## RESOLUTION NO. 20120823-080

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:

Owners: Michael R. Eledge, Thomas M. Mays, Mark N. Hardeman aka Mark Hardeman, and Francine Fields Hardeman
$\begin{array}{ll}\text { Project: } & \text { Williamson Creek Tributary } 2 \text { Spring Meadow Road - } \\ & \text { Lark Creek Drive Stream Rehabilitation Creek Project. }\end{array}$
Public Use: the temporary working space easement described in the attached Exhibit "A" is necessary to construct water quality improvements and stabilize the stream bank in the easement areas described in the attached Exhibits "B," "C," and "D";
the drainage and access easement described in the attached Exhibit " B " is necessary to construct, operate, maintain, repair, replace and upgrade and make connections with a drainage channel and related facilities in, under, upon and across the property described in Exhibit " $B$ " and to construct, use, maintain and replace a controlled accessway in and over the property described in Exhibit "B";
the permanent drainage easement described in the attached Exhibit "C" is necessary to construct, operate, maintain, repair, replace and upgrade and make connections with a drainage channel and related facilities in, under, upon and across the property described in Exhibit "C"; and
the permanent drainage easement described in the attached Exhibit "D" is necessary to construct, operate, maintain, repair, replace and upgrade and make connections with a drainage channel and related facilities in, under, upon and across the property described in Exhibit "D".

Location: The property is located on the east side of Stassney Lane at Williamson Creek in the City of Austin, Travis County, Texas. The general route covered by this project will include Williamson Creek Tributary 2 from Nuckols Crossing to East Stassney Lane, traversing along the stream bank between Spring Meadow Road and Lark Creek Drive.

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

ADOPTED: $\quad$ August 23 , 2012


#  Landmark 

(Temporary Working Space Easement)
WILLIAMSON CREEK TRIBUTARY 2
C.O.A. WPDRD, Proj. No. 5848.044

## EXHIBIT" A "

## LEGAL DESCRIPTION FOR 4590.14 TWSE

Field notes description for a parcel of land containing 0.111 -acre of land, equivalent to 4,843 square feet of land out of the Santiago Del Valle Grant, Abstract No. 24 in Travis County, Texas, being out of and a part of that certain 0.5609 -acre parcel of land known as "Tract 5 ", which was conveyed to Michael R. Eledge, et al., by that certain Warranty Deed executed January 7, 1987 and recorded in Volume 10047, Page 838 of the Real Property Records of Travis County, Texas; said 0.111-acre parcel of land being more particularly described by metes and bounds as shown on the attached sketch:

BEGINNING FOR REFERENCE at a $1 / 2$-inch iron rod found at the point of intersection of the existing northwesterly right-of-way line of Stassney Lane (100-foot right-of-way width) and the southerly boundary line of a 103.771 -acre tract of land which was conveyed to the Texas Parks and Wildlife Department by that certain Constable's Deed dated March 21, 1996 and recorded in Volume 12649, Page 737, Real Property Records of Travis County, Texas; said 1/2inch iron rod also monumenting the northeast corner of Lot 48 , Block K, Second Amended Plat of Williamson Creck 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 19813-199C, Plat Records of Travis County, Texas, for the westerly corner of that certain slope easement containing 0.0630 -acre of land and denoted as "Tract 1 " in the above mentioned Volume 10047, Page 838; Thence, North $55^{\circ} 59^{\prime} 10^{\prime \prime}$ East (record $=$ North $55^{\circ} 56^{\prime} 34^{\prime \prime}$ East), along said existing northwesterly right-of-way line of Stassney Lane, with the southeasterly line of said Michael R. Eledge, et al. "Tract I", at a distance of 274.56 feet (record $=274.56$ feet), passing the casterly corner of said Michael R. Eledge, et al. "Tract I", same being the southerly corner of that certain 0.0845 -acre parcel of land known as "Tract 3 ", being a drainage casement recorded in said Volume 10047, Page 838 and continuing along the southeasterly line of said "Tract 3", in all a total distance of 354.56 fect to a 60 d nail set at the easterly corner of the Michael R. Eledge, et al. "Tract 3 ", also being the southerly comer of the above referenced Michacl R. Eledge, et al. 0.5609 -acre slope casement; Thence, leaving said existing northwesterly right-of-way line of said Stassncy Lane, North $56^{\circ} 40^{\prime} 16^{\prime \prime}$ West, (record = North $57^{\circ} 02^{\prime} 40^{\prime \prime}$ West), along the common easement line of said Michael R. Eledge et al. "Tract 3" and "Tract 5", a distance of 49.87 feet (record $=50.00$ feet) to a 60 d nail set at the northerly comer of said Michatel R. Eledge, et al. 0.0845 -acre parcel "Tract 3 ", from which a $1 / 2$-inch iron rod found at the westerly comer of said Michael R. Eledge, et al, 0.5690 -acre parcel "Tract 5 " bears North $56^{\circ} 40$ ' 16 " West (record $=$ North $57^{\circ} 02^{\prime} 40^{\prime \prime}$ West), a distance of 101.09 feet; Thence, leaving said common

