RESOLUTION NO. 20220929-067

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:

Circuit of the Americas, LLC.

Project:

Kellam Road Water Pipeline Renewal Project.

Public Use: Ensuring the continued use of safe and reliable service of water

lines and fire hydrants.

Location:

0 Elroy Road, Austin, Texas 78617.

The general route of the project is along Kellam Road, immediately north of Elroy Road.

Property:

Described in the attached and incorporated "Exhibit A,"

"Exhibit B" and "Exhibit C."

ADOPTED: September 29, 2022 ATTEST: Bridge for Myrna Rios

City Clerk



EXHIBIT " A "

Circuit of the Americas to City of Austin (Water Line Easement)

LEGAL DESCRIPTION PARCEL 5337.01 W.L.E.

DESCRIPTION OF 0.064 OF AN ACRE (2,810 SQ. FT.) OF LAND, SITUATED IN THE THOMAS B. WESTBROOK SURVEY SECTION NO. 5, ABSTRACT NO. 797 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 117.208 ACRE TRACT CONVEYED TO CIRCUIT OF THE AMERICAS, LLC IN A SPECIAL WARRANTY DEED DATED JULY 3, 2012 AND RECORDED IN DOCUMENT NUMBER 2012109754, OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.064 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an 80d nail set on the curving west line of Kellam Road, a variable width right-of-way, having grid coordinates of N=10,027,590.92, E=3,153,091.69 for the most northerly corner hereof, from which a 5/8-inch iron rod with 'ZWA' cap set at the point of curvature on the west line of said Kellam Road, bears along said curve to the left having an arc distance of **49.23** feet, having a radius of **465.00** feet, a central angle **06°03'59"**, and chord bearing **N 05°18'13"** E, for a distance of **49.21** feet;

THENCE, along said curve to the right having an arc distance of 129.60 feet, having a radius of 465.00 feet, a central angle 15°58'08", and chord bearing S 16°19'17" W, for a distance of 129.18 feet to an 80d nail set for the southeast corner hereof

THENCE, over and across said Circuit of the Americas 117.208 acre tract, the following two (2) courses and distances;

- 1) N 62°30'10" W, for a distance of 29.10 feet to an 80d nail set for an exterior corner of the herein described tract;
- 2) S 72°29'50" W, for a distance 34.79 feet to an 80d nail set on the east line of a 0.4356 acre tract (Parcel 12) Possession and Use Agreement recorded in Document Number 2020027533 of the Official Public Records of Travis County, Texas, for the southwest corner hereof;

THENCE, N 11°11'52" E, with the east line of said Parcel 12, for a distance of 22.87 feet to an 80d nail set for the northwest corner hereof, from which a 1/2-inch iron rod found for the northeast corner of said Parcel 12, bears N 11°11'52" E, for a distance of 8.84 feet;

THENCE, continuing over and across said Circuit of the Americas 117.208 acre tract, the following three (3) courses and distances;

- 1) N 72°36'28" E, for a distance of 32.11 feet to an 80d nail set for an exterior corner of the herein described tract:
- 2) S 62°30'10" E, for a distance of 12.34 feet to an 80d nail set for an exterior corner of the herein described tract:

EXHIBIT "A"

3) N 27°29'50" E, for a distance of 106.73 feet to the POINT OF BEGINNING and containing 0.064 acres (2,810 sq. ft.) of land.

BEARING BASIS

THE BEARINGS SHOWN HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEMS (CENTRAL ZONE 4203), NAD83 (93).

THE STATE OF TEXAS

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Buda, Hays County, Texas this the 29th day of March, 2022, A.D.

