

ORDINANCE NO. 20210408-004

AN ORDINANCE VACATING THREE TRACTS OF AERIAL RIGHT-OF-WAY TOTALING APPROXIMATELY 1,769 SQUARE FEET, SITUATED IN A PORTION OF A 20-FOOT-WIDE ALLEY OFF RIVER STREET, BETWEEN RAINEY STREET AND EAST AVENUE, THE FIRST BEING APPROXIMATELY 914 SQUARE FEET, ADJOINING THE PARCEL LOCALLY KNOWN AS 60 EAST AVENUE AND BEING VACATED TO RIVER STREET PARTNERS, LLC; THE SECOND BEING APPROXIMATELY 502 SQUARE FEET, ADJOINING THE PARCEL LOCALLY KNOWN AS 61 RAINEY STREET AND BEING VACATED TO 61 RAINEY STREET, LLC; AND THE THIRD BEING APPROXIMATELY 353 SQUARE FEET, ADJOINING THE PARCEL LOCALLY KNOWN AS 69 RAINEY STREET, AND BEING VACATED TO 69 RAINEY STREET, LLC.

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

PART 1. Council approves the vacation of three tracts of aerial right-of-way totaling approximately 1,769 square feet, situated in a portion of a 20-foot-wide alley off River Street, between Rainey Street and East Avenue, the first being approximately 914 square feet, adjoining the parcel locally known as 60 East Avenue and being vacated to River Street Partners, LLC, the second being approximately 502 square feet, adjoining the parcel locally known as 61 Rainey Street, and being vacated to 61 Rainey Street, LLC, and the third being approximately 353 square feet, adjoining the parcel locally known as 69 Rainey Street, and being vacated to 69 Rainey Street, LLC, all as described in Exhibit A, which is attached to and incorporated as part of this ordinance.

PART 2. River Street Partners, LLC, 61 Rainey Street, LLC, and 69 Rainey Street, LLC, have posted funds with the City in the amount of \$574,934, which is the appraised fair market value of the interests in the land being vacated, and these funds will be deposited upon the recording of the deed conveying the vacated right-of-way.

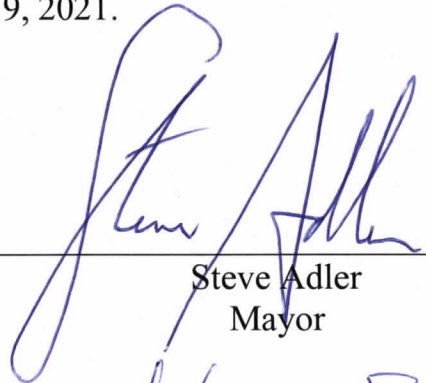
PART 3. A public utility easement is reserved from the vacation by the City.

PART 4. This ordinance takes effect on April 19, 2021.

PASSED AND APPROVED


____ April 8 _____, 2021

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§
§

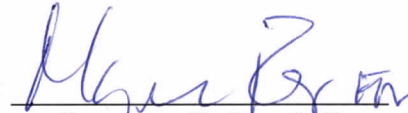


Steve Adler
Mayor

APPROVED:


Anne L. Morgan
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk



EXHIBIT “A”

(PARTIAL VACATION OF ALLEY)

(PAGE 1 OF 4)

LEGAL DESCRIPTION

FIELDNOTES for a 0.021 of an acre (± 914 square feet) tract situated in a portion of an alley (20 feet wide), evidenced by found monumentation and DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 & 73, DIVISION E, AUSTIN TEXAS, an addition in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 1, Page 22, of the Plat Records of Travis County, Texas (P.R.T.C.T.); the subject tract being more particularly described as follows:

BEGINNING at a 1/2 inch rebar found in the apparent north right of way (ROW) of River Street, a 60 feet wide right-of-way evidenced by found monumentation, (River Street cited as having been relocated by City Council Ordinance recorded in Volume 85, Page 62, of the Deed Records of Travis County, Texas (document illegible), and as referenced by Instrument Numbers 2011169769 and 20100134909, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.)), and being at the southwest corner of a tract of land described in a Special Warranty Deed with Vendor's Lien to River Street Partners, LLC, a Texas limited liability company, as recorded under Instrument Numbers 2020009096 and 2020009097, of said O.P.R.T.C.T. (hereinafter referred to as River Partners tract), having Texas State Plane Grid (Texas Central Zone, NAD83) coordinate values of N=10,067,041.46, E=3,115,746.04;

THENCE NORTH 73° 39' 44" WEST, along the north right-of-way line of said River Street and the south line of said alley, a distance of 10.00 feet to a Mag nail with a metal washer stamped "JPH Land Surveying" set;

THENCE through the interior of said alley, the following bearings and distances:

1. NORTH 16° 10' 31" EAST, a distance of 91.40 feet to a Mag nail with a metal washer stamped "JPH Land Surveying" set;

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785 Lonesome Dove Trail
Hurst, Texas 76054
(817)431-4971
Firm #10019500

Austin

1516 E. Palm Valley Blvd., Ste. A4
Round Rock, Texas 78664
(512)778-5688
Firm #10194073

Abilene

500 Chestnut Street, Suite 702
Abilene, Texas 79602
(325)672-7420
Firm #10193867

(PAGE 2 OF 4)

2. SOUTH 73° 49' 29" EAST, a distance of 10.00 feet to a 1/2 rebar found on the east line of said alley, at the northwest corner of said River Partners tract;

THENCE SOUTH 16° 10' 31" WEST, along the east line of said alley and the west line of said River Partners tract, a distance of 91.43 feet to the **POINT OF BEGINNING** enclosing 0.021 of an acre (±914 square feet).

