MEMORANDUM

TO: Fayez Kazi, Chair
Planning Commission Members

FROM: Mashell Smith, Land Management Supervisor, Office of Real Estate Services

DATE: November 1, 2019

SUBJECT: F#10188-1908 Right of Way Vacation – Portion of Onion Street
(0.399 acres (Approximately 17,393 square feet) being a portion of Onion Street,
lying between Blocks 3 & 4, Subdivision of Outlot 4, Division “A”, a subdivision
recorded in Volume W, Page 391, Deed Records of Travis County, Texas)

Attached are the departmental comments and other information pertinent to the referenced
street vacation (Onion Street between E 5th Street and E 6th Street). The area being requested
for vacation will be used for future development of a paseo (publicly accessibly, pedestrian and
bicycle friendly open space). All affected departments and private utility franchise holders have
reviewed this request and recommend approval, subject to the following conditions:

1. Austin Transportation Department:
   - A public access easement (PAE) will be required for a portion of the Right of Way (ROW) that
     is being vacated. Access must be for pedestrians, scooters, and all ages, all ability bicycle
     traffic with ADA compliant access/pathways.
   - A Restrictive Covenant (RC) will be attained prohibiting habitable structure(s) over the entire
     ROW area that is being vacated

2. Austin Water Utility:
   - A water line easement will be retained over AWU facilities until such time the water main is
     properly abandoned, replaced and accepted by AW Pipeline Engineering and the as-built
     plans have been received and approved by AW Infrastructure records.

3. Capital Metro:
   - The PAE will remain available to the public and provide pedestrian and bicycle access.

4. Austin Energy:
   - An electric easement will be retained over AE facilities until such time the facilities are
     removed, relocated and approved by Austin Energy.

5. Austin Fire:
   - Buildings located at 1501 E. 6th Street and 1506 E. 5th Street will be demolished prior to
     the deed transferring ownership is recorded in Travis County.

6. Google Fiber:
   - There are Google Fiber facilities in the ROW area. The facilities must be relocated at
     developers’ expense.

7. Grande Communications:
   - Full reimbursement for cost of construction if Grande will need to be relocated.

8. PARD/Planning & Design
9. Public Works Department Sidewalks and Special Projects Review:
   o The PAE area must remain publicly accessible, pedestrian and bicycle friendly open space and be ADA compliant.
10. Public Works Department-OCE:
    o Minimum clear height of 15 feet in the PAE area.
11. Development Services Department, Transportation Planning:
    o Bike access required through the PAE area.
12. Watershed Engineering Review:
    • A storm drain easement will be attained over storm drain facilities until such time as the storm sewer facilities are removed.

The applicant has requested that this item be submitted for placement on the November 12, 2019 Planning Commission Agenda.

Staff contact: Mashell Smith, Land Management Supervisor, (512) 974-7079

Applicant: Micahel Gaudini
            Armbrust & Brown, PLLC, (512) 435-2318, mgaudini@abaustin.com

Property Owner: 6th & Onion, LP

The applicant and/or the property owner’s representative will be present at the meeting to answer any questions regarding the development project and vacation request.
CONDITIONAL APPROVAL COMMENTS

AUSTIN TRANSPORTATION DEPARTMENT (ATD)
ASSESSMENT: Public access easement required over a portion of the vacated ROW. Access must be for pedestrians, scooters, and all-ages, all-ability bicycle traffic with ADA-compliant access/pathways.
- Curtis Beaty, ATD

AUSTIN WATER UTILITY (AWU)
ASSESSMENT: “Austin Water (AW) has no objection to the Right-Of-Way vacation of portion of Onion Street between East 5th Street and East 6th Street (0.400 acre/17,406 square feet) with the following condition. Currently, there is an existing 2-inch cast iron water main in the area requested to be vacated. A new Water Line Easement must be dedicated to the city covering the active water line. The new easement should be 20-feet wide across the area to be vacated. Once existing 2-inch cast iron water main is properly abandoned, replaced and accepted by AW Pipeline Engineering and the as-built plans has been received and approved by AW Infrastructure Records the new easement can be requested to be released.”
– Angela Baez, AW

AUSTIN ELECTRIC (AE)
ASSESSMENT: Conditionally Approved. The owner/applicant has paid for the removal/relocation of the existing electric facilities located in the area of ROW requested to be vacated. (Case 10188-1908) This is referenced as Austin Energy WR#191650 - The owner/applicant must dedicate an electric easement for any electric facilities to remain as well as any future electric facilities that are proposed. (SP-2019-0254C)
– EBEN KELLOGG, AE

AUSTIN FIRE (AFD)
ASSESSMENT: The Austin Fire Department requires that all buildings located at 1501 E. 6th Street and 1506 E. 5th Street must be completely demolished prior to the deed vacation for the Onion Street ROW being recorded.
– Sonny Pelayo, Fire

GOOGLE
ASSESSMENT: Google Fiber approves this Easement Release with conditions that a relocation agreement will be executed for the relocation of GFBR existing conduit in the PUE and Onion Street ROW.
- Frederic Ritter, Google

GRANDE COMMUNICATIONS
ASSESSMENT: No objections with conditions of full reimbursement for cost of construction if Grande will need to relocate.
- Daniel Pina, Grande
PARD/ PLANNING & DESIGN
ASSESSMENT: Record PAE in place of the ROW
- Robynne Heymans, PARD

PUBLIC WORKS DEPARTMENT – Sidewalks and Special Projects
ASSESSMENT: Subject to the proposed publicly accessible, pedestrian- and bicycle-friendly open space is ADA compliant.
- Eric Dusza, PWD

PUBLIC WORKS DEPARTMENT – OCE
ASSESSMENT: Stipulate a minimum clear height of 15-feet, since it will remain open for public access.
- David Boswell, PWD

WATERSHED ENGINEERING
ASSESSMENT: WPD agrees on the right-of-way vacation as long as a drainage easement is retained for existing WPD infrastructure within the requested right-of-way vacation area.
- Jorge Urquidi, Watershed

APPROVED (NO COMMENTS)

- AT&T
- MOBILITY BOND
- AUSTIN RESOURCE RECOVERY
- GOOGLE
- CTM-GAATN
- CAPITAL METRO
- EMS
- DEVELOPMENT SERVICES Land Use Review (Engineering)
- DEVELOPMENT SERVICES Transportation
- PLANNING & ZONING Urban Design
- PLANNING & ZONING Zoning Review
- PLANNING & ZONING Long Range Planning
- PUBLIC WORKS Urban Trails Program
- CHARTER/SPECTRUM
- TEXAS GAS
August 23, 2019

City of Austin
Office of Real Estate Services
505 Barton Springs Road, Suite 1350
Austin, Texas 78704
Attn: Land Management Division

Re: Easement Vacation – Onion Street between E. 5th Street and E 6th Street ("Easement Area")

To Whom It May Concern:

Attached is the application for the vacation of the Statutory Easement (defined below) created pursuant to Acts 1929, 41st 3rd C.S., P. 239, Ch. 7, General Laws of Texas (being also known as Senate Bill No. 18 enacted by the 41st Texas Legislature, 3rd Called Session, 1929, and entitled “Relinquishing the Title to Certain Streets in the City of Austin”) (the “1929 Statute”).

The 1929 Statute reserved an easement with respect to the streets, highways and alleys relinquished thereby, the purposes of which were as follows: “for street and highway purposes, and for such other public purposes as now exist, and the right and privilege to use same or any part thereof for constructing, maintaining and repairing water, sewer, drainage, gas, telephone, telegraph and lighting, and other public utility mains, systems and purposes” (the “Statutory Easement”).

The purpose of this request is to vacate the Statutory Easement within the Easement Area for the construction of publicly accessible open space. A new easement over the Easement Area will be dedicated to the City of Austin which will reserve certain rights: (1) public access across the surface of the Easement Area and (2) utility easement(s), if required by the City of Austin or other public utility companies. No easement for street or highway purposes shall be reserved.

Below are the answers to the application questions:

1. Is this a residential or commercial project?

The applicant is proposing building an integrated, pedestrian- and bicycle-friendly project in which the adjacent properties are developed with office space above ground-floor retail and restaurant, while the Easement Area will be improved and serve as activated, publicly accessible open space.
2. How was the area to be vacated dedicated? By plat or by separate instrument?

The easement was dedicated by a plat recorded in Volume W, Page 391-393.

3. Did the City purchase the area to be vacated? (i.e., by Street Deed)

No.

4. Are both the area to be vacated and your property in the same "subdivision"? (They must both be in the same subdivision to be eligible.)

Yes.

5. Is the area to be vacated functional right-of-way, or is it only dedicated on paper?

The Easement Area is currently functional right-of-way.

6. Are there any utility lines within the area to be vacated? If yes, what are your plans for the utilities? Applicants should be advised that easements will be retained to protect existing utilities, even if utility relocation is proposed. Also be advised that no structures may be built on, over or under the easements without a license agreement, insurance, and annual fee.

There are existing utilities in the Easement Area. The applicant is working with utility providers to have them all removed or relocated and does not anticipate the need for a long-term utility easement in the Easement Area.

7. How do you plan to develop the area to be vacated?

The Easement Area would serve as publicly accessible, pedestrian- and bicycle-friendly open space.

8. Has a site plan been submitted on your project?

Yes, the site plan number is SP-2019-0254C.

9. Is your project a Unified Development?

Yes, the applicant intends to join the Easement Area with one of the adjacent properties via a Unified Development Agreement. The applicant has submitted an amending plat application concurrent with this vacation application.
10. Is your project a S.M.A.R.T. Housing Project?

No.

11. When do you anticipate starting construction of the development?

Construction is anticipated to begin in 2020.

12. What is the current zoning on the adjacent properties?

Transit-Oriented Development – Neighborhood Plan (TOD-NP).

13. What is the current status of the adjacent properties?

The adjacent properties are currently used as parking lots, warehouses, or vacant buildings.

14. What type of parking facilities currently exist?

There are currently several surface parking lots. Street parking is available near the site.

15. Will your parking requirements increase with the expansion?

Yes. The area being vacated would be used to provide pedestrian- and bicycle-friendly open space and thus would not require parking. The adjacent development would increase parking requirements, which will be addressed onsite.

16. How will the increase be handled?

Parking will be handled on-site with a below-grade garage.

17. Have any agreements or easements been executed with adjacent landowner(s) or in draft form? If yes, please include this in your letter and provide us with a copy.

No.

18. Does the area to be vacated lie within the Austin Downtown Plan (DAP)? Does it meet DAP criteria?

No.
19. Does the area to be vacated lie within UT boundaries: East of Lamar Boulevard, west of IH35, north of Martin Luther King Boulevard, and south of 45th Street?

No.

20. Does the proposed vacation support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan? If so, how?

Yes. This proposal helps advance the Imagine Austin Comprehensive Plan Priority Programs of investing in a compact and connected Austin and creating a healthy Austin by developing a pedestrian- and bicycle-friendly open space promenade that is publicly accessible and activated by adjacent development with ground-floor retail and restaurant uses.

Thank you in advance for your time and consideration of this application. If you have any questions or need additional information, please do not hesitate to contact me at mgaudini@abaustin.com.

Respectfully,

Michael Gaudini
Land Development Consultant

CC: Barrett Lepore, 6th & Onion, LP
    Michael Whellan, Armbrust & Brown PLLC
APPLICATION FOR STREET OR ALLEY VACATION

File No. Date: 
Department Use Only Department Use Only

TYPE OF VACATION

Type of Vacation: Street: Alley: ROW X Hundred Block: 500
Name of Street/Alley/ROW: Onion Street Easement Between 5th and 6th Streets Is it constructed: Yes No
Property address: 500 Onion St.
Purpose of vacation: To construct pedestrian- and bicycle-friendly open space

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 0204061510, 0204061505, 0204061814
Survey & Abstract No.: N/A
Lot(s): 687 (Block 4) 1612 (Block 3) Block: 3 & 4 Outlot: 4 Division A
Subdivision Name: Outlot No. 4
Plat Book: W Page Number: 391-393 Document Number: N/A

Neighborhood Association Name: East Cesar Chavez
Address including zip code: 1409 E. 6th St., 502 Onion St., 1501 East 6th St., Austin, TX 78702

RELATED CASES

Existing Site Plan (circle one): Yes No Subdivision: Case (circle one): Yes No Zoning Case (circle one): Yes No

PROJECT NAME, if applicable:

Name of Development Project: Onion Street West
Is this a S.M.A.R.T. Housing Project (circle one): Yes / No
Is this within the Downtown Austin Plan Boundaries (circle one): Yes / No

OWNER INFORMATION

Name: 6th & Onion, LP (as shown on Deed)
Address: 100 Congress, Suite 1450 Phone: ( ) Fax No.: ( )
City: Austin County: Travis State: TX Zip Code: 78701
Contact Person/Title: Barrett Lepore (On Behalf of General Partner) Cell Phone: ( )
Email Address: blepore@riversideresources.com
(If multiple owners are joining in this request, complete names and addresses for each must be attached.)

APPLICANT INFORMATION

Name: Michael J. Gaudini
Firm Name: 5mburst & Brown, PLLC
Address: 100 Congress Ave, Suite 1300
City: Austin State: TX Zip Code: 78701
Office No.: (512) 435-2300 Cell No.: ( ) Fax No.: ( )
EMAIL ADDRESS: mgaudini@abaustin.com

The undersigned Landowner/Applicant understands: 1) This application will be handled in accordance with standard City policies and procedures. 2) No action will be taken without (a) payment of the nonrefundable application fee, or (b) necessary documentation. 3) The application and fee in no way obligate the City to vacate the subject area. 4) All documents related to this transaction and a certified check for the appraised value must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By: Lepore, Landowner/Applicant
EXHIBIT “____”

ONION STREET RIGHT-OF-WAY VACATION AREA

A DESCRIPTION OF 0.399 ACRES (APPROXIMATELY 17,393 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION “A”, A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS (DRTCT), SAID 0.399 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with “Chaparral” cap found, at the intersection of the west right-of-way line of Onion Street (60’ right-of-way width) and the north right-of-way line of E 5th Street (80’ right-of-way width), same being the southeast corner of said Block 4, from which a calculated point for the southwest corner of said Block 4 bears N69°45'36"W a distance of 270.54 feet, and from said calculated point a 1 story concrete and brick building corner bears N81°21'06"W a distance of 0.21 feet;

THENCE with the west right-of-way line of Onion Street and the east line of said Block 4, N20°39'24"E a distance of 135.05 feet to a 1/2" rebar with “Chaparral” cap found at the south line of a vacated 20 foot alley, being the southeast corner of a 10’ public utility and drainage easement recorded in Document No. 2018200606 of the Official Public Records of Travis County, Texas (OPRTCT);

THENCE continuing with the west right-of-way of Onion Street, crossing said vacated alley, N20°39'24"E a distance of 20.00 feet to a Mag nail with “Chaparral” washer found in the north line of said vacated alley, being the northeast corner of a 10’ public utility and drainage easement recorded in Document No.(s) 2019002223 and 2019002224 (OPRTCT);

THENCE continuing with the west right-of-way line of Onion Street, and the east line of said Block 4, N20°39’24"E a distance of 135.05 feet to a calculated point at the intersection of the south right-of-way of E 6th Street (60’ right-of-way width) and the west right-of-way line of Onion Street, being the northeast corner of said Block 4, from which a punch hole found in concrete bears S89°05'18" a distance of 0.05 feet, and a scribed “X” found in concrete bears N62°52'13"E a distance of 0.07 feet, also from which a calculated point at the intersection of the south right-of-way line of E 6th Street and the east right-of-way line of Navasota Street, being the northwest corner of said Block 4 bears N69°39'36"W a distance of 270.54 feet, from which a 1/2” rebar with “Chaparral” cap found for witness bears N69°39’36"W a distance of 5.08 feet;

THENCE with the south right-of-way line of E 6th Street, crossing Onion Street, S69°27’46"E a distance of 60.00 feet to a 5/8” rebar found for the northwest corner of Block 3 of said Subdivision of Outlot 4, Division “A”, from which a cotton spindle with “Chaparral” washer found on the north line of said Block 3 and the south right-of-way line of said E 6th Street, for the northwest corner of a tract called Lot 6 of said Block 3, conveyed to East 6th St., LLC in Document No. 2019018925, bears S69°43'37"E a distance of 227.50 feet;

THENCE leaving the south right-of-way line of E 6th Street, with the east right-of-way of Onion Street, and the west line of said Block 3, S20°39’42"W a distance of 289.66 feet to a 1/2” rebar with “Chaparral” cap found at the intersection of the east right-of-way line of Onion Street and the north right-of-way line of E 5th Street, being the southwest corner of said Block 3, from which a 1/2” rebar with “Chaparral” cap found on the north right-of-way line of E 5th Street and the south line of said Block 3, for the southwest corner of a tract called Lots 7 & 8 out of said Block 3, conveyed to Joseph Carlin in Document No. 2017026778 (OPRTCT), bears S69°44’31"E a distance of 181.95 feet;
THENCE with the north right-of-way line of E 5th Street, crossing Onion Street, N69°53’18”W a distance of 60.00 feet to the POINT OF BEGINNING hereof, and containing 0.399 acres, more or less.


Eric J. Dannheim, RPLS
State of Texas #6075

References:
COA Grid: K-22
TCAD Map: 02-0406
Item B-22

E 6TH STREET
(60' WIDTH R.O.W. & UTILITY EASEMENT, SENATE
BILL 18, DATED 07/1929)

CITY OF AUSTIN BASELINE
(F.B. 1421, PG. 58)

PROPOSED LOT 1
BLOCK A
2019086487 OPRTCT
6TH & ONION, LP

2019002223 &
2019002224 OPRTCT
10' PUE & DE
(TO BE RELEASED)

2019086490 OPRTCT
6TH & ONION, LP

(140') (MONUMENTED AS 135')

ONION STREET
(60' WIDTH R.O.W. & HOOD STREET PER W/391) (TO BE VACATED)

SEEN DETAIL A

(18')

5/8'

S69'43"37'E 227.50'
(225')

PROPOSED LOT 2
BLOCK A

2018200606 OPRTCT
10' PUE & DE
(TO BE RELEASED)

(140') (MONUMENTED AS 135')

L2

CH

L3

ONION STREET CENTER LINE
(F.B. 1421, PG. 58)

PROPOSED LOT 3
BLOCK A

ONION STREET
RIGHT-OF-WAY
VACATION AREA
0.399 ACRES
APPROX. 17,393 SQ. FT.

SCALE: 1" = 50'

20' PUE & DE
5096/626, ORTCT
(TO BE RELEASED)

BLOCK 4
OUTLOT 4, DIVISION "A"
(W/391)

2019086485 OPRTCT
6TH & ONION, LP

1 STORY CONCRETE AND
BRICK BUILDING CORNER
BEARS N81°21'06"W 0.21'

N69'39"36'W 270.54'
(270')

P.O.B.

S69'44"31'E 181.95'
(270')

E 5TH STREET
(80' WIDTH R.O.W. & UTILITY EASEMENT, SENATE
BILL 18, DATED 07/1929)

CITY OF AUSTIN CENTER LINE
(F.B. 1421, PG. 58)

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.399 ACRES (APPROXIMATELY 17,393 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

10/16/2019
Item B-22

LEGEND

OPRTCT OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TX
DRTCT DEED RECORDS OF TRAVIS COUNTY, TX
● 1/2" REBAR FOUND (OR AS NOTED)
● CH 1/2" REBAR WITH "CHAPARRAL" CAP FOUND
● CH COTTON SPINDLE WITH "CHAPARRAL" WASHER FOUND
● CENTER LINE MONUMENT FOUND IN METAL CANISTER
● CH MAG NAIL WITH "CHAPARRAL" WASHER FOUND
◯ X IN CONC. FOUND
△ CALCULATED POINT
● PUNCH HOLE FOUND
✦ CONTROL POINT/BENCHMARK LOCATION
PUE & DE PUBLIC UTILITY AND DRAINAGE EASEMENT
P.O.B. POINT OF BEGINNING

DETAIL A
(NOT TO SCALE)

N6°52'13"E 0.00'
S89°05'18"E 0.05'

DETAIL B
(NOT TO SCALE)

N6°48'35"E 0.18'

LINE BEARING DISTANCE
L1 S69°27'46"E 60.00'
L2 N69°53'18"W 60.00'
L3 N20°39'24"E 20.00'

NOTES

1. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
2. ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1827-001-LOT2
3. BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS.
4. DATE OF SURVEY: FEBRUARY 6, 2017

CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

ERIK J. DANNHEIM, R.P.L.S. NO. 6075
FIRM NO. 10194453
302 W. Hopkins, Ste. 1A, San Marcos, TX 78666
(512) 748-2878

10/16/2019
PUBLIC ACCESS EASEMENT AREA

A DESCRIPTION OF 0.264 ACRES (APPROXIMATELY 11,484 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION “A”, A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS (DRTCT); SAID 0.264 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with “Chaparral” cap found at the intersection of the east right-of-way line of Onion Street (60’ right-of-way width) and the north right-of-way line of E 5th Street (80’ right-of-way width), same being the southwest corner of said Block 3;

THENCE, crossing Onion Street, the following three (3) courses and distances:

1) **N69°53'18"W**, with the north right-of-way-line of E 5th Street, a distance of 51.78 feet to a calculated point, from which a 1/2" rebar with “Chaparral” cap found at the intersection of the west right-of-way line of Onion Street and the north right-of-way line of E 5th Street, same being the southeast corner of said Block 4, bears N69°53'18"W a distance of 8.22 feet;

2) **N20°39'24"E**, leaving the north right-of-way-line of E 5th Street, a distance of 38.32 feet to a calculated point;

3) **N69°20'36"W**, a distance of 8.22 feet to a calculated point in the west right-of-way-line of Onion Street, same being the east line of said Block 4, from which said 1/2" rebar with “Chaparral” cap found at the southeast corner of Block 4 bears S20°39'24"W a distance of 38.39 feet;

THENCE, with the common line of Onion Street and said Block 4, **N20°39'24"E**, at a distance of 96.66 feet passing a 1/2” rebar with “Chaparral” cap found at the south line of a vacated 20 foot alley, being the southeast corner of a 10’ public utility and drainage easement recorded in Document No. 2018200606 of the Official Public Records of Travis County, Texas (OPRTCT), at a distance of 116.66 feet passing a Mag nail with “Chaparral” washer found in the north line of said vacated alley, being the northeast corner of a 10’ public utility and drainage easement recorded in Document No(s) 2019002223 and 2019002224 (OPRTCT), and continuing, for a total distance of 116.77 feet to a calculated point;

THENCE, crossing Onion Street, the following seven (7) courses and distances:

1) **S69°44'13"E**, a distance of 20.92 feet to a calculated point;

2) **N20°15'53"E**, a distance of 70.01 feet to a calculated point;

3) **N69°43'59"W**, a distance of 1.00 feet to a calculated point;

4) **N20°16'08"E**, a distance of 64.84 feet to a calculated point in the south right-of-way-line of E 6th Street (60’ right-of-way width);
5) **S69°27'48"E**, with the south right-of-way-line of E 6th Street a distance of **19.04** feet to a calculated point, from which a 5/8” rebar found for the northwest corner of said Block 3 bears S69°27'48"E a distance of 21.96 feet;

6) **S20°17'09"W**, leaving the south right-of-way-line of E 6th Street, a distance of **134.76** feet to a calculated point;

7) **S69°44'04"E**, a distance of **21.09** feet to a calculated point in the east right-of-way-line of Onion Street, same being the west line of said Block 3, from which said 5/8” rebar found bears N20°39’24”E a distance of 134.66 feet;

**THENCE**, with the common line of Onion Street and said Block 3, **S20°39’24”W**, a distance of **155.00** feet to the **POINT OF BEGINNING** hereof, and containing 0.264 acres, more or less.


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Eric J. Dannheim, RPLS
State of Texas #6075

References:
COA Grid: K-22
TCAD Map: 02-0406
A SKETCH TO ACCOMPANY A DESCRIPTION OF 0.264 ACRES (APPROXIMATELY 11,484 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS
**LEGEND**

- **OPRTCT** OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TX
- **DRTCT** DEED RECORDS OF TRAVIS COUNTY, TX
- **CH** 1/2" REBAR FOUND (OR AS NOTED)
- **CH** 1/2" REBAR WITH "CHAPARRAL" CAP FOUND
- **CH** COTTON SPINDLE WITH "CHAPARRAL" WASHER FOUND
- **○** CENTER LINE MONUMENT FOUND IN METAL CANISTER
- **CH** MAG NAIL WITH "CHAPARRAL" WASHER FOUND
- **X** X IN CONC. FOUND
- **△** CALCULATED POINT
- **●** PUNCH HOLE FOUND
- **△** CONTROL POINT/BENCHMARK LOCATION

**PUE & DE** PUBLIC UTILITY AND DRAINAGE EASEMENT

**P.O.B.** POINT OF BEGINNING

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<thead>
<tr>
<th>LINE</th>
<th>BEARING</th>
<th>DISTANCE</th>
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<tbody>
<tr>
<td>L1</td>
<td>S69°27'46&quot;E</td>
<td>60.00'</td>
</tr>
<tr>
<td>L2</td>
<td>N69°53'18&quot;W</td>
<td>60.00'</td>
</tr>
<tr>
<td>L3</td>
<td>N20°39'24&quot;E</td>
<td>20.00'</td>
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<tr>
<td>L4</td>
<td>N69°53'18&quot;W</td>
<td>51.78'</td>
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<tr>
<td>L5</td>
<td>N20°39'24&quot;E</td>
<td>38.32'</td>
</tr>
<tr>
<td>L6</td>
<td>N69°20'36&quot;W</td>
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<td>L7</td>
<td>N20°39'24&quot;E</td>
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<tr>
<td>L8</td>
<td>S69°44'13&quot;E</td>
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**CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

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**NOTES**

1. BEARINGS, DISTANCES AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION.
2. ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1827-001-PAE
3. BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NA83), CENTRAL ZONE, BASED ON GPS SOLUTIONS.
4. DATE OF SURVEY: FEBRUARY 6, 2017

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**PAYNE INDUSTRIES**

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**STATE OF TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR**

---

**ERIC J. DANNHEIM, R.P.L.S. NO. 6075**

---

**FIRM NO. 10194453**

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**302 W. Hopkins, Ste. 1A, San Marcos, TX 78666 (512) 748-2878 (979) 567-4500**

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**10/16/2019**
EXHIBIT “____”

