

RESOLUTION NO. 20130228-046

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

Project: Williamson Creek Tributary 2 Spring Meadow Road - Lark
Creek Drive Stream Rehabilitation Creek Project.

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

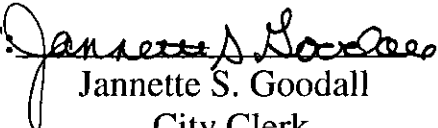
the permanent drainage easement described in the attached
Exhibit "D" is necessary to construct, operate, maintain,
repair, replace and upgrade and make connections with a
drainage channel and related facilities in, under, upon and
across the property described in Exhibit "D".

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: February 28, 2013

ATTEST:


Jannette S. Goodall
City Clerk



STATE OF TEXAS
COUNTY OF TRAVIS

(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 1/2-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 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-acre of land and denoted as "Tract 1" in the above mentioned Volume 10047, Page 838; Thence, North 55° 59' 10" East (record = North 55° 56' 34" East), along said existing northwesterly right-of-way line of Stassney Lane, with the southeasterly line of said Michael R. Eledge, et al. "Tract 1", at a distance of 274.56 feet (record = 274.56 feet), passing the easterly corner of said Michael R. Eledge, et al. "Tract 1", same being the southerly corner of that certain 0.0845-acre parcel of land known as "Tract 3", being a drainage 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 60d nail set at the easterly 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 easement; Thence, leaving said existing northwesterly right-of-way line of said Stassney Lane, North 56° 40' 16" West, (record = North 57° 02' 40" 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 60d nail set at the northerly corner of said Michael R. Eledge, et al. 0.0845-acre parcel "Tract 3", from which a 1/2-inch iron rod found at the westerly corner of said Michael R. Eledge, et al. 0.5690-acre parcel "Tract 5" bears North 56° 40' 16" West (record = North 57° 02' 40" West), a distance of 101.09 feet; Thence, leaving said common

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./H.U.B./D.B.E.



easement line and through said Michael R. Elledge, et al. 0.5609-acre parcel "Tract 5", North 26° 41' 59" West, a distance of 48.58 feet to a 60d 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 Feet, Combined Scale Factor 0.9999555) values of N= 10,043,440.50, E= 3,119,160.46;

THENCE, **North 33° 00' 10" East**, a distance of **70.04 feet** to a calculated point on the northerly boundary line of said Michael R. Elledge, et al. 0.5690-acre parcel "Tract 5", for the northwest corner of this easement;

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

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

- 1) **South 57° 12' 52" East**, a distance of **98.91 feet** to a calculated point, for the southeast corner of this easement; and
- 2) **South 86° 47' 15" West**, a distance of **144.92 feet** to the "**POINT OF BEGINNING**", 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 N=10,044,302.05, 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 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.

As Prepared by
Landmark Surveying, LP

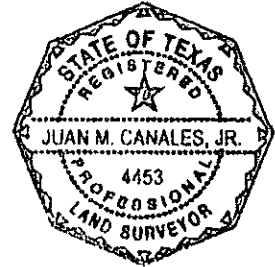

Juan M. Canales, Jr.

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

2-19-2010
Date

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_rev1.docx

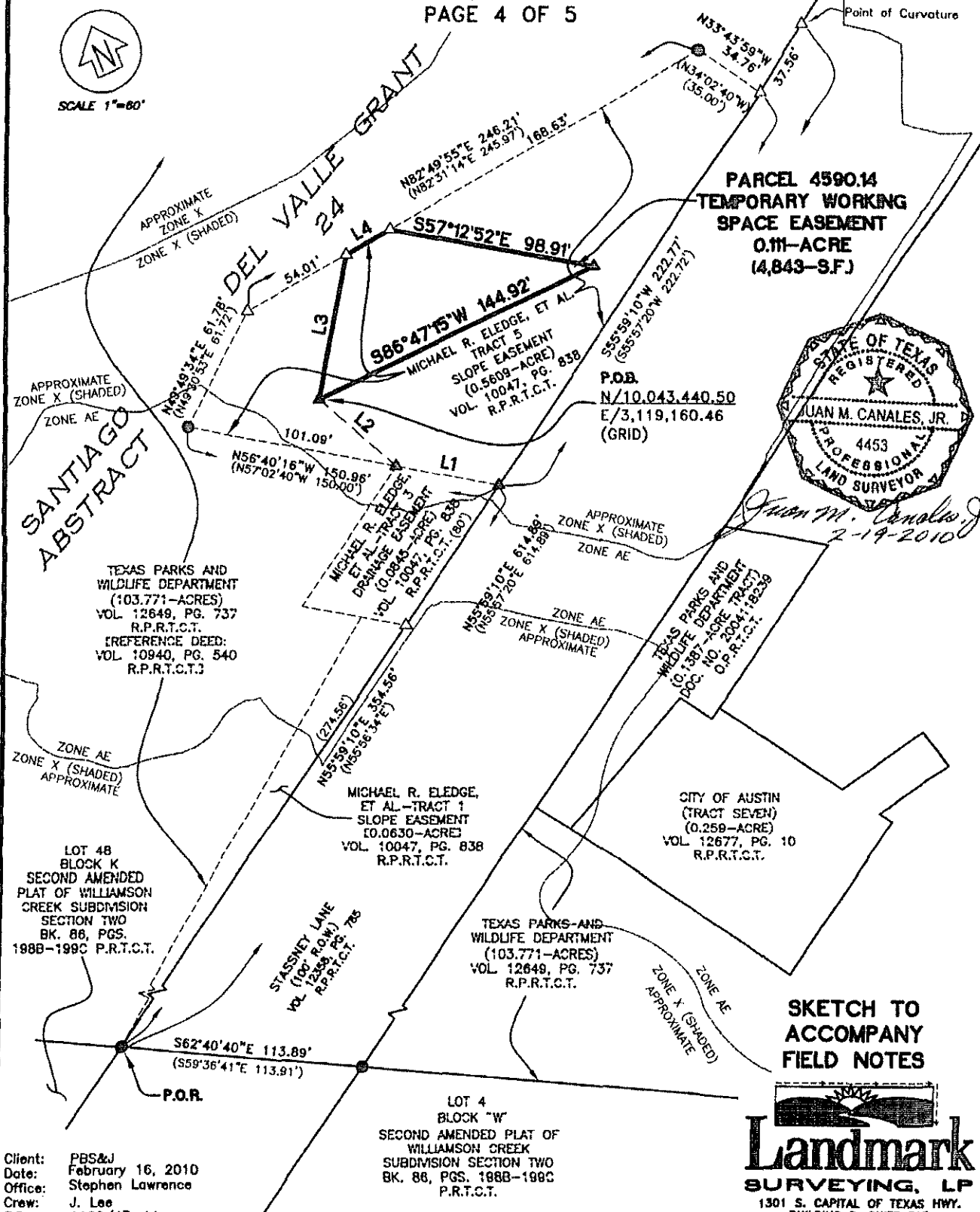


FIELD NOTES REVIEWED

By: Clark Dankel Date 03-03-2010

Engineering Support Section
Department of Public Works
and Transportation

SCALE 1"=60'



SKETCH TO
ACCOMPANY
FIELD NOTES



Landmark
SURVEYING, LP

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746
PH: (512)328-7411 FAX: (512)328-7413

**SURV Y OF A PORTION OF 0.5609- CRE,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
PAGE 5 OF 5**

LEGEND

The property described hereon is contained within Zone X (Shaded); as scaled on F.I.R.M. Map Number 48453C0605H, dated September 26, 2008 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

Restrictive Covenant and Easement Note:

- 10d. Electric transmission and/or distribution line easement recorded in Volume 585, Page 85 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10a. Sanitary sewer easement recorded in Volume 3931, Page 2088 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10f. Sanitary sewer easement recorded in Volume 5685, Page 2213 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10g. Slope easements recorded in Volume 12358, Page 785 of the Real Property Records of Travis County, Texas DOES APPLY to the subject easement.
- 10h. Boundary Agreement recorded in Volume 3756, Page 377 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

All easements of which I have knowledge and those recorded easements furnished by Alamo Title Insurance according to Commitment Number AT09002297, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

I hereby certify that a survey was made on the ground of the easement shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said easement does not have access to and from a public roadway; and that this plat is an accurate representation of the easement 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 and Monument No. J-16-4001 as published by the C.O.A., were used as the controlling monuments for this survey. Distances shown hereon are surface.

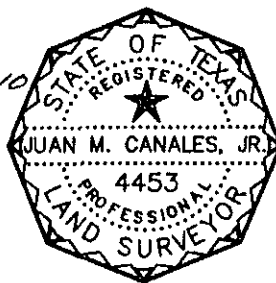
**AS SURVEYED BY
LANDMARK SURVEYING, LP
FIRM REGISTRATION NO. 100727-00**

Juan M. Canales, Jr. 2-19-2010

**JUAN M. CANALES, JR.
Registered Professional Land Surveyor No. 4453
DATE: February 16, 2010**

**THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR**

Client: PBS&J
Date: February 16, 2010
Office: Stephen Lawrence
Crew: J. Lee
F.B.: 1160/43-44
Path: c:\dwg 11\p b a j\williamson crk trib @ stasney\easements\wm crk trib 2-grid-base.dwg
Job No.: 372-27-12



**SKETCH TO
ACCOMPANY
FIELD NOTES**

**Landmark
SURVEYING, LP**

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748

PH: (512)328-7411 FAX: (512)328-7413

- 1/2" Iron Rod Found
(Unless Otherwise Noted)
- ▲ 60d Nail Set
- △ Calculated Point
"Not Established 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. Page
- Vol. Volume
- D.E. Drainage Easement
- P.R.T.C.T. Plat Records
Travis County, Texas
- D.R.T.C.T. Deed Records
Travis County, Texas
- R.P.R.T.C.T. Real Property Records
Travis County, Texas
- O.P.R.T.C.T. Official Public Records
Travis County, Texas

<u>LINE TABLE</u>		
<u>LINE</u>	<u>BEARING</u>	<u>DISTANCE</u>
L1	N56°40'16"W (N57°02'40"W)	49.87' (50.00')
L2	N26°41'59"W	48.58'
L3	N33°00'10"E	70.04'
L4	N82°49'55"E	23.57'



