RESOLUTION NO. 16-041

AUTHORIZING AN ADMINISTRATIVE CHANGE ORDER APPROVAL PROCESS FOR USE ON THE 183 SOUTH PROJECT

WHEREAS, completion of the 183 South Project on schedule is one of the highest priorities of the Mobility Authority; and

WHEREAS, Section 101.038(b)(6) of the Policy Code provides that the Executive Director "may execute ... contract change orders ... not exceeding amounts established in Resolutions of the board;" and

WHEREAS, the Executive Director recommends that the Board authorize his approval of change orders utilizing funds within the contingency reserve for the design/build contract with Colorado River Constructors in amounts not to exceed \$5,000,000.00, in order to allow him to efficiently administer the design/build contract and ensure the timely development of the 183 South Project.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the Executive Director to approve change orders to the design/build contract with Colorado River Constructors for the 183 South Project, without prior Board consideration or approval, in an amount not to exceed the lesser of \$5,000,000.00 or the remaining contingency reserves for that contract.

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

Submitted and reviewed by:

rey S. Petrov, General Counsel

Approved:

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Ray A. Wilkerson Chairman, Board of Directors

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RESOLUTION NO. 16-042

RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY RIGHTS BY AGREEMENT OR CONDEMNATION OF CERTAIN PROPERTY IN TRAVIS COUNTY FOR THE 183 SOUTH / BERGSTROM EXPRESSWAY PROJECT (PARCEL E04)

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 Hassan Rahimi (the "Owner"), located at 7009 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:

, General Counsel

Approved:

Ray A. Witkerson Chairman, Board of Directors

Field Notes for Parcel 04 WE

BEING 0.205 OF ONE ACRE (8926 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 1, BLOCK C, M&G ESTATES – SECTION II, RECORDED IN BOOK 77, PAGE 31 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO HASSAN RAHIMI BY SPECIAL WARRANTY DEED EXECUTED ON AUGUST 31, 1995, FILED FOR RECORD ON SEPTEMBER 1, 1995 AND RECORDED IN VOLUME 12514, PAGE 2928 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.205 OF ONE ACRE (8926 S.F.) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

Beginning at a calculated point in the curving easterly right-of-way line of U. S. Highway 183 (known locally as Ed Bluestein Boulevard-ROW Varies) and in the interior of said Lot 1, same being in a southwesterly line of a 7.5 foot Public Utility Easement recorded in Book 77, Page 31 of the Plat Records of Travis County, Texas, for the Point of Beginning and the northwesterly 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=10087410.81 and E=3139556.36, from which a TxDOT Type II monument found in the easterly right-of-way line of U.S. Highway 183 bears along a circular curve to the right of 4489.00 feet radius, at an arc length of 10.29 feet, having an angle of intersection of 0°07'53" (the sub-chord of said curve bears North 15°20'33" West, a distance of 10.29 feet), passing a northeasterly line of said Lot 1, and a southwesterly line of Tract 3 of Bluestein Shopping Center recorded in Book 59, Page 69 of the Plat Records of Travis County, Texas, in all an arc distance of 220.31 feet, having an angle of intersection of 02°48'43" (the sub-chord of said curve bears North 14°00'08" West, a distance of 220.28 feet);

1. THENCE, South 62°09'30" East, a distance of 20.65 feet, leaving the curving easterly right-of-way line of U.S. Highway 183, with the southwesterly line of said 7.5 foot Public Utility Easement, to a calculated point for the northeasterly corner of the herein described tract of land;

2. THENCE, South 15°43'47" East, a distance of 595.24 feet, leaving the southwesterly line of said 7.5 foot Public Utility Easement, to a calculated point in the northeasterly line of a 25 foot Drainage and Public Utility Easement recorded in Book 77, Page 31 of the Plat Records of Travis County, Texas, for the southeasterly corner of the herein described tract of land;

3. THENCE, North 61°57'25" West, a distance of 20.77 feet, with the northeasterly line of said Drainage and Public Utility Easement, to a calculated point in the easterly right-of-way line of U. S. Highway 183, for the southwesterly corner of the herein described tract of land, from which a TxDOT Type II monument found in the easterly right-of-way line of U. S. Highway 183, bears South 15°43'47" East, a distance of 32.00 feet;

