

RESOLUTION NO. 041118-18

WHEREAS, the Council finds that acquisition of the property interest 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 interest to be acquired; **NOW, THEREFORE**,

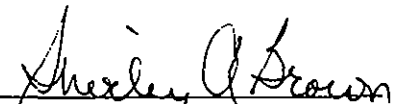
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

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 interest.

The owner of the property interest to be acquired is Daniel J. Brustkern and the property is located approximately 650 feet north of Slaughter Lane and 650 feet south of the intersection of Salcon Cliff Drive and Escarpment Boulevard, Austin, Travis County, Texas.

ADOPTED: November 18, 2004

ATTEST:


Shirley A. Brown
City Clerk

DANIEL J. BRUSTKERN
TO
CITY OF AUSTIN
(STREET RIGHT-OF-WAY)

FIELD NOTES

A DESCRIPTION OF 0.467 ACRE (20,337 SQUARE FEET) OF LAND SITUATED IN THE SAMUEL HAMILTON SURVEY NO. 16, TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN 1.000 ACRE TRACT OF LAND CONVEYED TO DANIEL J. BRUSTKERN BY DEED RECORDED IN VOLUME 11740, PAGE 324 OF THE REAL PROPERTY RECORDS OF SAID COUNTY, SAID 0.467 ACRE, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, for reference, at a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for the northwest corner of Circle C Ranch Phase C, Section Nine a subdivision whose plat is recorded in Document No. 200200245 of the official Public Records of said county on the south line of Village at Western Oaks Section 15-B, a subdivision whose plat is recorded in Volume 86, Pages 89B thru 90A of the Plat Records of said county;

THENCE along the south line of said Section 15-B, the south line of Village of Western Oaks Section 15-A, a subdivision whose plat is recorded in Volume 86, Pages 77C and 77D of the said Plat Records and the north line of a remainder portion of that certain 538.5087 acres of land conveyed to Circle C Land Corp. by deed recorded in Volume 11620, Page 1126 of the said Real Property Records, N70°11'33"W, 1033.09 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for the southeast corner of Escarpment Boulevard a 120.00 foot wide R.O.W. dedicated by plat of Village at Western Oaks, Section 16-A a subdivision whose plat is recorded in Volume 86, Pages 62A thru 62D of the said Plat Records;

THENCE, departing the south line of said Section 15-A and the north line of said remainder portion of the 538.5087 acres, crossing said remainder portion of the 538.5087 acres along the proposed easterly right-of-way (R.O.W.) line of Escarpment Boulevard the following three (3) courses:

1. a distance of 468.68 feet along the arc of a curve to the left whose radius is 665.00 feet, central angle is 40°22'52" and whose chord bears S02°12'50"E, 459.04 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for the point of tangency,
2. S22°24'16"E, 276.75 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for a point of curvature, and

3. a distance of 38.45 feet along the arc of a curve to the right whose radius is 785.00 feet, central angle is $02^{\circ}48'22''$ and whose chord bears $S21^{\circ}00'05''E$, 38.44 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set on the north line of said Brustkern tract for the POINT OF BEGINNING of the herein described 0.467 acre;

THENCE continuing along the proposed easterly R.O.W. line of said Escarpment Boulevard crossing said Brustkern tract a distance of 178.71 feet along the arc of a curve to the right whose radius is 785.00 feet, central angle is $13^{\circ}02'37''$ and whose chord bears $S13^{\circ}04'36''E$, 178.32 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set on the south line of said Brustkern tract from which a 1/2 inch iron rod found for the southeast corner of said Brustkern tract bears $N88^{\circ}00'24''E$, 119.31 feet;

THENCE, departing the proposed easterly R.O.W. line of said Escarpment Boulevard, along the south line of said Brustkern tract, $S88^{\circ}00'24''W$, 120.45 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set for a point of curvature on the proposed westerly R.O.W. line of said Escarpment Boulevard;

THENCE continuing along the south line of said Brustkern tract and the proposed westerly R.O.W. line of said Escarpment Boulevard $S88^{\circ}00'24''W$, 11.83 feet to a 1/2 inch iron rod found for the southwest corner of said Brustkern tract;

THENCE, departing the south line of said Brustkern tract, along the west line of said Brustkern tract and the proposed westerly R.O.W. line of said Escarpment Boulevard a distance of 64.56 feet along the arc of a curve to the left whose radius is 2105.00 feet, central angle is $01^{\circ}45'26''$ and whose chord bears $N00^{\circ}15'33''E$, 64.56 feet to a 5/8 inch iron rod with plastic cap marked "RPLS 4532" set;

THENCE, departing the proposed westerly R.O.W. line of said Escarpment Boulevard, continuing along the west line of said Brustkern tract a distance of 110.42 feet along the arc of a curve to the left whose radius is 2105.00 feet, central angle is $03^{\circ}00'20''$ and whose chord bears $N02^{\circ}07'20''W$, 110.41 feet to a 1/2 inch iron rod found for the northwest corner of said Brustkern tract;

THENCE along the north line of said Brustkern tract $N87^{\circ}57'28''E$, 95.71 feet to the POINT OF BEGINNING containing 0.467 acre of land more or less.

Bearing Basis Note

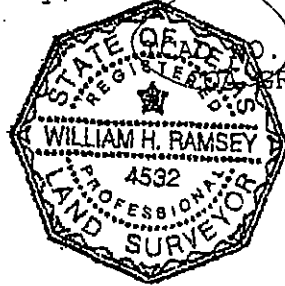
The bearings shown herein are based on the final plat Circle C Ranch Phase C, Section Nine recorded in Document No. 200200245 of

the Official Public Records of Travis County, Texas.

SURVEYED BY: Ramsey Land Surveying, L.L.C.
8718 Southwest Parkway
P.O. Box 92768
Austin, Texas 78709-2768
Phone: (512) 301-9398

William H. Ramsey
William H. Ramsey, R.P.L.S. No. 4532

8-23-04
Date



PLAT NO. 04-2347-03-05
GRID NO. B-16

FIELD NOTES REVIEWED

By JOHN MOORE Date 8-26-2004
Engineering Support Section
Department of Public Works
and Transportation

0 150 300 600

CIRCLE C RANCH
PHASE B SECTION 20-A
DOC. NO. 199900388
OPRTC

CARRINGTON DR.

CIRCLE C LAND CORP.
REMAINDER OF 538.5087 ACRES
VOL. 11620 PG. 1126
TCRPR

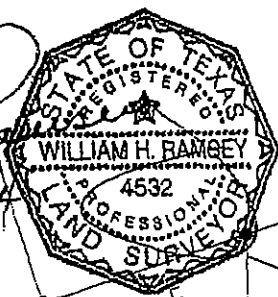
CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	468.68	40°22'52"	665.00	S02°12'50"W	459.04
C2	38.45	02°48'22"	785.00	S21°00'05"W	38.44
C3	178.71	13°02'37"	785.00	S13°04'36"W	178.32
C4	64.56	01°45'26"	2105.00	N00°15'33"E	64.56
C5	110.42	03°00'20"	2105.00	N02°07'20"W	110.41

LINE	DIRECTION	DISTANCE
L1	S88°00'24"W	120.45
L2	N87°57'28"E	95.71
L3	N88°00'24"E	119.31
L4	S88°00'24"W	11.83

CIRCLE C LAND CORP.
REMAINDER OF 538.5087 ACRES
VOL. 11620 PG. 1125
TCRPR

POINT OF
COMMENCING
BEARING BASIS
S01°58'50"W
287.48

CIRCLE C RANCH
PHASE C SECTION NINE
DOC. NO. 200200245
OPRTC



- LEGEND
- 1/2" IRON ROD WITH PLASTIC CAP MARKED "CAPITAL SURVEYING CO. INC." FOUND
 - ⊙ 1/2" IRON ROD FOUND
 - 5/8" IRON ROD WITH PLASTIC CAP MARKED "RFLS 4532" SET
 - TCRPR - TRAVIS COUNTY REAL PROPERTY RECORDS
 - TCPR - TRAVIS COUNTY PLAT RECORDS
 - OPRTC - OFFICIAL PUBLIC RECORDS TRAVIS COUNTY

RAMSEY LAND SURVEYING, L.L.C.

8718 SOUTHWEST PARKWAY
P.O. BOX 92769
AUSTIN, TEXAS 78709-2766
PHONE (512) 301-9398
FAX (512) 301-9395
-lsurvey@flash.net

SKETCH TO ACCOMPANY
FIELD NOTE NO. 536-07

JOB NO. 536.13

COA GRID NO. 9-16