

RESOLUTION NO. 050303-18

WHEREAS, the Council finds that acquisition of the property interests described in the attachments are necessary for a public use; and

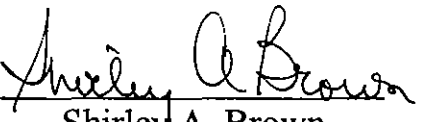
WHEREAS, the City has been unable to agree with the owner on the fair market value of the property interests to be acquired; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Attorney is authorized to file a suit in eminent domain and take other action deemed appropriate to economically effect the needed acquisition of the property interests.

The owner of the property interests to be acquired is Alliance FHW Limited Partnership and the property is located at 1901 Anderson Lane, Austin, Travis County, Texas.

ADOPTED: March 3, 2005

ATTEST: 
Shirley A. Brown
City Clerk

Alliance FHW Limited Partnership
To
City of Austin
(Wastewater Easement)
John Applegate Survey No. 58, A-29
CIP #4926.021
Page 1 of 6

FIELD NOTES PARCEL 5011.06 WE

LEGAL DESCRIPTION OF A 0.6194 ACRE (26,981 SQUARE FEET) TRACT OR PARCEL OF LAND OUT OF THE JOHN APPLGATE SURVEY NO. 58, ABSTRACT NO. 29 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 10.097 ACRE TRACT OF LAND CONVEYED TO ALLIANCE FHW LIMITED PARTNERSHIP BY SPECIAL WARRANTY DEED DATED AUGUST 20, 2003, OF RECORD IN DOCUMENT NUMBER 2003205454 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF THE CREEKS, A SUBDIVISION OF RECORD ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 66, PAGE 72 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.6194 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

COMMENCING at a Texas Department of Transportation brass disc in concrete found for corner in the southerly right-of-way line of U.S. Highway 183 also known as Anderson Lane (width varies), being in the northerly line of said 10.097 acre tract:

THENCE, S 33°47'11"E, along said southerly right-of-way line a distance of 113.92 feet to a Texas Department of Transportation brass disc in concrete found for an angle point;

THENCE, S 62°33'11"E, along said southerly right-of-way line a distance of 311.47 feet to a calculated point for corner, being the point of intersection with the centerline of Little Walnut Creek, having Texas State Plane Coordinate (Texas Central Zone, NAD83(CORS), U.S. Feet, Combined Scale Factor 0.999924726) values of N=10093200.08, E=3133949.71, being the POINT OF BEGINNING of the herein described tract;

THENCE, S 62°33'09" E, continuing along said southerly right-of-way line and said centerline a distance of 6.37 feet to a calculated point for corner;

THENCE, S 18°04'39" E, continuing along said southerly right-of-way line and centerline a distance of 14.44 feet to a calculated point for corner;

THENCE, S 09°10'49" E, continuing along said southerly right-of-way line and centerline a distance of 50.39 feet to a calculated point for corner;

THENCE, S 14°55'20" E, continuing along said southerly right-of-way line and centerline at 9.38 feet passing the northwesterly corner of a called 2.43 acre tract of land conveyed to Texas Manufactured Housing Association by Warranty Deed with Vendor's Lien dated January 19, 1982 of record in Volume 7668, Page 0646 of the Deed Records of Travis County, Texas and an angle point in said southerly right-of-way line, continuing along said centerline and the line common to said 10.097 acre tract and 2.43 acre tract, at 20.03 feet passing the westerly line of an existing Sanitary Sewer Easement (10 feet wide) granted to The City of Austin by instrument dated February 27, 1962 of record in Volume 2436, Page 1 of the Deed Records of Travis County, Texas, in all a distance of 53.82 feet to a calculated point for corner;

THENCE, S 16°12'16" E, continuing along said centerline and common line a distance of 49.64 feet to a calculated point for corner;

THENCE, S 22°21'36" E, continuing along said centerline and common line a distance of 51.94 feet to a calculated point for corner;

THENCE, S 29°07'39" E, continuing along said centerline and common line a distance of 47.40 feet to a calculated point for corner;

THENCE, S 38°31'29" E, continuing along said centerline and common line at a distance of 35.08 feet passing the westerly line of said Sanitary Sewer Easement and easterly line of a Wastewater Easement granted to the City of Austin dated March 18, 1987 of record in Volume 10173, Page 0929 of Real Property Records of Travis County, Texas and dated May 8, 1987 of record in Volume 10246, Page 0577 of Real Property Records of Travis County, Texas, in all a distance of 45.23 feet to a calculated point for corner;

THENCE, S 23°42'48" E, continuing along said centerline and common line a distance of 125.94 feet to a calculated point for corner being in the centerline of said Little Walnut Creek and the line common to said 10.097 acre tract and a called 23.26 acre tract conveyed to The Carter Family Partnership by Special Warranty Deed dated January 22, 1991 of record in Volume 11359, Page 0160 of the Real Property Records of Travis County, Texas;

THENCE, S 21°44'13" E, continuing along said centerline and common line a distance of 22.87 feet to a calculated point for corner;

THENCE, S 24°52'53" E, continuing along said centerline and common line a distance of 38.70 feet to a calculated point for corner;

THENCE, S 23°42'48" E, departing said centerline and common line a distance of 58.77 feet to a calculated point for corner being in said centerline and common line;

THENCE, S 13°43'03" E, continuing along said centerline and common line a distance of 31.07 feet to a calculated point for corner;

THENCE, S 02°54'18" E, departing said centerline and common line and crossing said 10.097 acre tract a distance of 79.02 feet to a calculated point for corner being in said centerline and common line;

THENCE, S 04°12'31" W, continuing along said centerline and common line a distance of 0.78 feet to a calculated point for corner;

THENCE, S 02°10'35" W, continuing along said centerline and common line a distance of 0.65 feet to a calculated point for corner;

THENCE, S 11°46'25" W, departing said centerline and common line at a distance of 54.49 feet passing the northerly line of said Wastewater Easement, at a distance of 95.40 feet passing the southerly line of said Wastewater Easement, in all a distance of 108.01 feet to a calculated point for corner being in said centerline and common line;

THENCE, S 38°53'58" W, continuing along said centerline and said common line a distance of 24.61 feet to a calculated point for corner;

THENCE, S 52°41'53" W, departing said centerline and common line and crossing said 10.097 acre tract a distance of 171.28 feet to a calculated point for corner;

THENCE, S 87°01'15" W, at a distance of 55.97 feet passing the easterly line of said Wastewater Easement, at a distance of 212.12 passing the westerly line of said Wastewater Easement, in all a distance of 272.84 feet to a calculated point for corner being in said centerline and a line common to said 10.097 acre tract and a called 8.854 acre tract of land conveyed to Walnut Creek Partners, LP, dated June 28, 2001 by Warranty Deed of record in Document No. 2001106690 of the Official Public Records of Travis County, Texas;

THENCE, N 59°02'11" W, continuing along said common line a distance of 6.49 feet to a calculated point for corner;

THENCE, N 69°21'11" W, continuing along said common line a distance of 53.33 feet to a calculated point for corner;

THENCE, N 87°01'15" E, departing said common line and crossing said 10.097 acre tract at a distance of 285.14 feet passing the westerly line of said Wastewater Easement, continuing in all a distance of 319.37 feet to a calculated point for corner;

THENCE, N 52°41'53" E, a distance of 171.36 feet to a calculated point for corner;

THENCE, N 11°46'25" E, at a distance of 21.63 feet passing the westerly line of said Wastewater Easement, in all a distance of 105.03 feet to a calculated point for corner;

THENCE, N 02°54'18" W, a distance of 87.22 feet to a calculated point for corner;

THENCE, N 23°42'48" W, a distance of 70.33 feet to a calculated point for corner;

THENCE, N 24°52'53" W, a distance of 39.13 feet to a calculated point for corner;

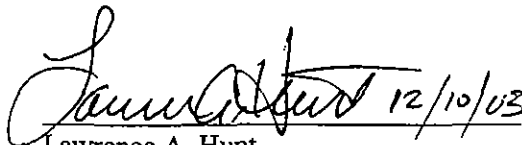
THENCE, N 21°44'13" W, a distance of 23.12 feet to a calculated point for corner;

THENCE, N 23°42'48" W, a distance of 309.99 feet to a calculated point for corner;

THENCE, N 08°31'54" W, at a distance of 85.99 feet passing the westerly line of the said Sanitary Sewer Easement, in all a distance of 133.53 feet to the POINT OF BEGINNING, containing 0.6194 (26,981 square feet) of land.

BEARING BASIS NOTE

All bearings and coordinates are referenced to the Texas State Plane Grid Coordinate System, Central Zone, NAD83(CORS) Datum. The coordinates were established from reference point "Austin RRP" having coordinate values N = 10086515.877, E = 3109682.468 and reference point "Austin" having coordinate values N = 10097010.901, E = 3128551.052. All bearings are based on two found Texas Department of Transportation brass disks in concrete in the southerly right-of-way line of U.S. Highway 183 and the northerly line of The Creeks subdivision, having a grid bearing of S 33°47'11" E (S 33°41'E – Plat Bearing) and a surface distance of 113.92 feet (113.92 feet – Plat Distance). Combined Scale Factor = 0.999924726. All distances are surface distances.


Lawrence A. Hunt
Registered Professional Land Surveyor
Texas Registration No. 4328



Prepared By:

Sunland Engineering Company
10497 Town & Country way, Suite 550
Houston, Texas 77023
713-467-8484

FIELD NOTES REVIEWED

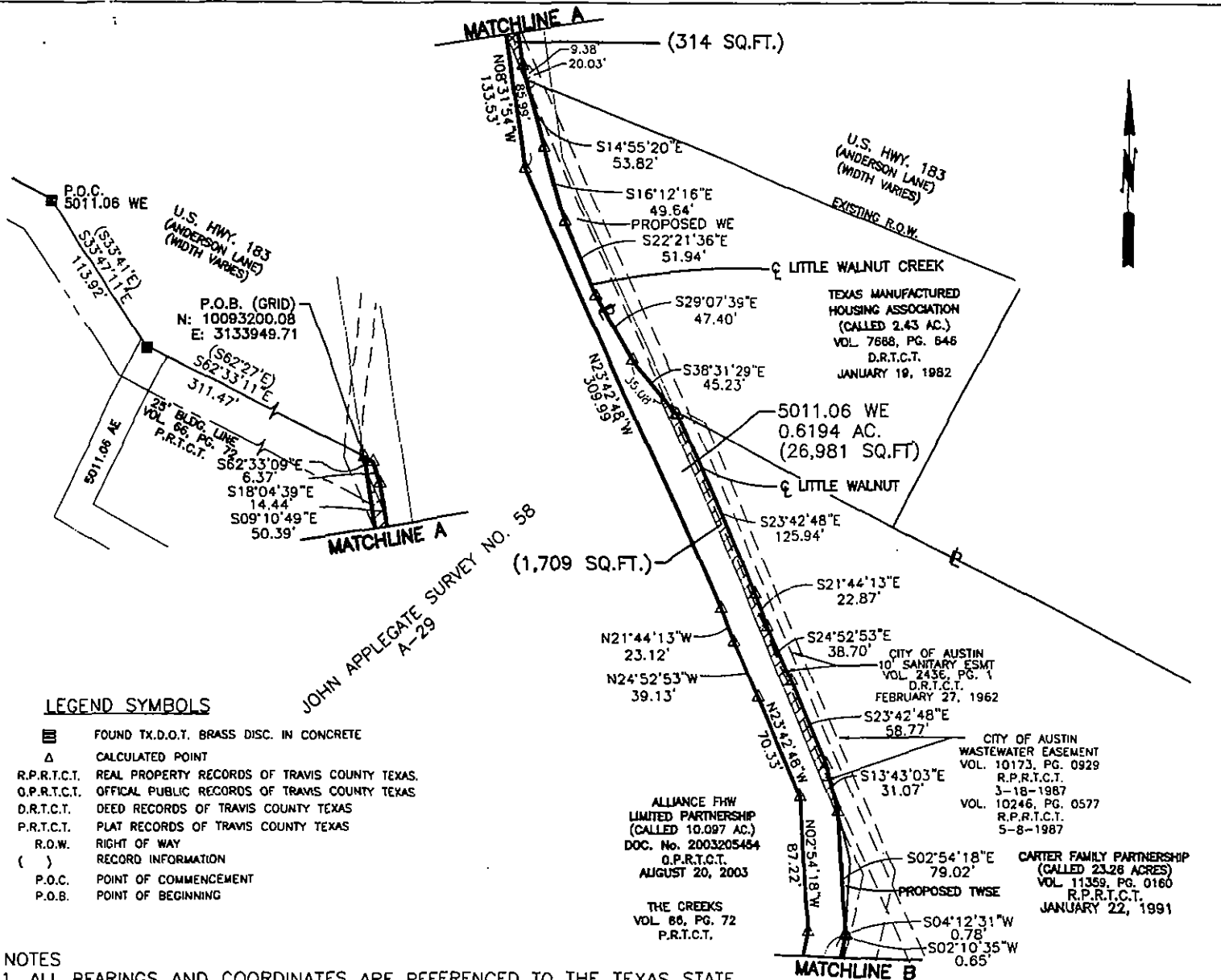
By:  Date: 12-15-03

Austin Clean Water Program
Survey Coordinator

REFERENCES

TCAD #0229210231
AUSTIN GRID M-27

Exhibit "A"
Page 4 of 6



12/10/03
Lawrence A. Hunt

SUNLAND
ENGINEERING COMPANY

CIVIL ENGINEERING • SURVEYING • PROJECT MANAGEMENT
10497 TOWN & COUNTRY WAY, STE. 550 HOUSTON, TX 77024 (713) 467-8484
E-MAIL: info@sunlandgrp.com

**SKETCH OF PARCEL 5011.06 WE
LITTLE WALNUT CREEK
(U.S. 290/U.S. 183)
JOHN APPLAGATE SURVEY NO. 58, A-29
TRAVIS COUNTY, TEXAS**



SURVEY BY: RRF

DATE: DECEMBER, 2002

SCALE: 1" = 100'

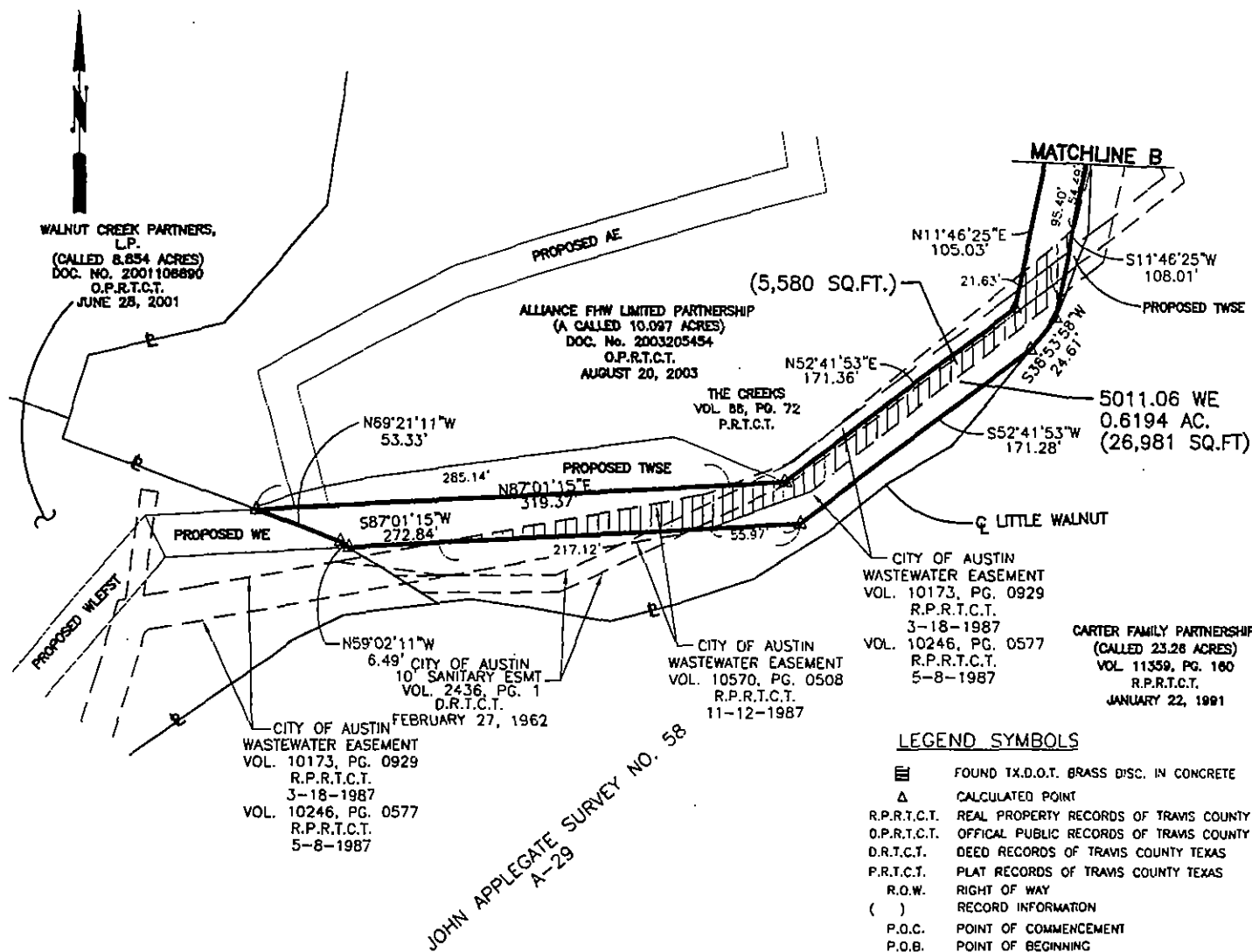
DRAWN: Exhibit "A"
Page 5 of 6

TE: MAY 30, 2003

SHEET
NUMBER 5 OF 6

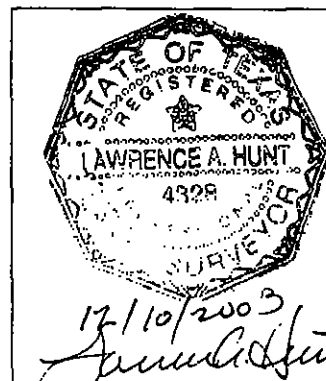
CHECKED: _____

DATE: JULY 31, 2003



NOTES

1. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 (CORS) DATUM. THE COORDINATES WERE ESTABLISHED FROM REFERENCE POINT "AUSTIN RRP" HAVING COORDINATES N = 10086515.877, E = 3109682.468 AND REFERENCE POINT "AUSTIN" HAVING COORDINATE VALUES N = 10097010.901, E = 3128551.052. ALL BEARINGS ARE BASED ON TWO FOUND TXDOT BRASS DISCS IN CONCRETE IN THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. 183 AND THE NORTHERLY LINE OF THE CREEKS SUBDIVISION, HAVING A GRID BEARING OF S33°47'11"E (S33°41'E - PLAT BEARING) AND A SURFACE DISTANCE OF 113.92 FEET (113.92 FEET - PLAT DISTANCE). COMBINED SCALE FACTOR = 0.999924726. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
2. THIS SURVEY RELIED ON RECORD INFORMATION CONTAINED IN A COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE AUSTIN, INC. GF NO. 03040610, DATED APRIL 20, 2003
3. A METES AND BOUNDS DESCRIPTION WAS PREPARED IN CONJUNCTION WITH THIS PARCEL SKETCH.



SUNLAND
ENGINEERING COMPANY

CIVIL ENGINEERING • SURVEYING • PROJECT MANAGEMENT
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**SKETCH OF PARCEL 5011.06 WE
LITTLE WALNUT CREEK
(U.S. 290/U.S. 183)
JOHN APPELGATE SURVEY NO. 58, A-29
TRAVIS COUNTY, TEXAS**

acwp	SURVEY BY: RRF	DATE: DECEMBER, 2002	SCALE: 1" = 100'
	DRAWN E	MAY 30, 2003	
	CHECKED	JULY 31, 2003	SHEET NUMBER 6 OF 6

Exhibit "A"
Page 6 of 6

FIELD NOTES FOR PARCEL 5011.06 AE

LEGAL DESCRIPTION OF A 1.198 ACRE (52,184 SQUARE FOOT) TRACT OR PARCEL OF LAND OUT OF THE JOHN APPLEGATE SURVEY NO. 58, ABSTRACT NO. 29 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 10.097 ACRE TRACT OF LAND CONVEYED TO ALLIANCE FHW PORTFOLIO LIMITED PARTNERSHIP BY SPECIAL WARRANTY DEED DATED AUGUST 20, 2003, OF RECORD IN DOCUMENT 2003205454 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THE CREEKS, A SUBDIVISION OF RECORD ACCORDING TO THE MAP OR PLAT THERE OF, RECORDED IN VOLUME 66, PAGE 72 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1.198 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

COMMENCING at a Texas Department of Transportation concrete monument found for an angle point in the southerly right-of-way line of U.S. Highway 183, also known as Anderson Lane (right-of-way width varies), same being the most northerly northeast corner of said 10.097-acre tract;

