

ORDINANCE NO. 20100624-013

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 0.077 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 0.014 acres and 0.077 acres).

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

PASSED AND APPROVED

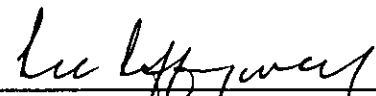
____ June 24 _____, 2010

APPROVED:



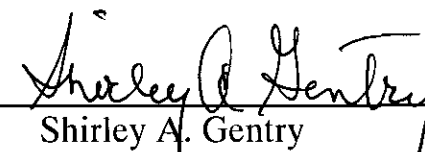
Karen M. Kennard
Acting City Attorney

§
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§



Lee Lettingwell
Mayor

ATTEST:



Shirley A. Gentry
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

EXHIBIT "A"

A - 1

City of Austin
to
Lack & Hurley, Inc.

**0.014 ACRES
PORTION OF A 20' ALLEY**

A DESCRIPTION OF 0.014 ACRES (APPROXIMATELY 600 SQUARE FEET) OF LAND, BEING A PORTION OF THE 20' ALLEY, BLOCK 18, OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, ON RECORD AT THE GENERAL LAND OFFICE OF THE STATE OF TEXAS; SAID 0.014 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a calculated point for the southeast corner of said 20' alley, same being the southwest corner of Lot 12, of said Block 18 and also being in the north right-of-way line of 2nd Street (80' right-of-way width), from which a concrete nail with "Chaparral" shiner found for the southeast corner of said Lot 12, Block 18, same being the northwest corner of the intersection of Brazos Street (80' right-of-way width) and 2nd Street, bears South 73°28'05" East, a distance of 160.04 feet;

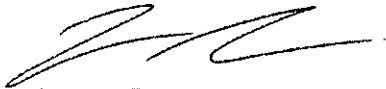
THENCE North 16°34'55" East, with the west line of Lots 10 through 12, of said Block 18, same being the east line of the said 20' alley, a distance of 137.99 feet to calculated point for the northwest corner of said Lot 10, being the southwest corner of Lot 9, of said Block 18, for the **POINT OF BEGINNING**;

THENCE over and across said 20' alley, the following three (3) courses and distances:

1. North 73°25'05" West, a distance of 10.00 feet to a calculated point;
2. North 16°34'55" East, a distance of 60.05 feet to a calculated point;
3. South 73°25'05" East, a distance of 10.00 feet to a calculated point in the east line of said 20' alley, same being in the west line of Lot 8, of said Block 18;

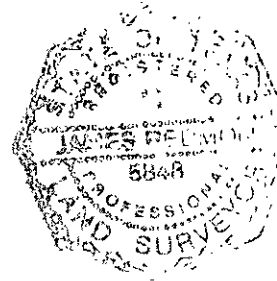
THENCE South 16°34'55" West, with the east line of said 20' alley, same being the west line of Lots 8 and 9, a distance of 60.05 feet to the **POINT OF BEGINNING**, and containing 0.014 acres of land, more or less.

Surveyed on the ground, November 12, 2006. Bearing Basis: Grid azimuth for Texas central zone, 1983/93 HARN values from City of Austin control network. Attachments: Survey Drawing 221-002-ALVAC.DWG



6-2-10

James Redmon
Registered Professional Land Surveyor
State of Texas No. 5848



REMAINDER OF LOT 5
BLOCK 18
ORIGINAL CITY
OF AUSTIN

FINLEY COMPANY
(11835/1894)

PORTION OF LOT 5
BLOCK 18
ORIGINAL CITY
OF AUSTIN

LOT 4 BLOCK 18
ORIGINAL CITY
OF AUSTIN

FINLEY COMPANY
(11835/1894)

LOT 3
BLOCK 18
ORIGINAL CITY
OF AUSTIN

FINLEY COMPANY
(11835/1894)

LOT 2
BLOCK 18
ORIGINAL CITY
OF AUSTIN

FINLEY COMPANY
(11835/1894)

LOT 1
BLOCK 18
ORIGINAL CITY
OF AUSTIN

FINLEY COMPANY
(11835/1894)

LOT 8
BLOCK 18
ORIGINAL CITY
OF AUSTIN

LACK & HURLEY INC.
(11960/71)

0.014 ACRES
(APPROX. 600 SQ. FT.)

LOT 9
BLOCK 18
ORIGINAL CITY
OF AUSTIN

LACK & HURLEY INC.
(11960/71)

P.O.B.

LOT 10
BLOCK 18
ORIGINAL CITY
OF AUSTIN

FINLEY COMPANY
(2000088326)

LOT 11
BLOCK 18
ORIGINAL CITY
OF AUSTIN

FINLEY COMPANY
(11835/1894)

LOT 12
BLOCK 18
ORIGINAL CITY
OF AUSTIN

FINLEY COMPANY
(11835/1894)

P.O.C.

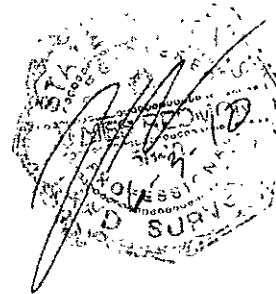
S73°28'05"E
160.04'

2ND STREET
(80' R.O.W.)

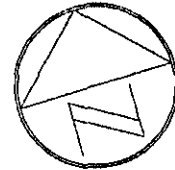
SKETCH TO ACCOMPANY A DESCRIPTION
OF 0.014 ACRES (APPROXIMATELY 600
SQUARE FEET) OF LAND, BEING A
PORTION OF THE 20' ALLEY, BLOCK
18, OF THE ORIGINAL CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS, ACCORDING TO
THE MAP OR PLAT THEREOF, ON
RECORD AT THE GENERAL LAND OFFICE
OF THE STATE OF TEXAS.

BEARING BASIS: GRID AZIMUTH FOR TEXAS
CENTRAL ZONE, 1983/93 HARN VALUES
FROM CITY OF AUSTIN CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS
DESCRIPTION 221-002-ALVAC2



SCALE
1"=30'



LINE TABLE		
No.	BEARING	LENGTH
L1	N73°25'05"W	10.00'
L2	N16°34'55"E	60.05'
L3	S73°25'05"E	10.00'
L4	S16°34'55"W	60.05'

LEGEND	
○	1/2" REBAR WITH PLASTIC CAP STAMPED "CHAPARRAL BOUNDARY" FOUND
○	CALCULATED POINT
△	CONCRETE NAIL WITH "CHAPARRAL" SHINER FOUND

DATE OF SURVEY: NOVEMBER, 2006
PLOT DATE: 05/23/07
DRAWING NO.: 221-002-ALVAC2
PROJECT NO.: 221-002

Chaparral



**Professional Land Surveying, Inc.
Surveying and Mapping**

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

EXHIBIT "A"

A-2

City of Austin
to
Finley Company

**0.077 ACRES
PORTION OF A 20' ALLEY**

A DESCRIPTION OF 0.077 ACRES (APPROXIMATELY 3,361 SQUARE FEET) OF LAND, BEING A PORTION OF THE 20' ALLEY, BLOCK 18, OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, ON RECORD AT THE GENERAL LAND OFFICE OF THE STATE OF TEXAS; SAID 0.077 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point for the southwest corner of said 20' alley, being the southeast corner of Lot 1, of said Block 18 and also being in the north right-of-way line of 2nd Street (80' right-of-way width), from which a concrete nail with "Chaparral" shiner found for the southwest corner of said Lot 1, Block 18, same being the northeast corner of the intersection of Congress Avenue (120' right-of-way width) and 2nd Street, bears North 73°28'05" West, a distance of 160.04 feet;

THENCE North 16°34'55" East, with the east line of Lots 1 through 5, of said Block 18, same being the west line of the said 20' alley, a distance of 198.06 feet to a 1/2" rebar with plastic cap stamped "Chaparral Boundary" found in the east line of said Lot 5, from which a concrete nail with "Chaparral" shiner found in the west line of said Lot 5, same being the east right-of-way line of Congress Avenue, bears North 73°28'05" West, a distance of 160.04 feet;

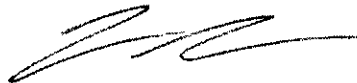
THENCE over and across said 20' alley, the following three (3) courses and distances:

1. South 73°25'05" East, a distance of 10.00 feet to a calculated point;
2. South 16°34'55" West, a distance of 60.05 feet to a calculated point;
3. South 73°25'05" East, a distance of 10.00 feet to a calculated point in the east line of said 20' alley, being the northwest corner of Lot 10, of said Block 18 and also being the southwest corner of Lot 9, of said Block 18;

THENCE South $16^{\circ}34'55''$ West, with the east line of said 20' alley, same being the west line of Lots 10 through 12, of said Block 18, a distance of 137.99 feet to a calculated point for the southeast corner of said 20' alley, same being the southwest corner of said Lot 12, Block 18, also being in the north right-of-way line of 2nd Street, from which a concrete nail with "Chaparral" shiner found for the southeast corner of said Lot 12, bears South $73^{\circ}28'05''$ West, a distance of 160.04 feet;

THENCE North $73^{\circ}28'05''$ West, crossing the said 20' alley, with the north right-of-way line of 2nd Street, a distance of 20.00 feet to the **POINT OF BEGINNING**, and containing 0.077 acres of land, more or less.

Surveyed on the ground, November 12, 2006. Bearing Basis: Grid azimuth for Texas central zone, 1983/93 HARN values from City of Austin control network. Attachments: Survey Drawing 221-002-ALVAC.DWG



6-2-10

James Redmon
Registered Professional Land Surveyor
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