

**Legal Description**

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.0089 ACRE (387 SQUARE FEET) SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF SABINE STREET (80' RIGHT-OF-WAY), BEING A PUBLIC RIGHT-OF-WAY WITHIN THE CITY OF AUSTIN, TEXAS, AND BEING ADJACENT TO LOT 1, BLOCK 37 OF THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID LOT 1 CONVEYED TO BREAD & CIRCUS, LLC IN DOCUMENT NO. 2007112690 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.0089 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876  
Austin, TX 78709  
512.554.3371  
sduarte@4wardls.com  
[www.4wardls.com](http://www.4wardls.com)

**COMMENCING**, at a nail found at the intersection of the east right-of-way line of said Sabine Street with the south right-of-way line of an Alley (20' Right-of-way), and being the northwest corner of said Lot 1, from which a 1/2-inch iron rod with “4Ward-Boundary” cap set at the intersection of the east right-of-way line of said Sabine Street with the north right-of-way line of said Alley, and being the southwest corner of Lot 8, Block 37 of said Original City of Austin conveyed to Yaniv Funk and Raychel Funk in Document No. 2019048839 (O.P.R.T.C.T.) bears, N16°31'56"E, a distance of 20.00 feet;

**THENCE**, leaving the south right-of-way line of said Alley, with the east right-of-way line of said Sabine Street and the west line of said Lot 1, S16°31'56"W, a distance of 5.70 feet to a calculated point for the northeast corner and **POINT OF BEGINNING** hereof;

**THENCE**, continuing with the east right-of-way line of said Sabine Street and the west line of said Lot 1, **S16°31'56"W**, a distance of **70.51** feet to a calculated point for the southeast corner hereof;

**THENCE**, leaving the east right-of-way line of said Sabine Street and the west line of said Lot 1, over and across said Sabine Street, the following three (3) courses and distances:

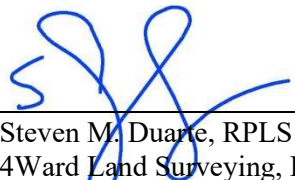
- 1) **N73°28'04"W**, a distance of **5.44** feet to a calculated point for the southwest corner hereof,
- 2) **N16°26'54"E**, a distance of **70.50** feet to a calculated point for the northwest corner hereof, and
- 3) **S73°33'06"E**, a distance of **5.54** feet to the **POINT OF BEGINNING** and containing 0.0089 Acre (387 Square Feet) of land, more or less.

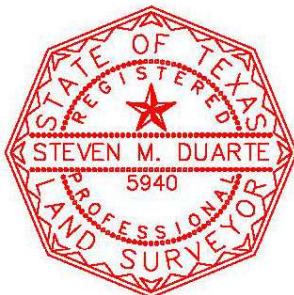
**Subsurface Encroachment Agreement Note:** This subsurface encroachment agreement begins at a surface elevation of 463.0 feet (NAVD 88) and extends below the surface to an elevation of 462.0 feet (NAVD 88).

**Vertical Encroachment Agreement Note:** This vertical encroachment agreement begins at a surface elevation of 463.0 feet (NAVD 88) and extends vertically to an elevation of 472.0 feet (NAVD 88).


**Notes:**

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000058321755. See attached sketch (reference drawing: 00859\_Encroachment Agreement\_rev2.dwg.)

  
9/8/2020  
Steven M. Duarte, RPLS #5940  
4Ward Land Surveying, LLC



**References:**  
TCAD # 191635  
COA GRID # J-22

FIELD NOTES REVIEWED  
BY  DATE: 11/05/20  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT

# EAST 5TH STREET (80' R.O.W.)

[A]  
REMAINDER OF LOT 1  
KUYKENDALL  
ADDITION  
VOL. 67, PG. 45  
P.R.T.C.T.

LOT 8  
OWNER: YANIV FUNK AND  
RAYCHEL FUNK  
DOC. NO. 2019048839  
O.P.R.T.C.T.

LOT 7  
VACATED 20' ALLEY  
ORDINANCE NO. 73 0628-A  
VOL. 4685, PG. 1629  
D.R.T.C.T.  
(SLANT HATCH)

P.O.C.  
GRID N: 10,069,586.75  
GRID E: 3,116,322.84

TOP=472.0'  
BOTTOM=462.0'

**ENCROACHMENT  
AGREEMENT**  
0.0089 ACRE(S)  
387 SQUARE FEET

**SABINE STREET  
(80' R.O.W.)**

N16°26'54"E 70.50'

S16°31'56"W 70.51'

P.O.B.  
GRID N: 10,069,581.29  
GRID E: 3,116,321.22

BLOCK 37  
ORIGINAL CITY OF AUSTIN,  
TRAVIS COUNTY, TEXAS,  
MAP OR PLAT ON FILE IN THE  
GENERAL LAND OFFICE  
OF THE STATE OF TEXAS

LOT 1  
OWNER:  
BREAD & CIRCUS, LLC  
DOC. NO. 2007112690  
O.P.R.T.C.T.

CALLLED 0.2243 ACRE  
THE CITY OF AUSTIN, TEXAS  
DOC. NO. 2012012172  
O.P.R.T.C.T.

[A]  
THE CITY OF AUSTIN, TEXAS  
DOC. NO. 2010193323  
O.P.R.T.C.T.

LOT 2

TOP=467.0'  
BOTTOM=462.0'



GRAPHIC SCALE: 1" = 20'

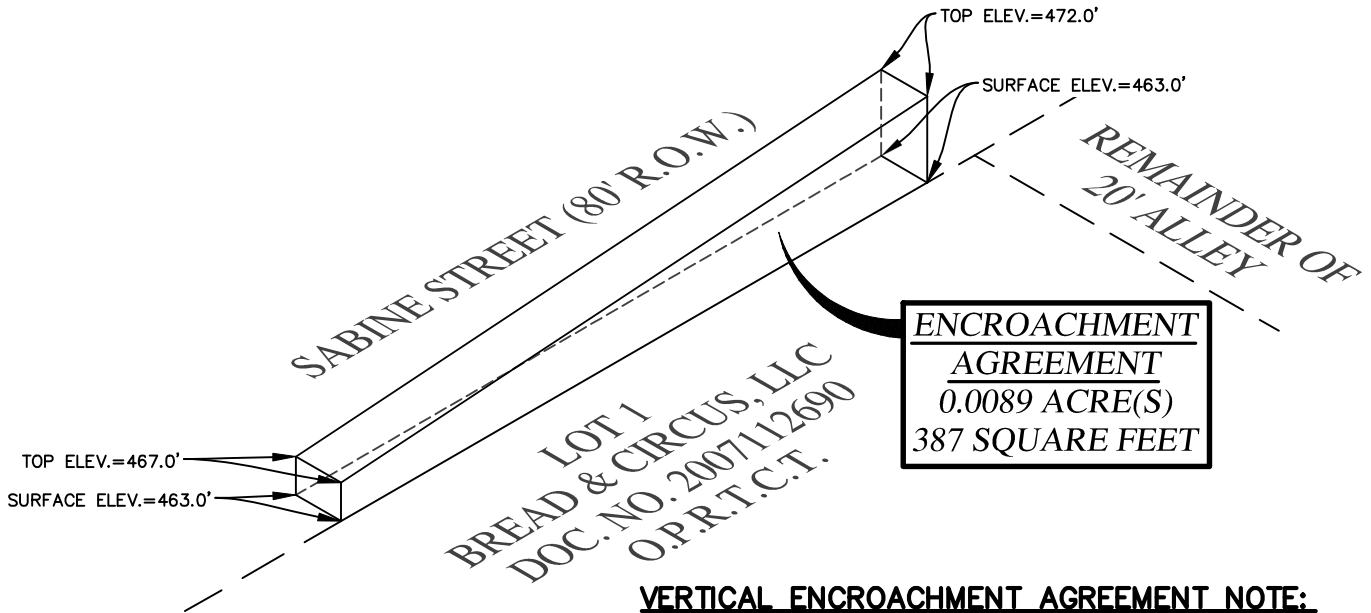
**0.0089 ACRE  
ENCROACHMENT  
AGREEMENT**  
**City of Austin, Travis  
County, Texas**



