

RESOLUTION NO. 20220901-095

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: Regency Office Center, L.P.

Project: Oltorf Street Reclaimed Water Main Phase 2.

Public Use: Ensuring the continued use of safe and reliable service of the reclaimed water line.

Location: 2016 South Interstate Highway 35, Austin, Texas 78741.

The general route of the project is along Oltorf Street westward from Burton Drive to Parker Lane, then north on Parker Lane to Mariposa Drive, then west on Mariposa Drive across Interstate Highway 35 to Travis Heights Boulevard, and finally north on Travis Heights Boulevard to Fairmount Avenue.

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

ADOPTED: September 1, 2022

ATTEST: _____

Myrna Rios

Myrna Rios
City Clerk

Exhibit A

Document: FN-157R2
Job No: 19-146-S
Date: APRIL 28, 2021
County: Travis
Survey: Santiago Del Valle Ten League Grant
Abstract: Number 24

OLTORF RECLAIMED WATERLINE PHASE 2

PARCEL 5285.06 TEMPORARY STAGING AREA AND MATERIAL STORAGE SITE (TSAAMSS) DESCRIPTION

OF A 0.258 ACRE (11,235 SQUARE FOOT) TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24, SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF LOT 4, INSURANCE ADDITION, A SUBDIVISION OF RECORD IN VOLUME 17 PAGE 82 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.Tx.), SAID LOT 4 BEING ALL OF THAT TRACT DESCRIBED AS 2.836 ACRES CONVEYED TO REGENCY OFFICE CENTER LP BY THAT SPECIAL WARRANTY DEED FOUND RECORDED IN VOLUME 13141, AT PAGE 2328 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.Tx.), THE SAID 0.258 ACRE (11,235 SQUARE FEET) BEING A PROPOSED STAGING AND STORAGE AREA MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60D Nail and Washer set in the southwesterly right-of-way (ROW) line of Mariposa Drive, a dedicated public roadway (60' ROW), for the most northerly, northeast corner of the said Lot 4, Insurance Addition, same being the northwest corner of Lot 9-A of the Resubdivision of Parts of Lot 8 & 9, Southside Addition, a subdivision found recorded in Book 9, Page 140 of the Plat Records of Travis County, Texas (P.R.T.C.Tx.), said point also being the northeast corner of the tract described herein and having a geospatial position in the Central Zone of the Texas Coordinate System, referenced in Grid, of North 10,059,769.43, and East 3,115,562.62;

THENCE, S26°01'21"W, leaving the southwesterly line of said Mariposa Drive, going along the northwesterly line of said Lot 9-A, Resubdivision of Parts of Lots 8 & 9 of Southside Addition, same being the northern-most, easterly line of the said Lot 4, Insurance Addition, a distance of **150.00 feet** to a 60D Nail and Washer set for the southeast corner of the tract described herein;

THENCE, leaving the southeasterly line of, and going over, across and through said Lot 4, Insurance Addition, the following two courses and distances:

- 1) **N60°59'46"W**, a distance of **75.00 feet** to a 60D Nail and Washer set for the westerly, southwest corner of the tract described herein; and,
- 2) **N26°01'21"E**, a distance of **150.00 feet** to the 60D Nail and Washer set for the of intersection with the southwesterly right-of-way line of said Mariposa Drive for the northwesterly corner of the tract described herein;

FN-157R2
0.258 Acres
Page Two

THENCE, S60°59'46"E, going along the southwest line of said Mariposa Drive, same being the most northerly, northeasterly line of the said Lot 4, Insurance Addition, a distance of **75.00 feet** to the **POINT OF BEGINNING**, containing **0.258 acres (11,235 Square Feet)** of land area within these metes and bounds.

This Description was prepared to accompany an Exhibit Plan of the 0.258 acre (11,235 Square Feet) Proposed Staging and Storage Area for the Oltorf Reclaimed Waterline Phase 2.

THE BEARING BASIS OF THE PLAT AND THIS DESCRIPTION ARE BASED ON GPS OBSERVATIONS PROCESSED FROM WGS84 TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE USING NGS NAD 83/96 HARN, GRID BASED.

STATE OF TEXAS §
 KNOW ALL BY THESE PRESENTS §
COUNTY OF TRAVIS §

THAT I, LYNN R. SAVORY, 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 THIS 28th DAY OF APRIL, 2021. TCAD PARCEL ID: 0305030801. AUSTIN GRID: J20.

Lynn R. Savory 11 May, 2021
LYNN R. SAVORY, R.P.L.S.
STATE OF TEXAS NO. 4598
Unintech Consulting Engineers
505 E. Huntland Drive, Suite 335
Austin, Texas 78752



FIELD NOTES REVIEWED
BY *[Signature]* DATE: 05/11/21
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

**OLTORF RECLAIMED
WATER LINE-PHASE 2**

MARIPOSA DRIVE
(60' R.O.W.)

S60°59'46"E 286.87'
(538°34'00"E 286.10')

25' BUILDING SETBACK LINE
VOL. 17, PG. 82, P.R.T.C.T.X.

INSURANCE ADDITION
BOOK: 17, PAGE 82

LOT 4

2.836 AC.
OWNER: REGENCY OFFICE
CENTER LP
VOL. 13141, PG. 2328,
R.P.R.T.C.T.X.

PARCEL 5285.06
(TSAAMSS)
0.258 AC.
11,235 SF

OWNER: DANIEL TORRES JR.
VOL. 12643, PG. 898,
R.P.R.T.C.T.X.

POINT OF
BEGINNING
N=10059769.43'
E=3115562.82'
GRID COORDINATES

**SOUTHSIDE
ADDITION**

RESUBDIVISION OF
PARTS OF LOT 8 & 9
BOOK: 9, PAGE 140, P.R.T.C.T.X.

LOT 9-A

US INTERSTATE HIGHWAY 35
(300' R.O.W.)

S60°59'46"E 100.00'
(538°34'00"E 100.00')



NOTE:

THE INFORMATION SHOWN HEREON IS BASED ON
RECORD INFORMATION AND CITY OF AUSTIN GIS
MAPPING AND DOES NOT REPRESENT AN ON
THE GROUND SURVEY.

Lynn R. Savory
Registered Professional Land Surveyor
No. 4598 - State of Texas

Date:

11 May, 2022

THIS EXHIBIT IS PREPARED TO ACCOMPANY
FIELD NOTE DESCRIPTION FN-157R2



UNITECH CONSULTING ENGINEERS, INC.

526 E. HUNTLAND DRIVE, SUITE 335
AUSTIN, TEXAS 78759
PHONE (512) 579-0722
FAX (512) 579-0734
WWW.UNITECH.COM

LEGEND

- ▲ 600 NAIL SET WITH SHINER STAMPED "UNITECH"
- 1/2" IRON ROD FOUND
- R.O.W. RIGHT-OF-WAY
- VOL. PG. VOLUME, PAGE
- DOC. NO. DOCUMENT NUMBER
- () RECORD INFORMATION
- T.C.A.D. TRAVIS COUNTY APPRAISAL DISTRICT
- D.R.T.C.T.X. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T.X. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T.X. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T.X. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- TSAAMSS TEMPORARY STAGING AREA AND MATERIAL STORAGE SITE

