

**RESOLUTION NO. 20060406-016**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire a certain real property interest for public purposes as set out below; and

**WHEREAS**, the City of Austin has attempted to purchase the needed real property interest but has been unable to agree with the owner on the fair market value thereof; **NOW, THEREFORE**,

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

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, an action in eminent domain on behalf of the City of Austin against the owner now having, or who may acquire, an interest in the real property interest needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition.

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner: S. Thurman Blackburn, III

Project: IH 35 North Project

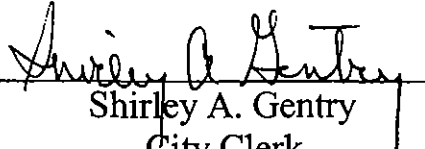
Intended Purpose: the temporary (eighteen months) working space easement described in the attached Exhibit "A" is necessary to install wastewater lines and appurtenances thereto in an adjacent permanent wastewater line easement area in order to increase and improve the City's ability to provide sanitary sewer services to the public, and to prevent leakage from wastewater lines.

Location: 2701 W. Pecan Street, Pflugerville, Travis County, Texas

Property: Described in the attached and incorporated Exhibit A.

**ADOPTED:** April 6, 2006

**ATTEST:**

  
Shirley A. Gentry  
City Clerk

S. Thurman Blackburn, III  
To  
City of Austin  
(for Temporary Working Space Easement)

**Field Notes for 3822.01TWSE**

BEING 0.126 OF ONE ACRE OF LAND (5473 S.F.), MORE OR LESS, OUT OF AND A PART OF THE L. C. CUNNINGHAM SURVEY No. 63, ABSTRACT No. 163 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE TRACT CONVEYED TO S. THURMAN BLACKBURN, III, BY DEED FILED FOR RECORD ON JULY 2, 1992, RECORDED IN VOLUME 11720, PAGE 2286 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.126 OF ONE ACRE OF LAND (5473 S.F.) BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING, at an 1/2 inch iron rod with MWM cap set in the southerly right-of-way (R.O.W.) line of FM 1825 (120' R.O.W.), same being in the northerly line of the tract conveyed to S. Thurman Blackburn, III by deed recorded in Volume 11720, Page 2286 of the Real Property Records Of Travis County, Texas, same also being with a curve to the left, having a radius of 1018.83 feet, an arc distance of 403.96 feet, an angle of intersection of 22°43'04" and a chord bearing North 73°10'15" West, a distance of 401.32 feet along said right-of-way line from a TxDOT Type I concrete monument found at a point of tangency, for the Point of Beginning and a northerly corner of the herein described tract of land having grid coordinates N=10137386.33, E=3139331.25;

1) THENCE, leaving the southerly right-of-way line of F. M. 1825 and a northerly line of said Blackburn tract, South 03°21'54" West, a distance of 15.01 feet, crossing said Blackburn tract to a 1/2 inch iron rod with MWM cap set at the point of curvature of a non-tangent circular curve to the right;

2) THENCE, along said curve to the right, having a radius of 1003.83 feet, an arc distance of 143.72 feet, an angle of intersection of 08°12'11", and a chord bearing South 80°23'48" East, a distance of 143.60 feet, to a 1/2 inch iron rod with MWM cap set for the most easterly corner of the herein described tract of land;

3) THENCE, South 14°07'04" West, a distance of 208.66 feet, to a calculated point in a southerly line of the remainder of said Blackburn tract, same being in the northeast line of Lot 19, Block A Sarah's Creek Section Six recorded in Document 200000180 of the Official Public Records of Travis County, Texas, said lot conveyed to Francisco and Yordis Corcho Caballero by deed recorded in Document 2001161419 of the Official Public Records of Travis County, Texas, for the most southerly corner of the herein described tract of land;

4) THENCE, North 62°02'57" West, a distance of 10.30 feet, with a southerly line of the remainder of said Blackburn tract, and the northeast line of said Lot 19, to a calculated point for the southwesterly corner of the herein described tract of land;

5) THENCE, leaving a southerly line of the remainder of said Blackburn tract and the northeast line of said Lot 19, North 14°07'04" East, a distance of 186.07 feet, crossing said Blackburn tract to a calculated point for the point of curvature of a non-tangent circular curve to the left;

6) THENCE, along said curve to the left, having a radius of 983.83 feet, an arc distance of 151.45 feet, an angle of intersection of  $08^{\circ}49'13''$  and a chord bearing North  $81^{\circ}17'46''$  West, a distance of 151.30 feet to a calculated point for the most westerly corner of the herein described tract of land;

7) THENCE, North  $02^{\circ}29'31''$  East, a distance of 35.02 feet, to a calculated point in the southerly right-of-way line of F. M. 1825, same being in a northerly line of said Blackburn tract for the point of curvature of a non-tangent circular curve to the right and the northwest corner of the herein described tract of land;

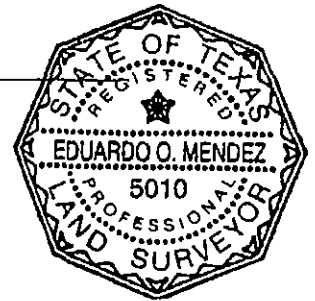
8) THENCE with the southerly right-of-way line of F. M. 1825 and a northerly line of said Blackburn tract, along said curve to the right, having a radius of 1018.83 feet, an arc distance of 22.02 feet, an angle of intersection of  $01^{\circ}14'19''$  and a chord bearing South  $85^{\circ}08'56''$  East, a distance of 22.02 feet to the Point of Beginning and containing an area of 0.126 of one acre of land (5473 S.F.), more or less.

Eduardo O. Mendez

Eduardo O. Mendez  
Registered Professional Land Surveyor 5010

Date

8/25/04



Martinez, Wright & Mendez, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
(512) 453-0767

Bearing Basis: All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83 (HARN). All coordinates shown hereon are adjusted to surface by dividing grid coordinates by a combined adjustment factor of 0.9999. All distances shown are surface distances.

TCAD No.: 0274280903  
CITY GRID No.: N37, N38

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

