

RESOLUTION NO. 20110407-079

WHEREAS, the City Council was requested to review and approve the use of certain portions of dedicated parkland known as Town Lake – Holly Shores Park for purposes of accessing, constructing, maintaining, repairing and replacing a storm drain line and related appurtenances in connection with the Lady Bird Lake/East 4th Street Drainage Improvements project (CIP ID 5789.028) (collectively, the “Proposed Use”); and

WHEREAS, notice of a public hearing to be held on April 7, 2011 was given for three consecutive weeks on March 13, March 20, and March 27, 2011 in a newspaper of general circulation; and

WHEREAS, such public hearing was held April 7, 2011 by the City Council to consider the use of parkland for the Proposed Use; **NOW, THEREFORE,**

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

Having taken into account clearly enunciated local preferences, the City Council finds that there is no feasible and prudent alternative to the use of the parkland detailed in the attached Exhibit A for the Proposed Use and that all reasonable planning has been done to minimize harm to the parkland from the Proposed Use. The use of the parkland for the Proposed Use is approved.

The City Manager is authorized to take such measures as may be necessary, favorable or required to effectuate the purpose and intent of this Resolution.

ADOPTED: April 7, 2011 **ATTEST:** Shirley A. Gentry
Shirley A. Gentry
City Clerk



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

EXHIBIT " A "

CITY OF AUSTIN
(PERMANENT USE AREA)

February 21, 2011

LEGAL DESCRIPTION

DESCRIPTION OF A 0.055 ACRE (2,382 SQUARE FOOT) TRACT OF LAND OUT OF OUTLOT NO. 42, 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, AND BEING A PORTION OF THE FOLLOWING TRACTS OF LAND: 1) A PORTION OF LOT 11 OF THE ANNEX TO RIVER VIEW ADDITION, A SUBDIVISION RECORDED IN VOLUME 301, PAGE 149, DEED RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO THE CITY OF AUSTIN IN A WARRANTY DEED DATED FEBRUARY 19, 1975, RECORDED IN VOLUME 5132, PAGE 957, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND 2) A PORTION OF LOT 10 OF SAID ANNEX TO RIVER VIEW ADDITION, CONVEYED TO THE CITY OF AUSTIN IN A WARRANTY DEED DATED APRIL 11, 1968, RECORDED IN VOLUME 3455, PAGE 2299, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.055 ACRE (2,382 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60d nail set having Texas State Plane Coordinate (Central Zone, NAD83/Harn, U.S. Feet) values of N=10,064,931.40, E=3,123,302.65, in the south right-of-way line of Canterbury Street, a 60-foot wide right-of-way, and in the north line of Lot 11 of said Annex to River View Addition, for the northwest corner of this tract, from which a ½-inch diameter iron pipe found at the common north corner of Lot 4 and Lot 5 of said Annex to River View Addition, and in the said south right-of-way line of Canterbury Street, bears N 69°34'58" W, with the said south right-of-way line, at a distance of 204.50 feet pass a ½-inch diameter iron pipe found at the common north corner of Lot 6 and Lot 7 of said Annex to River View Addition, continuing in all a distance of 303.15 feet;

THENCE, S 69°34'58" E, with the said south right-of-way line of Canterbury Street and the north line of said Lot 11 a distance of 15.00 feet, to a 60d nail set for the northeast corner of this tract;

THENCE, crossing through the interior of said Lot 11 and Lot 10, the following five (5) courses:

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

- 1) S 20°25'02" W, a distance of 119.82 feet to a "X" chiseled in concrete for the southeast corner;
- 2) N 89°54'46" W, a distance of 49.41 feet to a 60d nail set for the southwest corner of this tract;
- 3) N 00°05'14" E, a distance of 15.00 feet to a 60d nail set for a corner;
- 4) S 89°54'46" E, a distance of 38.98 feet to a 60d nail set for an interior corner;
- 5) N 20°25'02" E, a distance of 109.38 feet to the **POINT OF BEGINNING** and containing 0.055 acre (2,382 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, Carmelo L. Macias, 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 21st day of February, 2011, A.D.



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



Todd Blenden
Registered Professional Land Surveyor
No. 6186 – State of Texas

REFERENCES

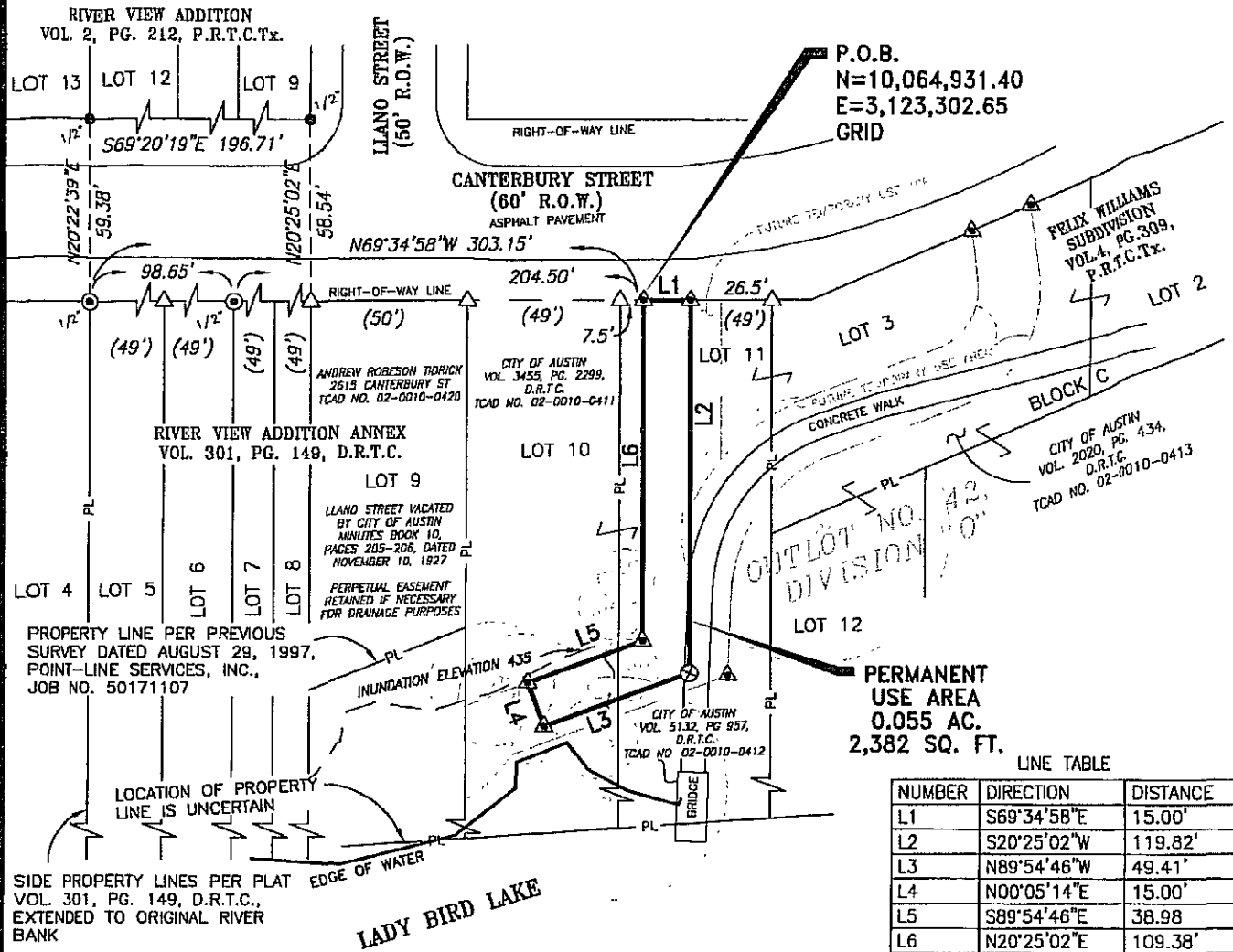
MAPSCO 2009 615H
Austin Grid No. K-21
TCAD PARCEL ID NOS. 02-0010-0411, 02-0010-0412
MACIAS & ASSOCIATES, L.P., PROJECT NO. 365-20-10

FIELD NOTES REVIEWED

By:  Date 2/22/11

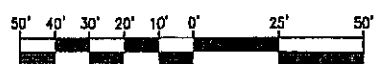
Engineering Support Section
Department of Public Works
and Transportation

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S69°34'58"E	15.00'
L2	S20°25'02"W	119.82'
L3	N89°54'46"W	49.41'
L4	N00°05'14"E	15.00'
L5	S89°54'46"E	38.98'
L6	N20°25'02"E	109.38'

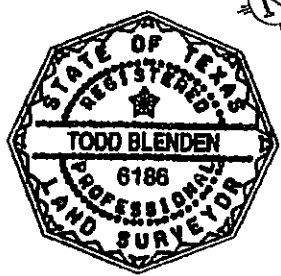


GRAPHIC SCALE

1"=50'

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.



