

RESOLUTION NO. 20181213-053

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 uses 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 owner 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 owner now having, or who may acquire, an interest in the real property interests necessary to the City, described 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:	Rouche LLC, a Texas limited liability company
Project:	Austin Energy Circuit 961/1004 P3 Project

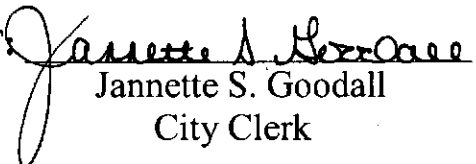
Public Use: An easement and right of way along, over, under, and across that portion of the Property bounded and described on Exhibit A and shown on Exhibit B, attached hereto and incorporated herein (the "Easement"), to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade or remove (in whole or in part) electric transmission, distribution and electric telecommunications lines and systems; and all necessary or desirable appurtenances and structures (the "Facilities"), in the Easement, and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities and permit unimpeded access to the Facilities.

Location: 1800 Scofield Ridge Parkway, Austin, Travis County, Texas 78728

The general route of the project is along the south side of Avenue N and West Howard Lane from the Howard Lane Substation on Gardenia Drive to the east side of Center Line Pass into the Techridge Substation, in Austin, Travis County, Texas. (District 7).

Property: Described in the attached and incorporated Exhibit A and B.

ADOPTED: December 13, 2018

ATTEST: 
Jannette S. Goodall
City Clerk

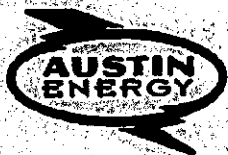


EXHIBIT "A"

SURVEY OF A 0.077 ACRES OR 3,373 SQUARE FEET OF LAND A PART OF LOT 1, BLOCK A, COLLINS SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN DOCUMENT NUMBER 201600066 OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS, THE SAID LOT 1, BEING DESCRIBED TO ROUCHE LLC, IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2016058051, OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED 0.077 ACRES OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "B" AND BEING MORE PARTICULARY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

COMMENCING FOR REFERENCE at an iron rod with plastic capped stamped "ALLSTAR 5729" found having Grid Coordinates of Y(N) 10129471.048, X(E) 3131876.701 United States state plane coordinate system, Texas Central Zone 4203, NAD83, on the north right-of-way line of Scofield Ridge Parkway (120 foot right-of-way width) for the southwest corner of the said Lot 1, same being the southeast corner of Lot 144, Block A, Scofield Farms Phase 9 Section One, a subdivision in Travis County, Texas according to the plat recorded in Book 97, Page 291, Plat Records Travis County, Texas, the said Lot 144, being described to Kilroy Company - Austin Limited Partnership, in that certain Distribution Deed With General Warranty Of Limited Applicability recorded in Volume 13170, Page 2728 Real Property Records Travis County, Texas;

THENCE North 28°03'17" East, a distance of 402.83 feet and coincident with the common dividing line of the said Lot 1 and the said Lot 144, to a point not set for the southwest corner and **POINT OF BEGINNING** of the herein described 0.077 acres of land having Grid Coordinates of Y(N) 10129826.544, X(E) 3132066.156 United States state plane coordinate system, Texas Central Zone 4203, NAD83;

THENCE North 28°03'17" East, a distance of 15.00 feet, coincident with the common dividing line of the said Lot 1 and the said Lot 144, to a point not set for the northwest corner of the herein described 0.077 acres of land and from this point an iron rod with plastic cap stamped "ALLSTAR 5729" found for the northwest corner of the said Lot 1, same being the northeast corner of said Lot 144, same being a point on the southwest right-of-way line of the said Howard Lane bears North 28°03'17" East, a distance of 25.00 feet;

THENCE South 62°09'21" East, a distance of 210.91 feet and departing the said common dividing line of the said Lot 1 and the said Lot 144, crossing over the said Lot 1, to a point not set for the northeast corner of the herein described 0.077 acres of land, same being a point on the curving southwest right-of-way line of the said Howard Lane, said curve being concave to the southwest and from this point a one-half inch iron rod found bears along a segment of said curving right-of-way to the left and having the following curve elements: Delta 10°57'08", Arc Length 60.21 feet, Radius Length 315.00 feet, the chord segment of which bears a Chord Bearing of North 41°10'47" West, and sub Chord Distance of 60.12 feet;

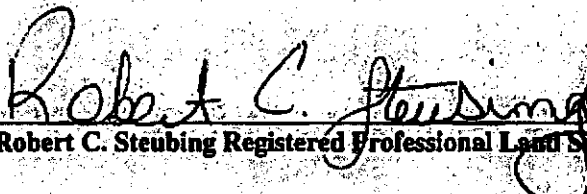
EXHIBIT "A"

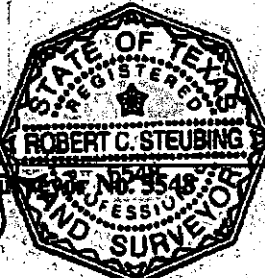
THENCE coincident with said curving right-of-way line of the said Howard Lane with a segment of said curve to the right to a point not set for the southeast corner of the herein described 0.077 acres of land, said curve segment having the following curve elements: Delta Angle $05^{\circ}35'12''$, Arc Length 30.71 feet, Radius Length 315.00 feet, Chord Bearing South $32^{\circ}54'37''$ East, and a sub Chord Distance 30.70 feet and from this point an iron rod with plastic cap stamped "ALLSTAR 5729" found for a point of a compound curve on the common line of the said Howard Lane and the said Lot 1, bears along a segment of said curve to right having the following curve elements: Delta Angle $27^{\circ}57'02''$, Arc Length 153.67 feet, Radius Length 315.00 feet, Chord Bearing South $16^{\circ}08'29''$ East, and a sub Chord Distance 152.15 feet;

THENCE North $62^{\circ}09'21''$ West, a distance of 237.76 feet and crossing over the said Lot 1, to the **POINT OF BEGINNING** and containing 0.077 acres or 3,373 square feet of land, more or less.

BASIS OF BEARINGS IS GRID NORTH, UNITED STATES STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83.

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


Robert C. Steubing Registered Professional Land Surveyor No. 3548

 09/13/2017
Date

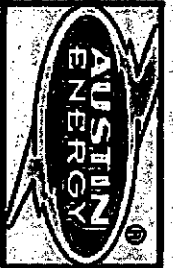


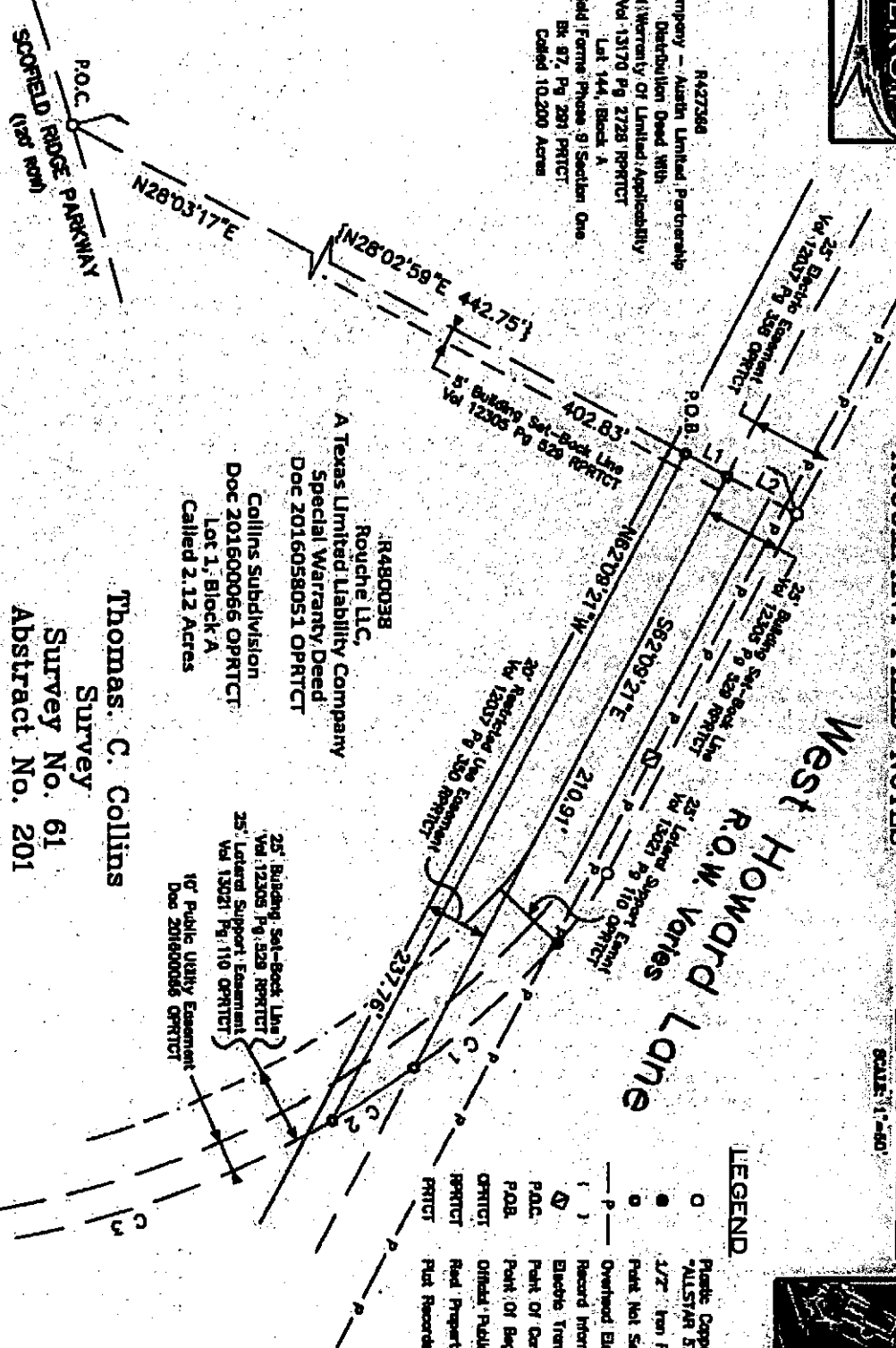
EXHIBIT "B" SKETCH TO
ACCOMPANY FIELD NOTES



LEGEND

- Plastic Capped Iron Rod Stamped "AUSTIN 5728" Found
- 1/2" Iron Rod Found
- Post Not Set
- Overhead Electric Line
- Record Information
- △ Electric Transmission Line Tower
- P.O.B. Point Of Commencement
- P.O.B. Point Of Beginning
- Official Public Records Tolls County Texas
- Red Property Records Tolls County Texas
- Pitt Records Tolls County Texas

R427366
Key Company - Austin Limited Partnership
Distribution Deed With
General Warranty Of Limited Applicability
Vol 13170 Pg 2728 RPCTCT
Lot 144, Block A
Scaffold Frame Phase 3 Section One
Bk 87, Pg 291 PRTCT
Caled 10,200 Acres



Thomas. C. Collins
Survey
Survey No. 61
Abstract No. 201

R480038
Rouche LLC,
A Texas Limited Liability Company
Special Warranty Deed
Doc 2016058051 OPRTCT
Collins Subdivision
Doc 201600066 OPRTCT
Lot 1, Block A
Caled 2.12 Acres

25' Building Set-Back Line
Vol 12305 Pg 528 RPCTCT
25' Lateral Support Easement
Vol 13021 Pg 110 OPRTCT
10' Public Utility Easement
Doc 201600066 OPRTCT

- NOTES:
1. P.O.B. COORDINATES = N 10129471048 E 3131878.701 GRID COORDINATES, TEXAS SOUTH CENTRAL ZONE 4204, MDOCS
 2. P.O.B. COORDINATES = N 10129828.544 E 3132008.156 GRID COORDINATES, TEXAS SOUTH CENTRAL ZONE 4204, MDOCS
 3. BEARING: BASIS IS GRID NORTH, UNITED STATES STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD 83, DISTANCES HEREON ARE GRID.
 4. MAPSCO Parcel No. 496 Trolls County Central Appraisal District ID No.: 480038

NUM.	DELTA	ARC	RADIUS	BEARING	DIST
C1	105°57'08"	60.21'	315.00'	N41°10'47"W	80.12'
C2	105°35'12"	30.71'	315.00'	S32°54'37"E	30.70'
C3	27°57'02"	153.67'	315.00'	S16°08'28"E	152.15'

NUM.	BEARING	DIST
L1	N28°03'17"E	45.00'
L2	N28°03'17"E	25.00'

SCOFIELD RIDGE
PARKWAY (120' WIDE)

Robert C. Stebens
09/13/2017
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

SHEET 1 OF 2 Rev. 2017/09/13
DRAWING: BA/Berry/Survey/Transmission; city/1004/PREV/NOTICE 2981, 2982, 2983, 2984





Easement and Conditions of Record as per Chicago Title Company - Commitment Number:
CTA700202 - GE No.: CTA-07-CTA1700202P:

1.) RESTRICTIVE COVENANTS as per: Instrument No. (s) Volume 12305, Page 529, Volume 12788, Page 282, Volume 12788, Page 288, Volume 12813, Page 1304, Volume 12813, Page 1309, Real Property Records, Travis County, Texas, Document No. 1999120114, Document No. 2000031509, Document No. 201139072, Document No. 2013043884, Document No. 2014022105, Document No. 2016058316, and Document No. 201600066, Official Public Records of Travis County, Texas MAY EFFECT TRACT.

10. F.) Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plot:
Purpose: 10' public utility easement
Affects: along all front lot line and along Scofield Ridge pathway and W Howard Lane
Recording No: Document No. 201600066, Official Public Records of Travis County, Texas
EFFECTS TRACT AS SHOWN ON PLAT

10. G.) Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plot:
Purpose: 25' Lateral Support easement
Affects: adjacent to a portion of right way
Recording No: Document No. 201600066, Official Public Records of Travis County, Texas
EFFECTS TRACT AS SHOWN ON PLAT

10. H.) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: Texas Power & Light Company
Purpose: As provided in said instrument
Recording No: Volume 543, Page 506, Deed Records of Travis County, Texas
MAY EFFECT TRACT.

10. I.) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: Texas Power & Light Company
Purpose: As provided in said instrument
Recording No: Volume 555, Page 350, Deed Records of Travis County, Texas
MAY EFFECT TRACT.

10. J.) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: City of Austin
Purpose: As provided in said instrument
Recording No: Volume 660, Page 468, Deed Records of Travis County, Texas
MAY EFFECT TRACT.

10. K.) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: City of Austin
Purpose: As provided in said instrument
Recording No: Volume 12037, Page 350, Real Property Records, Travis County, Texas, and as shown on plat recorded in Document No. 201600066, Official Public Records of Travis County, Texas
EFFECTS TRACT AS SHOWN ON PLAT.

10. L.) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: City of Austin
Purpose: As provided in said instrument
Recording No: Volume 12037, Page 358, Real Property Records, Travis County, Texas, and as shown on plat recorded in Document No. 201600066, Official Public Records of Travis County, Texas
DOES NOT EFFECT TRACT.

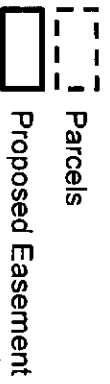
10. M.) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: City of Austin
Purpose: As provided in said instrument
Recording No: Volume 13021, Page 110, Real Property Records, Travis County, Texas, and as shown on plat recorded in Document No. 201600066, Official Public Records of Travis County, Texas
EFFECTS TRACT AS SHOWN ON PLAT.

10. A.) A building set-back line, as disclosed by Declaration of Covenants.
Recording No.: Volume 12037, Page 529, Real Property Records, Travis County, Texas
Affects: 25' along the front lot line; 5' along any common or adjacent lot line.
MAY EFFECT TRACT.

10. O.) Building setback line as set out in Volume 12788, Page 282, and as corrected in Volume 12813, Page 1304, Real Property Records, Travis County, Texas
140' at the southwest corner along the northwest property line
DOES NOT EFFECT TRACT.

10. P.) Assessments, charges and liens as set forth in the document
Entitled: Restrictions
Recording No: Volume 12305, Page 529, Real Property Records, Travis County, Texas
EFFECTS TRACT AS SHOWN ON PLAT.

Proposed Easement at Rouche LLC



2018 Aerial Imagery, City of Austin



AE Public Involvement
& Real Estate Services



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by AUSTIN ENERGY for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

