

Glasscock, Amanda

From: William [REDACTED]
Sent: Friday, April 18, 2014 3:43 PM
To: CLMD Land Management
Subject: Proposed Alley and Street Vacations, F#9156-1301 and F#9157-1301

Eric J. Hammack, Property Agent Senior
Land Management Section
Office of Real Estate Services

Mr. Hammack,

Pursuant to the response period requirements in the attached notification letter, I hereby object to the proposed Alley and Street Vacations, F#9156-1301 and F#9157-1301.

Please let me know if you have any questions.

Cordially,

William Burkhardt
802 Christopher St.
Parcel ID 0102010202

William Burkhardt AIA
brkartstudio
ph. 512-448-9573
mob. 512-750-6580
[REDACTED]

Glasscock, Amanda

From: Bruce Hammond [REDACTED]
Sent: Saturday, April 19, 2014 9:38 AM
To: CLMD Land Management
Subject: F#9156-1301 and F#9157-1301 - alley & street vacation

Attn: Eric J Hammock, Property Agent Senior

Dear Mr Hammock,

As one of the owners of the surrounding property, I strongly object to the proposed alley & street vacation requested by Eduardo Garza of PSW Real Estate, on behalf of 1st Street Highland, L.P.

Sincerely,

Richard Bruce Hammond
1005 S. 3rd St
Austin, TX 78704

Glasscock, Amanda

From: Tom Hurt [REDACTED]
Sent: Sunday, April 20, 2014 11:56 PM
To: CLMD Land Management
Subject: FW: F#9157-1301 F#9157-1301 , proposed Vacations of portions of Christopher Street, S 2nd Street and Copeland Street
Attachments: Scan 1.pdf

To : The City of Austin
Office of Real Estate Services
Eric J. Hammack, Property Agent Senior
505 Barton Springs Road , STE 1350
Austin, TX 78704

RE: F#9156-1301 Vacation of a portion of South 2nd Street and portions of an Alley north of Copeland as requested by Eduardo Garza of PSW Real Estate;

RE: F#9157-1301 Proposed Vacation of a portion of Christopher Street as requested by Eduardo Garza of PSW Real Estate;

Dear City of Austin, Office of Real Estate Services,

My wife and I manage and own all interests in an LLC company that owns the property at 800 Christopher Street, Austin (78704). We are affected neighbors regarding the proposed vacation of the portions of Christopher Street (F#9157-1301) , south 2nd Street and Copeland Streets (F#9157-1301). We would like to, with this letter, clearly state **our objection** to these R.O.W. Vacations F#9157-1301 and F#9157-1301 , and we ask that the City not proceed with or grant the Vacations.

Please see attached scan of signed letter for your reference as well as a scan of the notice that the City sent to us regarding this matter.

Respectfully, Tom Hurt
Manager, Cumberland Fifth LLC

A Texas Limited Liability Company which owns the property at 800 Christopher Street, Austin Texas 78704.

CUMBERLAND FIFTH, LLC

PO Box 1427
Austin, Texas 78767
p 512_473-0123

To: The City of Austin
Office of Real Estate Services
505 Barton Springs Road , STE 1350
Austin, TX 78704

April 20,2014

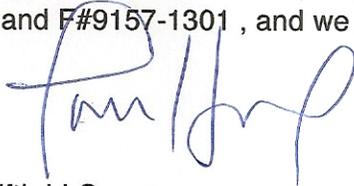
RE: F#9156-1301 Vacation of a portion of South 2nd Street and portions of an Alley north of Copeland as requested by Eduardo Garza of PSW Real Estate;

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Respectfully, Tom Hurt
Manager, Cumberland Fifth LLC



A Texas Limited Liability Company which owns the property at 800 Christopher Street, Austin Texas 78704.



