

RESOLUTION NO. 20220421-028

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: CSW 10601 North Lamar, LP

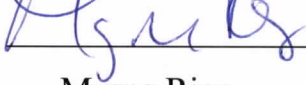
Project: Circuit 811 Transmission Electric Line Upgrade Project

Public Use: Providing reliable safe electricity service.

Location: 10601 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 21, 2022 ATTEST: 
Myrna Rios
City Clerk

PROPERTY DESCRIPTION

PARCEL 86

A 0.1943 acre (8,466 square feet) Tract of land, situated in the J. APPLGAIIT SURVEY Number 58, being a portion of Lot A, LORDSTONE, a subdivision recorded in Volume 85, Page 57D, Plat Records of Travis County, Texas, and conveyed to NBY 10601 North Lamar LLC in Document Number 2012220407, Official Public Records of Travis County, Texas, said Tract being more particularly described by metes and bounds as follows:

BEGINNING at a 3/4 inch iron pipe found (Grid Coordinates: N=10,109,634.88, E=3,129,838.32) for the westernmost corner of said Lot A, also being the northernmost corner of Lot 1, Block I, Mockingbird Hill Section One, a subdivision recorded in Volume 5, Page 159, Plat Records of Travis County, Texas, also being in the easterly right-of-way line of North Lamar Blvd. (R.O.W. Varies), for the westernmost corner of the herein described tract;

THENCE, with the westerly line of said Lot A and said easterly right-of-way line, N24°49'32"E, a distance of 564.13 feet to a 1/2 inch iron pipe found for the northernmost corner of said Lot A, also being the westernmost corner of a tract of land conveyed to Kanton Labaj in Document No. 2000197463, Official Public Records of Travis County, Texas;

THENCE, with the common boundary line of said Lot A and said Labaj tract, S63°23'00"E, a distance of 15.01 feet to a calculated point;

THENCE, crossing said Lot A, S24°49'32"W, a distance of 564.43 feet to a calculated point in the southerly boundary line of said Lot A, also being in the northerly boundary line of said Lot 1, for the southernmost corner of the herein described tract;

THENCE, with the common boundary line of said Lot A and said Lot 1, N62°15'20"W, a distance of 15.02 feet to the **POINT OF BEGINNING** and containing 0.1943 acre (8,466 square feet) of land more or less.

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

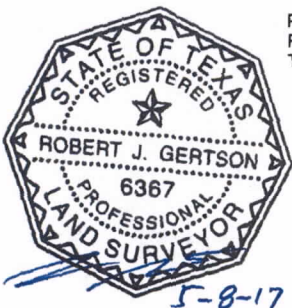
OWNERSHIP AND EASEMENT REPORT PROVIDED BY:

FIDELITY NATIONAL TITLE INSURANCE COMPANY
GF NO.: AUT-13-671-AUT16005916SG
EFFECTIVE DATE: JUNE 6, 2016
ISSUED DATE: JUNE 15, 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.

THIS TRACT IS SUBJECT TO RESTRICTIVE COVENANTS AS THOSE RECORDED IN VOL. 85, PG. 57D, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND IN VOL. 6091, PG. 619, VOLUME 6288, PAGE 1131, AND VOLUME 7991, PAGE 638, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

10. d) 30' DRAINAGE AND PUBLIC UTILITY EASEMENT ALONG A PORTION OF THE NORTHERLY PROPERTY LINE(S), RECORDED IN VOLUME 85, PAGE 57D, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
e) 7.5' PUBLIC UTILITY EASEMENT ALONG A PORTION OF THE NORTHEASTERLY, EASTERLY, AND SOUTHERLY, PROPERTY LINE(S), RECORDED IN VOLUME 85, PAGE 57D, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
f) 20' WATER AND WASTEWATER EASEMENT ALONG THE WESTERLY PROPERTY LINE(S), RECORDED IN VOLUME 85, PAGE 57D, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
g) 80' WIDE ELECTRIC LINE EASEMENT TRAVERSING THE SUBJECT PROPERTY IN A NORTHERLY AND SOUTHERLY DIRECTION, RECORDED IN VOLUME 85, PAGE 57D, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
h) 10' WIDE SIDEWALK EASEMENT TRAVERSING THE PROPERTY IN A NORTHERLY AND SOUTHERLY DIRECTION, RECORDED IN VOLUME 85, PAGE 57D, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
i) BUILDING SETBACK LINES A SET FORTH ON THE PLAT RECORDED IN VOLUME 85, PAGE 57D, PLAT RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
j) EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 408, PAGE 343, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - unable to locate with description provided, no parent tract information
k) EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 412, PAGE 176, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - unable to locate with description provided, no parent tract information
l) EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 551, PAGE 24, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - unable to locate with description provided, no parent tract information
m) EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 2539, PAGE 555, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - unable to locate with description provided, but is on subject tract
n) EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 2539, PAGE 598, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
o) EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 2571, PAGE 527, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
p) EASEMENT GRANTED TO CITY OF AUSTIN, RECORDED IN VOLUME 9379, PAGE 887, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
q) EASEMENT GRANTED TO CITY OF AUSTIN, RECORDED IN VOLUME 9525, PAGE 281, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
r) EASEMENT GRANTED TO CITY OF AUSTIN, RECORDED IN VOLUME 9525, PAGE 285, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
s) EASEMENT GRANTED TO CITY OF AUSTIN, RECORDED IN VOLUME 9680, PAGE 813, DEED RECORDS OF TRAVIS COUNTY, TEXAS. - no metes and bounds description provided, but is for Lot A, Lordstone
t) EASEMENT GRANTED TO CITY OF AUSTIN, RECORDED IN VOLUME 10074, PAGE 411, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. - as shown on drawing
u) RESTRICTIVE COVENANTS RECORDED IN VOLUME 6091, PAGE 619, VOLUME 6288, PAGE 1131, AND VOLUME 7991, PAGE 638, DEED RECORDS OF TRAVIS COUNTY, TEXAS.
v) AN UNRECORDED LEASE WITH CERTAIN TERMS, CONDITIONS AND PROVISIONS AS SET FORTH THEREIN AS DISCLOSED BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2012220407, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



PAGE 4 OF 5

EXHIBIT to ACCOMPANY DESCRIPTION 0.1943 AC

JACOBS®

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

Record Line Table		
Line #	Direction	Length
(L1)	N27° 07' 32"E	564.13'

Line Table		
Line #	Direction	Length
L1	N24° 49' 32"E	564.13'
L2	S63° 23' 00"E	15.01'
L3	S24° 49' 32"W	564.43'
L4	N62° 15' 20"W	15.02'

LEGEND

●	1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
△	CALCULATED POINT
□	MAILBOX
⋈	TELEPHONE MARKER
⊠	ELECTRIC BOX
⊙	ELECTRIC MANHOLE
⊛	ELECTRIC METER
⊞	ELECTRIC PULL BOX
○	POWER POLE
⊞	WATER METER
↖	GUY WIRE
⊙	POWER POLE WITH LIGHT
⊞	TRAFFIC LIGHT
⊞	TRAFFIC CONTROL BOX
⊞	GAS VALVE
⊞	GAS MARKER
⊞	SIGN
⊞	BOLLARD
⊞	LIGHT POLE
⊞	SPRINKLER HEAD
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

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 JANUARY, 2017



PAGE 5 OF 5

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

DATE

5-8-17

EXHIBIT to ACCOMPANY DESCRIPTION

0.1943 AC

JACOBS

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

EXHIBIT "A"



SURVEY OF A 0.616 ACRES OR 26,835 SQUARE FEET OF LAND IN THE JOHN APPEGAIT SURVEY NUMBER 58, ABSTRACT NUMBER 29, BEING A PART OF LOT A, LORDSTONE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN VOLUME 85, PAGE 57D, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT BEING DESCRIBED TO NBY 10601 NORTH LAMAR, LLC IN THAT CERTAIN SPECIAL WARRANTY DEED IN DOCUMENT NUMBER 2012220407, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED 0.617 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 calculated point not set coincident with the common dividing line of the said Lot A and Lot 3, Block G, Mockingbird Hill Section 1, a subdivision in Travis County, Texas according to the Plat recorded in Volume 5, Page 159, Plat Records, Travis County, Texas, the said Lot 3 being described to Kanton Labaj in that certain Special Warranty Deed recorded in Document Number 2000197463, Official Public Records, Travis County, Texas, the said calculated point being the north corner of the herein described 0.617 acres of land and having Grid Coordinates of Y(N) 10110140.155, X(E) 3130088.594 United States state plane coordinate system, Texas Central Zone 4203, NAD83, and from this point a three-quarters inch iron pipe found in coincidence with the southeast right-of-way line of North Lamar Boulevard (Right-of-Way varies) for the north corner of the said Lot A and the west corner of the said Lot 3 bears North 63°22'19" West, a distance of 15.01 feet;

THENCE South 63°22'19" East, coincident with the common dividing line of the said Lot A and the said Lot 3, a distance of 124.02 feet to a calculated point not set for the east corner of the herein described 0.617 acres of land, and from this point a one-half inch iron pipe found coincident with the common line of the said Lot A, this said Lot 3 and Lot 4 of the said Mockingbird Hill and for an exterior angle corner of Motheral Drive (Right-of-Way varies) bears South 63°22'19" East, a distance of 146.16 feet;

THENCE, departing the said common dividing line of the said Lot A and the said Lot 3, crossing over the said Lot A, the following three (3) courses to calculated points not set:

1. South 24°49'32" West, a distance of 214.53 feet for the south corner of the herein described 0.617 acres of land;
2. North 65°10'28" West, a distance of 123.96 feet for the west corner of the herein described 0.617 acres of land, from this point a three-quarter inch iron pipe found coincidence with the southeast right-of-way line of the said North Lamar Boulevard for the west corner of the said Lot A and the north corner of Lot 1, Block I of the said Mockingbird Hill, as described to Noe Ramses Ponce in that certain Warranty Deed With Vendor's Lien recorded in Document Number 2018149473, Official Public Records, Travis County, Texas bears North 65°10'28" West, a distance of 15.00 feet to a calculated point not set and coincidence with the said southeast right-of-way line of the said North Lamar Boulevard and South 24°49'32" West, a distance of 345.05 feet;
3. North 24°49'32" East, a distance of 218.43 feet to the **Point Of Beginning** and containing 0.616 Acres or 26,835 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.

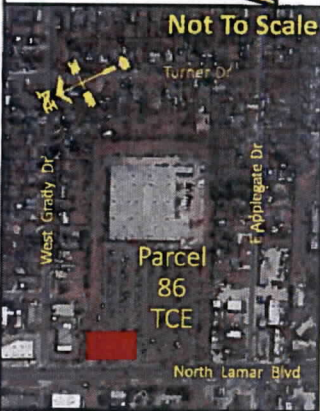
EXHIBIT "A"

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

Robert C. Steubing
Robert C. Steubing



11/18/2018
Date



SKETCH TO ACCOMPANY FIELD NOTES

Line	Bearing	Distance
L 1	N 63°22'19" W	15.01'
L 2	N 65°10'28" W	15.00'

Mockingbird Hill

Section 1

Vol 5, Pg 159 PRTCT

Kanton Labaj
Special Warranty Deed
Doc 2000197463 OPRTCT
Called: Lots 1, 2, 3, 4, 5, and 6, Block G
Mockingbird Hill, Section 1
Vol 5 Pg 159 PRTCT

John Applegait
Survey No. 58
Abstract No. 29

Parcel 86 Temporary
Construction Easement
0.616 Acres or
26,835 Sq Ft

Motheral Drive

Vol 5, Pg 159 PRTCT

(Right of Way Varies)

Lordstone
Lot A
Vol 85, Pg 57d PRTCT

R252256
NBY 10601 North Lamar, LLC
Special Warranty Deed
Doc 2012220407 OPRTCT
Lot A
Lordstone
Vol 85 Pg 57d PRTCT



SCALE: 1" = 60'

Legend

⊙	Iron Pipe Found (Size As Noted)
△	Calculated Point Not Set
P.O.B.	Point of Beginning
OPRTCT	Official Public Records, Travis County, Texas
PRTCT	Plat Records, Travis County, Texas

Noe Ramses Ponce
Warranty Deed With Vendor's Lien
Doc 2018149473 OPRTCT
Lot 1, Block 1
Mockingbird Hill, Section 1
Vol 5 Pg 159 PRTCT

NOTES:

1. P.O.B. COORDINATES = **N 10110139.984 E 3130088.515** 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.: **496T** Travis County Central Appraisal District ID No.: **252256**

Robert C. Steubing 11/18/2018
ROBERT C. STEUBING (512-506-7146) DATE

REGISTERED PROFESSIONAL LAND SURVEYOR No. 5548

DRAWING: H:\Survey\Surveying\Transmission ckt\1811\Surveying\Temporary Construction Easements\Parcel 86 TCE\DWG\Parcel 86 Temp Const Esmnt.dwg

Situs Address:
10601 North Lamar Boulevard
Austin, Tx 78752

SHEET 1 OF 1 Rev: 2018/11/15

