

RESOLUTION NO. 2004- 69 R

A resolution authorizing the City Manager to execute offers and contracts for the purchase of property and/or easements for the Lone Tree Acres Drainage Project from David and Iris Fay Chester, Edward Alexander Rigamonti, Donald David Rigamonti, PhD., Thomas Joseph Rigamonti, Helen Hoogendam, James Ray Rigamonti and Leonard Paul Rigamonti, in the amount of \$1,000, authorizing the acquisition of other interests in said project and/or property(ies), authorizing the acceptance of deeds and other documents granting interests in the aforementioned property(ies) and/or easement(s), and declaring an effective date.

IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

The City Manager is authorized to execute contracts and offers for the purchase of property and/or easements for the Lone Tree Acres Drainage Project from David and Iris Fay Chester, Edward Alexander Rigamonti, Donald David Rigamonti, PhD., Thomas Joseph Rigamonti, Helen Hoogendam, James Ray Rigamonti and Leonard Paul Rigamonti, in the amount of \$1,000, for property at the end of Lone Tree Road and adjacent areas, as depicted and/or described in Exhibit "A", a copy of which is attached hereto and incorporated herein.

2.

The City Manager may acquire the interests of other persons with property rights in the aforementioned property or adjacent areas of the aforementioned project, in accordance with the authorized amount(s) described above, and the City Manager is authorized to accept deeds and other documents granting interests in the aforementioned property(ies) and/or easement(s).

3.

This resolution shall become effective immediately upon adoption.

PASSED, this the 18th day of May, 2004.

AYES: 6

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED this the 18th day of May, 2004



ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

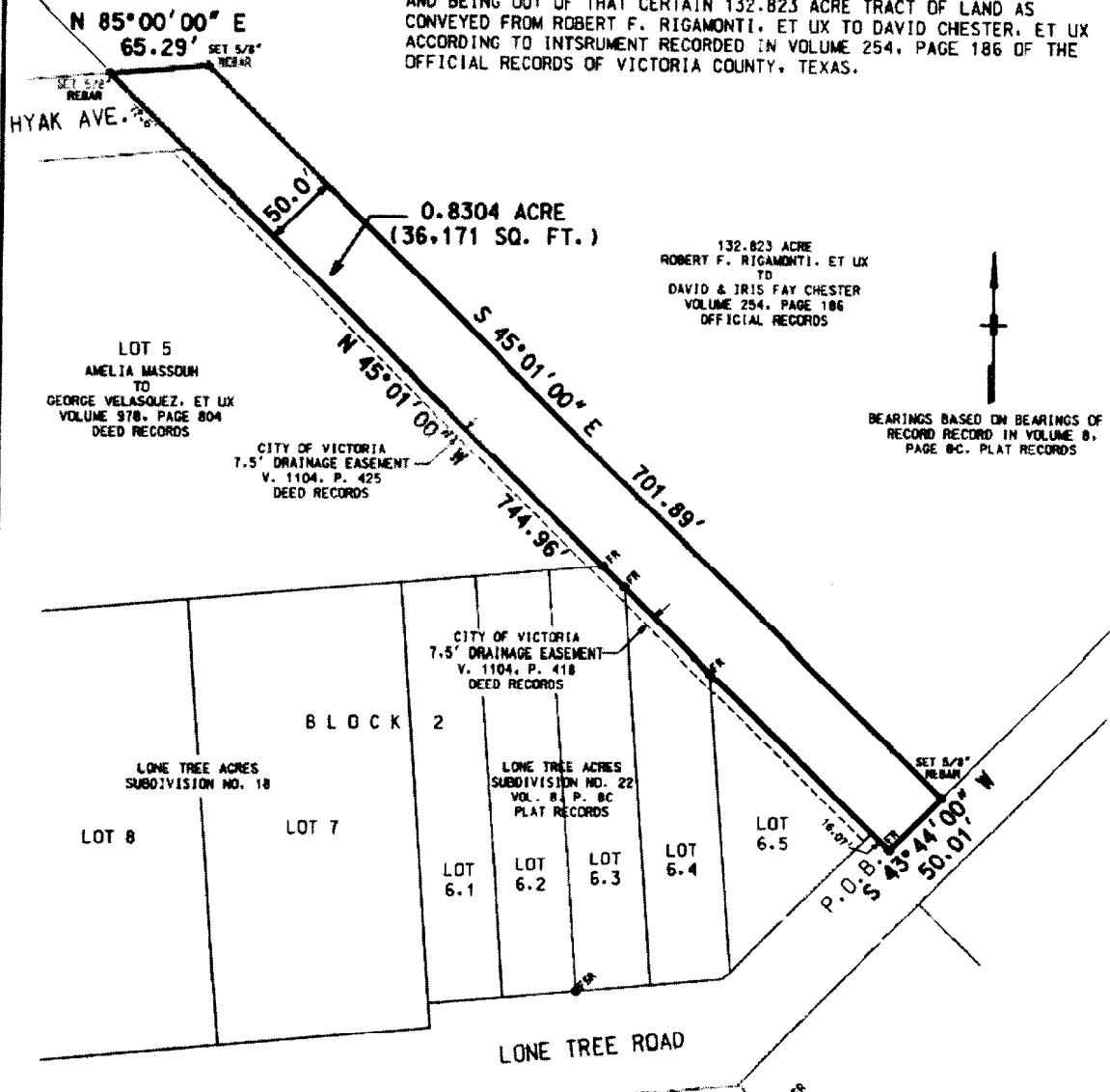
Distribution: Legal Department
Department of Public Works

