



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

**AGENDA ITEM NO.: 38
AGENDA DATE: Thu 07/29/2004
PAGE: 1 of 1**

SUBJECT: Approve an ordinance amending Ordinance No. 730809-A which vacated a portion of the 1400 block of Edgecliff Street to PHIL MILLER, to correct the legal description of the square footage actually vacated by that ordinance.

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: Council approved 730809-A on August 9, 1973.

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: N/A

The request for the correction of a previous vacation of a portion of the 1400 Block of Edgecliff Street, has been submitted by Robert N. Garrett, III, on behalf of Streets Development, Ltd., the current owner.

The square footage was correct, but the field note description was incorrect on Ordinance No. 730809-A, which was approved by Council on August 9, 1973.

FIELD NOTES
FOR

CORRECTION OF 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 CONTAINED METES AND BOUNDS DESCRIPTION ARE FOR THE PURPOSE OF CORRECTING CERTAIN DISCREPANCIES CONTAINED WITHIN THE METES AND BOUNDS PREVIOUSLY USED FOR A PARTIAL VACATION OF EDGECLIFF STREET AS RECORDED IN VOLUME 4767, PAGE 49 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point in the South r.o.w. line of Edgecliff Street, being 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, said point being the described location of the Southeast corner and PLACE OF BEGINNING of the metes and bounds recorded in said Volume 4767, Page 49, and being the intended location of the Southeast corner of Lot A, Phil Miller Addition as shown on subdivision plat recorded in Plat Book 67, Page 97 of the Plat Records of Travis County, Texas, for the Southeast corner and PLACE OF BEGINNING hereof, and from which point the original Northeast corner of said Lot 21 bears S 64°59'06" E for a distance of 10.02 feet;

THENCE along the previous South r.o.w. line of Edgecliff Street, being along the North lines of Lots 20 and 21 of the said Subdivision of Lots 2, 3, 4 and Part of Lot 5 of Colorado River Park Addition, being along the South line of said Lot A, Phil Miller Addition, N 64°59'06" W for a distance of 92.50 feet to a point at the occupied Southwest corner of said Lot A, being at the Easterly inside ell corner of that certain 4.023 acre tract of land described in Document No. 2000171703 of the Official Public Records of Travis County, Texas, being at the Southeast corner of that certain portion of Edgecliff Street previously vacated by instrument recorded in Volume 2306, Page 266 of the Deed Records of Travis County, Texas, for the Southwest corner hereof;

THENCE along an East line of said 4.023 acre tract, being along the occupied West line of said Lot A, being along the descriptive East line of the previously vacated portion of Edgecliff Street described in said Volume 2306, Page 266, N 26°12'54" E for a distance of 38.81 feet to a ½ inch iron pin found at the Southeast corner of Lot 8 of the said Subdivision of Lots 2, 3, 4 and Part of Lot 5 Colorado River Park Addition, being the Northeast corner of the previously vacated portion of Edgecliff Street described in said Volume 2306, Page 266;

FIELD NOTES
FOR

CORRECTION OF PARTIAL VACATION OF EDGECLIFF STREET - Page Two

THENCE continuing along an East line of said 4.023 acre tract, being along the West line of said Lot A, N 36°43'26" E for a distance of 10.34 feet to a point, being the Northwest corner of the previously vacated portion of Edgecliff Street described in said Volume 4767, Page 49, for the Northwest corner hereof;

THENCE along the North line of the previously vacated portion of Edgecliff Street described in said Volume 4767, Page 49, S 64°58'31" E for a distance of 120.16 feet to a ½ inch iron pin found in the East line of said Lot A, being the Northeast corner of the previously vacated portion of Edgecliff Street described in said Volume 4767, Page 49, for the Northeast corner hereof;

THENCE along the East line of the herein described tract, being the intended location of the East line of the previously vacated portion of Edgecliff Street described in said Volume 4767, Page 49, for the following courses:

Along a curve to the left whose radius is 37.30 feet, whose arc is 54.81 feet and whose chord bears S 63°34'55" W for a distance of 50.01 feet to a point of tangency

S 21°28'56" W for a distance of 9.82 feet to the PLACE OF BEGINNING and containing 4743 square feet of land, more or less.

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

Roy D. Smith
ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094
November 24, 2003

Edgecliff Street



FIELD NOTES REVIEWED
By JOHN MOORE Date 1-30-2004
Engineering Support Section
Department of Public Works
and Transportation

4.023 Acre Tract
Doc. No. 2004171703

Lot 3

P1. Bk. 3, Pg. 28

Lot 8

A, Phil Miller
Addition
Pl. Bk. 67, Pg. 97

120.14

Lot 5

Lot 4
P1. Bk. 3, 12

Lot 4

Lot 3

SCALE

$$1^2 = 40$$

Previous Vacation
Vol. 2306, Pg. 2666

CORRECTION VACATION
4743 SQ. FT.

4743 SQ.FT.

Previous Vaccination

 $C = 50.01^\circ A = 54.$
$$C = 50.01' \quad A = 54.$$

81-

EDGECLIFF STREET

Bearing Basis:

Subd. / Pl. Bk. 3, Pg. 28

Lot 19

Lot 20
Sk. 3, Pg. 28

Lot 21

4.023 Acre Tract - Dec. No. 2000171703

-City of Austin
Vol. 1594, Pg. 417

MANLOVE STREET

N 21° 28' 56" E 114.97'

Lot 24

Lot 25

Subd. of Lots 2, 3, 4 and Part of Lot 5
Colorado River Park Addition
Plat Book 3, Page 98

LEGEND

- 1/2" Iron Pin Found
- 3/4" Iron Pipe Found
- ▲ 100d Nail Found
- ▲ Concrete Nail Found

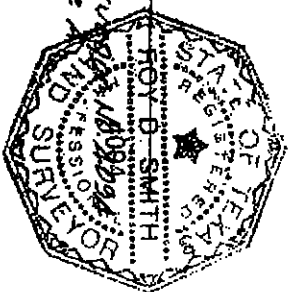
**SURVEYED BY
ROY D. SMITH SURVEYORS, P.C.**

ROY D. SMITH

① Smith

NOV 10 1964
STATE OF TEXAS
RECEIVED
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Registered Professional Surveyor
1214 West 5th Street Suite
Austin, Texas 78703
Ph. (512) 478-9821
November 24, 2003



E. RIVERSIDE DRIVE

ORDINANCE NO. 04

AN ORDINANCE AMENDING ORDINANCE 730809-A WHICH VACATED A PORTION OF THE 1400 BLOCK OF EDGECLIFF STREET, TO CORRECT THE LEGAL DESCRIPTION OF THE SQUARE FOOTAGE ACTUALLY VACATED BY THE ORDINANCE.

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

PART 1. Ordinance 730809-A, which vacated a portion of the 1400 Block of Edgecliff Street to Phil Miller, is amended to replace the legal description attached to the ordinance with the amended legal description attached as Exhibit A and incorporated as part of this ordinance.

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