

RESOLUTION NO. 20191003-060

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:	Intown Investments, LLC, a Texas limited liability corporation
Project:	Austin Energy Circuit 811 Upgrade Parcel 38 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: 8741 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: October 3, 2019

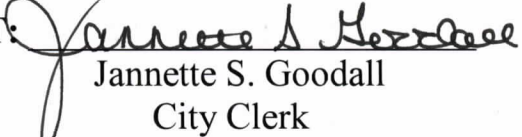
ATTEST: 
Jannette S. Goodall
City Clerk

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 38

BEING A 0.025 OF ONE ACRE (1103 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, DEEN ADDITION, RECORDED IN VOL. 64, PG. 1 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 2 BEING DESCRIBED IN A GENERAL WARRANTY DEED TO INTOWN INVESTMENTS, LLC, RECORDED IN DOCUMENT NO. 2016046247 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.025 OF ONE ACRE (1103 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 a Point of Curvature in the Northwest line of Lot 1, of said DEEN ADDITION, 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 the most Westerly corner of Lot 1, OMEGA SUBDIVISION, recorded in Vol. 49, Pg. 72 of said Plat Records, and being at the intersection of said existing Easterly right-of-way line of North Lamar Boulevard with the existing Northeasterly right-of-way line of Deen Avenue (R.O.W. Varies, recording unknown), bears North 47°58'55" East a distance of 76.70 feet;

THENCE South 48°22'38" West coincident with the common dividing line of said Lot 1, DEEN ADDITION and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of 54.48 feet to a Calculated Point not set (Grid Coordinates: N=10103130.004 E=3126629.371) for the most Westerly corner of said Lot 1, DEEN ADDITION, the most Northerly corner of said Lot 2, and the **POINT OF BEGINNING** of the herein described tract;

THENCE South 36°55'57" East departing said existing Easterly right-of-way line of North Lamar Boulevard and coincident with the common dividing line of said Lot 1, DEEN ADDITION and said Lot 2, passing a 60D Nail found at a distance of 0.93 feet, and continue for a total distance of **15.05** 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 2, a distance of **73.52** feet to a Calculated Point not set in the Southwest line of said Lot 2 and the Northeast line of Lot 1, Block No. 1, FISKVILLE SCHOOL ADDITION, recorded in Vol. 4, Pg. 169 of said Plat Records;

EXHIBIT "A"

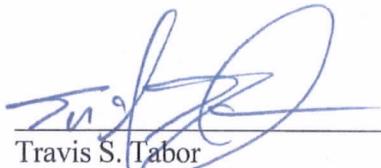
PAGE 2 OF 4

THENCE **North 36°56'32" West** coincident with the common dividing line of said Lot 2 and said Lot 1, Block No. 1, a distance of **15.05** feet to a Calculated Point not set for the most Westerly corner of said Lot 2 and the most Northerly corner of said Lot 1, Block No. 1, also being in said existing Easterly right-of-way line of North Lamar Boulevard, from which a PK Nail found for the most Westerly corner of Lot 3, of said Block No. 1 and the most Northerly corner of Lot 4, of said Block No. 1, also being in said existing Easterly right-of-way line of North Lamar Boulevard, bears South 48°22'38" West a distance of 240.69 feet;

THENCE **North 48°22'38" East** coincident with the common dividing line of said Lot 2 and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of **73.52** feet to the **POINT OF BEGINNING** and containing 0.025 of one acre of land (1103 Square Feet) more or less.

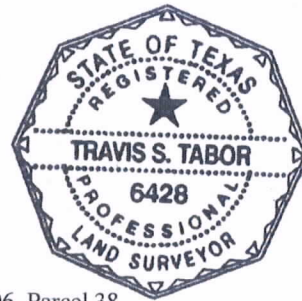
All bearings shown hereon are based on the Texas State Plane Coordinate System (SPCS), Central Zone (4203), NAD83 (2011 Adjustment). All distances and coordinates shown hereon are grid values represented in U.S. Survey Feet.

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 38



GRAPHIC SCALE

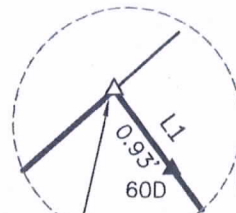
EXHIBIT "B"

SEE SHEET 4 FOR LEGEND AND
TITLE COMMITMENT NOTES

LOT 1

OMEGA SUBDIVISION
VOL. 49, PG. 72
P.R.T.C.T.

Line Table		
Line #	Direction	Length
L1	S36° 55' 57"E	15.05'
L2	N36° 56' 32"W	15.05'



P.O.B.

GRID COORDS
N=10103130.004
E=3126629.371

PARCEL 38
0.025 OF
ONE ACRE
(1103 SQ. FT.)

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

J.P. WALLACE
SURVEY

BLOCK NO. 1
FISKVILLE SCHOOL ADDITION
VOL. 4, PG. 169
P.R.T.C.T.

P.O.C.

POLE
#302328

DEEN AVENUE
(R.O.W. VARIES)
(RECORDING UNKNOWN)

INTOWN
INVESTMENTS, LLC
DOC. NO. 2016046246
O.P.R.T.C.T.

DEEN ADDITION
VOL. 64, PG. 1
P.R.T.C.T.

INTOWN
INVESTMENTS, LLC
DOC. NO. 2016046247
O.P.R.T.C.T.

5' EASEMENT
CITY OF AUSTIN
VOL. 4955, PG. 1589
D.R.T.C.T.

VIGIL INTERESTS, LTD.
DOC. NO. 2001154262
O.P.R.T.C.T.

VIGIL INTERESTS, LTD.
DOC. NO. 2001154262
O.P.R.T.C.T.

RFHDAH, LP
DOC. NO. 2009205227
O.P.R.T.C.T.

JOB NUMBER: 16-006	DATE: 01/27/2017
PROJECT NAME: 811 UPGRADE	
DRAWING NAME: 16006_PARCEL 38	
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-CTA1602558JP

ISSUE DATE: OCTOBER 26, 2016 - EFFECTIVE DATE: OCTOBER 18, 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.

SCHEDULE B EXCEPTIONS:

10a. NOT A SURVEY MATTER.

10b. NOT A SURVEY MATTER.

10c. NOT A SURVEY MATTER.

10d. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND. NOTED HEREON.

10e. NOT A SURVEY MATTER.

10f. EASEMENT GRANTED TO THE STATE OF TEXAS, RECORDED IN VOL. 517, PG. 380, DEED RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON - UNABLE TO LOCATE DUE TO VAGUE DESCRIPTION.

10g. EASEMENT GRANTED TO THE CITY OF AUSTIN, RECORDED IN VOL. 4955, PG. 1589, DEED RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON - DOES NOT AFFECT.

10h. NOT A SURVEY MATTER.

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

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

DATE

LEGEND	
	WASTEWATER CLEANOUT
	WATER METER
	WATER VALVE
	IRRIGATION CONTROL VALVE
	UNKNOWN MANHOLE
	ELECTRIC PULLBOX
	MAILBOX
	GUARDRAIL
	IRON FENCE
	OVERHEAD ELECTRIC
	ELECTRIC MISC.
	ELECTRIC MANHOLE
	POLE
	POWER POLE
	SIGN POST
	WATER METER
	FIRE HYDRANT
	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
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DRAWING NAME: 16006_PARCEL 38	
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
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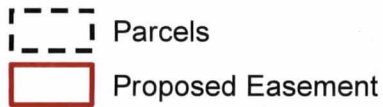


LANDESIGN
SERVICES, INC.

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

**Proposed Electric Transmission
and Distribution Easement
for
Austin Energy Transmission
Circuit 811 Upgrade**

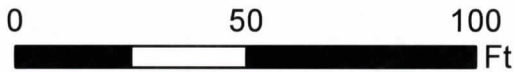
**Owner: Intown Investments, LLC - Parcel #38
Location: 8741 N Lamar Blvd**



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.

Produced by ECervantes 7/19/2019

