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SUBDIVISION VACATION REVIEW SHEET

CASE NO.: C8S-74-172(VAC)

P.C. DATE: May 24, 2011

SUBDIVISION NAME: Cumberland Center

AREA: 5.208 acres

LOTS: 1

APPLICANT: The Salvation Army
(Bill Bingham)

AGENT: Tom Groll Engineering
(Tom Groll)

ADDRESS OF SUBDIVISION: 1001 Cumberland Road

GRIDS: H-19/20

COUNTY: Travis

WATERSHED: Bouldin Creek

JURISDICTION: Full Purpose

EXISTING ZONING: SF-6-CO

PROPOSED LAND USE: Multifamily

DEPARTMENT COMMENTS: The applicant is requesting Total Vacation of the plat, Cumberland Center. This land will then be replatted into 2 lots under the related, C8-2010-064.0A, Salvation Subdivision.

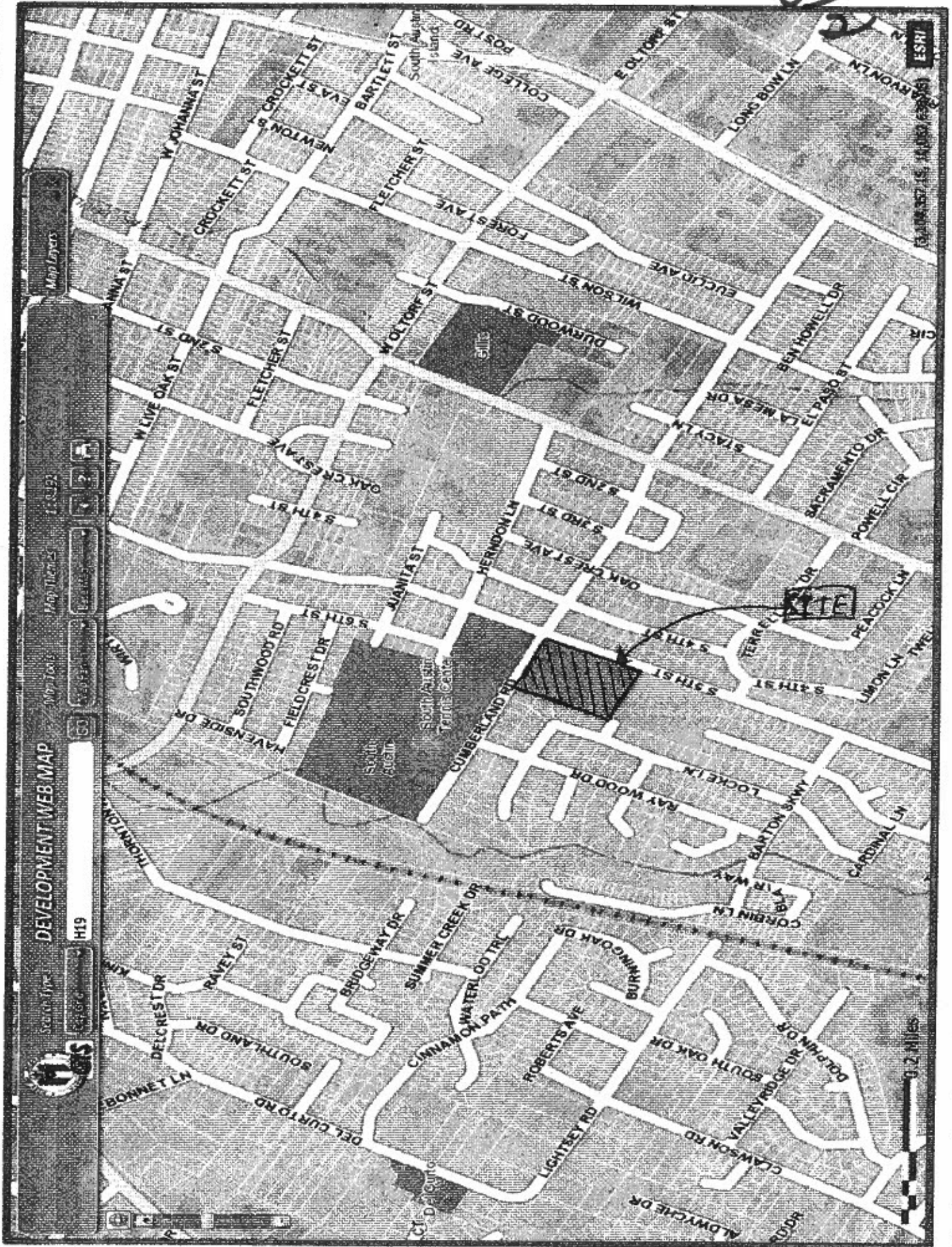
STAFF RECOMMENDATION: Staff recommends approval of the total plat vacation. This meets all City of Austin Land Development and State Local Government requirements.