Zamora, L.L.C. 1425 South Loop 4 Buda, Texas 78610 512-295-6201 Tx. Firm No. 10062700 G. Rene Zamora
Registered Professional Land Surveyor

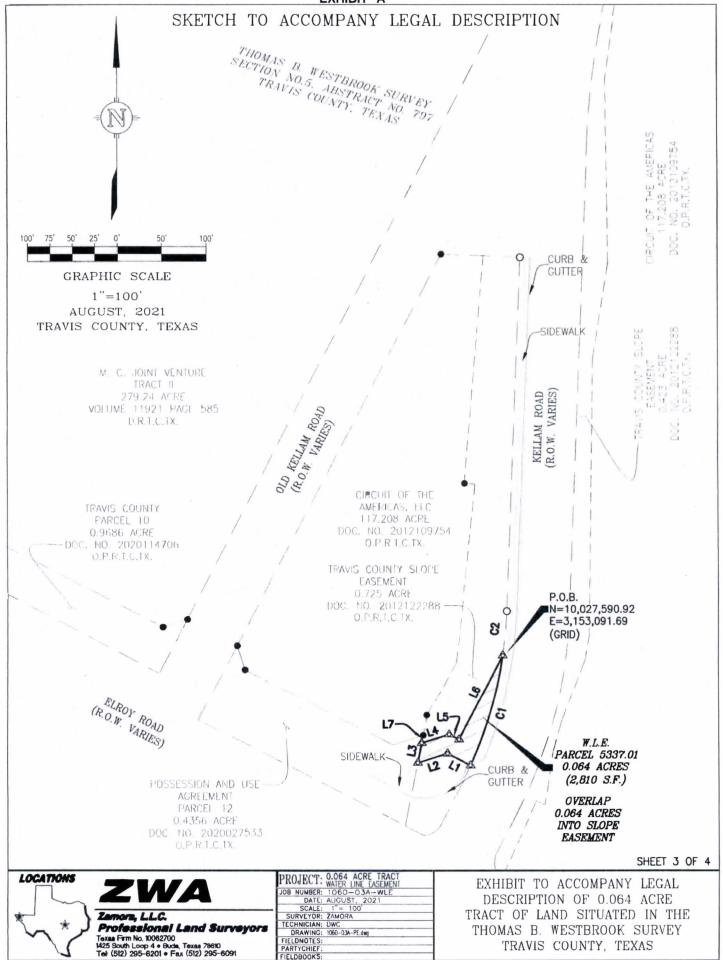
No. 5682 - State of Texas

REFERENCES

TCAD PID No. R824452 Vesting Deed Doc. No. 2012109754 Revised: 12-7-2021

Revised: 03-29-2022

FIELD NOTES REVIEWED
BY 03/29/22
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT



SKETCH TO ACCOMPANY LEGAL DESCRIPTION EXHIBIT "A"

LEGEND

1/2" IRON ROD FOUND

O 5/8" IRON ROD WITH 'ZWA' CAP SET

A 80d NAIL SET

P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS

O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS

() RECORD INFORMATION

P.O.B. POINT OF BEGINNING

P.E. PERMANENT EASEMENT

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N62°30'10"W	29.10'
L2	S72°29'50"W	34.79'
L3	N11*11'52"E	22.87'
L4	N72*36'28"E	32.11'
L5	S62*30'10"E	12.34'
L6	N27'29'50"E	106.73
L7	N11"11'52"E	8.84'

		CURV	E TABL	E	
CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	129.60'	15*58'08"	465.00'	S16*19'17"W	129.18
C2	49.23	06'03'59"	465.00'	N05*18'13"E	49.21

NOTE

THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. CTA2105657 WITH AN EFFECTIVE DATE OF OCTOBER 26, 2021.

EFFECTIVE DATE: OCTOBER 26, 2021 REVISED FOR NEW TITLE COMMITMENT. ISSUED: DATED NOVEMBER 2, 2021.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

G. RENE ZAMORA
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5682

G. RENE ZAMORAP

SHEET 4 OF 4



ZWA

Zemora, L.L.C.

Professional Land Surveyors

Texas Frm No. 10062700

10425 South Loop 4 • Buda, Texas 78610

Tel (512) 295-6201 • Fax (512) 295-6091

	PROJECT:	0.064 ACRE TRACT WATER LINE EASEMENT
1	JOB NUMBER:	1060-03A-WLE
	DATE:	AUGUST, 2021
	SCALE:	1"= 100"
	SURVEYOR:	7AMORA
Į	TECHNICIAN:	DWC
i	DRAWING:	1060-03A-1E.deg
1	FIELDNOTES:	
١	PARTYCHIEF:	
-1	FIFI DROOKS.	

