

RESOLUTION NO. 20180628-081

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

WHEREAS, the City has attempted to purchase those needed real property interests but has been unable to agree with the owner on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

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

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 against the owner now having, or who may acquire, an interest in the real property interests necessary to the City, described and located below, for the public uses set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

BE IT FURTHER RESOLVED:

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

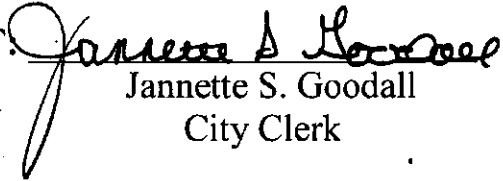
- | | |
|-------------|--|
| Owner: | KEEP Investment Group, LLC, a Texas limited liability company |
| Project: | 500 Montopolis Acquisition |
| Public Use: | Restoration, programming and maintenance of 500 Montopolis Drive as a historic museum. |

Location: 500 Montopolis Drive, Austin, Travis County, Texas
78741 (District 3).

Property: Described in the attached and incorporated Exhibit
A.

ADOPTED: June 28, 2018

ATTEST:


Jannette S. Goodall
City Clerk



**LANDESIGN
SERVICES, INC.**

1220 McNeil Road, Suite 200
Round Rock, Texas 78681
TBPLS Firm No. 10001800
512-238-7901 office

EXHIBIT " A "

PARCEL 2 – 0.852 OF ONE ACRE
500 MONTOPOLIS DRIVE
CIP ID: _____

LEGAL DESCRIPTION

BEING 0.852 OF ONE ACRE (37,104 SQUARE FEET) OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., SITUATED IN THE SANTIAGO DEL VALLE SURVEY, ABSTRACT NO. 24 IN TRAVIS COUNTY, TEXAS AND BEING ALL OF A CALLED 0.852 OF ONE ACRE TRACT OF LAND DESCRIBED AS TRACT 2 IN A GENERAL WARRANTY DEED TO KEEP INVESTMENT GROUP, LLC, RECORDED IN DOCUMENT NO. 2015037818, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

BEGINNING, at a 3/4-inch iron bolt found (Grid Coordinates: N=10060983.22, E=3130013.52) for the South corner of said Tract 2, the West corner of a called 1,831 square foot tract of land described in a Street Deed to the City of Austin, as recorded in Volume 3953, Page 725, of the Deed Records of Travis County, Texas (D.R.T.C.T.), and the East corner of a called 0.468 of one acre tract of land described in a Deed of Trust Securing Note for Pauline Nanyes, as recorded in Document Number 2013210834, said O.P.R.T.C.T., being on the Northwesternly Right-of-Way line of Montopolis Drive (R.O.W. varies – Recording Unknown), for the South corner of the herein described tract, from which a 1/2-inch rebar found with cap stamped "Burris & Associates" found for the South corner of said 0.468 of one acre tract, bears South 28°05'04" West a distance of 115.12 feet;

THENCE North 62°32'44" West with the common line of said Tract 2 and said 0.468 of one acre tract, at a distance of 177.94 feet pass a 1/2-inch rebar with cap stamped "Burris & Associates" found for the North corner of said 0.468 of one acre tract and the East corner of a called 62x190 foot tract of land described in a Gift Deed to Alberts Family, as recorded in Document No. 2014036750, of said O.P.R.T.C.T., and continue a total distance of 374.10 feet, to a 1/2-inch rebar found for the West corner of said Tract 2 and the North corner of said 62x190 foot tract, being on the Southeasterly Right-of-Way line of Kemp Street (R.O.W. Varies - Recording Unknown), for the West corner of the herein described tract, from which a 1/2-inch rebar found on said Southeasterly Right-of-Way line of said Kemp Street, bears South 27°18'04" West a distance of 120.25 feet;

THENCE North 27°18'04" East with the common line of said Tract 2 and said Right-of-Way line of said Kemp Street, a distance of 29.64 feet to a 1/2-inch rebar found for the Northwest corner of said Tract 2, the Southwest corner of a called 0.740 of one acre tract of land described in a Warranty Deed to the City of Austin, as recorded in Volume 10395, Page 412, of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.), and for the Northwest corner of the herein described tract, from which a 1/2-inch rebar found for the Northwest corner of said 0.740 of one acre tract and the West corner of a called 0.175 of one acre tract of land described as Tract 1 in said General Warranty Deed recorded in Document No. 2015037818, bears North 27°18'04" East a distance of 93.60 feet;

THENCE with the common line of said Tract 2 and said 0.740 of one acre tract, the following seven (7) courses and distances;

1. Along a curve to the **Left**, having a radius of 645.00 feet, an arc length of 252.74 feet, a delta of 22°27'05", and a chord which bears **South 88°41'29" East** a distance of 251.13 feet to a 1/2-inch rebar found for a Point of Tangency;
2. **North 34°36'45" East** a distance of 6.92 feet to a 1/2-inch rebar found;
3. **South 56°08'35" East** a distance of 7.02 feet to a 1/2-inch rebar found for a Point of Curvature;
4. Along a curve to the **Left**, having a radius of 645.00 feet, an arc length of 33.36 feet, a delta of 02°57'47", and a chord which bears **North 77°43'11" East** a distance of 33.35 feet to a 1/2-inch rebar found for a Point of Reverse Curvature;
5. Along a curve to the **Right**, having a radius of 20.00 feet, an arc length of 29.82 feet, a delta of 85°26'22", and a chord which bears **South 60°42'01" East** a distance of 27.14 feet to a 1/2-inch rebar found for a Point of Tangency;
6. **South 17°56'14" East** a distance of 50.01 feet to a 1/2-inch rebar found for a Point of Curvature; and
7. Along a curve to the **Right**, having a radius of 178.86 feet, an arc length of 127.89 feet, a delta of 40°58'06", and a chord which bears **South 02°32'40" West** a distance of 125.18 feet to a 1/2-inch rebar found leaning for the South corner of said 0.740 of one acre tract, being on said Northwesterly Right-of-Way line of Montopolis Drive and the Northwest line of said 1831 square foot tract, for a Point of Tangency, from which a 1/2-inch rebar found for the East corner of said 0.740 of one acre tract, bears North 28°05'04" East a distance of 185.85 feet;

THENCE South 28°05'04" West with the common line of said Tract 2, said Right-of-Way line of Montopolis Drive and said 1831 square foot tract, a distance of 18.17 feet to the POINT OF BEGINNING containing 0.852 of one acre (37,104 square feet) of land, more or less.

This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83 - 2011 adjustment), Central Zone (4203). Distances and Areas shown hereon are Surface values represented in U.S. survey feet based on a Grid to Surface combined adjustment factor of 1.0000308.

This property description was prepared by an on the ground survey performed under my supervision and is accompanied by a separate plat of even date. The field work was completed during the month of December 2017.


Travis S. Tabor

01/15/2018
Date

Registered Professional Land Surveyor
State of Texas No. 6428

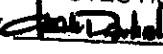


Job Number: 17-058

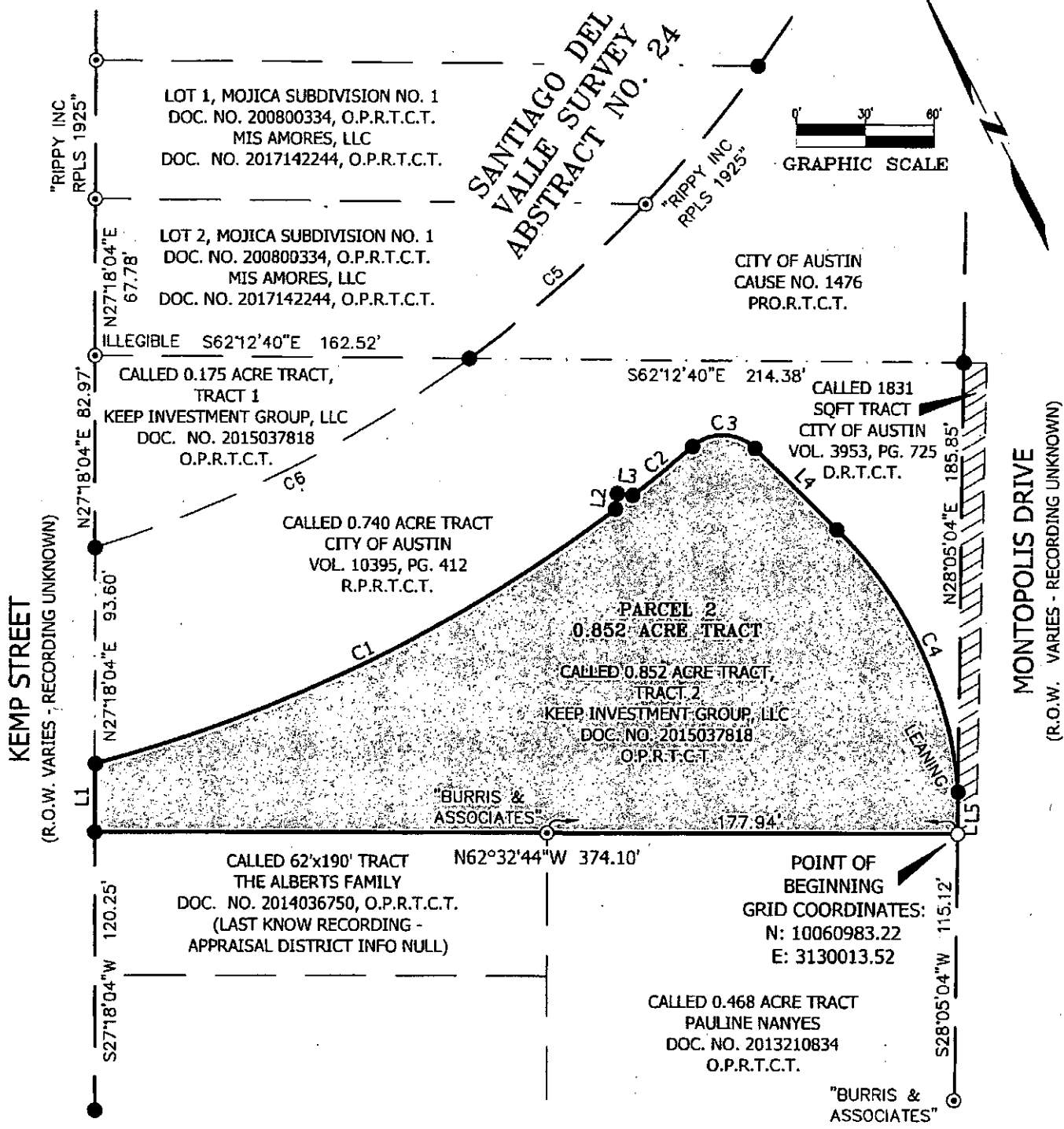
Attachments: CAD Drawing: L:\Surveying and Mapping\17058 - 500 MONTOPOLIS\CAD\DWG's\500 MONTOPOLIS

REFERENCES

PARCEL NO. _____
TCAD # 285062
AUSTIN GRID L20

FIELD NOTES REVIEWED
BY  DATE: 01-15-2018
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



PAGE 04 OF 05

JOB NUMBER: 17058		DATE: 01-03-2018	
PROJECT NAME: 500 MONTOPOLIS			
DRAWING NAME: 500 MONTOPOLIS - PARCEL 2			
DRAWING FILE PATH: L:\SAM\17085 - 500 MONTOPOLIS\CAD\DWG's\500 MONTOPOLIS			
FIELDNOTE FILE PATH: L:\SAM\17085 - 500 MONTOPOLIS\DESCRIPTIONS			
RPLS: TST	TECH: CDS	PARTY CHIEF: AG	CHK BY: TST
SHEET: 04 of 05		FIELDBOOKS: 285/41	
SCALE: 1" = 60'			



LANDESIGN SERVICES, INC.

1220 MCNEIL ROAD, SUITE 200
 ROUND ROCK, TX 78681
 TBPLS FIRM NO. 10001800
 512-238-7901

Line Table		
Line #	Direction	Length
L1	N27° 18' 04"E	29.64'
L2	N34° 36' 45"E	6.92'
L3	S56° 08' 35"E	7.02'
L4	S17° 56' 14"E	50.01'
L5	S28° 05' 04"W	18.17'

Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord
C1	645.00'	252.74'	22°27'05"	S88° 41' 29"E	251.13'
C2	645.00'	33.36'	2°57'47"	N77° 43' 11"E	33.35'
C3	20.00'	29.82'	85°26'22"	S60° 42' 01"E	27.14'
C4	178.86'	127.89'	40°58'06"	S02° 32' 40"W	125.18'
C5	555.00'	101.39'	10°28'01"	N75° 58' 47"E	101.25'
C6	555.00'	182.66'	18°51'27"	N89° 21' 29"W	181.84'

LEGEND

- 1/2-INCH REBAR FOUND
 - 3/4-INCH IRON BOLT FOUND
 - ⊙ 1/2-INCH REBAR WITH CAP FOUND (STAMPED AS NOTED)
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- PRO.R.T.C.T. PROBATE RECORDS OF TRAVIS COUNTY, TEXAS
- R.O.W. RIGHT-OF-WAY

GENERAL NOTES:

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), CENTRAL ZONE (4203).

SURFACE DISTANCES AND SCALE FACTOR: DISTANCES AND AREAS SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID-TO-SURFACE COMBINED ADJUSTMENT FACTOR OF 1.0000308.

IMPROVEMENTS ARE NOT SHOWN.

I, TRAVIS S. TABOR, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B CONDITION II LAND SURVEY. THE FIELD WORK WAS COMPLETED IN DECEMBER 2017.



01/15/2018

[Signature]

TRAVIS S. TABOR
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS NO. 6428

PAGE 05 OF 05

JOB NUMBER: 17058		DATE: 01-03-2018	
PROJECT NAME: 500 MONTOPOLIS			
DRAWING NAME: 500 MONTOPOLIS - PARCEL 2			
DRAWING FILE PATH: L:\SAM\17085 - 500 MONTOPOLIS\CAD\DWG's\500 MONTOPOLIS			
FIELDNOTE FILE PATH: L:\SAM\17085 - 500 MONTOPOLIS\DESCRIPTIONS			
RPLS: TST	TECH: CDS	PARTY CHIEF: AG	CHK BY: TST
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