

RESOLUTION NO. 20100826-015

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 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 owners 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:

Owners: AusPro Enterprises, L.P.

Project: Tillery Street Storm Drain Outfall Stabilization Project

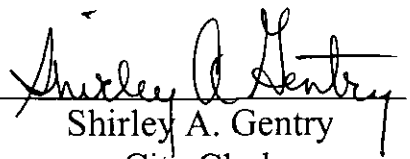
Public Purpose: the permanent slope easement described in the attached Exhibit "A" is needed to construct, place, maintain, replace, upgrade, and repair fill for the lateral support of the abutting drainage facility; and

the temporary access easements described in the attached Exhibits "B," "C," and "D" are needed to construct, maintain, and use, and then repair, replace, use, upgrade, or remove a drainage facility and storm drain outfall stabilization for the Project.

Location: 3107 and 3109 East Cesar Chavez Street, Austin, Texas.

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

ADOPTED: August 26, 2010

ATTEST: 
Shirley A. Gentry
City Clerk



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

CITY OF AUSTIN
(SLOPE EASEMENT)

November 25, 2009

LEGAL DESCRIPTION FOR PARCEL 4622.04 SE

DESCRIPTION OF A 0.137-ACRE (5,968 SQUARE FOOT) TRACT OF LAND OUT OF OUTLOT NO. 65, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID 0.137-ACRE TRACT BEING A PORTION OF A CALLED 0.764-ACRE TRACT, DESCRIBED IN VOLUME 652, PAGE 423, DEED RECORDS, TRAVIS COUNTY, TEXAS HAVING BEEN CONVEYED TO AUSPRO ENTERPRISES, L.P. IN A WARRANTY DEED EXECUTED OCTOBER 26, 2007, RECORDED IN DOCUMENT NO. 2007197932 OF SAID OFFICIAL PUBLIC RECORDS; SAID 0.137-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 "WATERLOO RPLS 4324" found on the intersection point of the southerly right-of-way line of East Cesar Chavez Street (100-foot right-of-way width) and the easterly right-of-way line of Tillery Street (60-foot right-of-way width), being the northwesterly corner of a called 0.42-acre tract of land and a called 0.39-acre tract of land conveyed to Daniel Baladez and Rose Baladez by instrument recorded in Volume 12894, Page 1922 of the Real Property Records of Travis County, Texas, being described in Volume 12636, Page 432 of said Real Property Records; **THENCE** departing said southerly right-of-way line of East Cesar Chavez Street with said easterly right-of-way line of Tillery Street, same being the westerly boundary line of said 0.42-acre tract and said 0.39-acre tract, S20°28'56"W a distance of 110.86 feet to a calculated point; **THENCE** departing said westerly boundary line of the 0.42-acre tract and the 0.39-acre tract, through the right-of-way of said Tillery Street, N69°31'04"W a distance of 60.00 feet to a calculated point in the westerly right-of-way line of Tillery Street, same being the easterly boundary line of the abovementioned 0.764-acre tract conveyed to Auspro Enterprises, L.P., having Texas State Plane Coordinate (Central Zone, NAD83/HARN, U.S. Feet) values of N=10,064,929.80, E=3,125,115.56, for the northeasterly corner and **POINT OF BEGINNING** of this tract;

THENCE with said westerly right-of-way line of Tillery Street, same being said easterly boundary line of the 0.764-acre tract, S20°28'56"W, pass at a distance of 171.14 feet a calculated point from which a ½-inch diameter iron rod found on said easterly right-of-way line of Tillery Street, being the southwesterly corner of said 0.42-acre tract and said 0.39-acre tract,

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w w w . m a c i a s w o r l d . c o m

bears S69°31'04"E a distance of 60.00 feet, continuing for a total distance of 178.03 feet to a calculated point for the southeasterly corner of this tract;

THENCE departing said westerly right-of-way line of Tillery Street, through the interior of said 0.764-acre tract, the following four (4) courses and distances:

- 1) S85°29'10"W for a distance of 38.38 feet to a calculated point for the southwesterly corner of this tract, from which a 1-inch diameter iron pipe found in the westerly boundary line of said 0.764-acre tract bears S86°30'55"W a distance of 97.56 feet;
- 2) N20°00'38"E for a distance of 130.19 feet to a calculated angle point;
- 3) N22°28'46"E for a distance of 29.95 feet to a calculated point for the northwesterly corner of this tract,
- 4) N66°02'32"E for a distance of 48.76 feet to the **POINT OF BEGINNING** and containing 0.137 acre (5,968 square feet) of land.

BEARING BASIS NOTE

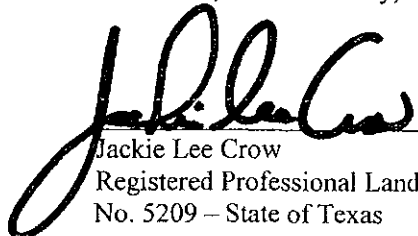
The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83/HARN). Project control points were established from City of Austin reference point "EUD 267" having coordinate values of N=10,061,555.69, E=3,118,841.62, combined scale factor = 1.00011.

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 25th day of November, 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 2009 615H

Austin Grid No. K-21

TCAD PARCEL ID NO. 02-0012-0103

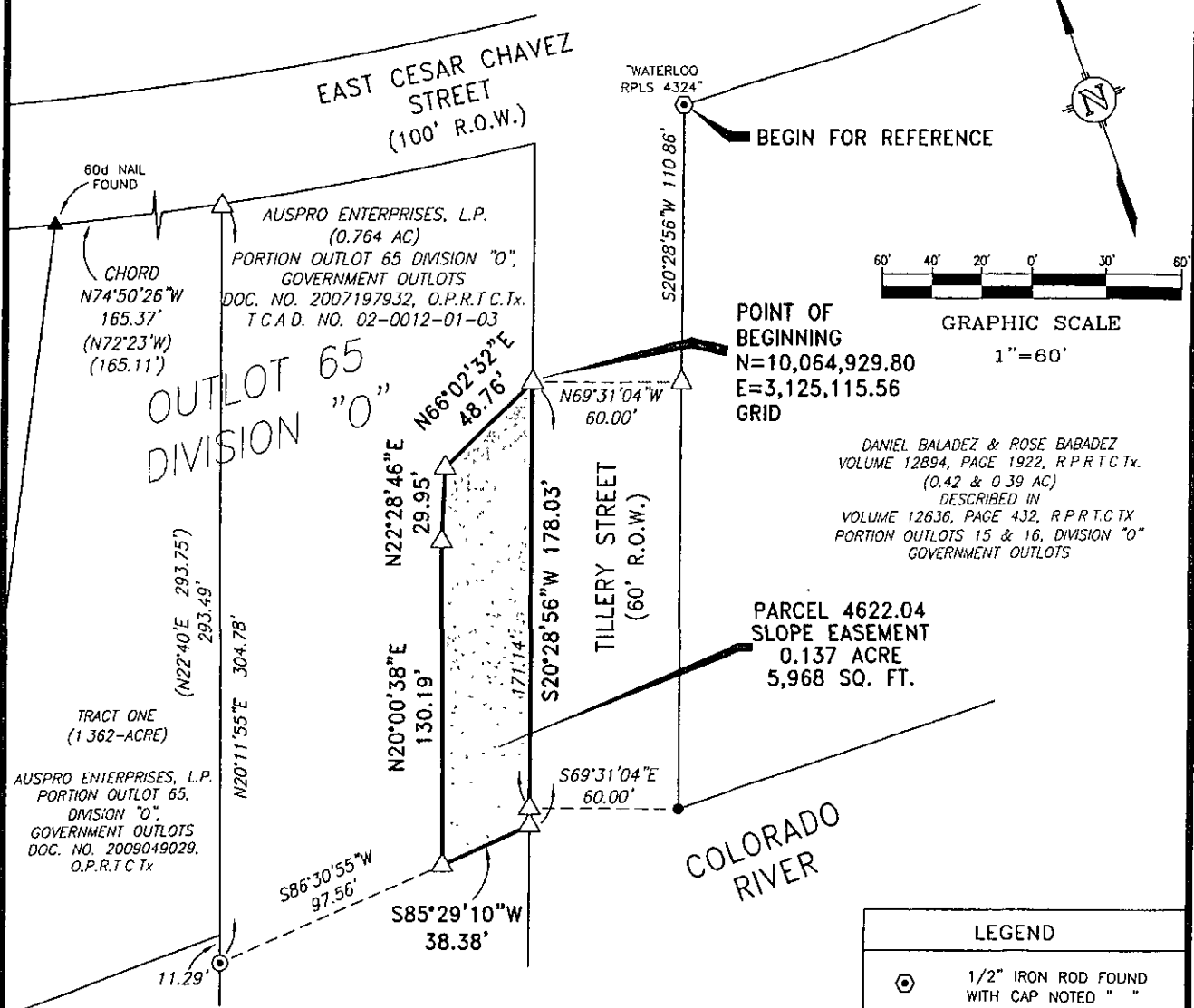
MACIAS & ASSOCIATES, L.P., PROJECT NO. 87-13-09

FIELD NOTES REVIEWED

By  Date 12-05-2009

Engineering Support Section
Department of Public Works
and Transportation

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



BEARING BASIS:

ALL BEARINGS SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83/HARN. THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE POINT "EUD 267" HAVING COORDINATE VALUES OF N=10,061,555.69, E=3,118,841.62. ALL DISTANCES SHOWN ARE SURFACE DISTANCES, COMBINED SCALE FACTOR = 1.00011.

STATE OF TEXAS }
COUNTY OF TRAVIS }

I hereby certify that this sketch was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.



Jackie Lee Crow 11/25/2009
Jackie Lee Crow Date:
Registered Professional Land Surveyor
No. 5209 - State of Texas

DATE 11-25-09
DRAWN BY: T.BLENDEN, S.I.T.
MAJ JOB NO: 87-13-09
REFERENCE: F.B., PG

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS
★ ★ ★ ★ ★ ★ ★ ★
5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 WWW.MACIASWORLD.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

CITY OF AUSTIN
(TEMPORARY ACCESS EASEMENT)

December 1, 2009

LEGAL DESCRIPTION FOR PARCEL 4622.04 TAE

DESCRIPTION OF A 0.243-ACRE (10,564 SQUARE FOOT) TRACT OF LAND OUT OF OUTLOT NO. 65, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID 0.243-ACRE TRACT BEING A PORTION OF A CALLED 0.764-ACRE TRACT, DESCRIBED IN VOLUME 652, PAGE 423, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS HAVING BEEN CONVEYED TO AUSPRO ENTERPRISES, L.P. BY WARRANTY DEED EXECUTED OCTOBER 26, 2007, RECORDED IN DOCUMENT NO. 2007197932 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.243-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 "WATERLOO RPLS 4324" found on the intersection point of the southerly right-of-way line of East Cesar Chavez Street (100-foot right-of-way width) and the easterly right-of-way line of Tillery Street (60-foot right-of-way width), being the northwesterly corner of a called 0.813-acre tract of land described in Volume 12636, Page 432 of the Real Property Records of Travis County, Texas; **THENCE** departing said southerly right-of-way line of East Cesar Chavez Street with said easterly right-of-way line of Tillery Street, same being the westerly boundary line of said 0.813-acre tract, S20°28'56"W a distance of 174.96 feet to a calculated point, from which a ½-inch diameter iron rod found in said easterly right-of-way line, being the southwest corner of said 0.813-acre tract, bears S20°28'56"W a distance of 107.05 feet; **THENCE** departing said westerly boundary line of the 0.813-acre tract, through the right-of-way of said Tillery Street, N69°31'04"W a distance of 60.00 feet to a calculated point in the westerly right-of-way line of Tillery Street, same being the easterly boundary line of the abovementioned 0.764-acre tract conveyed to Auspro Enterprises, L.P., **THENCE** departing said westerly right-of-way line of Tillery Street, through the interior of said 0.764-acre tract, N69°31'04"W a distance of 35.86 feet to a calculated point having Texas State Plane Coordinate (Central Zone; NAD83/HARN, U.S. Feet) values of N=10,064,882.33, E=3,125,059.55, for the northeasterly corner and **POINT OF BEGINNING** of this tract;

THENCE continuing through the interior of said 0.764-acre tract the following two (2) courses and distances:

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www.maciasworld.com

- 1) S20°00'38"W for a distance of 130.19 feet a calculated point for the southeasterly corner of this tract, from which said ½-inch diameter iron rod found on said easterly right-of-way line of Tillery Street, being the southwesterly corner of 0.813-acre tract, bears N76°53'11"E a distance of 41.76 feet to a calculated point in said westerly right-of-way line of Tillery Street and through said right-of-way S69°31'04"E a distance of 60.00 feet;
- 2) S85°29'10"W for a distance of 98.35 feet a calculated point in the westerly boundary line of said 0.764-acre tract, for the southwesterly corner of this tract;

THENCE with said westerly boundary line of the 0.764-acre tract N20°11'55"E, pass at a distance of 1.93 feet a 1-inch diameter iron rod found in said westerly boundary line, pass at a distance of 13.22 feet a calculated point being the southeasterly corner of a called 1.362-acre tract of land, described as "Tract One" in Document No. 2009049029 of the Official Public Records of Travis County, Texas, continuing for a total distance of 105.93 feet to a calculated point for the northwesterly corner of this tract, from which a 60d nail found in said southerly right-of-way line of East Cesar Chavez Street, being the northwesterly corner of said 1.362-acre "Tract One", bears with the common boundary line of said 0.764-acre tract and said 1.362-acre "Tract One" N20°11'55"E a distance of 200.78 feet to a calculated point in said southerly right-of-way line and with said right-of-way line a chord bearing of N74°50'26"W a chord distance of 165.37 feet;

THENCE departing the easterly boundary line of said 1.362-acre "Tract One", through the interior of said 0.764-acre tract, the following five (5) courses and distances:

- 1) S82°58'30"E for a distance of 36.21 feet to a calculated angle point of this tract;
- 2) N24°02'19"E for a distance of 28.14 feet to a calculated angle point of this tract;
- 3) S76°50'20"E for a distance of 7.63 feet to a calculated angle point of this tract;
- 4) N04°22'39"E for a distance of 8.05 feet to a calculated angle point of this tract;
- 5) N86°30'26"E for a distance of 50.67 feet to the **POINT OF BEGINNING** and containing 0.243 acre (10,564 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83/HARN). Project control points were established from City of Austin reference point "EUD 267" having coordinate values of N=10,061,555.69, E=3,118,841.62, combined scale factor = 1.00011.

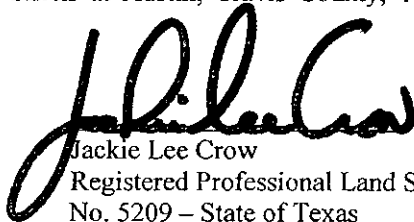
THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

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.

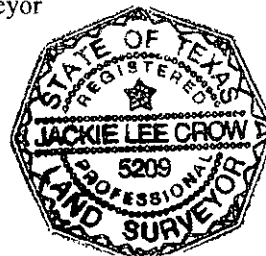
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 1st day of December, 2009, A.D.

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 2009 615H
Austin Grid No. K-21
TCAD PARCEL ID NO. 02-0012-0103
MACIAS & ASSOCIATES, L.P., PROJECT NO. 87-13-09

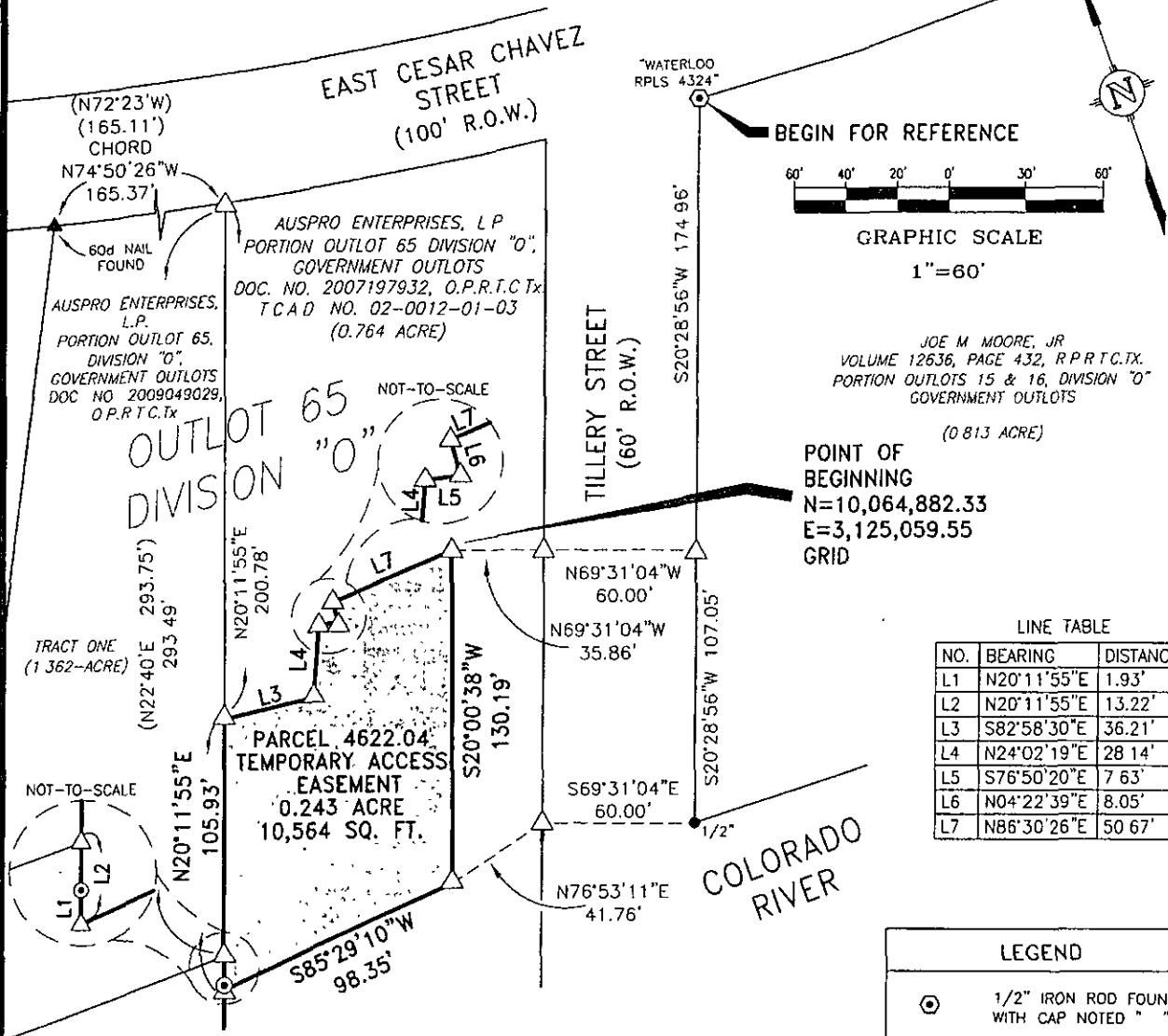


FIELD NOTES REVIEWED

By: C. D. D. Date 12-04-2009

Engineering Support Section
Department of Public Works
and Transportation

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

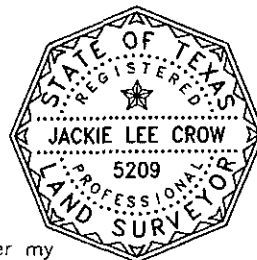


BEARING BASIS:

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STATE OF TEXAS }
COUNTY OF TRAVIS }

I hereby certify that this sketch was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.



LEGEND	
⊙	1/2" IRON ROD FOUND WITH CAP NOTED " "
●	1/2" IRON ROD FOUND
⊙	1" IRON PIPE FOUND
△	CALCULATED POINT
— PL —	PROPERTY LINE
BK., VOL., PG.	BOOK, VOLUME, PAGE
T.C.A.D.	TRAVIS COUNTY APPRAISAL DISTRICT
P.R.T.C.Tx	PLAT RECORDS OF TRAVIS COUNTY, TEXAS
R.P.R.T.C.Tx	REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
O.P.R.T.C.Tx	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
()	RECORD INFORMATION

Jackie Lee Crow 12/01/2009
Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 - State of Texas

DATE: 12-01-09
DRAWN BY: T.BLENDEN, S.I.T.
MAI JOB NO: 87-13-09
REFERENCE: FB, PG.

J:\JOBS\ACOM\87-13-09 TILLY STREET OUTFALL\DWG\4622.04 TAE.DWG

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS
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5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512) 442-7875
FAX (512) 442-7876 WWW.MACIASWORLD.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

CITY OF AUSTIN
(TEMPORARY ACCESS EASEMENT)

December 2, 2009

LEGAL DESCRIPTION FOR PARCEL 4622.03 TRACT TWO TAE

DESCRIPTION OF A 0.296-ACRE (12,904 SQUARE FOOT) TRACT OF LAND OUT OF OUTLOT NO 65, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID 0.296-ACRE TRACT BEING A PORTION OF A CALLED 1.592-ACRE TRACT OF LAND DESCRIBED AS "TRACT TWO", HAVING BEEN CONVEYED TO AUSPRO ENTERPRISES, L.P. IN A WARRANTY DEED WITH VENDOR'S LIEN DATED MARCH 26, 2009, RECORDED IN DOCUMENT NO. 2009049029 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.296-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE on a 1/2-inch diameter iron rod found in the southerly right-of-way line of East Cesar Chavez Street (100-foot right-of-way width), being the northwesterly corner of the abovementioned 1.592-acre tract described as "Tract Two", same being the northeasterly corner of Lot 3, Block "A" of the Govalle Plaza Subdivision as recorded in Document No. 200700338 of the Official Public Records of Travis County, Texas; **THENCE** departing said southerly right-of-way line of East Cesar Chavez Street, with the westerly boundary line of said 1.592-acre "Tract Two", same being the easterly boundary line of said Lot 3, Block "A", S23°19'30"W a distance of 252.84 feet to a calculated point having Texas State Plane Coordinate (Central Zone, NAD83/HARN, U.S. Feet) values of N=10,064,916.27, E=3,124,586.55, for the northwesterly corner and **POINT OF BEGINNING** of this tract;

THENCE departing said easterly boundary line of Lot 3, Block "A", through the interior of said 1.592-acre "Tract Two", the following two (2) courses and distances:

- 1) S31°43'15"E for a distance of 71.16 feet to a calculated angle point of this tract;
- 2) N89°50'37"E for a distance of 122.99 feet a calculated point in the easterly boundary line of said 1.592-acre "Tract Two", same being the westerly boundary line of a called 1.362-acre tract of land described as "Tract One" in the abovementioned Document No. 2009049029, for the northeasterly corner of this tract, from which a

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w w w m a c i a s w o r l d . c o m

60d nail found in said southerly right-of-way line of East Cesar Chavez Street, being the northeasterly corner of said 1.592-acre "Tract Two", same being the northwesterly corner of said 1.362-acre "Tract One", bears N27°05'55"E a distance of 255.30 feet;

THENCE with said easterly boundary line of the 1.592-acre "Tract Two", same being said westerly boundary line of the 1.362-acre "Tract One", S27°05'55"W for a distance of 67.32 feet to a calculated point for the southeasterly corner of this tract, from which a calculated point being the southeasterly corner of said 1.592-acre "Tract Two", same being the southwesterly corner of said 1.362-acre "Tract One", bears S27°05'55"W a distance of 37.55 feet;

THENCE departing said westerly boundary line of the 1.362-acre "Tract One", through the interior of said 1.592-acre "Tract Two", S90°00'00"W for a distance of 181.53 feet to a calculated point in said westerly boundary line of the 1.592-acre "Tract Two", same being said easterly boundary line of Lot 3, Block "A", for the southwesterly corner of this tract, from which a ½-inch diameter iron rod with a plastic cap stamped "Bury & Partners" found on the southwesterly corner of said 1.592-acre "Tract Two", same being the southeasterly corner of said Lot 3, Block "A" of the Govalle Plaza Subdivision, bears S23°19'30"W a distance of 51.78 feet;

THENCE with said westerly boundary line of the 1.592-acre "Tract Two", same being said easterly boundary line of Lot 3, Block "A", N23°19'30"E for a distance of 130.82 feet to the **POINT OF BEGINNING** and containing 0.296 acre (12,904 square feet) of land.

BEARING BASIS NOTE

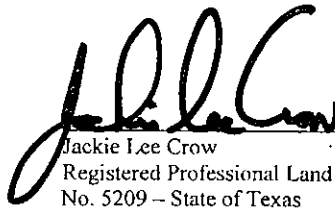
The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83/HARN). Project control points were established from City of Austin reference point "EUD 267" having coordinate values of N=10,061,555.69, E=3,118,841.62, combined scale factor = 1.00011

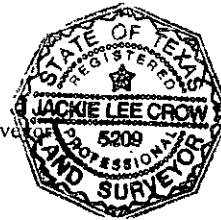
THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS.
COUNTY OF TRAVIS §

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.

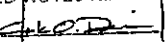
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 2nd day of December, 2009, A.D.

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 2009 615H
Austin Grid No. K-21
TCAD PARCEL ID NO. 02-0012-0102
MACIAS & ASSOCIATES, L.P , PROJECT NO. 87-13-09

FIELD NOTES REVIEWED
By:  Date 12-04-2009
Engineering Support Section
Department of Public Works
and Transportation

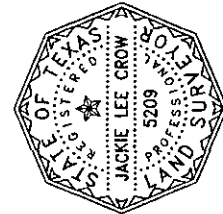
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND	
1" IRON PIPE FOUND	●
600 NAIL FOUND	▲
SQUARE HEAD BOLT FOUND	■
1/2" IRON ROD FOUND WITH CAP NOTED	⊙
IRON ROD FOUND SIZE AS NOTED	•
CALCULATED POINT	△
PROPERTY LINE	— PL —
BK, VOL., PG.	
TRAVIS COUNTY APPRAISAL DISTRICT	T.C.A.D.
OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS	O.P.R.C.T.X.
REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS	R.P.R.C.T.X.
RECORD INFORMATION	()

3001 EAST CESAR CHAVEZ LTD
DOC NO. 2007021162,
O.P.R.C.T.X.

LOT 3, BLOCK "A", CONALLE
PLAZA SUBDIVISION
DOC NO. 200700338,
O.P.R.C.T.X.

POINT OF BEGINNING
N=10,064,916.27
E=3,124,586.55
GRID

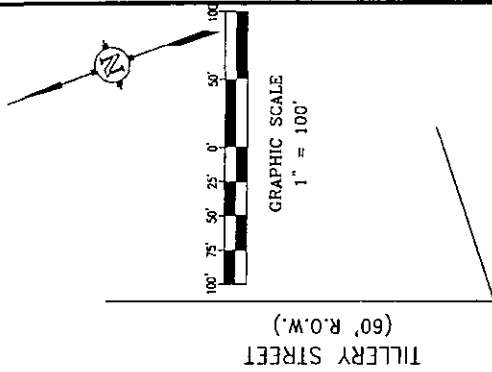


STATE OF TEXAS }
COUNTY OF TRAVIS }

I hereby certify that this sketch was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge

Jackie Lee Crow
Date: 12/2/2009
Jackie Lee Crow
Registered Professional Land Surveyor
No. 5209 - State of Texas

DATE: 12-02-09
DRAWN BY: JLC
SEALED NO. 87-13-09
REFERENCE: P.B., PG.



BEARING BASIS:
ALL BEARINGS SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83/HARN. THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE POINT "UD 267" HAVING COORDINATE VALUES OF N=10,061,555.69; E=3,118,841.62
ALL DISTANCES SHOWN ARE SURFACE DISTANCES, COMBINED SCALE FACTOR = 1.00011.

PAGE 4 OF 4

P:\ARRES\ACCOM\87-13-09 TULLERY STREET OUTFALL\DWG\422.03 TR2.TXDWG

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 WWW.MACIASWORLD.COM

EAST CESAR CHAVEZ STREET
(100' R.O.W.)

BEGIN FOR REFERENCE

(S67°02'E 132.35')
S69°25'27"E 132.22'

AUSPRO ENTERPRISES, L.P.
(2.954 AC)
PORTION OUTLOT 65 DIVISION "D",
GOVERNMENT OUTLOTS
TRACT ONE
(1.362 ACRE)
DOC NO. 2003049029,
O.P.R.C.T.X.
T.C.A.D. NO. 02-0012-01-02
PARCEL 4622.03
TRACT TWO
TEMPORARY ACCESS
EASEMENT
0.296 ACRE
12,904 SQ. FT.

AUSPRO ENTERPRISES, L.P.
PORTION OUTLOT 65
DIVISION "D",
GOVERNMENT OUTLOTS
TRACT ONE
(1.362 ACRE)
DOC NO. 2003049029,
O.P.R.C.T.X.
T.C.A.D. NO. 02-0012-01-02
(0.764 ACRE)

TULLERY STREET
(60' R.O.W.)

COLORADO RIVER

S27°05'55"W
67.32'

S27°05'55"W
37.55'

N27°05'55"E 255.30'

N27°05'55"E 255.30'

N27°05'55"E 255.30'

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N27°05'55"E 255.30'

N27°05'55"E 255.30'



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

CITY OF AUSTIN
(TEMPORARY ACCESS EASEMENT)

December 2, 2009

LEGAL DESCRIPTION FOR PARCEL 4622.03 TRACT ONE TAE

DESCRIPTION OF A 0.343-ACRE (14,932 SQUARE FOOT) TRACT OF LAND OUT OF OUTLOT NO. 65, DIVISION "O" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID 0.343-ACRE TRACT BEING A PORTION OF A CALLED 1.362-ACRE TRACT OF LAND DESCRIBED AS "TRACT ONE", HAVING BEEN CONVEYED TO AUSPRO ENTERPRISES, L.P. IN A WARRANTY DEED WITH VENDOR'S LIEN DATED MARCH 26, 2009, RECORDED IN DOCUMENT NO. 2009049029 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.343-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE on a 60d nail found in the southerly right-of-way line of East Cesar Chavez Street (100-foot right-of-way width), being the northwesterly corner of the abovementioned "Tract One", same being the northeasterly corner of a called 1.592-acre tract of land described as "Tract Two" in the abovementioned Document No. 2009049029 of the Official Public Records of Travis County, Texas, THENCE departing said southerly right-of-way line of East Cesar Chavez Street, with the westerly boundary line of said 1.362-acre "Tract One", same being the easterly boundary line of said 1.592-acre "Tract Two", S27°05'55"W a distance of 255.30 feet to a calculated point having Texas State Plane Coordinate (Central Zone, NAD83/HARN, U.S. Feet) values of N=10,064,856.08, E=3,124,746.95, for the northwesterly corner and **POINT OF BEGINNING** of this tract;

THENCE departing said easterly boundary line of the 1.592-acre "Tract Two", through the interior of said 1.362-acre "Tract One", N89°50'37"E for a distance of 208.41 feet to a calculated point in the easterly boundary line of said 1.362-acre "Tract One", same being the westerly boundary line of a called 0.764-acre tract of land described in Document No. 2007197932 of said Official Public Records, for the northeasterly corner of this tract;

THENCE with said easterly boundary line of the 1.362-acre "Tract One", same being said westerly boundary line of the 0.764-acre tract, S20°11'55"W for a distance of 98.01 feet to a calculated point for the southeasterly corner of said 1.362-acre "Tract One", for the southeasterly corner of this tract, from which a 1-inch diameter iron pipe found in said westerly boundary line of the 0.764-acre tract bears S20°11'55"W a distance of 11.29 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 westerly boundary line of the 0.764-acre tract, with the southerly boundary line of said 1.362-acre "Tract One", S89°29'55"W for a distance of 29.34 feet to a calculated angle point of this tract;

THENCE through the interior of said 1.362-acre "Tract One" the following two (2) courses and distances:

- 1) N63°52'47"W for a distance of 72.09 feet to a calculated angle point of this tract;
- 2) S90°00'00"W for a distance of 111.18 feet to a calculated point in said westerly boundary line of the 1.362-acre "Tract One", same being said easterly boundary line of the 1.592-acre "Tract Two", for the southwesterly corner of this tract, from which a ½-inch diameter iron rod with a plastic cap stamped "Bury & Partners" found on the southwesterly corner of said 1.592-acre "Tract Two", bears S90°00'00"W a distance of 181.53 feet to a calculated point in the westerly boundary line of said 1.592-acre "Tract Two" and with said westerly boundary line S23°19'30"W a distance of 51.78 feet, also from which a ½-inch diameter iron rod found on the northwesterly corner of said 1.592-acre "Tract Two" bears S90°00'00"W a distance of 181.53 feet to a calculated point in said westerly boundary line of the 1.592-acre "Tract Two" and with said westerly boundary line N23°19'30"E a distance of 383.66 feet;

THENCE with said westerly boundary line of the 1.362-acre "Tract One", same being said easterly boundary line of the 1.592-acre "Tract Two", N27°05'55"E for a distance of 67.32 feet to the **POINT OF BEGINNING** and containing 0.343 acre (14,932 square feet) of land.

BEARING BASIS NOTE

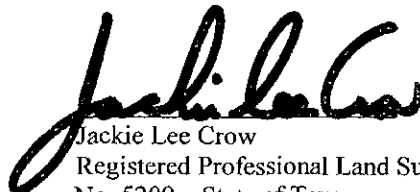
The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83/HARN). Project control points were established from City of Austin reference point "EUD 267" having coordinate values of N=10,061,555.69, E=3,118,841.62, combined scale factor = 1.00011.

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 2nd day of December, 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 2009 615H
Austin Grid No. K-21
TCAD PARCEL ID NO. 02-0012-0102
MACIAS & ASSOCIATES, L.P., PROJECT NO. 87-13-09

FIELD NOTES REVIEWED

BY:  Date 12-04-2009

Engineering Support Section
Department of Public Works
and Transportation

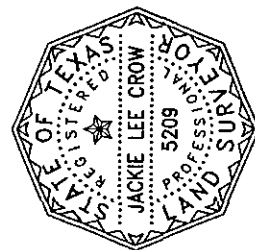
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND	
●	1" IRON PIPE FOUND
▲	600 NAIL FOUND
■	SQUAR HEAD BOLT FOUND
⊙	1/2" IRON ROD FOUND WITH CAP NOTED "AS NOTED"
•	IRON ROD FOUND SIZE AS NOTED
△	CALCULATED POINT
— PL —	PROPERTY LINE
BK, VOL., PG.	BOOK, VOLUME, PAGE
T.C.A.D.	TRAVIS COUNTY APPRAISAL DISTRICT
O.P.R.T.C.Ix.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
R.P.R.T.C.Ix.	REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
()	RECORD INFORMATION

3001 EAST CESAR CHAVEZ LTD.
DOC NO. 2007021162.
O.P.R.T.C.Ix.

LOT 3, BLOCK "A", GOVALL
PLAZA SUBDIVISION
DOC NO. 200700338.
O.P.R.T.C.Ix.

NO.	BEARING	DISTANCE
L1	S20°11'55"W	11.28'
L2	S89°29'55"W	29.34'
L3	N63°52'47"W	72.09'



EAST CESAR CHAVEZ STREET
(100' R.O.W.)

BEGIN FOR REFERENCE

(S67°02'E 132.35')
S69°25'27"E 132.22'

1/2"

OUTLOT 65
DIVISION "O"

AUSPRO ENTERPRISES, L.P.
(2.954 AC)
PORTION OUTLOT 65 DIVISION "O".
GOVERNMENT OUTLOTS
DOC NO. 2009049029,
O.P.R.T.C.Ix.
T.C.A.D. NO. 02-0012-01-02

TRACT ONE
(1.362 ACRE)

POINT OF BEGINNING
N=10,064,856.08
E=3,124,746.95

TRACT TWO
(1.592 ACRE)

PARCEL 4622.03
"TRACT ONE"
TEMPORARY ACCESS
EASEMENT
0.343 ACRE
14,932 SQ. FT.

AUSPRO ENTERPRISES, L.P.
PORTION OUTLOT 65
DIVISION "O".
GOVERNMENT OUTLOTS
DOC NO. 2007197932,
O.P.R.T.C.Ix.
(0.764 ACRE)

S20°11'55"W
98.01'

GRID
N27°05'55"E
67.32'

S27°05'55"W
255.30'

S20°11'55"W
98.01'

111.18'

S27°05'55"W
37.55'

S23°19'30"W
51.78'

BURY & PARTNERS

PARCEL 4622.03
"TRACT ONE"
TEMPORARY ACCESS
EASEMENT
0.343 ACRE
14,932 SQ. FT.

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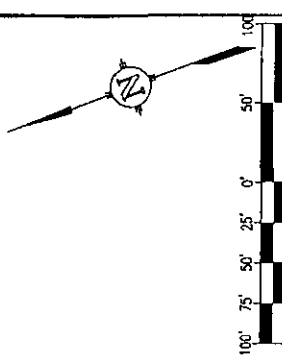
PARCEL 4622.03
"TRACT ONE"
TEMPORARY ACCESS
EASEMENT
0.343 ACRE
14,932 SQ. FT.

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14,932 SQ. FT.

PARCEL 4622.03
"TRACT ONE"
TEMPORARY ACCESS
EASEMENT
0.343 ACRE
14,932 SQ. FT.



GRAPHIC SCALE
1" = 100'

TILLERY STREET
(60' R.O.W.)

COLORADO RIVER

NOT-TO-SCALE

BEARING BASIS:
ALL BEARINGS SHOWN ARE BASED
ON THE TEXAS STATE PLANE
COORDINATE SYSTEM, CENTRAL
ZONE, NAD83/HARN THE
COORDINATES WERE ESTABLISHED
FROM CITY OF AUSTIN REFERENCE
POINT "EUD 267" HAVING
COORDINATE VALUES OF
N=10,061,555.69, E=3,118,841.62
ALL DISTANCES SHOWN ARE
SURFACE DISTANCES, COMBINED
SCALE FACTOR = 1.00011.

PAGE 4 OF 4

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

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I hereby certify that this sketch was prepared from
the results of an actual survey made on the ground under my
supervision and that it is true and correct to the best of my knowledge.

Jackie Lee Crow
Date: 12-02-09
DRAWN BY: JLC
MAJ JOB NO.: 87-13-09
REFERENCE: F.B., PG.

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