

A U S T I N C I T Y C O U N C I L
AGENDA

Thursday, May 18, 2006

Back

Item # 12

Public Works
RECOMMENDATION FOR COUNCIL ACTION

Subject: Approve an ordinance vacating Century Park Cove (13000 Block) to SAGE-CP III, LTD., for consideration of \$114,498.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

Additional Backup Material

(click to open)

- ☐ EXHIBIT A
- ☐ EXHIBIT B
- ☐ EXHIBIT C
- ☐ MAP
- ☐ COMMISSION RECOMMENDATIONS
- ☐ CITIZEN LETTER
- ☐ Draft Ordinance

For More Information: Chris Muralda 974-7191; Laura Bohl 974-7064.

Boards and Commission Action: Recommended by the Urban Transportation Commission and the Zoning and Platting Commission.

The request for the vacation of Century Park Cove has been submitted by James Knight of Bury+Partners on behalf of Sage-CP III, Ltd.

The area being requested for vacation will be used for future commercial development. All affected departments and franchise holders have reviewed this request and recommend approval, subject to area being retained as a public utility easement. A drainage easement is also being dedicated under separate document to the City of Austin (shown on Exhibit C). Property owners within 300 feet of the area to be vacated were notified of the proposed vacation on August 31, 2005. No objections were received.

The appraised value is \$114,498.00. A certified check in the amount of the appraised value has been submitted to the Real Estate Services Division for processing upon approval of this request.

EXHIBIT "A"

CITY OF AUSTIN
TO SAGE-CP III, LTD.
(VACATION - CENTURY PARK COVE)

1.260 ACRES
CENTURY PARK COVE
SAGE LAND COMPANY

FN. NO. 06-171(MJJ)
APRIL 5, 2006
BPI JOB NO. 1091-12.08

DESCRIPTION

OF A 1.260 ACRE TRACT OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING CENTURY PARK COVE (90' R.O.W.), AS DEDICATED BY CENTURY PARK I, A SUBDIVISION OF RECORD IN VOLUME 87, PAGE 80D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.260 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the intersection of the northerly line of Century Park Boulevard (90' R.O.W.), with the easterly line of Century Park Cove, being the southwesterly corner of Lot 2, Block "D" of said Century Park I, for the southeasterly corner hereof, from which a 1/2 inch iron rod found at the point of curvature in the northerly line of Century Park Boulevard bears S61°09'12"E, a distance of 105.36 feet

THENCE, N61°20'23"W, over and across the southerly terminus of Century Park Cove, being the northerly line of Century Park Boulevard, for the southerly line hereof, a distance of 139.36 feet to a 1/2 inch iron rod found in the southerly line of the remaining portion of "Tract II", a 5.090 acre tract of land as conveyed to Sage-CP III, Ltd. by deed of record in Document No. 2005171326 of the Official Public Records of Travis County, Texas, same being the intersection of the northerly line of Century Park Boulevard with the westerly line of Century Park Cove, for the southwesterly corner hereof;

THENCE, leaving the northerly line of Century Park Boulevard, along the westerly, northerly and easterly lines of Century Park Cove, being in part along the easterly line of the remaining portion of said "Tract II" and in part along the westerly lines of Lot 1, Block "D" of said Century Park I and said Lot 2, for the westerly, northerly and easterly lines hereof, the following seven (7) courses and distances:

- 1) Along a curve to the left having a radius of 25.00 feet, a central angle of 89°23'04", an arc length of 39.00 feet and a chord which bears N72°45'44"E, a distance of 35.16 feet to a calculated point at the end of said curve;
- 2) N28°45'00"E, a distance of 293.58 feet to a calculated point for the point of curvature of a curve to the left;
- 3) Along said curve to the left having a radius of 25.00 feet, a central angle of 53°03'30", an arc length of 23.15 feet and a chord which bears N02°29'52"E, a distance of 22.33 feet to a calculated point for the point of curvature of a reverse curve to the right;

- 4) Along said reverse curve to the right having a radius of 90.00 feet, a central angle of $284^{\circ}44'55''$, passing at a arc distance of 223.45 feet a 1/2 inch iron rod found for the common southerly corner of the remaining portion of said "Tract II" and said Lot 1 and continuing for a total arc length of 447.28 feet and a chord which bears $S61^{\circ}02'09''E$, a distance of 109.89 feet to a 1/2 inch iron rod found for the point of curvature of a reverse curve to the left;
- 5) Along said reverse curve to the left having a radius of 25.00 feet, a central angle of $52^{\circ}16'19''$, an arc length of 22.81 feet and a chord which bears $S55^{\circ}47'01''W$, a distance of 22.03 feet to a 1/2 inch iron rod found for the end of said curve;
- 6) $S28^{\circ}45'00''W$, a distance of 293.58 feet to a 1/2 inch iron rod found for the point of curvature of a curve to the left;
- 7) Along said curve to the left having a radius of 25.00 feet, a central angle of $89^{\circ}59'52''$, an arc length of 39.27 feet and a chord which bears $S16^{\circ}04'59''E$, a distance of 35.35 feet to the POINT OF BEGINNING, containing an area of 1.260 acres (54,904 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARINGS OF THE SURVEY SHOWN HEREON IS THE EASTERLY LINE OF CENTURY PARK COVE (90' R.O.W. - $S28^{\circ}45'00''W$), AS DEDICATED BY CENTURY PARK I, A SUBDIVISION OF RECORD IN VOLUME 87, PAGE 80D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVES ROAD, SUITE 200
AUSTIN, TEXAS 78746

Mark J. Jezisek 4/5/06
MARK J. JEZISEK
R.P.L.S. NO. 5267
STATE OF TEXAS

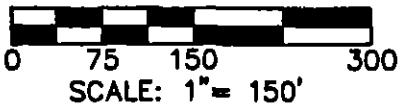
REFERENCES

TCAD MAPS - 2-7016 AND 2-6816
AUSTIN GRID L-36

FIELD NOTES REVIEWED

By *John M. Moore* Date *4-20-2006*
Engineering Support Section
Department of Public Works
and Transportation





CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	89°23'04"	25.00	39.00	35.16	N72°45'44"E
C2	53°03'30"	25.00	23.15	22.33	N02°29'52"E
C3	284°44'55"	90.00	447.28	109.89	S61°02'09"E
C4	52°16'19"	25.00	22.81	22.03	S55°47'01"W
C5	89°59'52"	25.00	39.27	35.35	S16°04'59"E
C6	142°15'12"	90.00	223.45	170.32	N47°42'59"E

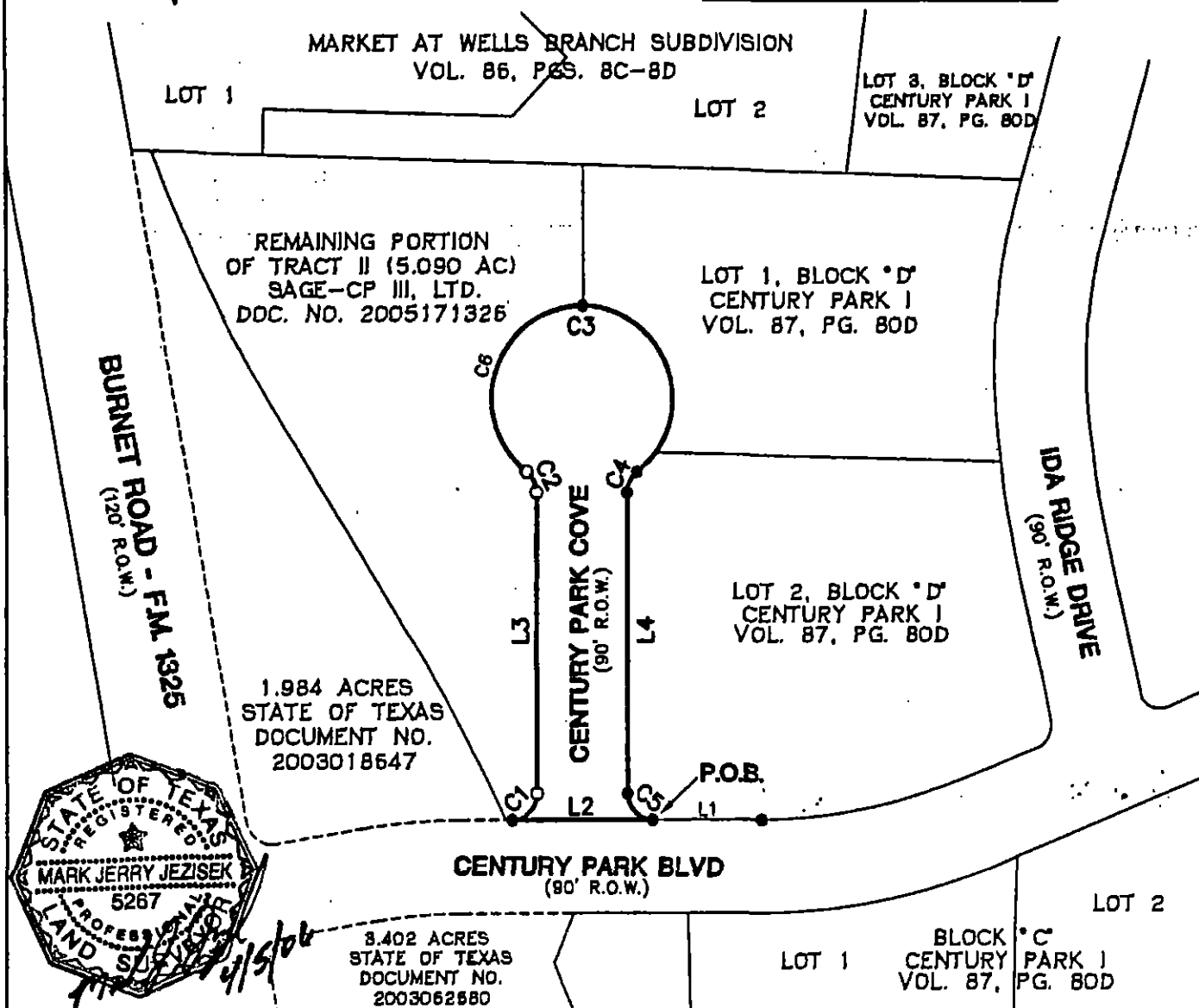
EXHIBIT
B

LEGEND

- 1/2" IRON ROD FOUND
- CALCULATED POINT
- P.O.B. POINT OF BEGINNING

LINE TABLE

No.	Bearing	Distance
L1	S61°09'12"E	105.36'
L2	N61°20'23"W	139.36'
L3	N28°45'00"E	293.58'
L4	S28°45'00"W	293.58'



Bury+Partners
ENGINEERING SOLUTIONS

3345 Joe Cravo Road, Suite 200
Austin, Texas 78744
Tel. (512)328-0011 Fax (512)328-8925
Bury+Partners, Inc. ©Copyright 2004

SKETCH TO ACCOMPANY DESCRIPTION

OF 1.260 ACRES OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING CENTURY PARK COVE (90' R.O.W.) AS DEDICATED BY CENTURY PARK I, A SUBDIVISION OF RECORD IN VOLUME 87, PAGE 80D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

**SAGE LAND
COMPANY**

DATE: 04/05/06

FILE: H:\1091\12\109112EX3.dwg

FN No.: 06-171(MJJ)

DRAWN BY: MJJ

PROJ. No: 1091-12.08

**EXHIBIT
C**

SAGE-CP III, LTD.
TO THE CITY OF AUSTIN
(DRAINAGE EASEMENT)

2,967 SQUARE FEET
PORTION OF THE CENTURY
PARK COVE RIGHT-OF-WAY

FN. NO. 06-172 (MJJ)
APRIL 5, 2006
BPI JOB NO. 1091-12.08

DESCRIPTION

OF A 2,967 SQUARE FEET OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF CENTURY PARK COVE RIGHT-OF-WAY, A 90 FOOT WIDE RIGHT-OF-WAY, AS DEDICATED BY CENTURY PARK I, A SUBDIVISION OF RECORD IN VOLUME 87, PAGE 80D OF THE PLAT RECORDS TRAVIS COUNTY, TEXAS; SAID 2,967 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the curving easterly line of Century Park Cove, being the common westerly corner of Lot 2, Block "D" and Lot 1, Block "D" of said Century Park I, for a point in the curving easterly line hereof;

THENCE, along a portion of the curving the westerly line of said Lot 2, same being a portion of the curving easterly line of Century Park Cove, for a portion of the curving easterly line hereof, along a curve to the right having a radius of 90.00 feet, a central angle of 08°04'48", an arc length of 12.69 feet and a chord which bears S68°27'31"W, a distance of 12.68 feet to the southeasterly corner hereof, from which a 1/2 inch iron rod found for a point of reverse curvature of a curve to the left bears S76°55'07"W, a chord distance of 13.87 feet;

THENCE, N59°44'20"W, leaving the curving westerly line of said Lot 2, over and across Century Park Cove, for the southerly line hereof, a distance of 133.27 feet to a point in the easterly line of the remaining portion of "Tract II", a 5.090 acre tract of land as conveyed to Sage-CP III, Ltd. by deed of record in Document No. 2005171326 of the Official Public Records of Travis County, Texas, being the curving westerly line of Century Park Cove, for the southeasterly corner hereof;

THENCE, along a portion of the curving easterly line of said "Tract II", being a portion of the curving westerly line of Century Park Cove, for the curving westerly line hereof, along a curve to the right having a radius of 90.00 feet, a central angle of 15°29'42", an arc length of 24.34 feet and a chord which bears N04°13'44"W, a distance of 24.27 feet to the northwesterly corner hereof, from which a 1/2 inch iron rod found for the common southerly corner of said Lot 1, Block "D" and said "Tract II", bears N61°10'51"E, a chord distance of 152.08 feet;

THENCE, S59°44'20"E, leaving the curving easterly line of said "Tract II", over and across Century Park Cove, for the northerly line hereof, a distance of 160.75 feet to a point in the curving westerly line of said Lot 1, Block "D", being the curving easterly line of Century Park Cove, for the northeasterly corner hereof;

FN 06-172 (MJJ)
APRIL 5, 2006
PAGE 2 OF 2

THENCE, along a portion of the curving westerly line of said Lot 1, same being a portion of the curving easterly line of Century Park Cove, for a portion of the curving easterly line hereof, along a curve to the right having a radius of 90.00 feet, a central angle of $07^{\circ}24'54''$, an arc length of 11.65 feet and a chord which bears $S60^{\circ}42'41''W$, a distance of 11.64 feet to the POINT OF BEGINNING, containing an area of 2,967 square feet of land, more or less, within these metes and bounds.

THE BASIS OF BEARINGS OF THE SURVEY SHOWN HEREON IS THE EASTERLY LINE OF CENTURY PARK COVE (90' R.O.W. - $S28^{\circ}45'00''W$), AS DEDICATED BY CENTURY PARK I, A SUBDIVISION OF RECORD IN VOLUME 87, PAGE 80D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

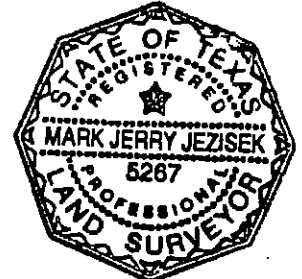
I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

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AUSTIN, TEXAS 78746

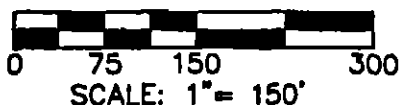
Mark J. Jezisek 4/5/06
MARK J. JEZISEK, R.P.L.S.
NO. 5267
STATE OF TEXAS

REFERENCES

TCAD MAP 2-7016
AUSTIN GRID - L36



FIELD NOTES REVIEWED
By *John M. Moore* Date *4-20-2006*
Engineering Support Section
Department of Public Works
and Transportation



CURVE TABLE

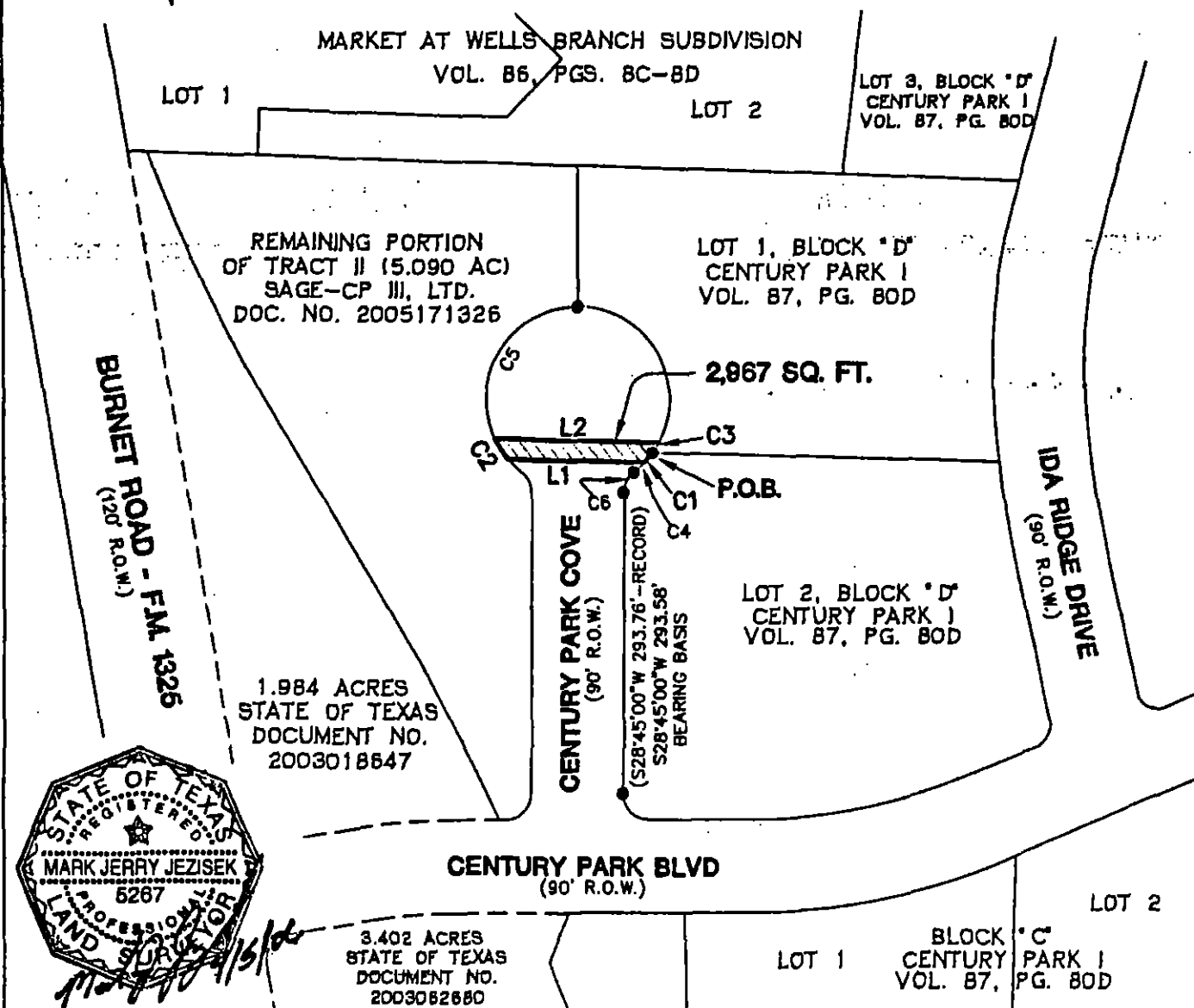
No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	08°04'48"	90.00	12.69	12.68	S68°27'31"W
C2	15°29'42"	90.00	24.34	24.27	N04°13'44"W
C3	07°24'54"	90.00	11.65	11.64	S60°42'41"W
C4	08°50'23"	90.00	13.89	13.87	S76°55'07"W
C5	115°19'28"	90.00	181.15	152.08	N61°10'51"E
C6	52°16'19"	25.00	22.81	22.03	S55°47'01"W

LEGEND

● 1/2" IRON ROD FOUND
P.O.B. POINT OF BEGINNING

LINE TABLE

No.	Bearing	Distance
L1	N59°44'20"W	133.27'
L2	S59°44'20"E	160.75'



Bury+Partners

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3545 Bee Caves Road, Suite 800
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SKETCH TO ACCOMPANY DESCRIPTION

OF 2,967 SQUARE FEET OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF CENTURY PARK COVE, A 90 FOOT WIDE RIGHT-OF-WAY, AS DEDICATED BY CENTURY PARK I, A SUBDIVISION OF RECORD IN VOLUME 87, PAGE 80D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SAGE LAND COMPANY

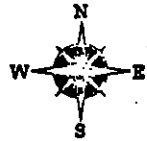
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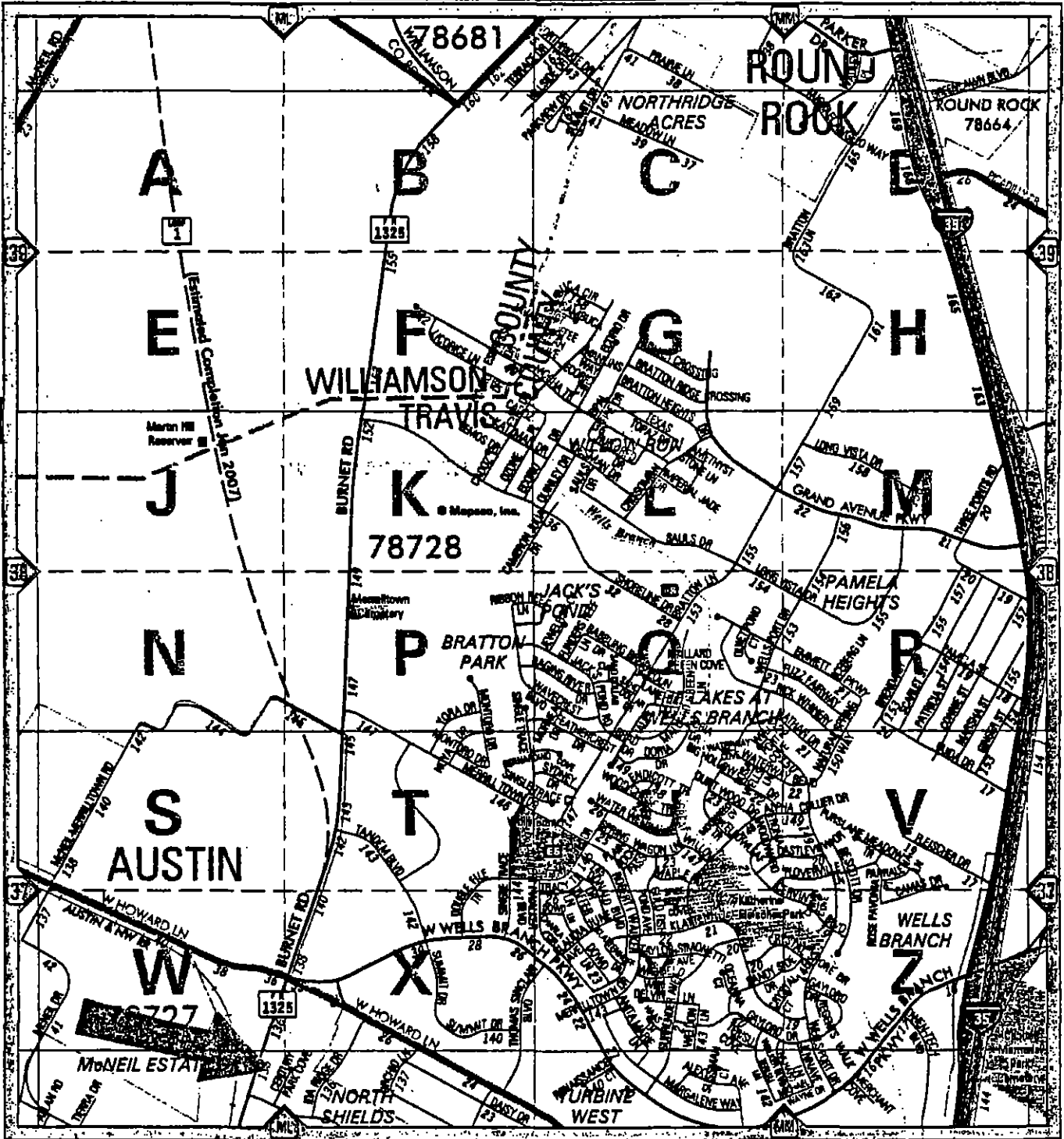
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DRAWN BY: MJJ

PROJ. No: 1091-12.08



CONTINUED ON MAP 435



CONTINUED ON MAP 435

CONTINUED ON MAP 436

CONTINUED ON MAP 437

SCALE IN MILES
0 1/4 1/2 3/4 1

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SCALE IN FEET
0 1000 2000 3000

Michelle Brinkman Chair	Mayor Pro Tem	Urban Transportation Commission Meeting Agenda	One Texas Center 505 Barton Springs Road 8th Floor Conference Room October 17, 2005 Monday 6:00 P.M.
Dana Lockler Vice-Chair	Place 2		
Scott C. Williams	Place 1		
Andrew W. Clements	Place 4		
Patrick Goetz	Consensus		
Joi Harden	Place 6		
Dan Rozycki	Consensus		
Greg Sapire	Place 5		
Carl H. Tepper	Mayor		

A. Citizens Communications

The first four (4) speakers signed up to speak will be allowed a three-minute allotment to address their concerns

B. Capital Metro Quarterly Update and Discussion on Bike Racks

C. Capital Metro Future Connections Study Update

D. Bike Lanes on Barton Springs Road from Robert E. Lee Drive to Rollingwood Drive & Loop 360 from Capital of Texas Hwy to Arboretum Boulevard

E. South Congress Bike Lanes

F. F#8201-0504 Vacation of right of way at the 1300 Block of Woodlawn

G. F#8146-0411 Vacation of the alley between North Lamar and Medical Parkway and West 38th and West 39th

H. F#8086-0407 Vacation of a portion of the street right of way of Century Park Cove

I. Cost Benefit Analysis of Having City Crews Handle Small Construction Projects

J. Explanation of Street Reconstruction Selection Criteria for Bond Packages

K. Accident Experience at Traffic Circles in Austin

L. Shoal Creek Stakeholders Meeting Update

Motion: To approve the vacation request.

