



**RCA
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 37
AGENDA DATE: Thu 07/29/2004
PAGE: 1 of 1**

SUBJECT: Approve an ordinance vacating a portion of the 1400 Block of Edgecliff Street (unimproved) to STREETS DEVELOPMENT, LTD., Brownwood, TX, to combine two separate parcels of land into one contiguous property for a future development of mid-rise multi-family use, in consideration of the payment of \$36,000 to the City.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Public Works
DEPARTMENT:

**DIRECTOR'S
AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Chris Muraida, 974-7191; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by the Planning Commission and the Urban Transportation Commission.

PURCHASING: N/A

MBE / WBE: N/A

The request for the vacation of a portion of Edgecliff Street (unimproved) at the 1400 Block has been submitted by Robert N. Garrett, III., on behalf of Streets Development, Ltd.

The area being requested for vacation of the remaining portion of the 1400 block of Edgecliff Street (unimproved) will be used to combine two separate parcels of land into one contiguous property for a future development of mid-rise multi-family use. All affected departments and franchise holders have reviewed this request and recommended approval. A separate public utility easement is being dedicated to the City of Austin and a separate subterranean wastewater line easement is being dedicated to the City of Austin, Austin Water Department. Property owners within 300 feet of the area to be vacated were notified of the proposed vacation on June 28, 2004.

The Real Estate Services Division of the Department of Public Works appraised the area to be vacated at \$36,000.00.

FF#8022-0402

FIELD NOTES
FOR

PARTIAL VACATION OF EDGECLIFF STREET

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN RIGHT-OF-WAY LOCALLY KNOWN AS EDGECLIFF STREET AS DEDICATED TO THE PUBLIC BY SUBDIVISION OF LOTS 2, 3 4 AND PART OF LOT 5 OF COLORADO RIVER PARK ADDITION, A SUBDIVISION RECORDED IN PLAT BOOK 3, PAGE 98 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a $\frac{3}{4}$ inch iron pipe found at the Northwest corner of Lot 24 of the aforesaid subdivision, being at the intersection of the South r.o.w. line of Edgecliff Street and the East r.o.w. line of Manlove Street, for the PLACE OF BEGINNING hereof;

THENCE along the South r.o.w. line of Edgecliff Street, N $64^{\circ}59'06''$ W for a distance of 50.02 feet to a point in the North line of Lot 21 of the aforesaid subdivision, being at the Northwest corner of that certain 10 foot wide strip of land retained by the City of Austin, as described in instrument recorded in Volume 1594, Page 417 of the Deed Records of Travis County, Texas, being at the Southeast corner of that certain 4743 square foot tract of land described by the Correction of Partial Vacation of Edgecliff Street as recorded in Document No. _____ of the Official Public Records of Travis County, Texas, for the Southwest corner hereof;

THENCE along the East line of said 4743 square foot tract of land for the following courses:

N $21^{\circ}28'56''$ E for a distance of 9.82 feet to a point of curve

Along a curve to the right whose radius is 37.30 feet, whose arc is 54.81 feet and whose chord bears N $63^{\circ}34'55''$ E for a distance of 50.01 feet to a $\frac{1}{2}$ inch iron pin found at an angle point in the North r.o.w. line of Edgecliff Street, being at the Northeast corner of said 4743 square foot tract, being in the West line of Lot 5 of the aforesaid subdivision, being in the East line of Lot A, Phil Miller Addition, a subdivision recorded in Plat Book 67, Page 97 of the Plat Records of Travis County, Texas, for the Northwest corner hereof;

THENCE along the North r.o.w. line of Edgecliff Street, being along the West line of said Lot 5, S $36^{\circ}51'14''$ W for a distance of 10.34 feet to a 60-d nail found at the Southwest corner of said Lot 5, for an angle point hereof;

THENCE continuing along the North r.o.w. line of Edgecliff Street, being along the South lines of Lots 1 through 5 of said subdivision recorded in Plat Book 3, Page 98, S $65^{\circ}00'00''$ E for a distance of 253.62 feet to a concrete nail found in the South line of the aforesaid Lot 1, being at the Northeast end of Edgecliff Street, being in the West line of Lot 1, Park Place on the Lake, a subdivision recorded in Plat Book 90, Page 197 of the Plat Records of Travis County, Texas, for the Northeast corner hereof;

F#8022-0402

FIELD NOTES
FOR

PARTIAL VACATION OF EDGECLIFF STREET - Page Two

THENCE along the East end of Edgecliff Street, being along the West line of said Lot 1, Park Place on the Lake, S 41°37'30" W for a distance of 40.54 feet to a point at the Southeast end of Edgecliff Street, being in the North line of Lot 27 of said subdivision recorded in Plat Book 3, Page 98, for the Southeast corner hereof;

THENCE along the South r.o.w. line of Edgecliff Street, being the North lines of Lots 24 through 27 of said subdivision recorded in Plat Book 3, Page 98, N 64°59'06" W at a distance of 0.59 feet passing a ½ inch iron pin found and continuing for a total distance of 220.46 feet to the PLACE OF BEGINNING and containing 10,769 square feet of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.


ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094
November 24, 2003

Edgecliff Street

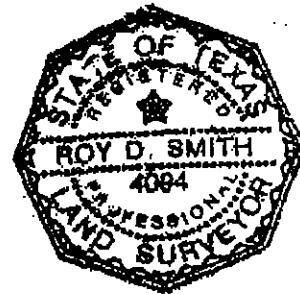


EXHIBIT TO ACCOMPANY FIELD NOTES FOR
PARTIAL VACATION OF EDGECLIFF STREET

A. Phil Miller
Addition
P. Bk. 67, Pg. 37

4743 S.G.F.T.
Correction Vacation
Doc. No.

5286-3, 75.82.12H

N 63° 34' 55" E
C = 50.01' A = 54.81'
R = 37.30'

50.01' A=54.81'
R=37.30'

DEARING BASIS: 2000. 1 P.D. 3, 18.
PORTION OF EDGECLIFF STREET TO BE VACATED
10,769 SQ. FT.

253.62
66500000E
Bearings Basis: Subd. / Pl. Bk. 3, Pg. 28

10,769 SQ. FT.

City of Austin
Vol. 159A, Pg. 417
MANLOVE STREET

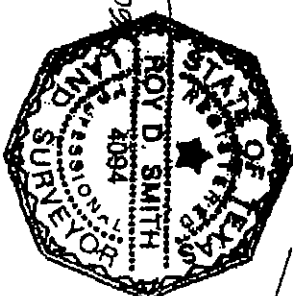
N 21° 28' 56" E 116.97'

Subd. of Lots 2, 3, 4 And Part of
Colorado River Park Addition
Plot Book 3, Page 98

SURVEYED BY
ROY. D. SMITH SURVEYORS, P.C.

ROY D. SMITH

Registered Professional Surveyor No. 409
1214 West 5th Street Suite A
Austin, Texas 78703
Ph. (512) 478-9821
November 24, 2003



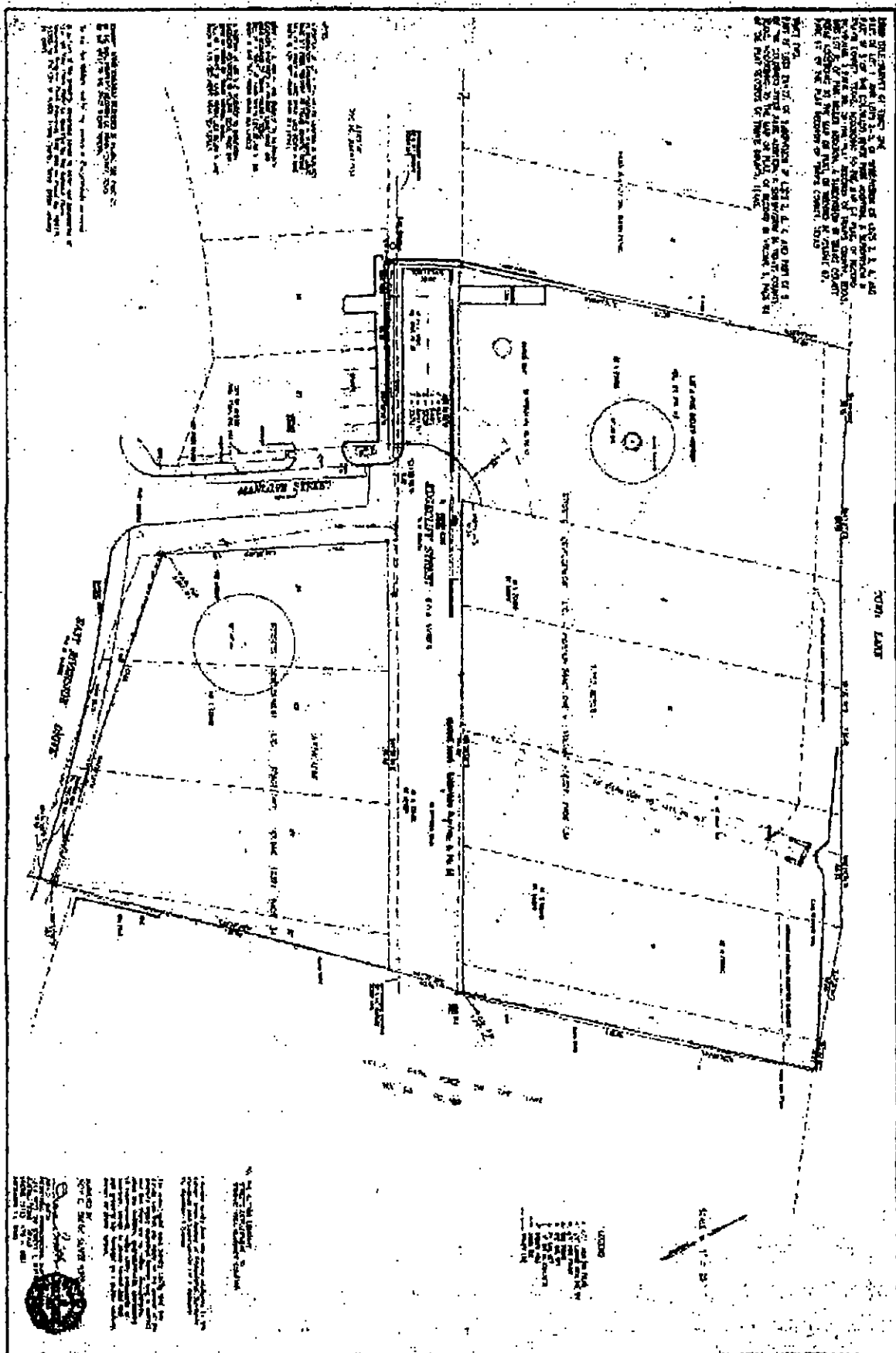
LEGEND

- 1/2" Iron Pin Found
- ② 3/4" Iron Pipe Found
- ▲ 60d Nail Found
- △ Concrete Nail Found

SCALE 1" = 40'

Lot 1, Park Place On The Lake
Pl. Bk. 20, Pg. 197
AD. 54'
S 41° 37' 30" W

to the effect that the Government is not bound to pay the cost of the trial of a person charged with a crime, unless the person is unable to pay the cost of the trial. The Government is not bound to pay the cost of the trial of a person charged with a crime, unless the person is unable to pay the cost of the trial.



ORDINANCE NO. 04

AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE 1400 BLOCK OF EDGECLIFF STREET TO STREETS DEVELOPMENT, LTD.

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

PART 1. The Council approves the vacation of a portion of the 1400 Block of Edgecliff Street, described in Exhibit A, attached to and incorporated as part of this ordinance, in consideration of the payment of \$36,000 to the City, on behalf of STREETS DEVELOPMENT, LTD., to combine two separate parcels of land into one contiguous property for a future development of mid-rise multi-family use.

PART 2. This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004 §
 §
 § _____
 Will Wynn
 Mayor

APPROVED: _____
 David Allan Smith
 City Attorney

ATTEST: _____
 Shirley A. Brown
 City Clerk

**FR8022-0402 VACATION OF A PORTION OF THE STREET RIGHT-OF-WAY AT
THE 1400 BLOCK OF EDGECLIFF STREET**

Mr. Jim Bennett, a representative for Streets Development LTD presented the vacation request. He stated the roadway is unimproved, one portion was vacated in 1955 and another portion in 1961. His client owns all the properties adjacent to the roadway. Mr. Bennett stated they have gone before City Council for a zoning change, and the plans are for the future development of mid-rise multi-family housing.

Mr. Bennett stated his client will donate the rear 25 feet of property by the lake will be donated to the Parks and Recreation Department for a Hike and Bike trail

Motion by: Carl H. Tepper

Seconded by: Greg Sapire

Motion: To approve the vacation as presented.

Ayes: Binkman/Clements/Goetz/Rozyczka/Sapire/Tepper

Nays: None

Abstain: Ahart

Absent: Lackler/Dahmus

CITY PLANNING COMMISSION

May 25, 2004

One Texas Center

805 Barton Springs Road

Conference Room 325

CALL TO ORDER 6:00 P.M. COMMENCE 6:10PM; ADJOURN

3. Portion of Street Vacation: 8022-0402 - Portion of Street Vacation at 1400 block of Edgecliff Street
Location: 1400 Block of Edgecliff Street, East Riverside/Oltorf NPA
Owner/Applicant: Robert Garrett III, Streets Development Ltd. (owner & applicant)
Agent: Robert Garrett III
Request: Vacate a portion of Edgecliff Street
Staff Rec.: **RECOMMENDED**
Staff: Chris Muraida, 974-7191, chris.muraida@ci.austin.tx.us
Andy Halm, 974-7185, andy.halm@ci.austin.tx.us
Public Works Real Estate Services

MOTION: APPROVE BY CONSENT

VOTE: 9-0 (DS-1ST, NS-2ND)