

RESOLUTION NO. 20191003-055

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: Susie Young Kang

Project: Austin Energy Circuit 811 Upgrade Parcel 60 Project

Public Use: For upgrading the capacity of the overall electric system, and ensuring the distribution of safe and reliable electric services to the community. 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: 9106 Shepard Drive, 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: October 3, 2019

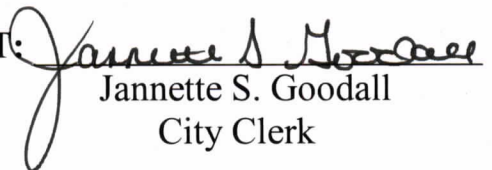
ATTEST: 
Jannette S. Goodall
City Clerk

EXHIBIT "A"

PAGE 1 OF 4



Landesign Services, Inc.

1220 McNeil Road
Suite 200
Round Rock, Texas 78681
Firm Registration No. 10001800
512-238-7901 office
512-238-7902 fax

PROPERTY DESCRIPTION PARCEL 60

BEING A 0.022 OF ONE ACRE (978 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J. APPLGAIT SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 18, BLOCK D, NORTH LAMAR PARK SECTION THREE, RECORDED IN VOL. 20, PG. 15 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 18 BEING DESCRIBED IN A WARRANTY DEED TO SUSIE YOUNG KANG, RECORDED IN DOCUMENT NO. 2007202230 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.022 OF ONE ACRE (978 SQUARE FEET) PARCEL BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rebar found for the most Westerly corner of Lot 15, of said Block D and the most Northerly corner of Lot 14, of said Block D, also being in the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies), from which a 1/2-inch iron rebar found for the most Westerly corner of Lot 13, of said Block D and the most Northerly corner of Lot 12, of said Block D, also being in said existing Easterly right-of-way line of North Lamar Boulevard, bears South 24°53'38" West a distance of 121.44 feet;

THENCE North 24°53'38" East coincident with the common dividing line of said Lot 15, of said Block D; Lot 16, of said Block D; and Lot 17, of said Block D; also along said existing Easterly right-of-way line of North Lamar Boulevard, a distance of 181.37 feet to a Calculated Point not set (Grid Coordinates: N=10104805.079, E=3127627.229) for the most Westerly corner of said Lot 18, the most Northerly corner of said Lot 17 and the **POINT OF BEGINNING** of the herein described tract, from which a 1/2-inch iron rebar found bears North 60°48'33" West a distance of 0.45 feet;

THENCE **North 24°53'38" East** coincident with the common dividing line of said Lot 18 and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of **65.21** feet to a Calculated Point not set for the most Northerly corner of Lot 18 and being at the intersection of said existing Easterly right-of-way line of North Lamar Boulevard with the existing Southerly right-of-way line of Cooper Drive (50' R.O.W. – Vol. 1753, Pg. 527, Deed Records of Travis County, Texas);

EXHIBIT "A"

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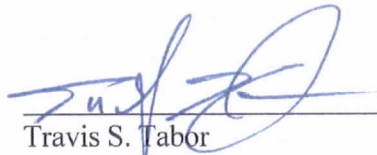
THENCE **South 60°47'33" East** departing said existing Easterly right-of-way line of North Lamar Boulevard and coincident with the common dividing line of said Lot 18 and said existing Southerly right-of-way line of Cooper Drive, a distance of **15.04** feet to a Calculated Point not set for the Northeast corner of the herein described tract;

THENCE **South 24°53'38" West** departing said existing Southerly right-of-way line of Cooper Drive, over and across said Lot 18, a distance of **65.21** feet to a Calculated Point not set in the Southwest line of said Lot 18 and the Northeast line of said Lot 17;

THENCE **North 60°48'33" West** coincident with the common dividing line of said Lot 18 and said Lot 17, a distance of **15.04** feet to the **POINT OF BEGINNING** and containing 0.022 of one acre of land (978 Square Feet) more or less.

All bearings shown hereon are based on the Texas State Plane Coordinate System (SPCS), Central Zone (4203), NAD83 (2011 Adjustment). All distances and coordinates shown hereon are grid values represented in U.S. Survey Feet.

This property description is accompanied by a separate plat of even date and was prepared by an on the ground survey made under my supervision during the month of October, 2016.