STATE OF TEXAS
COUNTY OF TRAVIS

(Drainage and Access Easement)
WILLIAMSON CREEK TRIBUTARY 2
C.O.A. WPD RD, Proj. No. 5848.044

EXHIBIT " B "

LEGAL 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", 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 0.197-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 1/2-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 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-acre of land and denoted as "Tract 1" in the above mentioned Volume 10047, Page 838; Thence, North 55° 59' 10" East (record = North 55° 56' 34" East), along said existing northwesterly right-of-way line of Stassney Lane, with the southeasterly line of said Michael R. Eledge, et al. "Tract 1", at a distance of 274.56 feet (record = 274.56 feet), passing the easterly corner of said Michael R. Eledge, et al. "Tract 1", same being the southerly corner of that certain 0.0845-acre parcel of land known as "Tract 3", being a drainage 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 60d nail set at the easterly 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 easement, for the southerly corner and **POINT OF BEGINNING** of this easement, 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;

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T.U.C.P./W.B.E./H.U.B./D.B.E.



THENCE, leaving said existing northwesterly right-of-way line of said Stassney Lane, **North 56° 40' 16" West**, (record = North 57° 02' 40" 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 60d nail set at the northerly corner of said Michael R. Eledge, et al. 0.0845-acre parcel "Tract 3", for the most lower westerly corner of this easement, from which said corner, a 1/2-inch iron rod found at the westerly corner of said Michael R. Eledge, et al. 0.5690-acre parcel "Tract 5" bears North 56° 40' 16" West (record = North 57° 02' 40" West), a distance of 101.09 feet;

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

- 1) **North 26° 41' 59" West**, a distance of **48.58 feet** to a 60d nail set for the most westerly corner of this easement;
- 2) **North 86° 47' 15" East**, a distance of **144.92 feet** to a 60d nail set for an inside angle point of this easement;
- 3) **North 55° 59' 10" East**, parallel with the aforementioned northwesterly right-of-way line of Stassney Lane thereof and being 20.00 feet distant therefrom, measured at right angles thereto, a distance of **68.75 feet** to a 60d nail set for the most northerly corner of this easement; and
- 4) **South 57° 12' 52" East**, a distance of **21.76 feet** to a 60d nail set on said existing northwesterly right-of-way line of said Stassney Lane, same being the southeasterly easement line of said Michael R. Eledge, et al. 0.5609-acre parcel "Tract 5", for the most easterly corner of this easement, from which said calculated corner, a 1/2-inch iron rod found at the most northeasterly corner of said "Tract 5" bears North 55° 59' 10" East, with said right-of-way, a distance of 34.00 feet to the calculated easterly corner of said "Tract 5", and leaving said right-of-way with the easterly line of said "Tract 5", North 33° 43' 59" West (record = North 34° 02' 40" West), a distance of 34.76 feet (record = 35.00 feet);

THENCE, **South 55° 59' 10" West**, along the existing northwesterly right-of-way line of said Stassney Lane, with said southeasterly easement line of the Michael R. Eledge, et al. 0.5609-acre parcel "Tract 5", a distance of **188.77 feet** to the **"POINT OF BEGINNING"**, and containing 0.197-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 N=10,044,302.05, 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.

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./H.U.B./D.B.E.



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.

**As Prepared by
Landmark Surveying, LP**

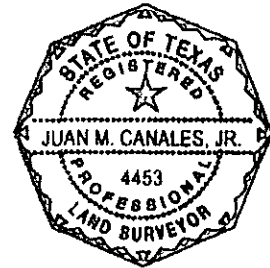
Juan M. Canales, Jr.
Juan M. Canales, Jr.