4. THENCE, North 15°43'47" West, a distance of 587.26 feet, with the easterly right-of-way line of U.S. Highway 183, to a calculated point for the point of curvature of a non-tangent circular curve to the right;

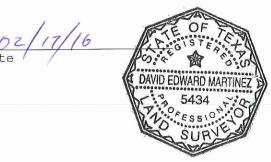
5. THENCE, along said curve to the right of 4489.00 feet radius, an arc distance of 7.84 feet, having an angle of intersection of 0°06'00", (the sub-chord of said curve bears North 15°27'30" West, a distance of 7.84 feet), to the Point of Beginning and containing an area of 0.205 of one acre (8926 s.f.) 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

Registered Professional Land Surveyor 5434

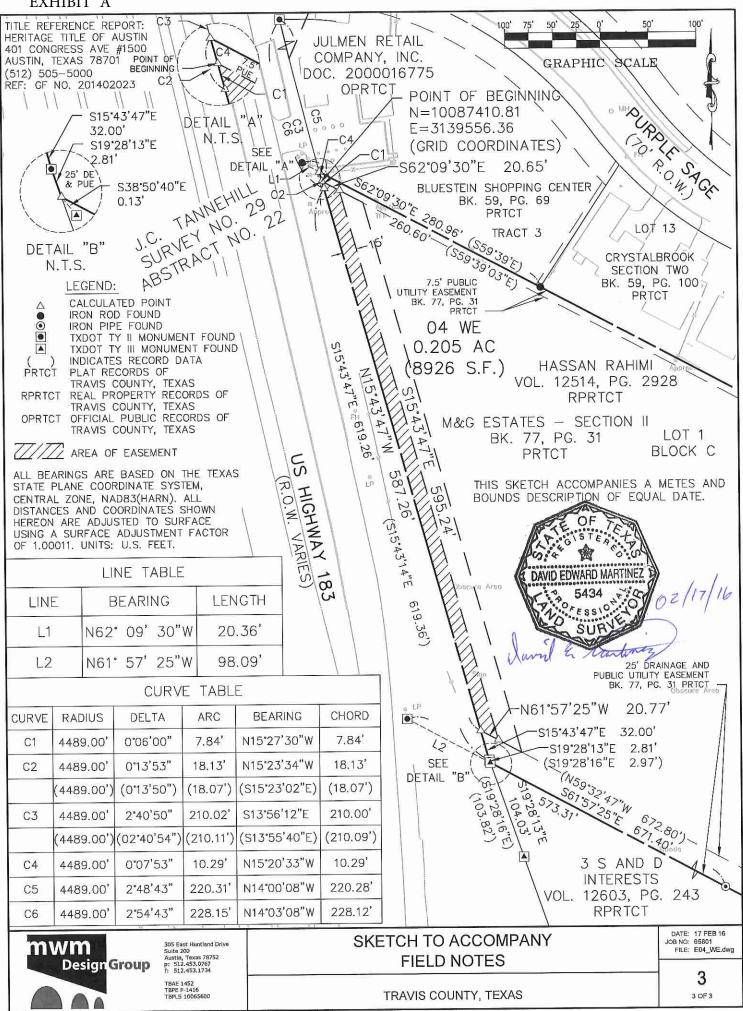
MWM DesignGroup 305 East Huntland Drive, Suite 200 Austin, Texas, 78752 (512) 453-0767 TBPLS Firm Registration No. 10065600



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.:	0222280101
City	Grid:	N26

EXHIBIT "A"



File:Y:\658-01_183_Bergstrom\CAD\Survey\Sketches\04_WE.dwg

Exhibit "A"



Parcel E04 – Approximately 8,926 Square Feet.

