

RESOLUTION NO. 20210610-053

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: | La Tierra de Simmons Familia, Ltd., a Texas limited partnership |
| Project: | City of Austin Corridor Mobility Program, South Lamar Boulevard Corridor Project |

Public Use: To provide connectivity between many local attractions, homes, sidewalks, and bicycle lanes.
A sidewalk, trail, and recreational easement as described in the attached Exhibit "A" is necessary to install, construct, operate, use, maintain, repair, modify, upgrade, monitor, inspect, replace, make connections with multi-use trails, and promenade structures and related facilities in, under, upon and across the property as described in Exhibit "A".

Location: 2801 S. Lamar Blvd., Austin, Travis County, Texas 78704

The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. (District 5)

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: June 10, 2021

ATTEST:

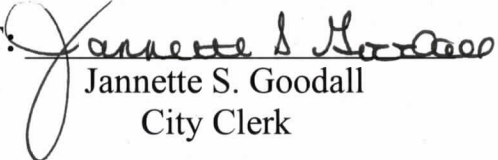

Jannette S. Goodall
City Clerk

EXHIBIT "A"

| | | |
|------------------------|-----------------------|---------------------------|
| City of Austin: | Corridor Program | Parcel 5308.006 STARE |
| Corridor: | South Lamar Boulevard | 0.0195 Acres, 850 Sq. Ft. |
| Segment: | SOLA-C2 | Page 1 of 5 |
| Segment From: | Barton Springs Road | August 28, 2020 |
| Limits To: | US 290 | Revised February 15, 2021 |
| RCSJ: | 0113-09-072 | |

DESCRIPTION OF PARCEL 5308.006 STARE

DESCRIPTION OF A 0.0195 OF ONE ACRE (850 SQUARE FOOT) PARCEL, OUT OF THE HENRY P. HILL LEAGUE NO. 21, ABSTRACT NO. 14, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING OUT OF THAT TRACT DESCRIBED AS 0.782 OF ONE ACRE CONVEYED TO LA TIERRA DE SIMMONS FAMILIA, LTD. BY DEED, EXECUTED JULY 22, 2009, AS RECORDED IN DOCUMENT NO. 2009124822, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0195 OF ONE ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod with plastic cap (illegible) found in the east line of said 0.782 of one acre La Tierra De Simmons Familia tract, being in the existing west right-of-way line of Manchaca Road (80 foot width), from which a chiseled punch hole in concrete found at the south corner of said 0.782 of one acre La Tierra De Simmons Familia tract, being in the existing east right-of-way line of Barton Skyway (90 foot width) bears, with a curve to the right, whose delta angle is 04°22'21", radius is 465.62 feet, an arc distance of 35.53 feet, and the chord of which bears South 10°00'40" West 35.53 feet;

THENCE, along the east line of said 0.782 of one acre La Tierra Simmons Familia tract, and the existing west right-of-way line of Manchaca Road, North 07°44'49"E 366.22 feet to a calculated point at the southeast corner of this parcel for the POINT OF BEGINNING, being 55.00 feet right of Engineer's Baseline Station 156+92.59, and having Surface Coordinates of N=10,062,824.30 E=3,102,641.53;

THENCE, along the proposed south line of this parcel, crossing said 0.782 of one acre La Tierra De Simmons Familia tract, the following three (3) courses, numbered 1 through 3:

- 1) **South 48°56'18" West 93.54 feet** to a calculated point, being 55.00 feet right of Engineer's Baseline Station 155+99.05;
- 2) **North 41°03'42" West 4.00 feet** to a calculated point, being 51.00 feet right of Engineer's Baseline Station 155+99.05; and

EXHIBIT "A"

| | | |
|------------------------|-----------------------|---------------------------|
| City of Austin: | Corridor Program | Parcel 5308.006 STARE |
| Corridor: | South Lamar Boulevard | 0.0195 Acres, 850 Sq. Ft. |
| Segment: | SOLA-C2 | Page 2 of 5 |
| Segment From: | Barton Springs Road | August 28, 2020 |
| Limits To: | US 290 | Revised February 15, 2021 |
| RCSJ: | 0113-09-072 | |

DESCRIPTION OF PARCEL 5308.006 STARE

- 3) **South 48°56'27" West 151.32 feet** to a calculated point at the southwest corner of this parcel, being in the west line of said 0.782 of one acre La Tierra De Simmons Familia tract and in the existing east right-of-way line of Barton Skyway;
- 4) THENCE, along the west line of this parcel and said 0.782 of one acre La Tierra De Simmons Familia tract and the existing east right-of-way line of Barton Skyway, **North 28°45'15" West 1.70 feet** to a 1/2 inch iron rod found at the northwest corner of this parcel and said 0.782 of one acre La Tierra De Simmons Familia tract, being in the existing south right-of-way line of South Lamar Boulevard (varying width);
- 5) THENCE, along the north line of this parcel and said 0.782 of one acre La Tierra De Simmons Familia tract and the existing south right-of-way of South Lamar Boulevard, **North 48°50'49" East 251.43 feet** to a 1/2 inch iron pipe found at the northeast corner of this parcel and said 0.782 of one acre La Tierra De Simmons Familia tract, being in the existing west right-of-way line of Manchaca Road;
- 6) THENCE, along the east line of this parcel and said 0.782 of one acre La Tierra De Simmons Familia tract and the existing west right-of-way line of Manchaca Road, **South 07°44'49" West 9.21 feet** to the POINT OF BEGINNING and containing 0.0195 of one acre (850 square feet) of land within these metes and bounds;

EXHIBIT "A"

City of Austin: Corridor Program
Corridor: South Lamar Boulevard
Segment: SOLA-C2
Segment From: Barton Springs Road
Limits To: US 290
RCSJ: 0113-09-072

Parcel 5308.006 STARE
0.0195 Acres, 850 Sq. Ft.
Page 3 of 5
August 28, 2020
Revised February 15, 2021

DESCRIPTION OF PARCEL 5308.006 STARE

Notes

1. All bearings and coordinates described herein are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum of 1983 (NAD 83 2001 Adjustment, Epoch 2010.00. All distances and coordinates described herein are Surface and may be converted to Grid by dividing the combined Adjustment Factor of 1.00011. All measurements are in U.S. Survey Feet.
2. A parcel plat of even date was prepared in conjunction with this property description.
3. **The monument(s) described as "calculated" may be set with a typical ROW/Easement marker, after acquisition is completed, under the supervision of a Registered Professional Land Surveyor, either employed or retained by the City of Austin.
4. Stations and offsets are relative to Corridor Centerline provided by Engineer on 05/12/2020.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6
Austin, TX 78731 (512) 451-8591
TBPELS Survey Firm# 10095500



02/15/2021

Chris Conrad, Reg. Professional Land Surveyor No. 5623

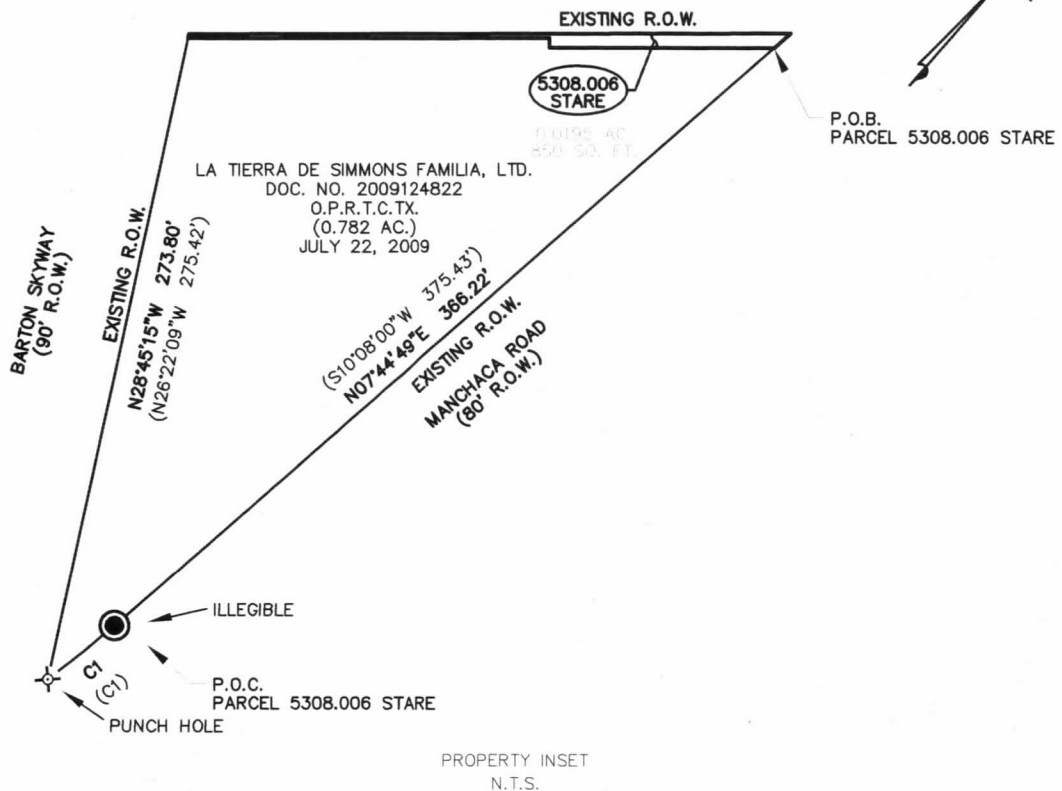
Date

M:/COA-CORRIDORS-2018/LAN~18-050_S Lamar/Descriptions/Parcel 5308.006

AUSTIN GRID G-20
PROPERTY ID: 305430

HENRY P. HILL LEAGUE NO. 21
ABSTRACT NO. 14

SOUTH LAMAR BOULEVARD
(R.O.W. VARIES)



| CURVE TABLE | | | | | |
|-------------|--------|---------|-----------|-------------|----------|
| CURVE# | LENGTH | RADIUS | DELTA | BEARING | DISTANCE |
| C1 | 35.53' | 465.62' | 04°22'21" | S10°00'40"W | 35.53' |
| (C1) | — | 465.62' | — | S12°20'35"W | 35.54' |

NOTES:

- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM (TCS), CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83) 2011 ADJUSTMENT, EPOCH 2010.00. ALL DISTANCES AND COORDINATES SHOWN HEREON ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING THE COMBINED ADJUSTMENT FACTOR OF 1.00011. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET.
- A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
- **THE MONUMENT(S) DESCRIBED AS "CALCULATED" MAY BE SET WITH TYPICAL ROW/EASEMENT MARKER, AFTER ACQUISITION IS COMPLETED, UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY THE CITY OF AUSTIN.
- STATIONS AND OFFSETS ARE RELATIVE TO CORRIDOR CENTERLINE PROVIDED BY ENGINEER ON 5/12/2020.
- NO RECORD EASEMENT INFORMATION FOUND FOR SOME UTILITIES SHOWN.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

Chris Conrad



2/15/2021

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE

Note: There is a description to accompany this plat.


| REVISIONS | |
|--|------------------------------|
| 11/05/2020 | ADDED IMPROVEMENTS |
| 02/15/2021 | CHANGED ABSTRACT SURVEY NAME |
|  McGRAY & McGRAY LAND SURVEYORS, INC. 3301 HANCOCK DRIVE #6 AUSTIN, TEXAS 78731 MCGRAY.COM (512) 451-8591 TBPELS SURVEY FIRM #10095500 | |
| CITY OF AUSTIN - CORRIDOR PROGRAM | |
| SOUTH LAMAR CORRIDOR, SEGMENT C2 | |
| PARCEL PLAT - 5308.006 STARE | |
| 0.0195 ACRES, (850 SQ. FT.) | |
| RCSJ: 0113-09-072 | AUSTIN GRID# G-20 |
| SURVEY DATE: 08/28/2020 | PROJECT: 20-040 |
| REVISION DATE: 02/15/2021 | PROPERTY ID: 305430 |
| SCALE: N.T.S. | PAGE: 4 OF 5 |

EXHIBIT "A"

HENRY P. HILL LEAGUE NO. 21 ABSTRACT NO. 14

15' 0' 15' 30'
SCALE 1" = 30'

Pl: 154+86.70

N48°56'56"E 1303.77'

N48°56'18"E 1301.49'

ENGINEER'S BASELINE

157+00

155+00

ASPHALT PAVEMENT

SOUTH LAMAR BOULEVARD
(R.O.W. WIDTH VARIES)

STATE OF TEXAS
VOL. 528, PG. 589
D.R.T.C.TX.

5308.006
STARE

PEDESTRIAN
SIGNAL BOX

PEDESTRIAN
SIGNAL BOX

EDGE OF ASPHALT

INLET

CURB

CONCRETE DRIVEWAY

CONCRETE DRIVEWAY

CONCRETE DRIVEWAY

SEE
DETAIL "A"

STA. 154+47.74
51.00' RT

BOLLARD
OVERHEAD SIGN WITH SINGLE POLE
DETAIL "A"
NOT TO SCALE

S48°56'27"W 151.32'

STA. 155+99.05
51.00' RT

STA. 155+99.05
55.00' RT

LA TIERRA DE
SIMMONS FAMILIA, LTD.
DOC. NO. 2009124822
O.P.R.T.C.TX.
(0.782 AC.)
JULY 22, 2009

EXISTING R.O.W.

S48°56'18"W 93.54'

EXISTING R.O.W.
N28°45'15"W 273.80'
(N26°22'09"W 275.42')

SOUTH LAMAR BOULEVARD
(R.O.W. VARIES)

EXISTING R.O.W.

S48°56'27"W 151.32'

LINE TABLE

| LINE# | BEARING | DISTANCE |
|-------|-------------|----------|
| L1 | N41°03'42"W | 4.00' |
| L2 | N28°45'15"W | 1.70' |
| L3 | S07°44'49"W | 9.21' |

LEGEND

- 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON PIPE FOUND
- △ CALCULATED POINT, NOT SET
- ⊗ CHISELED PUNCH HOLE FOUND IN CONCRETE
- ⊙ 1/2" IRON ROD WITH PLASTIC CAP FOUND
- 1/2" IRON ROD SET W/ "MCGRAY MCGRAY" CAP
- P— PROPERTY LINE (OWNERSHIP DIVISION)
- DISTANCE NOT TO SCALE
- DEED LINE (OWNERSHIP IN COMMON)
- PARCEL NUMBER
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXXX) RECORD INFORMATION
- R.O.W. RIGHT-OF-WAY
- N.T.S. NOT TO SCALE
- P.O.B. POINT OF BEGINNING

- P.O.C. POINT OF COMMENCEMENT
- 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
- ⊗ WATER VALVE
- ⊙ STORM DRAIN MANHOLE
- ⊙ WASTEWATER MANHOLE
- ⊙ ELECTRIC MANHOLE
- ⊙ JUNCTION BOX ELECTRIC
- ⊙ ELECTRIC PEDESTAL
- ⊙ POWER POLE
- GUY ANCHOR
- OU — OVERHEAD UTILITY LINE
- ⊙ SINGLE POST SIGN
- HCR HANDICAP RAMP
- // — WOOD FENCE

P.O.C.
PARCEL 5308.006 STARE

**McGRAY & McGRAY
LAND SURVEYORS, INC.**

3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
MCGRAY.COM (512) 451-8591
TBPES SURVEY FIRM #10095500

CITY OF AUSTIN - CORRIDOR PROGRAM

SOUTH LAMAR CORRIDOR, SEGMENT C2

PARCEL PLAT - 5308.006 STARE

0.0195 ACRES, (850 SQ. FT.)

RCSJ: 0113-09-072 AUSTIN GRID# G-20

SURVEY DATE: 08/28/2020 PROJECT: 20-040

REVISION DATE: 02/15/2021 PROPERTY ID: 305430

SCALE: 1" = 30' PAGE: 5 OF 5

EXHIBIT "A"