

RESOLUTION NO. 20120927-141

WHEREAS, the City Council was requested to conduct a public hearing to consider the permanent use of approximately 1,205 square feet of land for a permanent wastewater line, 10,386 square feet for temporary working space, 31,755 square feet for a temporary staging area and material storage site and 54,886 square feet for temporary ingress and egress to construct, use, maintain, repair and replace a wastewater line and appurtenances for the North Acres Wastewater Tunnel Project, which is located on dedicated parkland known as Walnut Creek Park (the “Proposed Use”); and

WHEREAS, the land being used for the Proposed Use is described in Exhibit A (the “Affected Land”); and

WHEREAS, notice of the public hearing to be held on September 27, 2012 was given for three consecutive weeks on September 2, September 9, and September 16, 2012 in a newspaper of general circulation; and

WHEREAS, such public hearing was held September 27, 2012 by the City Council to consider the use of Affected Land for the Proposed Use;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Having taken into account clearly enunciated local preferences, the City council finds that there is no feasible and prudent alternative to the use of the Affected Land for the Proposed Use, and that all reasonable planning has

been done to minimize harm to the Affected Land from the Proposed Use.
The use of the Affected Land for the Proposed Use is approved.

The City Manager is authorized to take such measures as may be necessary, favorable or required to effectuate the purpose and intent of this resolution.

ADOPTED: September 27, 2012

ATTEST:

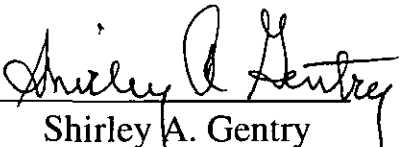

Shirley A. Gentry
City Clerk

EXHIBIT A

City of Austin
to
City of Austin
(for Wastewater Line Easement)

Parcel 4614.23 WE

BEING 0.028 OF ONE ACRE (1205 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE JAMES O. RICE SURVEY NO. 31, ABS. 675 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE 55.557 ACRE TRACT CONVEYED TO CITY OF AUSTIN BY SPECIAL WARRANTY DEED EXECUTED ON NOVEMBER 17, 2004, FILED FOR RECORD ON DECEMBER 27, 2004, RECORDED IN DOCUMENT 2004236627 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.028 OF ONE ACRE (1205 S.F.) OF LAND BEING HEREINAFTER DESIGNATED AS PART 1 AND PART 2 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

Part 1

BEGINNING at a calculated point in the approximate centerline of Walnut Creek, in a southwesterly line of said City of Austin tract and in a northeasterly line of Lot 21, Block E of Woodcliff Amended, recorded in Book 76, Page 262 of the Plat Records of Travis County, Texas, for the Point of Beginning and the most southerly corner of the herein described tract of land, having Texas State Plane Coordinate (Texas Central Zone, NAD83, HARN (93), US Feet, Surface Adjustment Factor of 1.00008) values of N=10107069.05 and E=3139152.80, from which a 1/2 inch iron rod found bears South 29°33'18" East, a distance of 194.48 feet, South 49°51'18" East, a distance of 81.38 feet, South 54°38'25" East, a distance of 139.92 feet, North 09°45'54" East, a distance of 45.82 feet and South 80°14'06" East, a distance of 1.67 feet;

1) THENCE, North 29°33'18" West, a distance of 30.52 feet, with the approximate centerline of Walnut Creek, a southwesterly line of said City of Austin tract and a northeasterly line of said Lot 21, to a calculated point for the most westerly corner of the herein described tract of land, from which a 1/2 inch iron rod found at the most northerly corner of said Lot 21, the most easterly corner of Lot 1, Block E of said Woodcliff Amended and in a southwesterly line of the tract conveyed to Pioneer Austin Development, Ltd. by deed recorded in Document 2000178089 of the Official Public Records of Travis County, Texas bears North 29°33'18" West, a distance of 41.78 feet, North 41°14'03" West, a distance of 296.64 feet, North 75°49'03" West, a distance of 276.73 feet, North 21°01'03" West, a distance of 344.91 feet, North 05°18'57" East, a distance of 213.54 feet, North 28°46'57" East, a distance of 291.83 feet, North 25°02'57" East, a distance of 327.07 feet, North 28°28'57" East, a distance of 73.53 feet and North 62°13'03" West, a distance of 65.43 feet;

2) THENCE, North 49°49'06" East, a distance of 28.23 feet, leaving the approximate centerline of Walnut Creek, a southwesterly line of said City of Austin tract and a northeasterly line of said Lot 21 and crossing said City of Austin tract, to a calculated point in a southwesterly line of the 20 foot Wastewater Easement recorded in Volume 7244, Page 1660 of the Deed Records of Travis County, Texas, for the most northerly corner of the herein described tract of land;

3) THENCE, South 42°24'59" East, a distance of 9.68 feet, with a southwesterly line of said 20 foot Wastewater Easement, to a calculated point, for a corner;

4) THENCE, South 34°49'40" East, a distance of 20.41 feet, continuing along a southwesterly line of said 20 foot Wastewater Easement, to a calculated point for the most easterly corner of the herein described tract of land;

5) THENCE, South 49°49'06" West, a distance of 32.33 feet, leaving a southwesterly line of said 20 foot Wastewater Easement, to the Point of Beginning and containing an area of 0.021 of one acre (921 s.f.) of land, more or less.

Part 2

BEGINNING at a calculated point in a northeasterly line of the 20 foot Wastewater Easement recorded in Volume 7244, Page 1660 of the Deed Records of Travis County, Texas, for the Point of Beginning and the most southerly corner of the herein described tract of land, having Texas State Plane Coordinate (Texas Central Zone, NAD83, HARN (93), US Feet, Surface Adjustment Factor of 1.00008) values of N=10107102.87 and E=3139192.85, from which a 1/2 inch iron rod found bears South 49°49'06" West, a distance of 52.42 feet, to a calculated point in the approximate centerline of Walnut Creek and in a southwesterly line of said City of Austin tract and a northeasterly line of Lot 21, Block E of Woodcliff Amended, recorded in Book 76, Page 262 of the Plat Records of Travis County, Texas, South 29°33'18" East, a distance of 194.48 feet, South 49°51'18" East, a distance of 81.38 feet, South 54°38'25" East, a distance of 139.92 feet, North 09°45'54" East, a distance of 45.82 feet and South 80°14'06" East, a distance of 1.67 feet;

1) THENCE, North 34°49'40" West, a distance of 19.87 feet, with a northeasterly line of said 20 foot Wastewater Easement, to a calculated point for a corner;

2) THENCE, North 42°24'59" West, a distance of 10.23 feet, continuing along a northeasterly line of said 20 foot Wastewater Easement, to a calculated point for the most westerly corner of the herein described tract of land, from which a 1/2 inch iron rod found at the most northerly corner of said Lot 21, the most easterly corner of Lot 1, Block E of said Woodcliff Amended and in a southwesterly line of the tract conveyed to Pioneer Austin Development, Ltd. by deed recorded in Document 2000178089 of the Official Public Records of Travis County, Texas bears South 49°49'06" West, a distance of 48.25 feet, North 29°33'18" West, a distance of 41.78 feet, North 41°14'03" West, a distance of 296.64 feet, North 75°49'03" West, a distance of 276.73 feet, North 21°01'03" West, a distance of 344.91 feet, North 05°18'57" East, a distance of 213.54 feet, North 28°46'57" East, a distance of 291.83 feet, North 25°02'57" East, a distance of 327.07 feet, North 28°28'57" East, a distance of 73.53 feet and North 62°13'03" West, a distance of 65.43 feet;

3) THENCE, North 49°49'06" East, a distance of 8.68 feet, leaving a northeasterly line of said 20 foot Wastewater Easement, to a calculated point in a southwesterly line of the 30 foot Sanitary Sewer Easement recorded in

Volume 8755, Page 419 of the Deed Records of Travis County, Texas, for the most northerly corner of the herein described tract of land;

