ORDINANCE NO. __________

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1804, 1806 AND 1808 WEST 6TH STREET IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY-NEIGHBORHOOD PLAN (MF-4-NP) COMBINING DISTRICT ON TRACT 1 AND MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-4-CO-NP) COMBINING DISTRICT ON TRACT 2.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district on Tract 1 and multifamily residence moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district on Tract 2 on the property described in Zoning Case No. C14-2018-0150, on file at the Planning and Zoning Department, as follows:

Tract 1:
A 9,536 square foot tract or parcel of land out of the George W. Spear League in the City of Austin, Travis County, and being a portion of Lot 6, West End Heights, a subdivision recorded in Volume 3, Page 20 of the Plat Records of Travis County, Texas, said 9,536 square feet being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance, and

Tract 2:
A 0.467 acre tract of land situated in Travis County, Texas, and being out of and a part of G.W. Spear Survey Number 7, Abstract No. 697, and being a part of Lot 6, West End Heights, a subdivision recorded in Volume 3, Page 20 of the Plat Records of Travis County, Texas, said 0.467 acre being more particularly described by metes and bounds in Exhibit “B” incorporated into this ordinance (cumulatively referred to as the “Property”),

locally known as 1804, 1806 and 1808 West 6th Street in the City of Austin, Travis County, Texas, generally identified in the map attached as Exhibit “C”.

Draft 9/5/2019  Page 1 of 2  COA Law Department
PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. Vehicular access to Tract 2 from Theresa Avenue shall be limited to ingress only.

B. Vehicular access from Tract 2 to the alley along the east boundary is prohibited except for emergency vehicles and services only.

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence moderate-high density (MF-4) base district and other applicable requirements of the City Code.

PART 4. The Property is subject to Ordinance No. 020926-26 that established zoning for the Old West Austin Neighborhood Plan.

PART 5. This ordinance takes effect on __________________, 2019.

PASSED AND APPROVED

§ § § __________________, 2019

______________________________

Steve Adler
Mayor

APPROVED: __________________ ATTEST: __________________

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk
FIELD NOTES FOR

9536 SQUARE FEET OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE GEORGE W. SPEAR LEAGUE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF LOT 6, WEST END HEIGHTS, A SUBDIVISION RECORDED IN VOLUME 3, PAGE 20 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60-d nail found in a concrete wall at the Southeast corner of said Lot 6, being in the North r.o.w. line of West 6th Street for the Southeast corner and PLACE OF BEGINNING hereof;

THENCE along the South line of said Lot 6, being along the North r.o.w. line of West 6th Street, N 60°39'00" W for a distance of 52.51 feet to an "x" set in concrete at the Southwest corner of said Lot 6;

THENCE continuing along the North r.o.w. line of West 6th Street, N 09°01'00" W for a distance of 30.30 feet to a ½ inch capped iron pin set at the Southeast corner of that certain tract of land conveyed to Jennifer Robuck by Document No. 2000087782 of the Official Public Records of Travis County, Texas, for the Southwest corner hereof;

THENCE along the Easterly line of said Robuck Tract, N 27°17'32" E for a distance of 95.90 feet to a ½ inch iron pipe found and N 32°00'58" E for a distance of 42.01 feet to an "x" set on a rock wall for the Northwest corner hereof;

THENCE continuing along the Easterly line of said Robuck Tract, S 70°13'30" E for a distance of 34.91 feet to a 60-d nail set in the North line of said Lot 6, being in the West line of a 20 foot wide alley for the Northeast corner hereof;

THENCE along the North line of said Lot 6, being along the West line of said alley, S 12°01'00" E for a distance of 20.99 feet to a ½ inch iron pipe found at the Northeast corner of said Lot 6;

THENCE along the East line of said Lot 6, S 20°10'00" W for a distance of 153.58 feet to the PLACE OF BEGINNING and containing 9536 square feet of land, more or less.

SURVEYED BY:
Roy D. Smith Surveyors, P.C.

[Signature]
ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR NO. 4094
July 12, 2004

Lot 6, West End Heights

Exhibit A
SURVEY PLAT OF A PORTION OF LOT 6, WEST END HEIGHTS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 3, PAGE 20 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND A PART OF THE GEORGE W. SPEAR LEAGUE, IN TRAVIS COUNTY, TEXAS

LEGEND

○ 1/2" PIPE FOUND
△ 6O-D NAIL FOUND
○ 1/2" CAPPED IRON PIN SET
△ 6O-D NAIL SET
× "X" SET IN CONCRETE
△ POWER POLE
○ DOWN GUY
GS GROUND SHOT

JENNIFER ROBSON
DOC. NO. 2000087782

WEST 6TH STREET
60' PUBLIC R.O.W.

TO: YMCA OF THE ROCKIES
PETER L. PFEIFFER
FIRST AMERICAN TITLE INSURANCE COMPANY

The undersigned does hereby certify that this survey was made on the ground of the property described herein and is correct and that there are no visible discrepancies, deed line conflicts, encroachments, overlapping of improvements, visible utility easements or roadways, except as shown hereon and that said property has frontage on a public roadway, except as shown hereon.