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83)

Sketch to accompany this legal description

Witness my hand this (To the City of Austin):

I, Cole Strevey, licensed to practice Land Surveying in the State of Texas, hereby certify that the foregoing metes and bounds description and sketch were based on an on the ground survey.

Witness my hand and seal this date January 12, 2021.



FIELD NOTES REVIEWED
BY: [Signature] DATE: 03/02/21
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

REFERENCES
AUSTIN GRID J-21

Dallas-Fort Worth
785 Lonesome Dove Trail
Hurst, Texas 76054
(817)431-4971
Firm #10019500

Austin
1516 E. Palm Valley Blvd., Ste. A4
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Abilene
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Abilene, Texas 79602
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EXHIBIT " " "

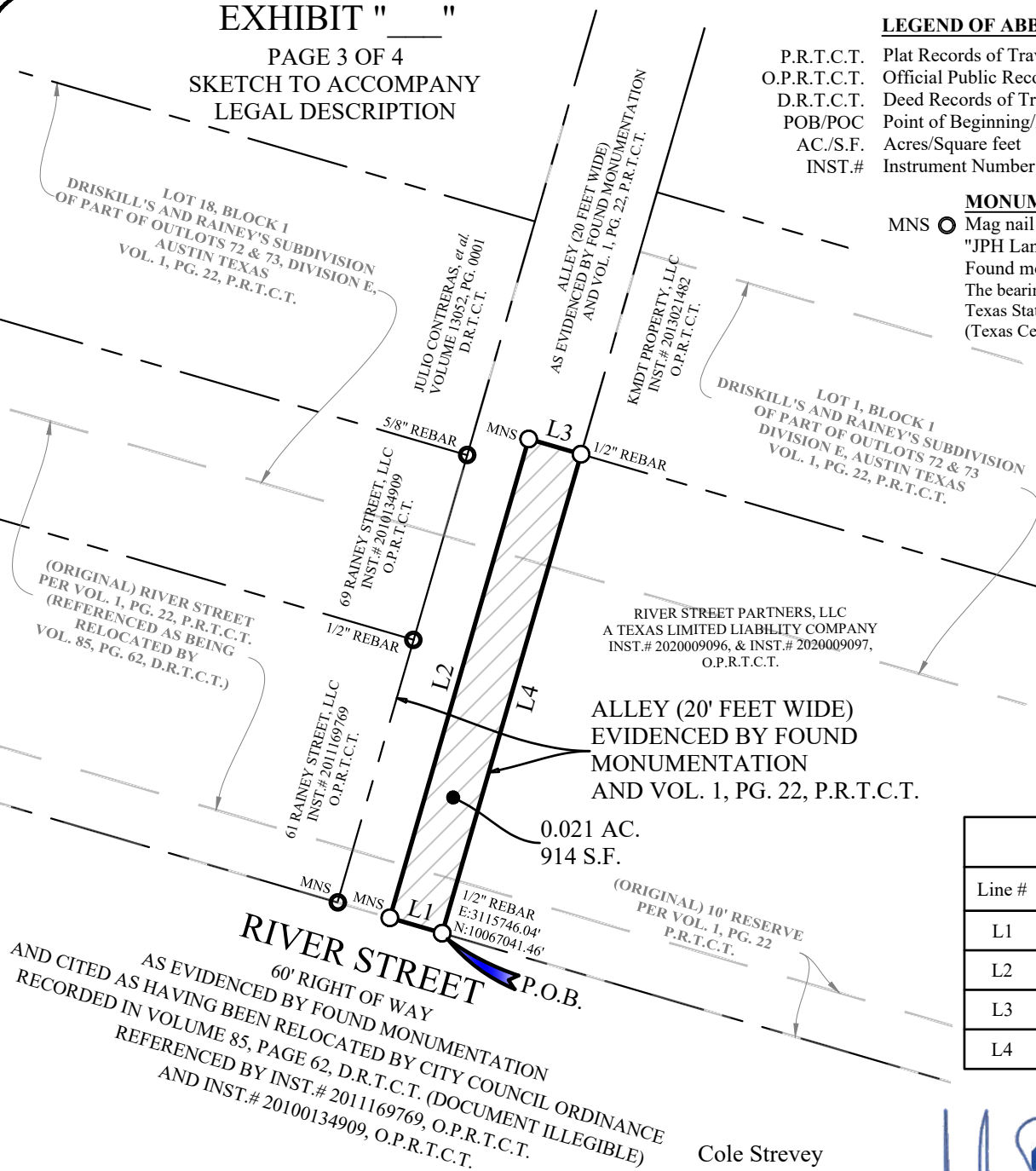
PAGE 3 OF 4
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

LEGEND OF ABBREVIATIONS

P.R.T.C.T. Plat Records of Travis County, Texas
O.P.R.T.C.T. Official Public Records of Travis County, Texas
D.R.T.C.T. Deed Records of Travis County, Texas
POB/POC Point of Beginning/Point of Commencing
AC./S.F. Acres/Square feet
INST.# Instrument Number

MONUMENTS / BEARING BASIS

MNS ○ Mag nail & washer stamped
"JPH Land Surveying" set
Found monuments are as noted
The bearings shown hereon are
Texas State Plane Grid bearings
(Texas Central Zone, NAD83).



Line Data Table		
Line #	Distance	Bearing
L1	10.00'	N73°39'44"W
L2	91.40'	N16°10'31"E
L3	10.00'	S73°49'29"E
L4	91.43'	S16°10'31"W

Cole Strevey
Registered Professional
Land Surveyor No. 6731
cole@jphls.com
January 12, 2021

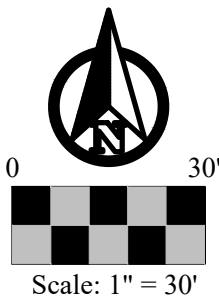
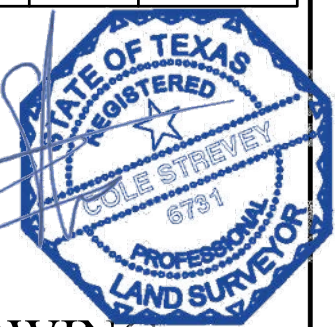


EXHIBIT SHOWING 914 SQUARE FEET

BEING A PORTION OF
AN ALLEY (20' WIDE)

DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 & 73

CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

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SF Boundary.dwg
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TBPLS Firm #10019500 #10194073 #10193867
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EXHIBIT " " "

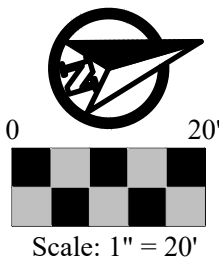
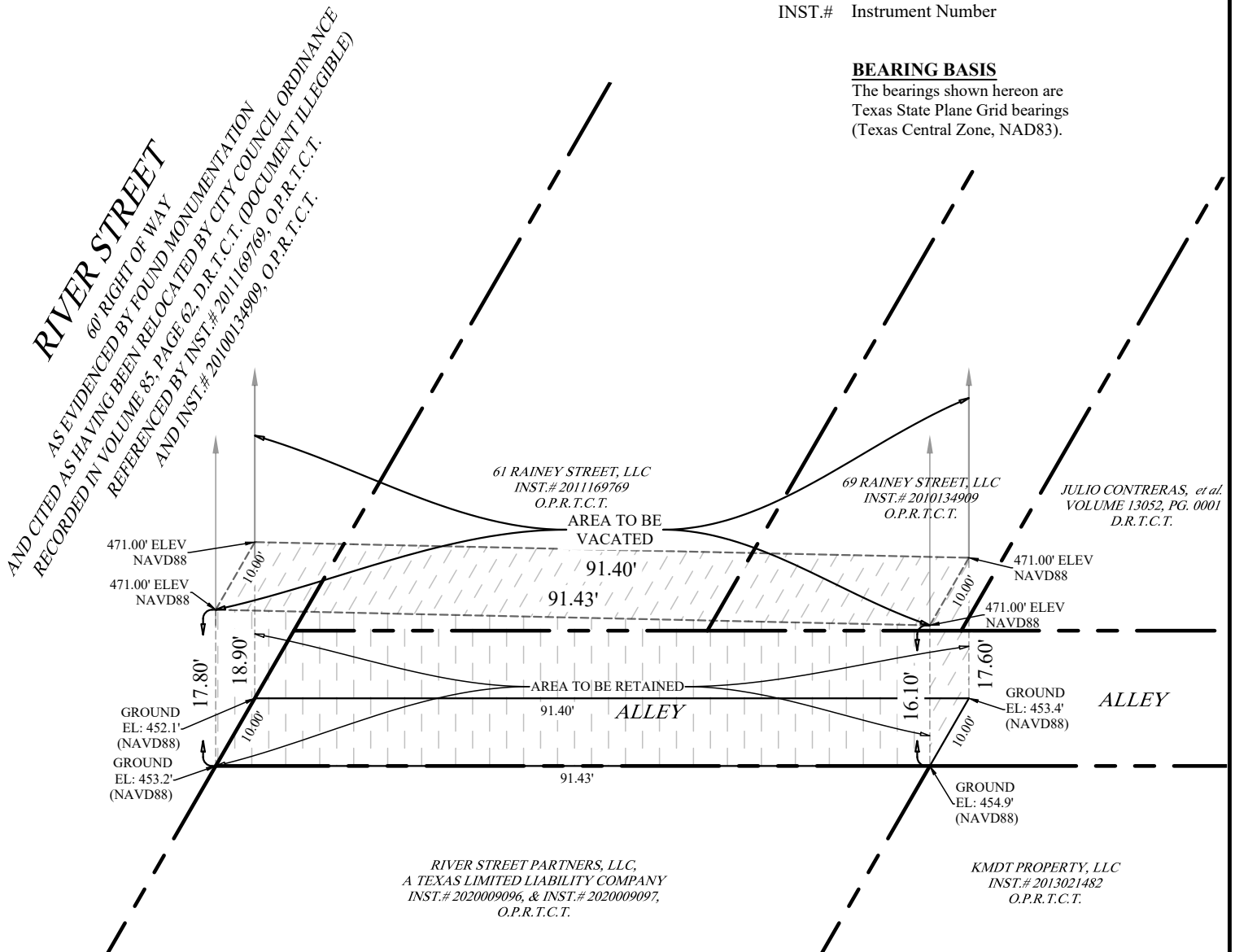
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D.R.T.C.T.	Deed Records of Travis County, Texas
POB/POC	Point of Beginning/Point of Commencing
AC./S.F.	Acres/Square feet
INST.#	Instrument Number

BEARING BASIS

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EXHIBIT
BEING A PORTION OF
AN ALLEY (20' WIDE)
DRISKILL'S AND RAINEY'S
SUBDIVISION OF PART OF
OUTLOTS 72 & 73
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS



EXHIBIT “___”

(PARTIAL VACATION OF ALLEY)

(PAGE 1 OF 4)

LEGAL DESCRIPTION

FIELDNOTES for a 0.012 of an acre (± 502 square feet) tract situated in a portion of an alley (20 feet wide), evidenced by found monumentation and DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 & 73, DIVISION E, AUSTIN TEXAS, an addition in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 1, Page 22, of the Plat Records of Travis County, Texas (P.R.T.C.T.); the subject tract being more particularly described as follows:

COMMENCING at a 1/2 inch rebar found in the apparent north right of way (ROW) of River Street, a 60 feet wide right-of-way evidenced by found monumentation, (River Street cited as having been relocated by City Council Ordinance recorded in Volume 85, Page 62, of the Deed Records of Travis County, Texas (document illegible), and as referenced by Instrument Numbers 2011169769 and 20100134909, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.)), and being at the southwest corner of a tract of land described in a Special Warranty Deed with Vendor's Lien to River Street Partners, LLC, a Texas limited liability company, as recorded under Instrument Numbers 2020009096 and 2020009097, of said O.P.R.T.C.T. (hereinafter referred to as River Partners tract), having Texas State Plane Grid (Texas Central Zone, NAD83) coordinate values of N=10,067,041.46, E=3,115,746.04, **THENCE** NORTH 73° 39' 44" WEST, along the north right-of-way line of said River Street and the south line of said alley, a distance of 10.00 feet to a Mag nail with a metal washer stamped "JPH Land Surveying" set at the **POINT OF BEGINNING**;

THENCE NORTH 73° 39' 44" WEST, continuing with the north right-of-way line of said River Street and the south line of said alley, a distance of 10.00 feet to a Mag nail with a metal washer stamped "JPH Land Surveying" set at the southeast corner of a tract of land described in a General Warranty Deed Correction Affidavit to 61 Rainey Street, LLC (hereinafter referred to as 61 Rainey tract), as recorded under Instrument Number 2011169769, said O.P.R.T.C.T.;

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Abilene

500 Chestnut Street, Suite 702
Abilene, Texas 79602
(325)672-7420
Firm #10193867

(PAGE 2 OF 4)

THENCE NORTH 16° 10' 31" EAST, along the east line of said 61 Rainey tract and the west line of said alley, a distance of 50.15 feet to a 1/2 inch rebar found at the easterly common corner of said 61 Rainey tract and a tract of land described in a General Warranty Deed with Vendor's Lien to 69 Rainey Street, LLC (hereinafter referred to as 69 Rainey tract), as recorded in Instrument Number 2010134909, said O.P.R.T.C.T;

THENCE through the interior of said alley, the following bearings and distances:

1. SOUTH 73° 47' 44" EAST, a distance of 10.00 feet to a Mag nail with a metal washer stamped "JPH Land Surveying" set;
2. SOUTH 16° 10' 31" WEST, a distance of 50.17 feet to the **POINT OF BEGINNING** enclosing 0.012 of an acre (± 502 square feet).

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83)

Legal description to accompany a sketch

Witness my hand this (To the City of Austin):

I, Cole Strevey, licensed to practice Land Surveying in the State of Texas, hereby certify that the foregoing metes and bounds description and sketch were based on an on the ground survey.

Witness my hand and seal this date January 12, 2021.



FIELD NOTES REVIEWED
BY: [Signature] DATE: 03/02/21
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

REFERENCES
AUSTIN GRID J-21

Dallas-Fort Worth
785 Lonesome Dove Trail
Hurst, Texas 76054
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Firm #10019500

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EXHIBIT " " "

