

## ORDINANCE NO.

**AN ORDINANCE REJECTING THE 1985 PROPOSED DEDICATION OF PUBLIC RIGHT-OF-WAY AND ACCEPTING A DEDICATION OF APPROXIMATELY .63 ACRES OF ADDITIONAL PARKLAND EASEMENTS AND ALTERNATE RIGHT-OF-WAY ACCESS AND PARKING FACILITIES FOR THE WALNUT CREEK GREENBELT LOCATED AT THE MOUTH OF WALNUT CREEK AT THE COLORADO RIVER.**

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

**PART 1.** Approximately 30.5 acres of parkland currently known as the Walnut Creek Greenbelt ("Greenbelt") located at the mouth of Walnut Creek at the Colorado River adjacent to Delwau Lane, approximately ½ mile east of U.S. 183 was dedicated to the City in 1985. A dedication of public right-of-way of approximately 7.25 acres of land by way of a street deed was executed in favor of the City to provide access to the Greenbelt at the same time. The 1985 proposed right-of-way access dedication was never constructed and has not been accepted by the City.

**PART 2.** Driveway Austin proposes to develop the site adjacent to the Greenbelt to provide an automobile track, a meandering off-road track and related facilities in connection with a driving academy. The development is not compatible with the 1985 proposed right-of-way access dedication.

**PART 3.** Driveway Austin has approached the City concerning a permanent Greenbelt access and parking easement of approximately .33 acres in a location that is more advantageous both to Driveway Austin's proposed development and to the operation of the Greenbelt by the Parks and Recreation Department. Driveway Austin proposes to construct the access and parking for the City. Driveway Austin has requested that the 1985 proposed right-of-way access dedication be rejected by the City in favor of the alternative access and parking facility.

**PART 4.** Driveway Austin also proposes to dedicate two additional parkland easements totaling approximately .3 acres for the use and benefit of the City and the public.

**PART 5.** The 1985 proposed right-of-way dedication attached as Exhibit A is rejected; the alternate right-of-way access and parking facility dedication for the Greenbelt as set forth and shown on Exhibit B, is accepted; and the proposed additional parkland easements set forth and shown on Exhibit C are accepted.

**PART 6.** This ordinance takes effect on \_\_\_\_\_, 2007.

**PASSED AND APPROVED**

\_\_\_\_\_, 2007

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Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_

David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk