

RESOLUTION NO. 20231130-080

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: TCB Stassney Heights, LLC, a Delaware limited liability company.

Project: Williamson Creek Interceptor Project.

Public Use: Increase the capacity of a wastewater tunnel to accommodate growth in the Williamson Creek basin.


Location: 5510 South Interstate Highway 35, Austin, Texas 78745.

The general route of the project is along Williamson Creek, from South 1st Street to South Pleasant Valley Road, with numerous tie-in cutovers throughout to connect local wastewater flows to the new tunnel.

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

ADOPTED: November 30, 2023

ATTEST:



Myrna Rios
City Clerk



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

EXHIBIT "A"

TCB STASSNEY HEIGHT, LLC
TO
CITY OF AUSTIN (LOWER
WILLIAMSON CREEK
WASTEWATER INTERCEPTOR)

LEGAL DESCRIPTION PARCEL 5217.99

ACCESS EASEMENT

OF A 0.068 ACRE (2,953 SQUARE FOOT) TRACT OF LAND OUT OF LOT 6B, BLOCK B, STASSNEY HEIGHTS COMPOSITE RESUBDIVISION OF LOTS 1A, 2A AND 4A, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 199900113 RECORDED IN PLAT RECORDS OF TRAVIS COUNTY, TEXAS HAVING BEEN CONVEYED TO TCB STASSNEY HEIGHTS LLC BY INSTRUMENT OF RECORD IN DOCUMENT 2021141935 IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.068 ACRE (2,953 SQUARE FOOT) TRACT OF LAND AS SHOWN ON THE ACCOMPANYING SKETCH AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

POINT OF BEGINNING at a calculated point, **N 56°23'38" W, 215.53 feet** and **S 34°22'23" W, 35.74 feet** from a ½' iron rod found on the northwest right of way line of Interstate Highway 35, the southernmost corner of a 1.769 acre tract conveyed to Austin 5432 South IH 35 LLC by instrument of record in Document Number 2020224214 of the Official Public Records of Travis County, Texas, and the easternmost corner of said Lot 6, Block B, Stassney Heights Composite Resubdivision;

THENCE, S 34°22'23" W, 15.04 feet, to a calculated point for a corner of the herein described access easement;

THENCE, N 55°14'13" W, 19.64 feet, to a calculated point for a point of curvature of a curve to the right of the herein described access easement;

THENCE, with said curve to the right having a radius of **25.00 feet**, an arc length of **23.79 feet**, a central angle of **54°31'12"** and a chord which beards **N 27°58'37" W, 22.90 feet** to a calculated point of tangency of the herein described access easement;

EXHIBIT "A"

THENCE, N 00°43'01" W, 11.84 feet, to a calculated point for a corner of the herein described access easement;

THENCE, N 76°00'16" W, 22.10 feet, to a calculated non-tangent point of curvature of a curve to the right for a corner of the herein described access easement;

THENCE, , to a calculated non-tangent point of curvature of a curve to the right having a radius of **147.25 feet**, an arc length of **97.87 feet**, a central angle of **38°04'52"** and a chord which bears **N 33°28'59" W, 96.08 feet** for a non-tangent point of tangency for a corner of the herein described access easement;

THENCE, S 56°21'11" E, 42.73 feet, to a calculated point for a corner of the herein described access easement;

THENCE, S 29°48'02" E, 10.05 feet, to a calculated point for a corner of the herein described access easement;

THENCE, S 33°30'11" W, 10.47 feet, to a calculated point for a corner of the herein described access easement;

THENCE, S 56°14'34" E, 69.53 feet, to a calculated point for a corner of the herein described access easement;

THENCE, S 07°03'25" E, 15.89 feet, to a calculated point of curvature of a curve to the left for a corner of the herein described access easement;

THENCE, with said curve to the left having a radius of **25.00 feet**, an arc length of **21.02 feet**, a central angle of **48°10'48"** and a chord which bears **S 31°08'49" E, 20.41 feet** to a calculated point of tangency for a corner of the herein described access easement;

THENCE, S 55°37'37" E, 5.89 feet, to the **POINT BEGINNING** and containing 0.068 ACRE (2,953 SQUARE FOOT) tract of land;

EXHIBIT "A"

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 §
§ **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF TRAVIS §

