

RESOLUTION NO. 20140417-077

WHEREAS, the City Council was requested to conduct a public hearing to consider the use of land for the permanent use and temporary working space use for construction, use, maintenance, repair, and replacement of a mounted transformer pad and electric facilities for Austin Energy (the "Proposed Use") through dedicated parkland known as Auditorium Shores at Town Lake Metro Park; and

WHEREAS, the land being used for the Proposed Use is described in Exhibit "A" and Exhibit "AA" (the "Affected Land"); and

WHEREAS, notice of the public hearing to be held on April 17, 2014 was given for three consecutive weeks on March 23 and 30, 2014 and April 6, 2014 in a newspaper of general circulation; and

WHEREAS, such public hearing was held April 17, 2014, by the City Council to consider the use of Affected Land for the Proposed Use;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Having taken into account clearly enunciated local preferences, the City Council finds that there is no feasible and prudent alternative to the use of the Affected Land for the Proposed Use and that all reasonable planning has been done to minimize harm to the Affected Land from the Proposed Use. The use of the Affected Land for the Proposed Use is approved.

The City Manager is authorized to take such measures as may be necessary, favorable, or required to effectuate the purpose and intent of this resolution.

ADOPTED: April 17, 2014

ATTEST:

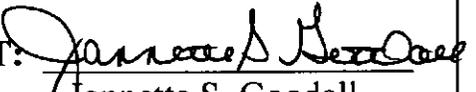

Jannette S. Goodall
City Clerk

EXHIBIT "A"

SURVEY PLAT OF A 0.0323 ACRE OR 1406 SQUARE FEET OF LAND IN THE ISSAC DECKER LEAGUE, ABSTRACT NUMBER 8, TRAVIS COUNTY, TEXAS, IN THE CITY OF AUSTIN, AND BEING A PORTION OF THE REMAINDER OF THAT CALLED TRACT NO. 1, 49.49 ACRES OF LAND DESCRIBED TO THE CITY OF AUSTIN IN THAT CERTAIN WARRANTY DEED AS RECORDED IN VOLUME 681, PAGE 199, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.0323 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

COMMENCING for reference at a rivet found near the edge of a concrete driveway entrance for the northeast corner of that called 1.6629 acres of land described to T-C Barton Springs LLC, a Delaware Limited Liability Company in that certain Special Warranty Deed as recorded in Document Number 2008107339, of the Real Property Records of Travis County, Texas, same being the northeast corner of Lot A, Vernon's Addition, a subdivision in the City of Austin, according to the plat recorded in Volume 68, Page 62, of the Plat Records of Travis County, Texas, which the said Lot A, is a part of the said T-C Barton Springs 1.6629 acres of land, same being the northwest corner of Lot 1, Block A, The Crescent On Bouldin Creek, a subdivision in the City of Austin, according to the plat recorded in Document Number 200500141, of the Real Property Records of Travis County, Texas, same being a point on the southwest right of way line of Barton Springs Road, a road in the City of Austin, having a right of way width of 100 feet and from this point a one-half inch inside diameter pipe found for an interior angle corner of the said Lot 1, same being the most northerly southeast corner of the said 1.6629 acres of land and the southeast corner of the said Lot A, bears: South 20°41'35" West, a distance of 167.48 feet;

THENCE North 07°58'10" West, 113.95 feet crossing over the said Barton Springs Road to a point, having Grid Coordinates of N(Y) 10067539.898, E(X) 3111258.699, Texas State Plane Coordinate System, Texas Central Zone 4203, NAD83, for the POINT OF BEGINNING of and south corner of the herein described 0.0323 acre tract of land, same being a point on the common dividing line of the said 49.49 acre remainder tract of land and the said Barton Springs Road;

THENCE North 69°20'49" West, 45.10 feet along the common dividing line of the said Barton Springs Road and the said 49.49 acre remainder tract of land to a point for the west corner of the herein described 0.0323 acre tract of land and from this point a one-half inch iron rod found adjacent to the northeast right of way line of the said Barton Springs Road bears: North 69°14'19" West, a distance of 916.94 feet, also from the west corner of the herein described 0.0323 acre tract of land a five-eighths inch iron rod found for the northwest of the said T-C Barton Springs 1.6629 acres of land bears: South 80°59'46" West, a distance of 202.19 feet, same being at the intersection of the southwest right of way line of the said Barton Springs Road with the southeast right of way line of Bouldin Avenue, a road in the City of Austin, having a right of way width of 60 feet;

THENCE departing the northeast right of way line of the said Barton Springs Road and crossing over the said 49.49 acre remainder tract of land the following seven (7) courses:

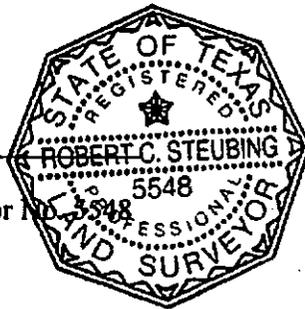
- 1) North 20°39'11" East, 12.00 feet to a point for the most southerly north corner of the herein described 0.0323 acre tract of land;
- 2) South 69°20'49" East, 11.50 feet to a point for an interior angle corner of the herein described 0.0323 acre tract of land;
- 3) North 32°31'46" East, 88.48 feet to a point for the north corner of the herein described 0.0323 acre tract of land;
- 4) South 57°28'14" East, 10.00 feet to a point for the most northerly east corner of the herein described 0.0323 acre tract of land;
- 5) South 32°40'17" West, 86.42 feet to a point for an interior angle corner of the herein described 0.0323 acre tract of land
- 6) South 69°20'49" East, 23.60 feet to a point for the east corner of the herein described 0.0323 acre tract of land;
- 7) South 20°39'11" West, 12.00 feet to the POINT OF BEGINNING and containing 0.0323 acres of land or 1406 square feet of land more or less.

BASIS OF BEARINGS: GRID NORTH, TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83. GRID DISTANCES RECITED HEREIN.

Reference the attached sketch marked **EXHIBIT "B"**.

I hereby certify that these field notes were prepared from an on the ground survey made under my supervision in October 2013.

Robert C. Steubing
Robert C. Steubing
Registered Professional Land Surveyor No. 5548



10/16/2013



EXHIBIT "AA"

SURVEY PLAT OF A 0.0291 ACRE TEMPORARY WORK SPACE EASEMENT AND 1269 SQUARE FEET OF LAND IN THE ISSAC DECKER LEAGUE, ABSTRACT NUMBER 8, TRAVIS COUNTY, TEXAS, IN THE CITY OF AUSTIN, AND BEING A PORTION OF THE REMAINDER OF THAT CALLED TRACT NO. 1, 49.49 ACRES OF LAND DESCRIBED TO THE CITY OF AUSTIN IN THAT CERTAIN WARRANTY DEED AS RECORDED IN VOLUME 681, PAGE 199, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.0291 ACRE WORK SPACE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

COMMENCING for reference at a five-eighths inch iron rod found for the northwest corner of that called 1.6629 acres of land described to T-C Barton Springs LLC, a Delaware Limited Liability Company in that certain Special Warranty Deed as recorded in Document Number 2008107339, of the Real Property Records of Travis County, Texas, same being at the intersection of the southeast right of way line of Bouldin Avenue having a right of way width of 60 feet with the southwest right of way line of Barton Springs Road having a right of way width of 100 feet;

THENCE North 80°59'46" East, crossing over the said Barton Spring Road a distance of 202.19 feet to a point having Grid Coordinates of N(Y) 10067555.805, E(X) 3111216.499, Texas State Plane Coordinate System, Texas Central Zone 4203, NAD83 for the most westerly southeast corner of and **POINT OF BEGINNING** of the herein described 0.0291 acre work space easement, same being the west corner of a simultaneously created 0.0323 acre easement tract of land and a point on the common dividing line of the said City of Austin 49.49 acre remainder tract of land and the said Barton Springs Road;

THENCE departing the northeast right of way line of the said Barton Springs Road and crossing over the said City of Austin 49.49 acre remainder tract of land and coincident with a portion of the said 0.0323 acre easement tract of land the following seven (7) courses:

- 1) North 20°39'11" East, a distance of 12.00 feet to a point for an interior angle corner of the herein described 0.0291 acre work space easement, same being an exterior angle corner of the said 0.0323 acre easement tract of land;
- 2) South 69°20'49" East, a distance of 11.50 feet to a point for an exterior angle corner of the herein described 0.0291 acre work space easement, same being an interior angle corner of the said 0.0323 acre easement tract of land;
- 3) North 32°31'46" East, a distance of 88.48 feet to a point for an interior angle corner of the herein described 0.0291 acre work space easement, same being the north corner of the said 0.0323 acre easement tract of land;
- 4) South 57°28'14" East, a distance of 10.00 feet to a point for an interior angle corner of the herein described 0.0291 acre work space easement, same being the most northerly east corner of the said 0.0323 acre easement tract of land;

- 5) South 32°40'17" West, a distance of 86.42 feet to a point for an exterior angle corner of the herein described 0.0291 acre work space easement, same being an interior angle corner of the said 0.0323 acre easement tract of land;
- 6) South 69°20'49" East, a distance of 23.60 feet to a point for an interior angle corner of the herein described 0.0291 acre work space easement, same being an exterior angle corner of the herein described 0.0323 acre easement tract of land;
- 7) South 20°39'11" West, a distance of 12.00 feet to a point for the most southerly southwest corner of the herein described 0.0291 acre work space easement, same being the south corner of the said 0.0323 acre easement tract of land and a point on the common dividing line of the said City of Austin 49.49 acre remainder tract of land and the said Barton Springs Road and from this point a rivet found near the edge of a concrete driveway entrance for the northeast corner of the said 1.6629 acres of land described to the said T-C Barton Springs LLC, a Delaware Limited Liability Company in the said Special Warranty Deed as recorded in said Document Number 2008107339, of the Real Property Records of Travis County, Texas, same being the northeast corner of Lot A, Vernon's Addition, a subdivision in the City of Austin, according to the plat recorded in Volume 68, Page 62, of the Plat Records of Travis County, Texas, which the said Lot A, is a part of the said T-C Barton Springs 1.6629 acres of land, same being the northwest corner of Lot 1, Block A, The Crescent On Bouldin Creek, a subdivision in the City of Austin, according to the plat recorded in Document Number 200500141, of the Real Property Records of Travis County, Texas, same being a point on the southwest right of way line of the said Barton Springs Road bears: South 07°58'10" East, a distance of 113.95 feet and from this point a one-half inch inside diameter pipe found for an interior angle corner of the said Lot 1, same being the most northerly southeast corner of the said 1.6629 acres of land and the southeast corner of the said Lot A, bears: South 20°41'35" West, a distance of 167.48 feet;

THENCE South 69°20'49" East, along the common dividing line of the said City of Austin 49.49 acre remainder tract of land and the said Barton Springs Road a distance of 5.00 feet to a point for the most southerly southeast corner of the herein described 0.0291 acre work space easement;

THENCE departing the northeast right of way line of the said Barton Springs Road and crossing over the said City of Austin 49.49 acre remainder tract of land and five foot perpendicular distance from and parallel to the said 0.0323 acre easement tract of land the following seven (7) courses:

- 1) North 20°39'11" East, a distance of 17.00 feet to a point for an exterior angle corner of the herein described 0.0291 acre work space easement;
- 2) North 69°20'49" West, a distance of 22.43 feet to a point for an interior angle corner of the herein described 0.0291 acre work space easement;
- 3) North 32°40'17" East, a distance of 85.26 feet to a point for the east corner of the herein described 0.0291 acre work space easement;
- 4) North 57°28'14" West, a distance of 20.01 feet to a point for the north corner of the herein described 0.0291 acre work space easement;
- 5) South 32°31'46" West, a distance of 89.42 feet to a point for an interior angle corner of the herein described 0.0291 acre work space easement;
- 6) North 69°20'49" West, a distance of 12.44 feet to a point for an exterior angle corner of the herein described 0.0291 acre work space easement;
- 7) South 20°39'11" West, a distance of 17.00 feet to a point for the most westerly southwest corner of the herein described 0.0291 acre work space easement, same being a point on the common dividing line of the said City of Austin 49.49 acre remainder tract of land and the said Barton Springs Road;

THENCE South 69°20'49" East, along the common dividing line of the said City of Austin 49.49 acre remainder tract of land and the said Barton Springs Road a distance of 5.00 feet to the **POINT OF BEGINNING** and containing 0.0291 acres of land or 1269 square feet of land more or less.

BASIS OF BEARINGS: GRID NORTH, TEXAS CENTRAL ZONE, 4203, NAD83. GRID DISTANCES RECITED HEREIN.

Reference the attached sketch marked **EXHIBIT "B"**.

I hereby certify that these field notes were prepared from an on the ground survey made under my supervision in October 2013.

Prepared By: **AUSTIN ENERGY**

Robert C. Steubing 12/27/2013
Robert C. Steubing
Registered Professional Land Surveyor No. 5548



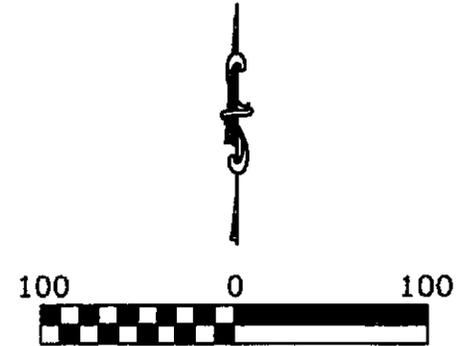
Sketch of a 0.0323 Acre or 1406 Square Feet of land and a 0.0291 Acre or 1269 Square Feet of land being a part of the remainder of that called Tract No. 1, 49.49 Acres of land described to the City of Austin in that certain Warranty Deed as recorded in Volume 681, Page 199, Deed Records of Travis County, Texas.

EXHIBIT "B"

ISSAC DECKER LEAGUE, ABSTRACT NUMBER 8 TRAVIS COUNTY, TEXAS

City of Austin
Warranty Deed
Volume 681, Page 199 DRTCTX
The Remainder of that Called: Tract No. One 49.49 Acres of Land

LINE TABLE		
NUM	BEARING	DISTANCE
L1	N69°20'49"W	45.10'
L2	N20°39'11"E	12.00'
L3	S69°20'49"E	11.50'
L4	N32°31'46"E	88.48'
L5	S57°28'14"E	10.00'
L6	S32°40'17"W	86.42'
L7	S69°20'49"E	23.80'
L8	S20°39'11"W	12.00'
L9	S69°20'49"E	5.00'
L10	N20°39'11"E	17.00'
L11	N69°20'49"W	22.43'
L12	N32°40'17"E	85.26'
L13	N57°28'14"W	20.01'
L14	S32°31'46"W	89.42'
L15	N69°20'49"W	12.44'
L16	S20°39'11"W	17.00'
L17	S69°20'49"E	5.00'

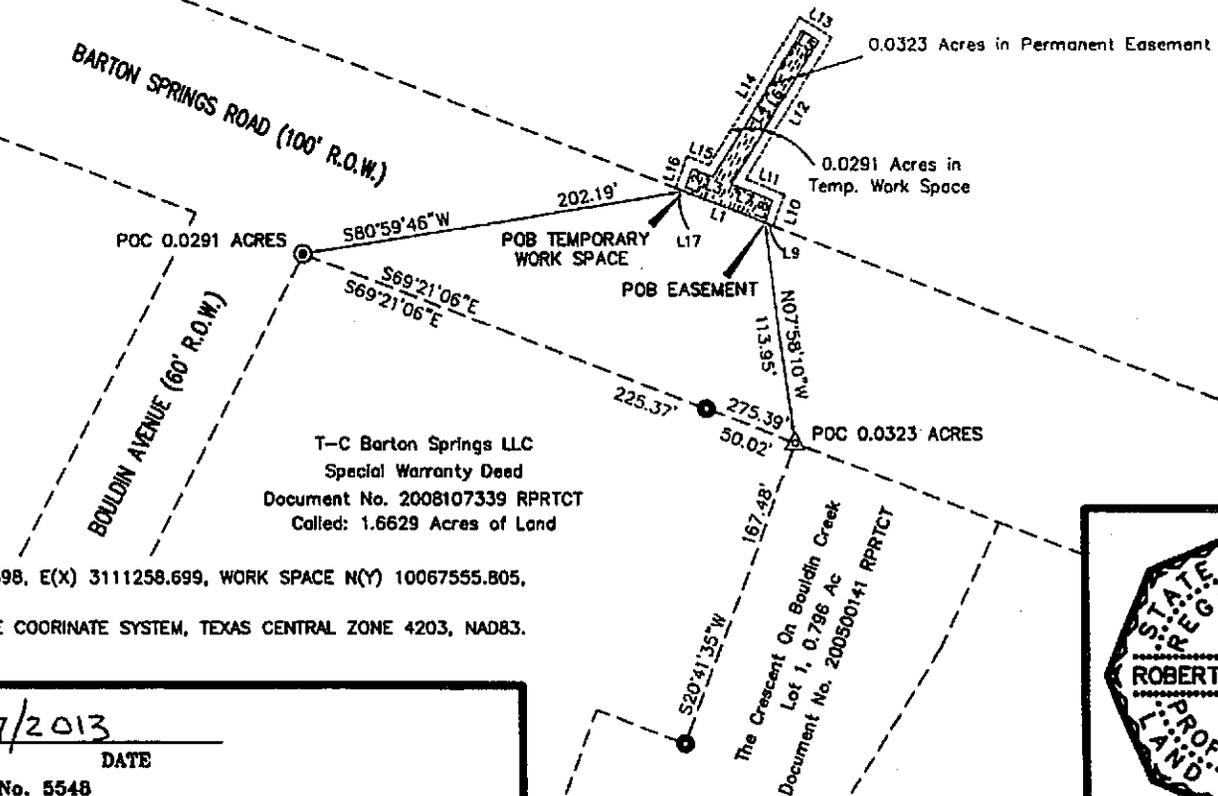


LEGEND

- ⊙ 5/8" Iron Rod Found
- 1/2" Iron Rod Found
- ⊠ Concrete Square Post
- ⊙ Calculated Easement Corner
- △ Rivet Found
- ⊙ 1/2" ID Pipe Found
- POB Point Of Beginning
- PRBCT Point of Commencement

NOTES:

1. P.O.B. COORDINATES: EASEMENT N(Y) 10067539.898, E(X) 3111258.699, WORK SPACE N(Y) 10067555.805, E(X) 3111216.499 GRID COORD.
2. BEARING BASIS: GRID NORTH, TEXAS STATE PLANE COORINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83.
3. GRID DISTANCES SHOWN HEREOND.



T-C Barton Springs LLC
Special Warranty Deed
Document No. 2008107339 RPRCTC
Called: 1.6629 Acres of Land

Robert C. Steubing 12/27/2013
 ROBERT C. STEUBING (612-508-7146) DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548
 DRAWING DISTRIBUTION\MISC-2013\BARTON SPRING SOLAR 900\DWG'S\FARMERSOLAR

