

RESOLUTION NO. 20140327-055

WHEREAS, the City Council was requested to conduct a public hearing to consider the use of land for the permanent use and temporary working space use for construction, use, maintenance, repair, and replacement of electric transmission facilities for Austin Energy (the "Proposed Use") through dedicated parkland, located in Pflugerville, Travis County, Texas, and known as the Northeast Metropolitan Park; and

WHEREAS, the land being used for the Proposed Use is described in Exhibits A (the "Affected Land"); and

WHEREAS, notice of the public hearing to be held on March 27, 2014 was given for three consecutive weeks on March 2, 9, and 16, 2014 in a newspaper of general circulation; and

WHEREAS, such public hearing was held March 27, 2014, by the City Council to consider the use of Affected Land for the Proposed Use;

NOW, THEREFORE,

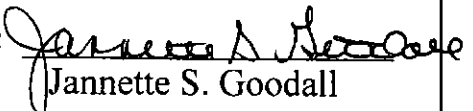
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

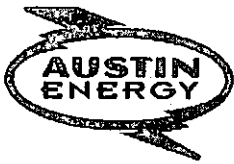
Having taken into account clearly enunciated local preferences, the City Council finds that there is no feasible and prudent alternative to the use of the Affected Land for the Proposed Use and that all reasonable planning has been done to minimize harm to the Affected Land from the Proposed Use. The 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: March 27, 2014

ATTEST:


Jannette S. Goodall
City Clerk



Travis County, Texas
To
City of Austin (Austin Energy)
Transmission Line Easement

EXHIBIT "A"

SURVEY PLAT OF A 7.46 ACRE, 100 FOOT WIDE STRIP OF LAND, (325173 SQUARE FEET), IN THE THOMAS MOORE SURVEY NUMBER 44, ABSTRACT NUMBER 526 AND IN THE WILLIAM CALDWELL SURVEY NUMBER 66, ABSTRACT NUMBER 162, TRAVIS COUNTY, TEXAS, SAID 7.46 ACRE STRIP OF LAND BEING OUT OF THAT CALLED 339.82 ACRES OF LAND DESCRIBED TO TRAVIS COUNTY, TEXAS, IN THAT CERTAIN GENERAL WARRANTY DEED AS RECORDED IN VOLUME 13131, PAGE 3751, REAL PROPERTY RECORDS TRAVIS COUNTY, SAID 7.46 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

COMMENCING at a one-half inch iron rod found at the base of an eighteen inch Pecan tree for the east corner of that called 5.810 acres of land described to Lora Lee Lockhart tract in that certain General Warranty Deed With Vendor's Lien as recorded in Document 2003047352, Official Public Records Travis County, Texas, same being the southeast corner of that called 157.814 acre tract of land described to Sun Communities Texas Limited Partnership, a Michigan Limited Partnership in that certain Special Warranty Deed as recorded in Volume 12720, Page 458, Real Property Records Travis County, Texas, and a point on the northwest line of the said 339.82 acre tract of land, same being the apparent common corner of the said Alexander Walters Survey Number 67, Abstract Number 791, the Thomas Moore Survey Number 44, Abstract Number 526, the William Caldwell Survey Number 66, Abstract Number 162 and the Nathan Moore Survey Number 45, Abstract Number 512;

THECNE South 26°05'08" West, along the common dividing line of the said Lockhart tract of land and the said Travis County, Texas, tract of land, same being the apparent common dividing line of the said Walters Survey and the said Thomas Moore Survey, a distance of 523.95 feet to a calculated point for the **POINT OF BEGINNING** of and northwest corner of the herein described 7.46 acre tract of land;

THENCE North 86°55'22" East, through said 339.82 acre tract of land, coincident with the south line of an existing Lower Colorado River Authority transmission line easement as recorded in Volume 653, Page 342, of the Deed Records of Travis County, Texas, a distance of 3253.85 feet to a calculated point for the northeast corner of the herein described 7.46 acre tract of land, same being a point on the southeast line of the said 339.82 acre tract of land and a point on the northwest line of that called 97 ½ acre tract of land left to Mary Belle Brackett, Alma M. Kilian, and Edan M. Kilian as described in the Last Will and Testament of Martha Kilian recorded in Document Number 2003203549 Official Public Records Travis County, Texas, said 97 ½ acres

(SURVEY PLAT OF A 7.46 ACRE, 100 FOOT WIDE STRIP OF LAND, (325173 SQUARE FEET), IN THE WILLIAM CALDWELL SURVEY NUMBER 66, ABSTRACT NUMBER 162, TRAVIS COUNTY, TEXAS)

being described by metes and bounds to G. J. Kilian in that certain Warranty Deed as recorded in Volume 955, Page 46, Deed Records Travis County, Texas, and from this point a five-eighths inch iron rod found for the northwest corner of the said Kilian tract of land, same being a point on the southeast line of the said 339.82 acre tract of land and the southwest corner of that called 60.677 acre tract of land described to The Whitehead By-Pass Trust in that certain Warranty Deed as recorded in Volume 11621, Page 639, Real Property Records Travis County, Texas, bears North 27°48'30" East, a distance of 261.29 feet;

THENCE South 27°48'30" West, along the common dividing line of the said 339.82 acre tract of land and the said Kilian tract of land a distance of 116.52 feet to a calculated point for the southeast corner of the herein described to 7.46 acre tract of land and from this point a concrete monument found with an inverted nail for the southwest corner of the Kilian tract of land, same being a point on the southeast line of the said 339.82 acre tract of land bears South 27°48'30" West, a distance of 1031.57 feet;

THENCE South 86°55'22" West, through said 339.82 acre tract of land and 100 foot perpendicular distance from and parallel to the said Lower Colorado River Authority transmission line easement a distance of 3249.83 feet to a calculated corner for the southwest corner of the herein described 7.46 acre tract of land, same being a point on the common dividing line of the said Travis County, Texas, 339.82 acre tract of land and the said Lora Lee Lockhart 5.810 acre tract of land and from this point a one-half inch iron rod found for the south corner of the said Lockhart tract of land and an exterior angle corner of the said 339.82 acre tract of land bears South 26°05'08" West, a distance of 386.10 feet;

THENCE North 26°05'08" East, along the common dividing line of the said Lockhart tract of land and the said 339.82 acre tract of land a distance of 114.52 feet to the **POINT OF BEGINNING** and containing 7.46 acres or (325173 square feet) of land more or less.

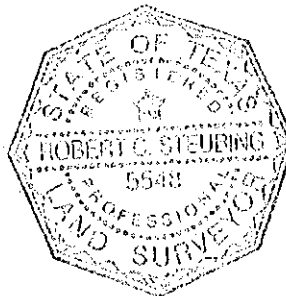
BEARING BASIS: NAD83, TEXAS CENTRAL ZONE, 4203, per GPS observation.

Reference the attached sketch marked **EXHIBIT "B"**.

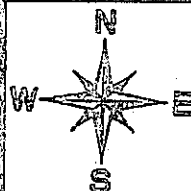
I hereby certify that these field notes were prepared from an on the ground survey made under my supervision in January 2009.

Prepared By: **AUSTIN ENERGY**

Robert C. Steubing 01/28/09
Robert C. Steubing
Registered Professional Land Surveyor No. 5548



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Scale 1" = 500'

EXHIBIT "B"

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION OF A 7.46 ACRE (325173 SQ. FT.)
ELECTRIC LINE EASEMENT IN TRAVIS COUNTY, TEXAS, OUT THE THOMAS MOORE
SURVEY NO. 44, ABSTRACT NUMBER 526 AND THE WILLIAM CALDWELL SURVEY NO. 66,
ABSTRACT NUMBER 162.

NOTE: REFERENCE METES
AND BOUNDS DESCRIPTION
LABELED "EXHIBIT A"

NATHAN MOORE SURVEY NO. 45
ABSTRACT NUMBER 512

Sun Communities Texas Limited Partnership
Special Warranty Deed
12720/458 RPRTCT
Called: 157.814 Acres

Travis County, Texas
General Warranty Deed
13131/3751 OPRTCT
Called: 339.82 Acres

WILLIAM CALDWELL SURVEY NO. 66
ABSTRACT NUMBER 162

The Whitehead By-Pass Trust
Warranty Deed 11621/639 RPRTCT
Remainder Called: 60.677 Ac

POC
1/2" IRON ROD (POC)
S26°18'08"W
523.85'

Low Lim Leebert
General Warranty Deed
1251/1000 RPRTCT
Called: 9.21 Acres

Travis County, Texas
General Warranty Deed
13198/1500 OPRTCT
Called: 9.21 Acres

L.C.R.A. Transmission Line 653/342 DRTCT 5253.85'
N36°55'22"E
Austin Energy Transmission Line Easement 7.46 Ac 3249.63'
S36°55'22"W

100.00'

1031.57'

5/8" IRON ROD

Mary Belle Brackett, Et Al
Last Will and Testament
Doc# 2003203549 OPRTCT

G. J. Kilian
Warranty Deed 955/46 DRTCT
Remainder Called: 97 1/2 Ac

CONCRETE MONUMENT WITH INVERTED NAIL

Travis County, Texas
General Warranty Deed
13131/3751 OPRTCT
Called: 339.82 Acres

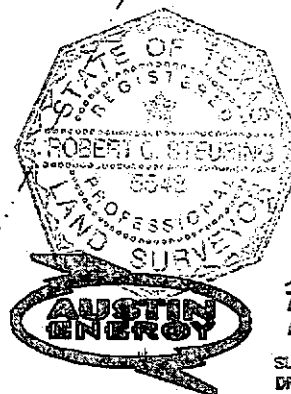
NUM	BEARING	DISTANCE
L1	N27°48'30"E	261.29'
L2	S27°48'30"W	116.52'
L3	S26°05'08"W	386.10'
L4	N26°05'08"E	114.52'

THOMAS MOORE SURVEY NO. 44
ABSTRACT NUMBER 526

LEGEND:

- = Monument Found (type & size noted)
- △ = Power Pole Post
- POB = Point Of Beginning
- OPRTCT = Official Public Records Travis County, Texas
- POC = Point Of Commencement
- = CALCULATED CORNER

BEARING BASIS: NAD 83, TEXAS CENTRAL
ZONE, 4203, per GPS observation.



AS SURVEYED BY:
AUSTIN ENERGY
01/28/09
ROBERT C. STEUBING
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

SURVEYED ON THE GROUND IN JANUARY 2009
DRAWING: F:\SURVEYING\TRANSMISSION\CKTS\GILLELAND
EASEMENT PARCEL 4.DWG