

RESOLUTION NO. 20130411-079

WHEREAS, the City Council was requested to conduct a public hearing to consider the use of approximately 26,346 square feet of land for construction, use, maintenance, repair, and replacement of shoring or soil retention system, building canopy, bridge and roadway for the New Central Library/2nd Street Bridge and Extension Project through dedicated parkland known as Shoal Creek Greenbelt (the "Proposed Use"); and

WHEREAS, the land being used for the Proposed Use is described in Exhibits A, B, and C (the "Affected Land"); and

WHEREAS, notice of the public hearing to be held on April 11, 2013 was given for three consecutive weeks on March 17, 24, and 31, 2013 in a newspaper of general circulation; and

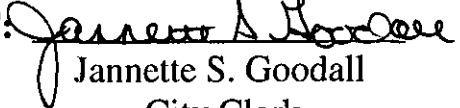
WHEREAS, such public hearing was held April 11, 2013, by the City Council to consider the use of Affected Land for the Proposed Use; **NOW, THEREFORE,**

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

Having taken into account clearly enunciated local preferences, the City Council finds that there is no feasible and prudent alternative to the use of the Affected Land for the Proposed Use and that all reasonable planning has been done to minimize harm to the Affected Land from the Proposed Use. The use of the Affected Land for the Proposed Use is approved.

The City Manager is authorized to take such measures as may be necessary, favorable, or required to effectuate the purpose and intent of this resolution.

ADOPTED: April 11, 2013

ATTEST: 
Jannette S. Goodall
City Clerk

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR 0.309 ACRES OF LAND (13,474 SF) SITUATED IN THE ORIGINAL THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP ON FILE WITH THE GENERAL LAND OFFICE, BEING A PORTION OF THE VACATED RIGHT-OF-WAY OF WEST 2ND STREET AND THE VACATED RIGHT-OF-WAY OF RIO GRANDE STREET, BOTH STREETS HAVING BEEN VACATED BY DOCUMENT RECORDED IN VOLUME 12852 PAGE 120 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, ALSO BEING A PORTION OF LOT 5, BLOCK 186 OF SAID ORIGINAL CITY OF AUSTIN HAVING BEEN CONVEYED TO THE CITY OF AUSTIN BY DEED OF RECORD IN VOLUME 183, PAGE 11 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.309 ACRES OF LAND ALSO BEING A PORTION OF THAT CERTAIN CHLORINE SOLUTION AND ACTIVATED CARBON LINE EASEMENT AND USE AGREEMENT OF RECORD IN VOLUME 12852, PAGE 90 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, WHICH SAID 0.309 ACRE TRACT IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point (having grid coordinate values of **N=10069969.78, E=3111795.68** at the intersection of the vacated east line of said Rio Grande Street and the vacated south line of said West 2nd Street, same being the northwest corner of Lot 8, Block 185, of said Original City of Austin, conveyed to the City of Austin by document recorded in Volume P, Page 151 of the Deed Records of Travis County, Texas, also being an angle point in the east line of said Chlorine Solution and Activated Carbon Line easement, for an angle point of the herein described tract, from which an "X" found cut in concrete for the southwest corner of a called 289 square foot right-of-way dedication described as Tract 1 in an Affidavit of Declaration of Right-Of-Way by document recorded in Volume 12678, Page 630 of the Real Property Records of Travis County, Texas bears South 16°37'13" West, a distance of 276.59 feet;

THENCE South 31°51'34" West, crossing into a portion of the vacated right-of-way of said Rio Grande Street with the east line of said Chlorine Solution and Activated Carbon line easement, a distance of **12.08** feet to a calculated point, for an angle point of the herein described tract;

THENCE North 80°00'54" West, crossing the vacated right-of-way of said Rio Grande Street, said Chlorine Solution and Activated Carbon Line easement and crossing into a portion of said Lot 5, Block 186, a distance of **119.47** feet to a ½" rebar with cap stamped "COA Public Works" found in the west line of said Chlorine Solution and Activated Carbon Line easement at the northeast corner of a proposed 1.149 acre Central Library tract, for the southwest corner of the herein described tract, from which a ½" rebar with plastic cap stamped "COA Public Works" found at an angle point in the west line of said Chlorine Solution and Activated Carbon Line easement and an angle point in the east line of the said proposed Central Library tract bears South 46°43'14" West, a distance of 6.44 feet;

THENCE North 46°43'14" East, crossing said Lot 5, Block 186 and a portion of the vacated

City of Austin – Public Works Department – 505 Barton Springs Road, Suite 760
Austin, Texas 78704 – Ph (512) 974-7793 – Fax (512) 974-7179

right-of-way line of said West 2nd Street with the west line of said Chlorine Solution and Activated Carbon Line easement, a distance of **52.13** feet to a calculated point for angle point of the said Chlorine Solution and Activated Carbon Line easement and the herein described tract;

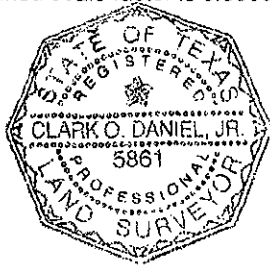
THENCE **North 30°05'04" East**, continuing across the vacated right-of-way of said West 2nd Street with the west line of the Chlorine Solution and Activated Carbon Line easement, a distance of **62.01** feet to a calculated point at the intersection of the vacated north right-of-way line of said West 2nd Street and west line of said Chlorine Solution and Activated Carbon Line easement for the northwest corner of the herein described tract, from which a brass rod found in a valve box (centerline monument) at the intersection of the prolongation of the northerly right-of-way line of West 3rd Street as established east of west Avenue and the centerline of vacated West Avenue bears North 73°24'43" West, a distance of 316.31 feet to a calculated point and North 16°37'50" East, a distance of 356.16 feet, also from said calculated intersection point an "X" found cut in the top of the north curb of West Cesar Chavez Street bears South 16°37'50" West, a distance of 707.58 feet;

THENCE **South 73°24'43" East**, crossing the vacated right-of-way of said Rio Grande Street in part along the vacated north right-of-way line of said West 2nd Street, a distance of **150.35** feet to a calculated point in the east line of the said Chlorine Solution and Activated Carbon Line easement for the common southerly corner of Lots 1 and 2, Block 188, Original City of Austin and for the northeast corner of the herein described tract;

THENCE crossing the vacated right-of-way of said West 2nd Street with the east line of said Chlorine Solution and Activated Carbon Line easement, the following two (2) courses and distances:

1. **South 16°38'06" West**, a distance of **38.98** feet to a calculated point for angle point;
2. **South 75°53'39" West**, a distance of **80.36** feet to the **POINT OF BEGINNING**, containing 0.309 acres of land, more or less.

"This legal description was prepared by Clark O. Daniel, R.P.L.S. No. 5861 from surveys made on the ground from July 2011 through October 2012. The bearing basis of this description is the Texas State Plane Coordinate System of 1983, Central Zone (Grid). The control monuments for this project are a 4" City of Austin Brass Disk in the top of the west curb of Seaholm Drive having grid coordinate values of N=10,070,002.012, E=3,110,962.325 and a 4" City of Austin Brass Disk in a concrete walkway at the top of a scenic overlook on the south side of Riverside Drive having grid coordinate values of N=10,068,644.121, E=3,110,817.945. The distances shown are surface distances. The combined scale factor is 0.999944995.



Clark O. Daniel 03-07-2013

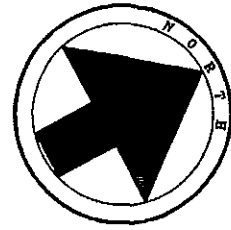
Clark O. Daniel, R.P.L.S. No. 5861
Quality Standards Management Division
Department of Public Works
City of Austin

REFERENCES

TCAD Parcel Map. 01-0500
Austin Grid H-22
Parkland Use Agreement.rtf

City of Austin – Public Works Department – 505 Barton Springs Road, Suite 760
Austin, Texas 78704 – Ph (512) 974-7793 – Fax (512) 974-7179

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION



LOT 3
SEAHOLM
SUBDIVISION
(DOC. 201100062)

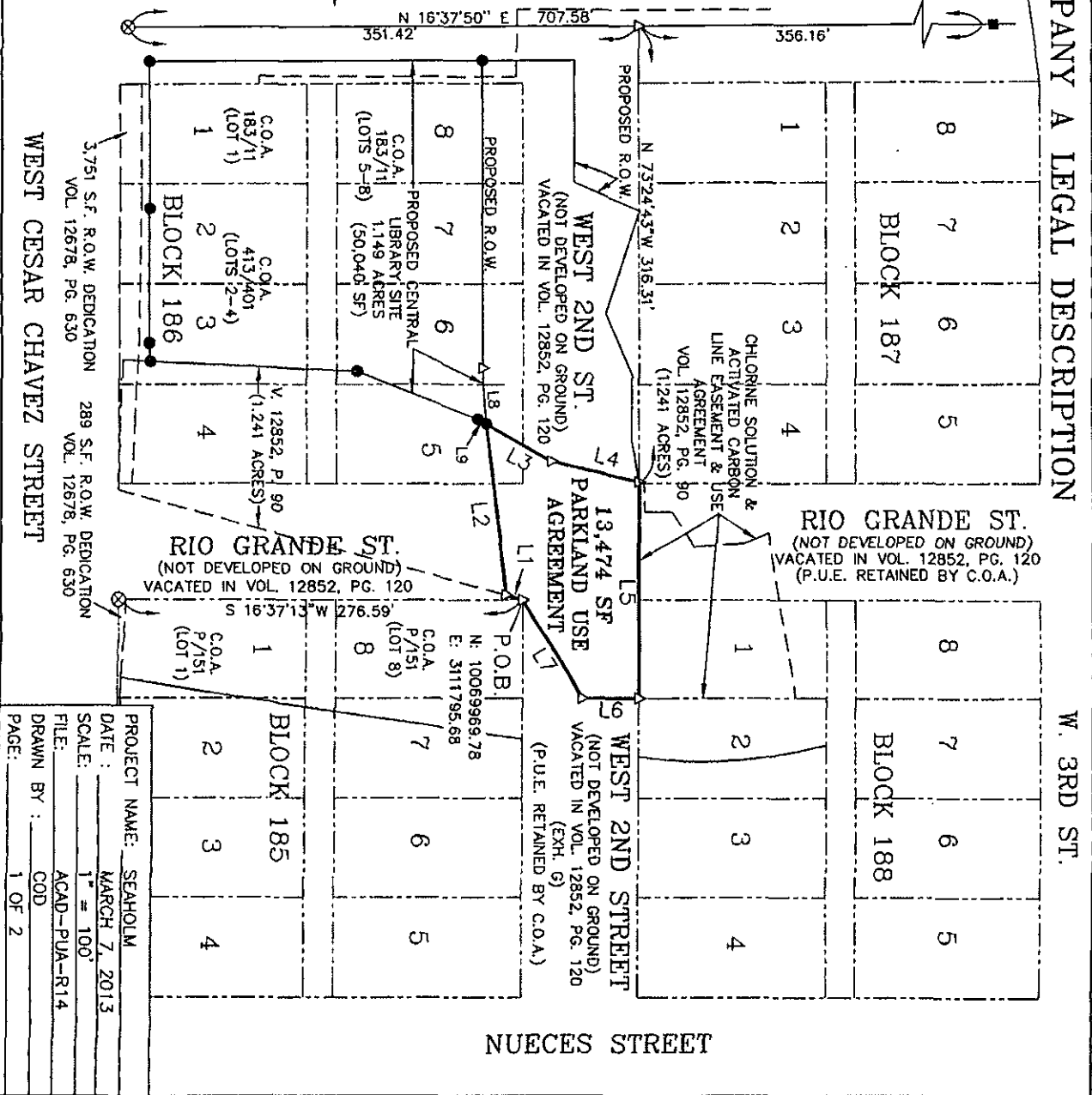
ELECTRIC UTILITY
EASEMENT &
ACCESS
DECLARATION
DOC. 2005097987

LOT 1
SEAHOLM SUBDIVISION
(DOC. 201100062)

(0.078 AC.)
R.O.W. DESIGNATION
& USE AGREEMENT
DOC. 2011012577

WEST AVE.
(NOT DEVELOPED ON
GROUND)
1.12 AC. VACATED IN
VOL. 12852, PG. 133
(P.U.E. RETAINED BY C.O.A.)

R.O.W. DESIGNATION & USE
AGREEMENT
DOC. 201012577
(0.260 AC.)



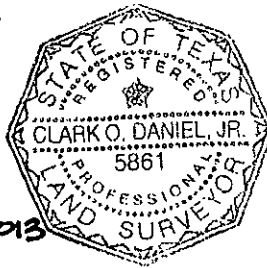
SKETCH TO ACCOMPANY A LEGAL DESCRIPTION

LINE TABLE

L1	S 31°51'34" W	12.08'
L2	N 80°00'54" W	119.47'
L3	N 46°43'14" E	52.13'
L4	N 30°05'04" E	62.01'
L5	S 73°24'43" E	150.35'
L6	S 16°38'06" W	38.98'
L7	S 75°53'39" W	80.36'
L8	N 77°13'04" W	39.16'
L9	S 46°43'14" W	6.44'

LEGEND

- 1/2" REBAR w/CAP STAMPED
- "COA PUBLIC WORKS" FOUND (UNLESS NOTED)
- BRASS ROD IN VALVE BOX
- FOUND (COA CENTERLINE MONUMENT)
- ⊗ CROSS CUT IN CONCRETE FOUND
- △ CALCULATED POINT



Clark O. Daniel, Jr. 03.07.2013
 CLARK O. DANIEL, JR. DATE
 STATE OF TEXAS RPLS NO. 5861
 BEARING BASIS: GRID BEARINGS -
 TEXAS STATE PLANE COORDINATE NAD83, CENTRAL ZONE

PUBLIC WORKS DEPARTMENT
 QUALITY AND STANDARDS MANAGEMENT DIVISION
 505 BARTON SPRINGS ROAD, SUITE 760
 PHONE (512) 974-7793
 FAX (512) 974-7179



PROJECT NAME: SEAHOLM
 DATE : MARCH 7, 2013
 SCALE: 1" = 100'
 FILE: ACAD-PUA-R14
 DRAWN BY : COD
 PAGE: 2 OF 2

Exhibit "B"

F#WP _____
SAM, Inc. Job No. 33059
FN LA2
March 7, 2013

TIE-BACK AREA 2

DESCRIPTION

BEING 0.29 OF AN ACRE OF LAND, OR 12,500 SQUARE FEET MORE OR LESS, OUT OF WEST 2ND STREET, A VARIABLE WIDTH RIGHT-OF-WAY (R.O.W.), VACATED IN VOLUME 12852, PAGE 120 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND RIO GRANDE STREET, A VARIABLE WIDTH RIGHT-OF-WAY (R.O.W.), VACATED IN VOLUME 12852, PAGE 120 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND A PART OF LOTS 3 & 6, BLOCK 186 OF THE ORIGINAL CITY BLOCK MAPS, SAID 0.29 OF AN ACRE TRACT BEING IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH:

BEGINNING AT A POINT, said point being the Southeasterly corner of the proposed lot for the Austin Central Library, City of Austin, Travis County, a found ½" iron rod with cap, as depicted on a map entitled Boundary Survey for Central Library Site, City of Austin, Travis County, Texas prepared by John E. Moore, R.P.L.S. No. 4520 dated 8/7/2012, and from said point runs;

Thence, along a easterly line of said lot for the Austin Central Library, N 19°19'24" E, a distance of 141.13 feet to a found ½" iron rod at an angle point in said line;

Thence, continuing along said easterly line N 38°36'30" E, a distance of 85.70 feet to a calculated point;

Thence, departing said easterly line the following nine (9) courses,

- 1) S 73°25'12" E, a distance of 48.14 feet to a calculated point;
- 2) S 16°34'48" W, a distance of 13.02 feet to a calculated point;
- 3) S 73°25'12" E, a distance of 8.78 feet to a calculated point;
- 4) S 16°34'48" W, a distance of 10.00 feet to a calculated point;
- 5) N 73°40'55" W, a distance of 55.94 feet to a calculated point;
- 6) S 18°18'03" W, a distance of 3.11 feet to a calculated point;
- 7) S 51°26'10" E, a distance of 50.17 feet to a calculated point;
- 8) S 38°47'49" W, a distance of 57.78 feet to a calculated point;
- 9) S 17°04'00" W, a distance of 68.70 feet to a calculated point;
- 10) S 18°58'55" W, a distance of 47.21 feet to a calculated point;
- 11) N 70°39'06" W, a distance of 59.74 feet to a calculated point;

F#WP _____
SAM, Inc. Job No. 33059
FN LA2
March 7, 2013

TIE-BACK AREA 2

- 12) S 31°25'24" E, a distance of 12.18 feet to a calculated point;
13) N 76°35'38" W, a distance of 11.29 feet to the POINT OF BEGINNING and
containing 0.29 of an acre, or 12,500 square feet of land more or less.

