

ORDINANCE NO. 20141211-061

AN ORDINANCE VACATING APPROXIMATELY 4,907 SQUARE FEET OF UNCONSTRUCTED ALLEY RIGHT-OF-WAY, BEING A PORTION OF THE TWENTY-FOOT ALLEY WITHIN BLOCK 36, THE ORIGINAL CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, TRAVIS COUNTY, TEXAS, TO LION OUTDOOR, LLC.

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

PART 1. Council approves the vacation of approximately 4,907 square feet of unconstructed alley right-of-way, being a portion of the twenty-foot alley within Block 36, the original City of Austin, according to the map or plat on file in the General Land Office of the State of Texas, Travis County, Texas, generally located between East 3rd Street and East 4th Street, and between East Avenue and Sabine Street, to Lion Outdoor, LLC as shown on Exhibit A, subject to the occurrence of the conditions set forth in Part 3.

PART 2. The area requested for vacation is being planned for development as a three-to-four story building with a mix of commercial and office uses.

PART 3. A drainage easement and public utility easement over the vacated portion is reserved from the vacation by the City over and across the area described in Exhibit A and Lion Outdoor, LLC shall enter into a restrictive covenant agreeing to grant to the City a public access easement along the east bank of Waller Creek between 3rd Street and 4th Street prior to the release of a site plan.

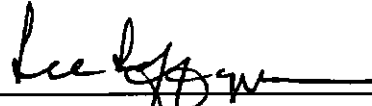
PART 4. Lion Outdoor, LLC has posted funds with the City in the amount of \$83,910, which is the appraised fair market value of the interest in the land being vacated to Lion Outdoor, LLC, and these funds will be deposited after approval of this ordinance and the satisfaction of the conditions set forth in Part 3.

PART 5. This ordinance takes effect on December 22, 2014.

PASSED AND APPROVED

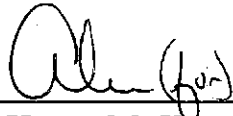
December 11, 2014

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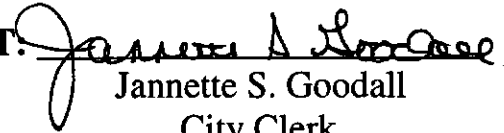
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR 4,907 SQUARE FEET OF LAND; BEING A PORTION OF THE TWENTY (20)-FOOT ALLEY WITHIN BLOCK 36, THE ORIGINAL CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, TRAVIS COUNTY, TEXAS; SAID 4,907 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for POINT OF REFERENCE at a ½" iron rod found at the southeast corner of Lot 4 of the above described Block 36, at the intersection of the west right-of-way line of Interstate Highway No. 35 with the north right-of-way line of East 3rd Street; Thence, with the west right-of-way line of Interstate Highway No. 35 and the east line of said Lot 4, N16°27'42"E pass a cotton gin spindle found at a distance of 127.86, and continuing on for a total distance of 127.98 feet to a calculated point at the intersection with the south right-of-way line of a twenty (20)-foot alley, at the northeast corner of said Lot 4, for the southeast corner and POINT OF BEGINNING of the herein described tract;

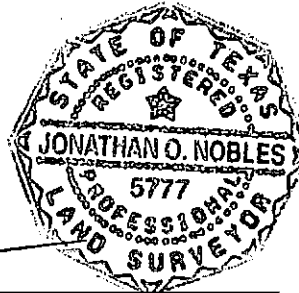
THENCE, with the south right-of-way line of said twenty (20)-foot alley and the north lines of Lots 1 – 4 of said Block 36, N73°38'08"W, pass a ½" iron rod found for reference at a distance of 207.23 feet, and continuing on for a total distance of 250.37 feet to a calculated point at the northeast corner of a Lateral Support, Bank Stabilization and Drainage Easement (Exhibit B) as conveyed by instrument recorded in Document No. 2006100620 of the Official Public Records of Travis County, Texas, for the southwest corner of this tract;


THENCE, over and across said twenty (20)-foot alley, N43°08'38"E a distance of 22.40 feet to a calculated point on the north right-of-way line of said twenty (20)-foot alley, on the south line of Lot 8 of said Block 36, and being at the southeast corner of a Lateral Support, Bank Stabilization and Drainage Easement (Exhibit A) as conveyed by instrument recorded in Document No. 2006100620 of the Official Public Records of Travis County, Texas, for the northwest corner of this tract;

THENCE, with the north right-of-way line of said twenty (20)-foot alley and the south line of Lots 5 – 8, of said Block 36, S73°38'08"E, pass a ½" iron rod found for reference at a distance of 33.03 feet, and continuing on for a total distance of 240.31 feet to a ½" iron rod found on the west right-of-way line of said Interstate Highway No. 35, at the southeast corner of said Lot 5, Block 36, for the northeast corner of this tract, from which a ½" iron rod found at the northeast corner of said Lot 5, Block 36 bears N16°27'42"E a distance of 127.94 feet;

THENCE, with the west right-of-way line of said Interstate Highway No. 35, S16°27'42"W a distance of 20.00 feet to the POINT OF BEGINNING, and containing 4,907 square feet (0.113 acre) of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma Land Surveying from a survey made on the ground under my supervision on January 7, 2010 and are true and correct to the best of my knowledge. A sketch accompanies this description.



 b. N.
Jonathan O. Nobles

Registered Professional Land Surveyor No. 5777

8/7/2014
Date

Revised: August 6, 2014
Client: Reagan Sign Company
Date: September 3, 2012
Job No.: 0A455-0049-00
FB: 601/40
File: J:\Projects\A455...\0049...\Survey\Legal\A455-0049 Alley Vacate-
FN.doc
TCAD No.: 02040418
Austin Grid No.: J-22

