

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8811 CULLEN LANE AND 203 RALPH ABLANEDO DRIVE FROM GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT AND COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE (GR-MU) COMBINING DISTRICT.

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 general commercial services-conditional overlay (CS-CO) combining district and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district to community commercial-mixed use (GR-MU) combining district on the property described in Zoning Case No. C14-2020-0139, on file at the Housing and Planning Department, as follows:

Tract 1, E.K. STEGALL SUBDIVISION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 44, Page 42, Plat Records Travis County, Texas, and

A 5.185 acre tract of land in the F.M. Hodges Survey No. 22, Abstract No. 377 in Travis County, Texas, being all of that certain called 5.184 acre tract conveyed to Chris Edward Clearman by Affidavit of Heirship dated October 31, 2017, as recorded in Document No. 2017179148 of the Official Public Records of Travis County, Texas, said 5.184 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (cumulatively referred to as the “Property”),

locally known as 8811 Cullen Lane and 203 Ralph Ablanedo Drive in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “B”**.

PASSED AND APPROVED

§§§

Steve Adler
Mayor

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

5.185 ACRES
F.M. HODGES SURVEY NO. 22
TRAVIS COUNTY, TEXAS

A DESCRIPTION OF A 5.185 ACRE TRACT IN THE F.M. HODGES SURVEY NO. 22, ABSTRACT NO. 377 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 5.184 ACRE TRACT CONVEYED TO CHRIS EDWARD CLEARMAN BY AFFIDAVIT OF HEIRSHIP DATED OCTOBER 31, 2017, AS RECORDED IN DOCUMENT NO. 2017179148 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, FURTHERMORE BEING ALL OF THAT CERTAIN CALLED 5.3 ACRE TRACT CONVEYED TO JOE T. FERRELL, JR. & WIFE, NELDA FERRELL BY DEED DATED SEPTEMBER 23, 1965, AS RECORDED IN VOLUME 3016, PAGE 1553 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 5.185 ACRE TRACT MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch rebar found in the southwesterly right-of-way line of Ralph Ablanado Road (a variable width, dedicated public right-of-way) for the easterly corner of said called 5.184 acre tract and hereof;

THENCE South 21°23'25" West, with the southeasterly line of said called 5.184 acre tract, passing at 10.34 feet a concrete monument found for the northerly corner of Lot 3, Kaleh Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof, as recorded in Volume 48, Page 28 of the Plat Records of Travis County, Texas, and continuing with the dividing line of said called 5.184 acre tract and said Lot 3 a distance of 358.11 feet, for a total distance of **368.45 feet** to a 1/2-inch rebar found for the common southerly corner of said called 5.184 acre tract and said Lot 3, and the southeasterly corner hereof, same being a point in the northerly line of that certain called 2.053 acre tract conveyed to Perfector Javier Salazar, as recorded in Document No. 2001215957 of the Official Public Records of Travis County, Texas, from which a 1-inch rebar found for the southerly corner of Lot 1, said Kaleh Subdivision, bears South 76°00'04" East a distance of 563.26 feet;

THENCE North 75°59'18" West, with the dividing line of said called 5.184 acre tract and said called 2.053 acre tract, a distance of **462.05 feet** to a 1/2-inch iron pipe found for the common westerly corner of said called 5.184 acre tract and said called 2.053 acre tract, and the southwesterly corner hereof, same being a point in the easterly line of Tract One, E.K. Stegall Subdivision, a subdivision in Travis County, Texas, according to the map or

plat thereof, as recorded in Volume 44, Page 42 of the Plat Records of Travis County, Texas, from which a 1/2-inch rebar with "All Points" cap found for the southeasterly corner of said Tract One, bears South 02°26'03" East a distance of 752.33 feet;

THENCE North 02°26'03" West, with the dividing line of said called 5.184 acre tract and said Tract One, a distance of **251.63 feet** to a 1/2-inch rebar found in concrete for the common easterly corner of said Tract One and that certain called 1.2336 acre tract conveyed to Hazy Hills Warehouse 1, LLC, as recorded in Document No. 2014137061 of the Official Public Records of Travis County, Texas, and being an angle point in the westerly line hereof, from which a 1/2-inch rebar found for the original northwesterly corner of said Tract One and the southwesterly corner of said called 1.2336 acre tract, bears North 87°21'45" East a distance of 256.98 feet;

