

**RESOLUTION NO. 20210610-047**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City to acquire certain real property interests for the 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:	Karlin Tracor Lane, LLC, a Delaware limited liability company
Project:	Crosstown Tunnel Centralized Odor Control Facility Project

Public Use: To construct an Odor Control Facility. A Fee Simple Interest is necessary to construct, operate, and maintain the Facility in, upon and across, the tract of land as described in "Exhibit A,"

A Drainage and Access Easement is necessary to construct, operate, maintain, repair, replace, and upgrade a drainage channel and related facilities in, upon and across and an easement to construct, use, maintain and replace a controlled accessway in, over, upon, and access the tract of land as described in "Exhibit B,"

Location: 6801 FM 969, Austin, Texas 78724

The general route of the project is Crosstown Tunnel Centralized Odor Control Facility is approximately 0.5 miles due East of the US 183 and FM 969 highway intersection. The facility is proposed to be located on the South side of FM 969, in Travis County, Texas. (District 1)

Property: Described in the attached and incorporated Exhibits A, and B.

ADOPTED: June 10, 2021

ATTEST:

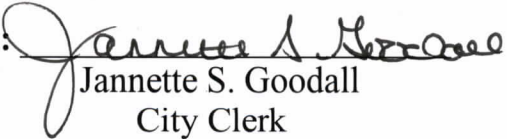
  
Jannette S. Goodall  
City Clerk

EXHIBIT "A"

2.9219-ACRE TRACT, OUT OF  
JAMES BURLESON SURVEY NO. 19,  
ABSTRACT NO. 4  
TRAVIS COUNTY, TEXAS

**LEGAL DESCRIPTION FOR PARCEL 4914.01**

FIELD NOTES FOR A TRACT OF LAND, CONTAINING 2.9219 ACRES OF LAND, OUT OF THE JAMES BURLESON SURVEY NO. 19, ABSTRACT NO. 4, TRAVIS COUNTY, TEXAS, AND OUT OF A CERTAIN 143.144-ACRE TRACT OF LAND, CONVEYED TO KARLIN TRACOR LANE, LLC, A DELAWARE CORPORATION, PER SPECIAL WARRANTY DEED 2020139775, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID TRACT OF LAND CONTAINING 2.9219 ACRES OF LAND, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, AND AS SHOWN ON THE ATTACHED SKETCH:

COMMENCING POINT being a 1/2 inch iron found on the south Right of Way line of F.M. 969, for the northwest corner of a 37.83-acre tract of land, described as Tract 3 out of said 143.144-Acre Tract, conveyed to Karlin Tracor Lane, LLC, a Delaware Corporation, per Special Warranty Deed 2020139775, of the Official Public Records of Travis County, Texas, thence S 80°55'18" E, 252.20 feet, along the south right of way line of FM 969, and continuing along the south right of way line of FM 969, along a curve to the right, having a radius of 3769.80 feet, a long chord bearing S 77°16'47" E, 506.66 feet, for an arc distance of 507.04 feet, to a 1/2" iron rod found for the northwest corner of a 19.969-acre tract of land, described as Tract 2 out of said 143.144-Acre Tract and the northwest corner of the herein described tract, containing 2.9219 acre of land, same being the POINT OF BEGINNING;

- 1) THENCE, along the south right of way line of FM 969, along a curve to the right, having a radius of 3769.80 feet, a long chord bearing S 69°33'23" E, 342.41 feet, for an arc distance of 342.53 feet, to a calculated point;
- 2) THENCE along a curve to the right, having a radius of 2785.00 feet, a long chord bearing S 00°30'46" E, 319.95 feet, for an arc distance of 320.12 feet, traversing said 143.144-acre tract, to a calculated point;
- 3) THENCE, N 79°04'47" W, 401.11 feet, traversing said 143.144-acre tract, to a calculated point;
- 4) THENCE N 10°55'13" E, 370.25 feet, traversing said 143.144-acre tract, to the POINT OF BEGINNING and CONTAINING 2.9219 acres of land.

