

**RESOLUTION NO. 20050623-069**

**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 her successors in interest, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition; said real property interests to be acquired are described in Exhibits "A," and "B," 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: Nancy Marie Edwards

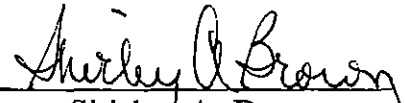
Project: Downtown/White Horse Trail Wastewater Improvements Project, a portion of the Austin Clean Water Program

Intended Purpose: permanent wastewater line easement, to upgrade and improve wastewater lines, to prevent leakage of wastewater lines, and to comply with a federal mandate; and, temporary working space easement, the temporary easement listed above is necessary to install wastewater lines.

Location: 6103 Bull Creek Road, Austin, Texas, and see attached field note.

ADOPTED: June 23, 2005

ATTEST:

  
Shirley A. Brown  
City Clerk

Nancy Marie Edwards  
Lot 37, Allandale Section Three  
To  
City of Austin  
(For 5' Wastewater Easement)

**FIELD NOTES FOR PARCEL 5106.02 WE**

**ALL OF THAT CERTAIN 0.008-ACRE (334 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. SPEAR LEAGUE AND THE JAMES P. DAVIS SURVEY, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OUT OF LOT 37, ALLANDALE SECTION THREE, A SUBDIVISION IN THE CITY OF AUSTIN, RECORDED IN PLAT BOOK 5, PAGE 102 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED BY GENERAL WARRANTY DEED TO NANCY MARIE EDWARDS EXECUTED FEBRUARY 10, 1997 IN VOLUME NO. 12871, PAGE 731 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING FOR POINT OF REFERENCE** at a 1/2" iron rod with plastic cap set on the east right-of-way line of Bull Creek Road (60-foot R.O.W.) at the common front corner of Lot 36 and Lot 37 of said Allandale Section Three; **THENCE**, with the common line between said Lot 36 and Lot 37 S76°05'44"E a distance of 126.64 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined Scale Factor 0.999919) values of N= 10,096,230.48 and E= 3,113,466.83 for the southwest corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, through said Lot 37 and with the west line of a 10-foot drainage easement as recorded in Plat Book 5, Page 102 of the Plat Records of Travis County, Texas and along a curve to the right having a radius of 359.13 feet, and passing at an arc length distance of 5.06 feet the north edge of a 5-foot public utility easement (P.U.E.) as recorded in said Allandale, Section Three and continuing for a total arc length distance of 67.53 feet and a chord which bears N27°29'16"E a distance of 67.43 feet to a calculated point on the common line between said Lot 37 and Lot 38 of said Allandale Section Three for the northwest corner of this tract;

**THENCE**, with the common line between said Lot 37 and Lot 38, S61°28'34"E a distance of 5.01 feet to a calculated point on the curving west line of a 5-foot public utility easement

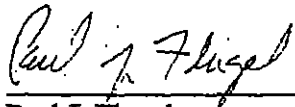
(P.U.E.) as recorded in said Plat Book 5, Page 102 and also in Volume 1058, Page 98, of the Deed Records of Travis County, Texas for the northeast corner of this tract;

**THENCE**, with said curving 5-foot P.U.E. and along a curve to the left having a radius of 354.13 feet, passing at an arc length distance of 61.19 feet and continuing for a total arc length distance of 66.25 feet and a chord which bears S27°34'37"W a distance of 66.16 feet to a calculated point on the common line between said Lot 37 and Lot 36 for the southeast corner of this tract;

**THENCE**, with the common line between said Lot 37 and Lot 36, N76°05'44"W a distance of 5.05 feet to the **POINT OF BEGINNING** and containing 0.008-acre (334 square feet) of land, more or less.

**I HEREBY CERTIFY** that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground in November of 2004 under my supervision.

Prepared by **Landmark Surveying, Inc.**

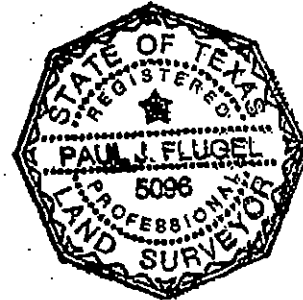


Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Date: December 21, 2004

Revised: February 1, 2005



Bearing Basis: Texas State Plane Coordinates (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined scaled factor = 0.999919). All data derived from NAD '83, coordinates for CB53, CB54 and CB55 as supplied by the City of Austin Monument Data Sheets  
Z:\ClaunchandMiller\Whiterock\fieldnotes\lot37-Allandale3-5'we

Austin Map No 525, Grid J28

TCAD No. 02-3203-0302

**FIELD NOTES REVIEWED**

By: JS Date: 2-1-05

Austin Clean Water Program  
Survey Coordinator

**SURVEY OF A PORTION OF LOT 37,  
ALLANDALE, SECTION THREE,  
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**



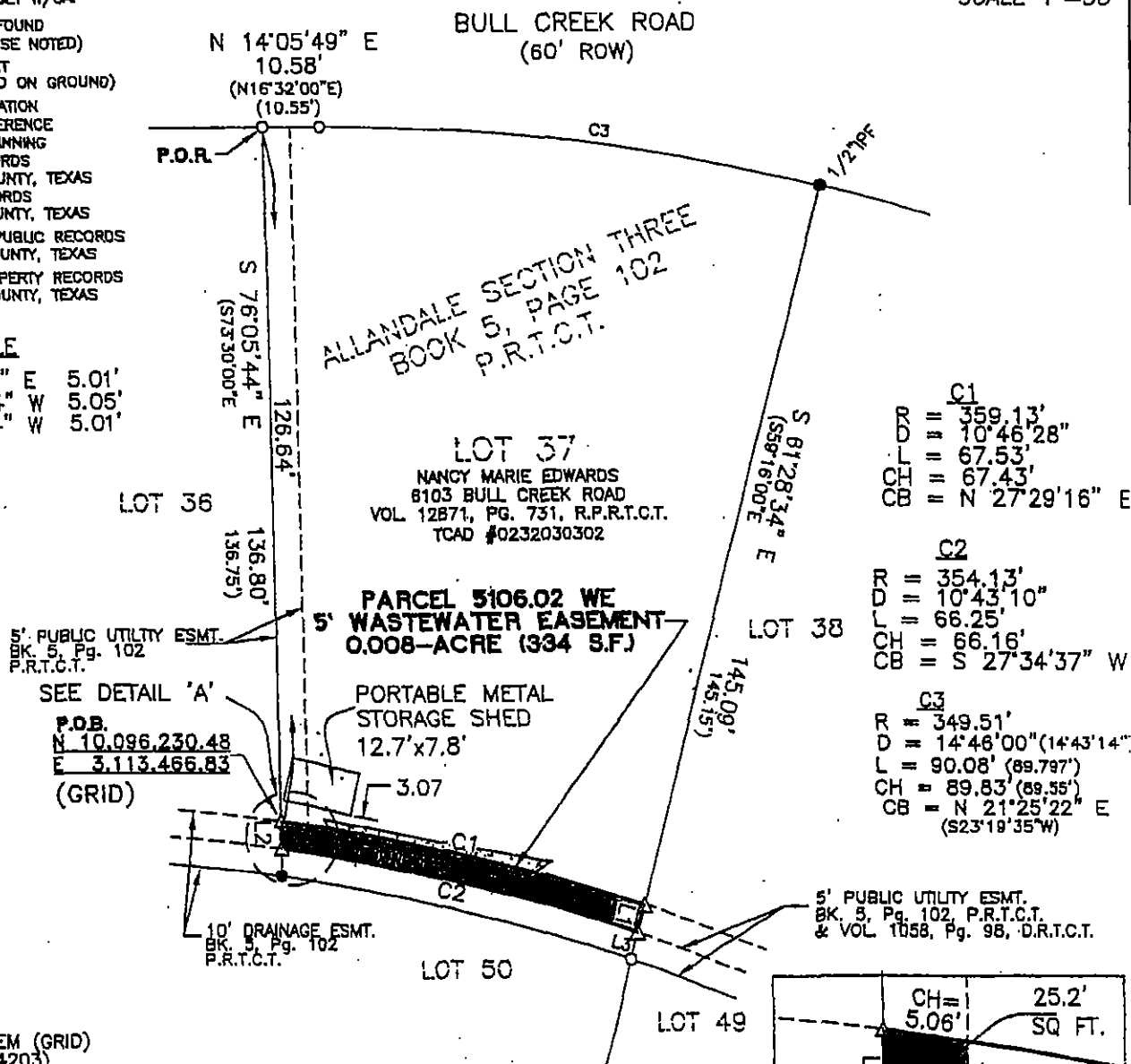
SCALE 1"=30'

**LEGEND**

- 1/2" IRON ROD SET W/CAP
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- ( ) RECORD INFORMATION
- P.O.R. POINT OF REFERENCE
- P.O.B. POINT OF BEGINNING
- P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS

**LINE TABLE**

L1 S 61°28'34" E 5.01'  
L2 N 76°05'44" W 5.05'  
L3 N 61°28'34" W 5.01'



5' PUBLIC UTILITY ESMT.  
BK. 5, Pg. 102  
P.R.T.C.T.

SEE DETAIL 'A'

P.O.B.  
N 10.096.230.48  
E 3.113.466.83  
(GRID)

**PARCEL 5106.02 WE  
5' WASTEWATER EASEMENT  
0.008-ACRE (334 S.F.)**

PORTABLE METAL  
STORAGE SHED  
12.7' x 7.8'

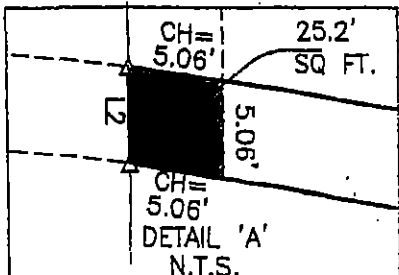
10' DRAINAGE ESMT.  
BK. 5, Pg. 102  
P.R.T.C.T.

5' PUBLIC UTILITY ESMT.  
BK. 5, Pg. 102, P.R.T.C.T.  
& VOL 1058, Pg. 98, D.R.T.C.T.

**C1**  
R = 359.13'  
D = 10°46'28"  
L = 67.53'  
CH = 67.43'  
CB = N 27°29'16" E

**C2**  
R = 354.13'  
D = 10°43'10"  
L = 66.25'  
CH = 66.16'  
CB = S 27°34'37" W

**C3**  
R = 349.51'  
D = 14°46'00" (14°43'14")  
L = 90.08' (89.797")  
CH = 89.83' (89.55")  
CB = N 21°25'22" E  
(S23°19'35" W)



**SKETCH TO  
ACCOMPANY  
FIELD NOTES**

**Landmark  
SURVEYING, INC.**

1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78745  
PH: (512)328-7411 FAX: (512)328-7413



NAD 83  
COORDINATE SYSTEM (GRID)  
TEXAS CENTRAL (4203)  
COMBINED SCALE FACTOR 0.999919  
NAVD 88 VERTICAL DATUM  
HORIZONTAL AND VERTICAL COORDINATES FOR CB 53,  
CB 54, AND CB 55 AS PUBLISHED BY THE CITY OF  
AUSTIN, WERE USED AS THE CONTROLLING MONUMENTS  
FOR THIS SURVEY.

AS SURVEYED BY  
LANDMARK SURVEYING, INC.

**PAUL J. FLUGEL**  
Registered Professional Land Surveyor No. 5096  
DATE : DECEMBER 21, 2004  
REVISED : FEBRUARY 1, 2005

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE  
SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.

Client: CLAUNCH & MILLER, INC.  
Date: DECEMBER 21, 2004  
Office: KGH  
Draw: JMoore, A0choa  
F.B.: 777, 780  
Task: Z:\claunch and miller\whiterock\landmark drawings\grid-staff\seamant\claunch-whiterock-asmts.dwg  
To go: c:\ee\claunch\whiterock c:\augie\claunch\whiterock  
Job No.: 636-03-04

Nancy Marie Edwards  
Lot 37, Allandale Section Three  
To  
City of Austin  
(For 10' Temporary Working Space Easement)

**FIELD NOTES FOR PARCEL 5106.02 TWSE**

**ALL OF THAT CERTAIN 0.013-ACRE (586 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. SPEAR LEAGUE AND THE JAMES P. DAVIS SURVEY, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OUT OF LOT 37, ALLANDALE SECTION THREE, A SUBDIVISION IN THE CITY OF AUSTIN, RECORDED IN PLAT BOOK 5, PAGE 102 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED BY GENERAL WARRANTY DEED EXIECUTED FEBRUARY 10, 1997 TO NANCY MARIE EDWARDS IN VOLUME NO. 12871, PAGE 731 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING FOR POINT OF REFERENCE** at a 1/2" iron rod with plastic cap set on the east right-of-way line of Bull Creek Road (60-foot R.O.W.) at the common front corner of Lot 36 and Lot 37 of said Allandale Section Three; **THENCE**, with the common line between said Lot 36 and Lot 37 S76°05'44"E a distance of 123.16 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined Scale Factor 0.999919) values of N= 10,096,232.32 and E= 3,113,463.45 for the southwest corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, N27°06'29"E, passing at a distance of 5.14 feet the north edge of a 5-foot public utility easement (P.U.E.) as recorded in said Allandale Section Three plat and continuing for a total distance of 13.73 feet to a calculated point for an inside ell corner of this tract;

**THENCE**, N62°53'31"W a distance of 7.53 feet to a calculated point of curvature of a curve to the right;

**THENCE**, along said curve to the right having a radius of 369.13 feet, an arc length of 54.82 feet and a chord which bears N28°30'10"E a distance of 54.77 feet to a calculated

point on the common line between said Lot 37 and Lot 38 of said Allandale Section Three for the northwest corner of this tract;

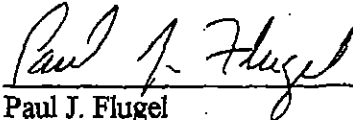
**THENCE**, with the common line between said Lot 37 and Lot 38, S61°28'34"E a distance of 10.03 feet to a calculated point on the curving west line of a 10-foot drainage easement as recorded on the plat of said Allandale Section Three for the northeast corner of this tract;

**THENCE**, with said curving 10-foot drainage easement along a curve to the left having a radius of 359.13 feet, passing at an arc length of 62.47 feet said north edge of 5-foot P.U.E. and continuing for a total arc length distance of 67.53 feet and a chord which bears S27°29'16"W a distance of 67.43 feet to a calculated point on the common line between said Lot 37 and Lot 36 for the southeast corner of this tract;

**THENCE**, with the common line between said Lot 37 and Lot 36, N76°05'44"W a distance of 3.48 feet to the **POINT OF BEGINNING** and containing 0.013-acre (586 square feet) of land, more or less.

**I HEREBY CERTIFY** that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground in November of 2004 under my supervision.

Prepared by Landmark Surveying, Inc.

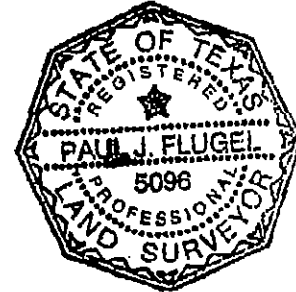


Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Date: December 21, 2004


Revised: February 1, 2005



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Z:\ClaunchandMiller\Whiterock\fieldnotes\lot37-Allan-3-revised-10'twse

Austin Map No 525, Grid J28

TCAD No. 02-3203-0302

**FIELD NOTES REVIEWED**  
By:  Date: 2-1-05  
Austin Clean Water Program  
Survey Coordinator

**LEGEND**

**SURVEY OF A PORTION OF LOT 37,  
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CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

