

#65-Rev'd
6-21-07

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A BOUNDARY LINE AND EXCHANGE AGREEMENT, WAIVING THE FEE REQUIREMENTS OF TITLE 14 OF THE CITY CODE FOR A TEMPORARY USE OF THE RIGHT-OF-WAY OF PARTS OF WEST THIRD STREET AND BOWIE STREET, AND WAIVING THE REQUIREMENTS OF SECTIONS 14-11-71, 14-11-72, AND 14-11-73 OF THE CITY CODE FOR THE VACATION OF RIGHT-OF-WAY ALONG PART OF WEST THIRD STREET.

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

PART 1. The Council authorizes the City Manager to negotiate and execute a Boundary Line and Exchange Agreement with Spring Austin Partners, Ltd to resolve boundary conflicts resulting from overlapping property descriptions between the Spring Condominium project and the right-of-way of West Third Street

PART 2. The Council finds that the value of the interests that Spring Austin Partners, Ltd will dedicate to or exchange with the City in connection with the Boundary Line and Exchange Agreement authorized under Part 1 equals or exceeds the value of the interests alienated by the City to the degree that the exchange justifies a waiver of, and the Council waives, fiscal requirements under Title 14 (*Use of Streets and Public Property*) regarding Spring Austin Partners, Ltd 's use of right-of-way for street closure and/or temporary use of right-of-way along a portion of West Third Street from Bowie Street to North Lamar Boulevard and a portion of Bowie Street to the north of West Third Street

PART 3. The Council waives the requirements of Section 14-11-71 (*Notice to Interested Property Owners*), Section 14-11-72 (*Application Approval*), and Section 14-11-73 (*Review by Commissions*) of the City Code for the vacation of right-of-way along a portion of West Third Street from Bowie Street to North Lamar Boulevard

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2 **PART 2.** This ordinance takes effect on _____, 2007
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4 **PASSED AND APPROVED**

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8 _____, 2007

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Will Wynn
Mayor

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