

RESOLUTION NO. 20181213-048

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 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:

Owners:	8151 North Lamar L.P., a Texas limited partnership
Project:	Austin Energy Circuit 811 Upgrade Parcel 14 Project

Public Use: An easement and right of way along, over, under, and across that portion of the Property bounded and described on Exhibit A and shown on Exhibit B, attached hereto and incorporated herein (the "Easement"), to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade or remove (in whole or in part) electric transmission, distribution and electric telecommunications lines and systems; and all necessary or desirable appurtenances and structures (the "Facilities"), in the Easement, and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities and permit unimpeded access to the Facilities.

Location: 8151 North Lamar Boulevard, Austin, Travis County, Texas 78753

The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. (District 4).

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

ADOPTED: December 13, 2018

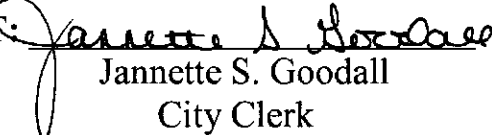
ATTEST: 
Jannette S. Goodall
City Clerk

EXHIBIT "A"

PAGE 1 OF 4



Landesign Services, Inc.

1220 McNeil Road
Suite 200
Round Rock, Texas 78681
Firm Registration No. 10001800
512-238-7901 office
512-238-7902 fax

PROPERTY DESCRIPTION PARCEL 14

BEING A 0.064 OF ONE ACRE (2794 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT A, LIMON-DEMENT ADDITION, RECORDED IN VOL. 78, PG. 289 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT A BEING DESCRIBED IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN TO 8151 NORTH LAMAR, L.P., RECORDED IN DOCUMENT NO. 2014009267 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.064 OF ONE ACRE (2794 SQUARE FEET) PARCEL BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Calculated Point not set (Grid Coordinates: N=10100884.077, E=3124137.380) for the Southeast corner of the herein described tract, from which a 1/2-inch iron rebar found for the Southeast corner of said Lot A and an angle point in the Northeast line of Lot B, of said LIMON-DEMENT ADDITION, bears South 44°40'17" East a distance of 179.89 feet;

THENCE North 44°40'17" West coincident with the common dividing line of said Lot A and said Lot B, a distance of 15.00 feet to a Calculated Point not set for the most Westerly corner of said Lot A and the most Northerly corner of said Lot B, also being in the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies);

THENCE coincident with the common dividing line of said Lot A and said existing Easterly right-of-way line of North Lamar Boulevard, the following two (2) courses and distances:

1. **Northeasterly** along the arc of a curve to the right having a radius of 7589.49 feet, an arc length of 172.99 feet, a delta angle of 01°18'22", and a chord which bears **North 46°02'44" East** a distance of 172.99 feet to a Calculated Point not set for a Point of Compound Curvature; and

EXHIBIT "A"

PAGE 2 OF 4

2. Northeasterly along the arc of a curve to the right having a radius of **18.00** feet, an arc length of **22.38** feet, a delta angle of **71°15'11"**, and a chord which bears **North 82°15'10" East** a distance of **20.97** feet to a 1/2-inch iron rebar found for a Point of Tangency in the North line of said Lot A and said existing Easterly right-of-way line of North Lamar Boulevard, also being in the existing Southerly right-of-way line of West Powell Lane (R.O.W. Varies);

THENCE **South 62°06'50" East** departing said existing Easterly right-of-way line of North Lamar Boulevard and coincident with the common dividing line of said Lot A and said existing Southerly right-of-way line of West Powell Lane, a distance of **2.99** feet to a Calculated Point not set for the Northeast corner of the herein described tract, from which a 1/2-inch iron rebar with illegible cap found for the Northeast corner of said Lot A and being in said existing Southerly right-of-way line of West Powell Lane, bears **South 62°06'50" East** a distance of **137.48** feet;

THENCE departing said Southerly right-of-way line of West Powell Lane, Southwesterly over and across said Lot A and along the arc of a curve to the left having a radius of **7574.49** feet, an arc length of **190.66** feet, a delta angle of **01°26'32"**, and a chord which bears **South 46°06'49" West** a distance of **190.65** feet to the **POINT OF BEGINNING** and containing **0.064** of one acre of land (2794 Square Feet) more or less.

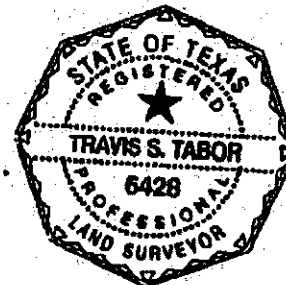
All bearings shown hereon are based on the Texas State Plane Coordinate System (SPCS), Central Zone (4203), NAD83 (2011 Adjustment). All distances and coordinates shown hereon are grid values represented in U.S. Survey Feet.

This property description is accompanied by a separate plat of even date and was prepared by an on the ground survey made under my supervision during the month of October, 2016.


