

RESOLUTION NO. 20051117-022

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

WHEREAS, the City of Austin has attempted to purchase those needed real property interests but has been unable to agree with the owner 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 owner now having, or who may acquire, an interest in the real property interests 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 acquisitions.

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

Owner: Jane Eva Bullard

Project: Govalle 1 -West of Lamar Project, a portion of the Austin Clean Water Program

Intended Purpose: the permanent wastewater line easement described in the attached Exhibit "A" 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; and

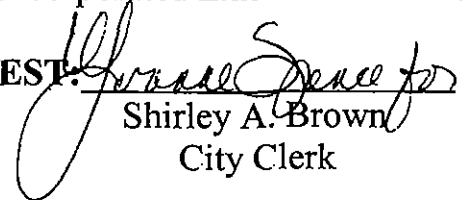
the temporary working space easement described in the attached Exhibit "B" is necessary to install the permanent wastewater lines and appurtenances thereto in the permanent wastewater line easement described in the attached Exhibit "A."

Location: 1206 Hollow Creek Drive, Austin, Texas.

Property: Described in the attached and incorporated Exhibits A and B.

ADOPTED: November 17, 2005

ATTEST:


Shirley A. Brown
City Clerk



MACIAS & ASSOCIATES, Inc.

LAND SURVEYORS

JANE EVA BULLARD
TO
CITY OF AUSTIN
(WASTEWATER EASEMENT)
March 1, 2005

DESCRIPTION FOR PARCEL 5112.41WE

DESCRIPTION OF A 0.017 ACRE (750 SQUARE FOOT) TRACT OF LAND OUT OF LOT 7, BLOCK TWO, BARTON HOLLOW, A SUBDIVISION RECORDED IN VOLUME 46, PAGE 31, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 7 BEING THAT SAME TRACT DESCRIBED IN A DEED DATED MARCH 27, 1972 TO JANE EVA BULLARD, RECORDED IN VOLUME 4300, PAGE 2097, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.017 ACRE (750 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point having Texas State Plane Coordinate (Central Zone, NAD83 (HARN), U.S. Feet, Combined Scale Factor 0.99994) values of N=10,067,710.03, E=3,104,573.83, on the north right-of-way line of Hollow Creek Drive, a 60-foot wide right-of-way, at the southeast corner of Lot 7, Block Two of said Barton Hollow and at the southwest corner of Lot 8, Block Two of said Barton Hollow, for the southeast corner of this tract, from said point, a 1/2" iron rod found on the north right-of-way line of Hollow Creek Drive, at the east corner of Lot 13, Block Two of said Barton Hollow, and at the south corner of Lot 14, Block Two of said Barton Hollow bears, S 83°40'21" E, 86.01 feet, a chord of N 73°03'39" E, 228.21 feet, and N 49°47'39" E, 162.51 feet;

THENCE, N 83°40'21" W, with the north right-of-way line of Hollow Creek Drive and the south line of said Lot 7, at 5.00 feet, pass the west line of a 10-foot wide public utility and open drainage ditch or enclosed storm sewer easement conveyed to the City of Austin, recorded in Volume 3839, Page 1878, Deed Records of Travis County, Texas, and continuing a total distance of 7.50 feet to a calculated point for the southwest corner of this tract, from said point, a 60D nail found on the north right-of-way line of Hollow Creek Drive, at the south corner of Lot 1, Block Two of said Barton Hollow, and at the west corner of Lot 2, Block Two of said Barton Hollow bears, N 83°40'21" W, 76.50 feet, a chord of N 63°10'22" W, 61.01 feet, and N 42°40'21" W, 340.03 feet;

THENCE, N 06°19'39" E, across said Lot 7, at 80.27 feet, pass the west line of said 10-foot wide public utility and open drainage ditch or enclosed storm sewer easement, at 92.50 feet, pass the south line of a 15-foot wide public utility easement recorded in Volume 46, Page 31, Plat Records of Travis County, Texas, and at 94.14 feet, pass the east line of said 10-foot wide public

0.017 Acre (750 Square Feet)
Wastewater Easement

Exhibit "A"

5112.41WE

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5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 • e-mail: maciasurvey@earthlink.net

utility and open drainage ditch or enclosed storm sewer easement, and continuing a total distance of 100.00 feet to a calculated point on the north line of said Lot 7 and on the south line of a Common Area for Springhollow Condominiums Amended, recorded in Volume 7758, Page 497, Deed Records of Travis County, Texas, for the northwest corner of this tract;

THENCE, S 83°40'21" E, with the common line between said Lot 7 and said Common Area, a distance of 7.50 feet to a calculated point at the northeast corner of said Lot 7 and at the northwest corner of said Lot 8, for the northeast corner of this tract;

THENCE, S 06°19'39" W, with the common line between said Lots 7 and 8, at 7.50 feet, pass the south line of said 15-foot wide public utility easement, and at 13.06 feet, pass the east line of said 10-foot wide public utility and open drainage ditch or enclosed storm sewer easement, and continuing a total distance of 100.00 feet to the **POINT OF BEGINNING** and containing 0.017 acre (750 square feet) of land.

BEARING BASIS NOTE

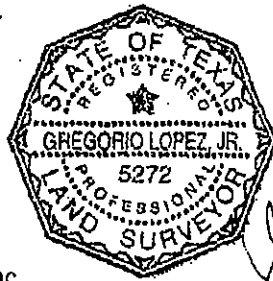
The bearings described herein are Texas State Plane Grid Bearings, (Central Zone), NAD83 (HARN) Combined Scale Factor 0.99994). Project control points were established from reference station "AUSTIN RRP" having coordinate values of N=10,086,515.87, E=3,109,682.56 and "H-20-3001" (CB11) having coordinate values of N=10,061,108.04, E=3,109,304.63.

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Gregorio Lopez, Jr., a Registered Professional Land Surveyor, do hereby state 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 during December, 2004 and January, 2005 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 11th day of April, 2005, A.D.



Macias & Associates, Inc.
5410 South Ist Street
Austin, Texas 78745
512-442-7875

Gregorio Lopez, Jr.
Gregorio Lopez, Jr.
Registered Professional Land Surveyor
No. 5272 - State of Texas

REFERENCES

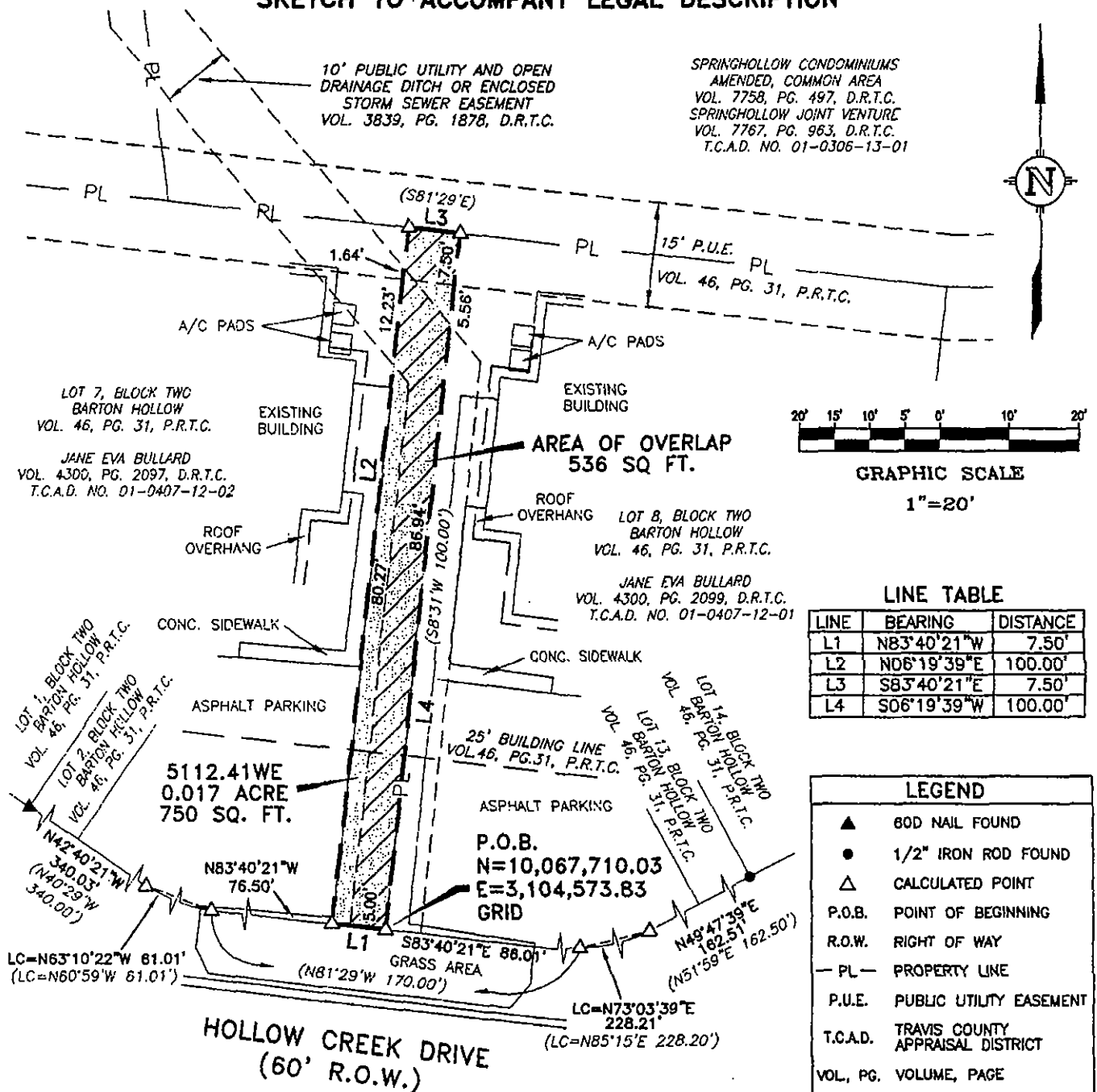
MAPSCO 2003 614B
Austin Grid No. MG-21
TCAD PARCEL ID NO. 01-0407-1202
MACIAS & ASSOCIATES PROJ. NO. 324-04-04

FIELD NOTES REVIEWED

By: PLS Date: 4-11-05

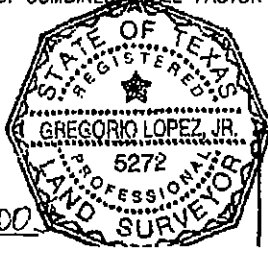
Austin Clean Water Program
Survey Coordinator

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N83°40'21"W	7.50'
L2	N06°19'39"E	100.00'
L3	S83°40'21"E	7.50'
L4	S06°19'39"W	100.00'

LEGEND	
▲	60D NAIL FOUND
●	1/2" IRON ROD FOUND
△	CALCULATED POINT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
— PL —	PROPERTY LINE
P.U.E.	PUBLIC UTILITY EASEMENT
T.C.A.D.	TRAVIS COUNTY APPRAISAL DISTRICT
VOL., PG.	VOLUME, PAGE
D.R.T.C.	DEED RECORDS OF TRAVIS COUNTY, TEXAS
P.R.T.C.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS
()	RECORD INFORMATION



DRAWING: 5112.41WE.DWG DRAWN BY: M.G. DATE: 03-05-05
MAL JOB NO. 324-04-04 REFERENCE: FB. 419, PG. 1

MACIAS & ASSOCIATES, INC.
LAND SURVEYORS

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5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: MACIASURVEY@EARTHLINK.NET

Gregorio Lopez, Jr.
Gregorio Lopez, Jr.
Registered Professional Land Surveyor
No. 5272 - State of Texas
Date: April 11, 200

Exhibit "A"



MACIAS & ASSOCIATES, Inc.
LAND SURVEYORS

JANE EVA BULLARD
TO
CITY OF AUSTIN
(TEMPORARY WORKING
SPACE EASEMENT)
March 1, 2005

DESCRIPTION FOR PARCEL 5112.41TWSE

DESCRIPTION OF A 0.014 ACRE (624 SQUARE FOOT) TRACT OF LAND OUT OF LOT 7, BLOCK TWO, BARTON HOLLOW, A SUBDIVISION RECORDED IN VOLUME 46, PAGE 31, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 7 BEING THAT SAME TRACT DESCRIBED IN A DEED DATED MARCH 27, 1972 TO JANE EVA BULLARD, RECORDED IN VOLUME 4300, PAGE 2097, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.014 ACRE (624 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point having Texas State Plane Coordinate (Central Zone, NAD83 (HARN), U.S. Feet, Combined Scale Factor 0.99994) values of N=10,067,710.86, E=3,104,566.38, on the north right-of-way line of Hollow Creek Drive, a 60-foot wide right-of-way, and on the south line of Lot 7, Block Two of said Barton Hollow, for the southeast corner of this tract, from said point, a 1/2" iron rod found on the north right-of-way line of Hollow Creek Drive, at the east corner of Lot 13, Block Two of said Barton Hollow, and at the south corner of Lot 14, Block Two of said Barton Hollow bears, S 83°40'21" E, 93.51 feet, a chord of N 73°03'39" E, 228.21 feet, and N 49°47'39" E, 162.51 feet;

THENCE, N 83°40'21" W, with the north right-of-way line of Hollow Creek Drive and the south line of said Lot 7, a distance of 7.50 feet to a calculated point for the southwest corner of this tract, from said point, a 60D nail found on the north right-of-way line of Hollow Creek Drive, at the south corner of Lot 1, Block Two of said Barton Hollow, and at the west corner of Lot 2, Block Two of said Barton Hollow bears, N 83°40'21" W, 69.00 feet, a chord of N 63°10'22" W, 61.01 feet, and N 42°40'21" W, 340.03 feet;

THENCE, across said Lot 7, the following five (5) courses:

- 1) N 06°19'39" E, a distance of 55.97 feet to a calculated point;
- 2) S 83°49'32" E, a distance of 4.68 feet to a calculated point;
- 3) N 06°22'01" E, a distance of 26.74 feet to a calculated point;

0.014 Acre (624 Square Feet)
Temporary Working Space Easement

Exhibit "B"

5112.41-TWSE

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- 4) N 83°49'32" W, a distance of 4.70 feet to a calculated point;
- 5) N 06°19'39" E, at 4.77 feet, pass the west line of a 10-foot wide public utility and open drainage ditch or enclosed storm sewer easement conveyed to the City of Austin, recorded in Volume 3839, Page 1878, Deed Records of Travis County, Texas, and at 9.78 feet, pass the south line of a 15-foot wide public utility easement recorded in Volume 46, Page 31, Plat Records of Travis County, Texas, and continuing a total distance of 17.28 feet to a calculated point on the north line of said Lot 7 and on the south line of a Common Area for Springhollow Condominiums Amended, recorded in Volume 7758, Page 497, Deed Records of Travis County, Texas, for the northwest corner of this tract;

THENCE, S 83°40'21" E, with the common line between said Lot 7 and said Common Area, at 1.41 feet, pass the east line of said 10-foot wide public utility and open drainage ditch or enclosed storm sewer easement, and continuing a total distance of 7.50 feet to a calculated point for the northeast corner of this tract;

THENCE, S 06°19'39" W, across said Lot 7, at 5.86 feet, pass the east line of said 10-foot wide public utility and open drainage ditch or enclosed storm sewer easement, at 7.50 feet, pass the south line of said 15-foot wide public utility easement, and at 19.73 feet, pass the west line of said 10-foot wide public utility and open drainage ditch or enclosed storm sewer easement, and continuing a total distance of 100.00 feet to the **POINT OF BEGINNING** and containing 0.014 acre (624 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, (Central Zone), NAD83 (HARN) Combined Scale Factor 0.99994). Project control points were established from reference station "AUSTIN RRP" having coordinate values of N=10,086,515.87, E=3,109,682.56 and "H-20-3001" (CB11) having coordinate values of N=10,061,108.04, E=3,109,304.63.

FIELD NOTES REVIEWED

By: JK Date: 3-17-05

Austin Clean Water Program
Survey Coordinator


THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

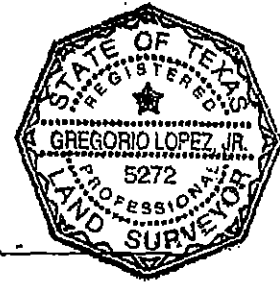
KNOW ALL MEN BY THESE PRESENTS:

That I, Gregorio Lopez, Jr., a Registered Professional Land Surveyor, do hereby state 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 during December, 2004 and January, 2005 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 16th
day of March, 2005, A.D.

Macias & Associates, Inc.
5410 South 1st Street
Austin, Texas 78745
512-442-7875

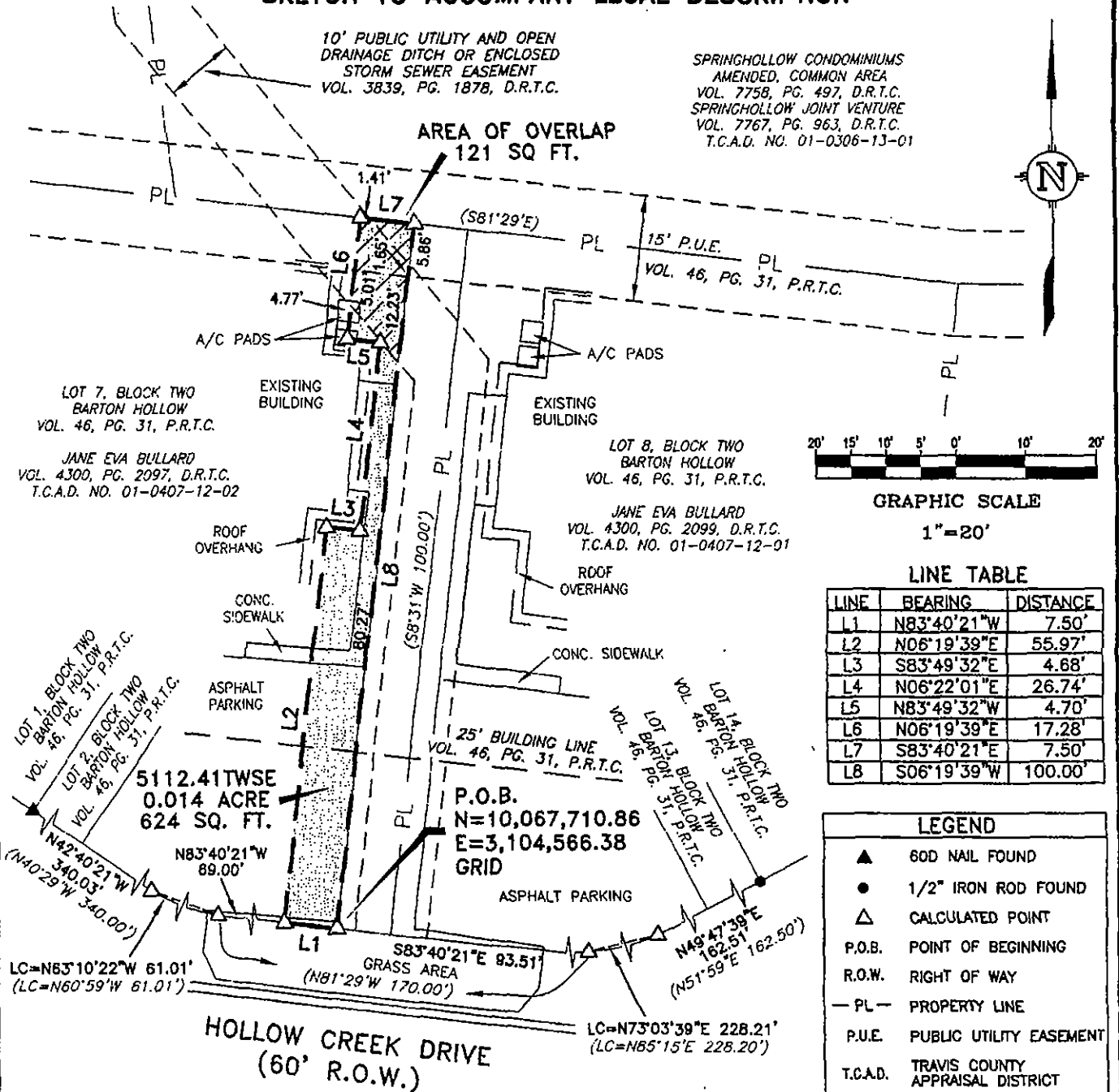

Gregorio Lopez, Jr.
Registered Professional Land Surveyor
No. 5272 – State of Texas



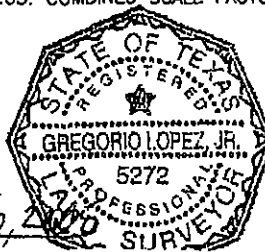
REFERENCES

MAPSCO 2003 614B
Austin Grid No. MG-21
TCAD PARCEL ID NO. 01-0407-1202
MACIAS & ASSOCIATES PROJ. NO. 324-04-04

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



BEARING BASIS:
THE COORDINATES SHOWN ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(HARN) THE BEARINGS SHOWN ARE GRID BEARINGS. THE COORDINATES WERE ESTABLISHED FROM REFERENCE POINT "AUSTIN RRP" HAVING COORDINATE VALUES OF N=10086515.87, E=3109682.56 AND REFERENCE POINT "H-20-3001" (CB11) HAVING COORDINATE VALUES OF N=10061108.04, E=3109304.63. COMBINED SCALE FACTOR = 0.99994. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.



Gregorio Lopez, Jr. - March 16, 2000
Gregorio Lopez, Jr.
Registered Professional Land Surveyor
No. 5272 - State of Texas

Date:

Exhibit "B"

Page 4 of 4

DRAWING: 5112.41TWS.DWG DRAWN BY: M.G. DATE: 03-05-05
MAI JOB NO. 324-04-04 REFERENCE: FB. 419, PG. 1

MACIAS & ASSOCIATES, INC.

LAND SURVEYORS

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