

ORDINANCE NO.

1 AN ORDINANCE VACATING A PORTION OF WHITIS AVENUE AND THE
2 ALLEY LOCATED BETWEEN WHITIS AVENUE AND GUADALUPE AND
3 WEST MARTIN LUTHER KING, JR. BOULEVARD AND WEST 20TH STREET
4 TO THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
5 AND RESERVING AN EASEMENT FOR BICYCLE AND PEDESTRIAN
6 CONNECTIVITY.

7
8 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
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10 **PART 1.** Council approves the vacation of the following street portions (the "Vacated
11 Right-of-Way") to the Board of Regents of the University of Texas System:

- 12 (1) An approximate 0.442-acre portion of Whitis Avenue, between West Martin
13 Luther King, Jr. Boulevard and West 20th Street, described in Exhibit A,
14 attached to and incorporated as part of this ordinance;
- 15 (2) An approximate 0.129-acre alley located between Whitis Avenue and
16 Guadalupe Street, and between West Martin Luther King, Jr. Boulevard and
17 West 20th Street, described in Exhibit B, attached to and incorporated as part
18 of this ordinance.

19 **PART 2.** A drainage easement and public utility easement are reserved from the
20 vacation by the City. The University of Texas has posted funds with the City in the
21 amount of \$613,899, which is the appraised fair market value of the interests in the land
22 being vacated, and these funds will be deposited after approval of this ordinance.

23 **PART 3.** A permanent easement for bicycle and pedestrian connectivity is reserved over
24 a portion of the Vacated Right-of-Way.

25 **PART 4.** The University of Texas has posted funds with the City in the amount of
26 \$613,899, which is an amount equal to or greater than the estimated appraised fair market
27 value of the interests in the land being vacated.

28 **PART 5.** The full amount of the final appraised market value of the Vacated Right-of-
29 Way shall be deposited with the City at a closing for the conveyance of the Vacated
30 Right-of-Way. Any amount of funds posted with the City in excess of the final appraised
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1 fair market value shall be refunded to the University of Texas at the closing for the
2 conveyance of the Vacated Right-of-Way.

3 **PART 6 3.** This ordinance takes effect on _____, 2014.

4 **PASSED AND APPROVED**

5
6 §
7 §
8 _____, 2014 § _____
9 Lee Leffingwell
10 Mayor

11
12
13 **APPROVED:** _____

14 Karen M. Kennard
15 City Attorney

ATTEST: _____

Jannette S. Goodall
City Clerk