

RESOLUTION NO. 20110825-021

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 owner 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:	502 Pampa, LLC, a Texas limited liability company
Project:	Airport at Chesterfield Wastewater Improvement Project
Public Purpose:	the permanent wastewater line easement described in the attached Exhibit "A" is necessary to install, operate, maintain, repair, replace, and upgrade

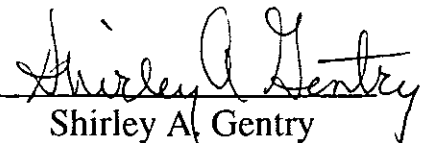
permanent wastewater lines and appurtenances, for the purpose of providing sanitary sewer services to the public.

Location: 6801 Airport Boulevard
Austin, Travis County, Texas

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: August 25, 2011

ATTEST:


Shirley A. Gentry
City Clerk



MACIAS & ASSOCIATES, L.L.P.
LAND SURVEYORS

EXHIBIT " A "

502 PAMPA, L.L.C.,
TO
CITY OF AUSTIN

DESCRIPTION FOR WASTEWATER EASEMENT

DESCRIPTION OF A 0.023 ACRE (986 SQUARE FOOT) TRACT OF LAND OUT OF THE THOMAS J. CHAMBERS SURVEY, ABSTRACT NO. 7, TRAVIS COUNTY, TEXAS, BEING OUT OF A PORTION OF PAMPA DRIVE VACATED PER CITY OF AUSTIN ORDINANCE #680314-C, AND LOT 4, BLOCK 7, SILVERTON HEIGHTS, A SUBDIVISION OF RECORD IN VOLUME 4, PAGE 77 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, DESCRIBED IN A SPECIAL WARRANTY DEED TO 502 PAMPA, L.L.C., DATED AUGUST 20, 2008, AND RECORDED IN DOCUMENT NO. 2008144378 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO DESCRIBED AS A 32,294 SQUARE FOOT TRACT IN A DEED OF TRUST, SECURITY AGREEMENT AND FINANCING STATEMENT EXECUTED ON JUNE 9, 2006, AND RECORDED IN DOCUMENT NO. 2006116572 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.023 ACRE (986 SQUARE FOOT) TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the intersection of the north right-of-way line of Pampa Drive (right-of-way varies), same being the south line of said vacated portion of Pampa Drive, with the northeast right-of-way line of Airport Boulevard (right-of-way varies), also being the southwest corner of said 32,294 square foot tract, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,094,820.88, E=3,122,012.74, for the southwest corner and **POINT OF BEGINNING** of this tract;

THENCE North 25°39'10" West, with the northeast right-of-way line of said Airport Boulevard and the southwest line of said 32,294 square foot tract, passing at a distance of 67.05 feet, a calculated point, from which calculated point a chiseled "X" in concrete found, bears North 64°20'50" East, a distance of 0.31 feet, and continuing for a total distance of 126.65 feet to a 1/2" iron rod found in the northwest line of said Lot 4, at the intersection of the southeast right-of-way line of Guadalupe Street (60' right-of-way) with the northeast right-of-way line of said Airport Boulevard, same being the northwest corner of said 32,294 square foot tract;

THENCE North 28°36'02" East, with the southeast right-of-way line of said Guadalupe Street and the northwest lines of said Lot 4 and said 32,294 square foot tract, a distance of 9.24 feet to a 60D nail set for the northeast corner of this tract, from which a 60D nail in a 1/2" iron pipe found at the west corner of Lot 2, Block 7, same being the north corner of Lot 3, Block 7, both of said Silverton Heights, also being the north corner of said 32,294 square foot tract, bears North 28°36'02" East, a distance of 104.99 feet;

THENCE South 25°39'10" East, over and across said 32,294 square foot tract, a distance of 136.42 feet to a 60D nail set in the north right-of-way line of said Pampa Drive, same being the south line of

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

said 32,294 square foot tract, from which a calculated point of curvature in the north right-of-way line of said Pampa Drive and the south line of said 32,294 square foot tract, bears South 85°23'10" East, a distance of 65.50 feet;

THENCE North 85°23'10" West, with the north right-of-way line of said Pampa Drive and the south line of said 32,294 square foot tract, a distance of 8.68 feet to the **POINT OF BEGINNING**, containing 0.023 acre (986 square feet) of land.

BEARING BASIS NOTE

Date of Survey: 02/11/10. The coordinates and bearings shown hereon are based on the Texas State Plane Coordinate System, (Central Zone, NAD83 (HARN), CSF=1.00008, and were established from the City of Austin reference points K-27-1001, having coordinate values of N=10,092,566.4684 and E=3,120,599.3051 and K-26-1001, having coordinate values of N=10,089,354.03 and E=3,119,655.60. Macias drawing no. 43112-WWE.

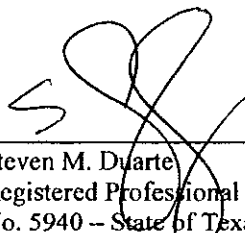
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Steven M. Duarte, 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 14th day of February, 2011, A.D.

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



Steven M. Duarte
Registered Professional Land Surveyor
No. 5940 -- State of Texas



REFERENCES

MAPSCO 2009 525Z
City of Austin Grid No. K-28
TCAD PARCEL ID NO. 02-3111-0424
MACIAS & ASSOCIATES, L.P., PROJECT NO. 431-12-10

FIELD NOTES REVIEWED

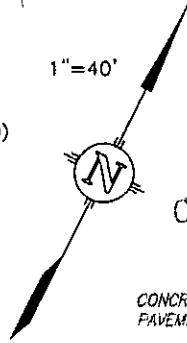
By:  Date 2/14/11

Engineering Support Section
Department of Public Works
and Transportation

LEGEND

- 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON PIPE FOUND
- ⊗ CHISELED "X" IN CONC. FOUND
- ▲ 60D NAIL SET (OR TYPE NOTED)
- △ CALCULATED POINT
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- VOL., PG. VOLUME, PAGE
- DOC. NO. DOCUMENT NUMBER
- P.R.T.C.Tx. PLAT RECORDS OF TRAVIS COUNTY, TX
- O.P.R.T.C.Tx. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TX
- TCAD TRAVIS COUNTY APPRAISAL DISTRICT
- () RECORD INFORMATION
- ⊕ POWER POLE
- ⊕ GUY WIRE
- ⊕ ELECTRIC METER
- ⊕ SIGN
- ⊕ TRAFFIC SIGNAL POLE
- ⊕ TV RISER

1"=40'



STITCH TO ACCOMPANY LEGAL DESCRIPTION

THOMAS J.
CHAMBERS SURVEY
ABSTRACT NO. 7

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

60D NAIL IN
1/2" IRON
PIPE

LOT 2

BLOCK 7

SILVERTON HEIGHTS
VOL. 4, PG. 77
P.R.T.C.Tx.

LOT 3

WASTEWATER
EASEMENT
0.023 ACRE
986 S.F.

LOT 4

502 PAMPA LLC
DOC. NO. 2008144378
O.P.R.T.C.Tx.
(32,294 S.F.)

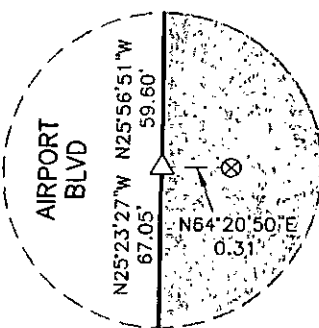
TCAD# 0231110424

10' PUBLIC UTILITY
EASEMENT
VOL. 3556, PG. 1220
D.R.T.C.Tx.

5' PUBLIC UTILITY
EASEMENT
(PER PLAT)

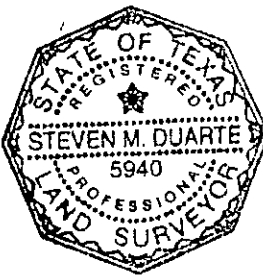
LOT 5

PAMPA DRIVE
(R.O.W. VARIES)



P.O.B.
N=10,094,820.88
E=3,122,012.74
(GRID)

BEARING BASIS:
THE COORDINATES AND BEARINGS SHOWN
HEREON ARE BASED ON THE TEXAS STATE
PLANE COORDINATE SYSTEM, (CENTRAL ZONE,
NAD83(HARN), CSF=1.00008, AND WERE
ESTABLISHED FROM THE CITY OF AUSTIN
REFERENCE POINTS K-27-1001 HAVING
COORDINATE VALUES OF N=10,092,566.4684
AND E=3,120,599.3051 AND K-26-1001
HAVING COORDINATE VALUES OF
N=10,089,354.03 AND E= 3,119,655.60.



DATE OF SURVEY:	02-11-10
DATE:	01-31-11
REV:	02-14-11
DRAWN BY:	smd
MAI JOB NO.:	431-12-10
REFERENCE:	564/6

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MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS

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