

RESOLUTION NO. 20191003-061

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:	Mayfield Village, Ltd., a Texas limited partnership
Project:	Austin Energy Circuit 811 Upgrade Parcel 80 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.

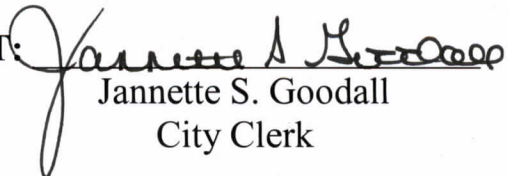
Location: 10205 North Lamar Boulevard, Austin, Travis County, Texas 78753

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

**PROPERTY DESCRIPTION
PARCEL 80**

SURVEY OF 0.167 ACRES (7,270 SQUARE FEET) OF LAND, IN THE JOHN APPLGAI SURVEY NUMBER 58, AND BEING A PORTION OF LOT 1, BLOCK B, NORTHWEND PHASE C-SECTION TWO, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 83, PAGE 225A, PLAT RECORDS TRAVIS COUNTY, TEXAS, THE SAID LOT 1, BEING DESCRIBED TO MAYFIELD VILLAGE, LTD, IN THAT CERTAIN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN AS RECORDED IN DOCUMENT NUMBER 2005009709, OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED 0.167 ACRES OF LAND SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT B AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a one-half inch iron rod found at a point of curvature to the right in the southerly line of said Lot 1, also being in the northerly right-of-way line of Masterson Pass (Right of Way Varies) and from this point a one-half inch iron rod found for an interior angle corner of the said Lot 1, same being an exterior angle corner of the northerly right-of-way line of the said Masterson Pass bears S65°24'07"E, a distance of 94.85 feet;

THENCE with the common boundary line of said Lot 1 and said Masterson Pass right-of-way and along said curve to the right having the following curve elements: Radius of 20.00 feet, Arc Distance of 4.75 feet, Delta Angle of 13°37'07", the chord of which bears N57°43'49"W, a distance of 4.74 feet to a calculated point (Grid Coordinates: N=10,108,611.3419, E=3,129,397.7701, Texas Central Zone 4203, NAD83) for the southernmost corner and **POINT OF BEGINNING** of the herein described 0.167 acres of land;

THENCE with the common boundary line of said Lot 1 and said Masterson Pass right-of-way and along said curve to the right having the following curve elements: Radius of 20.00 feet, Arc Distance of 26.40 feet, Delta Angle of 75°38'15", the chord of which bears N13°06'10"W, a distance of 24.53 feet to a one-half inch iron rod found for the westerly corner of the herein described 0.167 acres of land, same being the west corner of the said Lot 1, and a point on the southeast right-of-way line of North Lamar Boulevard, a street in Travis County, Texas;

THENCE North 24°36'04" East, a distance of 470.32 feet along the common boundary line of the said Lot 1, and the said North Lamar Boulevard to a calculated point for the north corner of the herein described 0.167 acres of land, same being the common west corner of the said Lot 1, and Lot 1, Block B, Northwend Phase C-Section One, a

EXHIBIT "A"

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subdivision in Travis County, Texas, according to the plat recorded in Volume 83, Page 90S, Plat Records Travis County, Texas and a point on the southeast right-of-way line of the said North Lamar Boulevard;

THENCE South 65°20'06" East, a distance of 15.00 feet along the common boundary line of said Lot 1, Section Two and said Lot 1, Section One, both Block B, Northwend Subdivision to a calculated point for the east corner of the herein described 0.167 acres of land and from this point a punch hole in concrete found for the east corner of the said Lot 1, Section Two, same being an interior angle corner of the said Lot 1, Section One, bears South 65°20'06" East, a distance of 345.00 feet;

THENCE South 24°36'04" West, a distance of 489.71 feet and crossing over said Lot 1, Section Two, to the **POINT OF BEGINNING** and containing 0.167 acre (7,270 square feet) of land more or less.

BASIS OF BEARINGS IS GRID NORTH, UNITED STATES STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83.

I hereby certify that these field notes were prepared from an on the ground survey made under my supervision.

Robert C. Steubing
Robert C. Steubing Registered Professional Land Surveyor No. 5548



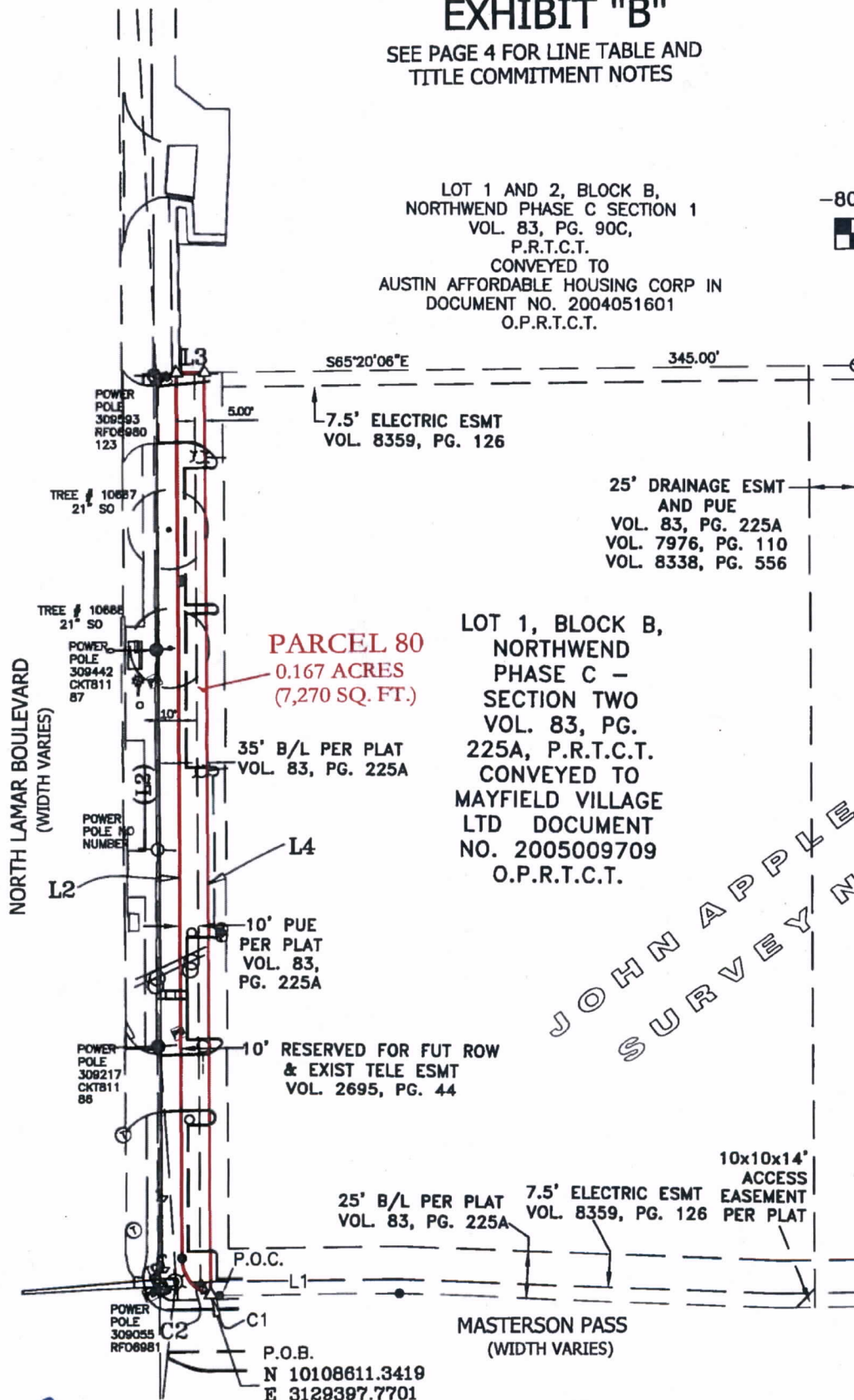
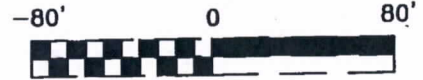
08/29/2017
Date

EXHIBIT "B"

SEE PAGE 4 FOR LINE TABLE AND
TITLE COMMITMENT NOTES

LOT 1 AND 2, BLOCK B,
NORTHWEND PHASE C SECTION 1
VOL. 83, PG. 90C,
P.R.T.C.T.
CONVEYED TO
AUSTIN AFFORDABLE HOUSING CORP IN
DOCUMENT NO. 2004051601
O.P.R.T.C.T.

SCALE: 1"=80'



LOT 1, BLOCK B,
NORTHWEND
PHASE C -
SECTION TWO
VOL. 83, PG.
225A, P.R.T.C.T.
CONVEYED TO
MAYFIELD VILLAGE
LTD DOCUMENT
NO. 2005009709
O.P.R.T.C.T.

JOHN APPELGAIT
SURVEY NO. 58

LOT 1 AND 2, BLOCK B,
NORTHWEND PHASE C SECTION 1
VOL. 83, PG. 90C,
P.R.T.C.T.
CONVEYED TO
AUSTIN AFFORDABLE HOUSING CORP IN
DOCUMENT NO. 2004051601
O.P.R.T.C.T.

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Robert C. Steubing 08/29/2017
ROBERT C. STEUBING (512-505-7146) DATE
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	13°37'04"	4.75'	20.00'	N57°43'49"W	4.74'
C2	75°38'15"	26.40'	20.00'	N13°06'10"W	24.53'

NUM	BEARING	DISTANCE
L1	S65°24'07"E	94.85'
L2	N24°36'04"E	470.32'
L3	S65°20'06"E	15.00'
L4	S24°36'04"W	489.71'

Record Line Table		
Line #	Direction	Length
(L2)	N26° 56' 32"E	470.00'

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83 - 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 JUNE, 2017

Robert C. Steubing 08/29/2017
ROBERT C. STEUBING (612-505-7148) DATE

REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

INDEPENDENCE TITLE

GF NO.: 1719131-KFO

EFFECTIVE DATE: MAY 19, 2017

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.

LEGEND

- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- △ CALCULATED POINT
- ⊗ PUNCH HOLE FOUND
- POWER POLE
- ⌵ TELEPHONE RISER
- ⊙ TELEPHONE MANHOLE
- ⊠ TELEPHONE BOX
- ⌵ TELEPHONE MARKER
- ⊗ LIGHT POLE
- ⌵ GUY WIRE
- ⊗ POWER POLE WITH LIGHT
- SPRINKLER HEAD
- ⌵ GAS MARKER
- ⊙ BOLLARD
- ⊗ ELECTRIC METER
- ⊠ ELECTRIC PULL BOX
- ⊗ TRAFFIC CONTROL BOX
- BL BUILDING LINE
- ESMT EASEMENT
- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- PUE PUBLIC UTILITY EASEMENT
- ROW RIGHT-OF-WAY
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TX
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION

1. The following restrictive covenants of record itemized below:

Volume 83, Page 225A, Plat Records; Volume 7653, Page 898, Deed Records; and Volume 9060, Page 462 and Volume 10826, Page 1664, Real Property Records, Travis County, Texas. AFFECT THIS TRACT.

10.e. Building setback lines as set forth on the recorded plat and dedication set out in Schedule A hereof. AFFECT THIS TRACT.

10.f. Easement/Reservation as shown on the plat and dedication set out in Schedule A hereof:

Purpose: Future right of way and existing telephone

Location: 10' adjacent to and parallel with North Lamar Blvd. DOES NOT AFFECT THIS TRACT.

10.g. Easement as shown on the plat and dedication set out in Schedule A hereof:

Purpose: public utility

Location: 10' adjacent to and parallel with the 10 foot future right of way line. AFFECTS THIS TRACT.

10.h. Easement as shown on the plat and dedication set out in Schedule A hereof:

Purpose: public utility

Location: 7.5' along the northeast property line. AFFECTS THIS TRACT.

10.i. Easement as shown on the plat and dedication set out in Schedule A hereof:

Purpose: drainage and public utility

Location: 25' along the southeast property line. DOES NOT AFFECT THIS TRACT.

10.j. Easement as shown on the plat and dedication set out in Schedule A hereof:

Purpose: access

Location: 10'x10'x14' over and across most southerly portion of lot. DOES NOT AFFECT THIS TRACT.

10.k. Easement:

Recorded: Volume 2695, Page 44, Deed Records, Travis County, Texas.

To: awarded to Southwestern Bell Telephone Company

Purpose: telephone line, together with all rights recited therein. MAY AFFECT THIS TRACT.

10.l. Easement:

Recorded: Volume 7976, Page 110, Deed Records, Travis County, Texas

To: the public

Purpose: drainage and public utility. DOES NOT AFFECT THIS TRACT.

10.m. Easement:

Recorded: Volume 8338, Page 556, Deed Records, Travis County, Texas.

To: City of Austin

Purpose: drainage and public utility. DOES NOT AFFECT THIS TRACT.

10.n. Easement:

Recorded: Volume 8359, Page 126, Deed Records, Travis County, Texas

To: City of Austin

Purpose: underground electric and/or telephone lines and systems. AFFECTS THIS TRACT.

10.o. Easement:

Recorded: Volume 8359, Page 134, Deed Records, Travis County, Texas.

To: City of Austin

Purpose: underground electric and/or telephone lines and systems. DOES NOT AFFECT THIS TRACT.

10.p. Easement:

Recorded: Volume 8854, Page 912, Real Property Records, Travis County, Texas

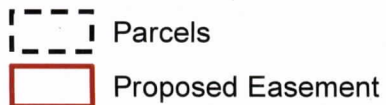
To: City of Austin

Purpose: electric and/or telephones lines and systems. DOES NOT AFFECT THIS TRACT.



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

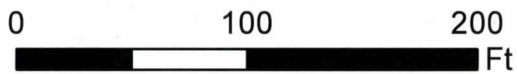
Owner: Mayfield Village LTD - Parcel #80
Location: 10205 N Lamar Blvd



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

