

Date: May 20, 2024

Location: General Marshall Middle School, 4401 Tilley St, Austin, TX 78723

Time: 5:30 PM CST

**DETERMINATIONS OF AUSTIN INDEPENDENT SCHOOL DISTRICT PURSUANT TO
CHAPTER 26 OF THE TEXAS PARKS AND WILDLIFE CODE CONCERNING THE
ACQUISITION OF AN INTEREST IN 8.73 ACRES COMPRISING A PORTION OF THE
HOUSTON ELEMENTARY SCHOOL CAMPUS IN AUSTIN, TRAVIS COUNTY, TEXAS**

Background

Under section 26.001 of the Texas Parks and Wildlife Code, a department, agency, political subdivision, county, or municipality of this state may not approve any program or project that requires the use or taking of any public land designated and used prior to the arrangement of the program or project as a park, recreation area, scientific area, wildlife refuge, or historic site, unless the department, agency, political subdivision, county, or municipality, acting through its duly authorized governing body or officer, determines that: (1) there is no feasible and prudent alternative to the use or taking of such land; and (2) the program or project includes all reasonable planning to minimize harm to the land, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking.

The proposed program or project relates to the Houston Elementary School Campus. In particular, Austin Independent School District ("AISD") is acquiring the City of Austin's interest in 8.73 acres of land in order to provide Houston Elementary with a significant modernization, including the tearing down and rebuild of existing buildings to bring the permanent capacity to 522 students (the "Project"). The property being acquired is more particularly described in Exhibit A attached hereto and incorporated herein for all purposes (the "Property").

I, Jeremy Striffler, have been duly authorized by AISD to make the following determinations pursuant to Chapter 26 of the Texas Parks and Wildlife Code. All notices required under Texas law have been issued for this public hearing. Should anyone have any questions after my statements, please do not hesitate to ask.

Determination Number 1: There is no feasible and prudent alternative to the use or taking of the Property to support the construction of the Project.

There is no feasible and prudent alternative to the use or taking of the Property to support the construction of the Project. The existing facility on the Houston Elementary School campus will be modernized, including the tearing down and rebuilding of existing buildings to a permanent capacity of 522 students. The modernization of the facility must adhere to the education specifications adopted by the AISD Board of Trustees. The education specifications and student population set the building requirements. Due to the unique characteristics of the Houston Elementary School campus as a whole, the location of the campus, and the configuration of the

campus, AISD does not believe that there is another site outside of the campus that would be as suitable for the needs of AISD and the community.

Determination Number 2: The Project includes all reasonable planning to minimize harm to the Property, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking of the Property.

The design of the Project includes all reasonable planning to minimize harm to the Property, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking of the Property. The design will include landscaping with native or adapted low maintenance grasses, shrubs, plants and trees AISD is taking all reasonable precautions to minimize harm to the trees on the Property. AISD will work to preserve healthy Protected and Heritage trees during the design phase. AISD will implement a proactive tree protection strategy for all trees planned for preservation that will be reviewed by the City Arborist during the permitting process. Additionally, the health of the trees will be monitored throughout construction. AISD has also worked with the contractor to develop a phased construction strategy that limits impacts to the site and open space. To the extent possible, the grounds will be open to the public over the duration of the project and properly secured to separate construction activity and park usage.

Executed on May 20, 2024 by:

A handwritten signature in black ink, appearing to read "Jeremy Striffler". The signature is fluid and cursive, with a large initial "J" and "S".

Jeremy Striffler
Director of Real Estate
Austin Independent School District

EXHIBIT "A"
Condemnation Description

Being 8.73 acres or 380,224 square feet of land situated in the Santiago del Valle Grant, Abstract Number 24 of Travis County, Texas and being out of the called 13.09 acre tract in the deed conveyed to Will D. Davis, R. Desmond Kidd, Mrs. Bob Wilkes, Dr. Pat A. Cato, Mrs. Exalton A. Delco, Jr., Frank W. Denius, and M. K. Hage, Jr., as Members of the Board of Trustees of the Austin Independent School District, recorded in Volume 4017, Page 928 of the Deed Records of Travis County, Texas (D.R.T.C.T.) Said 8.73 acres of land being more particularly described by metes and bounds as follows with all bearings referenced to the Texas State Plane Coordinate System, Texas Central Zone, NAD 83/93 HARN Datum with all distances shown hereon converted to surface values by multiplying by the combined scale factor of 1.0001.

Beginning at a 1/2-inch iron rod found along the line common to said 13.09 acre tract and the northeasterly right-of-way line of Lemon Drive (60-foot right-of-way) at a point of curvature at the southwest corner of said 13.09 acre tract;

Thence, 23.56 feet along the arc of a curve to the right, having a radius of 15.00 feet, through a central angle of $89^{\circ}58'32''$, a chord bearing of North $17^{\circ}38'41''$ West and a chord distance of 21.21 feet to the point of tangency along the line common to the southeasterly right-of-way line of Ponciana Drive (60-foot right-of-way) and the northwesterly line of said 13.09 acre tract at a calculated point from which a fence post found bears South $45^{\circ}55'$ west, 0.4 feet;

Thence, with the line common to the northwesterly line of said 13.09 acre tract and the southeasterly right-of-way line of said Ponciana Drive, North $27^{\circ}20'35''$ East, a distance of 508.78 feet to a calculated point, from which a 1/2-inch iron rod found bears North $27^{\circ}20'35''$ East, a distance of 424.79 feet;

Thence, over and across said 13.09 acre tract the following four (4) courses and distances:

- 1) South $63^{\circ}14'10''$ East, departing the line common to the northwesterly line of said 13.09 acre tract and the southeasterly right-of-way line of said Ponciana Drive a distance of 141.05 feet to a calculated point, and
- 2) North $27^{\circ}19'05''$ East, a distance of 12.19 feet to a calculated point, and
- 3) North $37^{\circ}24'01''$ East, a distance of 47.29 feet to a calculated point, and

- 4) South $76^{\circ}10'03''$ East, a distance of 401.10 feet to a calculated point on the line common to the northwesterly right-of-way line of tallow tree drive (60-foot right-of-way) and the southeasterly line of said 13.09 acre tract, from which a 1/2-inch iron rod set with yellow plastic cap stamped "McKim & Creed" bears North $13^{\circ}49'57''$ East, a distance of 306.01 feet;

Thence, along the line common to the northwesterly right-of-way line of tallow tree drive (60-foot right-of-way) and the southeasterly line of said 13.09 acre tract, the following two (2) courses and distances:

- 1) South $13^{\circ}49'57''$ West, a distance of 309.00 feet to a 1/2-inch iron rod set with yellow plastic cap stamped "McKim & Creed", and a point of curvature,
- 2) 145.00 feet along the arc of a curve to the left, having a radius of 440.55 feet, through a central angle of $18^{\circ}51'27''$, a chord bearing of South $04^{\circ}24'51''$ West, and a chord distance of 144.34 feet to a 1/2-inch iron rod set with yellow plastic cap stamped "McKim & Creed", and a point of reverse curvature;

Thence, 19.99 feet along the arc of a curve to the right, having a radius of 15.00 feet, through a central angle of $76^{\circ}21'27''$, a chord bearing of South $33^{\circ}09'51''$ West, and a chord distance of 18.54 feet to a 1/2-inch iron rod set with yellow plastic cap stamped "McKim & Creed", and a point of tangency;

Thence, along the line common to the northwesterly right-of-way line of Jacaranda Drive (60-foot right-of-way) and the southeasterly line of said 13.09 acre tract, the following three (3) courses and distances:

- 1) South $71^{\circ}20'35''$ West, a distance of 117.56 feet to a 1/2-inch iron rod set with yellow plastic cap stamped "McKim & Creed", and a point of curvature,
- 2) 161.73 feet along the arc of a curve to the left, having a radius of 335.75 feet, through a central angle of $27^{\circ}36'00''$, a chord bearing of South $57^{\circ}32'35''$ West, and a chord distance of 160.18 feet to a 1/2-inch iron rod set with yellow plastic cap stamped "McKim & Creed", and a point of tangency,
- 3) South $43^{\circ}44'35''$ West, a distance of 103.45 feet to a calculated point and point of curvature from which a fence corner post found bears North $82^{\circ}41'$ west, a distance of 0.3 feet,

Thence, 23.56 feet along the arc of a curve to the right, having a radius of 15.00 feet, through a central angle of $90^{\circ}00'00''$, a chord bearing of South $88^{\circ}44'35''$ West, and a chord distance of 21.21 feet to a calculated point and a point of tangency from which a fence corner post bears North $00^{\circ}33'$ west, a distance of 0.5 feet;

Thence, along the line common to the northeasterly right-of-way line of said Lemon Drive and the southwesterly line of said 13.09 acre tract, the following two (2) courses and distances:

