 CONDITIONAL APPROVAL COMMENTS

AUSTIN WATER UTILITY (AWU)

ASSESSMENT: “Case No.: 10076-1901

Austin Water (AW) has no objection to the Right-Of-Way vacation of the Alley (0.013 acre/572 sq. ft.) portion being the remaining of 20-ft wide tract of land, known as the alley of East 8th Street, adjacent to Lots 16 and 17, Sarah and Lydia M. Robertson’s Subdivision, out of Outlot 1, Division B, recorded in Volume 2, Page 232, Plat Records Travis County, Texas.

Currently there is an active 6-inch polyvinylchloride wastewater line (built in 2016), within the area requested to be vacated. The following items are needed to complete this request:

1. Survey needs to be update showing existing wastewater manhole
2. AW needs a signed agreement that transfer the City of Austin (COA) property to a private institution.
3. A new Wastewater Line Easement must be dedicated to the city covering the active wastewater line. The size of the new easement is the same as the area requested to be vacated.
4. A clean out needs to be built and accepted by COA standards.

Once items are received and the as-built plans has been received and approved by AW Infrastructure Records the new easement can be requested for released.

Thank you,

Angela Baez
Project Coordinator
City of Austin | Austin Water, Infrastructure Management

APPROVED COMMENTS

<table>
<thead>
<tr>
<th>AUSTIN ENERGY</th>
<th>PARD / PLANNING &amp; DESIGN</th>
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<tr>
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MEMORANDUM

Case No: 10076-1901
Date: Jan 14, 2019

SUBJECT: ALLEY VACATION

An application request has been received for the right of way vacation of **572 SF portion being the remaining portion of a 20-ft wide tract of land**, known as the alley of E. 8th St., adjacent to Lots 16 and 17, Sara and Lydia M. Robertson’s Subdivision, out of Outlot 1, Division B, recorded in Volume 2, page 232, Plat Records Travis County, Texas.

SEE ATTACHED INFORMATION:

Please review this request and return your comments to Kim Vasquez (512) 974-9241.
Email landmanagement@austintexas.gov
Mail City of Austin
Office of Real Estate Services, 13th Floor
P.O. Box 1088
Austin, TX 78767

***Due Date: February 4, 2019***

**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).

APPROVAL:  _____ YES  _____ Yes, Subj. to Reqmt'  _____ No

Comments: __________________________________________________________
____________________________________________________________________
____________________________________________________________________

Reviewed by: __________________________        Telephone: ______________
Date: _________________________________
December 4, 2018

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

Re: Transmittal Letter
Reasons for Vacation
Application for Street or Alley Vacation
809 E 9th St. Austin TX, 78702

Dear Mrs. Vasquez,

Civilitude, LLC is seeking to vacate a remnant and orphaned portion of the 9th St Alley, submitted on behalf of Guadalupe Neighborhood Development Corporation. The majority of this Alley was vacated previously by the development next door. This remnant portion is no longer connected to any City’s public ROW except for being adjacent to TxDOT’s ROW for I35. The packet includes the Application for an Alley Vacation, Special Warranty Deed, landowner information, survey notes, and a location map.

The area to be vacated lies within City jurisdiction. A multi-family development project site plan has been submitted for the property adjacent to the area to be vacated.

Additionally, we present the following details pertaining to the area to be vacated:

1. Is this a residential or commercial project?
   This is a commercial (Multi-family) project.

2. How was the area to be vacated dedicated? By plat or by separate instrument?
   We believe this piece of ROW was dedicated per plat.

3. Did the City purchase the area to be vacated? (i.e., by Street Deed)
   We believe the City did not purchase the area to be vacated.

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.)
   Both the area to be vacated and the project site are located in the same subdivision.

5. Is the area to be vacated functional right-of-way, or is it only dedicated on paper?
   This area is no longer functioning as ROW since it is no longer accessible since a large portion of the ROW had already been vacated.
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. All utilities had been vacated as part of the development next door. The PUE in this alley was released per document #2017079958 (Included with the ROW Vacation Package). The only thing remaining is a small portion of a wastewater line that serves our existing building. We are in the process of confirming if a wastewater easement was dedicated to allow this line to remain in place.

7. How do you plan to develop the area to be vacated?
A portion of a 7 story residential building with one floor of partially underground parking will be located on the vacated ROW, along with 5’ clearance for fire access.

8. Has a site plan been submitted on your project?
A site plan has been submitted, reference number SP-2018-0458CSH.

9. Is your project a Unified Development?
The project is not a Unified Development. It has a land status to be one single parcel.

