

ORDINANCE NO. 20151119-036

AN ORDINANCE VACATING A PORTION OF THE BRUSHY STREET RIGHT-OF-WAY, BETWEEN EAST 4TH STREET AND EAST 5TH STREET, TO THE CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY.

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

PART 1. Council approves the vacation of approximately 3,620 square feet of the Brushy Street right-of-way, between East 4th Street and East 5th Street, described in Exhibit A which is attached to and incorporated as part of this ordinance, to the Capital Metropolitan Transportation Authority (the "Vacation") for development under the approved regulating plan for the Plaza Saltillo Transit-Oriented Development Station.

PART 2. Capital Metropolitan Transportation Authority has posted funds with the City in the amount of \$260,640, which is the appraised fair market value of the interests in the land being vacated, and these funds will be deposited after approval of this ordinance.

PART 3. This ordinance takes effect on November 30, 2015.

PASSED AND APPROVED

_____, November 19, 2015

APPROVED:



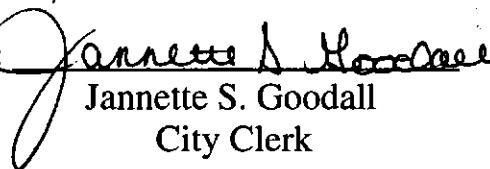
Anne L. Morgan
City Attorney

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Steve Adler
Mayor

ATTEST:



Jannette S. Goodall
City Clerk

FIELD NOTES FOR 0.0831 OF ONE ACRE OF LAND

DESCRIPTION OF 0.0831 OF ONE ACRE (3,620 SQUARE FEET) OF LAND, MORE OR LESS, OUT OF OUTLOT 1, DIVISION "O", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, ACCORDING TO THE MAP OR PLAT OF SAID GOVERNMENT OUTLOTS DATED JANUARY 1840, ON FILE IN THE GENERAL LAND OFFICE, SAID 0.0831 OF ONE ACRE BEING A PORTION OF BRUSHY STREET, DEDICATED TO THE PUBLIC BY BOOK V, PAGE 661, PLAT RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0831 OF ONE ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point at the northwest corner of this tract, same being in the east line of that tract described as Parcel 1 in a deed to Capital Metropolitan Transportation Authority (CapMetro), of record in Volume 10703, Page 972, Real Property Records, Travis County, Texas, also being the northeast corner of Lot 11, Central ROW Subdivision, a subdivision of record in Book V, Page 661, Plat Records, Travis County, Texas, said point of beginning having a State Plane Coordinate, Texas Central Zone, NAD83 (96CORS) grid value of N=10,069,337.78, E=3,117,038.41;

THENCE, with the north line of this tract and the said portion of said Brushy Street, **S69°21'54"E 60.00 feet** to calculated point at the northeast corner of this tract and being in the west line of that tract described as Parcel 2 in said CapMetro deed, same being the northwest corner of Lot 12 of said Central ROW subdivision;

THENCE, with the east line of this tract and said Brushy Street and the west line of said CapMetro Parcel 2 tract and said Lot 12, **S20°39'26"W 60.00 feet** to a calculated point at the southeast corner of this tract, from which a 1/2" iron rod found with cap at the southwest corner of said CapMetro Parcel 2 tract and said Lot 12, same being in the north line of Fourth Street, bears **S20°39'26"W 40.00 feet**;

THENCE, with the south line of this tract, crossing Brushy Street, **N70°00'48"W 60.00 feet** to a calculated point at the southwest corner of this tract, same being in the east line of said Lot 11 and said CapMetro Parcel 1 tract, from which a mag nail found at the southeast corner of said Lot 11 and said CapMetro Parcel 1 tract, same being in the north line of Fourth Street, bears **S20°39'26"W 39.32 feet**;

0.0831 AC.

THENCE, with the west line of this tract and Brushy Street and the east line of said Lot 11 and said CapMetro Parcel 1 tract, N20°39'26"E 60.68 feet to the POINT OF BEGINNING, and containing 0.0831 of one acre, more or less, within these metes and bounds.

Bearing Basis Note

The bearings described herein are based on the Texas State Plane Coordinate System, Central Zone, NAD83 (96CORS) Datum.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6

Austin, TX 78731 (512) 451-8591

TBPLS Firm# 10095500



11/02/15

Chris Conrad, Reg. Professional Land Surveyor No. 5623

Date

Note: This copy of this description is not valid unless an original signature through an original seal appears on its face.
There is a plat to accompany this description

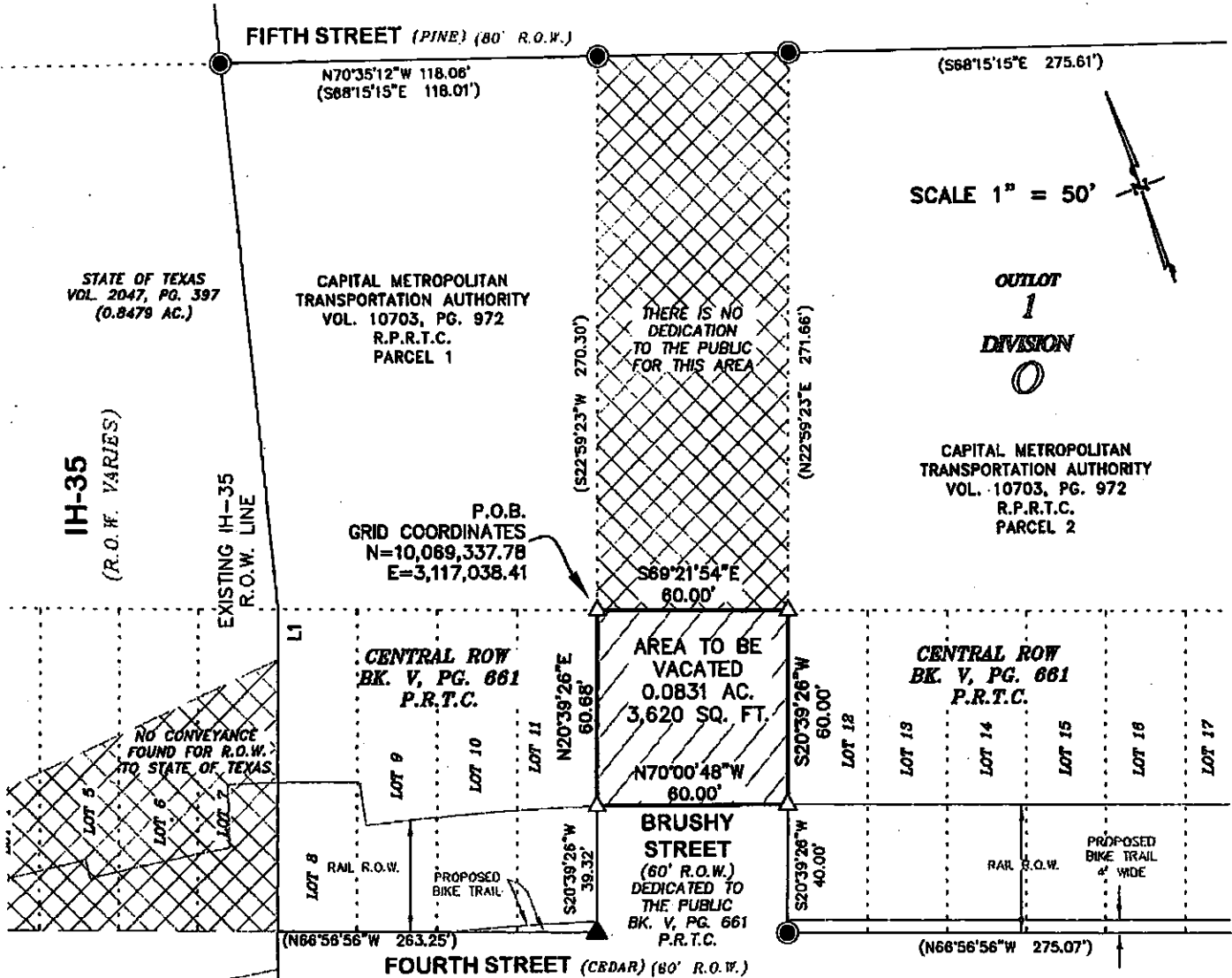
Descriptions 2015/Plaza Saltillo/Brushy Street 60x60

Issued 11/02/15

AUSTIN GRID J-22

CMTA

SKETCH TO ACCOMPANY DESCRIPTION OF 0.0831 AC. OR 3,620 SQ. FT. OF
A PORTION OF BRUSHY STREET, OUT OF OUTLOT 1, DIVISION "O",
OF THE GOVERNMENT OUTLOTS, AUSTIN, TRAVIS COUNTY, TEXAS.

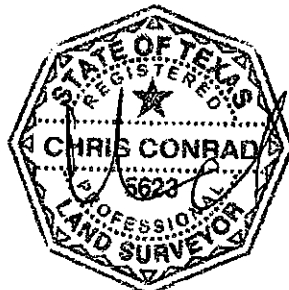


NOTES:

1. THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 (96 CORS) DATUM.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN OWNERSHIP AND EASEMENT REPORT.
3. REFERENCE TO THE OUTLOT OF DIVISION "O" SHOWN HEREON ARE FROM THE "TOPOGRAPHICAL MAP OF THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSTIN", DATED JANUARY, 1840, ON FILE WITH THE GENERAL LAND OFFICE OF THE STATE OF TEXAS.

LEGEND

- 1/2" IRON ROD FOUND WITH CAP
- ▲ MAG NAIL FOUND
- 1/2" IRON ROD FOUND (EXCEPT AS NOTED)
- △ CALCULATED POINT
- (XXX) RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS TRAVIS COUNTY



11/02/2015

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE

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PAGE 3 OF 3
SURVEYED BY:

ISSUED: 11/02/15

McGRAY & McGRAY
LAND SURVEYORS, INC.
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3301 HANCOCK DRIVE #8
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