RESTRICTIVE COVENANT AREA

A DESCRIPTION OF 0.399 ACRES (APPROXIMATELY 17,393 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION “A”, A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS (DRTCT), SAID 0.399 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with “Chaparral” cap found, at the intersection of the west right-of-way line of Onion Street (60’ right-of-way width) and the north right-of-way line of E 5th Street (80’ right-of-way width), same being the southeast corner of said Block 4, from which a calculated point for the southwest corner of said Block 4 bears N69°45’36”W a distance of 270.54 feet, and from said calculated point a 1 story concrete and brick building corner bears N81°21’06”W a distance of 0.21 feet;

THENCE with the west right-of-way line of Onion Street and the east line of said Block 4, N20°39’24”E a distance of 135.05 feet to a 1/2” rebar with “Chaparral” cap found at the south line of a vacated 20 foot alley, being the southeast corner of a 10’ public utility and drainage easement recorded in Document No. 2018200606 of the Official Public Records of Travis County, Texas (OPRTCT);

THENCE continuing with the west right-of-way of Onion Street, crossing said vacated alley, N20°39’24”E a distance of 20.00 feet to a Mag nail with “Chaparral” washer found in the north line of said vacated alley, being the northeast corner of a 10’ public utility and drainage easement recorded in Document No.(s) 2019002223 and 2019002224 (OPRTCT);

THENCE continuing with the west right-of-way line of Onion Street, and the east line of said Block 4, N20°39’24”E a distance of 135.05 feet to a calculated point at the intersection of the south right-of-way line of E 6th Street (60’ right-of-way width) and the west right-of-way line of Onion Street, being the northeast corner of said Block 4, from which a punch hole found in concrete bears S89°05’18” a distance of 0.05 feet, and a scribed “X” found in concrete bears N62°52’13”E a distance of 0.07 feet, also from which a calculated point at the intersection of the south right-of-way line of E 6th Street and the east right-of-way line of Navasota Street, being the northwest corner of said Block 4 bears N69°39’36”W a distance of 270.54 feet, from which a 1/2” rebar with “Chaparral” cap found for witness bears N69°39’36”W a distance of 5.08 feet;

THENCE with the south right-of-way line of E 6th Street, crossing Onion Street, S69°27’46”E a distance of 60.00 feet to a 5/8” rebar found for the northwest corner of Block 3 of said Subdivision of Outlot 4, Division “A”, from which a cotton spindle with “Chaparral” washer found on the north line of said Block 3 and the south right-of-way line of said E 6th Street, for the northwest corner of a tract called Lot 6 of said Block 3, conveyed to East 6th St., LLC in Document No. 2019018925, bears S69°43’37”E a distance of 227.50 feet;

THENCE leaving the south right-of-way line of E 6th Street, with the east right-of-way of Onion Street, and the west line of said Block 3, S20°39’42”W a distance of 289.66 feet to a 1/2” rebar with “Chaparral” cap found at the intersection of the east right-of-way line of Onion Street and the north right-of-way line of E 5th Street, being the southwest corner of said Block 3, from which a 1/2” rebar with “Chaparral” cap found on the north right-of-way line of E 5th Street and the south line of said Block 3, for the southwest corner of a tract called Lots 7 & 8 out of said Block 3, conveyed to Joseph Carlin in Document No. 2017026778 (OPRTCT), bears S69°44’31”E a distance of 181.95 feet;
THENCE with the north right-of-way line of E 5th Street, crossing Onion Street, N69°53’18”W a distance of 60.00 feet to the POINT OF BEGINNING hereof, and containing 0.399 acres, more or less.


Eric J. Dannheim, RPLS
State of Texas #6075

References:
COA Grid: K-22
TCAD Map: 02-0406
SKETCH TO ACCOMPANY A DESCRIPTION OF 0.399 ACRES (APPROXIMATELY 17,393 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.
Item B-22

Property Search Results > 191924 BLANCO CYPRESS MILL LP & for Year 2019

Property

Account
Property ID: 191924
Geographic ID: 02040615110
Legal Description: LOT 4-6 BLK 4 OLT 4 DIVISION A PLUS ADJ ALLEY
Zoning: CS-1
Agent Code: ID:1678599

Protest
Protest Status:
Informal Date:
Formal Date:

Location
Address: 1409 E 6 ST TX 78703
Neighborhood: MFG/ ENG/G LAB INDUSTRIAL
Neighborhood CD: 69EAS
Mapsco:
Map ID: 020201

Owner
Name: BLANCO CYPRESS MILL LP & REINER TRACT LP
Mailing Address: 100 CONGRESS AVE #1450 AUSTIN, TX 78701-4072
Owner ID: 1787019
% Ownership: 100.0000000000%

