water Program** Survey Coordinator

TCAD PARCEL ID NO. 01-0101-0812 MACIAS & ASSOCIATES, INC., PROJECT NO. 290-13-05

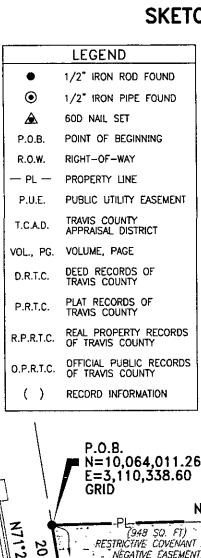
REFERENCES MAPSCO 2003 614H

Austin Grid No. MH-21

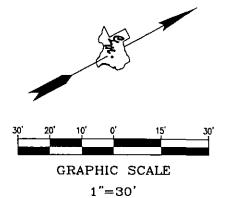
0.082 Acre (3,557 Square Feet) Wastewater Easement

5118.31WE

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S63"14"52"E	9.67
L2	S63*14'52"E	30.46
(L3)	S60°18'32"E	29.51
(L4)	N68°20'26"W	30.43



PORTION OF LOT 12 AND A PORTION OF A 16' VACATED ALLEY MRS. A. J. PACE SUBDIVISION VOL. 2, PG. 186, PR.T.C

FRANK J. SOSA, ET UX, OLIVIA G SOSA VOL. 6808, PG. 1235, D.R.T.C T.C.A.D. NO. 01-0101-0825

CHAIN-LINK

FENCE

30°

WIDE

ASPHALT

BUILDING

**ALLEY** 

S63" 14=52"E 20.00'

LOT 6 MRS. A. J. PACE SUBDIVISION MRS A. J PACE SUBDIVISION VOL. 2, PG. 186, P.R.T.C. VOL 2, PG. 186, P.R.T.C. CHAIN-LINK FENCE R. SUE LONG R. SUE LONG VOL. 11929, PG. 1313, R.P.R.T.C. (0 121 AC.) BY QUITCLAIM DEED VOL. 12272, PG. 566, R.P.R.T.C. T.CAD NO. 01-0101-0812 BOUNDARY LINE AGREEMENT VOL. 12563, PG. 2794, R.P.R.T.C. T.C.A D NO 01-0101-0812 (178')N26'42'36"E 179.32

5118.31WE

(0.082 ACRE

3,557, SQ: FT

.s26\*42'36"W 176.43

BUILDING

PORTION OF A 30' VACATED ALLEY

(948 SQ. FT)
RESTRICTIVE COVENANT AND . (N29'43'28"E , NEGATIVE CASEMENT. NO 1999060147, O.P.R.T.C. WEST BUILDING MONROE

LOTS 1 AND 2 AND A PORTION OF A 30' VACATED ALLEY MRS. A J PACE SUBDIVISION VOL. 2, PG. 186, P.R.T.C.

BUILDING

NEW WEST RECORDS, LLC DOC. NO. 2006133640, O.P.R.T.C. T.C.A.D. NO 01-0101-1301

LOTS 3 AND 4 AND A PORTION OF A 30' VACATED ALLEY MRS. A. J PACE SUBDIVISION VOL 2, PG. 186, P.RTC.

SHAHID ULLAH AND NASR ULLAH DOC NO. 2005146796, O.P.RTC. T C.A D. NO. 01-0101-1302

BEARING BASIS:

THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, NAD83(CORS), COMBINED SCALE FACTOR = 1.00010). THE COORDINATES WERE ESTABLISHED BY GPS STATIC OBSERVATION FROM REFERENCE STATION "AUSTIN RRP2" HAVING COORDINATE VALUES OF N=10,086,515.89, E=3,109,682.48 AND "H-20-3001" (CB11) HAVING COORDINATE VALUES OF N=10,061,108.04, E=3,109,304.63. ALL DISTANCES SHOWN ARE SUBFACE DISTANCES.

