

**RESOLUTION NO. 20050929-020**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire a certain real property interest for public purposes as set out below; and

**WHEREAS**, the City of Austin has attempted to purchase that real property interest but title to the needed real property interest is not curable through standard means; therefore condemnation is required; **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 owner now having, or who may acquire, an interest in the real property interest needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition.

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

Owner:        Ridgway-Hendrickson, Inc., dba Ridgway, Inc.

**Project:** Onion Creek/Lower South Boggy Phase II Project, a portion of the Austin Clean Water Program

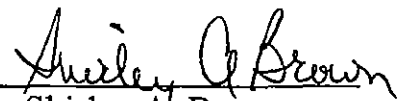
**Intended Purpose:** the permanent access easement described in the attached Exhibit "A" is needed to access the permanent wastewater line easement that is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public, to prevent leakage from wastewater lines, and to comply with a federal mandate.

**Location:** 8201 Bluff Springs Road, Austin, Travis County, Texas.

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

**ADOPTED:** September 29, 2005

**ATTEST:**

  
Shirley A. Brown  
City Clerk

Ridgeway, Inc.  
Lot 1, Boggy Creek Addition Amended  
To  
City of Austin  
(20-Foot Access Easement)

**FIELD NOTES FOR PARCEL 5203.12 AE**

**ALL OF THAT CERTAIN 0.034-ACRE (1,461 SQUARE FEET) TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOT 1, BOGGY CREEK ADDITION AMENDED AS RECORDED IN VOLUME 75, PAGE 299 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED TO RIDGEWAY, INC. BY WARRANTY DEED AS RECORDED IN VOLUME 9025, PAGE 476 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 PK nail found (from said PK nail a 60D nail found bears N63°00'32"E a distance of 3.33 feet) on the east right-of-way line of Bluff Springs Road (Right-of-Way Varies), same being a north corner of the remaining portion of said Lot 1, and also being the southwest corner of that certain 52.226-acre tract conveyed to the City of Austin in Document No. 2000084534 of the Official Public Records of Travis County, Texas; (from said PK nail found a 60D nail found at the most northerly corner of said Lot 1 bears N63°00'32"E a distance of 3.33 feet; and from said 60D nail found a ½" iron rod found for an angle point in the northeast line of said Lot 1 bears S60°16'11"E a distance of 354.90 feet); Thence with said right-of-way line S18°28'53"W a distance of 61.60 feet to a nail set having Texas State Plane Grid Coordinate (Texas Central Zone, NAD83/93, U.S. Feet, Combined Scale Factor 0.99996) values of N=10,035,003.582 and E=3,107,084.245 for the northwest corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, through said remaining portion Lot 1, N70°35'59"E a distance of 64.63 feet to a nail set in the southwest edge of an existing 20-foot wastewater easement as recorded in Volume 5403, Page 167 of the Deed Records of Travis County, Texas for the northeast corner of this tract;

**THENCE**, continuing through said remaining portion Lot 1, and with the southwest edge of said wastewater easement the following two courses:

1) S22°44'57"E a distance of 18.07 feet to a nail set for an angle point of this tract;

2) S56°23'04"E a distance of 2.46 feet to a nail set for the southeast corner of this tract;

**THENCE**, continuing through said remaining portion Lot 1, S70°35'59"W a distance of 82.72 feet to a nail set in the east right-of-way line of said Bluff Springs Road for the southwest corner of this tract; from said nail set a ½" iron rod found bears S18°28'53"W a distance of 121.91 feet and S07°33'11"W a distance of 240.82 feet;

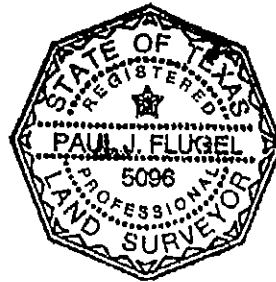
**THENCE**, with said east right-of-way line, N18°28'53"E a distance of 25.34 feet to the **POINT OF BEGINNING** and containing 0.034-acre (1,461 square feet) of land, more or less.

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

Prepared by **Landmark Surveying, Inc.**



Paul J. Flugel  
Registered Professional Land Surveyor No. 5096  
December 30, 2004



Bearing Basis: Texas State Plane Coordinates, Central Zone 4203, NAD '83 HARN. Horizontal and Vertical Coordinates for the reference monuments N012 as published by the Texas Department of Transportation and CB14 and CB 15 as published by the City of Austin were used as the controlling monuments for this survey. Combined scale factor=0.99996

Austin Map No.674, Grid No.H14  
TCAD No. 04-3108-0418

Z:\technical\LAN\Lower Boggy Creek\field notes\  
(Originally) 5202.11-AE-Lot 1 Boggy Creek Add.doc  
(Revised) 5203.12-AE-Lot 1 Boggy Creek Add.doc



SCALE 1"=100'

#### LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- ▲ NAIL FOUND (AS NOTED)
- ⊙ NAIL SET
- ⊕ GAS PIPELINE MARKER
- WWMH WASTEWATER MANHOLE
- ( ) RECORD INFORMATION
- BK. BOOK
- PG. PAGE
- VOL. VOLUME
- P.R.T.C.T. Plat Records  
Travis County, Texas
- D.R.T.C.T. Deed Records  
Travis County, Texas
- R.P.R.T.C.T. Real Property Records  
Travis County, Texas
- O.P.R.T.C.T. Official Public Records  
Travis County, Texas
- C.O.A. City of Austin

#### NOTES:

NAD 83 (93HARN)  
COORDINATE SYSTEM (GRID)  
TEXAS CENTRAL (4203)  
COMBINED SCALE FACTOR 0.99996  
NAVD 88 VERTICAL DATUM  
HORIZONTAL AND VERTICAL COORDINATES  
FOR IH35-1 AND GLN-2 AS  
ESTABLISHED BY McGRAY & McGRAY  
LAND SURVEYORS, INC., AND CB14 AND  
CB15 AS ESTABLISHED AND PUBLISHED  
BY THE CITY OF AUSTIN, AND NO 12 AS  
ESTABLISHED AND PUBLISHED BY TXDOT  
WERE USED AS THE CONTROLLING  
MONUMENTS FOR THIS SURVEY.

HELD IH35-1 AND GLN-2 AS BEARING  
BASIS, WITH IH35-1 AS THE PIVOT  
POINT.

GPS IH35-1 - COTTON SPINDLE SET IN  
ASPHALT OF NORTHBOUND "BREAKDOWN"  
LANE, ±1.1' WEST OF EASTERLY EDGE OF  
ASPHALT, ± 24.7' SOUTH OF NORTH END  
OF GUARD RAIL, ±33.0' SOUTHWEST OF  
MILE #228 MARKER, & ±22.0' NORTHWEST  
OF THIRD GUARDRAIL POST. ELEVATION  
612.84. GRID COORD N./10,038,443.58,  
E./3,104,140.97. (PIVOT POINT)

GPS GLN-2 - 1/2" IRON ROD SET WITH  
CAP, ±0.7 OF A MILE ALONG DIRT ROAD  
FROM ACCESS GATE AT GREILE LANE, ±18'  
WEST OF DIRT ROAD, AND ±100' SOUTH  
OF LIFT STATION. ELEVATION 539.82. GRID  
COORD N./10,034,453.17, E./3,109,136.06.

AS SURVEYED BY  
LANDMARK SURVEYING, INC.

*Paul J. Flugel*

PAUL J. FLUGEL

Registered Professional Land Surveyor No. 5096

DATE: DECEMBER 30, 2004

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

Client: LOCKWOOD, ANDREWS & NEWMAN, INC.  
Date: FEBRUARY 9, 2004 Revised December 30, 2004  
Office: rv garola/KGM  
Crew: mason-lee  
F.B.: 693/25 677/49  
Disk: z:\lan\lower boggy creek\Landmark Drawing\Grid-E\South-Boggy-Cr  
Cogo: at\LEE-LAN-BOGGY-CREEK  
Job No.: 603-01-01

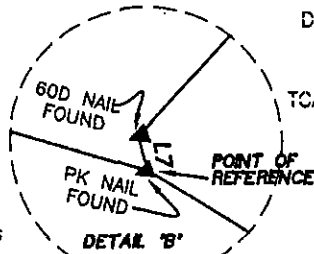
(C1)  
(Delta=07°43'58")  
(Ch.B=S 01°49'02" W)  
(C=159.81')  
(L=159.93')  
(R=1185.00')

(C2)  
(Delta=01°26'49")  
(Ch.B=S 07°51'05" W)  
(C=28.91')  
(L=28.91')  
(R=1145.00')

(C3)  
(Delta=00°32'49")  
(Ch.B=N 02°36'19" E)  
(C=195.98')  
(L=195.98')  
(R=20527.59')

No.	BEARING	DISTANCE
L1	N 70°35'59" E	64.63'
L2	S 22°44'57" E	18.07'
L3	S 56°23'04" E	2.46'
L4	S 70°35'59" W	82.72'
L5	N 18°28'53" E	25.34'
L6	S 18°28'53" W	61.60'
L7	N 63°00'32" E	3.33'
(L7)	(N 59°43'55" E)	(3.42')
L8	S 18°28'53" W	208.85'
(L8)	(S 19°08'59" W)	(209.65')
(L9)	(N 59°49'02" E)	(49.81')
(L10)	(N 59°49'02" E)	(48.44')

CITY OF AUSTIN  
(PARKLAND)  
DOC # 2000084534  
O.P.R.T.C.T.  
(52.226-ACRES)  
TCAD ID 0430010154

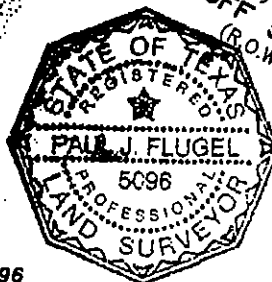
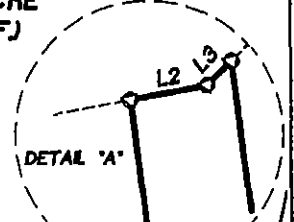


EXISTING 20'  
WASTEWATER EASEMENT  
VOLUME 10297, PAGE 782  
R.P.R.T.C.T.

(C1)  
SEE  
DETAIL 'B'

EXISTING TRAVIS COUNTY  
DRAINAGE WATER  
WAY EASEMENT (0.078 AC)  
VOLUME 12141, PAGE 1034  
R.P.R.T.C.T.

POINT OF  
BEGINNING  
N 10.035,003.582  
E 3.107,084.245  
N (GRID)  
18°28'53"  
121.91'



BLUFF SPRINGS ROAD  
(R.O.W. VARIES)

(S08°34'30"W 386.82')  
TRAVIS COUNTY 0.511 Acre  
(FOR ROADWAY PURPOSES)  
VOLUME 12141, PAGE 1034  
R.P.R.T.C.T.

SKETCH TO  
ACCOMPANY  
FIELD NOTES

**Landmark**  
SURVEYING, INC.  
1801 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78748  
PH (512)328-7411 FAX (512)328-7413

Exhibit "A"  
Page 2 of 3