

RESOLUTION NO. 20230420-032

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: GREF Copeland LP, a Delaware limited partnership.

Project: Red Line Trail Walnut Creek Trail to Braker Lane Project.

Public Use: Constructing sidewalk, trail, and recreational improvements requiring the acquisition of a sidewalk, trail and recreational easement


Location: 2511 West Braker Lane, Austin, Texas 78758.

The general route of this project is from West Braker Lane to the Northern Walnut Creek Trail along the Capital Metropolitan Transit Authority Red Line Metrorail, Travis County, Texas.

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

ADOPTED: April 20, 2023

ATTEST:



Myrna Rios
City Clerk



EXHIBIT "A"

Greff Copeland, LP
to
City of Austin
(SIDEWALK, TRAIL AND
RECREATIONAL EASEMENT - STARE)

LEGAL DESCRIPTION 4968.25 STARE

DESCRIPTION OF A 0.0093 ACRE (405 SQUARE FEET) TRACT OF LAND, HEREIN CALLED PART 1, AND A 0.0032 ACRE (141 SQUARE FEET) TRACT OF LAND, FOR A COMBINED TOTAL OF 0.0125 ACRES (546 SQUARE FEET) OF LAND SITUATED THE JAMES ROGERS SURVEY, ABSTRACT NO. 659, TRAVIS COUNTY, TEXAS AND BEING A PART OF LOT 1A, BLOCK A, OF THE RESUBDIVISION OF BRAKER AT BURNET SECTION THREE, RECORDED IN DOCUMENT NUMBER 199900250 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED TO GREFF COPELAND, LP OF RECORD IN DOCUMENT NO. 2021230024 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.0093 ACRE (405 SQUARE FEET) TRACT OF LAND CALLED PART 1 AND 0.0032 ACRE (141 SQUARE FEET) TRACT OF LAND CALLED PART 2, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PART 1

COMMENCING at ½-inch iron rod with cap stamped "RPLS 4249" found and held for corner, being the southwest corner of Lot 2A, Block A of said Resubdivision of Braker at Burnet, Section Three and being an interior ell corner of said Lot 1A, Block A, said 1/2-inch iron rod having grid coordinates of N=10,114,950.23, E=3,121,123.20;

THENCE, with the south line of said Lot 2A, Block A and a north line of said Lot 1A, Block A the following two (2) courses and distances;

1. S 78° 58' 32" E, for a distance of 79.74 feet to a calculated angle point, and
2. S 79° 18' 38" E for a distance of 81.41 feet to a ½-inch iron rod with red cap stamped ZWA set for the southeast corner of said Lot 2A, Block A, being also an ell corner in the east line of said Lot 1A, Block A and being west line of that certain Right-of-Way for railroad as described in a Quitclaim Deed to Capital Metropolitan Transportation Authority (CAP METRO), of record in Volume 13187, Page 3118 of the Official Public Records of Travis County Texas;

THENCE S 10° 53' 18" W, with the east line of said Lot 1A, Block A and the west line of said CAP METRO Right-of-Way, for a distance of 482.58 feet to a 60d nail set at the **POINT OF BEGINNING** and having grid coordinates of N=10,114,834.34, E=3,121,265.01;

THENCE S 10° 53' 18" W, continuing with the east line of said Lot 1A, Block A and the west line of said CAP METRO Right-of-Way and with the east line of the herein described tract, for a distance of **69.33** feet to a 60d nail set for the most southerly point of the herein described tract;

EXHIBIT "A"

THENCE, departing the west line of said CAP METRO Right-of-Way and over and across said Lot 1A, Block A, with the west line of the herein described tract, the following three (3) courses and distances;

1. **N 19° 21' 13" W**, for a distance of **14.05** feet to a 60d nail set for an angle point,
2. **N 10° 50' 19" E**, for a distance of **44.72** feet to a 60d nail set for an angle point, and
3. **N 40° 35' 50" E**, for a distance of **14.36** feet to the **POINT OF BEGINNING** and containing **0.0093** acres (**405** square feet) of land, more or less.

PART 2

COMMENCING at 60d nail set for the most southerly point of said Part 1, being also in the east line of said Lot 1A, Block A and being in the west line of said CAP METRO Right-of-Way, said 60d nail having grid coordinates of N= 10,114,766.26, E= 3,121,251.91;

THENCE S 10° 53' 18" W, with the east line of said Lot 1A, Block A and the west line of said CAP METRO Right-of-Way, for a distance of 23.27 feet to a 60d nail set at the **POINT OF BEGINNING** and having grid coordinates of N= 10,114,743.41, E= 3,121,247.52;

THENCE S 10° 53' 18" W, continuing with the east line of said Lot 1A, Block A and the west line of said CAP METRO Right-of-Way and with the east line of the herein described tract, for a distance of **40.61** feet to a ½-inch iron rod with red cap stamped ZWA set for the southeast corner of said Lot 1A, Block A and being the most southerly point of the herein described tract;

THENCE N 61° 57' 55" W, with the south line of said Lot 1A, Block A, the west line of said CAP METRO Right-of-Way and the south line of the herein described tract, for a distance of **7.29** feet to a 60d nail set for the southwest corner of the herein described tract;

THENCE N 21° 08' 50" E departing the west line of said CAP METRO Right-of-Way and over and across said Lot 1A, Block A, with the west line of the herein described tract, for a distance of **39.09** feet to the **POINT OF BEGINNING** and containing **0.0032** acres (**141** square feet) of land, and for a combined total of **0.0125** acres (**546** square feet) of land, more or less.

