

RESOLUTION NO. 20261008-025

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 or transfer of funds in the amount awarded by the Court appointed Special Commissioners, updated appraisals, negotiated settlement, or judgment.

BE IT FURTHER RESOLVED:

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners: FC N Lamar Housing, LP.

Project: Walnut Creek – Eubank Tributary Stream Stabilization Project.

Public Use: Stabilize the channel and improve habitat by implementing retaining walls, slope stabilization, earthwork, planting strategies, and stormwater flow dissipation.

Location: 11704 North Lamar Boulevard, Austin, Texas 78753.

The general route of the project is within Walnut Creek's designated Eubank Tributary, from North Bend Drive to the west turn of Eubank Drive.

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

ADOPTED: October 8, 2026

ATTEST: _____



Erika Brady
City Clerk

EXHIBIT “_A_”

Parcel 5416.05 AE
0.1294 Acre Access Easement
Lot 7, Frank Stark Subdivision
Travis County, Texas

DESCRIPTION FOR PARCEL 5416.05 AE
0.1294 OF ONE ACRE ACCESS EASEMENT

BEING a 0.1294 of one acre (5,636 square foot) easement, out of the T.J. Chambers Survey, Abstract No. 7, Travis County Texas, being a portion of Lot 7, Frank Stark Subdivision, a subdivision of record in Book 4, Page 199, Plat Records, Travis County, Texas, said Lot 7 conveyed to FC N Lamar Housing, LP by Special Warranty Deed with Vendor's Lien dated August 29, 2019, as recorded in Document No. 2019132971, Official Public Records, Travis County, Texas; said 0.1294 of one acre (5,636 square foot) easement being more particularly described by metes and bounds as follows:

BEGINNING at a calculated point in the north line of said Lot 7 and said FC N Lamar Housing tract, and the south line of Lot 2, Resub. Lot 6, Frank Stark Sub., a subdivision of record in Book 51, Page 88, Plat Records, Travis County, Texas, being the northwest corner of an existing 0.088 of one acre wastewater easement of record in Volume 10791, Page 2867, Real Property Records, Travis County, Texas, said POINT OF BEGINNING having Grid Coordinates of N=10,114,720.72, E=3,131,200.41;

- 1) THENCE, along the north line of this easement, said Lot 7 and said FC N Lamar Housing tract, the north line of said existing 0.088 of one acre wastewater easement, and the south line of said Lot 2, **South 64°07'15" East**, passing at a distance of 3.35 feet a 1/2-inch iron rod with “Premier Surveying” cap found, continuing an additional distance of 16.66 feet for a total distance of **20.01 feet** to calculated point at the northeast corner of said existing 0.088 of one acre wastewater easement;
- 2) THENCE, along the east line of this easement and said existing 0.088 of one acre wastewater easement, crossing said Lot 7 and said FC N Lamar Housing tract, **South 24°30'31" West 192.62 feet** to a calculated point at the southeast corner of said existing 0.088 of one acre wastewater easement, and the northeast corner of an existing 0.041 of one acre wastewater easement of record in Volume 10783, Page 873, Real Property Records, Travis County, Texas;

- 3) THENCE, continuing along the east line of this easement along the east line of and said existing 0.041 of one acre wastewater easement, crossing said Lot 7 and said FC N Lamar Housing tract, **South 24°30'13" West 89.17 feet** to a calculated point in the south line of said Lot 7 and said FC N Lamar Housing tract, and the north line of Lot 8, in said Frank Stark Subdivision, being at the southeast corner of said existing 0.041 of one acre wastewater easement;
- 4) THENCE, along the south line of this easement, said existing 0.041 of one acre wastewater easement, said Lot 7 and said FC N Lamar Housing tract, and the north line of said Lot 8, **North 63°59'37" West 20.01 feet** to a calculated point at the southwest corner of said existing 0.041 of one acre wastewater easement, from which a 1/2-inch iron rod with "BGE" cap found in the south line of said Lot 7 and said FC N Lamar Housing tract, and the north line of said Lot 8, bears North 63°59'37" West 54.48 feet;
- 5) THENCE, along the west line of this easement and said existing 0.041 of one acre wastewater easement, crossing said Lot 7 and said FC N Lamar Housing tract, **North 24°30'13" East 89.17 feet** to a calculated point at the northwest corner of said existing 0.041 of one acre wastewater easement, and the southwest corner of said existing 0.088 of one acre wastewater easement;

Parcel 5416.05 AE

- 6) THENCE, continuing along the west line of this easement, along the west line of said existing 0.088 of one acre wastewater easement, crossing said Lot 7 and said FC N Lamar Housing tract, **North 24°30'31" East 192.58 feet** to the POINT OF BEGINNING and containing 0.1294 of one acre (5,636 square feet) of land within these metes and bounds.

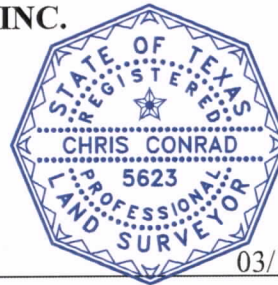
Bearing Basis Note

The bearings described herein are based on the Texas Coordinate System, Central Zone (4203), NAD83 (2011) EPOCH 2010.00.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6
Austin, TX 78731 (512) 451-8591
TBPELS Survey Firm# 10095500



A handwritten signature in blue ink, appearing to read "Chris Conrad", written over a horizontal line.

03/13/2026

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: There is a plat to accompany this description.

M:\Jacobs~23-020~Eubanks Tributary\Description\Eubank 0.1294 Ac AE

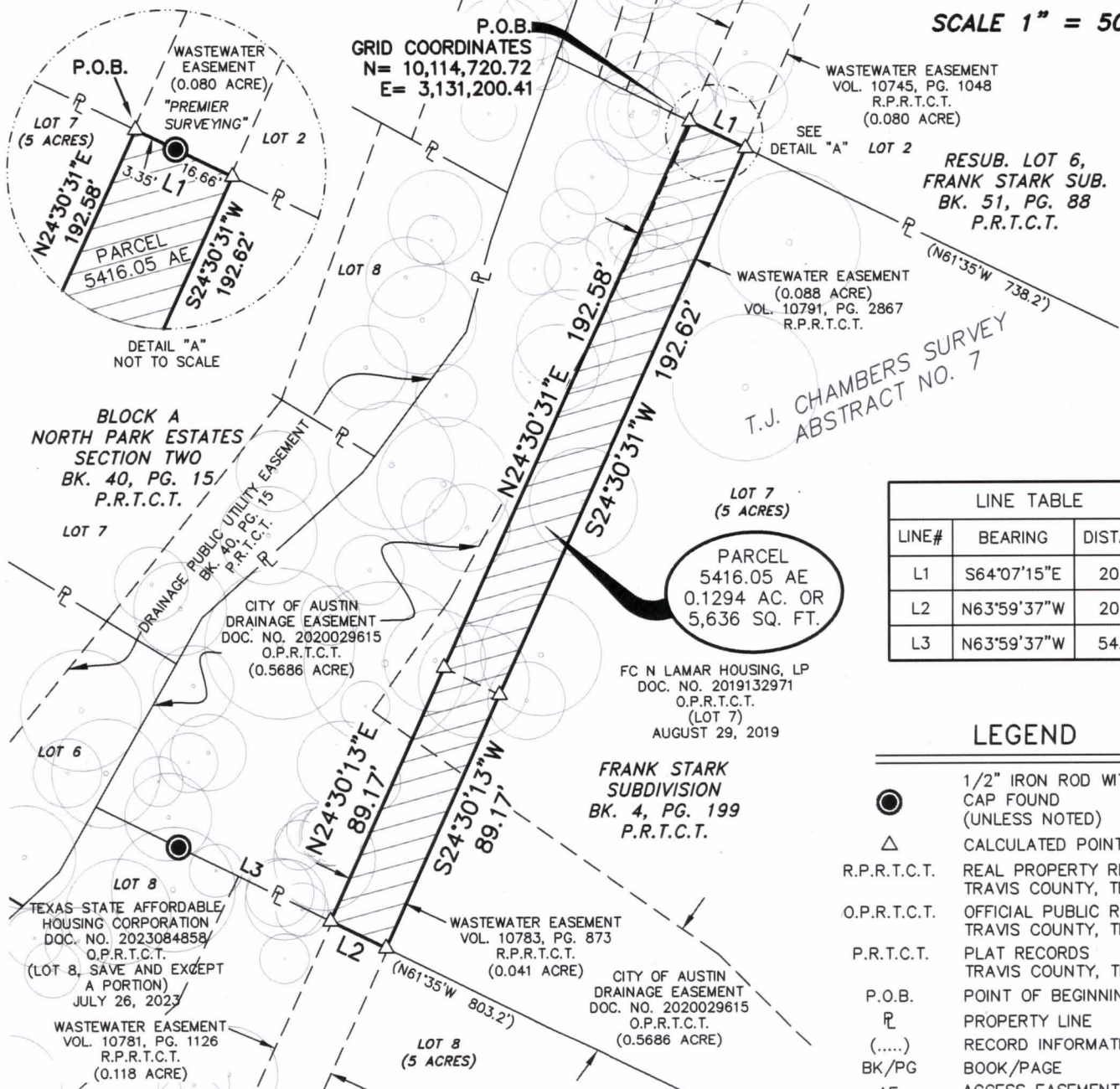
Issued 03/13/2026

FIELD NOTES REVIEWED
BY:  DATE: 03/17/26
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

AUSTIN GRID M-32
TCAD ID 503141

**SKETCH TO ACCOMPANY DESCRIPTION
OF 0.1294 AC. OR 5,636 SQ. FT. OF LAND OUT OF
LOT 7, FRANK STARK SUBDIVISION
AUSTIN, TRAVIS COUNTY, TEXAS**

SCALE 1" = 50'



March 13, 2026

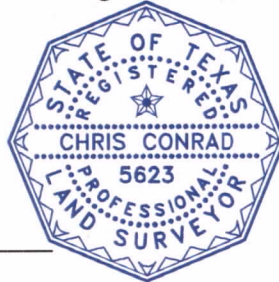
Title Resources Guaranty Company

RE: Title Commitment, GF No: 2406746-KFO
For: **0.1294 of one-acre Access Easement** out of FC N Lamar Housing, LP, Document
Number 2019132971, Official Public Records, Travis County, Texas
Effective Date: January 29, 2026
Issued: February 13, 2026

I have reviewed the title commitment for the above referenced parcel and the results are as follow:

The following easement are **not shown** or noted on the sketch and **do not affect** the subject easement:

- Item 1 (Hereby Deleted)
- Item 10.n. (Access Easement Agreement, Document No. 2023073126)



03/13/2026

Sincerely,

Date

EXHIBIT “_B_”

Parcel 5416.05 DE
0.0197 Acre Drainage Easement
Lot 7, Frank Stark Subdivision
Travis County, Texas

DESCRIPTION FOR PARCEL 5416.05 DE
0.0197 OF ONE ACRE DRAINAGE EASEMENT