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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: **General** Counsel

Approved:

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Ray A. Wilkerson 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°21'05", (the sub-chord of said curve bears South 01°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°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°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

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;

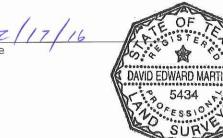
6. THENCE, South 88°57'05" East, at a distance of 396.13 feet passing a southwesterly line of said Public Utility Easement, in all a distance of 406.13 feet to the Point of Beginning and containing an area of 0.149 of one acre (6484 s.f.) of land more or less.

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.

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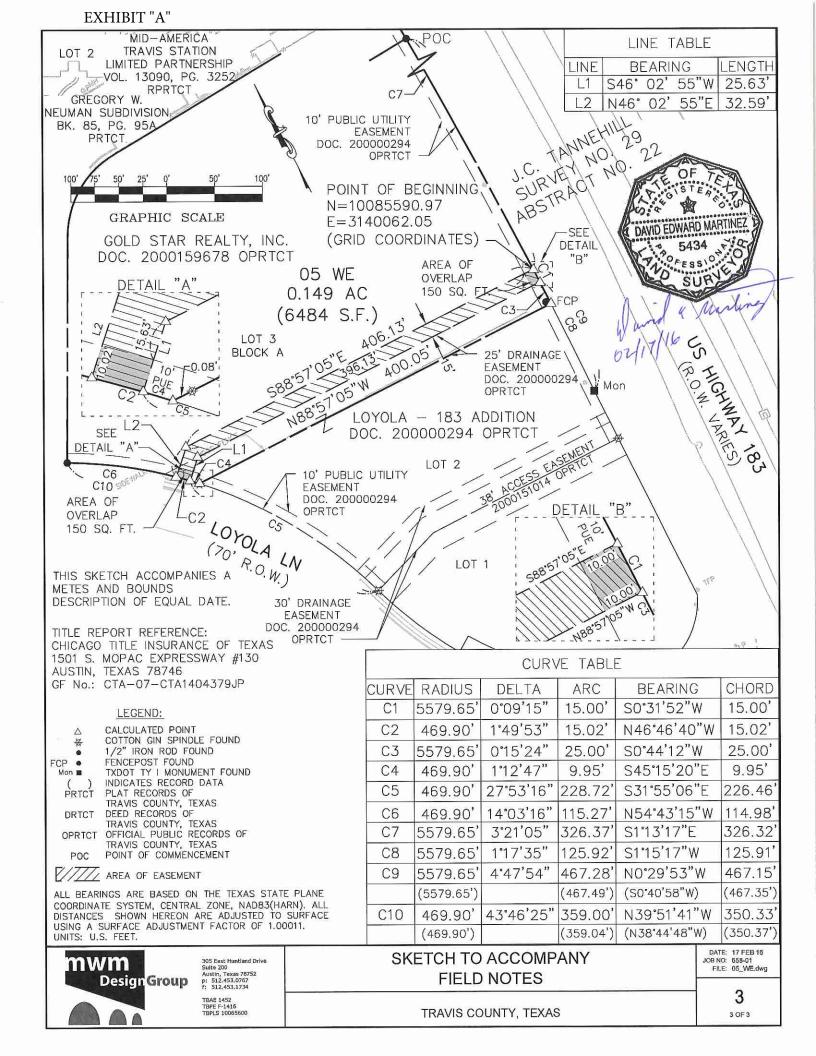
David Edward Martinez Registered Professional Land Surveyor 5434

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

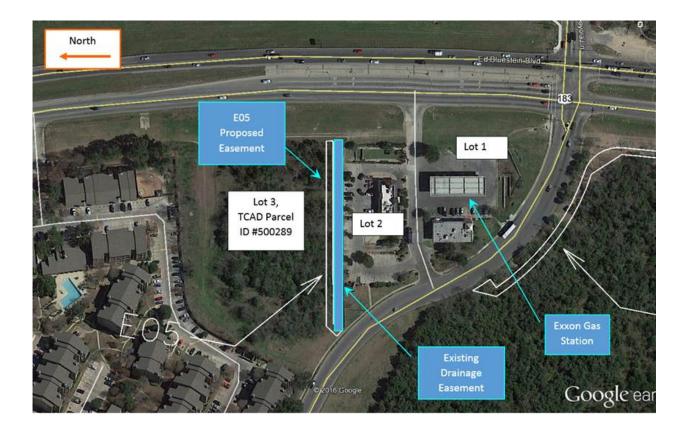


Bearing Basis: The bearings described herein are Texas State Plane, Central Zone, NAD 83(Harn), U.S. Feet. For surface coordinates multiply grid coordinates by the Surface Adjustment Factor of 1.00011. The reference points for this project are MWM control point 112, a cotton spindle in the centerline 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



