

RESOLUTION NO. 20110818-021

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 owners on the value of the property interest, or the damages, if any; **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 necessary to 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 necessary acquisitions.

BE IT FURTHER RESOLVED:

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

Owner: Rafik S. Momin and Rozmin R. Momin

Project: Williamson Creek Tributary 2 Spring
Meadow-Lark Creek-Williamson Creek Project

Public Purpose: Permanent drainage easements described in the attached Exhibits "A" and "B" are necessary for the public purpose of constructing, operating, maintaining, repairing, replacing, and upgrading, and making connections with a drainage channel, and related facilities in, under, upon and across said tracts of land;

A detention water quality pond described in the attached Exhibit "B" is necessary for the public purpose of constructing, operating, maintaining, repairing and replacing a water quality pond facility;

An access easement in, upon, and across, the property described in Exhibit "B," is necessary for the public purpose of permitting the City, its agents, employees and contractors to enter, exit, and re-enter the tract of land described for the purposes of maintaining and performing routine maintenance of the water detention pond to be constructed on the property; and

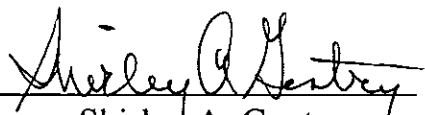
A temporary staging and material storage site easement described in the attached Exhibit "C" is necessary the public purpose of permitting the City, its agents, employees and contractors to work, store, and stage building materials for the purposes of constructing and installing a water quality detention.

Location: 5001 Nuckols Crossing Road, Travis County,
Austin, Texas

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

ADOPTED: August 18, 2011

ATTEST:


Shirley A. Gentry
City Clerk



STATE OF TEXAS
COUNTY OF TRAVIS

(Drainage Easement)
WILLIAMSON CREEK TRIBUTARY 2
C.O.A. WPRD, Proj. No. 5848.044

EXHIBIT " A "

LEGAL DESCRIPTION FOR 4590.01 DE

Field notes description for a parcel of land containing 0.222-acres of land, equivalent to 9,692 square feet of land, out of and a part of Lot 93, Block K, Second Amended Plat Of Williamson Creek Subdivision Section Two, a subdivision in the City of Austin, Travis County, Texas according to the map or plat thereof recorded in Volume 86, Pages 198B-199C, Plat Records of Travis County, Texas and being the same Lot 93, Block K, Second Amended Plat Of Williamson Creek Subdivision Section Two which was conveyed *from* Village Bank & Trust *to* Rafik S. Momin by that certain Warranty Deed With Vendor's Lien dated December 19, 2003 and recorded in Document Number 2003294634, Official Public Records of Travis County, Texas; said parcel of land being more particularly described by metes and bounds, as follows, and as shown on the attached sketch:

BEGINNING FOR REFERENCE at a 1/2 inch iron rod found on the south boundary line of said Lot 93, Block K, monumenting the common rear corner of Lot 89 and Lot 90, Block K, Second Amended Plat Of Williamson Creek Subdivision Section Two; *thence*, traversing within the limits of said Lot 93, Block K, North 26° 16' 50" East, a distance of 97.44 feet to a calculated point on a northerly easement line of an existing 60.00 foot wide drainage easement as denoted in said Volume 86, Pages 198B-199C, for the most easterly corner and **POINT OF BEGINNING** of this easement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, Combined Scale Factor 0.9999555) values of N= 10,044,298.75, E= 3,117,037.81;

THENCE, with the northerly easement line of said existing drainage easement as denoted in said Volume 86, Pages 198B-199C, the following four (4) bearings and distances:

- 1) **South 64° 17' 24" West**, a distance of **81.60 feet** to a calculated point for a corner of this easement;
- 2) **South 55° 02' 24" West**, a distance of **77.49 feet** to a calculated point for the most southerly corner of this easement, from which said calculated corner, a 1/2 inch iron rod found at the common rear corner of said Lot 90 and Lot 91, Block K, bears South 37°31' 54" East, a distance of 60.00 feet (record = 60.00 feet);
- 3) **North 86° 56' 22" West**, a distance of **238.00 feet** to a calculated point for a corner of this easement;

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./H.U.B./D.B.E.



- 4) **South 71° 48' 46" West**, a distance of **37.94 feet** to a calculated point at its intersection with an existing curving 25.00 foot wide building line fronting Teri Road as denoted in said Lot 93, Block K, for the southwest corner of this easement;

THENCE, with the northerly easement line of this proposed easement, the following six (6) bearings and distances:

- 1) Along said existing curving 25.00 foot wide building line fronting Teri Road, with said circular curve to the left, having a central angle of **01° 42' 07"**, a radius distance of 655.00 feet (record = 655.00 feet), a tangent distance of 9.73 feet, and a chord that bears North 56° 58' 12" West, a chord distance of 19.45 feet, an arc length of **19.45 feet** to a calculated point, for a corner of this easement;
- 2) **North 72° 12' 54" East**, a distance of **31.88 feet** to a calculated point, at an angle point of this easement;
- 3) **North 80° 24' 50" East**, a distance of **103.76 feet** to a calculated point, at an angle point of this easement;
- 4) **South 88° 57' 38" East**, a distance of **170.16 feet** to a calculated point, at an angle point of this easement;
- 5) **North 63° 04' 51" East**, a distance of **64.13 feet** to a calculated point, at an angle point of this easement;
- 6) **North 77° 05' 32" East**, a distance of **68.81 feet** to the **"POINT OF BEGINNING"**, and containing 0.222-acre of land, more or less.

Basis of Bearing:

Bearings mentioned on this easement are based on the City of Austin G.P.S. controlling monuments being J-16-3001 Grid Coordinates N=10,044,302.05, E=3,116,148.39, and utilizing J-16-4001 Grid Coordinates N=10,044,334.35, E=3,115,579.61 (see City of Austin monument data sheet). Distances shown hereon are surface.



CERTIFICATION:

I do hereby certify that this easement description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

**As Prepared by
Landmark Surveying, LP**

Juan M. Canales, Jr.

Juan M. Canales, Jr.

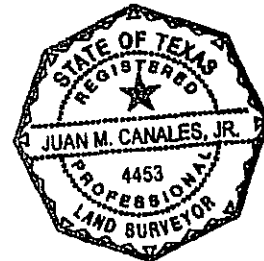
4-14-09

Date

Registered Professional Land Surveyor No. 4453
Senior Project Manager
Firm Registration No. 100727-00

REFERENCES

MAPSCO 2009, Page 645-X
AUSTIN GRID NO. J-16
TCAD PARCEL ID NO.03-2003-0501
4590.01 DE (Rafik S. Momin)_rev1.doc



FIELD NOTES REVIEWED

By: *[Signature]* Date *4/24/09*

Engineering Support Section
Department of Public Works
and Transportation

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./H.U.B./D.B.E.

PAGE 4 OF 5

RAFIK S. MOMIN
DOC. NO. 2003294634
O.P.R.T.C.T.

PARCEL 4590.01
DRAINAGE EASEMENT
0.222-ACRE
(9692-SF)



SCALE 1"=50'

NUCKOLS CROSSING
(65' R.O.W.)

**SKETCH TO
ACCOMPANY
FIELD NOTES**

Client: PBS&J
Date: March 24, 2009
Office: Stephen Lawrence
Crew: J. Lee
F.B.: 1160/43-44
Path: t:\pbsj\williamson
Job No.: 372-27-08

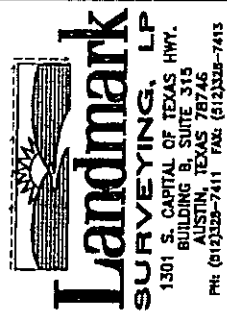


Exhibit A
Page 4 of 5

**SURVEY OF A PORTION OF LOT 93, BLOCK K, SECOND AMENDED PLAT OF
WILLIAMSON CREEK SUBDIVISION SECTION TWO,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

PAGE 5 OF 5

LEGEND

- 1/2" Iron Rod Found
(Unless Otherwise Noted)
- ▲ Nail Found (As Noted)
- △ Calculated Point
"Not Established on Ground"
- () Record Information
- R.O.W. Right-of-Way
- P.O.B. Point of Beginning
- P.O.R. Point of Reference
- Bk. Book
- Pg. Page
- Vol. Volume
- D.E. Drainage Easement
- P.U.E. Public Utility Easement
- P.R.T.C.T. Plat Records
- Travis County, Texas
- D.R.T.C.T. Deed Records
- Travis County, Texas
- R.P.R.T.C.T. Real Property Records
- Travis County, Texas
- O.P.R.T.C.T. Official Public Records
- Travis County, Texas

Utility and Improvement Note:

Utilities and improvements exist on this tract, but are not shown hereon.

LINE	BEARING	DISTANCE
L1	S71°48'46"W	37.94'
L2	N72°12'54"E	31.88'
L3	N63°04'51"E	64.13'
L4	N77°05'32"E	68.81'
L5	S64°17'24"W	81.60'
L6	S55°02'24"W	77.49'

CURVE TABLE

CURVE	CHORD BEARING	CHORD DISTANCE	DELTA	ARC LENGTH	RADIUS
C1	N55°35'52"W (N52°55'48"W)	61.84' (61.94')	13°09'09" (13°10'23")	61.98' (62.08')	270.00' (270.00')
C2	N54°22'21"W (N51°42'17"W)	117.55' (117.73')	10°42'21" (10°43'21")	117.72' (117.90')	630.00' (630.00')
C3	N15°57'21"W (N13°17'17"W)	27.64' (27.68')	87°24'23" (87°33'21")	30.51' (30.56')	20.00' (20.00')
C4	N74°24'56"E (N79°04'25"E)	20.22' (19.84')	84°44'00" (82°49'09")	22.18' (22.45')	15.00' (15.00')
C5	N39°05'15"E (N41°49'11"E)	49.29' (50.00')	08°11'32" (08°18'40")	49.33' (50.04')	345.00' (345.00')
C6	N47°06'36"E (N50°07'50"E)	49.99' (50.00')	08°18'35" (08°18'40")	50.04' (50.04')	345.00' (345.00')
C7	N55°55'23"E (N58°51'29"E)	54.97' (55.00')	09°08'20" (09°08'38")	55.03' (55.06')	345.00' (345.00')
C8	N65°03'43"E (N68°00'07"E)	54.97' (55.00')	09°08'20" (09°08'38")	55.03' (55.06')	345.00' (345.00')
C9	N56°58'12"W	19.45'	01°42'07"	19.45'	655.00'

The property described hereon is contained within Flood Zone AE, Zone X (Shaded), and Zone X; as scaled on F.I.R.M. Map Number 48453C0605H, dated September 26, 2008 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

Restrictive Covenant and Easement Note:

- Electric easement recorded in Volume 8870, Page 424 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject parcel.
- Easements and building setbacks as described in restrictions recorded in Volume 9835, Page 423, as amended in Volume 10511, Page 977 and Volume 11829, Page 26 of the Real Property Records of Travis County, Texas DO NOT APPLY to the subject parcel.

All easements of which I have knowledge and those recorded easements furnished by Alamo Title Insurance according to Commitment Number AT0008000092, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

I hereby certify that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

BEARING BASIS NOTE:

STATE PLANE COORDINATE SYSTEM (GRID) NAD'83
TEXAS CENTRAL ZONE 4203
COMBINED SCALE FACTOR = 0.9999555
NAVD'88 VERTICAL DATUM

Horizontal and vertical coordinates for C.D.A. Monument No. J-16-3001 and Monument No. J-16-4001 as published by the C.D.A., were used as the controlling monuments for this survey.

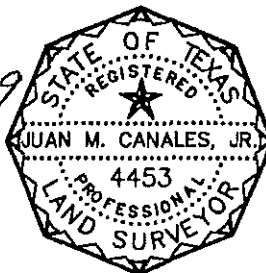
**AS SURVEYED BY
LANDMARK SURVEYING, LP
FIRM REGISTRATION NO. 100727-00**

Juan M. Canales, Jr. 4-19-09
JUAN M. CANALES, JR.