LEGEND

●	1/2" IRON ROD FOUND
⊙	1/2" IRON PIPE FOUND
⊗	X CHISELED IN CONCRETE
▲	60D NAIL SET
△	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
D.R.T.C.	DEED RECORDS OF TRAVIS COUNTY
O.P.R.T.C.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
()	RECORD INFORMATION

Todd Blenden 2-21-2011
Todd Blenden Date:
Registered Professional Land Surveyor
No. 6186 - State of Texas

DATE: 2-15-11
DRAWN BY: T.BLENDE
MAJ JOB NO.: 365-20-10
REFERENCE: F.B. 546, PG. 67

J:\JOBS\LAN PLUMMER\LLANO ST DRAINAGE IMP\385-17-09\DWG\PUA.DWG

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

EXHIBIT "____"

CITY OF AUSTIN
(TEMPORARY USE AREA)

February 21, 2011

LEGAL DESCRIPTION

DESCRIPTION OF A 0.013 ACRE (581 SQUARE FOOT) TRACT OF LAND OUT OF OUTLOT NO. 42, 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, AND BEING A PORTION OF LOT 11 OF THE ANNEX TO RIVER VIEW ADDITION, A SUBDIVISION RECORDED IN VOLUME 301, PAGE 149, DEED RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO THE CITY OF AUSTIN IN A WARRANTY DEED DATED FEBRUARY 19, 1975, RECORDED IN VOLUME 5132, PAGE 957, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.013 ACRE (581 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60d nail set having Texas State Plane Coordinate (Central Zone, NAD83/Harn, U.S. Feet) values of N=10,064,926.17, E=3,123,316.71, in the south right-of-way line of Canterbury Street, a 60-foot wide right-of-way, and in the north line of Lot 11 of said Annex to River View Addition, for the northwest corner of this tract, from which a ½-inch diameter iron pipe found at the common north corner of Lot 4 and Lot 5 of said Annex to River View Addition, and in the said south right-of-way line of Canterbury Street, bears N 69°34'58" W, with the said south right-of-way line, at a distance of 219.50 feet pass a ½-inch diameter iron pipe found at the common north corner of Lot 6 and Lot 7 of said Annex to River View Addition, continuing in all a distance of 318.15 feet;

THENCE, S 69°34'58" E, with the said south right-of-way line of Canterbury Street and the north line of said Lot 11 a distance of 10.00 feet, to a 60d nail set for the northeast corner of this tract;

THENCE, crossing through the interior of said Lot 11 the following three (3) courses:

- 1) S 20°25'02" W, a distance of 51.03 feet to a 60d nail set for the southeast corner;
- 2) With the arc of a curve to the left having a radius of 70.00 feet, an arc distance of 18.60 feet, a delta angle of 15°13'26", and a chord which bears S 53°02'57" W, a distance of 18.54 feet to a 60d nail set for the southwest corner of this tract;

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www.maciasworld.com

- 3) N 20°25'02" E, a distance of 66.65 feet to the **POINT OF BEGINNING** and containing 0.013 acre (581 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, Carmelo L. Macias, 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 21st day of February, 2011, A.D.



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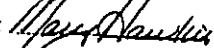


