

RESOLUTION NO. 20230413-052

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: William C. Ball.

Project: Williamson Creek – Richmond Tributary Rehabilitation Project.

Public Use: Stream bank stabilization, drainage culvert construction, and wastewater line protection.

Location: 4500 Richmond Avenue, Austin, Texas, 78745.

The general route of the project is along the Richmond Tributary to Williamson Creek, behind homes on Richmond Avenue and Gillis Street, from Redd Street south to Green Forest Drive.

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

ADOPTED: April 13, 2023

ATTEST: _____



Myrna Rios
City Clerk

EXHIBIT "A"

5245.16TWSE
0.0112 Acre Temporary
Working Space Easement
Isaac Decker League, Abstract No. 8
Travis County, Texas

DESCRIPTION FOR PARCEL 5245.16TWSE
0.0112 OF ONE ACRE TEMPORARY
WORKING SPACE EASEMENT

DESCRIPTION OF A 0.0112 OF ONE ACRE (487 SQUARE FOOT) EASEMENT, OUT OF THE ISAAC DECKER LEAGUE, ABSTRACT NO. 8, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 16, BLOCK B, FOREST OAKS, A SUBDIVISION OF RECORD IN BOOK 6, PAGE 3, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 16 CONVEYED TO WILLIAM C BALL BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN, AS RECORDED IN DOCUMENT NO. 2017017649, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0112 OF ONE ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point at the southeast corner of this easement, being in the south line of said Lot 16 and said Ball tract, also being in the north line of Lot 15, Block B, in said Forest Oaks subdivision, said Lot 15 conveyed to Victor A. Von Zur Muehlen and Lola Kimberley Von Zur Muehlen, husband and wife by General Warranty Deed with Vendor's Lien in Favor of Third Party, as recorded in Document No. 2010094604, Official Public Records, Travis County, Texas, from which a 1/2-inch iron rod with "Holt Carson" cap found at the southeast corner of said Lot 16 and said Ball tract, being the northeast corner of said Lot 15 and said Von Zur Muehlen tract, also being in the existing west right-of-way line of Richmond Avenue (50 foot width), bears South 54°31'24" East 185.64 feet, said POINT OF BEGINNING having Grid Coordinates of N=10,054,286.06, E=3,102,009.78;

- 1) THENCE, along the south line of this easement, said Lot 16 and said Ball tract, being the north line of said Lot 15 and said Von Zur Muehlen tract, **North 54°31'24" West 5.72 feet** to a calculated point at the southwest corner of this easement, being in the east line of a 15 public utility easement recorded in Volume 1318, Page 460, Deed Records, Travis County, Texas;

5245.16TWSE

- 2) THENCE, along the west line of this easement, being the east line of said 15 foot public utility easement, crossing said Lot 16 and said Ball tract, **North 36°53'36" East 52.26 feet** to a calculated point at the northwest corner of this easement, being in the north line of said Lot 16 and said Ball tract, also being the existing south right-of-way line of Redd Street (50 foot width), from which a 1/2-inch iron pipe found bears North 62°08'28" West 3.38 feet;
- 3) THENCE, along the north line of this easement, said Lot 16 and said Ball tract, being the existing south right-of-way line of Redd Street, **South 62°08'28" East 12.89 feet** to a calculated point at the northeast corner of this easement, from which a 1/2-inch iron pipe found at the northeast corner of said Lot 16 and said Ball tract, being in the existing south right-of-way line of Redd Street, bears South 62°08'28" East 170.67 feet;
- 4) THENCE, along the east line of this easement, crossing said Lot 16 and said Ball tract, **South 44°15'58" West 54.59 feet** to the POINT OF BEGINNING and containing 0.0112 of one acre (487 square feet) of land within these metes and bounds.

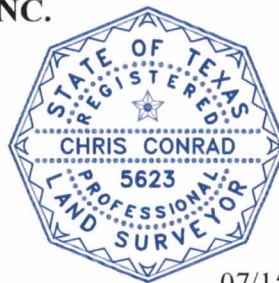
Bearing Basis Note

The bearings described herein are based on the Texas Coordinate System, Central Zone (4203), NAD83 (2011) EPOCH 2010.00. The bearings shown are grid bearings.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6
Austin, TX 78731 (512) 451-8591
TBPELS Survey Firm# 10095500



A handwritten signature in blue ink, appearing to read "Chris Conrad".

07/15/2022

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: There is a plat to accompany this description.

M:\JACOBS~20-127~Williamson Crk\Description\5245.16TWSE~Ball

Issued 07/06/2022, Revised 07/15/2022

AUSTIN GRID G-18
TCAD# 0410121009

FIELD NOTES REVIEWED
BY: DATE: 08/18/22
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

EXHIBIT "A"

SKETCH TO ACCOMPANY DESCRIPTION OF 0.0112 AC. OR 487 SQ. FT. OF LAND OUT OF LOT 16, BLOCK B, GREENWOOD FOREST SEC. 2 CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

SAJID MAQSOOD
AND JOAN M. MAQSOOD,
TRUSTEES OF SAJID
MAQSOOD AND JOAN
MAQSOOD REVOCABLE
TRUST
DATED FEBRUARY 8, 2017,
SABRINA M. JOY AND
COREY JOY
DOC. NO. 2021148747
O.P.R.T.C.T.
(LOT 1, BLOCK B)

ISAAC DECKER LEAGUE
ABSTRACT NO. 8

SCALE 1" = 30'



LINE TABLE		
LINE#	BEARING	DISTANCE
L1	S62°08'28"E	12.89'
L2	N62°08'28"W	3.38'
L3	N54°31'24"W	5.72'

LEGEND

- 1/2" IRON ROD WITH CAP FOUND
- 1/2" IRON PIPE FOUND
- △ CALCULATED POINT
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF
TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS OF
TRAVIS COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
- TWSE TEMPORARY WORKING SPACE EASEMENT
- D.E. DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- B.S.L. BUILDING SETBACK LINE
- ℙ PROPERTY LINE
- R.O.W. RIGHT OF WAY
- DISTANCE NOT TO SCALE
- (.....) RECORD INFORMATION

NOTES:

- THIS PROJECT IS REFERENCED, FOR ALL BEARING AND COORDINATE BASIS, TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (2011) EPOCH 2010.00.
- ALL COORDINATES SHOWN HEREON ARE GRID COORDINATES AND IN SURVEY FEET.
- THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY G.F. NO. 20-4241-CR, EFFECTIVE DATE DECEMBER 30, 2021.

Chris Conrad

07/15/2022

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
Note: There is a description to accompany this plat.

M:\JACOBS~20-127~Williamson Crk\DWG\Parcels\Lot 16-Blk B_TWSE.dwg



TCAD# 0410121009
SURVEYED BY:

REVISED: 07-15-2022
ISSUED: 07-06-2022
PAGE 3 OF 3

**McGRAY & McGRAY
LAND SURVEYORS, INC.**

3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
MCGRAY.COM (512) 451-8591
TBPES SURVEY FIRM #10095500

AUSTIN GRID G-18

JOB NO.: 20-127