

**RESOLUTION NO. 20220609-077**

**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 including but not limited to the deposit of funds in the amount awarded by the Court appointed Special Commissioners.

**BE IT FURTHER RESOLVED:**

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners: Tracy Lane Schagen a/k/a Tracy Schagen

Project: Oak Hill Parkway Water Relocation Project

Public Use: Accommodating roadway improvements, relocation of wastewater infrastructure.

Location: 8319 Haskel Drive, Austin, Texas 78736.

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

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

**ADOPTED: :** June 09, 2022

**ATTEST:** 

Myrna Rios  
City Clerk

Tracy Lane Schagen and Robin C. Thompson  
to  
The City of Austin  
(Water Line Easement)

**LEGAL DESCRIPTION FOR PARCEL 5221.13 WLE**

**DESCRIPTION OF A 0.103 ACRE (4,502 SQ. FT.) EASEMENT LOCATED IN THE J.P. JOHANNESSEN SURVEY NO. 648, ABSTRACT 454, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, WESTOAKS SECTION THREE, A SUBDIVISION OF RECORD IN VOLUME 19, PAGE 61, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.), DESCRIBED AS TRACT 1 IN A DEED TO TRACY LANE SCHAGEN AND ROBIN C. THOMPSON, RECORDED DECEMBER 21, 2004 IN DOCUMENT NO. 2004235567 AND RECORDED JULY 9, 2009 IN DOCUMENT NO. 2009115003, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.), AND A PORTION OF A CALLED 0.787 ACRE TRACT OF LAND, DESCRIBED AS TRACT 2 IN SAID DEED TO TRACY LANE SCHAGEN AND ROBIN C. THOMPSON, BEING FURTHER DESCRIBED IN VOLUME 12588, PAGE 2140, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.TX.), SAID 0.103 ACRE (4,502 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 1/2-inch pipe found on the existing south right-of-way line of Haskell Drive, a 50 foot right-of-way, per plat recorded in Volume 19, Page 61, P.R.T.C.TX, at the northwest corner of said Lot 2, same being the northeast corner of a called 0.698 acre tract of land, described in a deed to George D. Bryan and Wife, Dorothy Jean Bryan, recorded in Volume 2448, Page 286, Deed Records of Travis County, Texas (D.R.T.C.TX.);

**THENCE S 18°46'11" W**, departing said existing south right-of-way line of said Haskell Drive, with the common line of said Lot 2 and of said 0.698 acre tract, a distance of **199.87** feet to a calculated point (**Grid Coordinates: N= 10,056,642.98, E= 3,064,770.98**), for the northwest corner and **POINT OF BEGINNING** of the easement described herein;

**THENCE** over and across said Lot 2 and said 0.787 acre tract, the following two (2) courses and distances:

**S 65°47'13" E**, a distance of **146.10** feet to a calculated point; and

**S 71°06'32" E**, a distance of **153.95** feet to a calculated point on the east line of said 0.787 acre tract, same being the west line of Lot 3 of said Westoaks Section Three, described in a deed to Michael J. Fix and C. Grace Palmer Fix, recorded in Volume 12976, Page 1414, R.P.R.T.C.TX., for the northeast corner of the easement described herein;

**THENCE S 17°55'30" W**, with the east line of said 0.787 acre tract, and the west line of said Lot 3, a distance of **15.00** feet to a 5/8-inch iron rod with TxDOT aluminum cap found, for the southeast corner of the easement described herein;

**THENCE** over and across said Lot 2 and said 0.787 acre tract, the following two (2) courses and distances:

**N 71°06'32" W**, a distance of **154.90** feet to a TxDOT Type II monument found; and

**N 65°47'13" W**, a distance of **145.37** feet to a 5/8-inch iron rod with TxDOT aluminum cap found on common line of said Lot 2 and said 0.698 acre tract, for the southwest corner of the easement described herein;

THIS SPACE LEFT INTENTIONALLY BLANK

**Exhibit "A"**

Tracy Lane Schagen and Robin C. Thompson  
to  
The City of Austin  
(Water Line Easement)

THENCE N 18°46'11" E, with the common line of said Lot 2 and said 0.698 acre tract, a distance of **15.07** feet to the **POINT OF BEGINNING**, and containing **0.103** acre (4,502 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

 7/16/20  
 Scott C. Brashear Date  
 Registered Professional Land Surveyor  
 No. 6660 – State of Texas

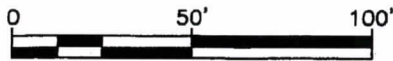
## REFERENCES

TCAD Parcel I.D No. 312096

FIELD NOTES REVIEWED  
BY: [Signature] DATE: 07/21/20  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT







GRAPHIC SCALE  
SCALE 1" = 50'

TRAVIS COUNTY, TEXAS

"EXHIBIT A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
FOR PARCEL 5221.13 WLE

N

GEORGE D. BRYAN AND WIFE,  
DOROTHY JEAN BRYAN  
CALLED 0.698 ACRE  
VOL. 2448, PG. 286  
D.R.T.C.TX.

TCAD PARCEL I.D NO. 312096

TRACY LANE SCHAGEN AND  
ROBIN C. THOMPSON  
TRACT 1  
RECORDED DECEMBER 21, 2004  
DOC. NO. 2004235567  
RECORDED JULY 9, 2009  
DOC. NO. 2009115003  
O.P.R.T.C.TX.

LOT 2  
WESTOAKS SUBDIVISION  
SECTION THREE  
VOL. 19, PG. 61  
P.R.T.C.TX.

TRACY LANE SCHAGEN AND  
ROBIN C. THOMPSON  
CALLED 0.787 ACRE  
(TRACT 2)  
RECORDED DECEMBER 21, 2004  
DOC. NO. 2004235567  
RECORDED JULY 9, 2009  
DOC. NO. 2009115003  
O.P.R.T.C.TX.

FURTHER DESCRIBED IN  
VOL. 12588, PG. 2140  
R.P.R.T.C.TX.

HASKELL DRIVE  
(50' R.O.W.  
PER PLAT  
VOL. 19, PG. 61  
P.R.T.C.TX.)

CHANNEL EASEMENT  
VOL. 1811, PG. 104  
D.R.T.C.TX.

P.O.B.  
GRID N: 10,056,642.98  
GRID E: 3,064,770.98

PARCEL 5221.13 WLE  
WATER LINE EASEMENT  
0.103 ACRE  
(4,502 SQ. FT.)

MICHAEL J. FIX & C.  
GRACE PALMER FIX  
VOL. 12976, PG. 1414  
R.P.R.T.C.TX.

LOT 3  
WESTOAKS SUBDIVISION,  
SECTION THREE  
VOL. 19, PG. 61  
P.R.T.C.TX.

U.S. 290  
(VARIABLE WIDTH RIGHT-OF-WAY)  
TXDOT CSJ NO. 0113-08-060

J.P. JOHANNESSEN  
SURVEY NO. 648,  
ABSTRACT NO. 454

STATE OF TEXAS  
VOL. 1611, PG. 84  
D.R.T.C.TX.

JOB NUMBER: 1019051384  
DATE: 07/16/2020  
SCALE: 1" = 50'  
SURVEYOR: S. BRASHEAR  
TECHNICIAN: C. GALVAN  
DRAWING: PARCEL 5221.13 WLE  
TRACT ID: 312096  
PARTY CHIEF: S. PEST  
FIELDBOOKS:



4801 Southwest Parkway  
Building Two, Suite 100  
Austin Texas, 78735  
Of: 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

PATH: \\SAMINC\AUS\PROJECTS\1019051384\100\SURVEY\06PLATS\PARCEL 5221.13\00\PARCEL 5221.13 WLE.DWG

**"EXHIBIT A"**  
**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**  
**FOR PARCEL 5221.13 WLE**

**LEGEND**

	P	PROPERTY LINE
	S	APPROXIMATE SURVEY LINE
		EASEMENT
		1/2" IRON PIPE FOUND
		CALCULATED POINT
		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
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	S65°47'13"E	146.10'
L2	S71°06'32"E	153.95'
L3	S17°55'30"W	15.00'
L4	N71°06'32"W	154.90'
L5	N65°47'13"W	145.37'
L6	N18°46'11"E	15.07'

NOTE:  
EASEMENTS SHOWN ON THIS SKETCH ARE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY ON JUNE 11, 2020, EFFECTIVE JUNE 02, 2020 FILE NO. 20190853. 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.

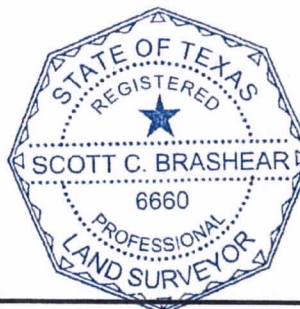
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



7/16/20

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

DATE



JOB NUMBER: 1019051384  
DATE: 07/16/2020  
SCALE: 1" = 50'  
SURVEYOR: S. BRASHEAR  
TECHNICIAN: C. GALVAN  
DRAWING: PARCEL 5221.13 WLE  
TRACT ID: 312096  
PARTY CHIEF: S. PEST  
FIELD BOOKS:



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Texas Firm Registration No. 10064300

PROJECT: CITY OF AUSTIN - OAKHILL EASEMENTS

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