Values
(+) Improvement Homsite Value: + $0
(+) Improvement Non-Homesite Value: + $54,924
(+) Land Homsite Value: + $0
(+) Land Non-Homesite Value: + $2,329,325 Ag / Timber Use Value
(+) Agricultural Market Valuation: + $0 $0
(+) Timber Market Valuation: + $0 $0

= $2,384,249

= $0

= $2,384,249

= $0

= $2,384,249

Taxing Jurisdiction
Owner: BLANCO CYPRESS MILL LP &
% Ownership: 100.0000000000%
Total Value: $2,384,249

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<th>Description</th>
<th>Tax Rate</th>
<th>Appraised Value</th>
<th>Taxable Value</th>
<th>Estimated Tax</th>
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propaccess.traviscad.org/clientdb/Property.aspx?prop_id=191924
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### Roll Value History

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<th>Land Market</th>
<th>Ag Valuation</th>
<th>Appraised</th>
<th>HS Cap</th>
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### Deed History - (Last 3 Deed Transactions)

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Taxes w/Current Exemptions: $52,370.53
Taxes w/o Exemptions: $52,370.53

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Deed included in Not yet updated Deed packet. Owner is Gt & Onion, LP

---

propaccess.traviscad.org/clientidb/Property.aspx?prop_id=191924
Property Search > 191919 FIFTH & ONION 2016 LP for Year 2019

Property

Account
Property ID: 191919
Geographic ID: 0204061505
Type: Real
Property Use Code: 
Property Use Description: 
Legal Description: LOT 7 BLK 4 OLT 4 DIVISION A PLUS ADJ ALLEY
Zoning: LI
Agent Code: ID:1678599

Protest
Protest Status: 
Informal Date: 
Formal Date: 

Location
Address: 501 ONION ST
      TX 78702
Neighborhood: WAREHOUSE <20,000 SF
Neighborhood CD: 61EAS
Mapsco: 
Map ID: 020201

Owner
Name: FIFTH & ONION 2016 LP
Mailing Address: 100 CONGRES AVE STE 1450
      AUSTIN , TX 78701-4072
Owner ID: 1708457
% Ownership: 100.00000000000%

Values
(+) Improvement Homsite Value: + $0
(+) Improvement Non-Homesite Value: + $48,883
(+) Land Homsite Value: + $0
(+) Land Non-Homesite Value: + $691,237 Ag / Timber Use Value
(+) Agricultural Market Valuation: + $0 $0
(+) Timber Market Valuation: + $0 $0

(=) Market Value: = $740,120
(=) Appraised Value: = $740,120
(=) Assessed Value: = $740,120

TAXING JURISDICTION
Owner: FIFTH & ONION 2016 LP
% Ownership: 100.0000000000%
Total Value: $740,120

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<th>Sqft</th>
<th>Eff Front</th>
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### Roll Value History

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<th>Ag Valuation</th>
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### Deed History - (Last 3 Deed Transactions)

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Questions Please Call (512) 834-9317

This site requires cookies to be enabled in your browser settings.
Item B-22

Property Search > 191942 WPW LLC for Year 2019

Property Details

Account
Property ID: 191942
Geographic ID: 0204061814
Legal Description: LOT 1-4,10-12 BLK 3 OLT 4 DIVISION A PLUS ADJ VAC ALLEY
Zoning: CS1, LI
Agent Code: ID:1556533

Protest
Protest Status:
Informal Date:
Formal Date:

Location
Address: 1501 E 6 ST
TX
Neighborhood: RESTAURANT
Neighborhood CC: 32CEN
Map ID: 020201

Owner
Name: WPW LLC
Mailing Address: IPO BOX 1860
BENTONVILLE , AR 72712-1860
Owner ID: 1563100
% Ownership: 100.0000000000%

Values
(+) Improvement Homestead Value: + $0
(+) Improvement Non-Homestead Value: + $50,000
(+) Land Homestead Value: + $0
(+) Land Non-Homestead Value: + $5,433,750 Ag / Timber Use Value
(+) Agricultural Market Valuation: + $0, $0
(+) Timber Market Valuation: + $0, $0

(=) Market Value: = $5,483,750
(−) Ag or Timber Use Value Reduction: − $0

(=) Appraised Value: = $5,483,750
(−) HS Cap: − $0

(=) Assessed Value: = $5,483,750

Taxing Jurisdiction
Owner: WPW LLC
% Ownership: 100.0000000000%
Total Value: $5,483,750

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### Improvement / Building

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#### Land

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