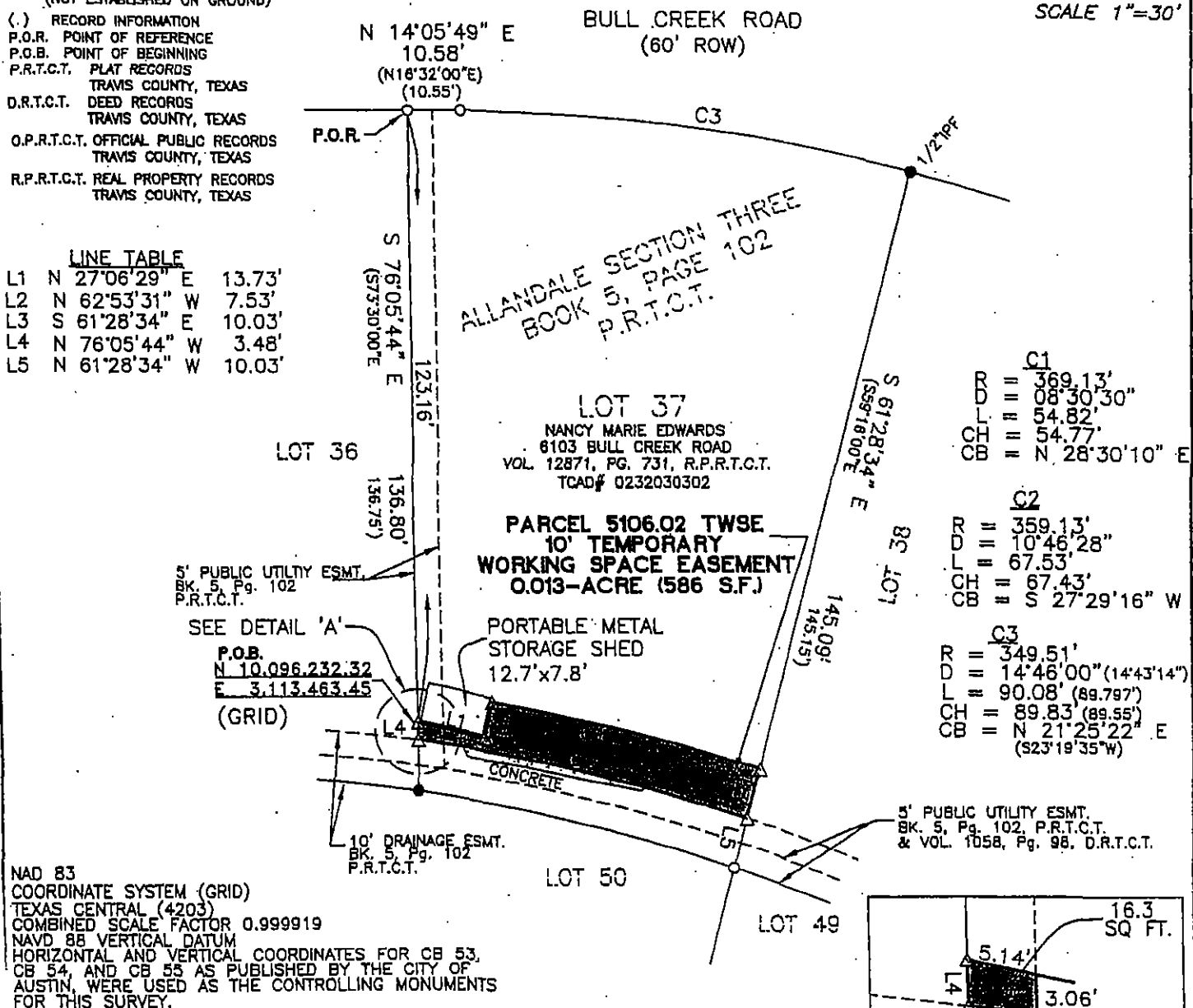


SCALE 1"=30'

- O 1/2" IRON ROD SET W/CAP  
 ● 1/2" IRON ROD FOUND  
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 TRAVIS COUNTY, TEXAS  
 O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS  
 TRAVIS COUNTY, TEXAS  
 R.P.R.T.C.T. REAL PROPERTY RECORDS  
 TRAVIS COUNTY, TEXAS

### LINE TABLE

|    |   |           |   |        |
|----|---|-----------|---|--------|
| L1 | N | 27°06'29" | E | 13.73' |
| L2 | N | 62°53'31" | W | 7.53'  |
| L3 | S | 61°28'34" | E | 10.03' |
| L4 | N | 76°05'44" | W | 3.48'  |
| L5 | N | 61°28'34" | W | 10.03' |



AS SURVEYED BY  
LANDMARK SURVEYING, INC.

PAUL J. FLUGEL

Registered Professional Land Surveyor No. 5096

DATE : DECEMBER 21, 2004

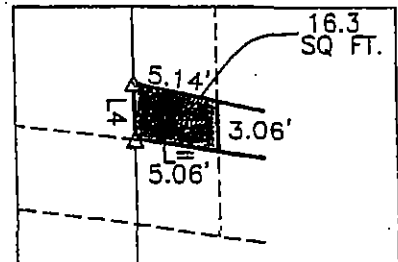
REVISÉ : FÉVRIER 1, 2005

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE  
SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.

Client: CLAUNCH & MILLER, INC.  
Date: DECEMBER 21, 2004  
Office: KGM  
Crew: JMoore, AOchoa  
F.B.: 777, 780  
Disk: z:\claunch and miller\whiterock\landmark drawings\grd-staff\ easement\ claunch-whiterock-esmts.dwg  
Capp: c:\lae\claunch\whiterock c:\aule\claunch\whiterock  
Job No.: 630-03-04



SKETCH TO  
ACCOMPANY  
FIELD NOTES



**Landmark**  
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1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 7874E  
PH: (512)328-7411 FAX: (512)328-7413