

**ORDINANCE NO. 040729-36**

**AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE  
2900 BLOCK OF UNIVERSITY AVENUE TO AUSTIN PRESBYTERIAN  
THEOLOGICAL SEMINARY.**

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

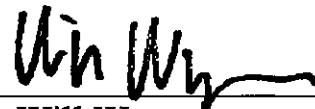
**PART 1.** The Council approves the vacation of the portion of the 2900 Block of University Avenue, as shown on the attached and incorporated Exhibit A, to the Austin Presbyterian Theological Seminary in consideration of Austin Presbyterian Theological Seminary conveying fee title to real property described in the attached and incorporated Exhibit B (Exchange Property) to the City to allow Austin Presbyterian Theological Seminary more flexibility in its master plan in consideration of conveyance of 25 feet easement for a future City bicycle/pedestrian trail.

**PART 2.** This ordinance takes effect on the later of August 9, 2004 or the date the deed to the Exchange Property is filed with the Travis County Clerk's Office.

**PASSED AND APPROVED**

\_\_\_\_\_, July 29, 2004

§  
§  
§



Will Wynn  
Mayor

**APPROVED:**



David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Brown  
City Clerk

FA8061-0405

0.463 Of One Acre  
Outlot No. 73, Division D  
Government Outlots Adjoining  
The Original City of Austin  
Travis County, Texas

DESCRIPTION

DESCRIPTION OF 0.463 OF ONE ACRE OF LAND SITUATED IN OUTLOT NO. 73, DIVISION D, OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT ON FILE IN THE STATE OF TEXAS GENERAL LAND OFFICE, AND BEING A PORTION OF UNIVERSITY AVENUE, A PUBLIC STREET DEDICATED BY SUBDIVISION PLAT OF THE FRUTH ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 2, PAGE 157 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND THE GROOMS ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 1, PAGE 59 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.463 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod with aluminum cap set at the intersection of the south right-of-way line of 30<sup>th</sup> St. (60' ROW) and the east right-of-way line of University Avenue (60' R.O.W.) for the northwest corner of Lot A, Austin Presbyterian Theological Seminary Addition, a subdivision of record in Travis County, Texas, according to the plat or map thereof recorded in Book 82, Page 14 of the Plat Records of Travis County, Texas, same being the northeast corner of the herein described tract, from which an iron monument found at the centerline intersection of 30<sup>th</sup> St. and University Avenue bears N29°53'00"E a distance of 30.97 feet and N46°25'00"W a distance of 30.88 feet;

THENCE with the east right-of-way line of University Avenue and the west line of said Lot A, Austin Presbyterian Theological Seminary Addition, S29°53'00"W a distance of 329.53 feet to a ½ inch iron rod with aluminum cap set for the southwest corner of said Lot A, Austin Presbyterian Theological Seminary Addition, same being an angle point in the north line of that certain tract of land described in deed to the Austin Presbyterian Theological Seminary of record in Volume 7480, Page 199 of the Deed Records of Travis County, Texas, and the southeast corner of the herein described tract, from which a ½ inch iron rod with aluminum cap set for an angle point of said Lot A, Austin Presbyterian Theological Seminary Addition bears S46°26'01"E a distance of 225.43 feet;

THENCE across University Avenue with the north line of said Austin Presbyterian Theological Seminary tract N60°02'09"W a distance of 60.00 feet to a ½ inch iron rod with aluminum cap set for the southwest corner of the herein described tract, being in the west right-of-way line of University Avenue and the east line of that certain tract of land described in deed to the Austin Presbyterian Theological Seminary of record in Volume 911, Page 529 of the Deed Records of Travis County, Texas, same being the east line of Block 5 of said Fruth Addition, from which the southeast corner of said Austin Presbyterian Theological Seminary tract and the southeast corner of said Block 5 bears S29°53'00"W a distance of 56.54 feet;

THENCE with the west right-of-way line of University Avenue and the east line of said Block 5, N29°53'00"E a distance of 339.34 feet to a 3/8 inch iron rod found in the south right-of-way line of 30<sup>th</sup> St. for the northeast corner of said Block 5 and the northwest corner of the herein described tract;

Exhibit "A"

Page 2 of 2

Proposed Right-of-Way Vacation

F#8061-0405

0.463 Of One Acre  
Outlot No. 73, Division D  
Government Outlots Adjoining  
The Original City of Austin  
Travis County, Texas

THENCE over and across University Avenue the following two (2) courses:

1. S60°01'47"E a distance of 19.54 feet to an iron spike with washer set in asphalt for an angle point;
2. S46°25'00"E a distance of 41.64 feet to the POINT OF BEGINNING containing 0.463 of one acre of land within these metes and bounds.

Reference is herein made to the sketch accompanying this metes and bounds description

Bearing basis: The north line of said Austin Presbyterian Theological Seminary Addition-S46°25'E

I hereby certify that this description was prepared from a survey made on the ground under my supervision.

CUNNINGHAM-ALLEN, INC.



Gregory Schmidt, Registered Professional  
Land Surveyor No. 4437  
May 13, 2004



City of Austin Grid: J24

FIELD NOTES REVIEWED

By John Moore Date 5/27/2004

Engineering Support Section  
Department of Public Works  
and Transportation

# SKETCH TO ACCOMPANY DESCRIPTION

SHEET 1 OF 1

F#8061-0405

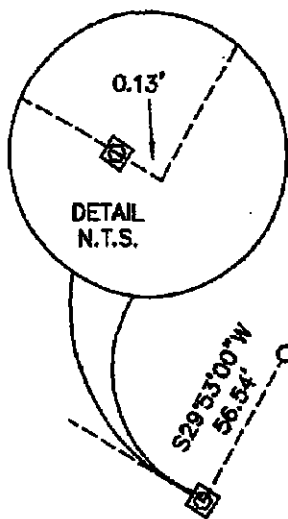
SCALE 1" = 60'

BLOCK 5  
FRUTH ADDITION  
VOLUME 2, PAGE 157  
P.R.T.C.

AUSTIN PRESBYTERIAN  
THEOLOGICAL SEMINARY  
VOLUME 911, PAGE 529  
D.R.T.C.

## LEGEND

- 1/2" IRON ROD FOUND (UNLESS STATED)
- 1/2" IRON ROD W/CAP SET (UNLESS STATED)
- ⊙ STEEL SPIKE W/ CAI WASHER SET
- ⊗ CITY OF AUSTIN IRON CENTERLINE MONUMENT
- ⊠ SQUARE HEAD BOLT FOUND
- D.E. DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- P.O.B. POINT OF BEGINNING
- ℄ CENTERLINE



AUSTIN PRESBYTERIAN  
THEOLOGICAL SEMINARY  
VOLUME 7480, PAGE 199  
D.R.T.C.

OUTLOT 73

PROPOSED  
R.O.W. VACATION  
0.463 ACRES

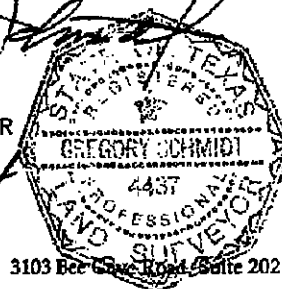
GROOMS ADDITION  
VOLUME 1, PAGE 59  
P.R.T.C.

AUSTIN PRESBYTERIAN THEOLOGICAL  
SEMINARY ADDITION  
BOOK 82, PAGE 14  
P.R.T.C.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S60°01'47"E	19.54
L2	S46°25'00"E	41.64
L3	N60°02'09"W	60.00
L4	N29°53'00"E	30.97
L5	N46°25'00"W	30.88

SURVEYED BY:

GREGORY SCHMIDT  
REG. PROF. LAND SURVEYOR  
NO. 4437  
DATE: 5/13/04



3103 Bee Street, Suite 202

Austin, Texas 78746-6819

Tel.: (512) 327-2946

Fax: (512) 327-2973

CA

Cunningham | Allen

Engineers • Surveyors

8061-0405

0.227 Of One Acre  
Outlot No. 73, Division D  
Government Outlots Adjoining  
The Original City of Austin  
Travis County, Texas

DESCRIPTION

DESCRIPTION OF 0.227 OF ONE ACRE OF LAND SITUATED IN OUTLOT NO. 73, DIVISION D, OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, ACCORDING TO THE MAP OR PLAT ON FILE IN THE STATE OF TEXAS GENERAL LAND OFFICE, AND BEING A PORTION OF WICHITA STREET, HERETOFORE SOMETIMES REFERRED TO AS CEDAR STREET, A PUBLIC STREET DEDICATED BY SUBDIVISION PLAT OF THE FRUTH ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 2, PAGE 157 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.227 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod with aluminum cap set in concrete curbing at the intersection of the south right-of-way line of W. 30<sup>th</sup> St. (60' ROW) and the centerline of Wichita Street (50' R.O.W.), same being the northwest corner of the herein described tract and the northwest corner of that certain tract of land described in City of Austin Ordinance No. 560412D, vacating a portion of Wichita Street, passed and approved April 12, 1956 and recorded in Volume 21, Page 95 of the Ordinance Records of the City of Austin;

THENCE with the south right-of-way line of W. 30<sup>th</sup> Street and the north line of said right-of-way vacation tract, S60°01'47"E a distance of 25.00 feet to the intersection of the south right-of-way line of 30<sup>th</sup> St. and the east right of way line of Wichita Street for the northeast corner of the herein described tract, same being the northwest corner of that certain tract of land described in deed to Austin Presbyterian Theological Seminary, of record in Volume 911, Page 529 of the Deed Records of Travis County, Texas, same being the northwest corner of Block 5, of said Fruth Addition, from which a 3/8" iron rod found in the west right-of-way line of University Avenue (60' R.O.W.) for the northeast corner of said Austin Presbyterian Theological Seminary tract and the northeast corner of said Block 5, Fruth Addition bears S60°01'47"E a distance of 290.04 feet;

THENCE with the east line of said right-of-way vacation tract, the east right-of-way line of Wichita Street, and the west line of said Block 5, Fruth Addition S29°59'54"W passing the southeast corner of said right-of-way vacation tract, a total distance of 396.02 feet to the intersection of the north right-of-way line of 29<sup>th</sup> St. (60' R.O.W.) and the east right of way line of Wichita Street for the southeast corner of the herein described tract, same being the southwest corner of said Austin Presbyterian Theological Seminary tract, and of said Block 5, Fruth Addition, from which a square head bolt found for reference bears S60°03'22"E a distance of 153.78 feet and N29°56'38" a distance of 0.18 feet;

THENCE with the north right-of-way line of 29<sup>th</sup> Street N60°03'22"W a distance of 25.00 feet to a 60D nail found at the intersection of the north right-of-way line of 29<sup>th</sup> Street and the centerline of Wichita Street for the southwest corner of the herein described tract;

THENCE with the centerline of Wichita Street N29°59'54"W passing at a distance of 185.85 feet a square head bolt found, and passing the south line of said right-of-way vacation tract, and continuing for a total distance of 396.03 feet to the POINT OF BEGINNING, containing 0.227 acres within these metes and bounds;

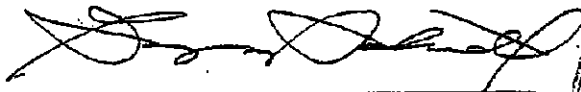
0.227 Of One Acre  
Outlot No. 73, Division D  
Government Outlots Adjoining  
The Original City of Austin  
Travis County, Texas

Reference is herein made to the sketch accompanying this metes and bounds description

Bearing basis: The north line of Austin Presbyterian Theological Seminary Addition, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Book 82, Page 14 of the Plat Records of Travis County, Texas-S46°25'E

I hereby certify that this description was prepared from a survey made on the ground under my supervision.

CUNNINGHAM-ALLEN, INC.



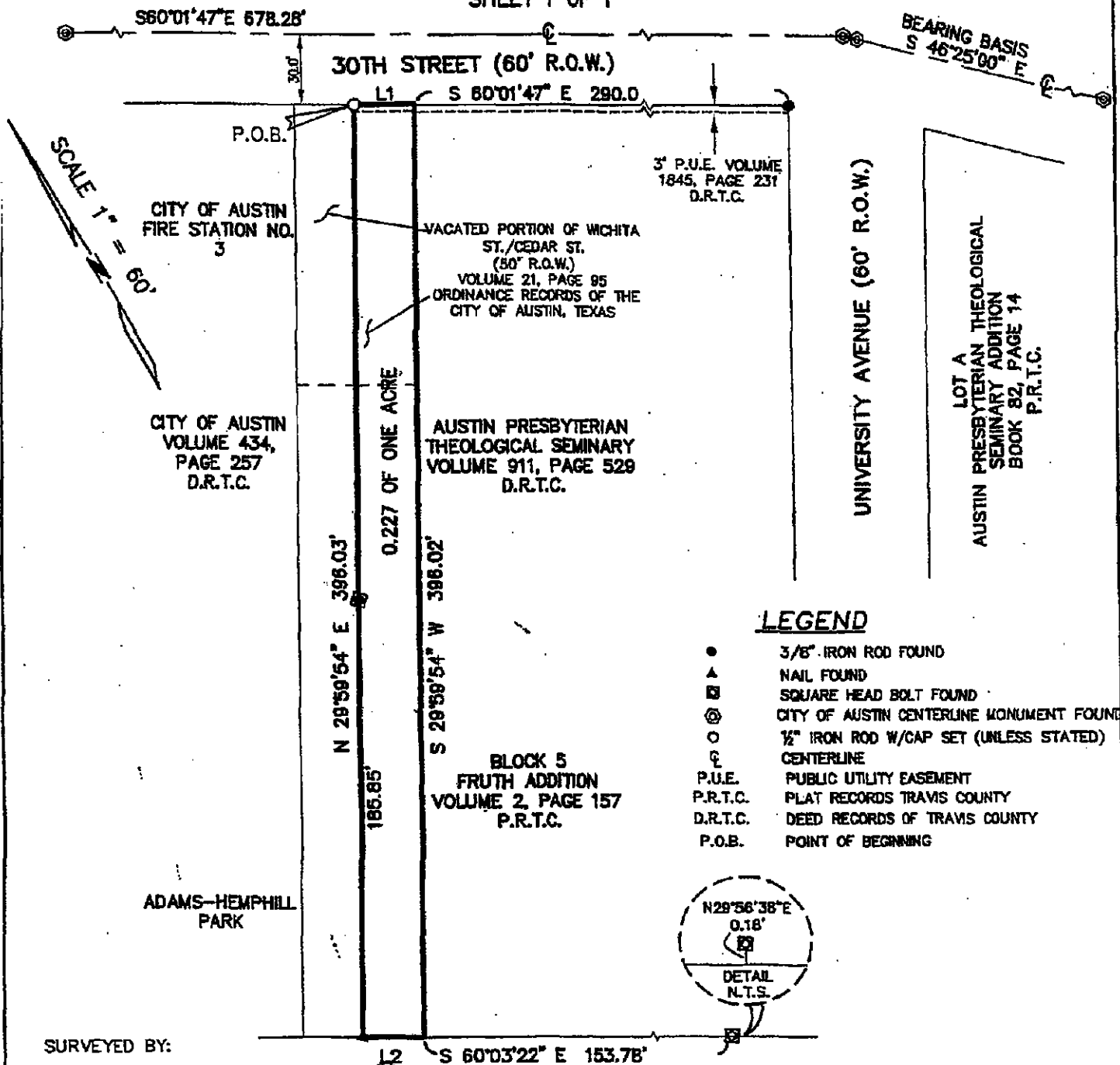
Gregory Schmidt, Registered Professional  
Land Surveyor No. 4437  
June 18, 2004



City of Austin Grid: J24

# SKETCH TO ACCOMPANY FIELD NOTES

SHEET 1 OF 1

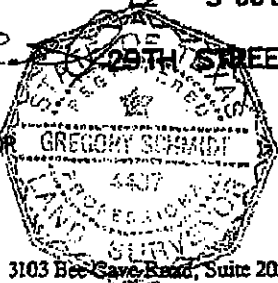


## LEGEND

- 3/8" IRON ROD FOUND
- ▲ NAIL FOUND
- SQUARE HEAD BOLT FOUND
- ⊙ CITY OF AUSTIN CENTERLINE MONUMENT FOUND
- 1/2" IRON ROD W/CAP SET (UNLESS STATED)
- ⊙ CENTERLINE
- P.U.E. PUBLIC UTILITY EASEMENT
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- P.O.B. POINT OF BEGINNING

SURVEYED BY:

GREGORY SCHMIDT  
REG. PROF. LAND SURVEYOR  
NO. 4437  
DATE: 6/18/04



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Engineers · Surveyors

LINE TABLE		
LINE	BEARING	LENGTH
L1	S60°01'47"E	25.00
L2	N60°03'22"W	25.00

BEARING BASIS: THE NORTH LINE OF LOT A, AUSTIN PRESBYTERIAN THEOLOGICAL SEMINARY ADDITION  
S46°25'00"E

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