THENCE North 02°38'47" West, a distance of **216.40 feet** to a 1/2-inch rebar found in the right-of-way line of said Ralph Ablanado Road for the common northerly corner of said 5.184 acre tract and said 1.2336 acre tract, and being the northwesterly corner hereof, from which a 1/2-inch rebar found for a point of tangency in the northerly line of said 1.2336 acre tract, bears with a curve to the left, having a radius of 533.69 feet, an arc length of 125.86 feet and a chord, which bears North 85°46'00" West a distance of 125.57 feet;

THENCE with a curve to the right, having a radius of 533.69 feet, an arc length of 105.12 feet and a chord, which bears **South 73°12'51" East**, a distance of **104.95 feet** to a 1/2-inch rebar found for a point of tangency in the northeasterly line hereof;

THENCE South 67°43'06" East, a distance of **543.46 feet** to the **POINT OF BEGINNING**, containing **5.185 acres** of land, more or less.

Surveyed on the ground October 27, 2020. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User Service (OPUS).

Attachments: Drawing 1358-004-TI2.dwg

Paul J. Flugel 11-05-2020

Paul J. Flugel, RPLS
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500



REFERENCES
TCAD ID NO. 513042
MAPSCO GRID MG14

AN ALTA/NSPS LAND TITLE SURVEY OF 5.185 ACRES OUT OF THE F.M. HODGES SURVEY NO. 22, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 5.184 ACRE TRACT CONVEYED TO CHRIS EDWARD CLEARMAN IN AN AFFIDAVIT OF HEIRSHIP DATED OCTOBER 31, 2017 AND RECORDED IN DOCUMENT NO. 2017179148 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

LEGAL DESCRIPTION:

A DESCRIPTION OF A 5.185 ACRE TRACT IN THE F.M. HODGES SURVEY NO. 22, ABSTRACT NO. 377 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN CALLED 5.184 ACRE TRACT CONVEYED TO CHRIS EDWARD CULBERTSON BY DEED DATED OCTOBER 31, 2017, AS RECORDED IN DOCUMENT NO. 2017179148 OF THE PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, FURTHERMORE BEING ALL OF THAT CERTAIN CALLED 5.3 ACRE TRACT CONVEYED TO JOYCE FERRELL, JR. & WIFE, NELDA FERRELL BY DEED DATED SEPTEMBER 23, 1965, AS RECORDED IN VOLUME 30, PAGE 1553 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS. SAID 5.185 ACRE TRACT MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch rebar found in the southwesterly right-of-way line of Ralph Ablanedo Road (a variable width, dedicated public right-of-way) for the easterly corner of said called 5.184 acre tract and hereof;

THENCE South 21°23'23" West, with the southeasterly line of said called 5.184 acre tract, passing at 10.34 feet a concrete monument found for the northerly corner of Lot 3, Kiah Subdivision, of said subdivision in Travis County, Texas, according to the map or plat thereof, as recorded in Volume 48, of the Public Official Records of Travis County, Texas, and continuing with the dividing line of said called 5.184 acre tract and said Lot 3 a distance of 558 feet, then with the dividing line of said 10.34 feet to a 1/2-inch rebar found for the common southerly corner of said called 5.184 acre tract and said Lot 3, Kiah Subdivision, of said subdivision in Travis County, Texas, and continuing with the dividing line of said certain called 2.053 acre tract and said Lot 3 a distance of 563.26 feet, then with the dividing line of said 2001219597 of the Official Public Records of Travis County, Texas, from which a 1-inch rebar found for the northerly corner of Lot 1, said Kiah Subdivision, bears South 76°00'04" East a distance of 563.26 feet.

