

RESOLUTION NO. 20220303-040

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: Austin Property Associates, LP

Project: Circuit 811 Transmission Electric Line Upgrade Project

Public Use: Providing reliable safe electricity service.

Location: 9405 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:** *EP Brady for*
Myrna Rios
City Clerk



EXHIBIT A

SURVEY OF A 0.111 ACRES OR 4,824 SQUARE FEET OF LAND IN THE JOHN APPLGAI SURVEY, ABSTRACT NUMBER 29, A PART OF LOT 1, SAFEWAY ADDITION NO. 13, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 77, PAGE 106, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 1 HAVING BEEN DESCRIBED IN THAT CERTAIN WARRANTY DEED TO AUSTIN PROPERTY ASSOCIATES LIMITED PARTNERSHIP IN VOLUME 10981, PAGE 1281, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED 0.111 ACRES OF LAND BEING SHOWN ON THE ATTACHED SKETCH PREPARED HERewith AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point not set coincident with the common dividing line of the said Lot 1, Safeway Addition No. 13 and West Rundberg Lane (Right-of-Way varies) for the south corner of the herein described 0.111 acres of land, said calculated point not set having Grid Coordinates of Y(N) 10105624.180, X(E) 3128097.226 United States state plane coordinate system, Texas Central Zone 4203, NAD83, from said point a one-half inch iron rod found for the south corner of the said Lot 1, Safeway Addition No. 13, same being a point on the northeast right-of-way of the said West Rundberg Lane and the southwest corner of Lot 1, Block "A", Northwend Phase "B" Section One, a subdivision in Travis County, Texas according to the plat recorded in Volume 83, Page 59D, Plat Records, Travis County, Texas and described to PRB Equity 15A, LLC in that certain Special Warranty Deed recorded in Document Number 2015205311, Official Public Records, Travis County, Texas bears the following the two (2) courses:

1. South $61^{\circ}16'46''$ East, coincident with the said common dividing line, a distance of 360.03 feet to a calculated point not set at a point of curvature of a curve to the right, concave to the southwest;
2. With said curve to the right, having the following curve elements: a Delta Angle of $01^{\circ}23'33''$, an Radius Length of 1,902.38 feet, an Arc Length of 46.24 feet, the Chord of which Bears South $60^{\circ}34'59''$ East, a Distance of 46.24 feet;

THENCE North $61^{\circ}16'46''$ West, coincident with the said common dividing line of the said Lot 1, Safeway Addition No. 13 and the said West Rundberg Lane, passing at a distance of 74.73 feet a PK Nail found for the west corner of the herein described 0.111 acres of land, said point being coincident with the southeast line of that certain twenty foot (20') wide electric easement shown on the plat of the said Safeway Addition No. 13;

THENCE departing the said northeast margin of West Rundberg Lane, crossing over the said Lot 1, Safeway Addition No. 13, the following five (5) courses to calculated points not set:

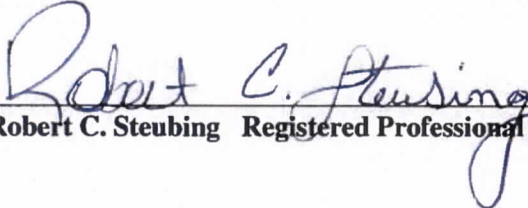
1. North $24^{\circ}16'31''$ East, coincident with the southeast line of the said twenty foot electric easement, a distance of 75.04 feet to the north corner of the herein described 0.111 acres of land;
2. South $65^{\circ}43'30''$ East, departing the southeast margin of the said twenty foot electric easement, a distance of 45.18 feet to the east corner of the herein described 0.111 acres of land, the said point being at an existing seam between asphalt and concrete paved surfaces;

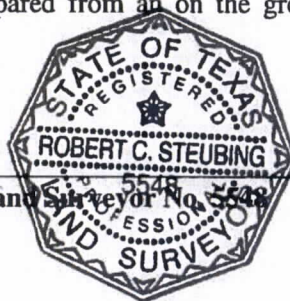
EXHIBIT " _ "

3. South 27°44'44" West, with the said seam a distance of 31.14 feet to an exterior angle corner in said seam for an interior angle corner in the northeast line of the herein described 0.111 acres of land;
4. South 60°51'21" East, continuing with the said seam, a distance of 31.32 feet to the east corner of the herein described 0.111 acres of land;
5. South 24°16'30" West, a distance of 47.09 feet to the **Point Of Beginning** and containing 0.111 acres or 4,824 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.

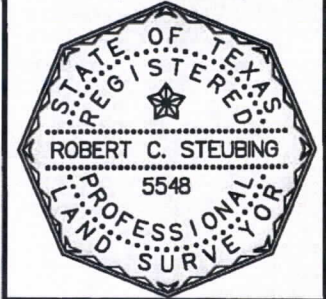
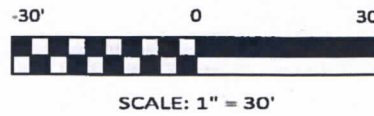

Robert C. Steubing Registered Professional Land Surveyor No. 5548



12/02/2019
Date



EXHIBIT " _ " SKETCH TO ACCOMPANY FIELD NOTES



Curve 1	
Delta	01°23'33"
Arc	46.24'
Radius	1,902.38'
Bearing	S 60°34'59" E
Distance	46.24'

Legend

- 1/2" Iron Rod Found
- ⊙ PK Nail Found
- △ Calculated Point Not Set
- ⊗ Fuel Tank Filler Lids
- P.O.B. Point of Beginning
- OPRTCT Official Public Records, Travis County, Texas
- PRTCT Plot Records, Travis County, Texas
- RPRTCT Real Property Records, Travis County, Texas

- NOTES:
1. P.O.B. Coordinates = Northing 10105624.180 Easting 3128097.226 Grid Coordinates, Texas Central Zone 4203, NAD83
 2. Bearing Basis is Grid North, United States State Plane Coordinate System, Texas Central Zone 4203, NAD 83, Distances Hereon Are Grid.
 3. MAPSCO Panel No.: 526B Travis County Central Appraisal District ID No.: 246685

DRAWING: H:\Survey\Surveying\Transmission ckt\811\Surveying\Temporary Construction Easements\Parcel 65 TCE\DWG\Parcel 65 Temp Const Esmnt.dwg

Robert C. Steubing 12/02/2019
 ROBERT C. STEUBING (512-605-7148) DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

Situs Address:
 9411 North Lamar Boulevard

SHEET 1 OF 1 Rev: 2019/10/23