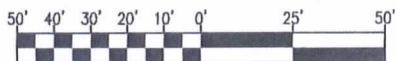
Travis S. Tabor
Registered Professional Land Surveyor
State of Texas No. 6428

01/27/2017
Date



Job Number: 16-006_811 Upgrade

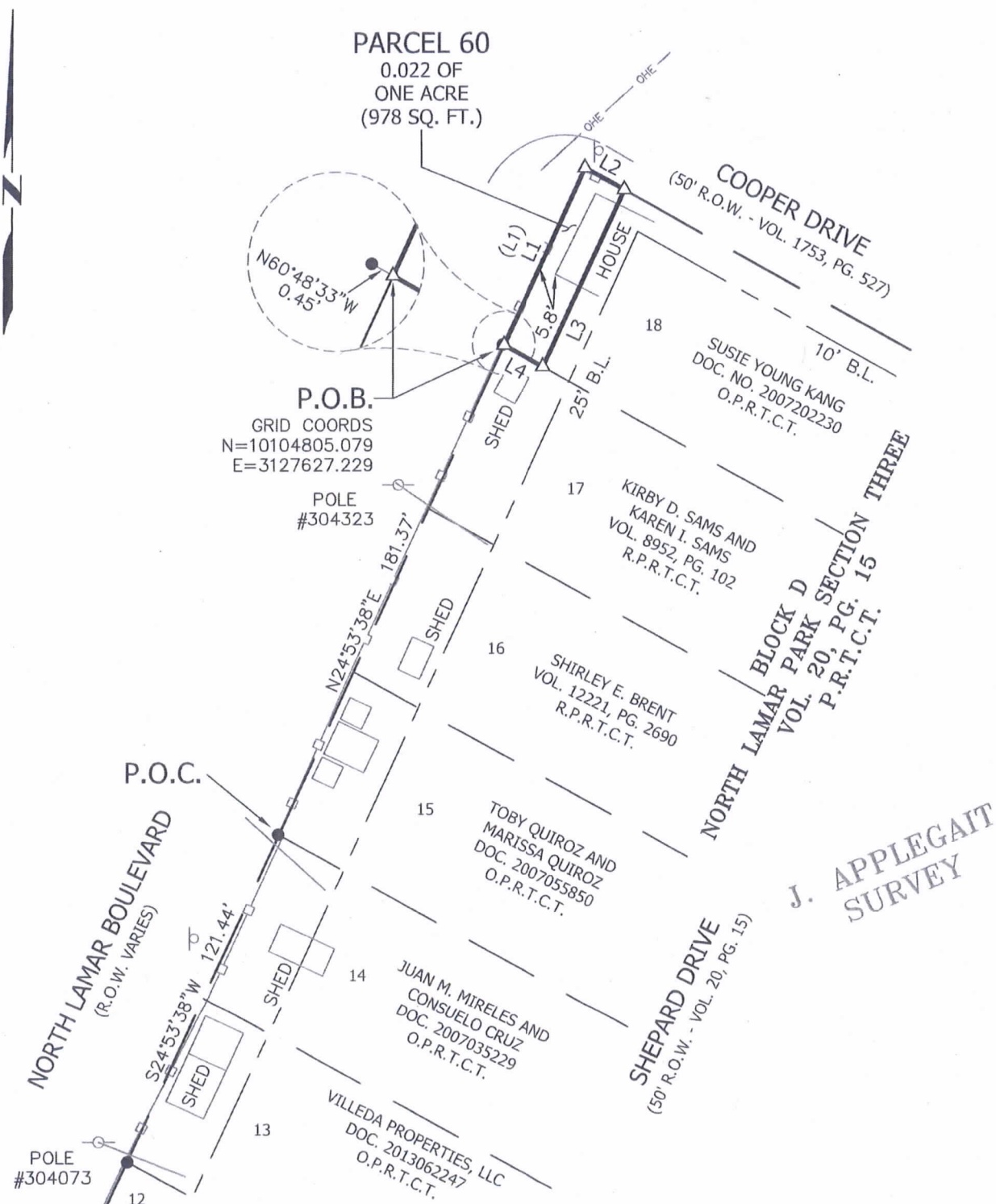
Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006_Parcel 60



GRAPHIC SCALE

EXHIBIT "B"

SEE SHEET 4 FOR LINE TABLE, LEGEND
AND TITLE COMMITMENT NOTES



JOB NUMBER: 16-006	DATE: 01/27/2017
PROJECT NAME: 811 UPGRADE	
DRAWING NAME: 16006_PARCEL 60	
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels	
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\Metes and Bounds	
RPLS: TST	TECH: DH
PARTYCHIEF: AG	CHK BY: JB
SHEET 03 of 04	FIELDBOOKS: 265/267
SCALE: 1"= 50'	



**LANDESIGN
SERVICES, INC.**

512-238-7901
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78681
FIRM REGISTRATION NO. 10001800

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

CHICAGO TITLE INSURANCE COMPANY

GF NO.: 1619634-KFO

ISSUE DATE: JUNE 16, 2016 - EFFECTIVE DATE: JUNE 8, 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.

1. THIS TRACT IS SUBJECT TO RESTRICTIVE COVENANTS DESCRIBED IN VOL. 20, PG. 15, PLAT RECORDS OF TRAVIS COUNTY, TEXAS; VOL. 2833, PG. 458; VOL. 2876, PG. 238 AND VOL. 3136, PG. 1027, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

SCHEDULE B EXCEPTIONS:

10a. BUILDING SETBACK LINES AS SHOWN ON RECORDED PLAT AND DEDICATION NOTED AND SHOWN HEREON.

10b. 5' PUBLIC UTILITY EASEMENT ALONG THE REAR PROPERTY LINE AS ENDORSED ON RECORDED PLAT AND DEDICATION. NOTED HEREON.

10c. BUILDING SETBACK LINES AS SET FORTH IN INSTRUMENT RECORDED IN VOL. 2833, PG. 458, VOL. 2876, PG. 238, AND VOL. 3136, PG. 102, DEED RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON.

10d. 5' PUBLIC UTILITY AND DRAINAGE EASEMENT ALONG THE REAR PROPERTY LINE AS SET FORTH IN INSTRUMENT RECORDED IN VOL. 2833, PG. 458, VOL. 2876, PG. 238, AND VOL. 3136, PG. 102, DEED RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON.

10e. NOT A SURVEY MATTER.

10f. NOT A SURVEY MATTER.

10g. NOT A SURVEY MATTER.

10h. ANY VISIBLE AND APPARENT EASEMENT, EITHER PUBLIC OR PRIVATE, LOCATED ON OR ACROSS THE LAND, THE EXISTENCE OF WHICH IS NOT DISCLOSED BY THE PUBLIC RECORDS AS HEREIN DEFINED. NOTED HEREON.

10i. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. NOTED HEREON.

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 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 OCTOBER, 2016.


TRAVIS S. TABOR
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS - NO. 6428
01/27/2017
DATE



Line Table		
Line #	Direction	Length
L1	N24° 53' 38"E	65.21'
L2	S60° 47' 33"E	15.04'
L3	S24° 53' 38"W	65.21'
L4	N60° 48' 33"W	15.04'
(L4)	N27° 29'E	65.21'

LEGEND

●	IRON REBAR FOUND (1/2" OR AS NOTED)
○	IRON PIPE FOUND (1/2" OR AS NOTED)
⊙	IRON REBAR FOUND WITH CAP (ILLEGIBLE)
▲	NAIL FOUND (PK OR AS NOTED)
△	CALCULATED POINT NOT SET
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
O.R.T.C.T.	OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS OF TRAVIS COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
U.E.	UTILITY EASEMENT
B.L.	BUILDING LINE
(S45°E 45')	RECORD INFO. PER TRAVIS COUNTY

LEGEND

○	POLE	—□—	WOOD PRIVACY FENCE
—○—	POWER POLE	—OHE—	OVERHEAD ELECTRIC
⌵	DOUBLE SIGN POST	⊠	ELECTRIC MISC.
⌵	WATER VALVE	⊙	ELECTRIC MANHOLE
⊗	WATER METER	CO	WASTEWATER CLEANOUT
PB	ELECTRIC PULLBOX	ICV	IRRIGATION CONTROL VALVE
M	MAILBOX	⊗	WATER METER
		⊙	FIRE HYDRANT
		⊙	TELEPHONE MANHOLE
		TEL	TELEPHONE PEDESTAL
		TV	CABLE MARKER
		CONC.	CONCRETE
		ASPH.	ASPHALT
		PKG.	PARKING AREA
		E.P.	EDGE OF PAVEMENT
		B.O.C.	BACK OF CURB

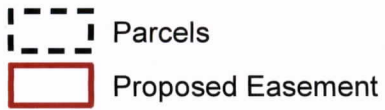
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DRAWING NAME: 16006_PARCEL 60	
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels	
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\FIELD\Field to Office\FNs	
RPLS: TST	TECH: DH
PARTYCHIEF: AG	CHK BY: JB
SHEET 04 of 04	FIELD BOOKS: 265/267
SCALE: 1" = 50'	



LANDESIGN SERVICES, INC.

512-238-7901
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78681
FIRM REGISTRATION NO. 10001800

Proposed Easement at Susie Young Kang Tract #60



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