PLANNING COMMISSION ACTION:

CASE MANAGER: Sylvia Limon
Email address: sylvia.limon@ci.austin.tx.us

PHONE: 974-2767

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(RS-74-172(VAC) LOCATION

1001 CUMBERLAND RD.

EXHIBIT A

ca 1/3

TOTAL VACATION OF "CUMBERLAND CENTER"

THE STATE OF TEXAS

COUNTY OF TRAVIS

WHEREAS, The Salvation Army owner of Cumberland Center, Volume 70, Page 48 of the Plat Records of Travis County, Texas, did heretofore subdivide the same into the subdivision designated Cumberland Center, the plat of which is recorded in Book 70, Page 48 of the Travis County, Texas Plat Records, and

WHEREAS, the following lots in said subdivision are now owned by the parties indicated, to wit:

<u>LOT</u>	<u>OWNER</u>
1	The Salvation Army

WHEREAS, The Salvation Army who collectively constitute the owners of all original, intact lots in Cumberland Center are desirous of vacating said subdivision plat so as to destroy the force and effect of the recording of such subdivision plat insofar and only insofar as the same pertains to Lot 1, Cumberland Center.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That The Salvation Army for and in consideration of the premises and pursuant to the provisions of Chapter 212.013 of the Local Government Code, does hereby vacate Lot 1, Cumberland Center only. Said subdivision shall, however, remain in full force and effect as to all other lots in Cumberland Center.

EXECUTED THE DAYS HEREAFTER NOTED.

DATE

6/29/09

OWNER'S SIGNATURE

William H Bingham

William H Bingham - Attorney Agent
(Enter owner's printed name)

(Enter owner's printed name)

NOTARY STATEMENT REQUIRED FOR EACH SIGNATURE UNLESS ALL OR SOME OWNERS SIGN BEFORE THE SAME NOTARY. THE DATE OF EACH INDIVIDUAL NOTARY CERTIFICATE MUST MATCH THE DATE THAT APPEARS OPPOSITE THE OWNER'S SIGNATURE IN THE BODY OF THE DOCUMENT.

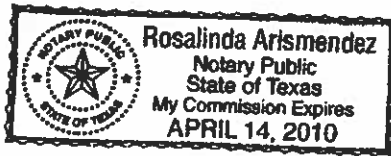
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SWORN TO AND SUBSCRIBED BEFORE ME by the said William H. Bingham, attorney agent for the Salvation Army, on this the 29 day of June, 2009, to certify which, witness my hand and seal of office.



Notary Public's Signature

(Personalized Seal)



APPROVAL OF TOTAL PLAT VACATION

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BE IT KNOWN, that on the _____ day of _____, 20____, the Planning Commission of the City of Austin, at its regular meeting, did approve the total vacation of the subdivision known as Cumberland Center, as recorded in Book 70, Page 48, Travis County Plat Records, upon application therefore by all of the owners of all of the lots in said subdivision.

EXECUTED, this _____ day of _____, 20_____.

Dave Sullivan, Chairperson
Planning Commission
City of Austin
Travis County, Texas

ATTEST:

Greg Guernsey,
City of Austin - Planning and Development Review Department

THE STATE OF TEXAS
COUNTY OF TRAVIS

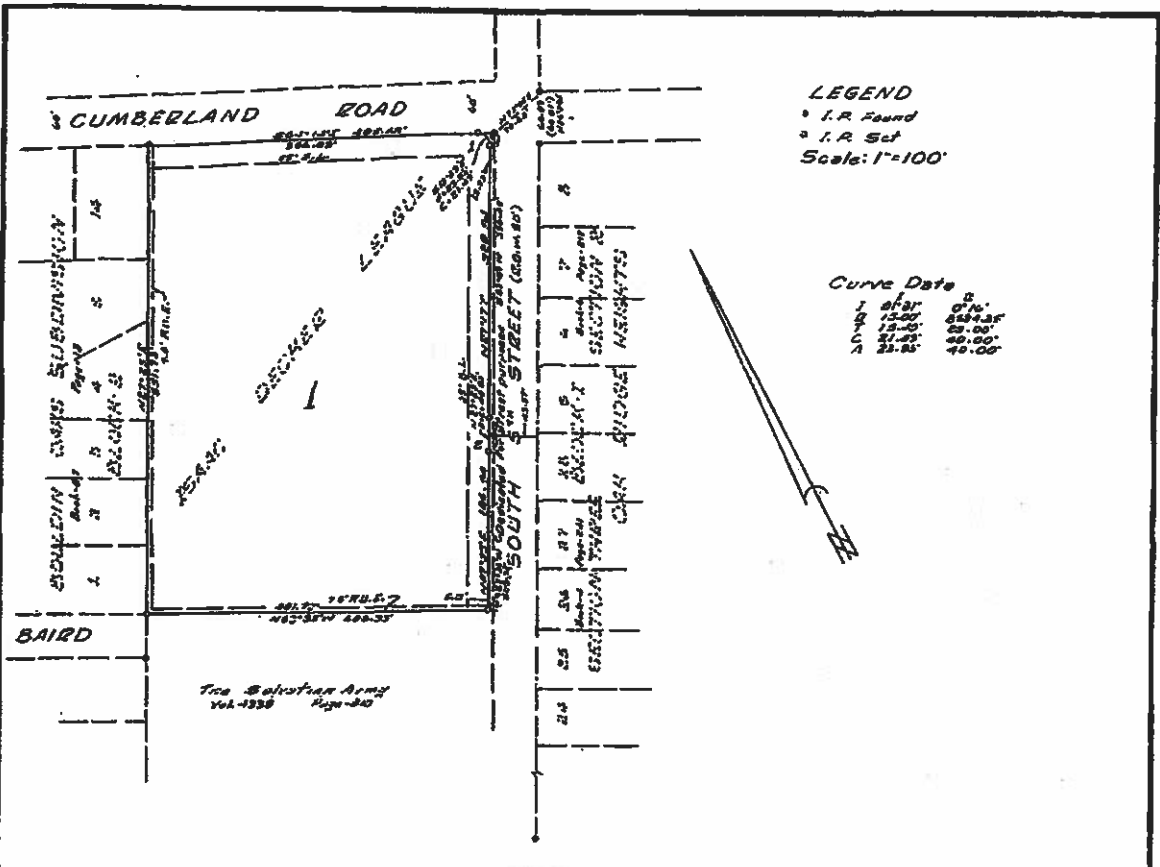
BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Dave Sullivan, known to be the person whose name is subscribed to the foregoing instrument as Chairperson of the Planning Commission of the City of Austin, Texas, a municipal corporation, and he acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 20_____.

Printed name: _____
Notary Public in and for the State of
Texas

My commission expires: _____

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"CUMBERLAND CENTER"

STATE OF TEXAS
 COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS
 That The Salvation Army, a Corporation organized and existing under the laws of the State of Georgia, and having its principal place of business in Atlanta, Fulton County, Georgia, acting herein by and through its Vice President, W.E. Chamberlain, owner of that certain 10.82 acres of land out of the Isaac Decker League in the City of Austin, Travis County, Texas, conveyed to it by deed of record in Volume 4338 at Page 810 of the Deed Records of Travis County, Texas, does hereby subdivide 5.208 acres of said tract in accordance with the attached plat, said subdivision to be known as Cumberland Center, and does hereby dedicate to the public the streets and easements shown hereon.

Witness the seal of said Corporation and the hand of its Vice President, W.E. Chamberlain, this the 10th day of September A.D. 1974.
 Attest: B. Amelia Mulhargan

STATE OF GEORGIA
 COUNTY OF FULTON
 Before me, the undersigned authority, on this day personally appeared W. E. Chamberlain Vice Pres. of the Salvation Army, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of said Corporation, for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 10th day of September A.D. 1974.
W. M. Maddox
 Notary Public in and for Fulton County, Georgia

APPROVED FOR ACCEPTANCE: Richard R. Lillie, Jr. DATE SEPT. 27, 1974
 Richard R. Lillie, Jr., Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD by the Planning Commission of the City of Austin, Texas, on the 27th day of September A.D. 1974.
William A. Mather Secretary

FILED FOR RECORD, this the 30 day of Sept. A.D. 1974 at 2:15 o'clock P.M.
Doris Shropshire, Clerk County Court, Travis County, Texas.
Mike Gilgare Deputy

STATE OF TEXAS
 COUNTY OF TRAVIS
 I, Doris Shropshire, Clerk of the County Court within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of writing, with its certificate of authentication was filed for record in my office on the 30 day of Sept. A.D. 1974 at 2:15 o'clock P.M. and duly recorded on the 30 day of Sept. A.D. 1974 at 2:15 o'clock P.M. in the File Records of said County in Book 74 at Page 44.
 WITNESS MY HAND AND SEAL OF THE COURT of said County, the date last written above.
Doris Shropshire, Clerk County Court, Travis County, Texas.
Mike Gilgare Deputy

SURVEYED BY B. F. Priest DATE 7-31-74
 B. F. Priest, Reg. Public Surveyor