Ayes: Brinkman/Lockler/Clements/Goetz/Harden/Rozycki/Sapire/Williams
Nays: None
Abstain: None
Absent: Carl H. Tepper

UTC

A. #8086-0407 Vacation of a portion of the street right of way of Century Park Cove

Ben Gammie, the applicant, introduced himself as a consulting engineer working with Bury+Partners, Inc., who is representing the land owners in the Century Cove vacation process. He discussed the reasons they wanted to vacate the property and he answered the commissioners' questions.

Mr. Gammie told the commissioners the main reason they want to vacate this cove is the recent acquisition of about three acres of land by the Texas Department of Transportation (TXDOT) to expand Mo-Pac. They acquire the street and a subdivision will follow, then they will generate a site plan.

Ms. Harden wanted to know what was going to be put on the other side of the road. Mr. Gammie told her that is yet to be determined, it is kind of market driven. This area is for zoned multifamily.

Motion by: Patrick Goetz
Seconded by: Scott C. Williams

Motion: To approve the vacation request.

Ayes: Brinkman/Lockler/Clements/Goetz/Harden/Rozycki/Sapire/Williams
Nays: None
Abstain: None
Absent: Carl H. Tepper

Leanne Vaughn

City of Austin
Public Works Department
Transportation Division
974-5657
974-7101 (fax)
leanne.vaughn@ci.austin.tx.us
"Building Austin's Tomorrow, Today"

**ADDENDUM
CITY ZONING AND PLATTING COMMISSION
NOVEMBER 15, 2005 [ANNOTATED]
CITY HALL - COUNCIL CHAMBERS
301 W. 2ND STREET, 1ST FLOOR**

CALL TO ORDER - 6:00 P.M.

THE FOLLOWING ITEMS WERE INADVERTANTLY LEFT OFF THE AGENDA

A. REGULAR AGENDA

DISCUSSION AND ACTION STREET VACATIONS

- 44. Street Vacation: C10v-05-03 -**
Request: F# 8086-0407; Vacation of a portion of the street right of way
Century Park Cove.
Staff Rec.: **RECOMMENDED**
Staff: Chris Muraida, 974-7191, chris.muraida@ci.austin.tx.us
Alex Papavasiliou, 974-7087, alex.papavasiliou@ci.austin.tx.us
Department of Public Works

***APPROVED STAFF'S RECOMMENDATION; BY CONSENT.
[K.J; M.H 2ND] (7-0) J.G; J.M - ABSENT***

- 45. Street Vacation: C10v-05-04 -**
Request: F# 8146-0411; Vacation of the alley between North Lamar and
Medical Parkway and West 38th and West 39th.
Staff Rec.: **RECOMMENDED**
Staff: Chris Muraida, 974-7191, chris.muraida@ci.austin.tx.us
Alex Papavasiliou, 974-7087, alex.papavasiliou@ci.austin.tx.us
Department of Public Works

***APPROVED STAFF'S RECOMMENDATION; BY CONSENT.
[K.J; M.H 2ND] (7-0) J.G; J.M - ABSENT***



July 7, 2004

Ms. Chris Muraida
City of Austin
Public Works/Real Estate Services Division
505 Barton Springs Road
One Texas Center, Suite 1350
Austin, Texas 78704

Re: Century Park Cove Right-of-Way Vacation
FM 1325 (Burnet Road) at Century Park Boulevard
Austin, Travis County, Texas
BPI Project No. 1091-12

Dear Ms. Muraida:

Please accept the following letter and attachments as our completed application to vacate the existing Century Park Cove Right-of-Way (ROW). This letter provides a brief summary of development items related to the above referenced project based on guidelines established by the City of Austin Public Works - Real Estate Division.

REASON FOR VACATION

Initial development intentions for the subject site propose utilizing the entire 9.76 acres available. In order to maximize improvements on the revised site layout, vacation of the existing Century Park Cove is being pursued. The proposed Mopac (Loop 1) expansion by the Texas Department of Transportation (TxDOT) includes a widened ROW along the existing Burnet Road (FM 1325). In doing so, TxDOT has acquired the southwest portion of the property adjacent to Century Park Cove as conveyed by Document No. 2003018647 of the official records of Travis County, Texas. Please find attached the Special Warranty Deed under which 1.984 acres was granted to TxDOT.

EXISTING CONDITIONS

Century Park Cove and its associated utilities were permitted and constructed as a cul-de-sac in 1986. A series of detention ponds perpendicular to Century Park Cove are located in the center of the subject site. Associated drainage swales and a rock wall have been constructed with these ponds. No

BURY+PARTNERS, INC.
Consulting Engineers and Surveyors
Austin Dallas Houston San Antonio Washington, D.C.

3345 Bee Caves Road
Suite 200
Austin, Texas 78746

(512) 328-0011 TELEPHONE
(512) 328-0325 FAX

www.burypartners.com

additional structural improvements or buildings exist on the three lots that surround Century Park Cove. Because no existing facilities are on site, no parking is currently in place. The remainder of the site exists in its natural state. Please see the attached aerial exhibit showing the subject site. A vicinity map has also been included for your reference.

FUTURE DEVELOPMENT

Currently, no conceptual development has been generated for this site. Preliminary intentions anticipate a commercial development for the entire 9.76-acre subject site, including Century Park Cove and the three surrounding tracts.

Proposed parking to service the site will meet City of Austin code requirements and provide adequate facilities to accommodate any commercial development. A more detailed parking layout will be provided once a specific use has been identified.

WATER UTILITY ABANDONMENT

According to the City of Austin Department of Water Utilities, there is currently a 12-inch water line and an 8-inch wastewater line in Century Park Cove. Per discussions with Mr. David Rinn at the Department of Water Utilities, these lines must be abandoned to execute the vacation of Century Park Cove. The lines are to be cut and plugged, while remaining in place, according to City of Austin standards. Bury+Partners, Inc. is currently preparing a one-sheet exhibit showing proper locations and procedures with which to cut and plug the lines. This exhibit must be reviewed and approved by the City of Austin Department of Water Utilities prior to acceptance of the vacation application.

At any point after abandonment and assuming the site will be resubdivided as one lot, the water and wastewater lines may be brought back into service as private lines following established City of Austin procedures. The wastewater line may be uncapped and reconnected. The water line must have a meter and backflow preventer installed in a recorded easement. If existing lot lines are to remain, a future public utility easement must be established for the water and wastewater lines.

DRAINAGE

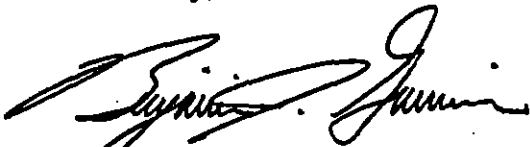
There is an existing regional detention facility in the center of the subject site, which holds runoff from an approximate 5.84 acres of off-site area in addition to the 9.76 on-site acres. This series of six ponds was permitted as City of Austin Waterway Development Permit No. 85-02-4452 on January 13, 1986.

The related subdivision case has been approved by the City of Austin as file No. C8-83-107.01.1. The detention ponds are located within easements recorded with the plat as Volume 87 Pages 80D, 81A, & 81B of the official plat records of Travis County, Texas and by separate instrument as Volume 9097 Page 962 of the official records of Travis County, Texas. Please find attached a copy of the recorded plat for your use.


Per discussions with Mr. Lonnie Robinson at the City of Austin Development Assistance Center, vacating the existing Century Park Cove should not affect the drainage facilities currently in place, so long as those facilities are maintained. It is understood that the 21" stormsewer pipe under Century Park Cove must remain intact and functional during the removal of Century Park Cove. No modifications to existing drainage facilities are proposed at this time. As development of the subject site is pursued, alternative detention facilities will be further investigated.

Should you have any questions or require any additional information for your review and approval of this vacation application, please do not hesitate to contact our office at (512) 328 - 0011.

Sincerely,



Benjamin D. Gammie, E.I.T.



James B. Knight, P.E.
Managing Principal

ORDINANCE NO.

AN ORDINANCE VACATING A PORTION OF CENTURY PARK COVE TO SAGE-CP III, LTD.

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

PART 1. Council approves the vacation of Century Park Cove described in Exhibit A, attached to and incorporated as part of this ordinance, to Sage-CP III, Ltd. subject to retention of a public utility easement over the entirety of Century Park Cove.

PART 2. Sage-CP III, Ltd. must dedicate a drainage easement by separate document to the City of Austin.

PART 3. Sage-CP III, Ltd. shall pay fair market value consideration of \$114,498.00 for the vacation upon Council approval of this ordinance.

PART 4. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

_____, 2006

Will Wynn
Mayor

APPROVED:

David Allen Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk