

**RESOLUTION NO. 20051117-021**

**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

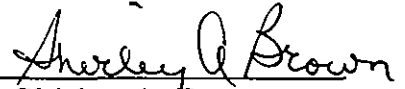
the temporary working space easement described in the attached Exhibit "B" is necessary to install the permanent wastewater lines and appurtenances thereto in the permanent wastewater line easement described in the attached Exhibit "A."

Location: 1204 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 5112.01WE**

DESCRIPTION OF A 0.020 ACRE (853 SQUARE FOOT) TRACT OF LAND OUT OF LOT 8, BLOCK TWO, BARTON HOLLOW, A SUBDIVISION RECORDED IN VOLUME 46, PAGE 31, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 8 BEING THAT SAME TRACT DESCRIBED IN A DEED DATED MARCH 27, 1972 TO JANE EVA BULLARD, RECORDED IN VOLUME 4300, PAGE 2099, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.020 ACRE (853 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 southwest corner of Lot 8, Block Two of said Barton Hollow and at the southeast corner of Lot 7, Block Two of said Barton Hollow, 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, 84.00 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, with the common line between said Lots 7 and 8, at 86.94 feet, pass the east 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 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 continuing a total distance of 100.00 feet to a calculated point on the south line of a Common Area for Springhollow Condominiums Amended, recorded in Volume 7758, Page 497, Deed Records of Travis County, Texas, at the northwest corner of said Lot 8 and at the northeast corner of said Lot 7, for the northwest corner of this tract;

**THENCE**, S 83°40'21" E, with the common line between said Lot 8 and said Common Area, a distance of 9.37 feet to a calculated point for the northeast corner of this tract;

0.020 Acre (853 Square Feet)  
Wastewater Easement

Exhibit "A"

5112.01WE

Page 1 of 4

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

**THENCE**, across said Lot 8, the following five (5) courses:

- 1) S 06°19'39" W, at 7.50 feet, pass the south line of said 15-foot wide public utility easement, and continuing a total distance of 17.85 feet to a calculated point for a corner of this tract;
- 2) N 83°36'23" W, a distance of 3.26 feet to a calculated point for a corner of this tract;
- 3) S 06°23'37" W, a distance of 25.72 feet to a calculated point for a corner of this tract;
- 4) S 83°36'23" E, a distance of 3.29 feet to a calculated point for a corner of this tract;
- 5) S 06°19'39" W, a distance of 56.43 feet to a calculated point on the north right-of-way line of Hollow Creek Drive, and on the south line of said Lot 8, 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, 76.64 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 8, at 4.37 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 9.37 feet to the **POINT OF BEGINNING** and containing 0.020 acre (853 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: JS Date: 3-17-05

Austin Clean Water Program  
Survey Coordinator


THE STATE OF TEXAS §  
§  
COUNTY OF TRAVIS §

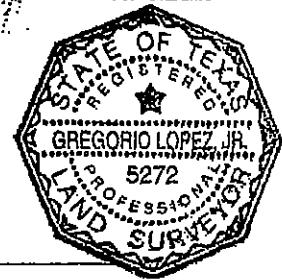
KNOW ALL MEN BY THESE PRESENTS:

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 16<sup>th</sup>  
day of March, 2005, A.D.

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

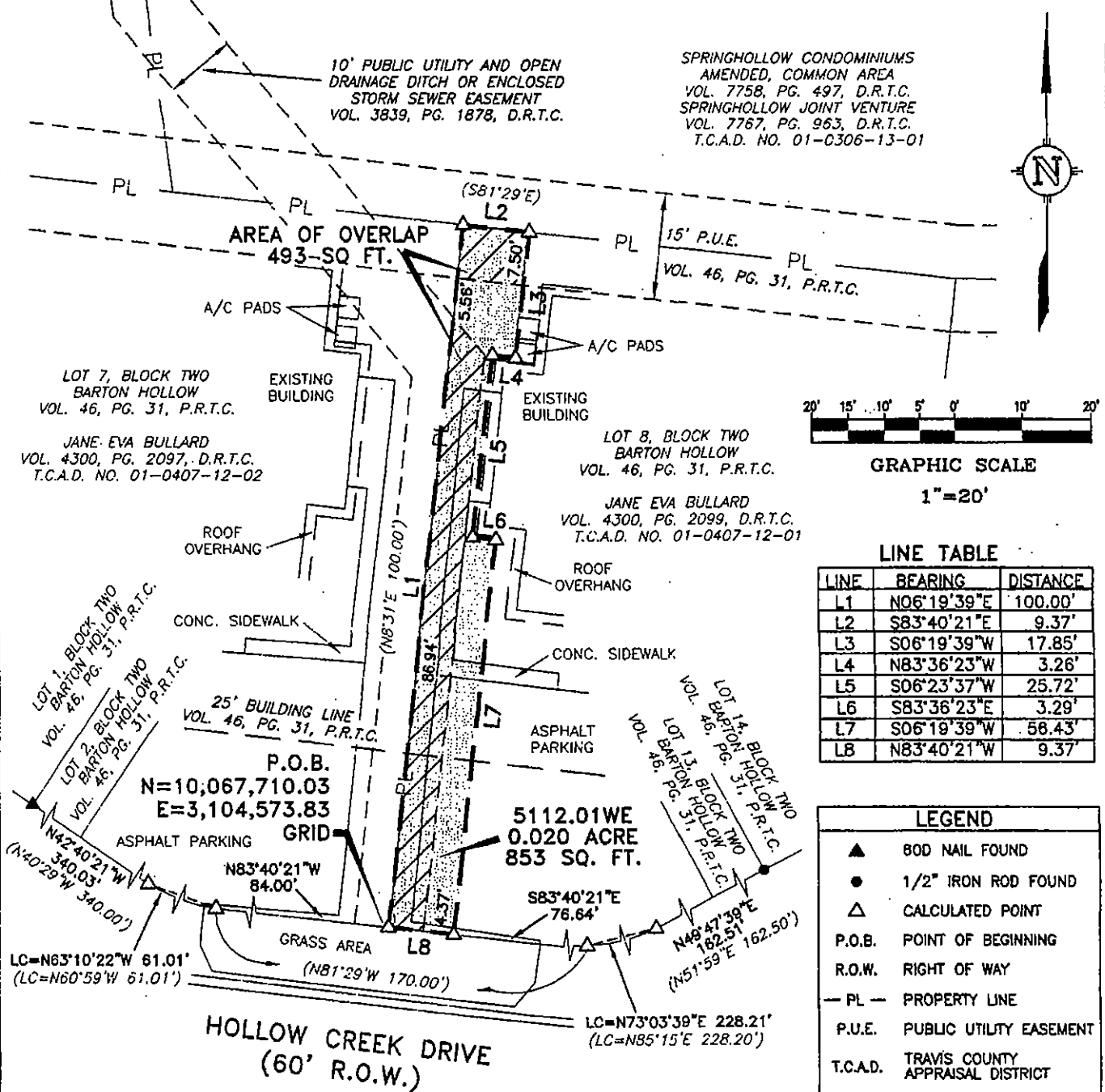
  
\_\_\_\_\_  
Gregorio Lopez, Jr.  
Registered Professional Land Surveyor  
No. 5272 – State of Texas



**REFERENCES**

MAPSCO 2003 614B  
Austin Grid No. MG-21  
TCAD PARCEL ID NO. 01-0407-1201  
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.*  
Gregorio Lopez, Jr.  
Registered Professional Land Surveyor  
No. 5272 - State of Texas

Exhibit "A"

Page 4 of 4

DRAWING: 5112.01WE.DWG DRAWN BY: M.G. DATE: 03-07-05  
MAJ JOB NO. 324-04-04 REFERENCE: FB. 419, PG. 1



**MACIAS & ASSOCIATES, INC.**  
LAND SURVEYORS

★ ★ ★ ★ ★ ★ ★ ★  
5410 SOUTH 1ST STREET  
AUSTIN, TEXAS 78745 PH. (512)442-7875  
FAX (512)442-7878 EMAIL: MACIASURVEY@EARTHLINK.NET



**MACIAS & ASSOCIATES, Inc.**  
LAND SURVEYORS

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

**Part 1**

**DESCRIPTION FOR PARCEL 5112.01TWSE**

DESCRIPTION OF A 0.008 ACRE (352 SQUARE FOOT) TRACT OF LAND OUT OF LOT 8, BLOCK TWO, BARTON HOLLOW, A SUBDIVISION RECORDED IN VOLUME 46, PAGE 31, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 8 BEING THAT SAME TRACT DESCRIBED IN A DEED DATED MARCH 27, 1972 TO JANE EVA BULLARD, RECORDED IN VOLUME 4300, PAGE 2099, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.008 ACRE (352 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=10,067,709.00, E=3,104,583.15, 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 8, Block Two of said Barton Hollow, 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, 93.37 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 8, the following five (5) courses:

- 1) N 06°19'39" E, a distance of 56.43 feet to a calculated point for the northwest corner of this tract;
- 2) S 83°36'23" E, a distance of 1.59 feet to a calculated point for the northeast corner of this tract;
- 3) S 06°23'37" W, a distance of 12.04 feet to a calculated point;
- 4) S 83°16'04" E, a distance of 5.93 feet to a calculated point;
- 5) S 06°19'39" W, a distance of 44.34 feet to a calculated point on the north right-of-way line of Hollow Creek Drive and on the south line of said Lot 8, for the southeast corner of

Part 1 - 0.008 Acre (352 Square Feet)  
Part 2 - 0.002 Acre (73 Square Feet)  
Temporary Working Space Easement

Exhibit "B"

5112.01TWSE

Page 1 of 5

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, 69.14 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 8, a distance of 7.50 feet to the **POINT OF BEGINNING** and containing 0.008 acre (352 square feet) of land.

## Part 2

### DESCRIPTION FOR PARCEL 5112.01TWSE

DESCRIPTION OF A 0.002 ACRE (73 SQUARE FOOT) TRACT OF LAND OUT OF LOT 8, BLOCK TWO, BARTON HOLLOW, A SUBDIVISION RECORDED IN VOLUME 46, PAGE 31, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT DESCRIBED IN A DEED DATED MARCH 27, 1972 TO JANE EVA BULLARD, RECORDED IN VOLUME 4300, PAGE 2099, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.002 ACRE (73 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=10,067,790.65, E=3,104,592.20, 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, a 60-foot wide right-of-way, 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, S 06°19'39" W, 82.15 feet, N 83°40'21" W, 93.37 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 Lot 8, Block Two of said Barton Hollow, at 10.35 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 17.85 feet to a calculated point on the north line of said Lot 8 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 8 and said Common Area, a distance of 7.50 feet to a calculated point for the northeast corner of this tract;



**THENCE**, across said Lot 8, the following four (4) courses:

- 1) S 06°19'39" W, a distance of 6.51 feet to a calculated point;
- 2) N 83°36'23" W, a distance of 5.37 feet to a calculated point;
- 3) S 06°23'37" W, at 1.00 feet, pass the south line of said 15-foot wide public utility easement, and continuing a distance of 11.35 feet to a calculated point for the southeast corner of this tract;
- 4) N 83°36'23" W, a distance of 2.11 feet to the **POINT OF BEGINNING** and containing 0.002 acre (73 square feet) of land.

**BEARING BASIS NOTE**

The bearings described herein are Texas State Plane Grid Bearings, (Central Zone), NAD83 (HARN) Combined Scale Factor 0.999994). 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: RS Date: 3-17-05

Austin Clean Water Program  
Survey Coordinator

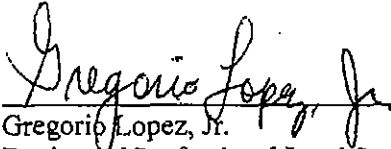
THE STATE OF TEXAS §  
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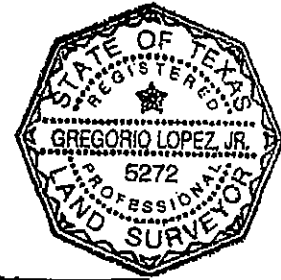
KNOW ALL MEN BY THESE PRESENTS:

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 16<sup>th</sup> day of March, 2005, A.D.

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5410 South 1<sup>st</sup> 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. 01-0407-1201  
MACIAS & ASSOCIATES PROJ. NO. 324-04-04

Part 1 - 0.008 Acre (352 Square Feet)  
Part 2- 0.002 Acre (73 Square Feet)  
Temporary Working Space Easement

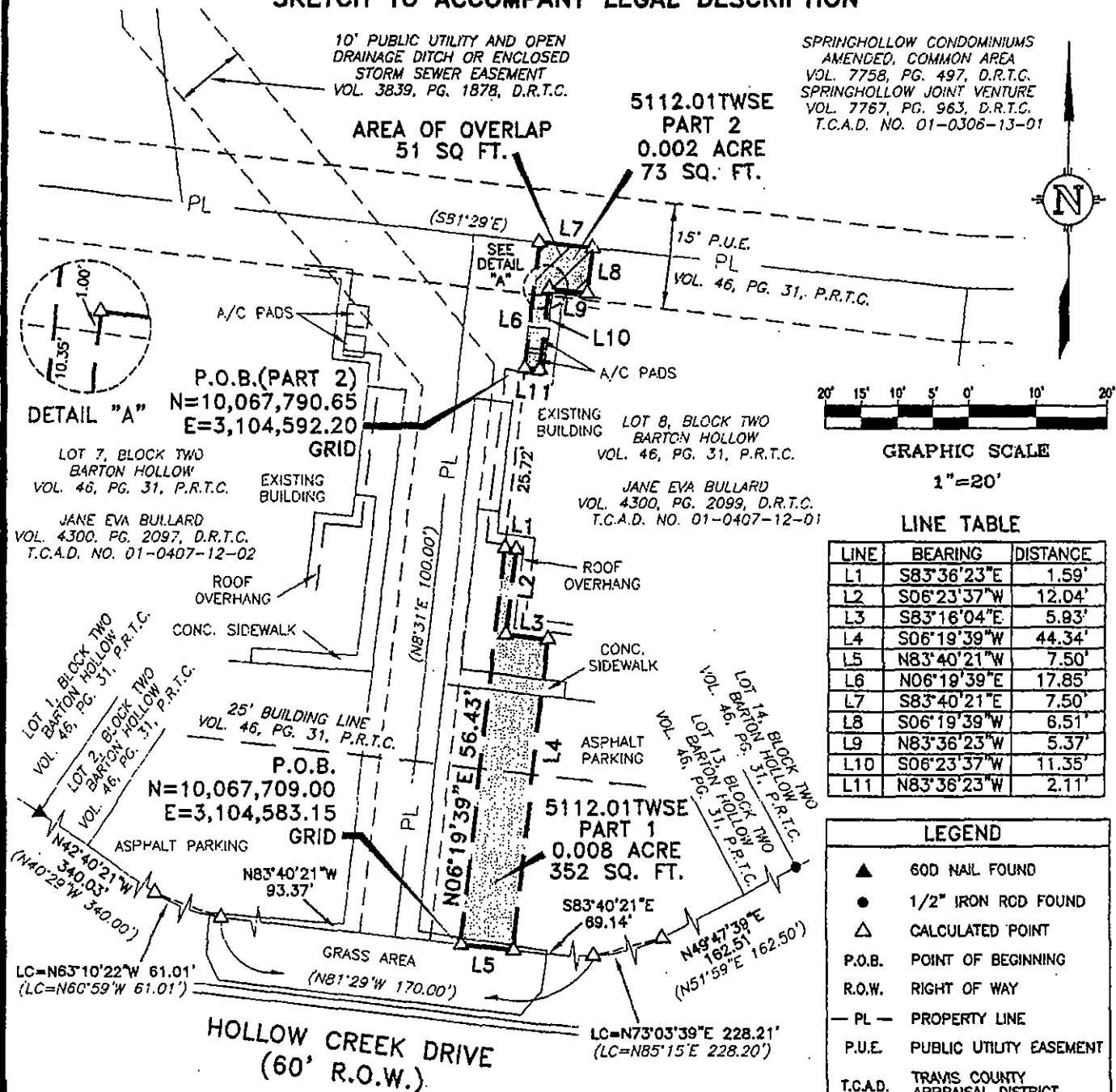
Exhibit "B"

Page 4 of 5

5112.01TWSE

10' PUBLIC UTILITY AND OPEN  
DRAINAGE DITCH OR ENCLOSED  
STORM SEWER EASEMENT  
VOL. 3839, PG. 1878, D.R.T.C.

SPRINGHOLLOW CONDOMINIUMS  
AMENDED, COMMON AREA  
VOL. 7758, PG. 497, D.R.T.C.  
SPRINGHOLLOW JOINT VENTURE  
VOL. 7767, PG. 963, D.R.T.C.  
T.C.A.D. NO. 01-0306-13-01



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.

LINE	BEARING	DISTANCE
L1	S83°36'23"E	1.59'
L2	S06°23'37"W	12.04'
L3	S83°16'04"E	5.83'
L4	S06°19'39"W	44.34'
L5	N83°40'21"W	7.50'
L6	N06°19'39"E	17.85'
L7	S83°40'21"E	7.50'
L8	S06°19'39"W	6.51'
L9	N83°36'23"W	5.37'
L10	S06°23'37"W	11.35'
L11	N83°36'23"W	2.11'

▲	600 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: 5112.01TWSE.DWG    DRAWN BY: M.G.    DATE: 03-08-05  
MAJ JOB NO. 324-04-04    REFERENCE: FB, 419, PG. 1

MACIAS &amp; ASSOCIATES, INC.

LAND SURVEYORS

5410 SOUTH 1ST STREET

AUSTIN, TEXAS 78745 PH. (512)442-7875

FAX (512)442-7876 EMAIL: [MACIASURVEY@EARTHINK.NET](mailto:MACIASURVEY@EARTHINK.NET)

Gregorio Lopez, Jr. March 16, 20  
 \_\_\_\_\_  
 Date:  
 Registered Professional Land Surveyor  
 No. 5272 - State of Texas

Exhibit "B"

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