

**RESOLUTION NO. 20211118-057**

**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: Cielo Paso Oak Hill, L.P., a Texas Limited Partnership

Project: Oak Hill Parkway Water and Wastewater Relocation Project

Public Use: Accommodating proposed roadway improvements, by allowing water infrastructures in conflict to be adjusted. A water line easement is needed for construction, operation, maintenance, replacement, upgrade, repair, decommissioning and removal of water lines and associated appurtenances and making

connections therewith in, upon, over and across, the tract of land as described in "Exhibit A".

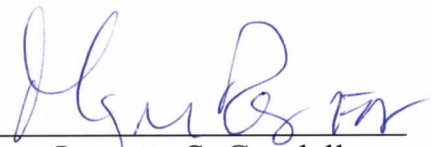
Location: 7100 W. U.S. Highway 290, Austin, Texas 78749

The general route of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon, in Travis County, Texas.

Property: Described in the attached and incorporated Exhibit "A".

**ADOPTED:** November 18, 2021

**ATTEST:**



Jannette S. Goodall  
City Clerk

Cielo Paso Oak Hill, L.P.  
to  
The City of Austin  
(Water Line Easement)

**LEGAL DESCRIPTION FOR PARCEL 5221.05 WLE**

**DESCRIPTION OF A 0.179 ACRE (7,795 SQ. FT.) EASEMENT LOCATED IN THE JESSE WILLIAMS SURVEY NO. 62, ABSTRACT 788, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 3, SCENIC BROOK WEST COMMERCIAL, A SUBDIVISION OF RECORD IN VOLUME 78, PAGE 71, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.), AS DESCRIBED IN A DEED TO CIELO PASO OAK HILL, L.P., A TEXAS LIMITED PARTNERSHIP, RECORDED FEBRUARY 20, 2013 IN DOCUMENT NO. 2013031028, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.); SAID 0.179 ACRE (7,795 SQ. FT.) EASEMENT, AS SHOWN ON THE ATTACHED SKETCH AS PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**COMMENCING** at a TxDOT type II monument found on the existing east right-of-way line of Oak Meadow Drive, a 60 foot wide right-of-way, per said plat Scenic Brook West Commercial Subdivision, for the northwest corner of said Lot 3;

**THENCE S 76°41'53" E**, with the existing east right-of-way line of said Oak Meadow Drive, a distance of **8.76** feet to a calculated point (**Grid Coordinates: N= 10,056,956.39, E= 3,072,367.26**), for the northwest corner and the **POINT OF BEGINNING** of the easement described herein;

**THENCE N 54°28'30" E**, departing the existing east right-of-way line of said Oak Meadow Drive, over and across of said Lot 3, a distance of **534.16** feet to a calculated point on the existing north right-of-way line of U.S. 290, a variable width right-of-way, as described to the State of Texas, recorded in Volume 13177, Page 3458, Real Property Records of Travis County, Texas (R.P.R.T.C.TX.), for the northeast corner of the easement described herein;

**THENCE**, with the existing north right-of-way line of said U.S. 290, the following three (3) courses and distances:

**S 20°32'36" W**, a distance of **26.87** feet to a TxDOT type II monument found, for the most southerly southeast corner of said Lot 3 and the easement described herein,

**S 54°26'58" W**, a distance of **431.05** feet to a TxDOT type II monument found, and

**S 54°38'16" W**, a distance of **67.70** feet to a TxDOT type II monument found on the existing east right-of-way line of said Oak Meadow Drive, for the most southerly southwest corner of said Lot 3 and the easement described herein;

THIS SPACE LEFT INTENTIONALLY BLANK

## Exhibit “A”

Cielo Paso Oak Hill, L.P.  
to  
The City of Austin  
(Water Line Easement)

**THENCE N 76°41'53" W**, departing the existing north right-of-way line of said U.S. 290, with the existing east right-of-way line of said Oak Meadow Drive, a distance of **19.93** feet to the **POINT OF BEGINNING**, and containing **0.179** acre (7,795 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.000065048. Units: U.S. Survey Feet.

THE STATE OF TEXAS                 §  
COUNTY TRAVIS                      §

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KNOW ALL BY THESE PRESENTS:

That I, Scott C. Brashear, a Registered Professional Land Surveyor, do hereby certify 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, on the date shown below.

**SURVEYING AND MAPPING, LLC**  
4801 Southwest Pkwy  
Building Two, Suite 100  
Austin, Texas 78735  
TX. Firm Reg. No. 10064300

Scott C. Brashear  
Registered Professional Land Surveyor  
No. 6660 – State of Texas

REERENCES  
TCAD Parcel I.D No. 311847

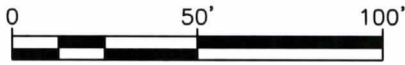


FIELD NOTES REVIEWED  
BY: [Signature] DATE: 05/14/20  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT



"EXHIBIT A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
FOR PARCEL 5221.05 WLE



GRAPHIC SCALE  
SCALE 1" = 50'  
TRAVIS COUNTY, TEXAS



*JESSE WILLIAMS*  
*SURVEY NO. 62*  
*ABSTRACT NO. 788*

CIELO PASO OAK HILL, L.P.,  
A TEXAS LIMITED PARTNERSHIP  
FEBRUARY 20, 2013  
DOC. NO. 2013031028  
O.P.R.T.C.TX.

LOT 3  
SCENIC BROOK WEST COMMERCIAL  
VOL. 78, PG. 71  
P.R.T.C.TX.

PARCEL 5221.05 WLE  
WATER LINE EASEMENT  
0.179 ACRE  
(7,795 SQ. FT.)

EXISTING R.O.W.

EXISTING R.O.W.

OAK MEADOW DRIVE  
(60' R.O.W. PER PLAT  
VOL. 78, PG. 71  
P.R.T.C.TX.)

TCAD PARCEL I.D. NO. 311847

25' BUILDING  
SETBACK LINES  
VOL. 78, PG. 71  
P.R.T.C.TX.

15' DRAINAGE AND PUBLIC  
UTILITY EASEMENT  
VOL. 78, PG. 71  
P.R.T.C.TX.

L1  
L3 EXISTING R.O.W.

JAMES M. HOWELL  
DOC. NO. 2014077383  
O.P.R.T.C.TX.

LOT A  
SCENIC BROOK  
WEST COMMERCIAL 1-A  
VOL. 78, PG. 360  
P.R.T.C.TX.

P.O.B.  
GRID N: 10,056,956.39  
GRID E: 3,072,367.26

P.O.C.

(N 54°30'15" E  
499.08')

U.S. 290  
(VARIABLE WIDTH RIGHT-OF-WAY)  
TXDOT CSJ NO. 0113-08-039

STATE OF TEXAS  
VOL. 13177, PG. 3458  
R.P.R.T.C.TX.

MATCHLINE PAGE 4

JOB NUMBER: 1019051384  
DATE: 01/31/2020  
SCALE: 1" = 50'  
SURVEYOR: S. BRASHEAR  
TECHNICIAN: C. GALVAN  
DRAWING: PARCEL 5221.05 WLE  
TRACT ID: 311847  
PARTY CHIEF: S. PESL  
FIELD BOOKS:



4801 Southwest Parkway  
Building Two, Suite 100  
Austin Texas, 78735  
Ofc: 512.447.0575  
Fax: 512.326.3029  
email: info@sam.biz

Texas Firm Registration No. 10064300

PROJECT: CITY OF AUSTIN - OAKHILL EASEMENTS

PAGE 3  
OF 5



GRAPHIC SCALE  
SCALE 1" = 50'  
TRAVIS COUNTY, TEXAS

"EXHIBIT A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION  
FOR PARCEL 5221.05 WLE

CIELO PASO OAK HILL, L.P.,  
FEBRUARY 20, 2013  
DOC. NO. 2013031028  
O.P.R.T.C.TX.

LOT 3  
SCENIC BROOK WEST COMMERCIAL  
VOL. 78, PG. 71  
P.R.T.C.TX.

TCAD PARCEL I.D NO. 311847

DRAINAGE AND PUBLIC  
UTILITY EASEMENT  
VOL. 78, PG. 71  
P.R.T.C.TX.

PARCEL 5221.05 WLE  
WATER LINE EASEMENT  
0.179 ACRE  
(7,795 SQ. FT.)

25' BUILDING  
SETBACK LINES  
VOL. 78, PG. 71  
P.R.T.C.TX.

STATE OF TEXAS  
VOL. 13177, PG. 3458  
R.P.R.T.C.TX.

JESSE WILLIAMS  
SURVEY NO. 62  
ABSTRACT NO. 788

U.S. 290  
(VARIABLE WIDTH RIGHT-OF-WAY)  
TXDOT CSJ NO. 0113-08-039

U.S. 290  
ENGINEER'S CENTERLINE

MATCHLINE PAGE 3

JOB NUMBER: 1019051384  
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TECHNICIAN: C. GALVAN  
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TRACT ID: 311847  
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PAGE 4  
OF 5

**"EXHIBIT A"**  
**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**  
**FOR PARCEL 5221.05 WLE**

**LEGEND**

——— **PL** ——— PROPERTY LINE  
 ——— **S** ——— APPROXIMATE SURVEY LINE  
 ——— EASEMENT  
 △ CALCULATED POINT  
 ■ TxDOT TYPE II MONUMENT FOUND  
 P.O.B. POINT OF BEGINNING  
 P.O.C. POINT OF COMMENCEMENT  
 D.R.T.C.TX. DEED RECORDS TRAVIS COUNTY, TEXAS  
 R.P.R.T.C.TX. REAL PROPERTY 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  
 R.O.W. RIGHT-OF-WAY  
 ( ) RECORD INFORMATION

LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	N54°28'30"E	534.16'
L2	S20°32'36"W	26.87'
L3	S54°26'58"W	431.05'
L4	S54°38'16"W	67.70'
L5	N76°41'53"W	19.93'
L6	S76°41'53"E	8.76'

**NOTE:**

EASEMENTS SHOWN ON THIS SKETCH ARE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY ON SEPTEMBER 17, 2019, EFFECTIVE SEPTEMBER 6, 2019 GF NO. AUT-13-671-AUT19010380L. THERE MAY BE RECORDED OR UNRECORDED EASEMENTS NOT SHOWN HEREON THAT MAY AFFECT THE PROPERTY.

ALL BEARINGS SHOWN ARE BASED ON NAD83/2011 TEXAS COORDINATE SYSTEM, CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR 1.000065048. PROJECT UNITS ARE IN U.S. SURVEY FEET.

THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

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

*Scott C. Brashear*

5/12/20



SCOTT C. BRASHEAR  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 NO. 6660 — STATE OF TEXAS

DATE

JOB NUMBER: 1019051384  
 DATE: 01/31/2020  
 SCALE: 1" = 50'  
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 TECHNICIAN: C. GALVAN  
 DRAWING: PARCEL 5221.05 WLE  
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