

RESOLUTION NO. 040401-8

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

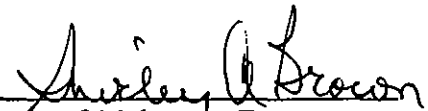
WHEREAS, the City has been unable to agree with the owner on the fair market value of the property interests to be acquired; **NOW, THEREFORE**,

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 LV Investment, Inc., and the property is located at 9220 Interstate Highway 35 North, Austin, Travis County, Texas.

ADOPTED: April 1, 2004

ATTEST: 
Shirley A. Brown
City Clerk

LV Investment, Inc.
to
City of Austin
Reindale Acres
(Wastewater Easement)

Field Notes for Parcel 5000.36WE

BEING 0.373 OF ONE ACRE OF LAND, MORE OR LESS, OUT OF AND A PART OF THE JOHN APPELGAIT SURVEY No. 58, ABS. 29 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 1, REINDALE ACRES, RECORDED IN BOOK 65, PAGE 87 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO L V INVESTMENT, INC. BY WARRANTY DEED FILED FOR RECORD ON MAY 30, 1996 RECORDED IN VOLUME 12697, PAGE 1798 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.373 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 calculated point in the south right-of-way line of Rundberg Lane, same being in a northeasterly line of Lot 1 of said Reindale Acres as conveyed to said L V Investment, Inc., same also being South 61°59'43" East, a distance of 20.02 feet from a punch mark in concrete found at the most northerly corner of said Lot 1, for the Point of Beginning and the most northerly corner of the herein described tract of land, having Texas State Plane Coordinate (Texas Central Zone, NAD83, US Feet, Combined Scale Factor 0.9999638238) values of N=10104193.10 and E=3130213.01;

- 1) THENCE, South 61°59'43" East, a distance of 48.07 feet, with the south right-of-way line of said Rundberg Lane and a northeasterly line of said Lot 1 to a calculated point for a northeasterly corner of the herein described tract of land;
- 2) THENCE, South 53°56'13" West, a distance of 51.82 feet, leaving said Rundberg lane and crossing said Lot 1, to a calculated point for a corner;
- 3) THENCE, South 25°27'42" West, a distance of 35.92 feet, to a calculated point for a corner;
- 4) THENCE, South 06°48'08" West, at a distance of 123.21 feet passing the north line of an existing Sanitary Sewer easement recorded in Volume 2451, Page 278 of the Deed Records of Travis County, Texas, in all a distance of 127.63 feet, to a calculated point for corner;
- 5) THENCE, South 27°21'49" West, a distance of 162.61 feet, to a calculated point for a corner;
- 6) THENCE, South 16°14'54" East, a distance of 13.10 feet, to a calculated point for a corner;
- 7) THENCE, South 61°51'42" East, at a distance of 229.42 feet passing the west line of said Sanitary Sewer easement, in all a distance of 356.99 feet, to a calculated point in the west line of IH 35, same being in the east line of said Lot 1, for the most easterly corner of the herein described tract of land;
- 8) THENCE, South 27°21'06" West, a distance of 20.00 feet, with the west line of said IH 35 and the east line of said Lot 1, to a calculated point for the most southerly corner of the herein described tract of land;

9) THENCE, North 61°51'42" West, at a distance of 86.84 feet passing the east line of said Sanitary Sewer easement, in all a distance of 386.03 feet, leaving said IH 35 and crossing said Lot 1, to a calculated point in the east line of an existing 20 foot Drainage and Public Utility easement recorded in said Reindale Acres, for the most westerly corner of the herein described tract of land;

10) THENCE, North 27°21'49" East, at a distance of 186.18 feet passing the south line of said Sanitary Sewer easement, in all a distance of 188.08 feet, with the east line of said 20 foot Drainage and Public Utility easement, to a calculated point for a corner;

11) THENCE, North 06°48'08" East, at a distance of 9.17 feet passing the north line of said Sanitary Sewer easement, at a distance of 30.03 feet passing the east line of said 20 foot Drainage and Public Utility easement, in all a distance of 137.60 feet, to a calculated point for a corner in the east line of said 20 foot Drainage and Public Utility easement;

12) THENCE, North 25°26'57" East, a distance of 77.12 feet, with the east line of said 20 foot Drainage and Public Utility easement, to the Point of Beginning, and containing an area of 0.373 of one acre of land, more or less.

