TO: Andrew Rivera, Planning Commission Coordinator  
Planning and Zoning Department

FROM: Masshell Smith  
Land Management Section  
Office of Real Estate Services

DATE: March 17, 2020

SUBJECT: F# 10071-1812 – Surface encroachment of a portion of East 6th Street near IH-35 southbound frontage for columns and lighted arch.

Attached is the Master Comment Report for the case reviewers and other information pertinent to the referenced right of way encroachment. The area being requested for encroachment will be used for columns and arch with electric services and lighting. All affected departments and private utility franchise holders have reviewed this request and recommend approval.

The applicant has requested that this item be submitted for placement on the March 24, 2020, Planning Commission Agenda for their consideration.

Staff contact: Mashell Smith (512-974-7079), or mashell.smith@austintexas.gov

Applicant: Nhat Ho

Property Owner: Parking Lot Sixth LC

Applicant/property owner will be present at the meeting to answer any questions regarding the project, if needed.

Mashell Smith, Supervisor  
Land Management Division

OFFICE OF REAL ESTATE SERVICES

(Attachments follow)
# CITY OF AUSTIN - ENCROACHMENT

## MASTER COMMENT REPORT

### As of: March 17, 2020

**PROJECT NUMBER:** 2018-215140 LM  
**PROJECT NAME:** F# 10071-1812 725 East 6th Street; 6TH STREET ARCH

**LOCATION:** 725 E 6TH ST, AUSTIN, TX 78701

### Review Dept.  
LM AT&T (SWBT)

<table>
<thead>
<tr>
<th>Approved Date</th>
<th>Reviewer</th>
<th>Phone</th>
<th>Attempt Date</th>
<th>Approved Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/13/2019</td>
<td>Lucy Cabading</td>
<td>512-974-7185</td>
<td>02/13/2019</td>
<td>02/13/2019</td>
</tr>
</tbody>
</table>

**Comments:** Approved per David Williams 1-23-19 512-870-4760

### LM ATD Review

<table>
<thead>
<tr>
<th>Rejected Date</th>
<th>Reviewer</th>
<th>Phone</th>
<th>Attempt Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>02/13/2019</td>
<td>Ravi Dhamrat</td>
<td>512-974-1217</td>
<td>02/13/2019</td>
</tr>
</tbody>
</table>

**Comments:** The proposed structure may conflict with TxDOT's future plans for IH35 and the frontage road.
**As of:** March 17, 2020

**PROJECT NUMBER:** 2018-215140 LM  
**PROJECT NAME:** F# 10071-1812 725 East 6th Street; 6TH STREET ARCH  
**LOCATION:** 725 E 6TH ST, AUSTIN, TX 78701

<table>
<thead>
<tr>
<th>Review Dept.</th>
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<th>Attempt Date</th>
<th>Approved Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved With Conditions</td>
<td>Ravi Dhamrat</td>
<td>512-974-1217</td>
<td>09/05/2019</td>
<td>09/05/2019</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td>ATD's review of this application is only related to the transportation aspects of this encroachment agreement. ATD's approval is conditional upon City Council approval.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**LM Austin Resource Recovery Review**

| Approved With Conditions      | Austin Resource Recovery Review | 01/07/2019 | 01/07/2019 |
| **Comments:**                 | ARR services trash cans at the NW and SW corners of E 6th St and IH35. As long as the encroachment does not block these cans from being accessible, ARR approves of this encroachment. |
As of: March 17, 2020

<table>
<thead>
<tr>
<th>PROJECT NUMBER:</th>
<th>2018-215140 LM</th>
</tr>
</thead>
<tbody>
<tr>
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<td>F# 10071-1812 725 East 6th Street; 6TH STREET ARCH</td>
</tr>
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| LOCATION: | 725 E 6TH ST, AUSTIN, TX 78701 |