SURVEYED BY
ROY D. SMITH SURVEYOR

ROY D. SMITH
REGISTERED PROFESSIONAL SURVEYOR
1714 WEST 5th STREET - SUITE 200
AUSTIN, TEXAS 78703
PHONE (512) 478-9821 JULY 12, 2004

To the lien holders and/or the owners of the premises surveyed:

The property described herein is not within the boundaries of the 100 Year Flood Plain as identified by the National Flood Insurance Program Flood Insurance Rate Map on Panel No. 48453C 02056, for the City of Austin, Travis County, Texas, dated June 18, 1983.
FIELD NOTE DESCRIPTION FOR A 0.467 ACRE TRACT OF LAND:

BEING A LOT, TRACT OR PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE G. W. SPEAR SURVEY NUMBER 7, ABSTRACT NO. 697, AND BEING A PART OF LOT 6, WEST END HEIGHTS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 20, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO SYLLABUS PARTNERS, LLC FROM THE BANK OF NEW YORK, DATED JULY 13, 2016, RECORDED IN DOCUMENT NO. 2016118577, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, (HEREIN AFTER REFERRED TO AS "TRACT 1"), AND ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO SYLLABUS PARTNERS, LLC FROM JENNIFER ROBUCK, DATED JULY 09, 2018, RECORDED IN DOCUMENT NO. 2018108238, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, (HEREIN AFTER REFERRED TO AS "TRACT 2"), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found in the east right of way line of Theresa Avenue, for the Southwest corner of that certain tract of land conveyed to Jeremy John Kearns and John Francis Kearns from John P. Urban, Ill, dated December 29, 2015, recorded in Document No. 2015204680, Official Public Records of Travis County, Texas, for the Northwest corner of said "Tract 2", and for the Northwest corner and POINT OF BEGINNING of the herein described tract;

THENCE with the south line of the said Kearns tract and the north line of said "Tract 1", South 74°35'46" East, a distance of 131.75 feet to an iron rod found in the west line of a twenty (20') alley, for the Southeast corner of the said Kearns tract, for the Northeast corner of said "Tract 2", and for the Northeast corner of this tract;

THENCE with the west line of said alley and the east line of said "Tract 1", the following two (2) courses:

1. South 14°20'56" East, a distance of 53.24 feet to an iron rod found, for an angle corner of this tract;

2. South 13°30'36" East, a distance of 23.13 feet to an iron rod found, for an angle corner of the certain tract of land conveyed to Vairea Properties, Ltd, recorded in Document No. 2004137887, Official Public Records of Travis County, Texas, for an exterior corner of said "Tract 1", and for an exterior corner of this tract;

THENCE with the north line of the said Vairea Properties tract being common to "Tract 1", North 72°45'35" West, a distance of 35.67 feet to an iron rod found, for the Northeast corner of said "Tract 2", for the Northwest corner of the said Vairea Properties tract, and for an interior corner of this tract;

THENCE with the west line of the said Vairea Properties tract and the east line of said "Tract 2", the following two (2) courses:

1. South 28°08'26" West, a distance of 42.09 feet to an iron rod found, for an angle corner of this tract;

2. South 24°48'00" West, a distance of 95.90 feet to an iron rod found in the east right of way line of West 6th Street, for the Southwest corner of the said Vairea

EXHIBIT "B"
Properties tract, for the Southeast corner of said "Tract 2", and for the Southeast corner of this tract;

THENCE with the east right of way line of said West 6th Street, the following two (2) courses:

1. North 30°18'00" West, a distance of 50.63 feet to the Southwest corner of said "Tract 2" and the Southeast corner of said "Tract 1", for an angle corner of this tract;

2. North 29°30'00" West, a distance of 103.74 feet to an iron rod found in the east right of way line of said Theresa Avenue, for the Southwest corner of said "Tract 1" and for the Southwest corner of this tract;

THENCE with the east right of way line of said Theresa Avenue and the west line of said "Tract 1", North 15°50'29" East, a distance of 92.16 feet to the POINT OF BEGINNING, containing 0.467 acres of land, more or less.

CELCO Surveying
2205 Stonecrest Path
New Braunfels, Texas 78130
Firm Registration No. 10193975

BY: GEORGE E. LUCAS
R.P.L.S. No. 4160
State of Texas
July 31, 2018
2018-0492-Legal
SURVEY PLAT

2245 STONECREST PATH
NEW BRAUNFELS, TEXAS 78130
edde@celco.com

SCALE
1" = 40'

JEREMY JOHN & JOHN FRANCIS KEARNS
DOC. NO. 2015204680

VADEA PROPERTIES LTD
DOC. NO. 2004137887

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LEGAL DESCRIPTION: A 0.467 ACRE TRACT OF LAND BEING A PART OF LOT 6, WEST END HEIGHTS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 3, PAGE 20, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THOSE CERTAIN TRACTS OF LAND RECORDED IN DOCUMENT NO. 201611917 AND 201610923, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

CERTIFICATION

THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS SURVEY CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREBON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREBON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREBON.

BUYER: SYLLABUS PARTNERS, LLC
TITLE CO: AUSTIN TITLE COMPANY
G.F.T.: 2097562-AUG 7 EFF: DECEMBER 7, 2015 LENDER: N/A
PLAN No.: 2018-0482-ALL
SURVEY DATE: JULY 31, 2016

GEORGE E. LUCAS R.P.L.S. 4180