

RESOLUTION NO. 20121108-064

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 owner 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 owner 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: Fannie Ruth Salyer, et al, Sylvia Gay Meyer, Don Allen Salyer

Project: The 345 kV Austrop to Dunlap Transmission Line Project

Public Use: The electric easement described in the attached Exhibit "A" is necessary to construct, operate, repair, upgrade, replace and maintain a permanent electric transmission line for the purpose of providing electric utility services to the public.

Location: (No physical address)

The general route of the project runs west from the Austrop Substation located on Blake-Manor Road to the Dunlap Substation that is under construction east of Taylor Lane. The easements run along and parallel to the south side of an existing city of Austin electric transmission easement.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: November 8, 2012

ATTEST:

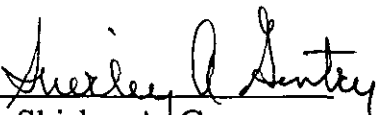

Shirley A. Gentry
City Clerk



EXHIBIT "A"

SURVEY PLAT OF AN ELECTRIC EASEMENT COMPRISED OF THREE (3) STRIPS OF LAND HAVING A TOTAL AREA OF 3.662 ACRES OR 159540 SQUARE FEET OF LAND IN JAMES GILLELAND SURVEY NUMBER 13, ABSTRACT NUMBER 12, IN TRAVIS COUNTY, TEXAS, SAID STRIPS OF LAND CROSSING OVER A PORTION OF THAT CALLED 130.683 ACRE TRACT OF LAND DESCRIBED TO FANNIE RUTH SALYER IN THOSE CERTAIN TWO SPECIAL WARRANTY DEEDS AS RECORDED IN VOLUME 13149, PAGE 383, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND IN DOCUMENT NUMBER 1999019515 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 3.662 ACRE ELECTRIC EASEMENT BEING SHOWN ON A PLAT LABELED EXHIBIT "B" ATTACHED HERETO AND BEING MORE PARTICULARY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

COMMENCING for reference at a one-half inch iron rod found (Grid Coordinates of Y(N) 10076159.860, X(E) 3177786.590 Texas Central Zone 4203, NAD83) for the north corner of the said Salyer tract of land, same being the west corner of that called 247.156 acre tract of land described to Club Deal 120 Whisper Valley, Limited Partnership in that certain Special Warranty Deed as recorded in Document Number 2006152073 of the Official Public Records of Travis County, Texas, same being the north corner of that certain City of Austin electric and telephone line easement as recorded in Volume 3270, Page 2353, of the Deed Records of Travis County, Texas and a point on the southeast Right of Way line of Taylor Lane, a road in Travis County, Texas;

THENCE South 27°16'01" West, along the common dividing line of the said Salyer tract of land and the said Taylor Lane, same being the northwest line of the said City of Austin electric and telephone line easement a distance of 102.50 feet to a point for the north corner of and **POINT OF BEGINNING** of the herein described 3.662 acre electric easement, same being the west corner of the said City of Austin electric and telephone line easement and a point on last said common dividing line;

THENCE coincidence with the southwest line of the said City of Austin electric and telephone line easement and crossing over the said Salyer 130.683 acre tract of land the following two (2) courses:

- 1) South 65°17'22" East, a distance of 43.95 feet to a point for an exterior angle corner of the herein described 3.662 acre electric easement, same being an interior angle corner of the City of Austin electric easement;
- 2) South 62°02'19" East, a distance of 4446.14 feet to a point for the most southerly east corner of the herein described 3.662 acre electric easement, same being the south corner of the said City of Austin electric and telephone line easement, same being a point on the common dividing line of the said Salyer tract of land and that called Tract One: 43.83 acres of land described to Beard and Beard Investments, LP., in that certain Warranty Deed With Vendor's Lien as recorded in Document Number 2007079955 of the Official Public Records of Travis County, Texas and from this point a wood corner post found for the east corner of the said Salyer tract of land bears North 25°48'58" East, a distance of

(SURVEY PLAT OF AN ELECTRIC EASEMENT COMPRISED OF THREE (3) STRIPS OF LAND IN JAMES GILLELAND SURVEY NUMBER 13, ABSTRACT NUMBER 12, IN TRAVIS COUNTY, TEXAS)

100.07 feet, same being the most southerly corner of the said Whisper Valley 247.156 acre tract of land and a point on the northwest line of the said Beard 43.83 acre tract of land;

THENCE South 25°48'58" West, coincidence with the southeast line of the said Salyer 130.683 acre tract of land, same being the northwest line of the said Beard 43.83 acre tract of land a distance of 37.03 feet to a point for the most easterly south corner of the herein described 3.662 acre electric easement and from this point a one-half inch iron rod found for an exterior angle corner of the said Salyer 130.683 acre tract of land, same the west corner of the said Beard 43.83 acre tract of land bears South 25°48'58" West, a distance of 325.84 feet;

THENCE crossing over the said Salyer 130.683 acre tract of land the following sixteen (16) courses:

- 1) North 62°02'19" West, a distance of 1083.25 feet to a point for an exterior ell corner of the herein described 3.662 acre electric easement;
- 2) North 27°57'41" East, a distance of 5.00 feet to a point for an interior ell corner of the herein described 3.662 acre electric easement;
- 3) North 62°02'19" West, a distance of 1027.51 feet to a point for interior ell corner of the herein described 3.662 acre electric easement;
- 4) South 27°57'41" West, a distance of 21.00 feet to a point for an exterior ell corner of the herein described 3.662 acre electric easement;
- 5) North 62°02'19" West, a distance of 848.54 feet to a point for a west corner of the herein described 3.662 acre electric easement, same being a point on the southeast line of that called 1.055 acre tract of land referred to as Easement 2, awarded to the City of Austin as recorded in Document Number 2011089534 of the Official Public Records of Travis County, Texas;
- 6) North 27°57'41" East, coincidence with the southeast line of the said Easement 2 a distance of 53.00 feet to a point for a north corner of the herein described 3.662 acre electric easement, same being the east corner of the said Easement 2 and a point on the southwest line of the said electric and telephone line easement recorded in Volume 3270, Page 2353, of the Deed Records of Bastrop County, Texas;
- 7) North 62°02'19" West, along the common dividing line of the said Easement 2 and the said City of Austin electric and telephone line easement a distance of 200.00 feet to a point for a east corner of the herein described 3.662 acre electric easement, same being the north corner of the said Easement 2 and a point on the southwest line of the said City of Austin electric and telephone line easement;
- 8) South 27°57'41" West, coincidence with the northwest line of the said Easement 2 a distance of 53.00 feet to a point for a south corner of the herein described 3.662 acre electric easement;
- 9) North 62°02'19" West, departing the northwest line of the said Easement 2 and continuing over the said Salyer 130.683 acre tract of land a distance of 296.46 feet to a point for an exterior angle corner of the herein described 3.662 acre electric easement;
- 10) North 27°57'41" East, a distance of 22.00 feet to a point for an interior angle corner of the herein described electric easement;
- 11) North 62°02'19" West, a distance of 235.99 feet to a point for a west corner of the herein described 3.662 acre electric easement, same being a point on the southeast line of that called 1.055 acre tract of land referred to as Easement 1, awarded to the City of Austin as

(SURVEY PLAT OF AN ELECTRIC EASEMENT COMPRISED OF THREE (3) STRIPS OF LAND IN JAMES GILLELAND SURVEY NUMBER 13, ABSTRACT NUMBER 12, IN TRAVIS COUNTY, TEXAS)

recorded in Document Number 2011089534 of the Official Public Records of Travis County, Texas;

- 12) North 28°03'02" East, coincidence with the southeast line of the said Easement 1, a distance of 31.00 feet to a point for a north corner of the herein described 3.662 acre electric easement, same being the east corner of the said Easement 1 and a point on the southwest line of the said City of Austin electric and telephone line easement;
- 13) North 62°02'19" West, along the common dividing line of the said Easement 1 and the said City of Austin electric and telephone line easement a distance of 200.00 feet to a point for a east corner of the herein described 3.662 acre electric easement, same being the north corner of the said Easement 1 and a point on the southwest line of the said City of Austin electric and telephone line easement;
- 14) South 28°03'02" West, coincidence with the northwest line of the said Easement 1, a distance of 31.00 feet to a point for a south corner of the herein described 3.662 acre electric easement;
- 15) North 62°02'19" West, departing the northwest line of the said Easement 1 and continuing over the said Salyer 130.683 acre tract of land a distance of 554.91 feet to a point for an interior angle corner of the herein described 3.662 acre electric easement;
- 16) North 65°17'22" West, a distance of 44.45 feet to a point for the most northerly west corner of the herein described 3.662 acre electric easement, same being a point on the common dividing line of the said Salyer 130.683 acre tract of land and the said Taylor Lane and from this point a one-half inch iron rod found on last said common dividing line bears South 27°16'01" West, a distance of 612.42 feet;

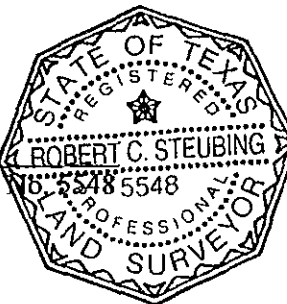
THENCE North 27°16'01" East, coincidence with the northwest line of the said Salyer 130.683 acre tract of land, same being the southeast right of way line of the said Taylor Lane a distance of 31.03 feet to the POINT OF BEGINNING and containing 3.662 acres (159540 square feet) of land more or less.

BASIS OF BEARINGS: GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83.

I hereby certify that these field notes were prepared from an on the ground survey made under my supervision in May 2012.

Prepared By: **AUSTIN ENERGY**

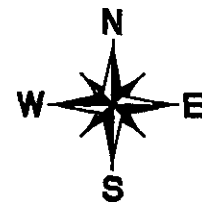
Robert C. Steubing 04-25-2012
Robert C. Steubing Registered Professional Land Surveyor



SKETCH OF AN ELECTRIC EASEMENT COMPRISED OF THREE (3) STRIPS OF LAND HAVING A TOTAL AREA OF 3.662 ACRES (159540 SQ. FT.) IN THE JAMES GILLELAND SURVEY NUMBER 13, ABSTRACT NUMBER 12, TRAVIS COUNTY, TEXAS AND CROSSING OVER A PORTION OF THAT CALLED 130.683 ACRE TRACT OF LAND RECORDED IN DOCUMENT NUMBER 1999019515 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

EXHIBIT "B"

NUM	BEARING	DISTANCE
L1	S27°16'01"W	102.50'
L2	S65°17'22"E	43.95'
L3	N25°48'58"E	100.07'
L4	S25°48'58"W	37.03'
L5	N27°57'41"E	5.00'
L6	S27°57'41"W	21.00'
L7	N27°57'41"E	53.00'
L8	N62°02'19"W	200.00'
L9	S27°57'41"W	53.00'
L10	N62°02'19"W	296.46'
L11	N27°57'41"E	22.00'
L12	N62°02'19"W	235.99'
L13	N28°03'02"E	31.00'
L14	N62°02'19"W	200.00'
L15	S28°03'02"W	31.00'
L16	N65°17'22"W	44.45'
L17	N27°16'01"E	31.03'



Scale 1" = 500'