<table>
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<tr>
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<th>Attempt Date</th>
<th>Approved Date</th>
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</thead>
<tbody>
<tr>
<td>LM AW Infrastructure Management</td>
<td>Angela Baez</td>
<td>512-972-0221</td>
<td>01/15/2019</td>
<td>01/15/2019</td>
</tr>
<tr>
<td><strong>Approved</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td>See comments provided.</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LM Capital Metro</th>
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<tbody>
<tr>
<td>Approved</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
</tr>
</tbody>
</table>
**As of:** March 17, 2020

<table>
<thead>
<tr>
<th>Project Number:</th>
<th>2018-215140 LM</th>
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<tbody>
<tr>
<td>Project Name:</td>
<td>F# 10071-1812 725 East 6th Street; 6TH STREET ARCH</td>
</tr>
<tr>
<td>Location:</td>
<td>725 E 6TH ST, AUSTIN, TX 78701</td>
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</table>

**Review Dept.:** LM Drainage Engineering Review

<table>
<thead>
<tr>
<th>Reviewer</th>
<th>Phone</th>
<th>Attempt Date</th>
<th>Approved Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage Engineering Review</td>
<td></td>
<td>12/31/2018</td>
<td><strong>12/31/2018</strong></td>
</tr>
</tbody>
</table>

**Comments:** None
As of: March 17, 2020

<table>
<thead>
<tr>
<th>PROJECT NUMBER:</th>
<th>2018-215140 LM</th>
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</thead>
<tbody>
<tr>
<td>PROJECT NAME:</td>
<td>F# 10071-1812 725 East 6th Street; 6TH STREET ARCH</td>
</tr>
<tr>
<td>LOCATION:</td>
<td>725 E 6TH, AUSTIN, TX 78701</td>
</tr>
</tbody>
</table>

Review Dept.       Reviewer       Phone       Attempt Date       Approved Date
---                ---            ---            ---               ---
LM DSD - Planning Review

Rejected

Emeka Onuoha       512-974-6404       01/16/2019

Comments: BPBD1. SPECIAL INSPECTIONS: Please have the Registered Design Professionals in Responsible Charge of this project complete and return the Statement of Special Inspections Checklist. Please submit an additional loose-leaf copy that is not directly stapled to the plans. The form can be downloaded at: http://www.austintexas.gov/sites/default/files/files/Planning/Applications_forms/Statement_of_Special_Instructions.pdf

o SI WAIVER: Based on the scope of work, Special Inspections would typically be required. Please have the Design Professionals in Responsible charge fill out the form, either listing all the required inspections, or checking off the box on page one for Waving special inspections

o SIGNATURE: The special inspections form was only signed by the engineer. Please have the architect sign and date the form to confirm all architectural items have been addressed.

Approved

Emeka Onuoha       512-974-6404       02/24/2020

Comments: Structural Plans and Special Inspections have been added to attachments 2/24/20 JA
### LM Electric Review

<table>
<thead>
<tr>
<th>Approved Date</th>
<th>Project Number</th>
<th>Project Name</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/28/2019</td>
<td>2018-215140 LM</td>
<td>F# 10071-1812 725 East 6th Street; 6TH STREET ARCH</td>
<td>725 E 6TH ST, AUSTIN, TX 78701</td>
</tr>
</tbody>
</table>

**Reviewer:** Eben Kellogg  
**Phone:** 512-322-6050  
**Attempt Date:** 01/28/2019  
**Comments:** Approved with requirements attached in memo,

### LM EMS Review

<table>
<thead>
<tr>
<th>Approved Date</th>
<th>Project Number</th>
<th>Project Name</th>
<th>Location</th>
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<tbody>
<tr>
<td>01/03/2019</td>
<td>2018-215140 LM</td>
<td>F# 10071-1812 725 East 6th Street; 6TH STREET ARCH</td>
<td>725 E 6TH ST, AUSTIN, TX 78701</td>
</tr>
</tbody>
</table>

**Reviewer:** Milissa Warren  
**Phone:** (512)972-7234  
**Attempt Date:** 01/03/2019  
**Comments:** EMS will support staff recommendation on this request.
**As of:** March 17, 2020

