

RESOLUTION NO. 20230914-091

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: Paula Bailey, MD., P.L.L.C. Defined Benefit Plan.

Project: Williamson Creek Interceptor Project.

Public Use: Replace a wastewater tunnel with increased capacity for future growth in the Williamson Creek basin.

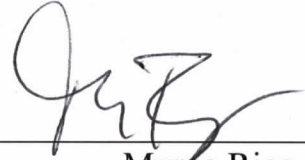
Location: 5211 Wasson Road, Austin, Texas 78745.

The general route of the project is along Williamson Creek,
from South First Street to South Pleasant Valley Road.

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

ADOPTED: September 14, 2023

ATTEST:

A handwritten signature in black ink, appearing to read 'Myrna Rios', written over a horizontal line.

Myrna Rios
City Clerk



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS
FIRM REG. NO. 101141-00

EXHIBIT "A"

PAULA BAILEY, M.D., P.L.L.C.
DEFINED BENEFIT PLAN

CITY OF AUSTIN (LOWER
WILLIAMSON CREEK
WASTEWATER INTERCEPTOR)

LEGAL DESCRIPTION PARCEL 5217.65 WE

WASTEWATER EASEMENT

OF A 0.035 ACRE (1,541 SQUARE FOOT) TRACT OF LAND OUT OF A 0.745 ACRE TRACT IN THE WILLIAM CANNON SURVEY NO. 19, ABSTRACT 6 IN TRAVIS COUNTY, TEXAS. SAID 0.745 ACRE TRACT HAVING BEEN CONVEYED TO PAULA BAILEY M.D., P.L.L.C. DEFINED BENEFIT PLAN BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2019135639 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.035 ACRE (1,541 SQUARE FOOT) TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

POINT OF BEGINNING at a ½" iron rod found at the northernmost corner of a 0.831 acre tract having been conveyed to Paula Bailey M.D., P.L.L.C. Defined Benefit Plan by instrument of record in 2019135639 of the Official Public Records of Travis County, Texas and the easternmost corner of said 0.745 acre and also on the southwest line of Lot 1, Wasson Road Addition, a subdivision recorded in Book 83, Page 168D of the Plat Records of Travis County, Texas having been conveyed to the City of Austin by instrument of record in Document Number 2004072040 of the Official Public Records of Travis County, Texas. Said iron rod also being **S 51°15'02" E, 74.91 feet** and **S 28°15'47" E, 265.29 feet** from a ½" iron rod found on the southeast right of way line of Wasson Road, the north corner of said 0.745 acre tract and the west corner of said Lot 1. Said iron rod also being the north corner of the herein described wastewater easement;

THENCE, S 55°53'41" W, 32.82 feet, with the south line of said 0.745 acre tract and the north line of said 0.831 acre to a calculated point for the east corner of the herein described wastewater easement;

THENCE, S 78°45'59" W, 87.41 feet, with the south line of the herein described wastewater easement to a calculated point on the a west line of said 0.745 acre tract and an east line of a 0.64 acre tract of land having been conveyed to Arthur S. and Marsha L. Ruiz by instrument of record in Volume 12592, Page 1338 of the Real Property Records of Travis County, Texas to a corner of herein described wastewater easement;

EXHIBIT "A"

THENCE, N 03°43'50" E, 15.53 feet, with said west line of the 0.745 acre tract and the east line of said 0.64 acre tract to a corner of the herein described wastewater easement;

THENCE, N 78°45'59" E, 112.96 feet, with the north line of the herein described wastewater easement, to a calculated point on the east line of said 0.745 acre tract and the west line of said Lot 1 and the north line of said 0.831 acre tract to a calculated point of the herein described wastewater easement;

THENCE, S 28°15'47" E, 2.35 feet, with the east line of said 0.745 acre tract and the west line of said Lot 1, to the **POINT BEGINNING** and containing 0.035 Acre (1,541 SQUARE FOOT) tract of land.

BEARING BASIS NOTE

All bearings described herein are based upon the Texas State Plane Coordinates Grid System, NAD 83 (1986) Central Zone.

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Carmelo L. Macias, 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 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 22nd day of August, 2022.



Macias & Associates, L.P.
10017 Wild Dunes Drive
Austin, Texas 78747
512-689-4746

Carmelo L. Macias
Carmelo L. Macias
Registered Professional Land Surveyor
No. 4333 – State of Texas

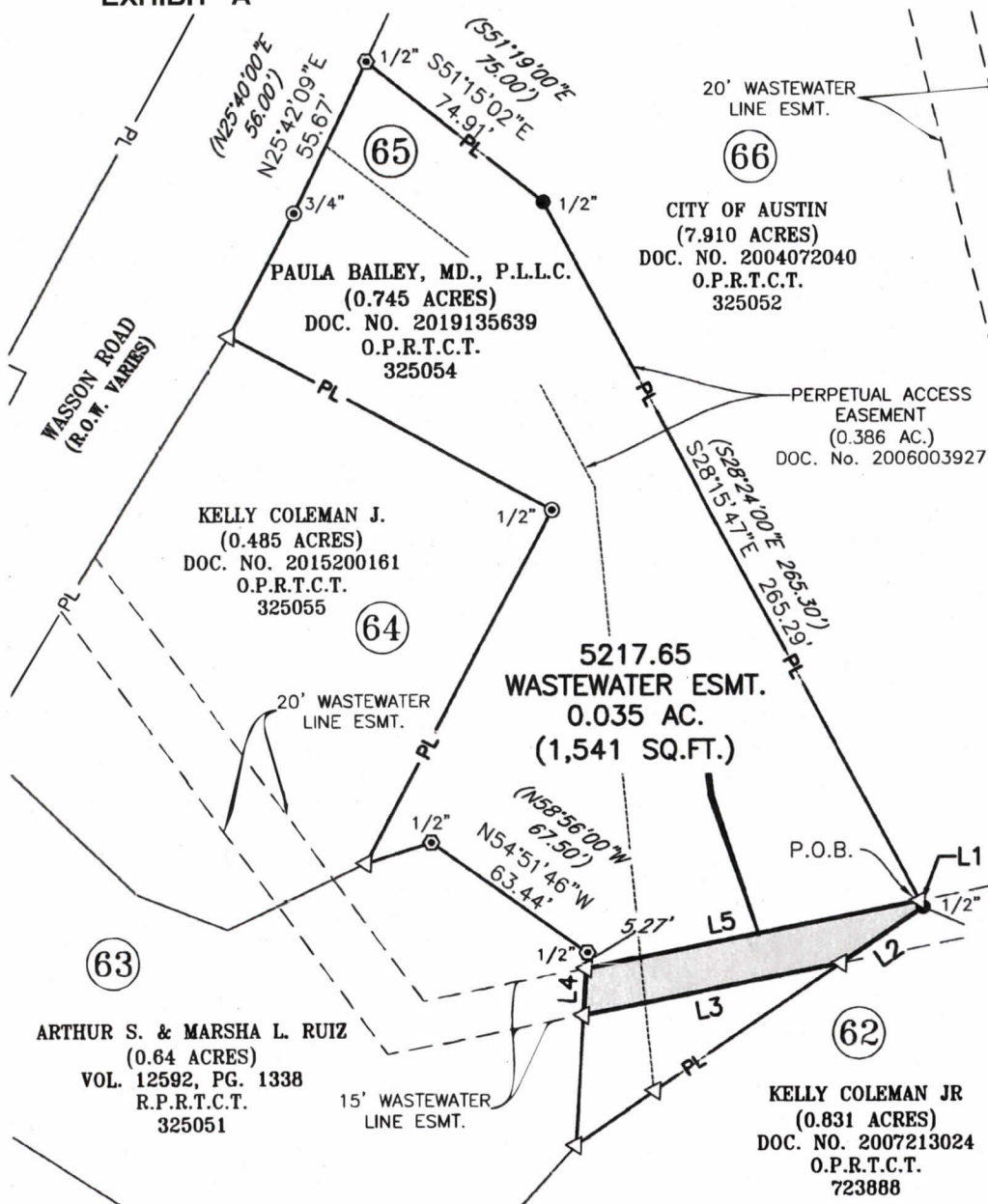
REFERENCES

Austin Grid No. G 17
TCAD PARCEL ID NO. 325054
MACIAS & ASSOCIATES, L.P., PROJECT NO. 431-44-16

FIELD NOTES REVIEWED
BY: *[Signature]* DATE: 10/13/22
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



LEGEND

- 1/2" IRON ROD FOUND UNLESS NOTED
- △ CALCULATED POINT
- ▲ SET 60D NAIL
- ⊗ X FOUND IN CONCRETE
- ⊙ MAG NAIL FOUND IN CONCRETE
- ⊙ IRON ROD FOUND WITH CAP
- ⊙ IRON PIPE FOUND
- R.O.W. RIGHT-OF-WAY
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS, TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS, TRAVIS COUNTY, TEXAS
- () RECORD INFORMATION
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- DE DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- EWWEFST EXCLUSIVE WASTEWATER LINE EASEMENT FOR SUBTERRANEAN TUNNEL
- TCE TEMPORARY CONSTRUCTION EASEMENT TWSE
- WWE PROPOSED WASTEWATER EASEMENT
- ACCESS ESMT. ACCESS EASEMENT
- DOC. NO. DOCUMENT NUMBER
- VOL. PG. VOLUME PAGE

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S28°15'47"E	2.35'
L2	S55°53'41"W	32.82'
L3	S78°45'59"W	87.41'
L4	N03°43'50"E	15.53'
L5	N78°45'59"E	112.96'

TITLE COMMITMENT NOTES:

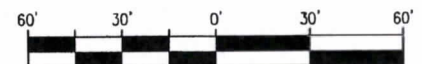
THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN STEWART TITLE GUARANTY COMPANY OF AUSTIN, LLC FILE NO. 372951 EFFECTIVE DATE: AUGUST 5, 2022

BEARING BASIS:

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

STATE OF TEXAS
COUNTY OF TRAVIS

I HEREBY CERTIFY THAT THIS SURVEY IS THE RESULT OF AN ON THE GROUND SURVEY CONDUCTED UNDER MY SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



GRAPHIC SCALE

1"=60'

DATE: 08-22-2022
DRAWN BY: JRB
MAI JOB NO.: 431-44-16

MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS - FIRM NO. 101141-00

★ ★ ★ ★ ★ ★
10017 WILD DUNES DRIVE

AUSTIN, TEXAS 78747 O (512)442-7875

C (512) 689-4746 WWW.MACIASWORLD.COM

CARMELO LETTERE MACIAS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4333

08-22-22

DATE

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