

ORDINANCE NO. 20180809-030

AN ORDINANCE VACATING APPROXIMATELY 4.44 ACRES OF RIGHT-OF-WAY BEING CERTAIN PORTIONS OF CONGRESS AVENUE, 16TH STREET, 17TH STREET, AND 18TH STREET, ALL OUT OF DIVISION E OF THE GOVERNMENT TRACT ADJOINING THE ORIGINAL CITY OF AUSTIN, TO THE TEXAS FACILITIES COMMISSION.

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

PART 1. Council approves the vacation of approximately 4.44 acres of right-of-way, being certain portions of Congress Avenue, 16th Street, 17th Street, and 18th Street, all out of Division E of the Government Tract adjoining the Original City of Austin, to the Texas Facilities Commission, described in Exhibit A, which is attached to and incorporated as part of this ordinance.

PART 2. Council waives City Code Section 14-11-75, which requires payment for the vacation of the right-of-way.

PART 3. This ordinance takes effect on August 20, 2018.

PASSED AND APPROVED

_____, 2018
Aug 9, 2018

§
§
§



Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk

Exhibit " A "

Vacation – rev5
Congress Avenue, Original City of Austin
Division "E", Government Outlots
City of Austin, Texas

LEGAL DESCRIPTION

DESCRIPTION OF 4.44 ACRE TRACT OF LAND, SITUATED WITHIN THE THOMAS J. CHAMBERS GRANT ABSTRACT NO. 7, FILE NUMBER SC 000130:16, PATENT NUMBER 216, PATENT VOLUME 30, PAGE 909, AND BEING WITHIN THE SAM GOCHER SURVEY ABSTRACT NO. 316, AS RECORDED IN THE GENERAL LAND OFFICE OF TEXAS, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS. BEING ALL OF CONGRESS AVENUE, A 120 FOOT WIDE RIGHT-OF-WAY, LYING BETWEEN THE NORTH RIGHT-OF-WAY LINE OF 15TH STREET, ALSO KNOWN AS NORTH AVENUE AND THE SOUTH RIGHT-OF-WAY LINE OF MARTIN LUTHER KING, JR. BOULEVARD, ALSO KNOWN AS MAGNOLIA STREET AND EAST 19TH STREET, TOGETHER WITH A PORTION OF EAST 18TH STREET, ALSO KNOWN AS CHESTNUT STREET, EAST AND WEST 17TH STREET, ALSO KNOWN AS LINDEN STREET, AND EAST 16TH STREET, ALSO KNOWN AS CHERRY STREET, AS SHOWN ON "A TOPOGRAPHICAL MAP OF THE GOVERNMENT TRACT ADJOINING THE CITY OF AUSTIN", MAP 2178 ON FILE IN THE GENERAL LAND OFFICE AND AS DEDICATED ACCORDING TO AN ACT OF CONGRESS PASSED ON JANUARY 5, 1840, AND FURTHER DEFINED BY CITY OF AUSTIN STREET LINE ORDINANCES DATED AUGUST 4TH, 1910. SAID 4.44 ACRE TRACT AS DEPICTED ON THE ACCOMPANYING DRAWING ENTITLED "VACATION OF CONGRESS AVENUE RIGHT-OF-WAY AND A PORTION OF 16TH, 17TH AND 18TH STREET RIGHT-OF-WAY", BEING MORE PARTICULARLY DESCRIBED IN METES AND BOUNDS AS FOLLOWS:

BEGINNING at a PK nail with shiner stamped "CobbFendley" set for the intersection of the east line of said Congress Avenue and the south line of Martin Luther King, Jr. Boulevard and being the north west corner of Outlot 50, Division E, Louis Horst's Outlots in Division D and Division E, of record in Volume Z, Page 594 of the Deed Records of Travis County, Texas, said Beginning Point having a Texas State Plane Coordinate, Central Zone, Grid Value of N = 10,075,301.51 and E = 3,115,727.73;

THENCE South 16° 35' 28" West, coincident with the west line of said Outlot 50, Division E and the east line of said Congress Avenue, for a distance of 320.45 feet to a PK nail with shiner stamped "CobbFendley" set for an angle point, being the southwest corner of said Outlot 50, Division E, being also the intersection of the east line of said Congress Avenue and the north line of East 18th Street, as shown on said Topographical Map of the Government Tract adjoining the City of Austin, from which a 3/16-inch iron rod in concrete found and held for the intersection of the centerline of said Congress Avenue and the

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Congress Avenue, Original City of Austin
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centerline of said East 18th Street bears South 80° 11' 05" West at a distance of 67.00 feet, said 3/16-inch iron rod having a Texas State Plane Coordinate, Central Zone, Grid Value of N = 10,074,983.02 and E = 3,115,570.23;

THENCE South 73° 12' 38" East, coincident with the south line of said Outlot 50, Division E and said north line of East 18th Street, for a distance of 23.00 feet to a 1/2 inch iron rod with cap stamped "CobbFendley"

THENCE South 16° 35' 04" West, over and across said East 18th Street, for a distance of 60.01 feet to a 1/2 inch iron rod with cap stamped "CobbFendley" set on the south right-of-way line of said East 18th Street, being also in the north line of Outlot 49, Division E of said Topographical Map of the Government Tract adjoining the City of Austin;

THENCE North 73° 12' 38" West, coincident with said south line of East 18th Street and said north line of Outlot 49, Division E, for a distance of 23.00 feet to a 1/2 inch iron rod with cap stamped "CobbFendley" set for the northwest corner of Outlot 49, Division E of said Original City of Austin, being also the intersection of the east line of said Congress Avenue and the south line of said East 18th Street;

THENCE South 16° 34' 41" West, coincident with the west line of said Outlot 49, Division E and the east line of said Congress Avenue, for a distance of 277.28 feet to a PK nail with shiner stamped "CobbFendley" set for an angle point, being the southwest corner of said Outlot 49, Division E, being also the intersection of the east line of said Congress Avenue and the north line of East 17th Street, as shown on said Topographical Map of the Government Tract adjoining the City of Austin, from which a 3/16-inch iron rod in concrete found and held for the intersection of the centerline of said Congress Avenue and the centerline of said East 17th Street bears South 80° 11' 30" West a distance of 66.99 feet, said 3/16-inch iron rod having a Texas State Plane Coordinate, Central Zone, Grid Value of N = 10,074,659.80 and E = 3,115,474.01;

THENCE South 73° 11' 56" East, coincident with the south line of said Outlot 49, Division E and north line of said East 17th Street right-of-way, for a distance of 170.02 feet to a 1/2 inch iron rod with cap stamped "CobbFendley" set;

THENCE South 16° 33' 20" West, over and across said East 17th Street, for a distance of 60.01 feet to a 1/2 inch iron rod with cap stamped "CobbFendley" set on the south line of said East 17th Street, being also the

Exhibit " A "

Vacation
Congress Avenue, Original City of Austin
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north line of Outlot 48, Division E, of the Subdivision of Block 48, Division E City of Austin recorded in Volume 1, Page 98 of the Plat Records of Travis County, Texas;

THENCE North $73^{\circ}11'56''$ West, coincident with the south line of said East 17th Street and north line of said Outlot 48, Division E, for a distance of 170.03 feet to a PK nail with shiner stamped "CobbFendley" set for the northwest corner of said Outlot 48, Division E, being also the intersection of the east line of said Congress Avenue and the south line of said East 17th Street;

THENCE South $16^{\circ}33'37''$ West, coincident with the west line of said Outlot 48, Division E and the east line of said Congress Avenue, for a distance of 277.07 feet to a PK nail with shiner stamped "CobbFendley" set for an angle point, being the southwest corner of said Outlot 48, Division E, being also the intersection of the east line of said Congress Avenue and the north line of East 16th Street, as shown on said Topographical Map of the Government Tract adjoining the City of Austin, from which a 3/16-inch iron rod in concrete found and held for the intersection of the centerline of said Congress Avenue and the centerline of said East 16th Street bears South $80^{\circ}04'01''$ West at a distance of 67.05 feet, said 3/16-inch iron rod having a Texas State Plane Coordinate, Central Zone, Grid Value of N = 10,074,336.59 and E = 3,115,377.90;

THENCE South $73^{\circ}21'01''$ East, coincident with the south line of said Outlot 48, Division E and the north line of said East 16th Street, for a distance of 23.00 feet to a PK nail with shiner stamped "CobbFendley" set;

THENCE South $16^{\circ}34'07''$ West, over and across said East 16th Street, for a distance of 60.01 feet to a PK nail with shiner stamped "CobbFendley" set on the south right-of-way line of said East 16th Street, being also the north line of Outlot 47, Division E of said Original City of Austin;