**PROJECT NUMBER:** 2018-215140 LM

**PROJECT NAME:** F# 10071-1812 725 East 6th Street; 6TH STREET ARCH

**LOCATION:** 725 E 6TH ST, AUSTIN, TX 78701

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<thead>
<tr>
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<th>Phone</th>
<th>Attempt Date</th>
<th>Approved Date</th>
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</thead>
<tbody>
<tr>
<td>LM Fire For Site Plan Review</td>
<td>Sonny Pelayo</td>
<td>512-974-0194</td>
<td>01/18/2019</td>
<td>01/18/2019</td>
</tr>
<tr>
<td>Approved</td>
<td>Comments: None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LM GAATN Review</td>
<td>Carlos DeMatos</td>
<td>(512) 974-6513</td>
<td>07/02/2019</td>
<td>07/02/2019</td>
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<tr>
<td>Approved</td>
<td>Comments: None</td>
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</table>
As of: March 17, 2020

<table>
<thead>
<tr>
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</tr>
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| LOCATION:       | 725 E 6TH ST, AUSTIN, TX 78701 |

### Review Dept. | Reviewer | Phone | Attempt Date | Approved Date |
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<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>LM Google Fiber Texas</td>
<td>Fredric Ritter</td>
<td>512-974-7185</td>
<td>02/13/2019</td>
<td>02/13/2019</td>
</tr>
</tbody>
</table>

**Comments:** Google Fiber does not have any facilities in the requested Encroachment area.
Fredrick Ritter 1-23-19 559-307-1320

### LM Grande Communications

<table>
<thead>
<tr>
<th>Approved</th>
<th>Daniel Pina</th>
<th>512-974-7185</th>
<th>01/18/2019</th>
<th>01/18/2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments:</td>
<td>None</td>
<td></td>
<td></td>
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As of: March 17, 2020

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<th>Approved Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LM PARD / Planning &amp; Design Review</td>
<td>Approved</td>
<td>Kelsey Veazey</td>
<td>01/14/2019</td>
<td>01/14/2019</td>
</tr>
<tr>
<td>Comments: None</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>LM PAZ Long Range Planning Review</td>
<td>Approved</td>
<td>Mark Walters</td>
<td>03/01/2019</td>
<td>03/01/2019</td>
</tr>
<tr>
<td>Comments: The encroachment is not in opposition to the Imagine Austin Comprehensive Plan and the case should go to the PC since it is within the boundaries of the Council-adopted Downtown Austin Plan.</td>
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</tbody>
</table>
As of: March 17, 2020

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</tr>
</thead>
<tbody>
<tr>
<td>LM PWD Safe Route to Schools Review</td>
<td>Approved</td>
<td>Aleksiina Chapman</td>
<td>(512) 974-77978</td>
<td>01/18/2019</td>
</tr>
<tr>
<td>Comments:</td>
<td>No comments from Safe Routes To School.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LM PWD Sidewalks &amp; Special Projects Review</td>
<td>Approved</td>
<td>Eric Dusza</td>
<td>512-974-6504</td>
<td>01/18/2019</td>
</tr>
<tr>
<td>Comments:</td>
<td>SSPD has no objections or comments.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Review Dept.</td>
<td>Reviewer</td>
<td>Phone</td>
<td>Attempt Date</td>
<td>Approved Date</td>
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</tr>
<tr>
<td>LM PWD Urban Trails Review</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approved</td>
<td>Aleksina Chapman</td>
<td>(512) 974-77978</td>
<td>01/18/2019</td>
<td>01/18/2019</td>
</tr>
<tr>
<td>Comments:</td>
<td>No comments from Urban Trails.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LM PWD-OCE Review</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rejected</td>
<td>David Boswell</td>
<td>512-974-7071</td>
<td>01/17/2019</td>
<td></td>
</tr>
<tr>
<td>Comments:</td>
<td>Provide structural drawings that are signed and sealed by a Texas licensed (structural) engineer.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Approved</td>
<td>David Boswell</td>
<td>512-974-7071</td>
<td>01/22/2020</td>
<td>01/22/2020</td>
</tr>
<tr>
<td>Comments:</td>
<td>Comments addressed. See email dated 01/22/20.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
As of: March 17, 2020

