

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 16-043

**RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY RIGHTS
BY AGREEMENT OR CONDEMNATION OF CERTAIN PROPERTY IN
TRAVIS COUNTY FOR THE 183 SOUTH / BERGSTROM EXPRESSWAY
PROJECT (PARCEL E05)**

WHEREAS, pursuant to and under the authority of Subchapter E, Chapter 370, Texas Transportation Code and other applicable law, the Central Texas Regional Mobility Authority (“Mobility Authority”) hereby finds and determines that to promote the public safety, to facilitate the safety and movement of traffic, and to preserve the financial investment of the public in its roadways and the roadways of the State of Texas, public convenience and necessity requires acquisition of a utility easement, as that utility easement is described by metes and bounds in Exhibit A to this Resolution (the “Property”), owned by Gold Star Realty, Inc. (the “Owner”), located at 6450 Ed Bluestein Blvd., (US Hwy 183S), Austin, in Travis County, for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of the US 183 South / Bergstrom Expressway Project (the “Project”), as a part of the improvements to the Project; and

WHEREAS, an independent, professional appraisal report of the Property has been submitted to the Mobility Authority or its agent, and an amount has been established to be just compensation for the property rights to be acquired; and

WHEREAS, the Executive Director of the Mobility Authority, through agents employed or contracted with the Mobility Authority, has transmitted an official written offer to the Owner, based on the amount determined to be just compensation, and has entered into good faith negotiations with the Owner of the Property to acquire the Property; and

WHEREAS, as of the date of this Resolution, the Executive Director and the Owner have failed to agree on the amount determined to be just compensation due to said Owner for the Property; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors that the Executive Director is specifically authorized to negotiate and execute, if possible, an agreement to acquire the Property for consideration in an amount that does not exceed the official written offer previously transmitted to the Owner; and

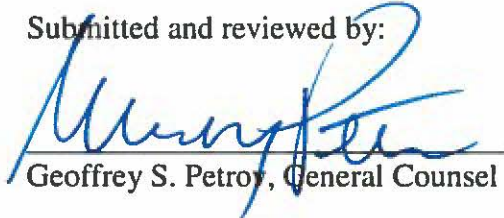
BE IT FURTHER RESOLVED that the Executive Director is authorized and directed to negotiate an agreement to acquire the Property and all leasehold interests in the Property by agreement, subject to approval of the agreement and acquisition price by the Board of Directors; and

BE IT FURTHER RESOLVED that at such time as the Executive Director concludes that further negotiations with Owner to acquire the Property by agreement would be futile, the Executive Director or his designee is hereby authorized and directed to file or cause to be filed a suit in eminent domain to acquire the Property for the aforesaid purposes against the Owner and the owners of any interest in, and the holders of any lien secured by the Property described in the attached Exhibit A; and

BE IT FURTHER RESOLVED that the Executive Director or his designee is hereby authorized and directed to incur such expenses and to employ such experts as he shall deem necessary to assist in the prosecution of such suit in eminent domain, including, but not limited to, appraisers, engineers, and land use planners.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 11th day of July, 2016.

Submitted and reviewed by:


Geoffrey S. Petroy, General Counsel

Approved:


Ray A. Winkerson
Chairman, Board of Directors

Field Notes for Parcel 05 WE

BEING 0.149 OF ONE ACRE (6484 S.F.) OF LAND, MORE OR LESS, OUT OF AND A PART OF THE JESSE C. TANNEHILL SURVEY No. 29, ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 3, BLOCK A, LOYOLA - 183 ADDITION RECORDED IN DOCUMENT 200000294 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO GOLD STAR REALTY, INC. BY SPECIAL WARRANTY DEED EXECUTED ON SEPTEMBER 27, 2000, FILED FOR RECORD ON OCTOBER 5, 2000 AND RECORDED IN DOCUMENT 2000159678 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.149 OF ONE ACRE (6484 S.F.) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

COMMENCING, at 1/2 inch iron rod found in the westerly right-of-way line of U. S. Highway 183, (known locally as Ed Bluestein Boulevard-ROW Varies), same being at the northeasterly corner of said Lot 3, and at the most easterly corner of Lot 2, Gregory W. Neuman Subdivision recorded in Book 85, Page 95A of the Plat Records of Travis County, Texas, thence as follows;

Along a circular curve to the right of 5579.65 feet radius, an arc distance of 326.37 feet, having an angle of intersection of $03^{\circ}21'05''$, (the sub-chord of said curve bears South $01^{\circ}13'17''$ East, a distance of 326.32 feet), to a calculated point in the westerly right-of-way line of U. S. Highway 183, same being in an easterly line of said Lot 3 and in an easterly line of a Public Utility Easement recorded in Document 200000294 of the Official Public Records of Travis County, Texas, for the Point of Beginning and the northeasterly corner of the herein described tract of land, having grid coordinate (Texas State Plane, Central Zone, NAD 83(HARN), U.S. feet, Surface Adjustment Factor of 1.00011) values of N=10085590.97 and E=3140062.05;

1. THENCE, continuing with said curve to the right of 5579.65 feet radius, an arc length of 15.00 feet, having an angle of intersection of $00^{\circ}09'15''$, (the sub-chord of said curve bears South $00^{\circ}31'52''$ West, a distance of 15.00 feet), with the westerly right-of-way line of U. S. Highway 183, an easterly line of said Lot 3 and an easterly line of said Public Utility Easement, to a calculated point for a southeasterly corner of the herein described tract of land, from which a TxDOT Type I monument found in the westerly right-of-way line of U. S. Highway 183 and in an easterly line of Lot 2, Block A of said Loyola - 183 Addition, bears along a circular curve to the right of 5579.65 feet radius, at an arc length of 25.00 feet, having an angle of intersection of $00^{\circ}15'24''$, (the sub-chord of said curve bears South $00^{\circ}44'12''$ West, a distance of 25.00 feet) passing the southeasterly corner of said Lot 3 and a northeasterly corner of said Lot 2, Block A, Loyola - US 183 Addition, in all an arc length of 125.92 feet, having an angle of intersection of $01^{\circ}17'35''$, (the sub-chord of said curve bears South $01^{\circ}15'17''$ West, a distance of 125.91 feet);

2. THENCE, North $88^{\circ}57'05''$ West, leaving the westerly right-of-way line of U. S. Highway 183, an easterly line of said Lot 3 and an easterly line of said Public Utility Easement, and crossing said Lot 3 and said Public Utility Easement, at a distance of 10.00 feet passing a westerly line of said Public Utility Easement, in all a distance of 400.05 feet, to a calculated point for a corner;

3. THENCE, South $46^{\circ}02'55''$ West, at a distance of 15.63 feet passing a northeasterly line of said Public Utility Easement, in all a distance of 25.63 feet, to a calculated point in the curving northeasterly right-of-way line of Loyola Lane, (70' R.O.W.), same being in a southwesterly line of said Lot 3 and in a southwesterly line of said Public Utility Easement, for the southwesterly corner of the herein described tract of land, from which a cotton gin spindle found in the curving northeasterly right-of-way line of Loyola Lane, at an endpoint of a non-tangent circular curve to the right, same being at the southwesterly corner of said Lot 2, Block A, Loyola - US 183 Addition bears along

EXHIBIT "A"

said curve to the right of 469.90 feet radius, at an arc length of 9.95 feet, having an angle of intersection of 01°12'47", (the sub-chord of said curve bears South 45°15'20" East, a distance of 9.95 feet), passing the southwesterly corner of said Lot 3 and a northwesterly corner of said Lot 2, Block A, Loyola - US 183 Addition, in all an arc length of 228.72 feet, having an angle of intersection of 27°53'16", (the sub-chord of said curve bears South 31°55'06" East, a distance of 226.46 feet);

4. THENCE, along a non-tangent circular curve to the left of 469.90 feet radius, an arc length of 15.02 feet, having an angle of intersection of 01°49'53", (the sub-chord of said curve bears North 46°46'40" West, a distance of 15.02 feet), with the northeasterly right-of-way line of Loyola Lane, a southwesterly line of said Lot 3 and a southwesterly line of said Public Utility Easement, to a calculated point, for the most westerly corner of the herein described tract of land, from which a 1/2 inch iron rod found at the most westerly corner of said Lot 3 and at the most southerly corner of said Lot 2, Gregory W. Neuman Subdivision, bears along said curve to the left of 469.90 feet radius, an arc length of 115.27 feet, having an angle of intersection of 14°03'16", (the sub-chord of said curve bears North 54°43'15" West, a distance of 114.98 feet);

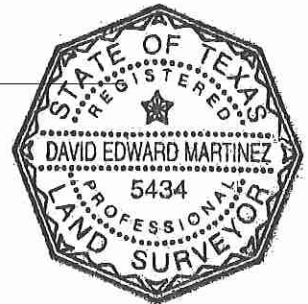
5. THENCE, North 46°02'55" East, leaving the curving northeasterly right-of-way line of Loyola Lane, a southwesterly line of said Lot 3 and a southwesterly line of said Public Utility Easement, and crossing said Lot 3 and said Public Utility Easement, at a distance of 10.02 feet passing a northeasterly line of said Public Utility Easement, in all a distance of 32.59 feet, to a calculated point for a northwesterly corner of the herein described tract of land;

6. THENCE, South 88°57'05" East, at a distance of 396.13 feet passing a southwesterly line of said Public Utility Easement, in all a distance of 406.13 feet to the Point of Beginning and containing an area of 0.149 of one acre (6484 s.f.) of land more or less.

I hereby declare that this survey was made on the ground, under my supervision, and that it substantially complies with the current Texas Society of Professional Surveyors standards.

David Edward Martinez
David Edward Martinez
Registered Professional Land Surveyor 5434

02/17/16
Date

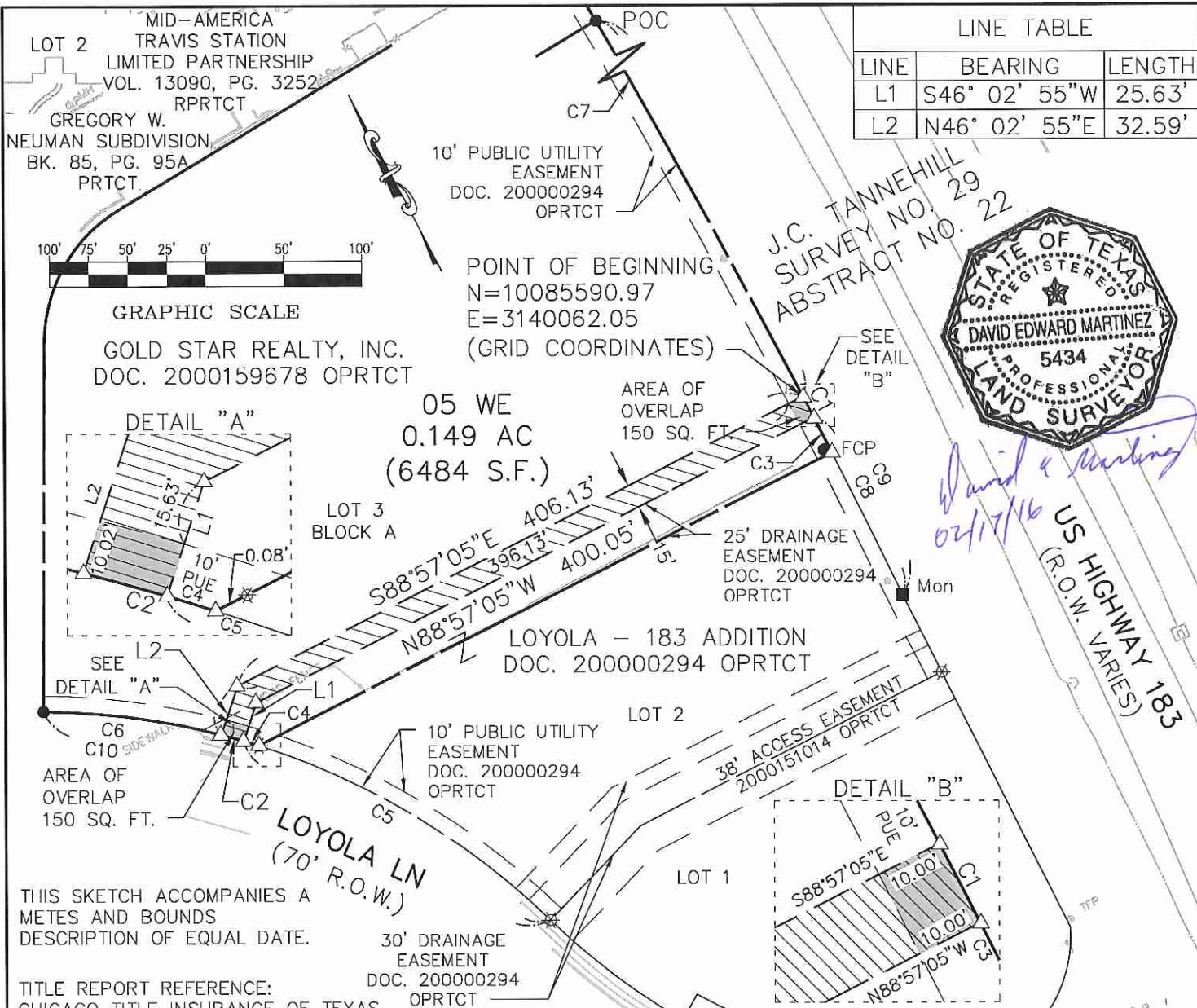


MWM DesignGroup
305 East Huntland Drive, Suite 200
Austin, Texas, 78752 (512) 453-0767
TBPLS Firm Registration No. 10065600

Bearing Basis: The bearings described herein are Texas State Plane, Central Zone, NAD 83(Harn), U.S. Feet. For surface coordinates multiply grid coordinates by the Surface Adjustment Factor of 1.00011. The reference points for this project are MWM control point 112, a cotton spindle in the centerline of sidewalk on the east side of Springdale Road approximately 85' east of Rockhurst Lane, having surface coordinate values of N=10088638.55, E=3138681.05 and MWM control point 141, a cotton gin spindle on the south side of Smith Road, approximately 920 feet east of U. S. Highway 183 centerline, at the 90 degree bend, having surface coordinate values of N=10068786.90, E=3136881.27, having a grid bearing of South 05°10'49" West and a surface distance of 19,933.07 feet.

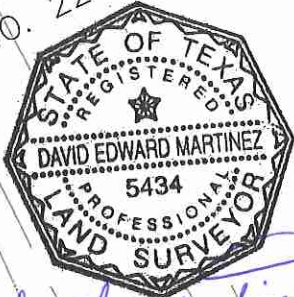
TCAD No.: 0220270806
City Grid: N25

EXHIBIT "A"



LINE TABLE

LINE	BEARING	LENGTH
L1	S46° 02' 55"W	25.63'
L2	N46° 02' 55"E	32.59'



David E. Martinez
02/17/16

U.S. HIGHWAY 183
(R.O.W. VARIES)

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	5579.65'	0°09'15"	15.00'	S0°31'52"W	15.00'
C2	469.90'	1°49'53"	15.02'	N46°46'40"W	15.02'
C3	5579.65'	0°15'24"	25.00'	S0°44'12"W	25.00'
C4	469.90'	1°12'47"	9.95'	S45°15'20"E	9.95'
C5	469.90'	27°53'16"	228.72'	S31°55'06"E	226.46'
C6	469.90'	14°03'16"	115.27'	N54°43'15"W	114.98'
C7	5579.65'	3°21'05"	326.37'	S1°13'17"E	326.32'
C8	5579.65'	1°17'35"	125.92'	S1°15'17"W	125.91'
C9	5579.65'	4°47'54"	467.28'	N0°29'53"W	467.15'
	(5579.65')		(467.49')	(S0°40'58"W)	(467.35')
C10	469.90'	43°46'25"	359.00'	N39°51'41"W	350.33'
	(469.90')		(359.04')	(N38°44'48"W)	(350.37')

THIS SKETCH ACCOMPANIES A METES AND BOUNDS DESCRIPTION OF EQUAL DATE.

TITLE REPORT REFERENCE:
CHICAGO TITLE INSURANCE OF TEXAS
1501 S. MOPAC EXPRESSWAY #130
AUSTIN, TEXAS 78746
GF No.: CTA-07-CTA1404379JP

- LEGEND:
- △ CALCULATED POINT
 - ☆ COTTON GIN SPINDLE FOUND
 - 1/2" IRON ROD FOUND
 - FENCEPOST FOUND
 - Mon TXDOT TY 1 MONUMENT FOUND
 - () INDICATES RECORD DATA
 - PRTCT PLAT RECORDS OF TRAVIS COUNTY, TEXAS
 - DRTCT DEED RECORDS OF TRAVIS COUNTY, TEXAS
 - OPRTCT OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
 - POC POINT OF COMMENCEMENT

/// AREA OF EASEMENT

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(HARN). ALL DISTANCES SHOWN HEREON ARE ADJUSTED TO SURFACE USING A SURFACE ADJUSTMENT FACTOR OF 1.00011. UNITS: U.S. FEET.

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f: 512.453.1734

TBAE 1452
TBPE F-1416
TBPLS 10065600

SKETCH TO ACCOMPANY
FIELD NOTES

TRAVIS COUNTY, TEXAS

Parcel E05
Gold Star Realty

