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
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 comer 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
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
Registered Professional Land Surveyor
State of Texas No. 6428

Job Number: 16-006_811 Upgrade
Attachments: Survey Drawing: LACity of Austin\811 Upgrade\DWG\Parcels\16006_Parcel 14
EXHIBIT "B"

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

GRAPHIC SCALE

PLOT PLAN

NORTH LAMAR BOULEVARD
(R.O.W. VARIES)

BOLLARD FENCE

WEST POWELL LANE
(R.O.W. VARIES)

P.O.B.
GRID COORDS
N=1010884.077
E=3124137.380

PARCEL 14
0.064 OF
ONE ACRE
(2794 SQ. FT.)

LARRY THOMISON AND
RICKY THOMISON
VOL. 1181, PG. 1742
R.P.R.T.C.T.

LIMON–DEMENT ADDITION
VOL. 78, PG. 289
P.R.T.C.T.

A

B

LIMON–DEMENT ADDITION
VOL. 78, PG. 289
P.R.T.C.T.

8151 NORTH LAMAR, L.P.
DOC. NO. 2014009267
O.P.R.T.C.T.

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'
OWNERSHIP AND EASEMENT REPORT PROVIDED BY: GRACY TITLE
REF NO.: OEA429
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 (ILLEGAL)
- 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 CASEMENT
- B.L. BUILDING LINE
- (S45’E 45’) RECORD INFO. PER TRAVIS COUNTY

CURVE TABLE

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<th>Curve #</th>
<th>Radius</th>
<th>Length</th>
<th>Delta</th>
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<td>7589.49'</td>
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</table>

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

JOB NUMBER: 18-006
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\FIELD\Field to Office\FNs
RPLS:TST  TECH:TST  PARTYCHIEF: AG  CHK BY: JB
SHEET 04of 04\FIELDBOOKS.265/267  SCALE: 1'" 50'

LANDDESIGN SERVICES, INC.
318-230-7004
1220 MCKNIE ROAD
SUITE 260
ROUNDTROCK, TEXAS 78664
FIRM REGISTRATION NO. 10001500