

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

**RESOLUTION NO. 18-025**

**RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY RIGHTS BY  
AGREEMENT OR CONDEMNATION OF CERTAIN PROPERTY IN TRAVIS  
COUNTY FOR THE 183 SOUTH / BERGSTROM EXPRESSWAY PROJECT  
(PARCEL E24)**

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 water and wastewater utility easement, as that easement is described by metes and bounds in Exhibit A to this Resolution (the “Property”), owned by Icon IPC TX Property Owner Pool 6 Austin, LLC (the “Owner”), located at 800 Interchange Blvd., Austin, Texas 78721, 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, 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 27th day of June 2018.

Submitted and reviewed by:

  
Geoff Petro, General Counsel

Approved:

  
Ray A. Wilkerson, Chairman

**Exhibit A**

**Description of Parcel E24**

Field Notes for Parcel 24 Water Easement

**BEING A 0.125 ACRE WATER EASEMENT (5,430 SQUARE FEET) OUT OF LOT 1, AMENDED PLAT OF LOTS 1-7, BLOCK "A", INTERCHANGE BUSINESS CENTER, A SUBDIVISION IN THE CITY OF AUSTIN, TEXAS, AS RECORDED IN DOCUMENT No. 200200310 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED IN SPECIAL WARRANTY DEED TO ICON IPC TX PROPERTY OWNER POOL 6 AUSTIN, LLC, EXECUTED ON FEBRUARY 26, 2015 AND FILED FOR RECORD MARCH 6, 2015 BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2015033029 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.125 ACRE WATER EASEMENT BEING MORE PARTICULARLY DESCRIBED BY MEETS AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED PLAT:**

**BEGINNING** at a calculated point (Grid Coordinates N=10,065,021.11 US Feet, E=3,132,415.86 US Feet, combined scale factor 1.00011) in the south line of said Lot 1, in the north right-of-way line of U. S. Highway No. 183 (variable width right-of-way), and being in the north line of a 0.157 acre (by deed) tract of land deeded to the State of Texas recorded in Document No. 2000203192 of the Official Public Records of Travis County, Texas, from which a Type II Texas Department of Transportation (TxDOT) monument found for the most westerly corner of said 0.157 acre tract of land bears, South 77 degrees 23 minutes 38 seconds West, a distance of 80.19 feet, said calculated point being the southwest corner of said 0.125 acre water easement described herein;

**THENCE** North 08 degrees 12 minutes 52 seconds West, a distance of 77.08 feet to a calculated point for an exterior ell corner of said 0.125 acre water easement described herein;

**THENCE** North 52 degrees 04 minutes 47 seconds East, a distance of 179.08 feet to a calculated point for an exterior ell corner of said 0.125 acre water easement described herein;

**THENCE** North 85 degrees 36 minutes 57 seconds East, a distance of 120.64 feet to a calculated point in the east line of said Lot 1 and in the west right-of-way line of Interchange Boulevard (80' wide right-of-way) for the northeast corner of said 0.125 acre water easement described herein;

**THENCE**, with the east line of said Lot 1 and with the west right-of-way line of Interchange Boulevard, along a curve to the left having a radius of 589.90 feet, an arc length of 15.14 feet, a central angle of 01 degree 28 minutes 13 seconds, and whose chord bears South 03 degrees 19 minutes 14 seconds West, a distance of 15.14 feet to a calculated point for the most northerly southeast corner of said 0.125 acre water easement described herein, from which a Type II Texas Department of Transportation (TxDOT) monument found at the intersection of the west right-of-way line of said Interchange Boulevard with the north right-of-way line of U. S. Highway No. 183 bears, along a curve to the left having a radius of 589.90 feet, an arc length of 88.31 feet, a central angle of 08 degrees 34 minutes 37 seconds, and whose chord bears South 01 degree 42 minutes 11 seconds East, a distance of 88.22 feet and South 06 degrees 12 minutes 40 seconds East, a distance of 14.10 feet;

**THENCE** South 85 degrees 36 minutes 57 seconds West, a distance of 114.09 feet to a calculated point for an interior ell corner of said 0.125 acre water easement described herein;

**THENCE** South 52 degrees 04 minutes 47 seconds West, a distance of 165.85 feet to a calculated point for an interior ell corner of said 0.125 acre water easement described herein;

**THENCE** South 08 degrees 12 minutes 52 seconds East, a distance of 67.22 feet to a calculated point in the south line of said Lot 1 and in the north right-of-way line of U. S. Highway No. 183, said calculated point being the most southerly southeast corner of said 0.125 acre water easement described herein;

**THENCE** South 77 degrees 23 minutes 38 seconds West, with the south line of said Lot 1 and with the north right-of-way line of U. S. Highway No. 183, a distance of 15.04 feet to the **POINT OF BEGINNING**, and containing 0.125 acre or 5,430 square feet of land, more or less.

**BEARING BASIS:** The bearings and coordinates described herein are Texas State Plane, Central Zone 4203, NAD 83(HARN), U.S. Feet. Combined Scale factor of 1.00011. Published control points referenced for this project are U.S. 183 South Horizontal and Vertical Control points No. 141 having surface values of N=10068786.90, E=3136881.27 and No. 143 having surface value of N=10067525.33 E=3133714.10.

TCAD No.: Parcel ID: 282820 Geographic ID: 0300200201  
City Grid: M21

The field notes and the plat attached hereto represent an on-the-ground survey made under my direct supervision.

  
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2/23/18

David R. Hartman  
Registered Professional Land Surveyor No. 5264  
TBPLS Firm Registration No. 10106901  
Gorrondona & Associates, Inc.  
4201 West Parmer Lane, Building A, Suite 150  
Austin, TX 78727  
(512) 719-9933

Date



FIELD NOTES REVIEWED

By: \_\_\_\_\_  
Date: \_\_\_\_\_  
Signed: \_\_\_\_\_

Austin Water Utility

# EXHIBIT "A"

## PARCEL No. 24 WATER EASEMENT

CURVE TABLE					
CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C-1	589.90' (589.90')	1°28'13"	S 03°19'14"W	15.14'	15.14'
C-2	589.90' (589.90')	8°34'37"	S 01°42'11"E	88.22'	88.31'

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 08°12'52"W	77.08'
L-2	S 08°12'52"E	67.22'
L-3	S 77°23'38"W	15.04'
L-4	S 77°23'38"W	80.19'
L-5	S 06°12'40"E	14.10'
	(S 03°50'24"E)	(14.10')

**LEGEND**

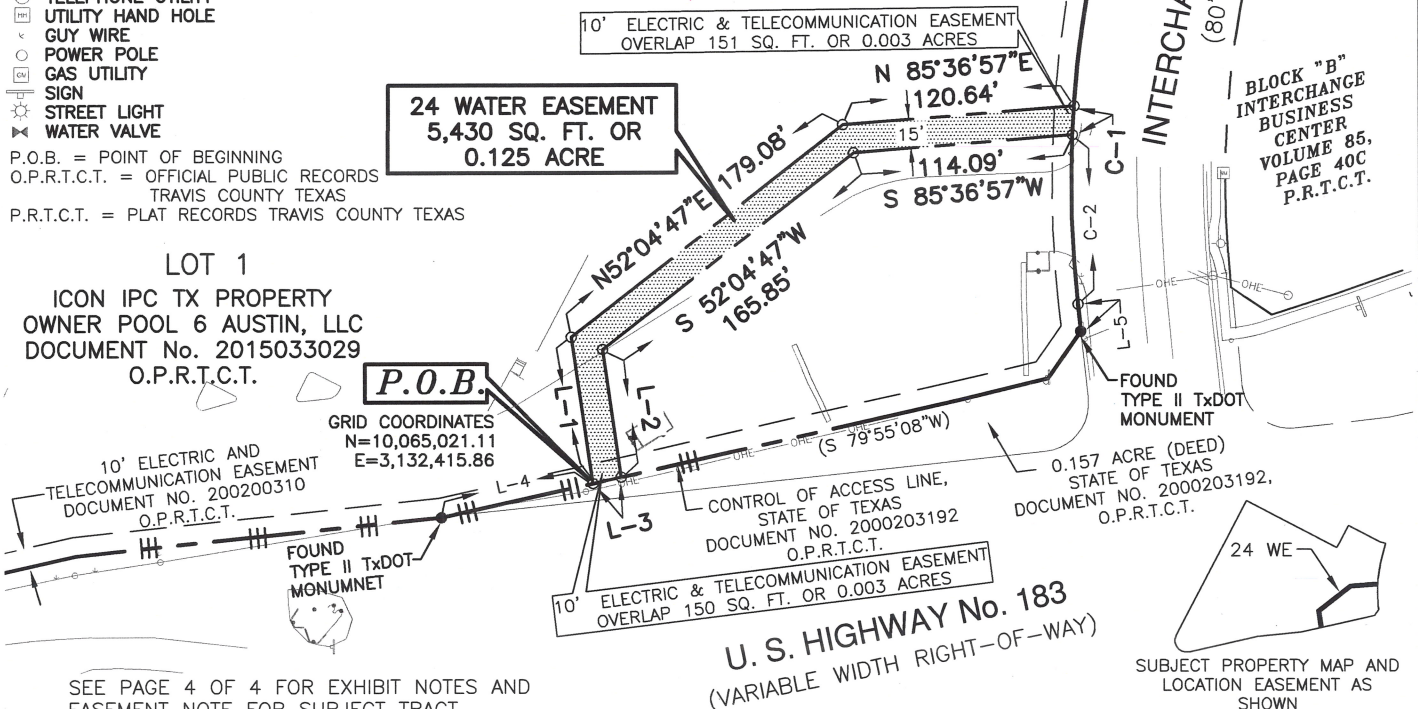
- CALCULATED POINT
- FOUND MONUMENT (TYPE INDICATED)
- ⊙ TELEPHONE UTILITY
- ⊞ UTILITY HAND HOLE
- GUY WIRE
- ⊕ POWER POLE
- ⊞ GAS UTILITY
- ⊞ SIGN
- ⊙ STREET LIGHT
- ⊞ WATER VALVE
- P.O.B. = POINT OF BEGINNING
- O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
- P.R.T.C.T. = PLAT RECORDS TRAVIS COUNTY TEXAS

**LOT 1**  
 ICON IPC TX PROPERTY  
 OWNER POOL 6 AUSTIN, LLC  
 DOCUMENT No. 2015033029  
 O.P.R.T.C.T.

**P.O.B.**  
 GRID COORDINATES  
 N=10,065,021.11  
 E=3,132,415.86

SEE PAGE 4 OF 4 FOR EXHIBIT NOTES AND EASEMENT NOTE FOR SUBJECT TRACT

**AMENDED PLAT OF LOTS 1-7, BLOCK "A"**  
**INTERCHANGE BUSINESS CENTER**  
 DOCUMENT No. 200200310  
 O.P.R.T.C.T.



**U. S. HIGHWAY No. 183**  
 (VARIABLE WIDTH RIGHT-OF-WAY)

SUBJECT PROPERTY MAP AND LOCATION EASEMENT AS SHOWN



# CITY OF AUSTIN

301 W SECOND STREET • AUSTIN, TEXAS 78701

## 24 WATER EASEMENT

### 183 SOUTH

PARCEL NO. 24 WATER EASEMENT		
TYPE OF EASEMENT: WATER UTILITY		
OWNER: ICON IPC TX PROPERTY OWNER POOL 6 AUSTIN, LLC		
SUBDIVISION: AMENDED PLAT LOTS 1-7, BLOCK A, INTERCHANGE BUSINESS CENTER		
LOCATION: CITY OF AUSTIN, TRAVIS COUNTY, TEXAS		
EASEMENT AREA: 5,430 SQUARE FEET OR 0.125 ACRE		
WHOLE PROPERTY ACREAGE: 8.051 ACRES (BY PLAT)		
JOB No. CRC_1501.00	DRAWN BY: DRH	CAD FILE: E24 NEW.DWG
FEBRUARY 23, 2018	EXHIBIT PAGE 3 OF 4	SCALE: 1" = 100'



Parcel E24 – Icon IPC TX – The red shading shows the location of the water line easement





800 Interchange Blvd

183

Google Earth

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30°15'08.96" N 97°41'07.17" W elev 433 ft eye alt 3721 ft

111

1995