

**RESOLUTION NO. 20220407-045**

**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: Optimal Real Estate LLC

Project: Circuit 811 Transmission Electric Line Upgrade Project

Public Use: Providing reliable safe electricity service.

Location: 7543 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:** April 7, 2022

**ATTEST:**

*Myrna Rios*

Myrna Rios  
City Clerk



## EXHIBIT "A"

**SURVEY OF A 0.037 ACRES OR 1606 SQUARE FEET OF LAND IN THE JAMES P. WALLACE SURVEY NUMBER 57, ABSTRACT NUMBER 789, AND BEING A PART OF LOT A-3, A RESUBDIVISION OF LOT A-1 OF THE RESUBDIVISION OF LOT A, TEMPO NORTH, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 18, PAGE 83, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT A-3 BEING DESCRIBED TO OPTIMAL REAL ESTATE LLC A TEXAS LIMITED PARTNERSHIP IN THAT CERTAIN GENERAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN DOCUMENT NUMBER 2019017728, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED 0.037 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 one-inch iron pipe found having Grid Coordinates of Y(N) 10098351.840, X(E) 3122399.761 United States state plane coordinate system, Texas Central Zone 4203, NAD83 for the west corner of the herein described 0.037 acres of land and the said Lot A-3, same being a point on the southeast right-of-way line of North Lamar Boulevard (right-of-way varies) and the north corner of the said Lot A-4-1, Resubdivision of Lot 4-A Of The Resubdivision Of Lot A-1 Of The Resubdivision Of Lot "A", Tempo North, a subdivision in Travis County, Texas according to the plat recorded in Volume 57, Page 54, Plat Records, Travis County, Texas as described to Jannahs Real Estate, LLC., in that certain Warranty Deed With Vendor's Lien as recorded in Document Number 2018000516, Official Public Records, Travis County, Texas, and from this point a PK nail with a disk stamped "FORREST 1847" found on the said southeast right-of-way line of the said North Lamar Boulevard for the west common corner of Lot A-4-3, of the said Resubdivision Of Lot 4-A Of The Resubdivision Of Lot A-1 Of The Resubdivision Of Lot "A", Tempo North, said Lot A-4-3 being described to Blue Crow Properties, Ltd., in the certain General Warranty Deed recorded in Document Number 2013191234, Official Public Records, Travis County, Texas and Lot 1, Block C, Northway Crest Section Two (2), a subdivision in Travis County, Texas according to the plat recorded in Volume 6, Page 36, Plat Records, Travis County, Texas, said Lot 1 being described to Stephen B. Caskey in Cause Number FM4-02938 recorded in Document Number 2005145742, Official Public Records, Travis County, Texas, bears South 27°49'03" West, a distance of 295.72 feet;

**THENCE** North 27°49'03" East, coincident with the southeast right-of-way line of the North Lamar Boulevard a distance of 50.00 feet to a calculated point not set for the north corner of the herein described 0.037 acres of land, same being the common west corner of the said Lot A-3 and Lot A-2 of the Resubdivision Of Lot "A", Tempo North, a subdivision in Travis County, Texas according to the Plat recorded in Volume 17, Page 15, Plat Records, Travis County, Texas, the said Lot A-2 being described to the said Optimal Real Estate LLC in the said Document Number 2019017728, of the said records and a point on the southeast right-of-way line of the said North Lamar Boulevard;

**THENCE**, South 62°10'57" East, coincident with the said common dividing line of the said Lot A-2 and the said Lot A-3, a distance of 32.13 feet to a calculated point not set for the east corner of the herein described 0.037 acres of land;

**EXHIBIT "A"**

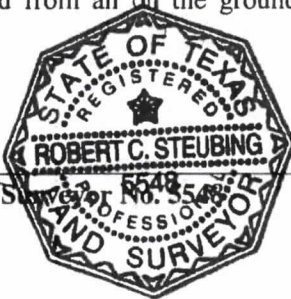
**THENCE**, South 27°49'03" West, crossing over the said Lot A-3, a distance of 50.00 feet to a calculated point not set on the common dividing line of the said Lot A-3 and the said Lot A-4-1 for the south corner of the herein described 0.037 acres of land;

**THENCE**, North 62°10'57" West, coincident with the said common dividing line of the said Lot A-3 and the said Lot A-4-1, a distance of 32.13 feet to the **Point Of Beginning** and containing 0.037 Acres or 1606 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.**

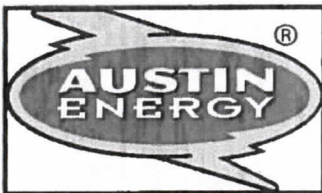
I hereby certify that these field notes were prepared from an on the ground survey made under my supervision.

*Robert C. Steubing*  
Robert C. Steubing Registered Professional Land Surveyor No. 5548



06/12/2019  
Date





# EXHIBIT "B" SKETCH TO ACCOMPANY FIELD NOTES

## Legend

- ⊙ 1" Iron Pipe Found
- ✕ PK Nail with "FORREST 1847" Disk 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
- DRTCT Deed Records, Travis County, Texas

Lot A-2  
A Resubdivision of Lot A, Tempo North  
Vol 17 Pg 15 PRTCT

Optimal Real Estate LLC  
General Warranty Deed  
With Vendor's Lien  
Doc# 2019017728  
OPRTCT

R236475  
Optimal Real Estate LLC  
General Warranty Deed  
With Vendor's Lien  
Doc# 2019017728  
OPRTCT

Lot A-3  
A Resubdivision of Lot 4-A of the  
Resubdivision of Lot "A", Tempo North  
Vol 18 Pg 83 PRTCT

Jannahs Real Estate, LLC  
Warranty Deed With Vendor's Lien  
Doc 2018000516 OPRTCT  
Called Lot A-4-1 of the  
Resubdivision of Lot 4-A of the Resubdivision of A-1  
of the Resubdivision of Lot A, Tempo North  
Vol 57 Pg 54 PRTCT

Blue Crow Properties, Ltd.  
General Warranty Deed  
Doc No 2013191234 OPRTCT

A Resubdivision of Lot 4-A of the  
Resubdivision of Lot A-1 of the  
Resubdivision of Lot "A"  
Tempo North  
Vol 57 Pg 54 PRTCT

Stephen B. Caskey  
Cause No. FM4-02938  
Doc No 2005145742 OPRTCT  
Lot 1, Block C, Northway Crest Section Two (2)  
Vol 6 Pg 36 PRTCT

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



### NOTES:

1. P.O.B. COORDINATES = N 10098351.840 E 3122399.761 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.: 525V Travis County Central Appraisal District ID No.: 236475

*Robert C. Steubing* 06/12/2019  
ROBERT C. STEUBING (512-505-7146) DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

Situs Address:  
7543 North Lamar Boulevard  
Austin, Tx 78752

SHEET 1 OF 1 Rev: 2018/10/23