BEARING BASIS

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

THE STATE OF TEXAS §
 §
COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

That I, William D. Warrick, 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, during June, July and August of 2022, under my direction and supervision.

WITNESS MY HAND AND SEAL at Buda, Hays County, Texas this the 31st day of August 2022, A.D.

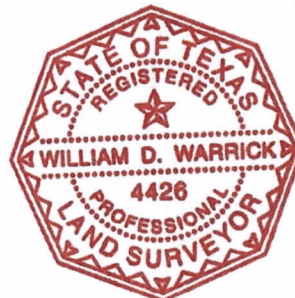
Zamora, L.L.C.
1425 South Loop 4
Buda, Texas 78610
512-295-6201
Tx. Firm No. 10062700

William D. Warrick

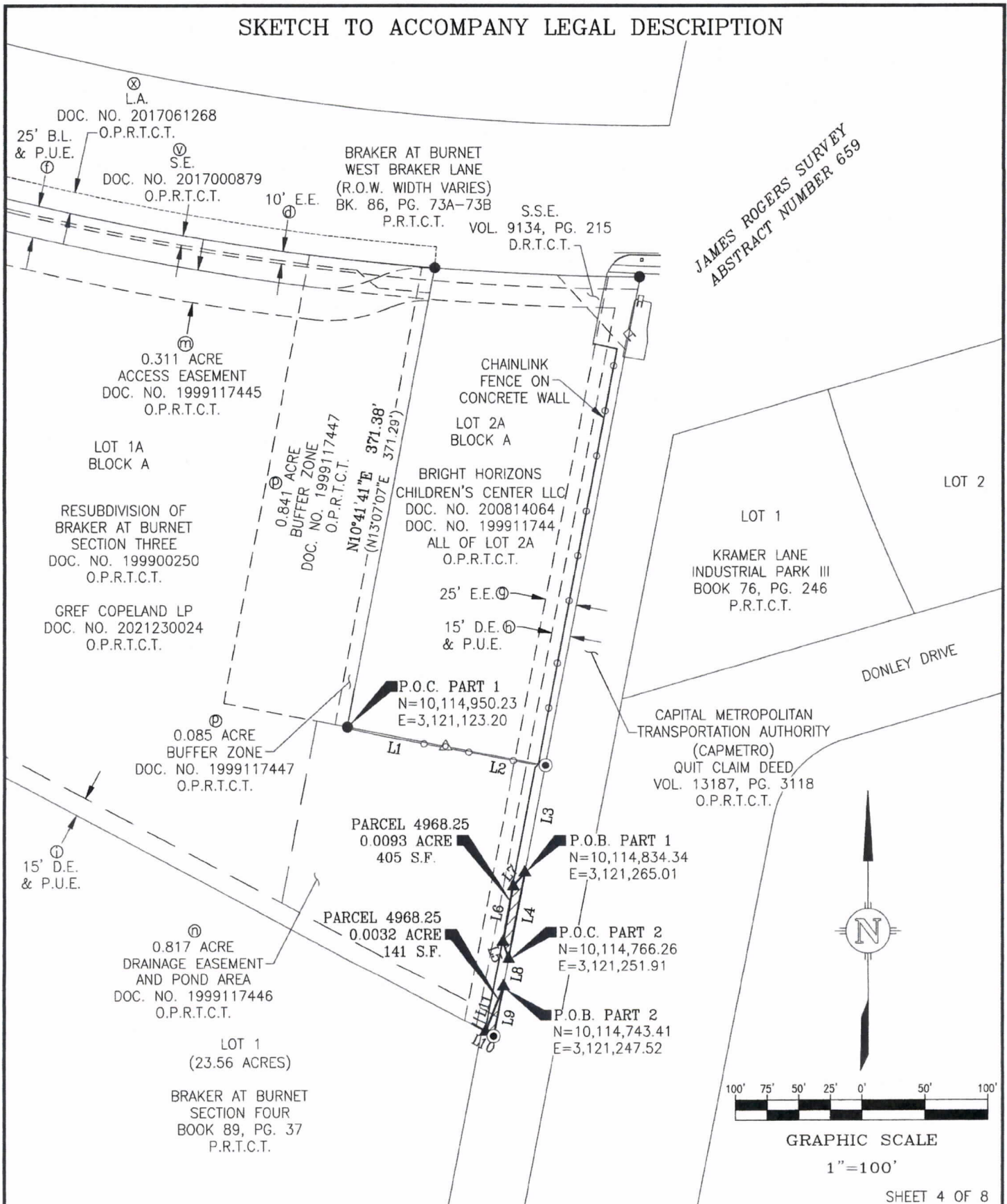
William D. Warrick
Registered Professional Land Surveyor
No. 4426 – State of Texas

TCAD PARCEL ID: 547967
AUSTIN GRID: K32

FIELD NOTES REVIEWED
BY: *[Signature]* DATE: 09/15/22
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT



SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LOCATIONS


ZWA


Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 10062700
1425 South Loop 4 • Buda, Texas 78610
Tel: (512) 295-6201 • Fax: (512) 295-6091

PROJECT: 0.012 ACRE TRACT
PARCEL 4968.25
JOB NUMBER: 1080-01
DATE: AUGUST 2022
SCALE: 1"=100'
SURVEYOR: WARRICK
TECHNICIAN: DWC
DRAWING: 1080-01-SEMI-LOT 1A.dwg
FIELDNOTES:
PARTYCHIEF:
FIELDBOOKS:

EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 0.0125 ACRE TRACT OF
LAND SITUATED IN THE JAMES ROGERS
SURVEY, ABSTRACT NUMBER 659,
TRAVIS COUNTY, TEXAS.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND

	60d NAIL SET
●	1/2" IRON ROD FOUND
⊙	1/2" IRON ROD WITH "ZWA" CAP SET
●	1/2" IRON ROD W/CAP STAMPED "RPLS 4249" FOUND
△	CALCULATED POINT
— O —	CHAIN LINK FENCE
P.R.T.C.T.	PLAT RECORDS TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
P.U.E.	PUBLIC UTILITY EASEMENT
B.L.	BUILDING LINE
E.E.	ELECTRIC EASEMENT
D.E.	DRAINAGE EASEMENT
S.E.	SIDEWALK EASEMENT
A.E.	ACCESS EASEMENT
L.A.	LICENSE AGREEMENT
E.W.L.V.E.	EXCLUSIVE WATER LINES VAULT EASEMENT
()	RECORD INFORMATION

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S78°58'32"E	79.74'
L2	S79°18'38"E	81.41'
L3	S10°53'18"W	482.58'
L4	S10°53'18"W	69.33'
L5	N19°21'13"W	14.05'
L6	N10°50'19"E	44.72'
L7	N40°35'50"E	14.36'
L8	S10°53'18"W	23.27'
L9	S10°53'18"W	40.61'
L10	N61°57'55"W	7.29'
L11	N21°08'50"E	39.09'

EXISTING EASEMENT OVERLAP SQUARE FOOTAGE	
EASEMENT	SQUARE FOOTAGE
15' B.L. & P.U.E. DOC. NO. 199900250 VOL. 87, PG. 88C P.R.T.C.T.	546
25' E.E. DOC. NO. 199900250 O.P.R.T.C.T.	546
15' D.E. & P.U.E. DOC. NO. 199900250 O.P.R.T.C.T.	88

META DATA:

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

SHEET 5 OF 8

LOCATIONS



ZWA
Zamora, L.L.C.
Professional Land Surveyors
Texas Firm No. 10082700
1425 South Loop 4 • Buda, Texas 78610
Tel: (512) 295-6201 • Fax: (512) 295-6091

PROJECT: 0.012 ACRE TRACT
JOB NUMBER: PARCEL 4968.25
DATE: AUGUST 2022
SCALE: 1" = 100'
SURVEYOR: WARRICK
TECHNICIAN: DWC
DRAWING: 1080-01-SMT-LOT 1A.dwg
FIELDNOTES:
PARTYCHIEF:
FIELDBOOKS:

EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 0.0125 ACRE TRACT OF
LAND SITUATED IN THE JAMES ROGERS
SURVEY, ABSTRACT NUMBER 659,
TRAVIS COUNTY, TEXAS.



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

PROJECT:	0.012 ACRE TRACT PARCEL 4968.25
JOB NUMBER:	1080-01
DATE:	AUGUST 2022
SCALE:	1" = 100'
SURVEYOR:	WARRICK
TECHNICIAN:	DWC
DRAWING:	1080-01-SEMT-LOT 1A.dwg
FIELDNOTES:	
PARTYCHIEF:	
FIELDBOOKS:	

EXHIBIT TO ACCOMPANY LEGAL
DESCRIPTION OF 0.0125 ACRE TRACT OF
LAND SITUATED IN THE JAMES ROGERS
SURVEY, ABSTRACT NUMBER 659,
TRAVIS COUNTY, TEXAS.