THENCE North $73^{\circ}21'01''$ West, with the south line of said East 16th Street and north line of said Outlot 47, Division E, for a distance of 23.00 feet to a 1/2 inch iron rod with cap stamped "CobbFendley" set for the northwest corner of said Outlot 47, Division E, being also the intersection of the east line of said Congress Avenue and the south line of said East 16th Street;

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THENCE South $16^{\circ} 34' 36''$ West, coincident with the west line of said Outlot 47, Division E and the east line of said Congress Avenue, for a distance of 279.22 feet to a PK nail with shiner stamped "CobbFendley" set, being also the southwest corner of said Outlot 47, Division E, and being the intersection of the east line of said Congress Avenue and the north line of East 15th Street, as shown on said Topographical Map of the Government Tract adjoining the City of Austin;

THENCE North $73^{\circ} 00' 16''$ West, over and across said Congress Avenue, along the north line of said West 15th Street, for a distance of 120.01 feet to a PK nail with shiner stamped "CobbFendley" set for the southeast corner of Outlot 46, Division E of said Topographical Map of the Government Tract adjoining the City of Austin, being also the intersection of the west line of said Congress Avenue and the north line of said West 15th Street;

THENCE North $16^{\circ} 34' 36''$ East, coincident with the east line of said Outlot 46, Division E and the west line of said Congress Avenue, for a distance of 278.65 feet to a 1/2 inch iron rod found for an angle point, being also the northeast corner of said Outlot 46, Division E, and being the intersection of the west line of said Congress Avenue and the south line of West 16th Street, as dedicated with said Original City of Austin;

THENCE North $16^{\circ} 34' 06''$ East, over and across said West 16th Street, for a distance of 60.01 feet to a PK nail with shiner stamped "CobbFendley" set for the southeast corner of Outlot 45, Division E of said Topographical Map of the Government Tract adjoining the City of Austin, being also the intersection of the west line of said Congress Avenue and the north line of said West 16th Street;

THENCE North $16^{\circ} 33' 30''$ East, coincident with the east line of said Outlot 45, Division E and the west line of said Congress Avenue, for a distance of 277.24 feet to a PK nail with shiner stamped "CobbFendley" set for an angle point, being also the northeast corner of said Outlot 45, Division E, and being the intersection of the west line of said Congress Avenue and the south line of West 17th Street, as dedicated with said Original City of Austin;

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THENCE North $73^{\circ} 11' 55''$ West, coincident with the north line of said Outlot 45, Division E and south line of said East 17th Street right-of-way, for a distance of 340.16 feet to PK nail with shiner stamped "CobbFendley" set for the northwest corner of said Outlot 45, Division E, and being the intersection of the east right-of-way line of Colorado Street as shown on said Topographical Map of the Government Tract adjoining the City of Austin and the south line of said West 17th Street;

THENCE North $16^{\circ} 34' 24''$ East, over and across said West 17th Street and along the east line of said Colorado Street, for a distance of 60.01 feet to a 1/2 inch iron rod with cap stamped "CobbFendley" set on the north right-of-way of said West 17th Street, also being the southwest corner of Outlot 44, Division E of said Topographical Map of the Government Tract adjoining the City of Austin, and being the intersection of the east line of said Colorado Street and the north line of said West 17th Street, from which a 1/2 inch iron rod found (disturbed) bears North $69^{\circ} 47' 03''$ West, a distance of 2.77 feet;

THENCE, South $73^{\circ} 11' 55''$ East, coincident with the north line of said 17th Street and the south line of said Outlot 44, Division E, a distance of 340.17 feet to a PK nail with shiner stamped "CobbFendley" set for the southeast corner of said Outlot 44, Division E, being also the intersection of the west line of said Congress Avenue and the north line of said West 17th Street;

THENCE North $16^{\circ} 34' 41''$ East, coincident with the east line of said Outlot 44, Division E and the west line of said Congress Avenue, for a distance of 277.30 feet to a PK nail with shiner stamped "CobbFendley" set for an angle point, being also the northeast corner of said Outlot 44, Division E, and being the intersection of the west line of said Congress Avenue and the south line of West 18th Street, as shown on said Topographical Map of the Government Tract adjoining the City of Austin;