Registered Professional Land Surveyor No. 4453
DATE: FEBRUARY 20, 2008 (REVISED: APRIL 8, 2009)

**THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR**

Client: PBS&J
Date: March 24, 2009
Office: Stephen Lawrence
Crew: J. Lee
F.B.: 1160/43-44
Path: t:\pbj\williamson crk trib ● stasney\landmark drawings\ easements\wm crk trib 2-grid-base.dwg
Job No.: 372-27-08



**SKETCH TO
ACCOMPANY
FIELD NOTES**

**Landmark
SURVEYING, LP**

1301 S. CAPITAL OF TEXAS HWY.
BUILDING 8, SUITE 315
AUSTIN, TEXAS 78748
PH (512)328-7411 FAX (512)328-7413



STATE OF TEXAS
COUNTY OF TRAVIS

(Permanent Drainage, Detention,
Water Quality Pond, and Access Easement)
WILLIAMSON CREEK TRIBUTARY 2
C.O.A. WPDRD, Proj. No. 5848.044

EXHIBIT " B "

LEGAL DESCRIPTION FOR 4590.01 PDDWQPAAE

Field notes description for a parcel of land containing 0.779-acre of land, equivalent to 33,919 square feet of land, out of and a part of Lot 93, Block K, Second Amended Plat Of Williamson Creek Subdivision Section Two, a subdivision in the City of Austin, Travis County, Texas according to the map or plat thereof recorded in Book 86, Pages 198B-199C, Plat Records of Travis County, Texas and being the same Lot 93, Block K, Second Amended Plat Of Williamson Creek Subdivision Section Two which was conveyed *from* Village Bank & Trust *to* Rafik S. Momin by that certain Warranty Deed With Vendor's Lien dated December 19, 2003 and recorded in Document Number 2003294634, Official Public Records of Travis County, Texas; said parcel of land being more particularly described by metes and bounds, as follows, and as shown on the attached sketch:

BEGINNING at a 1/2 inch iron rod found on the south boundary line of the above referenced Lot 93, Block K, monumenting the common rear corner of Lot 89 and Lot 90, Block K, said Second Amended Plat Of Williamson Creek Subdivision Section Two, for the most easterly corner and **POINT OF BEGINNING** of this easement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, Combined Scale Factor 0.9999555) values of N= 10,044,211.38, E= 3,116,994.67;

THENCE, with said southerly boundary line of Lot 93, same being the northerly boundary line of said Block K, along the northerly boundary line of said Lot 90 and Lot 91, said Block K, the following two (2) bearings and distances:

- 1) **S55°05'11"W** a distance of **69.92 feet** to a 1/2 inch iron rod found at the westerly corner of said Lot 90, same being the northerly corner of said Lot 91, at an angle point of this easement; and
- 2) **S51°54'25"W** a distance of **79.69 feet** to a 1/2 inch iron rod found monumenting the westerly corner of said Lot 91, same being the northerly corner of Lot 92, said Block K, said 1/2 inch iron rod found also being the most easterly corner of an existing Equipment Station easement recorded in Volume 9453, Page 114 of the Real Property Records Travis County, Texas, at an angle point of this easement;

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./H.U.B./D.B.E.



THENCE, leaving said northerly boundary line of said Block K and through said Lot 93, with the northerly line of said existing Equipment Station easement, **N73°28'41"W** a distance of **47.19 feet** to a calculated point at the northerly corner of said existing Equipment Station easement, for an inside corner of this easement;

THENCE, with the westerly line of said existing Equipment Station easement, **S27°41'42"W** a distance of **64.93 feet** to a calculated point on the northerly right-of-way line of Teri Road (60' right-of-way), same being the southerly line of said Lot 93, for the westerly corner of said existing equipment station easement and the most southerly corner of this easement;

THENCE, with said northerly right-of-way line of Teri Road, same being said southerly line of Lot 93, the following three (3) bearings and distances:

- 1) **N62°11'04"W** a distance of **82.64 feet** to a calculated point at a point of curvature of a circular curve to the right of this easement, from which the radius point bears **N27°49'34"E** a distance of **270.00 feet**;
- 2) Along said circular curve to the right an arc length of **61.98 feet**, having a radius of **270.00 feet**, a delta angle of **13°09'09"**, and a chord bearing of **N55°35'52"W** with a chord distance of **61.84 feet** to a calculated point of reverse curvature of another circular curve to the left of this easement; and
- 3) Along said circular curve to the left an arc length of **97.79 feet**, having a radius of **630.00 feet**, a delta angle of **08°53'38"**, and a chord bearing of **N53°27'59"W** with a chord distance of **97.70 feet** to a calculated point, said calculated point also being the most westerly corner of an existing drainage easement as denoted in said Book 86, Pages 198B-199C, for the most westerly corner of this easement;

THENCE, leaving said northerly right-of-way line of Teri Road, through said Lot 93, with the northerly line of said existing drainage easement, the following five (5) bearings and distances:

- 1) **N71°48'46"E** a distance of **70.03 feet** to a calculated angle point of this easement;
- 2) **S86°56'22"E** a distance of **238.00 feet** to a calculated angle point of this easement;
- 3) **N55°02'24"E** a distance of **77.49 feet** to a calculated angle point of this easement;
- 4) **N64°17'24"E** a distance of **20.00 feet** to a calculated point, for the most northerly corner of this easement; and
- 5) **S11°31'14"E** a distance of **61.89 feet** to the **"POINT OF BEGINNING"**, and containing 0.779-acre of land (33,919 square feet), more or less.



BASIS OF BEARING:

Bearings mentioned on this easement are based on the City of Austin G.P.S. controlling monuments being J-16-3001 Grid Coordinates N=10,044,302.05, E=3,116,148.39, and utilizing J-16-4001 Grid Coordinates N=10,044,334.35, E=3,115,579.61 (see City of Austin monument data sheet). Combined Scale Factor equals 0.9999555. Distances shown hereon are surface.

CERTIFICATION:

I do hereby certify that this easement description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by
Landmark Surveying, LP

Juan M. Canales, Jr.

Juan M. Canales, Jr.

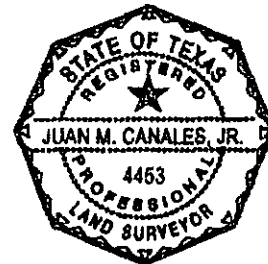
11-17-10

Date

Registered Professional Land Surveyor No. 4453
Senior Project Manager
Firm Registration No. 100727-00

REFERENCES

MAPSCO 2009, Page 645-X
AUSTIN GRID NO. J-16
TCAD PARCEL ID NO.03-2003-0501
4590.01 PDDWAPAAE (Rafik S. Momin).docx



FIELD NOTES REVIEWED

By: CLARK DANIEL Date 12-09-2010

Engineering Support Section
Department of Public Works
and Transportation

**SURVEY OF A PORTION OF LOT 93, BLOCK K, SECTION 10 AMENDED PLAT OF
WILLIAMSON CREEK SUBDIVISION SECTION TWO,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

PAGE 5 OF 5

LEGEND

- 1/2" Iron Rod Found
(Unless Otherwise Noted)
- ▲ Nail Found (As Noted)
- △ Calculated Point
"Not Established on Ground"
- () Record Information per
Bk. 86, Pgs. 198B-199C
- (()) Record Information per
Vol. 9453, Pg. 114
- R.O.W. Right-of-Way
- P.O.B. Point of Beginning
- Bk. Book
- Pg. Page
- Vol. Volume
- D.E. Drainage Easement
- P.U.E. Public Utility Easement
- Plat Records
- P.R.T.C.T. Travis County, Texas
- Deed Records
- D.R.T.C.T. Travis County, Texas
- Real Property Records
- Travis County, Texas
- Official Public Records
- O.P.R.T.C.T. Travis County, Texas

CURVE TABLE

CURVE	CHORD BEARING	CHORD DISTANCE	DELTA	ARC LENGTH	RADIUS
C1	N55°35'52"W (N52°55'48"W)	61.84' (61.94')	13°09'09" (13°10'23")	61.98' (62.08')	270.00' (270.00')
C2	N54°22'21"W (N51°42'17"W)	117.55' (117.73')	10°42'21" (10°43'21")	117.72' (117.90')	630.00' (630.00')
C3	N15°57'21"W (N13°17'17"W)	27.64' (27.68')	87°24'23" (87°33'21")	30.51' (30.56')	20.00' (20.00')
C4	N74°24'56"E (N79°04'25"E)	20.22' (19.84')	84°44'00" (82°49'09")	22.18' (22.45')	15.00' (15.00')
C5	N39°05'15"E (N41°49'11"E)	49.29' (50.00')	08°11'32" (08°18'40")	49.33' (50.04')	345.00' (345.00')
C6	N47°06'36"E (N50°07'50"E)	49.99' (50.00')	08°18'35" (08°18'40")	50.04' (50.04')	345.00' (345.00')
C7	N55°55'23"E (N58°51'29"E)	54.97' (55.00')	09°08'20" (09°08'38")	55.03' (55.06')	345.00' (345.00')
C8	N65°03'43"E (N68°00'07"E)	54.97' (55.00')	09°08'20" (09°08'38")	55.03' (55.06')	345.00' (345.00')
C9	N53°27'59"W (N53°27'59"W)	97.70' (97.79')	08°53'38" (08°53'38")	97.79' (97.79')	630.00' (630.00')

BEARING BASIS NOTE:

STATE PLANE COORDINATE SYSTEM (GRID) NAD'83
TEXAS CENTRAL ZONE 4203
COMBINED SCALE FACTOR = 0.9999555
NAVD'88 VERTICAL DATUM
Horizontal and vertical coordinates for C.O.A. Monument No. J-16-3001 and Monument No. J-16-4001 as published by the C.O.A., were used as the controlling monuments for this survey. Distances shown hereon are surface.

Utility and Improvement Note:

Utilities and improvements exist on this tract, but are not shown hereon.

The property described hereon is contained within Flood Zone AE, Zone X (Shaded), and Zone X; as scoled on F.I.R.M. Map Number 48453C0605H, dated September 26, 2008 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

Restrictive Covenant and Easement Note:

- 1.) Restrictive covenants recorded in Volume 86, Page 198B, Plat Records of Travis County, and Volume 9635, Page 423, as amended in Volume 10511, Page 977 and Volume 11829, Page 26, Real Property Records of Travis County, Texas, DO AFFECT the subject easement.
- 10d.) 7.5' utility easement along the rear recorded in Volume 86, Page 198B, Plat Records of Travis County, Texas, DOES NOT AFFECT the subject easement (see 9635/423, page 6).
- 10e.) Public Utility and Drainage easement, 7.5' wide along the rear property lines recorded in Volume 9635, Page 423, Real Property Records of Travis County, Texas, DOES NOT AFFECT the subject easement.
- 10f.) 5' surface drainage easement along the side property lines recorded in Volume 9635, Page 423 and Volume 11829, Page 26, Real Property Records of Travis County, Texas, DOES NOT AFFECT the subject easement.
- 10g.) Easements granted to the City of Austin for underground electric/telephone lines and systems, dated March 25, 1983, recorded in Volume 8870, Page 424, Deed Records of Travis County, Texas DOES AFFECT the subject easement.
- 10h.) Drainage easement that traverses the subject lot (Lot 93) recorded in Volume 86, page 198B, Plat Records of Travis County, Texas DOES AFFECT the subject easement.
- 10i.) Building setback line as set out on the plat recorded in Volume 86, Page 198B, Plat records of Travis County, Texas DOES AFFECT the subject easement; and, those set out in the restrictions recorded in Volume 9635, Page 423, Volume 10511, Page 977 and Volume 11829, Page 26, Real Property Records of Travis County, Texas DO NOT AFFECT the subject easement.

All easements of which I have knowledge and those recorded easements furnished by Alamo Title Insurance according to Commitment Number AT0008000092, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

I hereby certify that a survey was made on the ground of the easement shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said easement has access to and from a public roadway; and that this plat is an accurate representation of the easement to the best of my knowledge.

**AS SURVEYED BY
LANDMARK SURVEYING, LP
FIRM REGISTRATION NO. 100727-00**

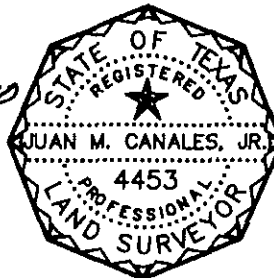
Juan M. Canales, Jr. 11-17-10
JUAN M. CANALES, JR.

