

RESOLUTION NO. 040624-19

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**,

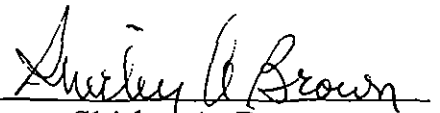
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

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 HUB Properties Trust, and the property is located at 7800 Shoal Creek Boulevard, Austin, Travis County, Texas.

ADOPTED: June 24, 2004

ATTEST:


Shirley A. Brown
City Clerk

Hub Properties Trust
to
City of Austin
(Temporary Ingress and
Egress Easement)

Field Notes for Parcel 5006.06TIAEE

BEING 0.033 OF ONE ACRE (1450 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 1, OF RESUBDIVISION OF LOT A, AUSTIN NORTHWEST SUBDIVISION, RECORDED IN BOOK 74, PAGE 64 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO HUB PROPERTIES TRUST BY SPECIAL WARRANTY DEED FILED FOR RECORD ON JULY 1, 1999, RECORDED IN DOCUMENT NO. 1999059612 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.033 OF ONE ACRE (1450 S.F.) 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 westerly right-of-way line of Shoal Creek Boulevard (80' R.O.W.), same being in the easterly line of said Lot 1, same also being along a curve to the left of 659.39 feet radius, an arc distance of 34.95 feet, having an angle of intersection of $3^{\circ}02'12''$ (the long chord of said curve bears North $06^{\circ}00'10''$ East, a distance of 34.94 feet) from a 1/2 inch iron rod found for 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(93) HARN, US Feet, Combined Scale Factor 0.999944) values of N=10103791.10 and E=3114161.44

1) THENCE, North $83^{\circ}46'22''$ West, a distance of 38.61 feet, leaving the westerly right-of-way line of said Shoal Creek Boulevard and the easterly line of said Lot 1, crossing said Lot 1, to a calculated point for a corner;

2) THENCE, North $07^{\circ}23'18''$ West, a distance of 41.55 feet, to a calculated point for the most northerly corner of the herein described tract of land;

3) THENCE, South $69^{\circ}57'45''$ East, a distance of 48.28 feet, to a calculated point in the westerly right-of-way line of said Shoal Creek Boulevard and the easterly line of said Lot 1, for a corner and point of curvature of a non-tangent circular curve to the right;

Exhibit "A"
Page 1 of 3

4) THENCE, with the westerly right-of-way line of said Shoal Creek Boulevard and the easterly line of said Lot 1, along said curve to the right of 659.39 feet radius, having an angle of intersection of 02°30'40", an arc length of 28.90 feet, a chord bearing South 03°13'43" West, a distance of 28.90 feet to the Point of Beginning, and containing an area of 0.033 of one acre (1450 S.F.) of land, more or less.

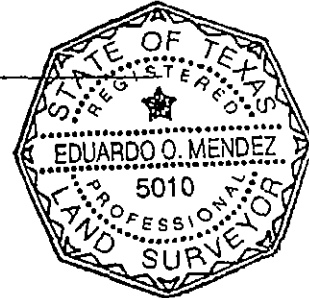
I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

Eduardo O. Mendez

Eduardo O. Mendez

Registered Professional Land Surveyor 5010

7/24/03
Date



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

The bearings described herein are Texas State Plane, Central Zone NAD83(93) HARN. For surface coordinates, divide grid coordinates by an adjustment factor of 0.999944. The reference for this project is "GPS 31", 60d nail found approximately 10 feet southwest of the centerline intersection of Foster Lane and Great Northern Boulevard having coordinate values N=10104076.26, E=3113212.65, "GPS 33", 60d nail found approximately 530 feet southeast of the centerline intersection of Foster Lane and Shoal Creek Boulevard having coordinate values N=10103494.00, E=3114683.59, having a grid bearing of S 68°24'15" E and a surface distance of 1582.08 feet.

TCAD No. : 2-4003-0202
Austin Grid: J30-4

FIELD NOTES REVIEWED
By: *[Signature]* Date: 7-30-03
Austin Clean Water Program
Survey Coordinator

Exhibit "A"
Page 2 of 3

SCALE
1"=50'

GEORGE W. DAVIS SURVEY NO. 15

LOT 1

LEGEND

- △ CALCULATED POINT
- ⊙ 1/2" IRON PIPE FOUND (UNLESS NOTED)
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- () RECORD DATA

PRTCT PLAT RECORDS
TRAVIS CO, TX
OPRTCT OFFICIAL PUBLIC RECORDS
TRAVIS CO, TX
DRTCT DEED RECORDS
TRAVIS CO, TX
AREA OF EASEMENT

PUBLIC UTILITY
EASEMENT
BK. 83, PG. 71C
PRTCT

LOT CA-2
COMMON AREA

FOSTER LANE TOWNHOMES
BK. 83, PG. 71C
PRTCT

BLOCK A

SIDEWALK EASEMENT
BK. 83, PG. 71C
PRTCT

DRAINAGE EASEMENT
5000/1831
DRTCT

5006.06
TSAAMSS

25' BUILDING LINE
74/64
PRTCT

5006.06 TIAEE
0.033 AC (1450 S.F.)

POINT OF
BEGINNING
N 10103791.10
E 3114161.44
(GRID)

SHOAL CREEK BLVD
(80' R.O.W.)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N83°46'22"W	38.61'
L2	N07°23'18"W	41.55'
L3	S69°57'45"E	48.28'

THE COORDINATES SHOWN ARE TEXAS STATE PLANE,
CENTRAL ZONE, NAD 83(93)HARN. THE BEARINGS
SHOWN ARE GRID BEARINGS. THESE COORDINATES
WERE ESTABLISHED FROM REFERENCE POINTS
"GPS31" HAVING COORDINATE VALUES N=10104076.26,
E=3113212.65 AND "GPS33" HAVING COORDINATE
VALUES N=10103494.00, E=3114683.59. COMBINED
SCALE FACTOR = 0.999944. ALL DISTANCES SHOWN
ARE SURFACE DISTANCES.

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	2°30'40"	659.39'	28.90'	14.45'	28.90'	S03°13'43"W
C2	3°02'12"	659.39'	34.95'	17.48'	34.94'	N06°00'10"E
(C3)		(659.39')	(353.31')		(349.10')	(S06°04'E)

AUSTIN NORTHWEST
DEVELOPMENT COMPANY
3261/1260
DRTCT



Eduardo O. Mendez
7/24/03



MARTINEZ
WRIGHT &
MENDEZ

Civil Engineering, Land Surveying, Architecture

Exhibit "A"
Page 3 of 3

(tel: 512.453.0767 fax) 512.453.1734

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

DATE: 23 JUL 03
JOB NO: 02359A-15
FILE: TIAEE

3
3 OF 3

Hub Properties Trust
to
City of Austin
(Temporary Staging Area
and Material Storage Site)

Field Notes for Parcel 5006.06TSAAMSS

BEING 0.390 OF ONE ACRE OF LAND, MORE OR LESS, OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY NO. 15 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 1, OF RESUBDIVISION OF LOT A, AUSTIN NORTHWEST SUBDIVISION, RECORDED IN BOOK 74, PAGE 64 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO HUB PROPERTIES TRUST BY SPECIAL WARRANTY DEED FILED FOR RECORD ON JULY 1, 1999, RECORDED IN DOCUMENT NO. 1999059612 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.390 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 a southwesterly line of said Lot 1, same being in a northeasterly line of the tract conveyed to Austin Northwest Development Company, by deed recorded in Volume 3261, Page 1260 of the Deed Records of Travis County, Texas, same also being North 60°01'24" West, a distance of 48.96 feet from a 1/2 inch iron rod found for 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(93) HARN, US Feet, Combined Scale Factor 0.999944) values of N=10103780.81 and E=3114115.38;

1) THENCE, North 60°01'24" West, a distance of 3.12 feet, with the southwesterly line of said Lot 1 and in a northeasterly line of said Austin Northwest Development Company tract, to an 1/2 inch iron rod found at the most northerly corner of said Austin Northwest Development Company, and an easterly corner of Lot CA-2, Block A, dedicated as Common Area, of Foster Lane Townhomes, recorded in Book 83, Page 71C of the Plat Records of Travis County, Texas, for a corner;

2) THENCE, North 62°14'09" West, a distance of 171.93 feet, with the southwesterly line of said Lot 1 and the northeasterly line of said Lot CA-2, Block A, to a calculated point for a corner;

3) THENCE, North 55°04'05" West, a distance of 117.28 feet, leaving the southwesterly line of said Lot 1 and the northeasterly line of said Lot CA-2, Block A, crossing said Lot 1, to a calculated point for the most westerly corner of the herein described tract of land;

4) THENCE, North 27°22'20" East, a distance of 49.54 feet, to a calculated point for the most northerly corner of the herein described tract of land;

5) THENCE, South 62°09'37" East, a distance of 258.31 feet, to a calculated point for a corner;

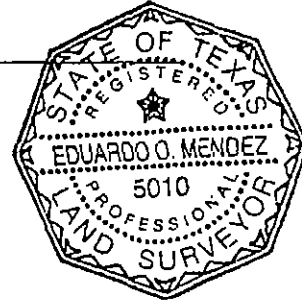
6) THENCE, South 07°23'18" East, a distance of 58.17 feet, to a calculated point for a corner;

7) THENCE, South 27°56'41" West, a distance of 16.39 feet, to the Point of Beginning, and containing an area of 0.390 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

7/24/03
Date



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

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TCAD No. : 2-4003-0202
Austin Grid: J30-4

FIELD NOTES REVIEWED
By: [Signature] Date: 8-5-03
Austin Clean Water Program
Survey Coordinator

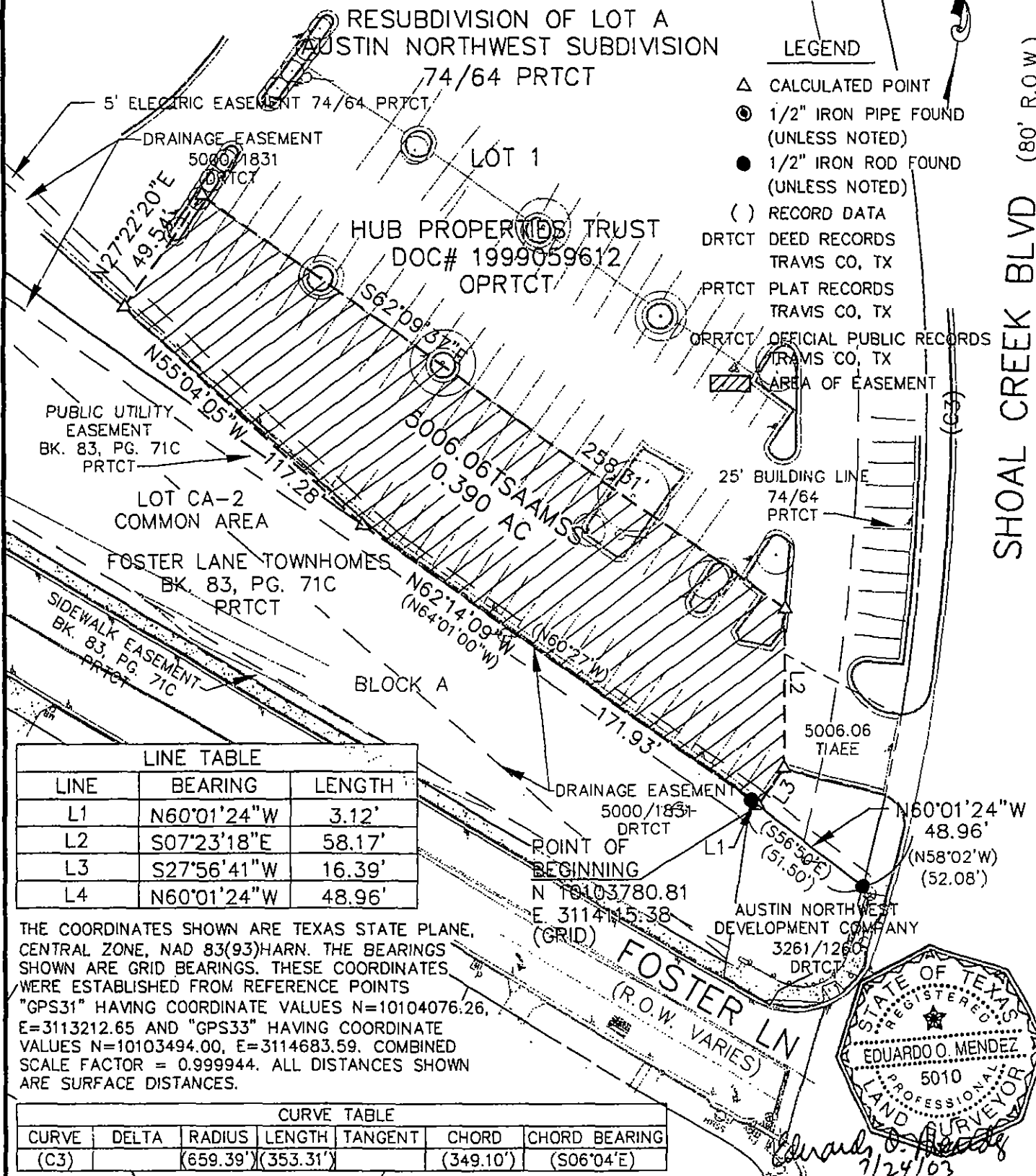
GEORGE W. DAVIS SURVEY NO. 15

SCALE
1"=50'

LEGEND

- △ CALCULATED POINT
- ⊙ 1/2" IRON PIPE FOUND (UNLESS NOTED)
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- () RECORD DATA
- DRTCT DEED RECORDS TRAVIS CO, TX
- PRTCT PLAT RECORDS TRAVIS CO, TX
- OPRTCT OFFICIAL PUBLIC RECORDS TRAVIS CO, TX
- ▨ AREA OF EASEMENT

SHOAL CREEK BLVD (80' R.O.W.)



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

CHEVY CHASE ONE
7700 Chevy Chase Drive
Suite 100, Austin, Texas 78752
(tel) 512.453.2757 (fax) 512.453.1754

SKETCH TO ACCOMPANY
FIELD NOTES
TRAVIS COUNTY, TEXAS

DATE 24 JUL 03
JOB NO 02359A-13
FILE TSAAMSS

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