

RESOLUTION NO. 20220127-061

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: San Clemente Office Partners, LLC.

Project: Loop 360 at Westlake Waterline 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 and wastewater lines and associated appurtenances and making connections therewith in, upon, over and across, the tract of land as described in "Exhibit A."

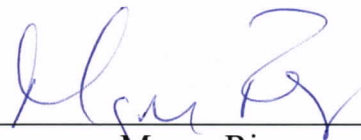
Location: 3900 North Capital of Texas Highway, Austin, Texas 78746

The general route of the project is along Loop 360 south of Plaza on the Lake toward Cedar Street and ending at Westlake Dr.

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

ADOPTED: January 27, 2022

ATTEST:



Myrna Rios
City Clerk

Exhibit A

San Clemente Office Partners LLC
To
The City of Austin
(For Water Line Easement)

Field Notes Parcel 5239.06 Water Line Easement

BEING 0.065 OF ONE ACRE (2,849 S.F.) OF LAND, OUT OF AND A PART OF THE BURKE TRAMMEL SURVEY NO. 3, ABSTRACT NO. 768 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 4-A, BLOCK A, AMENDED PLAT OF LOTS 2-A, 3-A AND 4-A, BLOCK A OF THE AMENDED PLAT OF LOTS 37-43, BLOCK A DAVENPORT WEST P.U.D. SECTION 5, PHASE 6 RECORDED IN DOCUMENT 200900133 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO SAN CLEMENTE OFFICE PARTNERS LLC BY SPECIAL WARRANTY DEED, EXECUTED ON JUNE 15, 2017 AND FILED FOR RECORD ON JUNE 20, 2017, RECORDED IN DOCUMENT 2017098839 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.065 OF ONE ACRE (2,849 S.F.) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

Beginning at a calculated point in the northwest right-of-way line of Loop 360 (300' right-of-way), same being an easterly corner of said Lot 4-A and the most easterly corner of Lot 3-A, Block A, of said Amended Plat of Lots 2-A, 3-A, and 4-A, Block A of the Amended Plat of Lots 37-43, Block A Davenport West P.U.D. Section 5, Phase 6, for the Point of Beginning and the most southerly corner of the herein described tract of land, having Grid coordinate (Texas State Plane, Central Zone, NAD 83, (CORS 2011), U. S. Feet, Surface Adjustment Factor of 1.00008) values of N=10095640.92, E=3094044.71, from which an iron rod with cap marked Chaparral found in the northwest right-of-way line of Loop 360, at the most easterly southeast corner of Lot 1-A, Block A, Amended Plat of Lots 37-43 Block A, Davenport West P.U.D. Section 5, Phase 6, recorded in Document 200700198 of the Official Public Records of Travis County, Texas bears South 27°38'02" West, a distance of 893.76 feet;

1. THENCE, North 13°37'04" West, leaving the northwest right-of-way line of Loop 360, with a westerly line of said Lot 4-A and an easterly line of said Lot 3-A, at a distance of 0.08 feet passing an iron rod with cap marked Chaparral found, in all a distance of 37.92 feet to a calculated point for the most westerly corner of the herein described tract of land, from which an iron rod with cap marked Chaparral found at an interior corner of said Lot 4-A and a northeasterly corner of said Lot 3-A bears North 13°37'04" West, a distance of 114.07 feet;

2. THENCE, North 27°38'02" East, a distance of 99.85 feet, leaving a westerly line of said Lot 4-A and an easterly line of said Lot 3-A, and crossing said Lot 4-A, to a calculated point in a northeasterly line of said Lot 4-A and a southwesterly line of Lot 52, Lake Side Addition, recorded in Volume 3, Page 66, Plat Records of Travis County, Texas, same being in a southwesterly line of the tract conveyed to Eanes Independent School District by deed recorded in Volume 12083, Page 2192 of the Real Property Records of Travis County, Texas, from which an iron rod with cap marked Chaparral found in the southwesterly line of said Lot 52 and at the most northerly corner of said Lot 4-A bears North 61°43'56" West, a distance of 1,204.17 feet;

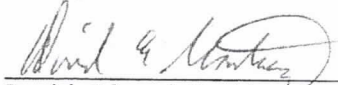
3. THENCE, South 61°43'56" East, with the northeasterly line of said Lot 4-A and the southwesterly line of said Lot 52, at a distance of 24.88 feet passing a 1/2 inch iron rod found, in all a distance of 25.00 feet, to a calculated point in the northwest right-of-way line of Loop 360, same being the most easterly corner of said Lot 4-A and the most southerly corner of said Eanes Independent School District tract, for the most easterly corner of the herein

Exhibit A

described tract of land, from which a TxDOT Type I monument found in the northwest right-of-way line of Loop 360 and in a southeasterly line of Lot 1, Block A, Nalle Woods Subdivision, recorded in Document 200300029 of the Official Public Records bears North 27°38'02" East, a distance of 2,263.47 feet;

4. THENCE, South 27°38'02" West, with the northwest right-of-way line of Loop 360 and a southeasterly line said Lot 4-A, at a distance of 60.20 feet passing an iron rod with cap marked Chaparral found, in the northwest right-of-way line of Loop 360, in all a distance of 128.07 feet, to the Point of Beginning and containing an area of 0.065 of one acre (2,849 s.f.) of land.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.


David Edward Martinez
Registered Professional Land Surveyor 5434

01/27/21
Date



MWM DesignGroup
305 East Huntland Drive, Suite 200
Austin, Texas, 78752 (512) 453-0767
TBPLS Firm Registration No. 10065600

Bearing Basis: The bearings shown hereon are based on Texas State Plane, Central Zone, NAD 83. All distances shown hereon are surface distances measured in U.S. feet.

TCAD: 0131150111
Austin Grid: F28

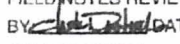
FIELD NOTES REVIEWED
BY:  DATE: 04/14/21
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

Exhibit A