## 5icury <br> Landmark <br> SURVEYING, LP

casement line and through said Michael R. Eledge, et al. 0.5609 -acre parcel "Tract 5", North $26^{\circ}$ 41' $59^{\prime \prime}$ Wcst, a distance of 48.58 feet to a 60 d nail set for the southwest corner and POINT OF BEGINNING of this easement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Fect, Combincd Scale Factor 0.9999555) values of $\mathrm{N}=$ $10,043,440.50, \mathrm{E}=3,119,160.46$;

THENCE, North $33^{\circ} 00^{\prime} 10^{\prime \prime}$ East, a distance of 70.04 feet to a calculated point on the northerly boundary line of said Michad R. Eledge, et al. 0.5690-acre parcel "Tract 5 ", for the northwest comer of this casement;

THENCE, with the northerly boundary line of said Michael R. Eledge, et al. 0.5609-acre parcel "Tract 5", North $82^{\circ} 49^{\prime} 55^{\prime}$ East, a distance of 23.57 feet to a calculated point, for the northeast comer of this easement; from which a $1 / 2$-inch iron rod found at the northeast corner of said Michael R. Eledge, et al. 0.5690 -acre parcel "Tract 5", bears North $82^{\circ} 49$ ' $55^{\prime \prime}$ East, a distance of 168.63 fect;

THENCE, leaving said northerly boundary line and through said Michael R. Eledge, et al. 0.5609 -acre parcel "Tract 5 ", the following two (2) courses:

1) South $57^{\circ} 12,52^{\prime \prime}$ East, a distance of $\mathbf{9 8 . 9 1}$ feet to a calculated point, for the southeast corner of this casement; and
2) South $86^{\circ} 47$ ' 15 " West, a distance of 144.92 feet to the "POINT OF IBEGINNING", and containing 0.111 -acres 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 $\mathrm{N}=10,044,302.05, \mathrm{E}=3,116,148.39$, and utilizing J-16-4001 Grid Coordinates $\mathrm{N}=10,044,334.35, \mathrm{E}=3,115,579.61$ ( sec City of Austin monument data sheet). Distances shown hereon are surface.

## Landmark

## CERTIFICATION:

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

## As Prepared by <br> Landmark Surveying, LP



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. (not documented)
4590.14 TWSE (Eledge et al)Tract 5 revl. docx

HELD NOTES REVIEWED
By:CARkDankil 0ite 03.03.2010

-ngineering Support Scetion
Department of Puble Works
enf Transpontatun


## SURI $Y$ OF A PORTION OF 0.5609- CRE, THE Cli' $\begin{array}{r}\text { OF } \\ \text { AUSTIN, TRAVIS COUNTI, TEXAS }\end{array}$ PAGE 5 OF 5

LEGEND

The property doscribed hereon is contoined within Zone $X$ (Shodod); as scaied on F.I.R.M. Map Number 48453 CO 065 H , doted September 26, 2008 as published by tho Federal Emergency Monagement Agancy, the purpose of which is for flood insurance only.
Restrictive Covenont and Easement Note:
10d. Electric transmission and/or distribution line eosement recorded in Volume 585, Page 85 of the Deed Records of Trovis County, Texos DOES NOT APPLY to the subject eosement.

10e. Sanitory sewer easement recorded in Volume 3931. Poge 2088 of the Deed Recorde of Yrovis County, Texos DOES NOT APPLY to the subject eosement.

10f. Sonitary sewer eosemont recorded in Volume 5685, Pago 2213 of the Deed Rocords of Travis County, Toxas DOES NOT APPLY to the subjoct oosement.
109. Slope eosements recorded in Volume 12358. Poge 785 of the Reol Property Records of Trovis County, Texas DOES APPLY to the aubject eosement.

Oh. Boundory Agreament recorded In Volume 3756, Pago 377 of the Deed Rocords of Trovis County, Texas DOES NOT APPLY to the subject easement.

Alt eosements of which I hove knowledge and those recorded easements furnished by Alomo Titie Insuronce occording to Commitment Number
AT09002297, ore shown or noted hereon. Other than vigible easements, no unrecordod of unwritten oosemanta which moy exist ore shown herean.

I hereby certify thot a survay was made on the ground of the cosement shown hereon; that there ore no visible discreponcies, conflicts, shortoges in aroo, boundary line conflicta, oncroachments, overtopping of improvemonts, eosernents or right-of-woys, except as shown; that said easement does not have access to ond from a public roadway; and that this plat is an accurate representation of the ocsement to the best of my knowlodge.

WNE TABLE

| LINE | AEARING | DISTANCE |
| :---: | :---: | :---: |
| L. 1 | $N 56^{\circ} 40^{\prime} 16^{\prime \prime} \mathrm{W}$ | 49.87' |
| L2 | (NS702.40"W) | (50.00 48.58 |
| L3 | N33 ${ }^{\circ} 00^{\prime} 10^{\prime \prime} \mathrm{E}$ | $70.04^{\circ}$ |
| L. 4 | N82'49'55 ${ }^{\prime \prime}$ E | 23.57' |

BEARING_HASIS_NOIE:
STATE PLANE COORDINATE SYSTEM (GRID) NAD'G3
TEXAS CENTAAL ZONE $4203-0.9999555$
COMBINED SCALE FACTOR
Horizontal ond verticol coordinotes for C.O.A. Monument No. J-16-3001 and
Monument No. J-16-4001 os published by the C.O.A., were used as the controlling monuments for this survey. Dislances shown hereon ore surfoce.

AS SURVEYED BY



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Client: pasiat
Dato: Fobruary 16, 2010
Office: Stophen Lawrence
Crew: J. Lee
```



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Job No: \(372-27-12\)
```

SKETCH TO ACCOMPANY FIELD NOTES

## 

STATE OF TEXAS COUNTY OF TRAVIS

(Dranage and Access Easement) WHLLAMSON CREEK TRIBUTARY 2<br>C.O.A. WPDRD, Proj. No. 5848.044

## EXHIBIT ${ }^{*}$ B "

## I.EGAL DESCRIPTION FOR 4590.14 DE \& AE

Field notes description for a parcel of land containing 0.197 -acre of land, equivalent to 8,560 square feet of land out of the Santiago Del Valle Grant, Abstract No. 24 in Travis County, Texas, being out of and a part of that certain 0.5609 -acre parcel of land known as "Tract $5^{\prime \prime}$, which was conveyed to Michael R. Eledge, et al., by that certain Warranty Deed executed January 7, 1.987 and recorded in Volume 10047, Page 838 of the Real Property Recotds of Travis County, Texas; said 0.197-acre paree of land being more particularly described by metes and hounds as shown on the attached sketch:

BEGINNING FOR REFERENCE at a $1 / 2$-inch iron rod found at the point of intersection of the existing nothwesterly right-of-way line of Stassney Lane ( 100 -foot right-of-way width) and the southerly boundary line of a 103.771 -acre tract of land which was conveyed to the Texas Paks and Witdlife Depattment by that certain Constable's Deed dated March 21, 1996 and recorded in Volume 12649, Page 737, Real Property Records of Travis County, Texas; said 1/2inch iron rod also monumenting the notheast corner of Lot 48 , Block K, Second Amended Plat of Williamson Creck 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, for the westerly corner of that certain slope casement containing 0.0630 -acre of land and denoted as "Tract 1 " in the above mentioned Volume 10047, Page 838; Thence, North $55^{\circ} 59^{\prime} 10^{\prime \prime}$ East (record $=$ North $55^{\circ} 56^{\prime} 34^{\prime \prime}$ East), along said existing northwesterly rightof-way line of Stassney Lane, with the southeasterly line of said Michael R. Eledge, et al. "Tract I", at a distance of 274.56 feet (record $=274.56$ feet), passing the easterly comer of said Michael R. Eledge, et al. "Tract l", same being the southerly comer of that certain 0.0845 -acre parcel of land known as "Tract 3 ", being a dramage easement recorded in said Volume 10047 , Page 838 and continuing along the southeasterly line of said "Tract 3 ", in all a total distance of 354.56 feet to a 60 d nail set at the casterly corner of the Michael R. Eledge, et al. "Tract 3", also being the southerly corner of the above referenced Michael R. Eledge, et al. 0.5609 -acre slope casement, for the southerly comer and POINT OF BEGINNING of this casement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, Combined Scale Factor 0.9999555 ) values of $N=10,043,369.69, E=3,119,223.96$;

[^0]
## Landmark

THENCE, leaving said existing northwesterly right-of-way line of said Stassncy Late, North $56^{\circ} 40^{\prime} 16^{\prime \prime}$ West, (record = North $57^{\circ} 02^{\prime} 40^{\prime \prime}$ West), along the common casement line of said Michacl R. Eledge et al. "Tract 3" and "Tract 5 ", a distance of 49.87 feet (record $=50.00$ feet $)$ to a 60 d nail set at the northerly comer of said Michacl R. Eledge, et al. 0.0845 -acre parcel "Tract $3^{\prime}$ ", for the most lower westerly corner of this casement, from which said corner, a $1 / 2$-inch iron rod found at the westerly conner of said Michael R. Eledge, et al. 0.5690 -acre parcel "Tract 5 " bears North $56^{\circ} 40^{\prime} 16^{\prime \prime}$ West (record $=$ North $57^{\circ} 02^{\prime} 40^{\prime \prime}$ West), a distance of 101.09 feet:

THENCE, leaving said common casement line and through said Michacl R. Eledge, et al. 0.5609 -acre parcel "Tract 5 ", the following four (4) courses:

1) North $26^{\circ} 41^{\prime} 59^{\prime \prime}$ West, a distance of $\mathbf{4 8 . 5 8}$ feet to a 60 d nail set for the most westerly comer of this casement;
2) North $86^{\circ} \mathbf{4 7}, 15^{\prime \prime}$ East, a distance of $\mathbf{1 4 4 . 9 2}$ feet to a 60 d nail set for an inside angle point of this casement;
3) North $55^{\circ} 59^{\prime} 10$ " East, parallel with the aforementioned northwesterly right-of-way line of Stassncy Lane thereof and being 20.00 feel distant therefrom, measured at right angles thereto, a distance of 68.75 feet to a 60 d nail set for the mosi northerly comer of this easement; and
4) South $57^{\circ} 12^{\prime} 52^{\prime \prime}$ East, a distance of 21.76 feet to a 60 d mail set on said existing northwesterly right-of-way line of said Stassney Lane, same being the southeasterly casement line of said Michacl R. Eledge, et al. 0.5609 -acre parcel "Tract 5 ", for the most eastorly corner of this casement, from which said calculated corner, a 1,2 -inch irom rod found at the most northeasterly conter of said "Tract $5^{\prime \prime}$ bears North $55^{\circ} 59^{\prime} 10^{\prime \prime}$ East, with said right-of-way, a distance of 34.00 feet to the calculated easterly corncr of said "Tract $5^{\prime}$, and leaving said right-of way with the casterly line of said "Tract 5 ", North $33^{\circ}$ $43^{\prime} 59^{\prime \prime}$ West (record $=$ North $34^{\circ} 02^{\prime} 40^{\prime \prime}$ West), a distance of 34.76 feet (record $=35.00$ fect);

THENCE, South $55^{\circ} 59$ ' $10^{\prime \prime}$ West, along the existing northwesterly right-of-way line of said Stassncy Lane, with said southeasterly casement line of the Michael R. Eledge, et al. 0.5609 -acre parcel "Pract 5", a distance of $\mathbf{1 8 8 . 7 7}$ feet to the "POINT OF BEGINNING", and containing 0.197 -acres of land, more or less.

## Basis of Bcaring:

Bearings mentioned on this casement 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 $\mathrm{N}=10,044,334.35, \mathrm{E}=3,115,579.61$ (see City of Austin monument data sheet). Distances shown hereon are surface.

[^1]
## Landmark

## CERTIEICATION:

1 do hereby certify that this casement 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 matkers described herein actually exist, as described, at the time of my survey.

As Prepared by
Landmark Surveying, LP


Sonior Project Manager
Firm Registration No. 100727-00

## REFERENCES

MAPSCO 2009, Page 645-X AUSTIN GRID NO. J-16
TCAD PARCEL II) NO. (not documented) 4590.14 DE\&AE (Eledge et al)Tract 5 docx

## FELD NOIES REVIEWED

By: CLARK DNNLEL Dato OS.03. 2010
Enymeerng Support Serion Department of Public Works and Transportation


## SUR Y OF A PORTION OF 0.560! CRE, the city of austin, travis county, texas <br> PAGE 5 OF 5

The easement described hereon is contained within Zone $x$ (Shaded); os scoled on F.I.R.M. Map Number 48453C0605H, dated September 26, 2008 os published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.
Restrictive Covenant and Easement Note:
10d. Electric tronsmission and/or distribution line easement recorded in Volume 585, Poge 85 of the Deed Records of Trovis County, Texos DOES NOT APPLY to the subject eosement.

10e. Sonitory sewer eosement recorded in Volume 3931. Page 2088 of the Deed Records of Trovis County, Texas DOES NOT APPLY to the subject eosement.

10f. Sonitory sewer eosement recorded in Volume 5685, Poge 2213 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject eosement.

10 g . Slope eosements recorded in Volume 12358, Page 785 of the Reol Property Records of Trovis County. Texos DOES APPLY to the subject eosement.

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LEGEND
- \(1 / 2^{\prime \prime}\) Iron Rod Found (Unless Otherwise Noted)
A 60d Nail Set
Colculated Point
"Not Estoblished on Ground"
( ) Record Information
[ ] Record information (Reference) Per Vol, 10940. Pg. 540 R.P.R.T.C.T.
R.O.W. Right-of-Way
P.O.B. Point of Beginning
P.O.R. Point of Reference
Bk. Book
Pg. Poge
Voi. Volume
D.E. Draingge Easement
P.R.T.C.T. Plot Records
Tavis County, Texas
D.R.T.C.T. \(\begin{aligned} & \text { Deed Records } \\ & \text { Travis County, Texas }\end{aligned}\)
Revi Property Records
R.P.R.T.C.T. Trovis County, Texas
OPRTM
O.P.R.T.C.T. Travis County, Texas
```

10h. Boundary Agreement recorded in Volume 3756, Poge 377 of the Deed Records of Trovis County. Texos DOES NOT APPLY to the subject easement.
All easements of which I hove knowledge ond those recorded easements furnished by Alomo Title Insurance according to Commitment Number ATO9002297, ore shown or noted hereon. Other than visible easements. no unrecorded or unwritten LINE TABLE BEARING

DISIANCE
easements which moy exist ore shown hereon.
I hereby certify that a survey was made on the ground of the $\begin{array}{ll}\text { \{N5702'40"W) } & \left(50.00^{\prime}\right. \\ \text { N26.41 }\end{array}$ eosement shown hereon; thot there are no visible discreponcies, conflicts, shortages in area, boundary line conflicts. NS5*59'5
S5 encroochments, overlopping of improvements, eosements or right-of-woys, except as shown; that soid easement has occess to and from a public roodway; and thot this plot is on occurate representotion of the eosement 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.O.A. Monument No.
$J-16-3001$ ond Monument No. J-16-4001 os published by the
C.O.A., were used os the controlling monuments for this survey.

AS SURVEYED BY


STATE OF TEXAS<br>COUNTY OF TRAVIS

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

## EXHIBIT" C "

## LEGAL DESCRIPTION FOR 4590.14 DE

Field notes description for a parcel of land containing 0.043 of an acre of land, equivalent to 1,855 square feet of land, out of the Santiago Del Valle Grant, Abstract No. 24 in Travis County, Texas, being out of and a part of that certain 0.5609 -acre of land known as "Tract 5 " which was conveyed to Michael R. Eledge, et al., by that certain Warranty Deed executed on January 7, 1987 and recorded in Volume 10047, Page 838, Real Property Records of Travis County, Texas; said 0.043 -acre of land being more particularly described by metes and bounds as shown on the attached sketch:

BEGINNING FOR REFERENCE at a $1 / 2$ inch iron rod found at the point of intersection of the existing northwesterly right-of-way line of Stassney Lane ( 100 -foot right-of-way width) and the southerly boundary line of the Texas Parks and Wildife Department 103.771-acre parcel of land recorded in Volume 12649, Page 737, Real Property Records of Travis County, Texas also monumenting the northeast corner of Lot 48, Block K, Sccond Amended Plat of Williamson Creek Subdivision Section Two, a subdivision in and to 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, for the westerly corner of that certain slope easement containing 0.0630 of an acre of land and denoted as "Tract 1 " in that certain Warranty Deed conveyance to Michael R. Eledge, et al., exccuted on January 7, 1987, and recorded in Volume 10047, Page 838, Rcal Property Records of Travis County, Texas; Thence, with the existing northwesterly right-ofway line of Stassney Lane, same being the southeasterly line of the Michael R. Eledge, ct. al., 0.0630 -acre "Tract 1", North $55^{\circ} 59^{\prime} 10^{\prime \prime}$ East (record = North $55^{\circ} 57^{\prime} 20^{\prime \prime}$ East), at a distance of 274.56 feet (record $=274.56$ feet), passing the easterly corner of said Michael R. Eledge, et al. "Tract I", same being the southerly comer of that certain 0.0845 of an acre parcel of land known as "Tract 3 ", being a drainage casement recorded in said Volume 10047, Page 838 and contiming along the southeasterly line of said "Tract 3 ", in all a total distance of 354.56 fect (record $=354.56$ feet) to the calculated easterly corner of said Michael R. Eledge, et al. "Tract 3 ", same being the southerly corner of said Michael R. Eledge, ct al. "Tract 5 ", both recorded in said Volume 10047, Page 838, Real Property Records of Travis County, Texas; Thence, leaving the northwesterly right-of-way line of Stassney Lane, with the common boundary line of said Michacl R. Eledge, et al. "Tract 3" and "Tract 5", North $56^{\circ} 40^{\prime} 16^{\prime}$ West (record = North $57^{\circ}$ $02^{\prime} 40^{\prime \prime}$ West), a distance of 49.87 fect (record $=50.00$ feet) to the calculated north corner of said Michacl R. Eledge, et al. "Tract 3", for the southerly corner and POINT OF BEGINNING ol' this casement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS),

## acmonnarn <br> 

U.S. Survey Feet, Combined Scale Factor 0.9999555 ) values of $N=10,043,397.10$, $\mathrm{E}=$ 3,119,182.29;

THENCE, with the southwesterly boundary line of said Michael R. Eledge, et al. "Tract 5", North $56^{\circ} \mathbf{4 0} 16^{\prime \prime}$ West (record = North $57^{\circ}\left(02^{\prime} 40^{\prime \prime}\right.$ West), a distance of 101.09 feet to a $1 / 2$ inch iron rod found at the westerly corner of the Michace R. Bledge, et al. "Tract 5" for the westerly coner of this casement;

THINCE, with the northwesterly boundary linc of said Michael R. Eledge, et al. "Tract 5", North $49^{\circ} 49^{\prime} \mathbf{3 4}$ " East (record $=$ North $49^{\circ} 30^{\circ} 53^{\prime \prime}$ East), a distance of 25.28 feet to a calculated point for the northerly corner of this casement;

THENCE, leaving snid norlhwesterly boundary line and through said Michael R. Eledge, ot al. "Tract 5", South $\mathbf{5 6}{ }^{\circ} \mathbf{4 2}$ '01" East, a distance of $\mathbf{5 1 . 8 3}$ feet to a calculated point for the casterly corner of this casement;

THENCE, South $26^{\circ} 41^{\prime}$ 59" East, a distance of 48.58 feet to the "POINT OF BEGINNING", and containing 0.043 -acre of land, more or less.

## Basis of Bearing:

Bearings mentioned on this easement are based on the City of Austin C.P.S. controlling monuments being J-16-3001 Grid Coordinates $\mathrm{N}=10,044,302.05, \mathrm{E}=3,116,148.39$, and utilizing $J-16-4001$ Grid Coordinates $\mathrm{N}=10,044,334.35, \mathrm{E}=3,115,579.61$ (sce City of Nustin monment dota 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.

## Prepared by

Landmark Surveying, LP

## Juan M. Canales, Jr.

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


REFERENCES
MAPSCO 2009, Pinge 645-X
AUSTIN GRII) NO. J-16
TCAD PARCEL II NO. (Not Available) 4500.1410E (Elelge 1 ). Fi. $)$ Tract 5.doc


Engineerime Support Section Copartment of Public Works and Tromsportation


## SURVEY OF A PORTION OF 0.5609-ACRE, THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS <br> PAGE 4 OF 4

The property described hereon is contained within Flood Zono AE and Zone X (Shaded); os scaled on F.I.R.M. Mop Number $48453 \mathrm{COEO5H}$, doted Soptombor 26, 2008 of published by the Foderal Emergancy Management Agency, the purpose of which is for flood insurance only.
Restrictivo Covenant and Eusement Note:
10d. Electric transmission and/or distribution line easement recorded in Volume 585, Page 85 of the Dood Records of Travis County, Texas DOES NOT APPLY to the sublect eosement.
100. Sonitory sewer cosement recorded in Volumo 3931, Page 2088 of the Daed Records of Travis County, Texas DOES NOT APPLY to the subject ecsement.

10f. Sanitory sewer easement recorded in Volume 5685, Poge 2213 of the Dend Records of Travis County, Toxa3 DOES NOT APPLY to the subject oasement.

10g. Slope ecsementa racorded in Volumo 12358, Pogo 785 of the Real Property Records of Travis County, Texos DOES APPLY to the subject easement.

10h. Boundary Agreement recorded in Volume 3756, Poge 377 of the Doed Records of Travis County, Texas DOES NOT APPLY to the subject easernent.
All easements of which I have knowledge ond those recorded easements furnished by Alamo Title insuronce according to Commitment Number
ATO9002297, are shown or noted hereon. Other than visible acasementa, no unrecorded or unwritten bosements which may exist ore shown hereon.
I heroby certify that a survey wos made on the ground of the property shown hercon; that there ore no visible discreponcles, conflicts, shortages in areo, boundary line conflicte, encroochments, overlopping of improvements, easements or right--of-woys, except os shown; that soid property has occess to and from a public roadwoy; ond thot this plat is on occurote representation of the properly to the best of my knowledge.

STATE PLANE COORDINATE SYSTEM (GRID) NAD'B3
STATE PLANE COORNDA
COMBINED SCALE FACTOF $=0.9999555$
NAVD'88 VERTICAL DATUM
Horizontal and vertical coardinates for C.O.A. Monument Na, $5-16-3001$ and
Monumen No. J-16me 4001 os published by the C.O.A., were used as the controlling monumante for this survey.

AS SURVEYED BY
LANDMARK SURVEYING, LP
FIRM REGISTRATION NO. 100727-00
SAN M. CANALES, JR.
RegIstorad ProfossIonal Land Surveyor No. 4453
DATE: MAY 29, 2009
THIS SURVEY PLAT IS VALID ONIY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR
CIIEN: PBSN
Client: PBSNS, 2009
Office: Stephen Lawrence
Crow: J. Lee
$\begin{array}{ll}\text { Crow: } & \text { J. lee } \\ \text { F.B.: } & 1160 / 43-44\end{array}$

Joth No.: 372-27-08

SKETCH TO ACCOMPANY FIELD NOTES

## STATE OF TEXAS COUNTY OF TRAVIS

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

EXHIBIT" D "

## LEGAL DESCRIPTION FOR 4590.15 DE

Field notes description for a parcel of land containing 0.033 of an acre of land, equivalent to 1,425 square fect of land, out of the Santiago Del Valle Grant, Abstract No. 24 in Travis County, Texas, being out of and a part of that certain 0.063 -acre parcel of land known as "Tract 1" which was conveyed to Michael R. Eledge, et al. by that certain Warranty Deed executed on January 7, 1987 and recorded in Volume 10047, Page 838, Real Property Records of Travis County, Texas; said 0.033 -acre parcel of land being more particularly described by metes and bounds as shown on the attached sketch:

BEGINNING FOR REFERENCE at a $1 / 2$ inch iron rod found at the point of intersection of the existing northwesterly right-of-way line of Stassney Lane ( 100 -foot right-of-way width) and the southerly boundary line of a 103.771 -acre parcel of land which was conveyed to the Texas Parks and Wildlife Department by that certain Constable's Deed dated March 21, 1996 and recorded in Volume 12649, Page 737, Real Property Records of Travis County, Texas; said $1 / 2$ inch iron rod also monumenting the northeast corner of Lot 48, Block K, Second Amended Plat of Williamson Creek Subdivision Section Two, a subdivision in and to 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, for the westerly comer of said Michael R. Eledge, et al. "Tract 1 "; Thence, with the existing northwesterly right-of-way line of Stassney Lane, same being the southeasterly line of said Michael R. Eledge, et al. "Tract 1", North 55 59' 10" East (record $=$ North $55^{\circ} 57^{\prime} 20^{\prime \prime}$ East), a distance of 192.14 feet to the calculated southerly comer and POINT OF BEGINNING of this easement, having Texas State Planc Grid Coordinate (Central Zonc-4203, NAD83(CORS), U.S. Survey Feet, Combined Scale Factor 0.9999555) values of $\mathrm{N}=10,043,278.84, \mathrm{E}=3,119,089.33$;

THENCE, leaving said northwesterly right-of-way line of Stassney lane and through said Michael R. Eledge, et al. "Tract 1 ", North $68^{\circ} 02$ ' 57" West, a distance of 16.59 feet to a calculated point on the northwesterly boundary line of said Michael R. Eledge, ct al. "Tract 1", for the westerly comer of this easement;

THENCE, with said northwesterly boundary line of the Michael R. Eledge, et al. "Tract 1", North $51^{\circ} 41$ ' 15" East (record = North $51^{\circ} 39^{\prime} 25^{\prime \prime}$ East), a distance of 83.45 feet to a calculated point on the southwesterly line of that certain drainage easement contaming a 0.0845 acre of land known as "Tract 3 " which was conveyed to said Michael R. Eledge, et al. in said

[^2]
## Landmark <br> aURVABANG, Li

Volume 10047, Page 838, at the most northerly comer of said Michael R. Fledge, et al. "Tract 1 ", for the north corner of this casement;

THENCE, with the common boundary line of said Michael R. Eledge, et al. "Tract I" and "Tract 3", South $57^{\circ} 00^{\prime} 50^{\prime \prime}$ East (record - South $57^{\circ} 02^{\prime} 40^{\prime \prime}$ East), a distance of 21.73 feet to a calculated point on the aforementioned existing northwesterly right of way line of Stassney Lane, at the common easterly comer of said "Tract 1 " and "Tract 3 ", for the east comer of this casement;
'THENCE, South 55 ${ }^{\circ}$ 59' 10" West (record $=$ South $55^{\circ} 57^{\prime}$ 20" West), with the existing northwesterly right-of-way line of Stassney Lane, same being the southeasterly boundary line of said Michael R. Eledge, et al. "Tract 1 ", a distance of $\mathbf{8 2 . 4 2}$ feet to the "POIN'T OF BEGINNING", and containing 0.033 -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 $N=10,044,302.05, \mathrm{E}=3,116,148.39$, 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 casement description is true and cored to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property comers, udder my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

Prepared by
Landmark Surveying, LP


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


## REFERENCES

MAPSCO 2009, Page 645-X
AUSTIN GRII)NO. J-16
TCAD) PARCEL ID NO.: (Not documented) 4590.15 DE (ledge D.E. $) \mathrm{Tract}$ I. doc


Evemineoring Support Section Department of Public Works and Transportation


## SURVEY OF A PORTION OF 103.771-ACRES, THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS <br> PAGE 4 OF 4

The property described hereon is contained within Fload Zone AE and Zone $X$ (Shoded); as scaled on F.I.R.M. Map Number $48453 \mathrm{CO605H}$, dated
September 26, 2008 as published by the Federal Emergency Monagemant Agency, the purpose of which is for flood insurance only.
Restrictive Covenont and Easement Note:
10d. Electric transmission and/or distribution lino ocsement recorded in Voluma 585. Poge 85 of the Deed Records of Travis County. Texos DOES NOT APPLY to the subjoct eosement.

10a. Sanitary sowor aosement recorded in Volume 3931, Page 2088 of the Deed Records of Travis County, Toxos DOES NOT APPLY to tho subject exsement.

10f. Sanitary sewer ansement recorded in Volume 5685, Page 2213 of the Deed Records of Trovis County, Texas DOES NOT APPLY to the bubjoct easement.
10g. Slope eosemente recorded in Volume 12358, Pogo 785 of the Reat Property Records of Travis County, Texas DOES APPLY to the subject sasement.

10h. Boundary Agreement rocorded In Volumo 3758, Page 377 of the Deed Records of Trovis County, Texos DOES NOT APPLY to the subject easement.
All easements of which I have knowledge and those recorded easements furnished by Alomo Title Inaurance according to Commitment Number
ATO9002289, oro shown or noted hereon. Other thon visiblo oosements, no unrecorded or unwritton oosaments which may oxist are shown hereon.
I hereby certify that a survey wos modo on the ground of the properly shown heroon; that there are no visible discreponcies, conflicts, shortoges in oreo, boundary line conflicts, enerocehments, overlopping of improvements, eosements or right-of-woys, except as shown; that soid property hos access to and from a pubsic roadway: and that this plat is an accurate representation of the property to the best of my knowledge.

STATE PLANE COORDINATE SYSTEM (GRID) NAD.83
TEXAS CENTIAL ZONE 4203
COMBANED SCALE FACTOR $=0.9999555$
NAVO'BS VERTICAL DATUM
Horizontol and verticol coordinotes for C.OA. Monument No. J-16-3001 and
Monument No. J-16-1001 os published by tho C.O.A., were used os the controlling monuments for this survey.

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

SKETCH TO ACCOMPANY FIELD NOTES


[^0]:    CAPMAA. VIEW CENTER I 30 SOUTH CAPHIALOFTEXAS HIGHWAY
    
    T.U.C.P./W.B.E/H,U.B./D.1s.E:

[^1]:    CAPITAL VHEW CIENTER BOI SOUTHCABITAL. OF IEXASHGHWAY BULIMN(:B. SUAF, 215. AUSTN, TEXAS 78746 (512)328.7411 (512) 328.7413
    

[^2]:    CAPTAB VIEW GENTER BOL SOUTHCAPTAE OF TEXASHIGLWAY BUHIDING H, SHIE 315, AUSTIN, TIEXAS 78746 (512) 328-741: (512) 328.7413 T.U.C.P./W.B.EAIIU.B./D. B !.