THENCE, with said southerly right-of-way line, same being the northerly line of said 10.097-acre tract, N 62°35'03" W, a distance of 24.22 feet to a mag nail set for the northeast corner and being the POINT OF BEGINNING hereof, said point having Texas State Plane Coordinate (Texas Central Zone, NAD83(CORS), U.S. Feet, Combined Scale Factor 0.999924726) values of N=10093447.58, E=3133591.94;

THENCE, leaving said southerly right-of-way line, same being the northerly line of said 10.097-acre tract and crossing said 10.097-acre tract and crossing a variable width (called 1.44 acres) Ingress and Egress Easement as recorded in Volume 5066, Page 759 of the Deed Records of Travis County, Texas, the following two (2) courses and distances:

1. S 34°19'59" E, a distance of 56.69 feet to a mag nail set for an angle point,
2. with the arc of a curve to the right, a radius of 198.00 feet, arc length of 184.30 feet, a central angle of 53°19'46", and a chord which bears S 12°42'45" E, a distance of 177.72 feet to a mag nail set for an angle point,

THENCE, continuing across said 10.097-acre tract and in part crossing said Ingress and Egress Easement, S 61°24'12" E, passing the east line of said variable width easement at a distance of 29.49 feet, in all for a total distance of 156.96 feet to a mag nail set for an angle point,

THENCE, continuing across said 10.097-acre tract the following twenty-three (23) courses and distances:

1. S 01°30'43" W, a distance of 97.69 feet to a mag nail set for an angle point,
2. S 19°39'37" E, a distance of 23.57 feet to a mag nail set for an angle point,
3. S 30°51'02" E, a distance of 343.74 feet to a mag nail set for an angle point,
4. S 10°09'37" E, a distance of 208.55 feet to a mag nail set for an angle point,
5. S 76°53'32" W, a distance of 306.07 feet to a mag nail set for an angle point,
6. S 60°46'04" W, a distance of 33.45 feet to a mag nail set for an angle point,
7. S 14°41'37" E, a distance of 93.80 feet to an iron rod with plastic cap set for an angle point,
8. S 87°01'15" W, a distance of 20.43 feet to an iron rod with plastic cap set for an angle point,
9. N 14°41'37" W, a distance of 105.13 feet to a mag nail set for an angle point,
10. N 60°46'04" E, a distance of 51.75 feet to a mag nail set for an angle point,
11. N 76°53'32" E, a distance of 289.93 feet to a mag nail set for an angle point,
12. N 10°09'37" W, a distance of 185.91 feet to a mag nail set for an angle point,
13. N 30°51'02" W, a distance of 235.13 feet to a mag nail set for an angle point,
14. S 59°08'58" W, a distance of 26.63 feet to a mag nail set for a point of curvature,
15. with the arc of a curve to the right, a radius of 20.00 feet, arc length of 15.80 feet, a central angle of 45°15'06", and a chord which bears S 81°46'31" W, a distance of 15.39 feet to a mag nail set for point of tangency,
16. N 75°35'56" W, a distance of 83.96 feet to a mag nail set for a point of curvature,
17. with the arc of a curve to the right, a radius of 120.00 feet, arc length of 28.04 feet, a central angle of 13°23'20", and a chord which bears N 68°54'16" W, a distance of 27.98 feet to a mag nail set for point of tangency,
18. N 62°12'36" W, a distance of 97.72 feet to a mag nail set for an angle point,
19. N 63°43'59" W, a distance of 75.95 feet to a mag nail set for an angle point,
20. N 60°29'52" W, a distance of 103.54 feet to a mag nail set for a point of curvature,
21. with the arc of a curve to the right, a radius of 120.00 feet, arc length of 41.82 feet, a central angle of 19°58'02", and a chord which bears N 50°30'51" W, a distance of 41.61 feet to a mag nail set for point of tangency,

22. N 40°31'51" W, a distance of 376.35 feet to a mag nail set for a point of curvature, and

23. with the arc of a curve to the right, a radius of 30.00 feet, arc length of 35.52 feet, a central angle of 67°50'36", and a chord which bears N 06°36'33" W, a distance of 33.48 feet to a mag nail set for point of tangency.

THENCE, continuing across said 10.097-acre tract and in part crossing said Ingress and Egress Easement, N 27°18'45" E, passing the south line of said Ingress and Egress Easement at a distance of 176.01 feet, in all for a total distance of 215.06 feet to a mag nail set on said southerly right-of-way line, same being the northerly line of said 10.097-acre tract, for the most northwest corner hereof;

THENCE, with said southerly right-of-way line, same being the northerly line of said 10.097-acre tract, S 62°35'03" E, a distance of 20.00 feet to a mag nail set for an angle point;

THENCE, leaving said southerly right-of-way line, same being the northerly line of said 10.097-acre tract and crossing said 10.097-acre tract and in part crossing said Ingress and Egress Easement, S 27°18'45" W, passing the south line of said Ingress and Egress Easement at a distance of 39.08 feet, in all for a total distance of 215.02 feet to a mag nail set a point of curvature;

THENCE, continuing across said 10.097-acre tract the following twelve (12) courses and distances:

1. with the arc of a curve to the left, a radius of 10.00 feet, arc length of 11.84 feet, a central angle of 67°50'36", and a chord which bears S 06°36'33" E, a distance of 11.16 feet to a mag nail set for point of tangency,
2. S 40°31'51" E, a distance of 376.35 feet to a mag nail set for a point of curvature,
3. with the arc of a curve to the left, a radius of 100.00 feet, arc length of 34.85 feet, a central angle of 19°58'02", and a chord which bears S 50°30'51" E, a distance of 34.67 feet to a mag nail set for point of tangency,
4. S 60°29'52" E, a distance of 102.97 feet to a mag nail set for an angle point,
5. S 63°43'59" E, a distance of 75.65 feet to a mag nail set for an angle point,
6. S 62°12'36" E, a distance of 97.99 feet to a mag nail set for a point of curvature,
7. with the arc of a curve to the left, a radius of 100.00 feet, arc length of 23.37 feet, a central angle of 13°23'20", and a chord which bears S 68°54'16" E, a distance of 23.32 feet to a mag nail set for point of tangency,
8. S 75°35'56" E, a distance of 83.96 feet to a mag nail set for an angle point,
9. N 59°08'58" E, a distance of 26.63 feet to a mag nail set for an angle point,
10. N 30°51'02" W, a distance of 86.92 feet to a mag nail set for an angle point,

11. N 19°39'37" W, a distance of 29.27 feet to a mag nail set for an angle point, and

12. N 01°30'43" E, a distance of 89.19 feet to a mag nail set for an angle point;

THENCE, continuing across said 10.097-acre tract and in part crossing said Ingress and Egress Easement, N 61°24'12" W, passing the east line of said Ingress and Egress Easement at a distance of 114.87 feet, in all for a total distance of 160.85 feet to a mag nail set for an angle point,

THENCE, continuing across said 10.097-acre tract and said Ingress and Egress Easement the following three (3) courses and distances:

1. with the arc of a curve to the left, a radius of 178.00 feet, arc length of 176.98 feet, a central angle of 56°58'00", and a chord which bears N 09°36'31" W, a distance of 169.78 feet to a mag nail set for an angle point,
2. N 45°36'58" W, a distance of 68.73 feet to a mag nail set for an angle point, and
3. N 27°27'58" E, a distance of 26.77 feet to a mag nail set on said southerly right-of-way line, same being the northerly line of said 10.097-acre tract, for an angle point;

THENCE, with said southerly right-of-way line, same being the northerly line of said 10.097-acre tract, S 62°35'03" E, a distance of 20.00 feet to the POINT OF BEGINNING, containing 1.198 acre (52,184 square feet) of land.

BEARING BASIS NOTE

All bearings and coordinates are referenced to the Texas State Plane Grid Coordinate System, Central Zone, NAD83(CORS) Datum. The coordinates were established from reference point "Austin RRP" having coordinate values N = 10086515.877, E = 3109682.468 and reference point "Austin" having coordinate values N = 10097010.901, E = 3128551.052. All bearings are based on two found Texas Department of Transportation brass disks in concrete in the southerly right-of-way line of U.S. Highway 183 and the northerly line of The Creeks subdivision, having a grid bearing of S 33°47'11" E (S 33°41'E - Plat Bearing) and a surface distance of 113.92 feet (113.92 feet - Plat Distance). Combined Scale Factor = 0.999924726. All distances are surface distances.

Lawrence A. Hunt
 Lawrence A. Hunt, R.P.L.S. 4328
 Sunland Group
 1907 North Lamar, Suite 220
 Austin, Texas 78705
 512-494-0208
 3/16/2004



REFERENCES

TCAD #0229210231
 AUSTIN GRID M-27

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Exhibit "B"
 Page 4 of 6

FIELD NOTES REVIEWED
 By *J. H. Moore* Date *3-21-2004*
 Engineering Support Section
 Department of Public Works
 and Transportation

THE CREEKS
VOL. 66, PG. 72
P.R.T.C.T.

MATCH LINE

S30°51'02"E 343.74'
N30°51'02"W 235.13'

5011.06 AE
1.198 AC. (52,184 SQ.FT.)

S10°09'37"E 208.55'
N10°09'37"W 195.91'

THE CREEKS
VOL. 66, PG. 72
P.R.T.C.T.

LINE	LENGTH	BEARING
L7	51.75	N60°46'04"E
L8	20.43	S87°07'15"W
L9	33.45	S60°46'04"W

ALLIANCE FHW PORTFOLIO
LIMITED PARTNERSHIP
(CALLED 10,097 ACRES)
D.C. NO. 2003205454
D.P.R.T.C.T.

50' GREENBELT
D.R.T.C.T.

THE CREEKS
VOL. 66, PG. 72
P.R.T.C.T.

WALNUT CREEK PARTNERS, L.P.
(CALLED TRACT FIVE 8.454 ACRES)
D.C. NO. 200106690
R.P.R.T.C.T.

JOHN APPELEGATE SURVEY NO. 58,
A-29

VARIABLE WIDTH DRAINAGE ESMT
BOOK 66, PAGE 72
P.R.T.C.T.

N76°53'32"E
S76°53'32"W

ESMT OVERLAP
818 SQ. FT.

PROPOSED WE
PROPOSED TWSE

NOTES

1. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 (CORS) DATUM. THE COORDINATES WERE ESTABLISHED FROM REFERENCE POINT 'AUSTIN RRP' HAVING COORDINATES N = 10086515.877, E = 3109682.468 AND REFERENCE POINT 'AUSTIN' HAVING COORDINATE VALUES N = 10097010.901, E = 3128551.052. ALL BEARINGS ARE BASED ON TWO FOUND 1XDOT CONCRETE MONUMENTS IN THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. 183 AND THE NORTHERLY LINE OF THE CREEKS SUBDIVISION, HAVING A GRID BEARING OF S33°47'11"E (S33°41'E - PLAT BEARING) AND A SURFACE DISTANCE OF 11411 FEET (11392 FEET - PLAT DISTANCE, 11411 FEET RDW MAP DISTANCE). COMBINED SCALE FACTOR = 0.999924726. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
2. THIS SURVEY RELIED ON RECORD INFORMATION CONTAINED IN A COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE AUSTIN, INC. OF NO. 03040610, DATED APRIL 20, 2003.
3. A METES AND BOUNDS DESCRIPTION WAS PREPARED IN CONJUNCTION WITH THIS PARCEL SKETCH.

REV 5/23/2004, ADDED EASEMENTS & SETBACK LINES PER TITLE COMMITMENT & ADDED THREE EASEMENT OVERLAP AREAS.

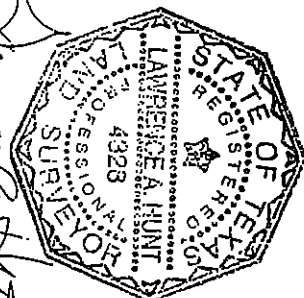
ESMT OVERLAP
907 SQ. FT.
WALNUT CREEK PARTNERS, L.P.
(CALLED TRACT FIVE 8.454 ACRES)
D.C. NO. 200106690
R.P.R.T.C.T.

LEGEND SYMBOLS

- SET MAG-NAIL WITH PLASTIC CAP
- SET IRON ROD
- FOUND TYPOT CONCRETE MONUMENT
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- R.D.V. RIGHT OF WAY
- () RECORD INFORMATION
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

CARTER FAMILY PARTNERSHIP
(CALLED 23.26 ACRES)
VOL. 11359, PG. 160
R.P.R.T.C.T.

SCALE 1"=100'



Sunland

G R O U P
CIVIL ENGINEERING - SURVEYING - PROJECT MANAGEMENT
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E-MAIL: info@sunlandgrp.com

SKETCH OF PARCEL 5011.06 AE
LITTLE WALNUT CREEK
(U.S. 290/U.S. 183)
JOHN APPELEGATE SURVEY NO. 58,
A-29
TRAVIS COUNTY, TEXAS

DRAWN BY: LH	DATE: 2/2/2004	TITLE BLOCK NO. AUS-5
APPROVED BY: LH	DATE: 2/12/2004	SUNLAND PROJECT NO. 2002137-05
SCALE: 1"=100'	PAGE NO. 6	OF 6

Alliance FHW Limited Partnership
To
City of Austin
(Temporary Working Space Easement)
John Applegate Survey No. 58, A-29
CIP #4926.021
Page 1 of 8

FIELD NOTES PARCEL 5011.06 TWSE

LEGAL DESCRIPTION OF A 6,486 SQUARE FOOT TRACT OR PARCEL OF LAND OUT OF THE JOHN APPLGATE SURVEY NO. 58, ABSTRACT NO. 29 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 10.097 ACRE TRACT OF LAND CONVEYED TO ALLIANCE FHW LIMITED PARTNERSHIP BY SPECIAL WARRANTY DEED DATED AUGUST 20, 2003, OF RECORD IN DOCUMENT NUMBER 2003205454 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF THE CREEKS, A SUBDIVISION OF RECORD ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 66, PAGE 72 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 6,486 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN 4 PARTS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

PART 1

COMMENCING at a Texas Department of Transportation brass disc in concrete found for corner in the southerly right-of-way line of U.S. Highway 183 also known as Anderson Lane (width varies), being in the northerly line of said 10.097 acre tract;

THENCE. S 33°47'11"E, along said southerly right-of-way line a distance of 113.92 feet to a Texas Department of Transportation brass disc in concrete found for an angle point;

THENCE, S 62°33'11"E, continuing along said southerly right-of-way line a distance of 317.84 feet to a calculated point for corner, being the point of intersection with the centerline of Little Walnut Creek,

THENCE, S 18°04'39" E, continuing along said southerly right-of-way line and centerline a distance of 14.44 feet to a calculated point for corner;

THENCE. S 09°10'49" E, continuing along said southerly right-of-way line and centerline a distance of 50.39 feet to a calculated point for corner;

THENCE, S 14°55'20" E, continuing along southerly right-of-way line and centerline at 9.38 feet passing the northwesterly corner of a called 2.43 acre tract of land conveyed to Texas Manufactured Housing Association by Warranty Deed with Vendor's Lien dated January 19, 1982 of record in Volume 7668, Page 646 of the Deed Records of Travis County, Texas and an angle point in said southerly right-of-way line, continuing along said centerline and the line common to said 10.097 acre tract and 2.43 acre tract, in all a distance of 53.82 feet to a calculated point for corner

THENCE, S 16°12'16" E, continuing along said centerline and common line a distance of 49.64 feet to a calculated point for corner;

THENCE, S 22°21'36" E, continuing along said centerline and common line a distance of 51.94 feet to a calculated point for corner;

THENCE, S 29°07'39" E, continuing along said centerline and common line a distance of 47.40 feet to a calculated point for corner;

THENCE, S 38°31'29" E, continuing along said centerline and common line at a distance of 41.90 feet passing the common westerly corner of said 2.43 acre and a called 23.26 acre tract conveyed to the Carter Family Partnership by Special Warranty Deed dated January 22, 1991 of record in Volume 11359, Page 0160 of the Real Property Records of Travis County, Texas, continuing along said centerline and the line common to said 10.097 acre tract and 23.26 acre tract in all a distance of 45.25 feet to a calculated point for corner;

THENCE, S 23°48'44" E, continuing along said centerline and common a distance of 95.88 to a calculated point for corner;

THENCE, S 21°44'13" E, continuing along said centerline and common line a distance of 50.03 feet to a calculated point for corner;

THENCE, S 24°52'53" E, continuing along said centerline and common line a distance of 50.24 feet to a calculated point for corner;

THENCE, S 23°35'57" E, continuing along said centerline and common line a distance of 46.42 feet to a calculated point for corner;

THENCE, S 13°43'03" E, continuing along said centerline and common line a distance of 31.07 feet to a calculated point for corner, having Texas State Plane Coordinate (Texas Central Zone, NAD83(CORS), U.S. Feet, Combined Scale Factor 0.999924726) values of N=10092653.46, E=3134173.05, being the POINT OF BEGINNING of the herein described PART 1;

THENCE, S 13°43'03" E, continuing along said centerline and common line, at a distance of 10.15 feet passing the westerly line of an existing Wastewater Easement granted to the City of Austin by two instruments dated March 18, 1987 of record in Volume 10173, Page 0929 and dated May 8, 1987 of record in Volume 10246, Page 0577 of the Real Property Records of Travis County, Texas, continuing in all a distance of 31.78 feet to a calculated point for corner,

THENCE, S 04°12'20" W, continuing along said centerline and common line a distance of 48.17 feet to a calculated point for corner, being the POINT OF COMMENCEMENT for the hereafter described PART 2;

THENCE, N 02°54'18" W, departing said centerline and crossing said 10.097 acre tract a distance of 79.02 feet to the POINT OF BEGINNING, containing 236 square feet of land within PART 1.

PART 2

COMMENCING at the most southerly corner of the above described PART 1;

THENCE, S 04°12'20" W, along the centerline of said Little Walnut Creek and the line common to said 10.097 acre tract and 23.26 acre tract a distance of 0.78 foot to a calculated point for corner,

THENCE, S 02°10'37" W, continuing along said centerline and common line a distance of 0.65 foot to a calculated point for corner, having Texas State Plane Coordinate (Texas Central Zone, NAD83(CORS), U.S. Feet, Combined Scale Factor 0.999924726) values of N=10092573.11, E=3134176.97, being the POINT OF BEGINNING of the herein described PART 2;

THENCE, S 02°10'37" W, continuing along said centerline and common line, at a distance of 14.99 feet passing the westerly line of a Wastewater Easement granted to the City of Austin dated November 12, 1987 of record in Volume 10570, Page 0508 of the Real Property Records of Travis County, Texas, continuing in all a distance of 56.31 feet to a calculated point for corner,

THENCE, S 21°38'21" W, continuing along said centerline and common line, at a distance of 37.57 feet passing the southerly line of said Wastewater Easement, continuing in all a distance of 48.86 feet to a calculated point for corner, being the POINT OF COMMENCEMENT for the hereafter described PART 3;

THENCE, S 38°12'12" W, departing said centerline and common line and crossing said 10.097 acre tract, a distance of 2.28 feet to a calculated point for corner,

THENCE, N 11°46'25" E, departing said centerline and common line, and crossing said 10.097 acre tract, at a distance of 9.67 feet passing the easterly line of an existing Sanitary Sewer Easement granted to the City of Austin dated February 27, 1962 of record in Volume 2436, page 1 of the Deed Records of Travis County, Texas, at a distance of 51.21 feet passing the westerly line of said Sanitary Sewer Easement, continuing in all a distance of 105.71 feet to the POINT OF BEGINNING, containing 512 square feet of land within said PART 2.

PART 3

COMMENCING at an angle point in the above described PART 2;

THENCE, S 21°38'21" W, along the centerline of said Little Walnut Creek and the line common to said 10.097 acre tract and 23.26 acre tract, a distance of 3.63 feet to a calculated point for corner,

THENCE, S 38°53'59" W, continuing along said centerline and common line a distance of 74.45 feet to a calculated point for corner,

THENCE, S 59°14'50" W, continuing along said centerline and common line a distance of 44.05 feet to a calculated point for corner,

THENCE, S 51°21'16" W, continuing along said centerline and common line a distance of 45.56 feet to a calculated point for corner,

THENCE, S 58°12'02" W, continuing along said centerline and common line a distance of 51.11 feet to a calculated point for corner,

THENCE, S 72°33'49" W, continuing along said centerline and common line a distance of 46.01 feet to a calculated point for corner,

THENCE, S 75°10'24" W, continuing along said centerline and common line a distance of 45.59 feet to a calculated point for corner,

THENCE, N 80°26'52" W, continuing along said centerline and common line a distance of 50.11 feet to a calculated point for corner,

THENCE, N 82°09'47" W, continuing along said centerline and common line a distance of 33.16 feet to a calculated point for corner,

THENCE, S 83°14'03" W, continuing along said centerline and common line a distance of 20.20 feet to a calculated point for corner, being the common southerly corner of said 10.097 acre tract and a called 8.454 acre tract conveyed by Special Warranty Deed with Vendors Lien dated June 28, 2001 to Walnut Creek Partners, L.P. recorded in Document No. 2001106690 of the Official Public Records of Travis County, Texas:

THENCE, N 59°02'11" W, departing said centerline and common line, and along the line common to said 10.097 acre tract and 8.454 acre tract, a distance of 70.38 feet to a calculated point for corner,

THENCE, N 69°21'11" W, continuing along said common line a distance of 56.09 feet to a calculated point for corner having Texas State Plane Coordinate (Texas Central Zone, NAD83(CORS), U.S. Feet, Combined Scale Factor 0.999924726) values of N=10092352.39, E= 3133675.28, being the POINT OF BEGINNING of the herein described PART 3;

THENCE, N 69°21'11" W, continuing along said common line, a distance of 2.76 feet to a calculated point for corner:

THENCE, N 71°35'26" E, departing said common line and crossing said 10.097 acre tract, a distance of 24.04 feet to a calculated point for corner;

THENCE, S 14°41'37" E, a distance of 7.66 feet to a calculated point for corner, being the POINT OF COMMENCEMENT of the hereafter described PART 4;

THENCE, S 87°01'15" W, a distance of 22.20 feet to the POINT OF BEGINNING, containing 104 square feet of land within PART 3.

PART 4

COMMENCING at the most seasterly corner of the above described PART 3;

THENCE, N 87°01'15" E, a distance of 18.96 feet to a calculated point for corner having Texas State Plane Coordinate (Texas Central Zone, NAD83(CORS), U.S. Feet, Combined Scale Factor 0.999924726) values of N=10092354.61, E= 3133717.85, being the POINT OF BEGINNING of the herein described PART 4;

THENCE, N 14°41'37" W, a distance of 11.83 feet to a calculated point for corner;

THENCE, N 79°23'52" E, a distance of 27.24 feet to a calculated point for corner;

THENCE, N 82°12'32" E, a distance of 185.73 feet to a calculated point for corner;

THENCE, S 68°19'59" E, at a distance of 61.06 feet passing the westerly line of said Sanitary Sewer Easement, continuing in all a distance of 73.80 feet to a calculated point for corner;

THENCE, S 87°01'15" W, at a distance of 22.84 feet passing the westerly line of said Sanitary Sewer Easement, continuing in all a distance of 276.75 feet to the POINT OF BEGINNING, containing 5,634 square feet of land within said PART 4, and a total of 6.486 square feet of land within PARTS 1, 2, 3, and 4.

BEARING BASIS NOTE

All bearings and coordinates are referenced to the Texas State Plane Grid Coordinate System, Central Zone, NAD83(CORS) Datum. The coordinates were established from reference point "Austin RRP" having coordinate values N = 10086515.877, E = 3109682.468 and reference point "Austin" having coordinate values N = 10097010.901, E = 3128551.052. All bearings are based on two found Texas Department of Transportation brass disks in concrete in the southerly right-of-way line of U.S. Highway 183 and the northerly line of The Creeks subdivision, having a grid bearing of S 33°47'11" E (S 33°41'E - Plat Bearing) and a surface distance of 113.92 feet (113.92 feet - Plat Distance). Combined Scale Factor = 0.999924726. All distances are surface distances.



Lawrence A. Hunt 12/10/2003
Lawrence A. Hunt
Registered Professional Land Surveyor
Texas Registration No. 4328

FIELD NOTES REVIEWED

By: *W. H. [Signature]* Date: 12-15-03

Prepared By:

**Austin Clean Water Program
Survey Coordinator**

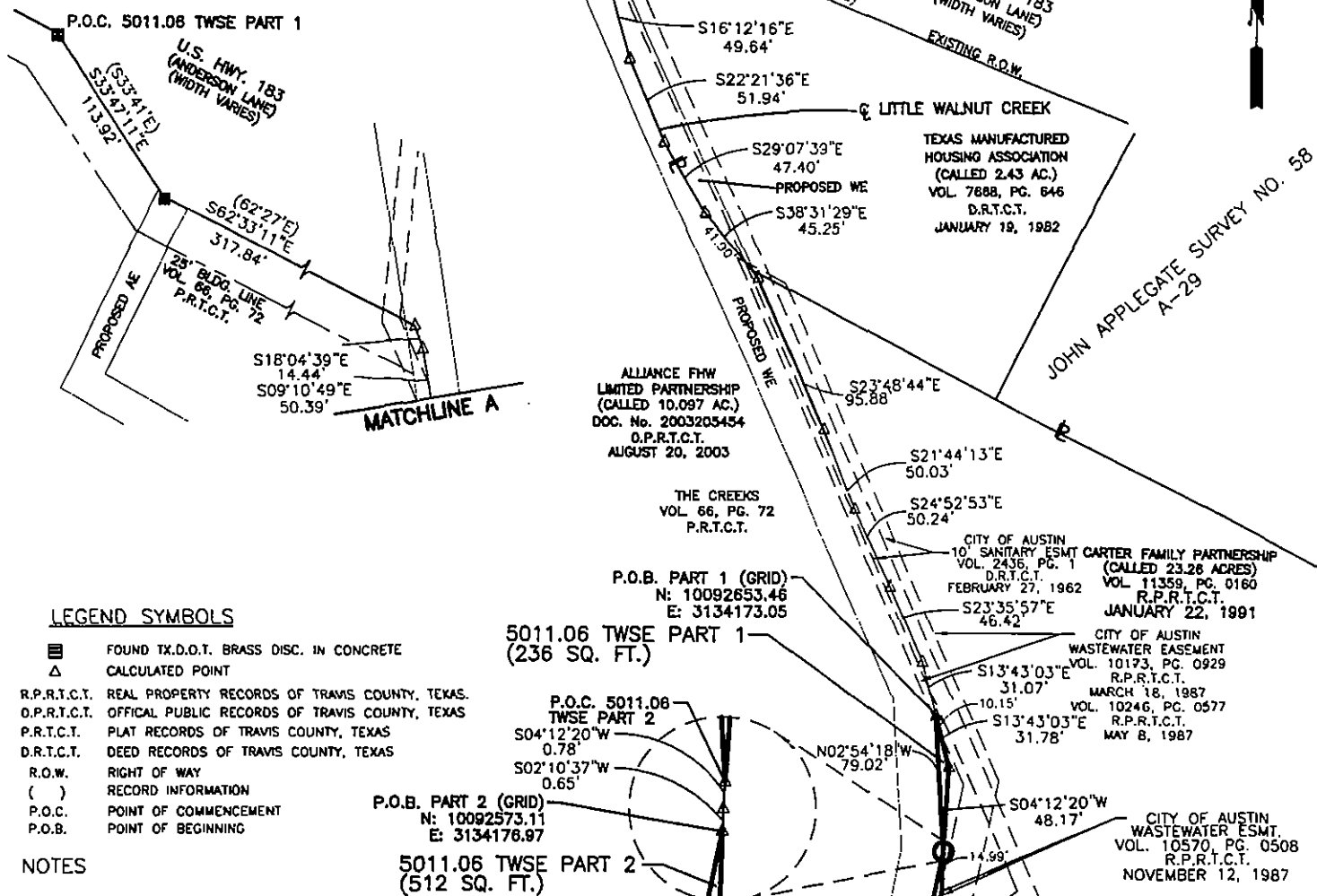
Sunland Engineering Company
10497 Town & Country way, Suite 550
Houston, Texas 77023
713-467-8484

REFERENCES

TCAD #0229210231
AUSTIN GRID M-27

Exhibit "C"
Page 6 of 8

PART 1	236 SQ. FT.
PART 2	512 SQ. FT.
PART 3	104 SQ. FT.
PART 4	5,634 SQ. FT.
TOTAL	6,489 SQ. FT.



12/10/2003
Lawrence A. Hunt

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 ENGINEERING COMPANY

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**SKETCH OF PARCEL 5011.06 TWSE
 LITTLE WALNUT CREEK
 (U.S. 290/U.S. 183)
 JOHN APPLGATE SURVEY NO. 58, A-29
 TRAVIS COUNTY, TEXAS**



SURVEY BY: RRF

DATE: DECEMBER, 2002

SCALE: 1" = 100'

DRAWN

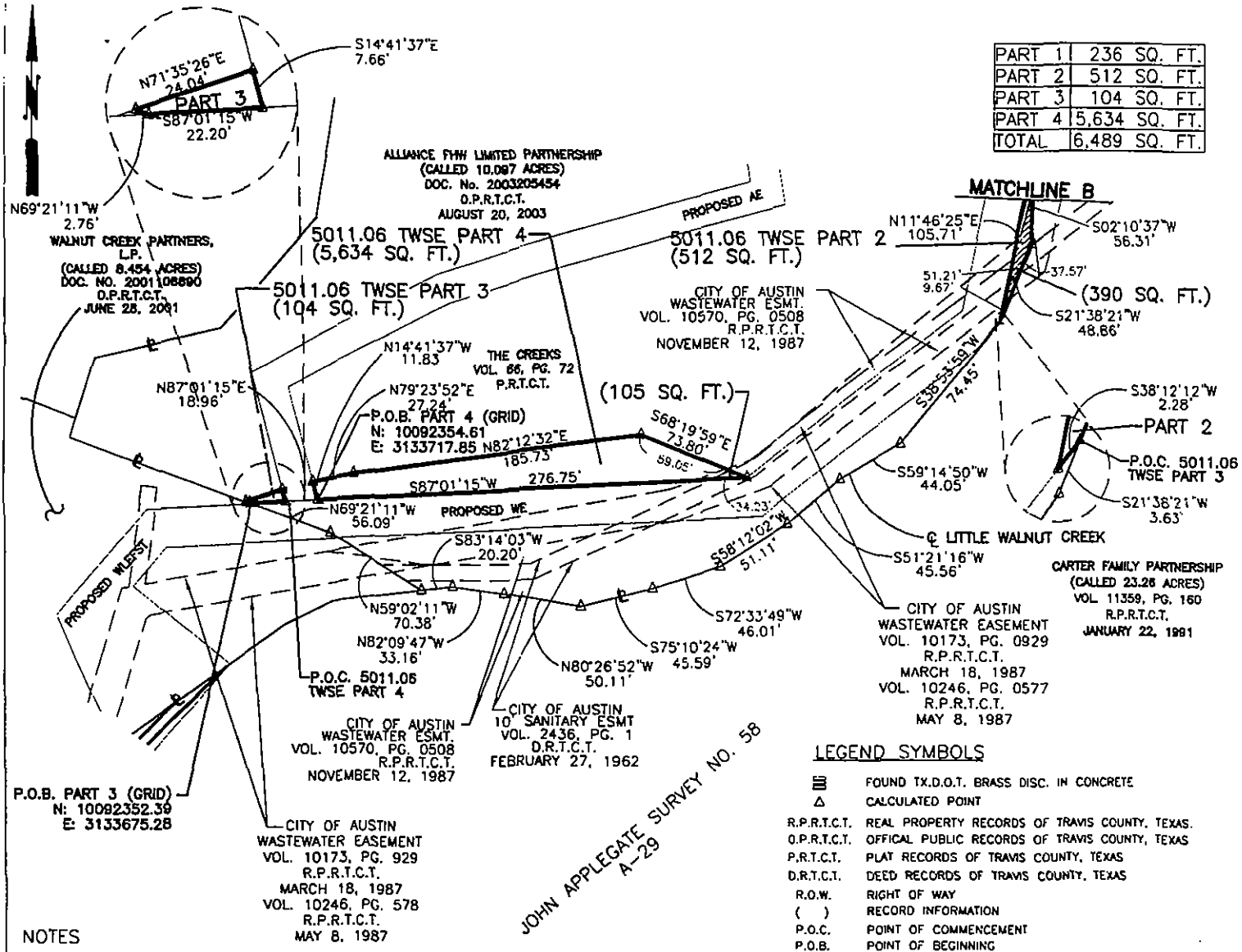
Exhibit "C"
 Page 7 of 8

E: MAY 30, 2003

CHECKE

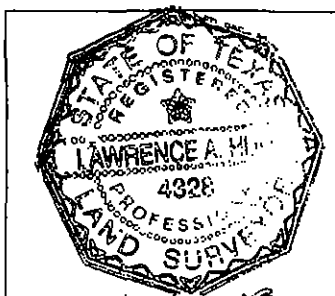
TE: JULY 31, 2003

SHEET
 NUMBER 7 OF 8



NOTES

1. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD 83 (CORS) DATUM. THE COORDINATES WERE ESTABLISHED FROM REFERENCE POINT "AUSTIN RRP" HAVING COORDINATES N = 10086515.877, E = 3109682.468 AND REFERENCE POINT "AUSTIN" HAVING COORDINATE VALUES N = 10097010.901, E = 3128551.052. ALL BEARINGS ARE BASED ON TWO FOUND TXDOT BRASS DISCS IN CONCRETE IN THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. 183 AND THE NORTHERLY LINE OF THE CREEKS SUBDIVISION, HAVING A GRID BEARING OF S33°47'11"E (S33°41'E - PLAT BEARING) AND A SURFACE DISTANCE OF 113.92 FEET (113.92 FEET - PLAT DISTANCE). COMBINED SCALE FACTOR = 0.999924726. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.
2. THIS SURVEY RELIED ON RECORD INFORMATION CONTAINED IN A COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE AUSTIN, INC. GF NO. 03040610, DATED APRIL 20, 2003.
3. A METES AND BOUNDS DESCRIPTION WAS PREPARED IN CONJUNCTION WITH THIS PARCEL SKETCH.



12/10/2003
James A. Hart

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SKETCH OF PARCEL 5011.06 TWSE
LITTLE WALNUT CREEK
(U.S. 290/U.S. 183)
JOHN APPLGATE SURVEY NO. 58, A-29
TRAVIS COUNTY, TEXAS

	SURVEY BY: RRF	DATE: DECEMBER, 2002	SCALE: 1" = 100'	
	DRAWN	Exhibit "C"	MAY 30, 2003	
	CHECKE	Page 8 of 8	SHEET NUMBER 8 OF 8	
		DATE: JULY 31, 2003		