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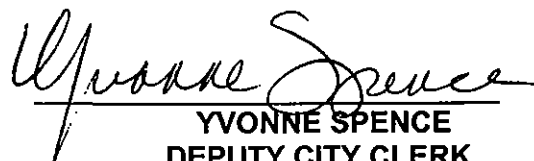
THE STATE OF TEXAS §

COUNTY OF TRAVIS §

I, Yvonne Spence, Deputy City Clerk of the City of Austin, Texas, do hereby certify that the foregoing instrument is a true and correct copy of Ordinance 040805-52, consisting of 2 page(s) and Exhibit "A", "B", and "C", consisting of 6 page(s) for a total of 8 page(s), adopted by the City Council of Austin, Texas, at a Regular Called Meeting on the 5<sup>th</sup> day of August 2004, as on file in the City Clerk's Office.

WITNESS my hand and official seal of the City of Austin at Austin, Texas, this 16<sup>th</sup> day of February 2005.



  
YVONNE SPENCE  
DEPUTY CITY CLERK  
CITY OF AUSTIN, TEXAS

**ORDINANCE NO. 040805-52**

**AN ORDINANCE MODIFYING THE BLACKSHEAR URBAN RENEWAL PLAN, THE BRACKENRIDGE URBAN RENEWAL PLAN, AND THE GLEN OAKS URBAN RENEWAL PLAN.**

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

**PART 1. BACKGROUND AND FINDINGS:**

(A) Urban Renewal Agency of the City of Austin action:

- (1) The Urban Renewal Agency developed a plan modification to the Blackshear Plan (Blackshear Plan Modification), attached to and made a part of this ordinance as Exhibit A.
- (2) The Urban Renewal Agency developed a plan modification to the Brackenridge Plan (Brackenridge Plan Modification), attached to and made a part of this ordinance as Exhibit B.
- (3) The Urban Renewal Agency developed a plan modification to the Glen Oaks Plan (Glen Oaks Plan Modification), attached to and made a part of this ordinance as Exhibit C.
- (4) In accordance with Section 374.014(b) (*Municipal Urban Renewal Plan*) of the Texas Local Government Code, on May 17, 2004, the Urban Renewal Agency approved a resolution recommending that the council adopt the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification.

(B) Planning Commission action: In accordance with Section 374.014(b) (*Municipal Urban Renewal Plan*) of the Texas Local Government Code, on July 27, 2004, the Planning Commission approved a resolution recommending that the council adopt the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification.

(C) Council action:

- (1) On December 9, 1969, the council adopted the Blackshear Urban Renewal Plan, on file at Volume 3870, Page 1257 of the Deed Records of Travis County, Texas (the Blackshear Plan).

- (2) On January 18, 1968, the council adopted the Brackenridge Urban Renewal Plan, on file at Volume 3620, Page 1544 of the Deed Records of Travis County, Texas (the Brackenridge Plan).
- (3) On September 22, 1966, the council adopted the Glen Oaks Urban Renewal Plan, on file at Volume 3294, Page 1684 of the Deed Records of Travis County, Texas (the Glen Oaks Plan).
- (4) On August 5, 2004, the council held public hearings on the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification as prescribed by Section 374.014(c) (*Municipal Urban Renewal Plan*) of the Texas Local Government Code.

**PART 2.** In accordance with Section 374.014(e) (*Municipal Urban Renewal Plan*) of the Texas Local Government Code, the council adopts the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification.

**PART 3.** The city clerk shall file a certified copy of the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification in the real property records of Travis County, Texas. The city clerk shall also attach a copy of the modifications to the appropriate urban renewal plans on file at the clerk's office.

**PART 4.** This ordinance takes effect on August 16, 2004.

**PASSED AND APPROVED**

_____ August 5, 2004	§ § § _____ Will Wynn Mayor
<b>APPROVED:</b> _____ David Allan Smith City Attorney	<b>ATTEST:</b> _____ Shirley A. Brown City Clerk

**Blackshear Plan Modification**

The Blackshear Urban Renewal Plan is modified by striking in its entirety Section C.2.c. of Part A of the Blackshear Urban Renewal Plan and substituting in its place a new Section C.2.c. of Part A as follows:

c.        Duration and Enforcement of Regulations and Restrictions.

All regulations restricting land use and the General and Special Regulations and Restrictions provided for in this Plan shall become effective immediately upon the filing of this Plan for record in the Deed Records of Travis County, Texas.

All land use restrictions and the General and Special Regulations and Restrictions, heretofore enumerated shall be construed as covenants running with the land and shall be fully binding upon all persons and others owning or acquiring property in the Blackshear Urban Renewal Area, whether by descent, devise, purchase or otherwise; and any person or others by the acceptance or retention of title to any tract, parcel or lot within the Project Area shall thereby agree and covenant to abide by and fully perform all regulations and covenants herein.

If any person or persons shall violate or attempt to violate any of the General Regulations and Restrictions set forth in Section C.2.b.(1) hereof, it shall be lawful for any other person or persons owning any property within the Blackshear Project, or the Urban Renewal Agency of the City of Austin or its successor, or the City of Austin, or, in the case of General Restriction No. (d)(non-discrimination), the United States of America, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate the General Regulations and Restrictions, to prevent him or them from so doing, or to correct such violation.

If any person or persons shall violate or attempt to violate any of the Special Regulations and Restrictions established herein for specified districts, it shall be lawful for the Urban Renewal Agency of the City of Austin or its successor, or any person or persons owning any property within the district in which such violation is existing or threatened, and which latter persons are bound by the same restrictions being violated or threatened with violation, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Special Regulations and Restrictions, to prevent the person or persons from so doing, or correct such violation.

At 12:01 a.m. January 1, 2005 this plan terminates.

**Brackenridge Plan Modification**

The Brackenridge Urban Renewal Plan is modified by striking in its entirety Section C.2.c. of Part A of the Brackenridge Urban Renewal Plan and substituting in its place a new Section C.2.c. of Part A as follows:

d.        Duration of Controls.

All regulations restricting land use and the General and Special Regulations and Restrictions provided for in this Plan shall become effective immediately upon the filing of this Plan for record in the Deed Records of Travis County, Texas.

All land use restrictions and the General and Special Regulations and Restrictions, heretofore enumerated shall be construed as covenants running with the land and shall be fully binding upon all persons and others owning or acquiring property in the Brackenridge Urban Renewal Area, whether by descent, devise, purchase or otherwise; and any person or others by the acceptance or retention of title to any tract, parcel or lot within the Project Area shall thereby agree and covenant to abide by and fully perform all regulations and covenants herein.

If any person or persons shall violate or attempt to violate any of the General Regulations and Restrictions set forth in Section C.2.b.(1) hereof, it shall be lawful for any other person or persons owning any property within the Brackenridge Project, or the Urban Renewal Agency of the City of Austin or its successor, or the City of Austin, or, in the case of the non-discrimination Restriction, the United States of America, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate the General Regulations and Restrictions, to prevent him or them from so doing, or to correct such violation.

If any person or persons shall violate or attempt to violate any of the Special Regulations and Restrictions established herein

for Specified Districts, it shall be lawful for the Urban Renewal Agency of the City of Austin or its successor, or any person or persons owning any property within the District in which such violation is existing or threatened, and which latter persons are bound by the same restrictions being violated or threatened with violation, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Special Regulations and Restrictions, to prevent the person or persons from so doing, or correct such violation.

At 12:01 a.m. January 1, 2005 this plan terminates.

## Glen Oaks Plan Modification

The Glen Oaks Urban Renewal Plan is modified by striking in its entirety Section C.2.c. of Part A of the Glen Oaks Urban Renewal Plan and substituting in its place a new Section C.2.c. of Part A as follows:

e. Duration and Enforcement of Regulations and Restrictions.

All regulations restricting land use and the General and Special Regulations and Restrictions provided for in this Plan shall become effective immediately upon the filing of this Plan for record in the Deed Records of Travis County, Texas.

All land use restrictions and the General and Special Regulations and Restrictions, heretofore enumerated shall be construed as covenants running with the land and shall be fully binding upon all persons and others owning or acquiring property in the Glen Oaks Urban Renewal Area, whether by descent, devise, purchase or otherwise; and any person or others by the acceptance or retention of title to any tract, parcel or lot within the Project Area shall thereby agree and covenant to abide by and fully perform all regulations and covenants herein.

If any person or persons shall violate or attempt to violate any of the General Regulations and Restrictions set forth in Section C.2.b.(1) hereof, it shall be lawful for any other person or persons owning any property within the Glen Oaks Project, or the Urban Renewal Agency of the City of Austin or its successor, or the City of Austin, or, in the case of General Restriction No. (d)(non-discrimination), the United States of America, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate the General Regulations and Restrictions, to prevent him or them from so doing, or to correct such violation.



If any person or persons shall violate or attempt to violate any of the Special Regulations and Restrictions established herein for specified Districts, it shall be lawful for the Urban Renewal Agency of the City of Austin or its successor, or any person or persons owning any property within the District in which such violation is existing or threatened, and which latter persons are bound by the same restrictions being violated or threatened with violation, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Special Regulations and Restrictions, to prevent the person or persons from so doing, or correct such violation.

At 12:01 a.m. January 1, 2005 this plan terminates.

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

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FERGUSONL \$32.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

**AFTER RECORDING RETURN TO:**

City of Austin  
Law Department  
City Hall Building  
Attn: James M. Williams, Sr.  
P.O. Box 1088  
Austin, Texas 78767-8865

**PREPARED IN THE LAW OFFICE OF:**

City of Austin  
Law Department

**APPROVED AS TO FORM:**

James M. Williams, Sr.  
Assistant City Attorney  
Texas State Bar No. 2154950