

**ORDINANCE NO. 20120524-021**

**AN ORDINANCE VACATING 85,342 SQUARE FEET OF A PUBLIC ROADWAY EASEMENT, DEDICATED BY SEPARATE INSTRUMENT, OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24 IN THE CITY OF AUSTIN, SAVE AND EXCEPT THE PUBLIC UTILITY EASEMENT DEDICATED BY THE SAME INSTRUMENT, RECORDED IN VOLUME 3819, PAGE 2395, TRAVIS COUNTY DEED RECORDS, TO XBIOTECH USA, INC.**

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

**PART 1.** Council approves the vacation of 85,342 square feet of a public roadway easement, dedicated by separate instrument, out of the Santiago Del Valle Ten League Grant, Abstract No. 24 in the City of Austin, save and except the public utility easement dedicated by the same instrument, recorded in Volume 3819, Page 2395, Travis County Deed Records, to XBiotech USA, Inc., and more particularly described in Exhibit A, attached to and incorporated as part of this ordinance. The area being requested for vacation was originally dedicated for access purposes, but is no longer needed.

**PART 2.** The vacation is made subject to any easements and restrictions filed of record in Travis County, Texas. A public utility and drainage easement is reserved from the vacation by the City over and across the area described in Exhibit A.

**PART 3.** This ordinance takes effect on June 4, 2012.

**PASSED AND APPROVED**

\_\_\_\_\_, 2012  
May 24

§  
§  
§

\_\_\_\_\_  
Lee Leffingwell  
Mayor

APPROVED: \_\_\_\_\_  
Karen M. Kennard  
City Attorney

ATTEST: \_\_\_\_\_  
Shirley A. Gentry  
City Clerk

## Exhibit A



State of Texas  
County of Travis  
EXHIBIT  
"F"#8989.1110"

Existing Road Easement  
To Be Released

### LEGAL DESCRIPTION

LEGAL DESCRIPTION OF A 1.959-ACRE (85,342 SQUARE FOOT) TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE TEN LEAGUE GRANT, ABSTRACT NO. 24 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PORTION OF AN EXISITNG 3.07-ACRE ROAD AND PUBLIC UTILITY EASEMENT DESCRIBED IN VOLUME 3819, PAGE 2395 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND ALSO BEING OUT OF AND A PORTION OF THAT CERTAIN CALLED 48.0261-ACRES TRACT OF LAND, HAVING BEEN CONVEYED TO XBIOTECH USA INC. BY GENERAL WARRANTY DEED, EXECUTED ON OCTOBER 7, 2010 AND RECORDED IN DOCUMENT NO. 2010170781 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.07-ACRE EASEMENT AND SAID 48.0261-ACRE TRACT BEING OUT OF AND A PORTION OF A CALLED 201.04-ACRE TRACT OF LAND CONVEYED TO MISSOURI IMPROVEMENT COMPANY IN VOLUME 3754, PAGE 1414 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.959-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING FOR POINT OF REFERENCE** at a ½" iron rod found at the intersection of the southwesterly right-of-way (R.O.W.) line of Winnebago Lane (85-foot R.O.W.) and the southeasterly R.O.W. of Caven Road (85-foot R.O.W.) at the present "dead-end" of Winnebago Lane and at an angle point in the northerly line of said called 48.0261-acres tract, from which point a ½" iron rod found on said southwesterly R.O.W. line of Winnebago Lane at another angle point in the said northerly line of said 48.0261-acre tract, same being the easterly corner of Lot 3, Missouri-Pacific Industrial Park, Section 1-A, a subdivision as recorded in Book 83, Page 133-B of the Plat Records of Travis County, Texas, bears N33°22'00"W a distance of 457.36 feet; THENCE, with said southeasterly R.O.W. line of said Caven Road, N56°38'28"E, a distance of 5.00 feet to a calculated point at the northwesterly corner of the remainder of said 3.07-acre Road and Public Utility Easement for the northwesterly corner and the **POINT OF BEGINNING** of this tract;



**THENCE, N56° 38'28"E**, coincident with said southeasterly R.O.W. line of said Caven Road at the present easterly "dead-end" of Winnebago Lane, a distance of **80.00 feet** to a calculated point at the northeasterly corner of the remainder of said 3.07-acre Road and Public Utility Easement, from which a ½" iron rod set with plastic cap stamped "Landmark Surveying" at a point of curvature in said southeasterly R.O.W. of Caven Road at its intersection with the projected northeasterly R.O.W. line of said Winnebago Lane bears N56°38'28"E a distance of 4.87 feet, for the northeasterly corner of this tract;

**THENCE**, through said called 48.0261-acres tract, and with the remainder of said 3.07-acres Road and Public Utility Easement and with the easterly, southerly and westerly lines of this easement the following fifteen (15) courses:

- 1) **S33°22'00"E**, a distance of **354.49 feet** to a calculated point of curvature of a curve to the right having a radius of 520.73 feet;
- 2) With the arc of said curve to the right having an arc length of 314.99 feet, a radius of 520.73 feet, a central angle of 34°39'30" and a chord which bears **S16°02'00"E** a distance of **310.21 feet** to a calculated point of tangency;
- 3) **S01°18'00"W** a distance of **114.00 feet** to a calculated point of curvature of a curve to the left having a radius of 15.00 feet, for an outside corner of this tract;
- 4) With the arc of said curve to the left having an arc length of 23.56 feet, a radius of 15.00 feet, a central angle of 89°58'58" and a chord which bears **S46°18'00"W** a distance of **21.21 feet** to a calculated point of compound curvature of a curve to the left with a radius of 215.37 feet.
- 5) With the arc of said curve to the left having an arc length of 130.28 feet, a radius of 215.37 feet, a central angle of 34°39'29" and a chord which bears **S16°02'00"E** a distance of **128.30 feet** to a calculated point of tangency;
- 6) **S33°22'00"E** a distance of **168.77 feet** to a calculated point of curvature of a curve to the left having a radius of 15.00 feet, for a southeasterly corner of this tract;
- 7) With the said curve to the left an arc distance of 13.62 feet, a radius of 15.00 feet, a central angle of 52°01'28", and a chord which bears **S 59°22'00" E** a distance of **13.16 feet** to a calculated point of reverse curvature of a curve with a radius of **50.00 feet**;



- 8) With the arc of said curve to the right, having an arc length of 247.87, a radius of 50.00 feet, a central angle of  $284^{\circ} 02' 17''$ , and a chord which bears  $S56^{\circ} 38' 00'' W$  a distance of 61.54 feet to a point of reverse curvature to the left, the radius of which is 15.00 feet;
- 9) With said curve to the left, having an arc length of 13.62 feet, a central angle of  $52^{\circ} 01' 28''$ , and a chord which bears  $N 7^{\circ} 22' 00'' W$  a distance of 13.16 feet to calculated point of tangency for a southwesterly corner of this tract, from which from which a one inch round head bolt found at an angle point in the southeasterly line of said called 48.0261-acres tract, same being an angle point in the northwesterly line of a 102.28-acre tract conveyed to TCEP, LLC from the State of Texas in Document No. 2008138557 of the Official Public Records of Travis County, Texas, bears  $S24^{\circ} 15' 52'' E$  a distance of 305.78 feet;
- 10)  $N33^{\circ} 22' 00'' W$  a distance of 168.77 feet to calculated point of curvature of a curve to the right, the radius of which is 265.37 feet,
- 11) With the said curve to the right, an arc distance of 160.53 feet, a radius of 265.37 feet, a central angle of  $34^{\circ} 39' 33''$ , and a chord which bears  $N16^{\circ} 02' 00'' W$  a distance of 158.09 feet, to a calculated point of reverse curvature to the left, the radius of which is 15.00 feet;
- 12) With the said curve to the left, an arc distance of 23.56 feet, a radius of 15.00 feet; a central angle of  $89^{\circ} 58' 58''$ , and a chord which bears  $N43^{\circ} 42' 00'' W$  a distance of 21.21 feet to a calculated point of tangency of said curve, for an outside corner of this tract;
- 13)  $N1^{\circ} 18' 00'' E$  a distance of 114.00 feet to a calculated point of curvature of a curve to the left, the radius of which is 440.73 feet;
- 14) With the said curve to the left, an arc distance of 266.60 feet, a radius of 440.73 feet, a central angle of  $34^{\circ} 39' 29''$ , and a chord which bears  $N16^{\circ} 02' 00'' W$  a distance of 262.55 feet to a calculated point of tangency of said curve;
- 15)  $N33^{\circ} 22' 00'' W$  a distance of 354.49 to the POINT OF BEGINNING and containing 1.959-acre (85,342 square feet) of land.

#### **BEARING BASIS NOTE**

The bearings described herein are based on the bearing called for on the southwesterly R.O.W. line of Winnebago Lane in the aforementioned subject deed (Document No. 2010170781 of the Official Public Records of Travis

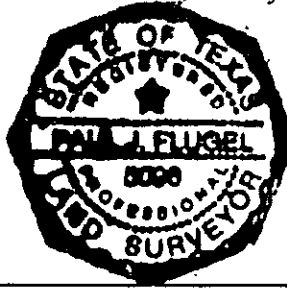


County, Texas), and also as shown on the Missouri-Pacific Industrial Park, Section Two plat (Book 79, Page 268, Plat Records, Travis County, Texas) being S33°22'00"E.

**CERTIFICATION:**

I do hereby certify that this description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by  
Landmark Surveying, LP



*Paul J. Flugel*

Paul J. Flugel

11/10/2011  
Date

Registered Professional Land Surveyor No. 5096  
Vice President of the General Partner, Senior Project Manager  
Firm Registration No. 100727-00

**REFERENCES**

MAPSCO 2009 645-P,T, & U  
AUSTIN GRID NO. J16, K16, J17, & K17  
TCAD PARCEL ID NO. 03-1706-0101

T:\TG Edwards Const\Winnebago Ln Boundary & Staking\Field Notes\  
Existing Road & PUE \Existing Road & PUE.doc

FIELD NOTES REVIEWED

By: ~~Clark Daniel~~ Date: 12-02-2011

Engineering Support Section  
Department of Public Works  
City of Transportation

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LINE	BEARING	DISTANCE
L1	N56°38'28"E	89.87'
	(N56°18'55"E 90.00')	
	(N56°38'00"E 90.00')	
L2	N56°38'28"E	80.00'
L3	N56°38'28"E	5.00'
L4	N56°38'28"E	4.87'

**NOTE:**  
FOR CURVE TABLE  
SEE PAGE 6 OF 7

LOT 3  
MISSOURI-PACIFIC  
INDUSTRIAL PARK, SECTION  
1-A  
BOOK 83, PAGE 133-B  
P.R.T.C.T.

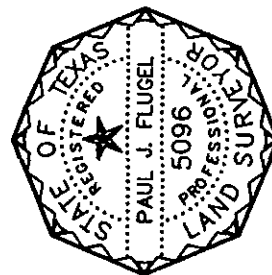
NOVENA ENTERPRISES LLC  
DOC. NO. 2007081898  
O.P.R.T.C.T.  
TCAD NO. 03-1706-0106

## LEGEND

- 1/2" IRON ROD FOUND  
UNLESS NOTED OTHERWISE
- ⊙ BOLT FOUND
- ⊙ IRON PIPE FOUND
- ⊙ 1/2" IRON ROD SET WITH YELLOW PLASTIC CAP  
STAMPED "LANDMARK SURVEYING"
- △ CALCULATED POINT  
(NOT MONUMENTED ON THE GROUND)
- < > RECORD INFORMATION: VOLUME 13293, PAGE 47
- ( ) RECORD INFORMATION: SUBJECT TRACT  
DOC. NO. 2010170781
- (( )) RECORD INFORMATION: PRIOR SUBJECT TRACT  
ORIGINAL TRACT DEEDS  
VOLUME 3754, PAGE 1414 &  
VOLUME 1631, PAGE 174

- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS  
OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS  
OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS  
OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. DEED RECORDS  
OF TRAVIS COUNTY, TEXAS
- TCAD TRAVIS CENTRAL APPRAISAL  
DISTRICT
- R.O.W. RIGHT-OF-WAY
- WMH WASTEWATER MANHOLE

