

**RESOLUTION NO. 041202-21**

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

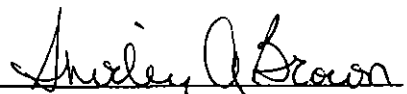
**WHEREAS**, the City has been unable to agree with the owner on the fair market value of the property interest to be acquired; **NOW, THEREFORE**,

**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 Griesbach Properties, Inc., and the property is located at 7608 FM Road 969, Austin, Travis County, Texas.

**ADOPTED:** December 2, 2004

**ATTEST:**   
Shirley A. Brown  
City Clerk

DESCRIPTION OF 1191 SQUARE FEET (0.0273 ACRE) OF LAND LOCATED IN THE JAMES BURLESON SURVEY NO. 19, ABSTRACT NO. 4 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLUM ADDITION, A PLAT RECORDED IN BOOK 72, PAGE 91, PLAT RECORDS TRAVIS COUNTY, TEXAS, AS CONVEYED AS TRACT 2 IN THE WARRANTY DEED TO GRIESBACH PROPERTIES, INC., EXECUTED JANUARY 1, 1986 AND RECORDED IN VOLUME 9653, PAGE 0480, REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS; SAID 1191 SQUARE FEET OF LAND, AS SHOWN ON A WATERLINE EASEMENT SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** at a ½-inch iron rod with SAM INC cap set at a calculated angle point on the northerly right-of-way line of F.M. Road 969, being the calculated southeast corner of said Lot 1 and having Texas State Plane Coordinate System (Central Zone, NAD83(93)) grid coordinates of N=10075935.65, E=3144661.51, U.S. Survey Feet, Combined Scale Factor of 1.000047148;

**THENCE** N 64° 43' 37" W, with the northerly right-of-way line of said F.M. Road 969, a distance of 79.38 feet to the calculated southwest corner of the tract described herein, said point being the calculated common southerly corner of said Tract 1 and said Lot 1, from which point a ½-inch iron rod found for an angle point on the northerly right-of-way line of F.M. Road 969, being the southeast corner of Lot 1, Block A, Meadows At Trinity Crossing, Phase One-B, a plat recorded in Book 97, Page 48, Plat Records Travis County, Texas, and the southwest corner a called 7.66 acre tract of land described as Tract 1 in said Warranty Deed to Griesbach Properties, Inc., bears N 64° 43' 37" W, a distance of 365.04 feet;

**THENCE** N 28° 17' 20" E, leaving the northerly right-of-way line of said F.M. Road 969 with the common line of said Tract 1 and said Lot 1, a distance of 15.02 feet to the calculated northwest corner of the tract described herein;

**THENCE** through the interior of said Lot 1, the following two (2) courses and distances:

1. S 64° 43' 37" E, a distance of 77.97 feet to a calculated angle point, and
2. S 69° 27' 40" E, a distance of 1.42 feet to the calculated northeast corner of the tract described herein, being the east line of said Lot 1 and the west line of Lot A, Daywood Subdivision No. 2, a plat recorded in Book 13, Page 40, Plat Records Travis County, Texas;

**THENCE** S 28° 17' 20" W, with the west line of said Lot A, being the east line of said Lot 1 and the tract described herein, a distance of 15.14 feet to the **POINT OF BEGINNING** and containing 1191 square feet (0.0273 acre) of land, more or less.

**BEARING BASIS:** All bearings are based on the Texas Coordinate System, Central Zone, NAD 83(93). Project reference control points consist of TxDOT bronze disk monument N2277017, having grid coordinates of: N=10077297.46, E=3141245.45, and monument N2277027, having grid coordinates of N=10076358.52, E=3143348.68. Combined scale factor of 1.000047148.

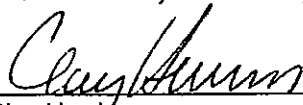
This property description is accompanied by a separate plat, see "Sketch to Accompany Field Note. No. 3087REV", page 3 of 3 attached hereto and made a part hereof.

THE STATE OF TEXAS       §  
                                     §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF TRAVIS       §

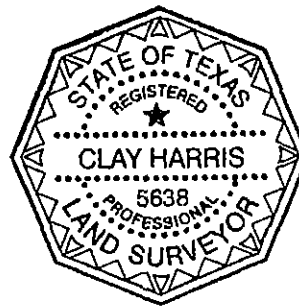
That I, Clay Harris, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 4th day of February 2004 A.D.

SURVEYING AND MAPPING, Inc.  
5508 West Highway 290, Building B  
Austin, Texas 78735

  
\_\_\_\_\_  
Clay Harris  
Registered Professional Land Surveyor  
No. 5638 - State of Texas

AUSTIN MAP GRID: N/P-23  
TCAD PARCEL: 02-1133-0106



FIELD NOTES REVIEWED  
By JOHN MOORE Date 11-30-2004  
Engineering Support Section  
Department of Public Works  
and Transportation

P.O.R.

LOT 1, BLOCK A,  
MEADOWS AT  
TRINITY CROSSING  
PHASE ONE-B  
BK. 97, PG. 48  
P.R.T.C.Tx.

GRIESBACH PROPERTIES, INC.  
CALLED 7.66 ACRES  
(TRACT 1)  
VOL. 9653, PG. 0480  
R.P.R.T.C.Tx.

(N67°07'06"W 366.22')  
(N64°43'37"W 444.41')

F.M. ROAD 969  
(WIDTH VARIES)

P.O.B.

(S30°30'W 200')  
LOT 1  
BLUM ADDITION  
BK. 72, PG. 91  
P.R.T.C.Tx.

(S30°30'W 200')  
LOT A  
DAYWOOD SUBD. NO. 2  
BK. 13, PG. 40  
P.R.T.C.Tx.

(S30°30'W 200')  
GRIESBACH PROPERTIES, INC.  
CALLED 22.84 ACRES  
VOL. 9653, PG. 486  
R.P.R.T.C.Tx.

JAMES BURLESON SURVEY NO. 19, ABS NO. 4



GRAPHIC SCALE

SCALE : 1" = 100'

N28°17'20"E

15.02'

LOT 1  
BLUM ADDITION  
BK. 72, PG. 91  
P.R.T.C.Tx.

GRIESBACH PROPERTIES, INC.  
(TRACT 2)  
VOL. 9653, PG. 0480  
R.P.R.T.C.Tx.

WATERLINE EASEMENT  
1191 SQUARE FEET  
[0.0273 ACRE]

LOT A  
DAYWOOD SUBD. NO. 2  
BK. 13, PG. 40  
P.R.T.C.Tx.

N64°43'37"W  
365.04'

N64°43'37"W 79.38'

S69°27'40"E  
1.42'

S28°17'20"W  
15.14'



GRAPHIC SCALE

SCALE : 1" = 20'

FEBRUARY, 2004

TRAVIS COUNTY, TEXAS

P.O.B.

GRID COORDINATES:  
N=10075935.65  
E=3144661.51

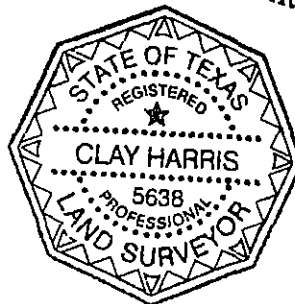
F.M. ROAD 969  
(WIDTH VARIES)

#### LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD W/ SAM INC CAP SET
- △ CALCULATED POINT

( ) RECORD INFORMATION

D.R.T.C.TX. DEED RECORDS TRAVIS COUNTY, TEXAS  
R.P.R.T.C.TX. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS  
P.O.B. POINT OF BEGINNING  
P.O.R. POINT OF REFERENCE



*Clay Harris*  
2/4/04

PROJECT:	FM 989
JOB NUMBER:	23337-01
DATE:	FEBRUARY, 2004
SURVEYOR:	CLAY HARRIS
PARTY CHIEF:	T.A. FISCHER
FIELDBOOK:	3082
FIELDNOTE:	FN3087REV
TECHNICIAN:	L.J. RILEY
DRAWING:	FN3087.DWG
SCALE:	VARIES



6500 WEST HIGHWAY 290  
BUILDING B  
AUSTIN TEXAS, 78756  
(512) 447-0678  
FAX: (512) 326-3029  
EMAIL: SAM@SAMINC.AUS.COM

SKETCH TO ACCOMPANY  
WATERLINE EASEMENT  
DESCRIPTION FN3087REV

PAGE 3 OF 3