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 0.064 ACRE TRACT OF LAND SITUATED IN THE THOMAS B. WESTBROOK SURVEY TRAVIS COUNTY, TEXAS



EXHIBIT "B"

Circuit of the Americas to City of Austin (Temporary Work Space Easement #1)

LEGAL DESCRIPTION PARCEL 5337.01 T.W.S.E. #1

DESCRIPTION OF 0.209 OF AN ACRE (9,111 SQ. FT.) OF LAND, SITUATED IN THE THOMAS B. WESTBROOK SURVEY SECTION NO. 5, ABSRACT NO. 797 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 117.208 ACRE TRACT CONVEYED TO CIRCUIT OF THE AMERICAS, LLC IN A SPECIAL WARRANTY DEED DATED JULY 3, 2012 AND RECORDED IN DOCUMENT NUMBER 2012109754, OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.209 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an 80d nail set on the west right-of-way line of Kellam Road, a variable width right-of-way, having grid coordinates of N=10,028,032.90, E=3,153,091.80 for the northwest corner hereof, from which a 1/2-inch iron rod found on the east line of Old Kellam Road, a variable width right-of-way, being also on the west line of said Circuit of the Americas 117.208 acre tract, bears N 87°43'46" W, for a distance of 67.68 feet;

THENCE, with the west right of way of said Kellam Road, the following three (3) courses and distances;

- 1) S 87°43'46" E, for a distance of 20.00 feet to a 5/8-inch iron rod with 'ZWA' cap set, for the northeast corner of the herein described tract;
- 2) S 02°16'14" W, for a distance 392.50 feet to a 5/8-inch iron rod with 'ZWA' cap set at the beginning of a curve to the right;
- 3) along said curve to the right having an arc distance of 49.23 feet, having a radius of 465.00 feet, a central angle 06°03'59", and chord bearing S 05°18'13" W, for a distance of 49.21 feet to an 80d nail set for the southeast corner hereof:

THENCE, over and across said Circuit of the Americas 117.208 acre tract, the following two (2) courses and distances;

- 1) S 27°29'50" W, for a distance of 40.82 feet to an 80d nail set for the southwest corner hereof;
- 2) N 02°16'14" E, for a distance of 478.57 feet to the POINT OF BEGINNING and containing 0.209 acres (9,111 sq. ft.) of land.

EXHIBIT "B"

BEARING BASIS

THE BEARINGS SHOWN HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEMS (CENTRAL ZONE 4203), NAD83 (93).

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

8

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Buda, Hays County, Texas this the 18th day of October, 2021, A.D.

Zamora, L.L.C. 1425 South Loop 4 Buda, Texas 78610 512-295-6201 Tx, Firm No. 10062700 G. Rene Zamora

Registered Professional Land Surveyo

No. 5682 - State of Texas

REFERENCES

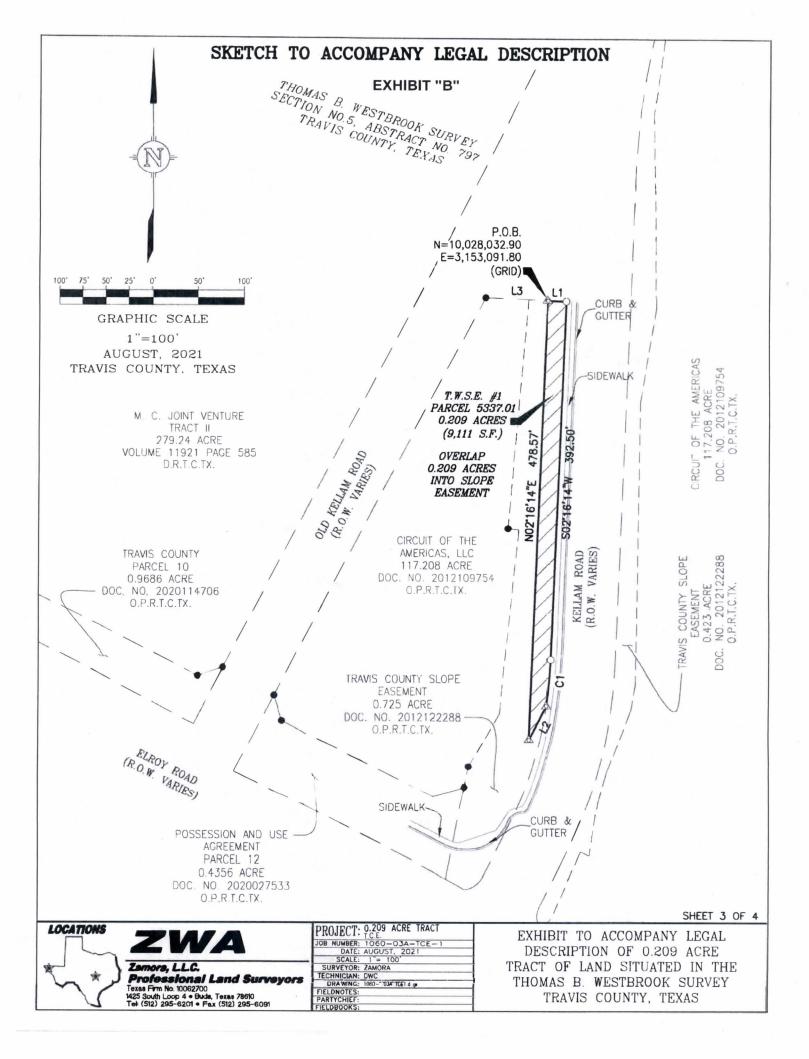
TCAD PID No. R824452 Vesting Deed Doc. No. 2012109754

Revised: 12-7-2021

FIELD NOTES REVIEWED

BY DATE: 12/08/21

CITY OF AUSTIN PUBLIC WORKS DEPARTMENT



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "B"

LEGEND

1/2" IRON ROD FOUND

0 5/8" IRON ROD WITH 'ZWA' CAP SET

A 80d NAIL SET

P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS

O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS

() RECORD INFORMATION

P.O.B. POINT OF BEGINNING

T.C.E. TEMPORARY CONSTRUCTION EASEMENT

	LINE TABLE			
LINE	DIRECTION	DISTANCE		
L1	S87*43'46"E	20.00'		
L2	S27*29'50"W	40.82		
L3	N87*43'46"W	67.68		

		CURV	E TABL	E	
CURVE LENGTH DELTA RADIUS DIRECTION CHORD					
C1	49.23	6*03'59"	465.00'	S05*18'13"W	49.21

NOTE:

THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY. COMMITMENT NO. CTA2105657 WITH AN EFFECTIVE DATE OF OCTOBER 26, 2021

EFFECTIVE DATE: OCTOBER 26, 2021 REVISED FOR NEW TITLE COMMITMENT. ISSUED: DATED NOVEMBER 2, 2021.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS CORRECT TO THE BEST OF MY KNOWLEDGE AND E

G. RENE ZAVORA REGISTERED PROFESSIONAL LAND SURVEYOR

TEXAS REGISTRATION NO. 5682

SHEET 4 OF 4



Professional Land Surveyors

Texas Firm No. 10062700 1425 South Loop 4 ● Buda, Texas 78610 Tel: (512) 295-6201 ● Fax (512) 295-6091

	PROJECT:	0.209 ACRE TRACT
1	JOB NUMBER:	1060-03A-TCE-1
	DATE:	AUGUST, 2021
-		1"= 100'
	SURVEYOR:	ZAMORA
	TECHNICIAN:	
	DRAWING:	1060-03A-TCE-1.dwg
	FIELDNOTES:	
	PARTYCHIEF:	1
	FIELDBOOKS:	

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION OF 0.209 ACRE TRACT OF LAND SITUATED IN THE THOMAS B. WESTBROOK SURVEY TRAVIS COUNTY, TEXAS



EXHIBIT "C"

Circuit of the Americas to City of Austin (Temporary Work Space Easement #2)

LEGAL DESCRIPTION PARCEL 5337.01 T.W.S.E. #2

DESCRIPTION OF 0.049 OF AN ACRE (2,126 SQ. FT.) OF LAND, SITUATED IN THE THOMAS B. WESTBROOK SURVEY SECTION NO. 5, ABSTRACT NO. 797 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING OUT OF A 117.208 ACRE TRACT CONVEYED TO CIRCUIT OF THE AMERICAS, LLC IN A SPECIAL WARRANTY DEED DATED JULY 3, 2012 AND RECORDED IN DOCUMENT NUMBER 2012109754, OF THE OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.049 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an 80d nail set, having grid coordinates of N=10,027,469.91, E=3,152,996.40 on the east line of a 0.4356 acre tract (Parcel 12) Possession and Use Agreement recorded in Document Number 2020027533 of the Official Public Records of Travis County, Texas, from which a 1/2-inch iron rod found for the northeast corner of said Parcel 12, bears N 11°11'52" E, for a distance of 31.71 feet;

THENCE, over and across said Circuit of the Americas 117.208 acre tract, the following four (4) courses and distances;

- 1) N 72°29'50" E, for a distance of 34.79 feet to an 80d nail set for an exterior corner of the herein described tract;
- 2) S 62°30'10" E, for a distance 26.84 feet to an 80d nail set for the northeast corner hereof;
- 3) S 27°29'50" W, for a distance 11.56 feet to an 80d nail set at the beginning of a curve to the right, for an exterior corner of the herein described tract
- 4) along said curve to the right having an arc distance of 69.31 feet, having a radius of 49.50 feet, a central angle 80°14'00", and chord bearing S 67°26'32" W, for a distance of 63.79 feet to an 80d nail set on the east line of said Parcel 12, for the southwest corner hereof;

THENCE, N 11°11'52" E, with the east line of said Parcel 12, for a distance of 37.36 feet to the POINT **OF BEGINNING** and containing 0.049 acres (2,126 sq. ft.) of land.

EXHIBIT "C"

BEARING BASIS

THE BEARINGS SHOWN HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEMS (CENTRAL ZONE 4203), NAD83 (93).

THE STATE OF TEXAS

8

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

8

That I, G. Rene Zamora, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Buda, Hays County, Texas this the 18th day of October, 2021, A.D.

Zamora, L.L.C. 1425 South Loop 4 Buda, Texas 78610 512-295-6201 Tx. Firm No. 10062700 G. Rene Zamora

Registered Professional Land Surveyor

No. 5682 - State of Texas

REFERENCES

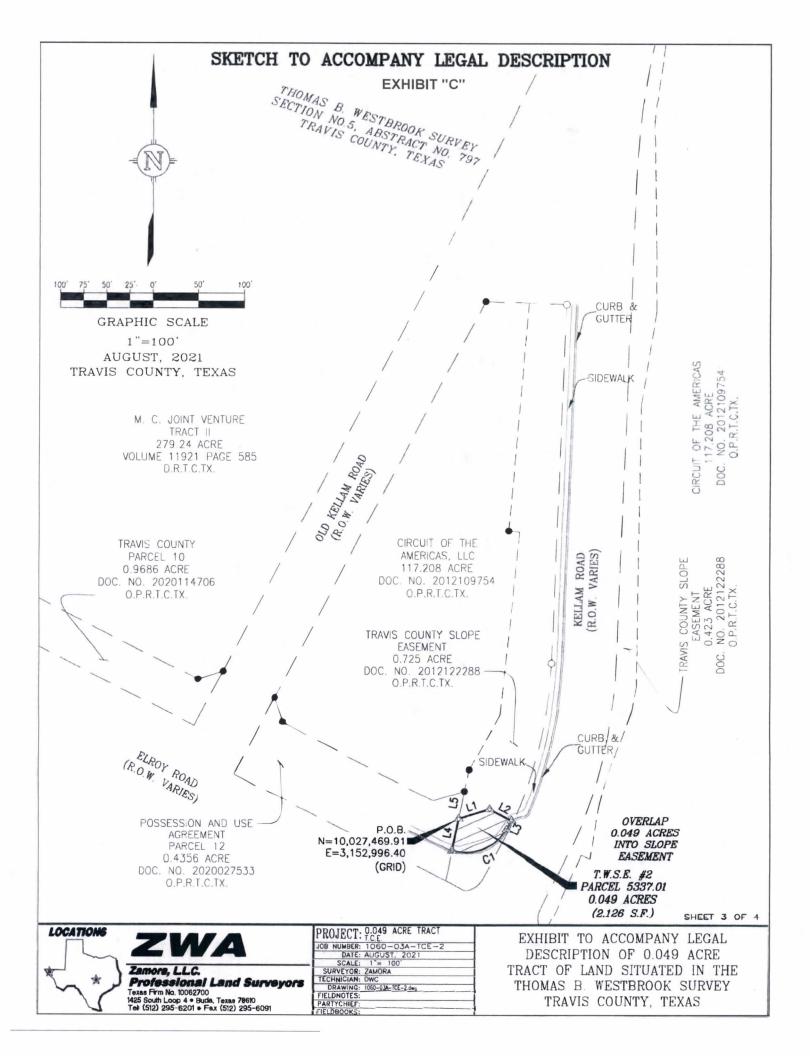
TCAD PID No. R824452 Vesting Deed Doc. No. 2012109754 Revised: 12-7-2021

FIELD NOTES REVIEWED

BY DATE: 12/09/21

CITY OF AUSTIN

PUBLIC WORKS DEPARTMENT



SKETCH TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "C"

LEGEND

•	1/2"	IRON	ROD	FOUND

O 5/8" IRON ROD WITH 'ZWA' CAP SET

△ 80d NAIL SET

P.R.T.C.T. PLAT RECORDS TRAVIS COUNTY, TEXAS

O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS

() RECORD INFORMATION

P.O.B. POINT OF BEGINNING

T.C.E. TEMPORARY CONSTRUCTION EASEMENT

	LINE TABLE			
LINE	DIRECTION	DISTANCE		
L1	N72"29'50"E	34.79'		
L2	S62'30'10"E	26.84'		
L3	S27*29'50"W	11.56'		
L4	N11"11'52"E	37.36'		
L5	N11"11'52"E	31.71'		

		CURVE	TABL	E	
CUR V E	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
C1	69.31	80*14'00"	49.50'	S67°26'32"W	63.79'

NOTE:

THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NO. CTA2105657 WITH AN EFFECTIVE DATE OF OCTOBER 26, 2021

EFFECTIVE DATE: OCTOBER 26, 2021 REVISED FOR NEW TITLE COMMITMENT. ISSUED: DATED NOVEMBER 2, 2021.

META DATA:

ALL PROJECT COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(2011) (EPOCH 2010.00).

I, G. RENE ZAMORA, DO HEREBY CERTIFY THAT THIS CORRECT TO THE BEST OF MY KNOWLEDGE AND BEY

G. RENE ZAMORA

REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 5682

G. RENE ZAMORA

LOCATIONS

ZVVA

Zemors, LLC.

Professional Land Surveyors

Texas Frm No. 10062700

M25 South Loop 4 • Buda, Texas 78610

Tek (S12) 295-6201 • Fax (S12) 295-6091

	PROJECT:	0.049 ACRE TRACT
	JOB NUMBER:	1060-03A-TCE-2
	DATE:	AUGUST, 2021
-		1"= 100'
	SURVEYOR:	
1	TECHNICIAN:	
i		1060-03A-TCE-2'dmg
1	FIELDNOTES:	
1	PARTYCHIEF:	
	FIELDBOOKS:	

SHEET 4 OF 4

EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 0.049 ACRE
TRACT OF LAND SITUATED IN THE
THOMAS B. WESTBROOK SURVEY
TRAVIS COUNTY, TEXAS