Client: T.G. EDWARDS CONSTR  
Date: November 10, 2011  
Office: MB  
Crew: S. Dunn, R. Martinez  
F.B.: 1270/57-78; 1274/62-67; 1278/468-49; 1275/77  
Disk: T.G. Edwards Constr Winnebago Ln Boundary & Staking\Landmark Drawings\Assumed\Easements\Road&Public Utility Esmt.dwg  
Cogo: F:\S.Dunn\...  
Job No.: 906-06-13



SANTIAGO DEL VALLE  
TEN LEAGUE GRANT  
ABSTRACT - 24

**Landmark**  
SURVEYING, LP  
1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78748  
PH: (512)328-7411 FAX: (512)328-7413

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

## LEGEND

- 1/2" IRON ROD FOUND UNLESS NOTED OTHERWISE
- BOLT FOUND
- ⊙ IRON PIPE FOUND
- 1/2" IRON ROD SET WITH YELLOW PLASTIC CAP
- △ STAMPED "LANDMARK SURVEYING"
- △ CALCULATED POINT (NOT MONUMENTED ON THE GROUND)
- △ 600 NAIL SET

( ) RECORD INFORMATION: SUBJECT TRACT  
 DOC. NO. 2010170781  
 (( )) RECORD INFORMATION: PRIOR SUBJECT TRACT  
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 VOLUME 3754, PAGE 1414 &  
 VOLUME 1631, PAGE 174

Q.P.R.T.C.I. OFFICIAL PUBLIC RECORDS  
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 D.R.T.C.I. DEED RECORDS  
 OF TRAVIS COUNTY, TEXAS  
 T.C.A.D. TRAVIS CENTRAL APPRAISAL  
 DISTRICT  
 R.O.W. RIGHT-OF-WAY  
 WWMH WASTEWATER MANHOLE

CURVE	CHORD BEARING	CHORD DISTANCE	DELTA	ARC LENGTH	RADIUS
C1	N16°02'03"W	262.55'	34°39'29"	266.60'	440.73'
C2	S16°02'00"E	310.21'	34°39'30"	314.99'	520.73'
C3	S46°18'00"W	21.21'	89°58'58"	23.56'	15.00'
C4	S16°02'00"E	128.30'	34°39'29"	130.28'	215.37'
C5	N43°42'00"W	21.21'	89°58'58"	23.56'	15.00'
C6	N16°02'00"W	158.09'	34°39'33"	160.53'	265.37'
C7	N07°22'00"W	13.16'	52°01'28"	13.62'	15.00'
C8	S59°22'00"E	13.16'	52°01'28"	13.62'	15.00'
C9	S56°38'00"W	61.54'	284°02'17"	247.87'	50.00'

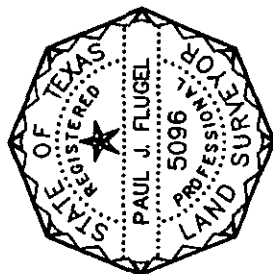
SANTIAGO DEL VALLE  
 TEN LEAGUE GRANT  
 ABSTRACT - 24

20' WIDE SANITARY  
 SEWER EASEMENT  
 TRACT 1  
 VOL. 3835, PG. 1917  
 D.R.T.C.I.

EXISTING ROAD EASEMENT  
 1.959 ACRES (85,342 SQ. FT.)  
 (TO BE RELEASED)  
 (REMAINDER OF 3.07 ACRES)  
 VOL. 3819, PG. 2395  
 D.R.T.C.I.

47.987 ACRES  
 2,090,340 SQUARE FEET  
 XBIOTECH USA INC.  
 (48.0261 ACRES)  
 DOC. NO. 2010170781  
 GENERAL WARRANTY DEED  
 O.P.R.T.C.I.  
 TCAD No. 03-1706-0101

47.987 ACRES  
 2,090,340 SQUARE FEET  
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Client: T.G. EDWARDS CONSTR  
 Date: November 10, 2011  
 Office: MB  
 Crew: S. Dunn, R. Martinez  
 F.B.: 1270/37-78; 1274/62-67; 1278/46&49; 1275/77  
 Disk: T: 76 Edwards Const; Winnebago Ln Boundary & Staking; Landmark Drawings; Assumed Easements; Road & Public Utility Easmt.dwg  
 Cogo: F: S. Dunn  
 Job No.: 906-06-13

**Landmark**  
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 BUILDING B, SUITE 315  
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 PH: (512)328-7411 FAX: (512)328-7413

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

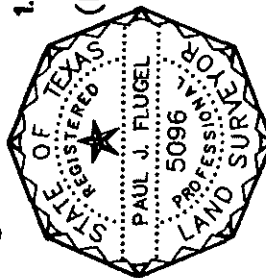
## LEGEND

- 1/2" IRON ROD FOUND UNLESS NOTED OTHERWISE
- BOLT FOUND
- ⊙ IRON PIPE FOUND
- 1/2" IRON ROD SET WITH YELLOW PLASTIC CAP
- △ STAMPED "LANDMARK SURVEYING"
- △ CALCULATED POINT (NOT MONUMENTED ON THE GROUND)
- △ 600 NAIL SET

- ( ) RECORD INFORMATION: SUBJECT TRACT DOC. NO. 2010170781
- (( )) RECORD INFORMATION: PRIOR SUBJECT TRACT ORIGINAL TRACT DEEDS VOLUME 3754, PAGE 1414 & VOLUME 1631, PAGE 174
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- D.R.I.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- TCAD TRAVIS CENTRAL APPRAISAL DISTRICT
- R.O.W. RIGHT-OF-WAY
- WYNH WASTEWATER MANHOLE

EXISTING ROAD EASEMENT  
1.959 ACRES (85,342 SQ. FT.)  
(TO BE RELEASED)  
(REMAINDER OF 3.07 ACRES)  
VOL. 3819, PG. 2395  
D.R.T.C.T.

SANTIAGO DEL VALLE  
TEN LEAGUE GRANT  
ABSTRACT - 24



AS SURVEYED BY  
LANDMARK SURVEYING, LP  
FIRM REGISTRATION NO. 100727-00

*Paul J. Flugel*  
PAUL J. FLUGEL  
Registered Professional Land Surveyor No. 5096  
DATE: AUGUST 09, 2011

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE  
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR

Client: T.G. EDWARDS CONSTR  
Date: November 10, 2011  
Office: MB  
Draw: S. Dunn, R. Martinez  
F.B.: 1270/57-78; 1274/82-87; 1278/148-149; 1275/77  
Disk: T.G. Edwards Const/Winnebago Ln Boundary & Staking/Landmark Drawings/Assumed/Easements/Road&Public Utility Ermt.dwg  
Cogo: F:\S.Dunn\...  
Job No.: 906-06-13

NOTE:  
FOR CURVE TABLE  
SEE PAGE 6 OF 7

47.987 ACRES  
2,090,340 SQUARE FEET  
XBIOTECH USA INC.  
(48,0261 ACRES)  
DOC. NO. 2010170781  
GENERAL WARRANTY DEED  
O.P.R.T.C.T.  
TCAD No. 03-1706-0101

PUBLIC UTILITY &  
LIFT STATION EASEMENT  
TRACT 1 ~ 0.131 AC.  
VOL. 3979, PG. 2293  
D.R.T.C.T.

TCEP LLC  
TRACT 1 ~ 102.28 AC.  
DOC. NO. 2008138557  
DEED WITHOUT WARRANTIES  
O.P.R.T.C.T.  
TCAD NO. 03-2301-0119  
FORMERLY STATE OF TEXAS  
VOL. 7113, PAGE 236  
D.R.T.C.T.

20' PUBLIC UTILITY EASEMENT  
PER VOL. 3756, PG. 377  
D.R.T.C.T. TRACT 2

BOUNDARY LINE AGREEMENT  
VOL. 3756, PG. 377 D.R.T.C.T.

PIERRE BEJANI, HASSAN NAGHAVI,  
& SEYED HASSAN MOOSAVI  
28.39 ACRES  
DOC. NO. 2004118477 O.P.R.T.C.T.  
TCAD NO. 03-2008-0277





