

ORDINANCE NO.

AN ORDINANCE PARTIALLY VACATING THE PUBLIC ACCESS EASEMENT PORTION OF THAT PORTION OF THE RIGHT-OF-WAY DEDICATION OF THE 20 FOOT ALLEY LOCATED ON BLOCK 18, OF THE ORIGINAL CITY OF AUSTIN, TEXAS, BETWEEN 2nd AND 3rd STREETS AND BRAZOS STREET AND CONGRESS AVENUE ADJOINING LOTS 1-4, A PORTION OF LOT 5, AND LOTS 10, 11, AND 12 TO THE FINLEY COMPANY AND A PORTION OF LOT 8 AND ALL OF LOT 9 TO LACK & HURLEY, INC.

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

PART 1. Council approves the partial vacation of the public access easement portion of that portion of the right-of-way dedication of the 20 foot alley located on Block 18 of the Original City of Austin, between 2nd and 3rd Streets, and Brazos Street and Congress Avenue adjoining Lots 1-4, a portion of Lot 5, and Lots 10, 11, and 12 to the Finley Company and a portion of Lot 8 and all of Lot 9 to Lack & Hurley, Inc., as more particularly described in engrossed Exhibit A (for 0.014 acres and 0.77 acres), attached to and incorporated as part of this ordinance, to allow construction of a unified project on property currently divided by the alley.

PART 2. The Finley Company has posted funds of \$69,405.00 (the appraised fair market value of the interest in the land being vacated to the Finley Company) and Lack & Hurley, Inc., has posted funds of \$12,390.00 (the appraised fair market value of the interest in the land being vacated to Lack & Hurley, Inc.) 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. A public utility easement and drainage easement are reserved and confirmed herein and in the Quitclaim Deed to be recorded to evidence this vacation over and across the area described in engrossed Exhibit A. (for 0.14 acres and 0.77 acres).

PART 5. This ordinance takes effect on _____, 2010.

PASSED AND APPROVED

_____, 2010

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Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
Acting City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk