

RESOLUTION NO. 20230420-031

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: Temple Center Square, Ltd., a Texas limited partnership.

Project: DIST9 INF8 Parkland Trail Project.

Public Use: Constructing sidewalk, trail and recreational improvements providing public connectivity to parks along West Bouldin Creek.

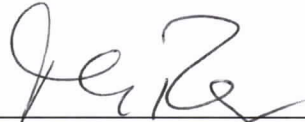
Location: 1509 South Lamar Boulevard, Austin, Texas 78704.

The general route of this project is along Union Pacific Railroad, from Evergreen Avenue to West Gibson Street, on the west side of the railroad and east of South Lamar Boulevard.

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

ADOPTED: April 20, 2023

ATTEST: _____



Myrna Rios
City Clerk



7401B Highway 71 West, Suite 160
Austin, TX 78735
Office: 512.583.2600
Fax: 512.583.2601

Doucetengineers.com

Exhibit “_A_”
D&A Job No. 1570-038-02
August 16, 2022

**Temple Center Square LTD.
To City of Austin
(For Sidewalk, Trail and Recreational Easements)**

**PARCEL 5263.03
FIELD NOTES FOR 0.2218 ACRE STARE**

BEING A 0.2218 ACRE EASEMENT OUT OF LOT 5, OF THE MAUFRAIS SUBDIVISION, A SUBDIVISION OF RECORD, RECORDED IN VOLUME 90, PAGE 90, PLAT RECORDS OF TRAVIS COUNTY, TEXAS [P.R.T.C.T.], DESCRIBED IN A DEED TO TEMPLE CENTER SQUARE LTD., RECORDED IN DOCUMENT NUMBER 2001096152, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. [O.P.R.T.C.T.], SAID 0.2218 ACRE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with cap stamped “Chaparral” found under a rock on the existing west Right-of-Way line of the International & Great Northern Railroad (a 100-foot Right-of-Way)(Per Plat), at the southeast corner of Lot 4 of the said Maufrais Subdivision, described in a deed to 7-Eleven Inc., recorded in Document Number 2014043470 [O.P.R.T.C.T.], same being the northeast corner of the said Lot 5, same being the **POINT OF BEGINNING** and the northeast corner of the easement described herein;

THENCE S35°44'14"W, with the existing west Right-of-Way line of the said International & Great Northern Railroad, a distance of 207.96 feet to a 1/2-inch iron rod found for the southeast corner of the said Lot 5, same being the northeast corner of Lot 1, Block A of the Shepherd Addition, a subdivision of record, recorded in Volume 96, Page 112 (P.R.T.C.T.), and for the southeast corner of the easement described herein, from which a 3/8-inch iron rod found bears N85°38'53"E, a distance of 19.11 feet;

THENCE N48°43'02"W, with the south line of the said Lot 5 and the north line of the said Lot 1, at a distance of 22.05 feet passing a 80d nail found, and continuing a total distance of 48.02 feet to an angle point for the southwest corner of the easement described herein, from which a 5/8-inch iron rod found bears N22°17'14"E, a distance of 11.36 feet;

THENCE departing the line common to said Lot 5 and said Lot 1, over and across the said Lot 5, the following four (4) courses and distances:

- 1) N61°32'00"E, a distance of 27.35 feet to an angle point,
- 2) N34°39'26"E, a distance of 41.48 feet to an angle point,
- 3) N25°03'40"E, a distance of 41.32 feet to an angle point, and
- 4) N21°16'16"E, a distance of 96.38 feet to a point on the line common to said Lot 5 and said Lot 4 of the Maufrais Subdivision, and for the northwest corner of the easement described herein;

CONTINUED ON NEXT PAGE

COMMITMENT YOU EXPECT.
EXPERIENCE YOU NEED.
PEOPLE YOU TRUST.



THENCE S57°00'46"E, with the line common to the said Lot 4 and Lot 5 of the Maufrais Subdivision, a distance of 68.48 feet to the **POINT OF BEGINNING** and containing 0.2218 acres, more or less.

Basis of bearings is the Texas Coordinate System, Central Zone [4203], NAD83 (2011), Epoch 2010. All distances are grid values and may be converted to surface by using the surface adjustment factor of 1.00005.
Units: U.S. Survey Feet.

I, John Barnard, Registered Professional Land Surveyor, hereby certify that this property description and accompanying plat of even date represent an actual survey performed on the ground.

A handwritten signature in blue ink, appearing to read 'J. Barnard', is written over a horizontal line.

08/18/2022

John Barnard
Registered Professional Land Surveyor
Texas Registration No. 5749
Doucet & Associates
JBarnard@DoucetEngineers.com
TBPELS Firm Registration No. 10105800

Date



FIELD NOTES REVIEWED

BY DATE: 08/18/22

CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

TEMPLE CENTER SQUARE, LTD.
DOC. NO. 2001096152
O.P.R.T.C.T.

LOT 5
THE MAUFRAIS SUBDIVISION
VOL. 90, PG. 90
P.R.T.C.T.

7-ELEVEN INC
DOC. NO. 2014043470
O.P.R.T.C.T.

LOT 4
THE MAUFRAIS SUBDIVISION
VOL. 90, PG. 90
P.R.T.C.T.

P.O.B
1/2" W/CAP
"CHAPARRAL"
UNDER ROCK

ITEM 1.
ITEM 10G.
20' DRAINAGE EASEMENT [PER PLAT]
4,130 SQ. FT. OVERLAP

ITEM 1.
12.5' DRAINAGE
EASEMENT [PER PLAT]
564 SQ. FT. OVERLAP

N25°03'40"E
41.32'

N61°32'00"E
27.35'

5/8" BEARS
N22°17'14"W
11.36'

FAIRFIELD SOUTH LAMAR LLLP
DOC. NO. 2019135971
O.P.R.T.C.T.

LOT 1
BLOCK A
SHEPHERD ADDITION
VOL. 96, PG. 112
P.R.T.C.T.

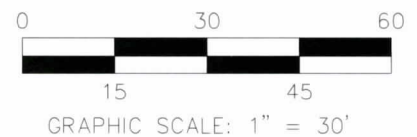
PROPOSED
EASEMENT
0.2218 ACRES

INTERNATIONAL & GREAT NORTHERN R.R.
(100' WIDE R.O.W.)
(PER PLAT)

N34°39'26"E 41.48'
N48°43'02"W 48.02'
(S47°55'24"E)
80D NAIL
22.05'

3/8" BEARS N85°38'53"E 19.11'

1/2"



0.2218 ACRE EASEMENT OUT OF
LOT 5, MAUFRAIS SUBDIVISION
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS



DOUCET

Civil Engineering // Entitlements // Geospatial
7401 B. Highway 71 W, Ste. 160
Austin, TX 78735, Tel: (512)-583-2600
www.doucetengineers.com
TBPE Firm Number: 3937
TBPELS Firm Number: 10105800

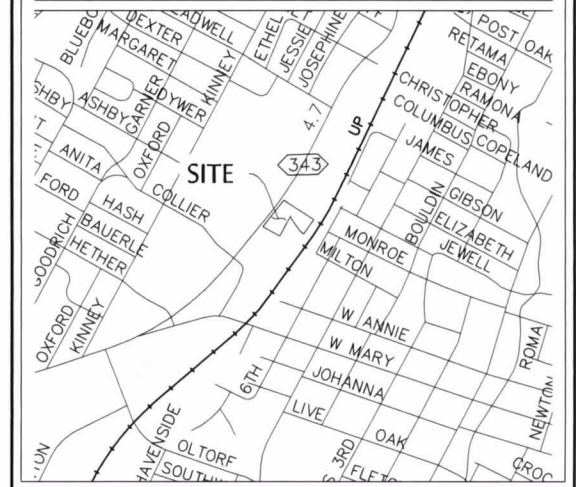
Date: 08/16/2022
Scale: 1" = 30'
Drawn by: AC/PD
Reviewer: JB
Project: 1570-038-02
Sheet: PAGE 3 OF 4
Field Book: 538
Party Chief: ZD
Survey Date: 05/25/2021

LEGEND

	PROPERTY LINE
	EXISTING PROPERTY LINE
	EXISTING EASEMENT
	ADJOINER PROPERTY LINE
	IRON ROD FOUND [UNLESS NOTED]
	NAIL FOUND
	1/2" IRON ROD WITH "DOUCET" CAP SET
	CHISELED "+" FOUND
	COTTON SPINDLE FOUND
DOC. NO.	DOCUMENT NUMBER
VOL.	VOLUME
PG.	PAGE
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION

VICINITY MAP

NOT TO SCALE

**FLOODPLAIN NOTE:**

THIS PROPERTY (AS SHOWN HEREON) IS LOCATED WITHIN UNSHADED ZONE "X" (AREA OF MINIMAL FLOOD HAZARD), AS SHOWN ON F.I.R.M. PANEL NO. 48453C0445K, TRAVIS COUNTY, TEXAS DATED JANUARY 22, 2020.

THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

CONTROL NOTE:

BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM 1983 (NAD83), 2011 ADJUSTMENT (EPOCH 2010). ALL COORDINATE VALUES AND DISTANCES SHOWN ARE GRID VALUES AND MAY BE CONVERTED TO SURFACE BY USING THE SURFACE ADJUSTMENT FACTOR OF 1.00005.
UNITS: US SURVEY FEET.

I, JOHN BARNARD, REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT AND ACCOMPANYING LEGAL DESCRIPTION OF EVEN DATE REPRESENT AN ACTUAL SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION.

08/18/2022

JOHN BARNARD
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5749
DOUCET & ASSOCIATES
JBARNARD@DOUCETENGINEERS.COM



**0.2218 ACRE EASEMENT OUT OF
LOT 5, MAUFRAIS SUBDIVISION, AND
LOTS 2 & 3 SHEPHERD ADDITION
SAVE AND EXCEPT 0.055-ACRE TRACT
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

**DOUCET**

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