

ORDINANCE NO. 20070405-046

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1141½ - 1127 PERRY ROAD IN THE JOHNSON TERRACE PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO SINGLE FAMILY RESIDENCE SMALL LOT-NEIGHBORHOOD PLAN (SF-4A-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to single family residence small lot-neighborhood plan (SF-4A-NP) combining district on the property described in Zoning Case No. C14-06-0226, on file at the Neighborhood Planning and Zoning Department, as follows:

5.507 acres of land, more or less, comprised of two tracts of land, a 2.495 acre tract and a 3.012 acre tract, out of the J.C. Tannehill League Survey No. 22, in Travis County, the tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1141½ - 1127 Perry Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3, the Property may be developed and used in accordance with the regulations established for the single family residence small lot (SF-4A) base district and other applicable requirements of the City Code.

PART 3. The Property is subject to Ordinance No. 030327-11b that established the Johnson Terrace neighborhood plan combining district.

PART 4. This ordinance takes effect on April 16, 2007.

PASSED AND APPROVED

_____, April 5 _____, 2007 §
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 Will Wynn
 Mayor

APPROVED: _____ **ATTEST:** _____
 David Allan Smith Shirley A. Gentry
 City Attorney City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

BEING A 2.495 ACRE TRACT OF LAND SITUATED IN THE J.C. TANNEHILL LEAGUE SURVEY NUMBER 29, ABSTRACT NUMBER 22, IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND CONVEYED TO MARION SANDOVAL, JR. BY INSTRUMENT OF RECORD IN VOLUME 11702, PAGE 1202, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.495 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

BEGINNING at a 1/2" rebar found in the current east line of Perry Road, at a northwest corner of a tract of land for David Shin and Gustavo Canales described by instrument of record in Volume 12309, Page 1290, of the Real Property Records of Travis County, Texas, for the southwest corner hereof;

THENCE, N 29°45'29" E (Bearing Basis), with the current east line of Perry Road, passing at a distance of 80.98 feet a square bolt found, and continuing for a total distance of 242.20 feet to a square bolt found in the south line of a tract of land conveyed to Max Foradori and Shirley Foradori by instrument of record in Volume 5812, Page 401, of the Real Property Records of Travis County, Texas, at the southeast corner of a tract of land conveyed to the City of Austin for street purposes by instrument of record in Volume 10254, Page 169, of the Real Property Records of said County, for the northwest corner hereof;

THENCE, S 62°34'10" E, with the south line of said Foradori tract, a distance of 538.11 feet to a 1/2" rebar found in the west line of Johnston Terrace, a subdivision situated in Travis County, Texas, of record in Book 35, Page 32, of the Plat Records of said county, for the southeast corner of said Foradori tract, and the northeast corner hereof;

THENCE, S 30°25'58" W, with the west line of said subdivision, a distance of 162.47 feet to a 1/2" rebar found at the northeast corner of a tract of land for Texas Industrial Services, Inc. described by instrument of record in Volume 11342, Page 597, of the Real Property Records of Travis County, Texas, for the southeast corner hereof;

THENCE, N 62°28'04" W, a distance of 268.15 feet to a 1/2" iron pipe found at the northwest corner of said Texas Industrial tract, for an interior ell corner in the south line hereof;

THENCE, S 30°16'22" W, with the west line of the Texas Industrial Tract, a distance of 82.10 feet to a 1/2" rebar set at the northeast corner of said Canales tract, for an exterior ell corner in the south line hereof;

THENCE, N 62°11'29" W, a distance of 267.22 feet to the PLACE OF BEGINNING hereof, and containing a calculated area of 2.495 acres of land.

This description is to be used in conjunction with the accompanying survey plat only.


Victor M. Garza R.P.L.S. 4740

7-21-06
Date

B&G Surveying, Inc.
1404 W. North Loop Blvd.
Austin, Texas 78756
(512)-458-6969
Job#: B0703506_TA2



EXHIBIT "A"

LEGAL DESCRIPTION

BEING A 3.012 ACRE TRACT OF LAND SITUATED IN THE I.C. TANNEHILL LEAGUE SURVEY NUMBER 29, ABSTRACT 22, IN TRAVIS COUNTY, TEXAS, AND CONSISTING OF THE FOLLOWING TWO (2) TRACTS OF LAND:

TRACT 1: A 2.008 ACRE TRACT OF LAND CONVEYED TO MAX FORADORI AND SHIRLEY FORADORI BY INSTRUMENT OF RECORD IN VOLUME 5812, PAGE 401, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT PORTION OF SAID TRACT CONVEYED TO THE CITY OF AUSTIN FOR STREET PURPOSES BY INSTRUMENT OF RECORD IN VOLUME 10254, PAGE 169, OF THE REAL PROPERTY RECORDS OF SAID COUNTY;

TRACT 2: A 1.004 ACRE TRACT OF LAND CONVEYED TO MAX FORADORI AND WIFE, SHIRLEY FORADORI BY INSTRUMENT OF RECORD IN VOLUME 9242, PAGE 121, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT PORTION OF SAID TRACT CONVEYED TO THE CITY OF AUSTIN FOR STREET PURPOSES BY INSTRUMENT OF RECORD IN VOLUME 10254, PAGE 169, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

SAID 3.012 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

BEGINNING at a square bolt found in the current east right of way of Perry Road, and in the south line of a tract of land for Tina R. Amstutz and David K. Treganowan, described by instrument of record in Volume 12359, Page 149, of the Real Property Records of Travis County, Texas, same being northeast corner of the aforementioned City Tract, the northwest corner of the aforementioned Tract 2, and the northwest corner hereof;

THENCE, S 62°36'50" E, with the south line of said Amstutz/Treganowan tract, and the north line of Tract 2, a distance of 540.20 feet to a 2" iron pipe found in the west line of Johnston Terrace, a subdivision situated in Travis County, Texas, of record in Book 35, Page 32, of the Plat Records of said county, for the southeast corner of the Amstutz/Treganowan tract, the northeast corner of Tract 2, and the northeast corner hereof, and from which a 1/2" rebar found at a fence corner post bears: N 29°39'57" E, a distance of 4.20 feet;

THENCE, S 29°39'57" W, with the west line of said subdivision, and the east line of Tract 2, a distance of 81.00 feet to a 1/2" rebar found for the southeast corner of Tract 2, and the northeast corner of said Tract 1, for an angle point in the east line hereof;

THENCE, S 30°31'55" W, continuing with the west line of said subdivision and the east line of Tract 1, a distance of 162.62 feet to a 1/2" rebar found at the northeast corner of a 2.495 acre tract of land, being that same tract of land conveyed to Marion Sandoval, Jr. by instrument of record in Volume 11702, Page 1202, of the Real Property Records of Travis County, Texas, for the southeast corner of Tract 1, and the southeast corner hereof;

THENCE, N 62°34'10" W, with the north line of said Sandoval tract, a distance of 538.11 feet to a square bolt found in the current east right of way of Perry Road, for the southeast corner of said City tract, the southwest corner of Tract 1, and the southwest corner hereof;

THENCE, N 29°45'29" E (Bearing Basis), with the current east line of Perry Road, same being the east line of the City Tract, a distance of 162.11 feet to a square bolt found at the common west corner of Tracts 1 and 2, for an angle point in the west line hereof;

THENCE, N 29°45'29" E, continuing with the current east line of Perry Road, and the east line of the City Tract, a distance of 81.00 feet to the PLACE OF BEGINNING hereof, and containing a calculated area of 3.012 acres of land.

This description is to be used in conjunction with the accompanying survey plat only.


Victor Garza R.P.L.S. 4748

7/21/06
Date

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Job#:B0793506_TA1