City of Austin

OFFICE OF REAL ESTATE SERVICES

Land Management Section: One Texas Center, 505 Barton Springs Road, Ste. 1350
Austin, Texas 78704; Telephone (512) 974-7090; Fax (512) 974-7088

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

No.: 7010 0290 0002 4911 0802

April 11, 2014

PUBLIC NOTICE FOR ALLEY & STREET VACATION

A request has been submitted by Eduardo Garza of PSW Real Estate, on behalf of 1st Street Highland, L.P. for:

F#9156-1301 – Vacation of a 4,646 sq. ft. portion of South 2nd Street; and a 5,996 sq. ft. portion of South 2nd Street; and a 2,184 sq. ft. portion of an Alley north of Copeland, between South 1st & South 2nd. (Adjacent to 900 S. 1st Street). The areas to be vacated will be re-subdivided and re-developed for single family residential and condominium purposes.

F#9157-1301 - Vacation of a 8,200 sq. ft. portion of Christopher Street, between the south line of Block 2 and the North line of Block 3, Oak Cliff Addition Subdivision, recorded in Vol. 3, Pg. 81, TCPR. The area to be vacated will be re-subdivided and re-developed for single family residential and condominium purposes.

As one of the owners of the surrounding property, the City of Austin is advising you of the proposed street and alley vacations. If you have any objection to the proposed vacation, you have 10 days from the date of this letter to notify this Department in writing via Fax, Email or US Mail.

Please send your correspondence to:

Fax #: 974-7088 Email: landmanagement@austintexas.gov

US Mail:
City of Austin
Office of Real Estate Services Department
505 Barton Springs Road, Suite 1350
Austin, TX. 78704
Attn: Eric J. Hammack

If you have any questions concerning the proposal, you may contact me at 974-7079.

Sincerely,

Eric J. Hammack, Property Agent Senior
Land Management Section
Office of Real Estate Services

Glasscock, Amanda

From: Scott McNearney [REDACTED]
Sent: Monday, April 21, 2014 7:38 PM
To: CLMD Land Management; Hammack, Eric; eric.j.hammack@austintexas.gov
Cc: Melanie McNearney; [REDACTED]; William; Kevin Lewis; Zavala, Cesar; Shashoua, Marilyn; Scott, Randy
Subject: OBJECTION to partial vacation of Christopher St by PSW developer
Attachments: Christopher St vacation request PSW 4.11.14.pdf
Importance: High

Mr Hammack,

I object to the partial vacation of Christopher St by PSW. This is directly adjacent to my property at 1001 S 3rd St. Please record this objection and notify us of any following hearings, changes, etc. This vacation SHOULD NOT move forward as proposed.

Reasons for my objection include:

1. This vacation request has PSW trying to vacate more than 50% of the Christopher St easement which they are not allowed to do by code.
2. The Austin Parks Dept (PARD) have requested (as they are allowed to do by code) that PSW donate a portion of land for a trail through PSW's property for parkland connectivity and that portion should be relative to the property that PSW controls now. The land donation should be completed to all interested parties satisfaction before any easement vacation consideration should take place. Interested parties include adjacent residents, Austin PARD and the Bouldin Creek Neighborhood Association.
3. I am almost certain that the land they show in their vacation request runs well into the center of East Bouldin Creek and therefor SHOULD NOT be shown as a portion "given back to Austin PARD" after it might be vacated and likely is partially in the creek bed (which is a bad bad deal for PARD).
4. As a property owner immediately across the easement, I should have an option to consider purchasing on the other 50% of the creek easement. My 50% option includes some of the land that PSW is including in their vacation notice which is wrong. PSW cannot be granted an easement vacation and buyout for more than 50% of the easement!

Note also that we didn't receive a notice on this, a neighbor told us about it and sent us the attached scan.

Please file this objection and let me know what next steps are to stop this errant request by PSW.

Best Wishes,

Scott McNearney
1001 S 3rd St
512-769-1536



City of Austin

OFFICE OF REAL ESTATE SERVICES

Land Management Section: One Texas Center, 505 Barton Springs Road, Ste. 1350
Austin, Texas 78704; Telephone (512) 974-7090; Fax (512) 974-7088

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

No.: 7010 0290 0002 4911 1748

April 11, 2014

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Please send your correspondence to:

Fax #: 974-7088 Email: landmanagement@austintexas.gov

US Mail:
City of Austin
Office of Real Estate Services Department
505 Barton Springs Road, Suite 1350
Austin, TX. 78704
Attn: Eric J. Hammack

If you have any questions concerning the proposal, you may contact me at 974-7079.

Sincerely,

Eric J. Hammack, Property Agent Senior
Land Management Section
Office of Real Estate Services

SURVEY MAP TO ACCOMPANY FIELD NOTE
FOR THE ABRAHAM DECKER LEAGUE
TRACT NO. 8 IN TRAVIS COUNTY, TEXAS
AS FOLLOWS:

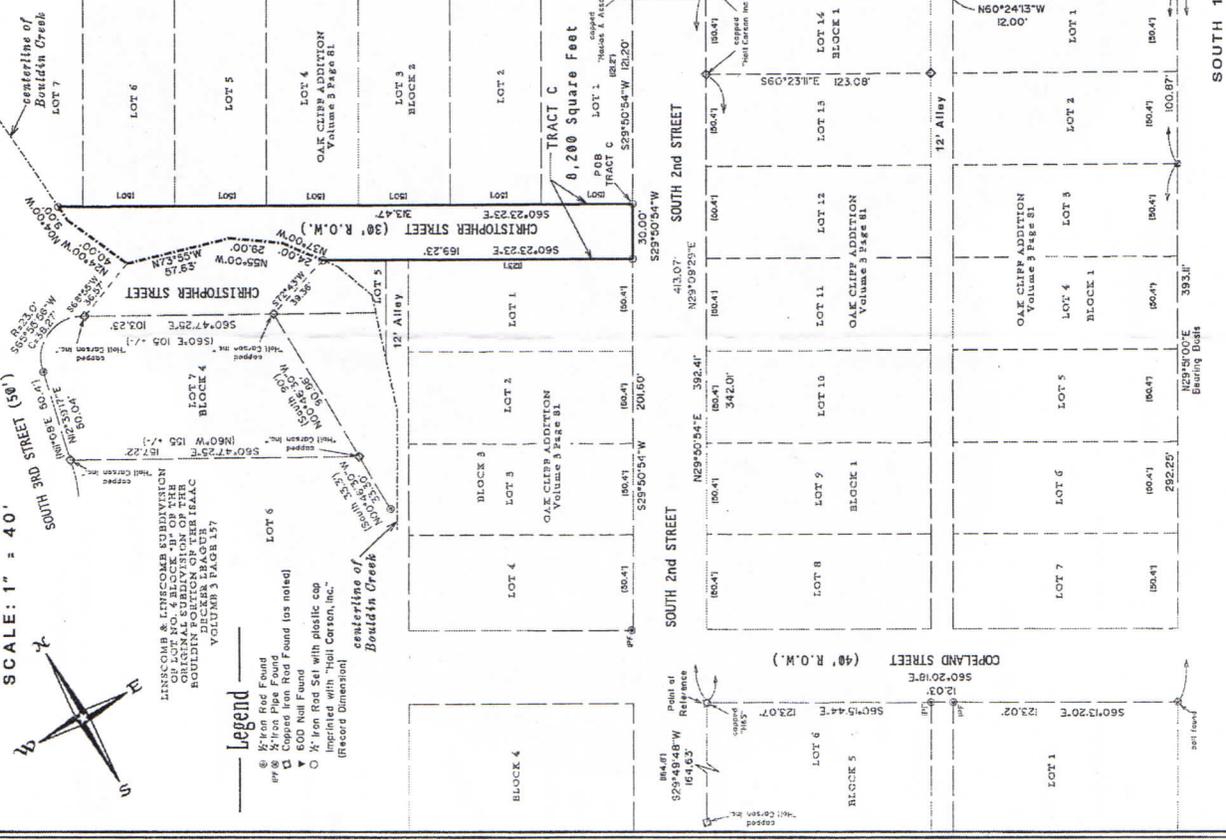
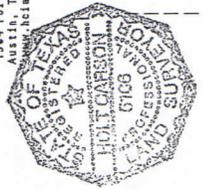
TRACT A:
 4,646 SQUARE FEET OF LAND BEING AN
 EIGHTEEN FEET (18'-0") WIDE STRIP OF
 LAND LYING ALONG THE NORTH LINE
 OF THE ABE WILLIAMS SUBDIVISION,
 A SUBDIVISION IN TRAVIS COUNTY,
 TEXAS, THE DEED THEREOF RECORDED IN
 VOLUME 328 PAGES 231-233 OF THE DEED
 RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT B:
 5,986 SQUARE FEET OF LAND, BEING A
 PORTION OF SOUTH 2nd STREET LYING
 BETWEEN THE WEST LINES OF LOTS
 5, 6, 7, AND 8, AND THE EAST LINES OF
 LOTS 9, 10, 11, AND 12, OF THE ABE
 WILLIAMS SUBDIVISION, A SUBDIVISION IN TRAVIS
 COUNTY, TEXAS, ACCORDING TO THE
 MAP OR PLAT THEREOF RECORDED IN
 VOLUME 328 PAGES 231-233 OF THE
 DEED RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT C:
 8,200 SQUARE FEET OF LAND, BEING A
 PORTION OF CHRISTOPHER STREET,
 FORMERLY KNOWN AS OLM STREET,
 LYING BETWEEN THE SOUTH LINE OF
 BLOCK 2 AND THE NORTH LINE OF
 BLOCK 3, OF OAK CLIFF ADDITION,
 A SUBDIVISION IN TRAVIS COUNTY,
 TEXAS, THE DEED THEREOF RECORDED IN
 VOLUME 328 PAGES 231-233 OF THE
 DEED RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT D:
 2,184 SQUARE FEET OF LAND, BEING A
 PORTION OF A TWELVE FEET (12'-0") WIDE
 ALLEY LYING BETWEEN THE WEST LINES
 OF LOTS 1, 2, 3, AND 4, AND THE EAST
 LINES OF LOTS 5, 6, 7, AND 8, OF THE
 ABE WILLIAMS SUBDIVISION, A SUBDIVISION
 IN TRAVIS COUNTY, TEXAS, ACCORDING TO
 THE MAP OR PLAT THEREOF RECORDED IN
 VOLUME 328 PAGES 231-233 OF THE DEED
 RECORDS OF TRAVIS COUNTY, TEXAS.

