

**RESOLUTION NO. 040304-7**

**WHEREAS**, the Council finds that the property described in the attachment is necessary for a public use; and

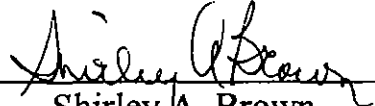
**WHEREAS**, the City has been unable to agree with the owner on the fair market value of the property interests to be acquired; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Attorney is authorized to file a suit in eminent domain and take other action deemed appropriate to economically effect the needed acquisition of the property.

The owner of the property to be acquired is FC Properties One, Ltd. and the property is located at 6500 East William Cannon Drive, Austin, Travis County, Texas.

**ADOPTED:** March 4, 2004

**ATTEST:**   
Shirley A. Brown  
City Clerk

F.C. PROPERTIES ONE, LTD.  
TO  
CITY OF AUSTIN  
(DETENTION AND WATER QUALITY POND EASEMENT)  
POND 4  
CIP # 6062.002

DESCRIPTION

DESCRIPTION OF 0.4875 OF ONE ACRE OR 21,236 SQUARE FEET OF LAND OUT OF LOT 1, BLOCK A, SPRINGFIELD SECTION 12, A SUBDIVISION OF RECORD IN BOOK 87, PAGE 123D, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAME ALSO BEING OUT OF AND A PART OF THAT TRACT DESCRIBED IN A DEED TO F. C. PROPERTIES ONE, LTD., OF RECORD IN VOLUME 13147, PAGE 1506, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.4875 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod set with a plastic cap at the south corner of this tract, same being in the curving northeast line of East William Cannon Drive and of that tract described as Tract I in a special warranty deed to the City of Austin, in Volume 13313, Page 1249, Real Property Records, Travis County, Texas, same being in the curving southwest line of the remainder of said F. C. Properties tract, said curve having a radius of 929.46 feet, from which point a 1/2" iron rod found with a TxDOT aluminum cap at the end of said curving northeast line of said East William Cannon Drive and of said City of Austin tract, same being the curving southwest line of the remainder of said F. C. Properties tract, bears S62°18'49"E a chord distance of 52.48 feet, said point of beginning having Texas State Plane Coordinate (Texas Central Zone, NAD 83 (93 HARN), U.S. Feet, Combined Scale Factor 0.99996) values of N=10,033,861.79, E=3,117,295.35;

THENCE, with the southwest line of this tract and of the remainder of said F. C. Properties tract, and the northeast line of East William Cannon Drive and of said City of Austin tract, the following three courses:

- 1) with said curve to the right, said curve having an intersection angle of 04°48'21", an arc distance of 77.96 feet, the chord of which bears N58°17'33"W 77.94 feet to a 1/2" iron rod found with a TxDOT aluminum cap at the end of said curve;
- 2) N34°09'38"E 4.94 feet to a 1/2" iron rod found with a TxDOT aluminum cap at the beginning of a curve whose radius is 924.54 feet;
- 3) with said curve to the right, said curve having an intersection angle of 06°30'11", an arc distance of 104.94 feet, the chord of which bears N52°38'04"W 104.88 feet to a 1/2" iron rod set with a plastic cap at the west corner of this tract, same being in the southeast line of that Drainage and Wastewater Easement, of record in Volume 9933, Page 337, Real Property Records, Travis County, Texas, from

which point a 1/2" iron rod found with a TxDOT aluminum cap at the end of said curving northeast line of said East William Cannon Drive and of said City of Austin tract, same being the curving southwest line of the remainder of said F. C. Properties tract, bears N45°07'06"W a chord distance of 137.50 feet;

THENCE, with the northwest line of this tract, same being the southeast line of said Drainage and Wastewater Easement, crossing said City of Austin tract, N41°38'34"E 117.76 feet to a 1/2" iron rod set with a plastic cap at the north corner of this tract;

THENCE, with the northeast line of this tract, crossing said City of Austin tract, S53°03'36"E 173.08 feet to a 1/2" iron rod set with a plastic cap at the east corner of this tract;

THENCE, with the southeast line of this tract, crossing said City of Austin tract, S36°56'24"W 115.97 feet to the POINT OF BEGINNING and containing 0.4875 of one acre, more or less, within these metes and bounds.

Bearing Basis Note

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD 83 (93 HARN). The Combined Scale Factor is 0.99996). The reference for this project is "Austin RRP", a fixed control point, and "BM1078", a TxDOT survey monument, having a grid bearing of N60°54'59"E, and a grid distance of 21590.95 feet.

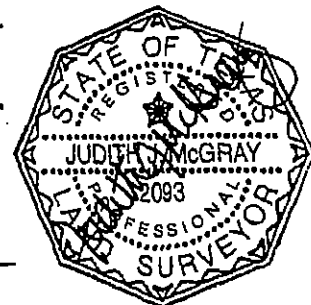
SURVEYED BY: **McGRAY & McGRAY LAND SURVEYORS, INC.**  
3301 Hancock Dr., Ste. 6  
Austin, TX 78731 (512)451-8591

*Judith J. McGray*

8-1-2002

Judith J. McGray, Reg. Professional Land Surveyor No. 2093 Date

Note: This copy of this description is not valid unless an original signature through an original seal appears on its face. There is a plat to accompany this description. De02-042E Rev, 04/04/03 Rev, 5/15/03 Rev



REFERENCES

TCAD# 03-3206-06-02  
AUSTIN GRID # J-13

FIELD NOTES REVIEWED

By *JOHN MOORE* Date *7-1-2002*  
Engineering Support Section  
Department of Public Works  
and Transportation

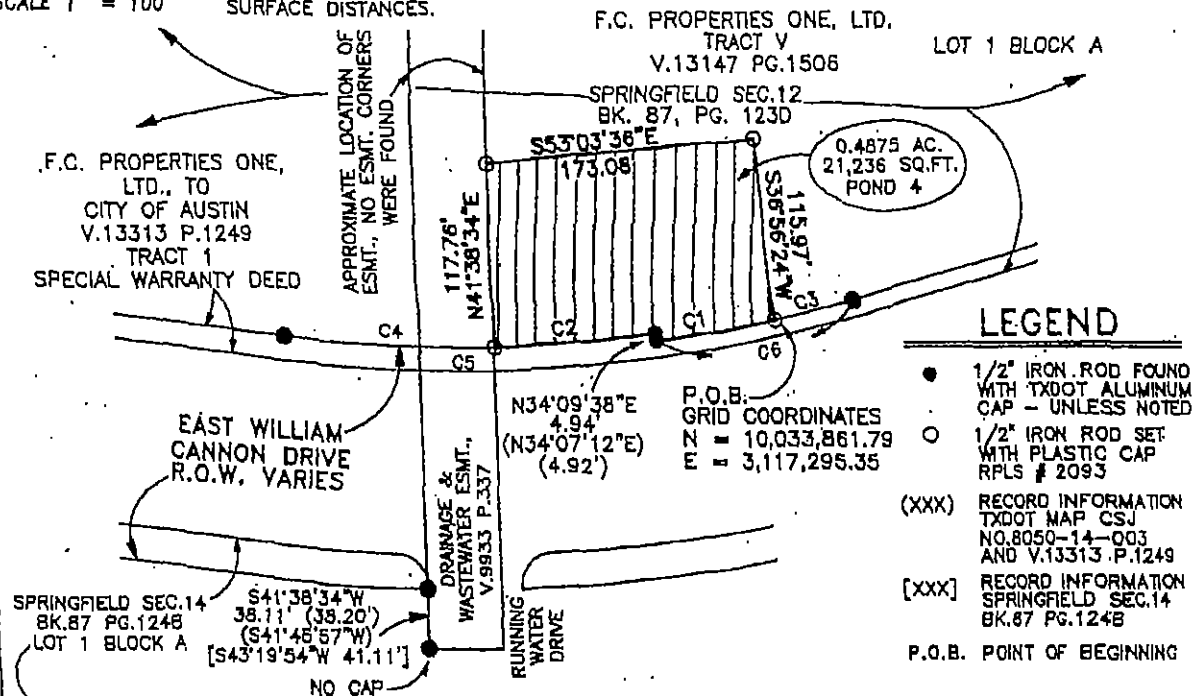
EXHIBIT "A"

RE: CITY OF AUSTIN/DEC/  
POND 4/DETENTION AND  
WATER QUALITY POND EASEMENT

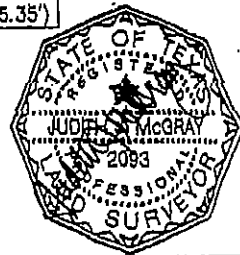
SKETCH TO ACCOMPANY DESCRIPTION OF  
0.75 AC. OR 21,236 SQ. FT. OF 1<sup>ST</sup> ND OUT LOT 1, BLOCK A,  
SPRINGFIELD SEC. 12,  
AUSTIN, TRAVIS COUNTY, TEXAS.

NOTE:  
THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE  
SYSTEM, CENTRAL ZONE, NAD83(93 HARN) DATUM. THE BEARINGS SHOWN ARE GRID  
BEARINGS. THESE COORDINATES WERE ESTABLISHED FROM "AUSTIN RRP" A FIXED CONTROL  
POINT HAVING COORDINATE VALUES OF N = 10086515.883, E = 3109682.458 AND  
"BM1078" A TXDOT SURVEY MONUMENT HAVING COORDINATE VALUES OF N = 10097010.902,  
E = 3128551.053, HAVING A GRID BEARING OF N60°54'59"E, AND A GRID DISTANCE OF  
21590.95 FEET. THE COMBINED SCALED FACTOR IS 0.99996. ALL DISTANCES SHOWN ARE  
SURFACE DISTANCES.

SCALE 1" = 100'



CURVE TABLE						
CURVE	ARC	RADIUS	I	BEARING	CHORD	TANGENT
C1	77.96	929.46	04°48'21"	N58°17'33"W	77.94	39.00
C2	104.94	924.54	08°30'11"	N52°38'04"W	104.88	52.52
C3	52.49	929.46	03°14'08"	S62°18'49"E	62.48	26.25
C4	137.63	924.54	08°31'45"	N45°07'06"W	137.50	68.94
C5	242.57	924.54	15°01'56"	N48°22'12"W	241.87	121.98
(C5)	(242.57')	(924.54)	(15°01'59")	(N48°21'49"W)	(241.88')	(121.99')
C6	130.45	929.46	08°02'29"	S59°54'38"E	130.35	65.33
(C6)	(130.49')	(929.46)	(08°02'38")	(S59°54'07"E)	(130.38')	(65.35')



*Judith J. McGray*

JUDITH J. McGRAY, REG. PROF. LAND SURVEYOR NO. 2093

8-1-2002

DATE

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through an original seal appears on its face. There is a description to  
accompany this plat.

PLAT REV'D  
05-15-03

CIP # 6062.002

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SURVEYED BY:

McGRAY & McGRAY  
LAND SURVEYORS, INC.  
3301 HANCOCK DRIVE #5  
AUSTIN, TEXAS 78731  
(512) 451-8591

TCAD # 03-3206-06-02 AUSTIN GRID # J-13