ORDINANCE NO. 20150226-060

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 3329 EAST STATE HIGHWAY 71 WESTBOUND AND CHANGING THE ZONING MAP FROM INTERIM-SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) DISTRICT TO NEIGHBORHOOD COMMERCIAL (LR) DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim-single family residence standard lot (I-SF-2) district to neighborhood commercial (LR) district on the property described in Zoning Case No. C14-2014-0197, on file at the Planning and Development Review Department, as follows:

Lot 1, Block 7, Davidson City Addition Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 4, Page 176 of the Plat Records of Travis County, Texas (the “Property”) SAVE AND EXCEPT 0.069 acre tract of land, more or less, out of the Santiago Del Valle Grant the tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance, locally known as 3329 East State Highway 71 Westbound in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “B”.

PART 2. This ordinance takes effect on March 9, 2015.

PASSED AND APPROVED

February 26, 2015

Steve Adler
Mayor

Anne L. Morgan
Interim City Attorney

Jannette S. Goodall
City Clerk
EXHIBIT A

EXHIBIT "A"

County: Travis
Parcel No.: 64
Highway: F.M. 973
Project Limits: From: Harold Green Dr. (CR 1594)
To: 0.5 Mls of S.H. 71
Right-of-Way CSJ: 1200-03-048 & 1200-03-049
Construction CSJ: 1200-03-028 & 1200-03-033

PROPERTY DESCRIPTION FOR PARCEL 64

DESCRIPTION OF 0.069 OF ONE ACRE (3,006 SQ. FT.) OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN AUSTIN, TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO CALLAHAN'S GENERAL STORE OF AUSTIN, INC., OF RECORD IN VOLUME 9310, PAGE 892, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 1, BLOCK 7, DAVIDSON CITY ADDITION, A SUBDIVISION OF RECORD IN BOOK 4, PAGE 176, PLAT RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.069 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod set with a TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) aluminum cap to be replaced with a TxDOT Type II concrete monument after acquisition, in the proposed northeast right-of-way (ROW) line of State Highway 71, 227.67 feet left of Engineer's Baseline Station 11152+34.65, at the north corner of this tract, being in the northwest line of said Callahan's General Store tract and of said Lot 1, and the existing southeast ROW line of Bessie Avenue, from which point a 1/2" iron rod found at the north corner of said Callahan's General Store tract, and the west corner of that tract described in a deed to John Drake, of record in Volume 7519, Page 50, Deed Records, Travis County, Texas, same being in the northwest line of Lot 2, Block 7, of said Davidson City Addition, bears N42°11'27"E 47.59 feet, and from which point of beginning a 1/2" iron rod found at the north corner of said Lot 2, Block 7, and the west corner of Lot 3, Block 7, of said Davidson City Addition, bears N42°11'27"E 47.59 feet, and N42°02'10"E 50.01 feet;
1) THENCE, with the proposed northeast ROW line of S.H. 71 and the northeast line of this tract, crossing said Callahan's General Store tract and said Lot 1, Block 7, S60°36'51"E 118.62 feet to a 1/2" iron rod set with a TxDOT aluminum cap to be replaced with a TxDOT Type II concrete monument after acquisition, 226.92 feet left of Engineer's Baseline Station 11153+53.27, at the east corner of this tract, being in a south line of said Callahan's General Store tract and of said Lot 1, Block 7, and in the existing northeast ROW line of S.H. 71, same being in the north line of that tract described as 0.023 of one acre in a deed to the State of Texas, of record in Volume 623, Page 543, Deed Records, Travis County, Texas, from which point a TxDOT Type I concrete monument found at the southeast corner of said Callahan's General Store tract, and at the southeast corner of said Lot 1, Block 7, in the existing northwest ROW line of Fallwell Lane, same being the east corner of said 0.023 State of Texas tract, bears N82°27'57"E 27.11 feet, and from which east corner of this tract a 1/2" iron rod found at the east corner of said Callahan's General Store tract, and the south corner of said Drake tract, same being in the southeast line of said Lot 2, Block 7, bears N82°27'57"E 27.11 feet and N39°47'48"E 31.42 feet;

2) THENCE, with the existing northeast ROW line of S.H. 71 and the north line of said 0.023 of one acre State of Texas tract, the southeast line of this tract, of said Callahan's General Store tract, and of said Lot 1, Block 7, S82°27'57"W 48.43 feet to a point in the existing northeast ROW line of S.H. 71 and in the northeast line of that tract described as 1.730 acres in a deed to the State of Texas, of record in Volume 629, Page 454, Deed Records, Travis County, Texas, same being at the south corner of this tract, of said Callahan's General Store tract and of said Lot 1, Block 7, and the west corner of Fallwell Lane, from which point a TxDOT Type II concrete monument found bears S29°03'05"W 0.80 feet;

3) THENCE, with the existing northeast ROW line of S.H. 71 and the northeast line of said 1.730 of one acre State of Texas tract, the southwest line of this tract, of said Callahan's General Store tract, and of said Lot 1, Block 7, N60°56'55"W 86.63 feet to a point at the west corner of this tract, of said Callahan's General Store tract, and of said Lot 1, Block 7, and at the south corner of Bessie Avenue, from which point a TxDOT Type II concrete monument found bears S42°11'27"W 0.79 feet;
4) THENCE, with the northwest line of this tract, of said Callahan's General Store tract, and of said Lot 1, Block 7 and the existing southeast ROW line of Bessie Avenue, N42°11'27"E 30.35 feet to the POINT OF BEGINNING and containing 0.069 of one acre within these metes and bounds, more or less.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD83. All distances and coordinates were adjusted to surface using a combined scale factor of 1.00011.

ACCESS IS PERMITTED TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE ABUTTING PROPERTY.

STATE OF TEXAS

COUNTY OF TRAVIS

That I, Chris Conrad, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 26th day of March, 2014 A.D.

SURVEYED BY:
McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Drive, Suite 6 Austin, Texas 78731, (512) 451-8591

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Note: There is a plat to accompany this description.

Descriptions 2009/FM 973-SH 71 Merge/Rev FM973-SH71/FM 973 P 64 Rev
Issued 12/11/09, Revised 3/26/14
EXHIBIT "A"

"EXHIBIT ___ "

PLAT TO ACCOMPANY PARCEL DESCRIPTION

LOT 1

EXHIBIT A

SCALE: 1" = 30'

LOT 2

SANILAUQ DEL VALLE GRANT

LOT 3

CALLAHAN'S GENERAL STORE OF AUSTIN, INC.

LOT 1

CALLAHAN'S GENERAL STORE OF AUSTIN, INC.

LOT 2

STATE OF TEXAS
VOL 629, PG. 454
D.R.T.C.

STATE HIGHWAY 71
(R.O.W. VARIES)

DETAIL A

S42'11"W 0.76'

S26'01"E 0.66'

COUNTY TRAVIS
Texas Department of Transportation

<table>
<thead>
<tr>
<th>ACRES</th>
<th>SQUARE FEET</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.089</td>
<td>3,006</td>
</tr>
<tr>
<td>0.231</td>
<td>10,039</td>
</tr>
<tr>
<td>0.162</td>
<td>7,033</td>
</tr>
</tbody>
</table>

McGRAY & McGRAY LAND SURVEYORS, INC.
1009 HANCOCK DRIVE 66
AUSTIN, TEXAS 78758
(512) 481-6928

PARCEL PLAT SHOWING PROPERTY OF CALLAHAN'S GENERAL STORE OF AUSTIN, INC.

F.M. HIGHWAY 973

PARCEL 84

DISTRICT

SCALE

FEDERAL AID PROJECT NO.

CONSTR. S. J. RD.

COUNTY

TRAVIS
EXHIBIT "A"

PLAT TO ACCOMPANY PARCEL DESCRIPTION

NOTES:
1) BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83.
2) IMPROVEMENTS SHOWN ARE FROM DIGITAL PHOTOGRAMMETRY FILES AND/OR THE ADDITIONAL DELINEATION OF IMPROVEMENTS WHICH HAVE BEEN BUILT (OR REMOVED) AFTER THE PHOTOGRAMMETRY WAS DEVELOPED.
3) THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.
4) ACCESS IS PERMITTED TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE SURROUNDING PROPERTY.

LEGEND

SET 1/2" IRON ROD WITH TX.D.G.T.
ALUMINUM CAP. TO BE REPLACED
BY TX.D.G.T. TYPE II MONUMENT
AFTER ACQUISITION

SET 1/2" IRON ROD WITH
TX.D.G.T. ALUMINUM CAP

FOUND TX.D.G.T. TYPE I MONUMENT,
CONCRETE POST.

FOUND TX.D.G.T. TYPE II MONUMENT,
DISC IN CONCRETE

FOUND CONCRETE MARKER POST

FOUND IRON ROD WITH CAP (5" UNLESS NOTED)

FOUND IRON ROD (5" UNLESS NOTED)

FOUND IRON PIPE (5" ID. UNLESS NOTED)

FOUND NAIL (TYPE AS NOTED)

FOUND COTTON-SPIRAL

FOUND FENCE CORNER POST

PROPERTY LINE (OWNERSHIP DIVISION)

ACCESS DENIAL LINES

DISTANCE NOT TO SCALE

PROPOSED SH71 ENGINEER'S BASELINE

PARCEL NUMBER FOR R.O.W. ACQUISITION

R.O.W. RIGHT-OF-WAY

P.O.B. POINT OF BEGINNING

P.O.R. POINT OF REFERENCE

S & E SAVE AND EXCEPT

N.T.S. NOT TO SCALE

P.U.E. PUBLIC UTILITY EASEMENT

E.S.M. ENGINEERING SURVEY MARKER

P. I. POINT OF INTERSECTION

P.C. POINT OF CURVATURE

P.T. POINT OF TANGENCY

P.O.T. POINT ON TANGENT

O.P.R.T.C. OFFICIAL PUBLIC RECORDS
OF TRAVIS COUNTY, TEXAS

D.R.T.C. DEED RECORDS OF
TRAVIS COUNTY, TEXAS

P.R.T.C. PLAT RECORDS OF TRANS
COUNTY, TEXAS

R.P.R.T.C. REAL PROPERTY RECORDS
OF TRAVIS COUNTY, TEXAS

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO
THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE
PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE
ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

CHRISS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623
DATE 03/26/14

PARCEL PLAT SHOWING PROPERTY OF
CALLAHAN'S GENERAL STORE OF AUSTIN, INC.

SCALE 1" = .30'
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geogr. by the City of Austin regarding specific accuracy or completeness.