

**RESOLUTION NO. 20131212-084**

**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 uses 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:

Owners:

Bruce E. Nakfoor, and Wendy Williamson Nakfoor

Randall W. McIntyre and Mary Ellen Hamel

Cheryl Cox, Individually and Cheryl Cox, Trustee,  
or any successors in Trust, under the Just Trust  
dated January 2, 2010

John S. Hogg and Jannell C. Whitt

Brian Erickson

Jev Sikes a/k/a J. Neville Sikes and Sydnor Sikes

Cecelia F. Reed, Reed-Ebano, Ltd., and unnamed  
trustee of the Reed Trust, an irrevocable trust  
created under a Trust Agreement dated June 10,  
2005

Tracy S. Dahlby and Toshiko M. Dahlby

Michael H. Nixon and Gayle A. Nixon

Jonathan R. Kasling

Dorothy J. Mele and Richard J. Binder

Mark Rice and Linnea Rice

James L. Negley

David Wolters and Mary M. Wolters

Rhett Stone and Candace C. Stone

Charles D. Huston

Martin Riezebeek and Margery K. Bader-Riezebeek

Nathan A. Steinberg

Adam Solomon Lipp and Jamie Stone Lipp

Gary T. Mize

Lawrence G. Griffis

Warren Bowker and Rosie Bowker, co-trustees of the Bowker Family Trust, such trust having been established under that certain revocable trust agreement dated March 15, 2001 by and between Warren Bowker and Rosie Bowker, as Grantors, and Warren Bowker and Rosie Bowker, as co-trustees

Project: West Bank and Los Altos Lift Stations  
Rehabilitation Project

Public Purpose: The permanent wastewater line easement described in the attached Exhibit "A" is necessary to place, construct, operate, repair, upgrade, replace, relocate and maintain a permanent wastewater line in connection with upgrading of the West Bank and Los Altos Lift Stations for the purpose of providing sanitary sewer services to the public.

Location: 1701 ½ Lakeshore Drive and  
1804 Westlake Drive  
Austin, Texas

The general route covered by this project includes the area west of Lake Austin, in the general vicinity of the West Bank Lift Station and in the general vicinity of the Los Altos Lift Station.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: December 12, 2013

ATTEST: Jannette S. Goodall  
Jannette S. Goodall  
City Clerk



**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS

EXHIBIT " A "

LAGUNA LOMA SUBDIVISION LOT  
OWNERS AS TENANTS IN COMMON  
TO  
CITY OF AUSTIN

**DESCRIPTION FOR WASTEWATER EASEMENT PARCEL NO. 4753.01**

LEGAL DESCRIPTION OF A 0.013 ACRE (578 SQUARE FOOT) TRACT OF LAND, BEING A PORTION OF LOT 24, LAGUNA LOMA SUBDIVISION, OF RECORD IN VOLUME 76, PAGE 208 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; LOT 24 IS OWNED AS TENANTS IN COMMON BY EACH LOT OWNER AND EACH LOT OWNER SHALL HAVE A 1/23<sup>RD</sup> UNDIVIDED INTEREST, AS RECORDED ON SAID LAGUNA LOMA SUBDIVISION PLAT, SAID 0.013 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a calculated point on the east line of said Lot 24, for the northeast corner and **POINT OF BEGINNING** of this tract, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83) values of N= 10,081,580.38, E=3,100,090.10, from which a 1/2" iron rod with plastic cap stamped "Watson Surveying" found at the southeast corner of Lot 9, Lakeshore Addition, a subdivision of record in Volume 3, Page 31 of the Plat Records of Travis County, Texas, same being the northeast corner of said Lot 24, bears North 15°18'01" East, a distance of 4.12 feet, North 00°37'01" East, a distance of 42.09 feet, North 59°36'59" West, a distance of 64.28 feet, North 18°26'01" East, a distance of 131.53 feet, North 11°51'01" East, a distance of 38.67 feet, and North 34°36'01" East, a distance of 100.24 feet;

**THENCE** South 15°18'01" West, with the east line of said Lot 24, a distance of 15.02 feet to a calculated point at the northeast corner of a variable-width public utility easement (dedicated per plat), for the southeast corner of this tract, from which a 1/2" iron rod found in the curving east right-of-way of Lakeshore Drive (50' right-of-way), at the common south corner of Lots 4 and 24 of said Laguna Loma, bears South 15°18'01" West, a distance of 22.95 feet, South 08°21'59" East, a distance of 13.87 feet, South 09°33'01" West, a distance of 22.03 feet, South 13°28'01" West, a distance of 77.07 feet, South 18°13'01" West, a distance of 47.53 feet, South 11°09'59" East, a distance of 12.61 feet, South 01°52'01" West, a distance of 29.09 feet, South 20°08'01" West, a distance of 73.18 feet, South 32°05'01" West, a distance of 50.57 feet, South 23°43'01" West, a distance of 8.00 feet, North 62°04'59" West, a distance of 86.62 feet, and North 17°37'59" West, a chord distance of 93.48 feet;

**THENCE** North 71°46'28" West, over and across said Lot 24, with the north line of said public utility easement, a distance of 38.89 feet to a 60D nail set in the east line of a sanitary sewer lift station easement described in Volume 3779, Page 1933 of the Deed Records of Travis County, Texas, at a corner in the north line of said public utility easement, for the southwest corner of this tract;

THENCE North 18°13'32" East, over and across said Lot 24, with the east line of said sanitary sewer lift station easement, a distance of 15.00 feet to a 60D nail set at the northeast corner of said sanitary sewer lift station easement, for the northwest corner of this tract;  
THENCE South 71°46'28" East, over and across said Lot 24, a distance of 38.12 feet to the POINT OF BEGINNING, containing 0.013 acre (578 square feet) of land.

**BEARING BASIS NOTE**

The coordinates and bearings shown here on are based on the Texas State Plane Coordinate System (Central Zone-4203, NAD83). The coordinates were established from City of Austin monument "G-25-1002" having coordinate values of N=10,083,358.69, E=3,100,013.02. All distances shown are surface distances.

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

That I, Carmelo L. Macias, 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 11th day of April, 2013, A.D.



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

*Carmelo L. Macias*  
Carmelo L. Macias  
Registered Professional Land Surveyor  
No. 4333 – State of Texas

**REFERENCES**

MAPSCO 2009, 554-W  
AUSTIN GRID NO. G-25  
TCAD PARCEL ID NO. 01-1711-0214  
MACIAS & ASSOCIATES, L.P., PROJECT NO. 87-23-12

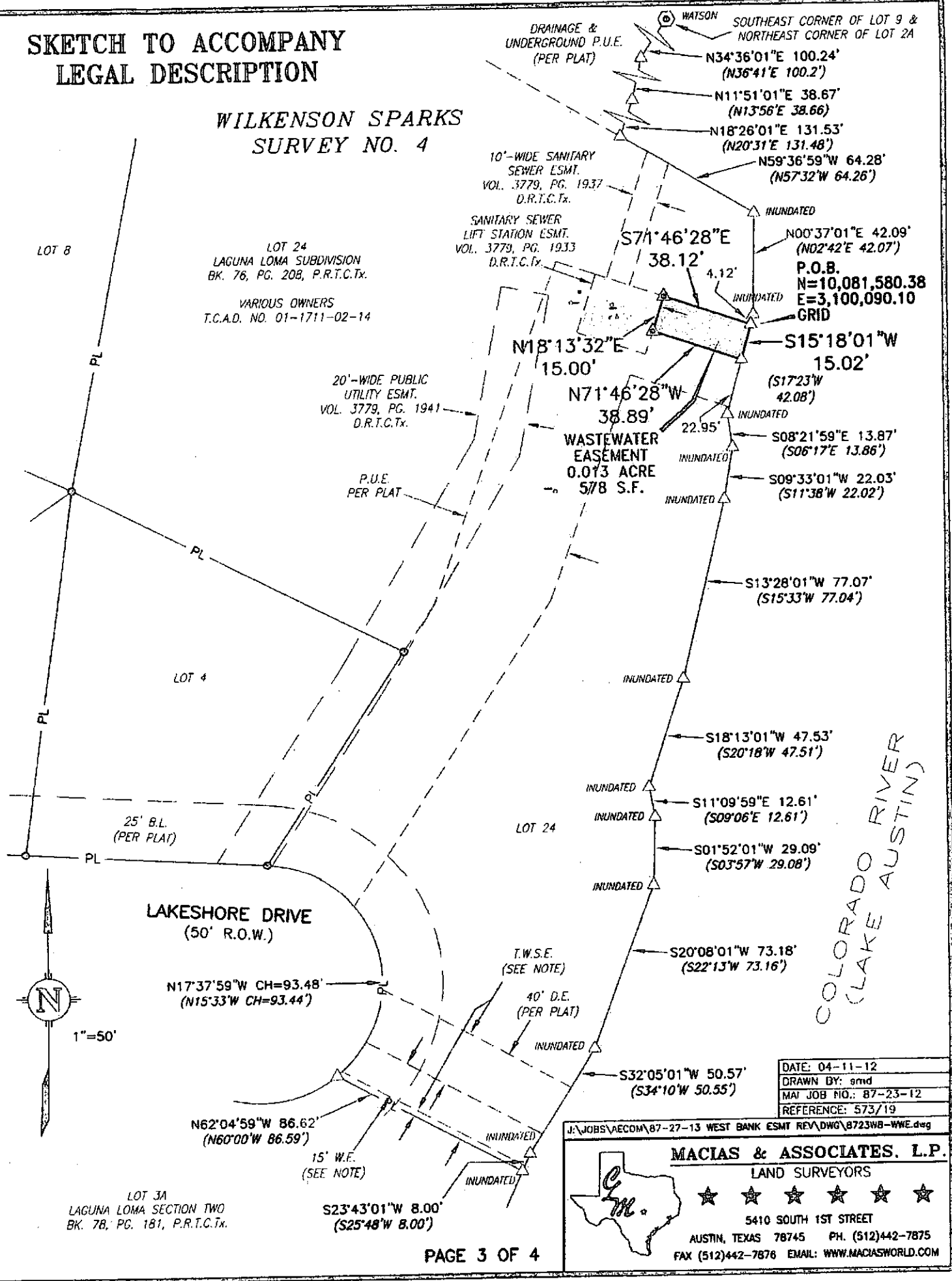
FIELD NOTES REVIEWED

By: *[Signature]* Date: 4/17/13

Engineering Support Section  
Department of Public Works  
and Transportation

SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION

WILKINSON SPARKS  
SURVEY NO. 4



DATE: 04-11-12
DRAWN BY: smd
MAI JOB NO.: 87-23-12
REFERENCE: 573/19

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**MACIAS & ASSOCIATES, L.P**

LAND SURVEYORS

5410 SOUTH 1ST STREET

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

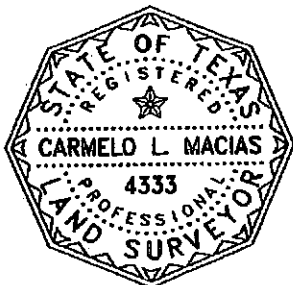
FAX (512)442-7878 EMAIL: WWW.MACIASWORLD.COM

LEGEND	
⊙	1/2" IRON ROD WITH PLASTIC CAP STAMPED "WATSON SURVEYING" FOUND
○	1/2" IRON ROD FOUND
△	CALCULATED POINT
⚠	60D NAIL SET
P.O.B.	POINT OF BEGINNING
P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
T.W.S.E.	TEMPORARY WORKING SPACE EASEMENT
W.E.	WATERLINE EASEMENT
R.O.W.	RIGHT-OF-WAY
VOL., PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
P.R.T.C.Tx.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS
D.R.T.C.Tx.	DEED RECORDS OF TRAVIS COUNTY, TEXAS
R.P.R.T.C.Tx.	REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
O.P.R.T.C.Tx.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
( )	RECORD INFORMATION

#### NOTE:

1. THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED ON THE COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, GF. NO. 201201240, EFFECTIVE DATE: JANUARY 15, 2013.

2. THE TEMPORARY WORKING SPACE EASEMENT AND WATERLINE EASEMENT SHOWN ON THE SURVEY WERE FIRST DESCRIBED IN VOLUME 11243, PAGE 247 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND IN VOLUME 11243, PAGE 425 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, RESPECTIVELY, AND THOSE DESCRIPTIONS WERE SUBSEQUENTLY RECORDED IN MANY OTHER DOCUMENTS—SEE TITLE COMMITMENT FOR FULL LIST.



#### BEARING BASIS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE-4203, NAD83. THE COORDINATES WERE ESTABLISHED FROM CITY OF AUSTIN MONUMENT "G-25-1002" HAVING COORDINATE VALUES OF N=10,083,358.69, E=3,100,013.02. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

DATE: 04-11-12  
DRAWN BY: smd  
MAJ JOB NO.: 87-23-12  
REFERENCE: 573/19

J:\JOBS\AECOM\87-27-13 WEST BANK ESMT REV\DWG\8723WB-WWE.dwg

**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS

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AUSTIN, TEXAS 78745 PH. (512)442-7875  
FAX (512)442-7876 EMAIL: WWW.MACIASWORLD.COM

*Carmelo L. Macias April 11, 2013*  
Carmelo L. Macias  
Registered Professional Land Surveyor  
No. 4333 - State of Texas

Date: