

RESOLUTION NO. 20190822-081

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 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: Ilario A. Rendon and Valeria Rendon

Project: Austin Energy Circuit 811 Upgrade Parcel 32 Project

Public Use: For upgrading the capacity of the overall electric system, and ensuring the distribution of safe and reliable electric services to the community. 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: 8701 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: August 22, 2019

ATTEST:

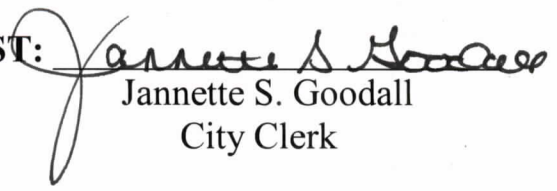

Jannette S. Goodall
City Clerk

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 32

BEING A 0.034 OF ONE ACRE (1485 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 6, BLOCK NO. 1, FISKVILLE SCHOOL ADDITION, RECORDED IN VOL. 4, PG. 169, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 6 BEING DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO ILARIO A. RENDON AND VALERIA RENDON, RECORDED IN DOCUMENT NO. 2003157507, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.034 OF ONE ACRE (1485 SQUARE FEET) PARCEL BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rebar found for the most Northerly corner of Lot 5, of said Block No. 1 and the most Westerly corner of Lot 4, of said Block No. 1, also being in the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies), from which a 1/2-inch iron rebar found for a Point of Curvature in the Northwest line of Lot 1, DEEN ADDITION, recorded in Vol. 64, Pg. 1, of said Plat Records and being in said existing Easterly right-of-way line of North Lamar Boulevard, bears North 48°22'38" East a distance of 444.85 feet;

THENCE South 48°22'38" West coincident with the common dividing line of said Lot 5 and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of 76.16 feet to a Calculated Point not set (Grid Coordinates: N=10102820.123, E=3126280.622) for the most Northerly corner and **POINT OF BEGINNING** of the herein described tract;

THENCE **South 41°36'57" East** departing said existing Easterly right-of-way line of North Lamar Boulevard and coincident with the common dividing line of said Lot 5 and said Lot 6, a distance of **15.00** feet to a Calculated Point not set for the most Easterly corner of the herein described tract;

THENCE **South 48°22'38" West** over and across said Lot 6, a distance of **99.00** feet to a Calculated Point not set in the Southwest line of said Lot 6 and the existing Northeasterly right-of-way line of Elliot Street (50' R.O.W. as shown on said FISKVILLE SCHOOL ADDITION);

EXHIBIT "A"

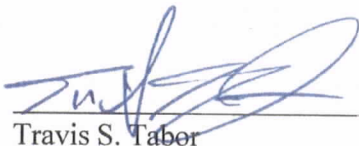
PAGE 2 OF 4

THENCE North $41^{\circ}36'57''$ West coincident with the common dividing line of said Lot 6 and said existing Northeasterly right-of-way line of Elliot Street, a distance of **15.00** feet to a Calculated Point not set for the most Westerly corner of said Lot 6 and being at the intersection of said existing Northeasterly right-of-way line of Elliot Street with said existing Easterly right-of-way line of said North Lamar Boulevard;

THENCE North $48^{\circ}22'38''$ East coincident with the common dividing line of said Lot 6 and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of **99.00** feet to the **POINT OF BEGINNING** and containing 0.034 of one acre of land (1485 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.



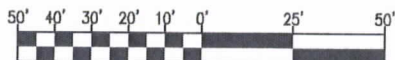
Travis S. Tabor
Registered Professional Land Surveyor
State of Texas No. 6428

01/27/2017
Date



Job Number: 16-006_811 Upgrade

Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006_Parcel 32



GRAPHIC SCALE

EXHIBIT "B"

SEE SHEET 4 FOR LEGEND AND
TITLE COMMITMENT NOTES

Line Table		
Line #	Direction	Length
L1	S41° 36' 57"E	15.00'
L2	N41° 36' 57"W	15.00'

J.P. WALLACE
SURVEYDEEN AVENUE
(R.O.W. VARIES)
DEEN ADDITION
VOL. 64, PG. 1
P.R.T.C.T.
(RECORDING UNKNOWN)

P.O.C.

P.O.B.

GRID COORDS
N=10102820.123
E=3126280.622POLE
#301862NORTH LAMAR BOULEVARD
(R.O.W. VARIES)B.O.C.
(N50°50'E 99.00')
(N48°22'38"E 99.00')PARCEL 32
0.034 OF
ONE ACRE
(1485 SQ. FT.)ILARIO A. RENDON AND
VALERIA RENDON
DOC. NO. 2003157507
O.P.R.T.C.T.DELARAM PROPERTIES, LLC
DOC. NO. 2006216456
O.P.R.T.C.T.

