

RESOLUTION NO. 20050623-045

WHEREAS, the City Council of the City of Austin has found that public necessity requires the acquisition by the City of a certain real property interest as stated hereinafter for the purpose hereinafter stated; and

WHEREAS, the City of Austin has attempted to purchase said real property interest and has been unable to agree with the owner of that real property interest on the fair market value thereof; **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 owner now having or who may acquire an interest in the real property interest needed by the City, to acquire a certain real property interest at the location hereinafter stated, for the purpose hereinafter stated, and from the owner hereinafter stated and/or its successors in interest, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition; said real property interest to be acquired is described in Exhibits "A," which is attached hereto and made a part hereof for all purposes.

The City Attorney or other authorized designee shall file eminent domain proceedings for:

Owner: Schmidt Investments, Ltd.

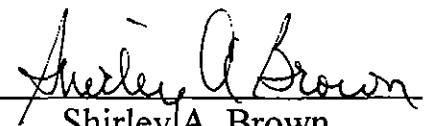
Project: Water and Wastewater Service Extension to Norris and Schmidt Tracts Project

Intended Purpose: permanent wastewater line easement to increase and improve the City of Austin's ability to provide wastewater service to the public.

Location: 10623 Research Boulevard, Austin, Texas, and see attached field note.

ADOPTED: June 23, 2005

ATTEST:


Shirley A. Brown
City Clerk

15' WASTEWATER EASEMENT
TO THE CITY OF AUSTIN

FIELD NOTES

FIELD NOTES FOR 1281.56 SQUARE FEET OF LAND LOCATED IN THE JAMES ROGERS SURVEY NO. 19, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF LOTS 2 AND 3, BLOCK A, SCHMIDT RESUBDIVISION, RECORDED IN DOCUMENT NO. 200100030 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/4 inch iron rod found for the southeasterly corner of the above-mentioned Lot 3, said iron rod also being in the northerly line of the above-mentioned Lot 2 and also being the most southerly southwesterly corner of a 5.264 acre tract of land recorded in Volume 12173, Page 132 and Volume 10916, Page 602, all in the deed records of Travis County, Texas;

THENCE, leaving the northerly line of said Lot 2, S23 21'33"W, 70.72 feet to a corner of this easement, said corner being in the southerly line of said Lot 2 and also in the northerly line of a tract called Remainder of Lot 1, Spray Subdivision as recorded in Volume 28, Page 31, Plat Records of Travis County, Texas;

THENCE, with the southerly line of said Lot 2 and the northerly line of said Remainder of Lot 1, Spray Subdivision, N68 33'21"W, 15.00 feet to a corner of this easement;

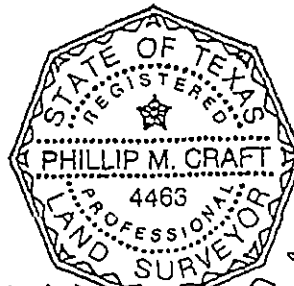
THENCE, leaving the southerly line of said Lot 2 and the northerly line of said Remainder of Lot 1, Spray Subdivision, N23 21'33"E, 85.71 feet to a corner of this easement;

THENCE, S66 35'50"E, 15.00 feet to a corner of this easement, said corner being in the easterly line of said Lot 3 and also in a westerly line of the above-mentioned 5.264 acre tract;

THENCE, with the easterly line of said Lot 3 and a westerly line of said 5.264 acre tract, S23 21'33"W, 14.48 feet to the POINT OF BEGINNING of this easement and containing 1281.56 square feet of land, more or less.

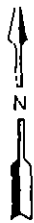
BEARING BASIS:
Easterly line of Lot 3, Block A,
Schmidt Resubdivision,
Document #200100030, Plat Records,
Travis County, Texas

APPROVED:
Phillip M. Craft, RPLS #4463
Pipeline Engineering Division
Water and Wastewater Utility
City of Austin, Texas



11/15/01

1"=30'



Lot 3
Block A

5.264 Acres
Virginia Ann Norris, Trustee
and Richard Dorrell
Vol. 12173, Pg. 132 &
Vol. 10916, Pg. 602

Wastewater Esmt.
1281.56 Sq. Ft.

S66°15'00"
35'50"E

5' Elec. Esmt.
5' Elec. Esmt.

POB
IRF

14.48
S23°21'33"W

15' Wastewater Esmt.
2001032127

Lot 2,
Block A

15.00
N68°33'21"W

retaining
wall

Remainder of
Lot 1
Spray Subd
(28/31)

Celeta Ln.

Existing Curb

SCHMIDT RESUBDIVISION
DOC. #200100030

Lot 1
Block A



SKETCH TO ACCOMPANY FIELD NOTES



Water &
Wastewater Utility

Date: 11/15/01

Sketch prepared from survey
data gathered from field work
directly overseen by Phillip M.
Craft, R.P.L.S. #4463

Phillip M. Craft