

**RESOLUTION NO. 20120614-028**

**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 needed 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 uses 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: Robert U. Mayfield and Marion J. Mayfield

Project: Spicewood Springs Pump Station Utility Improvements Project

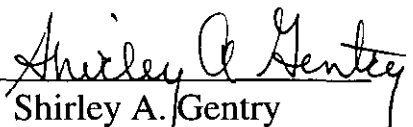
Public Use: The permanent water line easement described in the attached Exhibit "A" is necessary for the purpose of installing, laying, constructing, maintaining, inspecting, repairing, removing, replacing, renewing, using and operating water lines, together with all facilities, connectors and appurtenances.

Location: 8111 Mesa Drive  
Austin, Travis County, Texas 78759  
The general route covered by this project will include the following areas: Spicewood Springs Pump Station site, extending from the western boundary of the site to Mesa Drive; Myrick Drive at Mesa Drive intersection; 4210/4212 Greystone Drive; Far West Boulevard from Mesa Drive to Montana Norte; and the Northwest Hills area.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: June 14, 2012

ATTEST: \_\_\_\_\_

  
Shirley A. Gentry  
City Clerk



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

EXHIBIT " A "

(WATERLINE EASEMENT)  
ROBERT U. MAYFIELD AND  
WIFE, MARION J. MAYFIELD  
TO  
CITY OF AUSTIN

**DESCRIPTION FOR PARCEL 4717.01WE**

LEGAL DESCRIPTION OF A 0.120 ACRE (5,244 SQUARE FOOT) TRACT OF LAND, BEING A PORTION OF LOT 2-A, RESUB. H.S.R. SUB. II, A SUBDIVISION OF RECORD IN VOLUME 67, PAGE 70 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO ROBERT U. MAYFIELD AND WIFE, MARION J. MAYFIELD, DATED JUNE 30, 1998, AND RECORDED IN VOLUME 13216, PAGE 3926 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.120 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 3/4" iron pipe in concrete found at a corner in the southwest line of Lot 3, Spicewood Office Park, a subdivision of record in Volume 78, Page 182 of the Plat Records of Travis County, Texas, same being the east corner of said Lot 2-A, for the east corner and **POINT OF BEGINNING** of this tract, having Texas State Plane Grid Coordinate (Central Zone, NAD83(93), U.S. Survey Feet,) values of N=10,108,529.04, E=3,109,221.85;

**THENCE** South 28°26'03" West, with the southwest line of said Lot 3 and the southeast line of said Lot 2-A, a distance of 35.00 feet to a 60D nail set for the south corner of this tract, from which a 3/4" iron pipe found in the northeast line of Lot 2, Spice-Mesa Addition, a subdivision of record in Volume 75, Page 319 of the Plat Records of Travis County, Texas, at a corner in the northwest line of Lot 4 of said Spicewood Office Park, same being the south corner of said Lot 2-A, bears South 28°26'03" West, passing at a distance of 23.07 feet, a 3/4" iron pipe found at a corner in the southwest line of said Lot 3, same being the north corner of said Lot 4, and continuing for a total distance of 90.15 feet;

**THENCE** North 61°28'58" West, over and across said Lot 2-A, a distance of 149.81 feet to a 60D nail set in the southeast right-of-way line of Mesa Drive (90' right-of-way), same being the northwest line of said Lot 2-A, for the west corner of this tract, from which a 60D nail found at a point of curvature in the southeast right-of-way line of said Mesa Drive and the northwest line of said Lot 2-A, bears South 28°24'34" West, a distance of 71.19 feet;

**THENCE** North 28°24'34" East, with the southeast right-of-way line of said Mesa Drive and the northwest line of said Lot 2-A, a distance of 35.00 feet to a 1/2" iron rod found at the west corner of said Lot 3 and the north corner of said Lot 2-A, for the north corner of this tract;

**THENCE** South 61°28'58" East, with the southwest line of said Lot 3 and the northeast line of said Lot 2-A, a distance of 149.83 feet to the **POINT OF BEGINNING**, containing 0.120 acre (5,244 square feet) of land.

**BEARING BASIS NOTE**

Date of Survey: May 9, 2011. The bearings shown hereon are based on the Texas State Plane Coordinate System (Central Zone, NAD83(93), Combined Scale Factor = 0.999904). The coordinates were established from reference station "H-31-3001" having grid coordinate values of N=10,108,545.463, E=3,108,591.754. All distances shown are surface distances.

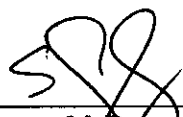
**THE STATE OF TEXAS** §  
§  
**COUNTY OF TRAVIS** §

KNOW ALL MEN BY THESE PRESENTS:

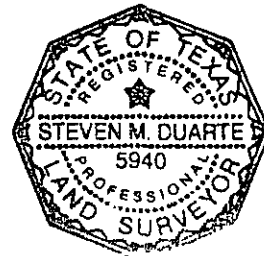
That I, Steven M. Duarte, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 17th day of May, 2012, A.D.

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

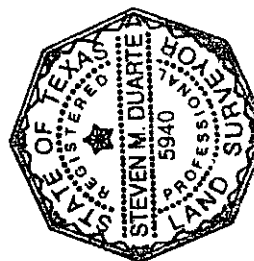
  
Steven M. Duarte  
Registered Professional Land Surveyor  
No. 5940 – State of Texas

**REFERENCES**  
MAPSCO 2009, 494Z  
AUSTIN GRID NO. H-31  
TCAD PARCEL ID NO. 01-4401-0213  
MACIAS & ASSOCIATES, L.P.



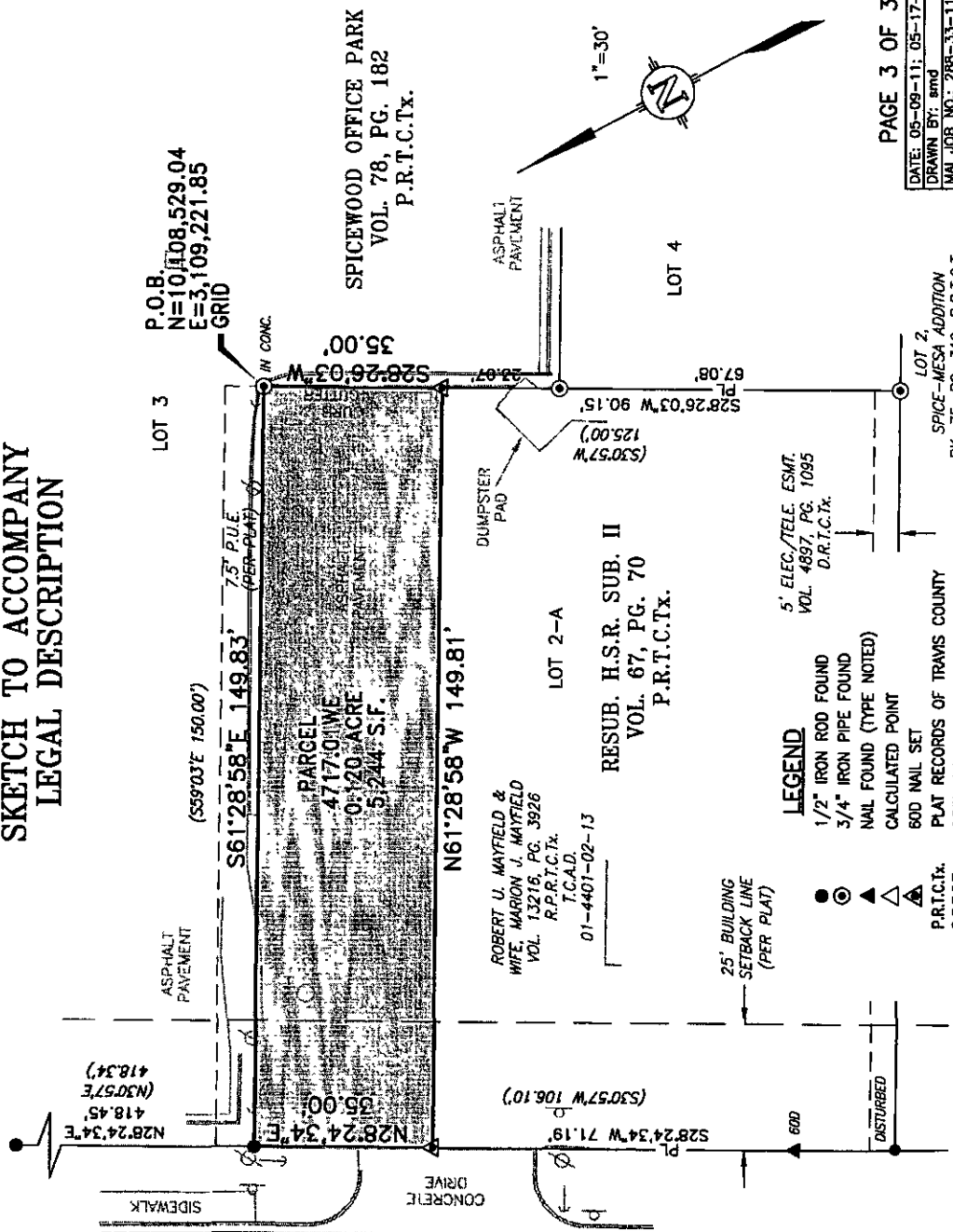
**BEARING BASIS:**  
THE BEARINGS SHOWN HEREON  
ARE BASED ON THE TEXAS  
STATE PLANE COORDINATE  
SYSTEM (CENTRAL ZONE,  
NAD83(93), COMBINED SCALE  
FACTOR = 0.999904). THE  
COORDINATES WERE  
ESTABLISHED FROM REFERENCE  
STATION "H-31-3001" HAVING  
GRID COORDINATE VALUES OF  
N=10,108,545.463,  
E=3,108,591.754. ALL  
DISTANCES SHOWN ARE  
SURFACE DISTANCES.

**NOTE:**  
THE EASEMENTS SHOWN  
OR NOTED AND  
ADDRESSED ON THIS  
SURVEY ARE THOSE  
LISTED ON THE TITLE  
COMMITMENT ISSUED  
BY ALLIANT NATIONAL  
TITLE INSURANCE  
COMPANY, INC., GF.  
NO. 201100619,  
EFFECTIVE DATE: MARCH  
23, 2011.



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

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



## LEGEND

- 1/2" IRON ROD FOUND
- 3/4" IRON PIPE FOUND
- NAIL FOUND (TYPE NOTED)
- CALCULATED POINT
- 600' NAIL SET
- PLAT RECORDS OF TRAVIS COUNTY
- DEED RECORDS OF TRAVIS COUNTY
- REAL PROPERTY RECORDS OF TRAVIS COUNTY
- POINT OF BEGINNING
- VOLUME, PAGE
- RECORD INFORMATION
- PUBLIC UTILITY EASEMENT

PAGE 3 OF 3

DATE: 05-09-11; 05-17-12  
DRAWN BY: smd  
MAIL JOB NO.: 288-33-11  
REFERENCE: 590/121  
J:\0085\JAN28-33-11\Revised\Exam\DWG\4777.DWG

**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS  
5410 SOUTH 1ST STREET  
AUSTIN, TEXAS 78745 PH. (512)442-7875  
FAX (512)442-7876 EMAIL: WWW.MACIASWORLD.COM

5/17/12  
Date: