

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".

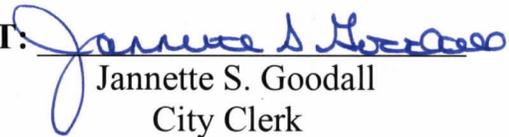
Location: 7401 West U.S. Highway 290, Austin, Travis County, Texas 78749

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:

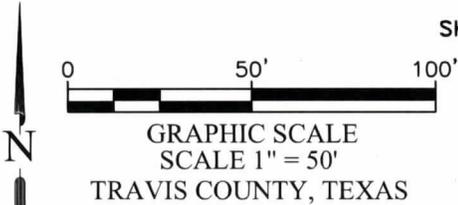
S 54°25'00" W, a distance of **47.55** feet to a calculated point, for the most southerly corner of the easement described herein,

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"

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.

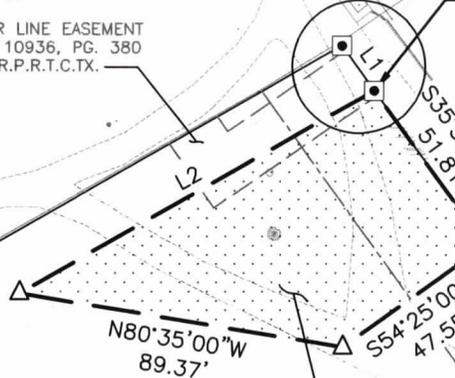
P.O.B.
GRID N: 10,055,935.04
GRID E: 3,071,675.69

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

SEE DETAIL "A"

EXISTING R.O.W.

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



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

(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:



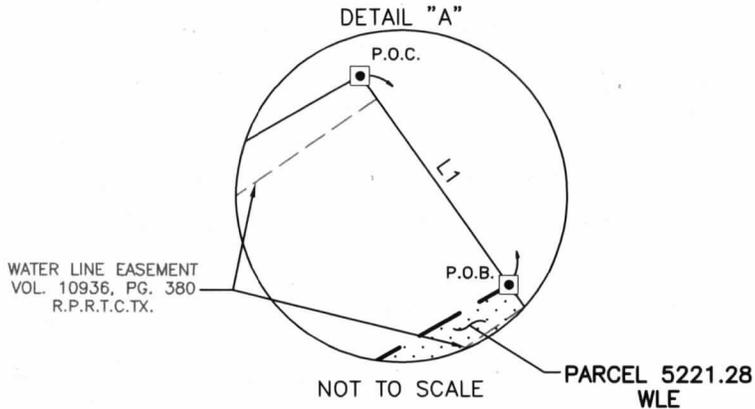
4801 Southwest Parkway
Building Two, Suite 100
Austin Texas, 78735
Ofc: 512.447.0575
Fax: 512.326.3029
email: info@sam.biz

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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