## RESOLUTION NO. 20220901-094

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: Cannon Oaks, L.L.C.
Project: William Cannon Drive Corridor Project
Public Use: Reducing delay, improving the effectiveness of transit, and creating continuous Americans with Disabilities Act-compliant sidewalks, bicycle facilities, and either separate paths or a shared-use path, which will enhance safety for pedestrians and cyclists along the entire length of the project.

Location: 3421 W. William Cannon Drive, Austin, TX 78745.
The general route of the project is along William Cannon Drive between Southwest Parkway to McKinney Falls Parkway.

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

ADOPTED: September 1 , 2022
ATTEST:
 City Clerk

| City of Austin: | Corridor Program | Parcel 5309.008 STARE |
| ---: | :--- | ---: |
| Corridor: | William Cannon Drive | 0.0204 Acre, 887 Sq. Ft. |
| Segment: | WCDR-C2 | Page 1 of 5 |
| Segment From: | U.S. Highway 290 | March 10, 2021 |

## PROPERTY DESCRIPTION - PARCEL 5309.008 STARE

DESCRIPTION OF A 0.0204 ACRE ( 887 SQUARE FOOT) PARCEL OF LAND, OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, CANNON OAKS SUBDIVISION, A SUBDIVISION RECORDED IN VOLUME 87 PAGES 32A - 32B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 2 BEING CONVEYED TO CANNON OAKS LLC BY SPECIAL WARRANTY DEED EXECUTED SEPTEMBER 12, 2016 AND RECORDED IN DOCUMENT NUMBER 2016151593 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.0204ACRE PARCEL AS SHOWN ON THE ACCOMPANYING SKETCH PREPARED BY CP\&Y, INC. IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING a 1/2-inch iron rod with plastic yellow cap stamped "Terra Firma" found on the existing southeast right-of-way line of Brodie Lane (right-of-way width varies), for the common west corner of said Lot 2 and the north corner of Lot 4, of said Cannon Oaks Subdivision;

THENCE with the existing southeast right-of-way line of said Brodie Lane and the northwest line of said Lot 2 , North $27^{\circ} 27^{\prime} 41^{\prime \prime}$ East, a distance of 256.38 feet to a calculated point for the southwest corner and POINT OF BEGINNING hereof, having a Surface Coordinate of: North $=10,051,150.15$ feet and East $=3,087,339.90$ feet, being 360.12 feet right of Engineer's Baseline Station 334+89.35;

1) THENCE, continuing with the common line of the existing southeast right-of-way line of said Brodie Lane and the northwest line of said Lot 2, North $27^{\circ} 27^{\prime} 41^{\prime \prime}$ East, a distance of 118.29 feet to a $1 / 2$-inch iron rod with yellow plastic cap stamped "CP\&Y" set for the north corner hereof, being 241.88 feet right of Engineer's Baseline Station 334+93.27, for the most westerly northwest corner of said Lot 2 and the west corner of Lot 1 , of said Cannon Oaks Subdivision, from which a $1 / 2$-inch iron rod found for a point of curvature on the northeast line of said Lot 1 and on the existing southeast right-of-way line of said Brodie Lane, bears North $27^{\circ} 27^{\prime} 41^{\prime \prime}$ East, a distance of 168.08 feet;
2) THENCE, with the common north line of said Lot 2 and the south line of said Lot 1 , South $61^{\circ} 50^{\prime}$ 01" East, a distance of 7.50 feet to a calculated point, being 242.21 feet right of Engineer's Baseline Station 335+01.00, for the northeast corner hereof;

THENCE, through the interior of said Lot 2 , with the proposed line of the herein described parcel, the following two (2) courses and distances:

## EXHIBIT "A"

City of Austin: Corridor Program<br>Corridor: William Cannon Drive<br>Segment: WCDR-C2<br>Parcel 5309.008 STARE<br>Segment From: U.S. Highway 290<br>0.0204 Acre, 887 Sq. Ft.<br>Page 2 of 5<br>March 10, 2021<br>Limits To: East of Brodie Lane

## PROPERTY DESCRIPTION - PARCEL 5309.008 STARE

3) South $27^{\circ} \mathbf{2 7} \mathbf{\prime}^{\prime} \mathbf{4 1}$ " West, a distance of $\mathbf{1 1 8 . 2 0}$ feet to a calculated point, being 360.36 feet right of Engineer's Baseline Station 334+97.20, for the southeast corner hereof;
4) North $62^{\circ} 32^{\prime} 19$ " West, a distance of 7.50 feet to the POINT OF BEGINNING hereof and containing 0.0204 acre ( 887 sq . ft.) of land.

## Notes:

1. All bearings and coordinates described herein are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum of 1983 (NAD 83) 2001 Adjustment, Epoch 2010.00. All distances and coordinates described herein are Surface and may be converted to Grid by dividing the combined Adjustment Factor of 1.00011.
All measurements are in U.S. Survey Feet.
2. A parcel plat of even date was prepared in conjunction with this property description.
3. **The monument(s) described as "calculated" may be set with a typical ROW/Easement marker, after acquisition is completed, under the supervision of a Registered Professional Land Surveyor, either employed or retained by the City of Austin.
4. Stations and offsets are relative to Corridor Centerline provided by Engineer on 08/28/2020.

Surveyed March 10, 2021 by:

## AUSTIN GRID E-17

PROPERTY ID: 512066



EXHIBIT "A"


## LEGEND

$\Delta=$ CALCULATED POINT
O $=5 / 8$ " IRON ROD WTH YELLOW PLASTIC CAP STAMPED "CP\&Y" SET

- $=1 / 2^{\prime \prime}$ IRON ROD FOUND
$0=1 / 2^{\prime \prime}$ IRON ROD FOUND WITH PLASTIC CAP STAMPED (AS NOTED)
D.R.T.C.T. $=$ DEED RECORDS OF TRAVS COUNTY, TEXAS
R.P.R.T.C.T. $=$ REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
O.P.R.T.C.T. $=$ OFFIIIAL PUBLIC RECORDS OF TRAVS COUNTY, TEXAS
P.R.T.C.T. $=$ PLAT RECORDS OF TRAVS COUNTY, TEXAS
= AREA, IN ACRES/SQ FT, OF EXISTING EASEMENT WTHIN PARCEL LIMITS (EQUALS PARCEL AREA IF NOT NOTED)
خ $=$ LUMINARE STANDARD
$\bar{\sigma}=$ SIGN/MARKER
(W) = WATER METER
$\theta=$ IRRIGATION CONTROL VALVE
$-\mathrm{O}^{-}=$POWER POLE
$0=$ TRAFFIC SIGNAL POLE
[E] = ELECTRIC METER
(E) $=$ ELECTRIC MANHOLE
$\stackrel{F}{4}$
P.U.E. $=$ PUBLIC UTILTY EASEMENT
$\mathbb{R}=$ PROPERTY/DEED LINE
(XX) = RECORD INFORMATION
R.O.W. $=$ RIGHT-OF-WAY
P.O.B. = POINT OF BEGINNING
P.O.C. $=$ POINT OF COMMENCEMENT
(\}) = TREE

GENERAL NOTES:

1) ALL BEARINGS AND COORDINATES DESCRIBED HEREIN ARE BASED ON THE TEXAS COORDINATE SYSTEM (TCS), CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83), 2011 ADJUSTMENT, EPOCH 2010.00. ALL DISTANCES AND COORDINATES SHOWN hereon are surface and may be converted to grid by DIVIDING BY THE COMBINED ADJUSTMENT FACTOR OF 1.00011. ALL MEASUREMENTS ARE IN US SURVEY FEET.
2) STATIONS AND OFFSETS ARE RELATIVE TO THE CORRIDOR CENTERLINE PROVIDED BY ENGINEER 08/28/2020.
3) A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

| LINE TABLE |  |  |
| :---: | :---: | :---: |
| LINE | BEARING | LENGTH |
| L-1 | N $27^{\prime} 27^{\prime} 41^{\prime \prime} \mathrm{E}$ | $118.29^{\prime}$ |
| L-2 | S $61^{\circ} 50^{\prime} 01^{\prime \prime} \mathrm{E}$ | $7.50^{\prime}$ |
| L-3 | S $277^{\prime 2} 27^{\prime} 41^{\prime \prime} \mathrm{W}$ | $118.20^{\prime}$ |
| L-4 | N $62^{\circ} 32^{\prime} 19^{\prime \prime} \mathrm{W}$ | $7.50^{\prime}$ |

$4=$ Figer optics cable marker

$$
=\text { TREE }
$$

$$
-2
$$

| 1 Chisholm Trail, Suite 130 <br> Round Rock, Texas 78681 512.248.0065 TEXAS REGISTERED ENGINEERING FIRM F-1741 TBPELS 10194125 |  |
| :---: | :---: |
| CITY OF AUSTIN - CORRIDOR PROGRAM |  |
| WLLIAM CANNON DRIVE, SEGMENT C2 |  |
| PARCEL PLAT - 5309.008 STARE |  |
| 0.0204 ACRE (887 SQ. FT.) |  |
|  | AUSTIN GRID NO. E-17 |
| PROPERTY ID: 512066 | WORK ORDER: 1800252R |
| SURVEY DATE: 03/10/21 | SCALE: |
| REVISED DATE: | PAGE 5 OF 5 |

## EXHIBIT "B"

City of Austin: Corridor Program<br>Corridor: William Cannon Drive<br>Segment:<br>WCDR-C2<br>Segment From: U.S. Highway 290<br>Limits To: East of Brodie Lane

Parcel 5309.008 TCE
0.0059 Acre, 255 Sq. Ft.

Page 1 of 5
March 10, 2021

PROPERTY DESCRIPTION - PARCEL 5309.008 TCE
DESCRIPTION OF A 0.0059 ACRE (255 SQUARE FOOT) PARCEL OF LAND, OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO. 18, ABSTRACT NO. 3, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 2, CANNON OAKS SUBDIVISION, A SUBDIVISION RECORDED IN VOLUME 87 PAGES 32A - 32B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 2 BEING CONVEYED TO CANNON OAKS LLC BY SPECIAL WARRANTY DEED EXECUTED SEPTEMBER 12, 2016 AND RECORDED IN DOCUMENT NUMBER 2016151593 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.0059 ACRE PARCEL AS SHOWN ON THE ACCOMPANYING SKETCH PREPARED BY CP\&Y, INC. IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a $1 / 2$-inch iron rod found on the existing southwest right-of-way line of William Cannon Drive (right-of-way width varies), for the common east corner of said Lot 2 and the north corner of Lot 3, of said Cannon Oaks Subdivision;

THENCE with the common existing southwest right-of-way line of said William Cannon Drive and the northeast line of said Lot 2 , North $64^{\circ} 24^{\prime} 18^{\prime \prime}$ West, a distance of 2.69 feet to a calculated point for the northeast corner and POINT OF BEGINNING hereof, having a Surface Coordinate of: North $=10,051,252.51$ feet and East $=3,087,821.18$ feet, being 58.89 feet right of Engineer's Baseline Station 338+79.19;

THENCE, through the interior of said Lot 2, with the proposed line of the herein described parcel, the following three (3) courses and distances:

1) South $25^{\circ} \mathbf{3 5} \mathbf{~ 4 2 " ~ W e s t , ~ a ~ d i s t a n c e ~ o f ~} 7.00$ feet to a calculated point, being 65.89 feet right of Engineer's Baseline Station 338+79.21, for the southeast corner hereof;
2) North $64^{\circ} \mathbf{2 4}{ }^{\prime} \mathbf{1 8}{ }^{\prime \prime}$ West, a distance of $\mathbf{3 6 . 4 0}$ feet to a calculated point, being 65.99 feet right of Engineer's Baseline Station 338+42.81, for the southwest corner hereof;
3) North $25^{\circ} \mathbf{3 5}$ ' $42^{\prime \prime}$ East, a distance of 7.00 feet to a calculated point, being 58.99 feet right of Engineer's Baseline Station 338+42.79, on the common existing southwest right-of-way line of said William Cannon Drive and the northeast line of said Lot 2, for the northwest corner hereof, from which a $1 / 2$-inch iron rod found for the common most northerly northwest corner of said Lot 2 and the east corner of Lot 1, of said Cannon Oaks Subdivision bears, North $64^{\circ} 24^{\prime} 18$ " West, a distance of 168.71 feet;

## EXHIBIT "B"

City of Austin: Corridor Program
Corridor: William Cannon Drive
Segment: WCDR-C2
Segment From: U.S. Highway 290
Limits To: East of Brodie Lane

PROPERTY DESCRIPTION - PARCEL 5309.008 TCE
4) THENCE, with the common existing southwest right-of-way line of said William Cannon Drive and the northeast line of said Lot 2, South $64^{\circ} 24^{\prime} 18^{\prime \prime}$ East, a distance of 36.40 feet to the POINT OF BEGINNING hereof and containing 0.0059 acre ( $255 \mathrm{sq} . \mathrm{ft}$.) of land.

## Notes:

1. All bearings and coordinates described herein are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum of 1983 (NAD 83) 2001 Adjustment, Epoch 2010.00. All distances and coordinates described herein are Surface and may be converted to Grid by dividing the combined Adjustment Factor of 1.00011 .
All measurements are in U.S. Survey Feet.
2. A parcel plat of even date was prepared in conjunction with this property description.
3. **The monument(s) described as "calculated" may be set with a typical ROW/Easement marker, after acquisition is completed, under the supervision of a Registered Professional Land Surveyor, either employed or retained by the City of Austin.
4. Stations and offsets are relative to Corridor Centerline provided by Engineer on 08/28/2020.


Round Rock, Texas 78681
Ph. (512) 248-0065
TBPELS Firm No. 10194125
Project No. 1800252
AUSTIN GRID E-17
PROPERTY ID: 512066

EXHIBIT "B'

G: \PROJECTS $\backslash 1800252 R$ - COA - Williom Cannon\PARCEL DESCRIPTIONS $\backslash$ WCDR-C2_5309.008-TCE $\backslash$ WCDR-C2_5309.008-TCE Plot.dwg 6/18/2021 - 4:35pm

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## LEGEND

```
| CALCULATED POINT
    - =1/2" IRON ROD FOUND
    O=1/2" IRON ROD WITH PLASTIC CAP FOUND (AS NOTED)
    D.R.T.C.T. = DEED RECORDS OF TRAVS COUNTY, TEXAS
R.P.R.T.C.T. = REAL PROPERTY RECORDS OF TRAVS COUNTY. TEXAS
O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS OF TRAVSS COUNTY, TEXAS
    P.R.T.C.T. = PLAT RECORDS OF TRAVIS COUNTY, TEXAS
        = AREA, IN ACRES/SQ FT, OF EXISTING EASEMENT WTHIN
        PARCEL LIMITS (EQUALS PARCEL AREA IF NOT NOTED)
            = LUMINARE STANDARD
        \sigma}=\mathrm{ SIGN/MARKER
            W] = WATER METER
            O}=\mathrm{ IRRIGATION CONTROL VALVE
            -O- = POWER POLE
            (C) = WASTEWATER CLEANOUT
            [E = ELECTRIC METER
            (E) = ELECTRIC MANHOLE
            NW = WASTEWATER MANHOLE
            @ = GAS VALVE
            (D) = STORM DRAIN MANHOLE
            P.U.E. = PUBLIC UTILITY EASEMENT
            T = PROPERTY/DEED LINE
            (XX) = RECORD INFORMATION
            R.O.W. = RIGHT-OF-WAY
            P.O.B. = POINT OF BEGINNING
            P.O.C. = POINT OF COMMENCEMENT
            O}= TRE
```



GENERAL NOTES:

1) ALL BEARINGS AND COORDINATES DESCRIBED HEREIN ARE BASED ON THE TEXAS COORDINATE SYSTEM (TCS), CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83), 2011 ADJUSTMENT, EPOCH 2010.00. ALL DISTANCES AND COORDINATES SHOWN HEREON ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED ADJUSTMENT FACTOR OF 1.00011. ALL MEASUREMENTS ARE IN US SURVEY FEET.
2) STATIONS AND OFFSETS ARE RELATIVE TO THE CORRIDOR CENTERLINE PROVIDED BY ENGINEER 08/28/2020.
3) A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT,

| LINE TABLE |  |  |
| :---: | :---: | :---: |
| LINE | BEARING | LENGTH |
| L-1 | N $64^{\prime} 24^{\prime} 18^{\prime \prime} \mathrm{W}$ | $2.69^{\prime}$ |
| L-2 | S $25^{\prime} 35^{\prime} 42^{\prime \prime} \mathrm{W}$ | $7.00^{\prime}$ |
| L-3 | N $64^{\circ} 24^{\prime} 18^{\prime \prime} \mathrm{W}$ | $36.40^{\prime}$ |
| L-4 | N $25^{\prime} 35^{\prime} 42^{\prime \prime} \mathrm{E}$ | $7.00^{\prime}$ |
| L-5 | S $64.24^{\prime} 18^{\prime \prime} \mathrm{E}$ | $36.40^{\prime}$ |

0.0059 ACRE (255 SQ. FT.)

|  | AUSTIN GRID NO. E-17 |
| :--- | :--- |
| PROPERTY ID: 512066 | WORK ORDER: 1800252R |
| SURVEY DATE: $03 / 10 / 21$ | SCALE: |
| REVISED DATE: | PAGE 5 OF 5 |