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

2-11-2010
Date

REFERENCES

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



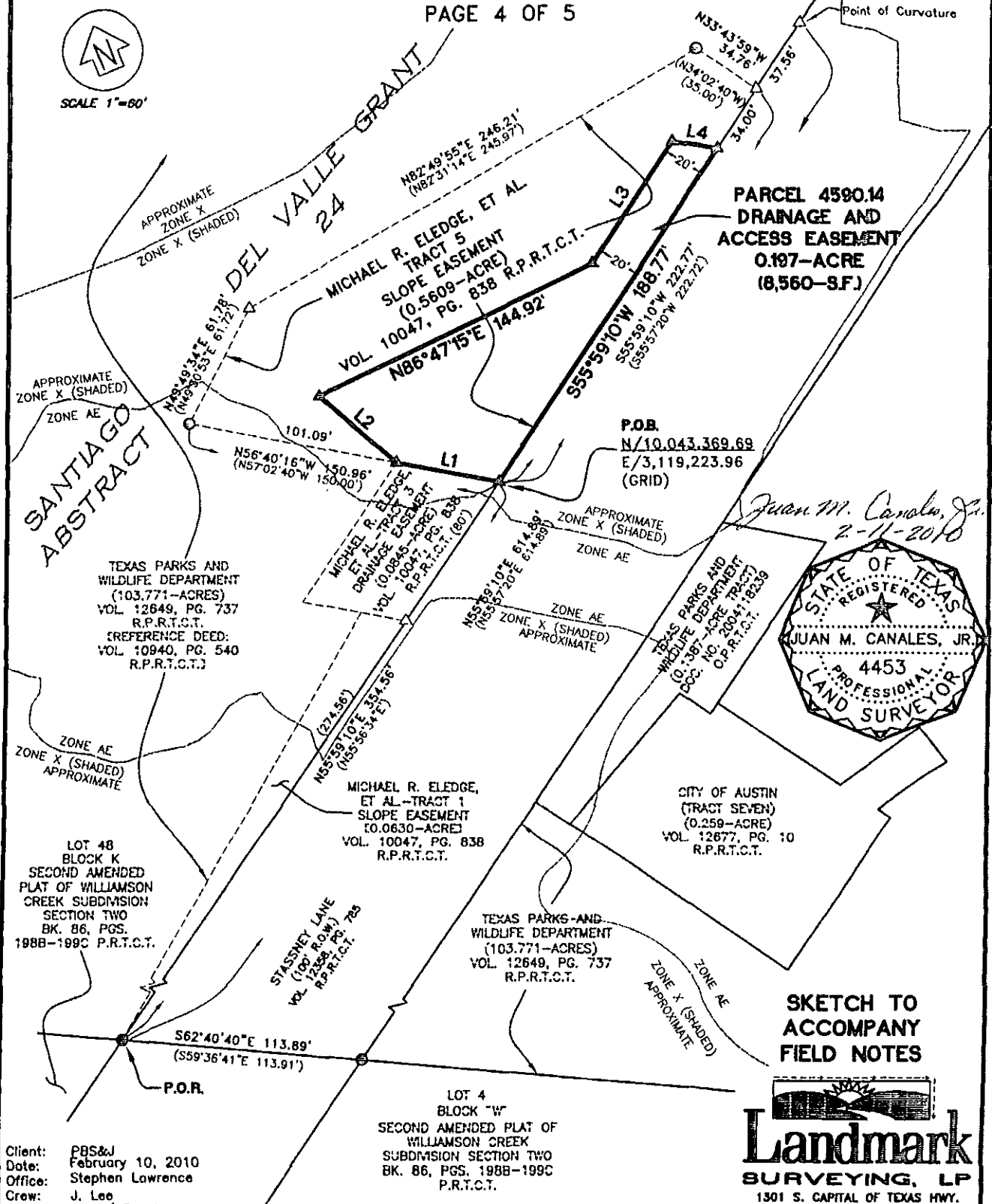
FIELD NOTES REVIEWED

By: *Clark Daniel L.* Date *03.03.2010*

Engineering Support Section
Department of Public Works
and Transportation

SCALE 1"=80'

SCALE 1"=60'



SKETCH TO
ACCOMPANY
FIELD NOTES



Landmark
SURVEYING, LP

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748
PH: (512)328-7411 FAX: (512)328-7413

Exhibit B
Page 4 of 5

**SURVEY OF A PORTION OF 0.5609 ACRES,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
PAGE 5 OF 5**

The easement described hereon is contained within Zone X (Shaded); as scaled on F.I.R.M. Map Number 48453C0605H, dated September 26, 2008 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

Restrictive Covenant and Easement Note:

- 10d. Electric transmission and/or distribution line easement recorded in Volume 585, Page 85 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10e. Sanitary sewer easement recorded in Volume 3931, Page 2088 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10f. Sanitary sewer easement recorded in Volume 5685, Page 2213 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10g. Slope easements recorded in Volume 12358, Page 785 of the Real Property Records of Travis County, Texas DOES APPLY to the subject easement.
- 10h. Boundary Agreement recorded in Volume 3756, Page 377 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

All easements of which I have knowledge and those recorded easements furnished by Alamo Title Insurance according to Commitment Number AT09002297, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

I hereby certify that a survey was made on the ground of the easement shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said easement has access to and from a public roadway; and that this plat is an accurate representation of the easement 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 and Monument No. J-16-4001 as published by the C.O.A., were used as the controlling monuments for this survey.

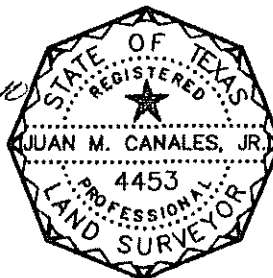
**AS SURVEYED BY
LANDMARK SURVEYING, LP
FIRM REGISTRATION NO. 100727-00**

Juan M. Canales, Jr. 2-11-2010
JUAN M. CANALES, JR.

**Registered Professional Land Surveyor No. 4453
DATE: FEBRUARY 10, 2010**

**THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR**

Client: PBS&J
Date: February 10, 2010
Office: Stephen Lawrence
Crew: J. Lee
F.B.: 1160/43-44
Path: c:\dwg 11\p b a j\williamson crk trib • atascney\easements\wm crk trib 2-grid-base.dwg
Job No.: 372-27-12



LEGEND

- 1/2" Iron Rod Found (Unless Otherwise Noted)
- ▲ 60d Nail Set
- △ Calculated Point "Not Established 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. Page
- Vol. Volume
- D.E. Drainage Easement
- P.R.T.C.T. Plat Records Travis County, Texas
- D.R.T.C.T. Deed Records Travis County, Texas
- R.P.R.T.C.T. Real Property Records Travis County, Texas
- O.P.R.T.C.T. Official Public Records Travis County, Texas

LINE TABLE

LINE	BEARING	DISTANCE
L1	N56°40'16"W (N57°02'40"W)	49.87' (50.00')
L2	N26°41'59"W	48.58'
L3	N55°59'10"E	68.75'
L4	S57°12'52"E	21.76'

**SKETCH TO
ACCOMPANY
FIELD NOTES**

Landmark
SURVEYING, LP
1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746
PH: (512)328-7411 FAX: (512)328-7413



STATE OF TEXAS
COUNTY OF TRAVIS

(Drainage Easement)
WILLIAMSON CREEK TRIBUTARY 2
C.O.A. WPRD, 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 Wildlife 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, 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 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., executed on January 7, 1987, and recorded in Volume 10047, Page 838, Real Property Records of Travis County, Texas; Thence, with the existing northwesterly right-of-way line of Stassney Lane, same being the southeasterly line of the Michael R. Eledge, et al., 0.0630-acre "Tract 1", North 55° 59' 10" East (record = North 55° 57' 20" East), at a distance of 274.56 feet (record = 274.56 feet), passing the easterly corner of said Michael R. Eledge, et al. "Tract 1", same being the southerly corner of that certain 0.0845 of an acre parcel of land known as "Tract 3", being a drainage 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 (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, et 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 Michael R. Eledge, et al. "Tract 3" and "Tract 5", North 56° 40' 16" West (record = North 57° 02' 40" West), a distance of 49.87 feet (record = 50.00 feet) to the calculated north corner of said Michael R. Eledge, et al. "Tract 3", for the southerly corner and **POINT OF BEGINNING** of this easement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS),

Landmark

SURVEYING, LP

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

THENCE, with the southwesterly boundary line of said Michael R. Eledge, et al. "Tract 5", **North 56° 40' 16" West** (record = North 57° 02' 40" West), a distance of **101.09 feet** to a 1/2 inch iron rod found at the westerly corner of the Michael R. Eledge, et al. "Tract 5" for the westerly corner of this easement;

THENCE, with the northwesterly boundary line of said Michael R. Eledge, et al. "Tract 5", **North 49° 49' 34" East** (record = North 49° 30' 53" East), a distance of **25.28 feet** to a calculated point for the northerly corner of this easement;

THENCE, leaving said northwesterly boundary line and through said Michael R. Eledge, et al. "Tract 5", **South 56° 42' 01" East**, a distance of **51.83 feet** to a calculated point for the easterly corner of this easement;

THENCE, **South 26° 41' 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:

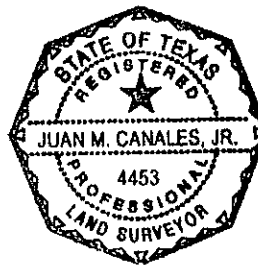
Bearings mentioned on this easement are based on the City of Austin G.P.S. controlling monuments being J-16-3001 Grid Coordinates N=10,044,302.05, E=3,116,148.39, and utilizing J-16-4001 Grid Coordinates N=10,044,334.35, E=3,115,579.61 (see City of Austin monument data sheet). Distances shown hereon are surface.

CERTIFICATION:

I do hereby certify that this 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.
Juan M. Canales, Jr.
Registered Professional Land Surveyor No. 4453
Senior Project Manager
Firm Registration No. 100727-00



6-2-09
Date

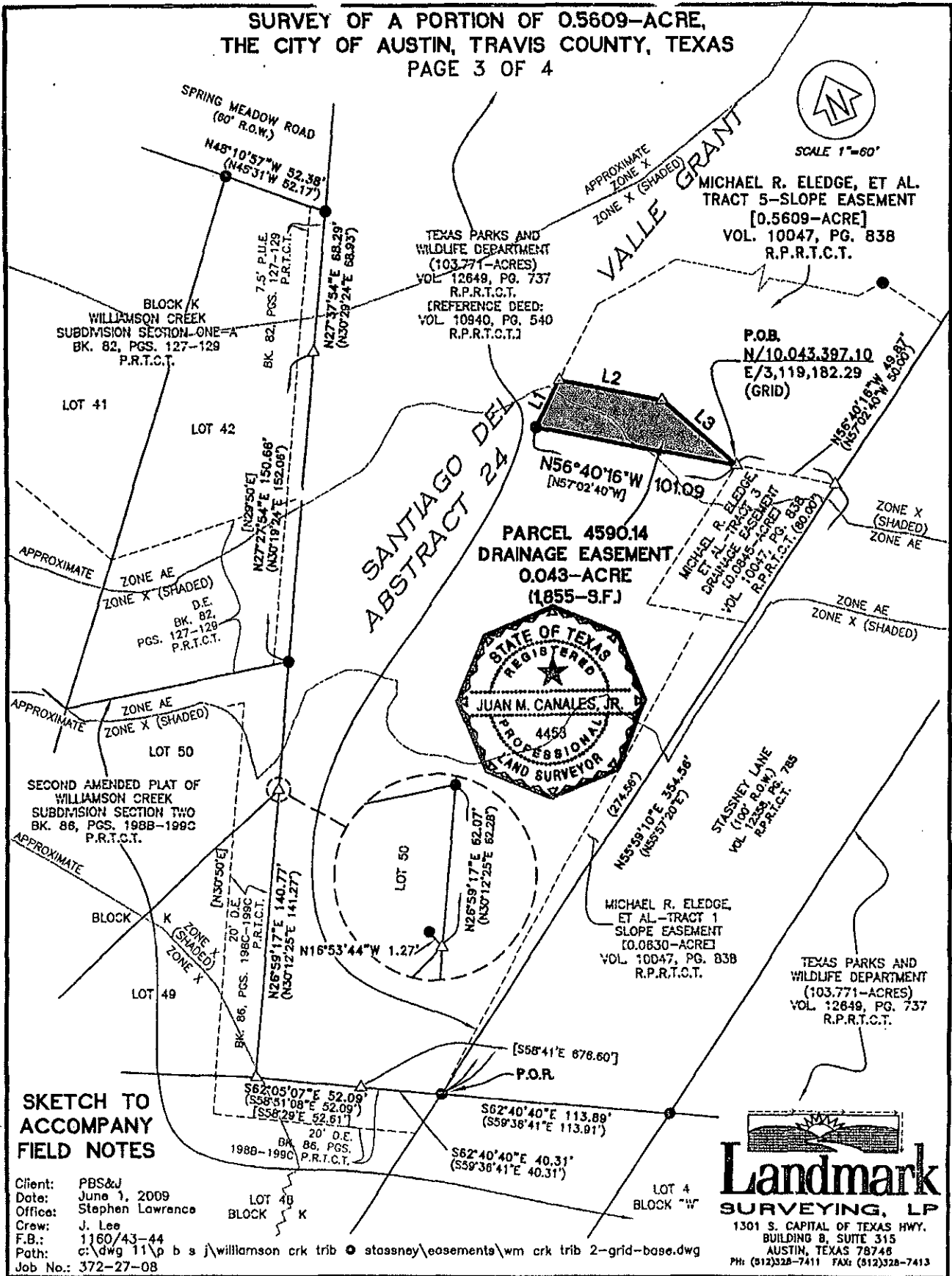
REFERENCES

MAPSCO 2009, Page 645-X
AUSTIN GRID NO. J-16
TCAD PARCEL ID NO. (Not Available)
4590.14 DE (Eledge D.E.) Tract 5.doc

FIELD NOTES REVIEWED

By: [Signature] Date 6-15-09
Engineering Support Section
Department of Public Works
and Transportation

**SURVEY OF A PORTION OF 0.5609-ACRE,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**
PAGE 3 OF 4



**SURVEY OF A PORTION OF 0.5609-ACRE,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
PAGE 4 OF 4**

LEGEND

The property described hereon is contained within Flood Zone AE and Zone X (Shaded); as scaled on F.I.R.M. Map Number 48453C0605H, dated September 28, 2008 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

Restrictive Covenant and Easement Note:

- 10d. Electric transmission and/or distribution line easement recorded in Volume 585, Page 85 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10e. Sanitary sewer easement recorded in Volume 3931, Page 2088 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10f. Sanitary sewer easement recorded in Volume 5685, Page 2213 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10g. Slope easements recorded in Volume 12358, Page 785 of the Real Property Records of Travis County, Texas DOES APPLY to the subject easement.
- 10h. Boundary Agreement recorded in Volume 3756, Page 377 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

All easements of which I have knowledge and those recorded easements furnished by Alamo Title Insurance according to Commitment Number AT09002297, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

I hereby certify that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

- 1/2" Iron Rod Found (Unless Otherwise Noted)
- ▲ Nail Found (As Noted)
- △ Calculated Point "Not Established 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. Page
- Vol. Volume
- D.E. Drainage Easement
- Plat Records
- P.R.T.C.T. Travis County, Texas
- Deed Records
- D.R.T.C.T. Travis County, Texas
- Real Property Records
- R.P.R.T.C.T. Travis County, Texas
- Official Public Records
- O.P.R.T.C.T. Travis County, Texas

LINE TABLE

LINE	BEARING	DISTANCE
L1	N49°49'34"E [N49°30'53"E]	25.28'
L2	S56°42'01"E	51.83'
L3	S26°41'59"E	48.58'

BEARING BASIS NOTE:

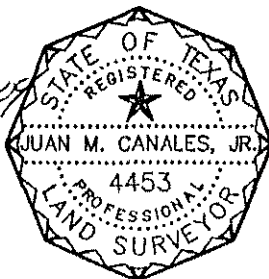
STATE PLANE COORDINATE SYSTEM (GRID) NAD'83
TEXAS CENTRAL ZONE 4203
COMBINED SCALE FACTOR = 0.9999555
NAVD'88 VERTICAL DATUM
Horizontal and vertical coordinates for C.O.A. Monument No. J-16-3001 and Monument No. J-16-4001 as published by the C.O.A., were used as the controlling monuments for this survey.

