ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 830421-Q, WHICH VACATED EXCESS RIGHT-OF-WAY IN WEST ELEVENTH STREET AND RETAINED AN EASEMENT FOR THE CITY FOR PUBLIC UTILITY PURPOSES, TO MODIFY THE RESTRICTIONS AFFECTING THE USE OF THE PROPERTY DESCRIBED IN THE ORDINANCE.

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

PART 1. Section 2 of Ordinance No. 830421-Q is amended to read as follows:

SECTION 2. The following conditions shall survive the vacation and closure herein, be rights reserved and covenants running with the land:

1. The entire area vacated and described in Part 1 is hereby reserved and retained as an easement for public utilities.

2. If the area vacated and described in Section 1 is subdivided into two or more lots, a unified development agreement will be required at the time a site plan for any portion of the area vacated is submitted unless each lot can be developed independently of one another.

3. Development of the combined vacated area and beneficiary properties may not exceed 28 dwelling units.

PART 2. This ordinance takes effect on _____, 2012.

PASSED AND APPROVED

§
§
_____, 2012 § _____

Lee Leffingwell
Mayor

APPROVED: _____ **ATTEST:** _____

Karen M. Kennard
City Attorney

Shirley A. Gentry
City Clerk

draft