**PROJECT NUMBER:** 2018-215140 LM

**PROJECT NAME:** F# 10071-1812 725 East 6th Street; 6TH STREET ARCH

**LOCATION:** 725 E 6TH ST, AUSTIN, TX 78701

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<th>Attempt Date</th>
<th>Approved Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LM Texas Gas Services</td>
<td>Aaron Diaz</td>
<td>512-974-7185</td>
<td>02/13/2019</td>
<td>02/13/2019</td>
</tr>
<tr>
<td><strong>Comments:</strong></td>
<td>Approved - No conflicts expected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aaron Diaz 1-22-19 512-465-1132</td>
<td></td>
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</tr>
</tbody>
</table>

| LM Time Warner Cable / Charter | | | | |
| Approved | Timothy White | 512-974-7185 | 01/03/2019 | 01/03/2019 |
| **Comments:** | Spectrum approves. If any further assistance is needed please contact Timothy White 512-808-9830 Timothy.White@charter.com | | | |
As of:  March 17, 2020

<table>
<thead>
<tr>
<th>Review Dept.</th>
<th>Reviewer</th>
<th>Phone</th>
<th>Attempt Date</th>
<th>Approved Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>LM Transportation Planning</td>
<td>Chris Yanez</td>
<td>512-974-9455</td>
<td>01/07/2019</td>
<td></td>
</tr>
<tr>
<td>Rejected</td>
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</tr>
<tr>
<td>Comments:</td>
<td>Need additional information from the applicant.</td>
<td></td>
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<td></td>
</tr>
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</table>

| LM Urban Design Review | Benjamin Campbell | 06/14/2019 | 06/14/2019 |
| Approved With Conditions | Approved with Conditions: The applicant should install 2 replacement cedar elms along E. 6th Street between Congress Avenue and IH 35 to replace the current trees/tree wells. |            |            |
**As of:** March 17, 2020  
**PROJECT NUMBER:** 2018-215140 LM  
**PROJECT NAME:** F# 10071-1812 725 East 6th Street; 6TH STREET ARCH  

**LOCATION:** 725 E 6TH ST, AUSTIN, TX 78701

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<tbody>
<tr>
<td><strong>LM Watershed Engineering Review</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Approved With Conditions</strong></td>
<td>Marie Lancaster</td>
<td>(512)974-1347</td>
<td>01/16/2019</td>
</tr>
</tbody>
</table>
| **Comments:**     | WPD approves this encroachment with the following conditions:  
|                   | - There needs to be 2-ft of separation between improvements and drainage infrastructure.  
|                   | - Please note, even with the required separation WPD will require TV inspection of the storm drain before and after construction. |

| **Mobility Bond Review** |                         |              |              |
| **Approved** | Gregory Pepper | 512-974-7282 | 01/03/2019    | 01/03/2019    |
| **Comments:** | No review required. Not within a 2016 mobility Bond Corridor. |
MEMORANDUM

Case No.: 10071-1812
Date: December 28, 2018

SUBJECT: ENCROACHMENT OF STREET RIGHT OF WAY

A request has been received for surface encroachment of a portion of East 6th Street. The encroachment is a proposed surface, (759 square feet) columns and arch with electric services and lighting. The total area of the encroachment is approximately 759 square feet located at 725 East 6th Street, Austin, Texas.

Please review this request and return your comments to Andy Halm (974-7185), email address: landmanagement@austintexas.gov or Fax: 974-7088. Physical address: Office of Real Estate Services, 505 Barton Springs Road, Suite 1350. Due Date: January 18, 2019.

APPROVAL: _____ YES _____ Yes, Subj. to Reqm’t _____ No

Comments: __________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Imagine Austin Comprehensive Plan - - - (CITY OF AUSTIN REVIEWERS ONLY):
Please also review the Vacation request based on the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan (page 186).