Parcel E05 Gold Star Realty



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RESOLUTION NO. 16-044

RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY RIGHTS BY AGREEMENT OR CONDEMNATION OF CERTAIN PROPERTY IN TRAVIS COUNTY FOR THE 183 SOUTH / BERGSTROM EXPRESSWAY PROJECT (PARCEL E06B)

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 Medanjo Partners, LTD (the "Owner"), located on the west side of Ed Bluestein (US Hwy 183S), approximately 750' south of Loyola Lane, 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: **General Counsel** Geoffrey S. Perrov

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Approved:

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Ray A. Wilkerson Chairman, Board of Directors

Field Notes for Parcel 06B WE

BEING 0.347 OF ONE ACRE (15,115 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 THE TRACT CONVEYED TO MEDANJO PARTNERS, LTD. BY SPECIAL WARRANTY DEED EXECUTED MAY 6, 2013, FILED FOR RECORD ON JUNE 28, 2013 AND RECORDED IN DOCUMENT 2013120232 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.347 OF ONE ACRE (15,115 S.F.) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a 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 Medanjo Partners, Ltd. tract and at the most easterly corner of the tract conveyed to Austin Independent School District by deed recorded in Volume 4343, Page 1233 of the Deed 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=10083247.87 and E=3139590.21, from which a TxDOT Type I monument found in the westerly right-of-way line of U.S. Highway 183 bears North 11°36'11" East, a distance of 160.66 feet;

1. THENCE, South 11°36'11" West, a distance of 574.71 feet, with the westerly rightof-way line of U. S. Highway 183 and the easterly line of said Medanjo Partners, Ltd. tract, to a TxDOT Type I monument found for a corner;

2. THENCE, South 35°32'19" West, at a distance of 12.87 feet passing the easterly line of a 15 foot Water Line Easement recorded in Volume 9952, Page 942 of the Real Property Records of Travis County, Texas, at an additional distance of 36.97 feet, passing a westerly line of said 15 foot Water Line Easement, in all a distance of 109.49 feet, to a TxDOT Type I monument found for a corner;

3. THENCE, South 11°33'58" West, a distance of 325.20 feet, to a calculated point for the southeasterly corner of the herein described tract of land, from which a TxDOT Type I monument found at a corner in the westerly right-of-way line of U. S. Highway 183 bears South 11°33'58" West, a distance of 874.34 feet;

4. THENCE, North 78°26'02" West, a distance of 15.00 feet, leaving the westerly right-of-way line of U.S. Highway 183 and the easterly line of said Medanjo Partners, Ltd. tract and crossing said Medanjo Partners, Ltd. tract, to a calculated point for the southwesterly corner of the herein described tract of land;

5. THENCE, North 11°33'58" East, a distance of 328.38 feet, to a calculated point for a corner;

6. THENCE, North 35°32'19" East, at a distance of 96.63 feet, passing a westerly line of said 15 foot Water Line Easement, in all a distance of 109.49 feet, to a calculated point for a corner;

7. THENCE, North 11°36'11" East, at a distance of 329.21 feet, passing a westerly line of said 15 foot Water Line Easement, in all a distance of 567.92 feet, to a calculated point in the northerly line of said Medanjo Partners, Ltd. tract and in the southerly line of said Austin Independent School District tract, for the northwesterly corner of the herein described tract of land, from which a 60d nail found in a northerly

line of said Medanjo Partners, Ltd. tract and in a southerly line of said Austin Independent School District tract bears South 88°04'53" West, a distance of 848.76 feet;

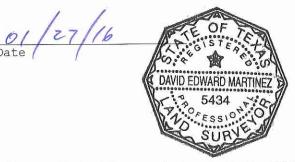
8. THENCE, North 88°04'53" East, a distance of 15.43 feet, with the northerly line of said Medanjo Partners, Ltd. tract and the southerly line of said Austin Independent School District tract, to the Point of Beginning and containing an area of 0.347 of one acre (15,115 s.f.) of land more or less.

