RESOLUTION NO. 20220915-062

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:	ATX Office Properties LLC.
Project:	William Cannon Drive Corridor Project.
Public Use:	Reducing delay, improving the effectiveness of transit, and creating continuous Americans with Disabilities Act-compliant sidewalks, bicycle facilities, and either separate paths or a shared-use path which will enhance safety for pedestrians and cyclists along the entire length of the project.

Page 1 of 2

Location: 6211 W. William Cannon Drive, Austin, Texas 78749.

The general route of the project is along William Cannon Drive between Southwest Parkway to McKinney Falls Parkway.

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

ADOPTED: <u>September 15</u>, 2022

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ATTEST:

Myrna Rios City Clerk

Page 2 of 2

City of Austin:Corridor ProgramCorridor:William Cannon DriveSegment:WCDR-C2Segment From:U.S. Highway 290Limits To:East of Brodie Lane

Parcel 5309.004 STARE 0.0335 Acre, 1,458 Sq. Ft. Page 1 of 7 September 1, 2020 Revised August 20, 2021

PROPERTY DESCRIPTION - PARCEL 5309.004 STARE

DESCRIPTION OF A 0.0335 ACRE (1,458 SQUARE FOOT) PARCEL OF LAND, OUT OF THE THOMAS ANDERSON SURVEY, ABSTRACT NO. 2, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK 1, HIGH MESA PLAZA, SECTION 1, A SUBDIVISION RECORDED IN VOLUME 92, PAGE 347 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1 BEING CONVEYED TO ATX OFFICE PROPERTIES, LLC BY DEED EXECUTED AUGUST 13, 2021 AND RECORDED IN DOCUMENT NO. 2021183139 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0335 ACRE PARCEL AS SHOWN ON THE ACCOMPANYING SKETCH PREPARED BY CP&Y, INC. IS MORE PARTICULARLY DESCRIBED IN TWO PARTS BY METES AND BOUNDS AS FOLLOWS:

Part 1 – 0.0059 Ac., 257 Sq. Ft.:

COMMENCING at a 1/2-inch iron rod found on the existing southeast right-of-way line of Kenosha Pass (65 foot right-of-way width) for the west corner of said Lot 1, Block 1 and the north corner of Lot 1, Block D, Escarpment Subdivision, a subdivision of record in Volume 91, Page 324 of the Plat Records of Travis County, Texas;

THENCE, with the common northwest line of said Lot 1, Block 1 and the existing southeast rightof-way line of said Kenosha Pass, North 27° 35' 26" East, a distance of 326.85 feet to a calculated point for the southwest corner and **POINT OF BEGINNING** hereof, having a Surface Coordinate of: North = 10,057,580.09 feet and East = 3,076,314.89 feet, being 74.58 feet right of Engineer's Baseline Station 198+38.66;

THENCE, continuing with the said common northwest line of said Lot 1, Block 1 and the existing southeast right-of-way line of said Kenosha Pass, North 27° 35' 26 E, a distance of 33.88 feet to a 1/2-inch iron rod found being 59.71 feet right of Engineer's Baseline Station 198+11.27, for the north corner of said Lot 1, Block 1 and the intersection of the existing southeast right-of-way line of said Kenosha Pass and the existing west right-of-way line of William Cannon Drive (right-of-way width varies), for the north corner hereof;

City of Austin:Corridor ProgramCorridor:William Cannon DriveSegment:WCDR-C2Segment From:U.S. Highway 290Limits To:East of Brodie Lane

Parcel 5309.004 STARE 0.0335 Acre, 1,458 Sq. Ft. Page 2 of 7 September 1, 2020 Revised August 20, 2021

PROPERTY DESCRIPTION – PARCEL 5309.004 STARE

- 2) THENCE, with the said common east line of said Lot 1, Block 1 and the existing west right-of-way line of said William Cannon Drive, with the arc of a curve to the left, having a radius of 660.00 feet, an arc length of 35.16 feet, a central angle of 003° 03' 07", and chord which bears, South 01° 25' 13" West, a distance of 35.15 feet to a calculated point, being 59.75 feet right of Engineer's Baseline Station 198+43.25, for the southeast corner hereof, from which a 5/8-inch iron rod found for a point of compound curvature on the said common east line of said Lot 1, Block 1 and the existing west right-of-way line of said William Cannon Drive bears, along the arc of a curve to the left, having a radius of 660.00, an arc length of 47.65 feet, a central angle of 004° 08' 12", and a chord which bears, South 02° 10' 26" East, a distance of 47.64 feet;
- 3) THENCE, through the interior of said Lot 1, Block 1, with the proposed line of the herein described parcel, North 70° 58' 31" West, a distance of 15.68 feet to the POINT OF BEGINNING hereof and containing 0.0059 acre (257 sq. ft.) of land.

Part 2 – 0.0276 Ac., 1,201 Sq. Ft.:

COMMENCING at a 1/2-inch iron rod found on the existing southeast right-of-way line of Kenosha Pass (65 foot right-of-way width) for the west corner of said Lot 1, Block 1 and the north corner of Lot 1, Block D, Escarpment Subdivision, a subdivision recorded in Volume 91, Page 324 of the Plat Records of Travis County, Texas;

THENCE, with the common northwest line of said Lot 1, Block 1 and the existing southeast rightof-way line of said Kenosha Pass, North 27° 35' 26" East, a distance of 360.74 feet to a 1/2-inch iron rod found for the north corner of said Lot 1, Block 1 and the intersection of the existing southeast right-of-way line of said Kenosha Pass and the existing west right-of-way line of William Cannon Drive (right-of-way width varies);

THENCE, with the common east line of said Lot 1, Block 1 and the existing west right-of-way line of said William Cannon Drive, with the arc of a curve to the left, having a radius of 660.00 feet, an arc length of 82.81 feet, a central angle of 007° 11' 19", and chord which bears, South 00° 38' 53" East, a distance of 82.75 feet to a 5/8-inch iron rod found for a point of compound curvature;

City of Austin:
Corridor:
Segment:Corridor Program
William Cannon Drive
WCDR-C2Segment From:
Limits To:U.S. Highway 290
East of Brodie Lane

Parcel 5309.004 STARE 0.0335 Acre, 1,458 Sq. Ft. Page 3 of 7 September 1, 2020 Revised August 20, 2021

PROPERTY DESCRIPTION – PARCEL 5309.004 STARE

THENCE, continuing with the said common east line of said Lot 1, Block 1 and the existing west right-of-way line of said William Cannon Drive, with the arc of a curve to the left, having a radius of 840.00 feet, an arc length of 182.45 feet, a central angle of 012° 26' 42", and chord which bears, South 10° 25' 32" East, a distance of 182.09 feet to a calculated point for the northeast corner and **POINT OF BEGINNING** hereof, having a Surface Coordinate of: North = 10,057,348.29 feet and East = 3,076,364.47 feet, being 60.12 feet right of Engineer's Baseline Station 200+56.03;

 THENCE, continuing with the said common east line of said Lot 1, Block 1 and the existing west right-of-way line of said William Cannon Drive, with the arc of a curve to the left, having a radius of 840.00 feet, an arc length of 119.35 feet, a central angle of 008° 08' 27", and a chord which bears, South 20° 43' 06" East, a distance of 119.25 feet to a calculated point, being 60.31 feet right of Engineer's Baseline Station 201+66.83, for the southeast corner hereof;

THENCE, through the interior of said Lot 1, Block 1 with the proposed line of the herein described parcel, the following three (3) courses and distances:

- 2) **South 65° 12' 41" West**, a distance of **10.00 feet** to a calculated point, being 70.31 feet right of Engineer's Baseline Station 201+66.82, for the southwest corner hereof;
- 3) with the arc of a curve to the **right**, having a radius of **850.00 feet**, an arc length of **120.77 feet**, a central angle of **008° 08' 27**", and a chord which bears, **North 20° 43' 06" West**, a distance of **120.67 feet** to a calculated point, being 70.12 feet right of Engineer's Baseline Station 200+56.02, for the northwest corner hereof;
- 4) North 73° 21' 08" East, a distance of 10.00 feet to the POINT OF BEGINNING hereof and containing 0.0276 acre (1,201 sq. ft.) of land.

