

RESOLUTION NO. 20190606-060

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:	Auto Strategies LLC., a Texas limited liability company
Project:	Austin Energy Circuit 811 Upgrade Parcel 84 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.

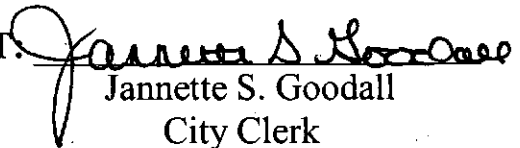
Location: 10501 North Lamar Boulevard, Austin, Travis County, Texas 78753

The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd. crossing Lamar Blvd. at Wagon Trail Road; from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive, in Austin, Travis County, Texas. (District 4).

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

ADOPTED: June 6, 2019

ATTEST.


Jannette S. Goodall
City Clerk

PROPERTY DESCRIPTION

PARCEL 84

A 0.0274 acre (1,194 square feet) Tract of land, situated in the J. APPLGAI SURVEY Number 58, being a portion of Lot 2, Block I, MOCKINGBIRD HILL SECTION ONE, a subdivision recorded in Volume 5, Page 159, Plat Records of Travis County, Texas, and conveyed to Auto Strategies, LLC in Document Number 2011110504, Official Public Records of Travis County, Texas, said Tract being more particularly described by metes and bounds as follows:

COMMENCING at a 3/4 inch iron pipe found for the northernmost corner of Lot 1, Block I of said Mockingbird Hill Section One, also being the westernmost corner of Lot A, Lordstone, a subdivision recorded in Volume 85, Page 57D, Plat Records of Travis County, Texas, and in the easterly right-of-way line of North Lamar Blvd. (R.O.W. Varies), from which a 1/2 inch iron pipe found for the northernmost corner of said Lot A, also being the westernmost corner of a tract of land conveyed to Kanton Labaj in Document Number 2000197463, Official Public Records of Travis County, Texas, also being in the easterly right-of-way line of said North Lamar Blvd. bears, N24°49'32"E, a distance of 564.13 feet,

THENCE, with the common boundary line of said Lot 1, Block I and said North Lamar Blvd. right-of-way line, S24°42'00"W, a distance of 60.00 feet to a calculated point for the northernmost corner and **POINT OF BEGINNING** of the herein described tract (Grid Coordinates: N=10,109,580.37, E=3,129,813.25);

THENCE, with the common boundary line of said Lot 2 and said Lot 1, S62°16'00"E, a distance of 15.02 feet to a calculated point;

THENCE, crossing said Lot 2, S24°42'00"W, a distance of 84.57 feet to a calculated point at a point of curvature to the right in the southerly boundary line of said Lot 2, also being in the northerly right-of-way line of Applegate Drive (60' R.O.W.);

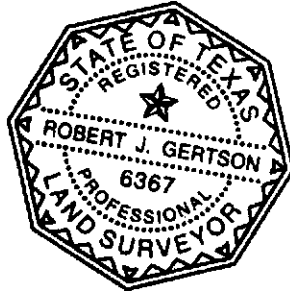
THENCE, with the common boundary line of said Lot 2, said Applegate Drive right-of-way line and with said curve to the right, having a radius of 21.09 feet, an arc distance of 26.95 feet, a central angle of 73°13'26", and a chord bearing N11°54'15"W, a distance of 25.16 feet, to a calculated point for the westernmost corner of said lot 2, also being in the said right-of-way line of North Lamar Blvd;

THENCE, with the common boundary line of said Lot 2 and said North Lamar Blvd right-of-way line, N24°42'00"E, a distance of 65.17 feet to the **POINT OF BEGINNING** and containing 0.0274 acre (1,194 square feet) of land more or less.

BEARING BASIS NOTE

This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System NAD 83 (2011 adjustment), Central Zone (4203). All coordinates were established from NGS Monument AC6346, Designation AUS5 B having grid coordinate values N=10,085,175.04, E=3,109,082.36.

This property description is accompanied by a separate plat of even date and was prepared from an on-the-ground survey made under my supervision during the month of January, 2017



5-9-17

Robert J. Gertson, Registered Professional Land Surveyor 6367
Jacobs Engineering Group Inc. TBPLS Firm: 10152301
2705 Bee Cave Road, Suite 300
Austin, TX 78746
(512) 314-3100

Date

EXHIBIT "B"

SCALE: 1" = 50'

SEE PAGE 4 FOR LINE TABLE
AND TITLE COMMITMENT NOTES

LOTS 1-6
BLOCK G

MOCKINGBIRD HILL SECTION ONE
VOL. 5, PG. 159,
KANTON LABAJ
DOC. NO. 2000197463
O.P.R.T.C.T.

1/2"
IRON
PIPE
FOUND

JOHN APPELGAIT
SURVEY NO. 58

LOT A, LORDSTONE
VOL. 85, PG. 57D
P.R.T.C.T.
NBY 10601 NORTH LAMAR LLC
DOC. NO. 2012220407
O.P.R.T.C.T.

P.O.C.
3/4" IRON
PIPE FOUND

LOT 1, BLOCK I

ANGEL CRUZ JAIMES
DOC. NO. 2011188746
O.P.R.T.C.T.

MOCKINGBIRD HILL SECTION
ONE
VOL. 5, PG. 159,
P.R.T.C.T.

LOT 4, BLOCK I

JAMES HARVEY
DOC. NO. 2000003735
O.P.R.T.C.T.

LOT 3, BLOCK I

700 AG LTD
DOC. NO. 2000196123
O.P.R.T.C.T.

5' PUE PER PLAT
VOL. 5, PG. 159

20' DE PER PLAT
VOL. 5, PG. 159

10' COA ESMY
VOL. 11205, PG. 930

MOTHERALL DR.
(50' ROW)

PARCEL 84
0.0274 ACRES
(1,194 SQ. FT.)

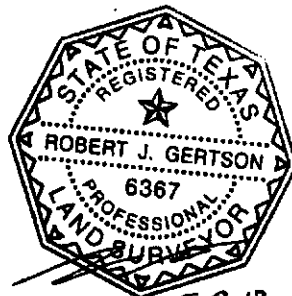
LOT 2, BLOCK I,

AUTO STRATEGIES, LLC
DOCUMENT NO. 201110504
O.P.R.T.C.T.

POWER
POLE
90 CKT
811
LFO6952
310133

POWER POLE
310107

APPELGATE DRIVE
(60' ROW)



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EXHIBIT to ACCOMPANY DESCRIPTION

0.0274 AC

JACOBS

2705 Bee Cave Road, Suite 300
Austin, Texas 78746
(512) 314-3100 Fax (512) 314-3135

OWNERSHIP AND EASEMENT REPORT PROVIDED BY:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

GF NO.: AUT-13-671-AUT16005910SG

EFFECTIVE DATE: JUNE 6, 2016

ISSUED DATE: JUNE 14, 2016

ONLY THOSE ITEMS LISTED IN SCHEDULE B OF THE ABOVE REFERENCED COMMITMENT FOR TITLE INSURANCE WERE REVIEWED FOR THE PURPOSE OF THIS SURVEY. NO ADDITIONAL RESEARCH WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, OR OTHER ENCUMBRANCES WHICH AFFECT THIS SURVEY THAT ARE NOT KNOWN TO THIS SURVEYOR.

THIS TRACT IS SUBJECT TO RESTRICTIVE COVENANTS AS THOSE RECORDED IN VOL. 5, PG. 159, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND IN VOL. 2169, PG. 353, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

10. d) 10' DRAINAGE EASEMENT ALONG THE SOUTHEASTERLY PROPERTY LINE(S), RECORDED IN VOL. 5, PG. 159, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing

e) 5' PUBLIC UTILITY EASEMENT ALONG THE REAR PROPERTY LINE(S), RECORDED IN VOL. 5, PG. 159, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing

f) SANITARY SEWER EASEMENT GRANTED TO THE CITY OF AUSTIN, RECORDED IN VOL. 11205, PG. 930, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83 - 2011 ADJUSTMENT, CENTRAL ZONE (4203).

DISTANCES SHOWN HEREON ARE GRID VALUES REPRESENTED IN U.S. SURVEY FEET.

THIS SURVEY PLAT ACCOMPANIES A METES AND BOUNDS DESCRIPTION OF EVEN DATE.

THIS MAP WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION. THE FIELD WORK WAS COMPLETED IN JANUARY, 2017

ROBERT J. GERTSON
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS - NO. 6367

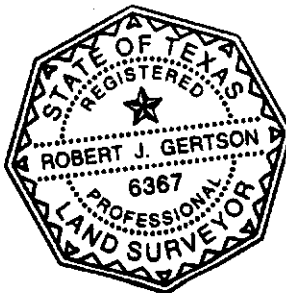
DATE

5-8-17

Line Table		
Line #	Direction	Length
L1	S24° 42' 00"W	60.00'
L2	N24° 49' 32"E	564.13'
L3	S62° 16' 00"E	15.02'
L4	S24° 42' 00"W	84.57'
L5	N24° 42' 00"E	65.17'

Record Line Table		
Line #	Direction	Length
(L5)	N27° 00"E	65.20'

CURVE TABLE					
Curve #	Length	Radius	Central Angle	Chord Bearing	Chord
C1	26.95'	21.09'	73°13'26"	N11°54'15"W	25.16'



LEGEND

- 1/2" IRON ROD FOUND
- UNLESS OTHERWISE NOTED
- △ CALCULATED POINT
- MAILBOX
- ⊗ ELECTRIC METER
- POWER POLE
- ⊗ WATER VALVE
- ⊗ WATER METER
- ⊗ GUY WIRE
- ⊗ POWER POLE WITH LIGHT
- BL BUILDING LINE
- ESMT EASEMENT
- POB POINT OF BEGINNING
- PUE PUBLIC UTILITY EASEMENT
- ROW RIGHT-OF-WAY
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION

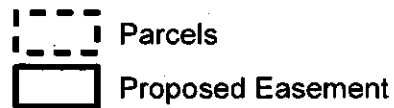
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EXHIBIT to ACCOMPANY DESCRIPTION 0.0274 AC

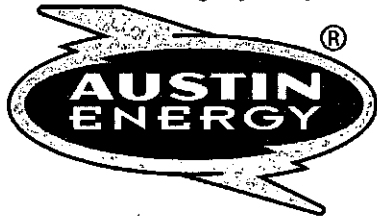
JACOBS®

2705 Bee Cave Road, Suite 300
Austin, Texas 78746
(512) 314-3100 Fax (512) 314-3135

Proposed Easement at Auto Strategies Tract #84



2018 Aerial Imagery, City of Austin



*AE Public Involvement
& Real Estate Services*



0 50 100
Feet

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.

Produced by MGomez 11/29/2018

