

RESOLUTION NO. 20110825-031

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: Eunice O. Alff aka Eunice F. Alff aka Eunice R. Alff,
Charles W. Alff—Trustee of the William C. Alff Exempt
Trust created under the Last Will and Testament of

William C. Alff, deceased, Probate Cause No. 15424,
County Court of Law No. 2, Williamson County, Texas.

Project: Harris Branch Interceptor Lower A

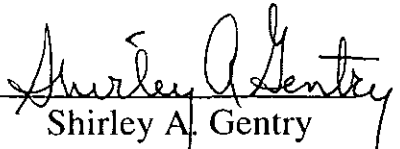
Public Purpose: 0.767-acre (33,417 square feet), more or less, out of and a part of the Josiah Willbarger Survey No. 42, Abstract No. 794, in Travis County, Texas, same being a portion of the remainder of Tract Two, a 25.00 acre tract of land, in Travis County Texas, for a permanent wastewater easement for the purpose of installing, operating, maintaining, repairing, replacing, and upgrading permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public and to prevent leakage from wastewater lines to protect public health.

Location: Off Hill Lane, west side of SH 130, 0.4 mile north of Parmer Lane, in northeast Austin, Travis County, Texas 78653.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: August 25, 2011

ATTEST:


Shirley A. Gentry
City Clerk

Field Notes for 4661.08WE

BEING 0.767 OF ONE ACRE OF LAND (33,417 S.F.), MORE OR LESS, OUT OF AND A PART OF THE JOSIAH WILBARGER SURVEY NO. 42, ABSTRACT NO. 794, IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE REMAINDER OF TRACT TWO, A 25.00 ACRE TRACT OF LAND CONVEYED TO W.C. ALFF AND WIFE, EUNICE O. ALFF, BY SPECIAL WARRANTY DEED EXECUTED ON JANUARY 9, 1976, FILED FOR RECORD ON MARCH 5, 1976 RECORDED IN VOLUME 5389, PAGE 1806 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.767 OF ONE ACRE OF LAND (33,417 S.F.) BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a calculated point in the northwesterly right-of-way line of State Highway 130 (R.O.W. varies), and a southeasterly line of the remainder of said Tract Two, for the Point of Beginning and most easterly corner of the herein described tract of land having Texas State Plane (Texas Central Zone (4203), NAD 83, U. S. Feet, Combined Scale Factor of 0.9999216) values of N=10104902.65, E=3162055.30, from which, a 1/2 inch iron rod with cap marked "TxDOT" found in the northwesterly right-of-way line of State Highway 130, at the most easterly corner of the remainder of said Tract Two and a corner of the remainder of a 620.973 acre tract conveyed to Anne Bloor Schryver by deed recorded in Volume 8251, Page 216 of the Deed Records of Travis County, Texas, and to Carol Anne Schryver, Brian B. Schryver and Jeffrey E. Schryver by deed recorded in Volume 10944, Page 251 of the Real Property Records of Travis County, Texas and in Volume 12870, Page 1684 of the Real Property Records of Travis County, Texas, bears North 27°49'19" East, a distance of 524.12 feet;

1) THENCE, South 27°49'19" West, a distance of 50.55 feet, with the northwesterly right-of-way line of State Highway 130 and a southeasterly line of the remainder said Tract Two, to a calculated point for the most southerly corner of the herein described tract of land, from which a 1/2 inch iron pipe found at a corner in the northwesterly right-of-way line of State Highway 130, at the most southerly corner of the remainder of said Tract Two and the most easterly corner of Tract One, a 29.00 acre tract of land conveyed to W.C. Alff and wife, Eunice O. Alff by deed recorded in Volume 5389, Page 1806 of the Deed Records of Travis County, Texas, bears South 27°49'19" West, a distance of 271.45 feet, and South 72°30'15" West, a distance of 100.63 feet;

2) THENCE, North 53°44'54" West, a distance of 97.10 feet, leaving the northwesterly right-of-way line of State Highway 130 and a southeasterly line of the remainder of said Tract Two, crossing said Tract Two, to a calculated point for a corner;

3) THENCE, North 74°34'33" West, a distance of 571.02 feet, to a calculated point in the northwesterly line of said Tract Two and the southeasterly line of Tract Four, a 168.86 acre tract of land, conveyed with undivided fifty percent interest to J.P. Morgan Chase Bank, as Trustee of the Frederic Clarke Morse, Jr. Exempt Family Trust, by deed recorded in Document 2004113210 of the Official Public Records of Travis County, Texas, for the most westerly corner of the herein described tract of land, from which, a 1/2 inch iron pipe found in the southeasterly line of said Tract Four, at the most westerly corner of said Tract Two and the most northerly corner of said Tract One, bears South 27°20'23" West, a distance of 236.93 feet;

