

**RESOLUTION NO. 041202-23**

**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,**

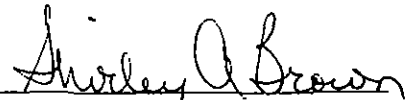
**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

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 7816 FM Road 969, Austin, Travis County, Texas.

**ADOPTED:** December 2, 2004

**ATTEST:**

  
Shirley A. Brown  
City Clerk

DESCRIPTION OF 262 SQUARE FEET (0.0060 ACRE) OF LAND LOCATED IN THE JAMES BURLESON SURVEY NO. 19, ABSTRACT NO. 4 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 0.137 ACRE TRACT OF LAND DESCRIBED IN THE WARRANTY DEED TO GRIESBACH PROPERTIES, INC., EXECUTED JANUARY 1, 1986 AND RECORDED IN VOLUME 9653, PAGE 0499, REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS, SAID 0.137 ACRE TRACT SUBSEQUENTLY INCORPORATED INTO LOT 1, GERALD ADDITION, A PLAT RECORDED IN PLAT BOOK 89, PAGE 313, PLAT RECORDS TRAVIS COUNTY, TEXAS; SAID 262 SQUARE FEET OF LAND, AS SHOWN ON WATERLINE EASEMENT SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** for reference at a calculated point in the northerly right-of-way line of F.M. Road 969, said point being the southeast corner of a rectangular portion of land dedicated for right-of-way by said plat of Gerald Addition, same being the most westerly corner of Lot 2 of said Gerald Addition, from which a TxDOT Type I highway monument found bears S 66° 57' 40" E, a distance of 154.99 feet;

**THENCE** N 30° 18' 34" E, with the northwesterly line of said Lot 2, a distance of 9.91 feet to a calculated southeasterly corner and **POINT OF BEGINNING** of the tract described herein, same being the most southerly corner of said Lot 1, and having Texas State Plane Coordinate System (Central Zone, NAD 83(93)) grid coordinates of N=10075690.86, E=3145314.08, U.S. Survey Feet, Combined Scale Factor of 1.000047148;

**THENCE** N 66° 36' 29" W, with the southwesterly line of said Lot 1, a distance of 52.27 feet to the calculated southwesterly corner of the tract described herein, being the calculated southwesterly corner of said Lot 1, also being in the easterly line of a called 22.84 acre tract of land as described in the Warranty Deed to Griesbach Properties, Inc., executed January 1, 1986 and recorded in Volume 9653, Page 0486, Real Property Records Travis County, Texas, from which a ½-inch iron rod with SAM INC cap set at the calculated southwest corner of said rectangular portion, bears S 31° 55' 10" W, a distance of 10.28 feet;

**THENCE** N 31° 55' 10" E, with the west line of said Lot 1, being the east line of said 22.84 acre tract, a distance of 4.91 feet to the calculated northwesterly corner of the tract described herein;

**THENCE** S 66° 57' 40" E, through the interior of said Lot 1, a distance of 52.17 feet to the calculated northeasterly corner of the tract described herein, said point being on the common line of said Lot 1 and Lot 2 of Gerald Addition;

**THENCE** S 30° 18' 34" W, with the common line of said Lot 1 and said Lot 2, a distance of 5.21 feet to the **POINT OF BEGINNING** and containing 262 square feet (0.0060 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.

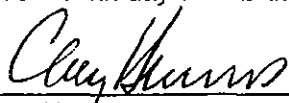
This property description is accompanied by a separate plat, see "Sketch to Accompany Field Note. No. 3253", page 3 of 3 attached hereto and made a part hereof.

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.

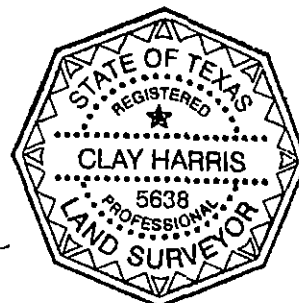
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 4th day of February 2004 A.D.

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: P-23  
TCAD PARCEL: 02-1031-0105

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



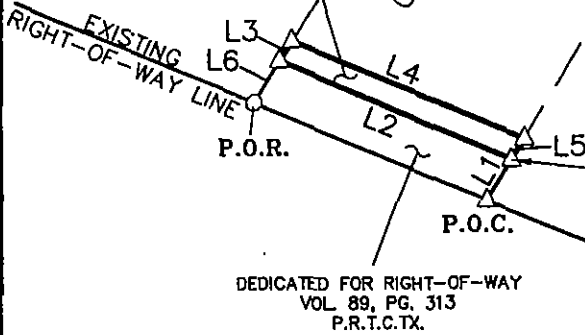
GRIESBACH PROPERTIES  
CALLED 22.84 ACRES  
VOL. 9653, PG. 0486  
R.P.R.T.C.TX.

WATERLINE EASEMENT  
262 SQUARE FEET  
(0.0060 ACRE)

GRIESBACH PROPERTIES, INC.  
VOL. 9653, PG. 0499  
R.P.R.T.C.Tx.

GERALD ADDITION  
VOL. 89, PG. 313  
P.R.T.C.Tx.

GRIESBACH PROPERTIES, INC.  
CALLED 0.43 ACRE  
VOL. 9653, PG. 0503  
R.P.R.T.C.Tx.



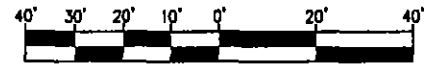
P.O.B.  
GRID COORDINATES:  
N=10075690.86  
E=3145314.08

F.M. ROAD 969  
(WIDTH VARIES)

P.O.R.

ROGERS LANE  
(50' WIDE)

LINE	BEARING	DIST.
L1	N30°18'34\"E	9.91'
L2	N66°36'29\"W	52.27'
(L2)	N65°29'49\"W	52.34'
L3	N31°55'10\"E	4.91'
L4	S66°57'40\"E	52.17'
L5	S30°18'34\"W	5.21'
L6	S31°55'10\"W	10.28'



GRAPHIC SCALE  
SCALE : 1" = 40'  
FEBRUARY, 2004  
TRAVIS COUNTY, TEXAS

LEGEND

- TxDOT TYPE I HIGHWAY MONUMENT FOUND
- 1/2" IRON ROD W/ SAM INC CAP SET
- △ CALCULATED POINT
- ( ) RECORD INFORMATION
- D.R.T.C.TX. DEED RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.TX. PLAT RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.TX. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE



*Clay Harris* 2/4/04

PROJECT:	FW 988
JOB NUMBER:	23337-01
DATE:	FEBRUARY, 2004
SURVEYOR:	CLAY HARRIS
PARTY CHIEF:	T. FISCHER
FIELDBOOK:	3290
FIELDNOTE:	FW3253
TECHNICIAN:	C.J.R.
DRAWING:	FW3253.DWG
SCALE:	1"=40'



5806 WEST HIGHWAY 290  
BUILDING B  
AUSTIN TEXAS, 78738  
(512) 447-0876  
FAX: (512) 326-3059  
EMAIL: SAM@SAMINC.AUS.COM

SKETCH TO ACCOMPANY  
WATERLINE EASEMENT  
DESCRIPTION FW3253