

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY LOCATED AT 3500 WEST 35th STREET FROM FAMILY**
3 **RESIDENCE (SF-3) DISTRICT TO PUBLIC (P) DISTRICT.**
4

5 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
6

7 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
8 change the base district from family residence (SF-3) district to public (P) district on the
9 property (the "Property") described in Zoning Case No. C14-2013-0057, on file at the
10 Planning and Development Review Department, as follows:
11

12 Tract 1:

13 5.05 acre tract of land, more or less, out of the Albert Silsbee Survey No. 1 the
14 tract of land being more particularly described by metes and bounds in Exhibit "A"
15 incorporated into this ordinance; and,
16

17 Tract 2:

18 2.46 acre tract of land, more or less, out of the C.J. Strother Survey No. 610 the
19 tract of land being more particularly described by metes and bounds in Exhibit "B"
20 incorporated into this ordinance,
21

22 locally known as 3500 West 35th Street in the City of Austin, Travis County, Texas, and
23 generally identified in the map attached as Exhibit "B".
24
25



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS – FIRM REG. NO. 101141-00

LEGAL DESCRIPTION

A DESCRIPTION OF A 5.05 ACRE TRACT OF LAND OUT OF THE ALBERT SILSBEE SURVEY NO. 1, LOCATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 21.216 ACRE TRACT OF LAND DESCRIBED IN A DEED TO KMS VENTURES, INC. RECORDED IN VOLUME 6161, PAGE 2123 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND ALL OF LOT 2, BLOCK B OF MOUNT BONNELL TERRACE SECTION TWO, A SUBDIVISION OF RECORD IN VOLUME 78, PAGES 170-171 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 5.05 ACRES, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING on a point at the northwest corner of said Lot 2, Block B, being also the southwest corner of Lot 1, Block B of said Mount Bonnell Terrace Section Two, in the curving east right-of-way line of Fall Trail, a 50 foot wide right-of-way dedicated to the public by the plat of said Mount Bonnell Terrace Section Two;

THENCE, departing the curving east right-of-way line of said Fall Trail, with the north line of said Lot 2, Block B, being also the south line of said Lot 1, Block B, S 76°35'11" E, a distance of 133.63 feet to a calculated point at the northeast corner of said Lot 2, Block B, being also the southwest corner of that certain 7.081 acre tract of land described in a deed to John Davol, recorded in Volume 6556, Page 2316 of the Deed Records of Travis County, Texas, and at the northwest corner of that certain 1.758 acre tract of land described as Tract 1 in a deed to the City of Austin, recorded in Volume 12649, Page 1413 of the Real Property Records of Travis County, Texas, said point being also in the east line of said 21.216 acre tract of land;

THENCE, with the east line of said Lot 2, Block B, being also the east line of said 21.216 acres and the west line of said 1.758 acres, S 28°15'48" W, a distance of 166.25 feet to a calculated point at the southeast corner of said Lot 2, Block B;

THENCE, with the east line of said 21.218 acres, being also the west line of said 1.758 acre tract, the west line of a 1.224 acres tract described as Tract 2 in a deed to the City of Austin, recorded in Volume 12649, Page 1413 of the Real Property Records of Travis County, Texas, the west line of that certain 2.468 acre tract of land described in a deed to the City of Austin, recorded in Volume 3143, Page 504 of the Deed Records of Travis County, Texas, and the west line of that certain 2.23 acre tract of land described in a deed to the City of Austin, recorded in Volume 1524, Page 432 of the Deed Records of Travis County, Texas, respectively, the following three (3) courses and distances:

1. S 28°09'04" W, a distance of 576.70 feet to a calculated point at the southwest corner of said 2.468 acres, being also the most northerly corner of said 2.23 acre tract,
2. S 61°29'47" W, a distance of 85.23 feet to a calculated point,
3. S 48°33'02" W, a distance of 76.64 feet to a calculated point at the most easterly corner of Lot 3, Block B of Mount Bonnell Terrace Section One, a subdivision of record in Volume 31, Page 10 of the Plat Records of Travis County, Texas, being also the most southerly corner of said 21.216 acres, for the most southerly corner of this tract;

THENCE, with the south line of said 21.216 acres, being also the north line of said Lot 3, Block B, N 64°47'54" W, a distance of 71.43 feet to a calculated point at the southeast corner of Lot 4, Block B of said Mount Bonnell Terrace Section One;

THENCE, with the west line of said 21.216 acres, being also the east line of said Lot 4, Block B, N 12°44'36" W, a distance of 168.45 feet to a calculated point at the southeast right-of-way line of Fall Trail, a 50 foot wide right-of-way dedicated to the public by said plat of Mount Bonnell Terrace Section One;

THENCE, continuing with the west line of said 21.216 acres, being also the southeast right-of-way line of said Fall Trail, N 60°47'05" E, a distance of 100.16 feet to a calculated point at the east end of said Fall Trail right-of-way line;

THENCE continuing with the west line of said 21.216 acres, being also the easterly line of said Fall Trail right-of-way, N 24°01'55" W, a distance of 50.21 feet to a calculated point at the southeast corner of Lot 1, Block C of said Mount Bonnell Terrace Section One;

THENCE with the east line of said Block C, Lots 1 through 5, of Mount Bonnell Terrace Section One, being also the west line of said 21.216 acres, the following three (3) courses and distances:

1. N 17°55'58" W, a distance of 87.11 feet to a calculated point,
2. N 24°25'56" E, a distance of 124.79 feet to a calculated point,
3. N 21°27'00" E, a distance of 323.61 feet to a calculated point,

THENCE, with the south line of said Lot 1, Block C of Mount Bonnell Terrace Section Two, S 57°13'25" E, a distance of 162.47 feet to a calculated point at the southeast corner of said Lot 1, Block C, being also at the southwest end of the west right-of-way line of said Fall Trail;

THENCE, with the southerly end of said Fall Trail right-of-way, S 49°31'55" E, a distance of 51.08 feet to a calculated point at the southwest corner of said Lot 2, Block B, of Mount Bonnell Terrace Section Two, being also in the curving east right-of-way line of said Fall Trail;

THENCE, with the west line of said Lot 2, Block B, being also the east right-of-way line of said Fall Trail, the following three (3) courses and distances:

1. a distance of 63.25 feet along the arc of a curve to the right, having a central angle of 06°29'58" a radius of 557.58 feet and whose chord bears N 34°03'58" E, a distance of 63.22 feet to a calculated point at the point of tangency;
2. N 37°34'46" E, a distance of 26.94 feet to a calculated point of curvature of a curve to the left;
3. a distance of 41.76 feet along the arc of said curve to the left, having a central angle of 23°55'42", a radius of 100.00 feet and whose chord bears N 25°02'56" E, a distance of 41.46 feet to the POINT OF BEGINNING and containing 5.05 acres of land.

BEARING BASIS NOTE

The bearings shown hereon are based on the Texas State Plane Coordinate System (Central Zone-4203, NAD83/HARN, Project Scale Factor = 1.0007). The coordinates were established by GPS from City of Austin Reference Point "No. 3003" having coordinate values of N=10,084,969.05, E=3,109,528.55 and "No. 3004" having coordinate values of N=10,083,700.94, E=3,109,321.44. All distance shown are surface distances.

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Carmelo L. Macias, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 5TH day of December, 2013 A.D.



Macias & Associates L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875

Carmelo L. Macias
Carmelo L. Macias
Registered Professional Land Surveyor
No. 4333 - State of Texas

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

POINT OF BEGINNING

LOT 1
BLOCK "B"
S76°35'11"E
133.63'

JOHN DAVOL
(7.081 AC.)
VOL. 6556, PG. 2316, D.R.T.C.

SCALE:
1" = 120'

MT. BONNELL FALL TRAIL
TERRACE (50' R.O.W.)

SECTION 2
VOL. 78, PG. 170, 26.94'
P.R.T.C.

LOT 2,
P. C. TAYLOR
SUBDIVISION

CITY OF AUSTIN
TRACT 1 (1.758 AC.)
VOL. 12649, PG. 1413, R.P.R.T.C.
T.C.A.D. NO. 01-2507-0227

LOT 1
BLOCK "C"

LOT 6
BLOCK C

LOT 5
BLOCK C

LOT 4
BLOCK C

MT. BONNELL
TERRACE SEC. 1
VOL. 31, PG. 10,
P.R.T.C.