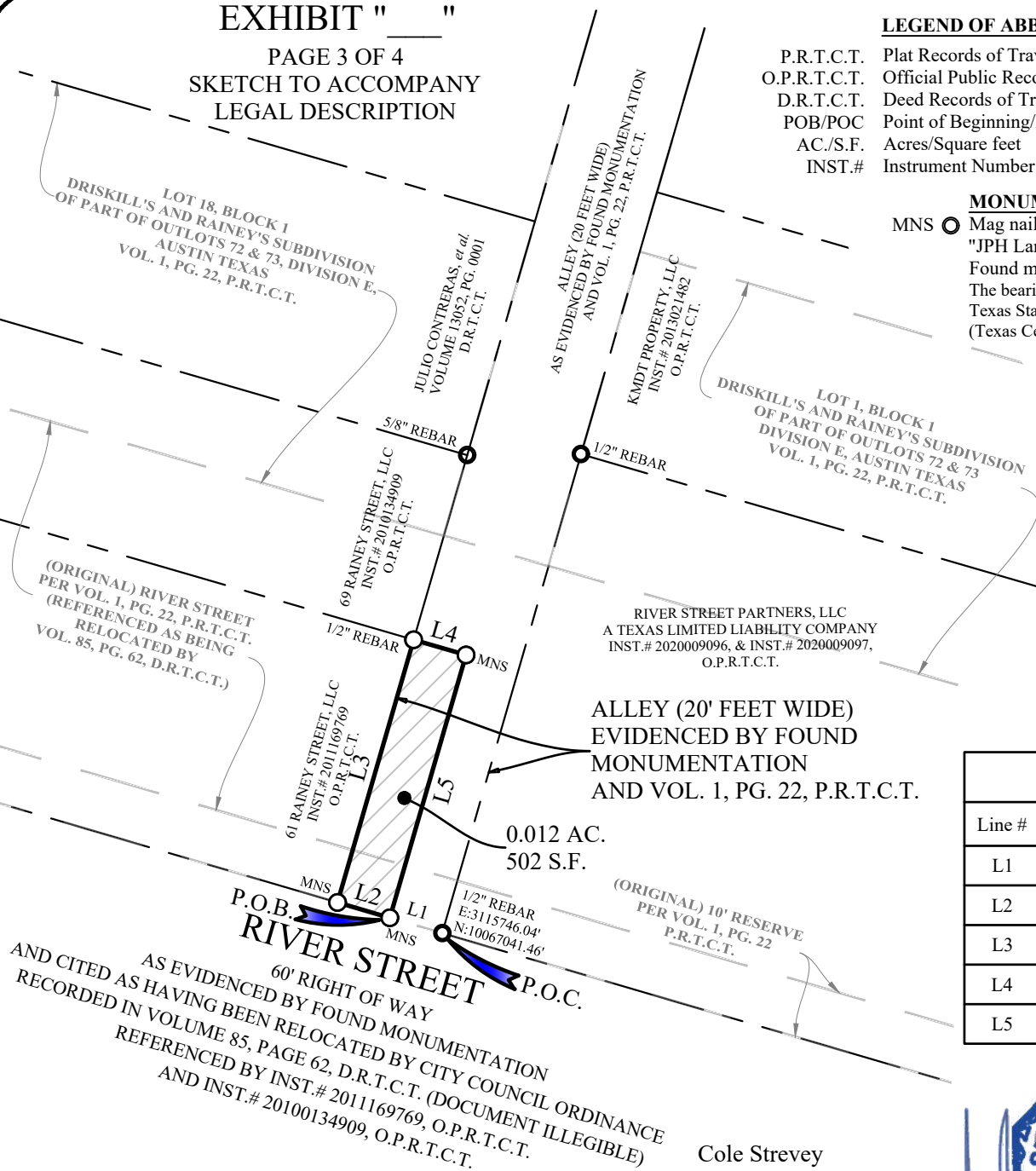
PAGE 3 OF 4
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

LEGEND OF ABBREVIATIONS

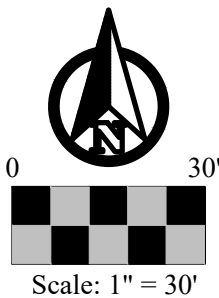
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POB/POC Point of Beginning/Point of Commencing
AC./S.F. Acres/Square feet
INST.# Instrument Number

MONUMENTS / BEARING BASIS

MNS ○ Mag nail & washer stamped
"JPH Land Surveying" set
Found monuments are as noted
The bearings shown hereon are
Texas State Plane Grid bearings
(Texas Central Zone, NAD83).



Line Data Table		
Line #	Distance	Bearing
L1	10.00'	N73°39'44"W
L2	10.00'	N73°39'44"W
L3	50.15'	N16°10'31"E
L4	10.00'	S73°47'44"E
L5	50.17'	S16°10'31"W



Cole Strevey
Registered Professional
Land Surveyor No. 6731
cole@jphls.com
January 12, 2021



EXHIBIT SHOWING 502 SQUARE FEET

BEING A PORTION OF
AN ALLEY (20' WIDE)

DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 & 73

CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

JPH Job No.
2016.069.006 60 East Avenue, Austin, Travis County, TX - 502
SF Boundary.dwg
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TBPLS Firm #10019500 #10194073 #10193867
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EXHIBIT " " "