**Registered Professional Land Surveyor No. 4453
DATE: November 12, 2010**

**THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR**

Client: PBS&J
Date: November 12, 2010
Office: Stephen Lawrence
Crew: J. Lee

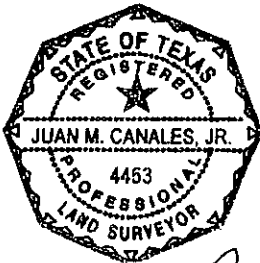
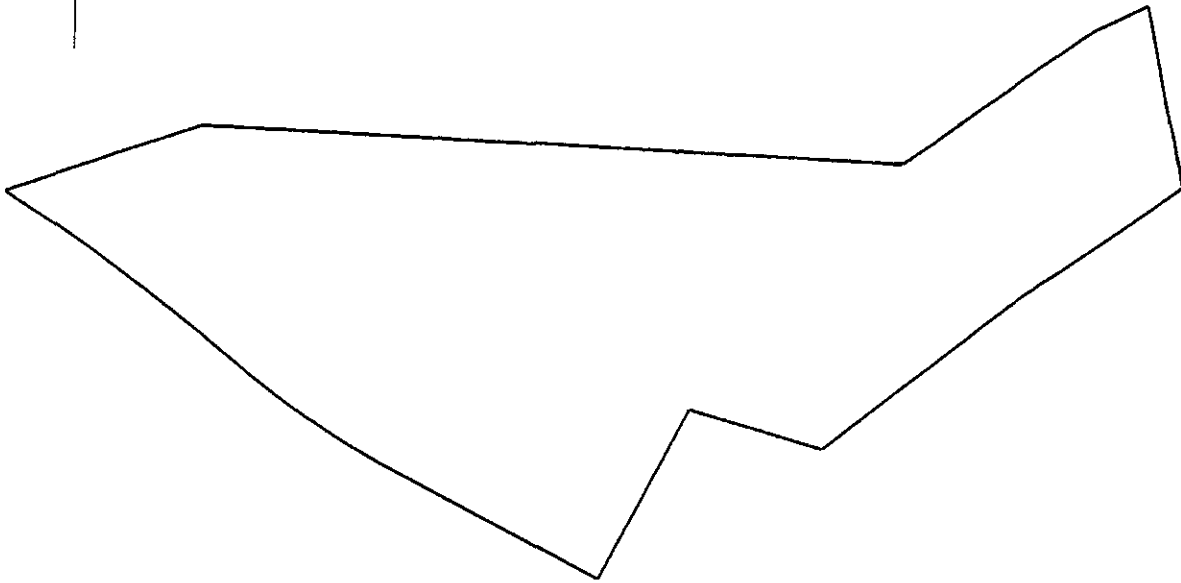
F.B.: 1160/43-44
Path: c:\dwg\11\p b s f\willamson crk trib • stasney\easements\wm crk trib 2-grid-base.dwg
Job No.: 372-27-13



**SKETCH TO
ACCOMPANY
FIELD NOTES**

**Landmark
SURVEYING, LP**

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748
PH (512)328-7411 FAX (512)328-7415



Juan M. Canales, Jr.
11-17-10

4590.01 PDDWAPAAE (Rafik S. Momin) 11/10/2010

Scale: 1 inch= 57 feet File: 4590.01 PDDWQPAAE (Rafik S. Momin).ndp

Tract 1: 0.7787 Acres (33919 Sq. Feet), Closure: n53.5652e 0.01 ft. (1/94931), Perimeter=972 ft.

01 s55.0511w 69.92	10 n55.0224e 77.49
02 s51.5425w 79.69	11 n64.1724e 20
03 n73.2841w 47.19	12 s11.3114e 61.89
04 s27.4142w 64.93	
05 n62.1104w 82.64	
06 Rt, r=270.00, delta=013.0909, arc=61.98, chord=n55.3552w 61.84	
07 Lt, r=630.00, delta=008.5338, arc=97.79, chord=n53.2759w 97.70	
08 n71.4846e 70.03	
09 s86.5622e 238	



STATE OF TEXAS
COUNTY OF TRAVIS

(Temporary Staging Area and Material Storage Site Easement)
WILLIAMSON CREEK TRIBUTARY 2
C.O.A. WPRD, Proj. No. 5848.044

EXHIBIT " C "

LEGAL DESCRIPTION FOR 4590.01 TSAAMSS

Field notes description for a parcel of land containing 0.779-acre of land, equivalent to 33,919 square feet of land, out of and a part of Lot 93, Block K, Second Amended Plat Of Williamson Creek Subdivision Section Two, a subdivision in the City of Austin, Travis County, Texas according to the map or plat thereof recorded in Book 86, Pages 198B-199C, Plat Records of Travis County, Texas and being the same Lot 93, Block K, Second Amended Plat Of Williamson Creek Subdivision Section Two which was conveyed from Village Bank & Trust to Rafik S. Momin by that certain Warranty Deed With Vendor's Lien dated December 19, 2003 and recorded in Document Number 2003294634, Official Public Records of Travis County, Texas; said parcel of land being more particularly described by metes and bounds, as follows, and as shown on the attached sketch:

BEGINNING at a 1/2 inch iron rod found on the south boundary line of the above referenced Lot 93, Block K, monumenting the common rear corner of Lot 89 and Lot 90, Block K, said Second Amended Plat Of Williamson Creek Subdivision Section Two, for the most easterly corner and **POINT OF BEGINNING** of this easement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, Combined Scale Factor 0.9999555) values of N= 10,044,211.38, E= 3,116,994.67;

THENCE, with said southerly boundary line of Lot 93, same being the northerly boundary line of said Block K, along the northerly boundary line of said Lot 90 and Lot 91, said Block K, the following two (2) bearings and distances:

- 1) **S55°05'11"W** a distance of **69.92 feet** to a 1/2 inch iron rod found at the westerly corner of said Lot 90, same being the northerly corner of said Lot 91, at an angle point of this easement; and
- 2) **S51°54'25"W** a distance of **79.69 feet** to a 1/2 inch iron rod found monumenting the westerly corner of said Lot 91, same being the northerly corner of Lot 92, said Block K, said 1/2 inch iron rod found also being the most easterly corner of an existing Equipment Station easement recorded in Volume 9453, Page 114 of the Real Property Records Travis County, Texas, at an angle point of this easement;

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./H.U.B./D.B.E.



THENCE, leaving said northerly boundary line of said Block K and through said Lot 93, with the northerly line of said existing Equipment Station easement, **N73°28'41"W** a distance of **47.19 feet** to a calculated point at the northerly corner of said existing Equipment Station easement, for an inside corner of this easement;

THENCE, with the westerly line of said existing Equipment Station easement, **S27°41'42"W** a distance of **64.93 feet** to a calculated point on the northerly right-of-way line of Teri Road (60' right-of-way), same being the southerly line of said Lot 93, for the westerly corner of said existing equipment station easement and the most southerly corner of this easement;

THENCE, with said northerly right-of-way line of Teri Road, same being said southerly line of Lot 93, the following three (3) bearings and distances:

- 1) **N62°11'04"W** a distance of **82.64 feet** to a calculated point at a point of curvature of a circular curve to the right of this easement, from which the radius point bears **N27°49'34"E** a distance of **270.00 feet**;
- 2) Along said circular curve to the right an arc length of **61.98 feet**, having a radius of **270.00 feet**, a delta angle of **13°09'09"**, and a chord bearing of **N55°35'52"W** with a chord distance of **61.84 feet** to a calculated point of reverse curvature of another circular curve to the left of this easement; and
- 3) Along said circular curve to the left an arc length of **97.79 feet**, having a radius of **630.00 feet**, a delta angle of **08°53'38"**, and a chord bearing of **N53°27'59"W** with a chord distance of **97.70 feet** to a calculated point, said calculated point also being the most westerly corner of an existing drainage easement as denoted in said Book 86, Pages 198B-199C, for the most westerly corner of this easement;

THENCE, leaving said northerly right-of-way line of Teri Road, through said Lot 93, with the northerly line of said existing drainage easement, the following five (5) bearings and distances:

- 1) **N71°48'46"E** a distance of **70.03 feet** to a calculated angle point of this easement;
- 2) **S86°56'22"E** a distance of **238.00 feet** to a calculated angle point of this easement;
- 3) **N55°02'24"E** a distance of **77.49 feet** to a calculated angle point of this easement;
- 4) **N64°17'24"E** a distance of **20.00 feet** to a calculated point, for the most northerly corner of this easement; and
- 5) **S11°31'14"E** a distance of **61.89 feet** to the **"POINT OF BEGINNING"**, and containing 0.779-acre of land (33,919 square feet), more or less.

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./H.U.B./D.B.E.



BASIS OF BEARING:

Bearings mentioned on this easement are based on the City of Austin G.P.S. controlling monuments being J-16-3001 Grid Coordinates N=10,044,302.05, E=3,116,148.39, and utilizing J-16-4001 Grid Coordinates N=10,044,334.35, E=3,115,579.61 (see City of Austin monument data sheet). Combined Scale Factor equals 0.9999555. Distances shown hereon are surface.

CERTIFICATION:

I do hereby certify that this easement description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

**As Prepared by
Landmark Surveying, LP**

Juan M. Canales, Jr.

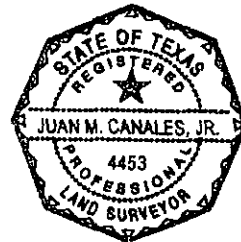
Juan M. Canales, Jr.
Registered Professional Land Surveyor No. 4453
Senior Project Manager
Firm Registration No. 100727-00

11-17-10

Date

REFERENCES

MAPSCO 2009, Page 645-X
AUSTIN GRID NO. J-16
TCAD PARCEL ID NO.03-2003-0501
4590.01 TSAAMSS (Rafik S. Momin).doc



FIELD NOTES REVIEWED

By: Clark Daniel Date 12-09-2010

Engineering Support Section
Department of Public Works
and Transportation

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./H.U.B./D.B.E.

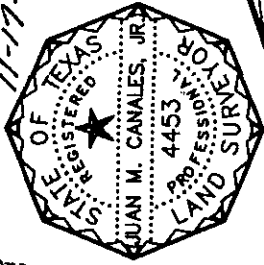
**SURVEY OF A PORTION OF LOT 93, BLOCK K, SECOND AMENDED PLAT OF
WILLIAMSON CREEK SUBDIVISION SECTION TWO,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

PAGE 4 OF 5

LOT 93
BLOCK K
SECOND AMENDED PLAT OF
WILLIAMSON CREEK
SUBDIVISION SECTION TWO
BK. 86, PGS. 198B-199C
P.R.T.C.T.
RAFIK S. MOMIN
DOC. NO. 2003294634
O.P.R.T.C.T.

LINE	BEARING	DISTANCE
L1	N73°28'41"W	47.19'
L2	(N70°41'18"W) (47.19')	
L3	S27°41'42"W	64.93'
L4	((S30°29'00"W) (65.00'))	
L5	N62°11'04"W	32.64'
L6	N71°48'46"E	70.03'
L7	N55°02'24"E	77.49'
	N64°17'24"E	20.00'
	S11°31'14"E	61.89'

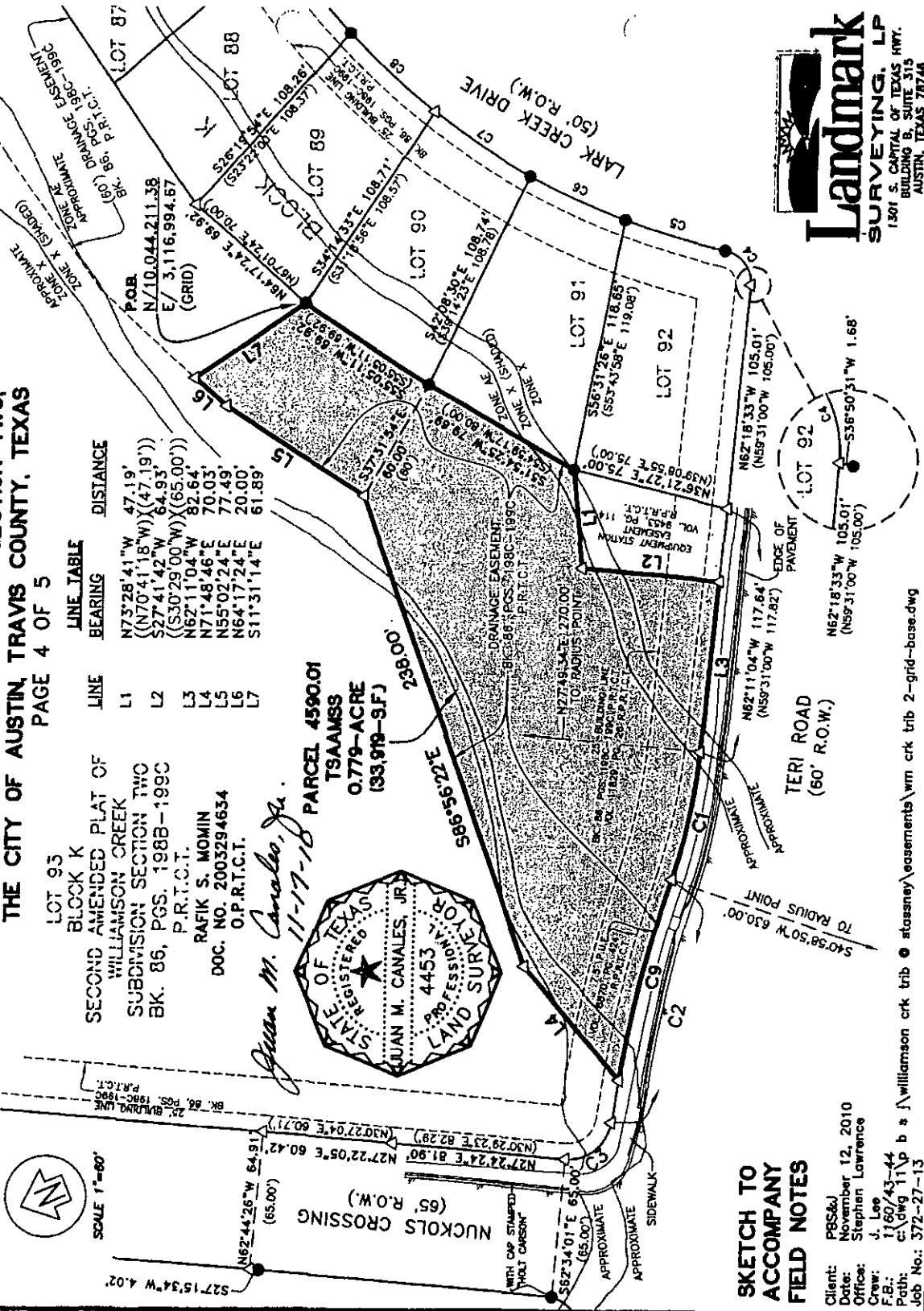
PARCEL 4590.01
TSAAMSS
0.779-ACRE
(33,978-S.F.)



Juan M. Canales, Jr.
11-17-10



SCALE 1"=60'



**SKETCH TO
ACCOMPANY
FIELD NOTES**

Client: PBS&J
Date: November 12, 2010
Office: Stephen Lawrence
Crew: J. Lee
F.B.: 1160/43-44
Path: c:\dwg\11 p b a Williamson crk trib @ stassey\easements\wm crk trib 2-grid-base.dwg
Job No.: 372-27-13

Landmark
SURVEYING, LP
1501 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748
PH: (512) 332-7411 FAX: (512) 332-7413

**SURVEY OF A PORTION OF LOT 93, BLOCK K, SECOND AMENDED PLAT OF
WILLIAMSON CREEK SUBDIVISION SECTION TWO,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

PAGE 5 OF 5

LEGEND

- 1/2" Iron Rod Found
(Unless Otherwise Noted)
- ▲ Nail Found (As Noted)
- △ Calculated Point
"Not Established on Ground"
- () Record Information per
Bk. 86, Pgs. 198B-199C
- (()) Record Information per
Vol. 9453, Pg. 114
- R.O.W. Right-of-Way
- P.O.B. Point of Beginning
- Bk. Book
- Pg. Page
- Vol. Volume
- D.E. Drainage Easement
- P.U.E. Public Utility Easement
- P.R.T.C.T. Plat Records
Travis County, Texas
- D.R.T.C.T. Deed Records
Travis County, Texas
- R.P.R.T.C.T. Real Property Records
Travis County, Texas
- O.P.R.T.C.T. Official Public Records
Travis County, Texas

CURVE TABLE

CURVE	CHORD BEARING	CHORD DISTANCE	DELTA	ARC LENGTH	RADIUS
C1	N55°35'52"W (N52°55'48"W)	61.84' (61.94')	13°09'09" (13°10'23")	61.98' (62.08')	270.00' (270.00')
C2	N54°22'21"W (N51°42'17"W)	117.55 (117.73)	10°42'21" (10°43'21")	117.72 (117.90)	630.00' (630.00')
C3	N15°57'21"W (N13°17'17"W)	27.64' (27.68')	87°24'23" (87°33'21")	30.51' (30.56')	20.00' (20.00')
C4	N74°24'56"E (N79°04'25"E)	20.22' (19.84')	84°44'00" (82°49'09")	22.18' (22.45')	15.00' (15.00')
C5	N39°05'15"E (N41°49'11"E)	49.29' (50.00')	08°11'32" (08°18'40")	49.33' (50.04')	345.00' (345.00')
C6	N47°06'36"E (N50°07'50"E)	49.99' (50.00')	08°18'35" (08°18'40")	50.04' (50.04')	345.00' (345.00')
C7	N55°55'23"E (N58°51'29"E)	54.97' (55.00')	09°08'20" (09°08'38")	55.03' (55.06')	345.00' (345.00')
C8	N65°03'43"E (N68°00'07"E)	54.97' (55.00')	09°08'20" (09°08'38")	55.03' (55.06')	345.00' (345.00')
C9	N53°27'59"W (N53°27'59"W)	97.70' (97.70')	08°53'38" (08°53'38")	97.79' (97.79')	630.00' (630.00')

BEARING BASIS NOTE:

STATE PLANE COORDINATE SYSTEM (GRID) NAD'83
TEXAS CENTRAL ZONE 4203
COMBINED SCALE FACTOR = 0.9999555
NAVD'88 VERTICAL DATUM
Horizontal and vertical coordinates for C.O.A. Monument No. J-16-3001 and
Monument No. J-16-4001 as published by the C.O.A. were used as the controlling
monuments for this survey. Distances shown hereon are surface.

Utility and Improvement Note:

Utilities and improvements exist on this tract, but are not shown hereon.

