

RESOLUTION NO. 20191205-080

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:	Fatima RE, Inc. a Texas Corporation
Project:	Austin Energy Circuit 811 Upgrade Parcel 15 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.

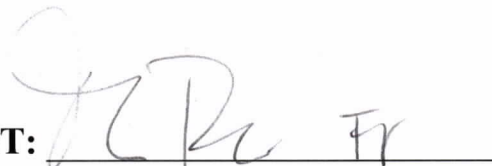
Location: 8201 North Lamar Boulevard, Austin, Travis County, Texas 78753

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: December 5, 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 15

BEING A 0.046 OF ONE ACRE (2021 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1-A, RESUBDIVISION OF LOTS A AND B POWELL LANE SUBDIVISION, SECTION TWO, RECORDED IN VOL. 33, PG. 30 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1-A BEING DESCRIBED IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO FATIMA RE, INC. RECORDED IN DOCUMENT NO. 2010115102 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.046 OF ONE ACRE (2021 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 3/4-inch iron rebar found for the Southeast corner of said Lot 1-A and an exterior corner of Lot 1, AMENDED PLAT OF LOT 1, COX BUSINESS PARK AND LOT C, POWELL LANE SUBDIVISION SECTION TWO, recorded in Document No. 200500073 of said Official Public Records, also being in the existing Northerly right-of-way line of West Powell Lane (R.O.W. Varies), from which a 1/2-inch iron rebar with cap stamped "RPLS 4324 WATERLOO" found for the Northeast corner of said Lot 1-A and an interior corner of said Lot 1, bears North 28°30'54" East a distance of 132.50 feet;

THENCE North 62°14'06" West coincident with the common dividing line of said Lot 1-A and said existing Northerly right-of-way line of West Powell Lane, a distance of 154.43 feet to a Calculated Point not set (Grid Coordinates: N=10101066.711, E=3124328.629) for the Southeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE North 62°14'06" West coincident with the common dividing line of said Lot 1-A and said existing Northerly right-of-way line of West Powell Lane, a distance of **15.90** feet to a Calculated Point not set for the most Westerly corner of said Lot 1-A and being at the intersection of said existing Northerly right-of-way line of West Powell Lane with the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies);

EXHIBIT "A"

PAGE 2 OF 4

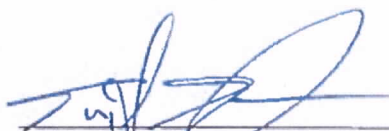
THENCE coincident with the common dividing line of said Lot 1-A and said existing Easterly right-of-way line of North Lamar Boulevard and Northeasterly along the arc of a curve to the right having a radius of **7589.49** feet, an arc length of **133.97** feet, a delta angle of **01°00'41"**, and a chord which bears **North 47°38'56" East** a distance of **133.97** feet to a 1/2-inch iron rebar found for the most Northerly corner of said Lot 1-A and an exterior corner of said Lot 1;

THENCE **South 67°02'08" East** departing said existing Easterly right-of-way line of North Lamar Boulevard and coincident with the common dividing line of said Lot 1-A and said Lot 1, a distance of **16.58** feet to a Calculated Point not set for the Northeast corner of the herein described tract;

THENCE Southwesterly over and across said Lot 1-A and along the arc of a curve to the left having a radius of **7574.49** feet, an arc length of **135.48** feet, a delta angle of **01°01'29"**, and a chord which bears **South 47°41'44" West** a distance of **135.48** feet to the **POINT OF BEGINNING** and containing 0.046 of one acre of land (2021 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

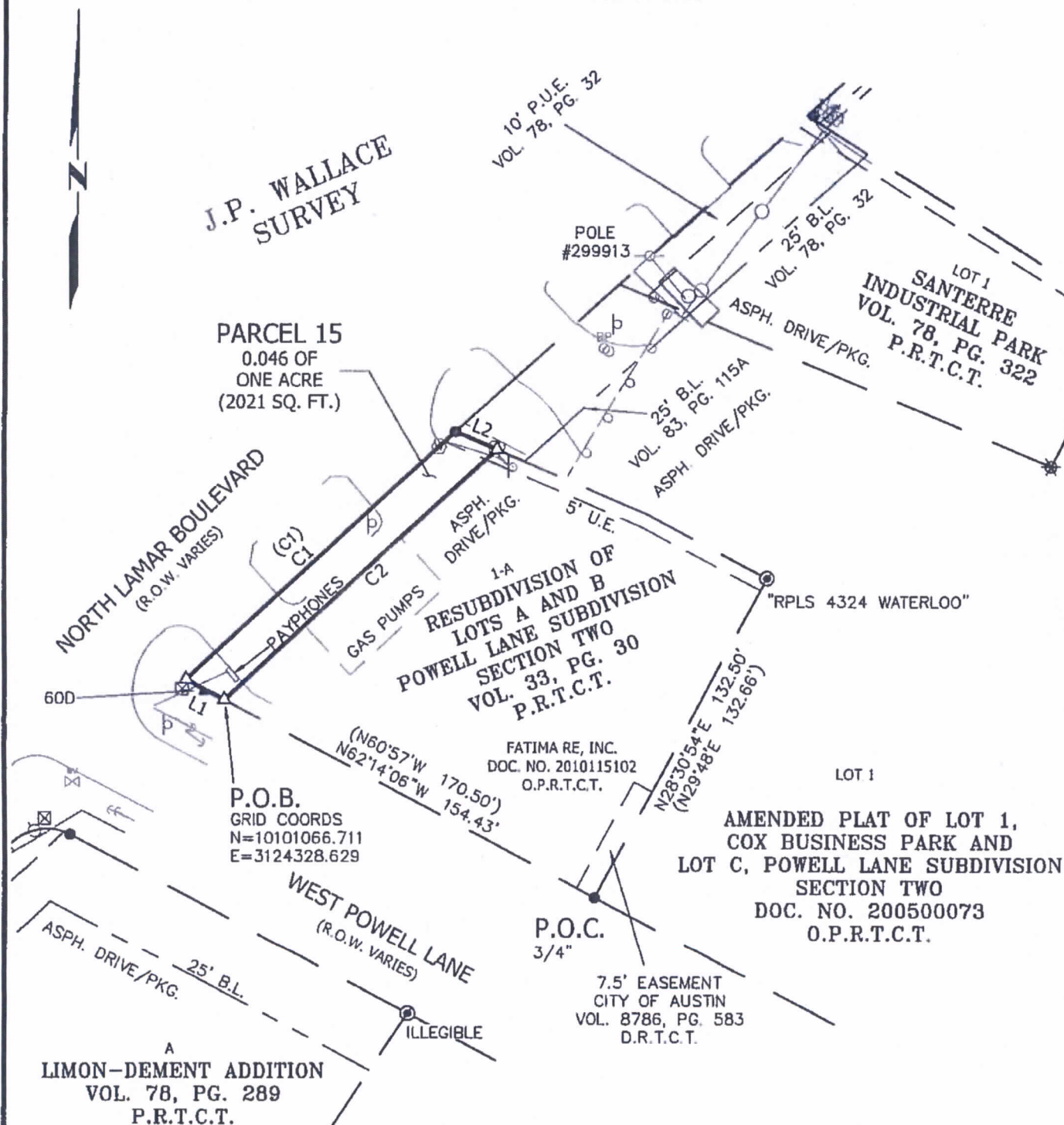
Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006_Parcel 15



GRAPHIC SCALE

EXHIBIT "B"

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



JOB NUMBER: 16-006

DATE: 01/27/2017

PROJECT NAME: 811 UPGRADE

DRAWING NAME: 16006_PARCEL 15

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: TST PARTYCHIEF: AG

CHK BY: JB

SHEET 03 of 04 FIELDBOOKS: 265/267

SCALE: 1" = 50'



LANDESIGN SERVICES, INC.

512-238-7001
1220 MCNEEL ROAD
SUITE 200
ROUND ROCK, TEXAS 78681
FIRM REGISTRATION NO. 10001800

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

CHICAGO TITLE INSURANCE COMPANY

GF NO.: CTA-07-CTA1601073JP

ISSUE DATE: JUNE 8, 2016 - EFFECTIVE DATE: MAY 31, 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.

