

RESOLUTION NO. 20231130-081

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.

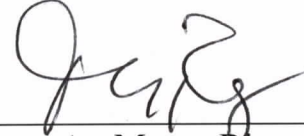
Location: 5500 South Interstate Highway 35, Austin, Texas 78745.

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:

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 "

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

LEGAL DESCRIPTION PARCEL 5217.50 AE

ACCESS EASEMENT

OF A 0.328 ACRE (14,282 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24 IN TRAVIS COUNTY, TEXAS MADE UP OF PART 1 AND PART 2. ALSO BEING OUT OF LOT 9, BLOCK B, STASSNEY HEIGHTS COMPOSITE, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200000292 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, HAVING BEEN CONVEYED TO TCB STASSNEY HEIGHTS, LLC, BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2021141935 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 0.328 ACRE (14,282 SQUARE FOOT) TRACT AS SHOWN ON THE ACCOMPANYING SKETCH AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

PART 1 - 0.088 ACRE, 3,822 SQUARE FEET

POINT OF BEGINNING at a calculated point, on the west right of way line of Interstate Highway 35 and the east line of said Lot 9, **S 33°55'34" W, 90.03 feet** and **S 33°55'34" W, 15.57 feet** from a ½' iron rod found on the northeast corner of said Lot 9 and the southeast corner of a 1.769 acre tract of land having been 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;

THENCE, S 33°55'34" W, 15.00 feet, with the west right of way line of Interstate Highway 35 and the east line of said Lot 9 to a calculated point for a corner of the herein described access easement;

THENCE, N 57°03'23" W, 17.77 feet, to a calculated point for a point of curvature of a curve to the right of the herein described access easement;

EXHIBIT "A"

THENCE, with said curve to the right having a radius of **40.00 feet**, an arc length of **64.10 feet**, a central angle of **91°49'11"** and a chord which beards **N 11°08'48" W, 57.46 feet** to a calculated point of tangency of said curve to the right to a point of curvature of a curve to the left of the described access easement;

THENCE, with said curve to the left having a radius of **25.02 feet**, an arc length of **40.08 feet**, a central angle of **91°47'05"** and a chord which beards **N 09°19'28" W, 35.93 feet** to a calculated point of tangency of said curve to the left of the herein described access easement;

THENCE, **N 55°14'13" W, 132.54 feet**, to a west line of said Lot 9 and an east line of said Lot 6B to a calculated point of the herein described access easement;

THENCE, **N 33°50'33" E, 15.00 feet**, with an east line of said Lot 6B and a west line of said Lot 9 to a calculated point on the north line of the herein described access easement for the north corner of the herein described access easement;

THENCE, **S 55°14'13" E, 132.78 feet**, to a calculated angle point on the 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 **40.00 feet**, an arc length of **62.83 feet**, a central angle of **90°00'00"** and a chord which bears **S 10°14'13" E, 56.57 feet** to a calculated point of tangency of a reverse curve to the left of the herein described access easement;

THENCE, with said curve to the left having a radius of **25.40 feet**, an arc length of **40.70 feet**, a central angle of **91°49'11"** and a chord which bears **S 10°14'01" E, 36.48 feet** to a calculated point of tangency of the herein described access easement;

THENCE, **S 57°03'23" E, 18.02 feet**, to the **POINT OF BEGINNING** and containing 0.088 acre (3,822 SQUARE FOOT) of land.

PART 2 - 0.240 ACRE, 10,460 SQUARE FEET

POINT OF BEGINNING at a calculated point on a southerly line of said Lot 9 and northerly line of said Lot 6B, at a northeasterly corner of said Lot 6B being **S 33°50'24" W, 258.26 feet** and **N 56°21'19" W, 24.62 feet** from a ½" iron rod found at the northerly corner of a 1.769 acre tract conveyed to Austin 5432 South IH35 LLC by instrument recorded in Document Number 2020224414 of the Official Public Records of Travis County, Texas. Said iron rod also being on the easterly line of said Lot 9. Said iron rod also being on the southerly corner of the herein described access easement;

THENCE, **N 56°21'11" W, 42.73 feet** with southerly line of said Lot 9 and northerly line of said Lot 6B to a calculated angle point on the southerly line of the herein described access easement;

EXHIBIT "A"

THENCE, N 13°15'26" W, 19.68 feet to a calculated angle point on the southern line of the herein described access easement;

THENCE, N 04°23'47" W, 30.66 feet, to a calculated angle point on the southern line of the herein described access easement;

THENCE, N 62°55'28" W, 31.58 feet, to a calculated angle point on the southern line of the herein described access easement;

THENCE, N 16°59'06" W, 17.14 feet, to a calculated angle point on the west line of the herein described access easement;

THENCE, N 35°27'33" E, 91.07 feet, to a calculated angle point on the west line of the herein described access easement;

THENCE, N 22°46'43" E, 92.40 feet, to a calculated angle point on the south line of a 4.913 acre tract having been conveyed to the City of Austin by instrument of record in Document Number 2005012807, Official Public Records of Travis County, Texas and also being on the north line of said Lot 9 and at the north line of the herein described access easement;

THENCE, S 75°10'21" E, 25.11 feet, with the south line of said 4.913 acre tract and the north line of said Lot 9 to a calculated angle point on the northeast corner of the herein described access easement;

THENCE, S 22°05'20" W, 84.80 feet, leaving the south line of said 4.913 acre tract and the north line of said Lot 9 to a calculated angle point on the easterly line of the herein described access easement;

THENCE, S 00°00'13" E, 48.47 feet, to a calculated angle point on the easterly line of the herein described access easement;

THENCE, S 39°54'17" E, 19.62 feet, to a calculated angle point on the easterly line of the herein described access easement;

THENCE, S 15°55'31" W, 44.79 feet, to a calculated angle point on the easterly line of the herein described access easement;

THENCE, N 89°36'11" W, 12.36 feet, to a calculated angle point on the easterly line of the herein described access easement;

THENCE, S 71°04'25" W, 12.21 feet, to a calculated angle point on the easterly line of the herein described access easement;

THENCE, S 09°01'28" E, 38.28 feet, to a calculated angle point on the easterly line of the herein described access easement;

EXHIBIT "A"

THENCE, S 21°54'35" E, 32.63 feet to the POINT OF BEGINNING and containing 0.240 acre (10,460 SQUARE FOOT) of land.

STATE OF TEXAS
COUNTY OF TRAVIS

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§

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.

REV. 1_6-02-22
REV. 2_8-03-22
REV. 3_8-22-22
REV. 4_01-09-23



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

RING BASIS NOTE

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

REFERENCES

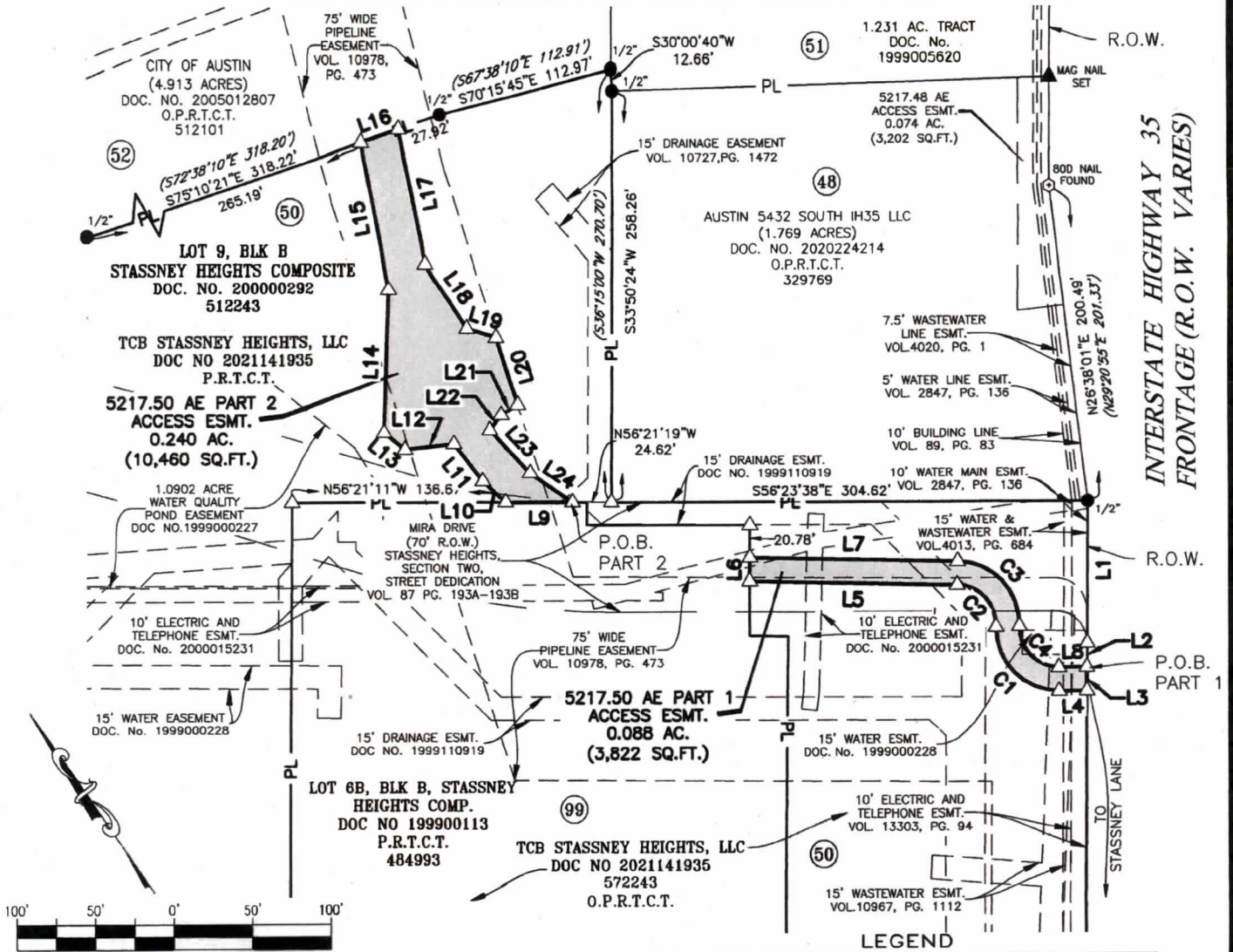
Austin Grid No. H 16
TCAD PARCEL ID NO. 484993, 512243
MACIAS & ASSOCIATES, L.P., PROJECT NO. 431-44-16

FIELD NOTES REVIEWED
BY *[Signature]* DATE: 01/23/23
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

J:/jobs/cas/Williamson creek/parcel data/parcel 50 legal desc.

EXHIBIT "A"

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



GRAPHIC SCALE

1"=100'

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-CTA1900755G EFFECTIVE DATE: JANUARY 23, 2022.

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.



3-31-22

CARMELO LETTERE MACIAS
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4333

DATE

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

REV. 4_ 1-09-23
REV. 3_ 8-22-22
REV. 2_ 8-03-22
REV. 1_ 6-02-22

DATE: 3-31-2022
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

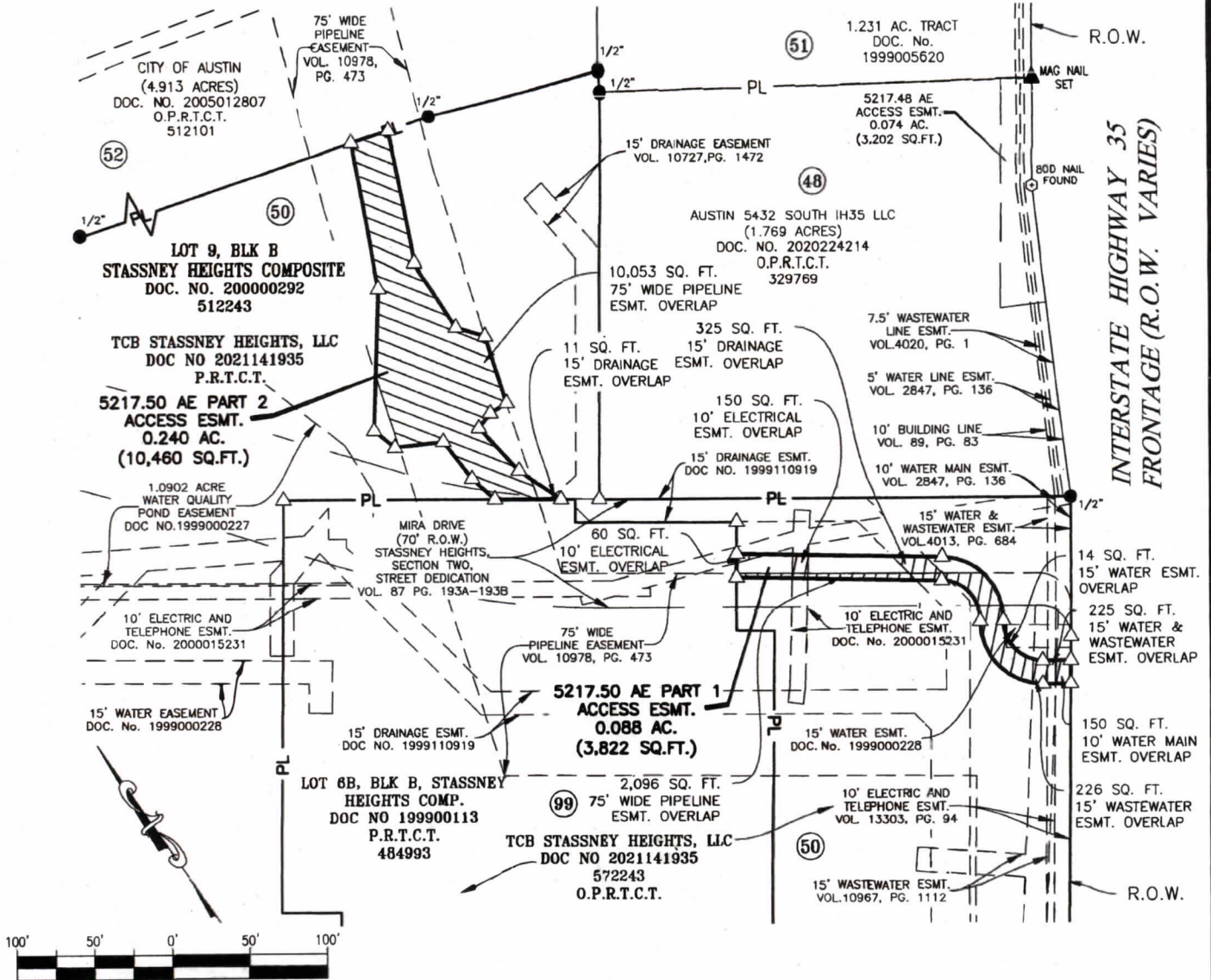
C (512) 689-4746

WWW.MACIASWORLD.COM



EXHIBIT "A"

SKETCH SHOWING EASEMENT OVERLAPS



GRAPHIC SCALE

1"=100'

PARCEL 5217.50 PART 2

LINE TABLE		
LINE	DIRECTION	DISTANCE
L9	N56°21'11"W	42.73'
L10	N13°15'26"W	19.68'
L11	N04°23'47"W	30.66'
L12	N62°35'28"W	31.58'
L13	N16°59'06"W	17.14'
L14	N35°27'33"E	91.07'
L15	N22°46'43"E	92.40'
L16	S75°10'21"E	25.11'
L17	S22°05'20"W	84.80'
L18	S00°00'13"E	48.47'
L19	S39°54'17"E	19.62'
L20	S15°55'31"W	44.79'
L21	N89°36'11"W	12.36'
L22	S71°04'25"W	12.21'
L23	S09°01'28"E	38.28'
L24	S21°54'35"E	32.63'

PARCEL 5217.50 PART 1

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S33°55'34"W	90.03'
L2	S33°55'34"W	15.57'
L3	S33°55'34"W	15.00'
L4	N57°03'23"W	17.77'
L5	N85°14'13"W	132.54'
L6	N33°50'33"E	15.00'
L7	S55°14'13"E	132.78'
L8	S57°03'23"E	18.02'

PARCEL 5217.50 PART 1

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	DIRECTION	CHORD
C1	64.10'	40.00'	91°49'11"	N11°08'48"W	57.46'
C2	40.08'	25.02'	91°47'05"	N09°19'28"W	35.93'
C3	62.83'	40.00'	90°00'00"	S10°14'13"E	56.57'
C4	40.70'	25.40'	91°49'11"	S10°14'01"E	36.48'

REV. 4_ 1-09-23

REV. 3_ 8-22-22

REV. 2_ 8-03-22

REV. 1_ 6-02-22

DATE: 3-31-2022

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

SKETCH SHOWING EXISTING IMPROVEMENTS


$$1'' = 100'$$

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