10. Is your project a S.M.A.R.T. Housing Project?
The project is a S.M.A.R.T. Housing Project and the S.M.A.R.T. housing letter is included with the ROW vacation package.

11. When do you anticipate starting construction of the development?
Construction is anticipated to begin August 2019.

12. What is the current zoning on the adjacent properties?
Current zoning of the adjacent properties: CS-MU-NCCD-NP to the north, south, and east with Interstate Hwy 35 to the west.

13. What is the current status of the adjacent properties?
Current status of the adjacent properties: the properties to the north, south, and east is developed as multi-family use, with Interstate Hwy 35 to the west.

14. What type of parking facilities currently exist?
There currently exists surface parking in the form of a driveway, which serves the existing structure.

15. Will your parking requirements increase with the expansion?
The parking requirements will increase with the expansion.

16. How will the increase be handled?
A partially underground parking garage will serve the proposed expansion.

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 agreements or easements have been executed with adjacent owners.
18. Does the area to be vacated lie within the Austin Downtown Plan (DAP)? Does it meet DAP criteria?
The area to be vacated does not lie within the Austin Downtown Plan and the ADP criteria is not applicable.

19. Does the area to be vacated lie within UT boundaries: East of Lamar Boulevard, west of IH-35, north of Martin Luther King Boulevard, and south of 45th Street?
The area to be vacated does not lie within UT boundaries.

20. Does the proposed vacation support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan? If so, how?
Comprehensive Plan in the following ways: the project, a new S.M.A.R.T housing project amid a residential neighborhood, has the potential to be a space where local businesses can thrive and make themselves accessible to the residents in the surrounding areas. This project invests in the interconnectedness of Austin by placing residential buildings along Hwy 35 corridor, providing residents with convenient access to in close proximity to residential spaces, making it feasible for residents to conduct business locally.

Thank you for your time and consideration.

Sincerely,

[Signature]

Nhat M. Ho, PE, LEED GA
Vice President
APPLICATION FOR STREET OR ALLEY VACATION

File No. 10076 - 1901

TYPE OF VACATION

<table>
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<th>Street:</th>
<th>Alley: X; ROW: 800 Hundred Block:</th>
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<td>8 1/2 St. between N 135 frontage and Tendall Development</td>
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<td>Is it constructed:</td>
<td>Yes</td>
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<tr>
<td>Property address:</td>
<td>809 E. 9th St. Austin TX. 78702</td>
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<td>Purpose of vacation:</td>
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PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

| Parcel #: | 0206050308 |
| Lot(s): | 16 & 17 |
| Block: | N/A |
| Outlot: | 1 |
| Subdivision Name: | Lopez Tower Sarah and Lydia M. Robertson's Subdivision |
| Plat Book | 2 |
| Page Number | 232 |
| Document Number | |

Neighborhood Association Name: African American Cultural Heritage District Business Association
Address including zip code: 901 East 12th St. Austin, TX 78702

RELATED CASES

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<td>Zoning Case (circle one):</td>
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<td>NPA-2007-0009.01, C14-01-0148.004, C14-01-0148, C14H-2011-0002</td>
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PROJECT NAME, if applicable:

Name of Development Project: La Vista de Lopez
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: | Guadalupe Neighborhood Development Corporation (as shown on Deed) |
| Address: | 813 E. 8th St. Phone: (512) 479-6275 Fax No.: (512) 478-9949 |
| City: Austin | County: Travis State: Texas Zip Code: 78702 |
| Contact Person/Title: | Mark Rogers Cell Phone: (512) 479-6275 Email Address: mark@guadalupendc.org |

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

APPLICANT INFORMATION

| Name: | Nhat Ho |
| Firm Name: | Civility LLC |
| Address: | 5110 Lancaster Court |
| City: Austin | State: Texas Zip Code: 78723 |
| Office No.: | (512) 761-6161 Cell No.: (512) 985-7912 Fax No.: (512) 761-6167 |
| EMAIL ADDRESS: | Nhat@civility.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: [Signature]

RECEIVED JAN 10 2019

RECEIVED JAN 11 2019
FIELD NOTES FOR A 572 SQUARE FOOT (0.013 ACRE) TRACT OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AND BEING THE REMAINING PORTION OF A 20 FOOT WIDE ALLEY AS DEDICATED BY PLAT OF SARAH AND LYDIA M. ROBERTSON’S SUBDIVISION OF A PART OF OUTLOT NO. 1, DIVISION “B” A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AS RECORDED IN VOLUME 2, PAGE 232 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT 4,894 SQUARE FOOT PORTION HAVING ALREADY BEEN VACATED BY ORDINANCE NO. 900322-E AS RECORDED IN VOLUME 11168, PAGE 1376 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 572 SQUARE FOOT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

