

**RESOLUTION NO. 20220407-047**

**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: Don Huynh

Project: Circuit 811 Transmission Electric Line Upgrade Project

Public Use: Providing reliable safe electricity service.

Location: 8225 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: *EBrady 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 17

BEING A 0.031 OF ONE ACRE (1360 SQUARE FEET) PARCEL OF LAND SITUATED IN THE J.P. WALLACE SURVEY, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, SANTERRE INDUSTRIAL PARK, RECORDED IN VOL. 78, PG. 322 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1 BEING DESCRIBED IN A WARRANTY DEED TO XIA VAN HUYNH AND PHYONG DUC LUU, RECORDED IN DOCUMENT NO. 2007158475 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.031 OF ONE ACRE (1360 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 Cotton Spindle found for the Southeast corner of said Lot 1 and an interior corner of Lot 1, AMENDED PLAT OF LOT 1, COX BUSINESS PARK AND LOT C, POWELL LANE SUBDIVISION SECTION TWO (Lot 1, COX BUSINESS PARK), recorded in Document No. 200500073 of said Official Public Records, from which a 1/2-inch iron rebar with cap stamped "RPLS 4324 WATERLOO" found for an interior corner of said Lot 1, COX BUSINESS PARK and the Northeast corner of Lot 1-A, RESUBDIVISION OF LOTS A AND B POWELL LANE SUBDIVISION, SECTION TWO, recorded in Vol. 33, Pg. 30 of the Plat Records of Travis County, Texas, bears South 68°31'04" West a distance of 111.41 feet;

THENCE coincident with the common dividing line of said Lot 1 and said Lot 1, COX BUSINESS PARK, the following two (2) courses and distances:

1. North 67°18'07" West a distance of 154.70 feet to a Calculated Point not set (Grid Coordinates: N=10101211.696, E=3124489.484) for the Southeast corner and **POINT OF BEGINNING** of the herein described tract; and
2. North 67°18'07" West a distance of 16.66 feet to a Calculated Point not set for the Southwest corner of said Lot 1 and an exterior corner of said Lot 1, COX BUSINESS PARK, also being in the existing Easterly right-of-way line of North Lamar Boulevard (R.O.W. Varies);

## EXHIBIT "A"

PAGE 2 OF 4

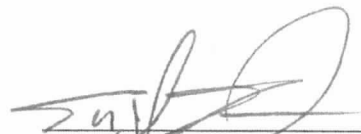
THENCE **North 48°27'57" East** coincident with the common dividing line of said Lot 1 and said existing Easterly right-of-way line of North Lamar Boulevard, a distance of **92.10** feet to a Calculated Point not set for the most Northerly corner of said Lot 1 and the most Westerly corner of a called 4.3830 acre tract of land described in a Warranty Deed to Locke Sovran I L.L.C., recorded in Document No. 2001027238 of said Official Public Records;

THENCE **South 58°00'22" East** departing said existing Easterly right-of-way line of North Lamar Boulevard, coincident with the common dividing line of said Lot 1 and said 4.3830 acre tract, a distance of **15.64** feet to a Calculated Point not set for the Northeast corner of the herein described tract;

THENCE **South 48°27'57" West** over and across said Lot 1, a distance of **89.29** feet to the **POINT OF BEGINNING** and containing 0.031 of one acre of land (1360 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 17





GRAPHIC SCALE

## EXHIBIT "B"

SEE SHEET 4 FOR LEGEND AND  
TITLE COMMITMENT NOTES

Line Table		
Line #	Direction	Length
L1	N67° 18' 07"W	16.66'
L2	N48° 27' 57"E	92.10'
L3	S58° 00' 22"E	15.64'
L4	S48° 27' 57"W	89.29'
(L2)	N48° 17'E	92.53'

### OWNERSHIP LEGEND

①

XIA VAN HUYNH AND  
PHYONG DUC LUU  
DOC. NO. 2007158475  
O.P.R.T.C.T.

### PARCEL 17

0.031 OF  
ONE ACRE  
(1360 SQ. FT.)

LOCKE SOVRAN I L.L.C.  
4.3830 ACRES  
DOC. NO. 2001027238  
O.P.R.T.C.T.

5' EASEMENT  
SOUTHWESTERN BELL  
TELEPHONE COMPANY  
VOL. 8783, PG. 608  
R.P.R.T.C.T.

LOT 1  
SANTERRE  
INDUSTRIAL PARK  
VOL. 78, PG. 322  
P.R.T.C.T.

P.O.B.  
GRID COORDS  
N=10101211.696  
E=3124489.484

COX BUSINESS  
PARK CONDOMINIUMS  
VOL. 8437, PG. 868  
C.R.T.C.T.

P.O.C.

1-A  
RESUBDIVISION OF  
LOTS A AND B  
POWELL LANE SUBDIVISION  
SECTION TWO  
VOL. 33, PG. 30  
P.R.T.C.T.

FATIMA RE, INC.  
DOC. NO. 2010115102  
O.P.R.T.C.T.

LOT 1  
AMENDED PLAT OF LOT 1,  
COX BUSINESS PARK AND  
LOT C, POWELL LANE SUBDIVISION  
SECTION TWO  
DOC. NO. 200500073  
O.P.R.T.C.T.

J.P. WALLACE  
SURVEY

JOB NUMBER: 16-006

DATE: 01/27/2017

PROJECT NAME: 811 UPGRADE

DRAWING NAME: 16006\_PARCEL 17

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: JA 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.: OEAS430  
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. ELECTRIC EASEMENT FILED OCTOBER 28, 1935 AND RECORDED IN VOL. 530, PG. 245, DEED RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON - UNABLE TO LOCATE DUE TO VAGUE DESCRIPTION.

2. PLAT FILED OCTOBER 24, 1979 AND RECORDED IN VOL. 78, PG. 322, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. NOTED HEREON.

3. TELECOMMUNICATION EASEMENT FILED SEPTEMBER 4, 1984 AND RECORDED IN VOL. 8783, PG. 608, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. SHOWN HEREON.

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  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS - NO. 6428

01/27/2017  
DATE



## 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)
	IRON REBAR FOUND WITH CAP (ILLEGIBLE)
	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
C.R.T.C.T.	CONDOMINIUM RECORDS OF TRAVIS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
U.E.	UTILITY EASEMENT
B.L.	BUILDING LINE
(S45°E 45')	RECORD INFO. PER TRAVIS COUNTY

## LEGEND

CO	WASTEWATER CLEANOUT	OHE	OVERHEAD ELECTRIC
	WATER METER		ELECTRIC MISC.
	WATER VALVE		ELECTRIC MANHOLE
	IRRIGATION CONTROL VALVE		POLE
	UNKNOWN MANHOLE		POWER POLE
	ELECTRIC PULLBOX		SIGN POST
	GUARDRAIL		WATER METER
	IRON FENCE		FIRE HYDRANT
	CHAIN LINK FENCE		BOLLARD
			TELEPHONE MANHOLE
			TELEPHONE PEDESTAL
			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 17	
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: JA	CHK BY: JB
SHEET 04 of 04	FIELDBOOKS: 265/267
SCALE: 1"= 50'	



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