

**RESOLUTION NO. 20220303-036**

**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: Larry Thomison and Rickie Thomison

Project: Circuit 811 Transmission Electric Line Upgrade Project

Public Use: Providing reliable safe electricity service.

Location: 8133 N. Lamar Blvd., Austin, Texas 78753

The general route of the project is along the east side of North  
Lamar from HWY 183 to the McNeil Substation.

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

**ADOPTED:** March 3, 2022 **ATTEST:** *E. Brady for*  
Myrna Rios  
City Clerk

## EXHIBIT "A"

PAGE 1 OF 4



### Landesign Services, Inc.

1220 McNeil Road  
Suite 200  
Round Rock, Texas 78681  
Firm Registration No. 10001800  
512-238-7901 office  
512-238-7902 fax

### PROPERTY DESCRIPTION PARCEL 13

BEING A 0.052 OF ONE ACRE (2282 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT B, LIMON-DEMENT ADDITION, RECORDED IN VOL. 78, PG. 289 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT B BEING DESCRIBED IN A GENERAL WARRANTY DEED TO LARRY THOMISON AND RICKIE THOMISON, RECORDED IN VOL. 11819, PG. 1742 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.052 OF ONE ACRE (2282 SQUARE FEET) PARCEL BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at a 3/4-inch iron pipe found for the Southeast corner of said Lot B and being in the North line of a called 2.925 acre tract of land described in a Warranty Deed to PS Texas Holdings, Ltd., recorded in Vol. 12841, Pg. 981 of said Real Property Records, from which a 1/2-inch iron rebar found for the Northeast corner of said Lot B, bears North 33°52'35" East a distance of 88.83 feet;

THENCE North 62°20'25" West coincident with the common dividing line of said Lot B and said 2.925 acre tract, a distance of 303.30 feet to a Calculated Point not set for the Southeast corner and **POINT OF BEGINNING** (Grid Coordinates: N=10100777.887, E=3124031.831) of the herein described tract;

THENCE **North 62°20'25" West** coincident with the common dividing line of said Lot B and said 2.925 acre tract, a distance of **15.65** feet to a Calculated Point not set for the most Westerly corner of said Lot B and the most Northerly corner of said 2.925 acre tract, also being in the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies);

THENCE Northeasterly coincident with the common dividing line of said Lot B and said existing Easterly right-of-way line of North Lamar Boulevard, and along the arc of a curve to the right having a radius of **7589.49** feet, an arc length of **154.48** feet, a delta angle of **01°09'58"**, and a chord which bears **North 44°48'34" East** a distance of **154.47** feet to a Calculated Point not set for the most Northerly corner of said Lot B and the most Westerly corner of Lot A, of said LIMON-DEMENT ADDITION;

## EXHIBIT "A"

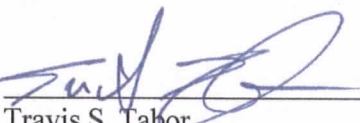
PAGE 2 OF 4

THENCE **South 44°40'17" East** departing said existing Easterly right-of-way line of North Lamar Boulevard and coincident with the common dividing line of said Lot B and said Lot A, a distance of **15.00** feet to a Calculated Point not set for the Northeast corner of the herein described tract, from which a 1/2-inch iron rebar found for and angle point in the Northeast line of said Lot B and the Southeast corner of said Lot A, bears **South 44°40'17" East** a distance of 179.89 feet;

THENCE Southwesterly over and across said Lot B and along the arc of a curve to the left having a radius of **7574.49** feet, an arc length of **149.73** feet, a delta angle of **01°07'57"**, and a chord which bears **South 44°49'35" West** a distance of **149.72** feet to the **POINT OF BEGINNING** and containing 0.052 of one acre of land (2282 Square Feet) more or less.

All bearings shown hereon are based on the Texas State Plane Coordinate System (SPCS), Central Zone (4203), NAD83 (2011 Adjustment). All distances and coordinates shown hereon are grid values represented in U.S. Survey Feet.

This property description is accompanied by a separate plat of even date and was prepared by an on the ground survey made under my supervision during the month of October, 2016.



Travis S. Tabor

Registered Professional Land Surveyor  
State of Texas No. 6428

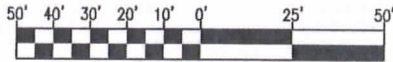
01/27/2017  
Date



Job Number: 16-006\_811 Upgrade

Attachments: Survey Drawing: L:\City of Austin\811 Upgrade\DWGS\Parcels\16006\_Parcel 13

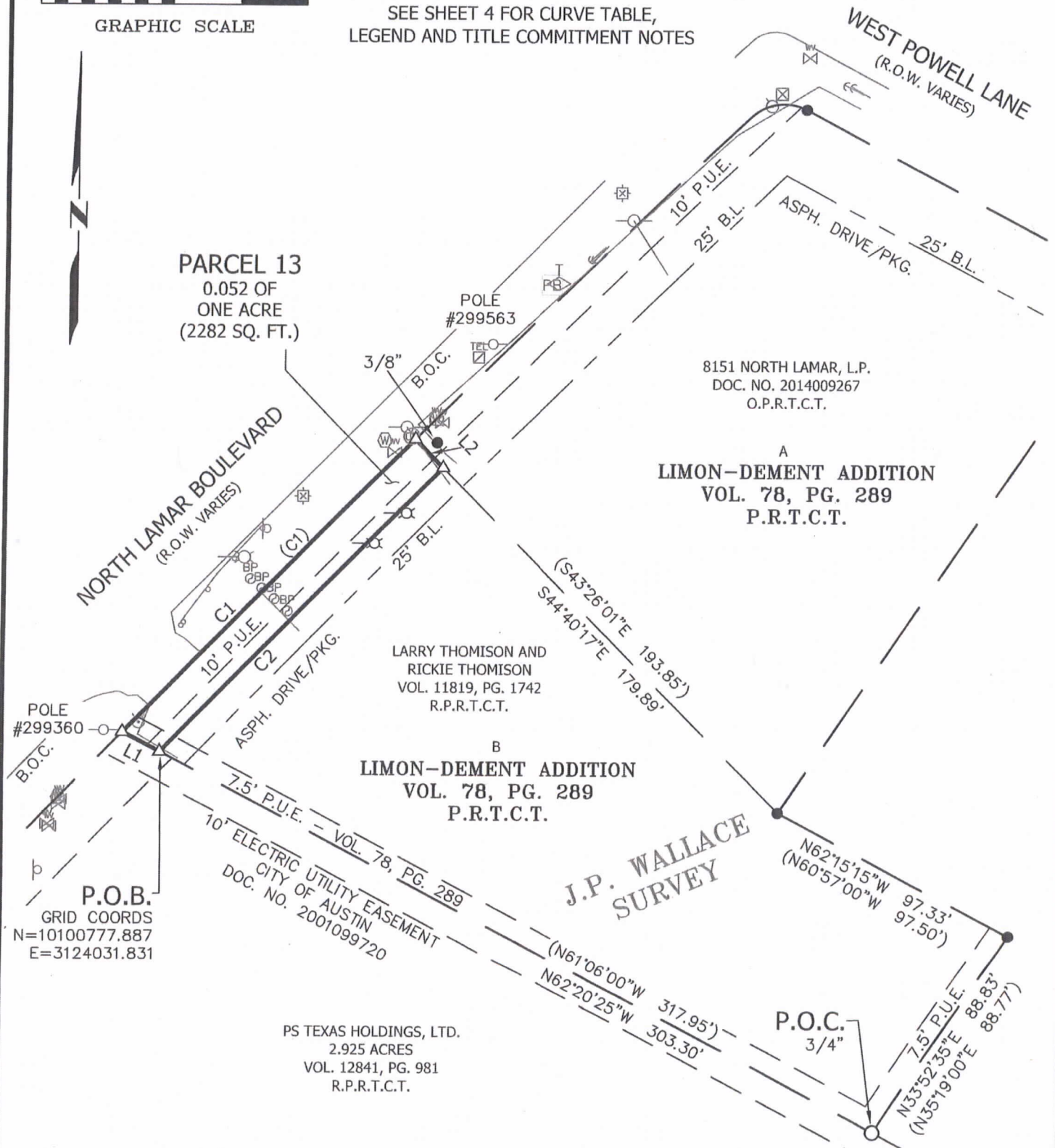




GRAPHIC SCALE

## EXHIBIT "B"

SEE SHEET 4 FOR CURVE TABLE,  
LEGEND AND TITLE COMMITMENT NOTES



JOB NUMBER: 16-006	DATE: 01/27/2017
PROJECT NAME: 811 UPGRADE	
DRAWING NAME: 16006_PARCEL 13	
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels	
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\Metes and Bounds	
RPLS: TST	TECH: TST
PARTYCHIEF: AG	CHK BY: JB
SHEET 03 of 04	FIELDBOOKS: 265/267
SCALE: 1" = 50'	



**LANDESIGN  
SERVICES, INC.**

512-238-7901  
1220 MCNEIL ROAD  
SUITE 200  
ROUND ROCK, TEXAS 78681  
FIRM REGISTRATION NO. 10001800

OWNERSHIP AND EASEMENT REPORT PROVIDED BY: GRACY TITLE  
 REF NO.: OEAS428  
 EXECUTED DATE: MAY 24, 2016

ONLY THOSE ITEMS LISTED ON THE ABOVE REFERENCED OWNERSHIP AND EASEMENT REPORT WERE REVIEWED FOR THE PURPOSE OF THIS SURVEY. NO ADDITIONAL RESEARCH WAS PERFORMED BY THIS SURVEYOR. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, OR OTHER ENCUMBRANCES WHICH AFFECT THIS SURVEY THAT ARE NOT KNOWN TO THIS SURVEYOR.

THIS TRACT IS SUBJECT TO THE FOLLOWING EASEMENTS, COVENANTS AND RESTRICTIONS:

1. PLAT FILED OCTOBER 3, 1979 AND RECORDED IN VOLUME 78, PAGE 289, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON.

## LEGEND

✱	COTTON SPINDLE FOUND (OR AS NOTED)
■	TX.D.O.T. TYPE I MONUMENT FOUND
●	TX.D.O.T. TYPE II MONUMENT FOUND
●	IRON REBAR FOUND (1/2" OR AS NOTED)
○	IRON PIPE FOUND (1/2" OR AS NOTED)
▲	NAIL FOUND (PK OR AS NOTED)
△	CALCULATED POINT NOT SET
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
O.R.T.C.T.	OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS OF TRAVIS COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
B.L.	BUILDING LINE
(S45°E 45')	RECORD INFO. PER TRAVIS COUNTY

Line Table		
Line #	Direction	Length
L1	N62° 20' 25"W	15.65'
L2	S44° 40' 17"E	15.00'

Curve Table					
Curve #	Radius	Length	Delta	Chord Bearing	Chord
C1	7589.49'	154.48'	1°09'58"	N44° 48' 34"E	154.47'
C2	7574.49'	149.73'	1°07'57"	S44° 49' 35"W	149.72'
(C1)	7589.49'	154.22'		N46° 07'E	154.22'

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), CENTRAL ZONE (4203).

DISTANCES SHOWN HEREON ARE GRID VALUES REPRESENTED IN U.S. SURVEY FEET.

THIS SURVEY PLAT ACCOMPANIES A METES AND BOUNDS DESCRIPTION OF EVEN DATE.

THIS MAP WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION. THE FIELD WORK WAS COMPLETED IN OCTOBER, 2016.

*Travis S. Tabor*  
 TRAVIS S. TABOR  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATE OF TEXAS - NO. 6428

DATE

LEGEND	
CO	WASTEWATER CLEANOUT
W	WATER METER
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
UN	UNKNOWN MANHOLE
PB	ELECTRIC PULLBOX
—	GUARDRAIL
—	IRON FENCE
OHE	OVERHEAD ELECTRIC
✱	ELECTRIC MISC.
⊕	ELECTRIC MANHOLE
○	POLE
—○—	POWER POLE
⊥	SIGN POST
W	WATER METER
⊕	FIRE HYDRANT
BP	BOLLARD
⊕	TELEPHONE MANHOLE
TEL	TELEPHONE PEDESTAL
TV	CABLE MARKER
CONC.	CONCRETE
ASPH.	ASPHALT
PKG.	PARKING AREA
E.P.	EDGE OF PAVEMENT
B.O.C.	BACK OF CURB



JOB NUMBER: 16-006	DATE: 01/27/2017
PROJECT NAME: 811 UPGRADE	
DRAWING NAME: 16006_PARCEL 13	
DRAWING FILE PATH: L:\City of Austin\811 Upgrade\DWGS\Parcels	
FIELDNOTE FILE PATH: L:\City of Austin\811 Upgrade\FIELD\Field to Office\FNs	
RPLS: TST	TECH: TST
PARTYCHIEF: AG	CHK BY: JB
SHEET 04 of 04	FIELDBOOKS: 265/267
SCALE: 1" = 50'	



**LANDESIGN  
 SERVICES, INC.**

512-238-7901  
 1220 MCNEIL ROAD  
 SUITE 200  
 ROUND ROCK, TEXAS 78681  
 FIRM REGISTRATION NO. 10001800





## EXHIBIT "A"

**SURVEY OF A 0.271 ACRES OR 11,797 SQUARE FEET OF LAND IN THE JAMES P. WALLACE SURVEY NUMBER 57, ABSTRACT NUMBER 789, A PART OF LOT B, LIMON-DEMENT ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 78, PAGE 289 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT B BEING DESCRIBED TO LARRY THOMISON AND RICKIE THOMISON IN THAT CERTAIN GENERAL WARRANTY DEED (WITH VENDOR'S LIEN) RECORDED IN VOLUME 11819, PAGE 1742, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED 0.271 ACRES OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a three-quarter inch inside diameter iron pipe found for the south corner of the said Lot B of the said subdivision, same point being coincident with the northeast line of a called 2.925 acre tract of land described to PS Texas Holdings, LTD. in that certain Warranty Deed recorded in Volume 12841, Page 981, of the Real Property Records, Travis County, Texas and the southwest corner of a called 0.922 acres of land described to George H. Dreyfus And Dominique Dreyfus Leon in that certain General Warranty Deed recorded in Document Number 2006073164, Official Public Records, Travis County, Texas, said point having Grid Coordinates of Y(N) 10100637.09, X(E) 3124300.47 United States state plane coordinate system, Texas Central Zone 4203, NAD83, from said point a five-eighths inch inside diameter iron pipe found for the south corner of the said 2.925 acres of land, same being a point on the northwest line of Lot 1, Austech Subdivision, a subdivision in Travis County, Texas according to the plat recorded in Volume 85, Page 64A, Plat Records, Travis County, Texas, as described to Austech Business Park, LTD. in that certain Warranty Deed With Vendor's Lien recorded in Volume 12784, Page 1, Real Property Records, Travis County, Texas, and the east corner of a called 4.715 acres of land described to PS Texas Holdings, LTD. in that certain Warranty Deed recorded in Volume 12841, Page 969, Real Property Records, Travis County, Texas, bears the following two (2) courses:

1. South 62°20'34" East, coincident with the northeast line of the said called 2.925 acres of land and the southwest line of the said called 0.922 acres of land, a distance of 546.87 feet to a calculated point not set at the south corner of the said called 0.922 acres of land, same being the east corner of the said called 2.925 acres of land, and a point on the said northwest line of the said Lot 1, Austech Subdivision;
2. South 30°15'05" West, with the common dividing line of the said called 2.925 acres of land and the said Lot 1, Austech Subdivision, a distance of 144.61 feet;

**THENCE** North 62°20'25" West, coincident with the common dividing line of the said Lot B, Limon-Dement Subdivision and the said called 2.925 acres of land, a distance of 303.30 feet to a calculated point not set for the west corner of the herein described 0.271 acres of land and from said point an "X" cut in concrete found for a point on the curving southeast right-of-way of North Lamar Boulevard (right-of-way varies), and the west corner of Lot 5-A, Resubdivision of Lot 5, Block B Of Eubank Acres Section 1, a subdivision in Travis County, Texas according to the Plat recorded in Volume 48, Page 4, Plat Records, Travis County, Texas and as described to Bremerton LLC in that certain General Warranty Deed recorded in Document Number 2016177180, Official Public Records, Travis County, Texas same being the north corner of Lot 1, Santa Maria Village, a subdivision in Travis County, Texas, according to the plat



## EXHIBIT "A"

recorded in Volume 30, Page 13, Real Property Records, Travis County, Texas, as described to Santa Maria Village Apartments, LLC in that certain Special Warranty Deed recorded in Document Number 2012212079, Official Public Records, Travis County, Texas bears the following two (2) courses:

1. North 62°20'25" West, continuing coincident with the said common dividing line of the said Lot B, Limon-Dement and the said called 2.925 acres of land, a distance of 15.65 feet to a calculated point not set on the curving southeast right-of-way of the said North Lamar Boulevard for the west common corner of the said Lot B, Limon-Dement and the said called 2.925 acres of land;
2. Coincident with the said curving southeast right-of-way of the said North Lamar Boulevard to the said "X" scribed in concrete, said curve being concave to the southeast and having the following curve elements: a Delta Angle of 04°00'53", an Arc Length of 531.81 feet, a Radius Length of 7589.49 feet and the Chord of which Bears South 42°13'08" west, a Chord Distance of 531.70 feet;

**THENCE**, crossing over the said Lot B, Limon-Dement Addition the following three (3) courses:

1. With a curve to the right, concave to the southeast, 15.00 feet from and parallel to the curving southeast right-of-way of the said North Lamar Boulevard, to a calculated point not set for the north corner of the herein described 0.271 acres of land, said curve having the following curve elements: a Delta Angle of 00°31'00", an Arc Length of 68.29 feet, a Radius Length of 7574.49 feet, the Chord of which Bears North 44°31'06" East, a Chord Distance of 68.29 feet, from said point a one-half inch iron rod found for the north corner of the said Lot A bears the following three (3) courses: North 44°28'23" West, a distance of 15.00 feet to a calculated point not set coincident with the said curving southeast right-of-way of the said North Lamar Boulevard, being concave to the southeast, to a calculated point not set at a point of a compound curve at the intersection of the southeast right-of-way of the said North Lamar Boulevard with the southwest right-of-way of West Powell Lane (right-of-way varies), having the following curve elements: a Delta Angle of 01°55'13", an Arc Length of 254.37 feet, a Radius Length of 7589.49 feet, the Chord of which Bears North 45°44'18" East, a Chord Distance of 254.36 feet to the point of said compound curve to the right and continuing with the said curve to the right, concave to the southeast, having the following curve elements: a Delta Angle of 71°15'11", an Arc Length of 22.38 feet, a Radius Length of 18.00 feet, the Chord of which Bears North 82°15'10" East, a Chord Distance of 20.97 feet;
2. South 44°28'23" East, a distance of 59.45 feet to a calculated point not set for an interior angle corner in the northeast line of the herein described 0.271 acres of land;
3. South 56°13'27" East, a distance of 230.68 feet to a calculated point not set coincident with the common dividing line of the said Lot B, Limon-Dement Addition, and the said 0.922 acres of land for the east corner of the herein described 0.271 acres of land described herein, and from said point a one-half inch iron rod found for the common east corner of the said Lot B, Limon-Dement Addition and the called 0.922 acres of land and the south corner of Lot 1, of the Luedecke-Edwards Subdivision, a subdivision in Travis County, Texas according to the plat recorded in Volume 75, Page 143, Plat Records, Travis County, Texas as described to West Powell, L.P. in that certain General Warranty Deed recorded in Document Number 2006081511, Official Public Records, Travis County, Texas, bears North 33°52'35" East, a distance of 66.16 feet;



**EXHIBIT "A"**

**THENCE** South 33°52'35" West, coincident with the common dividing line of the said Lot B, Limon-Dement and the said 0.922 acres of land, a distance of 22.68 feet to the **Point Of Beginning** and containing 0.271 Acres or 11,797 square feet of land, more or less.

**BASIS OF BEARINGS IS GRID NORTH, UNITED STATES STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD83, GRID DISTANCE RECITED HEREIN.**

I hereby certify that these field notes were prepared from ~~an~~ on the ground survey made under my supervision.

*Robert C. Steubing*  
Robert C. Steubing



*11/13/2018*  
Date



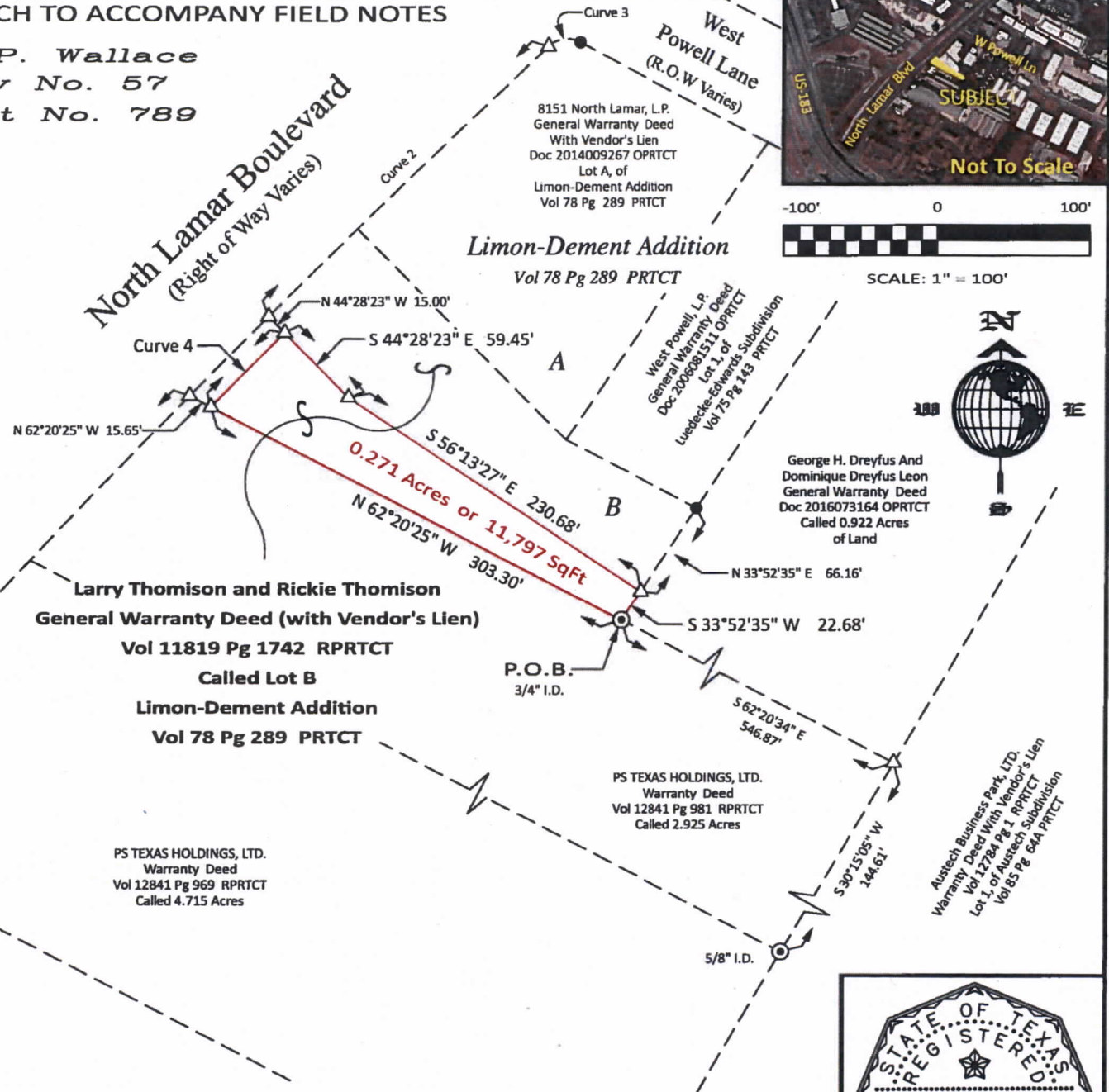
# EXHIBIT "B" SKETCH TO ACCOMPANY FIELD NOTES

James P. Wallace  
Survey No. 57  
Abstract No. 789

Number	Delta	Arc	Radius	Bearing	Chord
Curve 1	4°00'53"	531.81'	7589.49'	S42°13'08"W	531.70'
Curve 2	1°55'13"	254.37'	7589.49'	N45°44'18"E	254.36'
Curve 3	71°15'11"	22.38'	18.00'	N82°15'10"E	20.97'
Curve 4	00°31'00"	68.29'	7574.49'	N44°31'06"E	68.29'

## Legend

- "ALLSTAR 5729" Capped Iron Rod Found
- ⊙ Iron Pipe Found (Size as Noted)
- 1/2" Iron Rod Found
- ✕ X Cut in Concrete Found
- △ Calculated Point Not Set
- P.O.B. Point of Beginning
- OPRTCT Official Public Records, Travis County, Texas
- RPRTCT Real Property Records, Travis County, Texas
- PRTCT Plat Records, Travis County, Texas



DRAWING: H:\Survey\Surveying\Transmission ckt\811\Surveying\Temporary Construction Easements\Parcel 13 Temp Const Esmnt.dwg

### NOTES:

- P.O.B. COORDINATES = N 10100637.09 E 3124300.47 GRID COORDINATES, TEXAS CENTRAL ZONE 4203, NAD83
- BEARING BASIS IS GRID NORTH, UNITED STATES STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE 4203, NAD 83, DISTANCES HEREON ARE GRID.
- MAPSCO Panel No.: 525M, 525R Travis County Central Appraisal District ID No.: 239653

SHEET 1 OF 1 Rev: 2018/11/10

Robert C. Steubing 11/13/2018  
ROBERT C. STEUBING (512-505-7148) DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

