

Legal Description – Part 1

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.0008 ACRE (37 SQUARE FEET) OUT OF WEST 5TH STREET (80' RIGHT-OF-WAY), SAID WEST 5TH STREET WAS PLATTED AS PINE STREET, AS SHOWN ON THE PLAT OF THE ORIGINAL CITY OF AUSTIN, ACCORDING TO A MAP OR PLAT ON FILE WITH THE TEXAS GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING ADJACENT TO LOT 1, BLOCK 55 OF SAID ORIGINAL CITY OF AUSTIN, SAID LOT 1 WAS CONVEYED TO JOHN COLEMAN HORTON III, ET AL, IN DOCUMENT NO. 2011168282 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.0008 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876
Austin, TX 78709
512.554.3371
jward@4wards.com
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COMMENCING, at a Brass Disc monument found with “McMillan” stamp found at the intersection of the north right-of-way line of said West 5th Street, and the west right-of-way line of said 20' Alley, and being the southeast corner of Lot 12, Block 55 of said Original City of Austin, from which a punch-hole in concrete found at the northwest corner of Lot 11, and the southwest corner of Lot 10, both of Block 55 of said Original City of Austin, and being in the east right-of-way line of Colorado Street (80' Right-of-way) bears the following two (2) courses and distances:

- 1) N16°33'40"E, a distance of 92.33 feet to a 1/2-inch iron rod with cap found (cap not legible) at the common easterly corner of said Lot 10 and Lot 11, and being in the west right-of-way line of said 20' Alley, and
- 2) N73°23'21"W, a distance of 160.06 feet;

THENCE, over and across said 20' Alley, with the north right-of-way line of said West 5th Street, S73°23'21"E, a distance of 20.00 feet to a calculated point, said point being the intersection of the north right-of-way line of said West 5th Street with the east right-of-way line of said 20' Alley, and being the southwest corner of Lot 1 of said Original City of Austin, from which a mag nail found at the intersection of the east right-of-way line of said 20' Alley with the south right-of-way line of West 6th Street (platted as Pecan Street, 80' Right-of-way) bears, N16°33'51"E, a distance of 276.42 feet;

THENCE, with the north right-of-way line of said West 5th Street, and the south line of said Lot 1, S73°23'21"E, a distance of 160.06 feet to a calculated point, said point being the intersection of the north right-of-way line of said West 5th Street with the west right-of-way line of Congress Avenue, (120' Right-of-way), and being the southeast corner of said Lot 1, from which a punch-hole found in concrete at the northeast corner of Lot 3 and being the southeast corner of Lot 4, both out of Block 55 of said Original City of Austin, and being in the west right-of-way line of said Congress Avenue bears, N16°33'51"E, a distance of 138.28 feet;

THENCE, with the north right-of-way line of said West 5th Street and the south line of said Lot 1, N73°23'21"W, a distance of 0.85 feet to the northeast corner and **POINT OF BEGINNING** hereof;

THENCE, leaving the north right-of-way line of said West 5th Street and the south line of said Lot 1, over and across the right-of-way of said West 5th Street, the following nineteen (19) courses and distances:

- 1) S16°54'42"W, a distance of 0.54 feet to a calculated point for an exterior ell corner hereof,

F# _____

- 2) N73°07'25"W, a distance of 7.40 feet to a calculated point for an interior ell corner hereof,
- 3) S16°52'35"W, a distance of 0.69 feet to a calculated point for an exterior ell corner hereof,
- 4) N73°07'25"W, a distance of 2.40 feet to a calculated point for an exterior ell corner hereof,
- 5) N16°52'35"E, a distance of 0.69 feet to a calculated point for an interior ell corner hereof,
- 6) N73°07'25"W, a distance of 30.13 feet to a calculated point for an interior ell corner hereof,
- 7) S16°52'35"W, a distance of 0.48 feet to a calculated point for an exterior ell corner hereof,
- 8) N73°35'52"W, a distance of 2.37 feet to a calculated point for an exterior ell corner hereof,
- 9) N16°52'35"E, a distance of 0.50 feet to a calculated point for an interior ell corner hereof,
- 10) N73°07'25"W, a distance of 22.42 feet to a calculated point for an interior ell corner hereof,
- 11) S16°52'35"W, a distance of 0.44 feet to a calculated point for an exterior ell corner hereof,
- 12) N72°31'40"W, a distance of 2.37 feet to a calculated point for an exterior ell corner hereof,
- 13) N16°52'35"E, a distance of 0.41 feet to a calculated point for an interior ell corner hereof,
- 14) N73°07'25"W, a distance of 30.84 feet to a calculated point for an interior ell corner hereof,
- 15) S16°52'35"W, a distance of 0.54 feet to a calculated point for an exterior ell corner hereof,
- 16) N71°22'07"W, a distance of 2.38 feet to a calculated point for an exterior ell corner hereof,
- 17) N16°52'35"E, a distance of 0.47 feet to a calculated point for an interior ell corner hereof,
- 18) N73°07'25"W, a distance of 15.44 feet to a calculated point for the most westerly corner hereof, and
- 19) N16°36'40"E, a distance of 0.01 feet to a calculated point said point being in the north right-of-way line of said West 5th Street, and being in the south line of said Lot 1;

THENCE, with the north right-of-way line of said West 5th Street, and the south line of said Lot 1, S73°23'21"E, a distance of 115.75 feet to the **POINT OF BEGINNING**, and containing 0.0008 Acre (37 Square Feet) more or less.

Note: This encroachment agreement begins at an elevation of 487' (NAVD 88) and extends vertically to an elevation of 527' (NAVD 88). This 3D encroachment agreement has a volume of 1,480 cubic feet.

Bearing Basis Note:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000059945228. See attached sketch (reference drawing: 00459_3D_Encroachment Agreement.dwg.)

3/25/2016

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

FIELD NOTES REVIEWED

By Mark Daniel Date 05-18-2016

Engineering Support Section
Department of Public Works
and Transportation



TCAD Parcel #0206030112
COA Grid #J22

F# _____

EXHIBIT “ _____ ”

3D Encroachment Agreement
West 5th Street, 20' Alley Adjoining Block 55

Legal Description – Part 2

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.0012 ACRE (54 SQUARE FEET) OUT OF WEST 5TH STREET (80' RIGHT-OF-WAY), SAID WEST 5TH STREET WAS PLATTED AS PINE STREET, AS SHOWN ON THE PLAT OF THE ORIGINAL CITY OF AUSTIN, ACCORDING TO A MAP OR PLAT ON FILE WITH THE TEXAS GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING OUT OF A 20' ALLEY CROSSING THROUGH BLOCK 55 AS SHOWN ON SAID MAP OR PLAT OF THE ORIGINAL CITY OF AUSTIN, AND BEING ADJACENT TO LOT 1, BLOCK 55 OF SAID ORIGINAL CITY OF AUSTIN, SAID LOT 1 WAS CONVEYED TO JOHN COLEMAN HORTON III, ET AL, IN DOCUMENT NO. 2011168282 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.0012 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



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COMMENCING, at a Brass Disc monument found with “McMillan” stamp found at the intersection of the north right-of-way line of said West 5th Street, and the west right-of-way line of said 20' Alley, and being the southeast corner of Lot 12, Block 55 of said Original City of Austin, from which a punch-hole in concrete found at the northwest corner of Lot 11, and the southwest corner of Lot 10, both of Block 55 of said Original City of Austin, and being in the east right-of-way line of Colorado Street (80' Right-of-way) bears the following two (2) courses and distances:

- 1) N16°33'40"E, a distance of 92.33 feet to a 1/2-inch iron rod with cap found (cap not legible) at the common easterly corner of said Lot 10 and Lot 11, and being in the west right-of-way line of said 20' Alley, and
- 2) N73°23'21"W, a distance of 160.06 feet;

THENCE, over and across said 20' Alley, with the north right-of-way line of said West 5th Street, S73°23'21"E, a distance of 20.00 feet to a calculated point for an interior ell corner and the **POINT OF BEGINNING** hereof, said point being the intersection of the north right-of-way line of said West 5th Street with the east right-of-way line of said 20' Alley, and being the southwest corner of Lot 1 of said Original City of Austin, from which a mag nail found at the intersection of the east right-of-way line of said 20' Alley with the south right-of-way line of West 6th Street (platted as Pecan Street, 80' Right-of-way) bears, N16°33'51"E, a distance of 276.42 feet;

THENCE, with the north right-of-way line of said West 5th Street, and the south line of said Lot 1, S73°23'21"E, a distance of 19.90 feet to a calculated point for an exterior ell corner hereof;

THENCE, leaving the north right-of-way line of said West 5th Street and the south line of said Lot 1, in part over and across the right-of-way of said West 5th Street, and in part over and across the right-of-way of said 20' Alley, the following eight (8) courses and distances:

- 1) S22°46'55"W, a distance of 0.17 feet to a calculated point for an exterior ell corner hereof,
- 2) N73°32'36"W, a distance of 18.85 feet to a calculated point for an interior ell corner hereof,

F# _____

- 3) **S16°27'24"W**, a distance of **0.32** feet to a calculated point for an exterior ell corner hereof,
- 4) **N72°48'51"W**, a distance of **2.27** feet to a calculated point for an exterior ell corner hereof,
- 5) **N16°27'24"E**, a distance of **0.29** feet to a calculated point for an interior ell corner hereof,
- 6) **N73°32'36"W**, a distance of **0.08** feet to a calculated point for an exterior ell corner hereof,
- 7) **N17°16'17"E**, a distance of **48.57** feet to a calculated point for the northwest corner hereof, and
- 8) **S73°26'09"E**, a distance of **0.72** feet to a calculated point for the northeast corner hereof, said point being in the east right-of-way line of said 20' Alley and being in the west line of said Lot 1;

THENCE, with the east right-of-way line of said 20' Alley, and the west line of said Lot 1, **S16°33'51"W**, a distance of **48.34** feet to the **POINT OF BEGINNING**, and containing 0.0012 Acre (54 Square Feet) more or less.

Note: This encroachment agreement begins at an elevation of 487' (NAVD 88) and extends vertically to an elevation of 527' (NAVD 88). This 3D encroachment agreement has a volume of 2,160 cubic feet.

Bearing Basis Note:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000059945228. See attached sketch (reference drawing: 00459_3D_Encroachment Agreement.dwg.)

3/25/2016

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC



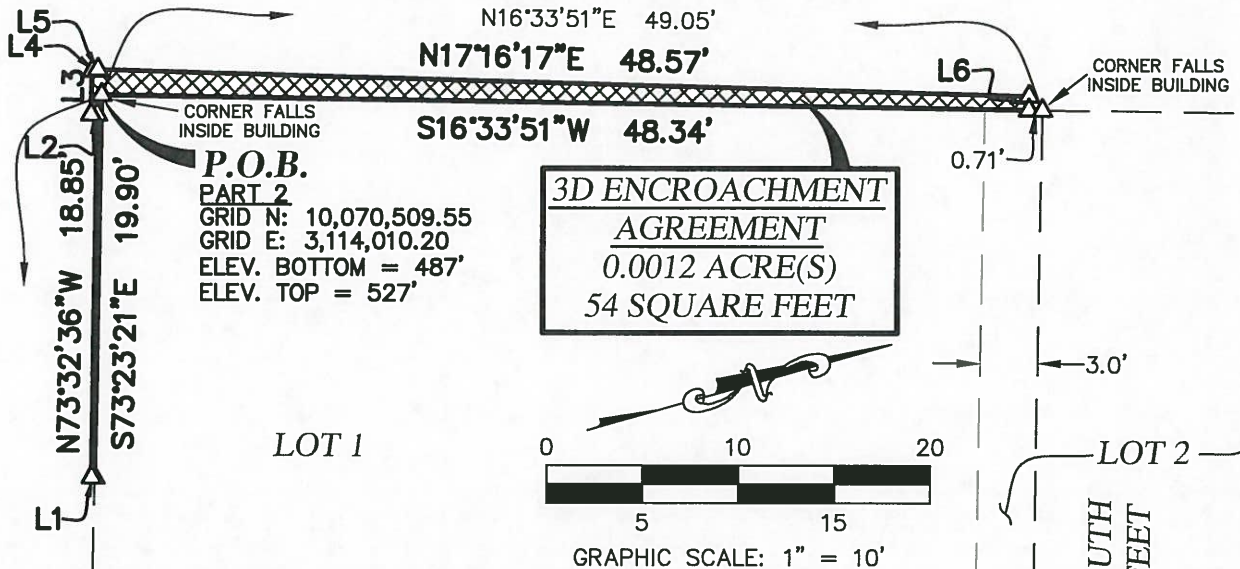
TCAD Parcel #0206030112
COA Grid #J22

FIELD NOTES REVIEWED

By Clark Daniel Date 05.18.2016

Engineering Support Section
Department of Public Works
and Transportation

ALLEY (20' R.O.W.)



BLOCK 55
ORIGINAL CITY OF AUSTIN
LOT 1 & THE SOUTH 3' OF LOT 2
JOHN COLEMAN HORTON III, ET AL
DOC. NO. 2011168282
O.P.R.T.C.T.

WEST 5TH STREET
(PLATTED AS PINE STREET)
(80' R.O.W.)

