

**RESOLUTION NO. 20221208-077**

**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: Continental Homes of Texas L.P.

Project: East Braker Lane Extension Project

Public Use: Address congestion on East Parmer Lane by connecting the future Travis County-built East Braker Lane extension to Harris Branch.

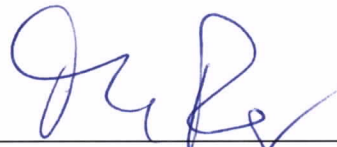
Location: Samsung Boulevard, Austin, Texas 78754 (at Taebaek Drive).

The general route of the project is an extension of East Braker Lane, ending near Dawes Place (East of Dessau Road) and continuing East to Samsung Boulevard.

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

**ADOPTED:** December 8, 2022

**ATTEST:**



Myrna Rios  
City Clerk

**LEGAL DESCRIPTION**

A DESCRIPTION OF 0.312 ACRE TRACT OF LAND, BEING A PORTION OF 1.428 ACRE TRACT (6B) OF LAND OUT OF L. MUNOS SURVEY ABSTRACT NO. 513 CONVEYED TO CONTINENTAL HOMES OF TEXAS, L.P. AS RECORDED IN DOCUMENT (DOC.) NO. 2016128108 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY (O.P.R.T.C.), TEXAS; SAID 0.312 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found with "SAM INC" cap having Texas State Plane Coordinate (Texas Central Zone, NAD 83, (Grid) US feet, combined scale factor of 0.999916) values of N=10106523.650 and E= 3145348.719, being the northwest corner of Taebaek Drive (60' right-of-way) as recorded in Doc. No. 200600015 of O.P.R.T.C., also being the northeast corner of Lot 80, Block 00 of Pioneer Crossing East Subdivision, Section 9 as recorded in Doc. No. 200600015 of O.P.R.T.C., from which a ½" iron rod found with illegible cap for the northwest corner of said Lot 80, being the northeast corner of Lot 79 of said subdivision, bears N 68°08'03" W, a distance of 13.24 feet; being the southwest corner of herein described tract;

THENCE traversing the interior of said 1.428-acre tract, the following two (2) courses and distances:

1. A curve to the left with a radius of 613.75 feet, central angle of 5°38'58", an arc length of 60.52 feet, and a chord bears N 9°42'27" W with a distance of 60.49 feet, to an iron rod set with "HEJL LEE" cap;
2. N 11°41'20" W, a distance of 158.75 feet to an iron rod set with "HEJL LEE" cap on the north line of said 1.428 acre tract; being on the south line of the remainder portion of Art Collection, Inc. tract as recorded in Volume 13270 Page 1369 of the Real Property Record of Travis County (R.P.R.T.C.), Texas, being the northwest corner of herein described tract;

THENCE, N 78°26'07" E, traveling along the north line of said 1.428 acre tract and the south line of said remainder portion of Art Collection, Inc. tract, a distance of 85.20 feet to an iron rod set with "HEJL LEE" cap for the northeast corner of herein described tract, from which an iron rod found bears N 78°23'23" E, a distance of 84.40 feet on the north line of a 17.96 acre tract conveyed to the City of Austin as described in Doc. No. 2017001969 of O.P.R.T.C.:

THENCE, traveling along the east line of said 1.428 acre tract, and the west line of said 17.96 acre tract, the following three (3) courses and distances:

1. A curve to the left with a radius of 25.00 feet, central angle of  $89^{\circ}35'40''$ , an arc length of 39.10 feet, and a chord bears  $S\ 32^{\circ}57'17''\ W$  with a distance of 35.23 feet, to an iron rod set with "HEJL LEE" cap;
2.  $S\ 11^{\circ}41'20''\ E$ , a distance of 96.36 feet to an iron rod set with "HEJL LEE" cap;
3. A non-tangent curve to the right with a radius of 673.81 feet, central angle of  $8^{\circ}48'44''$ , an arc length of 103.63 feet, and a chord bears  $S\ 10^{\circ}06'23''\ E$  with a distance of 103.53 feet, to an iron rod set with "HEJL LEE" cap for the northeast corner of said Taebaek Drive, being the southeast corner of herein described tract;

THENCE,  $S\ 83^{\circ}57'11''\ W$ , traveling along the south line of said 1.428 acre tract and north line of said Taebaek Drive, a distance of 59.97 feet to the POINT OF BEGINNING, containing 0.312 acre (13,596 square feet) of land, more or less.

#### BEARING BASIS NOTE

The bearings described hereon are based on Texas Coordinate System on 1983, NAD83, Texas Central Zone 4203 (Grid) U.S. survey feet with a combined scale factor of 0.999916 resulting in a surface adjustment factor of 1.000084, as scaled hereon from origin (0,0). Texas State Plane Coordinates were determined using the Leica Smartnet North America Network based on RTCM-Reference Stations 2292 and 2309.

Prepared by




Chien Y. Lee      Date: **October 4, 2021**  
Registered Professional Land Surveyor No. 5771  
Hejl, Lee & Associates, Inc. (TBPLS Firm No. 10058500)  
206 Taylor Street, Hutto, TX 78634  
(512) 642-3292 Ph.

References: TCAD #568763  
GF NO. AUT16010619  
AUSTIN GRID: P30



LEGAL DESCRIPTION TEXT-TAEBAEK - 2021-10-04.DOC

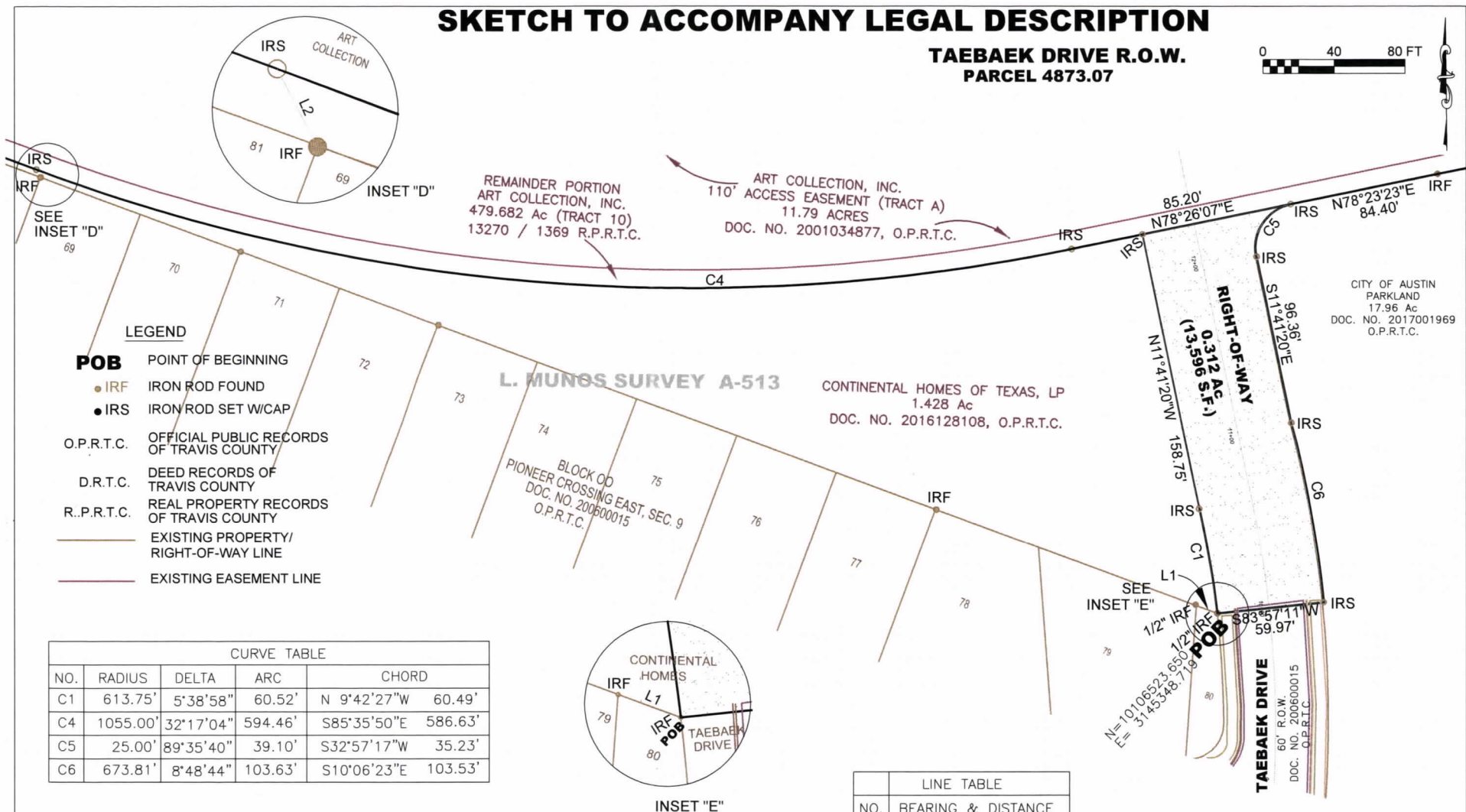
FIELD NOTES REVIEWED  
BY:  DATE: 10/07/21  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT



# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

**TAEBAEK DRIVE R.O.W.  
PARCEL 4873.07**

0 40 80 FT



## NOTE

HORIZONTAL COORDINATES SHOWN HEREON ARE BASED ON TEXAS COORDINATE SYSTEM OF 1983, NAD83, TEXAS CENTRAL ZONE 4203 (GRID) U.S. SURVEY FEET WITH A COMBINED SCALE FACTOR OF 0.999916 RESULTING IN A SURFACE ADJUSTMENT FACTOR OF 1.000084, AS SCALED HEREON FROM ORIGIN (0,0). TEXAS STATE PLANE COORDINATES WERE DETERMINED USING THE LEICA SMARTNET NORTH AMERICA NETWORK BASED ON RTCM-REFERENCE STATION 2292 & RTCOM-REFERENCE STATION 2309.



*Chien Lee*  
CH IEN Y. LEE, P.E., R.P.L.S., AICP

10-4-2021

**HEJL, LEE & ASSOCIATES, INC.**

ENGINEERING • SURVEYING • PLANNING

206 TAYLOR STREET, HUITO, TX 78634

Ph: (512) 642-3292

TBPE FIRM NO. F-755 TBPLS FIRM NO. 10058500

UPDATED: 2021-10-04

HLA PROJ. NO. 13801-B

**LEGAL DESCRIPTION**

A DESCRIPTION OF 677 SQUARE FEET TRACT OF LAND, BEING A PORTION OF 1.428 ACRE TRACT (6B) OF LAND OUT OF L. MUNOS SURVEY ABSTRACT NO. 513 CONVEYED TO CONTINENTAL HOMES OF TEXAS, L.P. AS RECORDED IN DOCUMENT (DOC.) NO. 2016128108 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); SAID 677 SQUARE FEET TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found having Texas State Plane Coordinate (Texas Central Zone, NAD 83, (Grid) US feet, combined scale factor of 0.999916) values of N=10107620.150 and E= 3144947.699, being the northeast corner of Lot 81, Block 00, of Pioneer Crossing East Subdivision, Section 9 as recorded in Doc. No. 200600015 of O.P.R.T.C.T., also being the northwest corner of Lot 69 of said subdivision, from which a ½" iron rod found for the northeast corner of Lot 70 and being the northwest corner of Lot 71 of said subdivision, bears S 69°34'59" E, a distance of 120.25 feet; being the southeast corner of herein described tract;

THENCE, N 69°34'15" W, traveling along the north line of said Lot 81 and the south line of said 1.428-acre tract, a distance of 187.65 feet to an iron rod set with "HEJL LEE" cap on the east line of a 20.084-acre tract conveyed to GRMU Investors, LLC as recorded in Doc. No. 2019076547 of O.P.R.T.C.T.; being the southwest corner of herein described tract;

THENCE, traveling along the northeast line of said 20.084-acre tract, a curve to the left with a radius of 25.00 feet, central angle of 30°04'24", an arc length of 13.99 feet, and a chord bears N 53°30'28" W with a distance of 13.81 feet, to an iron rod set with "HEJL LEE" cap for the northwest corner of said 1.428 acre tract, also being on the south line of the remainder portion of Art Collection, Inc. 479.682 acre tract (Tract 10) as recorded in Volume 13270 Page 1369 of Real Property Records of Travis County, Texas (R.P.R.T.C.T.); being the northwest corner of herein described tract;

THENCE, S 69°25'41" E, traveling along the north line of said 1.428 acre tract and the south line of said Art Collection, Inc. remainder tract, a distance of 197.27 feet to an iron rod set with "HEJL LEE" cap, being the beginning point of curve for the common line for the said 1.428 acre tract and Art Collection, Inc. remainder tract; being the northeast corner of herein described tract;

THENCE, S 27°16'29" E, traversing the interior of said 1.428 acre tract, a distance of 4.95 feet to the POINT OF BEGINNING, containing 677 square feet of land, more or less.

## BEARING BASIS NOTE

The bearings described hereon are based on Texas Coordinate System on 1983, NAD83, Texas Central Zone 4203 (Grid) U.S. survey feet with a combined scale factor of 0.999916 resulting in a surface adjustment factor of 1.000084, as scaled hereon from origin (0,0). Texas State Plane Coordinates were determined using the Leica Smartnet North America Network based on RTCM-Reference Stations 2292 and 2309.

Prepared by




Chien Y. Lee      Date: **April 4, 2022**

Registered Professional Land Surveyor No. 5771  
Hejl, Lee & Associates, Inc. (TBPLS Firm No. 10058500)  
206 Taylor Street, Hutto, TX 78634  
(512) 642-3292 Ph.



References: TCAD #568763  
GF NO. AUT16010619  
AUSTIN GRID: P30

FIELD NOTES REVIEWED  
BY:  DATE: 04/06/22  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT

LEGAL DESCRIPTION -DRAIN EASE - 2022-04-04.DOC



# SKETCH TO ACCOMPANY LEGAL DESCRIPTION PROP. DRAINAGE EASEMENT PARCEL \_\_\_\_\_

CURVE TABLE				
NO.	RADIUS	DELTA	ARC	CHORD
C1	25.00'	30°04'24"	13.99'	N 53°30'28"W 13.81'

0 20 40 FT

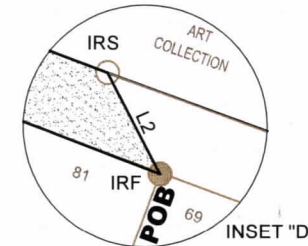
## LEGEND

- POB** POINT OF BEGINNING
- IRF IRON ROD FOUND
  - IRS IRON ROD SET W/CAP
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- R..P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- EXISTING PROPERTY/ RIGHT-OF-WAY LINE
- EXISTING EASEMENT LINE

L. MUNOS SURVEY A-513

ART COLLECTION, INC.  
110' ACCESS EASEMENT (TRACT A)  
11.79 ACRES  
DOC. NO. 2001034877, O.P.R.T.C.

**PROP. DRAIN. EASE.  
677 S.F.**



LINE TABLE		
NO.	BEARING & DISTANCE	
L2	S27°16'29"E 4.95'	

GRMU INVESTORS, LLC  
20,084 AC.  
DOC. NO. 2019076547  
O.P.R.T.C.  
TCAD NO. 0242310235

81

BLOCK 00  
PIONEER CROSSING EAST, SEC. 9  
DOC. NO. 200600015  
O.P.R.T.C.

SEE INSET "D"

CONTINENTAL HOMES OF TEXAS, LP  
1.428 Ac (6B)  
DOC. NO. 2016128108,  
O.P.R.T.C.

POB  
N=10107620.150  
E=3144947.699

69

70

71

## NOTE

HORIZONTAL COORDINATES SHOWN HEREON ARE BASED ON TEXAS COORDINATE SYSTEM OF 1983, NAD83, TEXAS CENTRAL ZONE 4203 (GRD) U.S. SURVEY FEET WITH A COMBINED SCALE FACTOR OF 0.999916 RESULTING IN A SURFACE ADJUSTMENT FACTOR OF 1.000084, AS SCALED HEREON FROM ORIGIN (0,0). TEXAS STATE PLANE COORDINATES WERE DETERMINED USING THE LEICA SMARTNET NORTH AMERICA NETWORK BASED ON RTCM-REFERENCE STATION 2292 & RTCOM-REFERENCE STATION 2309.



4-4-2022  
Chien Y. Lee  
CHIEN Y. LEE, P.E., R.P.L.S., AICP

UPDATED: 2022-4-4

HLA PROJ. NO. 13801-B

**HEJL, LEE & ASSOCIATES, INC.**

ENGINEERING • SURVEYING • PLANNING

206 TAYLOR STREET, HUTTO, TX 78634  
Ph: (512) 642-3292

TBPE FIRM NO. F-755 TBPLS FIRM NO. 10058500



**LEGAL DESCRIPTION**

A DESCRIPTION OF 524 SQUARE FEET TRACT OF LAND, BEING A PORTION OF 1.428 ACRE TRACT OF LAND OUT OF L. MUNOS SURVEY ABSTRACT NO. 513 CONVEYED TO CONTINENTAL HOMES OF TEXAS, LP AS RECORDED IN DOCUMENT (DOC.) NO. 2016128108 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.); SAID 524 SQUARE FEET TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½" iron rod found with "SAM INC" cap having Texas State Plane Coordinate (Texas Central Zone, NAD 83, (Grid) US feet, combined scale factor of 0.999916) values of N=10106523.650 and E= 3145348.719, being the northwest corner of Taebaek Drive (60' right-of-way) as recorded in Doc. No. 200600015 of O.P.R.T.C.T., also being the northeast corner of Lot 80, Block 00 of Pioneer Crossing East Subdivision, Section 9 as recorded in Doc. No. 200600015 of O.P.R.T.C.T., from which a ½" iron rod found with illegible cap for the northwest corner of said Lot 80, being the northeast corner of Lot 79 of said subdivision, bears N 68°08'03" W, a distance of 13.24 feet;

THENCE, traversing the interior of said 1.428 acre tract, along the west line of proposed Taebaek Drive (60' R.O.W.), a curve to the left with a radius of 613.75 feet, central angle of 0°40'14", an arc length of 7.18 feet, and a chord bears N 7°13'05" W with a distance of 7.18 feet, to the POINT OF BEGINNING, being the southeast corner of herein described tract;

THENCE, continuing traversing the interior of said 1.428 acre, the following five (5) courses and distances:

1. S 82°26'48" W, a distance of 1.50 feet to a point;
2. A curve to the left with a radius of 612.25 feet, central angle of 4°58'46", an arc length of 53.21 feet, and a chord bears N 10°02'36" W with a distance of 53.21 feet, to a point, from which an iron rod found with "HEJL LEE" cap on the west line of the proposed Taebaek Drive, bears N 77°44'54" E and a distance of 1.50 feet;
3. N 11°41'20" W, a distance of 21.56 feet to a point;
4. S 78°18'40" W, a distance of 1.50 feet to a point;
5. N 11°41'20" W, a distance of 137.21 feet to a point on the north line of said 1.428 acre tract, also being on the south line of the remainder portion of Art Collection, Inc. as recorded in Vol. 13262 Pg. 145 and Vol. 13270 Pg. 1369 of Real Property Records of Travis County, Texas (R.P.R.T.C.T.); being the northwest corner of herein described tract;

THENCE, N 78°26'07" E, traveling along the north line of said 1.428 acre tract and the south line of said Art Collection remainder tract, a distance of 3.00 feet to an iron rod found with "HEJL LEE" cap on the west line of the proposed Taebaek Drive, being the northeast corner of herein described tract;

THENCE, traversing the interior of said 1.428 acre, and along the west line of the proposed Taebaek Drive the following two (2) courses and distances:

1. S 11°41'20" E, a distance of 158.75 feet to an iron rod found with "HEJL LEE" cap;
2. A curve to the right with a radius of 613.75 feet, central angle of 4°58'44", an arc length of 53.33 feet, and a chord bears S 10°02'34" E with a distance of 53.32 feet, to the POINT OF BEGINNING, containing 524 square feet of land, more or less.

#### BEARING BASIS NOTE

The bearings described hereon are based on Texas Coordinate System of 1983, NAD83, Texas Central Zone 4203 (Grid) U.S. survey feet with a combined scale factor of 0.999916 resulting in a surface adjustment factor of 1.000084, as scaled hereon from origin (0,0). Texas State Plane Coordinates were determined using the Leica Smartnet North America Network based on RTCM-Reference Stations 2292 and 2309.

Prepared by




Chien Y. Lee Date: **April 4, 2022**

Registered Professional Land Surveyor No. 5771  
Hejl, Lee & Associates, Inc. (TBPLS Firm No. 10058500)  
206 Taylor Street, Hutto, TX 78634  
(512) 642-3292 Ph.



References: TCAD #568763  
GF NO. AUT16010619  
AUSTIN GRID: P30

FIELD NOTES REVIEWED  
BY:  DATE: 04/06/22  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT

LEGAL DESCRIPTION -CONTINENTAL HOMES SLOPE EASE - 2022-04-04.DOC

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

## LATERAL SUPPORT (SLOPE) EASEMENT

PARCEL NO. \_\_\_\_\_

### LEGEND

- POB** POINT OF BEGINNING
- IRF IRON ROD FOUND
  - IRF (HL) IRON ROD FOUND WITH "HEJL LEE" CAP
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- EXISTING PROPERTY/ RIGHT-OF-WAY LINE
- EXISTING EASEMENT LINE



CITY OF AUSTIN  
PARKLAND  
17.96 Ac  
DOC. NO. 2017001969  
O.P.R.T.C.T.

## L. MUNOS SURVEY A-513

**LATERAL SUPPORT  
(SLOPE) EASEMENT  
524 S.F.**

LINE TABLE	
NO.	BEARING & DISTANCE
L1	N68°08'03"W 13.24'
L2	S82°26'48"W 1.50'
L3	N11°41'20"W 21.56'
L4	S78°18'40"W 1.50'
L5	N78°26'07"E 3.00'

CURVE TABLE				
NO.	RADIUS	DELTA	ARC	CHORD
C11	613.75'	0°40'14"	7.18'	N 7°13'05"W 7.18'
C12	613.75'	4°58'44"	53.33'	S10°02'34"E 53.32'
C2	612.25'	4°58'46"	53.21'	N10°02'36"W 53.21'

### NOTE

HORIZONTAL COORDINATES SHOWN HEREON ARE BASED ON TEXAS COORDINATE SYSTEM OF 1983, NAD83, TEXAS CENTRAL ZONE 4203 (GRID) U.S. SURVEY FEET WITH A COMBINED SCALE FACTOR OF 0.999916 RESULTING IN A SURFACE ADJUSTMENT FACTOR OF 1.000084, AS SCALED HEREON FROM ORIGIN (0,0). TEXAS STATE PLANE COORDINATES WERE DETERMINED USING THE LEICA SMARTNET NORTH AMERICA NETWORK BASED ON RTCM-REFERENCE STATION 2292 & RTCOM-REFERENCE STATION 2309.



*Chien Lee* 4-4-2022  
CHIEN Y. LEE, P.E., R.P.L.S., AICP

**HEJL, LEE & ASSOCIATES, INC.**

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Ph: (512) 642-3292

TBPE FIRM NO. F-755 TBPLS FIRM NO. 10058500

UPDATED: 2022-4-4

BRAKER SAMSUNG SURFACE PROP ROW & EASE 2022-04-04.DWG

HLA PROJ. NO. 13801-B

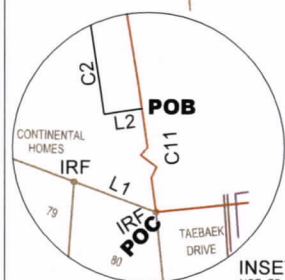
INSET "E"  
NOT TO SCALE

78

79

80

BLOCK 00  
PIONEER CROSSING EAST, SEC. 9  
DOC. NO. 200600015  
O.P.R.T.C.T.



SEE  
INSET "E"  
1/2" IRF  
N=10108523.650  
E=3145348.719

TAEBAEK DRIVE  
60' R.O.W.  
DOC. NO. 200600015  
O.P.R.T.C.T.