

**RESOLUTION NO. 20181213-050**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City to acquire certain real property interests for public uses as set out below; and

**WHEREAS**, the City 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:**

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 against the owner now having, or who may acquire, an interest in the real property interests necessary to the City, described 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: Ricardo Meza and Idelfonso Garcia

Project: Austin Energy Circuit 811 Upgrade Parcel 28 Project

Public Use: An easement and right of way along, over, under, and across that portion of the Property bounded and described on Exhibit A and shown on Exhibit B, attached hereto and incorporated herein (the "Easement"), to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade or remove (in whole or in part) electric transmission, distribution and electric telecommunications lines and systems; and all necessary or desirable appurtenances and structures (the "Facilities"), in the Easement, and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities and permit unimpeded access to the Facilities.


Location: 8603 North Lamar Boulevard, Austin, Travis County, Texas 78753

The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. (District 4).

Property: Described in the attached and incorporated Exhibit A and B.

ADOPTED: December 13, 2018

ATTEST:

  
Jannette S. Goodall  
City Clerk

**EXHIBIT "A"**

PAGE 1 OF 4



**Landesign Services, Inc.**

1220 McNeil Road  
Suite 200  
Round Rock, Texas 78681  
Firm Registration No. 10001800  
512-238-7901 office  
512-238-7902 fax

**PROPERTY DESCRIPTION  
PARCEL 28**

BEING A 0.036 OF ONE ACRE (1567 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 0.34 OF ONE ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO RICARDO MEZA AND IDELFONSO GRACIA, RECORDED IN DOCUMENT NO. 2007153333 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.34 OF ONE ACRE TRACT BEING A PART OF LOT 5, BLOCK NO. 2, FISKVILLE SCHOOL ADDITION, RECORDED IN VOL. 4, PG. 169 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.036 OF ONE ACRE (1567 SQUARE FEET) PARCEL BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at a 1/2-inch iron rebar found for the most Northerly corner of Lot 4, of said Block No. 2 and the most Westerly corner of Lot 3, of said Block No. 2, also being in the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies), from which a 1/2-inch iron rebar found for the most Northerly corner of said Lot 3 and the most Westerly corner of Lot 2, of said Block No. 2, also being in said existing Easterly right-of-way line of North Lamar Boulevard, bears North 48°22'38" East a distance of 76.19 feet;

**THENCE** South 48°22'38" West coincident with the common dividing line of said Lot 4 and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of 76.33 feet to a Calculated Point not set (Grid Coordinates: N=10102506.481, E=3125927.641) for the most Northerly corner of said 0.34 of one acre tract, the most Westerly corner of said Lot 4, and the **POINT OF BEGINNING** of the herein described tract;

**THENCE** South 41°36'57" East departing said existing Easterly right-of-way line of North Lamar Boulevard and coincident with the common dividing line of said 0.34 of one acre tract and said Lot 4, a distance of 15.00 feet to a Calculated Point not set for the most Easterly corner of the herein described tract;

## EXHIBIT "A"

PAGE 2 OF 4

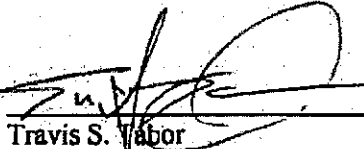
THENCE South  $48^{\circ}22'38''$  West over and across said 0.34 of one acre tract, a distance of 104.50 feet to a Calculated Point not set in the Southwest line of said 0.34 of one acre tract and the Northerly right-of-way line of Beaver Street (50' R.O.W. - called Ferncroft Street in Vol. 4, Pg. 169 of said Plat Records);

THENCE North  $41^{\circ}36'57''$  West coincident with the common dividing line of said 0.34 of one acre tract and said existing Northerly right-of-way line of Beaver Street, a distance of 15.00 feet to a Calculated Point not set for the most Westerly corner of said 0.34 of one acre tract and being at the intersection of said existing Northerly right-of-way line of Beaver Street with said existing Easterly right-of-way line of North Lamar Boulevard, from which a 60D Nail found for the most Northerly corner of Lot A, RESUBDIVISION OF LOTS 6 & 7, BLOCK 4, FISKVILLE SCHOOL ADDITION, recorded in Vol. 33, Pg. 31 of said Plat Records and being at the intersection of the existing Southerly right-of-way line of said Beaver Street with said existing Easterly right-of-way line of North Lamar Boulevard, bears South  $49^{\circ}14'19''$  West a distance of 50.01 feet;

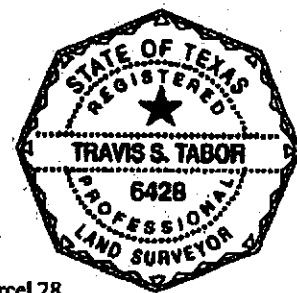
THENCE North  $48^{\circ}22'38''$  East coincident with the common dividing line of said 0.34 of one acre tract and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of 104.50 feet to the POINT OF BEGINNING and containing 0.036 of one acre of land (1567 Square Feet) more or less.

All bearings shown hereon are based on the Texas State Plane Coordinate System (SPCS), Central Zone (4203), NAD83 (2011 Adjustment). All distances and coordinates shown hereon are grid values represented in U.S. Survey Feet.

This property description is accompanied by a separate plat of even date and was prepared by an on the ground survey made under my supervision during the month of October, 2016.

  
Travis S. Tabor  
Registered Professional Land Surveyor  
State of Texas No. 6428

01/27/2017  
Date



Job Number: 16-006\_811 Upgrade

Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006\_Parcel 28

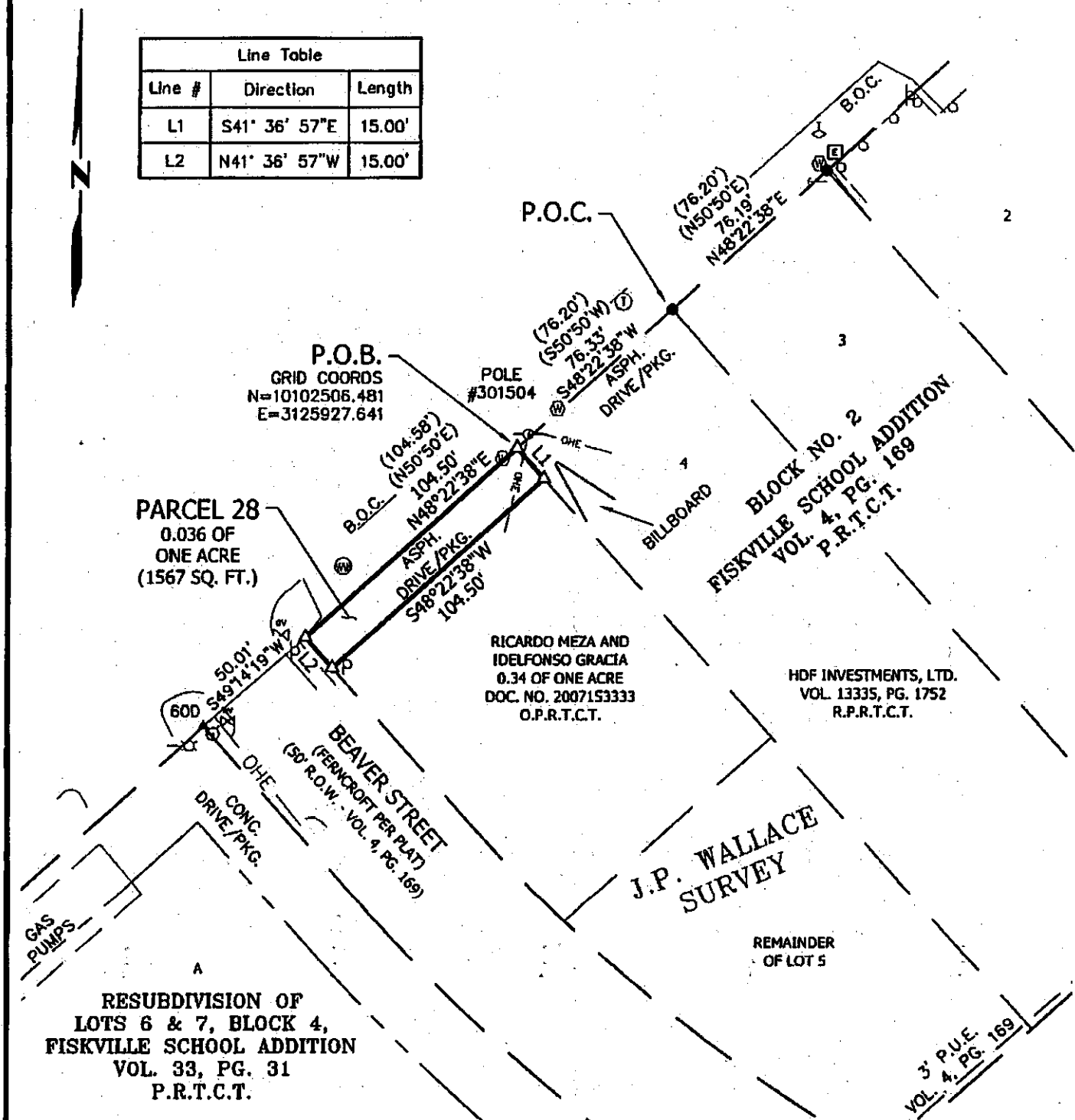


GRAPHIC SCALE

## EXHIBIT "B"

SEE SHEET 4 FOR LEGEND AND  
TITLE COMMITMENT NOTES

Line Table		
Line #	Direction	Length
L1	S41° 36' 57"E	15.00'
L2	N41° 36' 57"W	15.00'



JOB NUMBER: 16-006		DATE: 01/27/2017	
PROJECT NAME: 811 UPGRADE			
DRAWING NAME: 16006_PARCEL 28			
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels			
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\Metes and Bounds			
RPLS: TST	TECH: TST	PARTYCHIEF: JA	CHK BY: JB
SHEET 03 of 04		FIELDBOOKS: 265/267	SCALE: 1" = 50'



**LANDESIGN  
SERVICES, INC.**

512-288-7001  
1220 MCNEIL ROAD  
SUITE 200  
ROUND ROCK, TEXAS 78681  
FIRM REGISTRATION NO. 10001800

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

CHICAGO TITLE INSURANCE COMPANY

GF NO.: CTA-07-CTA1601130JP

ISSUE DATE: JUNE 8, 2016 - EFFECTIVE DATE: MAY 31, 2016

ONLY THOSE ITEMS LISTED IN SCHEDULE B OF THE ABOVE REFERENCED COMMITMENT FOR TITLE INSURANCE WERE REVIEWED FOR THE PURPOSE OF THIS SURVEY. NO ADDITIONAL RESEARCH WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, OR OTHER ENCUMBRANCES WHICH AFFECT THIS SURVEY THAT ARE NOT KNOWN TO THIS SURVEYOR.

SCHEDULE B EXCEPTIONS:

10a. NOT A SURVEY MATTER.

10b. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND. NOTED HEREON.

10c. NOT A SURVEY MATTER.

10d. NOT A SURVEY MATTER.

10e. NOT A SURVEY MATTER.

10f. NOT A SURVEY MATTER.

10g. 3' PUBLIC UTILITY EASEMENT ALONG THE REAR PROPERTY LINE AS STATED ON THE PLAT RECORDED IN VOL. 4, PG. 169, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON - DOES NOT AFFECT.

LEGEND

✱	COTTON SPINDLE FOUND (OR AS NOTED)
■	TX.D.O.T. TYPE I MONUMENT FOUND
■	TX.D.O.T. TYPE II MONUMENT FOUND
●	IRON REBAR FOUND (1/2" OR AS NOTED)
○	IRON PIPE FOUND (1/2" OR AS NOTED)
⊙	IRON REBAR FOUND WITH CAP (ILLEGIBLE)
▲	NAIL FOUND (PK OR AS NOTED)
△	CALCULATED POINT NOT SET
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
O.R.T.C.T.	OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS OF TRAVIS COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS
C.R.T.C.T.	CONDOMINIUM RECORDS OF TRAVIS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
U.E.	UTILITY EASEMENT
B.L.	BUILDING LINE
(S45E 45')	RECORD INFO. PER TRAVIS COUNTY

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), CENTRAL ZONE (4203).

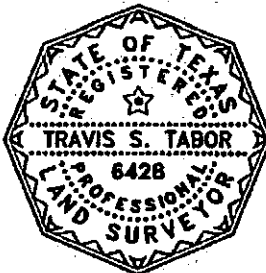
DISTANCES SHOWN HEREON ARE GRID VALUES REPRESENTED IN U.S. SURVEY FEET.

THIS SURVEY PLAT ACCOMPANIES A METES AND BOUNDS DESCRIPTION OF EVEN DATE.

THIS MAP WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION. THE FIELD WORK WAS COMPLETED IN OCTOBER, 2016.

TRAVIS S. TABOR  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS - NO. 6428

01/27/2017  
DATE



LEGEND

CO	WASTEWATER CLEANOUT	ONE	OVERHEAD ELECTRIC
○	WATER METER	⊕	ELECTRIC MISC.
⊕	WATER VALVE	⊕	ELECTRIC MANHOLE
⊕	IRRIGATION CONTROL VALVE	○	POLE
⊕	UNKNOWN MANHOLE	○	POWER POLE
⊕	ELECTRIC PULLBOX	⊕	SIGN POST
⊕	MAILBOX	⊕	WATER METER
⊕	GUARDRAIL	⊕	FIRE HYDRANT
⊕	IRON FENCE	⊕	BOLLARD
		⊕	TELEPHONE MANHOLE
		⊕	TELEPHONE PEDESTAL
		⊕	CABLE MARKER
		CONC.	CONCRETE
		ASPH.	ASPHALT
		PKG.	PARKING AREA
		E.P.	EDGE OF PAVEMENT
		B.O.C.	BACK OF CURB

JOB NUMBER: 16-006	DATE: 01/27/2017
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DRAWING NAME: 16006_PARCEL 28	
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels	
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\FIELD\Field to Office\FNs	
RPLS: TST	TECH: TST
PARTYCHIEF: JA	CHK BY: JB
SHEET 04 of 04	FIELD BOOKS: 265/267
SCALE: 1" = 50'	



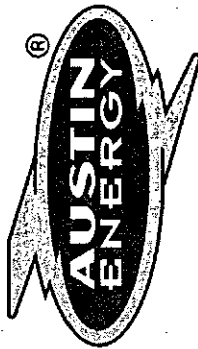
LANDESIGN  
SERVICES, INC.