4) THENCE, North 27°20'23" East, a distance of 51.10 feet, with the northwesterly line of said Tract Two and the southeasterly line of said Tract Four, to a calculated point for the most northerly corner of the herein described tract of land, from which, a 1/2 inch iron pipe found in the northwesterly line of said Tract Two, at a corner of said Tract Four and a corner of a 269.567 acre tract of land conveyed to Trafalgar I, L P by deed recorded in Document 2000102360 of the Official Public Records of Travis County, Texas bears North 27°20'23" East, a distance of 434.05 feet;

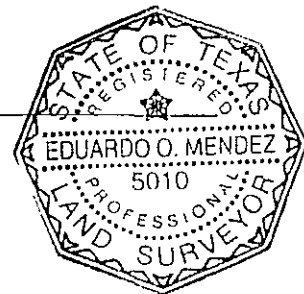
5) THENCE, South 74°34'33" East, a distance of 569.66 feet, leaving the northwesterly line of said Tract Two and the southeasterly line of said Tract Four, crossing said Tract Two, to a calculated point for a corner;

6) THENCE, South 53°44'54" East, a distance of 98.88 feet, to the Point of Beginning and containing an area of 0.767 of one acre of land (33,417 s.f.), more or less.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

Eduardo O. Mendez
Eduardo O. Mendez
Registered Professional Land Surveyor 5010

9/16/10
Date



MWM DesignGroup
305 East Huntland Drive, Suite 200
Austin, Texas, 78752 (512) 453-0767

Bearing Basis: The bearings and coordinates shown are based on Texas State Plane Coordinate System datum, Texas Central Zone (4203), NAD 83 based on Landmark Control Points LS#1-LS#8 provided by Landmark Surveying, Inc. For surface coordinates, divide grid coordinates shown by combined scale factor of 0.9999216.

TCAD No.: 0242500122
CITY GRID No.: R30

FIELD NOTES REVIEWED

By: [Signature] Date 9/20/10

Engineering Support Section
Department of Public Works
and Transportation

SCALE:
1"=200'

J.P. MORGAN CHASE BANK, AS TRUSTEE OF THE
FREDERIC CLARKE MORSE, JR. EXEMPT FAMILY TRUST
(UNDIVIDED FIFTY PERCENT INTEREST OF TRACT FOUR-168.86 AC)
DOC. 2004113210
OPRTCT

FREDERIC CLARKE MORSE, JR.
(UNDIVIDED FIFTY PERCENT INTEREST OF
ESTATE OF FREDERIC CLARKE SR.)
CAUSE NO. 46,390
VOL. 814, PG. 807
PrRTCT

TRAFALGAR I, L P
(269.567 AC)
DOC 2000102360
OPRTCT

ANNE BLOOR SCHRYVER
93/180% UNDIVIDED INTEREST
OF (620.973 AC)
VOL. 8251, PG. 216, DRTCT

CAROL ANNE SCHRYVER,
BRIAN B. SCHRYVER AND
JEFFREY E. SCHRYVER
29/180% UNDIVIDED INTEREST EACH
OF (620.973 AC)
VOL. 10944, PG. 251, RPRTCT
VOL. 12870, PG. 1684, RPRTCT