Travis S. Tabor

01/27/2017
Date

Registered Professional Land Surveyor
State of Texas No. 6428



Job Number: 16-006_811 Upgrade

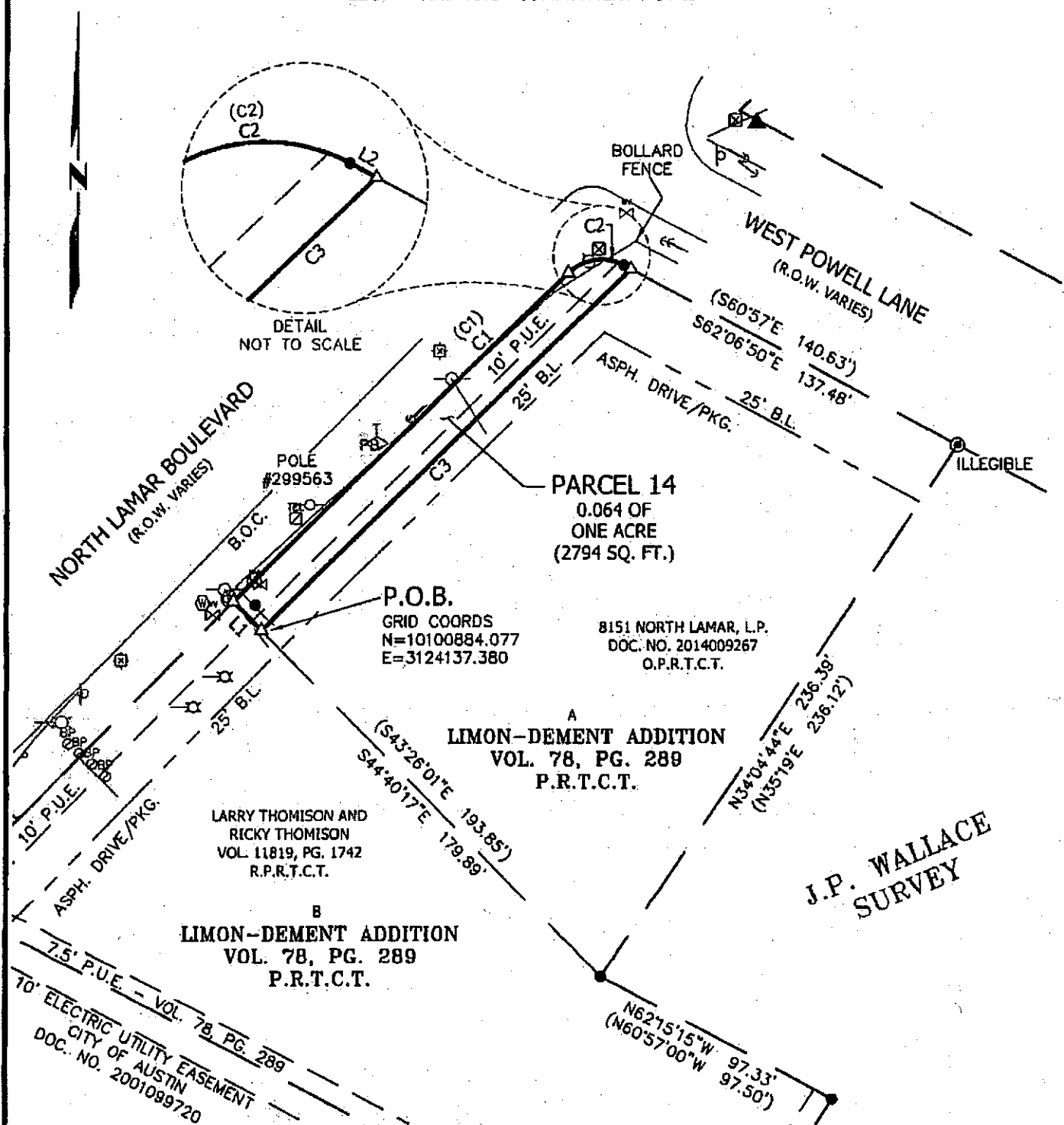
Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006_Parcel 14



GRAPHIC SCALE

EXHIBIT "B"

SEE SHEET 4 FOR LINE AND CURVE TABLE,
LEGEND AND TITLE COMMITMENT NOTES



JOB NUMBER: 16--006		DATE: 01/27/2017	
PROJECT NAME: 811 UPGRADE			
DRAWING NAME: 16006_PARCEL 14			
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels			
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\Metes and Bounds			
RPLS: TST	TECH: TST	PARTYCHIEF: AG	CHK BY: JB
SHEET 03 of 04		FIELDBOOKS: 265/267	SCALE: 1" = 50'



LANDESIGN SERVICES, INC.

512-238-7001
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78081
FIRST REGISTRATION NO. 10001800

OWNERSHIP AND EASEMENT REPORT PROVIDED BY: GRACY TITLE
 REF NO.: OEAS429
 EXECUTED DATE: MAY 24, 2016

ONLY THOSE ITEMS LISTED ON THE ABOVE REFERENCED OWNERSHIP AND EASEMENT REPORT WERE REVIEWED FOR THE PURPOSE OF THIS SURVEY. NO ADDITIONAL RESEARCH WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, OR OTHER ENCUMBRANCES WHICH AFFECT THIS SURVEY THAT ARE NOT KNOWN TO THIS SURVEYOR.

THIS TRACT IS SUBJECT TO THE FOLLOWING EASEMENTS, COVENANTS AND RESTRICTIONS:

1. ELECTRIC EASEMENT FILED JULY 25, 1979 AND RECORDED IN VOL. 6634, PG. 552, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. DOES NOT APPEAR TO AFFECT - EASEMENT IS DESCRIBED OUT OF A DIFFERENT SUBDIVISION.

2. PLAT FILED OCTOBER 3, 1979 AND RECORDED IN VOLUME 78, PAGE 289, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON.

LEGEND

- ✱ COTTON SPINDLE FOUND (OR AS NOTED)
- TX.D.O.T. TYPE I MONUMENT FOUND
- TX.D.O.T. TYPE II MONUMENT FOUND
- IRON REBAR FOUND (1/2" OR AS NOTED)
- IRON PIPE FOUND (1/2" OR AS NOTED)
- ⊙ IRON REBAR FOUND WITH CAP (ILLEGIBLE)
- ▲ NAIL FOUND (PK OR AS NOTED)
- △ CALCULATED POINT NOT SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- O.R.T.C.T. OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- R.O.W. RIGHT-OF-WAY
- P.U.E. PUBLIC UTILITY EASEMENT
- B.L. BUILDING LINE
- (S45°E 45') RECORD INFO. PER TRAVIS COUNTY

Curve Table

Curve #	Radius	Length	Delta	Chord Bearing	Chord
C1	7589.49'	172.99'	1°18'22"	N46° 02' 44"E	172.99'
C2	18.00'	22.38'	71°15'11"	N82° 15' 10"E	20.97'
C3	7574.49'	190.66'	1°26'32"	S46° 06' 49"W	190.65'
(C1)	7589.49'	154.22'		N46° 07'E	154.22'
(C2)	18.00'	22.39'		N83° 25'E	20.97'

Line Table

Line #	Direction	Length
L1	N44° 40' 17"W	15.00'
L2	S62° 06' 50"E	2.99'

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 SHOWN HEREON ARE GRID VALUES REPRESENTED IN U.S. SURVEY FEET.

THIS SURVEY PLAT ACCOMPANIES A METES AND BOUNDS DESCRIPTION OF EVEN DATE.

THIS MAP WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION. THE FIELD WORK WAS COMPLETED IN OCTOBER, 2016.

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

01/27/2017
 DATE

- CO WASTEWATER CLEANOUT
- WM WATER METER
- WV WATER VALVE
- ICV IRRIGATION CONTROL VALVE
- UN UNKNOWN MANHOLE
- PB ELECTRIC PULLBOX
- GD GUARDRAIL
- IF IRON FENCE
- OHE OVERHEAD ELECTRIC
- EM ELECTRIC MISC.
- EH ELECTRIC MANHOLE
- P POLE
- PP POWER POLE
- SP SIGN POST
- WM WATER METER
- FD FIRE HYDRANT
- BP BOLLARD
- TM TELEPHONE MANHOLE
- TEL TELEPHONE PEDESTAL
- CM CABLE MARKER
- CONC. CONCRETE
- ASPH. ASPHALT
- PKG. PARKING AREA
- E.P. EDGE OF PAVEMENT
- B.O.C. BACK OF CURB



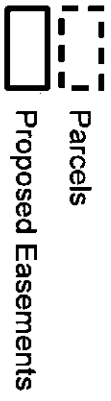
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DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels	
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\FIELD\Field to Office\FNs	
RPLS: TST TECH: TST PARTYCHIEF: AG	CHK BY: JB
SHEET 04 of 04	FIELD BOOKS: 265/267 SCALE: 1" = 50'



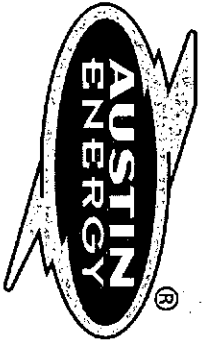
LANDESIGN SERVICES, INC.

512-238-7001
 1220 MCNEIL ROAD
 SUITE 200
 ROUND ROCK, TEXAS 78081
 FIRM REGISTRATION NO. 10001800

Proposed Easements at 8151 N. Lamar LP Tract #14



2018 Aerial Imagery, City of Austin



*AE Public Involvement
& Real Estate Services*



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by AUSTIN ENERGY for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