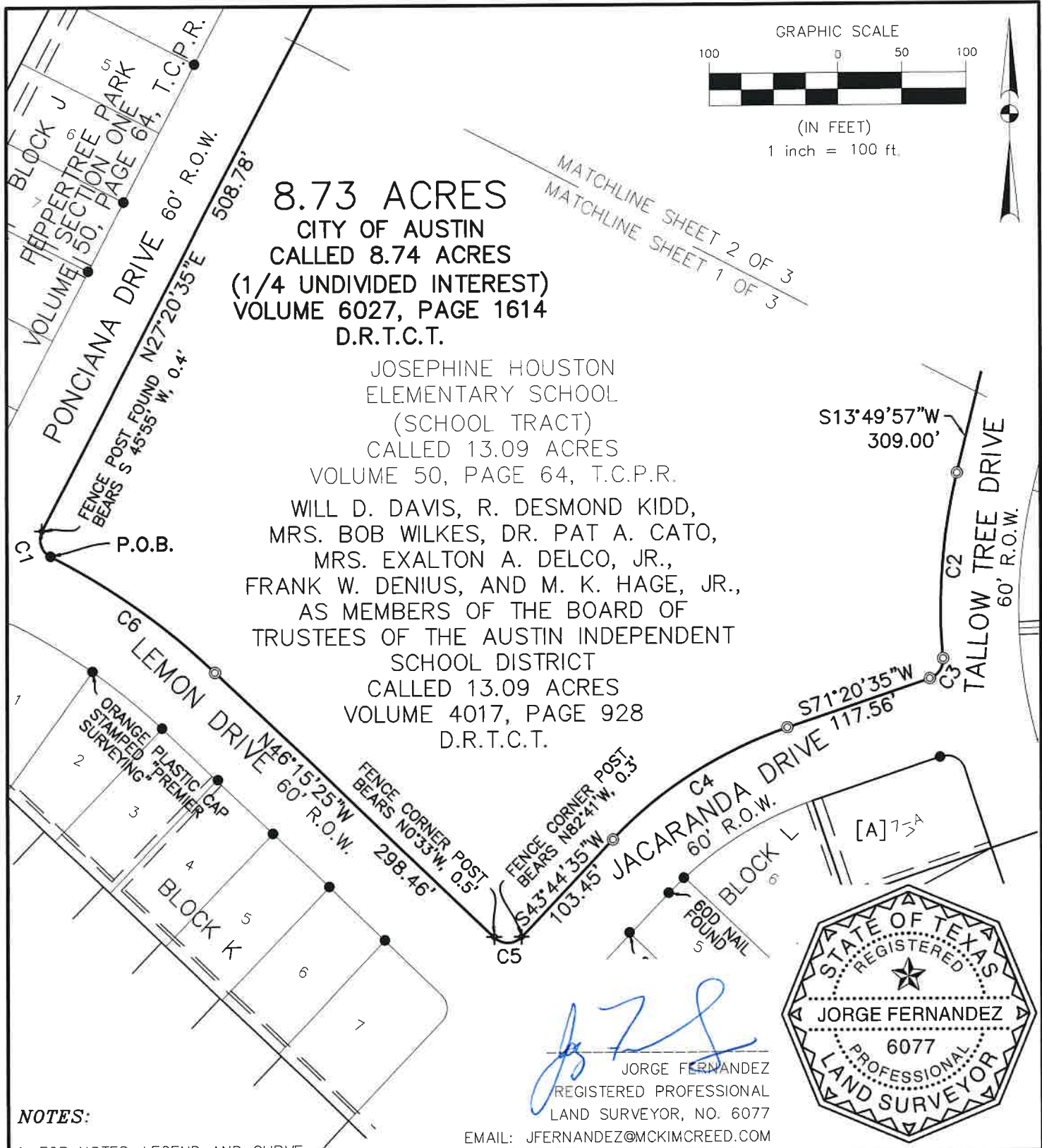
- 1) North $46^{\circ}15'25''$ West, a distance of 298.46 feet to a 1/2-inch iron rod set with yellow plastic cap stamped "McKim & Creed", and a point of curvature,
- 2) 156.60 feet along the arc of a curve to the left, having a radius of 547.92 feet, through a central angle of $16^{\circ}22'32''$, a chord bearing of North $54^{\circ}26'41''$ West, and a chord distance of 156.07 feet to the point of beginning, containing 8.73 acres of land, more or less.



Jorge Fernandez
Registered Professional Land Surveyor
Texas Registration Number 6077
Prepared by: McKim & Creed, Inc.
8920 Business Park Drive, Suite 150
Austin, Texas 78759
TBPLS Firm Registration number 101776-01

Date: 7/27/2023



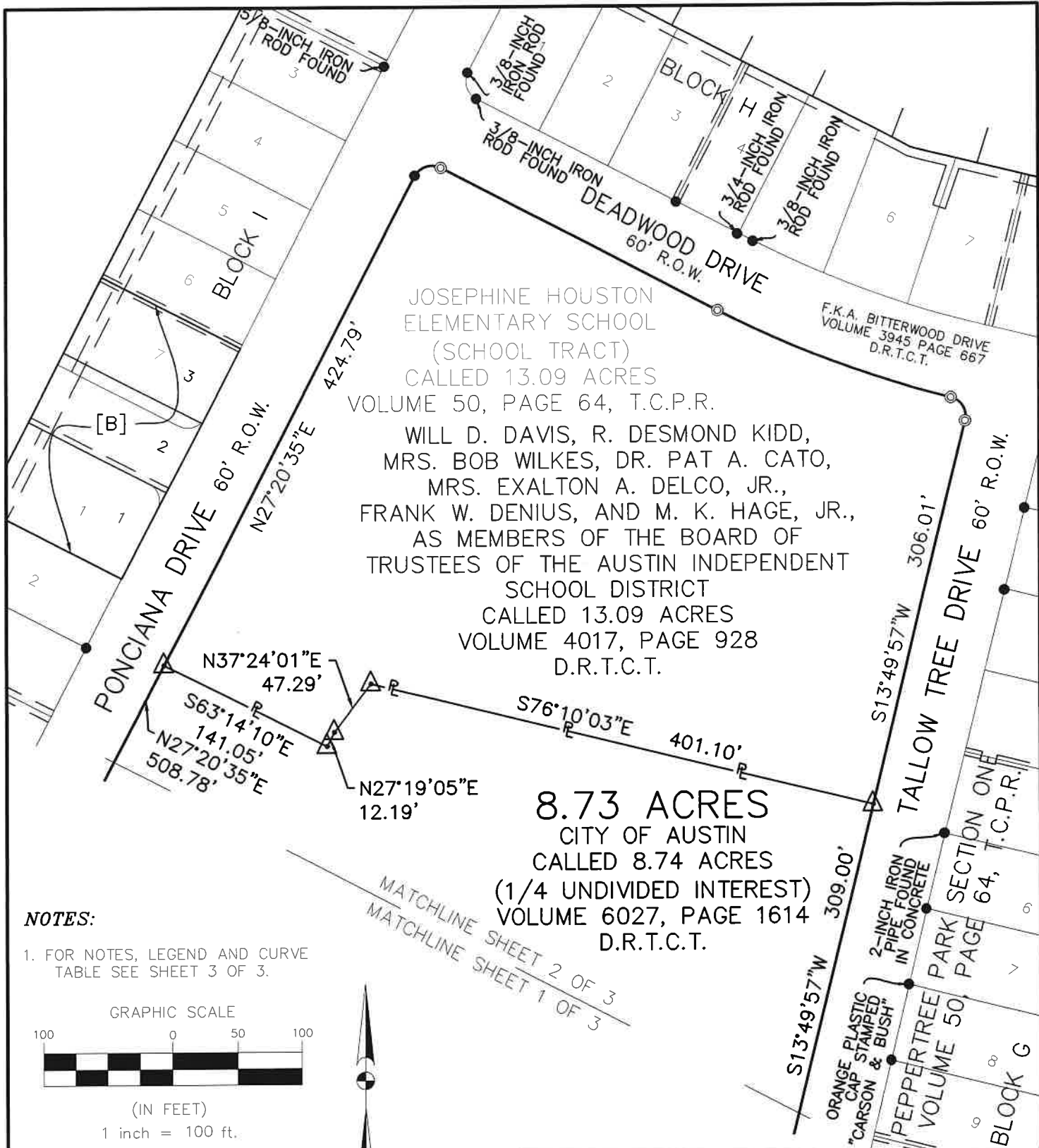


NOTES:

1. FOR NOTES, LEGEND AND CURVE TABLE SEE SHEET 3 OF 3.

**HOUSTON SCHOOL PARK
 LEASE PARCEL SURVEY**
 BEING 8.73 ACRES (380,224 SQUARE FEET)
 OF LAND, IN THE
 SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24
 TRAVIS COUNTY, TEXAS

| | |
|---|--------------|
| MCKIM & CREED ENGINEERS, SURVEYORS, PLANNERS 8920 BUSINESS PARK DRIVE, SUITE 150 AUSTIN, TX 78759 512-916-0224 WWW.MCKIMCREED.COM | |
| TBPLS FIRM NO. 10177801 | |
| 1"=100' | 070820012 |
| 07-27-2023 | SHEET 1 OF 3 |
| G.B. | 094960001 |



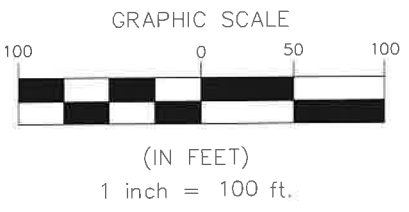
JOSEPHINE HOUSTON
ELEMENTARY SCHOOL
(SCHOOL TRACT)
CALLED 13.09 ACRES
VOLUME 50, PAGE 64, T.C.P.R.

WILL D. DAVIS, R. DESMOND KIDD,
MRS. BOB WILKES, DR. PAT A. CATO,
MRS. EXALTON A. DELCO, JR.,
FRANK W. DENIUS, AND M. K. HAGE, JR.,
AS MEMBERS OF THE BOARD OF
TRUSTEES OF THE AUSTIN INDEPENDENT
SCHOOL DISTRICT
CALLED 13.09 ACRES
VOLUME 4017, PAGE 928
D.R.T.C.T.

8.73 ACRES
CITY OF AUSTIN
CALLED 8.74 ACRES
(1/4 UNDIVIDED INTEREST)
VOLUME 6027, PAGE 1614
D.R.T.C.T.

NOTES:

1. FOR NOTES, LEGEND AND CURVE TABLE SEE SHEET 3 OF 3.



MATCHLINE SHEET 2 OF 3
MATCHLINE SHEET 1 OF 3



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BEING 8.73 ACRES (380,224 SQUARE FEET)
OF LAND, IN THE
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| | | ENGINEERS, SURVEYORS, PLANNERS 8920 BUSINESS PARK DRIVE, SUITE 150 AUSTIN, TX 78759 512-916-0224 WWW.MCKIMCREED.COM | |
| TBPLS FIRM NO. 10177601 | | | |
| 1"=100' | | 070820012 | |
| 07-27-2023 | | SHEET 2 OF 3 | |
| G.B. | | 094960001 | |

| CURVE TABLE | | | | | |
|-------------|---------|---------|-----------|---------------|---------|
| CURVE | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD |
| C1 | 23.56' | 15.00' | 89°58'32" | N17°38'41"W | 21.21' |
| C2 | 145.00' | 440.55' | 18°51'27" | S04°24'51"W | 144.34' |
| C3 | 19.99' | 15.00' | 76°21'27" | S33°09'51"W | 18.54' |
| C4 | 161.73' | 335.75' | 27°36'00" | S57°32'35"W | 160.18' |
| C5 | 23.56' | 15.00' | 90°00'00" | S88°44'35"W | 21.21' |
| C6 | 156.60' | 547.92' | 16°22'32" | N54°26'41"W | 156.07' |

[A] THE RESUBDIVISION OF LOT 7 BLOCK L
PEPPERTREE PARK SECTION 1 AND
LOTS 8, 9, 10 AND 11 BLOCK L,
PEPPERTREE PARK SECTION 3
VOLUME 75, PAGE 197, T.C.P.R.

[B] RESUBDIVISION OF LOTS 1 BLOCK J, AND
LOT 7 BLOCK I OF
PEPPERTREE PARK SECTION ONE
VOLUME 56, PAGE 15, T.C.P.R.


LEGEND

| | |
|------------|--|
| ● | FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE) |
| ◎ | SET 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "MCKIM & CREED" |
| △ | CALCULATED POINT |
| P.O.B. | POINT OF BEGINNING |
| R.O.W. | RIGHT-OF-WAY |
| T.C.P.R. | TRAVIS COUNTY PLAT RECORDS |
| D.R.T.C.T. | DEED RECORDS OF TRAVIS COUNTY, TEXAS |

NOTES:

1. BASIS OF BEARINGS FOR THIS DESCRIPTION IS GRID NORTH AS ESTABLISHED BY GPS OBSERVATION UTILIZING THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983, UTILIZING THE ALTERRA VRS NETWORK. ALL DISTANCES SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID TO SURFACE COMBINED ADJUSTMENT FACTOR OF 1.0001.
2. BASIS OF ELEVATIONS IS THE ALTERRA VRS NETWORK UTILIZING NORTH AMERICAN VERTICAL DATUM OF 1988 (GEOID 18).
3. VOLUME, PAGE NUMBERS AND INSTRUMENT NUMBERS SHOWN HEREON ARE REFERENCED TO TRAVIS COUNTY, TEXAS PUBLIC RECORDS.
4. PROPERTY CORNERS ARE 1/2-INCH IRON RODS UNLESS OTHERWISE NOTED.

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