

Late Backup

ITEM NO. 006
2/10/2011

ORDINANCE NO. _____

AN ORDINANCE VACATING THE PUBLIC ACCESS AND DRAINAGE EASEMENT RIGHTS IN A 0.080 ACRE PORTION OF THE 20 FOOT WIDE ALLEY ON BLOCK 92, 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 AND BEING THE PORTION OF THE EAST-WEST ALLEY RUNNING 198.42 FEET ALONG ITS NORTH BOUNDARY LINE FROM THE RED RIVER STREET RIGHT OF WAY. (ADDRESS: 801 RED RIVER STREET).

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

PART 1. Council approves the vacation of the public access easement and drainage easement rights in a 0.080 acre portion of the right-of-way dedication of the 20 foot alley located on Block 92 of the Original City of Austin, according to the map or plat thereof on record at the General Land Office of the State of Texas and being the portion of the East-West alley running 198.42 feet along its north boundary line from the Red River Street Right-of-Way, as more particularly described in Exhibit A, attached to and incorporated as part of this ordinance, to allow construction of a unified project.

PART 2. Stubbs Austin Restaurant Company LC has posted funds in the amount of \$27,900.00, the appraised fair market value of the interests in the land 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 other easements and restrictions filed of record in Travis County, Texas. A public utility easement is specifically reserved and confirmed herein and in the Quitclaim Deed to be recorded to evidence this vacation over and across the area described in Exhibit A.

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2 **PART 5.** This ordinance takes effect on _____

quibed 013.1
2011.

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4 **PASSED AND APPROVED**

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8 _____, 2011

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Lee Leffingwell
Mayor

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13 **APPROVED:** _____
14 Karen M. Kennard
15 Acting City Attorney
16

ATTEST: _____
Shirley A. Gentry
City Clerk

RELEASE DESCRIPTION

BEING 0.080 ACRE, (3470 SQUARE FEET) OF LAND OUT OF THE TWENTY (20) FEET WIDE ALLEY IN BLOCK 92 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS AND BEING THE ALLEY BETWEEN EAST 8TH STREET AND EAST NINTH STREET, EAST OF RED RIVER STREET AND WEST OF THE VACATED R.O.W. OF SABINE STREET; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

BEGINNING at a P.K. nail found in concrete on the common east R.O.W. of Red River Street and the north R.O.W. of a twenty (20) feet wide alley at the S.W. corner of Lot 8, Block 92, Original City of Austin, for the N.W. corner hereof;

THENCE the following two (2) courses and distances along the north R.O.W. of said alley and the south line of Lots 6, 7 and 8, Block 92, as occupied and monumented on the ground:

1. S70°23'19"E for a distance of 92.77 feet to a P.K. nail found in stone;
2. S71°05'33"E for a distance of 105.65 feet to a 60d nail found in tree root for the N.E. corner hereof;

THENCE S72°47'50"W, crossing said alley for a distance of 32.95 feet to an iron rod set on the south R.O.W. of said alley, same being on the north line of Lot 1-A, City of Austin Police Garage, recorded in Volume 82, Page 83, Plat Records, Travis County, Texas, for the S.E. corner hereof;

THENCE N70°24'58"W along the south R.O.W. of said alley as occupied and monumented on the ground, at 32.77 feet passing an iron rod found at the N.E. corner of Lot 2, Block 92, at 101.76 feet passing an iron rod found at the N.E. corner of Lot 1, Block 92, and in all 171.37 feet to an iron rod found at the common N.W. corner of Lot 1 and the east R.O.W. of Red River Street for the S.W. corner hereof:

THENCE N17°35'00"E crossing the west end of said alley along the east R.O.W. of Red River Street for a distance of 18.54 feet to the **POINT OF BEGINNING**, containing 0.080 acres of land.

REFERENCES

TCAD Parcel Map No. 02-0604
AUSTIN GRID J-22

EXHIBIT "A"
Page 2 of 2
J10042D

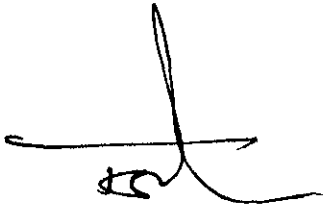
City of Austin
to
Stubbs Austin Restaurant
Company LC
0.080 ac. 8th St. Alley Vacation

RELEASE DESCRIPTION

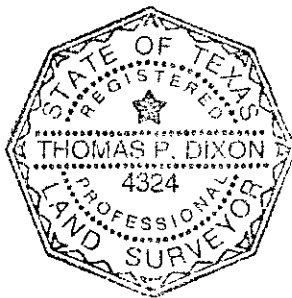
BEARING BASE:

The common north line of lots 5, 6 and 7, Block 92, Original City of Austin, and the south R.O.W. of East 9th Street as called for in that certain 0.479 acre tract recorded in Volume 12353, Page 323, Real Property Records, Travis County, Texas;

Found bolt at the N.E. corner of lot 5, Block 92, at the intersection of the south R.O.W. of East 9th Street and iron rod found on the south R.O.W. of East 9th Street at the N.W. corner of said 0.479 acre tract; bearing N71°05'59"W



Thomas P. Dixon R.P.L.S. 4324
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P.O. Box 160176
Austin, Texas 78716-1621
481-9602



Reviewed: 04-24-08
Jimmy Gloor

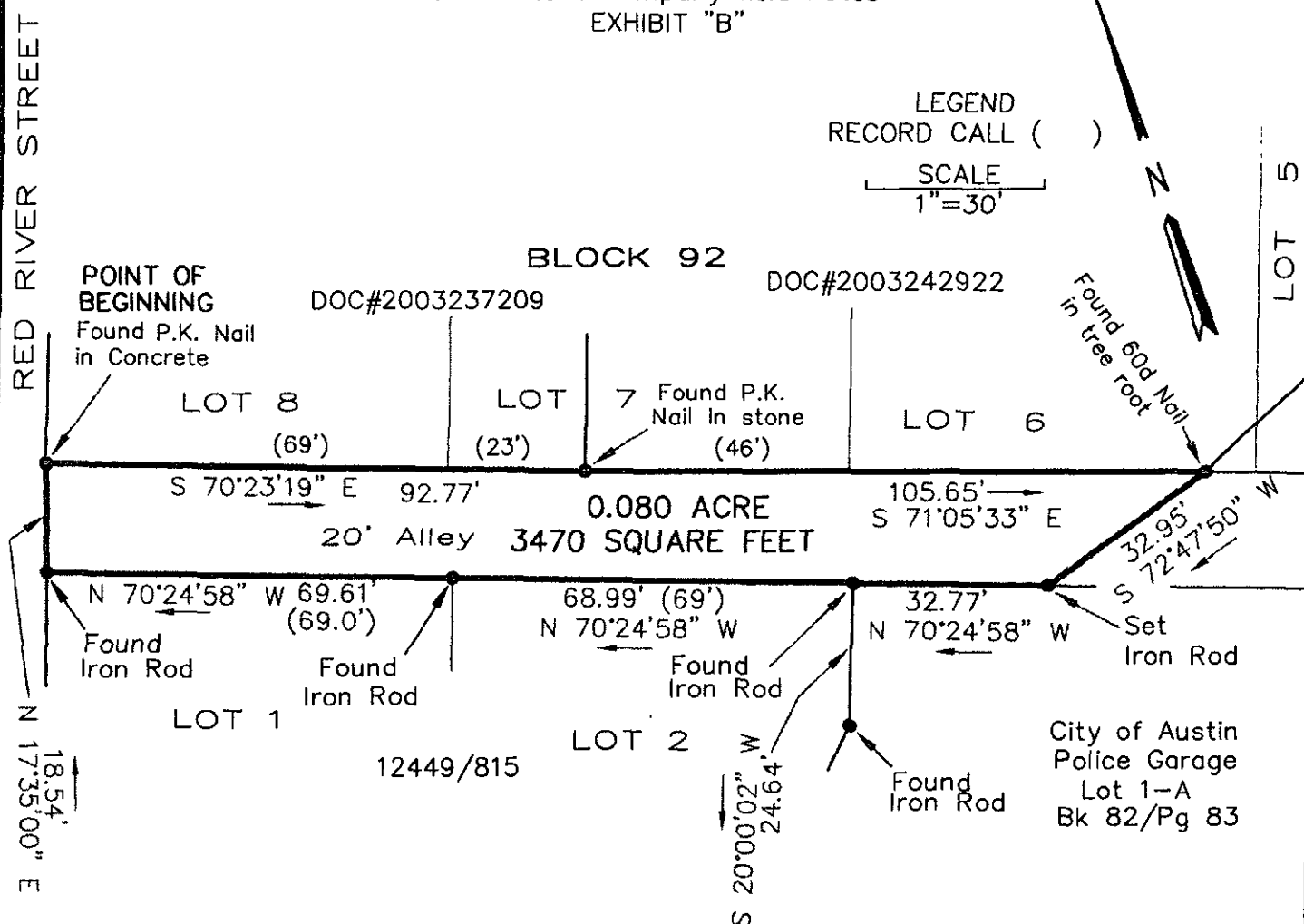
REFERENCES

TCAD Parcel Map No. 02-0604
AUSTIN GRID J-22

8TH STREET ALLEY VACATION

J10042D

sketch to accompany field notes
EXHIBIT "B"

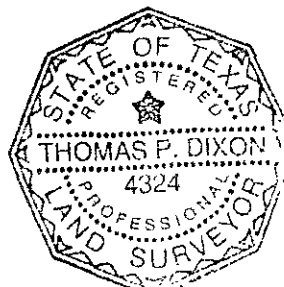


BEARING BASE:

THE COMMON NORTH LINE OF LOTS 5, 6 AND 7, BLOCK 92 AND THE SOUTH R.O.W. OF EAST 9TH STREET AS CALLED FOR IN THAT CERTAIN 0.479 ACRE TRACT RECORDED IN VOLUME 12353, PAGE 323, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS; FOUND BOLT AT THE N.E. CORNER OF LOT 5, BLOCK 92 AT THE INTERSECTION OF THE SOUTH R.O.W. OF EAST 9TH STREET AND IRON ROD FOUND ON THE SOUTH R.O.W. OF EAST 9TH STREET AT THE N.W. CORNER OF SAID 0.479 ACRE TRACT BEARING N71°05'59"W

LEGAL DESCRIPTION:

BEING 0.080 ACRE (3470 SQUARE FEET) OF LAND OUT OF THE 20 FOOT ALLEY IN BLOCK 92 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF FILED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS AND BEING THE ALLEY BETWEEN EAST EIGHTH STREET AND EAST NINTH STREET, EAST OF RED RIVER STREET, AND WEST OF THE VACATED R.O.W. OF SABINE STREET.



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