

**RESOLUTION NO. 20100429-005**

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

**WHEREAS**, the City of Austin has attempted to purchase those needed real property interests but has been unable to agree with the owner on the damages; **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, a suit 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 interests 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 effect the needed acquisitions.

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

Owner: Mark A. Szygenda

Project: Gilleland to Techridge Transmission Line Project

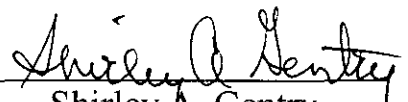
Public Purpose: the electric transmission and distribution easement (the "Easement"), described in the attached Exhibits "A," and "B," is necessary to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade or remove (in whole or in part) electric transmission, distribution and telecommunications lines and systems and all necessary and desirable appurtenances and structures (the "Facilities"), and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities and to permit the City of Austin unimpeded access to the Facilities in order to increase and improve the City's ability to provide reliable electric utility services to the public, and to protect and promote public health and safety.

Location: 15403 Cameron Road, in the extraterritorial jurisdiction of Austin, Travis County, Texas

Property: Described in the attached and incorporated Exhibits A and B.

**ADOPTED:** April 29, 2010

**ATTEST:**

  
Shirley A. Gentry  
City Clerk



## EXHIBIT "A"

**SURVEY PLAT OF A 2.69 ACRES OF LAND (117272 SQUARE FEET) IN THE WILLIAM CALDWELL SURVEY NUMBER 66, ABSTRACT NUMBER 162, TRAVIS COUNTY, TEXAS, SAID 2.69 ACRE STRIP OF LAND BEING OUT OF THE REMAINDER OF THAT CALLED 45.91 ACRE TRACT OF LAND DESCRIBED TO MARK A. SZYGENDA IN THAT CERTAIN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN AS RECORDED IN DOCUMENT NUMBER 2000202915 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.69 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:**

**BEGINNING** at a calculated point for the southwest corner of the herein described 2.69 acre tract of land, same being a point on the common dividing line of the said 45.91 acre remainder tract of land and the southeast right of way line of Cameron Road, a road in Travis County, Texas, whose right of way width is as found occupied and used upon the ground and from this point a one-half inch iron rod found for the north corner of that called 0.217 acre tract of land, taken from the said 45.91 acre tract of land, described to the State of Texas in that certain Special Warranty Deed as recorded in Document Number 2004150196 of the Real Property Records of Travis County, Texas, and being an exterior ell corner in the northwest line of the said 45.91 acre remainder tract of land and an interior angle corner in the southeast line of the said Cameron Road bears South 27°02'25" West, a distance of 352.92 feet;

**THENCE** North 27°02'25" East, along the common dividing line of the said 45.91 acre remainder tract of land and the said Cameron Road a distance of 115.61 feet to a calculated point for the northwest corner of the herein described 2.69 acre tract of land, same being a point on the southeast line of an existing 100 foot wide Lower Colorado River Authority Transmission line easement recorded in Volume 649, Page 249, of the Deed Records Travis County, Texas and from this point the north corner of the said 45.91 acre remainder tract of land bears North 27°02'25" East, a distance of 433.39 feet, same being the west corner of that called 4.0002 acre tract of land described to Shalivic, Ltd. in that certain Warranty Deed as recorded in Document Number 2005234021 of the Official Public Records of Travis County, Texas;

**THENCE** departing the common dividing line of the said Cameron Road and the said 45.91 acre remainder tract of land, same being through said and crossing over said 45.91 acre remainder tract of land and being coincident with the southeast line of the said Lower Colorado River Authority transmission line easement the following two (2) courses:

- 1) North 86°55'22" East, a distance of 125.74 feet to a calculated point for an interior angle corner of the herein described 2.69 acres of land and an exterior angle corner of the said Lower Colorado River Authority 100 foot transmission line easement;
- 2) North 85°39'06" East, a distance of 709.22 feet to a calculated point for an exterior angle corner of the herein described 2.69 acre tract of land, same being a point on the common dividing line of the said 45.91 acre remainder tract of land and the said 4.0002 acre tract of land described to the said Shalivic, Ltd. and from this point the said one-half inch iron rod found for the west corner of the said 4.0002 acre tract of land and the north corner of the said

45.91 acre remainder tract of land bears North 62°53'13" West, a distance of 714.19 feet for a point on the southeast line of the said Cameron Road;

**THENCE** along the common dividing line of the said 45.91 acre remainder tract of land and the said Shalivic, Ltd. 4.0002 acre tract of land, departing the southeast line of the said Lower Colorado River Authority transmission line easement the following two (2) courses:

- 1) South 62°53'13" East, a distance of 113.59 feet to a calculated point for an interior angle corner of the herein described 2.69 acre tract of land, same being the south corner of the said Shalivic, Ltd. 4.0002 acre tract of land and an interior angle corner of the said 45.91 acre remainder tract of land;
- 2) North 27°33'31" East, a distance of 69.83 feet to a calculated point for an exterior angle corner of the herein described 2.69 acre tract of land, same being a point on the common dividing line of the said Shalivic, Ltd. 4.0002 acre tract of land and the said 45.91 acre remainder tract of land, same being a point on the southeast line of the said Lower Colorado River Authority transmission line easement and from this point a one and one-half inch diameter pipe found for the north corner of the said Shalivic, Ltd. 4.0002 acre tract of land bears the following two (2) courses: North 27°33'31" East, a distance of 139.58 feet to a point and North 62°51'05" West, a distance of 834.18 feet, same being a point on the southeast line of the said Cameron Road and the west corner of that called 10.00 acre tract of land described to Shalivic, Ltd a Texas Limited Partnership in that certain Warranty Deed With Vendor's Lien as recorded in Document Number 2003170482 of the Official Public Records of Travis County, Texas;

**THENCE** North 85°39'06" East, crossing over said and through said Szygenda 45.91 acre remainder tract of land, same being coincident with the southeast line of the said Lower Colorado River Authority transmission line easement a distance of 244.29 feet to a point for the northeast corner of the herein described 2.69 acre tract of land, same being a point on the common dividing line of the said 45.91 acre remainder tract of land and that called 135.5034 acre tract of land described to Willard Ralph Hebbe, Kevin Matthew Hebbe and Kristan Anna Hebbe in that certain Special Warranty Deed as recorded in Document Number 2002166581 of the Official Public Records of Travis County, Texas and from this point a capped iron rod found for an exterior angle corner of the said 135.5034 acre tract of land, same being a point on the upper southeast line of the said 45.91 acre remainder tract of land bears North 27°19'24" East, a distance of 8.82 feet;

**THENCE** South 27°19'24" West, along the common dividing line of the said 135.5034 acre tract of land and the said 45.91 acre remainder tract of land a distance of 117.50 feet to a calculated point for the southeast corner of the herein described 2.69 acre tract of land, same being a point on the common dividing line of the said 135.5034 acre tract of land and the said 45.91 acre remainder tract of land and from this point a one-half inch iron rod found for the west corner of the said 135.5034 acre tract of land, same being an interior angle corner of the said 45.91 acre remainder tract of land bears South 27°19'24" West, a distance of 612.69 feet;

**THENCE** crossing over said and through said Szygenda 45.91 acre remainder tract of land the following two (2) courses:

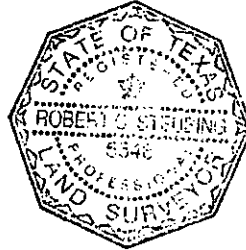
- 1) South 85°39'06" West, a distance of 1026.72 feet to a point for an exterior angle corner of the herein described 2.69 acre tract of land;
- 2) South 86°55'22" West, a distance of 184.85 feet to the **POINT OF BEGINNING** and containing 2.69 acres of land or (117272 square feet) of land more or less.

**BASIS OF BEARINGS: NAD 83, TEXAS CENTRAL ZONE, 4203, as per GPS observation.**

I hereby certify that these field notes were prepared from an on the ground survey made under my supervision in June 2009.

Prepared By: **AUSTIN ENERGY**

*Robert C. Steubling 05/21/09*  
Robert C. Steubling  
Registered Professional Land Surveyor No. 5548





Scale 1" = 200'



LEGEND

- = Dropped Iron Rod Found
- = 1-1/2" Iron Pipe Found
- △ = 1/2" Iron Rod Found
- △ = Obscured Corner
- POB = Point of Beginning
- OPRCT = Official Public Records
- POC = Point of Commencement

SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION  
OUT OF THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT NO. 162  
OF A 2.69 ACRES (117272 Sq Ft) ELECTRIC LINE EASEMENT  
IN TRAVIS COUNTY, TEXAS

WILLIAM CALDWELL SURVEY NO. 66  
ABSTRACT NUMBER 162

NOTE: REFERENCE METES  
AND BOUNDS DESCRIPTION  
LABELLED "EXHIBIT A"

EXHIBIT B

Texas Utilities Electric Company  
General Warranty Deed  
Document No. 1999054440 OPRCT  
Being 14.21 Acres

Shelby, Ltd a Texas limited partnership  
Warranty Deed With Vendor's Lien  
Document Number 2003170482 OPRCT  
Collet: 10.00 Ac

Shelby, Ltd  
Warranty Deed  
Collet: 4.0002 Ac  
Document Number 2003234021 OPRCT

LCRA Transmission Line 648/246 DRTCT  
N27°05'25"E  
N85°38'08"E  
Austin Energy Electric Line Easement  
2.69 AC. (117272 Sq Ft)

LINE	BEARING	DISTANCE
L1	N86°06'22"E	126.74'
L2	S86°39'22"W	184.85'
L3	N27°33'51"E	130.68'
L4	S84°35'13"E	113.08'
L5	N27°33'51"E	80.63'
L6	S27°18'24"W	117.50'
L7	N27°02'20"E	116.81'

Mark A Szypenda  
Special Warranty Deed With Vendor's Lien  
Document Number 2000202915 OPRCT  
Respectful of a Collet: 45.91 Ac

Willard Ralph Hobbs, Kevin Matthew Hobbs and Kristan Anna Hobbs  
Special Warranty Deed  
Document Number 2002186551 OPRCT  
Collet: 135.5034 Ac

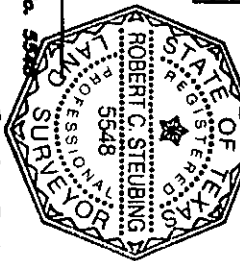
AS SURVEYED BY:  
AUSTIN ENERGY

Robert C. Steubing  
05/21/09

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5548

SURVEYED OF THE GROUND IN JUNE 2008

DRAWING: F:\SURVEYING\TRANSMISSIONS\GALILEO\EASEMENT  
PARCELS 7.DWG



Bearing Reads in NAD 83, Texas Central Zone 4803, as  
determined from GPS observation.

