

**RESOLUTION NO. 20210603-045**

**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:	7401 HWY 290W LLC
Project:	City of Austin Waterline Relocation (Texas Department of Transportation Oak Hill Parkway Water Relocation (US 290-71))

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

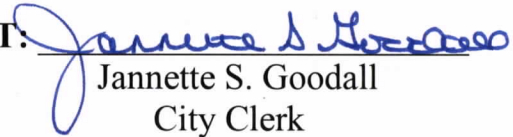
Location: 7401 West U.S. Highway 290, Austin, Travis County, Texas 78749

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

Property: Described in the attached and incorporated Exhibit A.

**ADOPTED:** June 3, 2021

**ATTEST:**

  
Jannette S. Goodall  
City Clerk

7401 Hwy 290 W, LLC  
to  
The City of Austin  
(Water Line Easement)

**LEGAL DESCRIPTION FOR PARCEL 5221.28 WLE**

**DESCRIPTION OF A 0.100 ACRE (4,372 SQ. FT.) EASEMENT LOCATED IN THE JESSE WILLIAMS SURVEY NO. 62, ABSTRACT 788, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A LOT 1, BLOCK 5, OAK HILL HEIGHTS, SECTION 5, A SUBDIVISION OF RECORD IN VOLUME 82, PAGES 265-266, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.), DESCRIBED IN A DEED TO 7401 HWY 290 W, LLC, RECORDED JULY 22, 2013 IN DOCUMENT NO. 2013135197, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.); SAID 0.100 ACRE (4,372 SQ. FT.) EASEMENT, AS SHOWN ON THE ATTACHED SKETCH AS PREPARED BY SAM, LLC, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**COMMENCING** at a TxDOT type II monument found at the intersection of the existing south right-of-way line of U.S. 290, a variable width right-of-way, as described to the State of Texas, recorded in Volume 11123, Page 296, Real Property Records of Travis County, Texas (R.P.R.T.C.TX.), and the existing west right-of-way line of Convict Hill Road (formerly Bird View Boulevard), an 80 foot wide right-of-way, per plat recorded in Volume 82, Page 265, P.R.T.C.TX., for the most northerly corner of said Lot 1;

**THENCE S 35°33'39" E**, departing the existing south right-of-way line of said U.S. 290, with the existing west right-of-way line of said Convict Hill Road, a distance of **15.07** feet to a TxDOT type II monument found (**Grid Coordinates: N= 10,055,935.04, E= 3,071,675.69**), for the most northerly corner and the **POINT OF BEGINNING** of the easement described herein;

**THENCE S 35°33'39" E**, continuing with the existing west right-of-way line of said Convict Hill Road, a distance of **51.81** feet to a calculated point, for the most easterly corner of the easement described herein;

**THENCE** departing the existing west right-of-way line of said Convict Hill Road, over and across said Lot 1, the following three (3) courses and distances:

**S 54°25'00" W**, a distance of **47.55** feet to a calculated point, for the most southerly corner of the easement described herein,

**N 80°35'00" W**, a distance of **89.37** feet to a calculated point, for the most westerly corner of the easement described herein, and

THIS SPACE LEFT INTENTIONALLY BLANK

Exhibit "A"

7401 Hwy 290 W, LLC  
to  
The City of Austin  
(Water Line Easement)

**N 60°17'03" E**, a distance of **111.35** feet to the **POINT OF BEGINNING**, and containing **0.100** acre (4,372 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.

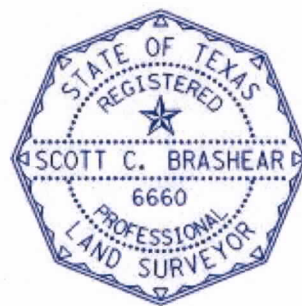
SURVEYING AND MAPPING, LLC  
4801 Southwest Pkwy  
Building Two, Suite 100  
Austin, Texas 78735  
TX. Firm Reg. No. 10064300

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

Date

*Scott C. Brashear* 5/12/20

REFERENCES  
TCAD Parcel I.D No. 315132

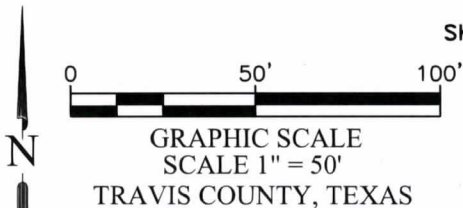


FIELD NOTES REVIEWED  
BY: *[Signature]* DATE: 05/14/20  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT



# "EXHIBIT A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
FOR PARCEL 5221.28 WLE



*JESSE WILLIAMS*  
*SURVEY NO. 62,*  
*ABSTRACT NO. 788*

U.S. 290  
(VARIABLE WIDTH RIGHT-OF-WAY)  
TXDOT CSJ NO. 0113-08-039

STATE OF TEXAS  
VOL. 11123, PG. 296  
R.P.R.T.C.TX.

WATER LINE EASEMENT  
VOL. 10936, PG. 380  
R.P.R.T.C.TX.

SEE DETAIL "A"

P.O.B.  
GRID N: 10,055,935.04  
GRID E: 3,071,675.69

EXISTING R.O.W.

N80°35'00"W  
89.37'

PARCEL 5221.28 WLE  
WATER LINE EASEMENT  
0.100 ACRE  
(4,372 SQ. FT.)

S54°25'00"W  
47.55'

CONVICT HILL ROAD  
FORMALLY BIRD VIEW BLVD.  
PER PLAT VOL. 82, PG. 265  
P.R.T.C.TX.

(N 35°37'29" W 357.80')  
25' BUILDING SETBACK LINE  
VOL. 82, PG. 265  
P.R.T.C.TX.

7401 HWY 290 W, LLC  
RECORDED JULY 22, 2013  
DOC. NO. 2013135197  
O.P.R.T.C.TX.

LOT 1, BLOCK 5  
OAK HILL HEIGHTS, SECTION 5  
VOL. 82, PG. 265-266  
P.R.T.C.TX.

TCAD PARCEL I.D NO. 315132

FIRST BAPTIST CHURCH  
OF OAK HILL  
REMAINDER OF A  
CALLED 15.0395 ACRE  
VOL. 11112, PG. 1310  
R.P.R.T.C.TX.

LOT 1, BLOCK A  
FIRST BAPTIST CHURCH OF  
OAK HILL SUBDIVISION  
VOL. 89, PG. 310  
P.R.T.C.TX.

JOB NUMBER: 1019051384  
DATE: 01/30/2020  
SCALE: 1" = 50'  
SURVEYOR: S. BRASHEAR  
TECHNICIAN: C. GALVAN  
DRAWING: PARCEL 5221.28 WLE  
TRACT ID: 315132  
PARTY CHIEF: S. PESL  
FIELD BOOKS:



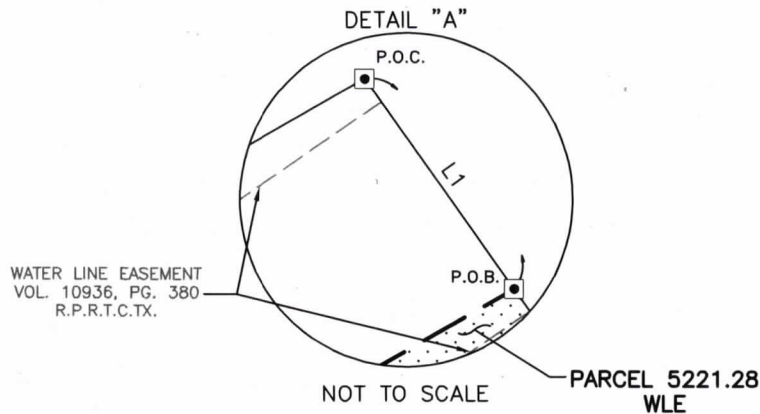
4801 Southwest Parkway  
Building Two, Suite 100  
Austin Texas, 78735  
Ofc: 512.447.0575  
Fax: 512.326.3029  
email: info@sam.biz

Texas Firm Registration No. 10064300

PROJECT: CITY OF AUSTIN - OAKHILL EASEMENTS

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OF 4

**"EXHIBIT A"**  
**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**  
**FOR PARCEL 5221.28 WLE**



**LEGEND**

- P — PROPERTY LINE
- S — APPROXIMATE SURVEY LINE
- — — EASEMENT
- △ CALCULATED POINT
- TxDOT TYPE II MONUMENT FOUND
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- 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	S35°33'39"E	15.07'
L2	N60°17'03"E	111.35'

NOTE:  
 EASEMENTS SHOWN ON THIS SKETCH ARE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY ON SEPTEMBER 24, 2019, EFFECTIVE SEPTEMBER 12, 2019 FILE NO. 535108. 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.

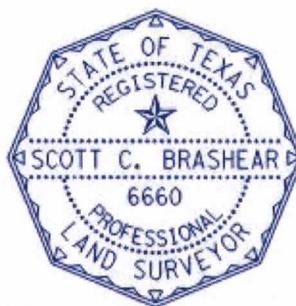
THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

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* 5/12/20

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

DATE



JOB NUMBER: 1019051384  
 DATE: 01/30/2020  
 SCALE: 1" = 50'  
 SURVEYOR: S. BRASHEAR  
 TECHNICIAN: C. GALVAN  
 DRAWING: PARCEL 5221.28 WLE  
 TRACT ID: 315132  
 PARTY CHIEF: S. PESTL  
 FIELDBOOKS:



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PROJECT: CITY OF AUSTIN - OAKHILL EASEMENTS  
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