

**RESOLUTION NO. 20230914-092**

**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:

Owner: TCHFC Cypress Creek Land LLC, a Texas limited liability company

Project: Del Valle/Moore's Crossing Fire and Emergency Medical Services Station Project.

Public Use: Construction of a Fire and Emergency Medical Services station.

Location: 7019 Elroy Road, Austin, TX 78617.

The general route of the project is along Elroy Road.

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

**ADOPTED:** September 14, 2023

**ATTEST:**



Myrna Rios  
City Clerk

## Field Notes for Parcel 5264.01

BEING 0.007 OF ONE ACRE (289 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE NOEL M. BAIN SURVEY, ABSTRACT NO. 61 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 1, BLOCK A, STONEY RIDGE C-4, A SUBDIVISION RECORDED ON MAY 13, 2022 IN DOCUMENT NUMBER 202200125 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO TCHFC CYPRESS CREEK LAND LLC BY SPECIAL WARRANTY DEED EXECUTED ON FEBRUARY 22, 2022, FILED FOR RECORD ON FEBRUARY 23, 2022 AND RECORDED IN DOCUMENT NUMBER 2022033427 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.007 OF ONE ACRE (289 S.F.) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING, at a PK Nail with 'MWM' Washer set in the curving northeast right-of-way line of Elroy Road (R.O.W. varies) and in a southwesterly line of the portion of Elroy Road vacated by Document Number 2009047967 of the Official Public Records of Travis County, Texas, same being in a southwesterly line of said Lot 1, Block A, Stoney Ridge C-4 Subdivision, for the Point of Beginning and the most southerly corner of the herein described tract of land, having grid coordinate (Texas State Plane, Central Zone, NAD 83(CORS 2011), U.S. Feet, Surface Adjustment Factor of 1.00003) values of N=10,031,534.47, E=3,146,966.52, from which an iron rod with cap stamped 'Macias' found in the northeast right-of-way line of Elroy Road and in the southwesterly line of said 13.382 acre TCHFC Cypress Creek Land LLC tract bears along a curve to the right of 1097.87 feet radius, an arc length of 586.48 feet, having an angle of intersection of 30°36'26", (the sub-chord of said curve bears South 40°18'16" East, a distance of 579.53 feet);

1. THENCE, with the northeast right-of-way line of Elroy Road and the southwesterly line of the vacated portion of Elroy Road, same being the southwesterly line of said Lot 1, Block A, Stoney Ridge C-4 Subdivision, along a curve to the left of 1097.87 feet radius, an arc length of 126.35 feet, having an angle of intersection of 6°35'38", (the sub-chord of said curve bears North 58°54'18" West, a distance of 126.28 feet), to an iron rod with cap stamped 'Macias' previously found, subsequently destroyed and replaced by an iron rod with 'MWM' cap set, in a southwesterly line of the 6.00 acre tract conveyed to the City of Austin by deed recorded in Document Number 2003184123 of the Official Public Records of Travis County, Texas, same being the northwest corner of the vacated portion of Elroy Road and the most westerly corner of said Lot 1, Block A, Stoney Ridge C-4 Subdivision, for the endpoint of said curve, from which an iron rod with cap stamped 'Meenach 4335' found in the northeast right-of-way line of Elroy Road, at the most westerly corner of said 6.00 acre City of Austin tract, bears North 62°03'42" West, a distance of 328.63 feet;


2. THENCE, South 62°04'23" East, a distance of 126.71 feet, leaving the northeast right-of-way line of Elroy Road and a southwesterly line of the vacated portion of Elroy Road, with a northeasterly line of the vacated portion of Elroy Road, a northeasterly line of said Lot 1, Block A, Stoney Ridge C-4 Subdivision and a southwesterly line of said 6.00 acre City of Austin tract, to an iron rod with cap stamped 'Macias' previously found, subsequently destroyed and replaced by an iron rod with 'MWM' cap set, for the most easterly corner of the herein described tract of land, same being an internal corner of said Lot 1, Block A, Stoney Ridge C-4 Subdivision and the most southerly corner of said 6.00 acre City of Austin tract, from which an iron rod with cap stamped 'Meenach 4335' found at the most easterly corner of said 6.00 acre City of

## EXHIBIT "A"

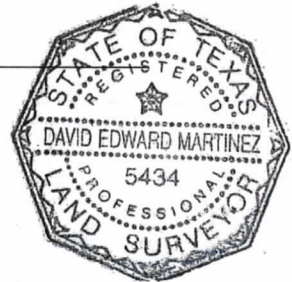
Austin tract and in a southerly line of Lot 17, Block A, Stoney Ridge Subdivision Phase B, Section One, a subdivision recorded on April 7, 2005, in Document Number 200500089 of the Official Public Records of Travis County, Texas bears North 33°03'13" East, a distance of 396.61 feet;

3. THENCE, South 33°03'13" West, a distance of 7.01 feet, leaving a northeasterly line of said vacated portion of Elroy Road, same being a northeasterly line of said Lot 1, Block A, Stoney Ridge C-4 Subdivision and a southwesterly line of said 6.00 acre City of Austin tract, and crossing the vacated portion of Elroy Road and said Lot 1, Block A, Stoney Ridge C-4 Subdivision, to the Point of Beginning and containing an area of 0.007 of one acre (289 S.F.) of land, more or less.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

  
David Edward Martinez  
Registered Professional Land Surveyor 5434


01/25/23  
Date



MWM DesignGroup  
305 East Huntland Drive, Suite 200  
Austin, Texas, 78752 (512) 453-0767  
TBPELS Firm Registration No. 10065600

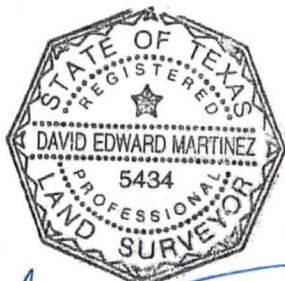
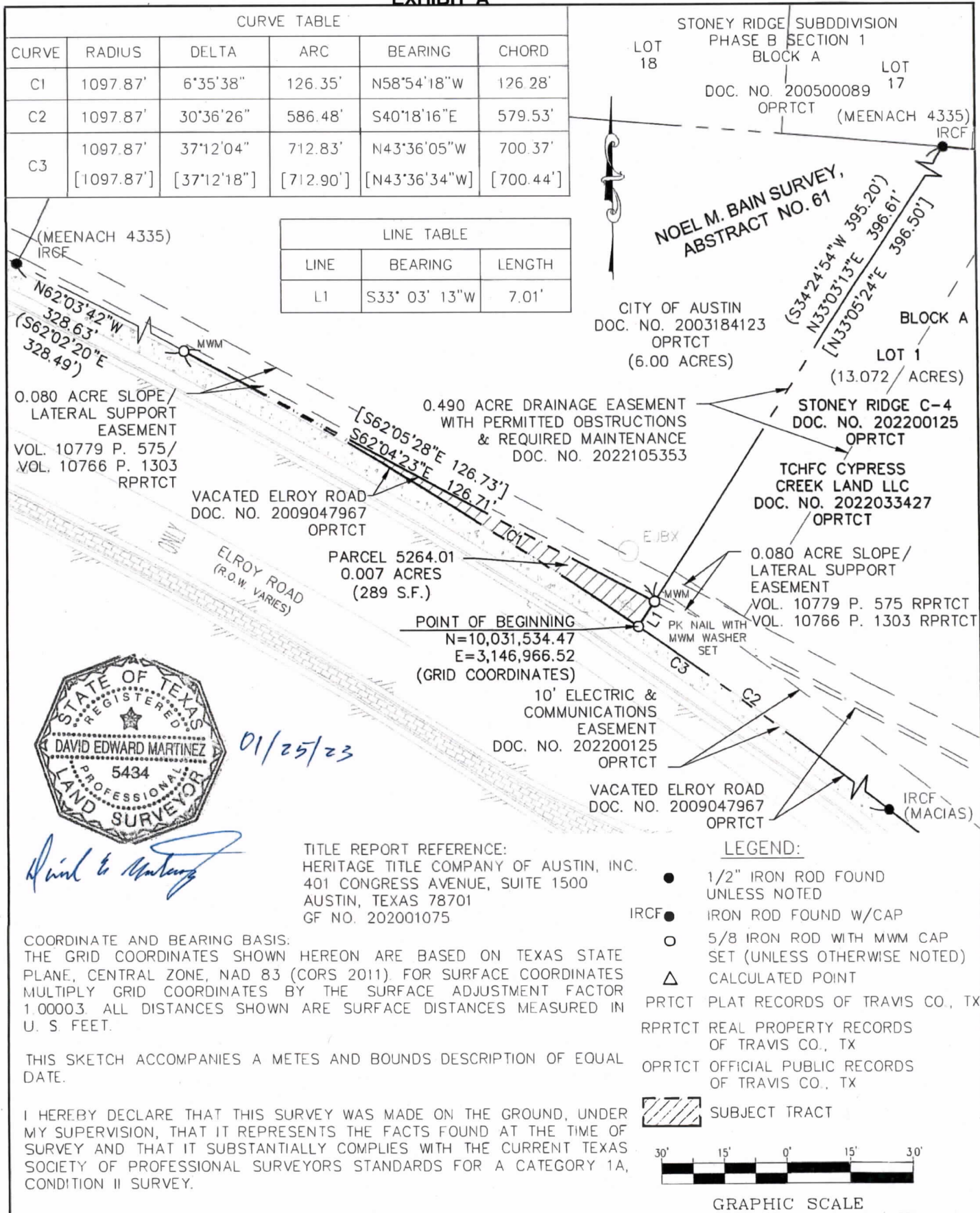
Bearing Basis: The bearings shown hereon are based on Texas State Plane, Central Zone, NAD 83(CORS 2011). All distances shown are surface distances measured in U. S. feet.

TCAD No.: 0334361501  
City Grid: P13

FIELD NOTES REVIEWED  
BY  DATE: 01/26/23  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT



# EXHIBIT "A"



01/25/23

*David E. Martinez*

TITLE REPORT REFERENCE:  
HERITAGE TITLE COMPANY OF AUSTIN, INC.  
401 CONGRESS AVENUE, SUITE 1500  
AUSTIN, TEXAS 78701  
GF NO. 202001075

COORDINATE AND BEARING BASIS.  
THE GRID COORDINATES SHOWN HEREON ARE BASED ON TEXAS STATE PLANE, CENTRAL ZONE, NAD 83 (CORS 2011). FOR SURFACE COORDINATES MULTIPLY GRID COORDINATES BY THE SURFACE ADJUSTMENT FACTOR 1.00003. ALL DISTANCES SHOWN ARE SURFACE DISTANCES MEASURED IN U. S. FEET.

THIS SKETCH ACCOMPANIES A METES AND BOUNDS DESCRIPTION OF EQUAL DATE.

I HEREBY DECLARE THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION, THAT IT REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT IT SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS FOR A CATEGORY 1A, CONDITION II SURVEY.

**mwm**  
Design Group

305 East Huntland Drive  
Suite 200  
Austin, Texas 78752  
p: 512.453.0767  
f: 512.453.1734

TBAE 1452  
TBPELS F-1416  
TBPELS 10065600

SKETCH TO ACCOMPANY  
FIELD NOTES

TRAVIS COUNTY  
TEXAS

DATE: 25 JAN 2023  
JOB NO: 023-90C  
FILE: Par5264.01

3

3 OF 3