

ORDINANCE NO. 20080618-009

AN ORDINANCE VACATING A PORTION OF NORTH LAMAR BOULEVARD.

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

PART 1. Council approves vacating a portion of the 4200 block of North Lamar Boulevard, more particularly described in Exhibit A, attached to and incorporated as part of this ordinance, to the Daughters of Charity Health Services of Austin to be used for compliance with City of Austin parking codes.

PART 2. Tres Childress, on behalf of Daughters of Charity Health Services of Austin, has posted funds of \$485,135 (the appraised fair market value of the area being vacated) with the City, to be deposited after approval of this ordinance.

PART 3. The vacation described in Part 1 of the ordinance is contingent upon deposit of the funds, as described in Part 2.

PART 4. The vacation is made subject to any easements and restrictions filed of record in Travis County, Texas.

PART 5. This ordinance takes effect on June 29, 2008.

PASSED AND APPROVED

_____, June 18, 2008 §
§
§ _____
Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

EXHIBIT A

0.318 ACRES
LAMAR BOULEVARD RIGHT-OF-WAY
SETON NETWORK FACILITIES

FN. NO. 07-680(MJJ)
OCTOBER 26, 2007
BPI JOB NO. 629-21 99

DESCRIPTION

OF 0.318 ACRES OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE LAMAR BOULEVARD RIGHT-OF-WAY ADJACENT TO THE EASTERLY LINES OF LOTS 9-16, BLOCK 11 ALTA VISTA ADDITION, A SUBDIVISION OF RECORD IN BOOK 3, PAGE 59 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.318 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING, at a punch hole set in concrete at the intersection of the southerly line of 43rd Street (50' R.O.W.) with the westerly line of Lamar Boulevard (R O W varies), being the northeasterly corner of said Lot 9, for the northwesterly corner hereof, from which a 1/2 inch iron rod found in the southerly line of 43rd Street, being a point the easterly line of a 16 foot wide alley and the northwesterly corner of said Lot 9 bears, N59°55'00"W, a distance of 130.00 feet,

THENCE, leaving the northeasterly corner of said Lot 9, over and across the Lamar Boulevard Right-of-Way, for the northerly, easterly and southerly lines hereof, the following three (3) courses and distances.

- 1) S59°55'00"E, a distance of 42.14 feet to a calculated point for the northeasterly corner hereof,
- 2) S32°13'40"W, along a line 10 feet west of and parallel with the westerly face of curb line of Lamar Boulevard, a distance of 400.34 feet to a calculated point for the southeasterly corner hereof,
- 3) N59°55'00"W, a distance of 27.16 feet to a P.K. nail with shiner set at the intersection of the northerly line of 42nd Street (50' R.O.W.) with the westerly line of Lamar Boulevard, being the southeasterly corner of said Lot 16, for the southeasterly corner hereof, from which a 1/2 inch iron rod found in the easterly line of said 16 foot wide alley, being the southwesterly corner of said Lot 16 bears, N59°55'00"W, a distance of 130.00 feet,

THENCE, N30°05'00"E, along the westerly line of Lamar Boulevard, being the easterly lines of said Lots 9-16 (inclusive), for the westerly line hereof, a distance of 400.06 feet to the **POINT OF BEGINNING**, containing an area of 0.318 acres (13,861 sq. ft.) of land, more or less, within these metes and bounds.

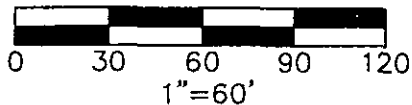
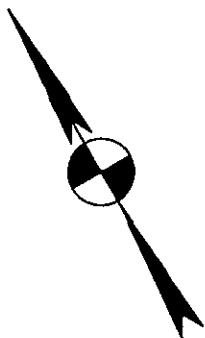
I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION DURING THE MONTH OF JULY, 2007

BURY & PARTNERS, INC.
ENGINEERING-SOLUTIONS
221 WEST SIXTH STREET, STE. 600
AUSTIN, TEXAS 78701

Reviewed 07-14-08
James Glass

Mark J. Jezisek
MARK J. JEZISEK, R.P.L.S.
R.P.L.S. NO. 5267
STATE OF TEXAS



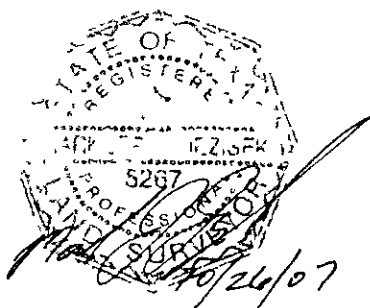


LEGEND

- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- ▲ PK NAIL WITH SHINER SET
- △ CALCULATED POINT
- P.O.B. POINT OF BEGINNING

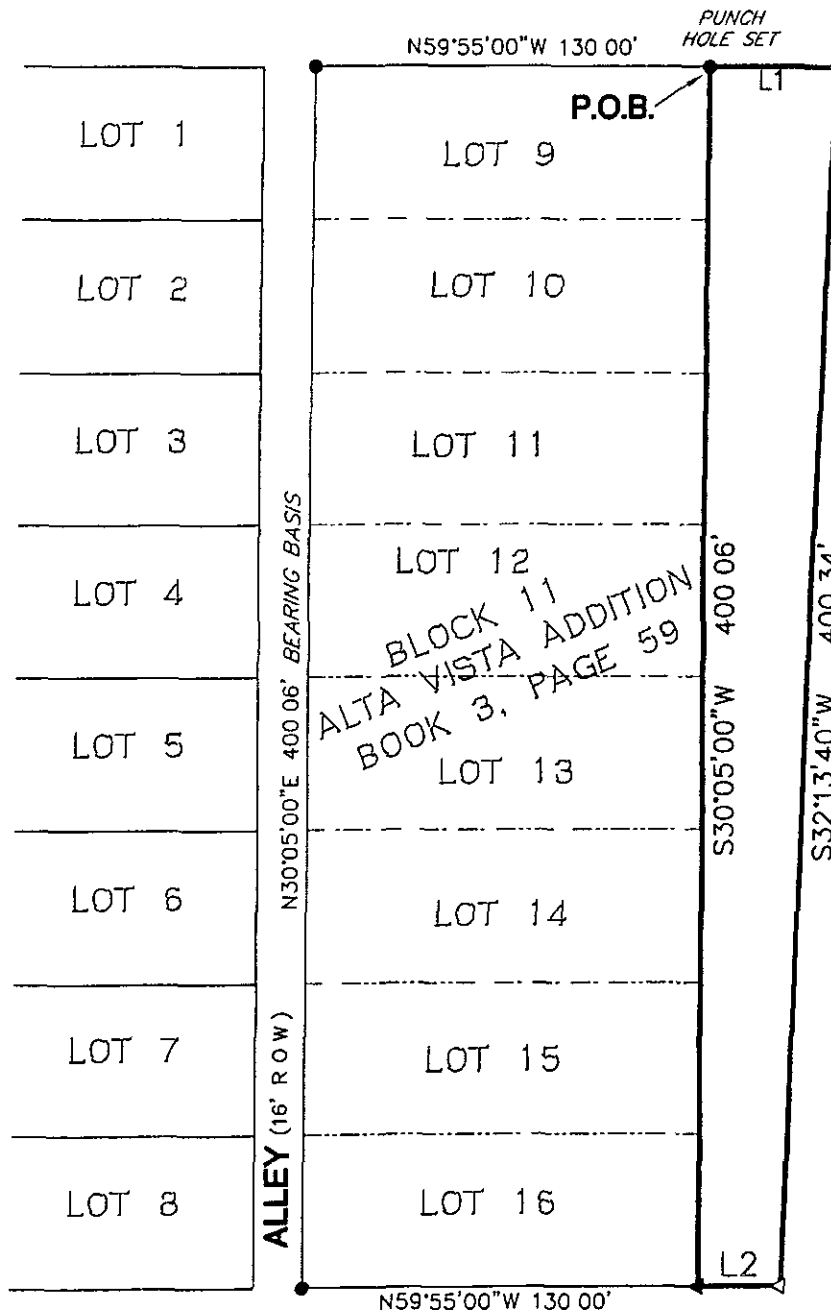
LINE TABLE

No	Bearing	Distance
L1	S59°55'00"E	42'14"
L2	N59°55'00"W	27'16"



LOT 8 **ALLEY** BLOCK 8
LOT 16

43RD STREET (50' ROW)



LAMAR BLVD. (ROW VARIES)

42ND STREET (50' ROW)

Bury+Partners

ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600
Austin, Texas 78701
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SKETCH TO ACCOMPANY DESCRIPTION

OF 0.380 ACRES OF LAND, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE LAMAR BOULEVARD RIGHT-OF-WAY, ADJACENT TO LOTS 9-16, BLOCK 11, ALTA VISTA ADDITION, A SUBDIVISION OF RECORD IN BOOK 3, PAGE 59 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

**SETON
NETWORK
FACILITIES**

DATE 10/26/07 FILE H \629\21\62921EX3.dwg

FN No FN07-680MJJ

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PROJ No 629-21 99