

RESOLUTION NO. 20110825-022

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: Henderson, Johnn Robert

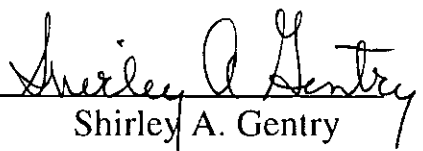
Project: Ridgelea Storm Drainage Improvements Project

Public Purpose: A permanent drainage easement described in the attached Exhibit "A" for the purpose of constructing, operating maintaining, repairing, replacing and upgrading and making connections with a drainage channel and related facilities in, under, upon and across the tract of land.

Location: 3911 Idlewild Road, in Austin, Travis County, Texas.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: August 25, 2011

ATTEST: 
Shirley A. Gentry
City Clerk

DESCRIPTION OF 0.0278 OF ONE ACRE TRACT

DESCRIPTION OF 0.0278 OF ONE ACRE (1,213 SQUARE FEET) OF LAND, MORE OR LESS, OUT OF LOT 39 AND THE NORTH HALF OF LOT 40, RIDGELEA, A SUBDIVISION OF RECORD IN BOOK 4, PAGE 258, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 39 AND THE NORTH HALF OF LOT 40, BEING DESCRIBED IN AN AGREEMENT NULLIFYING EXCHANGE DEED, DATED AUGUST 14, 1991, TO JOHNN R. HENDERSON, OF RECORD IN VOLUME 11539, PAGE 129, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0278 OF ONE ACRE BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the west corner of this tract, the north half of Lot 40, and said Henderson tract and the north corner of the south 30 feet of Lot 40 of said Ridgelea, said south 30 feet of Lot 40 being described in a deed to the Hubert D. Reese and wife June N. Reese, of record in Volume 2622, Page 386, Deed Records, Travis County, Texas, same being in the southeast line of Idlewood Road, from which a 1/2" iron rod found at the west corner of said Lot 40, bears S31°32'52"W 29.57 feet, said point of beginning having State Plane Coordinate (Texas Central Zone, NAD83, U.S. Feet, Combined Scale Factor of 1.00007) grid values of N=10,086,877.07, E=3,111,129.99;

THENCE, with the northwest line of this tract, said north half of Lot 40, and said Henderson tract and the southeast line of Idlewood Road, N31°32'52"E 6.25 feet to a calculated point at the northwest corner of this tract, from which a 1/2" iron rod found at the north corner of Lot 39 of said Ridgelea, same being the west corner of Lot 38 of said Ridgelea, same being in the southeast line of Idlewild Road, bears N31°32'52"E 83.91 feet;

THENCE, with the north line of this, crossing said north half of Lot 40 and said Lot 39 and said Henderson tract, the following (3) courses, numbered 1 through 3;

- 1) S58°28'23"E 102.13 feet to a calculated point;
- 2) N75°20'48"E 40.21 feet to a calculated point; and
- 3) S58°28'23"E 0.55 feet to a calculated point at the northeast corner of this tract, same being in the southeast line of said Lot 39 and said Henderson tract and the northwest line of Lot 50 of said Ridgelea, said Lot 50 being described

0.0278 AC.

in a deed to Ronald Habitzreiter, of record in Document No. 2006218931, Official Public Records, Travis County, Texas;

THENCE, with the southeast line of this tract, said Lot 39 and said north half of Lot 40, and said Henderson tract and the northwest line of said Lot 50 and said Habitzreiter tract continuing with the northwest line of Lot 49, of said Ridgelea, said Lot 49 being described in a deed to Robert J. Zambrano and Susan Angorge, of record in Document No. 2002084619, Official Public Records, Travis County, Texas, **S31°46'50"W**, passing at 4.97 feet a 1/2" iron pipe found at the southwest corner of said Lot 50 and said Habitzreiter tract and the northwest corner of said Lot 49 and said Zambrano and Angorge tract, and continuing 29.99 feet for a total distance of **34.96 feet** to a calculated point at the south corner of this tract, said north half of Lot 40, and said Henderson tract and the east corner of said south 30 feet of Lot 40 and said Reese tract, from which a 1/2" iron rod found at the south corner of said Lot 41 and said Reese tract bears **S31°46'50"W 89.97 feet**;

THENCE, with the southwest line of this tract, said north half of Lot 40, and said Henderson tract and the northeast line of said south 30 feet of Lot 40 and said Reese tract, **N58°36'21"W 130.37 feet** to the POINT OF BEGINNING and containing 0.0278 of one acre, more or less, within these metes and bounds.

SURVEYED BY:

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



Chris Conrad, Reg. Professional Land Surveyor No. 5623

10/05/2010
Date

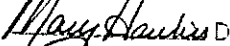
Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description.

Descriptions 2010/Shoal Creek-Ridgelea/Delivered 10-5-10

Issued 05/07/2010; Revised 8/3/2010; Revised 8/10/2010; 10/5/2010

AUSTIN GRID H-26
TCAD# 01-2200-07-06

FIELD NOTES REVIEWED

By:  Date 10/18/10

Engineering Support Section
Department of Public Works
and Transportation

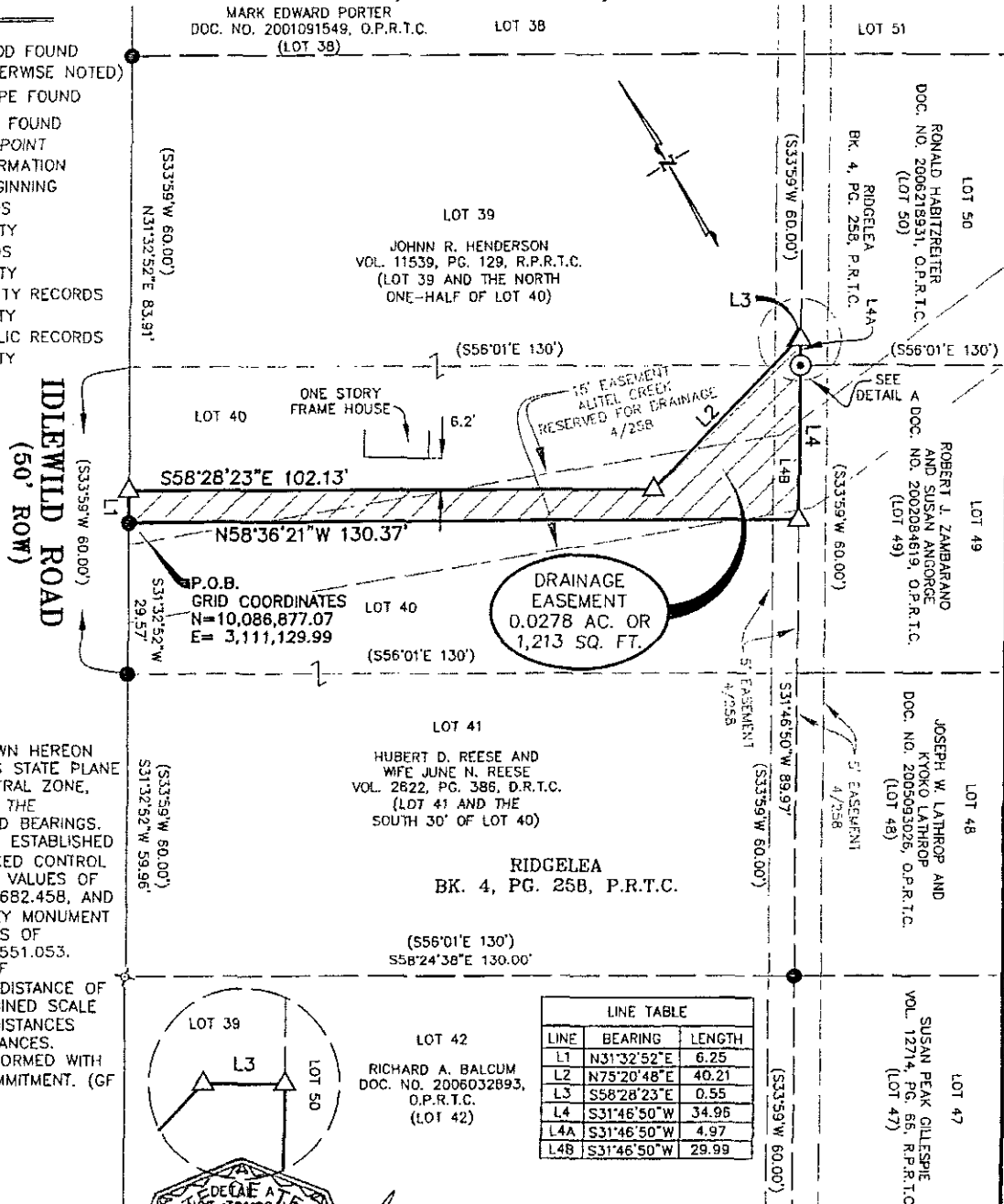
SCALE 1" = 30'

SKETCH TO ACCOMPANY DESCRIPTION
OF 0.0278 AC. OR 1,213 SQ. FT. OF LAND
OUT OF LOTS 39 AND 40, RIDGELEA, A SUBDIVISION IN
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

RE: CITY OF AUSTIN

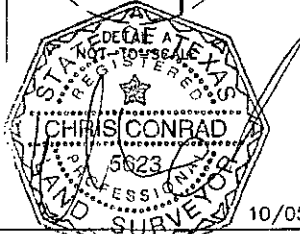
LEGEND

- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON PIPE FOUND
- ⌵ CHISELED "X" FOUND
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS
- D.R.T.C. DEED RECORDS
- R.P.R.T.C. REAL PROPERTY RECORDS
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS
- TRAVIS COUNTY
- TRAVIS COUNTY
- TRAVIS COUNTY
- TRAVIS COUNTY



NOTES:
1. THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (93 HARN) 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 1.00007. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF TITLE COMMITMENT. (GF NO. 10-10049)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N31°32'52"E	6.25
L2	N75°20'48"E	40.21
L3	S58°28'23"E	0.55
L4	S31°46'50"W	34.96
L4A	S31°46'50"W	4.97
L4B	S31°46'50"W	29.99



CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 3623 DATE 10/05/10
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# 01-2200-07-06

M:\SDSKPROJ\M:\Shoal Creek-Ridgelea Storm_Espeak\DWG\Parcels\Ridgelea DE-COA-4-REV3.dwg

SURVEYED BY:

McGRAY & McGRAY
LAND SURVEYORS, INC.

3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

ISSUED: 05/07/10
REVISED: 08/03/10
REVISED: 08/10/10
REVISED: 10/05/10
PAGE 3 OF 3

AUSTIN GRID#: H-26 JOB NO.: 10-001