512-238-7001  
1220 MCNEIL ROAD  
SUITE 200  
ROUND ROCK, TEXAS 78681  
FIRM REGISTRATION NO. 10001800

# Proposed Easements at Meza & Gracia Tract #28

- Parcels
- Proposed Easements

2018 Aerial Imagery, City of Austin



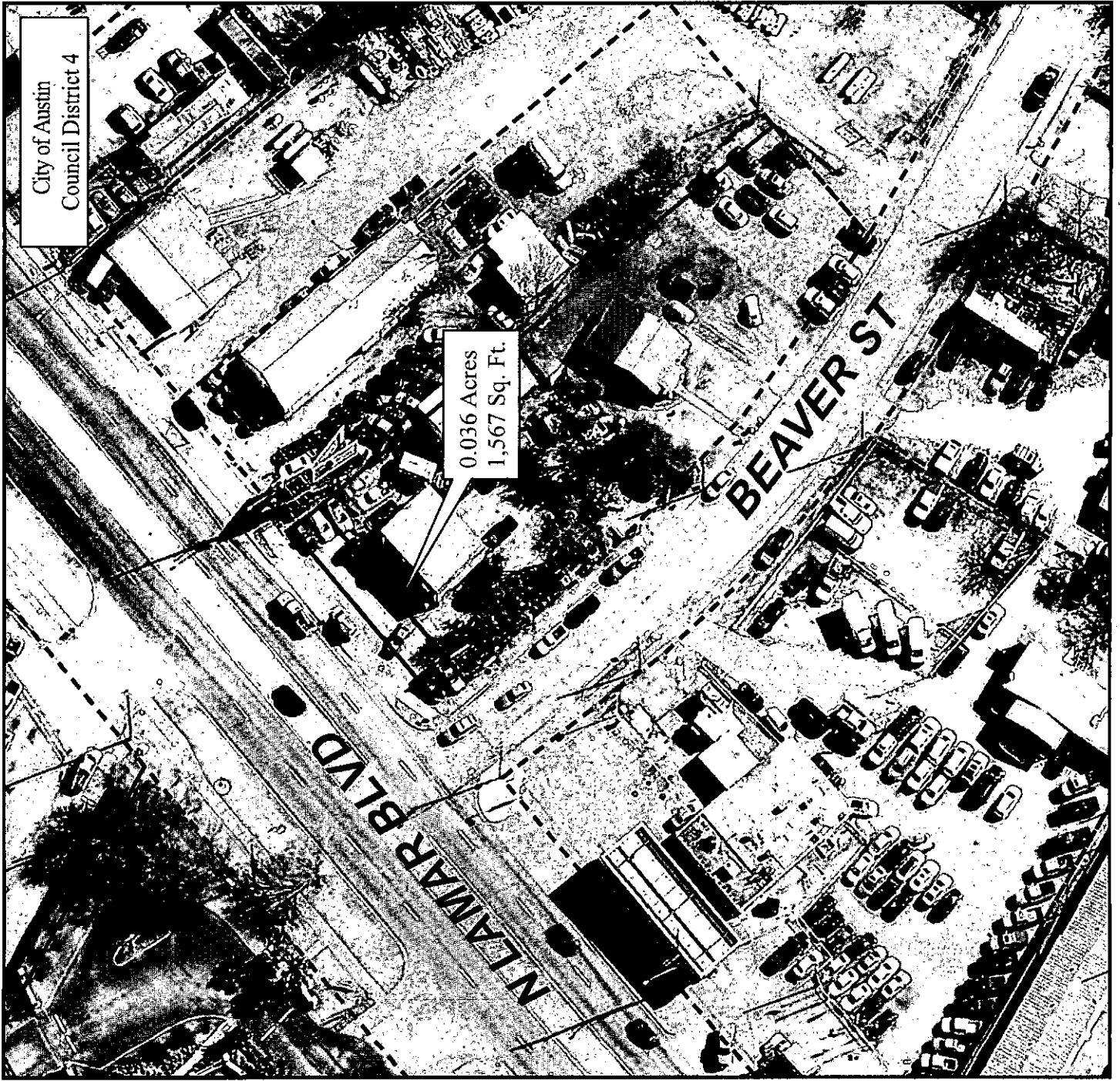
AE Public Involvement  
& Real Estate Services



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by AUSTIN ENERGY for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by MGomez 11/15/2018



City of Austin  
Council District 4