

**RESOLUTION NO. 20150402-027**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City to acquire certain real property interests for public purposes as set out below; and

**WHEREAS**, the City 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:**

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 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:

Owner:	Safa Trading Establishment, Inc.
Project:	University Hills Branch Library Parking Lot Expansion Project
Public Purpose:	Expanding, extending, constructing, placing, replacing, upgrading, repairing, and maintaining a public parking lot

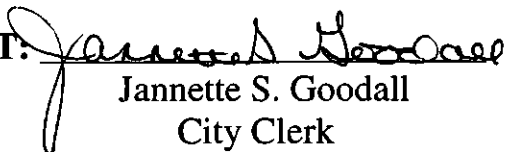
or area in, along, upon and across the following described tract of land described in Exhibit A, with the right and privilege at all times of having ingress, egress, and regress, in, along, upon and across such tract of land for the purpose of making additions to, improvement on, repairs to the public parking area and associated appurtenances as may reasonably be required in connection therewith, in, along, upon, under and across said tract of land; the right to clear, cut, fell, remove, and dispose of any and all timber, underbrush, building improvements, and any other obstructions from said tract of land; and the right to enter upon said tract of land in order to move thereon such vehicles, tools, equipment, and persons as the City may deem necessary and convenient to the exercise of its fee simple title rights to be acquired in this proceeding.

Location: 4601 Loyola Lane  
Austin, Texas 78723

The general route covered by this project includes the University Hills Branch Library area, located on a portion of Loyola Lane, between Manor Road and Ed Bluestein Boulevard (United States Highway 183).

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: April 2, 2015

ATTEST:   
Jannette S. Goodall  
City Clerk

**LEGAL DESCRIPTION**

**LEGAL DESCRIPTION FOR 0.508 ACRE (22,147 SQUARE FEET) OF LAND OUT OF LOT 1A, THE BLUFFS OF UNIVERSITY HILLS, RESUBDIVISION OF LOT 1 AND 2, BLOCK A, A SUBDIVISION OF RECORD IN BOOK 84, PAGE 43D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND CONVEYED TO SAFA TRADING ESTABLISHMENT, INC. BY SPECIAL WARRANTY DEED RECORDED IN VOLUME 12932, PAGE 1629 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.508 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a ½" rebar with cap stamped "COA Public Works" set on the curving westerly right-of-way line of Loyola Lane (70' right-of-way) , at the southeast corner of said Lot 1A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A , same being the northeast corner of Lot 2A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A, for the southeast corner of the tract herein described having Texas State Plane Coordinate System of 1983 (Texas Central Zone, NAD83 (CORS), U.S. Feet, Combined Scale Factor 0.99992808) grid coordinate values of **N=10,086,188.56 E=3,138,097.24**, from which a ½" iron rod found at the southeast corner of said Lot 2A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A bears **S27°04'49"E**, a chord distance of 116.81 feet;

**THENCE**, departing the westerly right-of-way line of Loyola Lane with the common line of said Lot 1A and Lot 2A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A the following three (3) courses:

- 1.) S86°04'14"W**, a distance of **244.34** feet to a ½" rebar found at an angle point;
- 2.) S75°25'52"W**, a distance of **101.98** feet to a ½" rebar found at the southwest corner of said Lot 1A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A and an interior corner of said Lot 2A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A, for the southwest corner of the tract herein described;
- 3.) N14°33'45"W**, a distance of **57.77** feet to a ½" rebar with cap stamped "COA Public Works" set at an angle point and a common corner of Lot 1B and said Lot 2A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A, from which a disturbed ½" rebar found bears **S32°16'11"E**, a distance of 2.90 feet and from said ½" rebar with cap stamped "COA Public Works" set, a ½" rebar found at the most southwesterly corner of said Lot 1B, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A bears **S78°00'49"W**, a distance of 15.64 feet;

**THENCE**, along the common line of said Lot 1A and said Lot 1B, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A, **N05°47'15"E**, a distance of **5.24** feet to a ½" rebar with

cap stamped "COA Public Works" set at the intersection of the westerly line of said Lot 1A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A and the northerly line of a 10 foot wide Sanitary Sewer Easement dedicated by plat recorded in Book 84, Page 43D of the Plat Records of Travis County, Texas, for the northwest corner of the tract herein described, from which a ½" rebar found at a common angle point of said Lot 1A and Lot 1B, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A bears N05°47'15"E, a distance of 109.95 feet;

