

RESOLUTION NO. 20141211-192

WHEREAS, the City Council was requested to conduct a public hearing to consider the use of parkland for permanent and temporary working space for construction, use, maintenance, repair, and replacement of a roadway for the Colony Park Sustainable Community Initiative Project through dedicated parkland known as Colony Park, located along Loyola Lane between Johnny Morris Road and Decker Lane (the "Proposed Use"); and

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

WHEREAS, notice of the public hearing to be held on December 11, 2014, was given for three consecutive weeks on November 16, 23, and 30, 2014, in a newspaper of general circulation; and

WHEREAS, such public hearing was held December 11, 2014, by the City Council to consider the use of the Affected Land for the Proposed Use; **NOW THEREFORE**,

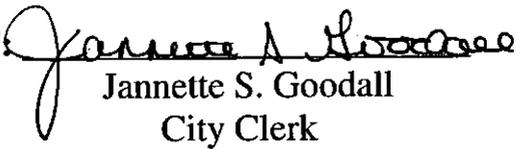
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

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.

BE IT FURTHER RESOLVED:

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: December 11, 2014

ATTEST: 
Jannette S. Goodall
City Clerk



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS - FIRM REG. NO. 101141-00

EXHIBIT " A "

CITY OF AUSTIN
TO
CITY OF AUSTIN
(PERMANENT ROADWAY
EASEMENT)
COLONY PARK PROJECT

DESCRIPTION FOR PERMANENT ROADWAY EASEMENT #1

DESCRIPTION OF A 0.196 ACRE (8,545 SQAURE FOOT) TRACT OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19 ABSTRACT NO. 4, TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 9.930 ACRE TRACT DESCRIBED IN A DEED TO THE CITY OF AUSTIN RECORDED IN VOLUME 5000, PAGE 1992, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.196 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60d nail set on the northwest line of said 9.930 acre tract and the southeast line of a 92.460 acre tract described in Exhibit A-2 in a General Warranty Deed dated July 13, 2001, to Austin Housing Finance Corporation recorded in Document Number 2001119347, Official Public Records of Travis County, Texas, having Texas State Plane Coordinate (Central Zone, NAD 83, U.S. feet) value of N=10,083,888.58, E=3,150,444.19, for the north corner and **POINT OF BEGINNING** of this tract, from which a ½-inch iron rod found at the north corner of said 9.930 acre tract and the east corner of said 92.460 acre tract also the south corner of Tract Two, a 118.95 acre tract described in a General Warranty Deed dated December 19, 2008 to Russell Parker and wife, Jeanne Parker recorded in Document Number 2008202538, Official Public Records of Travis County, Texas, same being the west corner of a 7.688 acre tract in a deed to Jeanne Parker recorded in Document Number 2008086214, Official Public Records of Travis County, Texas bears N 71°05'52" E, 155.25 feet;

THENCE across said 9.930 acre tract the following three (3) courses:

- 1) S 61°06'14" E, a distance of 1.59 feet to a 60d nail set at a point of curvature of a curve to the right;
- 2) With said curve to the right having a radius of 215.00 feet, an arc length of 52.15 feet, an interior angle of 13°53'48", and a chord which bears S 54°09'19" E, a distance of 52.02 feet to a 60d nail set at a point of tangent;

- 3) S 47°12'25" E, a distance of 63.93 feet to a 60d nail set on the southeast line of said 9.930 acre tract and the northwest line of a 26.230 acre tract described in Exhibit A-3 in a General Warranty Deed dated July 15, 2001 to Austin Housing Finance Corporation recorded in Document Number 2001119347, Official Public Records of Travis County, Texas, from which a 5/8" iron rod found at the west corner of Tract One, a 16.25 acre tract described in Document Number 2008202538, Official Public Records of Travis County, Texas, the south corner of said 7.688 acre and the west corner of the 9.930 acre tract, same being the north corner of the 26.230 acre tract bears, N 71°05'52" E, 188.28 feet;

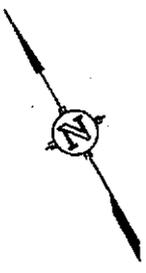
THENCE with the southeast line of said 9.930 acre tract and the northwest line of the 26.230 acre tract S 71°05'51" W a distance of 79.51 feet to a 60d nail set for the south corner of this tract from which an iron rod with plastic cap stamped "Carson & Bush Professional Surveyors" found at the north corner right-of-way line of Colony Loop Drive, a 70-foot wide right-of-way described as a 1.194 acre tract in Exhibit A-5-2 of a Dedication Deed to Austin Housing Finance Corporation recorded in Document Number 2001119349, Official Public Records of Travis County, Texas and the west corner of said 26.230 acre tract bears S 71°05'52" W, 1261.10 feet;

THENCE across said 9.930 acre tract the following three (3) courses:

- 1) N 47°12'55" W, a distance of 26.23 feet to a 60d nail set at a point of curvature of a curve to the left;
- 2) With said curve to the left having a radius of 145.00 feet, an arc length of 35.17 feet, an interior angle of 13°53'48", and a chord which bears N 54°09'19" W, a distance of 35.08 feet to a 60d nail set at a point of tangency;
- 3) N 61°06'14" W, a distance of 65.07 feet to 60d nail set on the northwest line of said 9.930 acre tract and the southeast line of the 92.460 acre tract, from which an iron rod with plastic cap stamped "Macias & Assoc." found at the south corner of said 92.460 acre tract and the east corner right-of-way line of Colony Loop Drive, a 70-foot wide right-of-way described as a 3.334 acre tract in Exhibit A-5-1 of said Dedication Deed to Austin Housing Finance Corporation bears S 71°05'52" W, 1235.25 feet;

THENCE with the northwest line of said 9.930 acre tract and the southeast line of the 92.460 acre tract, N 71°05'52" E, a distance of 94.49 feet to the **POINT OF BEGINNING** and containing 0.196 acre (8,545 square feet) of land;

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



SCALE
1" = 60'

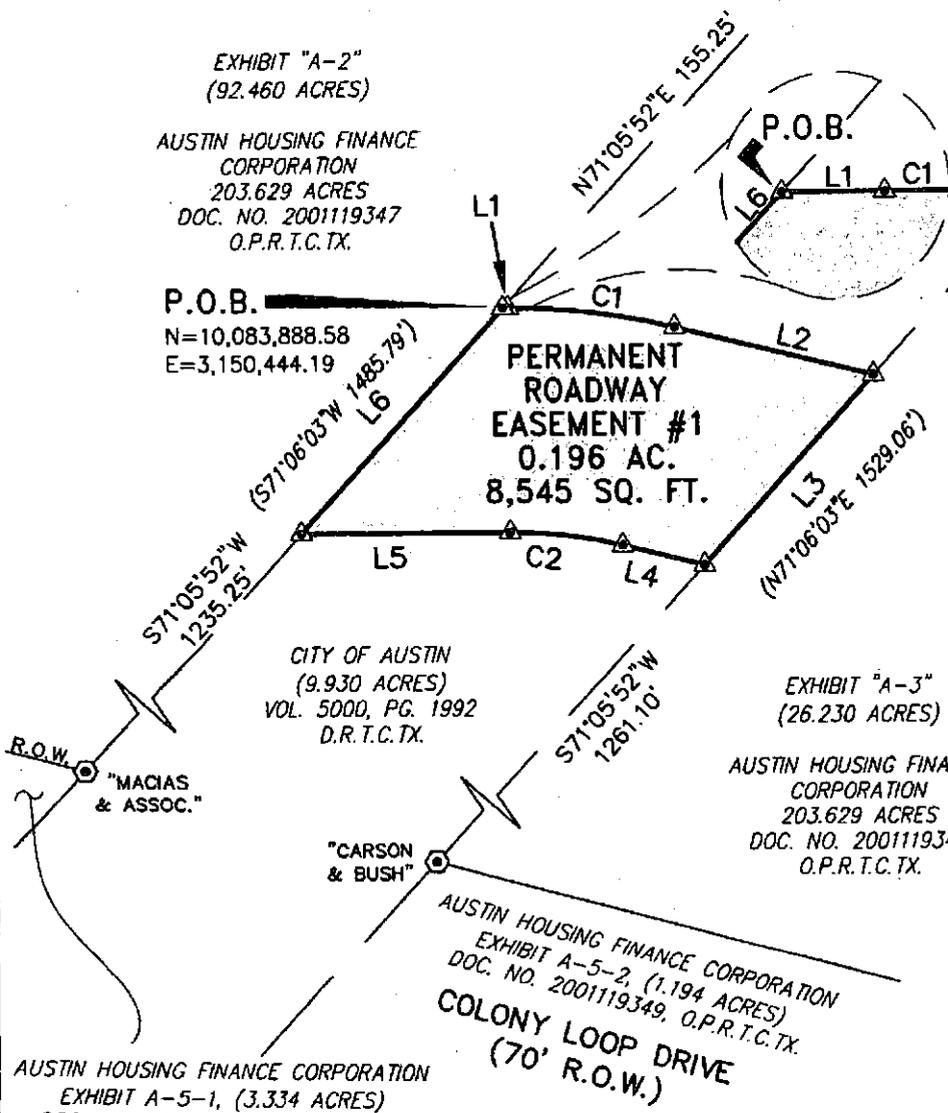
RUSSELL PARKER AND WIFE,
JEANNE PARKER
(TRACT TWO - 118.95 ACRES)
DOC. NO. 2008202538
O.P.R.T.C.T.

JEANNE PARKER
(7.688 ACRES)
DOC. NO. 2008086214
O.P.R.T.C.T.

EXHIBIT "A-2"
(92.460 ACRES)

AUSTIN HOUSING FINANCE CORPORATION
203.629 ACRES
DOC. NO. 200119347
O.P.R.T.C.TX.

RUSSELL PARKER AND WIFE,
JEANNE PARKER
(TRACT ONE - 16.25 ACRES)
DOC. NO. 2008202538
O.P.R.T.C.T.



LEGEND

- ⊙ IRON ROD FOUND W/
PLASTIC CAP FOUND
- 1/2" IRON ROD FOUND
- ▲ 60D NAIL SET
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- D.R.T.C.TX. DEED RECORDS OF
TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS
OF TRAVIS COUNTY, TEXAS
- T.C.A.D. TRAVIS COUNTY APPRAISAL
DISTRICT

LINE TABLE

Number	Bearing	Distance
L1	S61°06'14"E	1.59'
L2	S47°12'25"E	63.93'
L3	S71°05'51"W	79.51'
L4	N47°12'55"W	26.23'
L5	N61°06'14"W	65.07'
L6	N71°05'52"E	94.49'

CURVE TABLE

Number	Central Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	13°53'48"	215.00'	52.15'	52.02'	S54°09'19"E
C2	13°53'48"	145.00'	35.17'	35.08'	N54°09'19"W

BEARING BASIS: THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE) NAD 1983.

DATE: 11/14/2014
DRAWN BY: D.L.M.
MAL JOB NO.: 268-05-13
REFERENCE: FB --- PG ---

PAGE 4 OF 4

J:\JOBS\UDG\268-05-13 Colony Park\DWG\ESMTS\2680513 ESMT 2.DWG



Carmelo L. Macias 11-14-14
CARMELO L. MACIAS Date:
Registered Professional Land Surveyor
No. 4333 - State of Texas

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS FIRM NO. 101141-00
★ ★ ★ ★ ★ ★
5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: WWW.MACIASWORLD.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS - FIRM REG. NO. 101141-00

EXHIBIT " B "

CITY OF AUSTIN
TO
CITY OF AUSTIN
(PERMANENT ROADWAY
EASEMENT)
COLONY PARK PROJECT

DESCRIPTION FOR PERMANENT ROADWAY EASEMENT #2

DESCRIPTION OF A 0.180 ACRE (7,852 SQAURE FOOT) TRACT OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19 ABSTRACT NO. 4, TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 9.930-ACRE TRACT DESCRIBED IN A DEED TO THE CITY OF AUSTIN RECORDED IN VOLUME 5000, PAGE 1992, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.180 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with plastic cap stamped "Macias & Associates" found at the south corner right-of-way line of Colony Loop Drive, a 70-foot wide right-of-way described in Exhibit A-5-1 of a Dedication Deed to Austin Housing Finance Corporation recorded in Document Number 2001119349, Official Public Records of Travis County, Texas, on the northwest line of said 9.930 acre tract and the east corner of a 49.889 acre tract described in Exhibit A-1, in a General Warranty Deed to the City of Austin dated July 13, 2001 recorded in Document Number 2001119348, Official Public Records of Travis County, Texas, and having Texas State Plane Coordinate (Central Zone, NAD 83, U.S. feet) value of N=10,083,418.63, E=3,149,047.98, for the northwest corner and **POINT OF BEGINNING** of this tract;

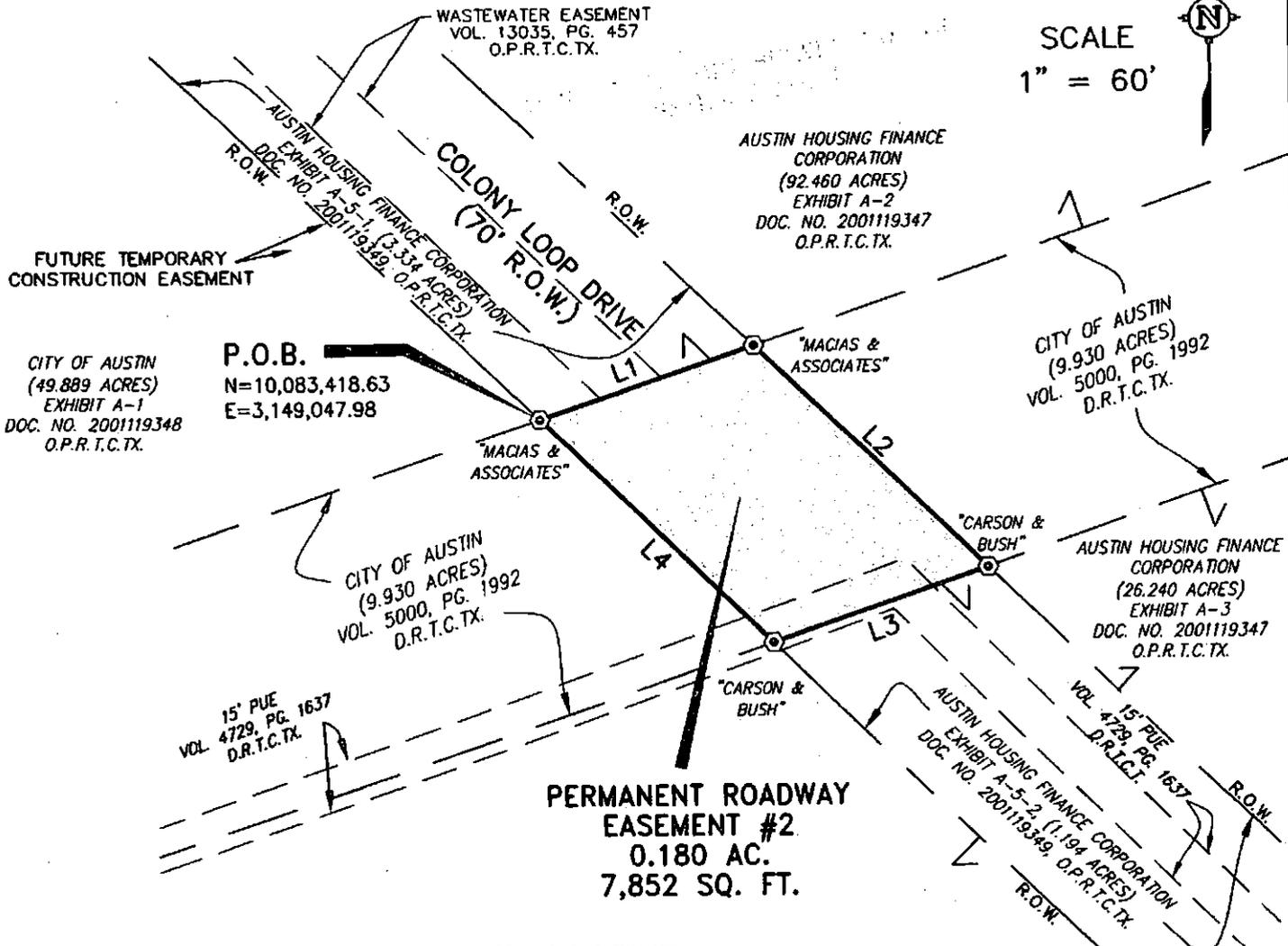
THENCE with the southeast right-of-way line of said Colony Loop Drive and the northwest line of said 9.930 acre tract, N 71°05'14" E a distance of 78.67 feet to an iron rod with plastic cap stamped "Macias & Associates" found at the northeast right-of-way line of said Colony Loop Drive at a south corner of a 92.460 acre tract described in Exhibit A-2 in a General Warranty Deed to Austin Housing Finance Corporation recorded in Document Number 2001119347, Official Public Records of Travis County, Texas, for the northernmost corner of this tract;

THENCE, departing from said Colony Loop right-of-way across the 9.930 acre tract S 46°00'13" E a distance of 112.29 feet to an iron rod with plastic cap stamped "Carson & Bush Professional Surveyors" found at the north corner right-of-way line of Colony Loop Drive, a 70-foot wide right-of-way described in Exhibit A-5-2 of said Dedication Deed to Austin Housing Finance Corporation and the west corner of a 26.230 acre tract described in Exhibit A-3 of a General Warranty Deed dated July 15, 2001 to Austin Housing Finance Corporation recorded in Document Number 2001119347, Official Public Records of Travis County, Texas, same being the southeast line of the 9.930-acre tract, for the southeast corner of this tract;

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



SCALE
1" = 60'



**PERMANENT ROADWAY
EASEMENT #2
0.180 AC.
7,852 SQ. FT.**

LINE TABLE

Number	Bearing	Distance
L1	N71°05'14"E	78.67'
L2	S46°00'13"E	112.29'
L3	S71°20'55"W	78.89'
L4	N45°59'14"W	111.86'

- LEGEND**
- ⊙ 1/2" IRON ROD FOUND W/
PLASTIC CAP FOUND
 - R.O.W. RIGHT-OF-WAY
 - P.O.B. POINT OF BEGINNING
 - D.R.T.C.TX. DEED RECORDS OF
TRAVIS COUNTY, TEXAS
 - O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS
OF TRAVIS COUNTY, TEXAS

BEARING BASIS: THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE) NAD 1983.



Carmelo L. Macias 11-14-14
CARMELO L. MACIAS Date:
 Registered Professional Land Surveyor
 No. 4333 - State of Texas

DATE: November 14, 2014
 DRAWN BY: R.W.S.
 MAI JOB NO.: 268-05-13
 REFERENCE: FB, ---, PG. ---

PAGE 3 OF 3
 J:\JOBS\UDG\268-05-13 COLONY PARK\DWG\ESMITS\PRE 2.DWG

MACIAS & ASSOCIATES, L.P.
 LAND SURVEYORS - FIRM 101141-00
 ★ ★ ★ ★ ★ ★
 5410 SOUTH 1ST STREET
 AUSTIN, TEXAS 78745 PH. (512)442-7875
 FAX (512)442-7876 EMAIL: WWW.MACIASWORLD.COM



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS - FIRM REG. NO. 101141-00

EXHIBIT " C "

CITY OF AUSTIN
TO
CITY OF AUSTIN
(TEMPORARY CONSTRUCTION
EASEMENT)
COLONY PARK PROJECT

DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT #1

DESCRIPTION OF A 0.413 ACRE (17,992 SQAURE FOOT) TRACT OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19 ABSTRACT NO. 4, TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 49.889 ACRE TRACT DESCRIBED IN A DEED DATED JULY 13, 2001 TO THE CITY OF AUSTIN IN EXHIBIT A-1 RECORDED IN DOCUMENT 2001119348, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AND ALSO OUT OF A 9.930-ACRE TRACT DESCRIBED IN A DEED TO THE CITY OF AUSTIN RECORDED IN VOLUME 5000, PAGE 1992, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.413 ACRE TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60d nail set on the southwest right-of-way line of Colony Loop Drive, a 70-foot wide right-of-way described in Exhibit A-5-1 of a Dedication Deed dated July 13, 2001 to Austin Housing Finance Corporation in Document Number 2001119349, Official Public Records of Travis County, Texas, having Texas State Plane Coordinate (Central Zone, NAD 83, U.S. feet) value of N=10,084,003.09, E=3,148,201.36, for the northwest corner and **POINT OF BEGINNING** of this tract, from which a 1/2-inch iron rod found on the southwest right-of-way line of said Colony Park Drive at the north corner of Lot 35, Block U, Meadows of Walnut Creek Section 5, recorded in Volume 85, Page 162D of the Plat Records of Travis County, Texas bears the following two (2) course:

- 1) N 71°35'04" W a distance of 280.72 feet to a 1/2-inch iron rod found at a point of curvature on the southwest right-of-way line of said Colony Park Drive;
- 2) With the arc of a curve to the left having a radius of 772.66 feet, an arc length of 649.86 feet. A delta angle of 48° 11'24", a chord which bears S 84°14'16" W, a distance of 630.88 feet;

THENCE with the southwest right-of-way line of said Colony Loop Drive and the northeast line of said 49.889-acre tract the following four (4) course:

- 1) S 71°35'24" E, a distance of 293.59 feet to an 1/2-inch iron rod found at a point of curvature of a curve to the right;
- 2) With the arc of a curve to the right having a radius of 967.34 feet, an arc length of 432.10 feet, a delta angle of 25°35'37", and a chord which bears S 58°47'36" E a distance of 428.52 feet to a 1/2-inch iron rod with plastic cap stamped "Carson & Bush" found at a point of tangency;
- 3) S 45°59'47" E, a distance of 369.16 feet to a 60d nail set on the northwest line said 9.930-acre tract for an angle point of this tract;
- 4) S 45°59'14" E, a distance of 111.86 feet to a 1/2-inch iron rod with plastic cap stamped "Carson & Bush" found at the easternmost corner of this tract and the southeast line of said 9.930 acre tract and the easternmost corner of Exhibit A-5-2, a 1.194 acre tract conveyed to the Austin Housing Finance Corporation by instrument of record in Document Number 2001119349, Official Public Record of Travis County, Texas also being the northernmost corner of Exhibit A-4, an 84.931 acre tract conveyed to the Austin Housing Finance Corporation by instrument of record in Document Number 2001119347, Official Public Record of Travis County, Texas from which a 1/2-inch iron rod found at the southwest corner of Lot 12, Block 8, Lakeside 1-B recorded in Volume 75, Page 206 of the Plat Records of Travis County, Texas and the northeast right-of-way line of said Colony Park Drive bears S 47°11'09" E, a distance of 729.79 feet;

THENCE departing from said Colony Loop right-of-way with the south line of said 9.930-acre tract, S 71°05'57" W, a distance of 16.83 feet to a 60d nail set on the south line of said 9.930-acre tract and the north line of Exhibit 4-A tract, for the southernmost corner of this tract;

THENCE N 45°59'47" W, a 60d nail set at a distance of 111.74 feet crossing the northwest line of said 9.930-acre tract in all a total distance of 473.36 feet to a 60d nail set at point of curvature of a curve to the left;

THENCE with the arc of a curve to the left having a radius of 952.34 feet, an arc length of 425.40 feet, a delta angle of 25°35'37", a chord which bears N 58°47'36" W, a distance of 421.87 feet to a 60d nail set at point of tangency;

THENCE N 71°35'24" W, a distance of 293.59 feet a 60d nail set for the southwest corner of this tract;

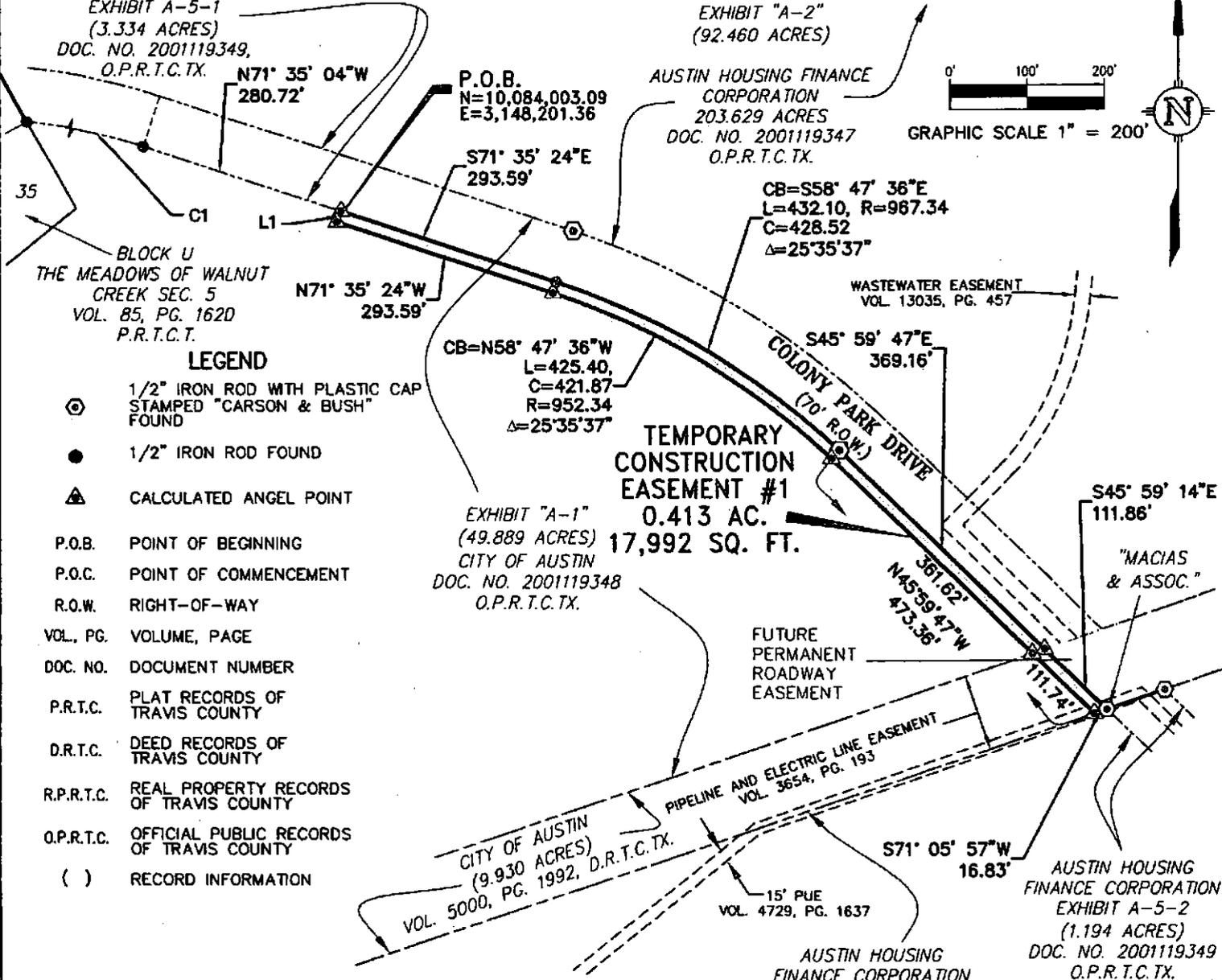
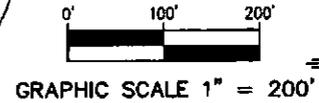
THENCE N 18°24'36" E, for a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 0.413 acre (17,992 square feet) of land;

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

AUSTIN HOUSING FINANCE CORPORATION
EXHIBIT A-5-1
(3.334 ACRES)
DOC. NO. 2001119349,
O.P.R.T.C. TX.

EXHIBIT "A-2"
(92.460 ACRES)

AUSTIN HOUSING FINANCE CORPORATION
203.629 ACRES
DOC. NO. 2001119347
O.P.R.T.C. TX.

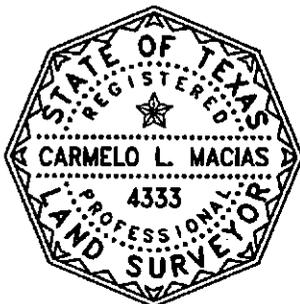


LEGEND

- ⊙ 1/2" IRON ROD WITH PLASTIC CAP STAMPED "CARSON & BUSH" FOUND
- 1/2" IRON ROD FOUND
- ▲ CALCULATED ANGEL POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- R.O.W. RIGHT-OF-WAY
- VOL., PG. VOLUME, PAGE
- DOC. NO. DOCUMENT NUMBER
- P.R.T.C. PLAT RECORDS OF TRAVIS COUNTY
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- () RECORD INFORMATION

LINE TABLE		
Number	Bearing	Distance
L1	N18°24'36"E	15.00'

CURVE TABLE					
Number	Delta Angle	Radius	Arc Length	Chord Length	Chord Bearing
C1	48°11'24"	772.66'	649.86'	630.88'	S84°14'16"W



Carmelo L. Macias 11-14-14
Carmelo L. Macias
Registered Professional Land Surveyor
No. 4333 - State of Texas

Date:

BEARING BASIS: THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, 4203) NAD 1983.

DATE: 11/14/2014
DRAWN BY: JP
MAI JOB NO.: 268-05-13
REFERENCE: F.B. ---, PG. ---

J:\JOBS\UDG\268-05-13 Colony Park\DWG\ESM\TCE 1.dwg

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS FIRM NO. 101141-00

★ ★ ★ ★ ★ ★

5410 SOUTH 1ST STREET
AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876 EMAIL: WWW.MACIASWORLD.COM