PAGE 4 OF 4
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

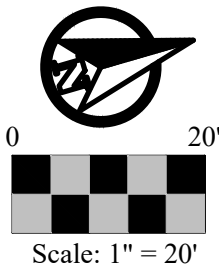
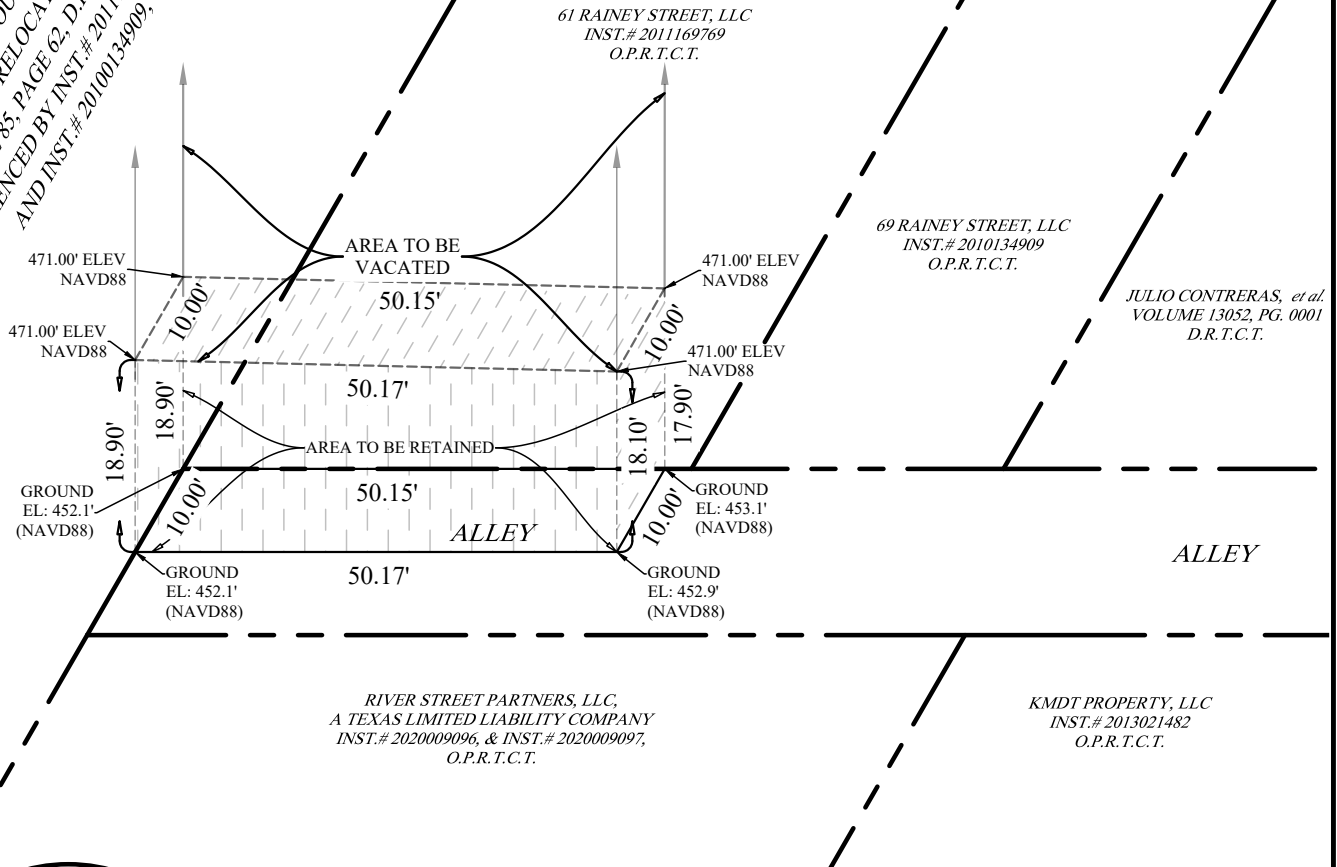
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POB/POC	Point of Beginning/Point of Commencing
AC./S.F.	Acres/Square feet
INST.#	Instrument Number

BEARING BASIS

The bearings shown hereon are
Texas State Plane Grid bearings
(Texas Central Zone, NAD83).

RIVER STREET
60' RIGHT OF WAY
AS EVIDENCED BY FOUND MONUMENTATION
AND CITED AS HAVING BEEN RELOCATED BY CITY COUNCIL ORDINANCE
RECORDED IN VOLUME 85, PAGE 62, D.R.T.C.T. (DOCUMENT ILLEGIBLE)
AND INST.# 2011169769, O.P.R.T.C.T.
AND INST.# 20100134909, O.P.R.T.C.T.



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EXHIBIT
BEING A PORTION OF
AN ALLEY (20' WIDE)
DRISKILL'S AND RAINEY'S
SUBDIVISION OF PART OF
OUTLOTS 72 & 73
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS



EXHIBIT “___”

(PARTIAL VACATION OF ALLEY)

(PAGE 1 OF 4)

LEGAL DESCRIPTION

FIELDNOTES for a 0.008 of an acre (± 353 square feet) tract situated in a portion of an alley (20 feet wide), evidenced by found monumentation and DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 & 73, DIVISION E, AUSTIN TEXAS, an addition in the City of Austin, Travis County, Texas, according to the plat recorded in Volume 1, Page 22, of the Plat Records of Travis County, Texas (P.R.T.C.T.); the subject tract being more particularly described as follows:

COMMENCING at a 1/2 inch rebar found in the apparent north right of way (ROW) of River Street, a 60 feet wide right-of-way evidenced by found monumentation, (River Street cited as having been relocated by City Council Ordinance recorded in Volume 85, Page 62, of the Deed Records of Travis County, Texas (document illegible), and as referenced by Instrument Numbers 2011169769 and 20100134909, of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.)), and being at the southwest corner of a tract of land described in a Special Warranty Deed with Vendor's Lien to River Street Partners, LLC, a Texas limited liability company, as recorded under Instrument Numbers 2020009096 and 2020009097, of said O.P.R.T.C.T. (hereinafter referred to as River Partners tract), having Texas State Plane Grid (Texas Central Zone, NAD83) coordinate values of N=10,067,041.46, E=3,115,746.04; **THENCE** NORTH $73^{\circ} 39' 44''$ WEST, along the north right-of-way line of said River Street and the south line of said alley, a distance of 20.00 to a Mag nail with a metal washer stamped "JPH Land Surveying" set at the southeast corner of a tract of land described in a General Warranty Deed Correction Affidavit to 61 Rainey Street, LLC (hereinafter referred to as 61 Rainey tract), as recorded under Instrument Number 2011169769, said O.P.R.T.C.T., **THENCE** NORTH $16^{\circ} 10' 31''$ EAST, along the east line of said 61 Rainey tract and the west line of said alley, a distance of 50.15 feet to a 1/2 inch rebar found at an easterly common corner of said 61 Rainey tract and a tract of land described in a General Warranty Deed with Vendor's Lien to 69 Rainey Street, LLC (hereinafter referred to as 69 Rainey tract), as recorded in Instrument Number 2010134909, O.P.R.T.C.T., at the **POINT OF BEGINNING**;

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500 Chestnut Street, Suite 702
Abilene, Texas 79602
(325)672-7420
Firm #10193867

(PAGE 2 OF 4)

THENCE NORTH 16° 10' 31" EAST, along the east line of said 69 Rainey tract and the west line of said alley, a distance of 35.25 feet to a 5/8 inch rebar found;

THENCE through the interior of said alley, the following bearings and distances:

1. SOUTH 73° 47' 44" EAST, a distance of 10.00 feet to a MAG nail with a washer stamped "JPH Land Surveying" set;
2. SOUTH 16° 10' 31" WEST, a distance of 35.25 feet to a MAG nail with a washer stamped "JPH Land Surveying" set;
3. NORTH 73° 47' 44" WEST, a distance of 10.00 feet to the **POINT OF BEGINNING** enclosing 0.008 of an acre (± 353 square feet).