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

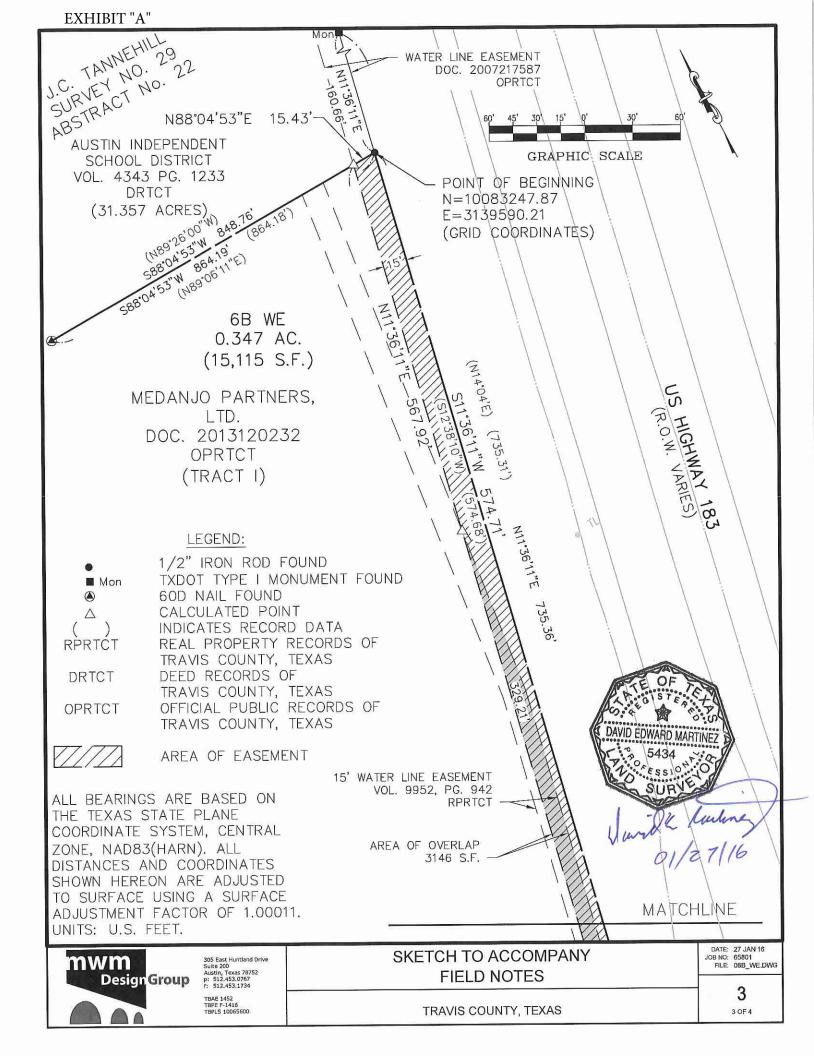
David Edward Martinez Registered Professional Land Surveyor 5434

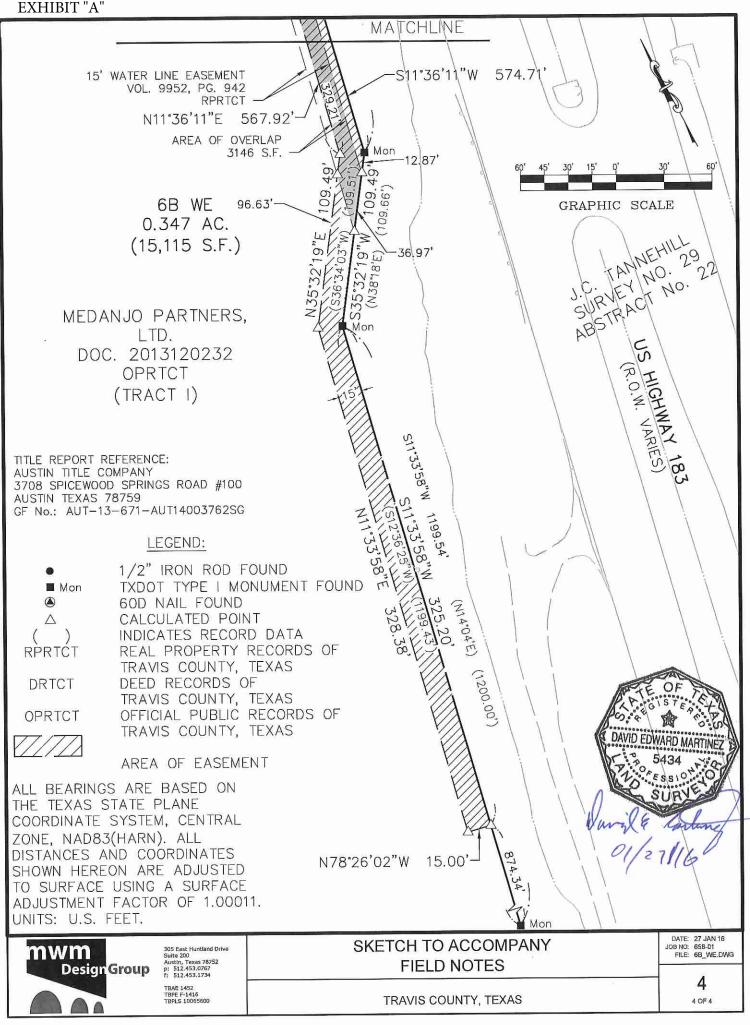
MWM DesignGroup 305 East Huntland Drive, Suite 200 Austin, Texas, 78752 (512) 453-0767 TBPLS Firm Registration No. 10065600

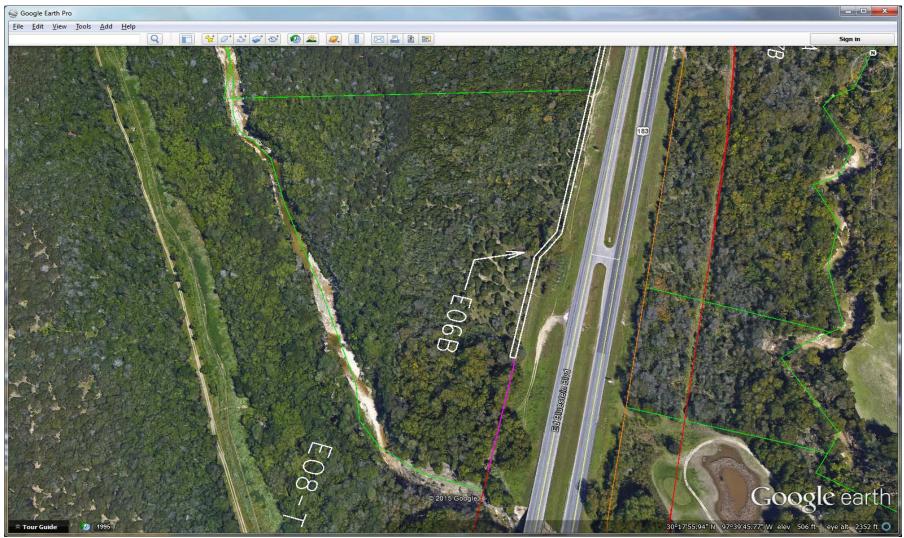


Bearing Basis: The bearings described herein are Texas State Plane, Central Zone, NAD 83(Harn), U.S. Feet. For surface coordinates multiply grid coordinates by the Surface Adjustment Factor of 1.00011. The reference points for this project are MWM control point 112, a cotton spindle in the centerline 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.:	0216270102
City	Grid:	N25







Parcel E06B – Approximately 15,115 square feet.

Exhibit "A"



Parcel E06B – Approximately 15,115 Square Feet.

8

RESOLUTION NO. 16-045

RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY RIGHTS BY AGREEMENT OR CONDEMNATION OF CERTAIN PROPERTY IN TRAVIS COUNTY FOR THE 183 SOUTH / BERGSTROM EXPRESSWAY PROJECT (PARCEL E08)

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 Medanjo Partners, LTD (the "Owner"), located at 5513 Rangoon Road, Austin, adjacent to and on the western side of US Hwy 183S 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:

. 1

Geoffrey S. Petrov, General Counsel

Approved:

Ray A. Willerson Chairman, Board of Directors

Field Notes for Parcel 8 WE

BEING 0.084 OF ONE ACRE (3664 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 1, ORIENS PARK SECTION EIGHT RECORDED IN BOOK 86, PAGE 193A OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO MEDANJO PARTNERS, LTD. BY SPECIAL WARRANTY DEED EXECUTED ON MAY 6, 2013 FILED FOR RECORD ON JUNE 12, 2013 AND RECORDED IN DOCUMENT 2013108101 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.084 OF ONE ACRE (3664 S.F.) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a calculated point in the westerly right-of-way line of U.S. Highway 183 (known locally as Ed Bluestein Boulevard-ROW Varies), same being in the northeasterly line of said Lot 1, Oriens Park Section Eight and in a southwesterly line of the tract conveyed to the City of Austin by deed recorded in Document 2002178092 of the Official Public Records of Travis County, Texas, for the Point of Beginning and the most easterly corner of the herein described tract of land having coordinate (Texas State Plane, Central Zone, NAD 83(HARN), U.S. feet, Surface Adjustment Factor of 1.00011) values of N=10081197.53 and E=3139120.82, from which a 1/2 inch iron rod found in a northeasterly line of said Lot 1, Oriens Park Section Eight and in a southwesterly line of said City of Austin tract bears South 62°49'18" East, a distance of 36.34 feet and from said Point of Beginning a TxDOT Type I monument found in the westerly right-of-way line of U.S. Highway 183, at an easterly corner of said City of Austin tract bears North 12°32'42" East, a distance of 228.80 feet and from said Point of Beginning a TxDOT Type III monument found bears North 58°44'47" West, a distance of 0.14 feet;

1. THENCE, South 12°32'42" West, a distance of 15.50 feet, with the westerly right-of-way line of U.S. Highway 183, crossing said Lot 1, Oriens Park Section Eight, to a calculated point for the most southerly 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 bears South 12°32'42" West, at a distance of 615.76 feet passing a 1/2 inch iron rod found in a southwesterly line of said Lot 1, Oriens Park Section Eight and in a northeasterly line of Lot 1, Tannehill Two-B, Section Three recorded in Book 86, Page 193C of the Plat Records of Travis County, Texas, in all a distance of 655.12 feet;

2. THENCE, North 62°49'18" West, a distance of 69.64 feet, leaving the westerly right-of-way line of U.S. Highway 183, to a calculated point for an angle point hereof;

3. THENCE, North $63^{\circ}04'09''$ West, a distance of 179.84 feet, to a calculated point in the southeasterly right-of-way line of Rangoon Road (80' R.O.W.) and in a northwesterly line of said Lot 1, Oriens Park Section Eight, for the most westerly corner of the herein described tract of land, from which a 1/2 inch iron rod found in the southeasterly right-of-way line of Rangoon Road and in a northwesterly line of said Lot 1, Oriens Park Section Eight bears South $27^{\circ}10'33''$ West, a distance of 231.74 feet;

4. THENCE, North 27°10'33" East, a distance of 0.16 feet, with the southeasterly right-of-way line of Rangoon Road and the northwesterly line of said Lot 1, Oriens Park Section Eight, to a 1/2 inch iron rod found at the point of curvature of a non-tangent circular curve to the right;

5. THENCE, along said curve to the right of 15.00 feet radius, an arc length of 23.41 feet, having an angle of intersection of 89°25'20", (the long chord of said curve bears North 72°15'56" East, a distance of 21.11 feet), to a 1/2 inch iron rod found in a northeasterly line of said Lot 1, Oriens Park Section Eight and in a southwesterly line of said City of Austin tract, for the endpoint of said curve and the most northerly corner of the herein described tract of land;

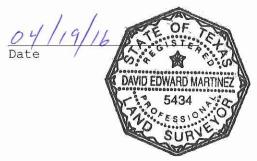
6. THENCE, South 63°04'09" East, a distance of 164.86 feet, leaving the southeasterly right-of-way line of Rangoon Road, with a northeasterly line of said Lot 1, Oriens Park Section Eight and a southwesterly line of said City of Austin tract, to a 1/2 inch iron rod found for an angle point hereof;

7. THENCE, South $62^{\circ}49'18''$ East, a distance of 65.75 feet, to the Point of Beginning and containing an area of 0.084 of one acre (3664 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 Registered Professional Land Surveyor 5434

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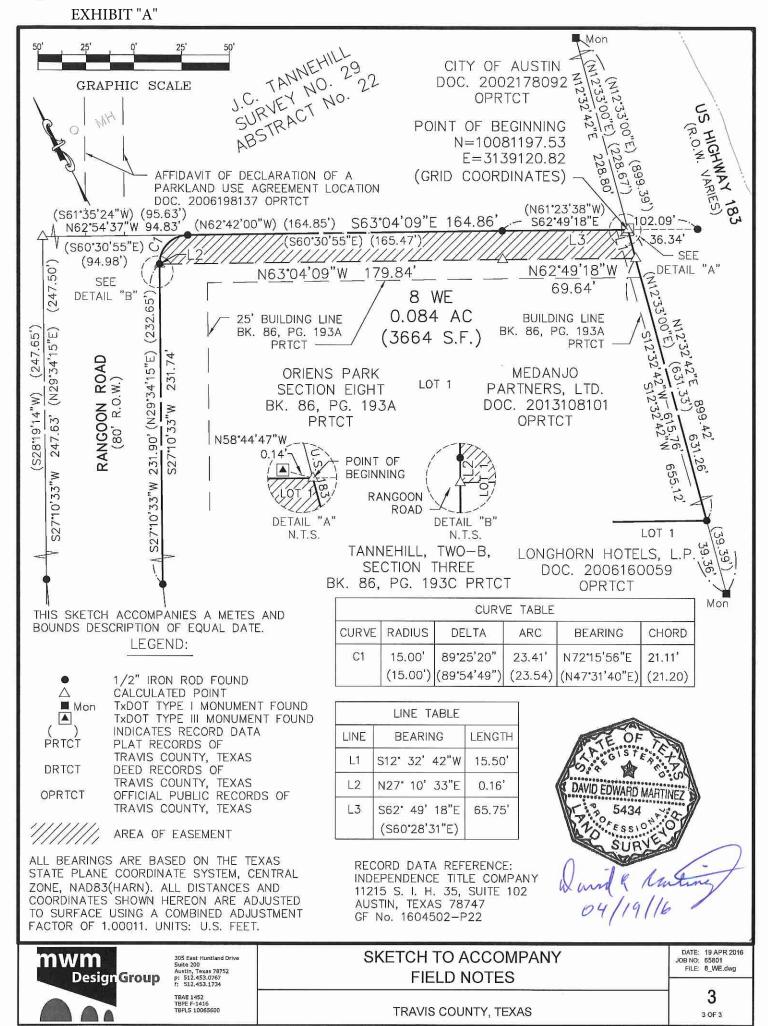


Page 2 of 3

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.: City Grid:	0216270104 N24	FIELD NOTES REVIEWED
		Ву:
		Date:
Y:\658-01_183_Bergstrom\CAD	\Survey\Field_Notes\E08_WE.docx	Signed:

Austin Water Utility



File:Y:\658-01_183_Bergstrom\CAD\Survey\Sketches\8_WE.dwg

Exhibit "A"



Parcel E08 – Approximately 3,664 Square Feet.