THENCE North 75°59'18" West, with the dividing line of said called 5.184 acre tract and said called 2.053 acre tract, a distance of 462.05 feet to a 1/2-inch iron pipe found for the common westerly corner of said called 5.184 acre tract and said called 2.053 acre tract, and the southerly corner hereof, same being a point in the easterly line of Plat One, E.K. Stetzel Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof, as recorded in Volume 44, Page 42 of the Plat Records of Travis County, Texas, from which a 1/2-inch-iron stake with 'All Points' cap found for the southerly corner of said Plat One, bears South 02°26'03 East a distance of 752.33 feet;

THENCE North 02°26'03" West, with the dividing line of said called 5.184 acre tract and said Tract One, a distance of 251.63 feet to a 1/2-inch rebar found in concrete for the common easterly corner of said Tract One and that certain called 1.2336 acre tract conveyed to Hazy Hills Warehouse 1, LLC, as recorded in Document No. 2014-0137061 of the Official Public Records of Travis County, Texas, and being an angle point in the westerly line hereof, from which a 1/2-inch rebar found for the original northwesterly corner of said Tract One and the southwesterly corner of said called 1.2336 acre tract, bears North 87°21'45" East a distance of 256.98 feet;

THENCE North 02°38'47" West, a distance of 216.40 feet to a 1/2-inch rebar found in the right-of-way line of said Ralph Ablanedo Road for the common northerly corner of said 5.184 acre tract and said 1.2336 acre tract, and being the northwesterly corner hereof, from which a 1/2-inch rebar found for a point of tangency in the northerly line of said 1.2336 acre tract, bears with a curve to the left, having a radius of 533.69 feet, an arc length of 125.86 feet and a chord, which bears North 85°46'00" West a distance of 125.57 feet;

THENCE with a curve to the right, having a radius of 533.69 feet, an arc length of 105.12 feet and a chord, which bears South 73°12'51" East, a distance of 104.95 feet to a 1/2-inch rebar found for a point of tangency in the northeasterly line hereof;

THENCE South 67°43'06" East, a distance of 543.46 feet to the POINT OF BEGINNING, containing 5.185 acres of land, more or less.

TITLE COMMITMENT NOTE:

COMMITMENT FOR TITLE INSURANCE PREPARED BY:

First American Title Insurance Company

G.F. No.: 2302251T Effective Date: 09/17/20 Issued: 09/29/20

The surveyor has relied upon the referenced Commitment for Title regarding easements, restrictions, and other matters affecting this property. No additional research was done for the purpose of this survey. Items listed are worded according to the commitment, followed by surveyor's notes and/or observations.

Schedule "B" items contained therein and re-listed below were considered:

1) Restrictive Covenants: INTENTIONALLY DELETED

10e) Terms, conditions and stipulations contained in Memorandum of Agreement, executed by and between Chris Edward Clearman, and FRH Realty LLC, a Delaware limited liability company, dated September 21, 2020, filed September 22, 2020, recorded in/under Clerk's File No. 2020174818 of the Real Property Records of Travis County, Texas. -- **Subject to.**

FLOOD-PLAIN NOTE:

The tract shown hereon lies within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain), as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map no. 48453C0595K, dated January 1, 2020, for Travis County, Texas and incorporated areas. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

ALTA/NSPS SURVEY NOTES:

(Table A, Item 7b1)
Square footage of buildings, if shown, is based on the outside, ground floor footprint. Unless noted otherwise, the surveyor has not accessed the inside of the building for measurement purposes.

GENERAL SURVEY NOTES:

PROPERTY ADDRESS: 203 Ralph Ablanedo Road Austin Texas 78748

ATTACHMENTS: 1358-004-5.185 AC

SURVEYOR'S CERTIFICATE:

CERTIFIED TO:

The heirs and devisees for the Estate of Joe T. Ferrell, Jr. and wife Nelda Ferrell
FRH Realty LLC, a Delaware limited liability company
First American Title Insurance Company
Title Partners

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 7a, 7b1, 8, 13 & 14 of Table A thereof.


The field work was completed on, October 27, 2020.

Paul J. Fluegel 11-05-2020

Paul J. Flugel Date
Registered Professional Land Surveyor
State of Texas No. 5096

Registered Professional Land Surveyor
State of Texas No. 5096

	
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Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping
3500 McCall Lane
Austin, Texas 78744
512-443-1724
Firm No. 10124500

PROJECT NO.:
1358-004
DRAWING NO.:
1358-004-TI2
PLOT DATE:
11/05/20
PLOT SCALE:
1"=30'
DRAWN BY:
PAQ

SHEET
01 OF 01