N73°07'25"W 30.84'
L18
S73°23'21"E 115.75'
L19
S73°07'25"E 15.44'
L20
N73°23'21"W 160.06'
(160')
L21
23.56'

NOTES:

- 1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000059945228.
- 2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.
- 3) THIS 3D ENCROACHMENT BEGINS AT AN ELEVATION OF 487' (NAVD 88) AND EXTENDS TO AN ELEVATION OF 527' (NAVD 88). THIS 3D ENCROACHMENT AGREEMENT HAS A VOLUME OF 3,640 CUBIC FEET. PART 1 BEING 1,480 CUBIC FEET AND PART 2 BEING 2,160 CUBIC FEET.
- 4) SEE SHEET 3 FOR OVERALL BOUNDARY INFORMATION.

LEGEND

—	PROPOSED 3D ENCROACHMENT AGREEMENT LINE
—	EXISTING PROPERTY LINES
○	MAG WITH "WARD-5811" WASHER SET
△	CALCULATED POINT
▲	MAG NAIL FOUND (UNLESS NOTED)
⊙	PUNCH HOLE FOUND IN CONCRETE
⊗	BRASS DISK STAMPED "MCMILLAN" FOUND
■	IRON ROD WITH CAP FOUND (NOT LEGIBLE)
DOC. NO.	DOCUMENT NUMBER
VOL./PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER GLO/COA HISTORICAL RECORDS

MATCHLINE A

0.0020 ACRE
3D ENCROACHMENT
AGREEMENT
City of Austin
Travis County, Texas

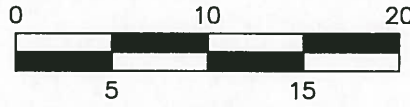
4WARD
Land Surveying
A Limited Liability Company

PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TBPLS FIRM #10174300

Date:	3/25/2016
Project:	00459
Scale:	1" = 10'
Reviewer:	JSW
Tech:	JLP
Field Crew:	JCR/MS
Survey Date:	DEC. 2015
Sheet:	1 OF 3

**WEST 5TH STREET
(PLATTED AS PINE STREET)
(80' R.O.W.)**

MATCHLINE A



**3D ENCROACHMENT
AGREEMENT**
0.0008 ACRE(S)
37 SQUARE FEET

LOT 1

BLOCK 55

LOT 2

ORIGINAL CITY OF AUSTIN

LOT 1 & THE
SOUTH 3' OF LOT 2
JOHN COLEMAN
HORTON III, ET AL
DOC. NO. 2011168282
O.P.R.T.C.T.

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	S22°46'55"W	0.17'
L2	S16°27'24"W	0.32'
L3	N72°48'51"W	2.27'
L4	N16°27'24"E	0.29'
L5	N73°32'36"W	0.08'
L6	S73°26'09"E	0.72'
L7	S16°54'42"W	0.54'
L8	N73°07'25"W	7.40'
L9	S16°52'35"W	0.69'
L10	N73°07'25"W	2.40'
L11	N16°52'35"E	0.69'
L12	S16°52'35"W	0.48'
L13	N73°35'52"W	2.37'
L14	N16°52'35"E	0.50'
L15	S16°52'35"W	0.44'
L16	N72°31'40"W	2.37'
L17	N16°52'35"E	0.41'
L18	S16°52'35"W	0.54'
L19	N71°22'07"W	2.38'
L20	N16°52'35"E	0.47'
L21	N16°36'40"E	0.01'

S73°23'21"E 160.06'

CALLED THE NORTH 22.83 FEET OF THE SOUTH
25.83 FEET OF LOT 2, LESS 2.08 FEET x 111 FEET
CLYDE RABB LITTLEFIELD
VOLUME 8422, PAGE 120
D.R.T.C.T.

3.0'

P.O.B.

PART 1
GRID N: 10,070,464.04
GRID E: 3,114,162.76
ELEV. BOTTOM = 487'
ELEV. TOP = 527'

N73°23'21"W 0.85'

S16°33'51"W 49.05'

CONGRESS AVENUE (120' R.O.W.)

TCAD PARCEL# 0206030112
COA GRID# J22

**0.0020 ACRE
3D ENCROACHMENT
AGREEMENT
City of Austin
Travis County, Texas**

4WARD
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A Limited Liability Company

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TBPLS FIRM #10174300

Date:	3/25/2016
Project:	00459
Scale:	1" = 10'
Reviewer:	JSW
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Survey Date:	DEC. 2015
Sheet:	2 OF 3

