

RESOLUTION NO. 20200917-065

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 interests, 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:

Owner:	Joe E. Russo and Paicor Corporation, successors in interest to Chevy Chase South Ltd., No. 1 Ltd. and CW- Chase Road 232, Inc., and FIMC Baton Rouge, Inc., successors in interest to Austin Student Housing I Ltd. Project: Country Club Creek Trail Elmont Drive to East Oltorf Street Project
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Public Uses: To provide connectivity between many local attractions, homes, sidewalks, and bicycle lanes.
A sidewalk, trail, and recreational easement described in the attached Exhibit "A" is to install, construct, operate, use, maintain, repair, modify, upgrade, monitor, inspect, replace, make connections with multi-use trails, and promenade structures and related facilities in, under, upon and across the property described in Exhibit "A".

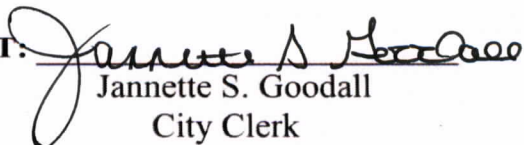
A temporary working space easement, to be used during the initial construction period only, upon and across the abutting land as described in Exhibit "B".

Location: 4500 Sheringham Drive, Austin, Travis County, Texas 78741

The general route covered by this project is E. Oltorf Street to East Riverside Drive along Country Club Creek, and from East Riverside Drive to Elmont Drive along Wickersham Lane in Austin, Travis County, Texas. (District 2).

Property: Described in the attached and incorporated Exhibits "A" and "B".

ADOPTED: September 17, 2020

ATTEST: 
Jannette S. Goodall
City Clerk

LEGAL DESCRIPTION FOR PARCEL 4961.01 STARE

LEGAL DESCRIPTION FOR 0.028 ACRE (1,231 SQUARE FEET) TRACT OF LAND OUT OF THE SOUTH ONE-HALF OF LOT 4, BLOCK A, LOT 1, CHEVY CHASE SOUTH, PHASE SIX RESUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 99, PAGE 40 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. SAID SOUTH ONE-HALF OF LOT 4, BLOCK A BEING THE REMAINDER OF A CALLED 126.06 ACRE TRACT OF LAND CONVEYED TO CHEVY CHASE SOUTH, LTD. BY DEED RECORDED IN VOLUME 3969, PAGE 898 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.028 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point on the southerly line of said Lot 4 and said south one-half of Lot 4, same being the northerly line of the remaining portion of Lot 2, Chevy Chase Phase Six, a subdivision of record in Book 85, Page 127B of the Plat Records of Travis County, Texas, for the south corner of the tract herein described having Texas State Plane Coordinate System of 1983 (Texas Central Zone, NAD83 (2011) Epoch 2010, U.S. Feet, Combined Scale Factor 0.999952039) grid coordinate values of **N=10,057,141.56, E=3,120,784.80**, from which a ½" rebar at the Point of Reverse Curvature on the curving southerly right-of-way line of a cul-de-sac (60' radius) at the western terminus of a portion of Sheringham Drive (70' right-of-way), same being the southerly line of a called 0.039 acre tract of land conveyed to the City of Austin and described as "Tract C" in Street Deed recorded in Volume 12560, Page 30 of the Real Property Records of Travis County, Texas and the northerly line of said portion of Lot 2, bears along the southerly line of said Lot 4 with the northerly line of said portion of Lot 2, S63°49'16"E, a distance of 35.53 feet to a calculated point on the curving westerly right-of-way line of Sheringham Drive, on the northerly line of said Lot 2, same being the west corner of said 0.039 acre "Tract C" and the southeast corner of said Lot 4 (from which a rebar with cap stamped "Wallace Group" found bears N29°32'54"E, a distance of 1.72 feet), continuing along the curving southerly right-of-way line of Sheringham Drive and the northerly line of said portion of said Lot 2 with said curve having a chord bearing S59°17'30"E, a distance of 89.17 feet;

THENCE, along the southerly line of said Lot 4 with the northerly line of said portion of Lot 2, **N63°49'16"W**, a distance of **35.16** feet to a calculated point for the west corner of the tract herein described, from which a ½" rebar found on the curving easterly right-of-way line of a cul-de-sac (60' radius) at the eastern terminus of a portion of Sheringham Drive (70' right-of-way) at the southwest corner of said Lot 4, same being a northerly corner of said portion of said Lot 2 and the east corner of a called 0.042 acre tract of land conveyed to the City of Austin and described as "Tract A" in Street Deed recorded in Volume 12560, Page 30 of the Real Property Records of Travis County, Texas bears along the common line of said portion of Lot 2 and said Lot 4, **N63°49'16"W**, a distance of 340.66 feet;