BEING a 0.0197 of one acre (859 square foot) easement, out of the T.J. Chambers Survey, Abstract No. 7, Travis County Texas, being a portion of Lot 7, Frank Stark Subdivision, a subdivision of record in Book 4, Page 199, Plat Records, Travis County, Texas, said Lot 7 conveyed to FC N Lamar Housing, LP by Special Warranty Deed with Vendor's Lien dated August 29, 2019, as recorded in Document No. 2019132971, Official Public Records, Travis County, Texas; said 0.0197 of one acre (859 square foot) easement being more particularly described by metes and bounds as follows:

BEGINNING at a calculated point at the north corner of this easement, being in the west line of an existing 0.088 of one acre wastewater easement of record in Volume 10791, Page 2867, Real Property Records, Travis County, Texas, and in the east line of an existing 0.5686 of one acre drainage easement of record in Document No. 2020029615, Official Public Records, Travis County, Texas, said POINT OF BEGINNING having Surface Coordinates of N=10,115,662.27, E=3,131,481.65, from which a 1/2-inch iron rod with “Premier Surveying” cap found in the north line of said Lot 7 and said FC N Lamar Housing tract, and the south line of Lot 2, Resub. Lot 6, Frank Stark Sub., a subdivision of record in Book 51, Page 88, Plat Records, Travis County, Texas, bears North 27°00'17” East 76.72 feet;

- 1) THENCE, along the east line of this easement, and the west line of said existing 0.088 of one acre wastewater easement, crossing said Lot 7 and said FC N Lamar Housing tract, **South 24°30'31” West 115.73 feet** to calculated point at the southwest corner of said existing 0.088 of one acre wastewater easement, being the northwest corner of an existing 0.041 of one acre wastewater easement of record in Volume 10783, Page 873, Real Property Records, Travis County, Texas;
- 2) THENCE, continuing along the east line of this easement, and along the west line of said existing 0.041 of one acre wastewater easement, crossing said Lot 7 and said FC N Lamar Housing tract, **South 24°30'13” West 25.05 feet** to a calculated point at the southeast corner of this easement, being in a north line of said existing 0.5686 of one acre drainage easement;

- 3) THENCE, along the south line of this easement, and a north line of said existing 0.5686 of one acre drainage easement, crossing said Lot 7 and said FC N Lamar Housing tract, **North 54°57'37" West 15.73 feet** to a calculated point at the southwest corner of this easement, being a corner in the east line of said existing 0.5686 of one acre drainage easement, from which a 1/2-inch iron rod with "BGE" cap found in the south line of said Lot 7 and said FC N Lamar Housing tract, and the north line of Lot 8, in said Frank Stark Subdivision, bears South 55°14'52" West 76.29 feet;

THENCE, along the west line of this easement, and the east line of said existing 0.5686 of one acre drainage easement, crossing said Lot 7 and said FC N Lamar Housing tract, the following two (2) courses, numbered 4 and 5:

- 4) **North 35°15'20" East 43.66 feet** to a calculated point, and
- 5) **North 28°54'59" East 95.30 feet** to the POINT OF BEGINNING and containing 0.0197 of one acre (859 square feet) of land within these metes and bounds.

Bearing Basis Note

The bearings described herein are based on the Texas Coordinate System, Central Zone (4203), NAD83 (2011) EPOCH 2010.00.

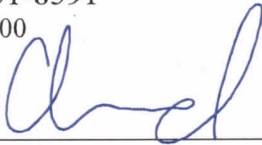
SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6

Austin, TX 78731 (512) 451-8591

TBPELS Survey Firm# 10095500



03/13/2026

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: There is a plat to accompany this description.

M:\Jacobs~23-020~Eubanks Tributary\Description\Eubank 0.0197 Ac DE-R2

Issued 08/02/2024; Revised 08/22/2024, 03/13/2026

FIELD NOTES REVIEWED
BY:  DATE: 03/17/26
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

AUSTIN GRID M-32
TCAD ID 503141

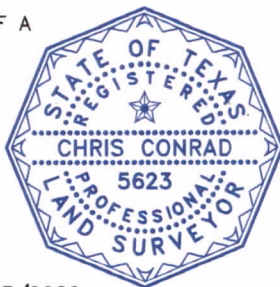
[illegible]

LINE TABLE		
LINE#	BEARING	DISTANCE
L1	S24°30'31"W	115.73'
L2	S24°30'13"W	25.05'
L3	N54°57'37"W	15.73'
L4	N35°15'20"E	43.66'
L5	N28°54'59"E	95.30'
L6	S55°14'52"W	76.29'
L7	N27°00'17"E	76.72'

	CALCULATED POINT
	1/2" IRON ROD WITH "BGE" CAP FOUND (UNLESS NOTED)
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
P.R.T.C.T.	PLAT RECORDS TRAVIS COUNTY, TEXAS
P.O.B.	POINT OF BEGINNING
	PROPERTY LINE
(.....)	RECORD INFORMATION
BK/PG	BOOK/PAGE

1. THIS PROJECT IS REFERENCED, FOR ALL BEARING AND COORDINATE BASIS, TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (2011) EPOCH 2010.00. COORDINATES SHOWN HEREON ARE SURFACE COORDINATES.

2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY TITLE RESOURCES GUARANTY COMPANY GF NO. 2406746-KFO, EFFECTIVE DATE JANUARY 29, 2026.



REVISED: 03/13/2026
ISSUED: 08/02/2024

3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
MCGRAY.COM (512) 451-8591
TBPELS SURVEY FIRM #10095500

SCALE:	1" = 50'		-
DATE:	03/13/2026	TECH:	DBA
PROJECT:	23-020	FIELD:	DS
FIELD BOOK:	-	SHEET:	3 OF 3

M:\Jacobs~23-020~Eubank Tributary\Dwg\Parcels\5416.05~DE-rev2.dwg

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE _____
Note: There is a description to accompany this plat.

March 13, 2026

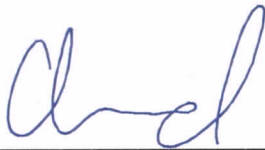
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easement:

- Item 1 (Hereby Deleted)
- Item 10.n. (Access Easement Agreement, Document No. 2023073126)



03/13/2026

Sincerely,

Date