Part 1 – 0.0059 Ac., 257 Sq. Ft. <u>Part 2 – 0.0276 Ac., 1,201 Sq. Ft.</u> Total Area – 0.0335 Ac., 1,458 Sq. Ft.

City of Austin:Corridor ProgramCorridor:William Cannon DriveSegment:WCDR-C2Segment From:U.S. Highway 290Limits To:East of Brodie Lane

Parcel 5309.004 STARE 0.0335 Acre, 1,458 Sq. Ft. Page 4 of 7 September 1, 2020 Revised August 20, 2021

PROPERTY DESCRIPTION – PARCEL 5309.004 STARE

Notes:

- All bearings and coordinates described herein are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum of 1983 (NAD 83 2001 Adjustment, Epoch 2010.00. All distances and coordinates described herein are Surface and may be converted to Grid by dividing the combined Adjustment Factor of 1.00011. All measurements are in U.S. Survey Feet.
- 2. A parcel plat of even date was prepared in conjunction with this property description.
- 3. **The monument(s) described as "calculated" may be set with a typical ROW/Easement marker, after acquisition is completed, under the supervision of a Registered Professional Land Surveyor, either employed or retained by the City of Austin.
- 4. Stations and offsets are relative to Corridor Centerline provided by Engineer on 08/28/2020.

Surveyed September 1, 2020 by:

Revised August 20, 2021 to reflect new property owner and vesting deed.

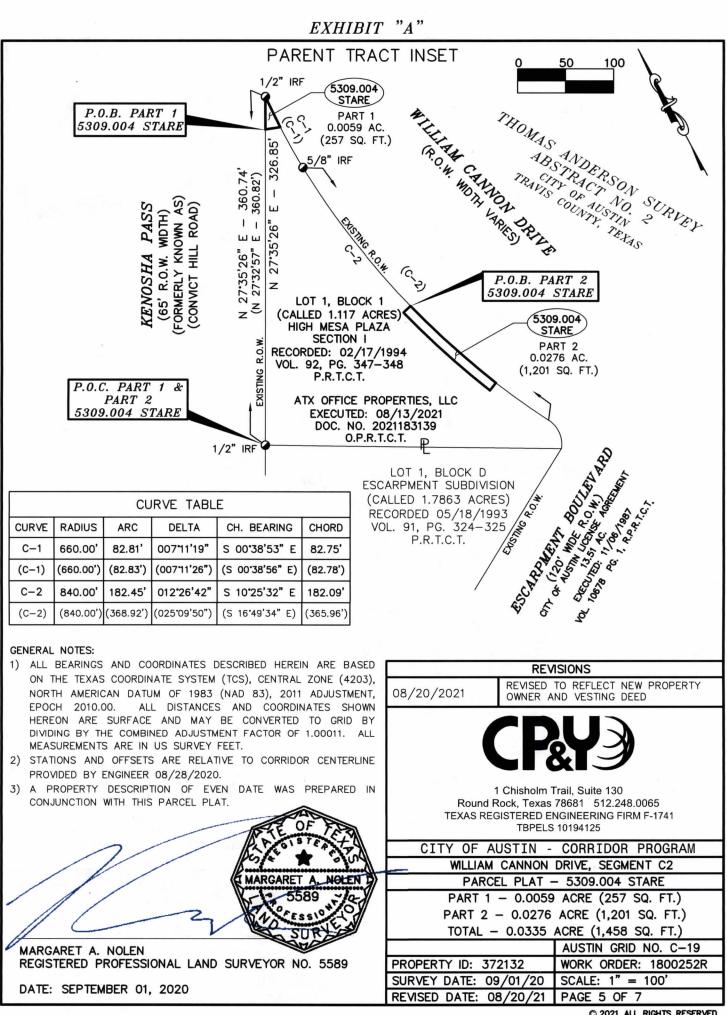
Margaret A. Nolen, R.P.L.S. No. 5589

CP&Y, Inc. One Chisholm Trail, Suite 130 Round Rock, Texas 78681 Ph. (512) 248-0065 TBPELS Firm No. 10194125 Project No. 1800252



AUSTIN GRID C-19 PROPERTY ID: 372132

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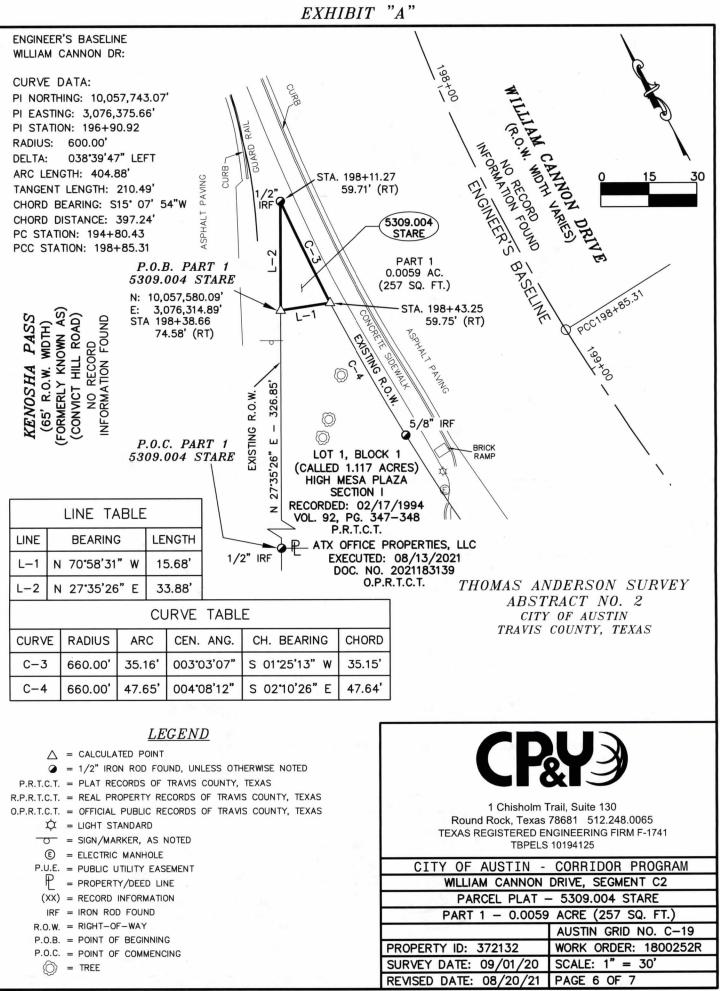


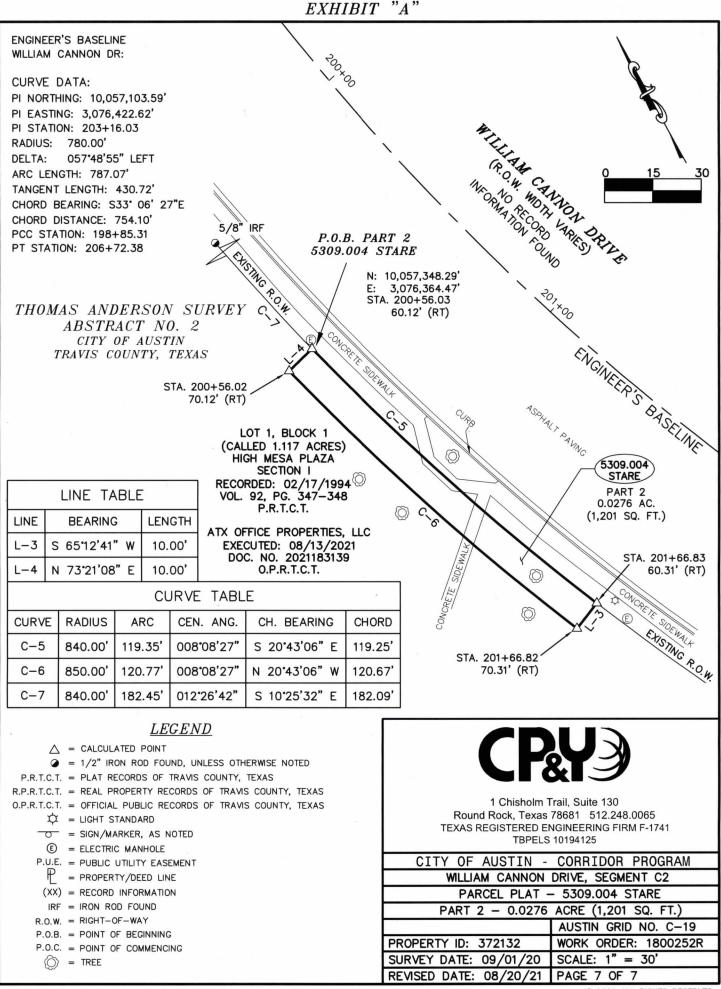
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City of Austin:
Corridor:
Segment:Corridor Program
William Cannon Drive
WCDR-C2Segment From:
Limits To:U.S. Highway 290
East of Brodie Lane

Parcel 5309.004 TCE 0.0149 Acre, 648 Sq. Ft. Page 1 of 5 September 1, 2020 Revised August 20, 2021

PROPERTY DESCRIPTION – PARCEL 5309.004 TCE

DESCRIPTION OF A 0.0149 ACRE (648 SQUARE FOOT) PARCEL OF LAND OUT OF THE THOMAS ANDERSON SURVEY, ABSTRACT NO. 2, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK 1, HIGH MESA PLAZA, SECTION 1, A SUBDIVISION RECORDED IN VOLUME 92, PAGE 347 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOT 1 BEING CONVEYED TO ATX OFFICE PROPERTIES, LLC BY DEED EXECUTED AUGUST 13, 2021 AND RECORDED IN DOCUMENT NO. 2021183139 OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0149 ACRE PARCEL AS SHOWN ON THE ACCOMPANYING SKETCH PREPARED BY CP&Y, INC. IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found on the existing southeast right-of-way line of Kenosha Pass (65 foot right-of-way width) for the west corner of said Lot 1, Block 1 and the north corner of Lot 1, Block D, Escarpment Subdivision, a subdivision recorded in Volume 91, Page 324, of the Plat Records of Travis County, Texas;

THENCE, with the common northwest line of said Lot 1, Block 1 and the existing southeast rightof-way line of said Kenosha Pass, North 27° 35' 26" East, a distance of 360.74 feet to a 1/2-inch iron rod found for the north corner of said Lot 1, Block 1 and the intersection of the existing southeast right-of-way line of said Kenosha Pass and the existing west right-of-way line of William Cannon Drive (right-of-way width varies);

THENCE, with the common east line of said Lot 1, Block 1 and the existing west right-of-way line of said William Cannon Drive, along the arc of a curve to the left, having a radius of 660.00 feet, an arc length of 82.81 feet, a central angle of 007° 11' 19", and chord which bears, South 00° 38' 53" East, a distance of 82.75 feet to a 5/8-inch iron rod found for a point of compound curvature;

THENCE, continuing with the said common east line of said Lot 1, Block 1 and the existing west right-of-way line of said William Cannon Drive, along the arc of a curve to the left, having a radius of 840.00 feet, an arc length of 20.96 feet, a central angle of 001° 25' 47", and chord which bears, South 04° 55' 04" East, a distance of 20.96 feet to a calculated point for the northeast corner and **POINT OF BEGINNING** hereof, having a Surface Coordinate of: North = 10,057,506.49 feet and East = 3,076,333.32 feet, being 59.85 feet right of Engineer's Baseline Station 199+06.08;

City of Austin:Corridor ProgramCorridor:William Cannon DriveSegment:WCDR-C2Segment From:U.S. Highway 290Limits To:East of Brodie Lane

Parcel 5309.004 TCE 0.0149 Acre, 648 Sq. Ft. Page 2 of 5 September 1, 2020 Revised August 20, 2021

PROPERTY DESCRIPTION – PARCEL 5309.004 TCE

 THENCE, continuing with the said common east line of said Lot 1, Block 1 and the existing west right-of-way line of said William Cannon Drive, with the arc of a curve to the left, having a radius of 840.00 feet, an arc length of 64.44 feet, a central angle of 004° 23' 44", and a chord which bears, South 07° 49' 50" East, a distance of 64.43 feet to a calculated point, being 59.96 feet right of Engineer's Baseline Station 199+65.92, for the southeast corner hereof;

THENCE, through the interior of said Lot 1, Block 1, with the proposed line of the herein described parcel, the following three (3) courses and distances:

- 2) **South 79° 58' 18" West**, a distance of **10.00 feet**, to a calculated point, being 69.96 feet right of Engineer's Baseline Station 199+65.91, for the southwest corner hereof;
- 3) with the arc of a curve to the **right**, having a radius of **850.00 feet**, an arc length of **65.21 feet**, a central angle of **004° 23' 44"**, and a chord which bears, **North 07° 49' 50" West**, a distance of **65.19 feet** to a calculated point, being 69.85 feet right of Engineer's Baseline Station 199+06.06, for the northwest corner hereof;
- 4) North 84° 22' 02" East, a distance of 10.00 feet to the POINT OF BEGINNING hereof and containing 0.0149 acre (648 sq. ft.) of land.

City of Austin:
Corridor:Corridor Program
William Cannon Drive
Segment:Segment:WCDR-C2Segment From:U.S. Highway 290
East of Brodie Lane

Parcel 5309.004 TCE 0.0149 Acre, 648 Sq. Ft. Page 3 of 5 September 1, 2020 Revised August 20, 2021

PROPERTY DESCRIPTION – PARCEL 5309.004 TCE

Notes:

- All bearings and coordinates described herein are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum of 1983 (NAD 83 2001 Adjustment, Epoch 2010.00. All distances and coordinates described herein are Surface and may be converted to Grid by dividing the combined Adjustment Factor of 1.00011. All measurements are in U.S. Survey Feet.
- 2. A parcel plat of even date was prepared in conjunction with this property description.
- 3. **The monument(s) described as "calculated" may be set with a typical ROW/Easement marker, after acquisition is completed, under the supervision of a Registered Professional Land Surveyor, either employed or retained by the City of Austin.
- 4. Stations and offsets are relative to Corridor Centerline provided by Engineer on 08/28/2020.

Surveyed September 1, 2020 by:

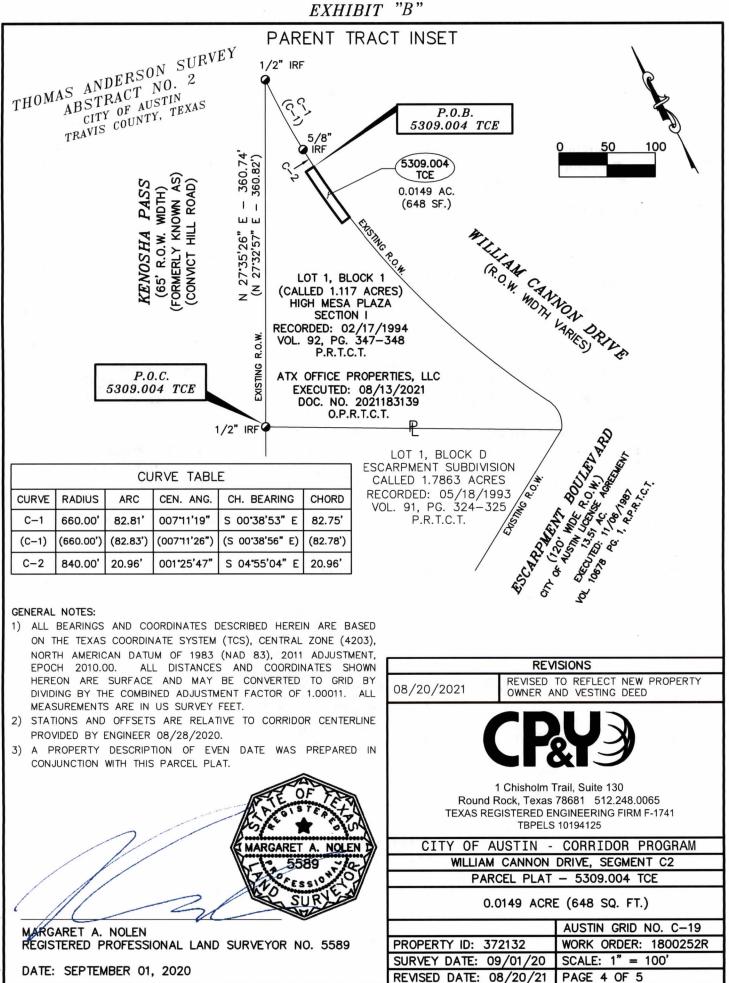
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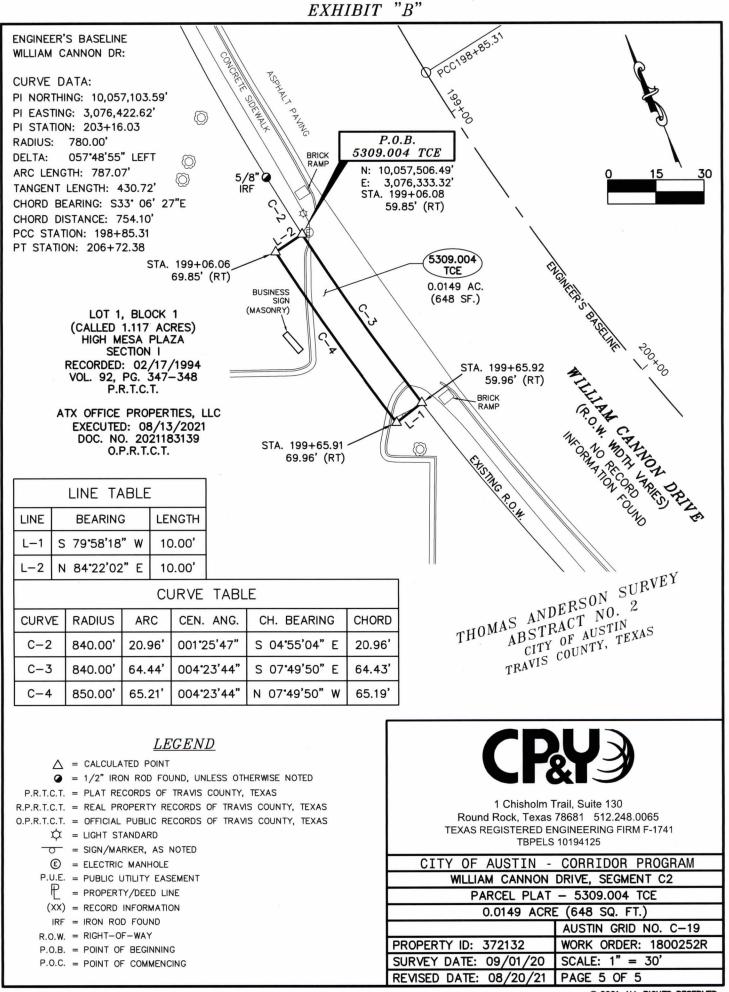
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AUSTIN GRID C-19 PROPERTY ID: 372132

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