

RESOLUTION NO. 20200611-059

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:	Harrison David Sonntag and Danielle Margaret Colette Jackson
Project:	West Bouldin Creek Del Curto Storm Drain Improvements

Public Use: A storm drain infrastructure project to reduce flood risk.

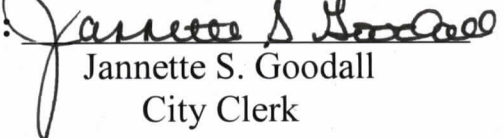
A permanent drainage easement to install, construct, operate, use, maintain, repair, modify, upgrade, monitor, inspect, replace, make connections with, remove and decommission the existing drainage facilities, in under, upon and across the property described in Exhibit "A".

Location: 2215 Iva Lane, Austin, Texas 78704

The general route of the project is in south central Austin in the South Lamar neighborhood and its area is bounded by Bluebonnet Lane, Del Curto Road, Delcrest Drive, Kinney Road and Thornton Road with offshoots along Southland Drive and Iva Lane, Austin, Travis County, Texas (District 5).

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: June 11, 2020

ATTEST: 
Jannette S. Goodall
City Clerk



MACIAS&ASSOCIATES, L.P.
LAND SURVEYORS
Firm Registration No. 101141-0

EXHIBIT "A"

**Harrison David Sonntag and
Danielle Margaret Colette Jackson
To
City of Austin
(Drainage Easement)
DE**

LEGAL DESCRIPTION FOR PARCEL 4905.10 DE

DESCRIPTION OF 0.014 ACRES (600 SQ. FT.) OF LAND SITUATED IN THE ISAAC DECKER LEAGUE SURVEY NO. 20, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING OUT OF 7226 SQ. FT. TRACT AND OUT OF LOT 31, DELCREST ADDITION, OF RECORD IN VOLUME 4, PAGE 68, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND SAID 7226 SQ. FT. TRACT BEING DESCRIBED IN A CORRECTION INSTRUMENT AS TO A RECORDED ORIGINAL INSTRUMENT TO HARRISON DAVIS SONNTAG AND DANIELLE MARGARET COLETTE JACKSON, RECORDED IN DOCUMENT NUMBER 2014108289, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.014 ACRES (600 SQ. FT.) OF LAND, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2" iron rod found on the south right-of-way line Iva Lane, a 50 foot wide right-of-way, and at the northeast corner of said Lot 31, also being the northwest corner of Lot 32, of said Delcrest Addition;

THENCE, S 09°33'55" E departing the south right-of-way line of said Iva Lane, along the common line of said Lot 31 and said Lot 32, a distance of **110.64** feet to a calculated point;

THENCE, S 80°26'05" W, departing the common line of said Lot 31 and said Lot 32, over and across said Lot 31, a distance of **60.67** feet to a calculated point at the northeast corner and **POINT OF BEGINNING** of the herein described tract, having grid coordinates of N=10,062,476.18, E=3,104,395.95, on the east line of said 7226 sq. ft. tract and the west line of a tract of land out of said Lot 31 described in a warranty deed to ECF Properties, L.L.C., recorded in Document Number 2011115453, of the Official Public Records of Travis County, Texas;

THENCE, S 09°33'55" E, along the common line of said 7226 sq. ft. tract and said ECF Properties, L.L.C. tract, a distance of **10.00** feet to a 1/2" iron rod found on the north line of Lot 3, Block C, Southwest Terrace Section One, recorded in Volume 16, Page 10, Plat Records of Travis county, Texas, at the southeast corner of said 7226 sq. ft tract and also being the southwest corner of said ECF Properties, L.L.C. tract, for the southeast corner of the herein described tract;

THENCE, S 80°26'05" W, along the common line of said 7226 sq. ft. tract, and Lot 2 and Lot 3, Block C of said Southwest Terrace Section One, a distance of **60.04** feet to a 1/2" iron rod found at the southwest corner of said 7226 sq. ft. tract and the southeast corner of said Lot 1, Block C, Delcrest Addition Section Two, of record in Volume 7, Page 136, Plat Records of Travis County, Texas, for the southwest corner of the herein described tract;

EXHIBIT " A "

THENCE, N 09°33'55" W, departing the north line of Lot 2, of said Southwest Terrace Section One, along the common line of said 7226 sq. ft. tract and said Lot 1, Block C, Delcrest Addition, Section Two, a distance of **10.00** feet to calculated point at the northwest corner of the herein described tract;

THENCE, N 80°26'05" E, departing the east line of said Lot 1, Block C, Delcrest Addition, Section Two over and across said 7226 sq. ft. tract, a distance of **60.04** feet to the **POINT OF BEGINNING** and containing 0.014 of an acre (600 sq. ft.) of land.

BEARING BASIS

THE BEARINGS SHOWN HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEMS (CENTRAL ZONE 4203), NAD83 (93).

THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF TRAVIS §

That I, Carmelo Lettere Macias, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 7th day of June, 2019.

Macias & Associates, LP
10017 Wild Dunes Drive
Austin, Texas 78747
512-442-7875
Tx. Firm No. 101104-0

Carmelo L. Macias 8-21-19

Carmelo Lettere Macias
Registered Professional Land Surveyor
No. 4333 – State of Texas
REV. 1

FIELD NOTES REVIEWED
BY *[Signature]* DATE: *06.29.2019*
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

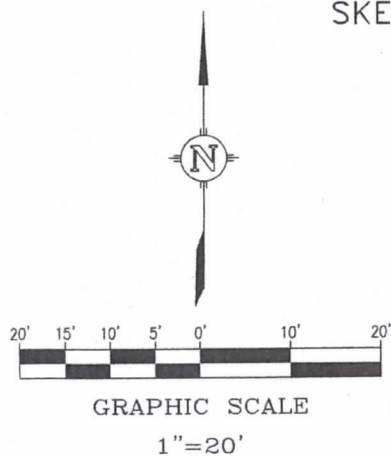


REFERENCES

TCAD PID No. 303184
TCAD GID No. 0401070502
Vesting deed Doc. No. 2014108289
CAS ESMT NO. 12

CAS Consulting/431-45-17 Del Curto Drainage Project/phase 2/low priority parcels/PARCEL 4905.10 DE LEGAL REV. 1.doc

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LEGEND	
●	1/2" IRON PIPE FOUND
●	1/2" IRON ROD FOUND UNLESS NOTED
△	80D NAIL SET
○	CALCULATED POINT
DE	DRAINAGE EASEMENT
DOC. NO.	DOCUMENT NUMBER
D.R.T.C.Tx.	DEED RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.Tx.	OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
P.R.T.C.Tx.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
VOL.	VOLUME
PG.	PAGE
()	RECORD INFORMATION

IVA LANE
(50' R.O.W.)

P.O.C.

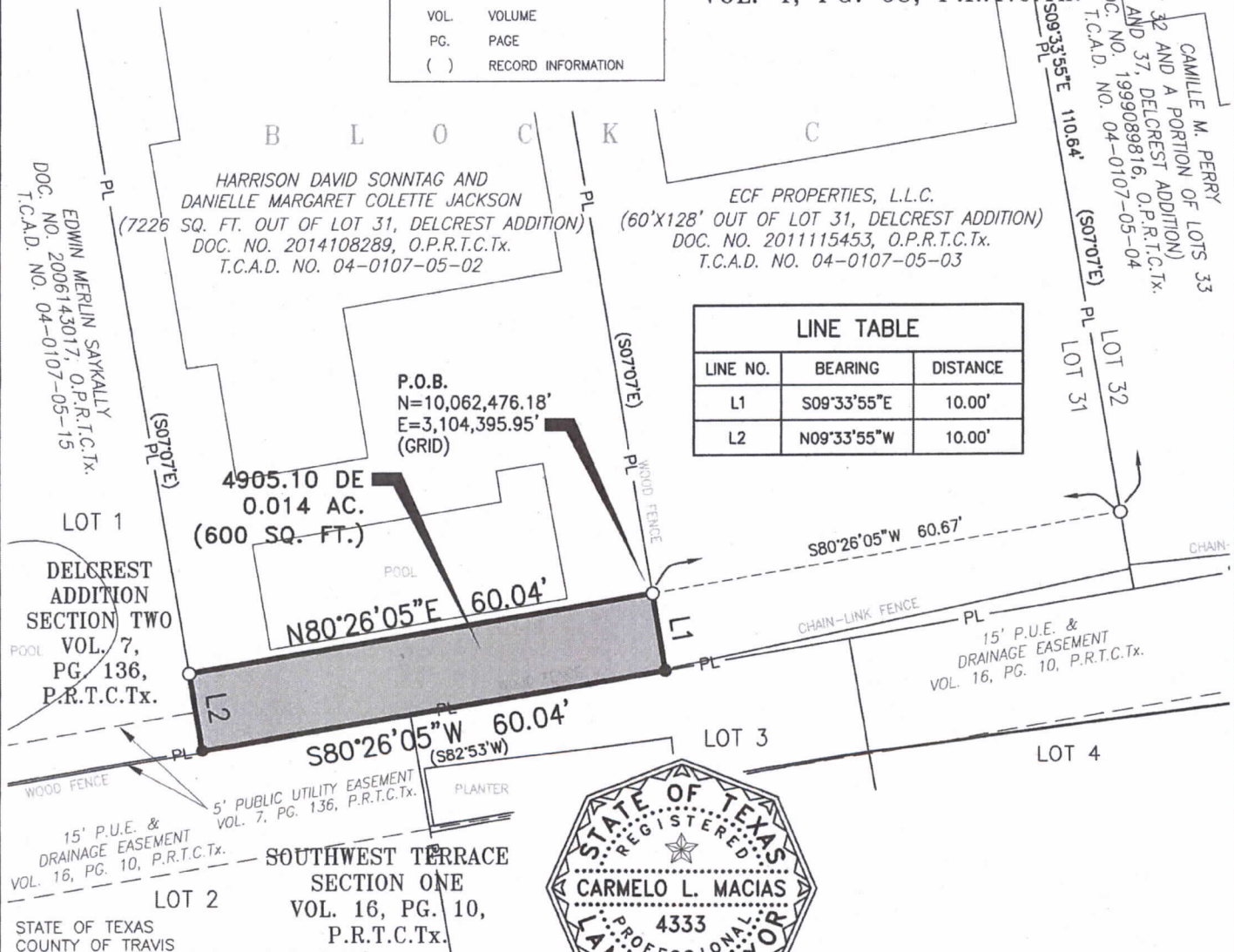
BEARING BASIS:

ALL BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, 4203), NAD83 (93).

TITLE COMMITMENT NOTE:

THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN SCHEDULE B OF TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, FILE GF NO. CTA-07-CTA180181JD EFFECTIVE DATE: MARCH 27, 2019 ISSUED APRIL 4, 2019.

DELCREST ADDITION
VOL. 4, PG. 68, P.R.T.C.Tx.



I HEREBY CERTIFY THAT THIS SURVEY IS THE RESULT OF AN ON THE GROUND SURVEY CONDUCTED UNDER MY SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Carmelo L. Macias 8-21-19
CARMELO LETTERE MACIAS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4333

DATE

PARCEL 4905.10 DE REV. 1.DWG.

DATE: June 6, 2019
DRAWN BY: G.L.
MAI JOB NO.: 431-45-17

MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS - FIRM NO. 101141-00
★ ★ ★ ★ ★
10017 WILD DUNES DRIVE
AUSTIN, TEXAS 78747 O (512)442-7875
C (512)689-4746 WWW.MACIASWORLD.COM

Proposed Drainage Easement Located at 2215 Iva Lane



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.

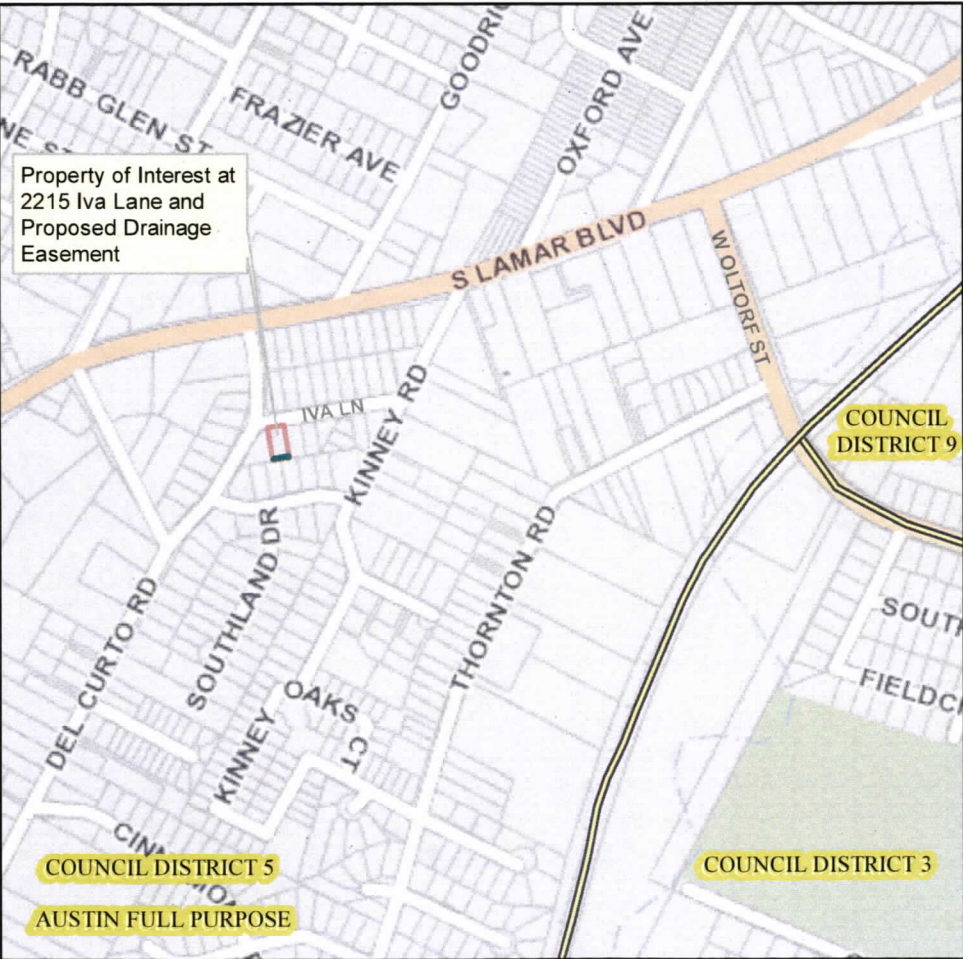
This product has been produced by the Office of Real Estate Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by MMcDonald, 3/13/2020

- Property of Interest
- Proposed Drainage Easement
- Storm Water Drainage Infrastructure

- City Council Districts
- TCAD Parcels

2019 Aerial Imagery, City of Austin



0 1,000 2,000 Feet



0 100 200 Feet