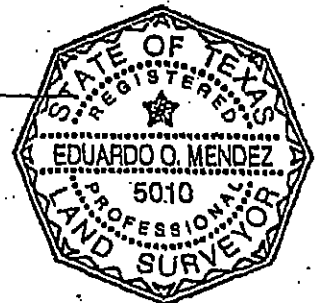
I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

Eduardo O. Mendez

Eduardo O. Mendez
Registered Professional Land Surveyor 5010

Martinez, Wright & Mendez, Inc.
7700 Chevy Chase Dr., Suite 100
Austin, Texas 78752
(512) 453-0767

6/24/03
Date



The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone NAD83 (CORS). For surface coordinates, divide grid coordinates by an adjustment factor of 0.9999638238). The reference for this project is a found brass cap, "SEC 6", having coordinate values N=10097911.08, E=3133285.51 in the west sidewalk along Cameron Road approximately 50 feet north of the center of the existing drive at 8500 Cameron Road, and a found brass cap, "SEC7", having coordinate values of N=10099099.14, E=3134143.88 in a concrete drainage inlet in the median section of Cameron Road approximately 300 feet northwest of the intersection of Cameron Road and Crosspark Drive, having a grid bearing of N 35°50'53" E and a surface distance of 1465.81 feet.

TCAD No. : 2-3919-0251
Austin Grid: L30-3

FIELD NOTES REVIEWED
By: *[Signature]* Date: 7-10-03
Austin Clean Water Program
Survey Coordinator

LV Investment, Inc.
to
City of Austin
Reindale Acres
(Temporary Working Space Easement)

Field Notes for Parcel 5000.36TWSE

BEING 0.377 OF ONE ACRE (16,430 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE JOHN APPELGAIT SURVEY No. 58, ABS. 29 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 1, REINDALE ACRES, RECORDED IN BOOK 65, PAGE 87 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO L V INVESTMENT, INC. BY DEED FILED FOR RECORD ON MAY 30, 1996 RECORDED IN VOLUME 12697, PAGE 1798 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.377 OF ONE ACRE (16,430 S.F.) OF LAND BEING HERINAFTER DESIGNATED AS PART 1, PART 2, PART 3, PART 4 AND PART 5 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

Part 1

BEGINNING at a calculated point in the southwesterly right-of-way line of Rundberg Lane (right-of-way varies), same being in a northeasterly line of said Lot 1, Reindale Acres, same also being North 61°59'43" West, a distance of 112.44 feet from a punch mark in concrete found at the northeasterly corner of said Lot 1, for the Point of Beginning and the most easterly corner of the herein described tract of land, having Texas State Plane Coordinate (Texas Central Zone, NAD83, US Feet, Combined Scale Factor 0.9999638238) values of N=10104147.04 and E=3130299.62;

- 1) THENCE, South 27°21'49" West, a distance of 50.00 feet, leaving said Rundberg Lane and crossing said Lot 1, to a calculated point for a corner;
- 2) THENCE, South 72°21'49" West, a distance of 17.24 feet, to a calculated point for a corner;
- 3) THENCE, South 27°21'49" West, a distance of 64.72 feet, to a calculated point for a corner;
- 4) THENCE, North 62°38'11" West, a distance of 15.00 feet, to a calculated point for a corner;
- 5) THENCE, South 27°21'49" West, a distance of 67.01 feet, to a calculated point for a corner;
- 6) THENCE, South 62°38'10" East, a distance of 15.00 feet, to a calculated point for a corner;
- 7) THENCE, South 27°21'49" West, a distance of 16.87 feet, to a calculated point for the most southerly corner of the herein described tract of land;
- 8) THENCE, North 62°38'10" West, a distance of 15.00 feet, to a calculated point for a corner;
- 9) THENCE, North 27°21'49" East, a distance of 9.61 feet, to a calculated point for a corner;
- 10) THENCE, North 06°48'08" East, a distance of 127.63 feet, to a calculated point for a corner;
- 11) THENCE, North 25°27'42" East, a distance of 35.92 feet, to a calculated point for a corner;

12) THENCE, North 53°56'13" East, a distance of 51.82 feet, to a calculated point in the southwesterly right-of-way line of said Rundberg Lane, same being in a northeasterly line of said Lot 1, for the most northerly corner of the herein described tract of land;

13) THENCE, South 61°59'43" East, a distance of 50.03 feet, with the southwesterly right-of-way line of said Rundberg Lane and a northeasterly line of said Lot 1, to the Point of Beginning, and containing an area of 0.201 of one acre (8,746 S.F.) of land, more or less.

