

ORDINANCE NO. 20070419-015

AN ORDINANCE VACATING FOUR STREET STUBS TOTALLING 4,636 SQUARE FEET OUT OF THE WESTMINSTER FALCON TRINITY LLP 223.268 ACRE TRACT ADJACENT TO SENDERO HILLS PARKWAY, TO BE INCORPORATED INTO SINGLE-FAMILY S.M.A.R.T. HOUSING LOTS.

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

PART 1. Council approves vacating a 4,636 square foot portion of the Westminster Falcon Trinity LLP 223.268 acre tract adjacent to Sendero Hills Parkway described in Exhibit A, attached to and incorporated as part of this ordinance, to Westminster Falcon Trinity LLP to be incorporated into single-family S.M.A.R.T. housing lots.

PART 2. Duane Hutson of the Holford Group on behalf of Westminster Falcon Trinity LLP has posted certified funds of \$4,000 (the fair market value of the right-of-way being vacated) with the City to be deposited within 10 business days after approval of this ordinance.

PART 3. This ordinance takes effect on April 30, 2007.

PASSED AND APPROVED

<u>April 19</u> , 2007	§ § § <u>Will Wynn</u> Will Wynn Mayor
APPROVED: <u>David Allan Smith</u> David Allan Smith City Attorney	ATTEST: <u>Shirley A. Gentry</u> Shirley A. Gentry City Clerk

Exhibit "A"

City of Austin
to
Westminster Falcon/Trinity, a Colorado Limited Liability Partnership
Sendero Hills Parkway (Trinity Meadows Crossing) Right-of-Way
(For Right-of-Way Vacation)

LEGAL DESCRIPTION

ALL OF THAT CERTAIN 0.107-ACRE (4,636 SQUARE FEET) TRACT OR PARCEL OF LAND OUT OF THE JAMES BURLESON LEAGUE SURVEY, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SAID 0.107-ACRE TRACT ALSO BEING A PORTION OF TRINITY MEADOWS CROSSING (70-FOOT RIGHT-OF-WAY WIDTH) AS DEDICATED PER PLAT OF THE MEADOWS AT TRINITY CROSSING PHASE 2-B, A SUBDIVISION RECORDED IN BOOK 95, PAGES 200-203 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID TRINITY MEADOWS CROSSING HAVING BEEN RENAMED TO SENDERO HILLS PARKWAY (70-FOOT RIGHT-OF-WAY WIDTH) PER CITY OF AUSTIN ORDINANCE NO. 030227-21 EFFECTIVE MARCH 10, 2003; SAID 0.107-ACRE BEING COMPRISED OF FOUR PARCELS (PARTS ONE THROUGH FOUR BEING A 0.027-ACRE TRACT, 0.027-ACRE TRACT, 0.027-ACRE TRACT AND 0.026-ACRE TRACT) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCHES:

PART ONE 0.027-ACRE (1,172 Square Feet)

COMMENCING FOR POINT OF REFERENCE at a ½-inch diameter iron rod found in the northwesterly right-of way line of the above referenced Trinity Meadows Crossing (70-foot right-of-way width), now known as Sendero Hills Parkway (70-foot right-of-way width), at the most easterly corner of a called 16.36-acre tract of land conveyed to the City of Austin in Volume 12476, Page 1299 of the Real Property Records of Travis County, Texas; said ½-inch diameter iron rod found also being the southeasterly corner of a remainder portion of a called 223.268-acre tract of land conveyed to Westminster Falcon/Trinity, a Colorado limited liability partnership as recorded in Volume 13330, Page 3021 of the Real Property Records of Travis County, Texas; **Thence**, with said northwesterly right-of-way line of Sendero Hills Parkway, same being the southeasterly boundary line of said remainder portion of a called 223.268-acre tract conveyed to Westminster Falcon/Trinity, N50°25'07"E a distance of 94.67 feet to a calculated point of non-tangency of a curve to the left, for the most southerly corner and **POINT OF BEGINNING** of the herein described tract of land;

THENCE, continuing with said northwesterly right-of-way line of Sendero Hills Parkway, same being said southeasterly boundary line of a remainder portion of a called 223.268-acre tract, the following three (3) courses:

1. with said curve to the left having a radius of 20.00 feet, an arc length of 31.42 feet and a chord which bears N05°25'09"E a distance of 28.28 feet to a calculated point for the northwesterly corner of this tract;
2. N50°25'07"E for a distance of 50.00 feet to a calculated point of non-tangency of a curve to the left for the northeasterly corner of this tract;
3. with said curve to the left having a radius of 20.00 feet, an arc length of 31.42 feet and a chord which bears S84°34'55"E a distance of 28.28 feet to a calculated point for the most easterly corner of this tract, from which a ½-inch diameter iron rod found at a point of curvature in said northwesterly right-of-way line of Sendero Hills Parkway, same being a point of curvature in said southeasterly boundary line of a remainder portion of a called 223.268-acre tract, bears N50°25'07"E a distance of 314.81 feet;

THENCE, departing said southeasterly boundary line of the remainder portion of a called 223.268-acre tract, through the interior of said right-of way of Sendero Hills Parkway, S50°25'07"W a distance of 90.00 feet to the **POINT OF BEGINNING** and containing 0.027-acre (1,172 square feet) of land, more or less.

PART TWO 0.027-ACRE (1,172 Square Feet)

COMMENCING FOR POINT OF REFERENCE at a ½-inch diameter iron rod found at a point of tangency in the northwesterly right-of way line of the above referenced Trinity Meadows Crossing (70-foot right-of-way width), now known as Sendero Hills Parkway (70-foot right-of-way width), said ½-inch diameter iron rod found also being a point of tangency in the southeasterly boundary line of a remainder portion of a called 223.268-acre tract of land conveyed to Westminster Falcon/Trinity, a Colorado limited liability partnership as recorded in Volume 13330, Page 3021 of the Real Property Records of Travis County, Texas; **Thence**, with said northwesterly right-of-way line of Sendero Hills Parkway, same being said southeasterly boundary line of a remainder portion of a called 223.268-acre tract, N44°20'04"E a distance of 83.00 feet to a calculated point of non-tangency of a curve to the left for the most southerly corner and **POINT OF BEGINNING** of the herein described tract of land;

THENCE, continuing with said northwesterly right-of-way line of Sendero Hills Parkway, same being said southeasterly boundary line of a remainder portion of a called 223.268-acre tract, the following three (3) courses

1. with said curve to the left having a radius of 20.00 feet, an arc length of 31.42 feet and a chord which bears N00°39'56"W a distance of 28.28 feet to a calculated point for the northwesterly corner of this tract;

2. N44°20'04"E for a distance of 50.00 feet to a calculated point of non-tangency of a curve to the left for the northeasterly corner of this tract;
3. with said curve to the left having a radius of 20.00 feet, an arc length of 31.42 feet and a chord which bears N89°20'04"E a distance of 28.28 feet to a calculated point for the most easterly corner of this tract, from which a ½-inch diameter iron rod found in the southeasterly right-of-way line of said Sendero Hills Parkway bears with said northwesterly right-of-way line N44°20'04"E a distance of 231.90 feet and through said right-of-way S45°39'56"E a distance of 70.00 feet;

THENCE, departing said southeasterly boundary line of a remainder portion of a called 223.268-acre tract, through said right-of way of Sendero Hills Parkway, S44°20'04"W a distance of 90.00 feet to the **POINT OF BEGINNING** and containing 0.027-acre (1,172 square feet) of land, more or less.

PART THREE 0.027-ACRE (1,172 Square Feet)

COMMENCING FOR POINT OF REFERENCE at a ½-inch diameter iron rod found at a point of tangency in the northwesterly right-of way line of the above referenced Trinity Meadows Crossing (70-foot right-of-way width), now known as Sendero Hills Parkway (70-foot right-of-way width), said ½-inch diameter iron rod found also being a point of tangency in the southeasterly boundary line of a remainder portion of a called 223.268-acre tract of land conveyed to Westminster Falcon/Trinity, a Colorado limited liability partnership as recorded in Volume 13330, Page 3021 of the Real Property Records of Travis County, Texas; **Thence**, with said northwesterly right-of-way line of Sendero Hills Parkway, same being said southeasterly boundary line a called 223.268-acre tract, the following five (5) courses:

1. N44°20'04"E a distance of 83.00 feet to a calculated point at a point of non-tangency of a curve to the left;
2. with said curve to the left having a radius of 20.00 feet, an arc length of 31.42 feet and a chord which bears N00°39'56"W a distance of 28.28 feet to a calculated point;
3. N44°20'04"E for a distance of 50.00 feet to a calculated point of non-tangency of a curve to the left;
4. with said curve to the left having a radius of 20.00 feet, an arc length of 31.42 feet and a chord which bears N89°20'04"E a distance of 28.28 feet to a calculated point;
5. N44°20'04"E a distance of 231.90 feet to a calculated point of non-tangency of a curve to the left for the most southerly corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, continuing with said northwesterly right-of-way line of Sendero Hills Parkway, same being said southeasterly boundary line of a remainder portion of a called 223.268-acre tract, the following three (3) courses

1. with said curve to the left having a radius of 20.00 feet, an arc length of 31.42 feet and a chord which bears N00°39'56"W a distance of 28.28 feet to a calculated point for the northwesterly corner of this tract;
2. N44°20'04"E for a distance of 50.00 feet to a calculated point of non-tangency of a curve to the left for the northeasterly corner of this tract;
3. with said curve to the left having a radius of 20.00 feet, an arc length of 31.42 feet and a chord which bears N89°20'04"E a distance of 28.28 feet to a calculated point for the most easterly corner of this tract, from which a ½-inch diameter iron rod found in the southeasterly right-of-way line of said Sendero Hills Parkway bears through said right-of-way S45°39'56"E a distance of 70.00 feet;

THENCE, departing said southeasterly boundary line of a remainder portion of a called 223.268-acre tract, through said right-of way of Sendero Hills Parkway, S44°20'04"W a distance of 90.00 feet to the **POINT OF BEGINNING** and containing 0.027-acre (1,172 square feet) of land, more or less.

PART FOUR 0.026-ACRE (1,120 Square Feet)

COMMENCING FOR POINT OF REFERENCE at a ½-inch diameter iron rod found at the point on the curving westerly right-of way line of the above referenced Trinity Meadows Crossing (70-foot right-of-way width), now known as Sendero Hills Parkway (70-foot right-of-way width); said ½-inch diameter iron rod found also being the southeasterly corner of a called 16.36-acre tract of land conveyed to City of Austin in Volume 12476, Page 1299 of the Real Property Records of Travis County, Texas; same being a northeasterly corner a remainder portion of a called 223.268-acre tract of land conveyed to Westminster Falcon/Trinity, a Colorado limited liability partnership as recorded in Volume 13330, Page 3021 of the Real Property Records of Travis County, Texas; **Thence**, with said curving westerly right-of-way line of said Sendero Hills Parkway, same being the curving easterly boundary line of said remainder portion of a called 223.268-acre tract, with an arc to the left having a radius of 1136.98, an arc length of 95.20 and a chord which bears S30°20'15"W a distance of 95.17 feet to a calculated point for the most easterly corner and **POINT OF BEGINNING** of the herein described tract of land;

THENCE, departing said easterly boundary line of a remainder portion of a called 223.268-acre tract, through said right-of way of Sendero Hills Parkway, with an arc to the left having a radius of 1136.98, an arc length of 88.47 feet and a chord which bears S25°42'36"W a distance of 88.45 feet to a calculated point in said curving westerly right-of-way line of said Sendero Hills

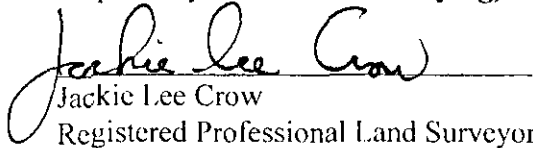
Parkway, same being said curving easterly boundary line of a remainder portion of a called 223.368-acre tract for the most southerly corner of this tract from which a ½-inch diameter iron rod found in the southeasterly right-of-way line of said Sendero Hills Parkway bears S11°13'08"W a distance of 482.95 feet and N89°12'24"E a distance of 69.79 feet;

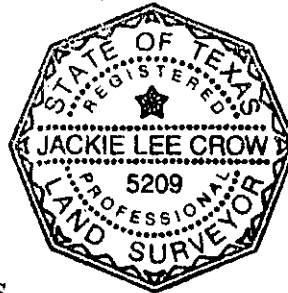
THENCE, with said westerly right-of-way line of Sendero Hills Parkway, same being said easterly boundary line of a remainder portion of a called 223.268-acre tract, the following three (3) courses

1. with a curve to the left having a radius of 20.00 feet, an arc length of 30.64 feet and a chord which bears N20°24'17"W a distance of 27.73 feet to a calculated point for the northwesterly corner of this tract;
2. N25°42'36"E for a distance of 50.00 feet to a calculated point for the northeasterly corner of this tract;
3. with a curve to the left having a radius of 20.00 feet, an arc length of 30.64 feet and a chord which bears N71°49'28"E a distance of 27.73 feet to the **POINT OF BEGINNING** and containing 0.026-acre (1,120 square feet) of land, more or less.

I HEREBY CERTIFY that these field notes were prepared by Landmark Surveying, Inc. from a survey made on the ground during August, 2005 under my supervision.

