

**RESOLUTION NO. 20060112-055**

**WHEREAS**, Magna Sampaio, owner of Sampaio's Restaurant, has filed an application for a waiver of Section 4-9-4(A) of the City Code which prohibits the sale of alcoholic beverages within 300 feet of a church, public school, or public hospital; and

**WHEREAS**, Sampaio's Restaurant, located at 4800 Burnet Road, Austin, Texas, is within 300 feet of the Texas School for the Blind and Visually Impaired, located at 1100 West 45<sup>th</sup> Street; and

**WHEREAS**, notice of the application and hearing for the waiver was provided in accordance with Section 4-9-5 of the City Code; and

**WHEREAS**, a public hearing concerning this proposed waiver was held by the City Council on January 12, 2006, in accordance with the provisions of Section 25-1-132 of the City Code; and

**WHEREAS**, the Texas School for the Blind and Visually Impaired has provided written consent to the waiver; and

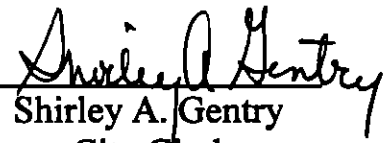
**WHEREAS**, the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, has determined that the waiver request is in the best interest of the community; **NOW, THEREFORE**,

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

Sampaio's Restaurant is granted a waiver from Section 4-9-4 of the City Code and is allowed to sell alcoholic beverages at 4800 Burnet Road, Austin, Texas; and the waiver shall expire on the sale or transfer of the business to any other individual or entity, whether by lease or any other arrangement, on cessation of the business, or on revocation of the alcoholic beverage permits granted to Sampaio's Restaurant for this site.

**ADOPTED:** January 12, 2006

**ATTEST:**

  
Shirley A. Gentry  
City Clerk