The property described hereon is contained within Flood Zone AE, Zone X (Shaded), and Zone X; as scaled on F.I.R.M. Map Number 48453C0605H, dated September 26, 2008 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

Restrictive Covenant and Easement Note:

- 1.) Restrictive covenants recorded in Volume 86, Page 198B, Plat Records of Travis County, and Volume 9635, Page 423, as amended in Volume 10511, Page 977 and Volume 11829, Page 26, Real Property Records of Travis County, Texas, DO AFFECT the subject easement.
- 10d.) 7.5' utility easement along the rear recorded in Volume 86, Page 198B, Plat Records of Travis County, Texas, DOES NOT AFFECT the subject easement (see 9635/423, page 6).
- 10e.) Public Utility and Drainage easement, 7.5' wide along the rear property lines recorded in Volume 9635, Page 423, Real Property Records of Travis County, Texas, DOES NOT AFFECT the subject easement.
- 10f.) 5' surface drainage easement along the side property lines recorded in Volume 9635, Page 423 and Volume 11829, Page 26, Real Property Records of Travis County, Texas, DOES NOT AFFECT the subject easement.
- 10g.) Easements granted to the City of Austin for underground electric/telephone lines and systems, dated March 25, 1983, recorded in Volume 8870, Page 424, Deed Records of Travis County, Texas DOES AFFECT the subject easement.
- 10h.) Drainage easement that traverses the subject lot (Lot 93) recorded in Volume 86, page 198B, Plat Records of Travis County, Texas DOES AFFECT the subject easement.
- 10i.) Building setback line as set out on the plat recorded in Volume 86, Page 198B, Plat records of Travis County, Texas DOES AFFECT the subject easement; and, those set out in the restrictions recorded in Volume 9635, Page 423, Volume 10511, Page 977 and Volume 11829, Page 26, Real Property Records of Travis County, Texas DO NOT AFFECT the subject easement.

All easements of which I have knowledge and those recorded easements furnished by Alamo Title Insurance according to Commitment Number AT0008000092, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

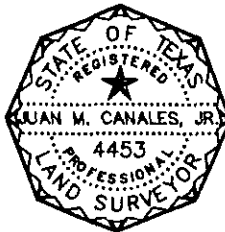
I hereby certify that a survey was made on the ground of the easement shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said easement has access to and from a public roadway; and that this plat is an accurate representation of the easement to the best of my knowledge.

AS SURVEYED BY
LANDMARK SURVEYING, LP
FIRM REGISTRATION NO. 100727-00

Juan M. Canales, Jr.
JUAN M. CANALES, JR. 11-17-16
Registered Professional Land Surveyor No. 4453
DATE: November 12, 2010

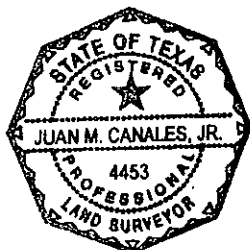
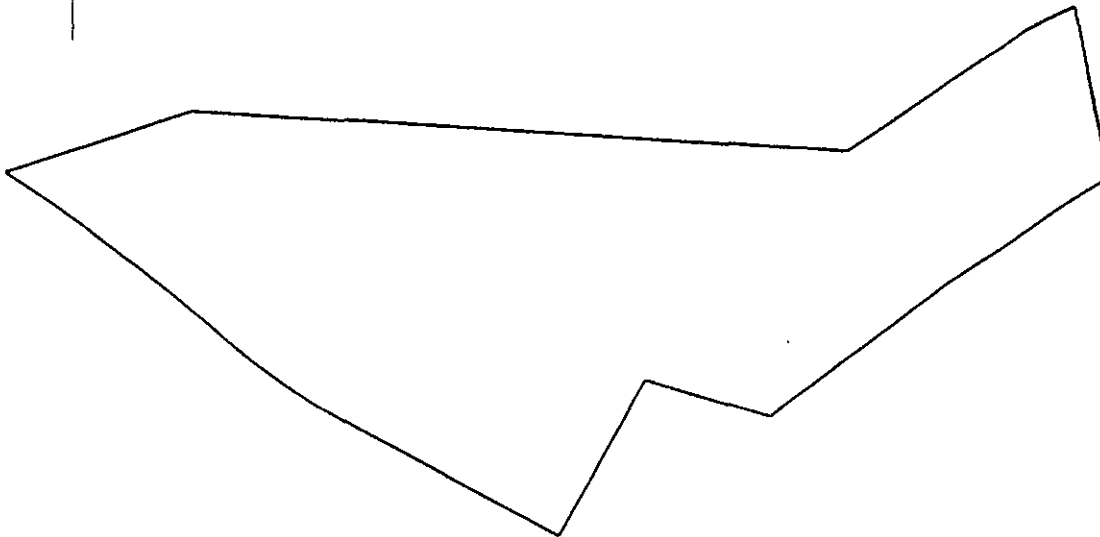
THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR

Client: PBS&J
Date: November 12, 2010
Office: Stephen Lawrence
Crew: J. Lee
F.B.: 1160/43-44
Path: c:\dwg\11\p b s j\williamson crk trib 2\stasney\easements\wm crk trib 2-grid-base.dwg
Job No.: 372-27-13



SKETCH TO
ACCOMPANY
FIELD NOTES

Landmark
SURVEYING, LP
1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748
PH (512)338-7411 FAX (512)338-7415



Juan M. Canales, Jr.
11-17-10

4590.01 PDDWAPAAE (Rafik S. Momin)

11/10/2010

Scale: 1 inch= 57 feet

File: 4590.01 PDDWQPAEE (Rafik S. Momin).ndp

Tract 1: 0.7787 Acres (33919 Sq. Feet), Closure: n53.5652e 0.01 ft. (1/94931), Perimeter=972 ft.

01 s55.0511w 69.92	10 n55.0224e 77.49
02 s51.5425w 79.69	11 n64.1724e 20
03 n73.2841w 47.19	12 s11.3114e 61.89
04 s27.4142w 64.93	
05 n62.1104w 82.64	
06 Rt, r=270.00, delta=013.0909, arc=61.98, chord=n55.3552w 61.84	
07 Lt, r=530.00, delta=008.5338, arc=97.79, chord=n53.2759w 97.70	
08 n71.4846e 70.03	
09 s86.5622e 238	