Prepared by **Landmark Surveying, LP**



Jackie Lee Crow
Registered Professional Land Surveyor No. 5209
August 29, 2006



BEARING BASIS

The bearing of S29°21'13"W at a distance of 3146.09 feet being the inverse between an iron rod found at the Northeast corner of the called 223.268-acre tract and a 100D nail found at the northwest corner of a 250.531-acre tract as recorded in Volume 8054, Page 741, Deed Records of Travis County, Texas, is the Bearing Basis for this Survey.

SenderoHillsPrkwy-Vac row-JLC-REV.doc
Austin Map No. 585, Grid No. K-22
TCAD No. 0207081302

Reviewed: 02-21-07


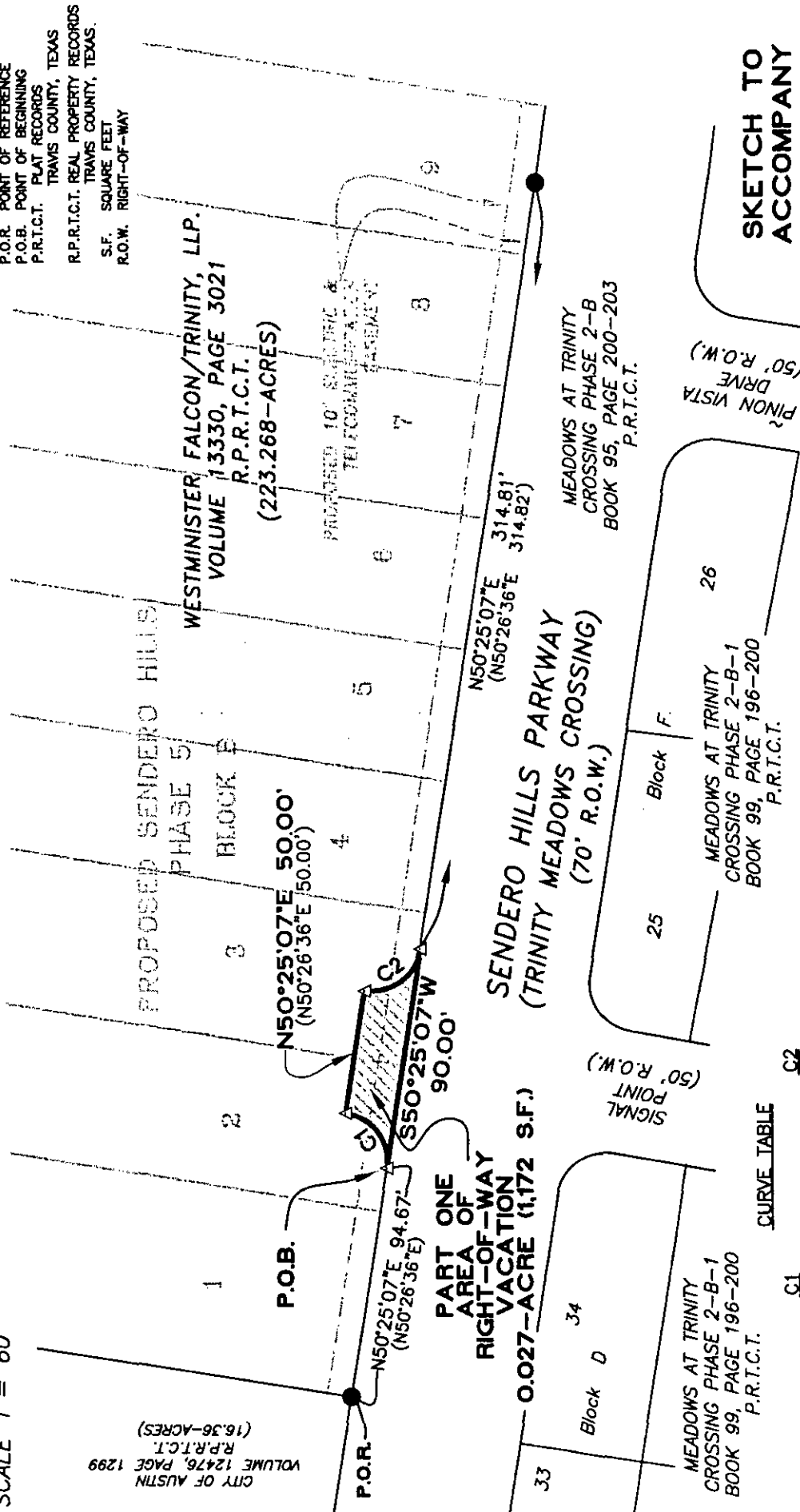
VACATION OF A PORTION OF THE RIGHT-OF-WAY OF SENDERO HILLS PARKWAY (TRINITY MEADOWS CROSSING) CITY OF AUSTIN, TRAVIS COUNTY, TEXAS PAGE 6 OF 9



SCALE 1" = 60'

LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- () RECORD INFORMATION
- P.O.R. POINT OF REFERENCE
- P.O.B. POINT OF BEGINNING
- P.R.T.C.T. PLAT RECORDS
- R.P.R.T.C.T. REAL PROPERTY RECORDS
- S.F. SQUARE FEET
- R.O.W. RIGHT-OF-WAY



SKETCH TO
ACCOMPANY
FIELD NOTES



Landmark
SURVEYING, LP

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748

PH (512) 328-7411 FAX (512) 328-7413

CURVE TABLE

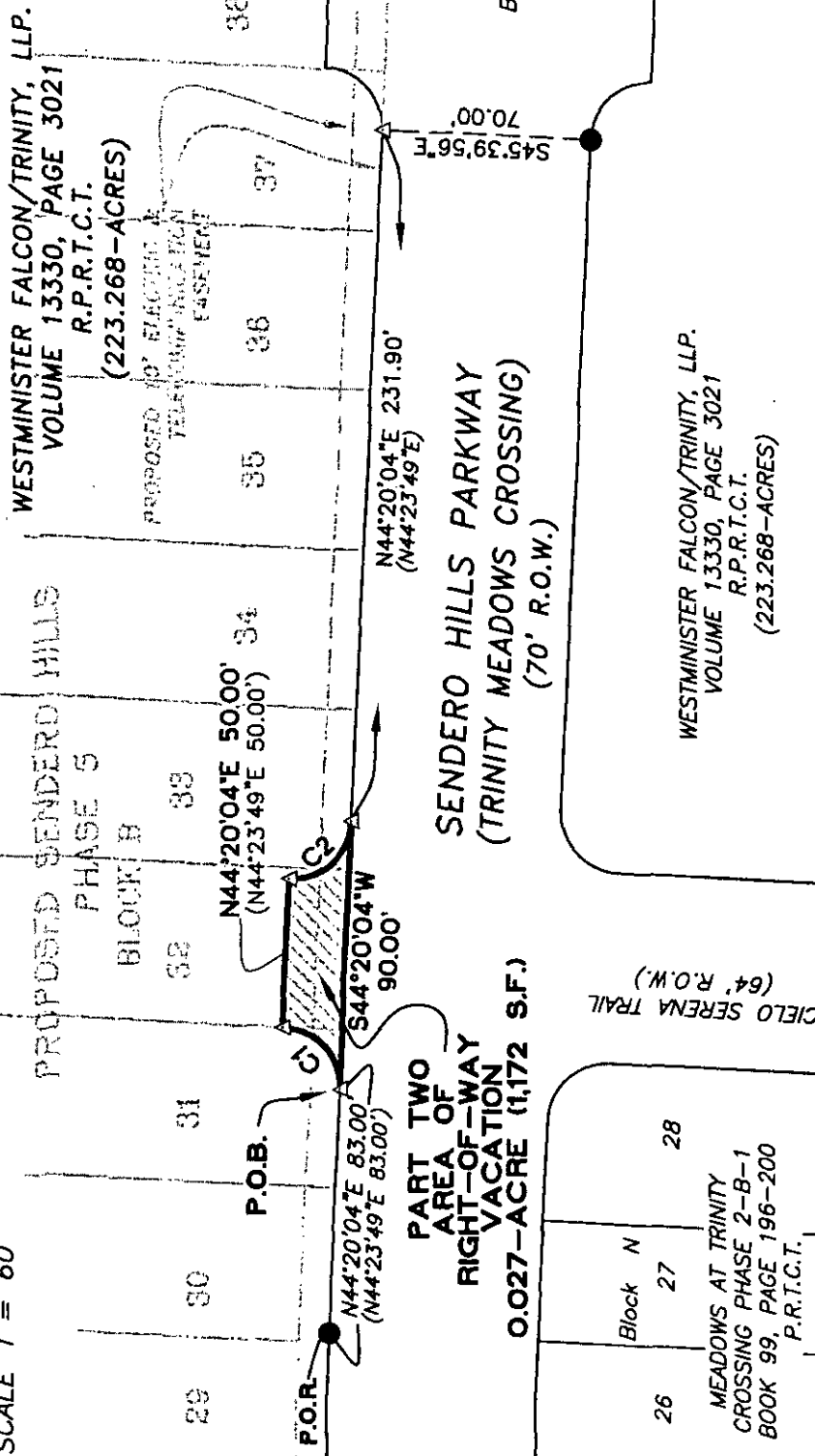
C1	C2
R=20.00'	R=20.00'
D=89°59'55" (90°00'00")	D=89°59'55" (90°00'00")
L=31.42' (31.42')	L=31.42' (31.42')
CH=28.28' (28.28')	CH=28.28' (28.28')
CB=N05°25'09"E	CB=S84°34'55"E
(N05°26'36"E)	(S84°33'24"E)

Client: HOLFORD GROUP
Date: 7/2006
Office: KCM, SR
Crew: MASON/FARLEY, De la GRAYZA, D. WILLIAMS
F.B.L.: 538/01-58, 86-84, 841/68, 844/48, 845/68-87, 853/88-87
Disc: T:\Holford\Sendero Hills\Landmark Drawings\Assumed-Short\Final\Phase 5\ROW VACATION.dwg
Cops:
Job No.: 527-02-10

VACATION OF A PORTION OF THE RIGHT-OF-WAY OF SENDERO HILLS PARKWAY (TRINITY MEADOWS CROSSING) CITY OF AUSTIN, TRAVIS COUNTY, TEXAS PAGE 7 OF 9

SCALE 1" = 60'

- LEGEND**
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
 - △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
 - () RECORD INFORMATION
 - P.O.R. POINT OF REFERENCE
 - P.O.B. POINT OF BEGINNING
 - P.R.T.C.T. PLAT RECORDS, TRAVIS COUNTY, TEXAS
 - R.P.R.T.C.T. REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
 - S.F. SQUARE FEET
 - R.O.W. RIGHT-OF-WAY



CURVE TABLE

C1	C2
R=20.00'	R=20.00'
D=90°00'00"	D=90°00'00"
L=31.42'(31.42')	L=31.42'(31.42')
CH=28.28'(28.28')	CH=28.28'(28.28')
CB=N00°39'56"W	CB=N89°20'04"E
(N00°36'11"W)	(N89°23'49"E)

Client: HOUFORD GROUP
Office: Houston, TX
Project: 2006
Drawn by: MASON/TEARLEY, Dr. to GRAZIA D. WILLIAMS
F.B.: 539/01-59 60-64, 641/68, 844/46, 845/66-67, 853/66-67
Date: 7/1/2006
Copper: 1/16" (Landmark Drawings) Assumed-Start/Finish
Job No.: 527-02-10

SKETCH TO
ACCOMPANY
FIELD NOTES

Landmark
SURVEYING, LP
1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746
PH (512)328-7411 FAX (512)328-7413

VACATION OF A PORTION OF THE RIGHT-OF-WAY OF SENDERO HILLS PARKWAY (TRINITY MEADOWS CROSSING) CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

PAGE 8 OF 9

SCALE 1" = 60'



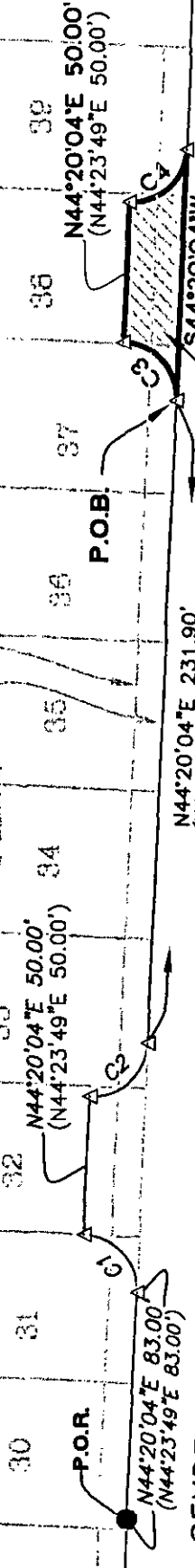
LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.R.T.C.T. PLAT RECORDS
- TRANS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS
- TRAVIS COUNTY, TEXAS
- S.F. SQUARE FEET
- R.O.W. RIGHT-OF-WAY

PROPOSED SENDERO HILLS
PHASE 5
BLOCK B

WESTMINSTER FALCON/TRINITY, LLP.
VOLUME 13330, PAGE 3021
R.P.R.T.C.T.
(223.268-ACRES)

PROPOSED 10' ELECTRIC &
TELECOMMUNICATION
EASEMENT



SENDERO HILLS PARKWAY
(TRINITY MEADOWS CROSSING)
(70' R.O.W.)

MEADOWS AT TRINITY
CROSSING PHASE 2-B
BOOK 95, PAGE 200-203
P.R.T.C.T.

WESTMINSTER FALCON/TRINITY, LLP.
VOLUME 13330, PAGE 3021
R.P.R.T.C.T.
(223.268-ACRES)

CIELO SERENA TRAIL
(64' R.O.W.)

CURVE TABLE

C1	C2	C3	C4
R=20.00'	R=20.00'	R=20.00'	R=20.00'
D=90°00'00"	D=90°00'00"	D=90°00'00"	D=90°00'00"
L=31.42'(31.42')	L=31.42'(31.42')	L=31.42'(31.42')	L=31.42'(31.42')
CH=28.28'(28.28')	CH=28.28'(28.28')	CH=28.28'(28.28')	CH=28.28'(28.28')
CB=N00°39'56"W (N00°36'11"W)	CB=N89°20'04"E (N89°23'49"E)	CB=N00°39'56"W (N00°36'11"W)	CB=N89°20'04"E (N89°23'49"E)

Block N
MEADOWS AT TRINITY
CROSSING PHASE 2-B-1
BOOK 99, PAGE 196-200
P.R.T.C.T.

SKETCH TO
ACCOMPANY
FIELD NOTES



Landmark
SURVEYING, LP

1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78746

PH (813)558-7411 FAX (813)558-7413

Client: MOUTON GROUP
Date: August 7, 2006
Office: KCM, SR
Crew: MASON/TARLEY, De la GRAZA, D. WILLIAMS
F.B.: 539/01-58, 60-64, 841/68, 844/68, 845/68-67, 853/68-67
Dist: Tr. Holford/Sendero Hills/Landmark Drawings/Assumed-Start/Finish/Phase 5/ROW VACATION.dwg
Cogo:
Job No.: 537-02-10

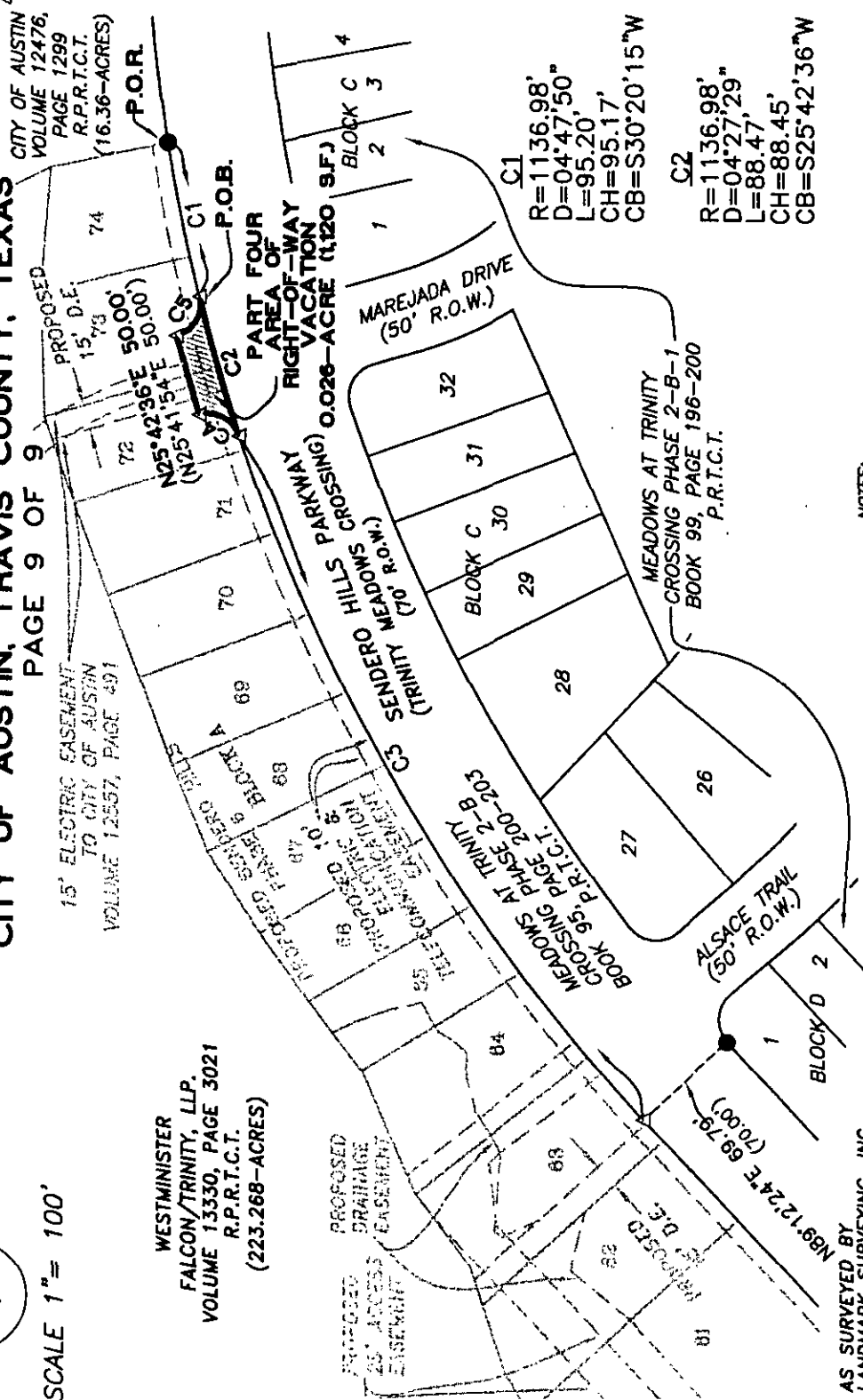


**VACATION OF A PORTION OF THE RIGHT-OF-WAY OF
SENDERO HILLS PARKWAY (TRINITY MEADOWS CROSSING)
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

SCALE 1" = 100'

WESTMINSTER
FALCON/TRINITY, LLP
VOLUME 13330, PAGE 3021
R.P.R.T.C.T.
(223.268-ACRES)

- LEGEND**
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
 - △ CALCULATED POINT (NOT ESTABLISHED ON GROUND)
 - () RECORD INFORMATION
 - D.E. DRAINAGE EASEMENT
 - P.O.R. POINT OF REFERENCE
 - P.O.B. POINT OF BEGINNING
 - P.R.T.C.T. PLAT RECORDS
 - TRAVIS COUNTY, TEXAS
 - R.P.R.T.C.T. REAL PROPERTY RECORDS
 - TRAVIS COUNTY, TEXAS
 - S.F. SQUARE FEET
 - R.O.W. RIGHT-OF-WAY

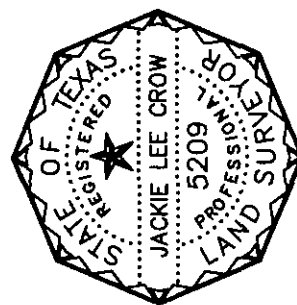


CURVE TABLE

C3	R=1136.98' D=24°31'27\"
	L=486.66'(486.66') CH=482.95'(482.95') CB=S11°13'08\"W (S11°12'26\"W)
C4	R=20.00' D=87°46'33\"
	L=30.64'(30.64') CH=27.73'(27.73') CB=N20°24'17\"W (N20°24'59\"W)
C5	R=20.00' D=87°46'33\"
	L=30.64'(30.64') CH=27.73'(27.73') CB=N71°49'28\"E (N71°48'46\"E)

**SKETCH TO
ACCOMPANY
FIELD NOTES**

- NOTES:**
- 1) THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF THE TITLE COMMITMENT, THEREFORE EASEMENTS MAY AFFECT THIS TRACT WHICH ARE NOT SHOWN HEREON.
 - 2) IMPROVEMENTS AND UTILITIES MAY NOT BE SHOWN ON THIS SURVEY.
 - 3) BEARING BASIS NOTE:
THE BEARING S20°21'13\"W 3146.09' BEING THE INVERSE BETWEEN AN IRON ROD FOUND AT THE NORTHEAST CORNER OF THE 223.268-ACRE TRACT AND AN 1000 NAIL FOUND AT THE NORTHWEST CORNER OF A 250.531-ACRE TRACT AS RECORDED IN VOLUME 8054, PAGE 741, DEED RECORDS OF TRAVIS COUNTY, TEXAS, WAS TAKEN AS THE BASIS OF BEARINGS FOR THE SURVEY.



AS SURVEYED BY
LANDMARK SURVEYING, INC.

Jackie Lee Crow
Registered Professional Land Surveyor No. 5209
DATE: August 29, 2006

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL
SIGNATURE OF THE ABOVE SURVEYOR.

Client: HOLIFORD GROUP
Date: August 7, 2006
Office: KCM, SA
Crew: MASON/FARLEY, De la GRAZA, D. WILLIAMS
F.B.: 530/01-58, 60-64, 841/68, 844/68, 845/68-67, 853/68-67
Draw: T. Holiford/Sendero Hills (Landmark Drawings) (Assumed-Start/Finish) PHASE 51 ROW VACATION.dwg
Copy:
Job No.: 527-02-10

Landmark
SURVEYING, LP
1301 S. CAPITAL OF TEXAS HWY.
BUILDING B, SUITE 315
AUSTIN, TEXAS 78748
PH: (512)528-7411 FAX: (512)528-7413