

RESOLUTION NO. 20091015-002

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 damages 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 effect the needed acquisitions.

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

Owner: Travis Mizpah, Ltd.

Project: South IH-35 Water/Wastewater Program

Public Purpose: the permanent waterline easement described in the attached Exhibit "A" is necessary to construct, operate, maintain, replace, upgrade, and repair waterlines and making connections therewith, in order to increase and improve the City's ability to provide potable water to the public and to prevent leakage from water lines; and

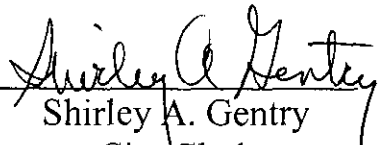
the temporary working space easement described in the attached Exhibit "B" is necessary to complete construction of the Project, and

the temporary staging area and material storage site easements described in the attached Exhibit "C" and Exhibit "D" are necessary to stage equipment and store material needed to complete construction of the Project.

Location: 11922 S IH 35, Austin, Texas 78747

Property: Described in the attached and incorporated Exhibits A, B, C, and D.

ADOPTED: October 15, 2009

ATTEST: 
Shirley A. Gentry
City Clerk



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

(WATERLINE EASEMENT)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937.003

DESCRIPTION FOR PARCEL 4558.66 WE

LEGAL DESCRIPTION OF A 2.493-ACRE (108,608 SQUARE FOOT) TRACT OF LAND OUT OF THE REMAINDER PORTION OF A CALLED 54.2-ACRE TRACT IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, HAVING BEEN CONVEYED TO TRAVIS MIZPAH, LTD. BY WARRANTY DEED DATED DECEMBER 3, 1997 AND RECORDED IN VOLUME 13074, PAGE 565 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.493-ACRE TRACT BEING COMPRISED OF TWO PARTS, PART 1 CONTAINING 2.205 ACRES (96,041 SQUARE FEET) OF LAND AND PART 2 CONTAINING 0.288 ACRE (12,567 SQUARE FEET) OF LAND; SAID PART 1 AND PART 2 AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PART 1 (2.205 ACRES)

BEGINNING on a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found in the westerly right-of-way line of Interstate Highway No. 35 (right-of-way width varies), being the most easterly corner of a called 2.000-acre tract of land conveyed to Burnya Mae McLeod by Document No. 2001220365 of the Official Public Records of Travis County, Texas, same being an angle point in the easterly boundary line of the remainder portion of a called 54.2-acre tract conveyed to Travis Mizpah, Ltd. by instrument recorded in Volume 13074, Page 565 of the Real Property Records of said County, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,019,137.91, E=3,096,876.41, for the most southerly corner and **POINT OF BEGINNING** of this tract;

THENCE departing said westerly right-of-way line of Interstate Highway No. 35, with the common boundary line of said called 2.000-acre tract and said remainder portion of the called 54.2-acre tract, N66°52'37"W for a distance of 30.14 feet to a 60d nail set for the most westerly corner of this tract, from which a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found on an angle point in said common boundary line bears N66°52'37"W a distance of 83.31 feet;

5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 •
w w w . m a c i a s w o r l d . c o m

THENCE departing said common boundary line, through the interior of said remainder portion of the called 54.2-acre tract, N17°31'37"E for a distance of 3,200.39 feet to a calculated point in the approximate centerline of Onion Creek, being in the northerly boundary line of said remainder portion of the called 54.2-acre tract, being also in the southerly boundary line of Lot 2, Block "A" of Double Creek Village, Block A, a subdivision recorded in Document No. 200500241 of said Official Public Records, for the most northerly corner of this tract;

THENCE with said northerly boundary line of the remainder portion of the called 54.2-acre tract, same being said southerly boundary line of Lot 2, Block "A" of Double Creek Village, Block A, being also said approximate centerline of Onion Creek, S71°05'50"E for a distance of 30.01 feet to a calculated point in the aforementioned westerly right-of-way line of Interstate Highway No. 35, for the most easterly corner of said remainder portion of the called 54.2-acre tract, for the most easterly corner of this tract;

THENCE departing said southerly boundary line of Lot 2, Block "A" of Double Creek Village, Block A, with said westerly right-of-way line of Interstate Highway No. 35, same being the easterly boundary line of said remainder portion of the called 54.2-acre tract, S17°31'37"W, pass at a distance of 1,681.80 feet a 5/8-inch diameter iron rod found, pass at a distance of 2,681.87 feet a 5/8-inch diameter iron rod found, continuing for a total distance of 3,202.61 feet to the **POINT OF BEGINNING** and containing 2.205-acres (96,041 square feet) of land.

PART 2 (0.288 ACRE)

BEGINNING on a brass disk in concrete stamped "Herman Heep Corner" found in the westerly right-of-way line of Interstate Highway No. 35 (right-of-way width varies), being a northeasterly corner of a called 418.601-acre tract of land conveyed to SLF III-Onion Creek, L.P. by Document No. 2007226648 of the Official Public Records of Travis County, Texas, same being the most southerly corner of the remainder portion of a called 54.2-acre tract of land conveyed to Travis Mizpah, Ltd. by instrument recorded in Volume 13074, Page 565 of the Real Property Records of said County, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,018,709.04, E=3,096,740.97, for the most southerly corner and **POINT OF BEGINNING** of this tract;

THENCE departing said westerly right-of-way line of Interstate Highway No. 35, with the common boundary line of said called 418.601-acre tract and said remainder portion of the called 54.2-acre tract, N62°37'04"W for a distance of 30.45 feet to a 60d nail set for the most westerly corner of this tract, from which a brass disk in concrete stamped "Herman Heep Corner" found on the southwesterly corner of said remainder portion of the called 54.2-acre tract, bears N62°37'04"W a distance of 563.87 feet;

THENCE departing said common boundary line, through the interior of said remainder portion of the called 54.2-acre tract, N17°31'37"E for a distance of 417.70 feet to a 60d nail set in the common boundary line of a called 2.000-acre tract of land conveyed to Burnya Mae McLeod by Document No. 2001220365 of said Official Public Records and said remainder portion of the called 54.2-acre tract, for the most northerly corner of this tract, from which a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found on an angle point in said common boundary line bears N67°06'36"W a distance of 101.43 feet;

THENCE with said common boundary line of the called 2.000-acre tract and the remainder portion of the called 54.2-acre tract, S67°06'36"E for a distance of 30.13 feet to a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found in said westerly right-of-way line of Interstate Highway No. 35, being the most southerly corner of said called 2.000-acre tract, same being an angle point in the easterly boundary line of said remainder portion of the called 54.2-acre tract, for the most easterly corner hereof;

THENCE with said westerly right-of-way line of Interstate Highway No. 35, same being the easterly boundary line of said remainder portion of the called 54.2-acre tract, S17°31'37"W for a distance of 420.10 feet to the **POINT OF BEGINNING** and containing 0.288-acre (12,567 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.


THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Jackie Lee Crow, 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 17th day of November, 2008, A.D.

Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875


Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 – State of Texas



REFERENCES

MAPSCO 2003 703-R,703-V
AUSTIN GRID NO. F-11
TCAD PARCEL ID NO. 04-4818-0203
MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-04-08

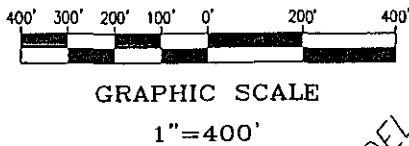
Reviewed and Approved by
Landmark Surveying, LP

 Date 11-17-08

Dana A. Markus-Wolf, R.P.L.S. No. 4996
President of the General Partner

Exhibit "A"
Page 4 of 5

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



SANTIAGO DEL VALLE
GRANT

LEGEND

- ☒ BRASS DISK FOUND
STAMPED "HERMAN HEEP CORNER"
- ⊙ 1/2" IRON ROD FOUND WITH PLASTIC
CAP STAMPED "McANGUS SURVEYING"
- 5/8" IRON ROD FOUND
- ▲ 60D NAIL SET
- △ CALCULATED POINT
- () RECORD INFORMATION
- R.P.R.T.C.T. REAL PROPERTY RECORDS
OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS
OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS
OF TRAVIS COUNTY, TEXAS

LINE TABLE

NO.	BEARING	DISTANCE
L1	N66°52'37"W	30.14'
L2	N66°52'37"W	83.31'
L3	S71°05'50"E	30.01'
L4	N62°37'04"W	30.45'
L5	N17°31'37"E	417.70'
L6	N67°06'36"W	101.43'
L7	S67°06'36"E	30.13'
L8	S17°31'37"W	420.10'

LOT 2, BLOCK "A"
DOUBLE CREEK VILLAGE
BLOCK A
DOC. NO. 200500241
O.P.R.T.C.T.

APPROXIMATE CENTERLINE
ONION CREEK

CITY OF AUSTIN
5' ELECTRIC &
TELEPHONE EASEMENT
VOL. 3815, PG. 2159
D.R.T.C.T.

TRAVIS MIZPAH, LTD.
VOL. 13074, PG. 565
R.P.R.T.C.T.

REMAINDER PORTION OF
(54.2 ACRES)

PARCEL 4558.66
WATERLINE EASEMENT
PART 1
2.205 AC.
96,041 SQ. FT.

CITY OF AUSTIN
5' ELECTRIC UTILITY
EASEMENT
VOL. 12335, PG. 241
R.P.R.T.C.T.

CITY OF AUSTIN
5' ELECTRIC &
TELEPHONE EASEMENT
VOL. 5254, PG. 1980
D.R.T.C.T.

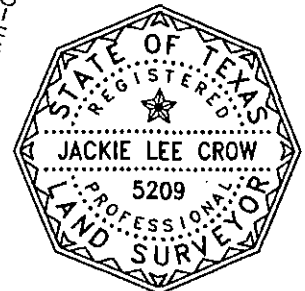
CITY OF AUSTIN
5' ELECTRIC &
TELEPHONE EASEMENT
VOL. 11372, PG. 556
R.P.R.T.C.T.

BURNYA MAE MCLEOD
DOC. NO. 2001220365
O.P.R.T.C.T.
(2.000 ACRES)

TRAVIS MIZPAH, LTD.
VOL. 13074, PG. 565
R.P.R.T.C.T.

SLF III - ONION CREEK, L.P.
DOC. NO. 2007226648
O.P.R.T.C.T.
(418.601 ACRES)

INTERSTATE HIGHWAY NO. 35
SOUTHBOUND FRONTAGE ROAD
(RIGHT-OF-WAY VARIES)



BEARING BASIS:

THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE-4203, NAD83(CORS). THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE POINT "F-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND CITY OF AUSTIN REFERENCE POINT "F-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.79, E=3,098,416.36. DISTANCES SHOWN HEREON ARE GRID.

SEPTEMBER 26, 2008
REVISED: NOVEMBER 7, 2008
REVISED: NOVEMBER 17, 2008

Jackie Lee Crow
Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 - State of Texas

POINT OF
BEGINNING PART 1
N=10,019,137.91
E=3,096,876.41
GRID

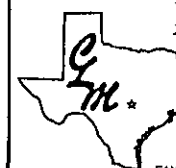
PARCEL 4558.66
WATERLINE
EASEMENT
PART 2
0.288 AC.
12,567 SQ. FT.

POINT OF
BEGINNING PART 2
N=10,018,709.04
E=3,096,740.97
GRID

DATE: 9/26/11/07/11/17/08
DRAWN BY: T. BLENDEN, J. CROW
MAL JOB NO.: 396-04-08
REFERENCE:

J:\JOBS\URS\396-04-08 SouthH35\DWG\4558.66 WE.dwg

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS



★ ★ ★ ★ ★ ★ ★ ★ ★ ★
5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACSURV.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

(TEMPORARY WORKING SPACE EASEMENT)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937.003

DESCRIPTION FOR PARCEL 4558.66 TWSE

LEGAL DESCRIPTION OF A 1.660-ACRE (72,345 SQUARE FOOT) TRACT OF LAND OUT OF THE REMAINDER PORTION OF A CALLED 54.2-ACRE TRACT IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, HAVING BEEN CONVEYED TO TRAVIS MIZPAH, LTD. BY WARRANTY DEED DATED DECEMBER 3, 1997 AND RECORDED IN VOLUME 13074, PAGE 565 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1.660-ACRE TRACT BEING COMPRISED OF TWO PARTS, PART 1 CONTAINING 1.469 ACRES (64,006 SQUARE FEET) OF LAND AND PART 2 CONTAINING 0.191 ACRE (8,339 SQUARE FEET) OF LAND; SAID PART 1 AND PART 2 AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PART 1 (1.469 ACRES)

BEGINNING FOR REFERENCE on a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found in the westerly right-of-way line of Interstate Highway No. 35 (right-of-way width varies), being the most easterly corner of a called 2.000-acre tract of land conveyed to Burnya Mae McLeod by Document No. 2001220365 of the Official Public Records of Travis County, Texas, same being an angle point in the easterly boundary line of the remainder portion of a called 54.2-acre tract conveyed to Travis Mizpah, Ltd. by instrument recorded in Volume 13074, Page 565 of the Real Property Records of said County, THENCE departing said westerly right-of-way line of Interstate Highway No. 35, with the common boundary line of said called 2.000-acre tract and said remainder portion of the called 54.2-acre tract, N66°52'37"W for a distance of 30.14 feet to a 60d nail set having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,019,149.75, E=3,096,848.69, for the most southerly corner and **POINT OF BEGINNING** of this tract;

THENCE with said common boundary line of said called 2.000-acre tract and said remainder portion of the called 54.2-acre tract, N66°52'37"W for a distance of 20.10 feet to a calculated point for the most westerly corner of this tract, from which a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found on an angle point in said common boundary line bears N66°52'37"W a distance of 63.21 feet;

5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 •
w w w . m a c i a s w o r l d . c o m

THENCE departing said common boundary line, through the interior of said remainder portion of the called 54.2-acre tract, N17°31'37"E for a distance of 3,198.91 feet to a calculated point in the approximate centerline of Onion Creek, being in the northerly boundary line of said remainder portion of the called 54.2-acre tract, being also in the southerly boundary line of Lot 2, Block "A" of Double Creek Village, Block A, a subdivision recorded in Document No. 200500241 of said Official Public Records, for the most northerly corner of this tract;

THENCE with said northerly boundary line of the remainder portion of the called 54.2-acre tract, same being said southerly boundary line of Lot 2, Block "A" of Double Creek Village, Block A, being also said approximate centerline of Onion Creek, S71°05'50"E for a distance of 20.01 feet to a calculated point for the most easterly corner of this tract, from which a 5/8-inch diameter iron rod found in said westerly right-of-way line of Interstate Highway No. 35 bears S71°05'50"E a distance of 30.01 feet and S17°31'37"W a distance of 1,681.80 feet;

THENCE departing said southerly boundary line of Lot 2, Block "A" of Double Creek Village, Block A, through the interior of said remainder portion of the called 54.2-acre tract, S17°31'37"W for a distance of 3,200.39 feet to the **POINT OF BEGINNING** and containing 1.469-acres (64,006 square feet) of land.

PART 2 (0.191 ACRE)

BEGINNING FOR REFERENCE on a brass disk in concrete stamped "Herman Heep Corner" found in the westerly right-of-way line of Interstate Highway No. 35 (right-of-way width varies), being a northeasterly corner of a called 418.601-acre tract of land conveyed to SLF III-Onion Creek, L.P. by Document No. 2007226648 of the Official Public Records of Travis County, Texas, same being the most southerly corner of the remainder portion of a called 54.2-acre tract of land conveyed to Travis Mizpah, Ltd. by instrument recorded in Volume 13074, Page 565 of the Real Property Records of said County, **THENCE** departing said westerly right-of-way line of Interstate Highway No. 35, with the common boundary line of said called 418.601-acre tract and said remainder portion of the called 54.2-acre tract, N62°37'04"W for a distance of 30.45 feet to a 60d nail set having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,018,723.04, E=3,096,713.93, for the most southerly corner and **POINT OF BEGINNING** of this tract;

THENCE with said common boundary line of the called 418.601-acre tract and the remainder portion of the called 54.2-acre tract, N62°37'04"W for a distance of 20.30 feet to a calculated point for the most westerly corner of this tract, from which a brass disk in concrete stamped "Herman Heep Corner" found on the southwesterly corner of said remainder portion of the called 54.2-acre tract, bears N62°37'04"W a distance of 543.57 feet;

THENCE departing said common boundary line, through the interior of said remainder portion of the called 54.2-acre tract, N17°31'37"E for a distance of 416.10 feet to a calculated point in the common boundary line of a called 2.000-acre tract of land conveyed to Burnya Mae McLeod by Document No. 2001220365 of said Official Public Records and said remainder portion of the called 54.2-acre tract, for the most northerly corner of this tract, from which a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found on an angle point in said common boundary line of the called 2.000-acre tract and the remainder portion of the called 54.2-acre tract, bears N67°06'36"W a distance of 81.34 feet;

THENCE with said common boundary line of the called 2.000-acre tract and the remainder portion of the called 54.2-acre tract, S67°06'36"E for a distance of 20.09 feet to a 60d nail set for the most easterly corner of this tract, from which a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found in said westerly right-of-way line of Interstate Highway No. 35, being the most southerly corner of said called 2.000-acre tract, same being an angle point in the easterly boundary line of said remainder portion of the called 54.2-acre tract, bears S67°06'36"E for a distance of 30.13 feet,

THENCE departing said common boundary line with the called 2.000-acre tract, through the interior of said remainder portion of the called 54.2-acre tract, S17°31'37"W for a distance of 417.70 feet to the **POINT OF BEGINNING** and containing 0.191-acre (8,339 square feet) of land.

BEARING BASIS NOTE

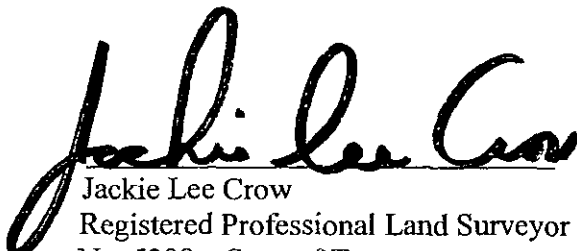
The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

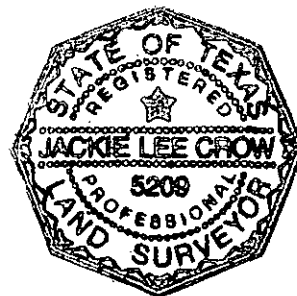
THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Jackie Lee Crow, 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 7th day of November, 2008, A.D.

Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875


Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 – State of Texas



REFERENCES

MAPSCO 2003 703-R, 703-V
AUSTIN GRID NO. F-11
TCAD PARCEL ID NO. 04-4818-0203
MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-04-08

Reviewed and Approved by
Landmark Surveying, LP

 Date 11.14.08

Dana A. Markus-Wolf, R.P.L.S. No. 4996
President of the General Partner

Exhibit "B"
Page 4 of 5

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LINE TABLE

NO.	BEARING	DISTANCE
L1	N66°52'37"W	30.14'
L2	N66°52'37"W	20.10'
L3	N66°52'37"W	63.21'
L4	S71°05'50"E	20.01'
L5	N62°37'04"W	30.45'
L6	N62°37'04"W	20.30'
L7	N17°31'37"E	416.10'
L8	N67°06'36"W	81.34'
L9	S67°06'36"E	20.09'
L10	S67°06'36"E	30.13'
L11	S17°31'37"W	417.70'

BEARING BASIS:

THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE-4203, NAD83(CORS). THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE POINT "F-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND CITY OF AUSTIN REFERENCE POINT "F-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.79, E=3,098,416.36. DISTANCES SHOWN HEREON ARE GRID.

SEPTEMBER 26, 2008
REVISED: NOVEMBER 7, 2008

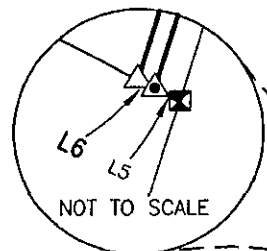
Jackie Lee Crow
Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 - State of Texas



PARCEL 4558.66
TEMPORARY WORK
SPACE EASEMENT
PART 2
0.191 AC.
8,339 SQ. FT.

BURNIA MAE MCLEOD
DOC. NO. 2001220365
O.P.R.T.C.T.
(2.000 ACRES)

CITY OF AUSTIN
5' ELECTRIC &
TELEPHONE EASEMENT
VOL. 11372, PG. 556
R.P.R.T.C.T.



SLF III - ONION CREEK, L.P.
DOC. NO. 2007226648
O.P.R.T.C.T.
(418.601 ACRES)

BEGIN FOR
REFERENCE
PART 2

PARCEL 4558.66
TEMPORARY WORK
SPACE EASEMENT
PART 1
1.469 AC.
64,006 SQ. FT.

LOT 2, BLOCK "A"
DOUBLE CREEK VILLAGE
BLOCK A
DOC. NO. 200500241
O.P.R.T.C.T.

SANTAGO DEL VALLE
GRANT

APPROXIMATE CENTERLINE
ONION CREEK

CITY OF AUSTIN
5' ELECTRIC &
TELEPHONE EASEMENT
VOL. 3815, PG. 2139
D.R.T.C.T.

TRAVIS MIZPAH, LTD.
VOL. 13074, PG. 565
R.P.R.T.C.T.

REMAINDER PORTION OF
(54.2 ACRES)

N 17°31'37" E 3,198.91'
RIGHT-OF-WAY LINE
S 17°31'37" W 3,200.39'

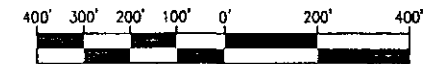
CITY OF AUSTIN
5' ELECTRIC &
TELEPHONE EASEMENT
VOL. 5254, PG. 1980
D.R.T.C.T.

CITY OF AUSTIN
5' ELECTRIC UTILITY
EASEMENT
VOL. 12335, PG. 241
R.P.R.T.C.T.

S71°05'50"E
30.01'

L4

INTERSTATE HIGHWAY NO. 35
SOUTHBOUND FRONTAGE ROAD
(RIGHT-OF-WAY VARIES)



GRAPHIC SCALE

1"=400'

LEGEND

- ☒ BRASS DISK FOUND STAMPED "HERMAN KEEP CORNER"
- ⊙ 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED "MCANGUS SURVEYING"
- 5/8" IRON ROD FOUND
- ▲ 60D NAIL SET
- △ CALCULATED POINT
- () RECORD INFORMATION
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS

POINT OF
BEGINNING PART 1
N=10,019,149.75
E=3,096,848.69
GRID

BEGIN FOR
REFERENCE
PART 1

POINT OF
BEGINNING PART 2
N=10,018,723.04
E=3,096,713.93
GRID

Exhibit "B"
Page 5 of 5

J:\JOBS\URS\396-04-08 SouthIH35\DWG\4558.66 TWSE.dwg

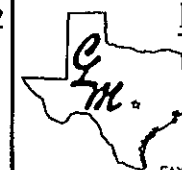
MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS

5410 SOUTH 1ST STREET

AUSTIN, TEXAS 78745 PH. (512)442-7875

FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACSURV.COM



DATE: 9-26-08, 11-07-08
DRAWN BY: T. BLENDEN, J. CROW
MAJ JOB NO.: 396-04-08
REFERENCE:



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

(TEMPORARY STAGING AREA AND
MATERIALS STORAGE SITE)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937.003

DESCRIPTION FOR PARCEL 4558.66 TSAAMSS

LEGAL DESCRIPTION OF A 0.918-ACRE (40,000 SQUARE FOOT) TRACT OF LAND IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING OUT OF THE REMAINDER PORTION OF A CALLED 54.2-ACRE TRACT, HAVING BEEN CONVEYED TO TRAVIS MIZPAH, LTD. BY WARRANTY DEED DATED DECEMBER 3, 1997 AND RECORDED IN VOLUME 13074, PAGE 565 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.918-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE on a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found in the westerly right-of-way line of Interstate Highway No. 35 (right-of-way width varies), being an angle point in the easterly boundary line of the above mentioned remainder portion of the called 54.2-acre tract conveyed to Travis Mizpah, Ltd., same being the most easterly corner of a called 2.000-acre tract of land conveyed to Burnya Mae McLeod by Document No. 2001220365 of the Official Public Records of Travis County, Texas, from which a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found on an angle point in the common boundary line of said remainder portion of the called 54.2-acre tract and said 2.000-acre tract, bears N66°52'37"W a distance of 113.45 feet; **THENCE** with said westerly right-of-way line of Interstate Highway No. 35, same being said easterly boundary line of the remainder portion of the 54.2-acre tract, N17°31'37"E, pass at a distance of 520.74 feet a 5/8-inch diameter iron rod found, pass at a distance of 1,520.81 feet a 5/8-inch diameter iron rod found, continuing for a total distance of 2,021.69 feet to a calculated point; **THENCE** departing said westerly right-of-way line of Interstate Highway No. 35, through the interior of said remainder portion of the 54.2-acre tract, N72°28'23"W a distance of 50.00 feet to a calculated point, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,021,080.81, E=3,097,437.57, for the southeasterly corner and **POINT OF BEGINNING** of this tract;

5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 •
www.maciasworld.com

THENCE continuing through said interior of the remainder portion of the 54.2-acre tract, the following four (4) courses:

- 1) N72°28'23"W for a distance of 200.00 feet to a calculated point for the southwesterly corner of this tract;
- 2) N17°31'37"E for a distance of 200.00 feet to a calculated point for the northwesterly corner of this tract;
- 3) S72°28'23"E for a distance of 200.00 feet to a calculated point for the northeasterly corner of this tract, from which a calculated point being the northeasterly corner of said remainder portion of the called 54.2-acre tract, being also in the approximate centerline of Onion Creek, bears S72°28'23"E a distance of 50.00 feet to a calculated point in said westerly right-of-way line of Interstate Highway No. 35, same being said easterly boundary line of the remainder portion of the called 54.2-acre tract and with said westerly right-of-way line of Interstate Highway No. 35, same being said easterly boundary line of the remainder portion of the called 54.2-acre tract, N17°31'37"E for a distance of 980.91 feet;
- 4) S17°31'37"W for a distance of 200.00 feet to the **POINT OF BEGINNING** and containing 0.918-acre (40,000 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

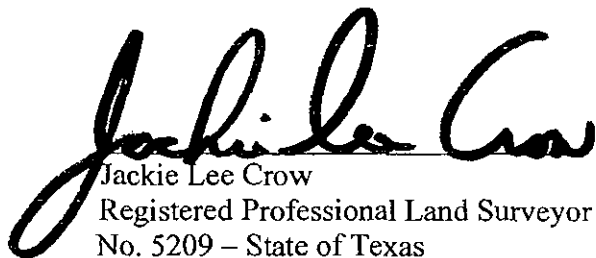
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Jackie Lee Crow, 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 6th day of March, 2009, A.D.

Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875

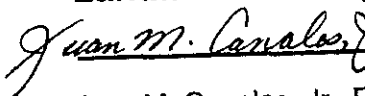

Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 – State of Texas



REFERENCES

MAPSCO 2003 703-R,
AUSTIN GRID NO. F-11
TCAD PARCEL ID NO. 04-4818-0203
MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-04-08

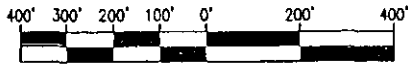
Reviewed and Approved by
Landmark Surveying, LP

 Date 3-10-09

Juan M. Canales, Jr., R.P.L.S. No. 4453
Senior Project Manager

Exhibit "C"
Page 3 of 4

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



GRAPHIC SCALE

1"=400'

SANTAIGO DEL VALLE
GRANT

LOT 2, BLOCK "A"
DOUBLE CREEK VILLAGE
BLOCK A
DOC. NO. 200500241
O.P.R.T.C.T.

APPROXIMATE CENTERLINE
UNION CREEK

CITY OF AUSTIN
5' ELECTRIC &
TELEPHONE EASEMENT
VOL. 3815, PG. 2159
O.R.T.C.T.

INTERSTATE HIGHWAY NO. 35
SOUTHBOUND FRONTAGE ROAD
(RIGHT-OF-WAY VARIES)

PARCEL 4558.66
TEMPORARY STAGING
AREA AND MATERIALS STORAGE
SITE
0.918 AC.
40,000 SQ. FT.

POINT OF
BEGINNING
N=10,021,080.81
E=3,097,437.57
GRID

TRAVIS MIZPAH, LTD.
VOL. 13074, PG. 565
R.P.R.T.C.T.

REMAINDER PORTION OF
(54.2 ACRES)

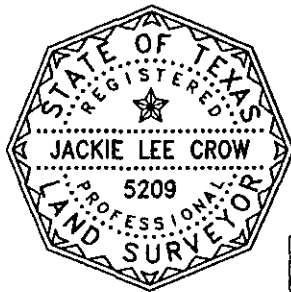
LINE TABLE		
NO.	BEARING	DISTANCE
L1	N66°52'37"W	113.45'
L2	N72°28'23"W	50.00'
L3	N72°28'23"W	200.00'
L4	N17°31'37"E	200.00'
L5	S72°28'23"E	200.00'
L6	S72°28'23"E	50.00'
L7	S17°31'37"W	200.00'

BEARING BASIS:

THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE-4203, NAD83(CORS). THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE POINT "F-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND CITY OF AUSTIN REFERENCE POINT "F-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.79, E=3,098,416.36. DISTANCES SHOWN HEREON ARE GRID.

MARCH 6, 2009

Jackie Lee Crow
Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 - State of Texas



DATE: 9-26-08, 3-06-09
DRAWN BY: J CROW
MAI JOB NO.: 396-04-08
REFERENCE:

J:\JOBS\URS\396-04-08 SouthH35\OWG\4558.66 TWSE.dwg

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS



★ ★ ★ ★ ★
5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACSURV.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

(TEMPORARY STAGING AREA AND
MATERIALS STORAGE SITE)
SOUTH I-35 WATER/WASTEWATER PROGRAM
CIP # 6937. _____

DESCRIPTION FOR PARCEL 4558.66 TSAAMSS NO. 2

LEGAL DESCRIPTION OF A 0.820-ACRE (35,718 SQUARE FOOT) TRACT OF LAND IN THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, BEING OUT OF THE REMAINDER PORTION OF A CALLED 54.2-ACRE TRACT, HAVING BEEN CONVEYED TO TRAVIS MIZPAH, LTD. BY WARRANTY DEED DATED DECEMBER 3, 1997 AND RECORDED IN VOLUME 13074, PAGE 565 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.820-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE on a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found in the westerly right-of-way line of Interstate Highway No. 35 (right-of-way width varies), being an angle point in the easterly boundary line of the above mentioned remainder portion of the called 54.2-acre tract conveyed to Travis Mizpah, Ltd., same being the most easterly corner of a called 2.000-acre tract of land conveyed to Burnya Mae McLeod by Document No. 2001220365 of the Official Public Records of Travis County, Texas, from which a ½-inch diameter iron rod with a plastic cap stamped "McAngus Surveying" found on an angle point in the common boundary line of said remainder portion of the called 54.2-acre tract and said 2.000-acre tract, bears N66°52'37"W a distance of 113.45 feet; THENCE with said westerly right-of-way line of Interstate Highway No. 35, same being said easterly boundary line of the remainder portion of the 54.2-acre tract, N17°31'37"E, pass at a distance of 520.74 feet a 5/8-inch diameter iron rod found, pass at a distance of 1,520.81 feet a 5/8-inch diameter iron rod found, continuing for a total distance of 2,399.79 feet to a calculated point; THENCE departing said westerly right-of-way line of Interstate Highway No. 35, through the interior of said remainder portion of the 54.2-acre tract, N72°28'23"W a distance of 50.00 feet to a calculated point, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,021,441.35 E=3,097,551.44, for the southeasterly corner and **POINT OF BEGINNING** of this tract;

5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 •
w w w . m a c i a s w o r l d . c o m

THENCE continuing through said interior of the remainder portion of the 54.2-acre tract, the following four (4) courses:

- 1) N72°28'23"W for a distance of 200.00 feet to a calculated point for the southwesterly corner of this tract;
- 2) N17°31'37"E for a distance of 150.00 feet to a calculated point for the northwesterly corner of this tract;
- 3) S88°25'47"E for a distance of 208.01 feet to a calculated point for the northeasterly corner of this tract, from which a calculated point being the northeasterly corner of said remainder portion of the called 54.2-acre tract, being also in the approximate centerline of Onion Creek, bears S72°28'23"E a distance of 50.00 feet to a calculated point in said westerly right-of-way line of Interstate Highway No. 35, same being said easterly boundary line of the remainder portion of the called 54.2-acre tract and with said westerly right-of-way line of Interstate Highway No. 35, same being said easterly boundary line of the remainder portion of the called 54.2-acre tract, N17°31'37"E a distance of 595.63 feet;
- 4) S17°31'37"W for a distance of 207.18 feet to the **POINT OF BEGINNING** and containing 0.820-acre (35,718 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

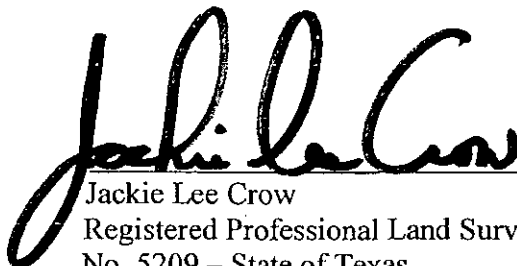
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Jackie Lee Crow, 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 19th day of March, 2009, A.D.

Macias & Associates, L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875

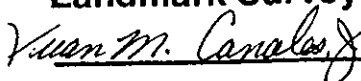

Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 – State of Texas



REFERENCES

MAPSCO 2003 703-R,
AUSTIN GRID NO. F-11
TCAD PARCEL ID NO. 04-4818-0203
MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-04-08

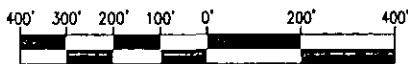
Reviewed and Approved by
Landmark Surveying, LP

 Date 3-20-09

Juan M. Canales, Jr., R.P.L.S. No. 4453
Senior Project Manager

Exhibit "D"
Page 3 of 4

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



GRAPHIC SCALE

1"=400'



LOT 2, BLOCK "A"
DOUBLE CREEK VILLAGE
BLOCK A
DOC. NO. 200500241
O.P.R.T.C.T.

APPROXIMATE CENTERLINE
ONION CREEK

CITY OF AUSTIN
5' ELECTRIC &
TELEPHONE EASEMENT
VOL. 3815, PG. 2159
D.R.T.C.T.

PARCEL 4558.66
TEMPORARY STAGING
AREA AND
MATERIALS STORAGE
SITE NO. 2
0.820 AC.
35,718 SQ. FT.

POINT OF
BEGINNING
N=10,021,441.35
E=3,097,551.44
GRID

INTERSTATE HIGHWAY NO. 35
SOUTHBOUND FRONTAGE ROAD
(RIGHT-OF-WAY VARIES)

LINE TABLE

NO.	BEARING	DISTANCE
L1	N66°52'37"W	113.45'
L2	N72°28'23"W	50.00'
L3	N72°28'23"W	200.00'
L4	N17°31'37"E	150.00'
L5	S88°25'47"E	208.01'
L6	S72°28'23"E	50.00'
L7	S17°31'37"W	207.18'

TRAVIS MIZPAH, LTD.
VOL. 13074, PG. 565
R.P.R.T.C.T.

REMAINDER PORTION OF
(54.2 ACRES)

LEGEND

☒ BRASS DISK FOUND STAMPED
"HERMAN HEEP CORNER"

⊙ 1/2" IRON ROD FOUND WITH
PLASTIC CAP STAMPED
"McANGUS SURVEYING"

● 5/8" IRON ROD FOUND

△ CALCULATED POINT

() RECORD INFORMATION

R.P.R.T.C.T. REAL PROPERTY RECORDS
OF TRAVIS COUNTY, TEXAS

O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS
OF TRAVIS COUNTY, TEXAS

D.R.T.C.T. DEED RECORDS
OF TRAVIS COUNTY, TEXAS

BURNIA MAE MCLEOD
DOC. NO. 2001220365
O.P.R.T.C.T.
(2.000 ACRES)

TRAVIS MIZPAH, LTD.
VOL. 13074, PG. 565
R.P.R.T.C.T.

BEGIN FOR
REFERENCE

BEARING BASIS:

THE COORDINATES AND BEARINGS SHOWN HEREON
ARE BASED ON THE TEXAS STATE PLANE COORDINATE
SYSTEM, CENTRAL ZONE-4203, NAD83(CORS). THE
COORDINATES WERE ESTABLISHED FROM CITY OF
AUSTIN REFERENCE POINT "F-11-3001" HAVING
COORDINATE VALUES OF N=10,022,636.88,
E=3,098,305.34 AND CITY OF AUSTIN REFERENCE
POINT "F-11-2001" HAVING COORDINATE VALUES OF
N=10,023,831.79, E=3,098,416.36. DISTANCES SHOWN
HEREON ARE GRID.

MARCH 19, 2009

Jackie Lee Crow
Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 - State of Texas



DATE: 9-26-08, 3-19-09
DRAWN BY: J CROW
MAJ JOB NO.: 396-04-08
REFERENCE:

J:\JOBS\URS\396-04-08 SouthH35\DWG\4558.66 TWSE.dwg

MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS



★ ★ ★ ★ ★

5410 SOUTH 1ST STREET

AUSTIN, TEXAS 78745 PH. (512)442-7875

FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACSURV.COM

Exhibit "D"
Page 4 of 4