BEARING BASIS NOTE

The bearings described herein are Texas State Plane Grid bearings (Texas Central Zone, NAD83)

Sketch to accompany this legal description

Witness my hand this (To the City of Austin):

I, Cole Strevey, licensed to practice Land Surveying in the State of Texas, hereby certify that the foregoing metes and bounds description and sketch were based on an on the ground survey.

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FIELD NOTES REVIEWED
BY: [Signature] DATE: 03/02/21
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

REFERENCES
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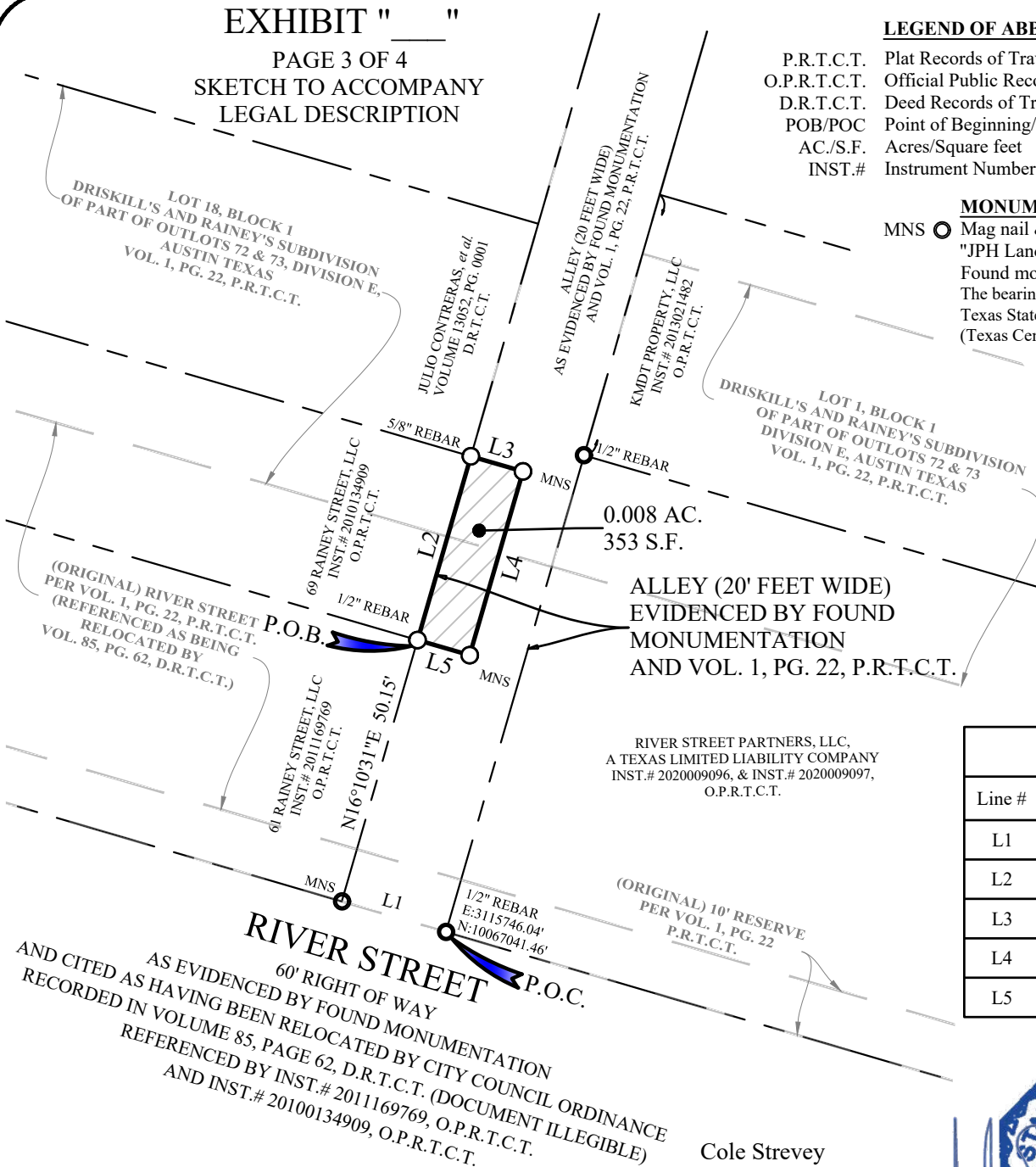
PAGE 3 OF 4
SKETCH TO ACCOMPANY
LEGAL DESCRIPTION

LEGEND OF ABBREVIATIONS

P.R.T.C.T. Plat Records of Travis County, Texas
O.P.R.T.C.T. Official Public Records of Travis County, Texas
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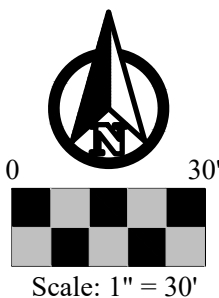
MONUMENTS / BEARING BASIS

MNS  Mag nail & washer stamped
"JPH Land Surveying" set
Found monuments are as noted
The bearings shown hereon are
Texas State Plane Grid bearings
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Line Data Table

Line #	Distance	Bearing
L1	20.00'	N73°39'44"W
L2	35.25'	N16°10'31"E
L3	10.00'	S73°47'44"E
L4	35.25'	S16°10'31"W
L5	10.00'	N73°47'44"W



Cole Strevey
Registered Professional
Land Surveyor No. 6731
cole@jphls.com
January 12, 2021



EXHIBIT SHOWING 353 SQUARE FEET

BEING A PORTION OF
AN ALLEY (20' WIDE)

DRISKILL'S AND RAINEY'S SUBDIVISION OF PART OF OUTLOTS 72 & 73

CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

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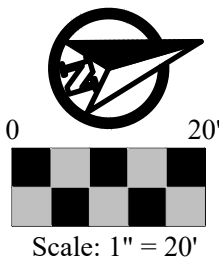
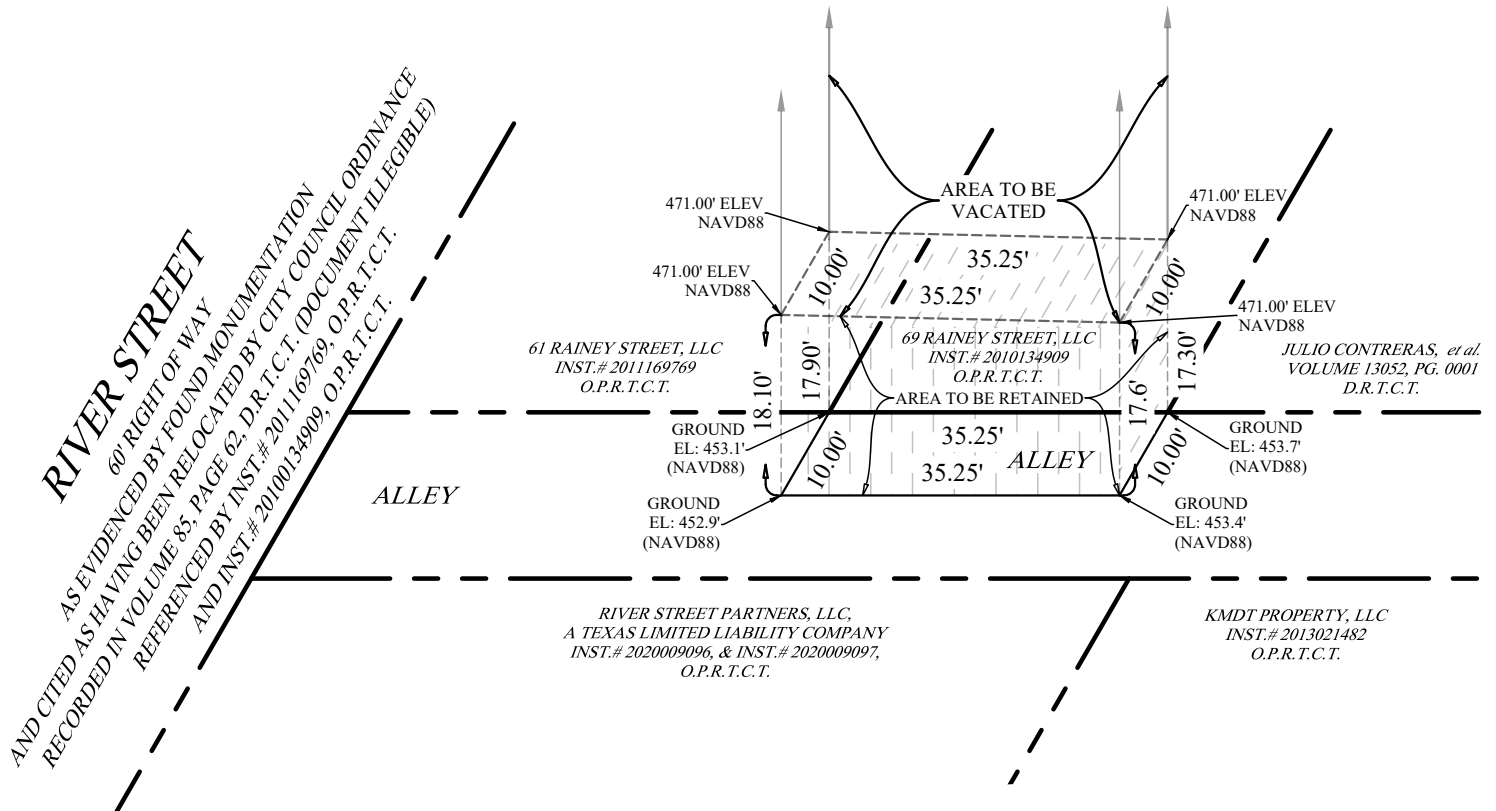
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POB/POC	Point of Beginning/Point of Commencing
AC./S.F.	Acres/Square feet
INST.#	Instrument Number
EL	Elevation

BEARING BASIS

The bearings shown hereon are
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SF Boundary.dwg
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EXHIBIT
BEING A PORTION OF
AN ALLEY (20' WIDE)
DRISKILL'S AND RAINEY'S
SUBDIVISION OF PART OF
OUTLOTS 72 & 73
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS