

ORDINANCE NO. 050210-9

AN ORDINANCE DEDICATING AN EASEMENT TO THE STATE OF TEXAS FOR AN EXISTING FIBER OPTIC LINE SERVING A NUMBER OF STATE AGENCIES.

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

PART 1. The Council dedicates a 7,248 square foot easement to the State of Texas for an existing fiber optic line on three sections of existing public rights-of-way for Guadalupe Street and 45th Street as described in Exhibit A attached to and incorporated as part of this ordinance, in connection with the development project known as the Triangle Square Project.

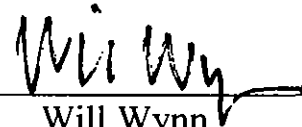
PART 2. Council authorizes the city manager to negotiate and execute all documents necessary to dedicate the easement described in Exhibit A to the State of Texas.

PART 3. This ordinance takes effect on February 21, 2005.

PASSED AND APPROVED

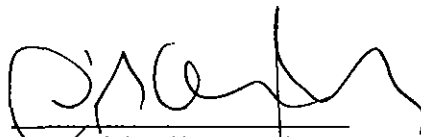
February 10, 2005

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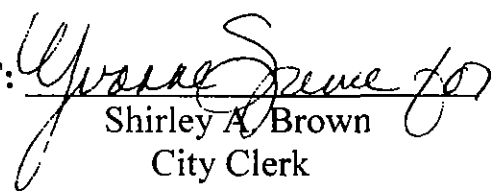
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

EXHIBIT "A"

CITY OF AUSTIN
TO PERMANENT SCHOOL FUND
(FIBER OPTIC LINE EASEMENT)

7,248 SQUARE FEET
PORTIONS OF GUADALUPE STREET
AND WEST 45TH STREET RIGHTS-OF-WAY

FN. NO. 04-488 (MJJ)
DECEMBER 3, 2004
BPI JOB NO. 368-31

DESCRIPTION

OF 7,248 SQUARE FEET OF LAND OUT OF THE THOMAS GRAY SURVEY ABSTRACT NO. 310 AND THE JAMES ROGERS SURVEY, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE GUADALUPE STREET (100' R.O.W.) AND THE WEST 45TH STREET (R.O.W. VARIES) RIGHTS-OF-WAY; SAID 7,248 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED IN THREE (3) PARTS BY METES AND BOUNDS AS FOLLOWS:

PART 1 - 1,504 SQUARE FEET

COMMENCING, at a brass disc found in concrete at the intersection of the westerly line of Guadalupe Street (100' R.O.W.) with the easterly line of Lamar Boulevard (100' R.O.W.), being the northernmost corner of that certain 15.546 acre tract of land called "Tract 1B" having been conveyed to the Permanent School Fund by deed of record in Document No. 2004057397 of the Official Public Records of Travis County, Texas;

THENCE, along the westerly line of Guadalupe Street, being a portion of the easterly line of said "Tract 1B", the following two (2) courses and distances:

- 1) Along a curve to the left having a radius of 1202.30 feet, a central angle of $10^{\circ}31'19''$, an arc length of 220.79 feet and a chord which bears $S07^{\circ}58'59''W$, a distance of 220.48 feet to a brass disc in concrete found for the end of said curve;
- 2) $S02^{\circ}45'07''W$, a distance of 1244.61 feet to the POINT OF BEGINNING, and northwesterly corner hereof;

THENCE, $N88^{\circ}59'10''E$, leaving the westerly line of Guadalupe Street, over and across the Guadalupe Street right-of-way, for the northerly line hereof, a distance of 100.29 feet to a point in the easterly line of Guadalupe Street, for the northeasterly corner hereof, from which a 1/2 inch iron rod found in the easterly line of Guadalupe Street for the point of curvature of a curve to the right bears $N02^{\circ}45'23''E$, a distance of 1238.30 feet;

THENCE, $S02^{\circ}45'23''W$, along the easterly line of Guadalupe Street, for the easterly line hereof, a distance of 15.03 feet to the southeasterly corner hereof, from which a 1/2 inch iron rod found in the easterly line of Guadalupe Street for the point of curvature of a curve to the right bears $S02^{\circ}45'23''W$, a distance of 151.42 feet;

THENCE, S88°59'10"W, leaving the easterly line of Guadalupe Street, over and across the Guadalupe Street right-of-way, for the southerly line hereof, a distance of 100.29 feet to a point in the easterly line of said "Tract 1B", being the westerly line of Guadalupe Street, for the southwesterly corner hereof, from which a 1/2 inch iron rod found in the westerly line of Guadalupe Street for the point of curvature of a curve to the right bears S02°45'07"W, a distance of 144.84 feet;

THENCE, N02°45'07"E, along the westerly line of Guadalupe Street, being the easterly line of said "Tract 1B", for the westerly line hereof, a distance of 15.03 feet to the POINT OF BEGINNING, containing an area of 1,504 square feet of land, more or less, within these metes and bounds.

PART 2 - 4,543 SQUARE FEET

COMMENCING, at a 1/2 inch iron rod with cap set at the intersection of the westerly line of Guadalupe Street with the northerly line of West 45th Street (R.O.W. varies), being the southeasterly corner of that certain 5.000 acre tract of land called "Tract 2" having been conveyed to the Permanent School Fund by deed of record in Document No. 2004057397 of said Official Public Records;

THENCE, N62°15'50"W, along the northerly line of West 45th Street, being the southerly line of said "Tract 2", a distance of 14.72 feet to the POINT OF BEGINNING, and northeasterly corner hereof;

THENCE, leaving the southerly line of said "Tract 2", over and across the West 45th Street right-of-way, for the easterly and southerly lines hereof, the following three (3) courses and distances:

- 1) S45°01'20"W, a distance of 24.36 feet to the southeasterly corner hereof;
- 2) N76°26'08"W, a distance of 36.21 feet to an angle point hereof;
- 3) N56°37'58"W, a distance of 327.38 feet to a point in the southerly line of said "Tract 2", being the northerly line of West 45th Street, for the most westerly corner hereof, from which a cut "X" set in concrete for an angle point in the northerly line of West 45th Street, being the southerly line of said "Tract 2" bears N62°15'50"W, a distance of 361.28 feet;

THENCE, S62°15'50"E, along the northerly line of West 45th Street, being the southerly line of said "Tract 2", for a portion of the northerly line hereof, a distance of 160.43 feet to an angle point hereof;

THENCE, leaving the southerly line of "Tract 2", over and across the West 45th Street right-of-way, for a portion of the northerly line hereof, the following three (3) courses and distances:

- 1) S56°22'45"E, a distance of 165.14 feet to an angle point hereof;
- 2) S76°26'08"E, a distance of 25.15 feet to an angle point hereof;
- 3) N45°01'20"E, a distance of 11.28 feet to a point in the southerly line of said "Tract 2", being the northerly line of West 45th Street, for an angle point hereof;

THENCE, S62°15'50"E, along the northerly line of West 45th Street, being the southerly line of said "Tract 2", for a portion of the northerly line hereof, a distance of 15.71 feet to the POINT OF BEGINNING, containing an area of 4,543 square feet of land, more or less, within these metes and bounds.

PART 3 - 1,201 SQUARE FEET

COMMENCING, at a P.K. nail set at the intersection of the easterly line of Lamar Boulevard with the northerly line of West 45th Street, being the southwesterly corner of that certain 3.212 acre tract of land called "Tract 4" having been conveyed to the Permanent School Fund by deed of record in Document No. 2004057397 of said Official Public Records;

THENCE, S59°48'27"E, along the northerly line of West 45th Street, being the southerly line of said "Tract 4", a distance of 388.87 feet to the POINT OF BEGINNING, and northwesterly corner hereof;

THENCE, S59°48'27"E, continuing along the northerly line of West 45th Street, being the southerly line of said "Tract 4", for the northerly line hereof, a distance of 15.00 feet to the northeasterly corner hereof;

THENCE, S29°58'16"W, leaving the southerly line of said "Tract 4", over and across the West 45th Street right-of-way, for the easterly line hereof, a distance of 80.09 feet to the southeasterly corner hereof;

THENCE, N59°49'28"W, along the southerly line of West 45th Street, for the southerly line hereof, a distance of 15.00 feet to the southwesterly corner hereof, from which a square head bolt found in the southerly line of West 45th Street, being the northeasterly corner of that certain 3,129 square foot right-of-way easement of record in Volume 4729, Page 1517 of the Deed Records of Travis County, Texas, bears N59°49'28"W, a distance of 349.21 feet;


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THENCE, N29°58'16"E, leaving the southerly line of West 45th Street, over and across the West 45th Street right-of-way, for the westerly line hereof, a distance of 80.09 feet to the POINT OF BEGINNING, containing an area of 1,201 square feet of land, more or less, within these metes and bounds.

BEARING BASIS FOR THIS SURVEY IS TEXAS STATE PLANE COORDINATES CENTRAL ZONE NAD 83.

I, JOHN T. BILNOSKI, 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

 12/3/04
JOHN T. BILNOSKI, R.P.L.S.
NO. 4998
STATE OF TEXAS

REFERENCES

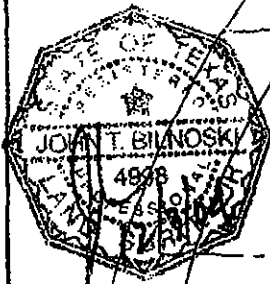
AUSTIN GRID J-26



FIELD NOTES REVIEWED
By JOHN MOORE Date 1-18-2005
Engineering Support Section
Department of Public Works
and Transportation

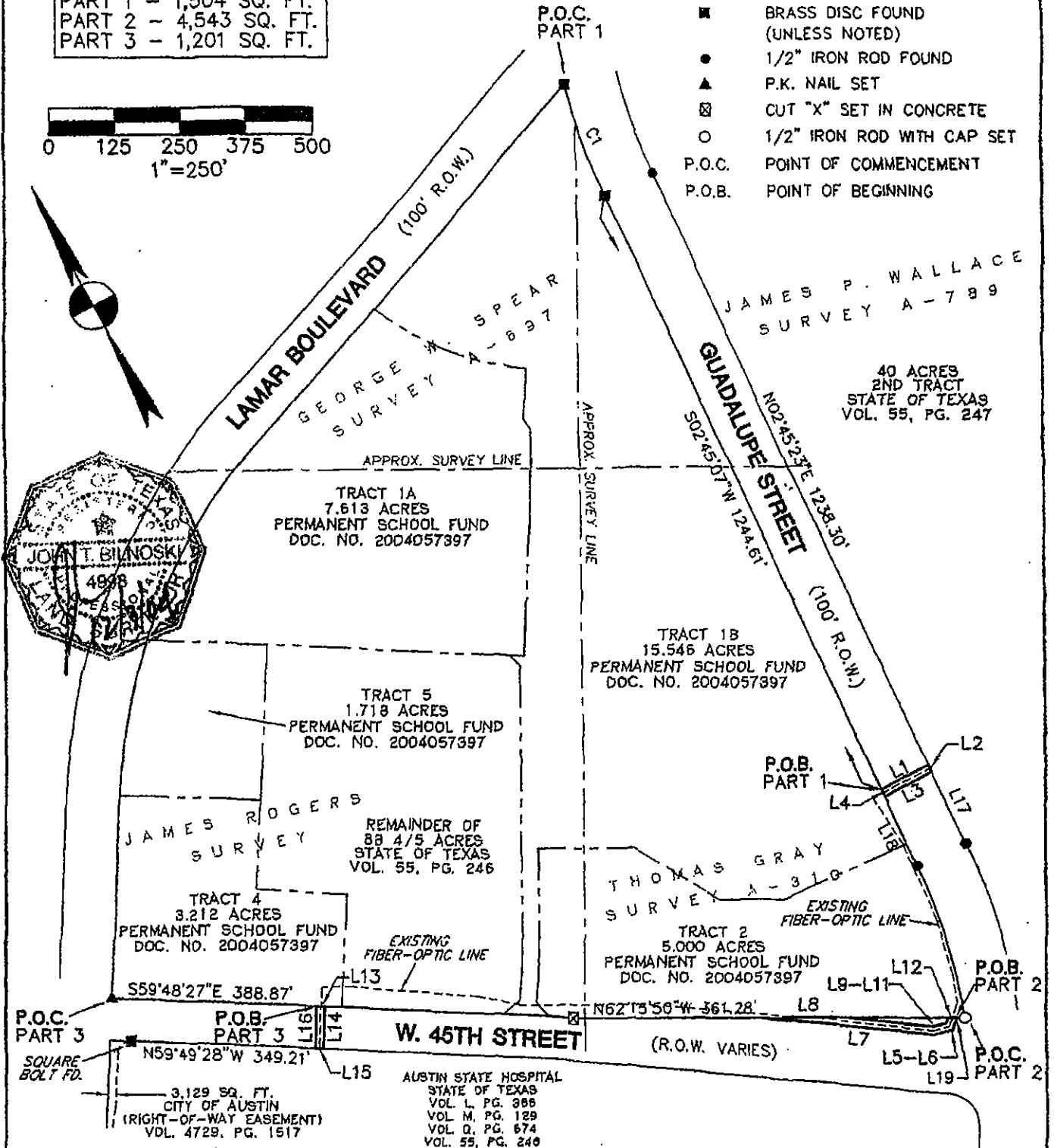
PART 1 - 1,504 SQ. FT.
PART 2 - 4,543 SQ. FT.
PART 3 - 1,201 SQ. FT.

0 125 250 375 500
1"=250'



LEGEND

- BRASS DISC FOUND (UNLESS NOTED)
- 1/2" IRON ROD FOUND
- ▲ P.K. NAIL SET
- ⊠ CUT "X" SET IN CONCRETE
- 1/2" IRON ROD WITH CAP SET
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING



Bury+Partners
ENGINEERING SOLUTIONS
3045 Bee Caves Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0328
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SKETCH TO ACCOMPANY DESCRIPTION
OF 7,248 SQUARE FEET OF LAND SITUATED IN THE
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A
PORTION OF THE GUADALUPE STREET AND WEST
45TH STREET RIGHTS-OF-WAY

SIMMONS VEDDER

TRIANGLE

DATE: 12/03/04 FILE: H:\368\31\36831EX51.dwg FN No.: FN04-488(MJJ) DRAWN BY: M.J.J. PROJ. No: 368-31

LINE TABLE

No.	Bearing	Distance
L1	N88°59'10"E	100.29'
L2	S02°45'23"W	15.03'
L3	S88°59'10"W	100.29'
L4	N02°45'07"E	15.03'
L5	S45°01'20"W	24.36'
L6	N76°26'08"W	36.21'
L7	N56°37'58"W	327.38'
L8	S62°15'50"E	160.43'
L9	S56°22'45"E	165.14'
L10	S76°26'08"E	25.15'
L11	N45°01'20"E	11.28'
L12	S62°15'50"E	15.71'
L13	S59°48'27"E	15.00'
L14	S29°58'16"W	80.09'
L15	N59°49'28"W	15.00'
L16	N29°58'16"E	80.09'
L17	S02°45'23"W	151.42'
L18	S02°45'07"W	144.84'
L19	N62°15'50"W	14.72'

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	10°31'19"	1202.30	220.79	220.48	S07°58'59"W

BEARING BASIS:

THE BASIS OF BEARINGS SHOWN HEREON IS TEXAS STATE
PLANE COORDINATES CENTRAL ZONE, NAD 83.

b Bury+Partners
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