Comments: __________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Reviewed by: __________________________ Telephone: ______________
Date: _________________________________
Application for an Encroachment Agreement

File No. 10071-1872  
DATE: 12/21/18

1. TYPE OF ENCROACHMENT

Encroachment Type:  
- Aerial  
- Sub-surface  
- Surface (X)

List TYPE OF ENCROACHMENT to be placed on Public Property: Columns and arches on E 6th St with electric service and lighting.

Has encroachment been installed prior to application:  
- Yes (X)  
- No

Adjoins property at the following street address: 725 E 6th Street.

2. PROPERTY DESCRIPTION OF ENCROACHMENT AREA

Parcel #: 194679
Survey & Abstract No.
Lot(s) 1
Subdivision Name: Original City of Austin
Plat Book
Page Number
County/Records: 2010145679 County; Deed Real Property Official Public
NOTE: Attach three dimensional metes and bounds survey of Encroachment area.

3. RELATED CASES

Existing Site Plan: YES (X)  
Subdivision: Case: YES (X)  
Building Permit: YES (X)

FILE NUMBERS

DA - 2016 - 036B

4. APPLICANT INFORMATION

Name: Whaf Ho, PE
Firm Name: Civitude LLC
Address: 5110 Lancaster Ct, City: Austin  
State: TX
Zip: 78723  
Phone: (512) 761-6161  
Fax No.: (512) 761-6167
EMAIL ADDRESS: whaf@ civitude.com

5. DEVELOPER INFORMATION

Name: Steve Simon
Firm Name: pecan Street Owners Association
Address: 9600 Great Hills Cir, City: Austin  
State: TX
Zip: 78759  
Phone: ( )  
Fax No.: ( )
6. LANDOWNER INFORMATION

<table>
<thead>
<tr>
<th>Name:</th>
<th>Parking Lot Sixth LC</th>
<th>(as shown on Deed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>PO Box 510</td>
<td>City: Uvalde</td>
</tr>
<tr>
<td></td>
<td></td>
<td>State: TX</td>
</tr>
<tr>
<td>Zip:</td>
<td>78802-0510</td>
<td>Phone:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fax No.:</td>
</tr>
<tr>
<td>Lienholder Name:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lienholder Address:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lienholder Phone Number:</td>
<td></td>
<td>Fax Number:</td>
</tr>
</tbody>
</table>

(If multiple owners are joining in this request – complete names, addresses on each, must be attached.)

7. LICENSEE INFORMATION, if other than Landowner (Tenant)

<table>
<thead>
<tr>
<th>Name:</th>
<th>Pecan Street Owner Association</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>9600 Great Hills Trl, Ste 1000</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Zip:</td>
<td>78759</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Contact Person:</td>
<td>Steve Simon</td>
</tr>
</tbody>
</table>

I the undersigned Applicant declare that the information provided in this application is true and correct. I have read and understand that the processing of this Application will be handled in accordance with the Procedure for Requesting an Encroachment Agreement and that no action on processing will be taken without payment of the non-refundable processing fee. I understand that acceptance of this application and fee in no way obligates the City to enter into an Encroachment Agreement. I understand that the value of the Right-of-Way, if allowed to be encroached, will be determined by the City of Austin, Real Estate Services Division, a certified check will be required before scheduling an agenda item for Council review and Certificate of Insurance must be presented before an agreement, if approved, is executed. It is further understood that the City is not responsible for any cost or inconvenience incurred by the Applicant when the application is not approved.

Signed By: [Signature]  
(Applicant)

Please check the appropriate box.
- [ ] Landowner
- [ ] Tenant
- [ ] Agent for Landowner
- [x] Agent for Tenant
EXHIBIT "A"

