

RESOLUTION NO. 20220609-075

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 including but not limited to the deposit of funds in the amount awarded by the Court appointed Special Commissioners.

BE IT FURTHER RESOLVED:

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners: Michael J. Fix and C. Grace Palmer Fix

Project: Oak Hill Parkway Water Relocation Project

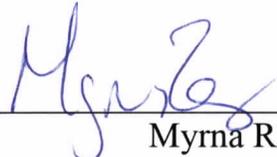
Public Use: Accommodating roadway improvements, relocation of wastewater infrastructure.

Location: 8311 Haskel Drive, Austin, Texas 78736.

The general route of the project is SH 71 at Silvermine Drive to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas.

Property: Described in the attached and incorporated "Exhibit A."

ADOPTED: June 09, 2022

ATTEST: 

Myrna Rios
City Clerk

LEGAL DESCRIPTION FOR PARCEL 5221.14 WLE

DESCRIPTION OF A 0.073 ACRE (3,162 SQ. FT.) EASEMENT LOCATED IN THE J.P. JOHANNESSEN SURVEY NO. 648, ABSTRACT 454, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 3, WESTOAKS SECTION THREE, A SUBDIVISION OF RECORD IN VOLUME 19, PAGE 61, PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.), DESCRIBED IN A DEED TO MICHAEL J. FIX AND C. GRACE PALMER FIX, RECORDED JULY 15, 1997 IN VOLUME 12976, PAGE 1414, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.TX.), SAID 0.073 ACRE (3,162 SQ. FT.) EASEMENT, AS SHOWN ON THE ATTACHED SKETCH AS PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch pipe found on the existing south right-of-way line of Haskell Drive, a 50 foot wide right-of-way, per plat recorded in Volume 19, Page 61, P.R.T.C.TX, at the northwest corner of Lot 2, of said Westoaks Section Three, described as Tract 1 in a deed to Tracy Lane Schagen, recorded in Document No. 2009115003, Official Public Records of Travis County, Texas (O.P.R.T.C.TX.), same being the northeast corner of a called 0.698 acre tract of land, described in a deed to George D. Bryan and Wife, Dorothy Jean Bryan, recorded in Volume 2448, Page 286, Deed Records of Travis County, Texas (D.R.T.C.TX.);

THENCE S 63°44'00" E, with said existing south right-of-way line of said Haskell Drive, a distance of **299.37** feet to a calculated point, at the northeast corner of a called 0.787 acre tract of land, described as Tract 2 in said Document No. 2009115003 to Tracy Lane Schagen, being further described in Volume 12588, Page 2140, Real Property Records, Travis County, Texas (R.P.R.T.C.TX.), same being the northwest corner of said Lot 3;

THENCE S 17°55'30" W, departing existing south right-of-way line of said Haskell Drive, with the common line of said Tract 2 and said Lot 3, a distance of **175.02** feet to a calculated point (**Grid Coordinates: N= 10,056,533.22, E= 3,065,049.86**), for the northwest corner and **POINT OF BEGINNING** of the easement described herein;

THENCE S 71°06'32" E, over and across said Lot 3, a distance of **208.96** feet to a calculated point on the east line of said Lot 3, same being the west line of Lot 4 of said Westoaks Section Three, described in a deed to Cindee J. Schieffer and Marilyn Cox, recorded in Document No. 2011114554, O.P.R.T.C.TX., for the northeast corner of the easement described herein;

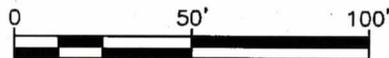
THENCE S 04°07'39" W, with the east line of said Lot 3 and the west line of said Lot 4, a distance of **15.51** feet to a calculated point, for the southeast corner of the easement described herein;

THENCE N 71°06'32" W, over and across said Lot 3, a distance of **212.66** feet to 5/8-inch iron rod with TxDOT aluminum cap found on said common line of Tract 2 and Lot 3, for the southwest corner of the easement described herein;

THIS SPACE LEFT INTENTIONALLY BLANK

"EXHIBIT A"

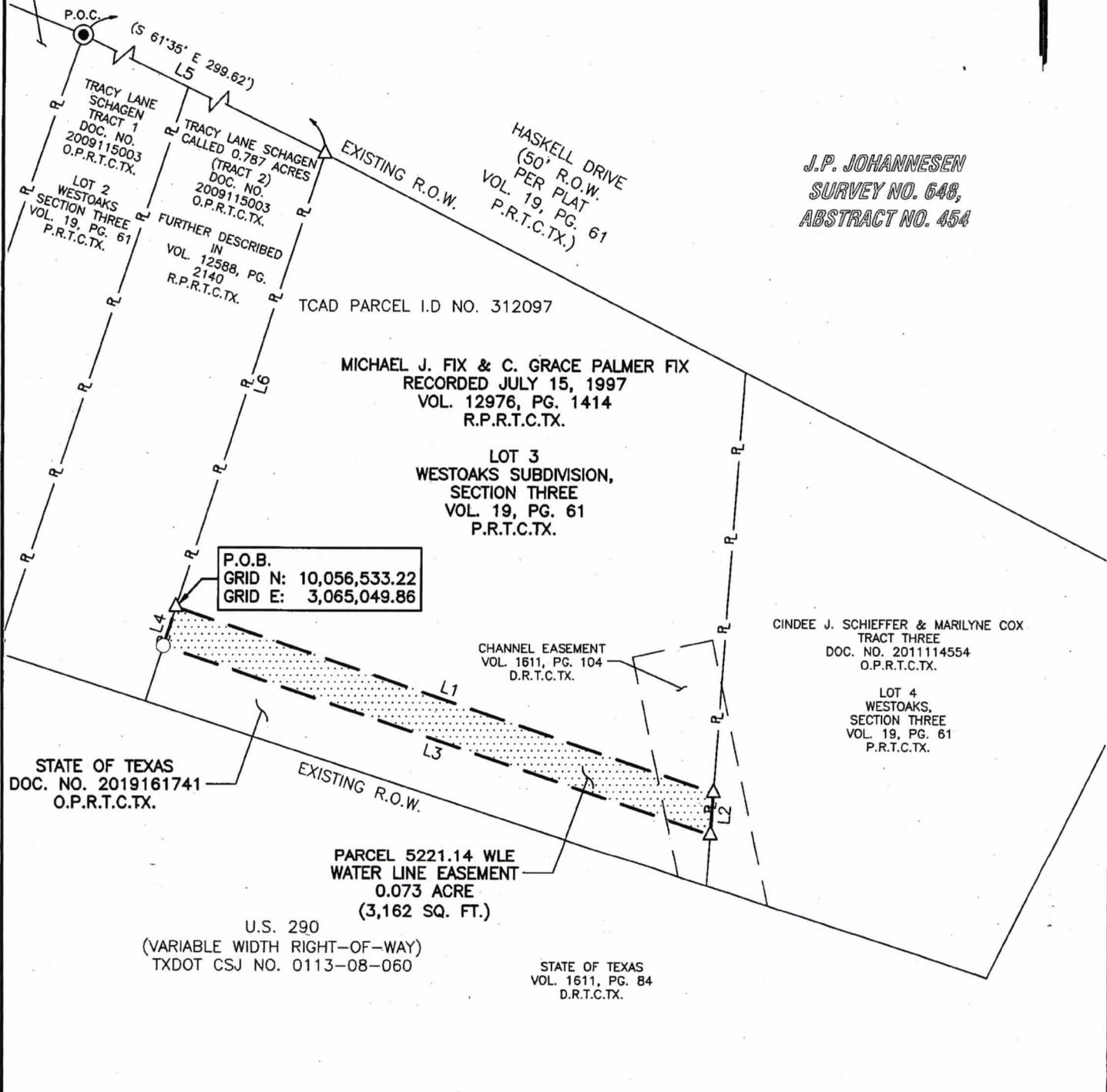
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
FOR PARCEL 5221.14 WLE



GRAPHIC SCALE
SCALE 1" = 50'
TRAVIS COUNTY, TEXAS



GEORGE D. BRYAN AND WIFE,
DOROTHY JEAN BRYAN
CALLED 0.698 ACRE
VOL. 2448, PG. 286
D.R.T.C.TX.



J.P. JOHANNESSEN
SURVEY NO. 648,
ABSTRACT NO. 454

P.O.B.
GRID N: 10,056,533.22
GRID E: 3,065,049.86

STATE OF TEXAS
DOC. NO. 2019161741
O.P.R.T.C.TX.

U.S. 290
(VARIABLE WIDTH RIGHT-OF-WAY)
TXDOT CSJ NO. 0113-08-060

PARCEL 5221.14 WLE
WATER LINE EASEMENT
0.073 ACRE
(3,162 SQ. FT.)

STATE OF TEXAS
VOL. 1611, PG. 84
D.R.T.C.TX.

JOB NUMBER: 1019051384
DATE: 01/30/2020
SCALE: 1" = 50'
SURVEYOR: S. BRASHEAR
TECHNICIAN: C. GALVAN
DRAWING: PARCEL 5221.14 WLE
TRACT ID: 312097
PARTY CHIEF: S. PESTL
FIELD BOOKS:



4801 Southwest Parkway
Building Two, Suite 100
Austin Texas, 78735
Ofc: 512.447.0575
Fax: 512.326.3029
email: info@sam.biz

Texas Firm Registration No. 10064300

PROJECT: CITY OF AUSTIN - OAKHILL EASEMENTS
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