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

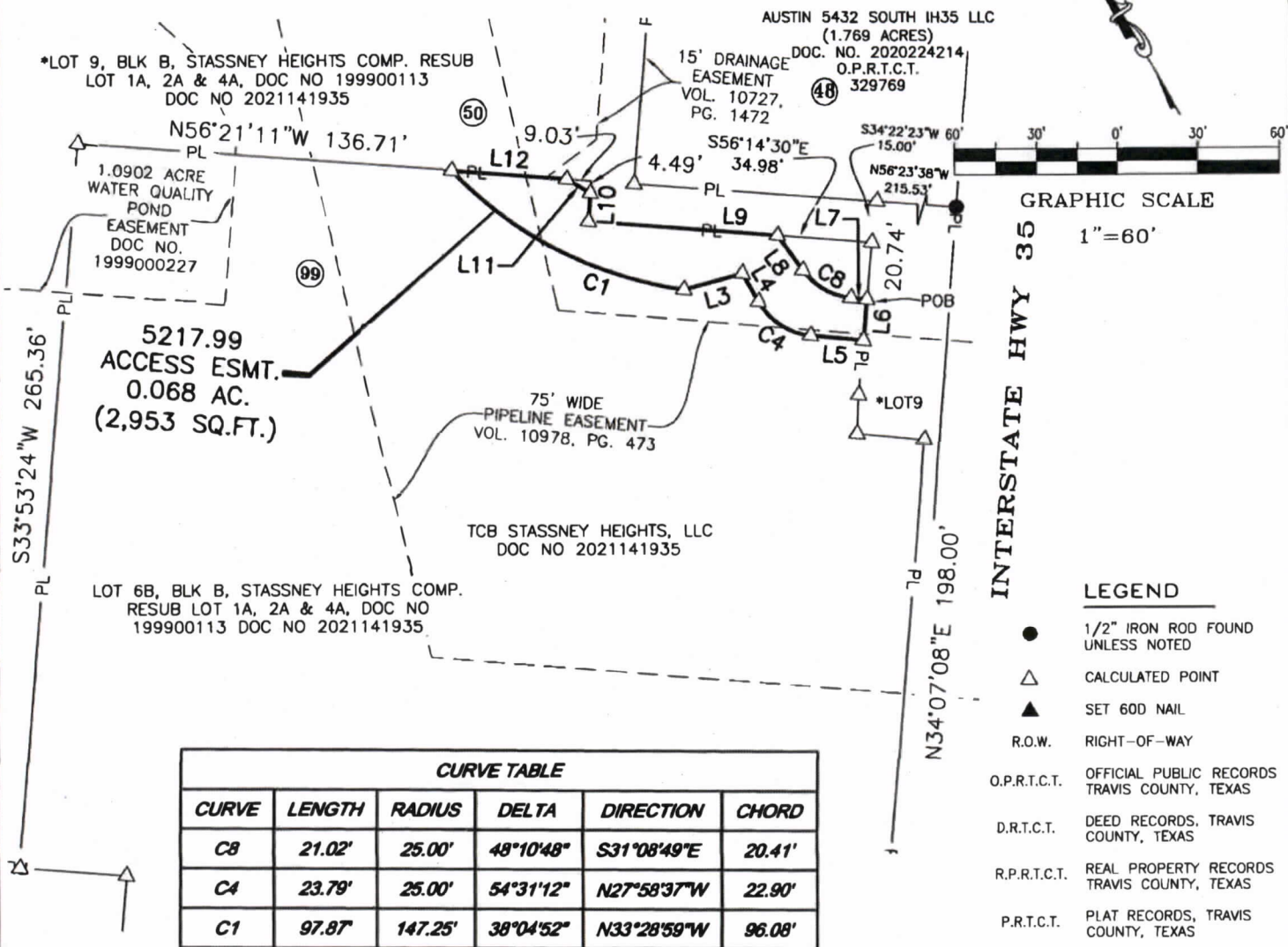
Carmelo L. Macias
Carmelo L. Macias
Registered Professional Land Surveyor
No. 4333 – State of Texas

REFERENCES

Austin Grid No. H 16
TCAD PARCEL ID NO. 484993
MACIAS & ASSOCIATES, L.P., PROJECT NO. 431-44-16

FIELD NOTES REVIEWED
BY *[Signature]* DATE: 11/01/22
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

EXHIBIT "A" SKETCH TO ACCOMPANY LEGAL DESCRIPTION



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	DIRECTION	CHORD
C8	21.02'	25.00'	48°10'48"	S31°08'49"E	20.41'
C4	23.79'	25.00'	54°31'12"	N27°58'37"W	22.90'
C1	97.87'	147.25'	38°04'52"	N33°28'59"W	96.08'

TITLE COMMITMENT NOTES:

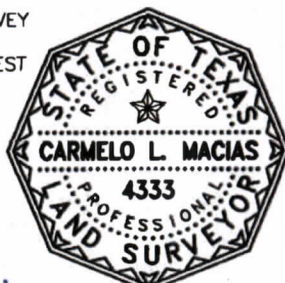
THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN CHICAGO TITLE INSURANCE COMPANY OF No. CTA-21-CTA2202996 EFFECTIVE DATE: JUNE 22, 2022.

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.



08-22-22

CARMELO LETTERE MACIAS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4333

DATE

LINE TABLE		
LINE	DIRECTION	DISTANCE
L3	N76°00'15"W	22.10'
L4	N00°43'01"W	11.84'
L5	N55°14'13"W	19.64'
L6	S34°22'23"W	15.04'
L7	S55°37'37"E	5.89'
L8	S07°03'25"E	15.89'
L9	S56°14'34"E	69.53'
L10	S33°30'11"W	10.47'
L11	S29°48'02"E	10.05'
L12	S56°21'11"E	42.73'

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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