

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6210 AND 6216 CROW LANE IN THE SWEETBRIAR NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE LOW DENSITY-NEIGHBORHOOD PLAN (MF-2-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 multifamily residence low density-neighborhood plan (MF-2-NP) combining district on the property described in Zoning Case No. C14-2007-0100, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 1 and 2, Mott Addition, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 35, Page 16, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 6210 and 6216 Crow Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. Except as otherwise provided in this ordinance the Property is subject to Ordinance No. 20050818-Z002 that established the Sweetbriar neighborhood plan combining district.

PART 3. This ordinance takes effect on _____, 2007.

PASSED AND APPROVED

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Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____

David Allan Smith
City Attorney

Shirley A. Gentry
City Clerk

STREET DEED

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS**
COUNTY OF TRAVIS §

That Captuity Investments Three, LP, a Texas limited partnership, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantor in hand paid by the City of Austin, Texas, P.O. Box 1088, Austin, Texas 78767-8828, the receipt and sufficiency of which is hereby acknowledged and confessed, and for which no lien, expressed or implied, is retained, have this day Granted, Sold and Conveyed, and by these presents do hereby Grant, Sell and Convey, unto the said City of Austin, a municipal corporation situated in Travis County, Texas, for street purposes, the following described property:

A 0.045 acre tract of land, more or less, being a part of Lots 1 and 2, Mott Addition, a subdivision in the City of Austin, Travis County, Texas, recorded in Plat Book 35, Page 16, of the Plat Records of Travis County, Texas, and being more particularly described by metes and bounds in Exhibit "A" incorporated into this deed.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said City of Austin, its successors and assigns forever; and Grantor, whether one or more, does hereby bind itself, its executors, administrators, successors and assigns, to warrant and defend the property against every person whomsoever lawfully claiming or to claim the same or any part hereof.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on the _____ day of _____, 2007.

GRANTOR:

Captuity Investments Three, LP,
a Texas limited partnership

By: Captuity Investments GP, LLC,
a Texas limited liability company,
General Partner

By: _____
Darin Davis,
Vice President and Manager

THE STATE OF TEXAS

§

§

COUNTY OF TRAVIS

§

This instrument was acknowledged before me on this the ____ day of _____, 2007, by Darin Davis, Vice President and Manager of Captuity Investments GP, LLC, a Texas limited liability company, General Partner of Captuity Investments Three, LP, a Texas limited partnership, on behalf of the limited liability company and the limited partnership.

Notary Public, State of Texas

Address of Grantors:

1105 South Lamar Blvd.,
Austin, TX 78704

AFTER RECORDING RETURN TO:

City of Austin
Law Department
P.O. Box 1088
Austin, Texas 78767-8828
Attn: Diana Minter, Paralegal

**FIELD NOTES
TO ACCOMPANY EXHIBIT
OF RIGHT-OF-WAY TAKING**

Page 1 of 2

BEING 0.045 ACRE (1977 SQ.FT.) SITUATED IN TRAVIS COUNTY, TEXAS BEING A PORTION OF LOTS 1 AND 2, MOTT ADDITION, A SUBDIVISION RECORDED IN BOOK 35, PAGE 16, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing at a ½" iron pipe for the northwest corner of said Lot 1, said point also being an interior angle corner of Lot 3, Alexan Stassney Heights Subdivision, a subdivision recorded as Document No. 200100088, Official Public Records of Travis County, Texas;

THENCE: S 37°57'00" W 505.53 feet with the west line of said Lot 1, **being the basis of bearings cited hereon**, and the east line of said Lot 3 to a ½" iron pipe found for an angle corner of said Lot 1 and the southeast corner of said Lot 3 and the northeast corner of that tract granted to Captuity Investments Three, L.P. and recorded as Document No. 2006182250 of said official public records;

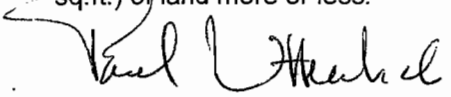
THENCE: S 24°23'11" W 406.78 feet continuing with the west line of said Lot 1 and the east line of said Captuity Investments Three, L.P. tract to a calculated point in the west line of said Lot 1 and the east line of said Captuity Investments Three, L.P. tract for the northwest corner and **Point of Beginning** of this tract;

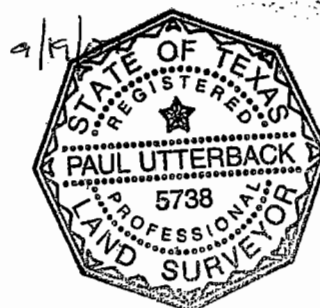
THENCE: N 77°31'46" E into said Lot 1, at 261.02 feet passing the east line of said Lot 1 and the west line of said Lot 2, in all 396.50 feet to a calculated point in the east line of said Lot 2 and the west line of that tract granted to W.E. Smith and recorded in Volume 964, Page 473, Deed Records of Travis County, Texas for the northeast corner of this tract, from which point the northeast corner of said Lot 2 bears, N 38°00'58" E 171.36' and from which point a ½" iron pipe found for the northeast corner of said Lot 1 bears, N 38°00'58" E 423.18';

THENCE: S 38°00'58" W 7.86 feet with the east line of said Lot 2 and the west line of said W.E. Smith tract to a ¾" iron pipe found for the northeast corner of a 10 foot road widening strip as dedicated by said Mott Addition plat and the southeast corner of said Lot 2 and this tract;

THENCE: S 77°31'46" W with the north line of said road widening strip and the south line of said Lot 2, at 130.18 feet passing the southwest corner of said Lot 2 and the southeast corner of said Lot 1, continuing with the south line of said Lot 1, in all 394.19 feet, to a calculated point in the east line of said Captuity Investments Three, L.P. tract for the southwest corner of said Lot 1 and this tract;

THENCE: N 24°23'11" E 6.25 feet with the east line of said Captuity Investments Three, L.P. tract and the west line of said Lot 1 to the **Point of Beginning** and containing 0.045 Acre (1977 sq.ft.) of land more or less.


Paul Utterback
Registered Professional Land Surveyor No. 5738
September 19, 2007



(Field Notes Attached)

EXHIBIT

ATS Job # 07090512s

Reference: Captuity Investments Address: 6610 & 6216 Crow Lane, Austin, Tx
 0.045 Acre (1977 sq.ft.) out of Lots 1 and 2, MOTT ADDITION, Book 35, Page 16, Plat
 Records of Travis County, Texas

LEGEND	
○	1" (I.D.) IRON PIPE FOUND (unless noted)
△	CALCULATED POINT
()	RECORD INFORMATION
D.R.T.C.T.	DEED RECORDS TRAVIS COUNTY TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS TRAVIS COUNTY TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
P.R.T.C.T.	PLAT RECORDS TRAVIS COUNTY TEXAS

LOT 3
 ALEXAN STASSNEY
 HEIGHTS SUBDIVISION
 DOC. NO. 200100088
 O.P.R.T.C.T.



SCALE: 1"=100'

NUMBER	DIRECTION	DISTANCE
L1	N 24°23'11" E	6.25'
L2	S 38°00'58" W	7.86'

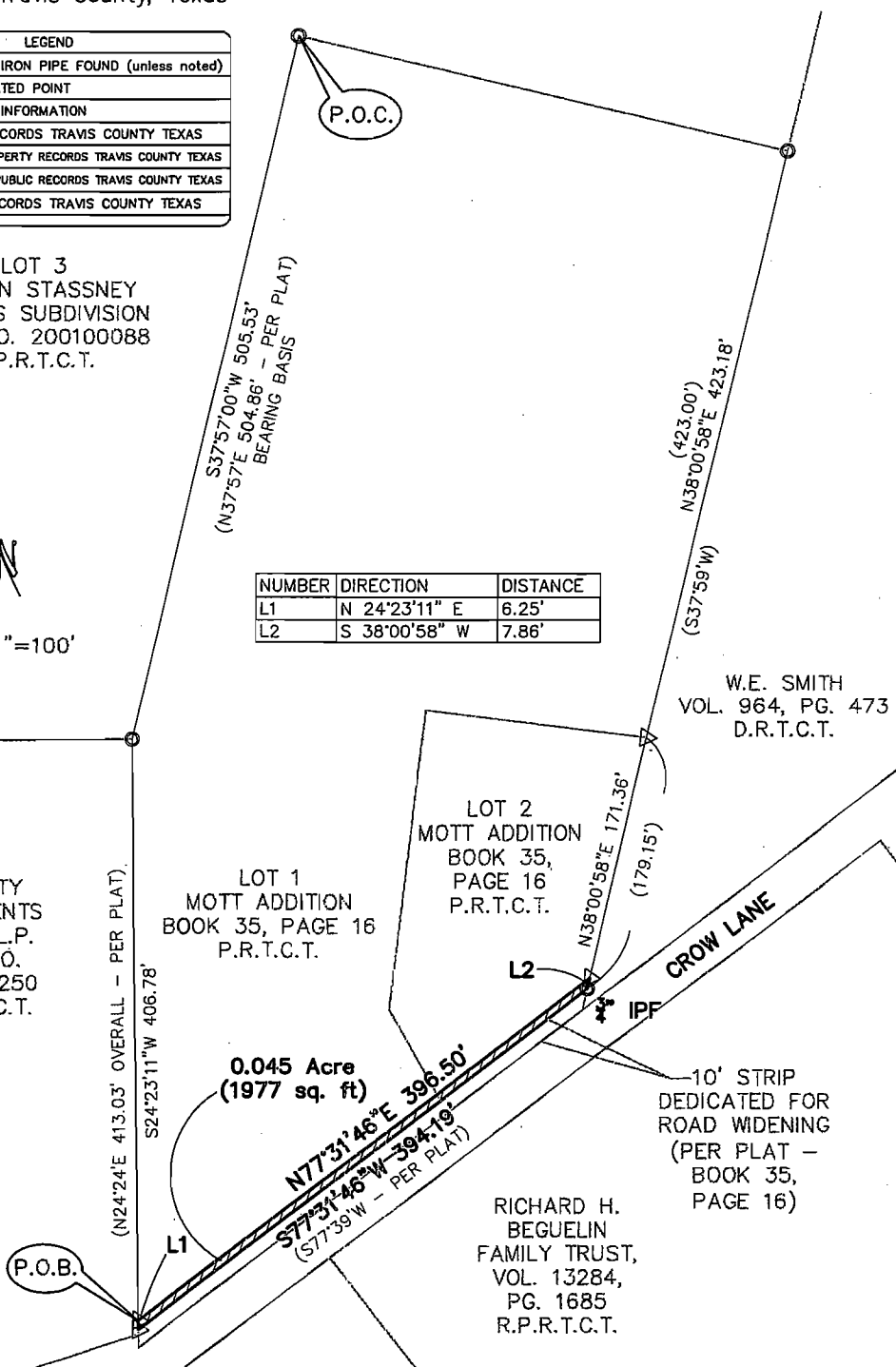
CAPTIVITY
 INVESTMENTS
 THREE, L.P.
 DOC. NO.
 2006182250
 O.P.R.T.C.T.

LOT 1
 MOTT ADDITION
 BOOK 35, PAGE 16
 P.R.T.C.T.

LOT 2
 MOTT ADDITION
 BOOK 35,
 PAGE 16
 P.R.T.C.T.

W.E. SMITH
 VOL. 964, PG. 473
 D.R.T.C.T.

RICHARD H.
 BEGUELIN
 FAMILY TRUST,
 VOL. 13284,
 PG. 1685
 R.P.R.T.C.T.



I, Paul Utterback, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

Paul Utterback, RPLS No. 5738

Client: Captuity Investments

Date of Field Work: 05/30/2007

Field: MPuttman

Tech: CHenderson

Date Drawn: 09/19/2007

Path: Projects/East End Flats/MottAdd/dwgs/exhibit/surv-d_ROW TAKING_070919.dwg



eileen meritt's
ATS
 www.ats-engineers.com

4811 BEE CAVES ROAD, STE 200
 AUSTIN, TEXAS 78748

**Engineers
 Inspectors
 & Surveyors**

(512) 328-8995
 FAX: (512) 328-8996