Date

DATE: 1-11-07 DRAWN BY: JEP MAI JOB NO., 290-13-05 REFERENCE: F.B. 469 & 472

J:\JOBS\BINKLEY-BARFIELD\S 2ND\2901305\DWG\5118.31WE.dwg

MACIAS & ASSOCIATES, INC LAND SURVEYORS

5410 SOUTH 1ST STREET

AUSTIN, TEXAS 78745 PH. (512)442-7875 FAX (512)442-7876 EMAIL: MACIASURVEY@EARTHLINK.NET

Gregoria Lopez, Jr Registered Professional Land No. 5272 - State of Texas

Exhibit "A" Page 3 of 3

OF



# MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS

R. SUE LONG TO CITY OF AUSTIN (TEMPORARY WORKING SPACE EASEMENT) January 8, 2007

# **DESCRIPTION FOR PARCEL 5118.31TWSE**

DESCRIPTION OF A 0.083 ACRE (3,598 SQUARE FOOT) TRACT OF LAND OUT OF LOT 6, MRS. A. J. PACE SUBDIVISION, A SUBDIVISION RECORDED IN VOLUME 2, PAGE 186, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 6 BEING DESCRIBED IN A WARRANTY DEED EXECUTED APRIL 30, 1993 TO R. SUE LONG, RECORDED IN VOLUME 11929, PAGE 1313, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.083 ACRE (3,598 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found having Texas State Plane Coordinate (Central Zone, NAD83 (CORS), U.S. Feet, Combined Scale Factor 1.00010) values of N=10,064,011.26, E=3,110,338.60, on the north right-of-way line of West Monroe Street, a 60-foot wide right-of-way, at the southeast corner of said Lot 6 and at the southwest corner of a 0.121 acre tract described in a Quitclaim Deed executed September 12, 1994 to R. Sue Long, recorded in Volume 12272, Page 566, Real Property Records of Travis County, Texas, for the southeast corner of this tract, said 0.121 acre tract also being the vacated portion of a 30-foot wide alley;

THENCE, N 71°27'59" W, with the north right-of-way line of West Monroe Street and the south line of said Lot 6, a distance of 20.21 feet to a calculated point for the southwest corner of this tract, from said point, a 3/4" iron rod found at the southwest corner of Lot 7 of said Mrs. A. J. Pace Subdivision and at the southeast corner of Lot 8 of said Mrs. A. J. Pace Subdivision, bears N 71°27'59" W, 71.67 feet;

THENCE, N 26°42'36" E, across said Lot 6, a distance of 180.48 feet to a calculated point on the north line of said Lot 6 and on the south line of a tract of land described in a Special Warranty Deed executed October 27, 1979 to Frank J. Sosa ET UX. Olivia G. Sosa, recorded in Volume 6808, Page 1235, Deed Records of Travis County, Texas, for the northwest corner of this tract;

**THENCE**, S 68°11'12" E, with the north line of said Lot 6 and the south line of said Sosa tract, a distance of 20.07 feet to a 1/2" iron pipe found on the west line of said 30-foot wide alley, at the northeast corner of said Lot 6, at the southeast corner of said Sosa tract and at the northwest corner of said 0.121 acre tract, for the northeast corner of this tract;

0.083 Acre (3,598 Square Feet) Temporary Working Space Easement

Exhibit "B" Page 1 of 3

5118.31TWSE

THENCE, S 26°42'36" W, with the east line of said Lot 6, the west line of said 0.121 acre tract and the west line of the vacated portion of said 30-foot wide alley, a distance of 179.32 feet to the **POINT OF BEGINNING** and containing 0.083 acre (3,598 square feet) of land.

# **BEARING BASIS NOTE**

The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83 (CORS) Combined Scale Factor 1.00010). Project control points were established from reference station "AUSTIN RRP2" having coordinate values of N=10,086,515.89, E=3,109,682.48 and "H-20-3001" (CB11) having coordinate values of N=10,061,108.04, E=3,109,304.63.

