

RESOLUTION NO. 20261022-047

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: Luis Gonzalez and Maria Calleja.

Project: Barton Creek – Oak Access Creek Flood Risk Reduction Project.

Public Use: Mitigate local flooding and improve roadway access to the neighborhood during large storm events.

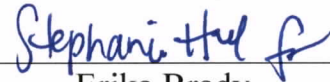
Location: 5673 Oak Boulevard, Austin, Texas 78735.

The general route of the project is from 5677 Oak Boulevard to 5600 Oak Boulevard, Austin, Texas 78735.

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

ADOPTED: October 22, 2026

ATTEST:



Erika Brady
City Clerk

EXHIBIT "A"

Parcel 5367.05 (0.0429 Acre PUE)
Thomas Anderson Survey No. 17, Abstract No. 2
Austin, Travis County, Texas

DESCRIPTION FOR PARCEL 5367.05
0.0429 OF ONE ACRE PUBLIC UTILITY EASEMENT

DESCRIPTION OF A 0.0429 OF ONE ACRE (1,868 SQUARE FOOT) EASEMENT, OUT OF THE THOMAS ANDERSON SURVEY NO. 17, ABSTRACT NO. 2, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 24-B, RESUBDIVISION OF A PORTION OF OAK ACRES, A SUBDIVISION OF RECORD IN BOOK 9, PAGE 91, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 24-B CONVEYED TO LUIS GONZALEZ AND MARIA CALLEJA BY WARRANTY DEED WITH VENDOR'S LIEN DATED FEBRUARY 14, 2025, AS RECORDED IN DOCUMENT NO. 2025016716, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0429 OF ONE ACRE (1,868 SQUARE FOOT) EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found at the southeast corner this easement, said Lot 24-B and said Gonzalez et ux. tract, the southeast corner of an existing 55 foot wide drainage easement recorded in said Book 9, Page 91, and the northeast corner of Lot 23, Oak Acres, a subdivision of record in Book 5, Page 24, Plat Records, Travis County, Texas, said Lot 23 being a portion of that tract described as 2.033 acres conveyed to Austin Montessori Middle School, Inc. by Special Warranty Deed, as recorded in Volume 11954, Page 2121, Real Property Records, Travis County, Texas, also being in the existing west right-of-way line of Oak Boulevard (68 foot width), said POINT OF BEGINNING having Grid Coordinates of N=10,058,788.79, E=3,081,387.50, from which a 1/2-inch iron pipe found at the southeast corner of said Lot 23, being the northeast corner of a portion of Lot 17, in said Oak Acres subdivision, said portion of Lot 17 being a portion of said 2.033 acre Austin Montessori Middle School tract, also being in the existing west right-of-way line of Oak Boulevard, bears South 08°59'40" East 200.21 feet;

- 1) THENCE, along the south line of this easement, said Lot 24-B and said Gonzalez et ux. tract, and said existing 55 foot wide drainage easement, and the north line of said Lot 23 and said 2.033 acre Austin Montessori Middle School tract, **South 81°03'06" West 33.90 feet** to a calculated point at the southwest corner of this easement;

EXHIBIT "A"

Parcel 5367.05 (0.0429 Acre PUE)

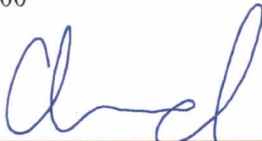
- 2) THENCE, along the west line of this easement, crossing said Lot 24-B and said Gonzalez et ux. tract, and said existing 55 foot wide drainage easement, **North 08°58'47" West 55.00 feet** to a calculated point at the northwest corner of this easement, being in the north line of said 55 foot wide drainage easement;
- 3) THENCE, along the north line of this easement and said existing 55 foot wide drainage easement, crossing said Lot 24-B and said Gonzalez et ux. tract, **North 81°03'06" East 34.03 feet** to a calculated point at the northeast corner of this easement, and said existing 55 foot wide drainage easement, being in the east line of said Lot 24-B and said Gonzalez et ux. tract, and the existing west right-of-way line of Oak Boulevard, from which a 1/2-inch iron rod found at the northeast corner of said Lot 24-B and said Gonzalez et ux. tract, being the southeast corner of Lot 24-A, in said Resubdivision of a Portion of Oak Acres, also being in the existing west right-of-way line of Oak Boulevard, bears North 08°50'56" West 65.12 feet;
- 4) THENCE, along the east line of this easement, said Lot 24-B and said Gonzalez et ux. tract, and said existing 55 foot wide drainage easement, and the existing west right-of-way line of Oak Boulevard **South 08°50'56" East 55.00 feet** to the POINT OF BEGINNING and containing 0.0429 of one acre (1,868 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. The coordinates shown hereon are grid coordinates.

SURVEYED BY:

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



05/05/2026

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: There is a plat to accompany this description.

M:\RPS~22-151~Oak Acres\Description\0.0429 Ac PUE_24-B-R5

Issued 02/10/2023; Revised 03/20/2023; 04/26/2023; 04/04/2025; 04/08/2025; 05/05/2026

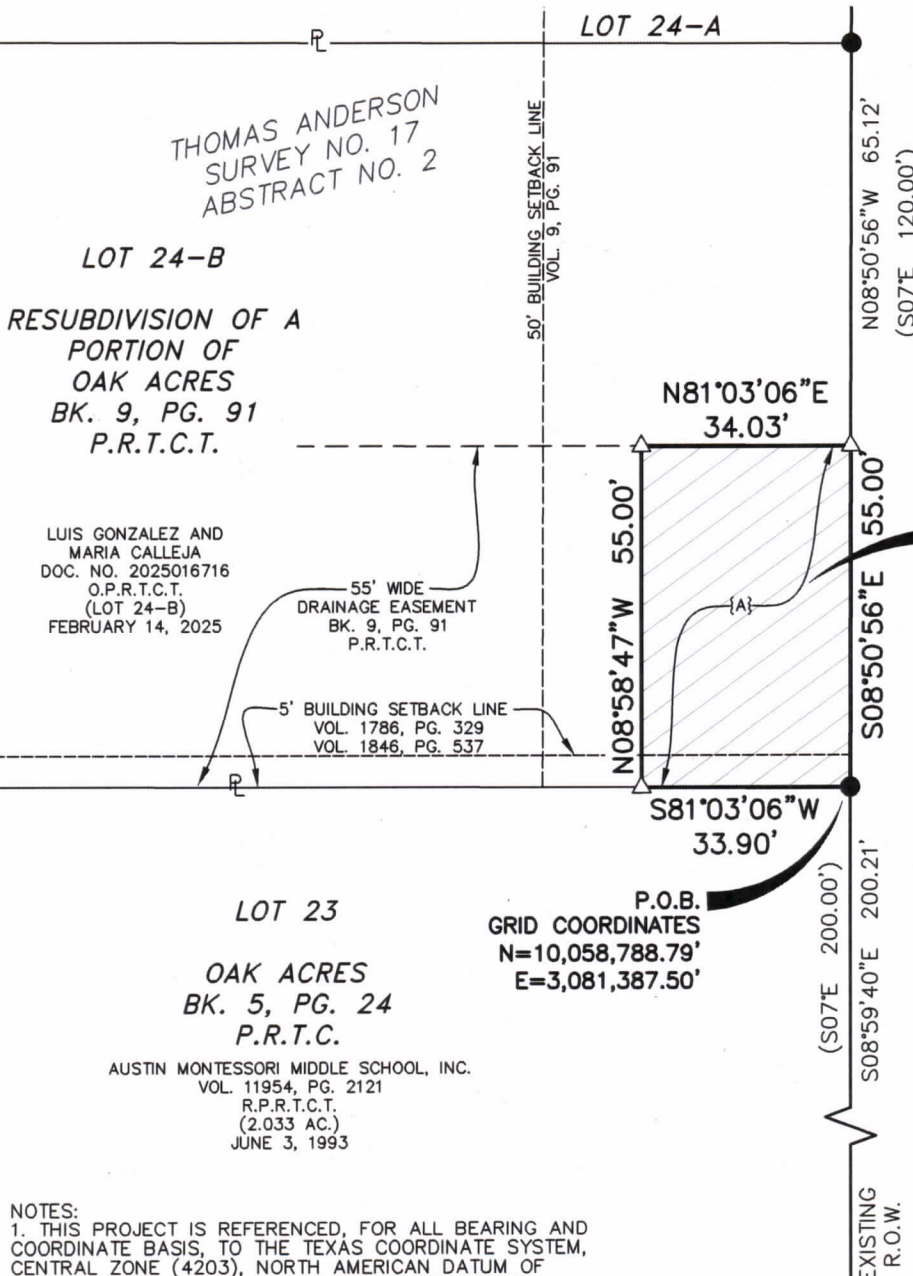
AUSTIN GRID D-19 / TCAD # 0406280305

EXHIBIT "A"

SKETCH TO ACCOMPANY DESCRIPTION
OF 0.0429 AC. OR 1,868 SQ. FT. OF LAND
OUT OF THE THOMAS ANDERSON SURVEY NO. 17, ABSTRACT NO. 2
AUSTIN, TRAVIS COUNTY, TEXAS



SCALE 1" = 30'



{A}
PROPOSED EASEMENT CONTAINS
1,868 SQ. FT. OUT OF THE
EXISTING 55' DRAINAGE EASEMENT

LEGEND

- △ CALCULATED POINT
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- ⊙ 1/2" IRON PIPE FOUND (UNLESS NOTED)
- O.P.R.T.C.T. OFFICIAL PUBLIC 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
- BK./PG. BOOK/PAGE
- VOL./PG. VOLUME/PAGE
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT OF WAY
- DOC. NO. DOCUMENT NUMBER
- ← CONTIGUOUS OWNERSHIP
- (.....) RECORD INFORMATION

NOTES:
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 GRID COORDINATES AND IN U.S. SURVEY FEET.

2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY ALLIANT NATIONAL TITLE INSURANCE COMPANY, INC. GF NO. 202202850, EFFECTIVE DATE MARCH 11, 2025.

P.O.B.
GRID COORDINATES
N=10,058,788.79'
E=3,081,387.50'

LOT 23
OAK ACRES
BK. 5, PG. 24
P.R.T.C.T.
AUSTIN MONTESSORI MIDDLE SCHOOL, INC.
VOL. 11954, PG. 2121
R.P.R.T.C.T.
(2.033 AC.)
JUNE 3, 1993

LOT 17
(PORTION)

REVISED: 05/05/2026
REVISED: 04/08/2025
REVISED: 04/04/2025
REVISED: 04/26/2023
REVISED: 03/20/2023
ISSUED: 02/10/2023

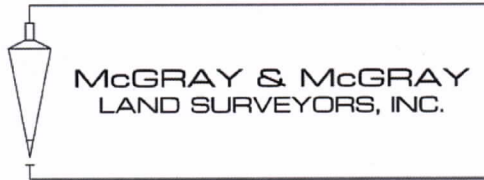
TCAD#0406280305

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

SCALE:	1" = 30'	AUSTIN GRID#	D-19
DATE:	05/05/2026	TECH:	EAN
PROJECT:	22-151	FIELD:	-
FIELD BOOK:	-	SHEET:	3 OF 3

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





May 20, 2025

Alliant National Title Insurance Company, Inc.

RE: Title Commitment, GF No: 202202850

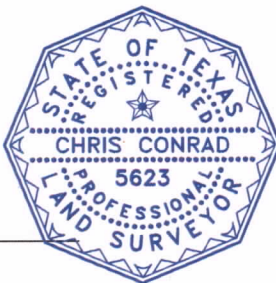
For: **0.0429 of one-acre Public Utility Easement** out of Lot 24-B, Oak Acres, a subdivision of record in Volume 9, Page(s) 91, Plat Records, Travis County, Texas
Effective Date: March 11, 2025

Issued: March 21, 2025

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

The following easements are **shown** or noted on the sketch and **do affect** the subject easement:

- Item 1. (Restrictions recorded in Volume 5, Page 24, Volume 9, Page 91, Volume 1786, Page 329, & Volume 1846, Page 537)
- Item 10.a. (Building Setback 50 feet in width along the front property line(s), as shown by the Plat(s) recorded in Volume 9, Page 91 of the Plat Records of Travis County, Texas.
- Item 10.c. (Drainage Easement 55 feet in width along the southerly property line(s), as shown by the Plat(s) recorded in Volume 9, Page 91 of the Plat Records of Travis County, Texas.)
- Item 10.f. (Building Setback Requirements recorded in Volume 1786, Page 537, & Volume 1846, Page 537)



Sincerely,
Chris I. Conrad, RPLS
Vice President
TBPELS Survey Firm #10095500

05/20/2025
Date

EXHIBIT "B"

Parcel 5367.05 (0.0300 Acre TWSE)
Thomas Anderson Survey No. 17, Abstract No. 2
Austin, Travis County, Texas

DESCRIPTION FOR PARCEL 5367.05
0.0300 OF ONE ACRE
TEMPORARY WORKSPACE EASEMENT

DESCRIPTION OF A 0.0300 OF ONE ACRE (1,308 SQUARE FOOT) EASEMENT, OUT OF THE THOMAS ANDERSON SURVEY NO. 17, ABSTRACT NO. 2, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 24-B, RESUBDIVISION OF A PORTION OF OAK ACRES, A SUBDIVISION OF RECORD IN BOOK 9, PAGE 91, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 24-B CONVEYED TO LUIS GONZALEZ AND MARIA CALLEJA BY WARRANTY DEED WITH VENDOR'S LIEN DATED FEBRUARY 14, 2025, AS RECORDED IN DOCUMENT NO. 2025016716, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0300 OF ONE ACRE (1,308 SQUARE FOOT) EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found at the northeast corner this easement, said Lot 24-B and said Gonzalez et ux. tract, being the southeast corner of Lot 24-A, in said Resubdivision of a Portion of Oak Acres, said Lot 24-A conveyed to Michael D. Swanson and Anneke N. Swanson by Warranty Deed with Vendor's Lien, as recorded in Document No. 2012032557, Official Public Records, Travis County, Texas, also being in the existing west right-of-way line of Oak Boulevard (68 foot width), said POINT OF BEGINNING having Grid Coordinates of N=10,058,907.47, E=3,081,369.02, from which a 1/2-inch iron pipe found in the east line of said Lot 24-A and said Swanson tract, being in the existing west right-of-way line of Oak Boulevard, bears North 08°41'40" West 69.86 feet;

- 1) THENCE, along the east line of this easement, said Lot 24-B and said Gonzalez et ux. tract, and the existing west right-of-way line of Oak Boulevard, **South 08°50'56" East 65.12 feet** to a calculated point at the southeast corner of this easement, and the northeast corner of an existing 55 foot wide drainage easement recorded in said Book 9, Page 91, from which a 1/2-inch iron rod found at the southeast corner of said Lot 24-B and said Gonzalez et ux. tract, the southeast corner of said existing 55 foot wide drainage easement, and the northeast corner of Lot 23, Oak Acres, a subdivision of record in Book 5, Page 24, Plat Records, Travis County, Texas, also being in the existing west right-of-way line of Oak Boulevard, bears South 08°50'56" East 55.00 feet;

EXHIBIT "B"

Parcel 5367.05 (0.0300 Acre TWSE)

- 2) THENCE, along the south line of this easement, and the north line of said existing 55 foot wide drainage easement, crossing said Lot 24-B and said Gonzalez et ux. tract, **South 81°03'06" West 20.02 feet** to a calculated point at the southwest corner of this easement;
- 3) THENCE, along the west line of this easement, crossing said Lot 24-B and said Gonzalez et ux. tract, **North 08°58'05" West 65.15 feet** to a calculated point at the northwest corner of this easement, being in the north line of said Lot 24-B and said Gonzalez et ux. tract, and the south line of said Lot 24-A and said Swanson tract;
- 4) THENCE, along the north line of this easement, said Lot 24-B and said Gonzalez et ux. tract, and the south line of said Lot 24-A and said Swanson tract, **North 81°09'04" East 20.16 feet** to the POINT OF BEGINNING and containing 0.0300 of one acre (1,308 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. The coordinates shown hereon are grid coordinates.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

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



04/04/2025

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: There is a plat to accompany this description.

M:\RPS~22-151~Oak Acres\Description\5367.05 TWSE_R3

Issued 02/10/2023; Revised 03/20/2023; 08/28/2023; 04/04/2025

FIELD NOTES REVIEWED
BY:  DATE: 04/08/25
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

AUSTIN GRID D-19
TCAD # 0406280305

EXHIBIT "B"

SKETCH TO ACCOMPANY DESCRIPTION
OF 0.0300 AC. OR 1,308 SQ. FT. OF LAND
OUT OF THE THOMAS ANDERSON SURVEY NO. 17, ABSTRACT NO. 2
AUSTIN, TRAVIS COUNTY, TEXAS



SCALE 1" = 30'

LOT 24-A

RESUBDIVISION OF A
PORTION OF
OAK ACRES
BK. 9, PG. 91
P.R.T.C.T.

MICHAEL D. SWANSON AND
ANNEKE N. SWANSON,
HUSBAND AND WIFE
DOC. NO. 2012032557
O.P.R.T.C.T.
FEBRUARY 29, 2012

P.O.B.
GRID COORDINATES
N=10,058,907.47'
E=3,081,369.02'

THOMAS ANDERSON
SURVEY NO. 17
ABSTRACT NO. 2

LOT 24-B

LUIS GONZALEZ AND
MARIA CALLEJA
DOC. NO. 2025016716
O.P.R.T.C.T.
(LOT 24-B)
FEBRUARY 14, 2025

LINE TABLE		
LINE#	BEARING	DISTANCE
L1	S08°50'56"E	65.12'
L2	S81°03'06"W	20.02'
L3	N08°58'05"W	65.15'
L4	N81°09'04"E	20.16'

NOTES:

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2. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF A TITLE COMMITMENT PREPARED BY ALLIANT NATIONAL TITLE INSURANCE COMPANY, INC. GF NO. 202202850, EFFECTIVE DATE MARCH 11, 2025.

50' BUILDING SETBACK LINE
VOL. 9, PG. 91

55' WIDE
DRAINAGE EASEMENT
BK. 9, PG. 91
P.R.T.C.T.

5' BUILDING SETBACK LINE
VOL. 1786, PG. 329

LOT 23

OAK ACRES
BK. 5, PG. 24
P.R.T.C.T.

OAK BOULEVARD
(68' R.O.W.)

LEGEND

- △ CALCULATED POINT
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- ⊙ 1/2" IRON PIPE 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
- BK./PG. BOOK/PAGE
- ℙ PROPERTY LINE
- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT OF WAY
- DOC. NO. DOCUMENT NUMBER
- (.....) RECORD INFORMATION

REVISED: 04/04/2025
REVISED: 08/28/2023
REVISED: 03/20/2023
ISSUED: 02/10/2023

TCAD#0406280305

Chris Conrad



04/04/25

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

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

SCALE:	1" = 30'	AUSTIN GRID#	D-19
DATE:	02/10/23	TECH:	EAN
PROJECT:	22-151	FIELD:	-
FIELD BOOK:	-	SHEET:	3 OF 3