Gary Middleton
GARY MIDDLETON, Mayor of the
City of Victoria, Texas
David Atmar Smith
APPROVED AS TO LEGAL FORM
DAVID ATMAR SMITH, City Attorney

Copies Sent: MAY 19, 2004

EXHIBIT A

BEING A 0.8304 ACRE (36,171 SQ. FT.) TRACT OF LAND SITUATED IN THE PATRICK DOWLEN SURVEY, ABSTRACT 156, VICTORIA COUNTY, TEXAS, AND BEING OUT OF THAT CERTAIN 132.823 ACRE TRACT OF LAND AS CONVEYED FROM ROBERT F. RIGAMONTI, ET UX TO DAVID CHESTER, ET UX ACCORDING TO INSTRUMENT RECORDED IN VOLUME 254, PAGE 186 OF THE OFFICIAL RECORDS OF VICTORIA COUNTY, TEXAS.



132.823 ACRE
ROBERT F. RIGAMONTI, ET UX
TO
DAVID & IRIS FAY CHESTER
VOLUME 254, PAGE 186
OFFICIAL RECORDS

BEARINGS BASED ON BEARINGS OF
RECORD RECORDED IN VOLUME B,
PAGE 8C. PLAT RECORDS

LOT 5
AMELIA MASSOUM
TO
GEORGE VELASQUEZ, ET UX
VOLUME 978, PAGE 804
DEED RECORDS

CITY OF VICTORIA
7.5' DRAINAGE EASEMENT
V. 1104, P. 425
DEED RECORDS

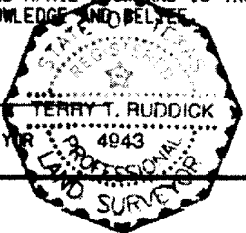
CITY OF VICTORIA
7.5' DRAINAGE EASEMENT
V. 1104, P. 418
DEED RECORDS

LONE TREE ACRES
SUBDIVISION NO. 18

LONE TREE ACRES
SUBDIVISION NO. 22
VOL. 8, P. 8C
PLAT RECORDS

THE ABOVE PLAT AND ACCOMPANYING LEGAL DESCRIPTION WERE PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION IN AUGUST, 2000 AND APRIL 2001 AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Terry T. Ruddick
TERRY T. RUDDICK
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 4943
4/2/04



○ 5/8" INDICATES FOUND 5/8" DIAMETER REBAR
○ SET 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "URBAN SURVEYING, INC."