4) THENCE, South 42°04'48" East, a distance of 30.02 feet, with the southwesterly line of said 30 foot Sanitary Sewer Easement, to a calculated point, for the most easterly corner of the herein described tract of land;

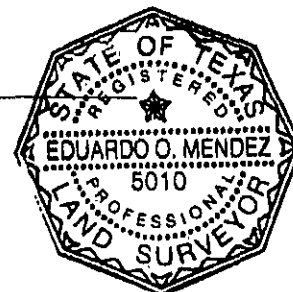
5) THENCE, South 49°49'06" West, a distance of 11.13 feet, leaving a southwesterly line of said 30 foot Sanitary Sewer Easement, to the Point of Beginning and containing an area of 0.007 of one acre (284 s.f.) of land, more or less.

Part 1 0.021 ac. (921 s.f.)
Part 2 0.007 ac. (284 s.f.)
Total 0.028 ac. (1205 s.f.)

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

7/26/11
Date



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

Bearing Basis: The coordinates shown herein are Texas State Plane, Central Zone, NAD 83 (93)Harn. For surface coordinates, multiply grid coordinates by a surface adjustment factor of 1.00008. The project control points are a 60d Nail in the median of Dessau Road approximately 355 feet north of the Centerline of Walnut Creek and approximately 63 feet east of and at right angles to the east property line of Dessau Road, grid coordinates N=10106834.94, E=3136846.76 and a 60d nail near the most southerly corner of the 55.557 acre tract recorded in Document 2004236627 of the Official Public Records of Travis County, Texas, approximately 26 feet east of and at right angles to the existing east fence line and approximately 100 feet north of and along said fence from its south endpoint, grid coordinates N=10106916.38, E=3139424.81. These grid coordinates were established from City of Austin Monument N-33-2001, grid coordinates N=10119265.51, E=3140811.94 and City of Austin Monument N-33-3001, grid coordinates N=10117927.19 and E=3141156.83, All distances shown herein are surface distances.

TCAD No.: 0247281701
City Grid No.: N30

FIELD NOTES REVIEWED

By: Mary Hankins Date 7/26/11


Engineering Support Section
Department of Public Works
and Transportation

SEE SHEET 5 OF 5

30' SANITARY
SEWER EASEMENT
VOL. 8755, PG. 419
DRTCT

SCALE:
1"=50'

LEGEND

- △ CALCULATED POINT
- 1/2" IRON ROD FOUND
- () RECORD DATA
- DRTCT DEED RECORDS
TRAVIS CO, TX
- PRTCT PLAT RECORDS
TRAVIS CO, TX
- OPRTCT OFFICIAL PUBLIC RECORDS
TRAVIS CO, TX
-  AREA OF EASEMENT
- POB POINT OF BEGINNING

PART 1 0.021 AC (921 SQ FT)
PART 2 0.007 AC (284 SQ FT)
TOTAL 0.028 AC (1205 SQ FT)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S42°24'59"E	9.68'
L2	S34°49'40"E	20.41'
L3	S49°49'06"W	32.33'
L4	N34°49'40"W	19.87'
L5	N42°24'59"W	10.23'
L6	N49°49'06"E	8.68'
L7	S49°49'06"W	11.13'
L8	S49°49'06"W	52.42'
L9	S49°49'06"W	48.25'

JAMES O. RICE
SURVEY NO. 31, ABS. NO. 675

4614.23 WE
PART 2
0.007 AC
(284 SQ FT)

POB PART 2
N=10107102.87
E=3139192.85
GRID COORDINATES

N49°49'06"E
28.23'

N29°33'18"W
30.52'

POB PART 1
N=10107069.05
E=3139152.80
GRID COORDINATES

4614.23 WE
PART 1
0.021 AC
(921 SQ FT)

20' WASTEWATER EASEMENT
VOL. 7244, PG. 1660
DRTCT

100 YEAR FLOOD PLAIN,
PARK AND DRAINAGE
EASEMENT
BK. 76, PG. 262
PRTCT

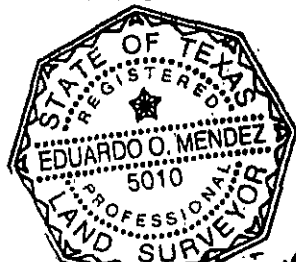
LOT 21

CITY OF AUSTIN
VOL. 5957, PG. 1168
DRTCT

BLOCK E

SANITARY SEWER EASEMENT
VOL. 6123, PG. 619
DRTCT

WOODCLIFF AMENDED
BK. 76, PG. 262
PRTCT



Eduardo O. Mendez
7/26/11

RECORD DATA:
OWNERSHIP AND EASEMENT REPORT
GF OEAS140
GRACY TITLE, A STEWART COMPANY
8014 MESA DRIVE
AUSTIN, TEXAS, 78731

COORDINATE BASIS: THE GRID COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE, CENTRAL ZONE, NAD 83(93)HARN. THESE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN MONUMENT N-33-2001, GRID COORDINATES N=10119265.51, E=3140811.94 AND N-33-3001, GRID COORDINATES N=10117927.19, E=3141156.83. FOR SURFACE COORDINATES MULTIPLY GRID COORDINATES BY A SURFACE ADJUSTMENT FACTOR OF 1.00008. THE BEARINGS ARE GRID BEARINGS. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

CITY OF AUSTIN
DOC. 2004236627
OPRTCT
(55.557 AC)

JAMES O. RICE
SURVEY NO. 31, ABS. NO. 675

WALNUT CREEK

S80°14'06"E
1.67'

(N54°42'38"W)
(142.26')

S54°38'25"E
139.92'

N09°45'54"E
45.82'

(N9°45'54"E)
(1639.41')

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: 25 JUL 11
JOB NO: 3800AA
FILE: COADWG

4
4 OF 8

SCALE:
1"=100'

LEGEND

- △ CALCULATED POINT
- 1/2" IRON ROD FOUND
- () RECORD DATA
- DRTCT DEED RECORDS
TRAVIS CO, TX
- PRCT PLAT RECORDS
TRAVIS CO, TX
- OPRTCT OFFICIAL PUBLIC RECORDS
TRAVIS CO, TX
-  AREA OF EASEMENT
- POB POINT OF BEGINNING

JAMES O. RICE
SURVEY NO. 31, ABS. NO. 675

RECORD DATA:
OWNERSHIP AND EASEMENT REPORT
OF OEAS140
GRACY TITLE, A STEWART COMPANY
8014 MESA DRIVE
AUSTIN, TEXAS, 78731

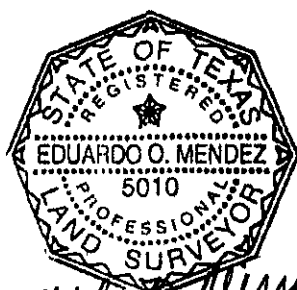
COORDINATE BASIS: THE GRID COORDINATES SHOWN
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ESTABLISHED FROM CITY OF AUSTIN MONUMENT
N-33-2001, GRID COORDINATES N=10119265.51,
E=3140811.94 AND N-33-3001, GRID COORDINATES
N=10117927.19, E=3141156.83. FOR SURFACE
COORDINATES MULTIPLY GRID COORDINATES BY A
SURFACE ADJUSTMENT FACTOR OF 1.00008. THE
BEARINGS ARE GRID BEARINGS. ALL DISTANCES
SHOWN ARE SURFACE DISTANCES.

APPROXIMATE
CENTER LINE OF
WALNUT CREEK

CITY OF AUSTIN
DOC. 2004236627
OPRTCT
(55.557 AC)

BLOCK E
WOODCLIFF AMENDED
BK. 76, PG. 262
PRCT

LOT 21
BLOCK E



Eduardo O. Mendez
7/26/11

SEE SHEET 4 OF 5

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: 26 JUL 11
JOB NO: 38804A
FILE: OOA.DWG

5
5 OF 6