

**RESOLUTION NO. 040624-17**

**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 Austin PC-1, Ltd., and the property is located at 2209 Hancock Drive, Austin, Travis County, Texas.

**ADOPTED:** June 24, 2004

**ATTEST:**

  
Shirley A. Brown  
City Clerk

Austin PC-I  
Lot 2, Block A, Podolnick Place  
To  
City of Austin  
(for Wastewater Easement)

**FIELD NOTES FOR PARCEL 5005.12 WE**

**ALL OF THAT CERTAIN 0.001-ACRE (41 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. SPEAR SURVEY NO. 7, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS OUT OF LOT 2, BLOCK A, PODOLNICK PLACE AS RECORDED IN PLAT BOOK 93, PAGE 345-346 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED BY DEED TO AUSTIN PC-I LTD. IN VOLUME 12340, PAGE 1375 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 60d nail found on the southwest right-of-way line of Hancock Drive (70' R.O.W.), said a 60d nail found being the northeast corner of said Lot 2 and the north corner of Lot 3, Resubdivision of Block 3 of Rosedown, as recorded in Plat Book 25, Page 43, of the Plat Records of Travis County, Texas,

**THENCE**, with said right-of-way line, N54°00'03"W a distance of 31.88 feet to a calculated point; **THENCE**, leaving said right-of-way line, and with the common line between Lot 1 and Lot 2 of said Podolnick Place, S38°46'07"W a distance of 159.88 feet to a calculated point; and N54°36'43"W a distance of 44.04 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (HARN), U.S. Feet, Combined Scale Factor 0.999924951) values of N= 10,090,674.345 and E= 3,114,218.099 for the northeast corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, through said Lot 2 the following three (3) courses:

1) S42°16'01"W a distance of 12.83 feet to a calculated point for the southernmost corner of this tract;

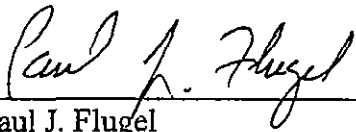
2) N47°43'59"W a distance of 4.64 feet to a calculated point for a southwest corner of this tract;

3) N55°01'45"E a distance of 12.94 feet to a calculated point on the south line of Lot 1, of said Podolnick Place;

**THENCE**, with the common dividing line between said Lot 1 and said Lot 2, S54°36'43"E a distance of 1.79 feet to the **POINT OF BEGINNING** and containing 0.001-acre (41 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 June of 2003 under my supervision.

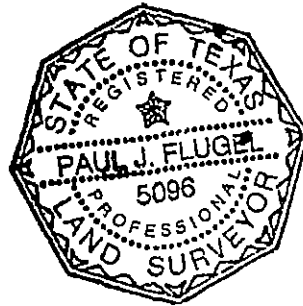
Prepared by **Landmark Surveying, Inc.**



Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Date: June 24, 2003




Bearing Basis: Texas State Plane Coordinate System (Texas Central Zone 4203, NAD '83 HARN, Combined scaled factor 0.999924951). All data derived from and referenced to CORES station AUS5 as established and published by the Texas Department of Transportation and CB56 as published by the City of Austin.

C:\field-notes\fn-2003\r-chan-\hancock-branch\B1-lot2-podolnick-WE.doc

Austin Map No 555, Grid J27

TCAD No. 02-2503-0311

FIELD NOTES REVIEWED  
By:  Date: 8/5/03  
Austin Clean Water Program  
Survey Coordinator

**SURVEY OF A PORTION OF LOT 2, BLOCK 'A', PODOLNICK PLACE, OUT OF THE  
GEORGE W. SPEAR SURVEY NO. 7  
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**



SCALE 1"=40'

STORM SEWER ESMT.  
RELEASED (3.0' STRIP)  
VOL. 3057, PG. 1585  
D.R.T.C.T.