SCALE: 1" = 100'
JOB NO. 513732

Exhibit "A"

**0.8304 ACRE
(36,171 SQUARE FEET)**

**THE STATE OF TEXAS)
THE COUNTY OF VICTORIA)**

BEING a 0.8304 acre (36,171 square feet) tract of land situated in the Patrick Dowlen Survey, Abstract 156, Victoria County, Texas, and being out of that certain 132.823 acre tract of land as conveyed from Robert F. Rigamonti, et ux to David Chester, et ux according to instrument recorded in Volume 254, Page 186 of the Official Records of Victoria County, Texas, said 0.8304 acre tract of land being more fully described by metes and bounds as follows:

BEGINNING at a 5/8 inch diameter rebar found marking the south corner of said 132.823 acre tract and a corner in the northwesterly right-of-way line of Lone Tree Road (40' R.O.W.);

THENCE, North 45 deg. 01' 00" West (Basis of Bearing) with the common line of said 132.823 acre tract and Lone Tree Road, passing at 16.07 feet the east corner of Lone Tree Acres Subdivision No. 22, an addition to the City of Victoria, Victoria County, Texas according to the established map and plat of said addition recorded in Volume 8, Page 8C of the Plat Records of said County, passing at 273.36 feet a 5/8 inch diameter rebar found marking northeast corner of said subdivision, same being the southeast corner of that certain tract of land as conveyed from Amelia Massouh to George Velasquez, et ux according to instrument recorded in Volume 978, Page 804 of the Deed Records of said County, passing at 672.36 feet the northeast corner of said Velasquez tract, same being the southeast corner of Hyak Avenue right-of-way (55.6' R.O.W.), thence continuing with the northeast right-of-way line of Hyak Avenue for an overall distance of 744.96 feet to a 5/8 inch diameter rebar (with yellow plastic cap stamped "URBAN SURVEYING, INC.") set for the northwest corner of the herein described tract;

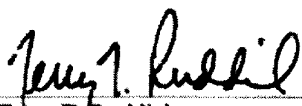

THENCE, North 85 deg. 00' 00" East, a distance of 65.29 feet to a 5/8 inch diameter rebar (with yellow plastic cap stamped "URBAN SURVEYING, INC.") set for the northeast corner of the herein described tract;

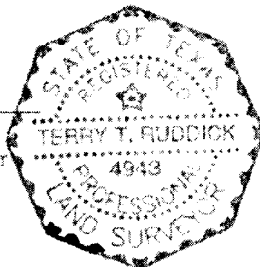
THENCE, South 45 deg. 01' 00" East, parallel to and 50 feet northeast of the southwest line of said 132.823 acre tract, a distance of 732.43 feet to a 5/8 inch diameter rebar (with yellow plastic cap stamped "URBAN SURVEYING, INC.") set for the southeast corner herein and being in the common line of said 132.823 acre tract and said Lone Tree Road right-of-way;

THENCE, South 43 deg. 44' 00" West, with the common line of said 132.823 acre tract and said Lone Tree Road, a distance of 50.01 feet to the **POINT OF BEGINNING**, CONTAINING within these metes and bounds a 0.8304 acre (36,171 square feet) tract of land, more or less.

Bearings are based on bearings of record as shown on the plat of Lone Tree Acres Subdivision No. 22 recorded in Volume 8, Page 8C, Plat Records, Victoria County, Texas.

The foregoing field note description and accompanying survey plat were prepared from an actual survey made on the ground in August, 2000 and April, 2004 are true and correct to the best of my knowledge and belief.


Terry T. Ruddick
Registered Professional Land Surveyor
Texas No. 4943 



S13732

Exhibit "A"