

RESOLUTION NO. 20050901-014

WHEREAS, the City Council of the City of Austin has found that public necessity requires the acquisition by the City of a certain real property interest as stated hereinafter for the purposes hereinafter stated; and

WHEREAS, this resolution amends Resolution No. 20050623-063 and corrects the misspelling of the name of one of the property owners and correctly reflects the names of the owners; and

WHEREAS, the City of Austin has attempted to purchase said real property interest and has been unable to agree with the owners of that real property interest on the fair market value thereof; **NOW, THEREFORE**,

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

That 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 of Austin against the owners now having or who may acquire an interest in the real property interest needed by the City, to acquire a certain real property interest at the location hereinafter stated, for the purpose hereinafter stated, and from the owners hereinafter stated and/or their successors in interest, and to take whatever other action may be deemed appropriate to economically effect the

needed acquisition; said real property interest to be acquired is described in Exhibit "A," attached hereto and made a part hereof for all purposes.

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

Owner: Michael R. Hemer and Carolyn Blasdell

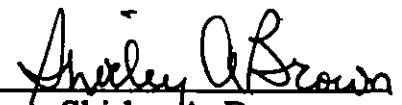
Project: Downtown/White Horse Trail Wastewater Improvements Project, a portion of the Austin Clean Water Program

Intended Purpose: the temporary working space easement is necessary to install wastewater lines on adjacent property in order to upgrade and improve the City's wastewater lines, prevent leakage of wastewater lines, and to comply with a federal mandate.

Location: 2400 White Horse Trail, Austin, Texas, and see attached field note.

ADOPTED: September 1, 2005

ATTEST:


Shirley A. Brown
City Clerk

Michael R. Hemer and Carolyn Blasdell
Lot 60, Allandale Section Three
To
City of Austin
(For 15' Temporary Working Space Easement)

FIELD NOTES FOR PARCEL 5106.18 TWSE

ALL OF THAT CERTAIN 0.052-ACRE (2,256 SQUARE FEET) TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. SPEAR LEAGUE AND THE JAMES P. DAVIS SURVEY, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OUT OF LOT 60, ALLANDALE SECTION THREE, A SUBDIVISION IN THE CITY OF AUSTIN, RECORDED IN PLAT BOOK 5, PAGE 102 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED BY WARRANTY DEED TO MICHAEL R. HEMER AND CAROLYN BLASDELL RECORDED OCTOBER 13, 1995 IN VOLUME 12543, PAGE 1451 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR POINT OF REFERENCE at a 1/2" iron rod with plastic cap set on the north right-of-way line of White Horse Trail (50' R.O.W.) at the common front corner of said Lot 60 and Lot 59 of said Allandale Section Three; **THENCE**, with the north right-of-way line of said White Horse Trail N62°41'28"W a distance of 100.00 feet to a calculated point having Texas State Plane Coordinate (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined Scale Factor 0.999919) values of N= 10,096,676.09 and E= 3,113,895.54 for the southeast corner and **POINT OF BEGINNING** of the herein described tract of land;

THENCE, with said north right-of-way line of White Horse Trail, N62°41'28"W a distance of 15.00 feet to a calculated point in the west line of a 5-foot public utility easement (P.U.E.) as recorded in said Allandale, Section Three plat and also in Volume 1059, Page 98 of the Deed Records of Travis County, Texas for the southwest corner of this tract;

THENCE, with said west line of 5-foot P.U.E., N27°19'38"E", passing at a distance of 145.39 feet the south line of another 5-foot P.U.E. as recorded in said Allandale, Section Three plat and continuing for a total distance of 150.39 feet to a calculated point on the rear line of said Lot 60, same being the south line of Lot "A", Fred McNair Subdivision as

recorded in Book, 77, Page 201 of the Plat Records of Travis County, Texas for the northwest corner of this tract;

THENCE, with the common line between said Lot 60 and said Lot "A, S62°42'18"E a distance of 15.00 feet to a calculated point for the northeast corner of this tract;

THENCE, S27°19'38"W, passing at a distance of 5.00 feet said south line of said 5-foot P.U.E. and continuing for a total distance of 150.40 feet to the **POINT OF BEGINNING** and containing 0.052-acre (2,256 square feet) of land, more or less.

I HEREBY CERTIFY that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground in November of 2004 under my supervision.

Prepared by Landmark Surveying, Inc.

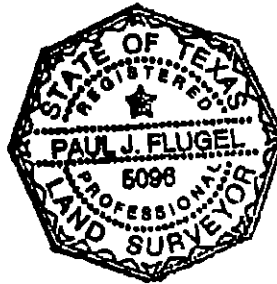
Paul J. Flugel

Paul J. Flugel

Registered Professional Land Surveyor No. 5096

Date: December 21, 2004

Revised: January 25, 2005



Bearing Basis: Texas State Plane Coordinates (Texas Central Zone, NAD '83 (CORS), U.S. Feet, Combined scaled factor = 0.999919). All data derived from NAD '83 grid coordinates for CB53, Cb54 and CB55 as supplied by the City of Austin Monument Data Sheets

Z:\ClaunchandMiller\Whiterock\fieldnotes\lot60-Allandale3-15'twse
Austin Map No 525, Grid J28
TCAD No. 02-3203-0506

FIELD NOTES REVIEWED

By: *[Signature]* Date: *1-27-05*

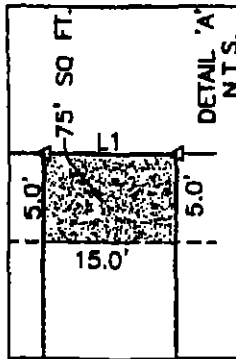
Austin Clean Water Program
Survey Coordinator

11/15/2004

- 1/2" IRON ROD SET W/CAF
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- () RECORD INFORMATION
- P.O.R. POINT OF REFERENCE
- P.O.B. POINT OF BEGINNING
- P.R.T.C.T. PLAT RECORDS
- D.R.T.C.T. DEED RECORDS
- TRANS. COUNTY, TEXAS
- Q.P.R.T.C.T. OFFICIAL PUBLIC RECORDS
- TRANS. COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS
- TRANS. COUNTY, TEXAS

LINE TABLE

- L1 S 62°42'18" E 15.00'
- L2 N 62°41'28" W 15.00'
- L3 S 62°42'18" E 5.00'



NAD 83
COORDINATE SYSTEM (GRID)
TEXAS CENTRAL (4203)
COMBINED SCALE FACTOR 0.999919
NAVD 88 VERTICAL DATUM
HORIZONTAL AND VERTICAL COORDINATES FOR CB 53, CB 54 AND CB 55 AS PUBLISHED BY THE CITY OF AUSTIN WERE USED AS THE CONTROLLING MONUMENTS FOR THIS SURVEY.

AS SURVEYED BY
LANDMARK SURVEYING, INC.

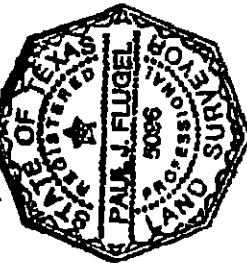
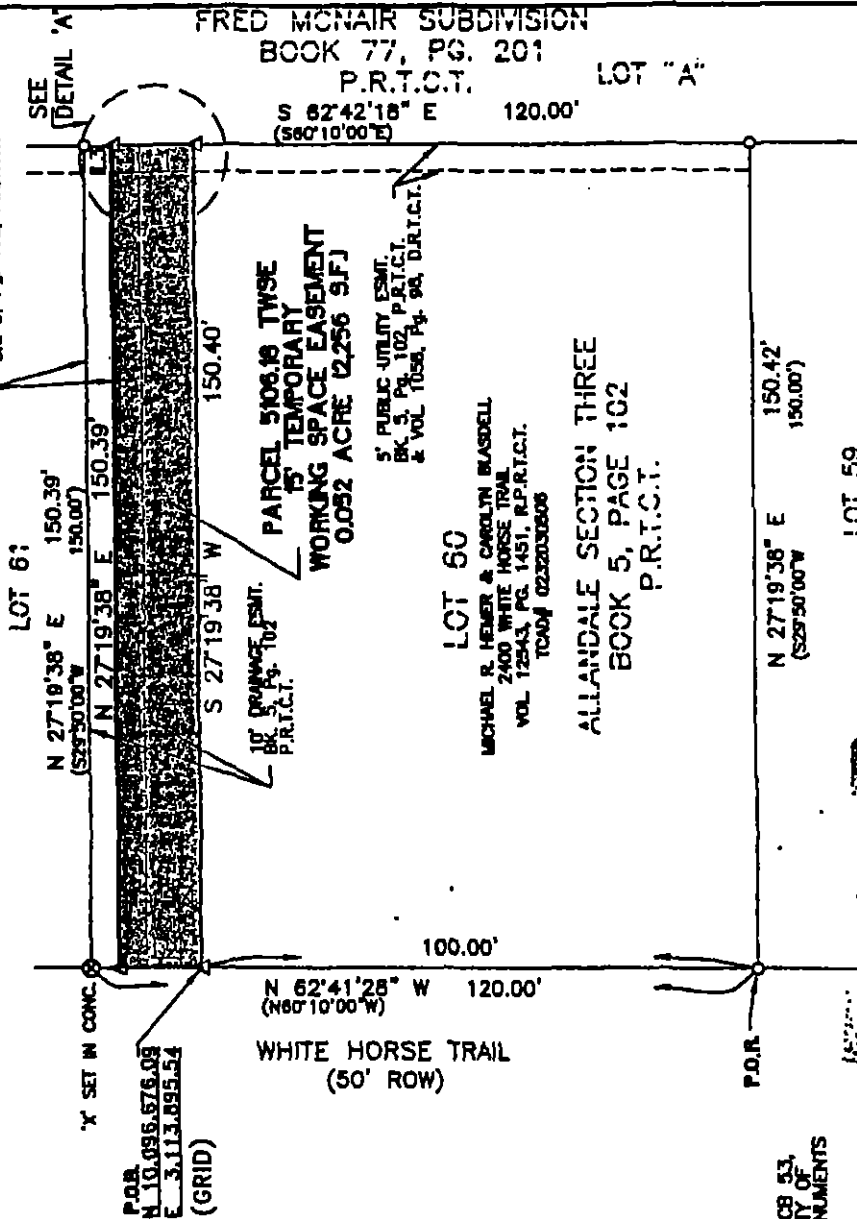
PAUL J. FLUGEL
Registered Professional Land Surveyor No. 5056
DATE: DECEMBER 21, 2004

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE SIGNATURE AND SEAL OF THE ABOVE SURVEYOR.

Client: CLANCHY & MILLER, INC.
Date: DECEMBER 21, 2004
Drawn: J. H. H. H.
Check: J. H. H. H.
Copy: J. H. H. H.
Job No.: 110-01-44

**SURVEY OF A PORTION OF LOT 60,
ALLANDALE, SECTION THREE,
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

SCALE 1"=30'



SKETCH TO
ACCOMPANY
FIELD NOTES

Landmark
SURVEYING, INC.
1301 S. CAPITAL OF TEXAS HWY.
AUSTIN, TEXAS 78745
PH: 512-328-7411 FAX: 512-328-7413