

RESOLUTION NO. 20220407-048

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: The Shurtleff Estate Trust

Project: Circuit 811 Transmission Electric Line Upgrade Project

Public Use: Providing reliable safe electricity service.

Location: 1080 N. Lamar Blvd., Austin, Texas 78753

The general route of the project is along the east side of North
Lamar from HWY 183 to the McNeil Substation.

Property: Described in the attached and incorporated "Exhibit A."


ADOPTED: April 7, 2022 **ATTEST:** 
Myrna Rios
City Clerk



EXHIBIT "A"

SURVEY OF A 0.040 ACRES OR 1,760 SQUARE FEET OF LAND IN THE JOHN APPLGATE SURVEY, ABSTRACT NUMBER 29, A PART OF LOTS 4 AND 5, BLOCK A, MOCKINGBIRD HILL, SECTION 1, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 5, PAGE 159, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOTS BEING DESCRIBED TO THE SHURTLEFF ESTATE TRUST IN THAT CERTAIN DEED OF DISTRIBUTION BY INDEPENDENT EXECUTRIX IN DOCUMENT NUMBER 1999081653, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED 0.040 ACRES OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a one-half inch iron rod found having Grid Coordinates of Y(N) 10110786.870, X(E) 3130370.650 United States state plane coordinate system, Texas Central Zone 4203, NAD83 on the southeast right of way of North Lamar Boulevard (Right-of-Way varies) for the north corner of Lot 4, same being the west corner of Lot 3, of the said subdivision, as described to Anh Nguyen, Dam Pham, Huyennga Nguyen and Long Nguyen in that certain Substitute Trustee's Warranty Deed recorded in Document Number 2008001193, Official Public Records, Travis County, Texas, and from this point a one-half inch iron rod found at the intersection of the said southeast right-of-way line of the said North Lamar Boulevard and the southwest right-of-way line of Ferguson Drive (Right-of-Way varies) for a point of curvature in the northwest line of Lot 1, of the said subdivision, the said Lot 1, as described to The Shurtleff Estate Trust in the said Document Number 1999081653 bears North 24°44'31" East, coincident with the said southeast right-of-way line of the said North Lamar Boulevard, a distance of 160.25 feet;

THENCE South 63°40'15" East, coincidence with the common dividing line of the said Lot 4 and the said Lot 3, a distance of 24.79 feet to a calculated point not set for the east corner of the herein described 0.040 acres of land;

THENCE South 26°14'03" West, departing the said common dividing line of the said Lot 4 and the said Lot 3, crossing over the said Lot 4 and the said Lot 5, a distance of 95.09 feet to a calculated point not set coincidence with the east line of a fourteen foot wide strip of land described to the City Of Austin in that certain document recorded in Volume 3071, Page 421, Deed Records, Travis County, Texas, for the south corner of the herein described 0.040 acres of land, from this point a one-half inch iron rod found on the northeast right-of-way line of Provines Drive (Right-of-Way varies) for a point of curvature in the southwest line of Lot 6 of the said subdivision as described to The Shurtleff Estate Trust in the said Document Number 1999081653 bears South 58°10'16" East, crossing over the said Lot 5 and Lot 6, a distance of 259.56 feet;

THENCE North 01°11'15" West, coincident with the east line of the said fourteen foot wide strip of land described to the City Of Austin, and crossing over the said Lot 5, a distance of 39.59 feet to a calculated point not set on the common dividing line of the said Lot 4 and the said Lot 5, same being an interior angle corner in the west and northeast line of the herein described 0.040 acres of land;

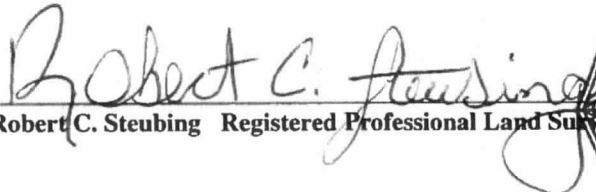

THENCE North 63°40'15" West, coincident with the last said common dividing line, same being the northeast line of the said fourteen foot wide strip of land described to the City of Austin, a distance of 5.00 feet to a calculated point not set coincident with the said southeast right-of-way line of the said North Lamar Boulevard for the west common corner of the said Lot 4 and the said Lot 5, for the north corner of the said fourteen foot City of Austin Easement, and for the west corner of the herein described 0.040 acres of land;

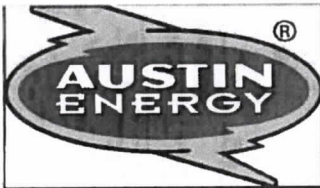
EXHIBIT "A"

THENCE North 24°44'31" East, coincident with the said southeast right-of-way line of the said North Lamar Boulevard, coincident with the northwest line of the said Lot 4, a distance of 60.00 feet to the **Point Of Beginning** and containing 0.040 Acres or 1,760 square feet of land, more or less.

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

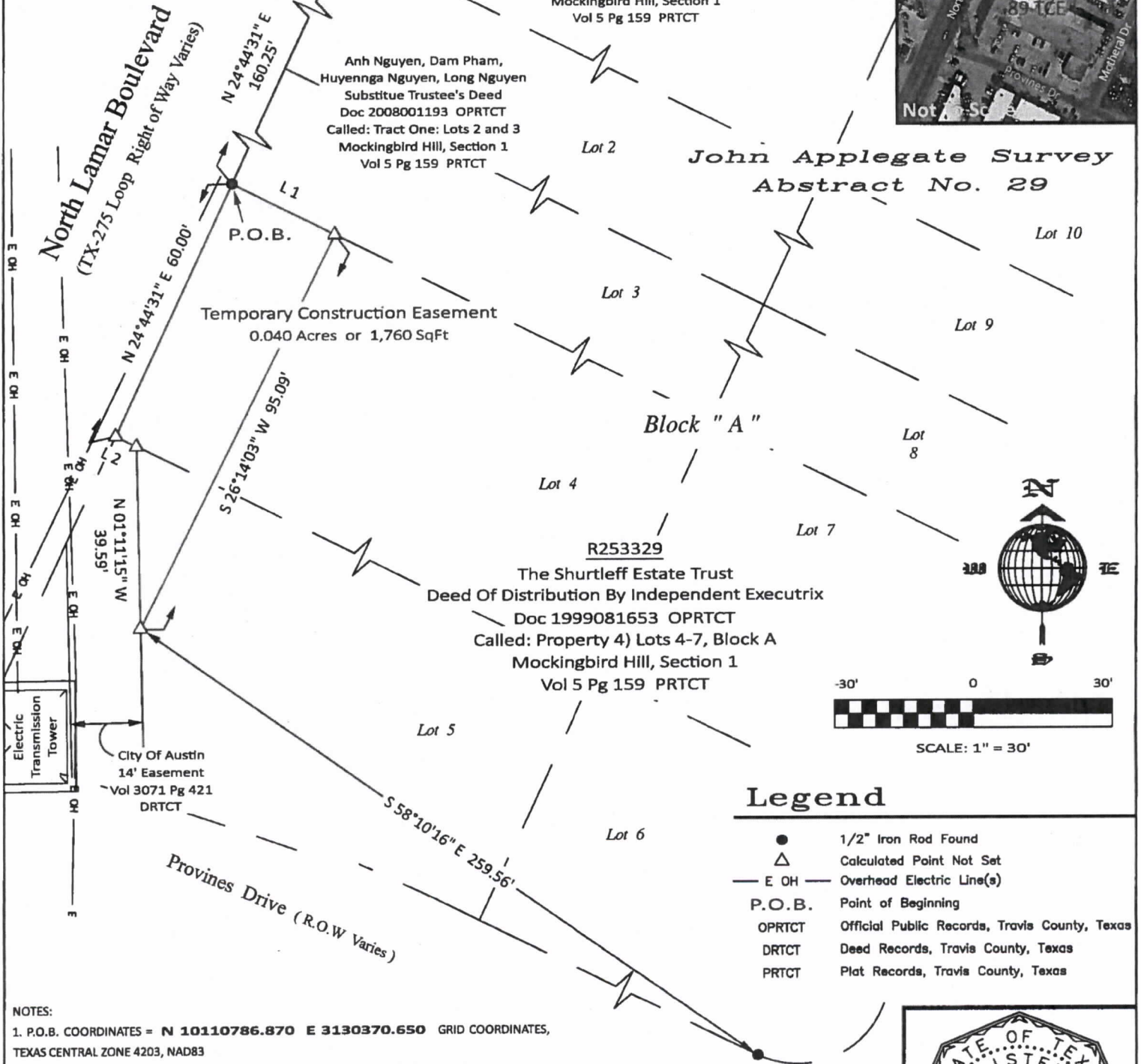
I hereby certify that these field notes were prepared from an on the ground survey made under my supervision.


Robert C. Steubing Registered Professional Land Surveyor No. 5548
 12/05/2018
Date



Line Bearing Distance
L 1 S 63°40'15" E 24.79'
L 2 N 63°40'15" W 5.00'

EXHIBIT "B" SKETCH TO ACCOMPANY FIELD NOTES



NOTES:

1. P.O.B. COORDINATES = N 10110786.870 E 3130370.650 GRID COORDINATES, TEXAS CENTRAL ZONE 4203, NAD83
2. BEARING BASIS IS GRID NORTH, UNITED STATES STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD 83, DISTANCES HEREON ARE GRID.
3. MAPSCO Panel No.: 496T Travis County Central Appraisal District ID No.: 253329

Robert C. Steubing 12/05/2018
ROBERT C. STEUBING (512-505-7148) DATE
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548
DRAWING: H:\Survey\Surveying\Transmission ckts\811\Surveying\Temporary Construction Easements\Parcel 89 TCE\DWG\Parcel 89 Temp Const Esmnt.dwg

Situs Address:
10805 North Lamar Boulevard
Austin, Tx 78752

SHEET 1 OF 1 Rev: 2018/11/01