THENCE, departing the northerly line of said portion of Lot 2 and crossing said south one-half of Lot 4, **N57°36'22"E**, a distance of **41.04** feet to a calculated point on the northerly line of said south one-half of Lot 4, same being the southerly line of the north one-half of Lot 4, conveyed to Post Riverside Country Club, LLC by Special Warranty Deed recorded in Document No. 2011171251 of the Official Public

Exhibit A

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Records of Travis County, Texas, for the north corner of the tract herein described, from which a cotton spindle found on the curving easterly right-of-way line of a cul-de-sac (60' radius) at the eastern terminus of a portion of Sheringham Drive (70' right-of-way) at a southerly corner of Lot 3, Block A, Lot 1, Chevy Chase South, Phase Six Resubdivision, same being the east corner of a called 0.037 acre tract of land conveyed to the City of Austin and described as "Tract B" in Street Deed recorded in Volume 12560, Page 30 of the Real Property Records of Travis County, Texas bears along the common line of said Lot 1 and said Lot 4, N63°49'16"W, a distance of 351.59 feet to a calculated point on the curving easterly right-of-way line of Sheringham Drive and the westerly line of said Lot 4 and along the curving easterly right-of-way line of Sheringham Drive and the westerly line of said Lot 4 with a curve to the left having a chord bearing N07°05'52"E, a distance of 37.06 feet;

THENCE, along the northerly line of said south one-half of Lot 4 with the southerly line of said north one-half of Lot 4, S63°49'16"E, a distance of 35.16 feet to a calculated point for the east corner of the tract herein described, from which a ½" rebar found on the curving westerly line of a cul-de-sac (60' radius) at the western terminus of a portion of Sheringham Drive (70' right-of-way), at the northeast corner of said Lot 4, same being a southerly corner of said Lot 1 and the west corner of a called 0.039 acre tract of land conveyed to the City of Austin and described as "Tract D" in Street Deed recorded in Volume 12560, Page 30 of the Real Property Records of Travis County, Texas bears along the northerly line of said south one-half of Lot 4 with the southerly line of said north one-half of Lot 4, S63°49'16"E, a distance of 2.93 feet to a calculated point on the curving westerly line of Sheringham Drive and easterly line of said Lot 4, at the northeast corner of said south one-half of Lot 4 and the southeast corner of said north one-half of Lot 4 and along the westerly right-of-way line of Sheringham Drive and easterly line of said Lot 4 with a curve to the right having a chord bearing N44°09'35"E, a distance of 36.82 feet;

THENCE, departing the southerly line of said north one-half of Lot 4 and crossing said south one-half of Lot 4, S57°36'22"W, a distance of 41.04 feet to the **POINT OF BEGINNING** containing 0.028 acre (1,231 Square Feet) of land, more or less.

This legal description was prepared by Mary P. Hawkins, R.P.L.S. No. 4433 from a survey made on the ground in July, August and December, 2018 and January and February, 2019. Bearings are based on the Texas State Plane Coordinate System NAD 83 (2011) Epoch 2010, Central Zone. The coordinates for this project were derived from utilizing base/RTK GPS observations from a steel rod found in concrete (NGS D1521) having grid coordinates of N=10,058,260.35, E=3,121,095.49. The distance shown are surface values. The combined scale factor is 0.999952039.



Mary P. Hawkins 4/10/19

Mary P. Hawkins, R.P.L.S. No. 4433
Quality Management Division
Department of Public Works
City of Austin

