

RESOLUTION NO. 20210408-030

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City to acquire certain real property interests for the 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:	TLC Properties, Inc., A Louisiana Corporation
Project:	Texas Department of Transportation Oak Hill Parkway Water Relocation Project (US 290-71).

Public Use: Accommodating proposed roadway improvements, by allowing wastewater infrastructures in conflict to be adjusted. A wastewater line easement is needed for construction, operation, maintenance, repair, replacement, upgrade, decommissioning and removal of wastewater lines and associated appurtenances and making connections therewith in, upon, over and across, the tract of land as described in "Exhibit A."

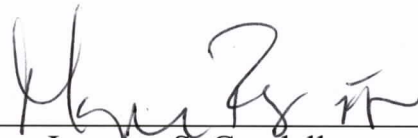
Location: 6912 West State Highway 71, Austin, Travis County, Texas 78735

The general route of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon, in Travis County, Texas. (District 8)

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: April 8, 2021

ATTEST:


Jannette S. Goodall
City Clerk

TLC Properties, Inc
to
The City of Austin
(Wastewater Easement)

LEGAL DESCRIPTION FOR PARCEL 5221.30 WE

DESCRIPTION OF A 0.023 ACRE (1,013 SQ. FT.) EASEMENT LOCATED IN THE THOMAS ANDERSON SURVEY NO. 90, ABSTRACT 28, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK A, CENTER OF THE HILLS SUBDIVISION SECTION II, A SUBDIVISION OF RECORD IN VOLUME 95, PAGE 341, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.), DESCRIBED IN A DEED TO TLC PROPERTIES, INC, RECORDED MAY 29, 2002 IN DOCUMENT NO. 2002099214, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.); SAID 0.023 ACRE (1,013 SQ. FT.) EASEMENT, AS SHOWN ON THE ATTACHED SKETCH AS PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8-inch iron rod with TxDOT aluminum cap found for the south corner of said Lot 1, Block A, Center of the Hills Subdivision, Section II, on the existing north right-of-way line of U.S 290, a variable width right-of-way, as described in a deed to the State of Texas, recorded in Document No. 2019200316, O.P.R.T.C.TX., same being the east line of Lot 1, Block A, Center of the Hills Subdivision, a subdivision of record in Volume 93, Page 93, P.R.T.C.TX., described in a deed to Kimco Austin L.P., recorded in Volume 13229, Page 3052, Real Property Records of Travis County, Texas (R.P.R.T.C.TX.), from which a 1/2-inch iron pipe found for an ell corner of the existing north right-of-way line of said U.S. 290 and Lot 1, Block A, of said Center of the Hills Subdivision, bears **S 36°01'52" W**, a distance of **15.56** feet;

THENCE N 56°18'33" E, departing the east line of Lot 1, Block A, of said Center of the Hills Subdivision, along the common line of Lot 1, Block A, of said Center of the Hills Subdivision, Section II and the existing north right-of-way line of said U.S. 290, a distance of **127.76** feet to a calculated point (**Grid Coordinates: N= 10,057,813.20, E= 3,073,594.36**), for the southwest corner and the **POINT OF BEGINNING** of the easement described herein,

THENCE, departing said common line, over and across Lot 1, Block A, of said Center of the Hills Subdivision, Section, the following four (4) courses and distances:

N 35°27'50" W, a distance of **26.57** feet to a calculated point on the east line of a sanitary sewer easement, recorded in Volume 10908, Page 829, R.P.R.T.C.TX., for the northwest corner of the easement described herein,

N 35°59'53" E, along said east sanitary sewer easement line, a distance of **15.48** feet to a calculated point, on the south line of a sanitary sewer easement, recorded in Volume 6165, Page 1868, Deed Records of Travis County, Texas, (D.R.T.C.TX.) for the north corner of the easement described herein,

S 85°43'20" E, along said south sanitary sewer easement line, a distance of **23.05** feet to a calculated point, for the northeast corner of the easement described herein, and

S 35°27'50" E, a distance of **27.60** feet to a calculated point on said common line for the southeast corner of the easement described herein;

THENCE, along said common line, the following two (2) courses and distances:

S 74°50'04" W, a distance of **30.94** feet to a TxDOT Type II monument found, and

Exhibit "A"

TLC Properties, Inc
to
The City of Austin
(Wastewater Easement)

S 56°18'33" W, a distance of **3.38** feet to the **POINT OF BEGINNING**, and containing **0.023** acre (1,013 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.000065048. Units: U.S. Survey Feet.

THE STATE OF TEXAS

§
§
§


KNOW ALL BY THESE PRESENTS:

COUNTY TRAVIS

That I, Scott C. Brashear, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.


WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.

SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm Reg. No. 10064300



Scott C. Brashear
Registered Professional Land Surveyor
No. 6660 – State of Texas

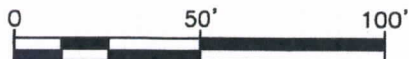
3/27/20
Date

FIELD NOTES REVIEWED
BY:  DATE: 04/15/20
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

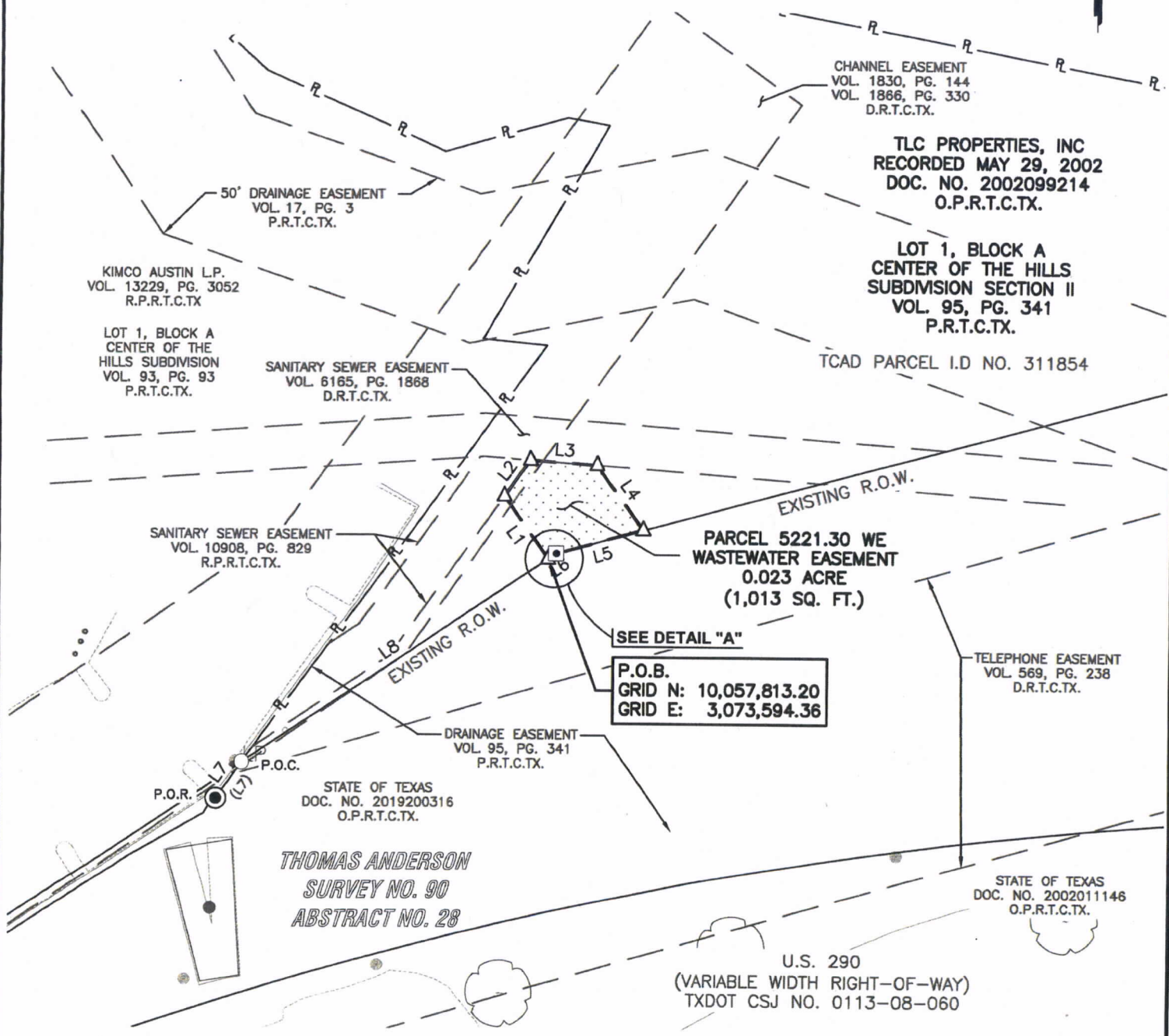
REFERENCES
TCAD Parcel I.D No. 311854



"EXHIBIT A"
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
FOR PARCEL 5221.30 WE



GRAPHIC SCALE
 SCALE 1" = 50'
 TRAVIS COUNTY, TEXAS



JOB NUMBER: 1019051384
 DATE: 01/31/2020
 SCALE: 1" = 50'
 SURVEYOR: S. BRASHEAR
 TECHNICIAN: C. GALVAN
 DRAWING: PARCEL 5221.30 WE
 TRACT ID: 311854
 PARTY CHIEF: S. PESL
 FIELDBOOKS:



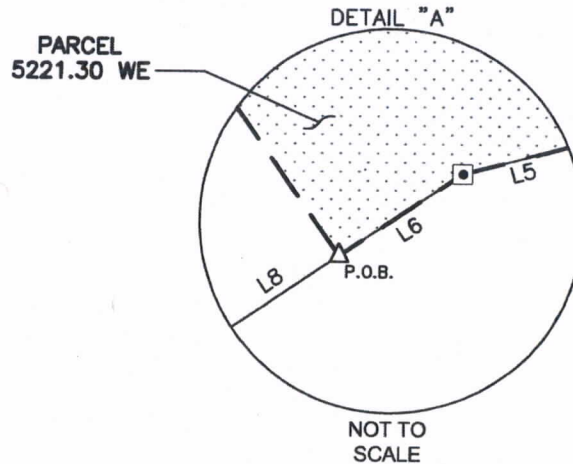
4801 Southwest Parkway
 Building Two, Suite 100
 Austin Texas, 78735
 Ofc: 512.447.0575
 Fax: 512.326.3029
 email: info@sam.biz

Texas Firm Registration No. 10064300

PROJECT: CITY OF AUSTIN - OAKHILL EASEMENTS

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"EXHIBIT A"
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
FOR PARCEL 5221.30 WE



LEGEND

- P. — PROPERTY LINE
- S. — APPROXIMATE SURVEY LINE
- — — EASEMENT
- △ CALCULATED POINT
- 1/2" IRON PIPE FOUND
- 5/8" IRON ROD W/TxDOT ALUM CAP FOUND
- TxDOT TYPE II MONUMENT FOUND
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.O.R. POINT OF REFERENCE
- D.R.T.C.TX. DEED RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.TX. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.TX. PLAT RECORDS TRAVIS COUNTY, TEXAS
- R.O.W. RIGHT-OF-WAY
- () RECORD INFORMATION

LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N35°27'50"W	26.57'
L2	N35°59'53"E	15.48'
L3	S85°43'20"E	23.05'
L4	S35°27'50"E	27.60'
L5	S74°50'04"W	30.94'
L6	S56°18'33"W	3.38'
L7	S36°01'52"W	15.56'
(L7)	N35°53'50"E	194.64'
L8	N56°18'33"E	127.76'

NOTE:
EASEMENTS SHOWN ON THIS SKETCH ARE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY ON FEBRUARY 12, 2020, EFFECTIVE JANUARY 20, 2020 FILE NO. 20200117. THERE MAY BE RECORDED OR UNRECORDED EASEMENTS NOT SHOWN HEREON THAT MAY AFFECT THE PROPERTY.

ALL BEARINGS SHOWN ARE BASED ON NAD83/2011 TEXAS COORDINATE SYSTEM, CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR 1.000065048. PROJECT UNITS ARE IN U.S. SURVEY FEET.

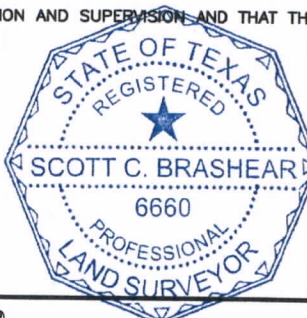
THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SCOTT C. BRASHEAR
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6660 - STATE OF TEXAS

DATE

3/27/20



JOB NUMBER: 1019051384
DATE: 01/31/2020
SCALE: 1" = 50'
SURVEYOR: S. BRASHEAR
TECHNICIAN: C. GALVAN
DRAWING: PARCEL 5221.30 WE
TRACT ID: 311854
PARTY CHIEF: S. PESL
FIELD BOOKS:



4801 Southwest Parkway
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PROJECT: CITY OF AUSTIN - OAKHILL EASEMENTS

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