BEARING BASIS NOTE:

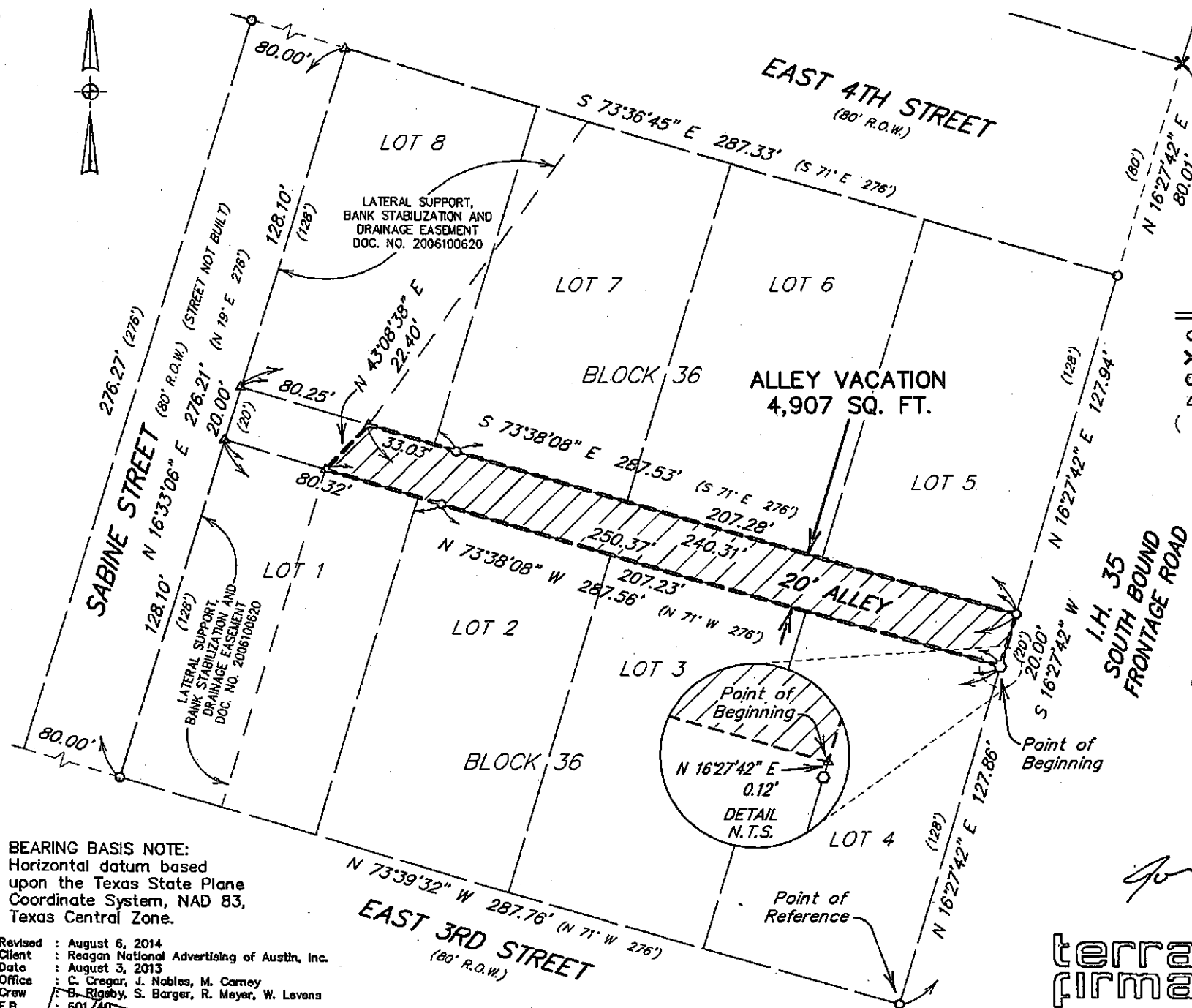
Horizontal datum based on the Texas State Plane Coordinate System, NAD 83, Texas Central Zone.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SCALE 1" = 50'

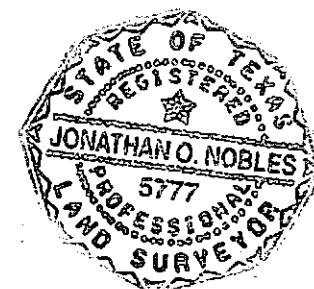
LEGEND

- 1/2" IRON ROD FOUND
- ✕ "X" IN CONCRETE FOUND
- ◇ COTTON GIN SPINDLE FOUND
- △ CALCULATED POINT
- () RECORD INFORMATION



BEARING BASIS NOTE:
Horizontal datum based
upon the Texas State Plane
Coordinate System, NAD 83,
Texas Central Zone.

Revised : August 6, 2014
Client : Reagan National Advertising of Austin, Inc.
Date : August 3, 2013
Office : C. Cregar, J. Nobles, M. Carney
Crow : B. Rigby, S. Barger, R. Meyer, W. Levans
F.B. : 601/40
Job No : DA455-0049-00/550
File : J:\Projects\A455\049\Survey\Owg\00-001\A455-0049-Alley Vacation Sketch.dwg
J:\Projects\A455\049\Survey\Point Files\DA455-049-00-001.crd



Jon O. Nobles

**terra
firma** LAND SURVEYING

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