REFERENCES

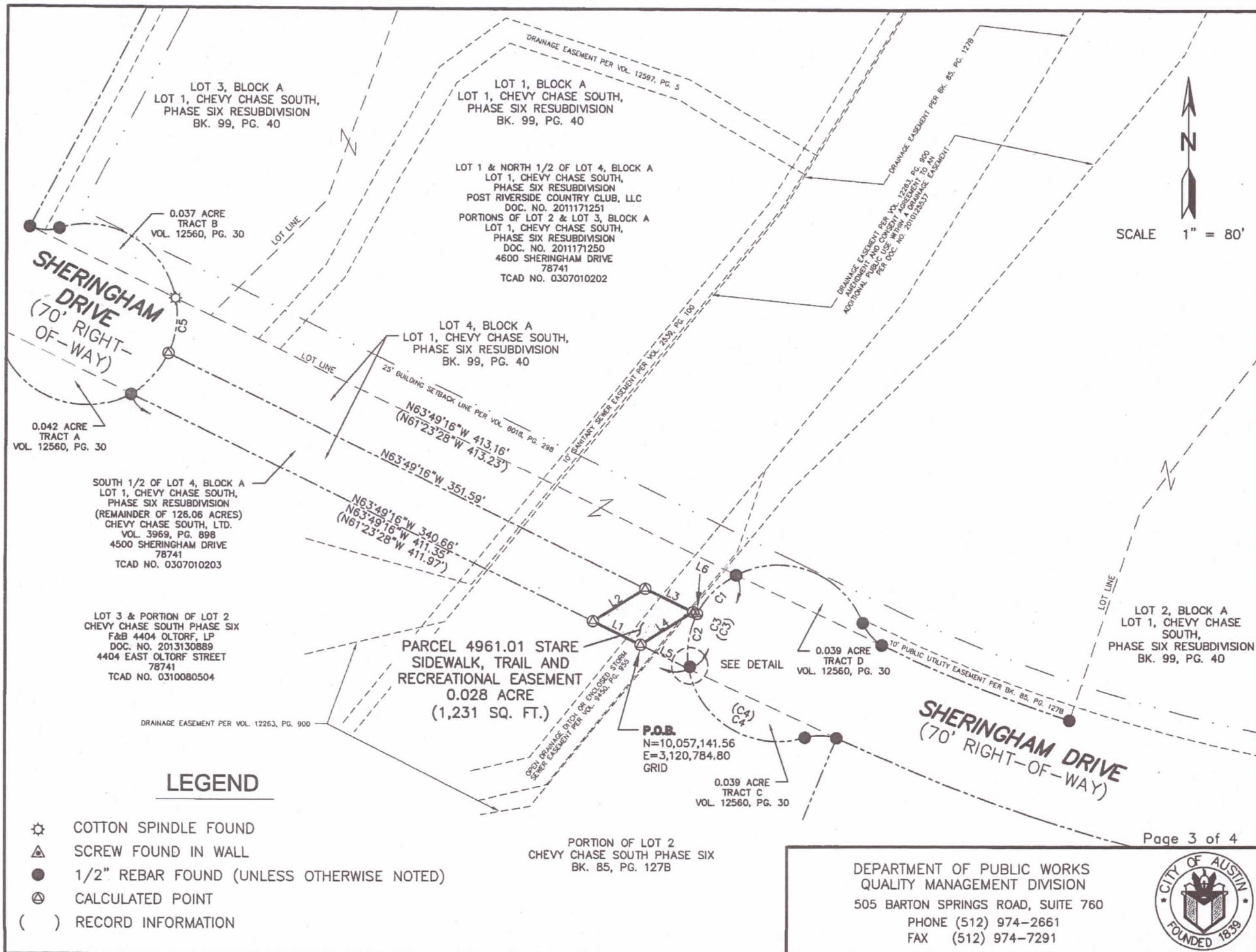
TCAD Parcel No. 03-0701-0203
Austin Grid K-19

FIELD NOTES REVIEWED

BY *[Signature]* DATE: *04.10.2019*

CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

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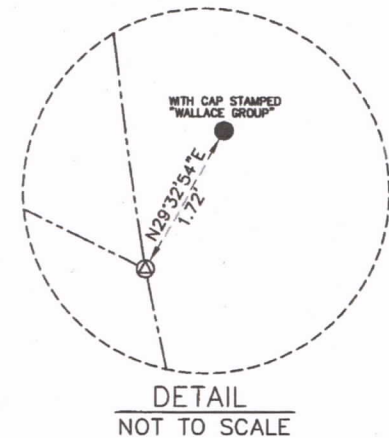


LINE TABLE

NO.	BEARING	DISTANCE
L1	N63°49'16"W	35.16'
L2	N57°36'22"E	41.04
L3	S63°49'16"E	35.16'
L4	S57°36'22"W	41.04
L5	S63°49'16"E	35.53'
L6	S63°49'16"E	2.93'

CURVE TABLE

NO.	CHORD BEARING	CHORD DISTANCE	CENTRAL ANGLE	ARC LENGTH	RADIUS
C1	N44°09'35"E	36.82'	35°44'13"	37.42'	60.00'
C2	S08°26'49"W	36.77'	35°41'13"	37.37'	60.00'
C3	S26°18'58"W	70.05'	71°25'31"	74.80'	60.00'
(C3)	(S28°18'39"W)	(70.02')	(71°23'39")	—	(60.00')
C4	S59°17'30"E	89.17'	95°59'10"	100.52'	60.00'
(C4)	(S55°37'38"E)	(89.33')	(96°13'05")	—	(60.00')
C5	N07°05'52"E	37.06'	35°58'38"	37.68'	60.00'



NOTE:

EASEMENTS SHOWN ON THIS SKETCH ARE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED TO STEWART TITLE GUARANTY COMPANY ON FEBRUARY 21, 2019, EFFECTIVE DATE FEBRUARY 12, 2019, FILE NO. 20180121. THERE MAY BE RECORDED OR UNRECORDED EASEMENTS NOT SHOWN HEREON THAT MAY AFFECT THE PROPERTY.

BEARING BASIS NOTE:

BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (2011) EPOCH 2010, CENTRAL ZONE. THE COORDINATES FOR THIS PROJECT WERE DERIVED FROM UTILIZING BASE/RTK GPS OBSERVATIONS FROM A STEEL ROD FOUND IN CONCRETE (NGS D1521) HAVING GRID COORDINATES OF N=10,058,260.35, E=3,121,095.49. THE DISTANCES SHOWN ARE SURFACE VALUES. THE COMBINED SCALE FACTOR IS 0.999952039.

THIS SKETCH WAS PREPARED FROM A SURVEY MADE ON THE GROUND IN JULY, AUGUST & DECEMBER, 2018 AND JANUARY & FEBRUARY, 2019.



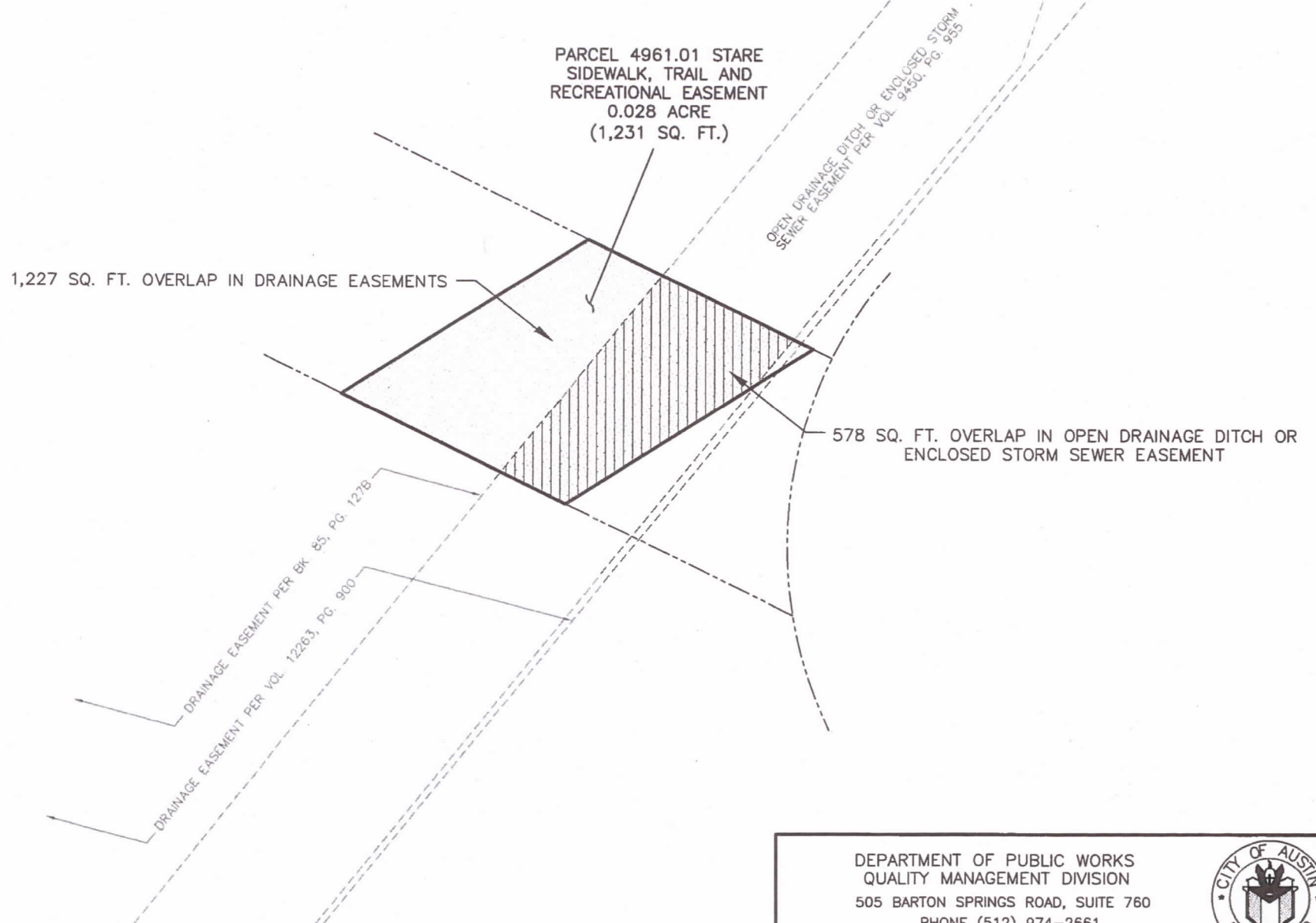
Mary P. Hawkins 4/10/19
 MARY P. HAWKINS, R.P.L.S. NO. 4433 DATE
 DRAWN BY: MARY P. HAWKINS
 COUNTRY CLUB CREEK TRAIL - 4961.01 STARE.DWG
 FB. 4070, PG. 46 - 49

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DEPARTMENT OF PUBLIC WORKS
 QUALITY MANAGEMENT DIVISION
 505 BARTON SPRINGS ROAD, SUITE 760
 PHONE (512) 974-2661
 FAX (512) 974-7291



SKETCH FOR APPRAISAL PURPOSES



DEPARTMENT OF PUBLIC WORKS
QUALITY MANAGEMENT DIVISION
505 BARTON SPRINGS ROAD, SUITE 760
PHONE (512) 974-2661
FAX (512) 974-7291



LEGAL DESCRIPTION FOR PARCEL 4961.01 TWSE

LEGAL DESCRIPTION FOR 0.014 ACRE (602 SQUARE FEET) TRACT OF LAND OUT OF THE SOUTH ONE-HALF OF LOT 4, BLOCK A, LOT 1, CHEVY CHASE SOUTH, PHASE SIX RESUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 99, PAGE 40 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. SAID SOUTH ONE-HALF OF LOT 4, BLOCK A BEING THE REMAINDER OF A CALLED 126.06 ACRE TRACT OF LAND CONVEYED TO CHEVY CHASE SOUTH, LTD. BY DEED RECORDED IN VOLUME 3969, PAGE 898 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.014 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point on the southerly line of said Lot 4 and said south one-half of Lot 4, same being the northerly line of the remaining portion of Lot 2, Chevy Chase Phase Six, a subdivision of record in Book 85, Page 127B of the Plat Records of Travis County, Texas, for the west corner of the tract herein described having Texas State Plane Coordinate System of 1983 (Texas Central Zone, NAD83 (2011) Epoch 2010, U.S. Feet, Combined Scale Factor 0.999952039) grid coordinate values of **N=10,057,141.56, E=3,120,784.80**, from which a ½" rebar found on the curving easterly right-of-way line of a cul-de-sac (60' radius) at the eastern terminus of a portion of Sheringham Drive (70' right-of-way) at the southwest corner of said Lot 4, same being a northerly corner of said portion of Lot 2 and the east corner of a called 0.042 acre tract of land conveyed to the City of Austin and described as "Tract A" in Street Deed recorded in Volume 12560, Page 30 of the Real Property Records of Travis County, Texas bears N63°49'16"W, a distance of 375.82 feet;

THENCE, departing the northerly line of said portion of Lot 2 and crossing said south one-half of Lot 4, **N57°36'22"E**, a distance of **41.04** feet to a calculated point on the northerly line of said south one-half of Lot 4, same being the southerly line of the north one-half of Lot 4, conveyed to Post Riverside Country Club, LLC by Special Warranty Deed recorded in Document No. 2011171251 of the Official Public Records of Travis County, Texas, for the northwest corner of the tract herein described, from which a cotton spindle found on the curving easterly right-of-way line of a cul-de-sac (60' radius) at the eastern terminus of a portion of Sheringham Drive (70' right-of-way), at a southerly corner of Lot 3, Block A, Lot 1, Chevy Chase South, Phase Six Resubdivision, same being the east corner of a called 0.037 acre tract of land conveyed to the City of Austin and described as "Tract B" in Street Deed recorded in Volume 12560, Page 30 of the Real Property Records of Travis County, Texas bears along the common line of said south one-half of Lot 4 and said north one-half of Lot 4, N63°49'16"W, a distance of 386.75 feet to a calculated point on the curving easterly right-of-way line of Sheringham Drive and the westerly line of said Lot 4 and along the curving easterly right-of-way line of Sheringham Drive and the westerly line of said Lot 4 with a curve to the left having a chord bearing N07°05'52"E, a distance of 37.06 feet;

THENCE, along the common line of said south one-half of Lot 4 and said north one-half of Lot 4, **S63°49'16"E**, a distance of **2.93** feet to a calculated point on the curving westerly right-of-way line of Sheringham Drive and easterly line of said Lot 4, at the northeast corner of said south one-half of Lot 4 and the southeast corner of said north one-half of Lot 4, for the northeast corner of the tract herein

Exhibit B

described, from which a ½" rebar found on the curving westerly line of a cul-de-sac (60' radius) at the western terminus of a portion of Sheringham Drive (70' right-of-way), at the northeast corner of said Lot 4, same being a southerly corner of said Lot 1 and the west corner of a called 0.039 acre tract of land conveyed to the City of Austin and described as "Tract D" in Street Deed recorded in Volume 12560, Page 30 of the Real Property Records of Travis County, bears along the westerly right-of-way line of Sheringham Drive and easterly line of said Lot 4 with a curve to the right having a chord bearing N44°09'35"E, a distance of 36.82 feet;

THENCE, along the curving westerly right-of-way line of Sheringham Drive with a curve to the left having a radius of 60.00 feet, a central angle of 35°41'13", an arc length of 37.37 feet a chord bearing **S08°26'49"W**, a distance of **36.77** feet to a calculated point on the curving westerly right-of-way line of Sheringham Drive, on the northerly line of said portion of Lot 2, same being the west corner of a called 0.039 acre tract of land conveyed to the City of Austin and described as "Tract C" in Street Deed recorded in Volume 12560, Page 30 of the Real Property Records of Travis County, Texas and the southeast corner of said Lot 4 (from which a rebar with cap stamped "Wallace Group" found bears N29°32'54"E, a distance of 1.72 feet), from which a ½" rebar at the Point of Reverse Curvature on the curving southerly right-of-way line of a cul-de-sac (60' radius) at the western terminus of a portion of Sheringham Drive (70' right-of-way), same being the southerly line of said 0.039 acre "Tract C" and the northerly line of said portion of Lot 2, Chevy Chase South, a subdivision of record in Book 85, Page 127B of the Plat Records of Travis County, Texas, bears along said curve having a chord bearing S59°17'30"E, a distance of 89.17 feet;

THENCE, departing the curving westerly right-of-way line of Sheringham Drive and along the southerly line of said Lot 4 with the northerly line of said portion of Lot 2, **N63°49'16"W**, a distance of **35.53** feet to the **POINT OF BEGINNING** containing **0.014** acre (602 Square Feet) of land, more or less.

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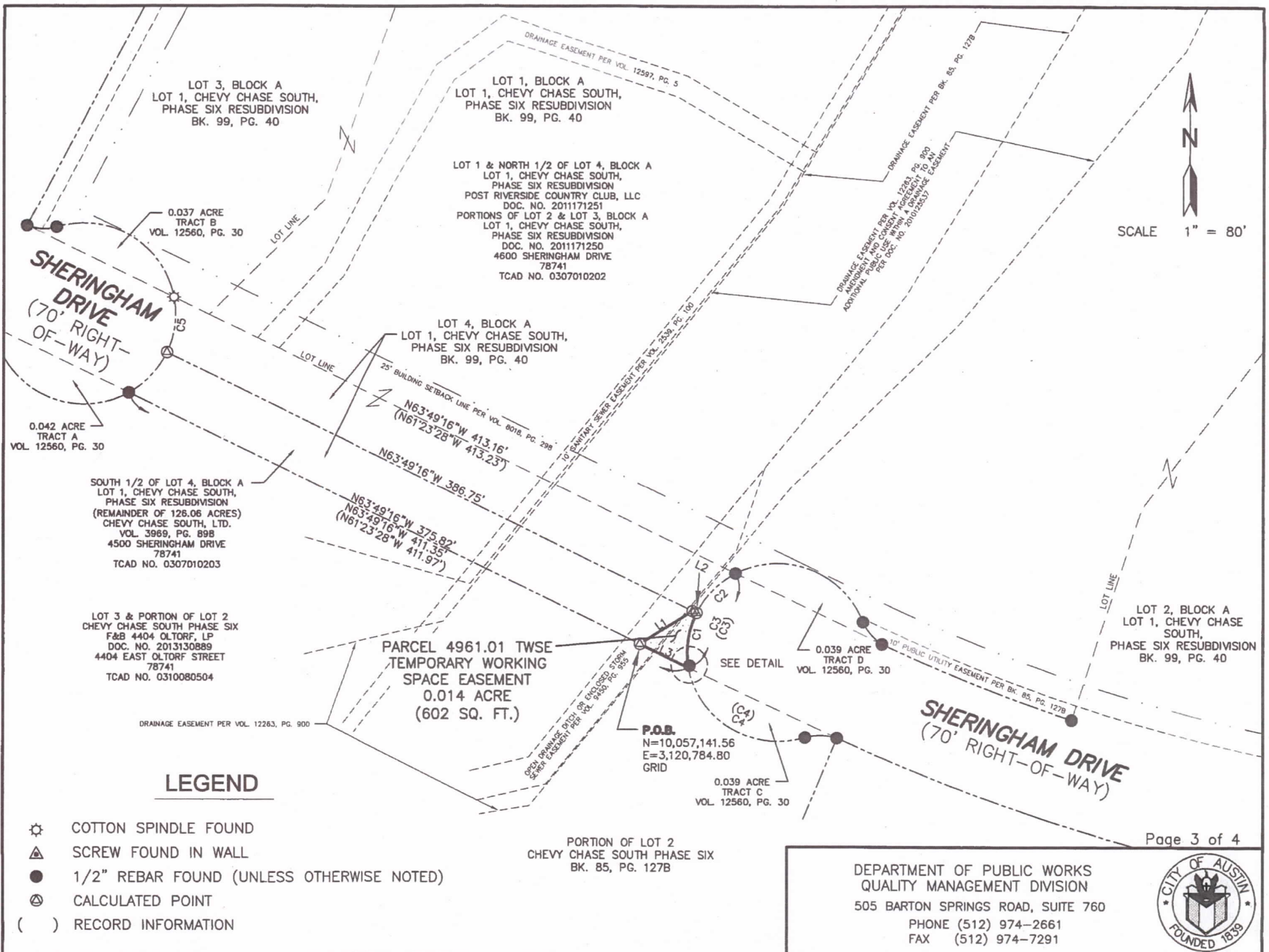
TCAD Parcel No. 03-0701-0203
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FIELD NOTES REVIEWED

BY *[Signature]* DATE: *04.10.2019*

CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

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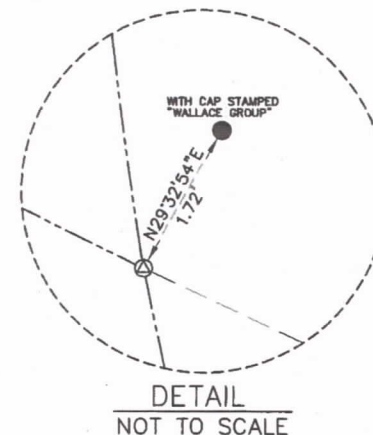


LINE TABLE

NO.	BEARING	DISTANCE
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CURVE TABLE

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C4	S59°17'30"E	89.17'	95°59'10"	100.52'	60.00'
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DEPARTMENT OF PUBLIC WORKS
 QUALITY MANAGEMENT DIVISION
 505 BARTON SPRINGS ROAD, SUITE 760
 PHONE (512) 974-2661
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Proposed Easements for Acquisition Located at 4500 Sheringham Drive

City of Austin
Real Estate Services



- Property of Interest
 - Proposed Sidewalk, Trail, and Recreational Easement
 - Proposed Temporary Working Space Easement
- 2019 Aerial Imagery, City of Austin

- City of Austin Property Lines
- Creek Centerline

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 the Office of Real Estate Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by MMcDonald, 8/12/2020, 4961.01

