

# MEMORANDUM

**TO:** Joana Perez, Urban Transportation Commission Coordinator  
Austin Transportation Department

**FROM:** Eric J. Hammack, Real Estate Supervisor  
Land Management Section  
Office of Real Estate Services

**DATE:** July 1, 2015

**SUBJECT:** F# 9514-1504; Vacation of a portion of an unconstructed Alley between East 4<sup>th</sup> Street and East 5<sup>th</sup> Street, immediately west of Robert T. Martinez Jr. Street.

Attached are the departmental comments and other information pertinent to the referenced right of way vacation. All affected departments and private utility franchise holders have reviewed this request and recommend approval.

The applicant has requested that this item be submitted for placement on the **July 14<sup>th</sup>, 2015, Urban Transportation Commission Agenda** for their consideration.

Staff contact: Eric Hammack at 974-7079 or [landmanagement@austintexas.gov](mailto:landmanagement@austintexas.gov)

Applicant: David Cancialosi

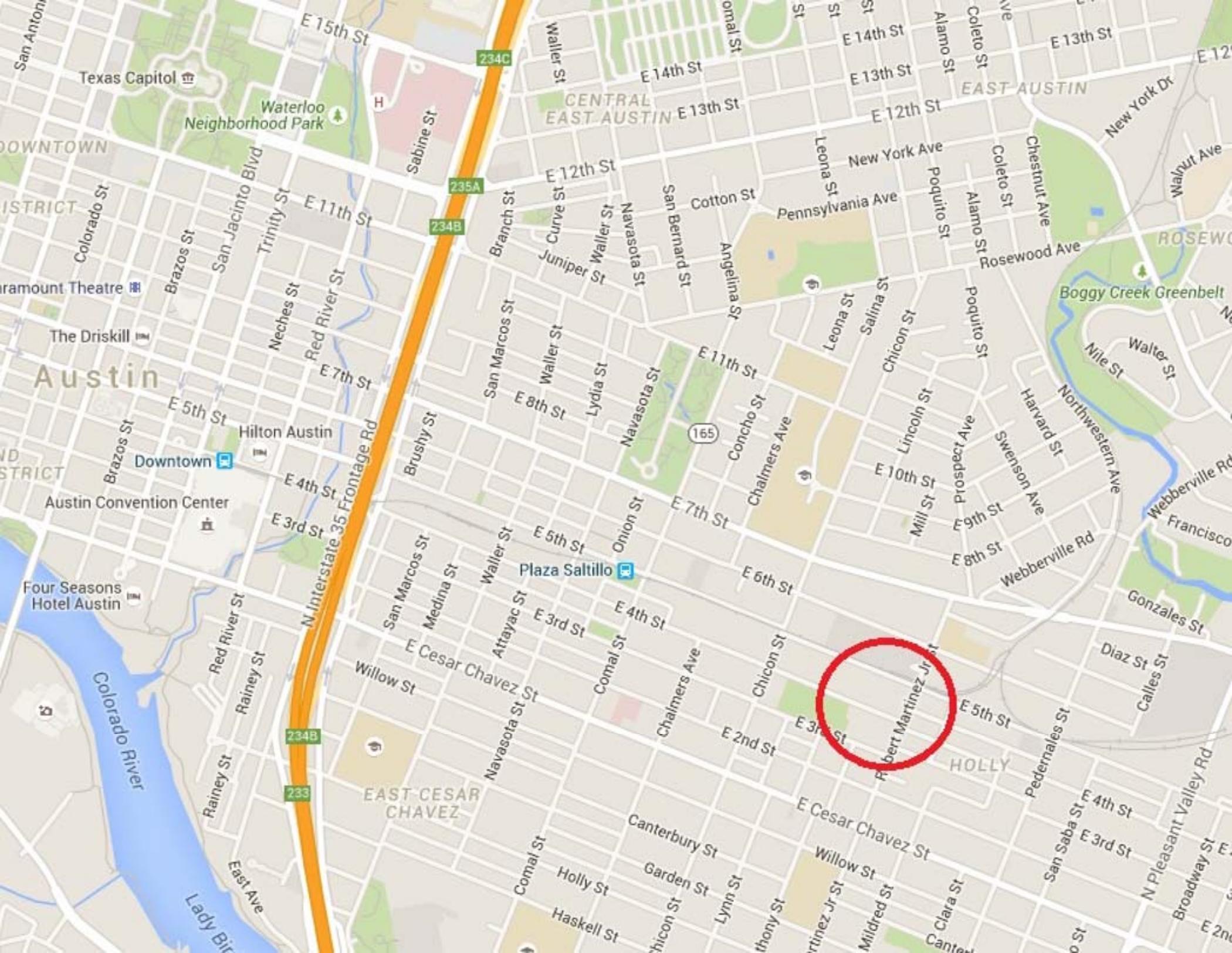
Property Owners: M. Andrew Edgerton and Sarah Susan Holloway Edgerton

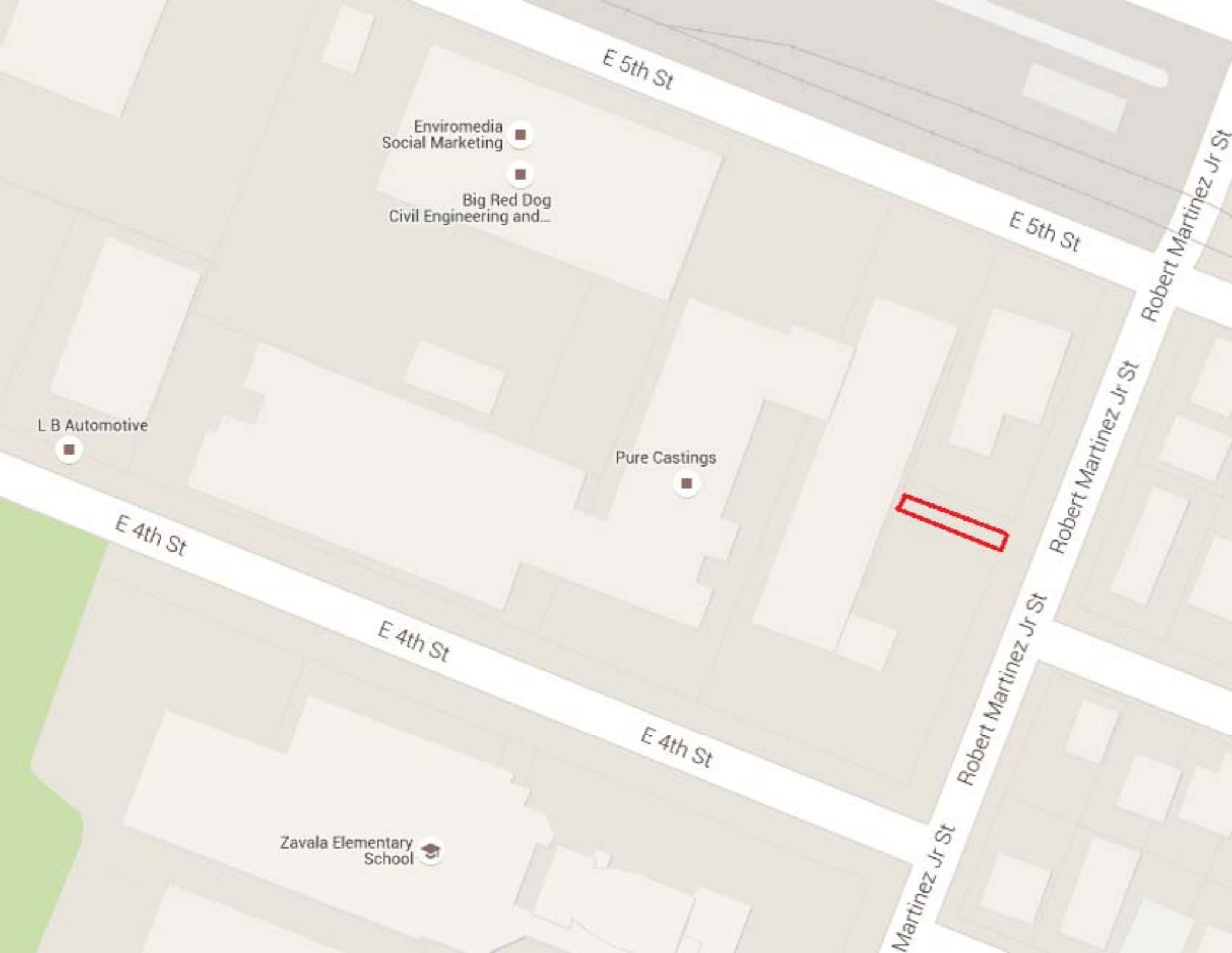
Eric J. Hammack, Real Estate Supervisor  
Land Management Section

**OFFICE OF REAL ESTATE SERVICES**

DEPARTMENTAL COMMENTS FOR THE VACATION OF A PORTION OF AN UNCONSTRUCTED ALLEY BETWEEN EAST 4<sup>TH</sup> STREET AND EAST 5<sup>TH</sup> STREET, IMMEDIATELY WEST OF ROBERT T. MARTINEZ JR. STREET

AT&T	APPROVE
AUSTIN ENERGY	APPROVE
AUSTIN TRANSPORTATION DIRECTOR	APPROVE
AUSTIN RESOURCE RECOVERY	APPROVE
AUSTIN WATER	APPROVE
CODE COMPLIANCE	APPROVE
CTM – GAATN	APPROVE
EMS	APPROVE
FIRE	APPROVE
GOOGLE	APPROVE
GRANDE COMMUNICATIONS	APPROVE – APPLICANT REQUIRED TO PAY COST ANY UTILITY RELOCATION, IF NEEDED
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Engineering)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Transportation)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Neighborhood Planning)	REFER TO PLANNING COMMISSION
PLANNING & DEVELOPMENT REVIEW (Parks and Recreation)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Urban Design)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Zoning Review)	APPROVE
PUBLIC WORKS	APPROVE
TEXAS GAS SERVICES	APPROVE
TIME WARNER	APPROVE
WATERSHED PROTECTION (Engineering)	APPROVE





E 5th St

Enviromedia  
Social Marketing

Big Red Dog  
Civil Engineering and...

E 5th St

Robert Martinez Jr St

L B Automotive

Pure Castings

Robert Martinez Jr St

E 4th St

E 4th St

Robert Martinez Jr St

E 4th St

Zavala Elementary  
School

Martinez Jr St

Robert Martinez Jr St

MEMORANDUM

Case No.: 9514-1504
Date: April 30, 2015

SUBJECT: ALLEY VACATION

- List of names and departments: Lucy Cabading (AT&T), Melody Giambruno (Austin Energy), Rob Spillar (Austin Transportation Director), Angela Baez (Austin Water), Roberto Gonzalez (Capital Metro), Carlos Dematos (CTM - GAATN), Milissa Warren (EMS), David Brietzke (Fire), Scott Cunningham (Google), Luis Mata (Grande Communication), Mike Turner (Austin Resource Recovery), Cora Wright (PARD), Ricardo Soliz (PARD), Danielle Guevara (PDRD (LUR-Engineering)), Sangeeta Jain (PDRD (LUR-Transportation)), Mark Walters (PDRD (N'borhood Planning)), Humberto Rey (PDRD (Urban Design)), Wendy Rhoades (PDRD (Zoning Review)), David Boswell (PWD - Office of City Eng'r), Christian Barraza (Texas Gas), Scott Wratten (Time Warner), Katina Bohrer (WPD (Engineering)), Bruna Quinonez (Code Compliance)

A request has been received for vacation of the south half of a 20' Alley between East 4th Street and East 5th Street (Adjacent to Lot 6, Outlot 8, Division O, Musgrove Subdivision, recorded in Volume Z, Page 595, DRTC).

Please review this request and return your comments to Eric Hammack (974-7079), email address: landmanagement@austintexas.gov or Fax: 974-7088. Physical address: Office of Real Estate Services, 505 Barton Springs Road, Suite 1350. Due Date: May 14, 2015.

APPROVAL: YES Yes, Subj. to Req'm't No

Comments:

Imagine Austin Comprehensive Plan - - - (CITY OF AUSTIN REVIEWERS ONLY):

Please also review the Vacation request based on the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan (page 186).

Comments:

Reviewed by:

Telephone:

Date:

April 28, 2015

RE: Alley vacation request – 2110 East 4<sup>th</sup> St

To Whom It May Concern:

This application is requesting the approval of a 153 SF alley vacation application for an alley intersecting into property commonly known as 2110 E. 4<sup>th</sup> St. The alley in question takes access from the intersecting street Robert J. Martinez Street, but the site is identified as part of a larger tract known as 2110 E. 4<sup>th</sup> St. The site also has 911 addresses assigned to it such as 2106, 2110, 2112 E. 4<sup>th</sup> St. This is probably due to the tract's assemblage of multiple lots that comprise the overall site in its current configuration.

