

#29
2-2-06

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE VACATION, CONVEYANCE AND EXCHANGE OF A 0.062 ACRE PORTION OF BOWIE STREET RIGHT-OF-WAY LOCATED SOUTH OF THIRD STREET FOR A WASTEWATER LINE EASEMENT AND RELEASE OF PRIVATE RIGHTS TO STREETS AND ACCESS EASEMENTS LOCATED IN AND ADJACENT TO THE CITY'S SAND BEACH RESERVE PROPERTY AT THE INTERSECTION OF CESAR CHAVEZ STREET AND SANDRA MURAILA WAY.

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

PART 1. FINDINGS.

The Council finds that:

- (1) In accordance with that certain master agreement between the City and LG Park Plaza Limited Partnership and LG Lamar Limited Partnership (collectively, "Gables"), approved by Ordinance No. 2006020232, the City is to vacate, quitclaim, and exchange interests in certain real property described in the master agreement in return for Gables' dedication of a wastewater line easement and a quitclaim of its interests in the public streets and access easements described in the master agreement.
- (2) The terms and conditions to the conveyances and exchange are set forth in the master agreement and the forms of the respective quitclaim deeds and wastewater line easement are attached to the master agreement.

PART 2. VACATION, CONVEYANCE, AND EXCHANGE.

- (A) The Council orders the vacation of the Bowie Street right-of-way described in attached Exhibit "A", subject to the retention of a public utility easement.
- (B) The Council authorizes the city manager to take action as necessary to exchange the City's interest in the Bowie Street right-of-way for a wastewater easement and release of private rights to streets and access easements in accordance with the terms and conditions of the master agreement.

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2 **PART 3.** This ordinance takes effect on _____, 2006.

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4 **PASSED AND APPROVED**

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8 _____, 2006

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Will Wynn
Mayor

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13 **APPROVED:**

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk