

**RESOLUTION NO. 20080131-038**

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

**WHEREAS**, the City of Austin has attempted to purchase that needed real property interest 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 interest 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 acquisition.

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

Owner: Texas American Headquarters, LLC, a Texas limited liability partnership

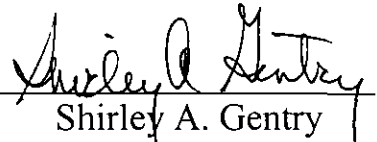
Project: Govalle 1 – South 2<sup>nd</sup> Street Reroute, Phase I, Wastewater Improvement Project, a portion of the Austin Clean Water Program

Intended Purpose: the temporary working space easement described in the attached Exhibit “A” is necessary to install permanent wastewater lines and appurtenances thereto in an adjacent wastewater line easement.

Location: 801 Barton Springs, Austin, Texas 78704

Property: Described in the attached and incorporated Exhibit A.

**ADOPTED:** January 31, 2008

**ATTEST:**   
Shirley A. Gentry  
City Clerk



**MACIAS & ASSOCIATES, L.P.**

LAND SURVEYORS

TEXAS AMERICAN  
HEADQUARTERS, LLC  
TO  
CITY OF AUSTIN  
(TEMPORARY WORKING  
SPACE EASEMENT)

June 4, 2007

**DESCRIPTION FOR PARCEL 5118.65TWSE**

DESCRIPTION OF A 0.008 ACRE (334 SQUARE FOOT) TRACT OF LAND OUT OF LOT 1, BLOCK A, THE CRESCENT ON BOULDIN CREEK, A SUBDIVISION RECORDED IN DOCUMENT NO. 200500141, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 1, BLOCK A BEING THAT SAME TRACT DESCRIBED IN A SPECIAL WARRANTY DEED EXECUTED JUNE 8, 2006 TO TEXAS AMERICAN HEADQUARTERS, LLC, RECORDED IN DOCUMENT NO. 2006108995, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.008 ACRE (334 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** for reference at a 1/2" iron pipe found at an interior corner of said Lot 1, Block A, at the most easterly southeast corner of a 1.6629 acre tract described in a Special Warranty Deed executed September 7, 1999 to The Realty Associates Fund V, L.P., recorded in Document No. 1999102268, Official Public Records of Travis County, Texas, and at the southeast corner of Lot A, Vernon's Addition, a subdivision recorded in Volume 68, Page 62, Plat Records of Travis County, Texas;

**THENCE**, N 69°23'24" W, with the most westerly north line of said Lot 1, the most easterly south line of said 1.6629 acre tract and the south line of said Lot A, at 5.00 feet, pass the centerline of a 15-foot wide wastewater easement recorded in Document No. 200500141, Official Public Records of Travis County, Texas, and continuing a total distance of 12.52 feet to a calculated point having Texas State Plane Coordinate (Central Zone, NAD83 (CORS), U.S. Feet, Combined Scale Factor 1.00010) values of N=10,067,274.84, E=3,111,203.50, on the west line of said 15-foot wide wastewater easement, for the northeast corner and the **POINT OF BEGINNING** of this tract;

**THENCE**, across said Lot 1, the following three (3) courses:

- 1) S 16°22'26" W, with the west line of said 15-foot wide wastewater easement, a distance of 72.65 feet to a calculated point;
- 2) S 29°48'00" W, continuing with the west line of said 15-foot wide wastewater easement, a distance of 0.46 feet to a calculated point for the south corner of this tract;

0.008 Acre (334 Square Feet)  
Temporary Working Space Easement

Exhibit "A"  
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5118.65TWSE

- 3) N 09°28'25" E, a distance of 74.31 feet to a calculated point for the northwest corner of this tract, from said point, a 1/2" iron pipe found at the most westerly northwest corner of said Lot 1, at an interior corner of said 1.6629 acre tract and at the southwest corner of said Lot A, bears N 69°23'24" W, 28.41 feet;

**THENCE**, S 69°23'24" E, with the most westerly north line of said Lot 1, the most easterly south line of said 1.6629 acre tract and the south line of said Lot A, a distance of 9.06 feet to the **POINT OF BEGINNING** and containing 0.008 acre (334 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.

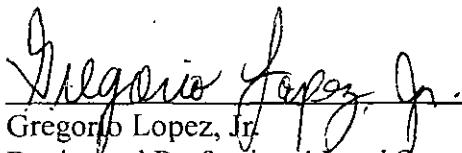
**THE STATE OF TEXAS** §  
§  
**COUNTY OF TRAVIS** §

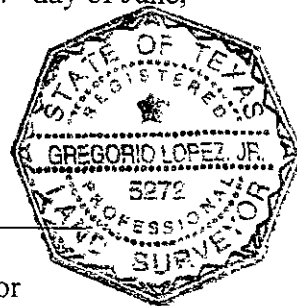
KNOW ALL MEN BY THESE PRESENTS:

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 4<sup>th</sup> day of June, 2007, A.D.

Macias & Associates, L.P.  
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



**REFERENCES**

MAPSCO 2003 614D  
Austin Grid No. MH-21  
TCAD PARCEL ID NO. 01-0201-0317  
MACIAS & ASSOCIATES, L.P., PROJECT NO. 290-22-07

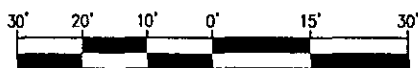
**FIELD NOTES REVIEWED**

By: Bam Date: 7-12-07  
Austin Clean Water Program  
Survey Coordinator

0.008 Acre (334 Square Feet)  
Temporary Working Space Easement

5118.65TWSE

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



GRAPHIC SCALE

1"=30'

## LINE TABLE

NUMBER	BEARING	DISTANCE
L1	S69°23'24"E	9.06'
L2	N69°23'24"W	12.52'
L3	N69°23'24"W	28.41'

BARTON SPRINGS  
ROAD  
(100' R.O.W.)

## LEGEND

- ⊙ 1/2" IRON PIPE FOUND
- △ CALCULATED POINT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- PL— PROPERTY LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- DOC. NO. DOCUMENT NUMBER
- VOL., PG. VOLUME, PAGE
- P.R.T.C. PLAT RECORDS OF TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- ( ) RECORD INFORMATION

THE REALTY ASSOCIATES FUND V, LP  
(1.6629 AC.)  
DOC. NO. 1999102268,  
O.P.R.T.C.

LOT A  
VERNON'S ADDITION  
VOL. 68, PG. 62, P.R.T.C.

CITY OF AUSTIN  
18' WIDE ENCLOSED  
STORM SEWER EASEMENT  
VOL. 9739, PG. 982, R.P.R.T.C.

P.O.B.  
N=10,067,274.84  
E=3,111,203.50  
GRID

P.O.C.

LOT 1, BLOCK A  
THE CRESCENT ON BOULDIN CREEK  
DOC. NO. 200500141, O.P.R.T.C.

TEXAN AMERICAN HEADQUARTERS, LLC,  
DOC. NO. 2006108995, O.P.R.T.C.

15' WASTEWATER EASEMENT  
DOC. NO. 200500141, O.P.R.T.C.

5118.65TWSE  
0.008 ACRE  
334 SQ. FT.

CITY OF AUSTIN  
STORM SEWER ESMT  
VOL. 10274, PG. 464,  
R.P.R.T.C.

## 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 SURFACE DISTANCES.



*Gregorio Lopez, Jr.*  
Gregorio Lopez, Jr.  
Registered Professional Land Surveyor  
No. 5272 - State of Texas

Date:

Exhibit "A"  
Page 3 of 3

DATE: 6-4-07  
DRAWN BY: ALM  
MAI JOB NO.: 290-22-07  
REFERENCE: F.B. 410 & 472

J:\JOBS\BINKLEY-BARFIELD\S 2ND\2902207\OWG\5118.65TWSE.dwg

MACIAS & ASSOCIATES, L.P.  
LAND SURVEYORS



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FAX (512)442-7876 EMAIL. MACIASURVEY@EARTHLINK.NET