

RESOLUTION NO. 20181213-054

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: Ryder Truck Rental, Inc.

Project: Austin Energy Circuit 811 Upgrade Parcel 19 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: 8305 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:

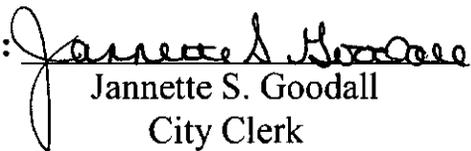

Jannette S. Goodall
City Clerk

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 19**

BEING A 0.084 OF ONE ACRE (3679 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY NO. 57, IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 3.444 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO RYDER TRUCK RENTAL, INC., RECORDED IN VOL. 7292, PG. 594 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.084 OF ONE ACRE (3679 SQUARE FEET) PARCEL BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rebar found (Grid Coordinates: N=10101545.820, E=3124844.068) for the most Northerly corner of said 3.444 acre tract and the most Westerly corner of a called 3.27 acre tract of land described in a General Warranty Deed to Mildred Evelyn Schlueter Buck, recorded in Document No. 2003049599 of the Official Public Records of Travis County, Texas, 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 a called 6.685 acre tract of land described in a Special Warranty Deed to PP-BVD, Inc., recorded in Document No. 2001073939 of said Official Public Records, also being in said existing Easterly right-of-way line of North Lamar Boulevard, bears North 48°24'54" East a distance of 384.70 feet;

THENCE South 61°59'08" East departing said existing Easterly right-of-way line of North Lamar Boulevard, coincident with the common dividing line of said 3.444 acre tract and said 3.27 acre tract, a distance of 16.00 feet to a Calculated Point not set for the Northeast corner of the herein described tract;

THENCE over and across said 3.444 acre tract, the following two (2) courses and distances:

1. **South 48°24'54" West** a distance of 5.59 feet to a Calculated Point not set; and
2. **South 48°27'57" West** a distance of 239.70 feet to a Calculated Point not set in the Southwest line of said 3.444 acre tract and the Northeast line of a called 4.3830 acre tract of land described in a Warranty Deed to Locke Sovran I, LLC, recorded in Document No. 2001027238 of said Official Public Records;

EXHIBIT "A"

PAGE 2 OF 4

THENCE North $61^{\circ}57'32''$ West coincident with the common dividing line of said 3.444 acre tract and said 4.3830 acre tract, a distance of 16.01 feet to a Calculated Point not set for the most Westerly corner of said 3.444 acre tract and the most Northerly corner of said 4.3830 acre tract, also being in said existing Easterly right-of-way line of North Lamar Boulevard;

THENCE North $48^{\circ}27'57''$ East coincident with the common dividing line of said 3.444 acre tract and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of 245.29 feet to the **POINT OF BEGINNING** and containing 0.084 of one acre of land (3679 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.

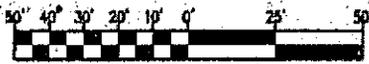

Travis S. Tabor
Registered Professional Land Surveyor
State of Texas No. 6428

01/27/2017
Date



Job Number: 16-006_811 Upgrade

Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006_Parcel 19

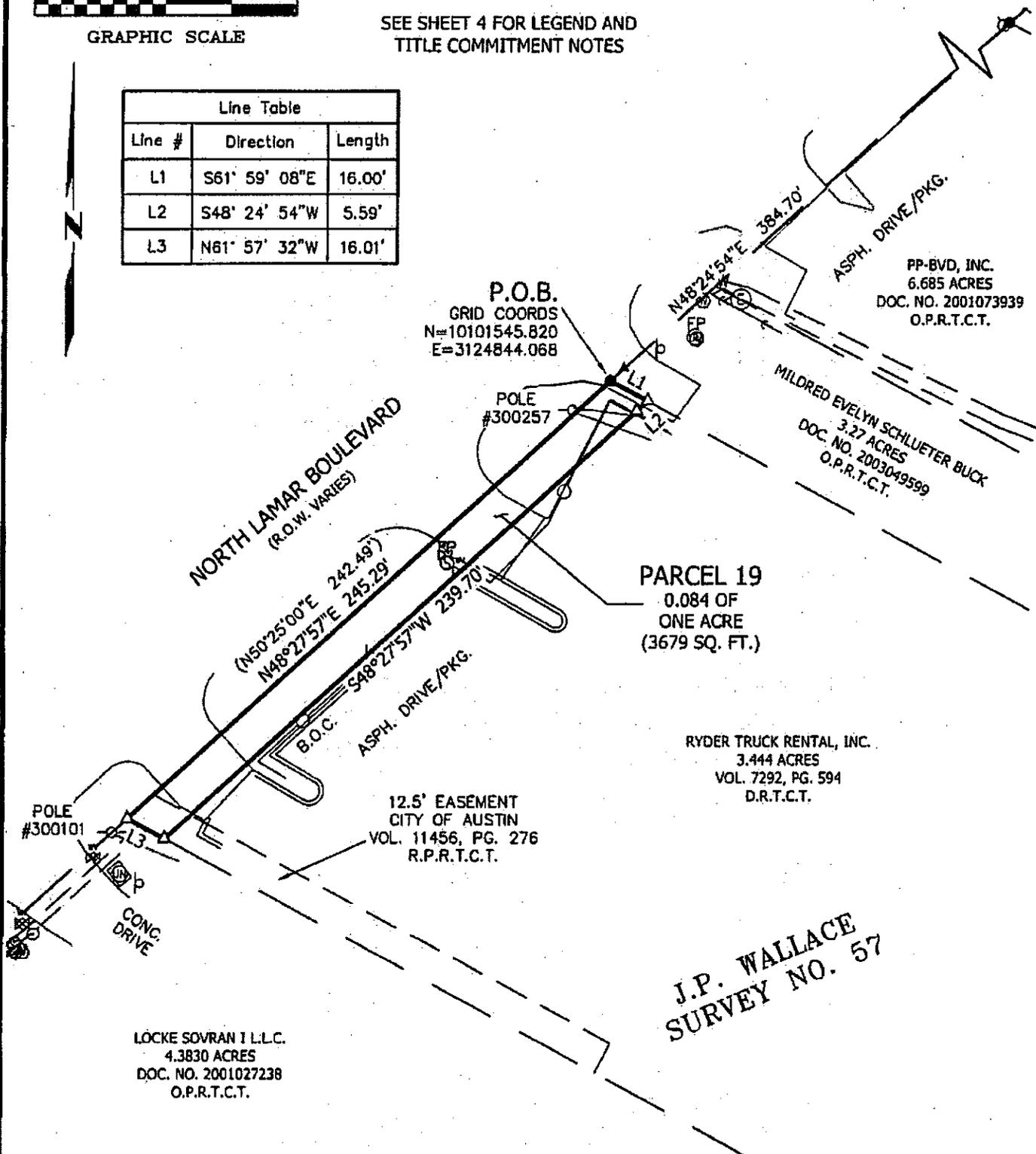


GRAPHIC SCALE

EXHIBIT "B"

SEE SHEET 4 FOR LEGEND AND TITLE COMMITMENT NOTES

Line Table		
Line #	Direction	Length
L1	S61° 59' 08"E	16.00'
L2	S48° 24' 54"W	5.59'
L3	N61° 57' 32"W	16.01'



P.O.B.
GRID COORDS
N=10101545.820
E=3124844.068

PP-BVD, INC.
6.685 ACRES
DOC. NO. 2001073939
O.P.R.T.C.T.

MILDRED EVELYN SCHLUETER BUCK
3.27 ACRES
DOC. NO. 2003049599
O.P.R.T.C.T.

PARCEL 19
0.084 OF
ONE ACRE
(3679 SQ. FT.)

RYDER TRUCK RENTAL, INC.
3.444 ACRES
VOL. 7292, PG. 594
D.R.T.C.T.

12.5' EASEMENT
CITY OF AUSTIN
VOL. 11456, PG. 276
R.P.R.T.C.T.

LOCKE SOVRAN I LLC.
4.3830 ACRES
DOC. NO. 2001027238
O.P.R.T.C.T.

J.P. WALLACE
SURVEY NO. 57

JOB NUMBER: 16-006		DATE: 01/27/2017	
PROJECT NAME: 811 UPGRADE			
DRAWING NAME: 16006_PARCEL 19			
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.

512-218-7001
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78081
FIRM REGISTRATION NO. 10001800

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

CHICAGO TITLE INSURANCE COMPANY
 GF NO.: CTA-07-CTA1601115JP
 ISSUE DATE: AUGUST 5, 2016 - EFFECTIVE DATE: JULY 28, 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 LAND 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. EASEMENT GRANTED TO THE CITY OF AUSTIN, RECORDED IN VOL. 11456, PG. 274, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. SHOWN HEREON.
- 10h. EASEMENT GRANTED TO THE STATE OF TEXAS, RECORDED IN VOL. 570, PG. 424, DEED RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON - UNABLE TO LOCATE DUE TO VAGUE DESCRIPTION.

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
- (S45°E 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.

LEGEND

- CO WASTEWATER CLEANOUT
- ⊙ WATER METER
- ⊗ WATER VALVE
- ⊠ IRRIGATION CONTROL VALVE
- ⊙ UNKNOWN MANHOLE
- ⊠ PB ELECTRIC PULLBOX
- ⊙ FP FLAGPOLE
- GUARDRAIL
- IRON FENCE
- CHAIN LINK FENCE
- OHE OVERHEAD ELECTRIC
- ⊙ ELECTRIC MISC.
- ⊙ ELECTRIC MANHOLE
- POLE
- ⊙ POWER POLE
- ⊙ SIGN POST
- ⊙ WATER METER
- ⊙ FIRE HYDRANT
- ⊙ 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

Travis S. Tabor
 TRAVIS S. TABOR 01/27/2017
 REGISTERED PROFESSIONAL LAND SURVEYOR DATE
 STATE OF TEXAS - NO. 6428



JOB NUMBER: 16-006	DATE: 01/27/2017
PROJECT NAME: 811 UPGRADE	
DRAWING NAME: 16006_PARCEL 19	
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	FIELDBOOKS: 265/267
SCALE: 1" = 50'	

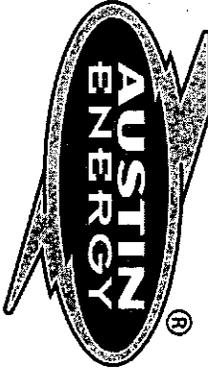


LANDESIGN SERVICES, INC.
 512-238-7001
 1220 MIGNELL ROAD
 SUITE 200
 ROUND ROCK, TEXAS 78081
 FIRM REGISTRATION NO. 10001800

Proposed Easements at Ryder Truck Rental Tract #19

-  Parcels
-  Proposed Easements

2018 Aerial Imagery, City of Austin



AE Public Involvement
& Real Estate Services



0 50 100
Feet

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.

