

**ORDINANCE NO. 20140626-029**

**AN ORDINANCE VACATING A PORTION OF WHITIS AVENUE AND THE ALLEY LOCATED BETWEEN WHITIS AVENUE AND GUADALUPE AND WEST MARTIN LUTHER KING, JR. BOULEVARD AND WEST 20<sup>TH</sup> STREET TO THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM AND RESERVING AN EASEMENT FOR BICYCLE AND PEDESTRIAN CONNECTIVITY.**

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

**PART 1.** Council approves the vacation of the following street portions (the "Vacated Right-of-Way") to the Board of Regents of the University of Texas System:

- (1) An approximate 0.442-acre portion of Whitis Avenue, between West Martin Luther King, Jr. Boulevard and West 20<sup>th</sup> Street, described in Exhibit A, attached to and incorporated as part of this ordinance;
- (2) An approximate 0.129-acre alley located between Whitis Avenue and Guadalupe Street, and between West Martin Luther King, Jr. Boulevard and West 20<sup>th</sup> Street, described in Exhibit B, attached to and incorporated as part of this ordinance.

**PART 2.** A drainage easement and public utility easement are reserved from the vacation by the City.

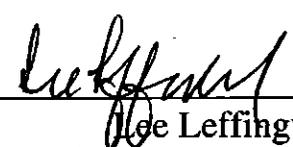
**PART 3.** A permanent easement for bicycle and pedestrian connectivity is reserved over a portion of the Vacated Right-of-Way.

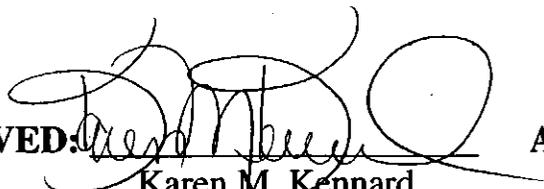
**PART 4.** The University of Texas has posted funds with the City in the amount of \$613,899, which is an amount equal to or greater than the estimated appraised fair market value of the interests in the land being vacated.

**PART 5.** The full amount of the final appraised market value of the Vacated Right-of-Way shall be deposited with the City at a closing for the conveyance of the Vacated Right-of-Way. Any amount of funds posted with the City in excess of the final appraised fair market value shall be refunded to the University of Texas at the closing for the conveyance of the Vacated Right-of-Way.

**PART 6.** This ordinance takes effect on July 7, 2014.

**PASSED AND APPROVED**

June 26, 2014      §  
   §  
   §        
   Lee Leffingwell  
   Mayor

**APPROVED:**   
                                 Karen M. Kennard  
                                 City Attorney

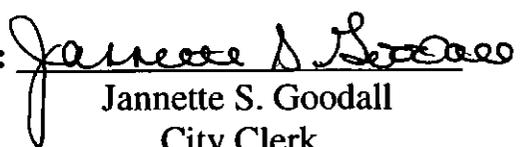
**ATTEST:**   
                                 Jannette S. Goodall  
                                 City Clerk

EXHIBIT A

**DESCRIPTION**

FOR A 0.442 ACRE TRACT OF LAND OUT OF OUTLOT 20, DIVISION D, LOUIS HORST'S SUBDIVISION OF OUTLOTS IN DIVISION D AND E, A SUBDIVISION RECORDED IN VOLUME Z, PAGES 594 AND 613 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.442 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at an "X" found in concrete for the southeast corner of Lot 11, of said Louis Horst's Subdivision, being on the intersection of the north right-of-way line of West Martin Luther King, Jr. Blvd. and the west right-of-way line of Whitis Avenue, for the southwest corner and **POINT OF BEGINNING** hereof;

**THENCE** with the west right-of-way line of said Whitis Avenue, same being in part with the east line of said Lot 11 and Lots 12, 13, and 14 of said Louis Horst's Subdivision, **N 03° 46' 38" E** for a distance of **313.78** feet to a mag nail found for the northeast corner of said Lot 14, same being on the intersection of the west right-of-way line of said Whitis Avenue and the south right-of-way line of West 20<sup>th</sup> Street, for the northwest corner hereof;

**THENCE** with the south right-of-way line of said West 20<sup>th</sup> Street, **S 86° 27' 39" E** for a distance of **59.83** feet to the northwest corner of Lot 27, same being the intersection of the east right-of-way line of said Whitis Avenue and the south right-of-way line of said West 20<sup>th</sup> Street, for the northeast corner hereof;

**THENCE** with the east right-of-way line of said Whitis Avenue, same being in part with the west line of said Lot 27 and Lots 28, 29, 30, and 31, of said Louis Horst's Subdivision, **S 03° 46' 00" W** for a distance of **329.97** feet to the southwest corner of said Lot 31, same being

the intersection of the east right-of-way line of said Whitis Avenue and the north right-of-way line of said Martin Luther King, Jr. Blvd., for the southeast corner hereof;

**THENCE** with the north right-of-way line of said Martin Luther King, Jr. Blvd., **N 71° 18' 46" W** for a distance of **61.97** feet to the **POINT OF BEGINNING** hereof and containing 0.442 acre of land.

Basis of bearings is based on Texas State Plane Coordinate System, Central Zone, NAD '83.

Surveyed under the direct supervision of the undersigned during March, 2013.



Margaret A. Nolen  
Registered Professional Land Surveyor No. 5589  
BAKER-AICKLEN & ASSOCIATES, INC.  
507 West Liberty Avenue  
Round Rock, TX 78664  
(512) 244-9620



Job No.: 2147-3-001

Filename:

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**FIELD NOTES REVIEWED**

By: CLARK DANIEL Date 09.19.2013

Engineering Support Section  
Department of Public Works  
and Transportation

S86°27'39"E 59.83'

WEST 20TH STREET

**SUBJECT TRACT**  
0.442 ACRE

OUTLOT 20, DIVISION D  
LOUIS HORST'S SUBDIVISION  
OF OUTLOTS IN DIVISION D AND E  
VOL. Z, PAGES 594 AND 613

OUTLOT 20, DIVISION D  
LOUIS HORST'S SUBDIVISION  
OF OUTLOTS IN DIVISION D AND E  
VOL. Z, PAGES 594 AND 613

LOT 14

LOT 27

LOT 13

LOT 28

LOT 12

MULTI-STORY  
STONE AND BRICK  
BLDG.  
LOT 29

LOT 11

LOT 30

POINT OF  
BEGINNING

LOT 31

N71°18'46"W 61.97'

WEST MARTIN LUTHER  
KING JR., BLVD.



ORIGINAL SCALE  
1" = 50'

**BAKER-AICKLEN & ASSOCIATES, INC.**  
 307 WEST LIBERTY AVE.  
 ROUND ROCK, TEXAS 78664  
 (512) 244-9520  
 ENGINEERING FIRM # F-45  
 SURVEY FIRM # 100231-0  
 TBAE # 1757

ENGINEERS | SURVEYORS | GIS | PLANNERS | LANDSCAPE ARCHITECTS

ROUND ROCK

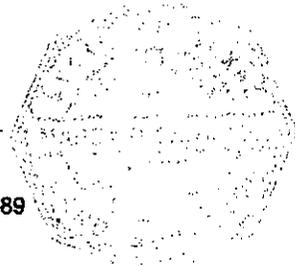
**WHITIS AVENUE**  
UNIVERSITY OF TEXAS  
MARCH, 2013

LEGEND	
●	1/2" IRON ROD FOUND
⊗	"X" IN CONCRETE FOUND
▲	NAIL FOUND
⌘	UTILITY POLE
⊛	LUMINARE STANDARD
○ <sup>T</sup>	MANHOLE TELEPHONE
○ <sup>E</sup>	MANHOLE ELECTRIC
○ <sup>CIL</sup>	CURB INLET LID
■ <sup>E</sup>	ELECTRIC BOX
⊙ <sup>W</sup>	WATER METER

⊙ <sup>G</sup>	GAS METER
⊙ <sup>W</sup>	WATER VALVE
⊕ <sup>FH</sup>	FIRE HYDRANT
⊙ <sup>B</sup>	BOLLARD
⊙	SIGN
○ <sup>P</sup>	PARKING KIOSK
⊕ <sup>FDC</sup>	FIRE DEPARTMENT CONTROL VALVE
○ <sup>OL</sup>	OUTLET
■ <sup>E</sup>	ELECTRIC PULLBOX
⊕ <sup>S</sup>	SPRINKLER CONTROL VALVE
—○E—	OVERHEAD UTILITY



MARGARET A. NOLEN  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5589



**BA** BAKER-AICKLEN & ASSOCIATES, INC.  
 507 WEST LIBERTY AVE.  
 ROUND ROCK, TEXAS 78664  
 (512) 244-9920  
 ENGINEERING FIRM # F-405  
 SURVEY FIRM # 1002310  
 TBAE # 1287

CHINA | GUYANA | ID | PLANNING | LANDSCAPE ARCHITECTURE  
 ROUND ROCK

WHITIS AVENUE  
UNIVERSITY OF TEXAS  
MARCH, 2013

EXHIBIT B

**DESCRIPTION**

FOR A 0.129 ACRE TRACT OF LAND OUT OF A 20-FOOT WIDE ALLEY OUT OF OUTLOT 20, DIVISION D, LOUIS HORST'S SUBDIVISION OF OUTLOTS IN DIVISION D AND E, A SUBDIVISION RECORDED IN VOLUME Z, PAGES 594 AND 613 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.129 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½" iron rod found for the northeast corner of Lot 7, of said Louis Horst's Subdivision, same being the intersection of the south right-of-way line of West 20<sup>th</sup> Street and the west line of said 20-foot wide alley, for the northwest corner and **POINT OF BEGINNING** hereof;

**THENCE** with the south right-of-way line of said West 20<sup>th</sup> Street, **S 87° 10' 57" E** for a distance of **19.90** feet to a ½" iron rod found for the northwest corner of Lot 14, of said Louis Horst's Subdivision, same being the intersection of the south right-of-way line of said West 20<sup>th</sup> Street and the east line of said 20-foot wide alley, for the northeast corner hereof;

**THENCE** with the east line of said 20-foot wide alley, same being in part with the west line of said Lot 14 and Lots 11 - 13 of said Louis Horst's Subdivision, the following two (2) courses and distances:

- 1) **S 03° 47' 45" W** for a distance of **139.90** feet to a calculated point for the southwest corner of said Lot 13, same being the northwest corner of said Lot 12, for an angle point hereof, and
- 2) **S 03° 39' 55" W** for a distance of **144.74** feet to a cotton gin spindle found on the north right-of-way line of Martin Luther King, Jr. Blvd., for the southeast corner hereof;

**THENCE** with north right-of-way line said Martin Luther King, Jr. Blvd., **N 73° 09' 49" W** for a distance of **20.39** feet to a ½" iron rod found on the east line Lot 10, of said Louis Horst's Subdivision, for the southwest corner hereof;

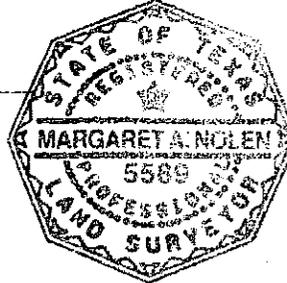
**THENCE** with west line said 20-foot wide alley, same being in part with the east line of said Lots 10 and 7 and Lots 8 and 9, of said Louis Horst's Subdivision, the following two (2) courses and distances:

- 1) **N 03° 34' 23" E** for a distance of **140.51** feet to a ½" iron rod found for the northeast corner of said Lot 9, same being the southeast corner of said Lot 8, for an angle point hereof, and
- 2) **N 03° 52' 19" E** for a distance of **139.19** feet to the **POINT OF BEGINNING** hereof and containing 0.129 acre of land.

Basis of bearings is based on Texas State Plane Coordinate System, Central Zone, NAD '83.

Surveyed under the direct supervision of the undersigned during March, 2013.

  
Margaret A. Nolen  
Registered Professional Land Surveyor No. 5589  
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507 West Liberty Avenue  
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Job No.: 2147-3-001

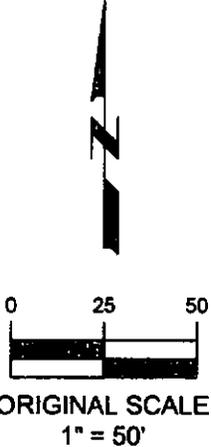
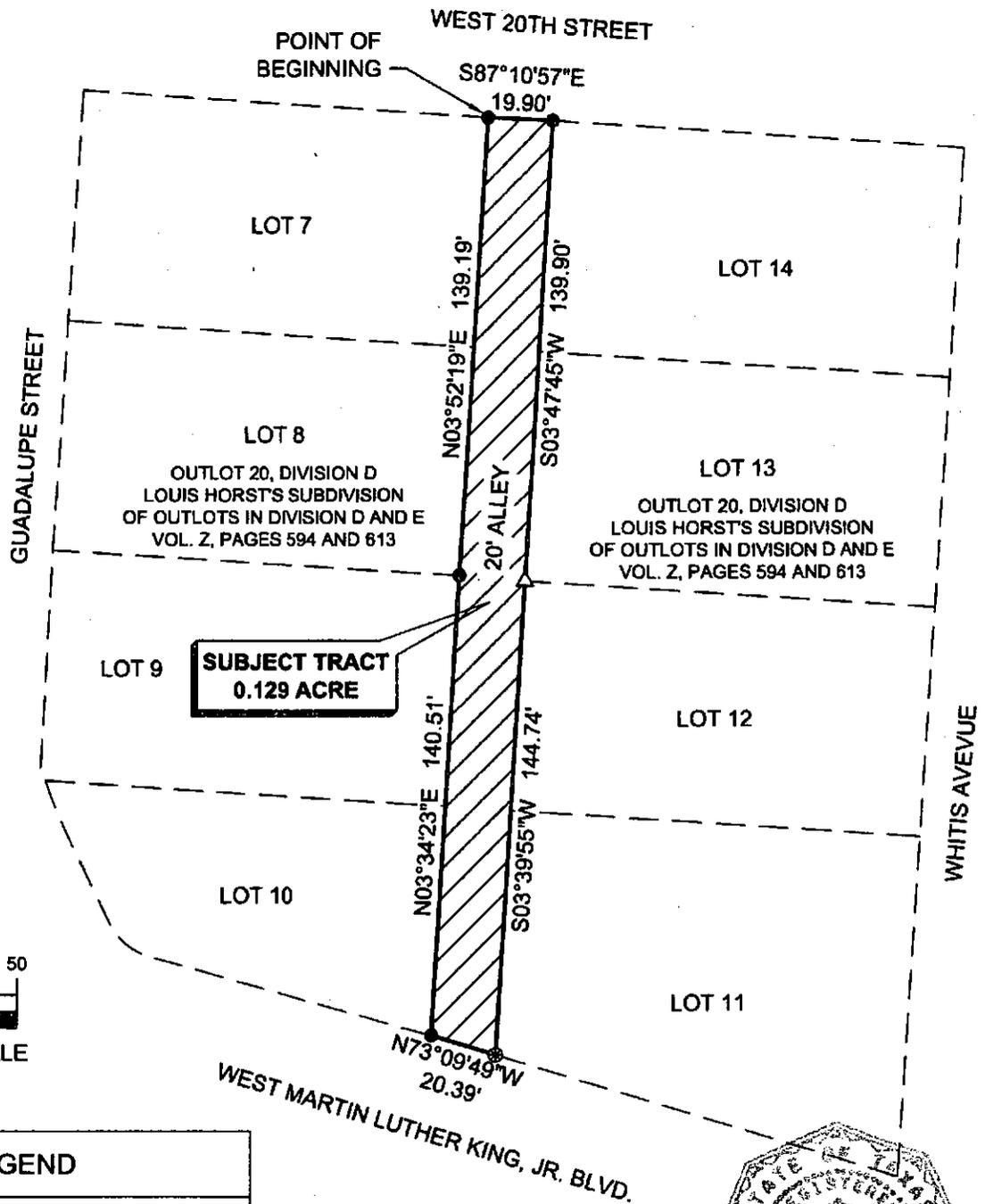
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**FIELD NOTES REVIEWED**

By: Clark Daniel Date 09.19.2013

Engineering Support Section  
Department of Public Works  
and Transportation



LEGEND	
●	1/2" IRON ROD FOUND
⊙	COTTON GIN SPINDLE FOUND
△	CALCULATED POINT



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 ENGINEERING FIRM # F-45  
 SURVEY FIRM # 100231-D  
 ROUND ROCK TXBAE # 1787

**20-FOOT WIDE ALLEY**  
 UNIVERSITY OF TEXAS  
 MARCH, 2013

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