

ORDINANCE NO. 20120628-035

AN ORDINANCE VACATING 42,264 SQUARE FEET OF RIGHT OF WAY OUT OF DIVISION "O", ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON THE GOVERNMENT OUTLOTS ON FILE IN THE TEXAS GENERAL LAND OFFICE, AND BEING A PORTION OF EAST AVENUE, BOUNDED ON THE NORTH BY RIVER STREET, ON THE EAST BY INTERSTATE 35 AND A PORTION OF THE WEST LINE OF BLOCK 1, ELM GROVE SUBDIVISION, ON THE SOUTH BY LAMBIE STREET/EAST AVENUE, AND ON THE WEST BY A REMAINDER PORTION OF EAST AVENUE.

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

PART 1. Council approves the vacation of 42,264 square feet of right of way out of Division "O", Original City of Austin, Travis County, Texas, as shown on the Government Outlots on file in the Texas General Land Office, and being a portion of East Avenue, bounded on the north by River Street, on the east by Interstate 35 and a portion of the west line of Block 1, Elm Grove Subdivision, on the south by Lambie Street/East Avenue, and on the west by a remainder portion of East Avenue as more particularly described in Exhibit A, attached to and incorporated as part of this ordinance.

PART 2. The area being requested for vacation will be used by Austin Energy for an electric substation and/or a chilled water cooling plant.

PART 3. A drainage easement and water and wastewater easement over the vacated portion is reserved from the vacation by the City over and across the area described in Exhibit A.

PART 4. This ordinance takes effect on July 9, 2012.

PASSED AND APPROVED

_____, June 28, 2012

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§ _____
Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

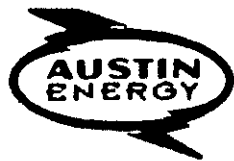


EXHIBIT "A"

SURVEY PLAT OF A 0.9702 ACRE, 42,264 SQUARE FEET, OF LAND LOCATED IN DIVISION "O" ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON THE MAP OF THE GOVERNMENT OUTLOTS ON FILE IN THE TEXAS GENERAL LAND OFFICE AND BEING MORE PARTICULARLY A PORTION OF EAST AVENUE, A STREET IN THE CITY OF AUSTIN, TO BE VACATED AND BOUNDED AS FOLLOWS: ON THE NORTH BY RIVER STREET, ON THE EAST BY INTERSTATE 35 AND A PORTION OF THE WEST LINE OF BLOCK 1, ELM GROVE, A SUBDIVISION IN THE CITY OF AUSTIN, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGE 241, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, ON THE SOUTH BY LAMBIE STREET/EAST AVENUE AND ON THE WEST BY A REMAINDER PORTION OF EAST AVENUE, SAID 0.9702 ACRE TRACT OF LAND BEING SHOWN ON THE ATTACHED SKETCH LABELED EXHIBIT "B" AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW:

BEGINNING at a one-half inch inside diameter pipe found for the south corner of the herein described 0.9702 acre tract of land, same being the west corner of and remainder of Lot 7, Block 1, Elm Grove Subdivision, same being at the intersection of the northeast Right of Way line of Lambie Street, with the southeast right of way line of East Avenue and from this point a 60d nail found on the southwest Right of Way line of the said Lambie Street, and from this point a 60d nail found on the southwest Right of Way line of a portion of East Avenue/Lambie Street bears South 16°16'38" West, along the common dividing line of the said East Avenue and the said Lambie Street a distance of 49.30 feet:

THENCE through said and severing from said East Avenue the following two (2) courses:

- 1) North 68°24'25" West, a distance of 136.14 feet to a City of Austin capped iron rod set for the west corner of the herein described 0.9702 acre tract of land and from this point a one-half inch iron rod found for the south corner of that called 0.3808 acre tract of land described to Austin-Travis County Mental Health Mental Retardation Center in that certain Special Warranty Deed as recorded in Volume 12096, Page 3241, of the Real Property Records of Travis County, Texas, bears South 64°39'29" West, crossing over the said East Avenue a distance of 88.60 feet and from this point a one-half inch inside diameter pipe found for the east corner of that called 32,095 square feet of land described to Austin-Travis County Mental Health Mental Retardation Center in that certain Special Warranty Deed as recorded in Volume 12096, Page 3237, of the Real Property Records of Travis County, Texas, bears North 16°30'27" East, along the common dividing line of East Avenue and the two tracts described to the Austin-Travis County Mental Health Mental Retardation Center a distance of 380.28 feet;
- 2) North 16°30'27" East, sixty-six foot perpendicular distance from and parallel to the common dividing line of the west Right of Way line of the said East Avenue and the said two tracts described to the Austin-Travis County Mental Health Mental Retardation Center, a distance

(SURVEY PLAT OF A 0.9702 ACRE, 42,264 SQUARE FEET, OF LAND LOCATED IN
DIVISION "O" OF THE GOVERNMENT OUT LOTS OF THE CITY OF AUSTIN,
TRAVIS COUNTY)

of 321.16 feet to a City of Austin capped iron rod set for the north corner of the herein described 0.9702 acre tract of land, same being at the intersection of the southeast line of East Avenue and the southwest line of the River Street and from this point the said one-half inch inside diameter pipe found for the east corner of the said Austin-Travis County Mental Health Mental Retardation Center 32.095 square feet of land bears North 73°29'33" West, crossing over the said East Avenue a distance of 66.00 feet, for a point at the intersection of the northwest Right of Way line of East Avenue with the southwest Right of Way line of the said River Street;

THENCE South 73°29'33" East, along the present southwest Right of Way line of the said River Street a distance of 85.91 feet to a City of Austin capped iron rod set for the most northerly east corner of the herein described 0.9702 acre tract of land, same being at the intersection of the southwest Right of Way line of Interstate 35 with the southwest Right of Way line of the said River Street;

THENCE South 15°27'40" East, along the common dividing line of the said Interstate 35 and the said East Avenue a distance of 91.96 feet to a City of Austin capped iron rod set for the east corner of the herein described 0.9702 acre tract of land, same being the north corner of and remainder of Lot 2, Block 4, of the said Elm Grove and an exterior angle corner of the said East Avenue for a point on the southwest Right of Way line of the said Interstate 35;

THENCE South 16°16'50" West, along the common dividing line of the said East Avenue and the remainder of Lot 2 thru 7, inclusive, Block 4, Elm Grove, a distance of 255.22 feet to the POINT OF BEGINNING and containing 0.9702 acres of land or (42,264 square feet) of land more or less.

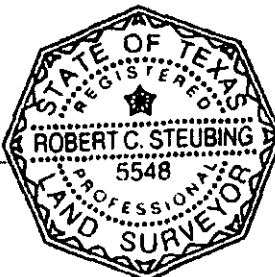
BASIS OF BEARINGS: GRID NORTH, NAD 83, TEXAS CENTRAL ZONE 4203, GRID DISTANCES RECITED HEREIN.

Reference the attached sketch marked **EXHIBIT "B"**.

I hereby certify that these field notes were prepared from an on the ground survey made under my supervision in July 2011.

Prepared By: **AUSTIN ENERGY**

Robert C. Steubing 07/26/2011
Robert C. Steubing
Registered Professional Land Surveyor No. 5548



FIELD NOTES REVIEWED

By: CLARK DANIEL Date 09-13-2011

Engineering Support Section
Department of Public Works
Information

SKETCH OF A PROPOSED SECTION OF EAST AVENUE TO BE VACATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" INSIDE DIAMETE PIPE FOUND
- 1/2" IRON ROD FOUND
- 60d NAIL FOUND
- 1/2" CAPPED ROD SET
- B.O.C. BACK OF CURB
- POB POINT OF BEGINNING
- OPRTCT OFFICAL PUBLIC RECORDS TRAVIS COUNTY TX
- RPRTCT REAL PROPERTY RECORDS TRAVIS COUNTY, TX



SCALE 1" = 60'