LOT 3
BLOCK C

CITY OF AUSTIN
(5.05 AC.)
VOL. 12834, PG. 1042, R.P.R.T.C.
T.C.A.D. NO. 01-2507-0201

CITY OF AUSTIN
TRACT 2 (1.224 AC.)
VOL. 12649, PG. 1413,
R.P.R.T.C.
T.C.A.D. NO. 01-2507-0228

NOTE:

THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, NAD83/HARN, PROJECT SCALE FACTOR = 1.0007). THE COORDINATES WERE ESTABLISHED BY GPS FROM CITY OF AUSTIN REFERENCE POINT "NO. 3003" HAVING COORDINATE VALUES OF N=10,084,969.05, E=3,109,528.55 AND "NO. 3004" HAVING COORDINATE VALUES OF N=10,083,700.94, E=3,109,321.44. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

CITY OF AUSTIN
(2.468 AC.)
VOL. 3143, PG. 504, D.R.T.C.

CITY OF AUSTIN
TRACT NO. 2 (1.24 AC.)
CONDEMNATION
CAUSE NO. 111
C.C.R.T.C.

CITY OF AUSTIN
(2.23 AC.)
VOL. 1524 PG. 432, D.R.T.C.
T.C.A.D. NO. 01-2307-0307

DATE: 12-05-2013
DRAWN BY: D.L.M.
MAI JOB NO.: 87-32-13
REFERENCE: F.B. ---, PG. ---

J:\JOBS\AECOM\87-32-13 DAVIS WTP ZONING MAP\DWG\ZONING 5.05 AC.dwg

MACIAS & ASSOCIATES, L.P.

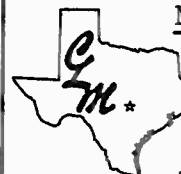
LAND SURVEYORS - FIRM REG. NO. 101141-00

★ ★ ★ ★ ★

5410 SOUTH 1ST STREET

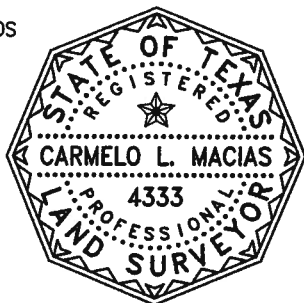
AUSTIN, TEXAS 78745 PH. (512)442-7875

FAX (512)442-7876 EMAIL: WWW.MACIASWORLD.COM



LEGEND

- △ CALCULATED POINT
- R.O.W. RIGHT-OF-WAY
- VOL., PG. VOLUME, PAGE
- DOC. NO. DOCUMENT NUMBER
- P.R.T.C. PLAT RECORDS OF TRAVIS COUNTY
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY



Carmelo L. Macias Dec 5, 2013

Carmelo L. Macias
Registered Professional Land Surveyor
No. 4333 - State of Texas

Date:



MACIAS & ASSOCIATES, L.P.
LAND SURVEYORS – FIRM REG. NO. 101141-00

LEGAL DESCRIPTION

A DESCRIPTION OF A 2.466 ACRE TRACT OF LAND OUT OF THE C.J. STROTHER SURVEY NO. 610 AND ALSO OUT OF THE DANIEL J. GILBERT SURVEY NO. 8 LOCATED IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 2.468 ACRE TRACT OF LAND DESCRIBED IN A DEED TO THE CITY OF AUSTIN RECORDED IN VOLUME 3143, PAGE 504 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2.466 ACRES, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the west curving right-of-way of Foothill Terrace, a 50-foot wide right-of-way, at the southeast corner of Lot 9, Block 6 and the northeast corner of Lot 8, Block 6, Colorado Foothills, Section Three, a subdivision recorded in Book 5, Page 146 of the Plat Records of Travis County, Texas;

THENCE, departing the curving west right-of-way of said Foothill Terrace, with the division line of Lot 8 and Lot 9, Block 6, Colorado Foothills, Section Three, N 83°47'27" W a distance of 244.16 feet to a calculated point at the northwest corner of Lot 8 and most westerly corner of Lot 9, Block 6, also in the west line of the Daniel J. Gilbert Survey No. 8 and the east line of the C.J. Strother Survey No. 610, Travis County, Texas;

THENCE, with the west line of Lot 8, Block 6, and being also the west line of the Daniel J. Gilbert Survey No. 8 and the east line of the C.J. Strother Survey No. 610, S 33°38'05" W, a distance of 147.86 feet to a calculated point at the westerly corner of said Lot 8, Block 6, Colorado Foothills Section 3 same being the north corner of a 7.03-acre tract described in a deed to the City of Austin recorded in Volume 1503, Page 44 of the Deed Records of Travis County, Texas, and the east corner of Tract No. 2, a 1.24-acre tract described in Cause No. 111 of the County Court Records of Travis County, Texas;

THENCE, N 59°15'28" W, with the northeast line of said Tract No. 2, 1.24 acre tract, a distance of 239.64 feet to a calculated point in the westerly boundary line of said Strother Survey, being the easterly boundary line of the Albert Silsbee Survey, same being the easterly corner of a 2.23-acre tract described in a deed to the City of Austin recorded in Volume 1524, Page 432 of the Deed Records of Travis County, Texas, and an angle point in a south line of a 5.05-acre tract described in a deed to the City of Austin recorded in Volume 12834, Page 1042 of the Real Property Records of Travis County, Texas;

THENCE, along said westerly boundary line of the Strother Survey and the easterly line of said 5.05-acre tract, N 28°09'04" E, a distance of 232.58 feet to a calculated point on the east line of the 5.05-acre tract and the west corner of Tract 2, a 1.224-acre tract described in a deed to the City of Austin recorded in Volume 12649, Page 1413 of the Real Property Records of Travis County, Texas;

THENCE, along the boundary line of said Tract 2, 1.224-acre tract, the following six (6) courses:

1. S 54°50'12" E, a distance of 56.35 feet to a calculated point;
2. S 21°47'50" W, a distance of 35.39 feet to a calculated point;
3. S 40°34'12" E, a distance of 53.55 feet to a calculated point;
4. N 46°42'01" E, a distance of 141.94 feet to a calculated point;

5410 South 1st Street • Austin, Texas 78745 • (512) 442-7875 • Fax (512) 442-7876 • www.maciasworld.com

5. N 24°35'01" E, a distance of 101.43 feet to a calculated point;
6. N 60°38'25" E, a distance of 81.79 feet to a calculated point at the most westerly southwest corner of Tract 1, a 1.758-acre tract described in a deed to the City of Austin recorded in Volume 12649, Page 1413 of the Real Property Records of Travis County, Texas;

THENCE, along the southerly and easterly boundary lines of said Tract 1, 1.758-acre tract the following five (5) courses:

1. S 40°11'51" E, a distance of 113.95 feet to a calculated point;
2. N 56°27'00" E, a distance of 124.76 feet to a calculated point;
3. N 11°28'27" E, a distance of 84.86 feet to a calculated point;
4. N 04°38'22" W, a distance of 92.39 feet to a calculated point;
5. N 21°11'57" E, a distance of 42.11 feet to a calculated point in the southerly line of a tract conveyed to John Davol by deed recorded in Volume 6556, Page 2316 and described in Volume 927, page 60 both of the Deed Records of Travis County, Texas;

THENCE, S 63°07'53 E, a distance of 38.29 feet to a calculated point in the southerly boundary line of said Davol tract and in a corner of the westerly boundary line of Lot 12, Block "D", Balcones Park, Edgemont Section 2, a subdivision of record in Book 10, page 41 of the Plat Records of Travis County, Texas;

THENCE, along the westerly boundary line of said Lot 12, Block "D" by the following four (4) courses:

1. S 27°31'47 W, a distance of 36.74 feet to a calculated point;
2. S 00°13'48" W, a distance of 71.21 feet to a calculated point;
3. S 05°49'11" E, a distance of 60.16 feet to a calculated point;
4. S 11°06'51" W, a distance of 69.93 feet to a calculated point at the most northerly corner of Lot 10, Block 6 in said Colorado Foothills Section 3;

THENCE, along the northwesterly boundary line of said Lot 10, by the following three (3) courses:

1. S 46°14'46" W, a distance of 79.91 feet to a calculated point;
2. S 74°21'41" W, a distance of 56.66 feet to a calculated point;
3. S 79°27'05" W, a distance of 77.79 feet to a calculated point;

THENCE, along the westerly boundary line of Lots 10 and 9 in said Block 6, S 34°06'44" W, a distance of 140.31 feet to a calculated point;

THENCE, through the interior of Lot 9, Block 6, the following three (3) courses:

1. S 21°42'04" E, a distance of 68.19 feet to a calculated point;
2. S 84°19'05" E, a distance of 105.54 feet to a calculated point;
3. S 77°36'27" E, a distance of 65.24 feet to a calculated point in the curving east line of Lot 9 and being also the curving west line of said Foothill Terrace;

THENCE, with a curve to the left of the east line of Lot 9, Block 6, and the curving west line of Foothill Parkway, an arc distance of 12.79 feet, said curve having a radius of 159.46 feet and a chord of which runs S 08°12'28" W, 12.79 feet to the PLACE OF BEGINNING , containing 2.466 acres of land.

BEARING BASIS NOTE

The bearings shown hereon are based on the Texas State Plane Coordinate System (Central Zone-4203, NAD83/HARN, Project Scale Factor = 1.0007). The coordinates were established by GPS from City of Austin Reference Point "No. 3003" having coordinate values of N=10,084,969.05, E=3,109,528.55 and "No. 3004" having coordinate values of N=10,083,700.94, E=3,109,321.44. All distance shown are surface distances.

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

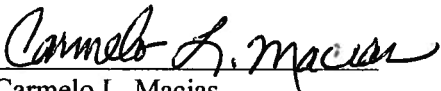
KNOW ALL MEN BY THESE PRESENTS:

That I, Carmelo L. Macias, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 5TH day of December, 2013 A.D.



Macias & Associates L.P.
5410 South 1st Street
Austin, Texas 78745
512-442-7875


Carmelo L. Macias
Registered Professional Land Surveyor
No. 4333 - State of Texas

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

BALCONES PARK EDMONT SECTION TWO
AND A RESUBDIVISION OF LOT 4, BLOCK C,
BALCONES PARK EDMONT SECTION
VOL. 10, PG. 41, P.R.T.C.

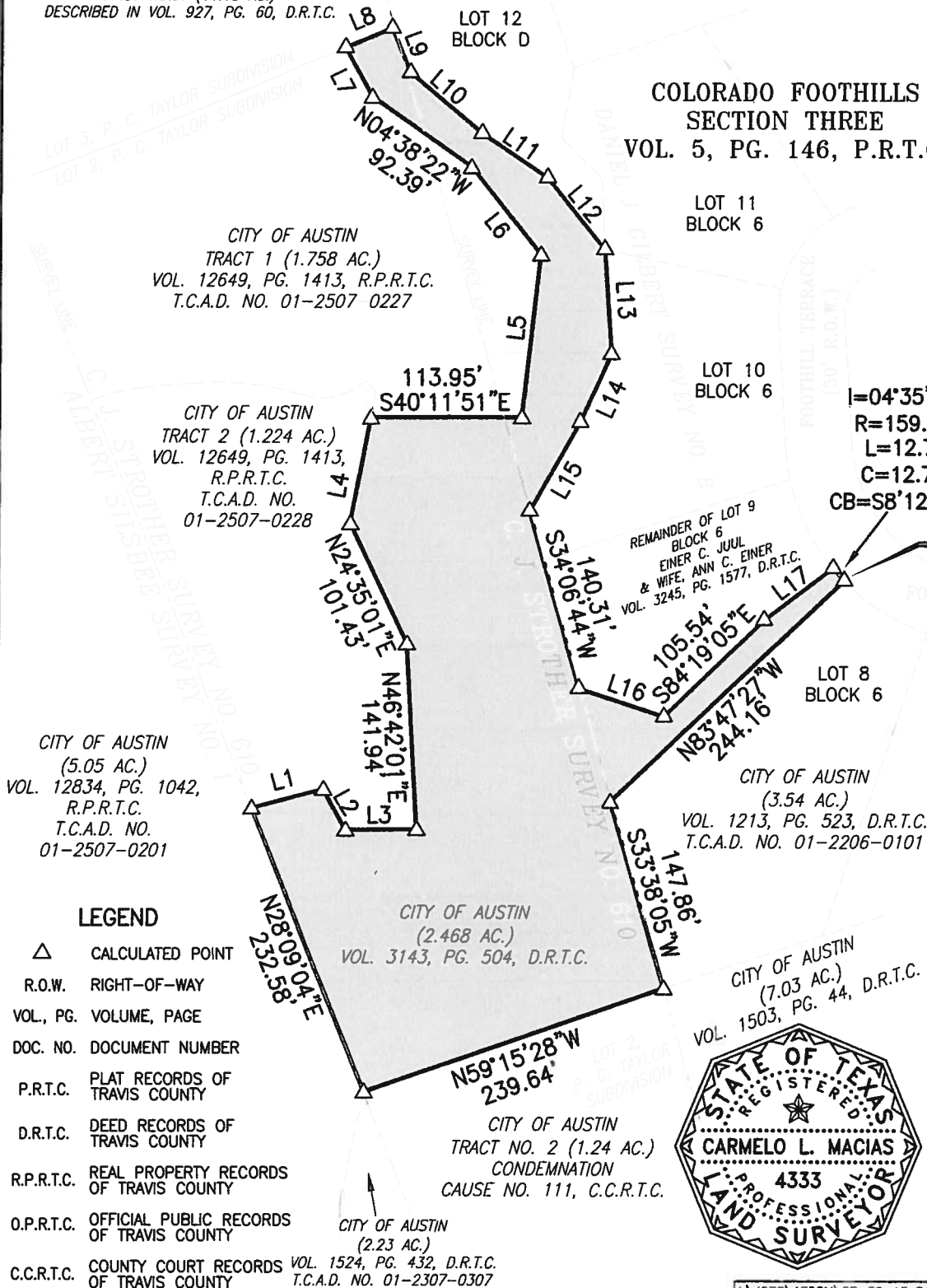
SCALE:
1" = 120'

JOHN DAVOL
VOL. 6556, PG. 2316, D.R.T.C.
FIRST TRACT (11.18 AC.)
DESCRIBED IN VOL. 927, PG. 60, D.R.T.C.

COLORADO FOOTHILLS
SECTION THREE
VOL. 5, PG. 146, P.R.T.C.

NOTE:

THE BEARINGS SHOWN HEREON
ARE BASED ON THE TEXAS
STATE PLANE COORDINATE
SYSTEM (CENTRAL ZONE,
NAD83/HARN, PROJECT SCALE
FACTOR = 1.0007). THE
COORDINATES WERE
ESTABLISHED BY GPS FROM
CITY OF AUSTIN REFERENCE
POINT "NO. 3003" HAVING
COORDINATE VALUES OF
N=10,084,969.05,
E=3,109,528.55 AND "NO.
3004" HAVING COORDINATE
VALUES OF N=10,083,700.94,
E=3,109,321.44. ALL
DISTANCES SHOWN ARE
SURFACE DISTANCES.



LINE TABLE

NUMBER	DISTANCE	BEARING
L1	56.35'	S54°50'12"E
L2	35.39'	S21°47'50"W
L3	53.55'	S40°34'12"E
L4	81.79'	N60°38'25"E
L5	124.76'	N56°27'00"E
L6	84.86'	N11°28'27"E
L7	42.11'	N21°11'57"E
L8	38.29'	S63°07'53"E
L9	36.74'	S27°31'47"W
L10	71.21'	S00°13'48"W
L11	60.16'	S05°49'11"E
L12	69.93'	S11°06'51"W
L13	79.91'	S46°14'46"W
L14	56.66'	S74°21'41"W
L15	77.79'	S79°27'05"W
L16	68.19'	S21°42'04"E
L17	65.24'	S77°36'27"E

LEGEND

- △ CALCULATED POINT
- R.O.W. RIGHT-OF-WAY
- VOL., PG. VOLUME, PAGE
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- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- C.C.R.T.C. COUNTY COURT RECORDS OF TRAVIS COUNTY



DATE: 12-05-2013
DRAWN BY: D.L.M.
MAI JOB NO.: 87-32-13
REFERENCE: F.B. ---, PG. --

J:\JOBS\AECOM\87-32-13 DAVIS WTP ZONING MAP\DWG\ZONING 2.46 AC.dwg

MACIAS & ASSOCIATES, L.P.

LAND SURVEYORS - FIRM REG. NO. 101141-00

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5410 SOUTH 1ST STREET

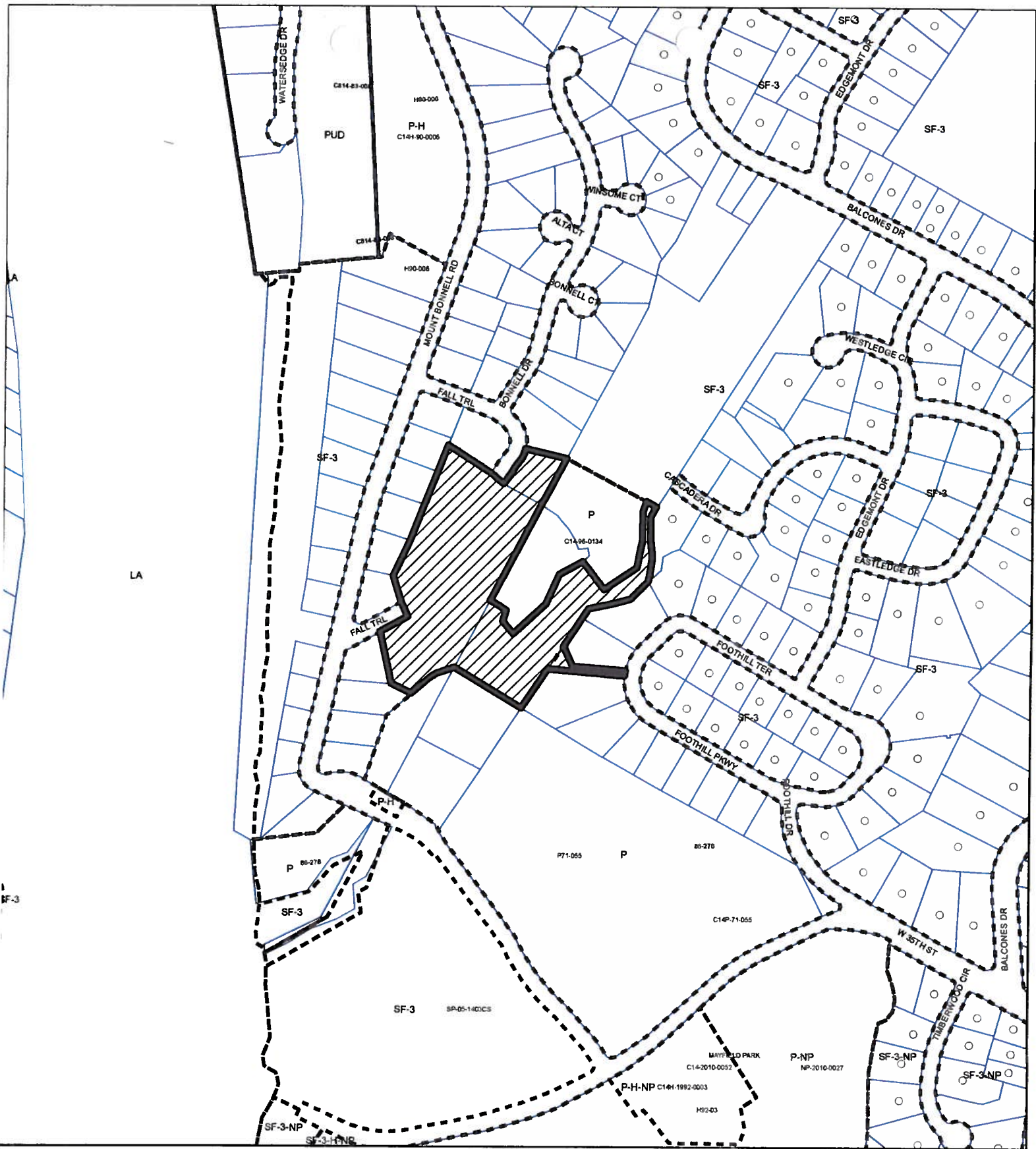
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FAX (512)442-7876 EMAIL: WWW.MACIASWORLD.COM

Carmelo L. Macias Dec. 5, 2013

Carmelo L. Macias
Registered Professional Land Surveyor
No. 4333 - State of Texas

Date:



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2013-0057

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Exhibit C

1" = 400'