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.0174 ACRE (759 SQUARE FEET), BEING A PORTION OF EAST 6TH STREET (80' RIGHT-OF-WAY), AS SHOWN ON THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID RIGHT-OF-WAYS BEING LOCATED BETWEEN BLOCKS 62 AND 63 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS SHOWN ON SAID MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID 0.0174 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a Texas Department of Transportation (TxDOT) Type I monument found in the west right-of-way line of Interstate Highway 35 (right-of-way varies), being the north right-of-way line of East 5th Street (80' right-of-way), and being the southeast corner of Lot 4 of said Block 62, and being the southeast corner of a called 0.678 acre tract of land conveyed to HH Austin Hotel Associates, L.P. in Document No. 200719638 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), from which a (TxDOT) Type II monument found in the east right-of-way line of Sabine Street (80' right-of-way), being in the north right-of-way line of said East 5th Street, and being the southwest corner of Lot 1 of said Block 62, and being the southwest corner of The Sabine Master Coadominiums, a condominium plat recorded in Document No. 200706119 of the (O.P.R.T.C.T.) bears, N73°33'06"W, a distance of 287.30 feet (based on record information, there appears to be approximately 10 feet of excess in the width of Block 62);

THENCE, with the west right-of-way line of said Interstate Highway 35 and the east line of said Block 62, being the east line of said HH Austin Hotel tract, and being the east line of a called 4720 square foot tract of land out of Lot 5 of said Block 62 conveyed to 723 Sixth, L.C. in Document No. 2009190273 of the (O.P.R.T.C.T.), N16°22'47"E, a distance of 276.52 feet to a calculated point in the south line of East 6th Street (80' right-of-way), being the northeast corner of said Lot 5, and being the northeast corner of said 723 Sixth, L.C. tract;

THENCE, with the south right-of-way line of said East 6th Street and the north line of said Block 62, being the north line of said 723 Sixth, L.C. tract N73°33'03"W, a distance of 10.72 feet to a calculated point, from which a nail with "Chaparral" washer found in the south right-of-way line of said East 6th Street, being the west right-of-way line of said Sabine Street bears, N73°33'06"W, a distance of 355.58 feet;

THENCE, leaving the north line of said Block 62, being the north line of said 723 Sixth, L.C. tract, over and across said East 6th Street right-of-way N16°26'54"E, a distance of 5.75 feet to a calculated point for the southeast corner and POINT OF BEGINNING hereof,

THENCE, continuing over and across said East 6th Street right-of-way the following four (4) courses and distances:

1) N73°30'16"W, a distance of 11.50 feet to a calculated point for the southwest corner hereof,
2) N16°26'44"E, a distance of 66.00 feet to a calculated point for the northwest corner hereof,
3) S73°30'16"E, a distance of 11.50 feet to a calculated point for the northeast corner hereof,
4) S16°29'44"W, a distance of 66.00 feet to the POINT OF BEGINNING and containing 0.0174 Acre (759 Square Feet) of land, more or less.
Notes:
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 1.000058516068. See attached sketch (reference drawing: 00691.dwg.)

Elevation Note: This encroachment easement begins at an elevation 464.5 feet (NAVD 88) and extends vertically to an elevation of 496.0 feet (NAVD 88). This 3D encroachment agreement has a volume of 13,499.5 cubic feet.

Steven Duarte, RPLS #5940
4Ward Land Surveying, LLC

References:
COA GRID # J-22
0.0174 ACRE ENCROACHMENT AGREEMENT
City of Austin, Travis County, Texas
0.0174 ACRE ENCROACHMENT AGREEMENT
City of Austin, Travis County, Texas
[A]
CALLED 4720 SQ FT
OUT OF LOT 5, [J]
OWNER:
723 SIXTH, L.C.
DOC. NO. 2009190273
O.P.R.T.C.T.

[B]
TRACT ONE & TWO
CALLED 0.0543 ACRE
& CALLED 0.0559 ACRE
OWNER:
SIXTH WEST OF 723, L.C.
DOC. NO. 2011177212
O.P.R.T.C.T.

[C]
CALLED 0.0574 ACRE
OUT OF LOT 6, [J]
OWNER:
SIXTH WEST OF 723, L.C.
DOC. NO. 2011157315
O.P.R.T.C.T.

[D]
CALLED WEST 23' OF
N 102.2' OF LOT 6, [J]
OWNER:
JEANETTE CHELF
VOL. 10442, PG. 764
O.P.R.T.C.T.

[E]
CALLED
E 36.5' X 93' OF LOT 7, [J]
OWNER:
ROBERT L. AND
MARY D. OGDEN, L.P.
DOC. NO. 2010052081
O.P.R.T.C.T.

[F]
CITY OF AUSTIN
70' X 20' TRI OF LOT 7, [J]
NO RECORD INFORMATION

[G]
CALLED WEST 32.5'
OF LOT 7, [J]
OWNER:
CITY OF AUSTIN
VOL. 6886, PG. 2173
D.R.T.C.T.

[H]
CALLED EAST 23.23'
OF LOT 8, [J]
OWNER:
CITY OF AUSTIN
VOL. 6820, PG. 1523
D.R.T.C.T.

[J]
E 5TH STREET
(80' R.O.W.)

[I]
CALLED EAST 23.23' OF LOT 8, [J]
OWNER:
LUNDELL LIMITED PARTNERSHIP
VOL. 13120, PG. 562
R.P.R.T.C.T.
October 24, 2018

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

Re: Encroachment Agreement
E 6th Street Archway – 720 E 6th Street, Austin, TX 78701

To whom it may concern,

On behalf of our client, David DeSilva, we are submitting this Site Plan Exemption to construct an archway that extends from 720 E 6th Street to across the street.

1. Is this a residential or commercial project?
   a. The project site is a commercial site (parking lot), and there is no proposed work on the private site. The proposed archway is located at the Right of Way on E 6th Street.

2. How was the area of encroachment dedicated? By plat or by separate instrument?
   a. The area of encroachment is from the original City of Austin plat.

3. Did the City purchase the area where the proposed encroachment would be located? (i.e., by Street Deed)
   a. No, dedicated with City of Austin plat.

4. Does the encroachment currently exist, or is it only proposed on paper?
   a. The encroachment is proposed. There are existing ADA ramps and crosswalks, and no existing structure at the area of encroachment.

5. Are there any utility lines within the proposed encroachment area? If yes, what are your plans for the utilities? Relocation of utility lines must be at the applicant's expense.
   a. The proposed encroachment area does not conflict with any existing utility lines. The attached plans show all the existing utility lines.

6. How do you plan to develop the proposed encroachment area?
   a. This project proposes an archway to be built across E 6th Street along the pedestrian path in the City of Austin ROW, west of the I.H. 35 Southbound Frontage road. This archway will have no conflict with any existing utilities.
7. Has a site plan been submitted on your project? If not, is the project exempt from the site plan process?
   a. Site plan exemption has been submitted, the case number is DA-2016-0368.

8. Is your project a Unified Development?
   a. This project is not a Unified Development.

9. Is your project a S.M.A.R.T. Housing Project?
   a. This project is not a S.M.A.R.T. Housing Project.

10. When do you anticipate starting construction of the development?
    a. Construction of this development is intended to start once approval for the encroachment agreement is obtained.

11. What is the current status of the adjacent properties?
    a. The adjacent property of the encroachment area is an existing commercial building on south and parking lot on north.

12. What type of parking facilities currently exist?
    a. The project site is a parking lot, and the proposed archway will not require additional parking.

13. Does the area of encroachment lie within UT boundaries: East of Lamar Boulevard, west of IH-35, north of Martin Luther King Boulevard, and south of 45th Street?
    a. Yes, the area of encroachment lies on E 6th Street west of IH-35.

14. Does the area of encroachment lie within Downtown boundaries: East of Lamar Boulevard, west of IH-35, north of Lady Bird Lake, and south of Martin Luther King Boulevard?
    a. Yes, the area of encroachment lies within Downtown boundaries.

15. Does the proposed encroachment support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan? If so, how?
    a. The proposed encroachment development will not be part of the Imagine Austin Comprehensive Plan.

If you have any questions or require additional information, please contact me at (512) 761-6161.

Sincerely,

[Signature]

Nhat M. Ho, P.E.
Proposed Right-Of-Way Surface Encroachment
Located at 725 East 6th Street

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 the Office of Real Estate Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by MMcDonald, 2/12/2020
Arch over 6th Street
720 E 6th Street