

**Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 70  
AGENDA DATE: Thu 01/13/2005  
PAGE: 1 of 1**

**SUBJECT:** Conduct a public hearing in accordance with Chapter 26 of the Parks and Wildlife Code and adopt an ordinance authorizing conveyance of 0.117 acres (5,095 square feet) for right-of-way for the U.S. Highway 183 expansion improvements from dedicated parkland known as Greenway and Destination Parkland (Solo Star tract) in exchange for an access easement across Little Walnut Creek at the crossing of U.S. Highway 183 with Little Walnut Creek.

**AMOUNT & SOURCE OF FUNDING:** All costs associated with the construction as well as any parkland restoration will be paid by the requestor.

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING** Public Works  
**DEPARTMENT:**

**DIRECTOR'S**  
**AUTHORIZATION:** Sondra Creighton

**FOR MORE INFORMATION CONTACT:** Junie Plummer, 974-7085; Laura Bohl, 974-7064

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** Recommended by the Parks Board.

**PURCHASING:** N/A

**MBE / WBE:** N/A

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Chapter 26 of the Parks and Wildlife Code provides that the use of parkland for non-park purposes may be approved upon a finding that there is no feasible and prudent alternative to the use of this land.

The Public Works Department on behalf of the Texas Department of Transportation (TxDOT) hereby requests authority to convey parkland for the construction, operation and maintenance of the proposed U.S. Hwy. 183 improvements in exchange for an access easement across U.S. Hwy 183 that will help link trails on both sides of the highway.

The proposed improvement requires a narrow strip of right-of-way from the parkland at the bridge crossing over Little Walnut Creek. As mitigation to the parkland TxDOT will be providing a Hike and Bike Easement under the bridge to provide for a trail connection from the west to the east. Approval of the transfer of parkland is made on the condition that all restoration to the remainder of the park is completed in accordance with the Standard Specifications and Construction Standards of the City of Austin and the Parks and Recreation Department's "Construction in Parks Specifications". The requestor is required to pay any and all costs associated with the restoration.

There is no feasible and prudent alternative to the use of the dedicated parkland, which includes all reasonable planning to minimize harm to such lands. The dates of public notification in the Austin American-Statesman are December 19, 2004, December 26, 2004 and January 2, 2005.

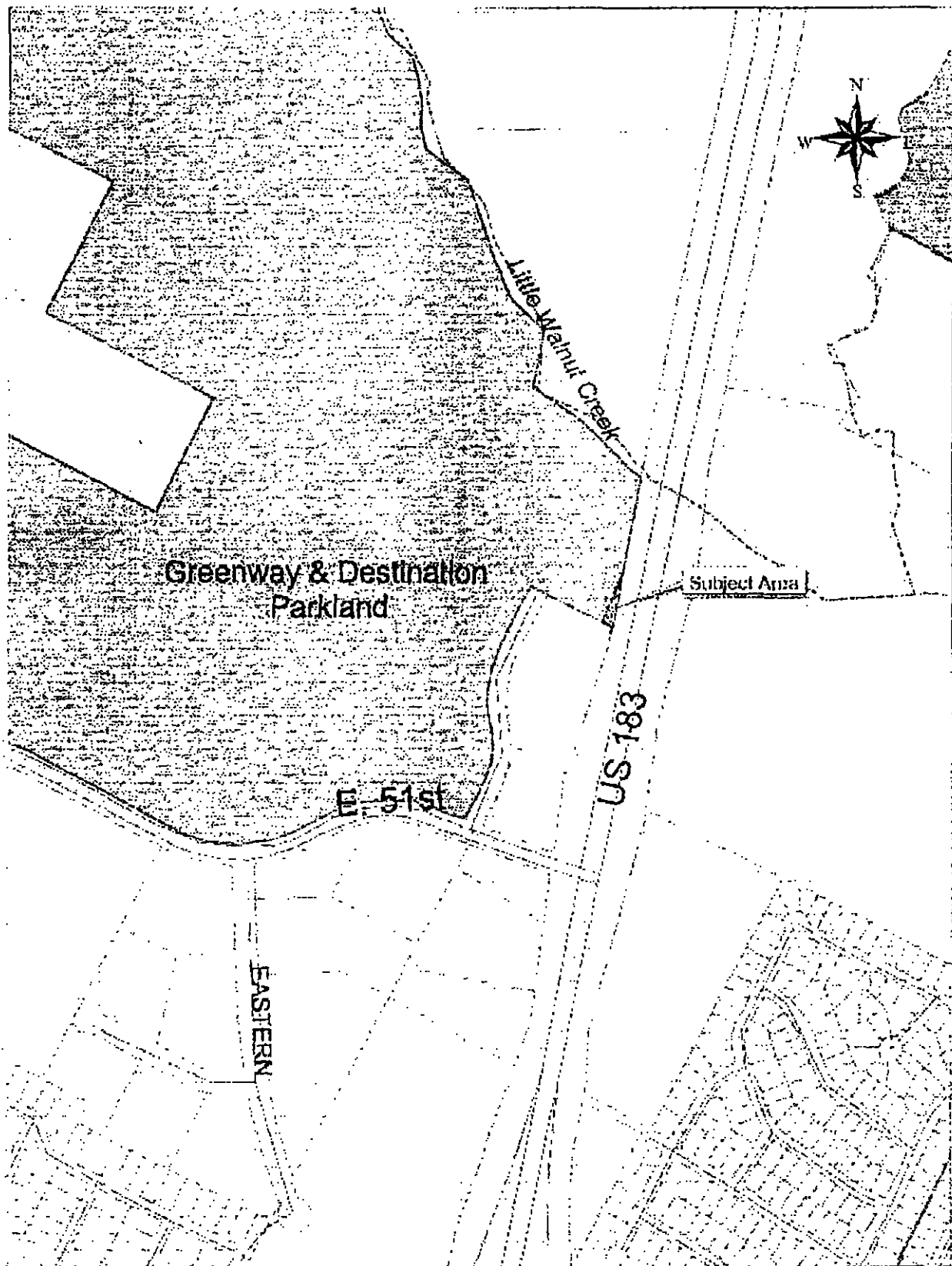


EXHIBIT \_\_\_\_\_

County: Travis  
Parcel No.: 97A  
Highway: U.S. 183  
Limits: From: East of US 290  
To: SH 71  
CSJ: 0151-09-039

**PROPERTY DESCRIPTION FOR PARCEL 97A**

DESCRIPTION OF A 0.117 ACRE (5080 SQ. FT.) TRACT OF LAND LOCATED IN THE J. C. TANNEHILL LEAGUE NO. 22 IN TRAVIS COUNTY, TEXAS, AND BEING PART OF A 197.59 ACRE TRACT OF LAND AS DESCRIBED IN THE DEED TO THE CITY OF AUSTIN IN DOCUMENT NUMBER 2002178092 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), SAID 0.117 ACRE (5080 SQ. FT.) TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap set 193.95 feet right of Engineer's Centerline station 307+95.88, in the westerly proposed right-of-way line of U.S. Highway 183, in the common line of a called 4.598 acre tract being part of Tract VII, also known as Lot 1, Oriens Park Section Eight as recorded in Book 86, Pages 193A and 193B of the Plat Records of Travis County, Texas (P.R.T.C.TX.), and said 197.59 acre tract, marking the beginning of this Control of Access Line (Area of Denied Access to Highway Facility) and being the southwesterly corner of the tract described herein, from which a ½-inch iron rod found on said common line bears N62° 53' 12" W, a distance of 65.69 feet;