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

Juan M. Canales, Jr.
JUAN M. CANALES, JR.
Registered Professional Land Surveyor No. 4453
DATE: MAY 29, 2009

**THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR**

Client: PBS&J
Date: May 29, 2009
Office: Stephen Lawrence
Crew: J. Lee
F.B.: 1160/43-44
Path: c:\dwg 11\p b s j\williamson crk trib • stossney\easements\wm crk trib 2-grid-base.dwg
Job No.: 372-27-08



**SKETCH TO
ACCOMPANY
FIELD NOTES**

Landmark
SURVEYING, LP
1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746
PH: (512)328-7411 FAX: (512)328-7413



STATE OF TEXAS
COUNTY OF TRAVIS

(Drainage Easement)
WILLIAMSON CREEK TRIBUTARY 2
C.O.A. WPRD, 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 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 0.063-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 corner 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° 57' 20" East), a distance of 192.14 feet to the calculated southerly corner and **POINT OF BEGINNING** of this easement, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet, Combined Scale Factor 0.9999555) values of N= 10,043,278.84, 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° 02' 57" West**, a distance of **16.59 feet** to a calculated point on the northwesterly boundary line of said Michael R. Eledge, et al. "Tract 1", for the westerly corner of this easement;

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

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413
T.U.C.P./W.B.E./I.U.B./D.B.E.



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

THENCE, with the common boundary line of said Michael R. Eledge, et al. "Tract 1" and "Tract 3", **South 57° 00' 50" East** (record = South 57° 02' 40" 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 corner of said "Tract 1" and "Tract 3", for the east corner of this easement;

THENCE, **South 55° 59' 10" West** (record = South 55° 57' 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 **82.42 feet** to the **"POINT 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, 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.

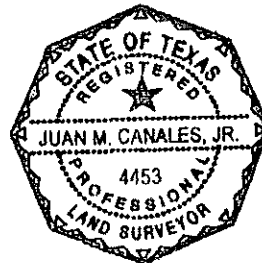
CERTIFICATION:

I do hereby certify that this 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.
Juan M. Canales, Jr.

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



6-2-09
Date

REFERENCES

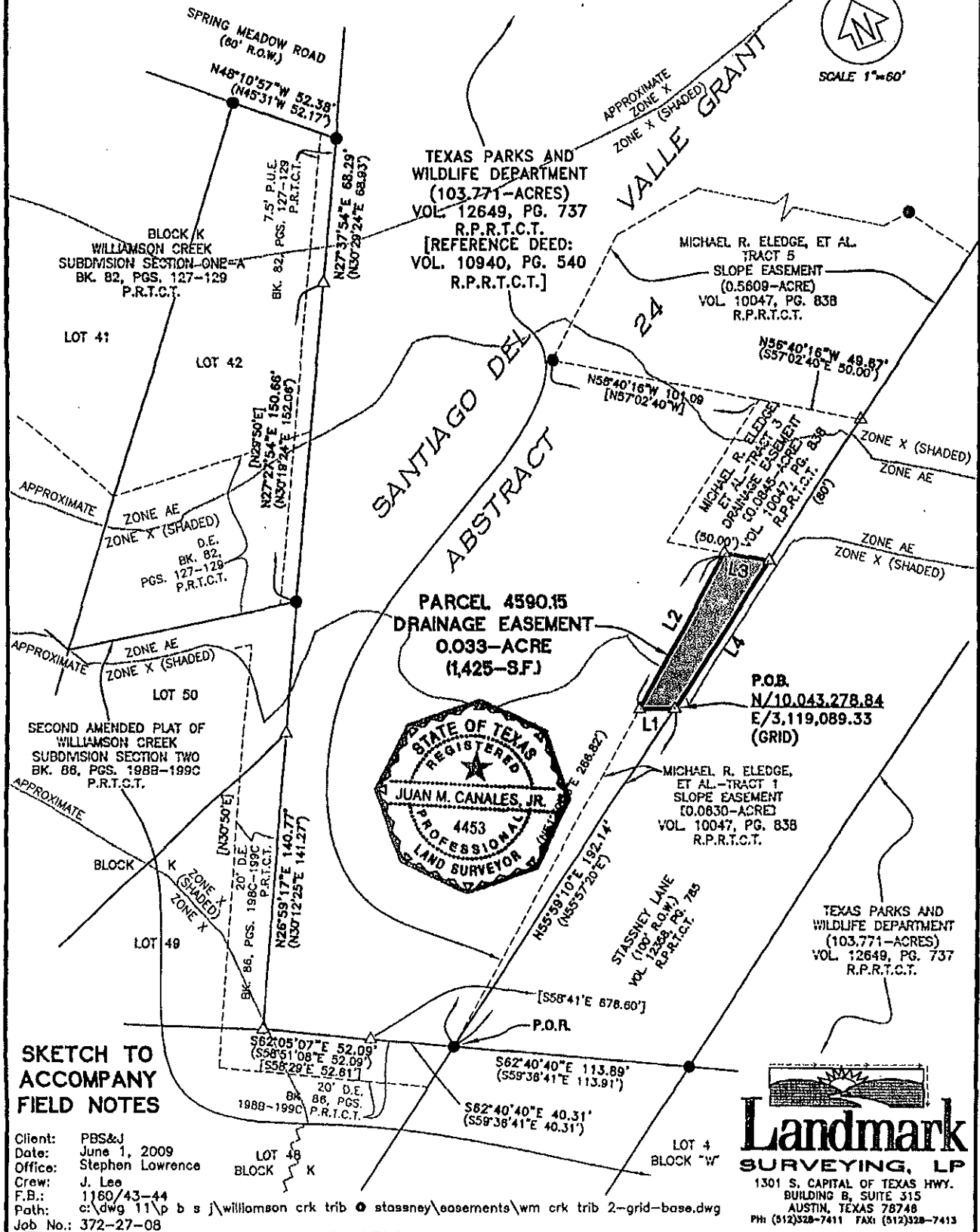
MAPSCO 2009, Page 645-X
AUSTIN GRID NO. J-16
TCAD PARCEL ID NO.: (Not documented)
4590.15 DE (Eledge D.E.)Tract 1.doc

FIELD NOTES REVIEWED

By: *[Signature]* Date *06-15-2009*

Engineering Support Section
Department of Public Works
and Transportation

**SURVEY OF A PORTION OF 103.771-ACRES,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**
PAGE 3 OF 4



**SKETCH TO
ACCOMPANY
FIELD NOTES**

Client: PBS&J
 Date: June 1, 2009
 Office: Stephen Lawrence
 Crew: J. Leo
 F.B.: 1160/43-44
 Path: c:\dwg 11\p b s j\willamson crk trib • stassney\easements\wm crk trib 2-grid-base.dwg
 Job No.: 372-27-08

Landmark
SURVEYING, LP
 1301 S. CAPITAL OF TEXAS HWY.
 BUILDING B, SUITE 315
 AUSTIN, TEXAS 78748
 PH: (512)328-7411 FAX: (512)328-7413

**SURVEY OF A PORTION OF 103.771-ACRES,
THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
PAGE 4 OF 4**

LEGEND

The property described hereon is contained within Flood Zone AE and Zone X (Shaded); as scaled on F.I.R.M. Map Number 48453C0605H, dated September 26, 2008 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

Restrictive Covenant and Easement Note:

- 10d. Electric transmission and/or distribution line easement recorded in Volume 585, Page 85 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10e. Sanitary sewer easement recorded in Volume 3931, Page 2088 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10f. Sanitary sewer easement recorded in Volume 5685, Page 2213 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.
- 10g. Slope easements recorded in Volume 12358, Page 785 of the Real Property Records of Travis County, Texas DOES APPLY to the subject easement.
- 10h. Boundary Agreement recorded in Volume 3756, Page 377 of the Deed Records of Travis County, Texas DOES NOT APPLY to the subject easement.

All easements of which I have knowledge and those recorded easements furnished by Alamo Title Insurance according to Commitment Number AT09002289, are shown or noted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon.

I hereby certify that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

BEARING BASIS NOTE:

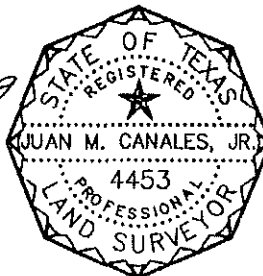
STATE PLANE COORDINATE SYSTEM (GRID) NAD'83
TEXAS CENTRAL ZONE 4203
COMBINED SCALE FACTOR = 0.9999555
NAVD'88 VERTICAL DATUM
Horizontal and vertical coordinates for C.O.A. Monument No. J-16-3001 and Monument No. J-16-4001 as published by the C.O.A., were used as the controlling monuments for this survey.

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

Juan M. Canales, Jr. 6-2-09
JUAN M. CANALES, JR.
Registered Professional Land Surveyor No. 4453
DATE: MAY 29, 2009

**THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR**

Client: PBS&J
Date: May 29, 2009
Office: Stephen Lawrence
Crew: J. Leo
F.B.: 1160/43-44
Path: c:\dwg 11\p b s j\williamson crk trib • stossney\easements\wm crk trib 2-grid-base.dwg
Job No.: 372-27-08



- 1/2" Iron Rod Found (Unless Otherwise Noted)
- ▲ Nail Found (As Noted)
- △ Calculated Point "Not Established 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. Page
- Vol. Volume
- D.E. Drainage Easement
- P.R.T.C.T. Plat Records Travis County, Texas
- D.R.T.C.T. Deed Records Travis County, Texas
- R.P.R.T.C.T. Real Property Records Travis County, Texas
- O.P.R.T.C.T. Official Public Records Travis County, Texas

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N68°02'57"W	16.59'
L2	N51°41'15"E	83.45'
	(N51°39'25"E)	
L3	S57°00'50"E	21.73'
	(S55°02'40"W)	
L4	S55°59'10"W	82.42'
	(S55°57'20"W)	

**SKETCH TO
ACCOMPANY
FIELD NOTES**

Landmark
SURVEYING, LP
1301 S. CAPITAL OF TEXAS HWY.
BUILDING D, SUITE 315
AUSTIN, TEXAS 78748
PH: (512)328-7411 FAX: (512)328-7413