Todd Blenden
Registered Professional Land Surveyor
No. 6186 – State of Texas

REFERENCES

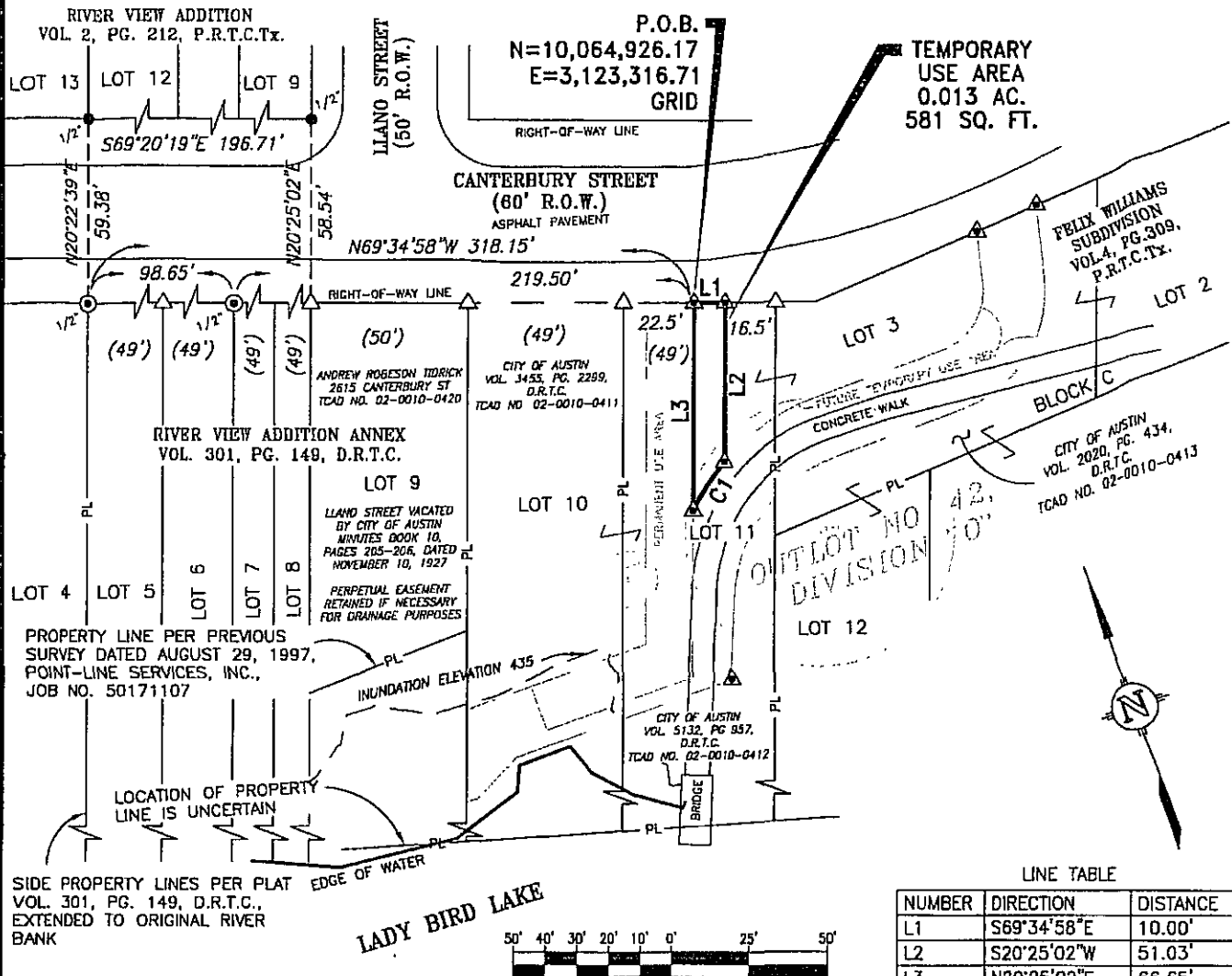
MAPSCO 2009 615H
Austin Grid No. K-21
TCAD PARCEL ID NO. 02-0010-0412
MACIAS & ASSOCIATES, L.P., PROJECT NO. 365-20-10

FIELD NOTES REVIEWED

By:  Date 2/22/11

Engineering Support Section
Department of Public Works
and Transportation

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S69°34'58\"E	10.00'
L2	S20°25'02\"W	51.03'
L3	N20°25'02\"E	66.65'

LEGEND

●	1/2\" IRON ROD FOUND
⊙	1/2\" IRON PIPE FOUND
▲	60D NAIL SET
△	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
O.R.T.C.	DEED RECORDS OF TRAVIS COUNTY
O.P.R.T.C.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
()	RECORD INFORMATION

CURVE TABLE

NO.	RADIUS	ARC DIST.	DELTA ANGLE	CHORD BEARING	CHORD DIST.
C1	70.00'	18.60'	15°13'26\"	S 53°02'57\" W	18.54'

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.



Todd Blenden 2-21-2011
Todd Blenden Date:
Registered Professional Land Surveyor
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DATE: 2-15-11
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Approximate Location
of Project Area