THENCE North $16^{\circ} 35' 05''$ East, over and across said West 18th Street, for a distance of 60.01 feet to a PK nail with shiner stamped "CobbFendley" set for the southeast corner of Outlot 43, Division E of said Topographical Map of the Government Tract adjoining the City of Austin, being also the intersection of the west line of said Congress Avenue and the north line of said West 18th Street;

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Congress Avenue, Original City of Austin
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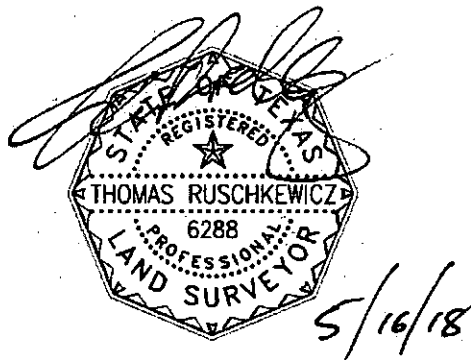
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THENCE North 16° 35' 28" East, coincident with the east line of said Outlot 43, Division E and the west line of said Congress Avenue, for a distance of 320.09 feet to a PK nail with shiner stamped "CobbFendley" set for the northeast corner of said Outlot 43, Division E, and being the intersection of the west line of said Congress Avenue and the south line of said Martin Luther King, Jr. Boulevard;

THENCE South 73° 21' 23" East, over and across said Congress Avenue, along the south line of said Martin Luther King Jr. Boulevard for a distance of 120.00 feet to the said **POINT OF BEGINNING** and containing 4.44 acres of land.

BEARING BASIS NOTE

The bearings described hereon are Texas State Plane Grid bearings (Texas Central Zone, NAD 83(2011), Project Scale Factor = 0.99989001 (1.00011)). These coordinates were established from City of Austin reference point J-22-1001 having coordinate values N = 10072706.64, E = 3113720.49 and NGS Reference Monument BM0627 having coordinate values N = 10072998.45, E = 3115440.41.



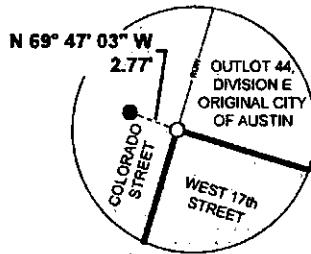
Thomas Ruschkewicz
Registered Professional Land Surveyor
Texas Registration No. 6288

Reviewed: 5-21-18
[Signature]

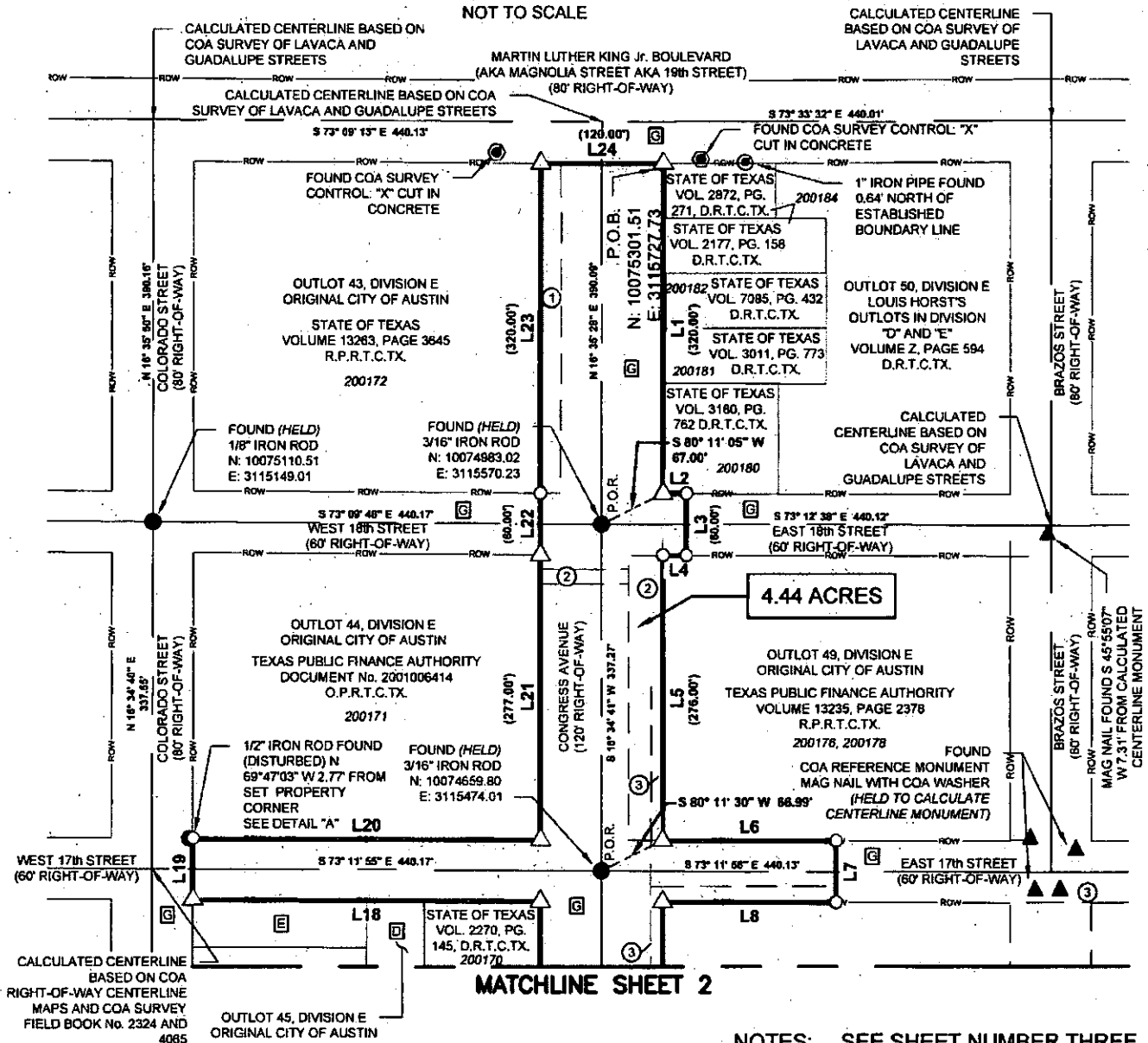
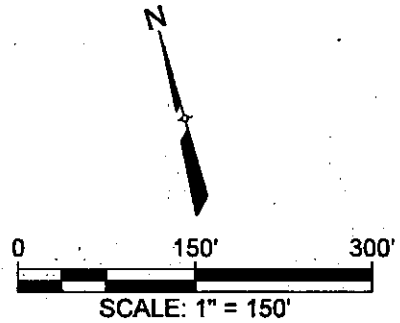
REFERENCES

TCAD # Congress Avenue and 17th Street are public right-of-way with no parcel ID # assigned.
AUSTIN GRID J-23

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



DETAIL "A"
NOT TO SCALE



NOTES: SEE SHEET NUMBER THREE

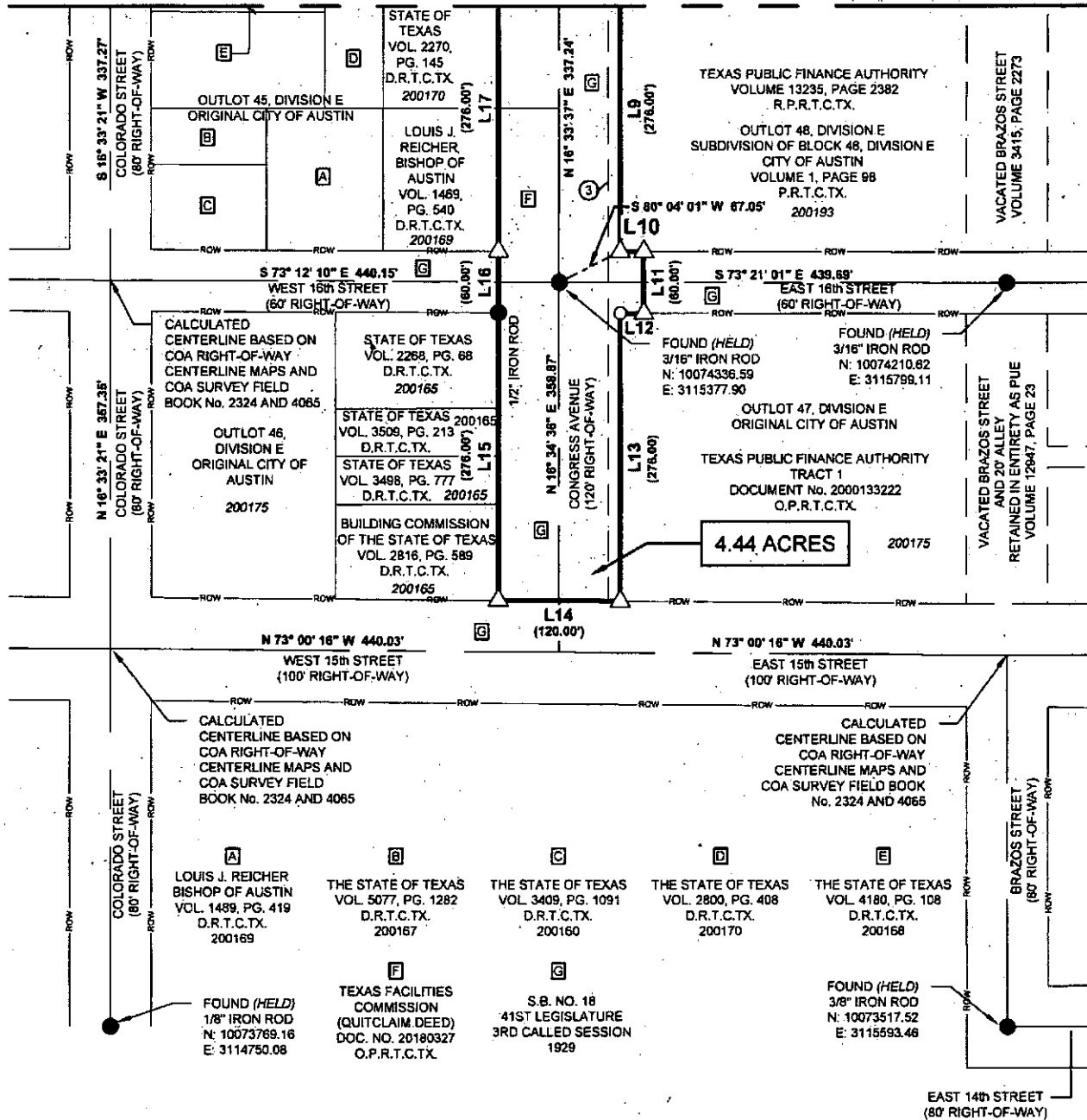
PROJECT:	TFC - CAPITOL COMPLEX
JOB NUMBER:	16-015-8000
DATE:	MAY 16, 2018
FIELDBOOK:	ATX-72, ATX-82
DESIGN:	N/A
DRAWN:	D. ROGERS
CHECK:	B. WARRICK
APPROVE:	T. RUSCHKEWICZ
SCALE:	1" = 150'

CobbFendley
 TBPE NO. 274 / TBPLS NO. 10046701
 505 EAST HUNTLAND DRIVE, SUITE 100
 AUSTIN, TEXAS 78752
 512.834.9799 | FAX 512.834.7727
 WWW.COBBFENDLEY.COM

VACATION OF CONGRESS
 AVENUE RIGHT-OF-WAY AND A
 PORTION OF 16TH, 17TH AND
 18TH STREET RIGHT-OF-WAY

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

MATCHLINE SHEET 1



NOTES: SEE SHEET NUMBER THREE

Dwg Info: G:\Survey\PROJECTS\2016\1603-024-01-TFC Capitol Complex\16-015-BDOD_Capitol Complex_MP1_CIV_Congress Ave_Vacation-REV4.dwg - Tab: SHEET 2 - Plotted: 5/16/2018 1:52 PM By: DAVID ROGERS

PROJECT: - TFC - CAPITOL COMPLEX
JOB NUMBER: - 16-015-8000
DATE: - MAY 18, 2018
FIELDBOOK: - ATX-72, ATX-82
DESIGN: - N/A
DRAWN: - D. ROGERS
CHECK: - B. WARRICK
APPROVE: - T. RUSCHKEWICZ
SCALE: - 1" = 150'

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VACATION OF CONGRESS
AVENUE RIGHT-OF-WAY AND A
PORTION OF 16TH, 17TH AND
18TH STREET RIGHT-OF-WAY

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SKETCH TO ACCOMPANY LEGAL DESCRIPTION

Line Table					
Line #	Direction	Length	Line #	Direction	Length
L1	S 16°35'28" W	320.45'	L13	S 16°34'36" W	279.22'
L2	S 73°12'38" E	23.00'	L14	N 73°00'16" W	120.01'
L3	S 16°35'04" W	60.01'	L15	N 16°34'36" E	278.65'
L4	N 73°12'38" W	23.00'	L16	N 16°34'06" E	60.01'
L5	S 16°34'41" W	277.28'	L17	N 16°33'30" E	277.24'
L6	S 73°11'56" E	170.02'	L18	N 73°11'55" W	340.16'
L7	S 16°33'20" W	60.01'	L19	N 16°34'24" E	60.01'
L8	N 73°11'56" W	170.03'	L20	S 73°11'55" E	340.17'
L9	S 16°33'37" W	277.07'	L21	N 16°34'41" E	277.30'
L10	S 73°21'01" E	23.00'	L22	N 16°35'05" E	60.01'
L11	S 16°34'07" W	60.01'	L23	N 16°35'28" E	320.09'
L12	N 73°21'01" W	23.00'	L24	S 73°21'23" E	120.00'

SURVEY LEGEND

- △ PK NAIL WITH "CobbFendley" WASHER SET
- 1/2" IRON ROD WITH "CFA & ASSOC." CAP SET
- ⊙ COTTON SPINDLE SET
- MONUMENT FOUND (AS NOTED)
- ▲ NAIL FOUND (AS NOTED)
- ⊙ "X" CUT IN CONCRETE FOUND
- ⊙ PIPE FOUND (SIZE AS NOTED)
- IRON ROD FOUND (AS NOTED)
- ⊗ EASEMENT REFERENCE NUMBER

() RECORD INFORMATION

POB POINT OF BEGINNING

POR POINT OF REFERENCE

XXXXXX PARCEL TCAD NUMBER

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

P.R.T.C.TX. PLAT RECORDS TRAVIS COUNTY, TEXAS

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

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

— ROW — RIGHT OF WAY

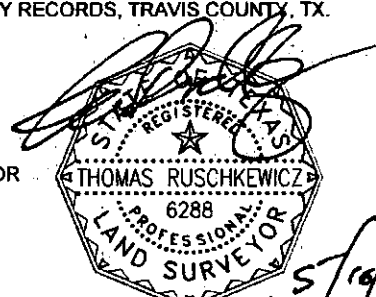
NOTES:

- THE COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(2011) DATUM. THE BEARINGS SHOWN HEREON ARE GRID BEARINGS. THESE COORDINATES WERE ESTABLISHED FROM COA REFERENCE POINT J-22-1001 HAVING COORDINATE VALUES N: 10072706.64 E: 3113720.49 AND NGS REFERENCE POINT BM0627 HAVING COORDINATE VALUES N: 10072998.45, E: 3115440.41.
- PROJECT SCALE FACTOR = 0.99989001 (1.00011)
- ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.
- THIS SKETCH IS INTENDED TO SUPPORT A LEGAL DESCRIPTION PREPARED AND CERTIFIED BY THE SURVEYOR SHOWN BELOW THAT DIRECTLY COINCIDES WITH THE INFORMATION DELINEATED HEREON. THE CERTIFYING SURVEYOR SHALL NOT BE HELD LIABLE NOR RESPONSIBLE FOR THE CONTENT SHOWN HEREON IF IT IS NOT ATTACHED AND REFERRED TO BY SAID PREPARED LEGAL DESCRIPTION.

EASEMENTS:

- LICENSE AGREEMENT FOR ENCROACHMENT, DOCUMENT NUMBER 1999146003, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TX.
- LICENSE AGREEMENT FOR ENCROACHMENT OF PRIVATE UTILITIES, VOLUME 8090, PAGE 409, DEED RECORDS, TRAVIS COUNTY, TX.
- LICENSE AGREEMENT FOR BURIED CABLES, VOLUME 9469, PAGE 45, REAL PROPERTY RECORDS, TRAVIS COUNTY, TX.

THOMAS RUSCHKEWICZ
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6288



REVISIONS:

- 01/15/2018 - ADD OWNERSHIP OUTLOT 45
- 04/17/2018 - ADD NEW TFC TRACT
- 04/27/2018 - COA COMMENTS
- 05/16/2018 - RECORDING INFORMATION

PROJECT: - TFC - CAPITOL COMPLEX
JOB NUMBER: - 16-015-8000
DATE: - MAY 16, 2018
FIELDBOOK: - ATX-72, ATX-82
DESIGN: - N/A
DRAWN: - D. ROGERS
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