

RESOLUTION NO. 20220303-039

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: Sonic Properties of Austin, LLP

Project: Circuit 811 Transmission Electric Line Upgrade Project

Public Use: Providing reliable, safe electricity service.

Location: 9325 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:** *QBrady for*
Myrna Rios
City Clerk



EXHIBIT "A"

SURVEY OF A 0.073 ACRES OR 3,170 SQUARE FEET OF LAND, A PART OF LOT 1, NORTH LAMAR PARK ANNEX, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 56 PAGE 98, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT BEING DESCRIBED IN THAT CERTAIN SPECIAL WARRANTY DEED TO SONIC PROPERTIES OF AUSTIN, L.L.P. IN DOCUMENT NUMBER 2015074110, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS (SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF AUSTIN IN VOLUME 5087, PAGE 128, DEED RECORDS, TRAVIS COUNTY, TEXAS), THE HEREIN DESCRIBED 0.073 ACRES OF LAND BEING SHOWN ON THE ATTACHED SKETCH MARKED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING FOR REFERENCE at a one-half inch iron rod in concrete found on the southwest Right-of-Way line of West Rundberg Lane (Right-of-Way varies) for the northeast corner of the said Lot 1, same being the northwest corner of Lot 1, Block A, Rundberg-Lamar Subdivision, a subdivision in Travis County, Texas according to the plat recorded in Document Number 200100260, Official Public Records, Travis County, Texas as described to Edward C. Keefe, Trustee of the Edward C. Keefe Revocable Trust and Teresa M. Keefe, Trustee of the Teresa M. Keefe Revocable Trust in that certain Special Warranty Deed recorded in Document Number 2009026639, Official Public Records, Travis County, Texas, said one-half inch iron in concrete rod found having Grid Coordinates of Y(N) 10105489.900, X(E) 3128151.710 United States state plane coordinate system, Texas Central Zone 4203, NAD83;

THENCE North 60°56'40" West, coincident with the said southwest right-of-way of West Rundberg Lane and the north line of the said Lot 1, North Lamar Park Annex, a distance of 80.31 feet to a calculated point for the northeast corner of and the True Point of Beginning of the herein described 0.073 acres of land, said calculated point not set having Grid Coordinates of Y(N) 10105528.901, X(E) 3128081.512 United States state plane coordinate system, Texas Central Zone 4203, NAD83;

THENCE, departing the said southwest right-of-way line of West Rundberg Lane, crossing over the said Lot 1, North Lamar Park Annex, the following six (6) courses to calculated points not set:

1. South 29°03'20" West, a distance of 28.28 feet to the southeast corner of the herein described 0.073 acres of land;
2. North 64°07'59" West, a distance of 71.23 feet to an interior angle corner;
3. South 76°41'09" West, a distance of 21.00 feet to an interior angle corner;
4. South 26°03'29" West, a distance of 16.23 feet to the most southerly corner of the herein described 0.073 acres of land;
5. North 57°11'45" West, a distance of 4.92 feet to the southwest corner of the herein described 0.073 acres of land;

Not To Scale

SKETCH TO ACCOMPANY FIELD NOTES



John Applegait Survey
Abstract No. 58

West Rundberg Lane
(Right of Way Varies)

Parcel 64 Temporary
Construction Easement
0.073 Acres or 3,170 SqFt

P.O.B.

P.O.C.

North Lamar Boulevard
(TX-275 Loop Right of Way Varies)

S 24°43'20" W 110.22'

N 57°11'45" W 4.92'

N 24°43'20" E 62.46'

S 76°41'09" W 21.00'

S 26°03'29" W 16.23'

N 64°07'59" W 71.23'

S 29°03'20" W 28.28'

N 60°56'40" W 80.31'

Sonic Properties of Austin, L.L.P.
Special Warranty Deed
Document No. 2015074110 OPRTCT
Lot 1, North Lamar Park Annex
Vol. 56, Pg. 98 PRTCT

Save and Except that portion conveyed to the City of Austin
Vol. 5087, Pg. 128 DRTCT

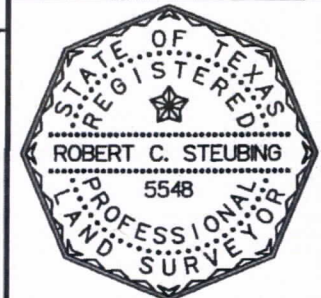
Edward C. Keefe, Trustee of the Edward C. Keefe Revocable Trust
Teresa M. Keefe, Trustee of the Teresa M. Keefe Revocable Trust
Special Warranty Deed Doc. No. 2009026639 OPRTCT
Tract 2: Lots 2, 3, 4 & 5 North Lamar Park Annex
Vol. 56, Pg. 98 PRTCT

Edward C. Keefe, Trustee of the
Edward C. Keefe Revocable Trust
Teresa M. Keefe, Trustee of the
Teresa M. Keefe Revocable Trust
Special Warranty Deed
Doc. No. 2009026639 OPRTCT
Tract 3: Lot 1, Block "A"
Rundberg-Lamar Subdivision
Doc. No. 200100260 OPRTCT

- NOTES:
1. P.O.C. Coordinates = N 10105489.900 E 3128151.710 Grid Coordinates, Texas Central Zone 4203, NAD83
 2. P.O.B. Coordinates = N 10105528.901 E 3128081.512 Grid Coordinates, Texas Central Zone 4203, NAD83
 3. Bearing Basis is Grid North, United States State Plane Coordinate System, Texas Central Zone 4203, NAD 83, Distances Hereon Are Grid.
 4. MAPSCD Panel No.: 5268 Travis County Central Appraisal District ID No.: 246681
- DRAWING: H:\Surveying\Transmission ckt\811\Surveying\Temporary Construction Easements\Parcel 64\DWG\Parcel 64 Temp Const Esmt.dwg

Legend

- ⊙ 1/2" Iron Rod In Concrete Found
- 1/2" Iron Rod Found
- △ Calculated Point Not Set
- P.O.C. Point of Commencement
- P.O.B. Point of Beginning
- OPRTCT Official Public Records, Travis County, Texas
- PRTCT Plat Records, Travis County, Texas
- DRTCT Deed Records, Travis County, Texas



Robert C. Steubing 11/13/2018
ROBERT C. STEUBING (612-505-7146) DATE
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

SHEET 1 OF 1
Rev: 2018/10/10

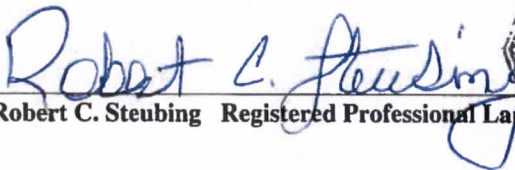
EXHIBIT "A"

6. North 24°43'20" East, a distance of 62.46 feet to a point coincident with the said southwest right-of-way of West Rundberg Lane for the northwest corner of the herein described 0.073 acres of land, from the said calculated point not set a one-half inch iron rod found for the southwest corner of the said Lot 1, North Lamar Park Annex, same being the northwest corner of Lot 2 of the said North Lamar Park Annex bears North 60°56'40" West, coincident with the said southwest right-of-way of West Rundberg Lane, a distance of 15.04 feet to a calculated point not set for the intersection at the said southwest right-of-way of West Rundberg Lane with the east right-of-way of North Lamar Boulevard (Right-of-Way varies), for the northwest corner of the said Lot 1, North Lamar Park Annex and South 24°43'20" West, coincident with the southeast right-of-way line of West Rundberg Lane, a distance of 110.22 feet;

THENCE South 60°56'40" East, coincident with the southwest right-of-way of West Rundberg Lane, same being the north line of the said Lot 1, North Lamar Park Annex, a distance of 95.41 feet to the **Point Of Beginning** and containing 0.073 Acres or 3,170 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 original ground survey made under my supervision.


Robert C. Steubing Registered Professional Land Surveyor No. 5548



11/13/2018
Date

EXHIBIT "A"

Page 1 of 4

PROPERTY DESCRIPTION PARCEL 64

A 0.0379 acre (1,650 square feet) Tract of land, situated in the J. APPLGAIT SURVEY Number 58, being a portion of Lot 1, NORTH LAMAR PARK ANNEX, a subdivision recorded in Volume 56, Page 98, Plat Records of Travis County, Texas, and conveyed to Sonic Properties of Austin, L.L.P. in Document Number 2015074110, Official Public Records of Travis County, Texas, said Tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found (Grid Coordinates: N=10,105,482.43, E=3,127,938.87) for the northernmost corner of a tract of land conveyed to Edward C. Keefe, as Trustee of the Edward C. Keefe Revocable Trust and Teresa M. Keefe, Trustee of the Teresa M. Keefe Revocable Trust in Document Number 2009026639, Official Public Records of Travis County, Texas, also being the westernmost corner of said Lot 1, and also being in the easterly right-of-way line of North Lamar Blvd. (R.O.W. Varies);

THENCE, with the westerly boundary line of said Lot 1 and said easterly right-of-way line, N24°43'06"E, a distance of 110.00 feet to a calculated point for the northernmost corner of the herein described tract, and being in the southwesterly right-of-way line of Rundberg Lane (R.O.W. Varies);

THENCE, with the northerly boundary line of said Lot 1 and said southwesterly right-of-way line, S60°56'40"E, a distance of 15.04 feet to a calculated point, for the easternmost corner of the herein described tract, from which a 1/2 inch iron rod found for the easternmost corner of said Lot 1, also being the northernmost corner of said Keefe tract and also being in the said southwesterly right-of-way line of Rundberg Lane bears S60°56'40"E, a distance of 175.51 feet;

THENCE, crossing said Lot 1, S24°43'06"W, a distance of 110.00 feet to a calculated point, in the southerly boundary line of said Lot 1, also being in the northerly boundary line of said Keefe tract, for the southernmost corner of the herein described tract;

THENCE, with the common boundary line of said Lot 1 and said Keefe tract, N60°56'40"W, a distance of 15.04 feet to the **POINT OF BEGINNING**, containing 0.0379 acre (1,650 square feet) of land more or less.

EXHIBIT "A"

Page 2 of 4

BEARING BASIS NOTE

This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System NAD 83 (2011 adjustment), Central Zone (4203). All coordinates were established from NGS Monument AC6346, Designation AUS5 B having grid coordinate values N=10,085,175.04, E=3,109,082.36.

This property description is accompanied by a separate plat of even date and was prepared from an on-the-ground survey made under my supervision during the Month of January, 2017



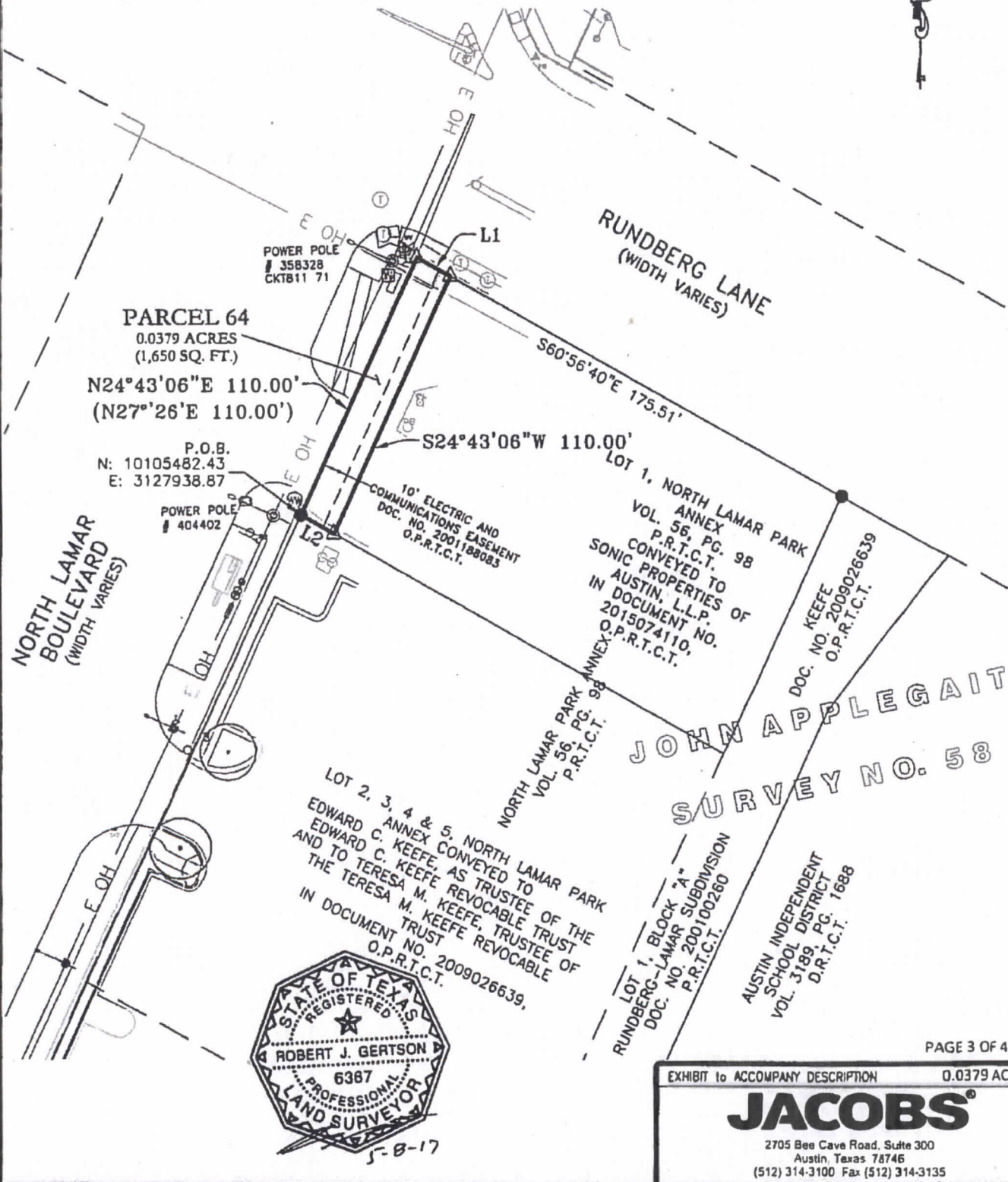
5-8-17

Robert J. Gertson, Registered Professional Land Surveyor 6367
Jacobs Engineering Group Inc. TBPLS Firm: 10152301
2705 Bee Cave Road, Suite 300
Austin, TX 78746
(512) 314-3100

Date

SCALE: 1" = 50'

SEE PAGE 4 FOR LINE TABLE
AND TITLE COMMITMENT NOTES



PAGE 3 OF 4

EXHIBIT to ACCOMPANY DESCRIPTION

0.0379 AC

JACOBS

2705 Bee Cave Road, Suite 300
Austin, Texas 78746
(512) 314-3100 Fax (512) 314-3135

COMMITMENT FOR TITLE INSURANCE PROVIDED BY:

FIDELITY NATIONAL TITLE INSURANCE COMPANY

GF NO.: AUT-13-671-AUT16005870SG

ISSUE DATE: JUNE 9, 2016 - EFFECTIVE DATE: JUNE 1, 2016

ONLY THOSE ITEMS LISTED IN SCHEDULE B OF THE ABOVE REFERENCED COMMITMENT FOR TITLE INSURANCE 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.

10.

- d) MATTERS CONTAINED IN THAT CERTAIN DOCUMENT, "LEASE CONTRACT", RECORDED IN VOLUME 4234, PAGE 1035, AS AFFECTED BY VOLUME 5375, PAGE 749 AND VOLUME 5375, PAGE 775, ALL IN THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. - not survey related

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83 - 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 JANUARY, 2017

LEGEND

- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- △ CALCULATED POINT
- TRAFFIC LIGHT
- BOLLARD
- ⊕ ELECTRIC METER
- ⊙ TELEPHONE MANHOLE
- ⊙ TELEPHONE MARKER
- ⊕ IRRIGATION CONTROL VALVE
- SIGN
- STORM SEWER MANHOLE
- WASTE WATER MANHOLE
- LIGHT POLE
- POWER POLE
- GUY WIRE
- POWER POLE WITH LIGHT
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ FLAG POST
- ⊕ ELECTRIC PULL BOX
- POST
- BL BUILDING LINE
- ESMT EASEMENT
- POB POINT OF BEGINNING
- PUE PUBLIC UTILITY EASEMENT
- ROW RIGHT-OF-WAY
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION

 5-8-17
 ROBERT J. GERTSON
 REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF TEXAS - NO. 6367



Line Table		
Line #	Direction	Length
L1	S60° 56' 40"E	15.04'
L2	N60° 56' 40"W	15.04'

PAGE 4 OF 4

EXHIBIT to ACCOMPANY DESCRIPTION

0.0379 AC

JACOBS®

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