Part 2

COMMENCING at punch mark in concrete found in the southwesterly right-of-way line of said Rundberg Lane, same being the most northerly corner of said Lot 1, thence as follows:

South 61°59'43" East, a distance of 20.02 feet, with the southwesterly right-of-way line of said Rundberg Lane and a northeasterly line of said Lot 1, to a calculated point;

South 25°26'57" West, a distance of 77.12 feet, to the Point of Beginning and the most northerly corner of the herein described tract of land, having Texas State Plane Coordinate (Texas Central Zone, NAD83, US Feet, Combined Scale Factor 0.9999638238) values of N=10104123.47 and E=3130179.87;

1) THENCE, South 06°48'08" West, a distance of 107.57 feet, to a calculated point for the most southerly corner of the herein described tract of land;

2) THENCE, North 61°24'10" West, a distance of 34.45 feet, to a calculated point for the most westerly corner of the herein described tract of land;

3) THENCE, North 25°26'57" East, a distance of 100.03 feet, to the Point of Beginning, and containing an area of 0.040 of one acre (1,721 S.F.) of land, more or less.

Part 3

BEGINNING at a 1/2 inch iron rod found at a westerly corner of said Lot 1, same being the most easterly corner of the tract conveyed to O.N. Lavani and Mavur C. Vaghani by deed recorded in Volume 13210, Page 1743 of the Real Property Records of Travis County, Texas, same also being South 61°35'43" East, a distance of 46.76 feet from a 1/2 inch iron rod found at the most westerly corner of said Lot 1, for the Point of Beginning and the most northerly corner of the herein described tract of land, having Texas State Plane Coordinate (Texas Central Zone, NAD83, US Feet, Combined Scale Factor 0.9999638238) values of N=10104003.45 and E=3130149.88;

1) THENCE, South 61°35'43" East, a distance of 16.74 feet, to a calculated point for a corner;

2) THENCE, South 06°48'08" West, a distance of 8.71 feet, to a calculated point for a corner;

3) THENCE, South 27°21'49" West, a distance of 6.90 feet, to a calculated point for the most southerly corner of the herein described tract of land;

4) THENCE, North 61°35'43" West, a distance of 19.81 feet, to a calculated point in a northwesterly line of said Lot 1, same being in the southeasterly line of said Lavani and Vaghani tract to a calculated point for the most westerly corner of the herein described tract of land;

5) THENCE, North 27°22'53" East, a distance of 15.00 feet, with the northwesterly line of said Lot 1 and the southeasterly line of said Lavani and Vaghani tract, to the Point of Beginning, and containing an area of 0.006 of one acre (285 S.F.) of land, more or less.

Part 4

BEGINNING at a calculated point in the west line of IH 35 (right-of-way varies), same being in the east line of said Lot 1, same also being North 27°21'06" East, a distance of 39.96 feet from a 3/4 inch iron rod found at the most southerly corner of said Lot 1, for the Point of Beginning and the most southerly corner of the herein described tract of land, having Texas State Plane Coordinate (Texas Central Zone, NAD83, US Feet, Combined Scale Factor 0.9999638238) values of N=10103655.53 and E=3130426.72;

- 1) THENCE, North 61°51'42" West, a distance of 356.99 feet, to a calculated point for a corner;
- 2) THENCE, North 16°14'54" West, a distance of 13.10 feet, to a calculated point for a corner;
- 3) THENCE, North 27°21'49" East, a distance of 19.39 feet, to a calculated point for the most northerly corner of the herein described tract of land;
- 4) THENCE, South 60°16'25" East, a distance of 19.08 feet, to a calculated point for a corner;
- 5) THENCE, South 26°35'53" West, a distance of 14.42 feet, to a calculated point for a corner;
- 6) THENCE, South 61°47'51" East, a distance of 191.45 feet, to a calculated point for a corner;
- 7) THENCE, North 28°09'49" East, a distance of 10.00 feet, to a calculated point for a corner;
- 8) THENCE, South 61°50'11" East, a distance of 14.46 feet, to a calculated point for a corner;
- 9) THENCE, South 23°12'11" East, a distance of 15.81 feet, to a calculated point for a corner;
- 10) THENCE, South 61°50'11" East, a distance of 128.51 feet, to a calculated point in the west right-of-way line of IH 35 (right-of-way varies), same being in the east line of said Lot 1, for the most easterly corner of the herein described tract of land;
- 11) THENCE, South 27°21'06" West, a distance of 13.66 feet, with the west right-of-way line of said IH 35 and the east line of said Lot 1, to the Point of Beginning, and containing an area of 0.125 of one acre (5,457 S.F.) of land, more or less.

Part 5

BEGINNING at a 3/4 inch iron rod found in the west line of IH 35 (right-of-way varies), same being the most southerly corner of said Lot 1 and the most easterly corner of the remainder of Lot 7, Georgian Acres, recorded in Book 4, Page 341 of the Plat Records of Travis County, Texas, conveyed to Pravin C. Patel by deed recorded in Document 2000052165 of the Official Public Records of Travis County, Texas, same also being South 27°21'06" West, a distance of 214.89 feet from a 3/4 inch iron pipe found at the most easterly corner of said Lot 1, for the Point of Beginning and the most southerly corner of the herein


described tract of land, having Texas State Plane Coordinate (Texas Central Zone, NAD83, US Feet, Combined Scale Factor 0.9999638238) values of N=10103620.04 and E=3130408.36;

- 1) THENCE, North 62°01'57" West, a distance of 7.99 feet, with the southwesterly line of said Lot 1 and the northeasterly line of said Lot 7 and Lot 6, to a calculated point for a corner;
- 2) THENCE, North 27°30'46" East, a distance of 15.98 feet, to a calculated point for a corner;
- 3) THENCE, North 61°51'42" West, a distance of 15.60 feet, to a calculated point for the most westerly corner of the herein described tract of land;
- 4) THENCE, North 28°19'27" East, a distance of 4.00 feet, to a calculated point for the most northerly corner of the herein described tract of land;
- 5) THENCE, South 61°51'42" East, a distance of 23.48 feet, to a calculated point in the west right-of-way line of said IH 35, same being in the east line of said Lot 1, for the most easterly corner of the herein described tract of land;
- 6) THENCE, South 27°21'06" West, a distance of 19.96 feet, with the west right-of-way line of said IH 35 and the east line of said Lot 1, to the Point of Beginning, and containing an area of 0.005 of one acre (221 S.F.) of land, more or less.

Summary

Part 1	0.201 ac.	8,746 s.f.
Part 2	0.040 ac.	1,721 s.f.
Part 3	0.006 ac.	285 s.f.
Part 4	0.125 ac.	5,457 s.f.
Part 5	0.005 ac.	221 s.f.
Total	0.377 ac.	16,430 s.f.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.


David E. Martinez
Registered Professional Land Surveyor 5434

06/18/03
Date

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



The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone NAD83 (CORS). For surface coordinates, divide grid coordinates by an adjustment factor of 0.9999638238). The reference for this project is a found brass cap, "SEC 6", having coordinate values N=10097911.08, E=3133285.51 in the west sidewalk along Cameron Road approximately 50 feet north of the center of the existing drive at 8500 Cameron Road, and a found brass cap, "SEC7", having coordinate values of N=10099099.14, E=3134143.88 in a concrete drainage inlet in the median section of Cameron Road approximately 300 feet northwest of the intersection of Cameron Road and Crosspark Drive, having a grid bearing of N 35°50'53" E and a surface distance of 1465.81 feet.

TCAD No. : 2-3919-0251
Austin Grid: L30-3

FIELD NOTES REVIEWED

By:  Date: 6-23-03

Austin Clean Water Program
Survey Coordinator

