

RESOLUTION NO. 20101014-010

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 the needed real property interest but has been unable to agree with the owner on the damages;

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 effect the needed acquisition.

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

Owner: KRG Plaza Volente, LP

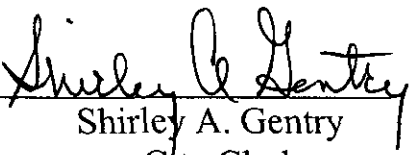
Project: NWC Transmission Main

Public Purpose: the waterline easement described in the attached Exhibit "A" is necessary for the construction, operation, maintenance, replacement, upgrade, repair, decommissioning, and removal of water lines and associated appurtenances to increase and improve the City's ability to provide potable water to the public.

Location: 11521 N. Ranch Road 620, Austin, Travis and Williamson counties, Texas

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: October 14, 2010

ATTEST: 
Shirley A. Gentry
City Clerk

(WATERLINE EASEMENT)

DESCRIPTION FOR 4604.03 WE

DESCRIPTION OF 0.0553 OF ONE ACRE OR 2,408 SQUARE FEET, MORE OR LESS, OUT OF JESSE GRIMES SURVEY NO. 25, ABSTRACT NO. 318, AUSTIN, TRAVIS AND WILLIAMSON COUNTIES, TEXAS AND OUT OF LOT 1, BLOCK "A", PLAZA VOLENTE SUBDIVISION, OF RECORD IN DOCUMENT 200300320, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS AND IN CABINET Y, SLIDE 134-136, PLAT RECORDS, WILLIAMSON COUNTY, TEXAS, SAID LOT 1 BEING DESCRIBED IN A DEED TO KRG PLAZA VOLENTE, LP, OF RECORD IN DOCUMENT 2005089483, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS AND IN DOCUMENT 2005038214, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS; SAID 0.0553 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the northwest corner of this tract, same being at an angle point in the northwest line of said Lot 1 and said KRG Plaza Volente tract and the existing southeast right-of-way (ROW) line of R.M. 620 North, from which a 1/2" iron rod found at an angle point in the northwest line of said Lot 1 and said KRG Plaza Volente tract and the existing southeast ROW line of R.M. 620 North bears S41°36'10"W 199.86 feet; said POINT OF BEGINNING having a Texas State Plane Coordinate (Texas Central Zone, NAD 83, U.S. feet, combined scale factor of 1.00005) grid value of N=10,138,156.97, E=3,086,561.81);

THENCE, with the northwest line of this tract, said Lot 1, and said KRG Plaza Volente tract and the existing southeast ROW line of R.M. 620 North, **North 80° 35' 09" East 31.79 feet** to a 1/2 inch iron rod with a plastic cap set for the northeast corner of this tract, from which a 1/2 inch iron rod found at an angle point in the north line of said Lot 1, and said KRG Plaza Volente tract and in the existing southeast ROW line of R.M. 620 North bears North 80 degrees 35 minutes 09 seconds East 95.85 feet;

THENCE, with the perimeter of this tract, crossing said Lot 1 and said KRG Plaza Volente tract, the following six (6) courses, numbered 1 through 6;

- 1) **S41°36'10"W 64.19 feet** to a 1/2 inch iron rod with a plastic cap set;
- 2) **N47°43'29"W 8.43 feet** to a 1/2 inch iron rod with a plastic cap set;
- 3) **S41°50'02"W 15.00 feet** to a 1/2 inch iron rod with a plastic cap set;

0.0553 AC.

- 4) **S47°43'29"E 33.00 feet** to a cotton spindle set at the southerly east corner of this tract;
- 5) **S41°50'02"W 27.00 feet** to a cotton spindle set at the south corner of this tract;
and
- 6) **N47°43'29"W 44.41 feet** to a 1/2" iron rod with a plastic cap set at the west corner of this tract, same being in the northwest line of said Lot 1 and said KRG Plaza Volente tract;

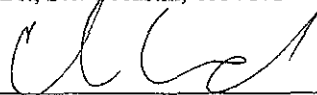
THENCE, with the northwest line of this tract, said Lot 1, and said KRG Plaza Volente tract and the existing southeast ROW line of R.M. 620 North, **N41°36'10"E 81.24 feet** to the POINT OF BEGINNING and containing 0.0553 of one acre or 2,408 square feet within these metes and bounds, more or less.

Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83, Combined Scale Factor is 1.00005). The reference for this project was established from "Austin RRP", a fixed control point, and "BM1078", a TxDOT survey monument having coordinate values bearing of N60°54'59"E, a grid distance of 21590.95 feet.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591



3/24/2010

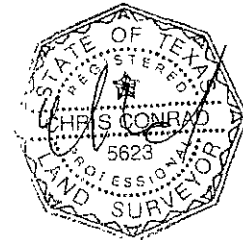
Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note. There is a plat to accompany this description. 4604 03 WE

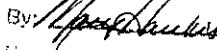
Issued 05/28/09

Revised 6/19/09, 1/27/10, 2/4/10, 3/17/10; 3/24/10



AUSTIN GRID E-38
TCAD# 01-7423-01-11

FIELD NOTES REVIEWED

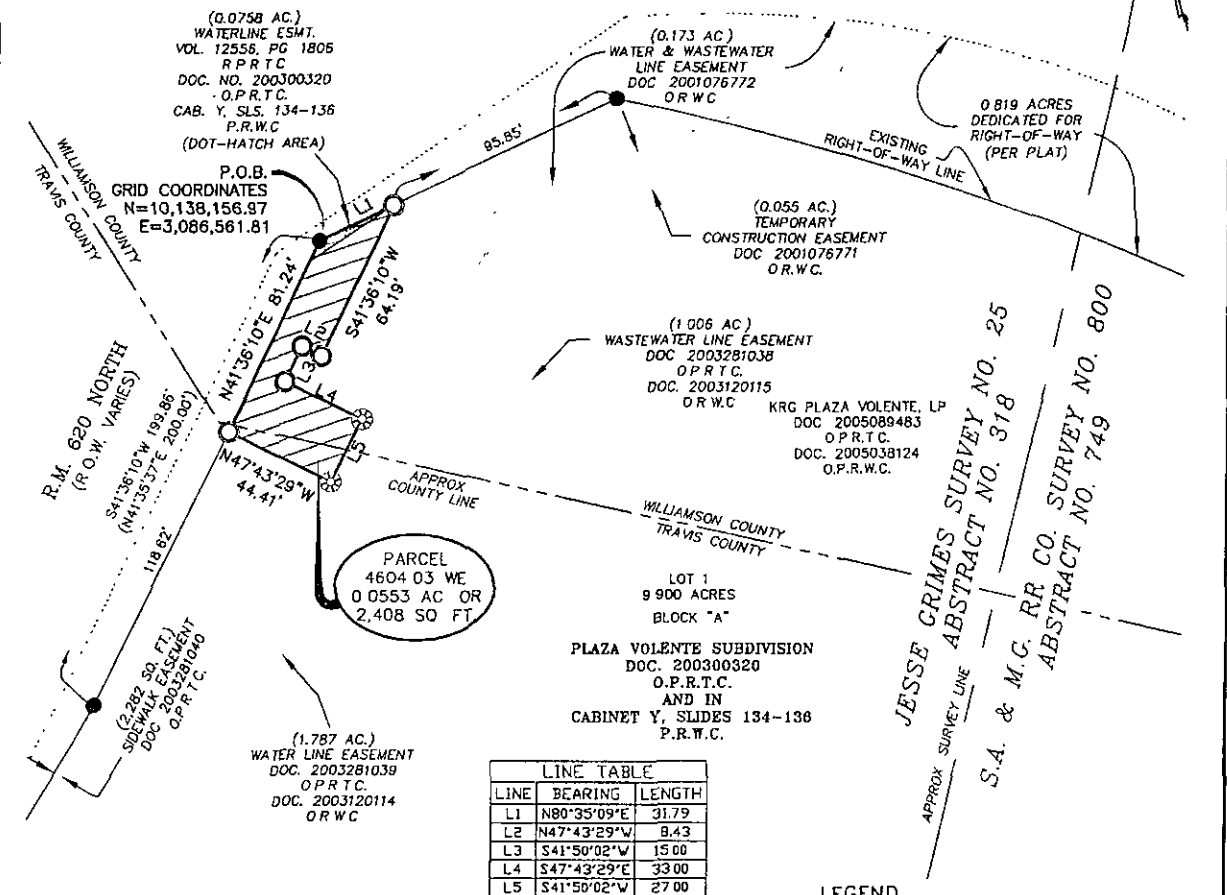
By:  Date: 3/29/10

Engineering Support Section
Department of Public Works
and Transportation

RE: CITY OF AUSTIN

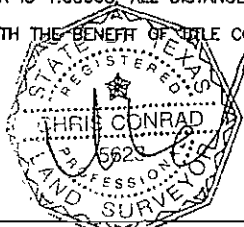
SKETCH TO ACCOMPANY DESCRIPTION
OF 0.0553 AC. OR 2,408 SQ. FT. OF LAND OUT OF
THE JESSE GRIMES SURVEY NO. 25
AUSTIN, TRAVIS AND WILLIAMSON COUNTY, TEXAS

SCALE 1" = 60'



NOTES:

- THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 DATUM. THE BEARINGS SHOWN ARE GRID BEARINGS. THESE COORDINATES WERE ESTABLISHED FROM "AUSTIN RRP", A FIXED CONTROL POINT HAVING COORDINATE VALUES OF N=10086515.883, E=3109682.458, AND "BM1078", A TXDOT SURVEY MONUMENT HAVING COORDINATE VALUES OF N=10097010.902, E=3128551.053. HAVING A GRID BEARING OF N60°54'59"E, AND A GRID DISTANCE OF 21590.95 FEET. THE COMBINED SCALE FACTOR IS 1.00005. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
- THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF TITLE COMMITMENT (FILE NO. 903746).



03/24/10

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
Note This copy of this plat is not valid unless an original signature
through an original seal appears on its face There is a description to
accompany this plat TCAD# 01-7423-01-11
CIP# 0000-000-0000

M:\NORTHWEST C MAIN - BROWN-GAY\DWG\PARCELS\HEB_PWE-REV6.DWG

LEGEND

- 1/2" IRON ROD FOUND WITH PLASTIC CAP "BURY & PARTNERS"
- 1/2" IRON ROD SET WITH PLASTIC CAP "MCGRAY MCGRAY"
- ⊗ SET COTTON-SPINDLE
- (XXX) RECORD INFORMATION
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY
- O.P.R.W.C. OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY
- O.R.W.C. OFFICIAL RECORDS, WILLIAMSON COUNTY
- P.R.W.C. PLAT RECORDS, WILLIAMSON COUNTY
- P.O.B. POINT OF BEGINNING

ISSUED: 03/17/10
REVISED: 03/24/10
PAGE 3 OF 3

SURVEYED BY:

McGRAY & McGRAY
LAND SURVEYORS, INC.
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

AUSTIN GRID#: E-38

JOB NO.: 09-007