- 1) **THENCE**, N12° 33' 00"E, through the interior of said 197.59 acre tract with said proposed westerly right-of-way line, a distance of 228.67 feet to a TxDOT Type I concrete monument found 197.93 feet right of Engineer's Centerline station 305+67.24, at the intersection with said existing westerly right-of-way line of said U.S. Highway 183, being the most northerly corner of the tract described herein and marking the end of this Control of Access Line;
- 2) **THENCE**, S02° 04' 17"W, with the existing right-of-way line of said U.S. Highway 183, described in a deed to the State of Texas as recorded in Volume 2599, Page 286, Deed Records Travis County, Texas (D.R.T.C.TX.), a distance of 244.29 feet to ½-inch iron rod found for the common corner of said 4.598 acre tract and said 197.59 acre tract, and a called 0.0004 acre area included within said plat boundary of Oriens Park Section Eight, being the southeasterly corner of the tract described herein, from which a TxDOT Type I concrete monument found on said existing right-of-way line bears S02° 04' 17"W, a distance of 59.31 feet;

- 3.) **THENCE**, N62°53'12"W, with the common line of said 4.598 acre tract, said 197.59 acre tract, and a said 0.0004 acre area, passing at a distance of 9.59 feet to a ½-inch iron rod found, and continuing on said common line for a total distance of 45.90 feet to the **POINT OF BEGINNING**, and containing 0.117 acre (5080 sq. ft.) of land, more or less.

This property description is accompanied by a plat of even date.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83 (93).

Access is prohibited across the "The Control of Access Line" to the transportation facility from the adjacent property.

THE STATE OF TEXAS

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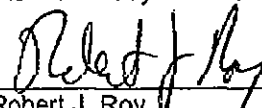
KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

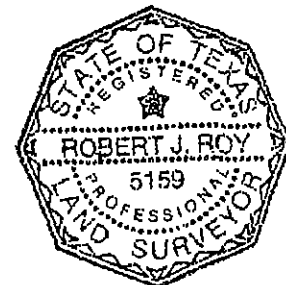
That I, Robert J. Roy, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 4<sup>th</sup> day of November 2004 A.D.

SURVEYING AND MAPPING, Inc.  
5508 West Highway 290 Building B  
Austin, Texas 78735

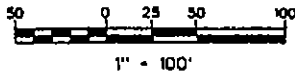
  
Robert J. Roy  
Registered Professional Land Surveyor  
No. 5159 – State of Texas

REFERENCES:  
TCAD PARCEL NO. 02-1824-0101  
AUSTIN GRID N-24



FIELD NOTES REVIEWED  
By John Moore Date 11-8-2004  
Engineering Support Section  
Department of Public Works  
and Transportation

GRAPHIC SCALE



J. C. TANNEHILL LEAGUE

ENGINEER'S CENTERLINE  
CURVE DATA  
PISLO 331+84.38  
X = 3139174.52  
Y = 10079921.78  
Δ = 1° 31' 17.64" (RT)  
D = 0° 04' 17.83"  
L = 2124.52'  
T = 1062.32'  
R = 80000.50'  
PC Sta 321+22.04  
PT Sta 342+46.56

305+00

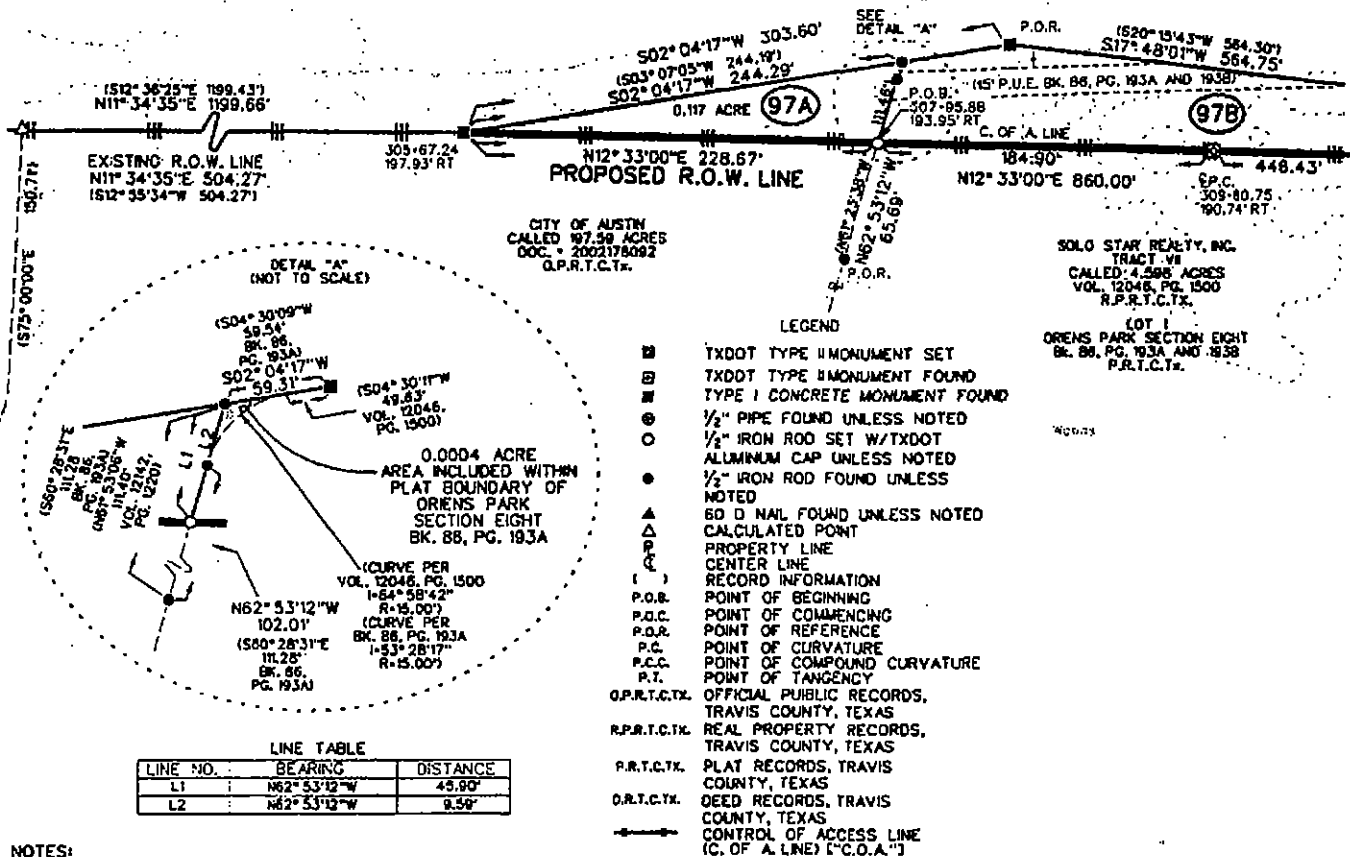
S13° 32' 48" W 1963.89'

ENGINEER'S CENTERLINE

310+00

ED BLUESTEIN BLVD.  
U.S. HIGHWAY 183  
(VARIABLE WIDTH R.O.W.)

STATE OF TEXAS  
VOL. 2599, PG. 286  
D.A.T.C.T.X.



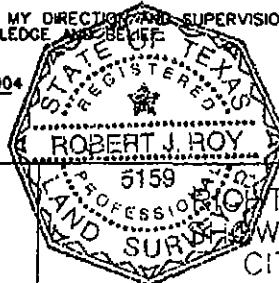
NOTES:

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
- ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(93) HARN. ALL DISTANCES AND COORDINATES ARE ADJUSTED TO SURFACE USING THE PROJECT SURFACE ADJUSTMENT FACTOR OF 1.00011.
- IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY DIGITAL FILES.
- THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
- ACCESS IS PROHIBITED ACROSS THE CONTROL OF ACCESS LINE TO THE TRANSPORTATION FACILITY FROM THE ADJOINING PROPERTY.

THEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

ROBERT J. ROY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5159, STATE OF TEXAS

NOVEMBER 4, 2004  
DATE



PAGE 3 OF 3  
REF. FIELD NOTE NO. 3165R



5508 West Highway 250  
Building B  
Austin, Texas 78735  
(512) 447-0575  
Fax: (512) 326-3020

RIGHT-OF-WAY SKETCH  
SHOWING PROPERTY OF  
CITY OF AUSTIN  
CSJ NO. 0151-09-039