SURVEYED: January, 2013
BY: *[Signature]*
 Holt Carson
 Registered Professional Land Surveyor No. 5166
 1894 Fortview Road
 Austin, Texas 78784
 hcarson@att.net



SCALE: 1" = 40'

- Legend**
- Iron Rod Found
 - Copper Iron Rod Found (as noted)
 - ▲ 600 Nail Found
 - X Iron Rod Set with plastic cap
 - Impaled with "Holt Carson, Inc." (Record Dimension)

J.T. PARKER ADDITION
 Volume 2 Page 221
 LOT 9
 LOT 10

Glasscock, Amanda

From: Melanie McNearney [REDACTED]
Sent: Monday, April 21, 2014 7:47 PM
To: Scott McNearney
Cc: CLMD Land Management; Hammack, Eric; eric.j.hammack@austintexas.gov; Nolan McNearney; William; Kevin Lewis; Zavala, Cesar; Shashoua, Marilyn; Scott, Randy
Subject: Re: OBJECTION to partial vacation of Christopher St by PSW developer

Mr. Hammack,

This is very concerning to the adjacent neighbors and seeing that we, who are immediately adjacent to the easement were not notified, leaves me concerned that others were not as well.

I feel all neighbors within boundaries should be notified and given the full 10 days to respond as we were just told about this 3 days ago while we were out of town. The neighbor who notified us had only received his notice on the 16th of April.

I have talked with neighbors nearby and they would also like a chance to weigh in on this and have their voices be heard.

I'd like to see a new deadline with notices sent out to everyone.

Please note that I too highly object to this as per the reasons listed below and would like to be notified of any other request from PSW to the city as we are within the boundaries to be notified.

Thank you for your time,

On Mon, Apr 21, 2014 at 7:38 PM, Scott McNearney [REDACTED] wrote:
Mr Hammack,

I object to the partial vacation of Christopher St by PSW. This is directly adjacent to my property at 1001 S 3rd St. Please record this objection and notify us of any following hearings, changes, etc. This vacation SHOULD NOT move forward as proposed.

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portion of land for a trail through PSW's property for parkland connectivity and that portion should be relative to the property that PSW controls now. The land donation should be completed to all interested parties satisfaction before any easement vacation consideration should take place. Interested parties include adjacent residents, Austin PARD and the Bouldin Creek Neighborhood Association.

3. I am almost certain that the land they show in their vacation request runs well into the center of East Bouldin Creek and therefor SHOULD NOT be shown as a portion "given back to Austin PARD" after it might be vacated and likely is partially in the creek bed (which is a bad bad deal for PARD).

4. As a property owner immediately across the easement, I should have an option to consider purchasing on the other 50% of the creek easement. My 50% option includes some of the land that PSW is including in their vacation notice which is wrong. PSW cannot be granted an easement vacation and buyout for more than 50% of the easement!

Note also that we didn't receive a notice on this, a neighbor told us about it and sent us the attached scan.

Please file this objection and let me know what next steps are to stop this errant request by PSW.

Best Wishes,

Scott McNearney
1001 S 3rd St
512-769-1536

--
Melanie McNearney
Realtor, **Eco Broker**
e3 Properties
512.657.5996c


Glasscock, Amanda

From: Nolan McNearney [REDACTED]
Sent: Monday, April 21, 2014 7:51 PM
To: CLMD Land Management
Cc: Hammack, Eric; eric.j.hammack@austintexas.gov; Melanie McNearney; William; Kevin Lewis; Zavala, Cesar; Shashoua, Marilyn; Scott, Randy; [REDACTED]
Subject: Re: OBJECTION to partial vacation of Christopher St by PSW developer

Mr Hammack,

I concur with this objection. These are all valid points that should be addressed.

Thanks,
Nolan McNearney

On Monday, April 21, 2014, Scott McNearney [REDACTED] wrote:
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Best Wishes,

Scott McNearney
1001 S 3rd St
512-769-1536

Glasscock, Amanda

From: Bert McIlwain [REDACTED]
Sent: Thursday, April 24, 2014 9:17 AM
To: CLMD Land Management
Subject: F#9156-1301 and F#9157-1301 - alley & street vacation

Attn: Eric J Hammock, Property Agent Senior

Dear Mr Hammock,

I am one of the owners of property adjacent to the proposed development, and I have several serious concerns about the proposed alley & street vacation requested by Eduardo Garza of PSW Real Estate, on behalf of 1st Street Highland, L.P. I also have concerns about aspects of their recent resubdivision plan

Sincerely,

Robert McIlwain
700 Copeland St.
Austin, TX 78704

Glasscock, Amanda

From: Hampton, Stuart [REDACTED]
Sent: Tuesday, April 29, 2014 9:30 AM
To: CLMD Land Management
Subject: Strret and Alley Vacation F#9156-1301 and F#9157-1301

To: Erick Hammack, Property Senior Agent
Office of Real Estate Service Department

Subject: Street and Alley Vacation F#9156-1301 and F#9157-1301

Mr. Hammack,

Apologies for the delay in sending this to you.

I am a person of interest in this case (S. First neighbor and chair of the Bouldin Creek Neighborhood Plan Contact Team).

Having reviewed the proposed notice for alley and street vacation I have two concerns.

The first is safety. The removal of S. Second and the alley that connects it to S. First basically restricts access to the proposed development to a single road. I believe this creates a dangerous situation, should first responders need immediate access and egress routes, especially given the substandard (narrow) state of Copeland.

The second is compatibility. The Bouldin Creek Neighborhood Plan addresses the future development of this location in very specific terms regarding height and setbacks and on complying with compatibility standards regarding adjacent SF-3 lots. I am not sure the current site plans by PSW for its developments on S. First or S. Second meet these standards. They need to.

See Bouldin Creek Neighborhood Plan Objective 1.2 Action Item 8 (B) (Action Item 8 A and footnotes on pages 15 and 16 are also useful for context).

<ftp://ftp.ci.austin.tx.us/npzd/Austingo/bouldin-np.pdf>

Please take safety and the specific information in the Plan into account while reviewing these site plans and street and alley vacation requests.

Regards,

Stuart Hampton
Chair, Bouldin Creek Neighborhood Plan Contact Team
1006 S. First St., Austin, TX 78704