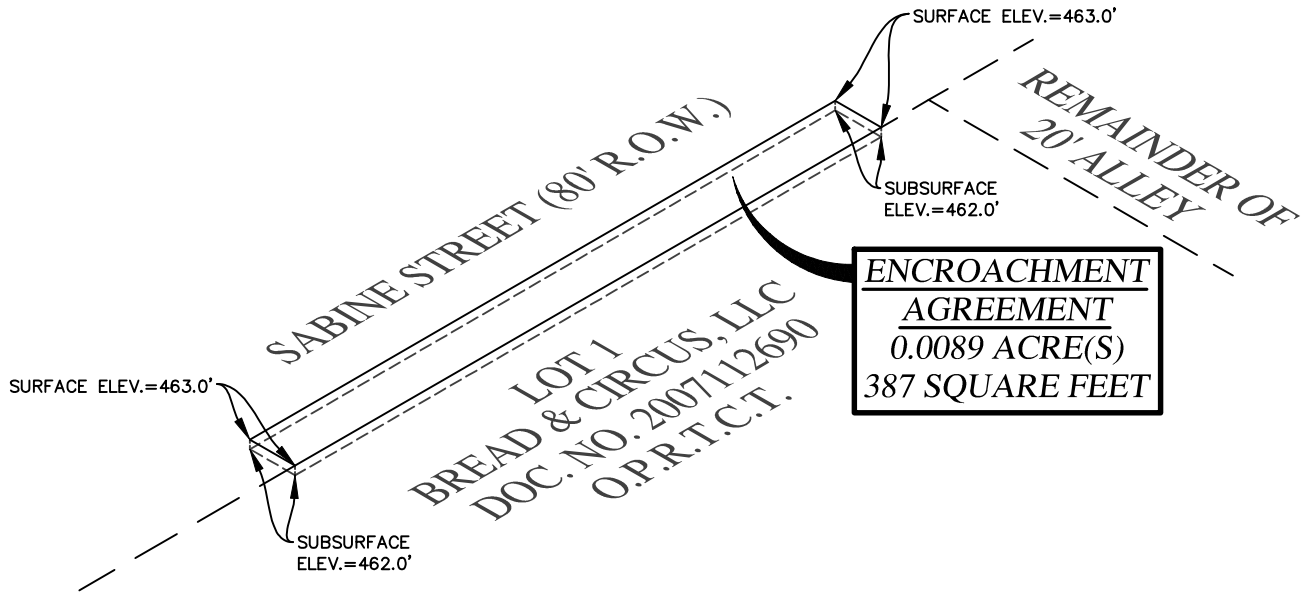
PO Box 90876, Austin Texas 78709  
WWW.4WARDLS.COM (512) 537-2384  
TBPLS FIRM #10174300

Date:	9/8/2020
Project:	00859
Scale:	1" = 20'
Reviewer:	FM
Tech:	TE
Field Crew:	WC/CH
Survey Date:	AUG. 2020
Sheet:	1 OF 3

ABOVE GROUND ELEVATIONS  
NOT TO SCALE



SUBSURFACE ELEVATIONS  
NOT TO SCALE



**0.0089 ACRE  
ENCROACHMENT  
AGREEMENT  
City of Austin, Travis  
County, Texas**

**SUBSURFACE ENCROACHMENT AGREEMENT NOTE:**  
THIS SUBSURFACE ENCROACHMENT AGREEMENT BEGINS AT A SURFACE ELEVATION OF 463.0' (NAVD 88) AND EXTENDS BELOW THE SURFACE TO AN ELEVATION OF 462.0' (NAVD 88).



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Date:	9/8/2020
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Scale:	NTS
Reviewer:	FM
Tech:	TE
Field Crew:	WC/CH
Survey Date:	AUG. 2020
Sheet:	2 OF 3

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S16°31'56"W	5.70'
L2	N73°28'04"W	5.44'
L3	S73°33'06"E	5.54'

## LEGEND

	PROPOSED EASEMENT LINE
	EXISTING PROPERTY LINES
	1/2" IRON ROD WITH "4WARD BOUNDARY" CAP SET
	NAIL FOUND
	CALCULATED POINT
DOC. NO.	DOCUMENT NUMBER
VOL./PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER ORIGINAL CITY OF AUSTIN

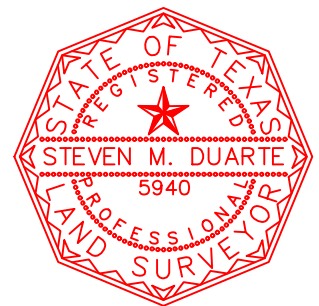
### NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000058321755.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

3) THIS 3D ENCROACHMENT AGREEMENT HAS A VOLUME OF 2,912 CUBIC FEET.

9/8/2020



# 0.0089 ACRE ENCROACHMENT AGREEMENT City of Austin, Travis County, Texas

TCAD # 191635  
COA GRID # J-22



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Sheet:	3 OF 3