THENCE, departing the easterly line of said Lot 1B, Resubdivision of Lot 1 and 2, Block A and crossing said Lot 1A, Resubdivision of Lot 1 and 2, Block A with the northerly line of said 10 foot wide Sanitary Sewer Easement, **N78°41'47"E**, a distance of **306.67** feet to a ½" rebar with cap stamped "COA Public Works" set on the curving westerly right-of-way line of Loyola Lane for the northeast corner of the tract herein described, from which a ½" iron rod found at the northeast corner of said Lot 1A, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A, same being the most southeasterly corner of said Lot 1B, The Bluffs of University Hills, Resubdivision of Lot 1 and 2, Block A, bears N39°42'23"W, a chord distance of 19.37 feet to a ½" rebar found at the Point of Curvature and N40°22'15"W, a distance of 205.86 feet;

THENCE, along the curving westerly right-of-way line of Loyola Lane with a curve to the right, having a radius of 747.74 feet, a central angle of 07°24'15", an arc of 96.63 feet and a chord bearing **S35°15'44"E**, a distance of **96.56** feet to the **POINT OF BEGINNING** and containing **0.508** acre (22,147 Square Feet) of land, more or less.

This legal description was prepared by Mary P. Hawkins, R.P.L.S. No. 4433 from a survey made on the ground in February and March, 2014. Bearings are based on the Texas State Plane Coordinate System of 1983, Central Zone derived from multiple GPS VRS observations. The controlling monuments for this project are a mag nail with washer stamped "COA Public Works" set in the concrete sidewalk at the southeast corner of the intersection of Manor Road and Loyola Lane having grid coordinate values of N=10,086,567.71, E=3,137,867.98 and a mag nail with washer stamped "COA Public Works" set at the northeast corner of a concrete pad on the east side of Loyola Lane having grid coordinate values of N=10,085,966.40, E=3,138,261.39. The distances shown are surface values. The combined scale factor is 0.99993352.



*Mary P. Hawkins* 2/24/15

Mary P. Hawkins, R.P.L.S. No. 4433  
Quality Management Division  
Department of Public Works  
City of Austin

#### REFERENCES

TCAD Parcel No. 02-2125-1301  
Austin Grid M-26 & N-26

**MANOR ROAD**  
(RIGHT-OF-WAY VARIES)

LOT 1B  
SAFA TRADING ESTABLISHMENT, INC.  
VOL. 12058, PG. 1251  
TCAD 02-2125-1302

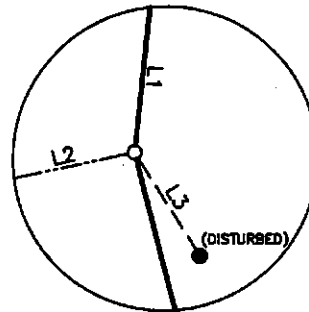
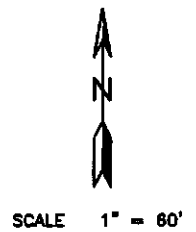
THE BLUFFS OF UNIVERSITY HILLS  
RESUBDIVISION OF LOTS 1 AND 2,  
BLOCK A  
BK. 84, PG. 43D

LOT 1A  
SAFA TRADING ESTABLISHMENT, INC.  
VOL. 12932, PG. 1629  
TCAD 02-2125-1301

LOT 2A  
CITY OF AUSTIN  
VOL. 8477, PG. 99B  
TCAD 02-2125-1308

**LOYOLA LANE**  
(70' RIGHT-OF-WAY)

**0.508 ACRE  
(22,147 SQ. FT.)  
OUT OF LOT 1A**



**LEGEND**

- 1/2" REBAR FOUND (UNLESS OTHERWISE NOTED)
- 1/2" REBAR WITH CAP STAMPED "COA PUBLIC WORKS" SET
- ( ) RECORD INFORMATION PER BK. 84, PG. 43D

**SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION**

DEPARTMENT OF PUBLIC WORKS  
QUALITY MANAGEMENT DIVISION  
505 BARTON SPRINGS ROAD, SUITE 760  
PHONE (512) 974-2661  
FAX (512) 974-7179

LINE TABLE

NO.	BEARING	DISTANCE
L1	N05°47'15"E	5.24'
L2	S78°00'49"W	15.64'
L3	S32°16'11"E	2.90'

CURVE TABLE

NO.	CHORD BEARING	CHORD DISTANCE	CENTRAL ANGLE	ARC LENGTH	RADIUS
C1	S35°15'44"E	96.56'	07°24'15"	96.63'	747.74'
C2	S27°04'49"E	116.81'	08°57'35"	116.93'	747.74'
(C2)	(S25°56'55"E)	(116.96')		(117.08')	(747.74')
C3	N39°42'23"W	19.37'	01°29'03"	19.37'	747.74'
C4	S36°00'15"E	115.88'	08°53'18"	116.00'	747.74'
(C4)	(S34°55'E)	(116.03')		(116.15')	(747.74')

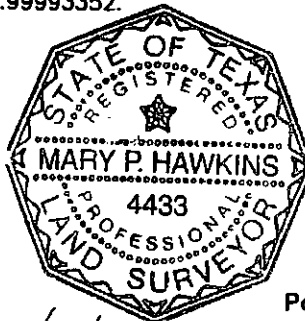
## NOTE:

EASEMENTS SHOWN ON THIS SKETCH ARE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY ALAMO TITLE COMPANY ON DECEMBER 5, 2013, GF NO. AUT-13-671-AUT13005782SG. THERE MAY BE RECORDED OR UNRECORDED EASEMENTS NOT SHOWN HEREON THAT MAY AFFECT THE PROPERTY.

## SCHEDULE B NOTES:

- ITEM (1.) RESTRICTIVE COVENANTS SET OUT ON THE PLATS RECORDED IN VOLUME 42, PAGE 12 AND VOLUME 84, PAGE 43D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AND IN INSTRUMENT RECORDED IN VOLUME 3558, PAGE 398 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (THE 0.508 ACRE TRACT IS SUBJECT TO THESE).
- ITEM (10d.) 10 FOOT WIDE SANITARY SEWER EASEMENT AS SHOWN ON PLATS RECORDED IN VOLUME 42, PAGE 12 AND VOLUME 84, PAGE 43D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. (THE 0.508 ACRE TRACT IS SUBJECT TO THIS).
- ITEM (10e.) 15 FOOT WIDE DRAINAGE AND ACCESS EASEMENT AS SHOWN ON PLATS RECORDED IN VOLUME 42, PAGE 12 AND VOLUME 84, PAGE 43D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. (THE 0.508 ACRE TRACT IS SUBJECT TO THIS).
- ITEM (10f.) 7.5 FOOT WIDE PUBLIC UTILITY EASEMENT ALONG THE NORTHWEST AND WEST LINES OF LOT 1A. (THE 0.508 ACRE TRACT IS SUBJECT TO THIS).
- ITEM (10g.) EASEMENTS AND EASEMENT RIGHTS SET OUT IN INSTRUMENT RECORDED IN VOLUME 3558, PAGE 398 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (THE 0.508 ACRE IS NOT SUBJECT TO THIS).
- ITEM (10h.) BUILDING SET BACK REQUIREMENTS AS SHOWN OR SET OUT ON THE PLATS RECORDED IN VOLUME 42, PAGE 12 AND VOLUME 84, PAGE 43D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. (THE 0.508 ACRE TRACT IS SUBJECT TO THESE), AND IN INSTRUMENT RECORDED IN VOLUME 3558, PAGE 398 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. (THE 0.508 ACRE TRACT IS NOT SUBJECT TO THIS).

BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83 DERIVED FROM MULTIPLE VRS GPS OBSERVATIONS. THE CONTROLLING MONUMENTS ARE A MAG NAIL WITH WASHER STAMPED "COA PUBLIC WORKS" SET IN THE CONCRETE SIDEWALK AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MANOR ROAD AND LOYOLA LANE HAVING GRID COORDINATE VALUES OF N=10,086,567.71, E=3,137,867.98 AND A MAG NAIL WITH WASHER STAMPED "COA PUBLIC WORKS" SET AT THE NORTHEAST CORNER OF A CONCRETE PAD ON THE EAST SIDE OF LOYOLA LANE HAVING GRID COORDINATE VALUES OF N=10,085,966.40, E=3,138,261.39. DISTANCES SHOWN ARE SURFACE VALUES. THE COMBINED SCALE FACTOR IS 0.99993352.



Page 2 of 2

*Mary P. Hawkins* 2/24/15  
 MARY P. HAWKINS, R.P.L.S. NO. 4433 DATE  
 DRAWN BY: MARY P. HAWKINS  
 UNIVERSITY HILLS BRANCH LIBRARY - SKETCH.DWG  
 FB. 4063, PG'S. 1-6

DEPARTMENT OF PUBLIC WORKS  
 QUALITY MANAGEMENT DIVISION  
 505 BARTON SPRINGS ROAD, SUITE 760  
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 FAX (512) 974-7179