RESOLUTION NO. 20120405-064

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 owners on the value of the property interest, or the damages, if any; 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 interests necessary to the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

BE IT FURTHER RESOLVED:

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

Owner: Robinson Ranch, a Texas general partnership

Project: The Martin Hill Transmission Main Project will

provide water for the northwest and north quadrants of the City of Austin. It is a part of the City of Austin's Strategic Water Facility Plan and will provide additional transmission capacity from the Martin Hill Reservoir. The proposed 54-inch main will extend from Parmer Lane to the Martin Hill Reservoir. Approximately two thirds of the project follows the McNeil Road/Howard Lane alignment until it veers north to terminate at the reservoir site. Easements are needed for the portion of the project east of the McNeil Road Cut-off to the Martin Hill

Reservoir site.

Public Purpose:

The permanent water line easement described in the attached Exhibit "A" is necessary for the purposes of installing, laying, constructing, maintaining, inspecting, repairing, removing, replacing, renewing, using and operating water lines, together with all facilities, connectors and appurtenances; and

The temporary working space, staging area, and material storage site easement described in the attached Exhibit "B" is necessary to permit the City, its agents, employees, and contractors to enter upon said real property for the construction of the above referenced permanent water lines and related facilities, and to stage and store building materials for the purposes of constructing and installing permanent water lines.

Location: (No physical address)

McNeil-Merriltown Road, Austin, Texas 78728

Property:	Descr	ribed i	n the	attached	and	incorporated	Exhibits

A and B.

ADOPTED: April 5, 2012 ATTEST:

Shirley A. Gentry City Clerk



ROBINSON RANCH TO CITY OF AUSTIN (WATERLINE EASEMENT)

DESCRIPTION FOR PARCEL 4657.06 WE

DESCRIPTION OF A 2.119-ACRE (92,292 SQUARE FEET) TRACT OF LAND OUT OF THE WILLIAM HORNSBY SURVEY NO. 22, ABSTRACT NO. 344, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED AS THE "SECOND TRACT" AND HAVING BEEN CONVEYED TO A. H. ROBINSON, JR. AND GEORGE E. ROBINSON BY DEED DATED DECEMBER 7, 1945, RECORDED IN VOLUME 773, PAGE 558 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID "SECOND TRACT" BEING THAT SAME TRACT OF LAND CONVEYED TO ROBINSON RANCH BY CORRECTION DEED AND QUITCLAIM EXECUTED JULY 7, 1995 AND RECORDED IN VOLUME 12561, PAGE 1555 OF THE REAL PROPERTY RECORDS OF SAID COUNTY; SAID 2.119-ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING on a ½-inch diameter iron rod found in the south boundary line of the above-mentioned "Second Tract", being the northeast corner of a called 6.845-acre tract conveyed to Austin White Lime Company, Ltd. in Volume 11552, Page 712 of the Real Property Records of Travis County, Texas and having field notes revised in a Corrected Partition Deed recorded in Volume 11777, Page 168 of the Real Property Records of Travis County, Texas, same being the northwest corner of Lot 3, Wells Branch Technology Park, a subdivision recorded in Document No. 200000062 of the Official Public Records of Travis County, Texas, said iron rod found having Texas State Plane Coordinate (Central Zone, NAD83, U.S. Feet, Combined Scale Factor 0.999888327) Grid values of N=10,137,291.31, E=3,123,670.28, for the southeast corner and POINT OF BEGINNING of this tract;

THENCE with said south boundary line of the "Second Tract" and the north boundary line of said 6.845-acre tract, N 62°34'27" W for a distance of 40.00 feet to a 60d nail set for the southwest corner of this tract, from which a ½-inch diameter iron rod found on the northwest corner of said 6.845-acre tract, same being the northcast corner of a called 3.39-acre tract conveyed to A. H. Robinson and George E. Robinson by Warranty Deed recorded in Volume 10269, Page 157 of the Real Property Records of Travis County, Texas, bears N 62°34'27" W a distance of 139.51 feet;

THENCE departing said north boundary line of the 6.845-acre tract, through the interior of said "Second Tract", N 27°47'34" E for a distance of 1,596.48 feet to a 60d nail set in the north

5410 South 1* Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 • www.muciasworld.com

boundary line of said "Second Tract", same being the south boundary line of a called 220-acre tract of land conveyed to Austin White Lime Company by Warranty Deed recorded in Volume 7042, Page 1281, of said Deed Records of Travis County, Texas, for the northwest corner of this tract;

THENCE with said north boundary line of the "Second Tract", in part with said south boundary line of the 220-acre tract and with the south boundary line of a called 27.48-acre tract, described as Tract 6, conveyed to Robinson Ranch Limited Partnership by document recorded in Volume 12091, Page 991 of said Real Property Records, respectively, S 62°16'52" E, pass at a distance of 50.11 feet a calculated point being the southeast corner of said 220-acre tract, same being the southwest corner of said 27.48-acre Tract 6 continuing for a total distance of 700.08 feet to a calculated angle point in said north boundary line of the "Second Tract" same being the southeast corner of said 27.48-acre Tract 6, for an angle point of this tract;

THENCE continuing with said north boundary line of the "Second Tract" same being the east boundary line of said 27.48-acre Tract 6, N 28°01'08" E for a distance of 3.78 feet to a 1-inch inside diameter iron pipe found on an angle point in said north boundary line of the "Second Tract", same being an angle point in said east boundary line of the 27.48-acre Tract 6, being also the southwest corner of a called 75.21-acre tract of land, described as Tract 5, conveyed to Robinson Ranch Limited Partnership by said document recorded in Volume 12091, Page 991, for an angle point of this tract;

THENCE departing said east boundary line of the 27.48-acre Tract 6, continuing with said north boundary line of the "Second Tract", same being the south boundary line of said 75.21-acre Tract5, S 69°29'00" E for a distance of 43.79 feet to a 60d nail set for the northeast corner of this tract, from which a ½-inch inside diameter iron pipe found on an angle point in said north boundary line of the "Second Tract", same being an angle point in said south boundary line of the 75.21-acre Tract 5, bears S 69°29'00" E a distance of 231.20 feet;

THENCE departing said south boundary line of the 75.21-acre Tract 5, through the interior of said "Second Tract" the following three (3) courses and distances:

- 1) S 27°16'05" W for a distance of 49.27 feet to a 60d nail set, for a re-entrant corner of this tract;
- 2) N 62°16'52" W for a distance of 703.98 feet to a 60d nail set, for an angle point of this tract;
- 3) S 27°47'34" W for a distance of 1,556.27 feet to the **POINT OF BEGINNING** and containing 2.119 acres (92,292 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83 Combined Scale Factor 0.999888327). Project control points were established from City of Austin reference monument "J-37-4001" having coordinate values of N=10,133,889.08, E=3,113,244.67. Distances shown herein are grid.

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Jackie Lee Crow, 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 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 25th day of February, 2011, A.D.

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

lackie Lcc Crow

Registered Professional Land Survey

No. 5209 - State of Texas

REFERENCES

MAPSCO 2009 436-N

Austin Grid No. L-38

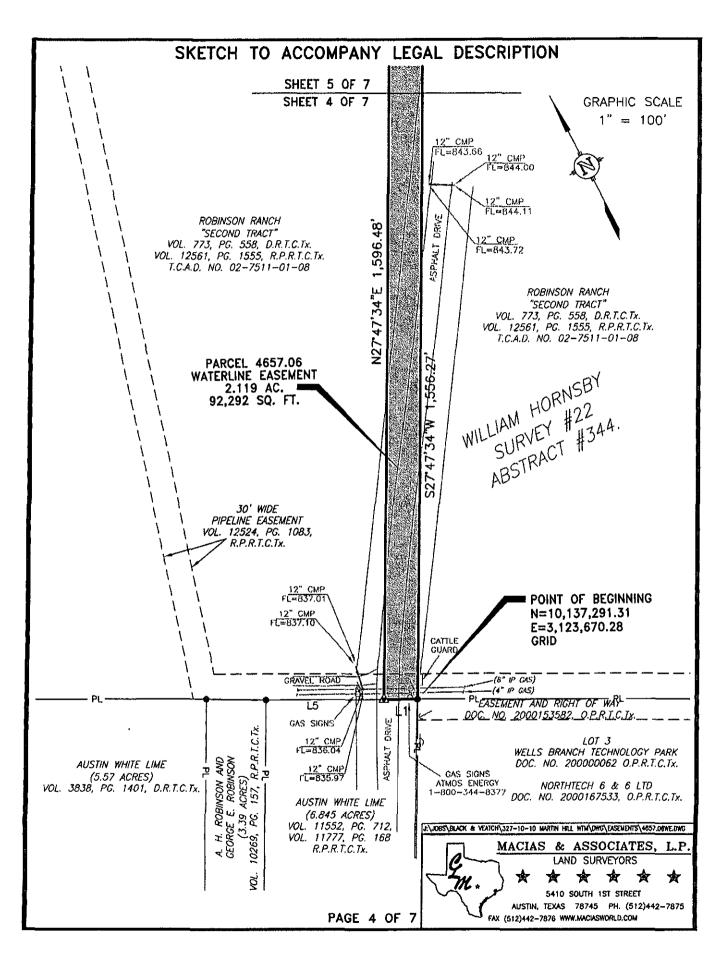
TCAD PARCEL ID NO. 02-7511-01-08

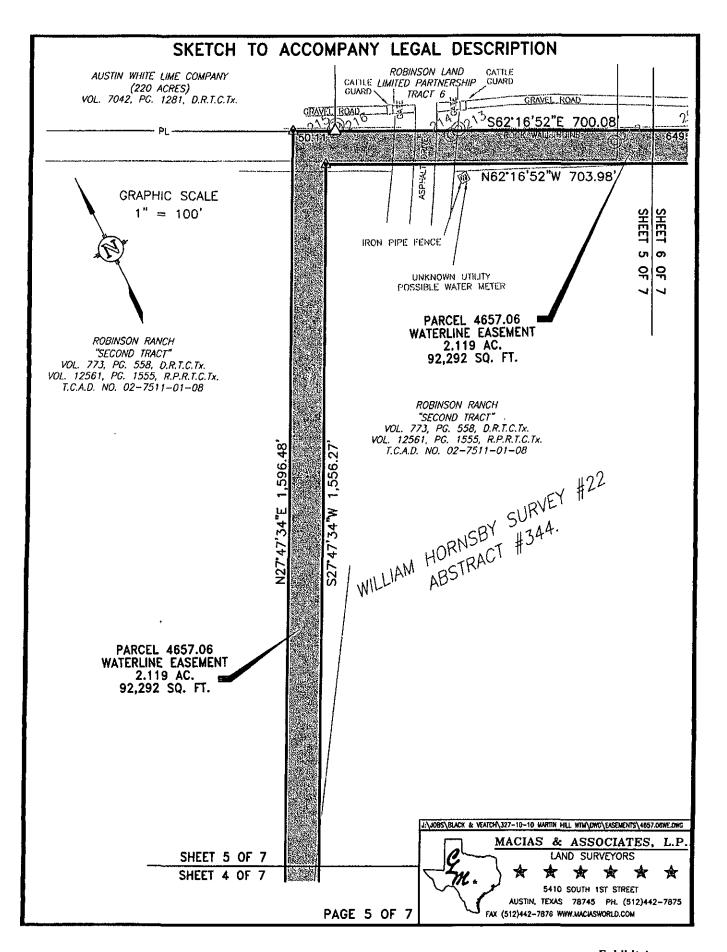
MACIAS & ASSOCIATES, L.P., PROJECT NO. 327-12-

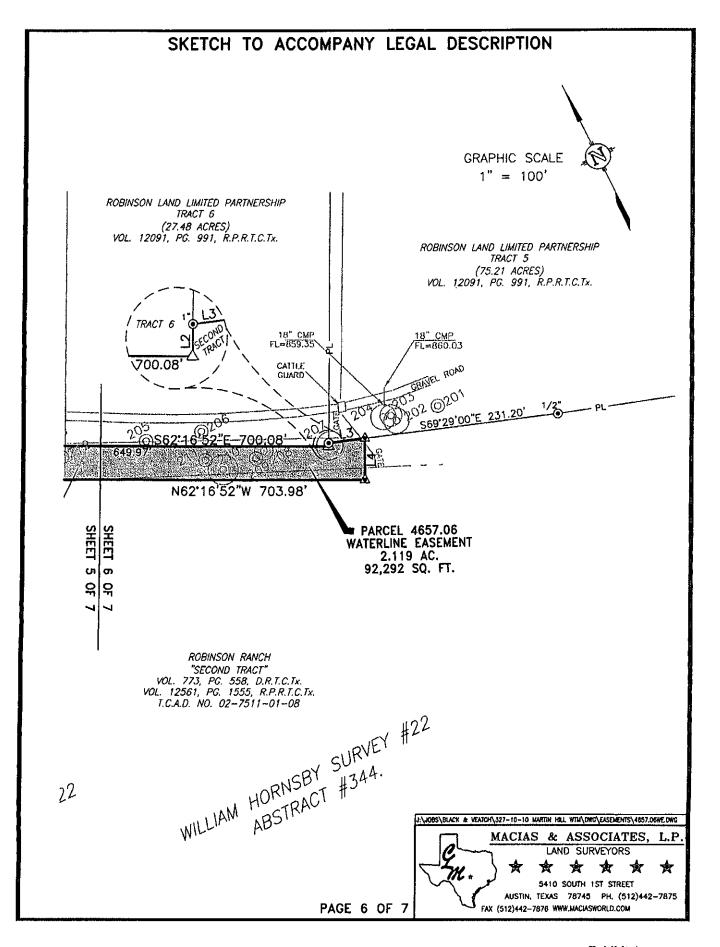
Jan Banks Date 4/6/11 Engineering Support Section

Department of Public Works

and Transportation







SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N62'34'27"W	40.00'
t.2	N28'01'08"E	3.78'
L3	S69'29'00"E	43.791
L4	S27'16'05"W	49.27'
L5	N62'34'27"W	139.51

LEGEND			
•	1/2" IRON ROD FOUND		
Æ	60D NAIL SET		
•	IRON PIPE FOUND SIZE NOTED		
⊗	"X" IN CONCRETE		
Δ	CALCULATED POINT		
— PL —	PROPERTY LINE		
BK., VOL., PG.	BOOK, VOLUME, PAGE		
T.C.A.D.	TRAVIS COUNTY APPRAISAL DISTRICT		
R.P.R.T.C.Tx.	REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS		
O.P.R.T.C.Tx.	OFFICIAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS		
D.R.T.C.Tx.	DEED RECORDS OF TRAVIS COUNTY, TEXAS		
()	RECORD INFORMATION		

TREE LIST

15"

8"

8"

11"

8"

8"

8"

8"

SIZE/TYPE

8" CHINABERRY

13" HACKBERRY

17" CEDAR ELM

HACKBERRY

CEDAR ELM

CEDAR ELM

CEDAR ELM 8" HACKBERRY

CEDAR ELM

HACKBERRY

HACKBERRY

HACKBERRY

HACKBERRY MESQUITE

15" MULTI-TRUNK HACKBERRY

18" MULTI-TRUNK AMERICAN ELM

TAG NO.

201

202 203

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The easements shown or noted and addressed on this survey are those listed in Schedule B of title commitment issued by Alomo Title Insurance, GF No. ATA-70-02-AT10001255, effective date: March 22, 2010.

BEARING BASIS: THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, 4203) NAD 1983/HARN. THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE MONUMENT "J-37-4001"
HAVING COORDINATE VALUES OF N=10,133,889.08, E=3,113,244.67.
COMBINED SCALE FACTOR 0.999888327. DISTANCES SHOWN HEREON

STATE OF TEXAS } COUNTY OF TRAVIS

I hereby certify that this sketch was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

PAGE 7 OF 7

J:\JOBS\BLACK & VEATCH\327-10-10 MARTIN HILL WTM\DWG\EASEMENTS\4657.06WE.DWG

FAX (512)442-7876 WWW.MACIASWORLD.COM

MACIAS & ASSOCIATES, L.P. LAND SURVEYORS

食 食 食 5410 SOUTH 1ST STREET AUSTIN, TEXAS 78745 PH. (512)442-7875

DATE: 2-25-11
DRAWN BY: D. MARTINEZ
MAI JOB NO.: 327-12-10
REFERENCE: F.B. 583, PG. 24

Registered Professional Land Surveyor No. 5209 - State of Texas



ROBINSON RANCH
TO
TO
CITY OF AUSTIN
(TEMPORARY WORKING SPACE,
STAGING AREA AND MATERIAL
STORAGE SITE EASEMENT)

EXHIBIT" B "

DESCRIPTION FOR PARCEL 4657.06 TWSSAAMSSE

DESCRIPTION OF A 2.736-ACRE (119,187 SQUARE FEET) TRACT OF LAND OUT OF THE WILLIAM HORNSBY SURVEY NO. 22, ABSTRACT NO. 344, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A TRACT OF LAND DESCRIBED AS THE "SECOND TRACT" AND HAVING BEEN CONVEYED TO A. H. ROBINSON, JR. AND GEORGE E. ROBINSON BY DEED DATED DECEMBER 7, 1945, RECORDED IN VOLUME 773, PAGE 558 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID "SECOND TRACT" BEING THAT SAME TRACT OF LAND CONVEYED TO ROBINSON RANCH BY CORRECTION DEED AND OUTCLAIM EXECUTED JULY 7, 1995 AND RECORDED IN VOLUME 12561, PAGE 1555 OF THE REAL PROPERTY RECORDS OF SAID COUNTY; SAID 2.736-ACRE TRACT OF LAND BEING COMPRISED OF TWO (2) PARTS, PART 1 CONTAINING 1.810 ACRES (78.857 SOUARE FEET) OF LAND AND PART 2 CONTAINING 0.926 ACRE (40,330 SQUARE FEET) OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Part 1 (1.810 acres)

BEGINNING FOR REFERENCE on a ½-inch diameter iron rod found in the south boundary line of the above-mentioned "Second Tract", being the northeast corner of a called 6.845-acre tract conveyed to Austin White Lime Company, Ltd. in Volume 11552, Page 712 of the Real Property Records of Travis County, Texas and having field notes revised in a Corrected Partition Deed recorded in Volume 11777, Page 168 of the Real Property Records of Travis County, Texas, same being the northwest corner of Lot 3, Wells Branch Technology Park, a subdivision recorded in Document No. 200000062 of the Official Public Records of Travis County, Texas, THENCE with said south boundary line of the "Second Tract", same being the north boundary line of said 6.845-acre tract, N 62°34'27" W for a distance of 40.00 feet to a 60d nail set having Texas State Plane Coordinate (Central Zone, NAD83, U.S. Feet, Combined Scale Factor 0.999888327) Grid values of N=10,137,309.73, E=3,123,634.77, for the southeast corner and POINT OF BEGINNING of this tract;

THENCE with said south boundary line of the "Second Tract", same being said north boundary line of the 6.845-acre tract, N 62°34'27" W for a distance of 27.92 feet to a calculated point for the southwest corner of this tract, from which a ½-inch diameter iron rod found on the northwest corner of said 6.845-acre tract, same being the northeast corner of a called 3.39-acre tract conveyed to A. H. Robinson and George E. Robinson by Warranty Deed recorded in Volume 10269, Page 157 of the Real Property Records of Travis County, Texas, bears N 62°34'27" W a distance of 111.59 feet;

THENCE departing said north boundary line of the 6.845-acre tract, through the interior of said "Second Tract" the following three (3) courses and distances:

- 1) N 26°55'55" E for a distance of 44.79 feet to a calculated angle point;
- 2) N 62°12'26" W for a distance of 21.41 feet to a calculated angle point;
- 3) N 27°47'34" E for a distance of 1,551.80 feet to a calculated in the north boundary line of said "Second Tract", same being the south boundary line of a called 220-acre tract of land conveyed to Austin White Lime Company by Warranty Deed recorded in Volume 7042, Page 1281, of the Deed Records of Travis County, Texas, for the northwest corner of this tract;

THENCE with said north boundary line of the "Second Tract", with said south boundary line of the 220-acre tract, S 62°16'52" E for a distance of 50.00 feet to a calculated point for the northeast corner of this tract, from which a 1-inch inside diameter iron pipe found on an angle point in said north boundary line of the "Second Tract", same being an angle point in the east boundary line of called 27.48-acre of land, described as Tract 6, conveyed to Robinson Ranch Limited Partnership by document recorded in Volume 12091, Page 991 of the Real Property Records of Travis County, Texas, being also the southwest corner of a called 75.21-acre tract of land, described as Tract 5, conveyed to Robinson Ranch Limited Partnership by said document recorded in Volume 12091, Page 991, bears S 62°16'52" E a distance of 700.08 feet to a calculated point and N 28°01'08" E for a distance of 3.78 feet;

THENCE departing said south boundary line of the 220-acre tract, through the interior of said "Second Tract", S 27°47'34" W for a distance of 1,596.48 feet the POINT OF BEGINNING and containing 1.810 acres (78,857 square feet) of land.

Part 2 (0.926 acre)

BEGINNING FOR REFERENCE on a 1-inch inside diameter iron pipe found on an angle point in the north boundary line of the above-mentioned "Second Tract", same being an angle point in the east boundary line of called 27.48-acre of land, described as Tract 6, conveyed to Robinson Ranch Limited Partnership by document recorded in Volume 12091, Page 991 of the Real Property Records of Travis County, Texas, being also the southwest corner of a called 75.21-acre tract of land, described as Tract 5, conveyed to Robinson Ranch Limited Partnership by said document recorded in Volume 12091, Page 991, THENCE departing said east boundary

line of the 27.48-acre Tract 6, with said north boundary line of the "Second Tract", same being the south boundary line of said 75.21-acre Tract 5, S 69°29'00" E a distance of 43.79 feet to a 60d nail set having Texas State Plane Coordinate (Central Zone, NAD83, U.S. Feet, Combined Scale Factor 0.999888327) Grid values of N=10,138,384.40, E=3,125,041.69, for a northeast corner and **POINT OF BEGINNING** of this tract;

THENCE with said north boundary line of the "Second Tract", same being the south boundary line of said 75.21-acre Tract 5, S 69°29'00" E for a distance of 50.35 feet to a calculated point for a northeast corner of this tract, from which a ½-inch inside diameter iron pipe found on an angle point in said north boundary line of the "Second Tract", same being the south boundary line of said 75.21-acre Tract 5, bears S 69°29'00" E a distance of 180.85 feet;

THENCE departing said south boundary line of the 75.21-acre Tract 5, through the interior of said "Second Tract" the following five (5) courses and distances:

- 1) S 27°16'05" W for a distance of 105.58 feet to a calculated angle point;
- 2) N 62°16'52" W for a distance of 754.44 feet to a calculated point for the southwest corner of this tract;
- 3) N 27°47'34" E for a distance of 50.00 feet to a calculated point for the northwest corner of this tract:
- 4) S 62°16'52" E for a distance of 703.98 feet to a calculated point for a re-entrant corner of this tract:
- 5) N 27°16'05" E for a distance of 49.27 feet to the **POINT OF BEGINNING** and containing 0.926 acre (40,330 square feet) of land.

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid Bearings, (Central Zone, NAD83 Combined Scale Factor 0.999888327). Project control points were established from City of Austin reference monument "J-37-4001" having coordinate values of N=10,133,889.08, E=3,113,244.67. Distances shown herein are grid.

THE STATE OF TEXAS 8

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Jackie Lee Crow, 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 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 25th day of February, 2011, A.D.

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

Jackie Lee Crow

Registered Professional Land Surveyor

No. 5209 - State of Texas

REFERENCES

MAPSCO 2009 436-N

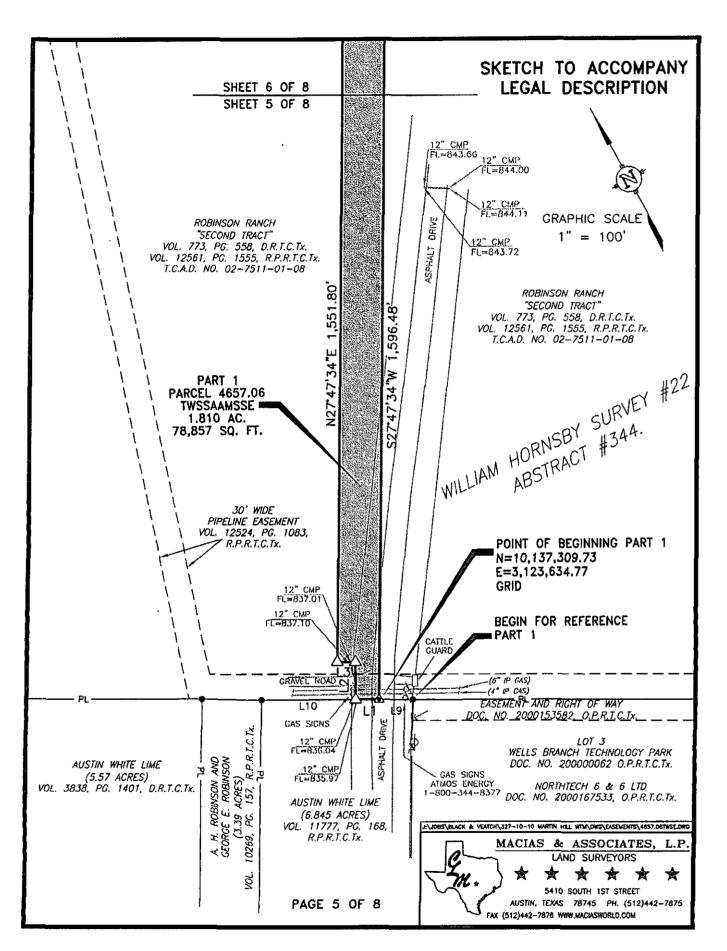
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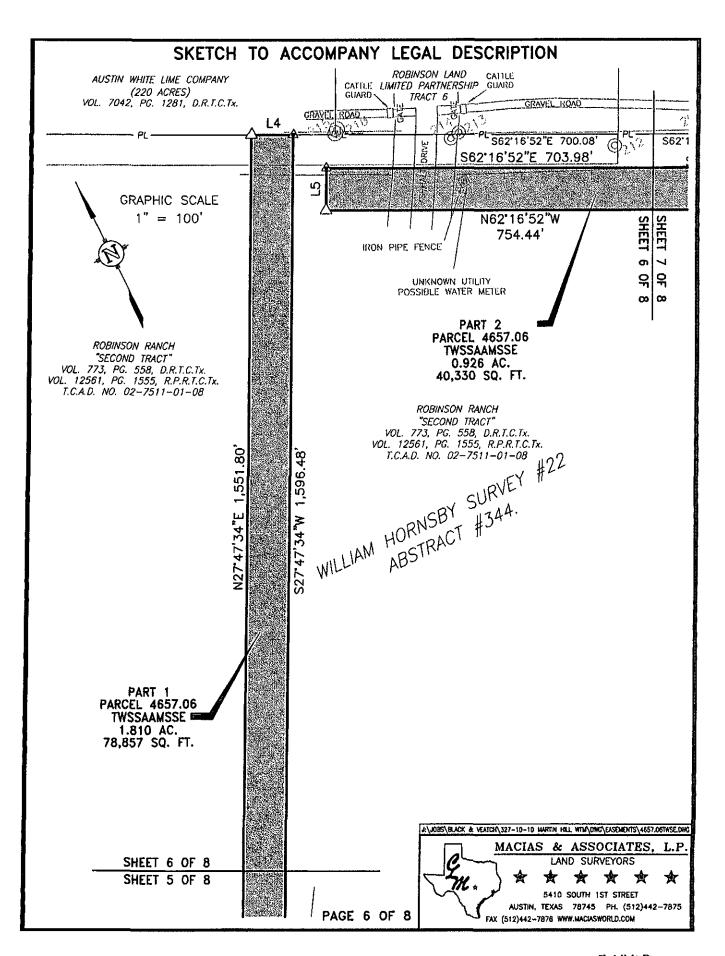
MACIAS & ASSOCIATES, L.P., PROJECT NO. 327-12-

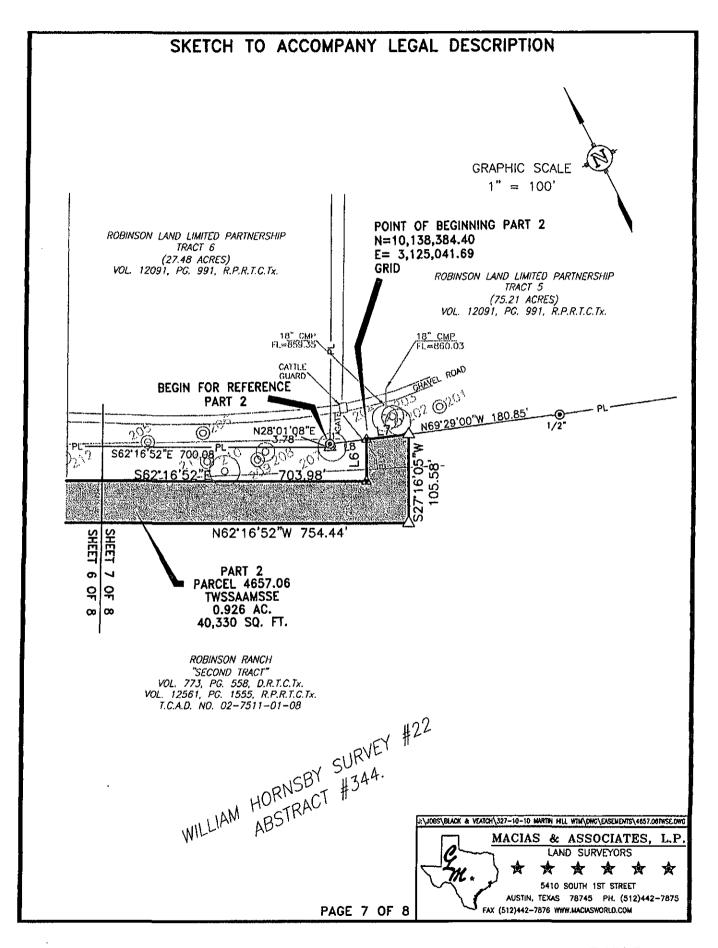
FIELD MOTES REVIEWED

Engineering Support Section
Department of Public Works

and Transportation







SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	N62'34'27"W	27.92
L2	N26'55'55"E	44.79
1.3	N62 12 26 W	21.41
L4	S62'16'52"E	50.00
L5	N27'47'34"E	50.00
L6	N27'16'05"E	49.27'
L7	S69'29'00"E	50.35'
L8	S69'29'00"E	43.79
L9	N62'34'27"W	40.00'
L10	N62'34'27"W	111.59

LEGEND					
•	1/2" IRON ROD FOUND				
æ	60D NAIL SET				
•	IRON PIPE FOUND SIZE NOTED				
⊗	"X" IN CONCRETE				
Δ	CALCULATED POINT				
PL	PROPERTY LINE				
BK., VOL., PG.	BOOK, VOLUME, PAGE				
T.C.A.O.	TRAVIS COUNTY APPRAISAL DISTRICT				
R.P.R.T.C.Tx.	REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS				
O.P.R.T,C.Tx.	OFFICIAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS				
D.R.T.C.Tx.	DEED RECORDS OF TRAVIS COUNTY, TEXAS				
()	RECORD INFORMATION				

The easements shown or noted and addressed on this survey are those listed in Schedule B of title commitment issued by Alamo Title Insurance, GF No. ATA-70-02-AT10001255, effective date: March 22, 2010.

BEARING BASIS:
THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, 4203) NAD 1983/HARN. THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN REFERENCE MONUMENT "J-37-4001" HAVING COORDINATE VALUES OF N=10,133,889.08, E=3,113,244.67. COMBINED SCALE FACTOR 0.999888327. DISTANCES SHOWN HEREON ARE CRID ARE GRID.

STATE OF TEXAS } COUNTY OF TRAVIS }

I hereby certify that this sketch was prepared from the results of an actual survey made on the ground under my supervision and that it is true and correct to the best of my knowledge.

PAGE 8 OF 8 ACKIE LEE CROW

Registered Professional Land Surveyor No. 5209 - State of Texas

DRAWN BY: D. MARTINEZ/JLC MAI JOB NO.: 327-12-10 REFERENCE: F.B. 563, PG. 24

TREE LIST

TAG NO.	SIZ	E/TYPE	
201	8"	CHINABERRY	
202	15"	MULTI-TRUNK	HACKBERRY
203	13"	HACKBERRY	
204	15"	HACKBERRY	
205	8"	CEDAR ELM	
206	8"	CEDAR ELM	
207	17"	CEDAR ELM	
208	11"	CEDAR ELM	
209	8"	HACKBERRY	
210	18"	MULTI-TRUNK	AMERICAN ELM
211	8"	CEDAR ELM	
212	8"	HACKBERRY	
213	8"	HACKBERRY	
214	8"	HACKBERRY	
215	9"	HACKBERRY	
216	9"	MESQUITE	

J:\JOBS\BLACK & VEATCH\327-10-10 MARTIN HILL WTM\DWG\EASEMENTS\4657.06TWSE.OWG MACIAS & ASSOCIATES, L.P. LAND SURVEYORS **★ ★** 5410 SOUTH 1ST STREET AUSTIN, TEXAS 78745 PH. (512)442-7875 FAX (512)442-7876 WWW.MACIASWORLD.COM