

**RESOLUTION NO. 2024-30**

*Manor FM 973 and US 290 Water Line Project  
Parcel 4 (Plata Holdings, LLC)*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS FINDING PUBLIC CONVENIENCE AND NECESSITY AND AUTHORIZING EMINENT DOMAIN PROCEEDINGS, IF NECESSARY, FOR ACQUISITION OF A PERMANENT PUBLIC UTILITY EASEMENT OVER A 20,835 SQUARE FOOT PARCEL OF LAND SITUATED IN THE GREEN BERRY GATES SURVEY, ABSTRACT NO. 315, IN TRAVIS COUNTY, TEXAS, BEING OUT OF THAT SAME TRACT OF LAND CONVEYED TO PLATA HOLDINGS, LLC IN DOCUMENT NO. 2021219060 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS, COUNTY, TEXAS, AND ESTABLISHING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, in order to promote public health, safety, and welfare, the City of Manor, Texas (“City”) hereby finds that public convenience and necessity require acquisition of a permanent public utility easement on, over, across, under and through that certain 20,835 square foot parcel of land situated in Travis County, Texas that is described with particularity by metes and bounds and sketch on pages 1 and 2 of **Exhibit “A,”** attached and incorporated herein by reference as if fully set out, with such 20,835 square foot parcel being referred to hereafter as the “Permanent Easement,” for the public purpose and the public use of installation, construction, operation, maintenance, monitoring, replacement, upgrading, repairing, or removing in whole or in part, public utility infrastructure, including but not limited to water pipelines, reclaimed water pipelines, wastewater pipelines, telecommunication lines, connections therewith, and all necessary appurtenances thereto including valves, vents, manholes, and other facilities (all uses being referred to hereafter as the “Project”) and further for the use of any and all excavated materials from the Permanent Easement for the City’s use during the Project; and

WHEREAS, in order to effectuate the Project, it will be necessary and convenient that agents, representatives, or employees of the City lay out the Project and acquire the necessary interests in land for the purpose of construction, reconstruction, operation and maintenance of the Project; and the necessary rights of way upon, over, under and across the Permanent Easement for the purposes of installation, construction, operation, maintenance, monitoring, replacement, upgrading, repairing, or removing in whole or in part, public utility infrastructure, including but not limited to water pipelines, reclaimed water pipelines, wastewater pipelines, telecommunication lines, connections therewith, and all necessary appurtenances thereto including valves, vents, manholes, and other facilities, and for the use of any excavated materials from the Permanent Easement and TCE for use in the Project; and

WHEREAS, it may be necessary to hire engineers, surveyors, appraisers, attorneys, title companies, architects, or other persons or companies to effect the laying out, establishment, and acquisition of the Permanent Easement and for construction of the Project; and

WHEREAS, in order to acquire the Permanent Easement it will be or has been necessary for the City's agents, representatives, or employees to enter upon the Permanent Easement for the purpose of surveying and establishing said land titles and to determine adequate compensation for said land, to conduct tests, and to negotiate with the owners thereof for the purchase of the land titles and easements; and,

WHEREAS, it was necessary to set out procedures for the establishment and approval of just compensation for each of the parcels to be acquired for the Project;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS:**

1. That in order to promote the public health, safety, and welfare, public convenience and necessity requires the acquisition of a permanent public utility easement over, across, under, over, and through that certain 20,835 square foot tract of land situated in Travis County, Texas as specifically described on pages 1 and 2 of **Exhibit "A,"** for the public purpose and the public use of installation, construction, operation, maintenance, monitoring, replacement, upgrading, repairing, or removing in whole or in part, public utility infrastructure, including but not limited to water pipelines, reclaimed water pipelines, wastewater pipelines, telecommunication lines, connections therewith, and all necessary appurtenances thereto including valves, vents, manholes, and other facilities.
2. That in order to promote the public health, safety, and welfare, public convenience and necessity further requires the City's acquisition and use of any and all earthen materials that may be excavated from the Permanent Easement for any purposes related to the Project.
3. That the City's agents, representatives, or employees are hereby authorized to:
  - a. Lay out the exact location of the land area needed from the Permanent Easement or other properties;
  - b. Hire such engineers, surveyors, appraisers, title companies, architects, and other persons or companies needed to effect the laying out of the facilities, the establishment and acquisition of the required right of way, and the construction of the public utility infrastructure improvements and appurtenances;
  - c. Enter upon any property necessary for the purpose of surveying and establishing the title, to determine adequate compensation for the right of way, and to conduct tests;

- d. Negotiate with the owners of any such properties for the purchase thereof;
  - e. To purchase any necessary easements and right of way on, over, under and across the Permanent Easement and to execute all documents necessary to acquire such rights of way, all subject to express approval of the specific, negotiated terms by the City Council;
  - f. Initiate eminent domain proceedings against the owner(s) of the Permanent Easement for the necessary land interest(s) in same in the event the owner(s) fail to accept a bona fide offer to purchase the Permanent Easement; and
  - g. Take whatever further actions deemed appropriate to economically effect the establishment of the Project and appurtenances thereto.
4. That all previous acts and proceedings done or initiated by the City’s agents, representatives, or employees for the establishment of the Project, including the negotiation for and/or acquisition of any necessary property rights in the Permanent Easement are hereby authorized, ratified, approved, confirmed, and validated. This resolution shall take effect immediately from and after its passage.
6. The Mayor is hereby authorized to sign this resolution and the City Secretary to attest thereto on behalf of the City of Manor, Texas.
7. This resolution shall be effective immediately upon adoption.
8. The meeting at which this resolution is being passed was duly noticed and was open to the public as required by law.

RESOLVED by the City Council of the City of Manor, Texas this 4<sup>th</sup> day of December 2024.

**THE CITY OF MANOR, TEXAS**

**ATTEST:**

By: \_\_\_\_\_  
Dr. Christopher Harvey, Mayor

\_\_\_\_\_  
Lluvia T. Almaraz, City Secretary

**APPROVED AS TO FORM:**

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Veronica Rivera,  
Assistant City Attorney

**Exhibit A**  
**[See attached]**

# EXHIBIT "A"

Q:\15110.01\DWG\_3D\Raw Drawings\Survey\15110.01\3309-Plata Holdings-PUE-Reviewed.dwg Layout: FieldNotes -- Tuesday, June 04, 2024, 1:34pm -- Copyright 2024, George Butler Associates, Inc.

**FIELD NOTES FOR A 30.00 FOOT WIDE PUBLIC UTILITY EASEMENT:**

Being a **20,835 Square Foot** tract of land situated in the Green Berry Gates Survey, Abstract No. 315, Travis County, Texas, and being out of the remainder of a called 10.000 Acre tract of land conveyed to Plata Holdings, LLC in Document No. 2021219060 of the Official Public Records of Travis County, Texas. Said 20,835 square foot tract, as shown hereon, being more particularly described by metes and bounds as follows:

**BEGINNING** at a 5/8" iron rod with an orange cap stamped "RL SURVEYING RPLS 4532" found on the south right-of-way line of U.S. Highway No. 290, a variable width right-of-way recorded in Volume 622, Page 450 of the Deed Records of Travis County, Texas, marking the northerly most common corner of Lot 1, Manor Storage, a plat recorded in Document No. 200400240 of the Official Public Records of Travis County, Texas, and said 10.000 acre remainder tract for the northeast corner hereof;

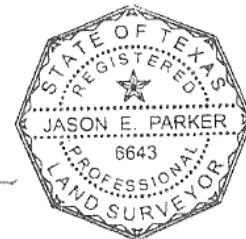
**THENCE:** S 13° 57' 14" W, with the common line of said 10.000 acre remainder tract and said Lot 1, a distance of **31.33 feet** to a calculated point for the southeast corner hereof;


**THENCE:** S 87° 12' 46" W, crossing into said 10.000 acre remainder tract, a distance of **691.80 feet**, to a calculated point in the common line of said 10.000 acre remainder tract and Lot 11, Block A, Final Plat Establishing Lot 11 - Manor Commons East Rapid Express Carwash, a plat recorded in Document No. 202200207 of the Official Public Records of Travis County, Texas, for the southwest corner hereof, from which a 1/2" iron rod with a pink cap stamped "AWARD SURVEY GROUP" found marking an angle point in said common line bears S 04° 23' 19" W, 270.79 feet, for reference;

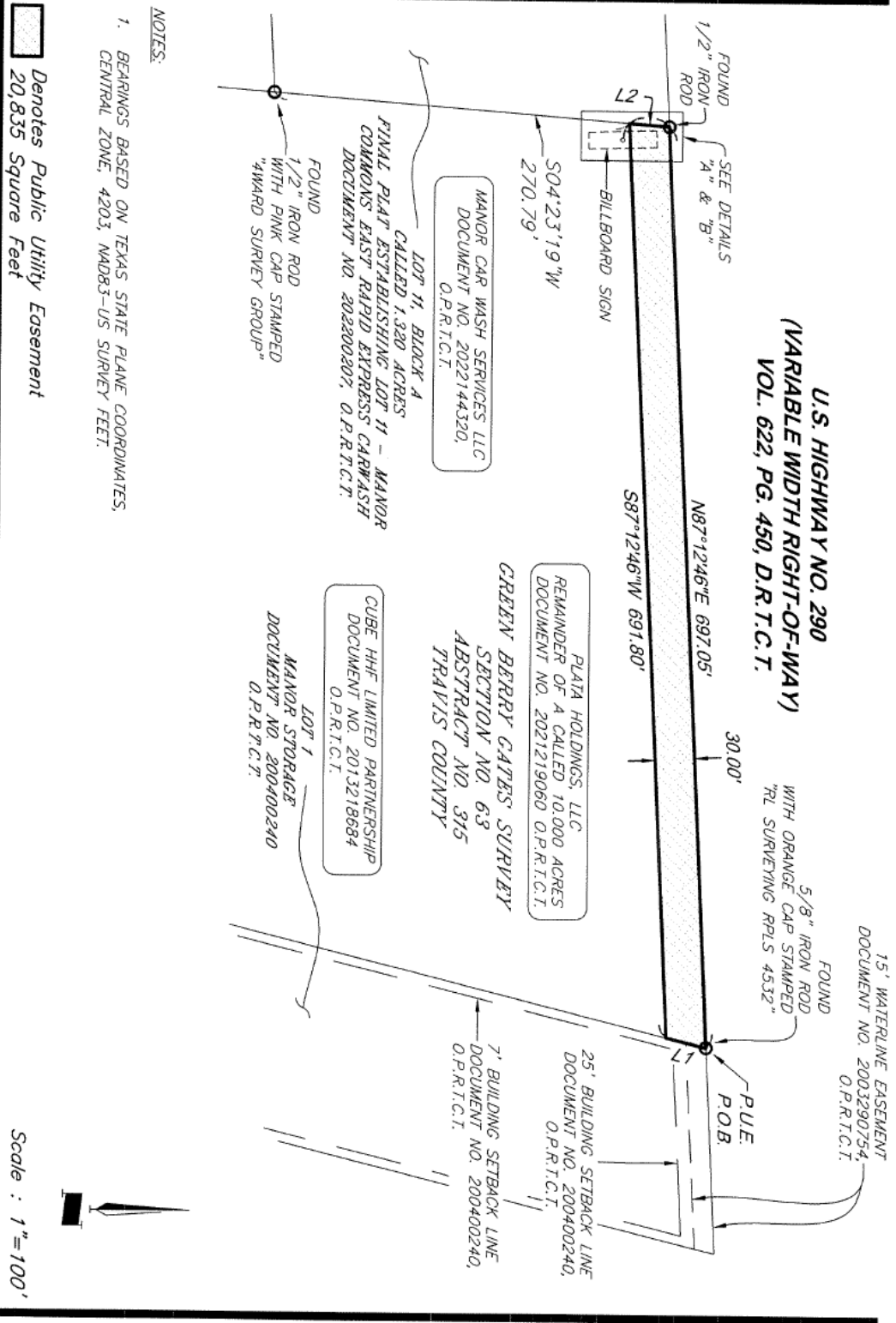
**THENCE:** N 04° 23' 19" E, with said common line, a distance of **30.24 feet**, to a calculated point in the south right-of-way line of said U.S. Highway No. 290, same being the calculated common north corner of said Lot 11 and said 10.000 acre remainder tract and the northwest corner hereof, from which a 1/2" iron rod found bears S 04° 23' 19" W, a distance of 0.42 feet, for reference;

**THENCE:** N 87° 12' 46" E, with the common line of said 10.000 acre remainder tract and said U.S. Highway No. 290, a distance of **697.05 feet**, to the **POINT OF BEGINNING** and containing **20,835 square feet** of land, more or less.

Bearings are based on the State Plane Coordinate System of the Texas, Central Zone (4203), North American Datum of 1983. Field work was completed on March 17, 2023.

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		15110.01	1 of 3
		DATE	Exhibit "A" PUBLIC UTILITY EASEMENT MANOR, TRAVIS CO., TX
		06/04/2024	



- NOTES:
1. BEARINGS BASED ON TEXAS STATE PLANE COORDINATES, CENTRAL ZONE, 4203, MAD83-US SURVEY FEET.

Denotes Public Utility Easement  
 20,835 Square Feet

**GBA**  
**architects**  
**engineers**

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George Butler Associates, Inc. 2024 TBPEL'S FIRM #10194808

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Exhibit "A"  
 PUBLIC UTILITY EASEMENT  
 MANOR, TRAVIS CO., TX

SHEET NUMBER  
**2 of 3**

Scale : 1"=100'

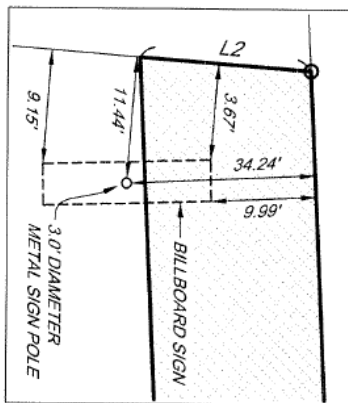
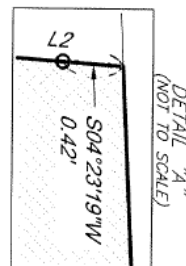


Line Table		
Line #	Bearing	Distance
L1	S13° 57' 14"W	31.33
L2	N4° 23' 19"E	30.24

LEGEND	
○	PROPERTY CORNER FOUND AS NOTED
○	P.O.B. POINT OF BEGINNING
○	P.U.E. PUBLIC UTILITY EASEMENT

This is to certify that this real property exhibit was prepared by me or under my direct supervision. This exhibit does not warrant that a boundary survey was performed upon the hereon shown tract of land.

JASON E. PARKER  
 REGISTERED PUBLIC LAND SURVEYOR NO. 6643  
 STATE OF TEXAS



**GBA**  
**architects**  
**engineers**  
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SHEET NUMBER  
**3 of 3**