

RESOLUTION NO. 041118-19

WHEREAS, the Council finds that acquisition of fee simple title to 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 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 fee simple title to the property described in the attached exhibit.

The owner of the property to be acquired is W.A. Denton aka William Alvin Denton and the property is located at 11506 McAngus Road, Del Valle, Travis County, Texas.

ADOPTED: November 18, **2004**

ATTEST:


Shirley A. Brown
City Clerk



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

W. A. Denton and wife, Margie Mae Denton
To
City of Austin

LEGAL DESCRIPTION FOR PARCEL 60

BEING A 33.893 ACRE TRACT OF LAND OUT OF THE NOEL M. BAIN SURVEY NO. 1, ABSTRACT NO. 61 IN TRAVIS COUNTY, TEXAS, AND BEING COMPRISED OF THE FOLLOWING TWO (2) TRACTS: 1) A 29.4 ACRE TRACT CONVEYED TO W. A. DENTON BY DEED RECORDED IN VOLUME 3765, PAGE 997 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND 2) A 4.6 ACRE TRACT CONVEYED TO W. A. DENTON AND WIFE, MARGIE MAE DENTON BY DEED RECORDED IN VOLUME 5680, PAGE 1756, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 33.893 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ACCOMPANYING SKETCH:

BEGINNING at a 1/2" iron rod found at the easternmost corner of said 29.4 acre tract, same being an interior corner of a 51.995 acre tract conveyed to SR Development Inc. by deed recorded in Volume 12983, Page 702, Official Public Records of Travis County, Texas, for the easternmost corner of this tract;

THENCE, along the southeasterly line of said 29.4 acre tract, the following two (2) courses:

- 1) S27°55'31"W, along the northwesterly line of said 51.995 acre tract, at 211.92 feet, pass a 1/2" iron rod found at a corner of said 51.995 acre tract, same being the northwest corner of a 3.401 acre tract conveyed to SR Development Inc. by deed recorded in Volume 12983, Page 702, Official Public Records of Travis County, Texas, and continuing with the northwest line of said 3.401 acre tract, a total distance of 491.55 feet to a calculated point at the westernmost corner of said 3.401 acre tract and the northernmost corner of a 49.87 acre tract conveyed to George J. Vassar and Michael E. Vassar by deed recorded in Volume 11392, Page 110, Official Public Records of Travis County, Texas, for an angle point;
- 2) S27°59'05"W, with the northwest line of said 49.87 acre tract, a distance of 1010.59 feet to a calculated point at the easternmost corner of a 5.0 acre tract conveyed to Fredrick C. Lancaster and wife, Jamelia Lancaster by deed recorded in Volume 7389, Page 214, Deed Records of Travis County, Texas, for the southernmost corner of this tract, from said point, a 1/2" iron rod found in the northeasterly right-of-way of McAngus Road, a seventy (70) foot-wide right-of-way, at the westernmost corner of said 49.97 acre tract and the

southernmost corner of an 11.00 acre tract conveyed to Fredrick C. Lancaster and wife, Jamelia Lancaster by deed recorded in Volume 5009, Page 525, Deed Records of Travis County, Texas, bears S27°59'05"W, 1460.28 feet;

THENCE, N62°25'02"W, with the southwesterly line of said 29.4 acre tract and the northeasterly line of said 5.0 acre tract, a distance of 479.73 feet to a 1/2" iron rod found on the southeasterly line of a private roadway, locally known as Vega Road, at the northernmost corner of said 5.0 acre tract, for a corner of this tract;

THENCE, N27°47'58"E, with the southeasterly line of Vega Road and the northwesterly line of said 29.4 acre tract, a distance of 329.43 feet to a calculated point, for an interior corner of this tract;

THENCE, N63°10'43"W, with the northeasterly line of Vega Road and the southwesterly line of said 29.4 acre tract, a distance of 49.69 feet to a calculated point at the easternmost corner of said 4.6 acre tract, for an interior corner of this tract;

THENCE, S27°54'13"W, with the northwesterly line of Vega Road and the southeasterly line of said 4.6 acre tract, a distance of 420.50 feet to a calculated point at the easternmost corner of a 5.00 acre tract conveyed to Eloisa Saldana by deed recorded in Document No. 2002038114, Official Public Records of Travis County, Texas, for a corner of this tract, from said point, a 1/2" iron rod found in the northwesterly line of Vega Road, at the southernmost corner of Lot 2, Vega Subdivision, a subdivision recorded in Volume 91, Page 201, Plat Records of Travis County, Texas, bears, S27°54'13"W, 683.56 feet;

THENCE, N62°15'53"W, with the southwesterly line of said 4.6 acre tract and the northeasterly line of said 5.00 acre tract, a distance of 477.92 feet to a 1/2" iron rod found on the southeasterly right-of-way line of Towery Lane, a fifty (50) foot-wide right-of-way, being the northernmost corner of said 5.00 acre tract and the westernmost corner of said 4.6 acre tract, for the westernmost corner of this tract;

THENCE, N28°01'07"E, with the southeasterly right-of-way line of Towery Lane and the northwesterly line of said 4.6 acre tract, a distance of 419.44 feet to a calculated point on the southwest line of a 10.0 acre tract conveyed to Oran Graham and wife, Betty J. Graham by deed recorded in Volume 4013, Page 914, Deed Records of Travis County, Texas, at the northernmost corner of said 4.6 acre tract, for a corner of this tract,

THENCE, S63°10'43"E, with the northeasterly line of said 4.6 acre tract and the southwesterly line of said 10.0 acre tract, a distance of 53.97 feet to a calculated point at the westernmost corner of said 29.4 acre tract, and the southernmost corner of said 10.0 acre tract, for an interior corner of this tract;

THENCE, N27°49'14"E, with the northwesterly line of said 29.4 acre tract and the southeasterly line of said 10.0 acre tract, a distance of 1166.67 feet to a calculated point on the southwesterly line of said 51.995 acre tract, at the northernmost corner of said 29.4 acre

tract and the easternmost corner of said 10.0 acre tract, for the northernmost corner of this tract, from said point, a 1/2" iron rod found bears, S09°49'36"W, 4.11 feet, and a 1/2" iron rod found at the northernmost corner of said 10.0 acre tract bears, N62°45'46"W, 378.90 feet;

THENCE, S62°45'46"E, with the northeasterly line of said 29.4 acre tract and the southwesterly line of said 51.995 acre tract, a distance of 956.50 feet to the **POINT OF BEGINNING** and containing 33.893 acres of land.

BEARING BASIS NOTE

Bearing basis refers to the Texas State Plane Coordinate System, Central Zone, North American Datum of 1983/HARN. Distances are adjusted to surface. Scale factor to convert from surface to grid = 0.99998.

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

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That I, Carmelo L. Macias, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 28TH day of August, 2003, A.D.

MACIAS & ASSOCIATES, INC.
5410 South 1st Street
Austin, Texas 78745

Carmelo L. Macias

Carmelo L. Macias
Registered Professional Land Surveyor
No.4333 - State of Texas