THE STATE OF TEXAS

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS §

That I, Gregorio Lopez, Jr., a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 12th

day of January, 2007, A.D.

Macias & Associates, Inc. 5410 South 1<sup>st</sup> Street Austin, Texas 78745

512-442-7875

Gregorio Lopez, Jr.

Registered Professional Land Surveyor

No. 5272 – State of Texas

FIELD NOTES REVIEWED

Austin Clean Water Program

Survey Coordinator

**REFERENCES** 

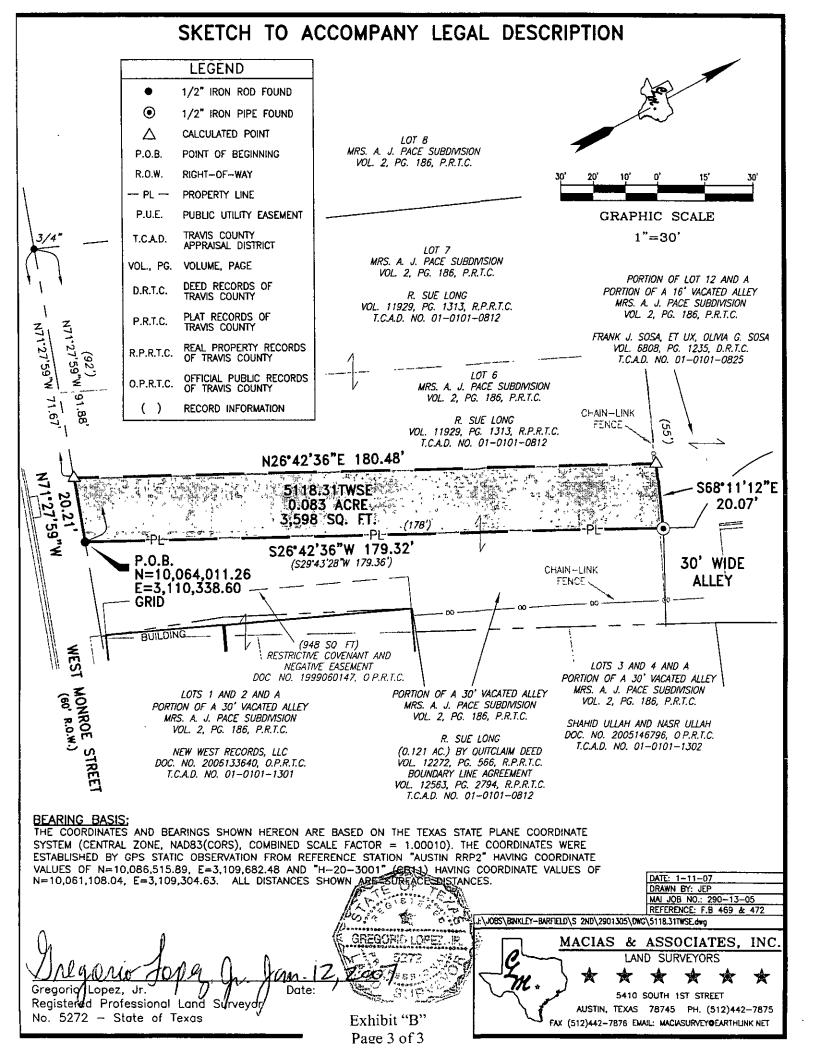
MAPSCO 2003 614H Austin Grid No. MH-21

TCAD PARCEL ID NO. 01-0101-0812

MACIAS & ASSOCIATES, INC., PROJECT NO. 290-13-05

0 083 Acre (3,598 Square Feet) Temporary Working Space Easement 5118.31TWSE

Date: 2-16-67





# MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS

R. SUE LONG TO CITY OF AUSTIN (TEMPORARY STAGING AREA AND MATERIAL STORAGE SITE) April 18, 2007

# **DESCRIPTION FOR PARCEL 5118.31TSAAMSS**

DESCRIPTION OF A 0.330 ACRE (14,381 SQUARE FOOT) TRACT OF LAND OUT OF THE WESTERLY PORTION OF LOT 6 AND ALL OF LOT 7, MRS. A. J. PACE SUBDIVISION, A SUBDIVISION RECORDED IN VOLUME 2, PAGE 186, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOTS 6 AND 7 BEING DESCRIBED IN A WARRANTY DEED EXECUTED APRIL 30, 1993 TO R. SUE LONG, RECORDED IN VOLUME 11929, PAGE 1313, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.330 ACRE (14,381 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3/4" iron rod found having Texas State Plane Coordinate (Central Zone, NAD83 (CORS), U.S. Feet, Combined Scale Factor 1.00010) values of N=10,064,040.41, E=3,110,251.48, on the north right-of-way line of West Monroe Street, a 60-foot wide right-of-way, at the southwest corner of said Lot 7 and at the southeast corner of Lot 8 of said Mrs. A. J. Pace Subdivision, for the southwest corner of this tract;

THENCE, N 21°52'41" E, with the west line of said Lot 7 and the east line of said Lot 8, a distance of 183.97 feet to a mag nail with shiner stamped "MACIAS & ASSOC" set in concrete on the south line of a tract of land described in a Special Warranty Deed executed October 27, 1979 to Frank J. Sosa ET UX. Olivia G. Sosa, recorded in Volume 6808, Page 1235, Deed Records of Travis County, Texas, at the northwest corner of said Lot 7 and at the northeast corner of said Lot 8, for the northwest corner of this tract:

THENCE, S 68°11'12" E, with the north line of said Lots 6 and 7 and the south line of said Sosa tract, a distance of 86.75 feet to a 60d nail set for the northeast corner of this tract, from said point, a 1/2" iron pipe found at the northeast corner of said Lot 6, the southeast corner of said Sosa tract and at the northwest corner of a 0.121 acre tract described in a Quitclaim Deed executed September 12, 1994 to R. Sue Long, recorded in Volume 12272, Page 566, Real Property Records of Travis County, Texas, bears S 68°11'12" E, 20.07 feet;

**THENCE**, S 26°42'36" W, across said Lot 6, a distance of 180.48 feet to a 60d nail set on the north right-of-way line of West Monroe Street and on the south line of said Lot 6, for the southeast corner of this tract, from said point, a 1/2" iron rod found at the southeast corner of Lot 6 and at the southwest corner of said 0.121 acre tract, bears S 71°27'59" E, 20.21 feet;

0.330 Acre (14,381 Square Feet)
Temporary Staging Area and Material Storage Site

**5118 31TSAAMSS** 

Exhibit "C" Page 1 of 3

THENCE, N 71°27'59" W, with the north right-of-way line of West Monroe Street and the south line of said Lots 6 and 7, a distance of 71.67 feet to the POINT OF BEGINNING and containing 0.330 acre (14,381 square feet) of land.

# **BEARING BASIS NOTE**

The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83 (CORS) Combined Scale Factor 1.00010). Project control points were established from reference station "AUSTIN RRP2" having coordinate values of N=10,086,515.89, E=3,109,682.48 and "H-20-3001" (CB11) having coordinate values of N=10,061,108.04, E=3,109,304.63.

THE STATE OF TEXAS KNOW ALL MEN BY THESE PRESENTS: COUNTY OF TRAVIS

That I, Gregorio Lopez, Jr., a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 18th day of

April, 2007, A.D.

Macias & Associates, L.P. 5410 South 1st Street

Austin, Texas 78745

512-442-7875

Registered Professional Land Surveyor

No. 5272 - State of Texas

FIELD NOTES REVIEWED

**Austin Clean Water Program Survey Coordinator** 

TCAD PARCEL ID NO. 01-0101-0812 MACIAS & ASSOCIATES, INC., PROJECT NO. 290-17-05

REFERENCES MAPSCO 2003 614H

Austin Grid No. MH-21

0.330 Acre (14,381 Square Feet) Temporary Staging Area and Material Storage Site 5118.31TSAAMSS