The bearing basis used is the Texas State Plane Coordinate System (Central Zone, NAD 1983).

All distances stated are surface distances.

Reference is herein made to the Plat accompanying this metes and bounds description.

SURVEYING AND MAPPING, JOSEPH R. TIGHE, JR.
4801 Southwest Parkway
Parkway Two, Suite 100
Austin, Texas 78735



Joseph R. Tighe Jr. 3/8/13
Joseph R. Tighe Jr.
Registered Professional Land Surveyor
No. 6323 - State of Texas

Reference:
TCAD MAP: 01-01500

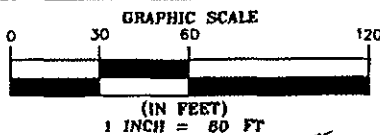


EXHIBIT "B" SHEET 3 OF 3

WEST 2ND
(NOT DEVELOPED IN GROUND)
VACATED IN VOLUME 12852, PAGE 120 (EXHIBIT "C")
(PUBLIC UTILITY EASEMENT RETAINED BY CITY OF AUSTIN)
S73°25'09"E 226.74'

LEASE AREA 1
0.43 ACRE
18,757 SQ. FT.

N73°25'24"W
212.68'

P.O.B.
LEASE AREA 1
1/2" IRON ROD

LEASE AREA 4
0.37 ACRE
16,134 SQ. FT.

1.149 ACRES
BOUNDARY SURVEYED FOR
CENTRAL LIBRARY SITE
CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS
8/7/2013

P.O.B.
LEASE AREA 4
1/2" IRON ROD
(COA)

P.O.B.
LEASE AREA 2
LEASE AREA 3
1/2" IRON ROD
(COA)

LEASE AREA 3
0.32 ACRE
14,042 SQ. FT.

N73°25'12"W
194.00'

WEST CESAR CHAVEZ STREET

LEGEND

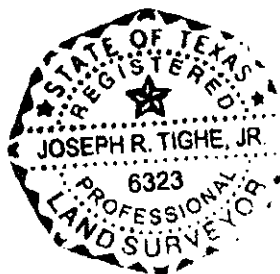
- 1/2" IRON ROD FOUND
- △ CALCULATED POINT
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN. RECORD INFORMATION ON THIS DRAWING IS BASED ON A BOUNDARY SURVEY FOR THE CENTRAL LIBRARY SITE, PREPARED BY JOHN E. MOORE, R.P.L.S. NO. 4520 DATED 8/7/2012.

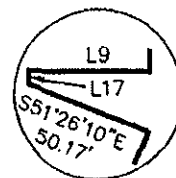
NOTE: BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE, NAD 83/93 (CORS).
ALL DISTANCES SHOWN ARE SURFACE DISTANCES, IN US SURVEY FEET.

JOSEPH R. TIGHE JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 6323

3/8/13
DATE



LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	S16°37'50"W	17.47'
L2	N81°34'48"E	5.00'
L3	S38°01'37"E	5.01'
L4	N77°13'04"W	76.75'
L5	S73°25'12"E	48.14'
L6	S18°34'48"W	13.02'
L7	S73°25'12"E	8.78'
L8	S16°34'48"W	10.00'
L9	N73°40'55"W	55.94'
L10	S31°25'24"E	12.18'
L11	N78°35'38"W	11.29'
L11	S78°35'38"E	11.29'
L12	S58°34'36"W	5.00'
L13	S73°24'14"E	2.77'
L14	N12°16'15"W	5.29'
L15	N65°15'48"W	9.89'
L16	S28°25'12"E	18.64'
L17	S18°18'03"W	3.11'



JOB NUMBER: 33029
DATE: LICENSE AGREEMENT
SCALE: 1" = 60'
SURVEYOR: PAUL GUERRERO
TECHNICIAN: CHRIS KEES
DRAWING: LIBRARY LICENSE
TRACED BY:
PARTY/CHIEF:
FIELDBOOKS:



4801 SOUTHWEST PARKWAY
PARKWAY TWO, SUITE 100
AUSTIN, TEXAS 78735
(512) 447-0575
FAX: (512) 326-3029
EMAIL: SAM@SAMINC.GIZ

PROJECT: AUSTIN CENTRAL LIBRARY
LICENSE AGREEMENT

SHEET 3
OF 3

DWG. NO.:

PATH: K:\HENSEL-PHELPS\33029 NEW AUSTIN CENTRAL LIBRARY\DWG\AUSTIN CENTRAL
LIBRARY LICENSE.DWG

DESCRIPTION

DESCRIBING A TRACT OF LAND CONTAINING 372 SQUARE FEET (0.009 OF AN ACRE) IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE FOLLOWING TRACTS OF LAND:

1) LOT 3, BLOCK 186, ORIGINAL CITY OF AUSTIN ACCORDING TO A MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID LOT 3 BEING DESCRIBED IN A DEED TO THE CITY OF AUSTIN EXECUTED ON JANUARY 30, 1928 AND RECORDED IN VOLUME 413 PAGE 401, DEED RECORDS OF SAID COUNTY,

2) LOTS 5 AND 6, BLOCK 186, ORIGINAL CITY OF AUSTIN ACCORDING TO A MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID LOTS 5 AND 6 BEING DESCRIBED IN A DEED TO THE CITY OF AUSTIN EXECUTED ON AUGUST 19, 1902 AND RECORDED IN VOLUME 183 PAGE 11, DEED RECORDS OF SAID COUNTY,

3) A 20' ALLEY VACATED IN A VACATION OF RIGHT-OF-WAY DOCUMENT EXECUTED ON JANUARY 15, 1997 AND RECORDED IN VOLUME 12852 PAGE 120 (EXHIBIT "B"), REAL PROPERTY RECORDS OF SAID COUNTY,

SAID 372 SQUARE FEET (0.009 OF AN ACRE) TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE, at a ½" rebar with cap stamped "COA PUBLIC WORKS" in the interior of said Lot 3, same being at the southeast corner of the Central Library Site, City of Austin, Travis County, Texas, as shown on a map prepared by John E. Moore, R.P.L.S. No. 4520, dated January 26, 2012 (not apparent from survey map if said ½" rebar is found or set), said ½" rebar being further described as being in the current north right-of-way line of West Cesar Chavez Street;

THENCE, through the interior of said Lot 3, N19°19'24"E, 101.30 feet to the POINT OF BEGINNING of the herein described tract of land;

THENCE, through the interior of said Lots 3, 5, 6 and said 20' alley, the following five courses:

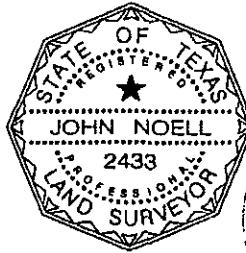
- 1) N19°19'24"E, 39.83 feet to a ½" rebar with cap stamped "COA PUBLIC WORKS" (not apparent from survey map if said ½" rebar is found or set) in the interior of said Lot 6;
- 2) N38°36'30"E, 2.63 feet to a calculated point in the interior of said Lot 6;
- 3) S55°55'23"E, 13.60 feet to a calculated point in the interior of said Lot 5;

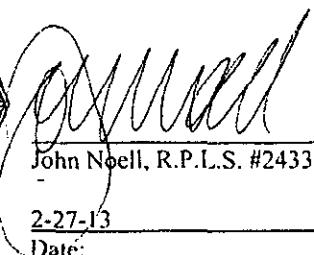
EXHIBIT " C "
UDG #09-539
E.N. #1211

City of Austin to City of Austin
Block 186, City of Austin

- 4) S34°04'37"W, 41.14 feet to a calculated point in the interior of said Lot 3;
- 5) N55°55'23"W, 3.66 feet to the POINT OF BEGINNING and containing 372 square feet (0.009 of an acre) of land.

Field Notes prepared:
From a map prepared by
John E. Moore,
R.P.L.S. No. 4520,
Dated 1-26-12.
By: URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040




John Noell, R.P.L.S. #2433

2-27-13

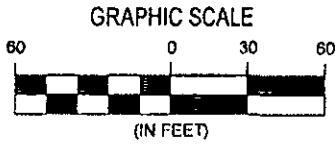
Date:

Revised Map 3-8-13

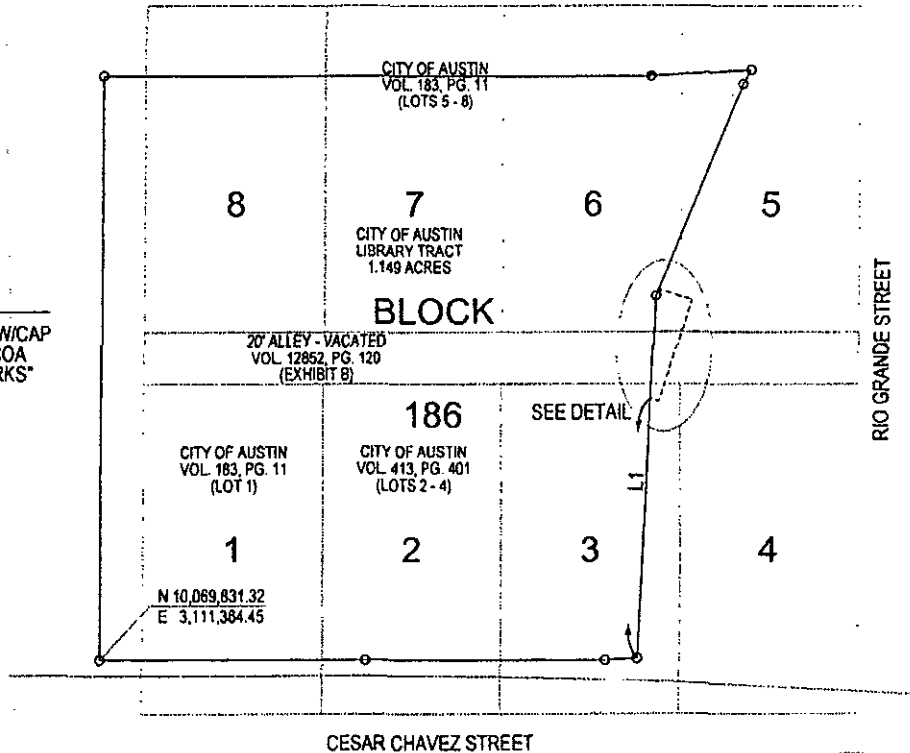
Map attached.

Bearing Basis: NAD83 SPC GRID

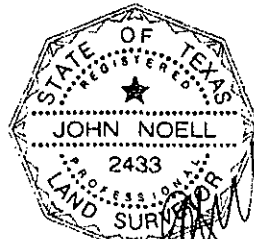
References: TCAD: 01 0500 0501
Austin Grid: H-22



- LEGEND
- 1/2" REBAR W/CAP STAMPED "COA PUBLIC WORKS"

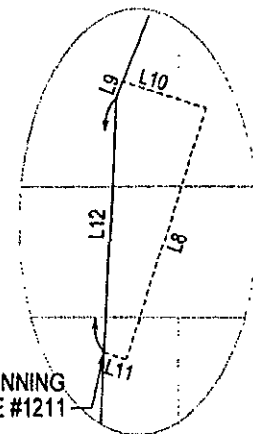


#	BEARING	DISTANCE
L1	N 19° 19' 24" E	101.30'
L8	S 34° 04' 37" W	41.14'
L9	N 38° 36' 30" E	2.63'
L10	S 55° 55' 23" E	13.60'
L11	N 55° 55' 23" W	3.66'
L12	N 19° 19' 24" E	39.83'



2-27-13
Revised 3-8-13

POINT OF BEGINNING
FIELD NOTE #1211



DETAIL
SCALE: 1" = 20'



Urban Design Group

3560 STONERIDGE ROAD
SUITE E101
AUSTIN, TEXAS 78748
PHONE: (512) 347-0040
FAX: (512) 347-1311
E-MAIL: GENERAL@UDG.COM
WWW: WWW.UDG.COM

NAD83 SPC GRID. As shown on a map prepared
by John E. Moore, R.P.L.S. #4520, dated January
26, 2012.

FIELD NOTE #1211 TO ACCOMPANY THIS SKETCH.

PAGE 1 OF 1

S:\Projects\Central Library - 09-5395\CAD\Survey Department\Final\CL-S-Canopy SKETCH.dgn