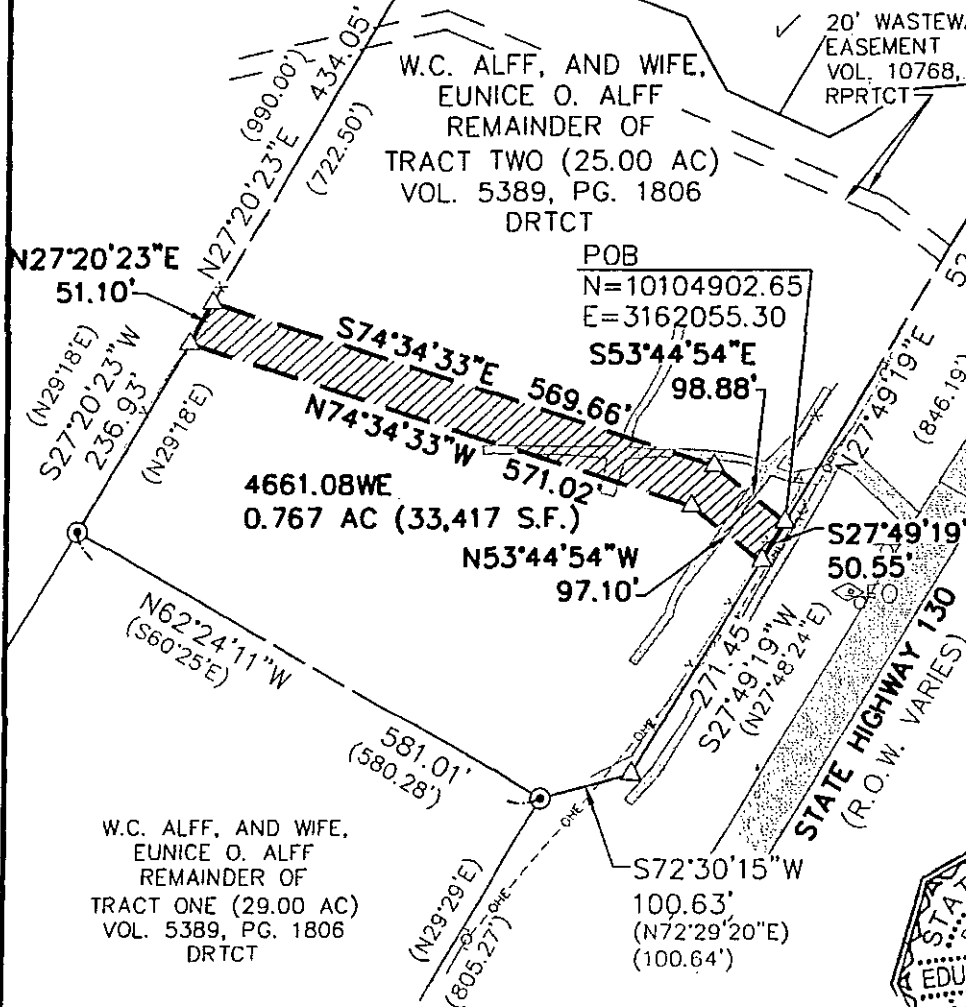
JOSIAH WILBARGER SURVEY NO. 42, ABSTRACT NO. 794

W.C. ALFF, AND WIFE,
EUNICE O. ALFF
REMAINDER OF
TRACT TWO (25.00 AC)
VOL. 5389, PG. 1806
DRTCT

20' WASTEWATER LINE
EASEMENT
VOL. 10768, PG. 2101
RPRTCT

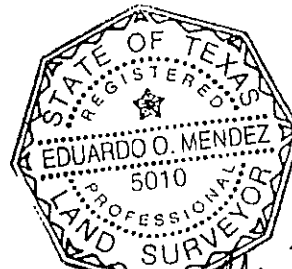
LEGEND

- △ CALCULATED POINT
- 1/2" IRON ROD FOUND
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD W/CAP FOUND
(UNLESS OTHERWISE NOTED)
- ⊙ 1/2" IRON PIPE FOUND
- () RECORD DATA
- DRTCT DEED RECORDS
TRAVIS CO, TX
- OPRTCT OFFICIAL PUBLIC RECORDS
TRAVIS CO, TX
- RPRTCT REAL PROPERTY RECORDS
TRAVIS CO, TX
- PrRTCT PROBATE RECORDS
TRAVIS CO, TX
- ▨ AREA OF EASEMENT
- POB POINT OF BEGINNING



W.C. ALFF, AND WIFE,
EUNICE O. ALFF
REMAINDER OF
TRACT ONE (29.00 AC)
VOL. 5389, PG. 1806
DRTCT

THE BEARINGS AND COORDINATES SHOWN ARE BASED
ON TEXAS STATE PLANE COORDINATE SYSTEM DATUM,
TEXAS CENTRAL ZONE (4203), NAD 83 BASED ON
LANDMARK CONTROL POINTS LS#1-LS#8 PROVIDED BY
LANDMARK SURVEYING, INC. FOR SURFACE
COORDINATES, DIVIDE GRID COORDINATES SHOWN BY
COMBINED SCALE FACTOR OF 0.9999216.



Eduardo O. Mendez
9/16/10

mwm
Design Group

305 East Huntland Drive
Suite 200
Austin, Texas 78752
p: 512.453.0767
f: 512.453.1734

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 15 SEP 10
JOB NO: 37315A
FILE: 4661.08WE