COMMENCING for POINT OF REFERENCE at a ½-inch iron rod found at the intersection of the east right-of-way line of Interstate Highway No. 35 (right-of-way varies) and the south right-of-way line of East 9th Street (60’ right-of-way), being the northwest corner of that certain tract of land as conveyed to Guadalupe Neighborhood Development Corporation by general warranty deed recorded in Document No. 2015088336 of the Official Public Records of Travis County, Texas, said tract being a portion of Lots 16 & 17 of above described Sarah and Lydia M. Robertson’s Subdivision, from which a ½-inch iron rod found at the intersection of the south right-of-way line of said East 9th Street and the west right-of-way line of Embassy Drive (30’ right-of-way) bears, S 71°50’49" E a distance of 273.27 feet; Thence, leaving the south right-of-way line of said East 9th Street with the east right-of-way line of said Interstate Highway No. 35, S 16°54’43" W a distance of 128.76 feet to a ½-inch iron rod set with cap stamped “TERRA FIRMA” at the southwest corner of said Guadalupe Neighborhood tract, being the northwest corner of the above described remaining portion of a 20 foot wide alley as dedicated by said Sarah and Lydia M. Robertson’s Subdivision, for the northwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the north line of said remaining portion of a 20 foot wide alley and the south line of said Lots 16 & 17 and said Guadalupe Neighborhood tract, S 71°42’37" E a distance of 57.20 feet to a ½-inch iron rod set with cap stamped “TERRA FIRMA” at the southeast corner of said Guadalupe Neighborhood tract, being a northerly exterior corner of the above described 4,894 square foot portion of alley having already been vacated by Ordinance No. 900322-E, also being the northeast corner of said remaining portion of said 20 foot wide alley, for the northeast corner of the herein described tract;

THENCE, leaving the south line of said Guadalupe Neighborhood tract, with a west line of said 4,894 square foot portion of alley vacated by Ordinance No. 900322-E, S 16°54’43" W a distance of 10.00 feet to a ½-inch iron rod found at an inside corner of said 4,894 square foot portion of alley vacated by Ordinance No. 900322-E, being the southeast corner of said remaining portion of said 20 foot wide alley, for the southeast corner of the herein described tract;
THENCE, with a north line of said 4,894 square foot portion of alley vacated by Ordinance No. 900322-E, N 71°42'37" W a distance of 57.20 feet to a ½-inch iron rod found on the east right-of-way line of said Interstate Highway No. 35, at the most westerly northwest corner of said 4,894 square foot portion of alley vacated by Ordinance No. 900322-E, being the southwest corner of said remaining portion of said 20 foot wide alley, for the southwest corner of the herein described tract;

THENCE, leaving a north line of said 4,894 square foot portion of alley vacated by Ordinance No. 900322-E, with the east right-of-way line of said Interstate Highway No. 35 and the west line of said remaining portion of said 20 foot wide alley, N 16°54'43" E a distance of 10.00 feet to the POINT OF BEGINNING and containing 572 square feet (0.013 acre) of land, more or less.

I hereby certify that these notes were prepared by BGE from a survey made on the ground under my supervision on March 4, 2015 at Terra Firma Land Surveying and are true and correct to the best of my knowledge. A sketch accompanies this description.

Jonathan O. Nobles  
RPLS No. 5777  
BGE, Inc.  
7000 North Mopac, Suite 330  
Austin, Texas 78731  
Telephone: (512) 879-0400  
TBPLS Licensed Surveying Firm No. 10106502

Client:  
Civilitude  
Date:  
January 8, 2019  
Job No:  
6517-00  
TCAD No.  
0206050308  
City Grid:  
J22

BASIS OF BEARING:
Bearing orientation is based on the Texas State Plane Coordinate System, NAD-83, Texas Central Zone 4203.
EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

POINT OF REFERENCE

S 71°50'49" E 57.20'

EAST 89th STREET
60' R.O.W.

GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION
DOC. NO. 2015088336

POINT OF BEGINNING

10.00' E 16°54'43" W 128.00'

INTERSTATE HIGHWAY R.O.W. VARIES

REMAINDER 16

N 16°54'43" E 10.00' 128.00'

S 71°50'49" E 57.20'

S 71°50'49" E 216.07' (216.00')

SARA AND LYDIA ROBERTSON'S SUBDIVISION
OF A PART OF OUTLOT 1, DIVISION "B"

EAST 89TH STREET
60' R.O.W.

EMBASSY DRIVE
30' R.O.W.

PORTION OF VACATED ALLEY
VOL. 11166, PG. 1376

TYNDALL AT
ROBERTSON HILL CONDOMINIUMS
DOC. NO. 2017204622

REMAINING PORTION OF
20' ALLEY RIGHT-OF-WAY
TO BE VACATED
572 SQ. FT.

LEGEND

R.O.W. RIGHT-OF-WAY
{ } RECORD INFORMATION VOL. 2, PG. 232
{ } RECORD INFORMATION VOL. 11166, PG. 1376
{ } RECORD INFORMATION DOC. NO. 2005050579
• FOUND 1/2' IRON FOUND
• FOUND "X"
○ SET 1/2' IRON ROD W/CAP STAMPED "TERRA FIRMA"
△ CALCULATED POINT

BEARING BASIS NOTE:
HORIZONTAL DATUM BASED UPON
TEXAS STATE PLANE COORDINATE
SYSTEM, NAD83, TEXAS CENTRAL ZONE.

BGE, Inc.
7000 North Mopac, Suite 330, Austin, TX 78731
Tel: 512-879-0400 • www.bgeinc.com
TBPLS Licensed Surveying Firm No. 10106502
Copyright 2019

SCALE: 1"=400'

SHEET 3
OF 3
City of Austin
Development Services Department
Land Status Determination
1995 Rule Platting Exception

December 08, 2015

File Number: C81-2015-0361
Address: 809 E 9TH ST
Tax Parcel I.D. #0206050308 Tax Map Date: 08/14/2014

The Development Services Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being **the East one-half of lot Sixteen (16) and the West Thirty-four (W. 34') of lot 17, in Outlot 1, Division "B", of the Sarah and Lydia M. Robertson Subdivision** in the current deed, recorded on **Jun 05, 2015**, in Document #2015088336, **Travis County Deed Records**. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on **Aug 26, 1954**, in Volume 1488, Page 367, **Travis County Deed Records**. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by **water service on Apr 18, 1973**. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:

NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: 

Michelle Casillas, Representative of the Director
Development Services Department
Travis CAD

Property Search > 194712 GUADALUPE NEIGHBORHOOD for Year 2019  

Property

Account

Property ID: 194712
Geographic ID: Q206050308
Type: Real
Property Use Code: LHI

Legal Description:
E 23FT OF LOT 16 & W 34FT OF LOT 17 QLT 1 DIV B ROBERTSON S & L M SOUTH PART

Zoning:
NCCD, SF3

Agent Code:

Protest

Protest Status:
Informal Date:
Formal Date:

Location

Address: 809 E 9 ST
TX 78702

Mapsco:

Neighborhood: Formerly E0030
Neighborhood CD: E2000

Map ID: 020201

Owner

Name: GUADALUPE NEIGHBORHOOD
Mailing Address: DEVELOPMENT CORPORATION
813 E 8TH ST
AUSTIN, TX 78702-3282

Owner ID: 174571
% Ownership: 100.0000000000%

Exemptions: CLT, SO, LHI

Values

(+) Improvement Homsite Value: + N/A
(+) Improvement Non-Homesite Value: + N/A
(+) Land Homsite Value: + N/A
(+) Land Non-Homesite Value: + N/A Ag / Timber Use Value
(+) Agricultural Market Valuation: + N/A N/A
(+) Timber Market Valuation: + N/A N/A

(=) Market Value: = N/A
(=) Ag or Timber Use Value Reduction: - N/A

(=) Appraised Value: = N/A
(=) HS Cap: - N/A

(=) Assessed Value: = N/A

Taxing Jurisdiction

Owner: GUADALUPE NEIGHBORHOOD
% Ownership: 100.0000000000%
Total Value: N/A

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### Improvement / Building

**Improvement #1:** 1 FAM DWELLING  
**State Code:** A1  
**Living Area:** 1448.0 sqft  
**Value:** N/A

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**Improvement #2:** Detail Only  
**State Code:** A3  
**Living Area:** sqft  
**Value:** N/A

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### Deed History - (Last 3 Deed Transactions)

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<th>Grantee</th>
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Questions Please Call (512) 834-9317

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This year is not certified and ALL values will be represented with "N/A".