**BEARING BASIS NOTE:**

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83 (CORS), U.S. Feet)

Date Prepared: November 30, 2020

By:

*I.T. Gonzalez*  
I T Gonzalez, R.P.L.S. No. 2780  
I T Gonzalez Engineers  
3501 Manor Rd  
Austin, Tx 78723  
512-447-7400



11-30-2020

**REFERENCES**

TCAD #0213300301  
AUSTIN GRID N24

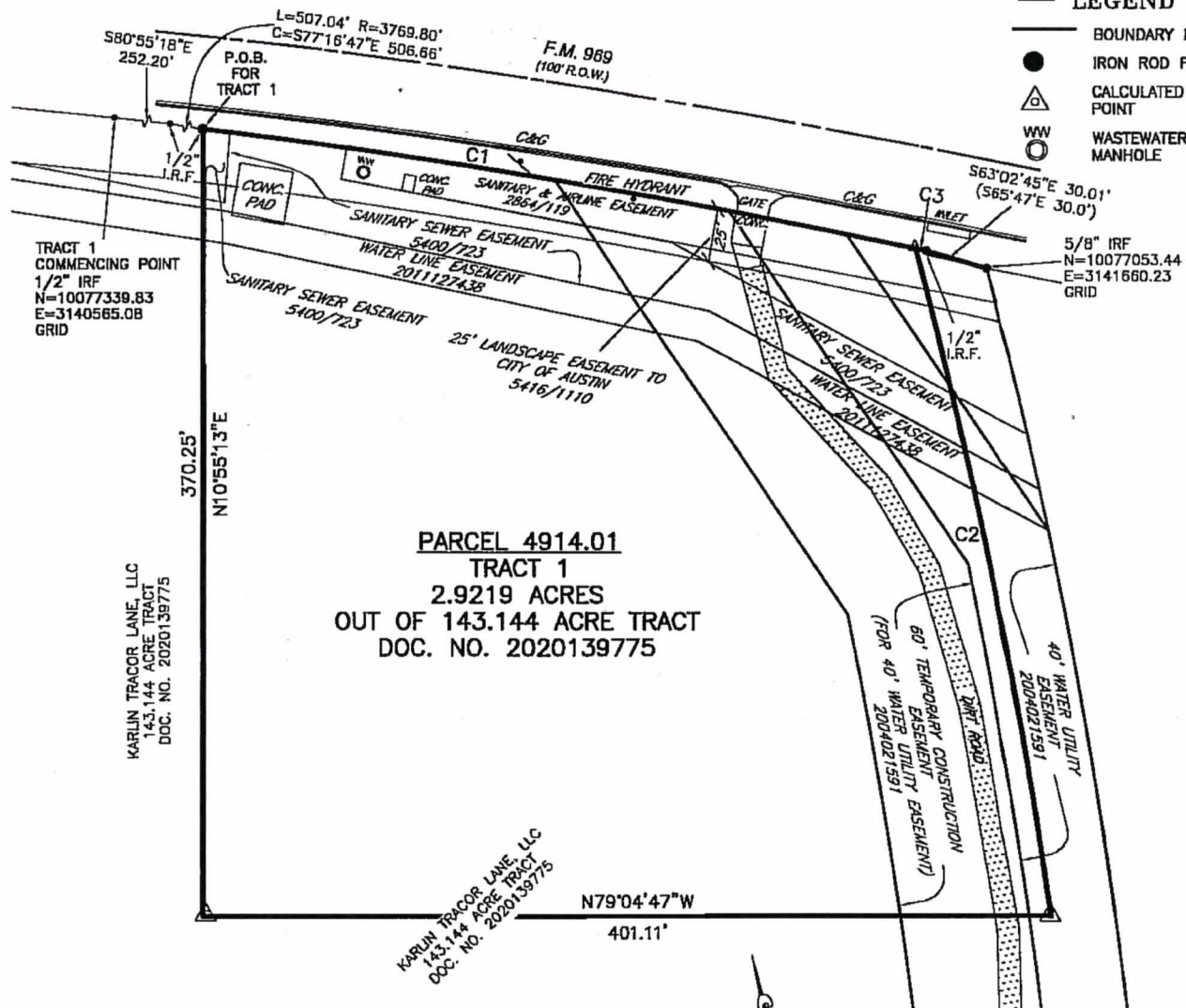
FIELD NOTES REVIEWED  
BY: *[Signature]* DATE: 12/02/20  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT



# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

## LEGEND

- BOUNDARY LINE
- IRON ROD FOUND
- △ CALCULATED POINT
- WW WASTEWATER MANHOLE



DATE: 11-30-2020  
PROJECT NO. S20.02.20.01

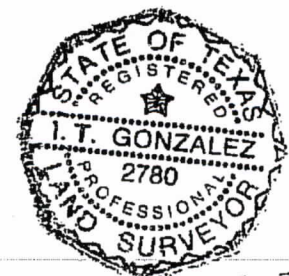
### CURVE DATA

CURVE #	LENGTH	CHORD	BEARING	RADIUS
C1	342.53'	342.41'	S69°33'23"E	3769.80'
C2	320.12'	319.95'	S00°30'46"E	2785.00'
C3	4.57'	4.57'	S66°55'07"E	3769.80'

### SURVEYOR'S CERTIFICATION

The undersigned does hereby certify that this boundary survey, was this day, made on the ground, on the property legally described hereon, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon. This survey was performed without the benefit of a title search.

Bearing basis for this survey is Texas State Plane coordinates (NAD83), Central Texas Zone (4203). Combined Scale Factor = 0.999970.



I.T. GONZALEZ  
REGISTERED PROFESSIONAL  
LAND SURVEYOR  
REG. NO. 2780

PARCEL 4914.01, TRACT 1, 2.9219 ACRES  
TRAVIS COUNTY, TEXAS

KARLIN TRACOR LANE, LLC  
F.M. 969, AUSTIN, TEXAS

**ITG** IT Gonzalez  
Engineers

SURVEYING FIRM REGISTRATION No. 100573-0  
3501 MANOR RD.  
(512) 447-7400 AUSTIN, TEXAS 78723 FAX (512) 447-6389

EXHIBIT "B"

9463 SQUARE FEET TRACT, OUT OF  
JAMES BURLESON SURVEY NO. 19,  
ABSTRACT NO. 4  
TRAVIS COUNTY, TEXAS

**LEGAL DESCRIPTION FOR PARCEL 4914.01  
DRAINAGE AND ACCESS EASEMENT**

FIELD NOTES FOR A TRACT OF LAND, CONTAINING 9463 SQUARE FEET OF LAND, OUT OF THE JAMES BURLESON SURVEY NO. 19, ABSTRACT NO. 4, TRAVIS COUNTY, TEXAS, AND OUT OF A CERTAIN 143.144-ACRE TRACT OF LAND, CONVEYED TO KARLIN TRACOR LANE, LLC, A DELAWARE CORPORATION, PER SPECIAL WARRANTY DEED 2020139775, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID TRACT OF LAND CONTAINING 9463 SQUARE FEET OF LAND, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, AND AS SHOWN ON THE ATTACHED SKETCH:

COMMENCING POINT being a 1/2 inch iron found on the south Right of Way line of F.M. 969, for the northwest corner of a 19.969-acre tract of land, described as Tract 2 out of said 143.144-Acre Tract of Land, conveyed to Karlin Tracor Lane, LLC, a Delaware Corporation, Per Special Warranty Deed 2020139775, of the Official Public Records of Travis County, Texas, thence along the south right of way line of FM 969, along a curve to the right, having a radius of 3769.80 feet, a long chord bearing S 69°33'23" E, 342.41 feet, for an arc distance of 342.53 feet, to a calculated point for the northwest corner of the herein described 9463 square feet tract, same being the POINT OF BEGINNING;

1) THENCE along the south right of way line of FM 969, along a curve to the right, having a radius of 3769.80 feet, a long chord bearing S 66°55'07" E, 4.57 feet, for an arc distance of 4.57 feet, to a 1/2" iron rod found for end point of curvature, continuing S 63°02'45" E, 30.01 feet to a 5/8 inch iron rod found on the west property line of a 219.186 acre tract of land conveyed to the State of Texas per Deed Record Volume 11339, Page 2005, for the northeast corner of said 143.144-acre tract of land and northeast corner of the herein described 9463 square feet tract;

2) THENCE, along the east property line of said 143.144-acre tract, along a curve to the right, having a radius of 2815.00 feet, a long chord bearing S 00°17'29" E, 310.25 feet, for an arc distance of 310.40 feet, to a calculated point for the southeast corner of the herein described tract;

3) THENCE, N 79°04'47" W, 30.30 feet, traversing said 143.144-acre tract, to a calculated point for the southwest corner of the herein described tract;

4) THENCE along a curve to the left, having a radius of 2785.00 feet, a long chord bearing N 00°30'46" W, 319.95 feet, for an arc distance of 320.12 feet, traversing said 143.144-acre tract, to the POINT OF BEGINNING and CONTAINING 9463 square feet of land.

BEARING BASIS NOTE:

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83 (CORS), U.S. Feet)

Date Prepared: November 30, 2020

By:

*I.T. Gonzalez*  
I T Gonzalez, R.P.L.S. No. 2780  
I T Gonzalez Engineers  
3501 Manor Rd  
Austin, Tx 78723  
512-447-7400

11-30-2020



REFERENCES

TCAD #0213300301  
AUSTIN GRID N24

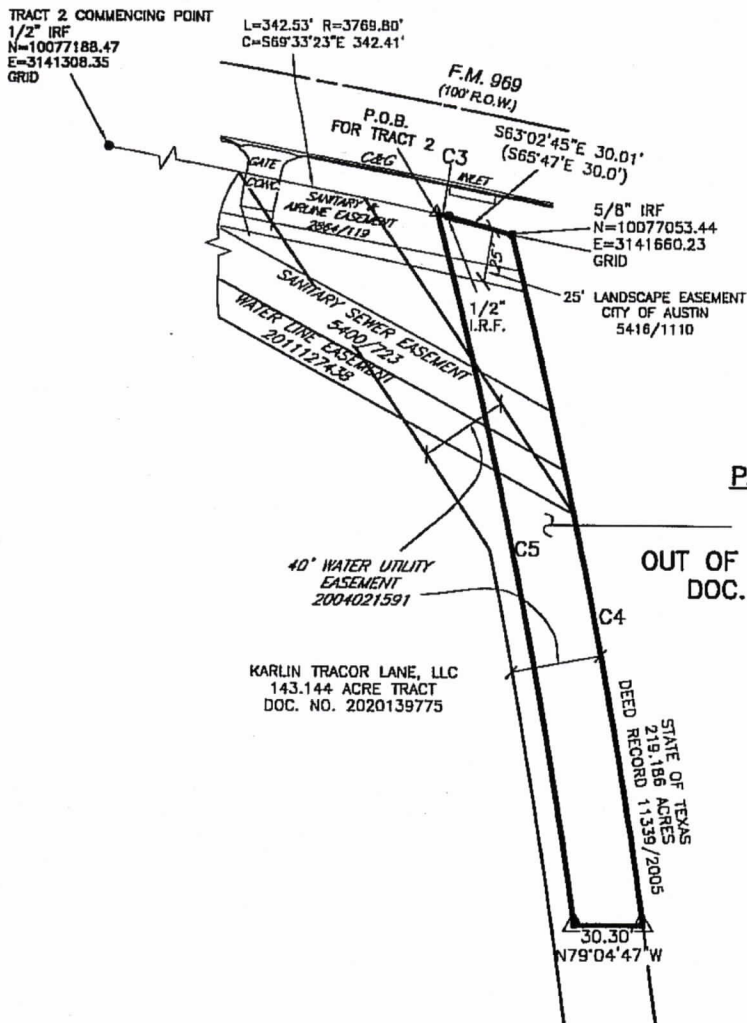
FIELD NOTES REVIEWED

BY: *[Signature]* DATE: 12/02/20

CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT



# SKETCH TO ACCOMPANY LEGAL DESCRIPTION



- **LEGEND** —
- BOUNDARY LINE
  - - - PROPERTY LINE
  - IRON ROD FOUND
  - △ CALCULATED POINT
  - WW WASTEWATER MANHOLE

**PARCEL 4914.01**

**TRACT 2  
9463 S.F.**

**OUT OF 143.144 ACRE TRACT  
DOC. NO. 2020139775**

KARLIN TRACOR LANE, LLC  
143.144 ACRE TRACT  
DOC. NO. 2020139775

STATE OF TEXAS  
219.186 ACRES  
DEED RECORD 11339/2005

Bearing basis for this survey is  
Texas State Plane coordinates  
(NAD83), Central Texas Zone (4203).  
Combined Scale Factor = 0.999970.

## SURVEYOR'S CERTIFICATION

The undersigned does hereby certify that this boundary survey, was this day, made on the ground, on the property legally described hereon, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon. This survey was performed without the benefit of a title search.



DATE: 11-30-2020  
PROJECT NO. S20.02.20.01

CURVE DATA				
CURVE #	LENGTH	CHORD	BEARING	RADIUS
C3	4.57'	4.57'	S66°55'07"E	3769.80'
C4	310.40'	310.25'	S00°17'29"E	2815.00'
C5	320.12'	319.95'	N00°30'46"W	2785.00'



*I.T. Gonzalez* 11-30-2020  
I.T. GONZALEZ  
REGISTERED PROFESSIONAL  
LAND SURVEYOR  
REG. NO. 2780

PARCEL 4914.01, TRACT 2, 9463 S.F.  
TRAVIS COUNTY, TEXAS

KARLIN TRACOR LANE, LLC  
F.M. 969, AUSTIN, TEXAS

**ITG** IT Gonzalez  
Engineers

SURVEYING FIRM REGISTRATION No. 100573-0  
3501 MANOR RD.  
(512) 447-7400 AUSTIN, TEXAS 78723 FAX (512) 447-6389

# Drainage and Access Easement and Property Proposed for Acquisition Located at 6801 FM 969 Road



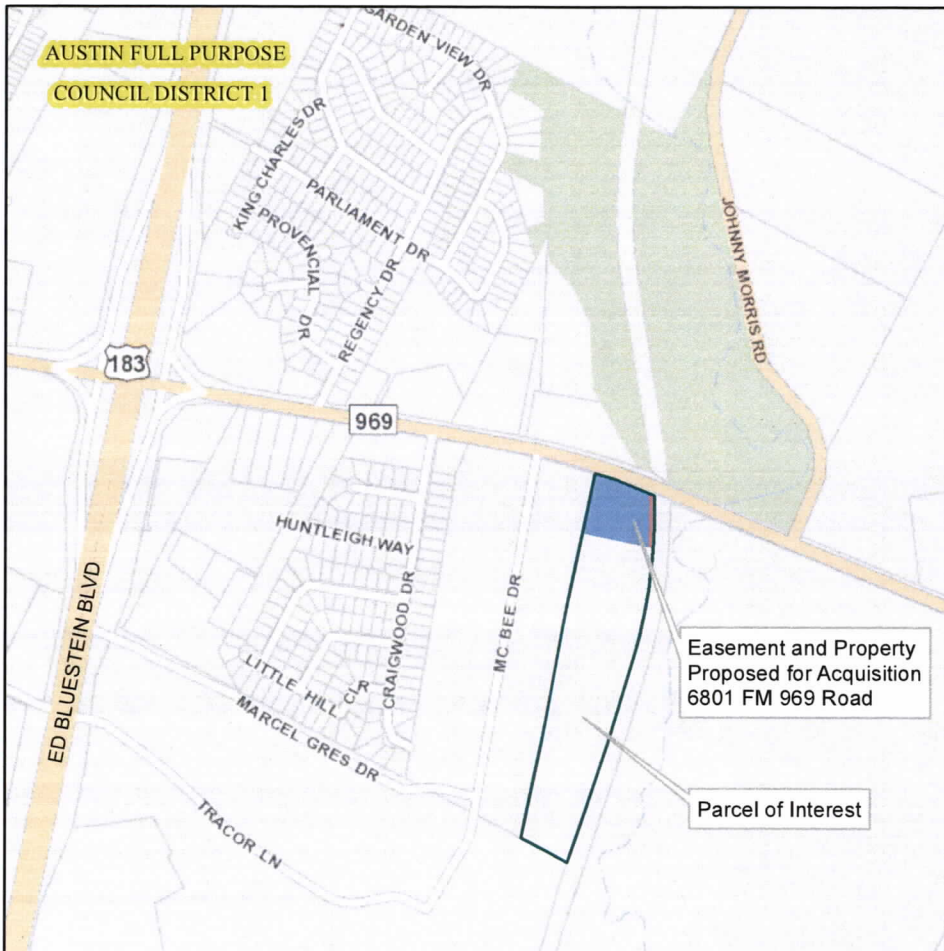
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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 M McDonald, 4/7/2021

-  Parcel of Interest
-  Property Proposed for Acquisition
-  Drainage and Access Easement Proposed for Acquisition
-  City of Austin Property Lot Lines

Nearmap US Vertical Imagery, by ESRI



0 1,000 2,000 Feet



0 250 500 Feet

Copyright nearmap 2015