

RESOLUTION NO. 20050623-033

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

WHEREAS, the City of Austin has attempted to purchase said real property interests and has been unable to agree with the owner of the real property interests 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 interests needed by the City, to acquire certain real property interests at the location hereinafter stated, for the purpose hereinafter stated, and from the owner hereinafter stated and/or his successors in interest, and to take whatever other action may be deemed appropriate to economically effect the needed acquisitions; said real property interests to be acquired are described in Exhibits "A," "B," "C," "D," "E," and "F," which are attached hereto and made a part hereof for all purposes.

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

Owner: Edwin B. Ermis

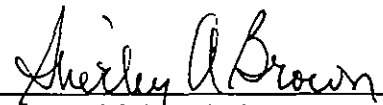
Project: Ditmar Road Improvements Project

Intended Purpose: two permanent street right-of-ways for improvements and/or widening of a street or roadway for public use; a permanent water quality and drainage easement and a permanent slope easement to ensure water quality and to control rainwater runoff and/or prevent flooding on this and neighboring properties; and a temporary construction easement and temporary workspace easement which are necessary to implement the work to be done on the permanent easements described above.

Location: 1502 West Dittmar Road, Austin, Texas, and see attached field notes.

ADOPTED: June 23, 2005

ATTEST:



Shirley A. Brown
City Clerk

Edwin B. Ermis
to
City of Austin
(for Street Purpose)
Dittmar Road

Field Notes for Parcel 3A

BEING 0.581 OF ONE ACRE (25,327 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE WILLIAM CANNON SURVEY NO.19 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE TRACT CONVEYED TO EDWIN B. ERMIS BY DEED FILED FOR RECORD ON NOVEMBER 20, 1967 RECORDED IN VOLUME 3387, PAGE 2048 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.581 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

Commencing at a 1/2 inch iron pin found at the northeast corner of the tract conveyed to Edwin B. Ermis by deed recorded in Volume 3387, Page 2048 of the Real Property Records of Travis County, Texas, same being at a corner in the westerly line of the tract conveyed to Healthcare Rehabilitation Center of Austin by deed recorded in Volume 12988, Page 661 of the Real Property Records of Travis County, Texas; thence as follows:

South 00°08'41" East, a distance of 871.70 feet, with the east line of said Ermis tract and the west line of said Healthcare Rehabilitation Center of Austin tract, to a 5/8 inch iron pin with tag set in the proposed north line of Dittmar Road;

South 87°01'27" West, a distance of 50.01 feet, with the proposed north line of Dittmar Road to a 5/8 inch iron pin with tag set for the Point of Beginning and the northeast corner of the herein described tract of land, having grid coordinates, N=10040316.55 and E=3093852.93;

(1) THENCE, South 00°09'14" East, a distance of 27.91 feet, to a point in the existing north line of Dittmar Road and in the south line of said Ermis tract for the southeast corner of the herein described tract of land;

(2) THENCE, South 87°16'19" West, a distance of 931.24 feet, with the existing north line of Dittmar Road and the south line of said Ermis tract, to a point in the east line of the tract conveyed to Union Pacific Railroad (successor to International & Great Northern Railway) by deed recorded in Volume 46, Page 465 of the Real Property Records of Travis County, Texas, same being the southwest corner of said Ermis tract for the southwest corner of the herein described tract of land;

(3) THENCE, North 29°29'44" East, a distance of 54.60 feet, with the east line of said Union Pacific tract, and the west line of said Ermis tract, to a 5/8 inch iron pin with tag set in the proposed north line of Dittmar Road, for the northwest corner of the herein described tract of land;

(4) THENCE, South 80°31'07" East, a distance of 42.42 feet, with the proposed north line of Dittmar Road, to a 5/8 inch iron pin with tag set at the point of curvature of a circular curve to the left;

(5) THENCE, along said curve to the left of 555.00 feet radius, an arc distance of 120.67 feet, having an angle of intersection of 12°27'26" (the

EXHIBIT "A"

Page 1 of 3

long chord of said curve bears South 86°44'50" East a distance of 120.43 feet), to a 5/8 inch iron pin with tag set for the point of tangency;

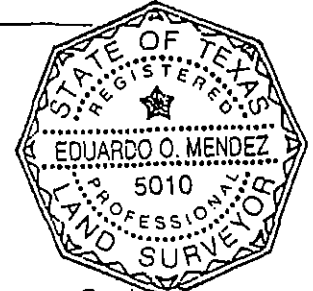
(6) THENCE, North 87°01'27" East, a distance of 742.14 feet, to the Point of Beginning and containing an area of 0.581 of one acre of land, more or less.

Eduardo O. Mendez

Eduardo O. Mendez
Registered Professional Land Surveyor 5010

9/14/01
Date

Martinez, Wright & Mendez, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723
(512) 453-0767



References:

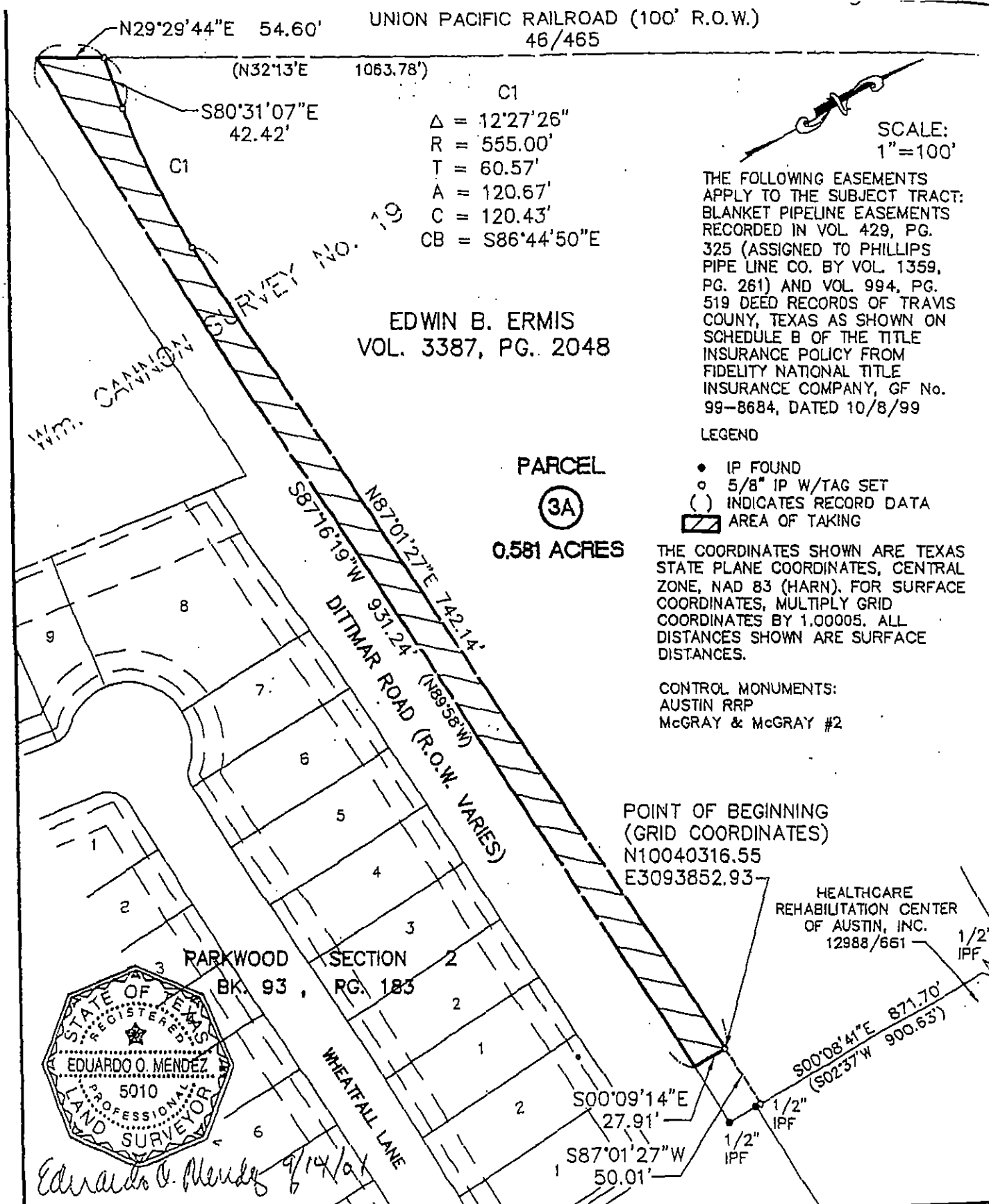
Bearing Basis: The coordinates shown are State Plane Coordinates, Central Zone, NAD 83 (HARN). For surface coordinates, divide by an adjustment factor of 0.99995.

TCAD No. : 4-2318-02-01

Austin Grid: F15-4

FIELD NOTES REVIEWED
By *[Signature]* Date *9-21-01*
Arch./Eng. Services Division
Department of Public Works
and Transportation

EXHIBIT "A"
Page 2 of 3



UNION PACIFIC RAILROAD (100' R.O.W.)
46/465

C1
 $\Delta = 12'27.26''$
 $R = 555.00'$
 $T = 60.57'$
 $A = 120.67'$
 $C = 120.43'$
 $CB = S86^\circ44'50''E$

SCALE:
1"=100'

THE FOLLOWING EASEMENTS APPLY TO THE SUBJECT TRACT: BLANKET PIPELINE EASEMENTS RECORDED IN VOL. 429, PG. 325 (ASSIGNED TO PHILLIPS PIPE LINE CO. BY VOL. 1359, PG. 261) AND VOL. 994, PG. 519 DEED RECORDS OF TRAVIS COUNTY, TEXAS AS SHOWN ON SCHEDULE B OF THE TITLE INSURANCE POLICY FROM FIDELITY NATIONAL TITLE INSURANCE COMPANY, GF No. 99-8684, DATED 10/8/99

EDWIN B. ERMIS
VOL. 3387, PG. 2048

PARCEL
(3A)
 0.581 ACRES

- LEGEND
- IP FOUND
 - 5/8" IP W/TAG SET
 - () INDICATES RECORD DATA
 - AREA OF TAKING

THE COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATES, CENTRAL ZONE, NAD 83 (HARN). FOR SURFACE COORDINATES, MULTIPLY GRID COORDINATES BY 1.00005. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

CONTROL MONUMENTS:
AUSTIN RRP
McGRAY & McGRAY #2

POINT OF BEGINNING
(GRID COORDINATES)
N10040316.55
E3093852.93

HEALTHCARE
REHABILITATION CENTER
OF AUSTIN, INC.
12988/661



Eduardo O. Mendez 9/14/01

**MARTINEZ
WRIGHT &
MENDEZ**
Civil Engineering, Land Surveying, Architecture

Twin Towers, 1105 Clayton Lane
Suite 400K, Austin, Texas 78723
(tel) 512.453.0757 (fax) 512.453.1734

Oldo Raines Building, 102 E. Main St.
Suite 200, Round Rock, Texas 73164
(tel) 512.255.1833 (fax) 512.255.3301

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 14 SEP 0
JOB NO: 023-57A
FILE: PAR3A.D

3
1 OF 3

Edwin B. Ermis
to
City of Austin
(for Street Purpose)
Dittmar Road

Field Notes for Parcel 3B

BEING 0.032 OF ONE ACRE (1,400 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE WILLIAM CANNON SURVEY NO.19 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE TRACT CONVEYED TO EDWIN B. ERMIS BY DEED FILED FOR RECORD ON NOVEMBER 20, 1967 RECORDED IN VOLUME 3387, PAGE 2048 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.032 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a 5/8 inch iron pin with tag set in the proposed north line of Dittmar Road and in the east line of the tract conveyed to Edwin B. Ermis by deed recorded in Volume 3387, Page 2048 of the Real Property Records of Travis County, Texas, same being in a west line of the tract conveyed to Healthcare Rehabilitation Center of Austin, Inc., by deed recorded in Volume 12988, Page 661 of the Real Property Records of Travis County, Texas, same also being South 00°08'41" East, a distance of 871.70 feet from a 1/2 inch iron pin found at the northeast corner of said Ermis tract, for the Point of Beginning and the northeast corner of the herein described tract of land, having grid coordinates, N=10040319.15 and E=3093902.88.

(1) THENCE, South 00°08'41" East, with the east line of said Ermis tract and the west line of said Healthcare Rehabilitation Center of Austin tract, at 4.34 feet passing a 1/2 inch iron pin found at the southwest corner of said Healthcare Rehabilitation Center of Austin tract, in all a distance of 28.13 feet to 1/2 inch iron pin found in the existing north line of Dittmar Road, same being the southeast corner of said Ermis tract and the southeast corner of the herein described tract of land;

(2) THENCE, South 87°16'19" West, a distance of 50.00 feet, with the existing north line of Dittmar Road and the south line of said Ermis tract, to a point for the southwest corner of the herein described tract of land;

(3) THENCE, North 00°09'14" East, a distance of 27.91 feet, to a 5/8 inch iron pin with tag set in the proposed north line of Dittmar Road, for the northwest corner of the herein described tract of land;

(4) THENCE, North 87°01'27" East, a distance of 50.01 feet, with the proposed north line of Dittmar Road, to the Point of Beginning and containing an area of 0.032 of one acre of land, more or less.

Eduardo O. Mendez

Eduardo O. Mendez
Registered Professional Land Surveyor 5010

Martinez, Wright & Mendez, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723
(512) 453-0767

References:

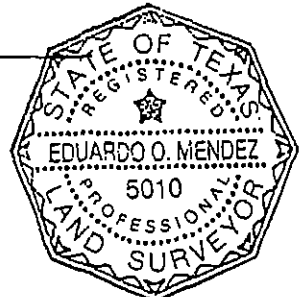
Bearing Basis: The coordinates shown are State Plane Coordinates, Central Zone, NAD 83(HARN). For surface coordinates, divide by an adjustment factor of 0.99995.

TCAD No. : 4-2318-02-01
Austin Grid: F15-4

EXHIBIT "B"
Page 1 of 2

S:\Project

9/14/01
Date



FIELD NOTES REVIEWED

By *[Signature]* Date *9-21-01*
Arch./Eng. Services Division
Department of Public Works
and Transportation

THE FOLLOWING EASEMENTS
APPLY TO THE SUBJECT
TRACT:
BLANKET PIPELINE
EASEMENTS RECORDED IN
VOL. 429, PG. 325
(ASSIGNED TO PHILLIPS PIPE
LINE CO. BY VOL. 1359, PG.
261) AND VOL. 994, PG.
519 DEED RECORDS OF
TRAVIS COUNTY, TEXAS AS
SHOWN ON SCHEDULE B OF
THE TITLE INSURANCE
POLICY FROM FIDELITY
NATIONAL TITLE INSURANCE
COMPANY, GF No. 99-8684,
DATED 10/8/99

SCALE:
1"=50'

WM. CANNON SURVEY NO. 19

LEGEND

- IP FOUND
- 5/8" IP W/TAG SET
- () INDICATES RECORD DATA
- ▨ AREA OF TAKING

THE COORDINATES SHOWN ARE TEXAS
STATE PLANE COORDINATES, CENTRAL
ZONE, NAD 83 (HARN). FOR SURFACE
COORDINATES, MULTIPLY GRID
COORDINATES BY 1.00005. ALL
DISTANCES SHOWN ARE SURFACE
DISTANCES.

EDWIN B. ERMIS
VOL. 3387, PG. 2048

CONTROL MONUMENTS:
AUSTIN RRP
McGRAY & McGRAY #2

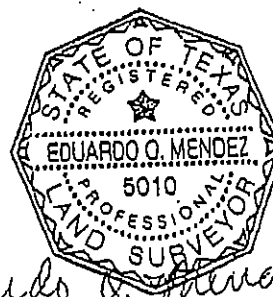
PARCEL

(3E)

0.032 ACRES

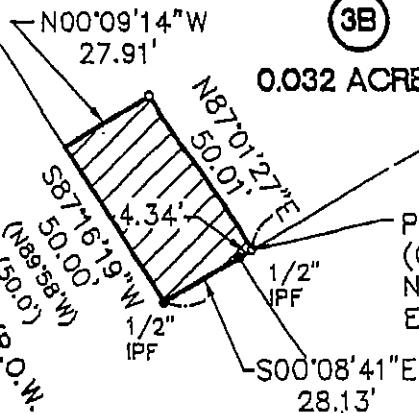
HEALTHCARE
REHABILITATION CENTER
OF AUSTIN, INC.
12988/661

POINT OF BEGINNING
(GRID COORDINATES)
N10040319.15
E3093902.88



Eduardo O. Mendez 9/19/01

DITTMAR ROAD (R.O.W. VARIES)
DEMPSEY LANE



**MARTINEZ
WRIGHT &
MENDEZ**
Civil Engineering, Land Surveying, Architecture

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(tel) 512.255.1833 (fax) 512.255.5201

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 14 SEP 01
JOB NO: 023-57A
FILE: PARC8.D7

2
2 OF 2

Edwin B. Ermis
to
City of Austin
(for Water Quality and
Drainage Easement)
Dittmar Road

Field Notes for Parcel 3DE

BEING 2.302 ACRES (100,288 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE WILLIAM CANNON SURVEY NO.19 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE TRACT CONVEYED TO EDWIN B. ERMIS BY DEED FILED FOR RECORD ON NOVEMBER 20, 1967 RECORDED IN VOLUME 3387, PAGE 2048 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.302 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

Commencing at a 1/2 inch iron pin found at the northeast corner of the tract conveyed to Edwin B. Ermis by deed recorded in Volume 3387, Page 2048 of the Real Property Records of Travis County, Texas, same being a corner in the west line of the tract conveyed to Healthcare Rehabilitation Center of Austin, Inc., by deed recorded in Volume 12988, Page 661 of the Real Property Records of Travis County, Texas, thence as follows:

South $00^{\circ}08'41''$ East, a distance of 871.70 feet, with the east line of said Ermis tract and the west line of said Healthcare Rehabilitation Center of Austin tract, to a 5/8 inch iron pin with tag set in the proposed north line of Dittmar Road;

South $87^{\circ}01'27''$ West, a distance of 730.68 feet, with the proposed north line of Dittmar Road to a 5/8 inch iron pin with tag set for the Point of Beginning and the southeast corner of the herein described tract of land, having grid coordinates, N=10040281.22 and E=3093173.21;

(1) THENCE, South $87^{\circ}01'27''$ West, a distance of 61.48 feet, with the proposed north line of Dittmar Road to a 5/8 inch iron pin with tag set for the point of tangency of a circular curve to the right;

(2) THENCE, along said curve to the right of 555.00 feet radius, an arc distance of 120.67 feet, having an angle of intersection of $12^{\circ}27'26''$, (the long chord of said curve bears North $86^{\circ}44'50''$ West, a distance of 120.43 feet) to a 5/8 inch iron pin with tag set for the point of tangency;

(3) THENCE, North $80^{\circ}31'07''$ West, a distance of 42.42 feet, to a 5/8 inch iron pin with tag set in the east line of the tract conveyed to Union Pacific Railroad (successor to International & Great Northern Railway) by deed recorded in Volume 46, Page 465 of the Real Property Records of Travis County, Texas, same being in the west line of said Ermis tract, for the most westerly corner of the herein described tract of land;

(4) THENCE, North $29^{\circ}29'44''$ East, a distance of 866.91 feet, with the east line of said Union Pacific tract and the west line of said Ermis tract, to a 5/8 inch iron pin with tag set, for the most northerly corner of the herein described tract of land;

(5) THENCE, South $62^{\circ}10'25''$ East, a distance of 84.99 feet, to a 5/8 inch iron pin with tag set for the most easterly corner of the herein described tract of land;

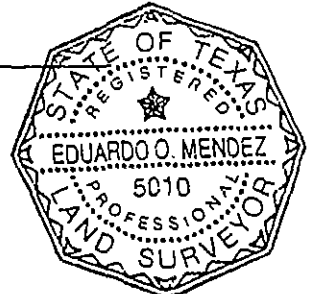
EXHIBIT "C"
Page 1 of 3

- (6) THENCE, South 27°49'35" West, a distance of 75.00 feet, to a 5/8 inch iron pin with tag set for a corner;
- (7) THENCE, North 62°10'25" West, a distance of 38.06 feet, to a 5/8 inch iron pin with tag set for a corner;
- (8) THENCE, South 25°54'53" West, a distance of 259.17 feet, to a 5/8 inch iron pin with tag set for a corner;
- (9) THENCE, South 06°20'40" East, a distance of 200.56 feet, to a 5/8 inch iron pin with tag set for a corner;
- (10) THENCE, South 34°10'41" West, a distance of 217.36 feet, to a 5/8 inch iron pin with tag set for a corner;
- (11) THENCE, South 02°58'33" East, a distance of 64.77 feet, to the Point of Beginning and containing an area of 2.302 acres of land, more or less.

Eduardo O. Mendez

Eduardo O. Mendez
Registered Professional Land Surveyor 5010

9/14/01
Date



Martinez, Wright & Mendez, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723
(512) 453-0767

References:

Bearing Basis: The coordinates shown are State Plane Coordinates, Central Zone, NAD 83 (HARN). For surface coordinates, divide by an adjustment factor of 0.99995.

TCAD No. : 4-2318-02-01
Austin Grid: F15-4

FIELD NOTES REVIEWED

By *Amelia Jones* Date *9/21/01*
Arch/Eng. Services Division
Department of Public Works
and Transportation

EXHIBIT "C"
Page 2 of 3

THE COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATES, CENTRAL ZONE, NAD 83 (HARN). FOR SURFACE COORDINATES, MULTIPLY GRID COORDINATES BY 1.00005. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

CONTROL MONUMENTS:
AUSTIN RRP
McGRAY & McGRAY #2

LEGEND

- IP FOUND
- 5/8" IP W/TAG SET
- () INDICATES RECORD DATA
- ▨ AREA OF EASEMENT

THE FOLLOWING EASEMENTS APPLY TO THE SUBJECT TRACT:
BLANKET PIPELINE EASEMENTS RECORDED IN VOL. 429, PG. 325 (ASSIGNED TO PHILLIPS PIPE LINE CO. BY VOL. 1359, PG. 261) AND VOL. 994, PG. 519 DEED RECORDS OF TRAVIS COUNTY, TEXAS AS SHOWN ON SCHEDULE B OF THE TITLE INSURANCE POLICY FROM FIDELITY NATIONAL TITLE INSURANCE COMPANY, GF No. 99-8684, DATED 10/8/99

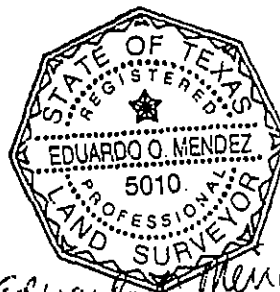
WATERLOO SUBDIVISION
UNION PACIFIC RAILROAD (100' R.O.W.)
46/465
(N32°13'E 1063.78')

1/2" IPF
SCALE: 1"=100'

C1
Δ = 12°27'26"
R = 555.00'
T = 60.57'
A = 120.67'
C = 120.43'
CB = N86°44'50"W

PARCEL
③ DE
2.302 ACRES

EDWIN B. ERMIS
VOL. 3387, PG. 2048



Eduardo O. Mendez
9/14/01

S00°08'41"E 871.70'

HEALTHCARE REHABILITATION
CENTER OF AUSTIN, INC.
12988/661

N80°31'07"W 42.42'
S87°01'27"W 61.48'
S02°58'33"E 64.77'
S87°01'27"W 730.68'

POINT OF BEGINNING
(GRID COORDINATES)
N10040281.22
E3093173.21

DITTMAR ROAD (R.O.W. VARIES)

**MARTINEZ
WRIGHT &
MENDEZ**
Civil Engineering, Land Surveying, Architecture

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(tel) 512.453.0787 (fax) 512.453.1734

Otto Reike Building, 102 E. Main St.
Suite 200, Round Rock, Texas 78664
(tel) 512.255.1833 (fax) 512.255.5301

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 14 SEP 01
JOB NO: 023-57A
FILE: PAR002C

3
3 OF 3

Edwin B. Ermis
to
City of Austin
(for Slope Easement)
Dittmar Road

Field Notes for Parcel 3SE

BEING 0.093 OF ONE ACRE (4,053 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE WILLIAM CANNON SURVEY NO.19 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE TRACT CONVEYED TO EDWIN B. ERMIS BY DEED FILED FOR RECORD ON NOVEMBER 20, 1967 RECORDED IN VOLUME 3387, PAGE 2048 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.093 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

Commencing at a 1/2 inch iron pin found at the northeast corner of the tract conveyed to Edwin B. Ermis by deed recorded in Volume 3387, Page 2048 of the Real Property Records of Travis County, Texas, same being at a corner in the west line of the tract conveyed to Healthcare Rehabilitation Center of Austin, Inc., by deed recorded in Volume 12988, Page 661 of the Real Property Records of Travis County, Texas, thence as follows:

South 00°08'41" East, a distance of 871.70 feet, with the east line of said Ermis tract and the west line of said Healthcare Rehabilitation Center of Austin tract, to a 5/8 inch iron pin with tag set in the proposed north line of Dittmar Road;

South 87°01'27" West, a distance of 382.04 feet, with the proposed north line of Dittmar Road to the Point of Beginning and the most easterly corner of the herein described tract of land, having grid coordinates N=10040299.32 and E=3093521.37;

(1) THENCE, South 87°01'27" West, a distance of 348.64 feet, with the proposed north line of Dittmar Road to a 5/8 inch iron pin with tag set for the southwest corner of the herein described tract of land;

(2) THENCE, North 02°58'33" West, a distance of 23.25 feet, to a point for the most northerly corner of the herein described tract of land;

(3) THENCE, South 89°09'37" East, a distance of 349.41 feet, to the Point of Beginning and containing an area of 0.093 of one acre of land, more or less.

Eduardo O. Mendez
Eduardo O. Mendez
Registered Professional Land Surveyor 5010

9/14/01
Date

Martinez, Wright & Mendez, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723
(512) 453-0767

References:

Bearing Basis: The coordinates shown are State Plane Coordinates, Central Zone, NAD 83 (HARN). For surface coordinates, divide by an adjustment factor of 0.99995.

TCAD No. : 4-2318-02-01
Austin Grid: F15-4

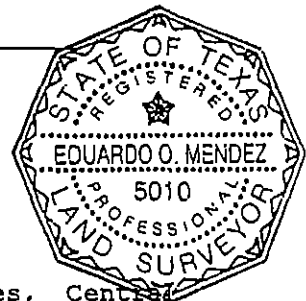


EXHIBIT "D"
Page 1 of 2

FIELD NOTES REVIEWED
By [Signature] Date 9-21-01
Arch/Eng Services Division
Department of Public Works
and Transportation

SCALE:
1"=100'

37

UNION PACIFIC RAILROAD (100' R.O.W.)
46/465

Wm. CANNON SURVEY NO. 19

EDWIN B. ERMIS
VOL. 3387, PG. 2048

PARCEL

3 SE

0.093 ACRES

N02°58'33"W
23.25'

S89°09'37"E 349.41'

S87°01'27"W 348.64'

S87°01'27"W
382.04'

DITTMAR ROAD (R.O.W. VARIES)

POINT OF BEGINNING
(GRID COORDINATES)
N10040299.32
E3093521.37

THE COORDINATES SHOWN ARE TEXAS
STATE PLANE COORDINATES, CENTRAL
ZONE, NAD 83 (HARN). FOR SURFACE
COORDINATES, MULTIPLY GRID
COORDINATES BY 1.00005. ALL
DISTANCES SHOWN ARE SURFACE
DISTANCES.

CONTROL MONUMENTS:
AUSTIN RRP
McGRAY & McGRAY #2

LEGEND

- IP FOUND
- o 5/8" IP W/TAG SET
- () INDICATES RECORD DATA
- ▨ AREA OF EASEMENT

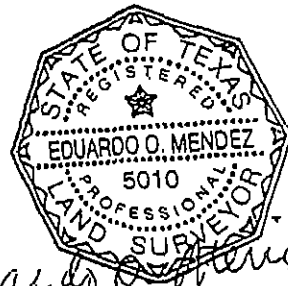
THE FOLLOWING EASEMENTS
APPLY TO THE SUBJECT
TRACT:
BLANKET PIPELINE
EASEMENTS RECORDED IN
VOL. 429, PG. 325
(ASSIGNED TO PHILLIPS PIPE
LINE CO. BY VOL. 1359, PG.
261) AND VOL. 994, PG.
519 DEED RECORDS OF
TRAVIS COUNTY, TEXAS AS
SHOWN ON SCHEDULE B OF
THE TITLE INSURANCE
POLICY FROM FIDELITY
NATIONAL TITLE INSURANCE
COMPANY, GF No. 99-8684,
DATED 10/8/99

1/2"
IPF

(502°37'W)

500°08'41"E 871.70'

HEALTHCARE REHABILITATION
CENTER OF AUSTIN, INC.
12988/661



Eduardo O. Mendez 9/14/01



Twin Towers, 1106 Clayton Lane
Suite 400W, Austin, Texas 78723
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Cito Rouse Building, 102 E. Main St.
Suite 200, Round Rock, Texas 78664
(tel) 512.255.1833 (fax) 512.255.5301

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 14 SEP 01
JOB NO: 023-57A
FILE: PAR35E

2
2 OF 2

Edwin B. Ermis ~
to
City of Austin
(for Temporary
Construction Easement)
Dittmar Road

Field Notes for Parcel 3A TWSE

BEING 0.461 OF ONE ACRE (20,088 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE WILLIAM CANNON SURVEY NO.19 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE TRACT CONVEYED TO EDWIN B. ERMIS BY DEED FILED FOR RECORD ON NOVEMBER 20, 1967 RECORDED IN VOLUME 3387, PAGE 2048 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.461 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

Commencing at a 1/2 inch iron pin found at the northeast corner of the tract conveyed to Edwin B. Ermis by deed recorded in Volume 3387, Page 2048 of the Real Property Records of Travis County, Texas, same being at a corner in the west line of the tract conveyed to Healthcare Rehabilitation Center of Austin, Inc., by deed recorded in Volume 12988, Page 661 of the Real Property Records of Travis County, Texas, thence as follows:

South 00°08'41" East, a distance of 871.70 feet, with the east line of said Ermis tract and the west line of said Healthcare Rehabilitation Center of Austin, Inc. tract, to a 5/8 inch iron pin with tag set in the proposed north line of Dittmar Road;

South 87°01'27" West, a distance of 317.92 feet, with the proposed north line of Dittmar Road to the Point of Beginning and the southeast corner of the herein described tract of land and having grid coordinates, N=10040302.65 and E=3093585.40;

(1) THENCE, South 87°01'27" West, a distance of 64.12 feet, with the proposed north line of Dittmar Road to a point for a corner;

(2) THENCE, North 89°09'37" West, a distance of 349.41 feet, to a point for a corner;

(3) THENCE, North 02°58'33" West, a distance of 41.51 feet, to a 5/8 inch iron pin with tag set for a corner;

(4) THENCE, North 34°10'41" East, a distance of 217.36 feet, to a 5/8 inch iron pin with tag set for a corner;

(5) THENCE, North 06°20'40" West, a distance of 200.56 feet, to a 5/8 inch iron pin with tag set for a corner;

(6) THENCE, North 25°54'53" East, a distance of 259.17 feet, to a 5/8 inch iron pin with tag set for a corner;

(7) THENCE, South 62°10'25" East, a distance of 38.06 feet, to a 5/8 inch iron pin with tag set for a corner;

(8) THENCE, North 27°49'35" East, a distance of 75.00 feet, to a 5/8 inch iron pin with tag set for a corner;

(9) THENCE, North 62°10'25" West, a distance of 84.99 feet, to a 5/8 inch iron pin with tag set in the east line of the tract conveyed to Union Pacific Railroad (successor to International & Great Northern Railway) by deed recorded in Volume 46, Page 465 of the Real Property Records of Travis County, Texas, same being in the west line of said Ermis tract;

EXHIBIT "E"
Page 1 of 3

(10) THENCE, North 29°29'44" East, a distance of 15.01 feet, with the east line of said Union Pacific tract, and the west line of said Ermis tract, to a point for the most northerly corner of the herein described tract of land;

(11) THENCE, South 62°10'25" East, a distance of 99.56 feet, to a point for a corner;

(12) THENCE, South 27°49'35" West, a distance of 105.00 feet, to a point for a corner;

(13) THENCE, North 62°10'25" West, a distance of 37.55 feet, to a point for a corner;

(14) THENCE, South 25°54'53" West, a distance of 239.32 feet, to a point for a corner;

(15) THENCE, South 06°20'40" East, a distance of 201.76 feet, to a point for a corner;

(16) THENCE, South 34°10'41" West, a distance of 217.86 feet, to a point for a corner;

(17) THENCE, South 02°58'33" East, a distance of 22.44 feet, to a point for a corner;

(18) THENCE, South 89°09'37" East, a distance of 356.81 feet, to a point for a corner;

(19) THENCE, North 02°58'33" West, a distance of 6.46 feet, to a point for a corner;

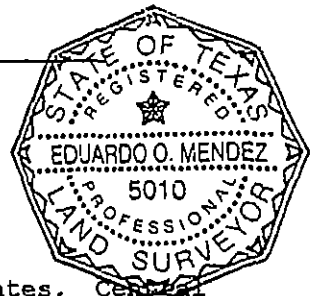
(20) THENCE, North 87°01'27" East, a distance of 41.74 feet, to a point for a corner;

(21) THENCE, South 02°58'33" East, a distance of 20.00 feet, to the Point of Beginning and containing an area of 0.461 of one acre of land, more or less.

Eduardo O. Mendez

Eduardo O. Mendez
Registered Professional Land Surveyor 5010

9/14/01
Date



Martinez, Wright & Mendez, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723
(512) 453-0767

References:

Bearing Basis: The coordinates shown are State Plane Coordinates, Central Zone, NAD 83 (HARN). For surface coordinates, divide by an adjustment factor of 0.99995.

TCAD No. : 4-2318-02-01
Austin Grid: F15-4

FIELD NOTES REVIEWED

By *Amelia* Date *9-21-01*

Arch. Eng. Services Division
Department of Public Works
and Transportation

EXHIBIT "E"
Page 2 of 3

1/2" IPF

THE COORDINATES SHOWN ARE TEXAS STATE PLANE COORDINATES, CENTRAL ZONE, NAD 83 (HARN). FOR SURFACE COORDINATES, MULTIPLY GRID COORDINATES BY 1.00005. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

CONTROL MONUMENTS:
AUSTIN RRP
McGRAY & McGRAY #2

LEGEND

- IP FOUND
- 5/8" IP W/TAG SET
- () INDICATES RECORD DATA
- ▨ AREA OF EASEMENT

THE FOLLOWING EASEMENTS APPLY TO THE SUBJECT TRACT:
BLANKET PIPELINE EASEMENTS RECORDED IN VOL. 429, PG. 325 (ASSIGNED TO PHILLIPS PIPE LINE CO. BY VOL. 1359, PG. 261) AND VOL. 994, PG. 519 DEED RECORDS OF TRAVIS COUNTY, TEXAS AS SHOWN ON SCHEDULE B OF THE TITLE INSURANCE POLICY FROM FIDELITY NATIONAL TITLE INSURANCE COMPANY, GF No. 99-8684, DATED 10/8/99

(S02°37'W)

S00°08'41"E 871.70'

HEALTHCARE REHABILITATION
CENTER OF AUSTIN, INC.
12988/661

SCALE:
1"=100'

UNION PACIFIC RAILROAD (100' R.O.W.)
46/465

Wm. CANNON
RIVER

N29°29'44"E 15.01'
S62°10'25"E 99.56'
N62°10'25"W 84.99'
N27°49'35"E 75.00'
S62°10'25"E 38.06'
S27°49'35"W 105.00'
N62°10'25"W 37.55'

N25°34'53"E 259.17'
S25°34'53"W 239.32'
15'

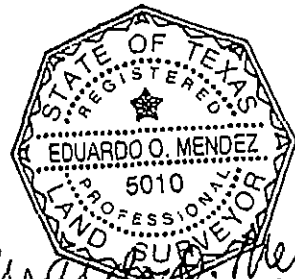
S06°20'40"E 201.76'
N06°20'40"W 200.56'

PARCEL

3A TWSE

0.461 ACRES

EDWIN B. ERMIS
VOL. 3387, PG. 2048



Eduardo O. Mendez
9/14/01

N02°58'33"W 41.51'
S02°58'33"E 22.44'
N34°10'41"E 217.36'
S34°10'41"W 217.86'
N02°58'33"W 6.46'
N87°01'27"E 41.74'
S02°58'33"E 20.00'
S87°01'27"W 317.92'
N89°09'37"E 356.81'
S89°09'37"W 349.41'
S87°01'27"W 64.12'

1/2" IPF
1/2" IPF

POINT OF BEGINNING
(GRID COORDINATES)
N10040302.65
E3093585.40

DITTMAR ROAD (R.O.W. VARIES)

**MARTINEZ
WRIGHT &
MENDEZ**
Civil Engineering, Land Surveying, Architecture

Twin Towers, 1108 Clayton Lane
Suite 400W, Austin, Texas 78723
tel) 512.453.0787 fax) 512.453.1734

Otto Reinke Building, 102 E. Main St.
Suite 200, Round Rock, Texas 76664
tel) 512.253.1833 fax) 512.253.5301

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 14 SEP 01
JOB NO: 023-57A
FILE: SATWSE.DWG

3
3 OF 3

Edwin B. Ermis
to
City of Austin
(for Temporary
Workspace Easement)
Dittmar Road

Field Notes for Parcel 3B TWSE

BEING 0.023 OF ONE ACRE (1,000 S.F.) OF LAND, MORE OR LESS,
OUT OF AND A PART OF THE WILLIAM CANNON SURVEY NO.19 IN TRAVIS
COUNTY, TEXAS, SAME BEING A PORTION OF THE TRACT CONVEYED TO
EDWIN B. ERMIS BY DEED FILED FOR RECORD ON NOVEMBER 30, 1970
RECORDED IN VOLUME 3387, PAGE 2048 OF THE REAL PROPERTY
RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.023 OF ONE ACRE OF
LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS
FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a 5/8 inch iron pin with tag set in the proposed north line of Dittmar Road, same being in the east line of the tract conveyed to Edwin B. Ermis by deed recorded in Volume 3387, Page 2048 of the Real Property Records of Travis County, Texas and in a west line of the tract conveyed to Healthcare Rehabilitation Center of Austin, Inc., by deed recorded in Volume 12988, Page 661 of the Real Property Records of Travis County, Texas, same also being South 00°08'41" East, a distance of 871.70 feet from a 1/2 inch iron pin found at the northeast corner of said Ermis tract, for the Point of Beginning and the southeast corner of the herein described tract of land, having grid coordinates, N=10040319.15 and E=3093902.88;

(1) THENCE, South 87°01'27" West, a distance of 50.01 feet with the proposed north line of Dittmar Road, to a 5/8 inch iron pin with tag set for the southwest corner of the herein described tract of land;

(2) THENCE, North 00°09'14" East, a distance of 20.02 feet, to a point for the northwest corner of the herein described tract of land;

(3) THENCE, North 87°01'27" East, a distance of 50.02 feet, to a point in the east line of said Ermis tract and in the west line of said Healthcare Rehabilitation Center of Austin tract for the northeast corner of the herein described tract of land;

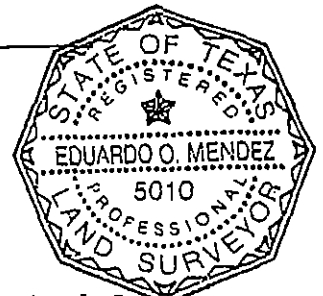
(4) THENCE, South 00°08'41" East, a distance of 20.02 feet, with the east line of said Ermis tract and the west line of said Healthcare Rehabilitation Center of Austin tract to the Point of Beginning and containing an area of 0.023 of one acre of land, more or less.

Eduardo O. Mendez

Eduardo O. Mendez
Registered Professional Land Surveyor 5010

Martinez, Wright & Mendez, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723
(512) 453-0767

9/14/01
Date



References:

Bearing Basis The coordinates shown are State Plane Coordinates, Central Zone, NAD 83(HARN). For surface coordinates, divide by an adjustment factor of 0.99995.

TCAD No. : 4-2318-02-01
Austin Grid: F15-4

EXHIBIT "F"
Page 1 of 2


FIELD NOTES REVIEWED
By *[Signature]* Date *9/21/01*
Arch. Eng. Services Division
Dept. of Public Works
and Transportation

THE FOLLOWING EASEMENTS
APPLY TO THE SUBJECT
TRACT:
BLANKET PIPELINE
EASEMENTS RECORDED IN
VOL. 429, PG. 325
(ASSIGNED TO PHILLIPS PIPE
LINE CO. BY VOL. 1359, PG.
261) AND VOL. 994, PG.
519 DEED RECORDS OF
TRAVIS COUNTY, TEXAS AS
SHOWN ON SCHEDULE B OF
THE TITLE INSURANCE
POLICY FROM FIDELITY
NATIONAL TITLE INSURANCE
COMPANY, GF No. 99-8684,
DATED 10/8/99

SCALE:
1"=50'

WM. CANNON SURVEY No. 19

LEGEND

- IP FOUND
- 5/8" IP W/TAG SET
- () INDICATES RECORD DATA
-  AREA OF EASEMENT

EDWIN B. ERMIS
VOL. 3387, PG. 2048

THE COORDINATES SHOWN ARE TEXAS
STATE PLANE COORDINATES, CENTRAL
ZONE, NAD 83 (HARN). FOR SURFACE
COORDINATES, MULTIPLY GRID
COORDINATES BY 1.00005. ALL
DISTANCES SHOWN ARE SURFACE
DISTANCES.

CONTROL MONUMENTS:
AUSTIN RRP
McGRAY & McGRAY #2

PARCEL

(3B) TWSE

0.023 ACRES

1/2"
IPF

HEALTHCARE
REHABILITATION CENTER
OF AUSTIN, INC.
12988/661

DITMAR ROAD (R.O.W. VARIES)
DEMPSEY LANE

N00°09'14"W
20.02'

N87°01'27"E
50.02'

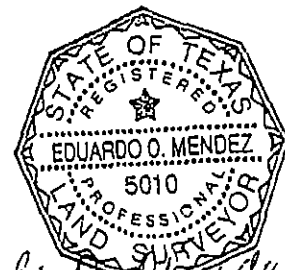
S87°01'27"W
50.01'

S00°08'41"E 871.70'
(S02°37'W 900.63')

S00°08'41"E
20.02'

1/2"
IPF

POINT OF BEGINNING
(GRID COORDINATES)
N10040319.15
E3093902.88



Eduardo O. Mendez 9/14/01



MARTINEZ
WRIGHT &
MENDEZ

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SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 14 SEP 01
JOB NO: 023-67A
FILE: 38TWSE.DWG

2
2 OF 2