SCHEDULE B EXCEPTIONS:

- 10a. NOT A SURVEY MATTER.
- 10b. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND. NOTED HEREON.
- 10c. NOT A SURVEY MATTER.
- 10d. NOT A SURVEY MATTER.
- 10e. NOT A SURVEY MATTER.
- 10f. NOT A SURVEY MATTER.
- 10g. NOT A SURVEY MATTER.
- 10h. 5' UTILITY EASEMENT ALONG THE NORTHEAST PROPERTY LINE SHOWN ON THE PLAT RECORDED IN VOL. 33, PG. 30. PLAT RECORDS OF TRAVIS COUNTY, TEXAS. SHOWN HEREON.
- 10i. 5'x8' ELECTRIC EASEMENT GRANTED TO THE CITY OF AUSTIN, RECORDED IN VOL. 3307, PG. 2209, DEED RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON - UNABLE TO LOCATE WITHOUT PARENT DEEDS.
- 10j. 7.5' PUBLIC UTILITY EASEMENT GRANTED TO THE CITY OF AUSTIN, RECORDED IN VOL. 8786, PG. 583, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. SHOWN HEREON - DOES NOT AFFECT.
- 10k. NOT A SURVEY MATTER.
- 10l. NOT A SURVEY MATTER.

Line Table		
Line #	Direction	Length
L1	N62° 14' 06"W	15.90'
L2	S67° 02' 08"E	16.58'

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



LEGEND

- ★ COTTON SPINDLE FOUND (OR AS NOTED)
- TX.D.O.T. TYPE I MONUMENT FOUND
- TX.D.O.T. TYPE II MONUMENT FOUND
- 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

Curve Table

Curve #	Radius	Length	Delta	Chord Bearing	Chord
C1	7589.49'	133.97'	1'00'41"	N47° 38' 56"E	133.97'
C2	7574.49'	135.48'	1'01'29"	S47° 41' 44"W	135.48'
(C1)	7589.49'	134.08'		N48° 56"E	134.08'

LEGEND

- CO WASTEWATER CLEANOUT
- ⊙ WATER METER
- ⊗ WATER VALVE
- ⊕ IRRIGATION CONTROL VALVE
- UN UNKNOWN MANHOLE
- PB ELECTRIC PULLBOX
- GUARDRAIL
- IRON FENCE
- OHE — OVERHEAD ELECTRIC
- ⊗ ELECTRIC MISC.
- ⊙ ELECTRIC MANHOLE
- POLE
- POWER POLE
- ⊕ SIGN POST
- ⊗ WATER METER
- ⊙ FIRE HYDRANT
- ⊕ BOLLARD
- ⊙ TELEPHONE MANHOLE
- ⊕ TELEPHONE PEDESTAL
- ⊗ CABLE MARKER
- CONC. CONCRETE
- ASPH. ASPHALT
- PKG. PARKING AREA
- E.P. EDGE OF PAVEMENT
- B.O.C. BACK OF CURB



LANDESIGN
SERVICES, INC.

512-248-7901
1220 MCNEIL ROAD
SUITE 200
ROUND ROCK, TEXAS 78681
FIRM REGISTRATION NO. 10001800

JOB NUMBER: 16-006	DATE: 01/27/2017
PROJECT NAME: 811 UPGRADE	
DRAWING NAME: 16006_PARCEL 15	
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: TST
PARTYCHIEF: AG	CHK BY: JB
SHEET 04 of 04	FIELD BOOKS: 265/267
SCALE: 1" = 50'	

**Proposed Electric Transmission
and Distribution Easement
for
Austin Energy Transmission
Circuit 811 Upgrade**

**Owner: Fatima RE, Inc., a Texas
Corporation—Parcel #15**

Location: 8201 North Lamar Blvd



Parcels



Proposed Easement

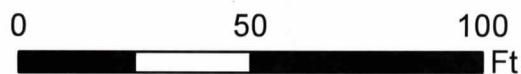
2019 Aerial Imagery, City of Austin



N



*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.

Produced by ECervantes 9/11/2019