BLOCK NO. 1

FISKVILLE SCHOOL ADDITION
VOL. 4, PG. 169
P.R.T.C.T.BOUNDARY LINE
AGREEMENT
DOC. NO. 2004212201
O.P.R.T.C.T.

BLOCK NO. 2

FISKVILLE SCHOOL ADDITION
VOL. 4, PG. 169
P.R.T.C.T.3' P.U.E.
VOL. 4, PG. 169

JOB NUMBER: 16-006

DATE: 01/27/2017

PROJECT NAME: 811 UPGRADE

DRAWING NAME: 16006_PARCEL 32

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: JA CHK BY: JB

SHEET 03 of 04 FIELDBOOKS: 265/267 SCALE: 1" = 50'

LANDESIGN
SERVICES, INC.512-238-7901
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78681
FIRM REGISTRATION NO. 10001800

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

CHICAGO TITLE INSURANCE COMPANY

GF NO.: CTA-07-CTA1601411JP

ISSUE DATE: JULY 29, 2016 - EFFECTIVE DATE: JULY 22, 2016

ONLY THOSE ITEMS LISTED IN SCHEDULE B OF THE ABOVE REFERENCED COMMITMENT FOR TITLE INSURANCE 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.

1. THIS TRACT IS SUBJECT TO RESTRICTIVE COVENANTS RECORDED IN VOL. 4, PG. 169, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND VOL. 778, PG. 226, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

SCHEDULE B EXCEPTIONS:

10a. NOT A SURVEY MATTER.

10b. NOT A SURVEY MATTER.

10c. NOT A SURVEY MATTER.

10d. NOT A SURVEY MATTER.

10e. NOT A SURVEY MATTER.

10f. 3' PUBLIC UTILITY EASEMENT ALONG THE REAR PROPERTY LINE AS SHOWN ON THE PLAT RECORDED IN VOL. 4, PG. 169, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. SHOWN HEREON - DOES NOT AFFECT.

10g. ANY AND ALL BUILDING SETBACK LINES AS SET OUT IN VOL. 4, PG. 169, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON.

10h. MATTERS CONTAINED IN THAT CERTAIN BOUNDARY LINE AND EASEMENT AGREEMENT RECORDED ON NOVEMBER 10, 2004 IN DOCUMENT NO. 2004212201, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. NOTED AND SHOWN HEREON.

10i. NOT A SURVEY MATTER.

10j. NOT A SURVEY MATTER.

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.

[Signature]
TRAVIS S. TABOR

01/27/2017
DATE

REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS - NO. 6428



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
C.R.T.C.T.	CONDOMINIUM RECORDS OF TRAVIS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
U.E.	UTILITY EASEMENT
B.L.	BUILDING LINE
(S45°E 45')	RECORD INFO. PER TRAVIS COUNTY

LEGEND

CO	WASTEWATER CLEANOUT	OHE	OVERHEAD ELECTRIC
	WATER METER		ELECTRIC MISC.
	WATER VALVE		ELECTRIC MANHOLE
	IRRIGATION CONTROL VALVE		POLE
	UNKNOWN MANHOLE		POWER POLE
	ELECTRIC PULLBOX		SIGN POST
	MAILBOX		WATER METER
	GUARDRAIL		FIRE HYDRANT
	IRON FENCE		BOLLARD
			TELEPHONE MANHOLE
			TELEPHONE PEDESTAL
			CABLE MARKER
		CONC.	CONCRETE
		ASPH.	ASPHALT
		PKG.	PARKING AREA
		E.P.	EDGE OF PAVEMENT
		B.O.C.	BACK OF CURB

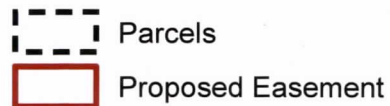
JOB NUMBER: 16-006	DATE: 01/27/2017
PROJECT NAME: 811 UPGRADE	
DRAWING NAME: 16006_PARCEL 32	
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels	
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\FIELD\Field to Office\FNs	
RPLS: TST	TECH: TST
PARTYCHIEF: JA	CHK BY: JB
SHEET 04 of 04	FIELDBOOKS: 265/267
SCALE: 1" = 50'	



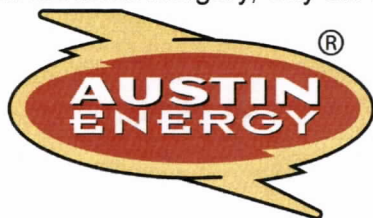
LANDESIGN
SERVICES, INC.

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SUITE 200
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FIRM REGISTRATION NO. 10001800

Proposed Easement at Ilario A. Rendon Tract #32



2018 Aerial Imagery, City of Austin



*AE Public Involvement
& Real Estate Services*



0 50 100
Feet

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.

Produced by MGomez 11/29/2018