**HANCOCK DRIVE**  
(70' R.O.W.)

**LEGEND**

- 1/2" IRON ROD FOUND  
(UNLESS OTHERWISE NOTED)
- ▲ 60D NAIL SET
- △ CALCULATED POINT  
(NOT ESTABLISHED ON GROUND)
- ▲ NAIL FOUND
- ( ) RECORD INFORMATION
- 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
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE

**CRESTMONT DRIVE**  
(80' R.O.W.)

N54°00'03"W 101.35'  
(N51°15'40"W 101.85')

69.47'

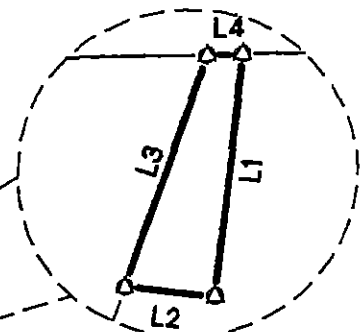
31.88'

P.O.R.

PODOLNICK PLACE  
VOLUME 93, PAGE 345  
P.R.T.C.T.

PROPOSED TEMPORARY  
INGRESS AND EGRESS  
EASEMENT

LOT 3  
RESUBDIVISION OF BLOCK  
3 OF ROSEDOWN  
BOOK 25, PAGE 43  
P.R.T.C.T.



**LINE TABLE**

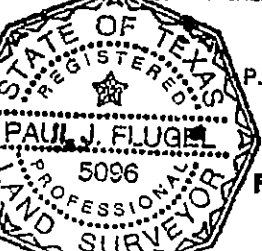
LINE	BEARING	DISTANCE
L1	S42°16'01"W	12.83'
L2	N47°43'59"W	4.64'
L3	N55°01'45"E	12.94'
L4	S54°36'43"E	1.79'

**CURVE TABLE**

CURVE	CHORD BEARING	CHORD DISTANCE	ARC LENGTH	RADIUS
C1	N44°36'59"E (N47°08'49"E)	129.57' (129.55')	130.03' (130.02')	443.00' (443.00')
C2	N80°44'06"E (N83°44'20"E)	27.53' (28.28')	30.37' (31.42')	20.00' (20.00')

**SKETCH TO  
ACCOMPANY  
FIELD NOTES**

**Landmark  
SURVEYING, INC.**  
1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78748  
PH: (512) 320-7411 FAX: (512) 320-7413



**BEARING BASIS NOTE:**  
Combined Scale  
Factor=0.999924951. The Basis  
Of Bearings for this survey is  
the Texas State Plane  
Coordinate System, Central  
Zone 4203, NAD83 HARN, NGS  
Vertical Datum, AUS 5 as  
established and published by  
Texas Department of  
Transportation and CB56 as  
published by the City of Austin  
were used as controlling  
monuments for this survey.

AS SURVEYED BY  
LANDMARK SURVEYING, INC.

*Paul J. Flugel*

PAUL J. FLUGEL  
Registered Professional Land Surveyor No. 5096  
DATE: August 1, 2003

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

Client: Raymond Chen  
Date: August 1, 2003  
Office: Larry K  
Crew: Mason, Wimm  
F.B.:  
Disk: C:\dwg\14\Chan\HANCOCK BRANCH WW LINE IMPROVEMENTS\EASEMENTS\5005.12-WE.DWG  
Cogo:  
Job No.: 95-0024-17-11

PARCEL 5005.12 WE  
PROPOSED WASTEWATER  
EASEMENT  
0.001-ACRE  
(41 SF)

P.O.R.  
N 10090674.345  
E 3114218.099

N54°36'43"W 64.93'  
(N51°57'00"W 65.00')

PROPOSED TEMPORARY  
WORKING SPACE EASEMENT  
AUSTIN PC-1 LTD.  
(VENTANA APARTMENTS)  
VOL. 12340, PG. 1375  
R.P.R.T.C.T.

P.U.E. VOL. 12531, PG. 585  
R.P.R.T.C.T.

PARK & DRAINAGE  
AREA

LOT 1  
RESUBDIVISION OF  
A PORTION OF  
SHOALMONT  
ADDITION SECTION 2  
BOOK 4, PAGE 312  
P.R.T.C.T.

Austin PC-I  
Lot 2, Block A, Podolnick Place  
To  
City of Austin  
(for Temporary Working Space Easement)

**FIELD NOTES FOR PARCEL 5005.12 TWSE**

**ALL OF THAT CERTAIN 0.004-ACRE (156 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. SPEAR SURVEY NO. 7, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS OUT OF LOT 2, BLOCK A, PODOLNICK PLACE AS RECORDED IN PLAT BOOK 93, PAGE 345-346 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED BY DEED TO AUSTIN PC-I LTD. IN VOLUME 12340, PAGE 1375 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 60d nail found on the southwest right-of-way line of Hancock Drive (70' R.O.W.), said 60d nail found being the northeast corner of said Lot 2 and the north corner of Lot 3, Resubdivision of Block 3 of Rosedown, as recorded in Plat Book 25, Page 43, of the Plat Records of Travis County, Texas,

**THENCE**, with said right-of-way line, N54°00'03"W a distance of 31.88 feet to a nail set for the common corner of said Lot 2 and Lot 1, Block A, of said Podolnick Place; **THENCE**, leaving said right-of-way line, and with the common line between said Lot 1 and said Lot 2, S38°46'07"W a distance of 159.88 feet to a nail set for a common corner for said Lot 1 and said Lot 2; Thence continuing on the common line between said Lot 1 and said Lot 2, N54°36'43"W a distance of 37.38 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (HARN), U.S. Feet, Combined Scale Factor 0.999924951) values of N= 10,090,670.486 and E= 3,114,223.531 for the northeast corner and **POINT OF BEGINNING** of the herein described tract of land;

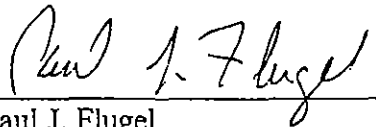
**THENCE**, through said Lot 2 the following five (5) courses:

- 1) S42°16'01"W a distance of 12.72 feet to a calculated point for the southeast corner of this tract;
- 2) S87°16'01"W a distance of 20.20 feet to a calculated point for the southwest corner of this tract;
- 3) N55°01'45"E a distance of 13.72 feet to a calculated point for an outside ell corner of this tract;
- 4) S47°43'59"E a distance of 4.64 feet to a calculated point for an inside ell corner of this tract;
- 5) N42°16'01"E a distance of 12.83 feet to a calculated point on the common line of said Lot 1 and said Lot 2 for the northern most corner of this tract;

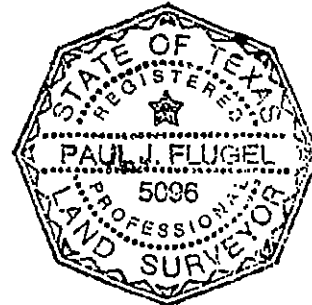
**THENCE**, with the common dividing line between said Lot 1 and said Lot 2, S54°36'43"E a distance of 6.66 feet to the **POINT OF BEGINNING** and containing 0.004-acre (156 square feet) of land, more or less.

**I HEREBY CERTIFY** that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground in June of 2003 under my supervision.

Prepared by **Landmark Surveying, Inc.**




Paul J. Flugel  
Registered Professional Land Surveyor No. 5096  
Date: June 24, 2003  
Revised: September 19, 2003



Bearing Basis: Texas State Plane Coordinate System (Texas Central Zone 4203, NAD '83 HARN, Combined scaled factor 0.999924951). All data derived from and referenced to CORS station AUS5 as established and published by the Texas Department of Transportation and CB56 as published by the City of Austin.

C:\field-notes\fn-2003\r-chan-\hancock-branch\B1-lot2-podolnick-TWSE.doc  
Austin Map No 555, Grid J27  
TCAD No. 02-2503-0311

**FIELD NOTES REVIEWED**  
By:  Date: 9-29-03  
**Austin Clean Water Program**  
**Survey Coordinator**

**SURVEY OF A PORTION OF LOT 2, BLOCK "A", PODOLNICK PLACE, OUT OF THE  
GEORGE W. SPEAR SURVEY NO. 7  
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

SHEET 1 OF 1

**HANCOCK DRIVE**  
(70' R.O.W.)

S54°00'03"E 101.35'  
(S51°15'40"E 101.85')



SCALE 1"=40'

STORM SEWER ESMT.  
RELEASED (3.0' STRIP)  
VOL. 3057, PG. 1585  
D.R.T.C.T.

**LEGEND**

- 1/2" IRON ROD FOUND  
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET
- ⊙ NAIL SET
- △ CALCULATED POINT  
(NOT ESTABLISHED  
ON GROUND)
- ▲ NAIL FOUND
- ( ) RECORD INFORMATION
- P.R.T.C.T. Plat Records  
Travis County, Texas
- D.R.T.C.T. Dead Records  
Travis County, Texas
- O.P.R.T.C.T. Official Public Records  
Travis County, Texas
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE

**CRESTMONT DRIVE**  
(80' R.O.W.)

S36°12'27"W 40.00'  
(N38°44'20"E 40.00')

DRAINAGE AND STORM SEWER  
ESMT. VOL. 2208, PG. 238  
D.R.T.C.T. BOOK 93, PAGES  
345-346 P.R.T.C.T.

DRAINAGE ESMT. BOOK  
93, PAGES 345-346  
P.R.T.C.T.

**PODOLNICK PLACE**  
VOLUME 93, PAGE 345  
P.R.T.C.T.

LOT 1  
BLOCK "A"

P.U.E. BOOK 93,  
PAGES 345-346  
P.R.T.C.T.

(S41°18'00"W 142.83')  
S38°46'07"W 159.88'

COMMON DRIVEWAY EASEMENT  
BOOK 93, PAGES 345-346  
P.R.T.C.T.

LOT 3  
RESUBDIVISION OF BLOCK 3  
OF ROSEDAWN  
BOOK 25, PAGE 43  
P.R.T.C.T.

PROPOSED WASTEWATER  
EASEMENT  
PARCEL 5005.12 WE

**PARCEL 5005.12 TWSE**  
**PROPOSED TEMPORARY**  
**WORKING SPACE EASEMENT**  
**0.004-ACRES**  
**(156 SF)**

**BEARING BASIS NOTE:**

Combined Scale  
Factor=0.999924951. The Basis  
Of Bearings for this survey is  
the Texas State Plane  
Coordinate System, Central  
Zone 4203, NAD83 HARN, NGS  
Vertical Datum. AUS 5 as  
established and published by  
Texas Department of  
Transportation and CB56 as  
published by the City of Austin  
were used as controlling  
monuments for this survey.

AS SURVEYED BY  
**LANDMARK SURVEYING, INC.**

*Paul J. Flugel*  
**PAUL J. FLUGEL**

Registered Professional Land Surveyor No. 5096  
DATE: June 24, 2003  
REVISED: September 16, 2003

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

Client: Raymond Chan  
Date: September 16, 2003  
Office: MBoudi  
Crew: Mason, Wimm  
F.B.:  
Disk: C:\dwg13\Chan\HANCOCK BRANCH\EASEMENT\5005.12-TWSE.DWG  
Cogo:  
Job No.: 95-0024-17-11

P.O.B.  
N 10090670.486  
E 3114223.531

N54°36'43"W 64.93'  
(N51°57'00"W 65.00')

N54°36'43"W  
37.38'

LOT 2  
BLOCK "A"

AUSTIN PC-I LTD.  
VENTANA APARTMENTS  
VOL. 12340, PG. 1375  
D.R.T.C.T.

P.U.E. VOL. 12531, PG. 585  
R.P.R.T.C.T.

(N18°49'23"W  
42.89')

N35°34'30"E 50.58'  
(S38°03'00"E 50.58')

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S42°16'01"W	12.72'
L2	S87°16'01"W	20.20'
L3	N55°01'45"E	13.72'
L4	S47°43'59"E	4.64'
L5	N42°16'01"E	12.83'
L6	S54°36'43"E	6.66'

**CURVE TABLE**

CURVE	CHORD BEARING	CHORD DISTANCE	ARC LENGTH	RADIUS
C1	N44°36'59"E (N47°08'49"E)	129.57' (129.55')	130.03' (130.02')	443.00' (443.00')
C2	N80°44'06"E (N83°44'20"E)	27.53' (28.28')	30.37' (31.42')	20.00' (20.00')



**SKETCH TO  
ACCOMPANY  
FIELD NOTES**

**Landmark  
SURVEYING, INC.**

1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 318  
AUSTIN, TEXAS 78748  
PH: (512)322-7411 FAX: (512)322-7413

Austin PC-I  
Lot 2, Block A, Podolnick Place  
To  
City of Austin  
(for Temporary Ingress and Egress Easement)

**FIELD NOTES FOR PARCEL 5005.12 TIAEE**

**ALL OF THAT CERTAIN 0.110-ACRE (4,793 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. SPEAR SURVEY NO. 7, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS OUT OF LOT 2, BLOCK A, PODOLNICK PLACE AS RECORDED IN PLAT BOOK 93, PAGE 345-346 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED BY DEED TO AUSTIN PC-I LTD. IN VOLUME 12340, PAGE 1375 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 60d nail found on the southwest right-of-way line of Hancock Drive (70' R.O.W.), said 60d nail found being the northeast corner of said Lot 2 and the north corner of Lot 3, Resubdivision of Block 3 of Rosedown, as recorded in Plat Book 25, Page 43, of the Plat Records of Travis County, Texas,

**THENCE**, with said right-of-way line, N54°00'03"W a distance of 1.85 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (HARN), U.S. Feet, Combined Scale Factor 0.999924951) values of N= 10,090,755.842 and E= 3,114,378.423 for the northeast corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, through said Lot 2 the following two (2) courses:

- 1) S38°46'07"W a distance of 159.63 feet to a calculated point for the southernmost corner of this tract;
- 2) N54°28'54"W a distance of 30.05 feet to a nail set for a common lot corner for said Lot 2 and Lot 1, Block A, of said Podolnick Place and also being the southwest corner of this tract;

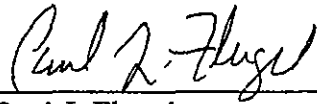


**THENCE**, with the common dividing line between said Lot 1 and said Lot 2, N38°46'07"E a distance of 159.88 feet to a nail set on said southwest right-of-way line of Hancock Drive, same being the common lot corner for said Lot 2 and said Lot 1 and also being the most northern corner of this tract;

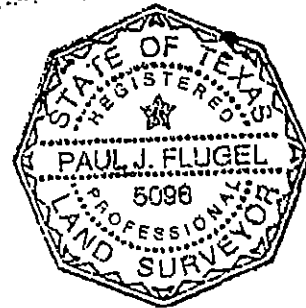
**THENCE**, with said southwest right-of-way line, S54°00'03"E a distance of 30.04 feet to the **POINT OF BEGINNING** and containing 0.110-acre (4,793 square feet) of land, more or less.

**I HEREBY CERTIFY** that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground in June of 2003 under my supervision.

Prepared by **Landmark Surveying, Inc.**




Paul J. Flugel  
Registered Professional Land Surveyor No. 5096  
Date: June 24, 2003  
Revised: September 18, 2003



Bearing Basis: Texas State Plane Coordinate System (Texas Central Zone 4203, NAD '83 HARN, Combined scaled factor 0.999924951). All data derived from and referenced to CORS station AUS5 as established and published by the Texas Department of Transportation and CB56 as published by the City of Austin.

C:\field-notes\fn-2003\r-chan\hancock-branch\B1-Lot2-podolnick-tiaee.doc  
Austin Map No 555, Grid J27  
TCAD No. 02-2503-0311

**FIELD NOTES REVIEWED**  
By:  Date: 9-28-03  
Austin Clean Water Program  
Survey Coordinator

**SURVEY OF A PORTION OF LOT 2, BLOCK "A", PODOLNICK PLACE, OUT OF THE  
GEORGE W. SPEAR SURVEY NO. 7  
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

SHEET 1 OF 1

S54°00'03"E 101.35'  
(S51°15'40"E 101.85')

**HANCOCK DRIVE**  
(70' R.O.W.)



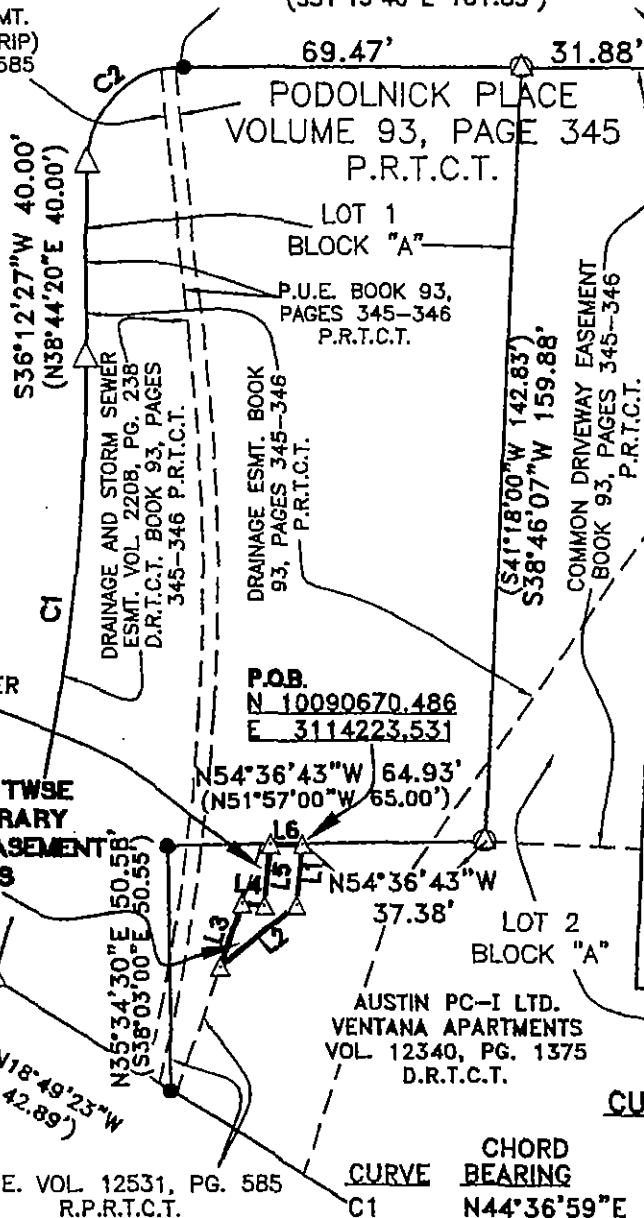
SCALE 1"=40'

STORM SEWER ESMT.  
RELEASED (3.0' STRIP)  
VOL. 3057, PG. 1585  
D.R.T.C.T.

**LEGEND**

- 1/2" IRON ROD FOUND  
(UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET
- ⊙ NAIL SET
- △ CALCULATED POINT  
(NOT ESTABLISHED  
ON GROUND)
- ▲ NAIL FOUND
- ( ) RECORD INFORMATION
- 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
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE

**CRESTMONT DRIVE**  
(80' R.O.W.)



**LOT 3**  
**RESUBDIVISION OF BLOCK 3**  
**BOOK 25, PAGE 43**  
**P.R.T.C.T.**

**LINE TABLE**

LINE	BEARING	DISTANCE
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L2	S87°16'01"W	20.20'
L3	N55°01'45"E	13.72'
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L6	S54°36'43"E	6.66'

**CURVE TABLE**

CURVE	CHORD BEARING	CHORD DISTANCE	ARC LENGTH	RADIUS
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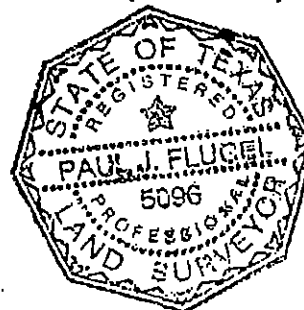
**BEARING BASIS NOTE:**  
Combined Scale  
Factor=0.999924951. The Basis  
Of Bearings for this survey is  
the Texas State Plane  
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Zone 4203, NAD83 HARN, NGS  
Vertical Datum. AUS 5 as  
established and published by  
Texas Department of  
Transportation and C856 as  
published by the City of Austin  
were used as controlling  
monuments for this survey.

AS SURVEYED BY  
**LANDMARK SURVEYING, INC.**

**PAUL J. FLUGEL**  
Registered Professional Land Surveyor No. 5096  
DATE : June 24, 2003  
REVISED: September 16, 2003

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

Client: Raymond Chan  
Date: September 16, 2003  
Office: MBouadi  
Crew: Mason, Winn  
F.B.L.  
Disk: C:\dwg13\Chan\HANCOCK BRANCH\EASEMENT\5005.12-TWSE.DWG  
Cogo:  
Job No.: 95-0024-17-11



**SKETCH TO  
ACCOMPANY  
FIELD NOTES**

**Landmark**  
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