This is a commercial tract that is known as Pure Castings. The area in question appears to have been dedicated by plat via Musgrove subdivision phase 2 volume Z page 595. There are no records that reflect the city's purchase of this small alley. Both the subdivision and alley are part of the same Musgrove subdivision. The area appears to only exist on paper and is not visible in the field. There are no known utilities in the alley. The alley has no specific plans for redevelopment. The property owner is attempting to sell the property and needs to clean this up as this unknown alley has come up during deed and / or title company research by prospective buyers. Thus it is prohibiting his ability to sell the property until this is resolved. There has been no site plan submitted for the project. This is not a smart housing project. There are no anticipated development plans. The current zoning of adjacent properties is as follows:

1. 2110 E. 4<sup>th</sup> St is CS-CO-MU-NP
2. 2112 E. 4<sup>th</sup> St is CS-Co-MU-NP
3. 2105 E. 4<sup>th</sup> St. is SF-3-NP (this is the Pan Am Recreational Center)
4. 2200 Santa Rosa is SF-NP

The adjacent properties appear to be used in keeping with their zoning. For the subject site there is on-site parking. Same for the adjacent properties. The alley vacation has no impact on surrounding parking.

No other easement agreements have been made with adjacent properties given the 153 SF alley's location mostly 'within' the subject site. The site is not located within DAP or UT boundaries.

Thank you for your consideration,  
David Cancialosi, agent for property owner

Application for Street or Alley Vacation  
File No. 9514-1504 DATE: 4/30/15  
Department Use Only Department Use Only

**TYPE OF VACATION**

Type of Vacation: Street: \_\_\_\_\_; Alley: X; ROW \_\_\_\_\_ Hundred Block: \_\_\_\_\_  
Name of Street/Alley/ROW: south 1/2 of 20' wide alley between lot 4 & 6 Is it constructed: Yes (No)  
Property address: 2110 E. 4th St., Austin, TX, 78702  
Purpose of vacation: owner utilizes this portion of alley but City does not utilize for public purposes

**PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED**

Parcel #: 0203090816  
Survey & Abstract No.: SAM Surveying, Abstract No. 7  
Lot(s): 6 Block: \_\_\_\_\_ Outlot: 8, Division 0  
Subdivision Name: Musgrove  
Plat Book Z Page Number 595 Document Number \_\_\_\_\_

Neighborhood Association Name: N/A  
Address including zip code: \_\_\_\_\_

**RELATED CASES**

	FILE NUMBERS
Existing Site Plan (circle one): YES <u>(NO)</u>	_____
Subdivision: Case (circle one): YES <u>(NO)</u>	_____
Zoning Case (circle one): YES <u>(NO)</u>	_____

**PROJECT NAME, if applicable:**

Name of Development Project: N/A  
Is this a S.M.A.R.T. Housing Project (circle one): YES (NO)  
Is this within the Downtown Austin Plan Boundaries (circle one): YES (NO)

**OWNER INFORMATION**

Name: \_\_\_\_\_ (M. A. Edgerton) & Sarah Edgerton (as shown on Deed)  
Address: 2110 E. 4th St. Phone: ( ) N/A Fax No.: ( ) \_\_\_\_\_  
City: Austin County: Travis State: TX Zip Code: 78702  
Contact Person/Title: \_\_\_\_\_ Cell Phone: ( ) \_\_\_\_\_  
Email Address: andy@purecastingsco.com  
(If multiple owners are joining in this request – complete names, addresses on each, must be attached.)

**APPLICANT INFORMATION**

Name: David Cancialosi  
Firm Name: Permit Partners, LLC  
Address: 105 W. Riverside Dr. Ste 225  
City: Austin State: TX Zip Code: 78704  
Office No.: ( 512 ) 593-5361 Cell No.: ( ) \_\_\_\_\_ Fax No.: ( ) \_\_\_\_\_  
EMAIL ADDRESS: david@permit-partners.com

The undersigned Landowner/Applicant understands: 1) The application will be handled in accordance with the Policies and Procedures. 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no way obligates the City to vacate the subject area. 4) It is further understood that all documents related to this transaction and certified check for the "appraised value" must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By:   
Landowner/Applicant



GRAPHIC SCALE

"EXHIBIT B"



EAST 67' OF LOT 3  
MUSGROVE SUBDIVISION  
VOL. Z, PG. 595  
D.R.T.C.TX

LOT 4  
MUSGROVE SUBDIVISION  
VOL. Z, PG. 595  
D.R.T.C.TX

NORTH HALF OF 20' ALLEY  
MUSGROVE SUBDIVISION  
VOL. Z, PG. 595  
D.R.T.C.TX

SOUTH HALF OF 20' ALLEY  
(TO BE VACATED)  
0.015 ACRE (664 SQ. FT.)  
MUSGROVE SUBDIVISION  
VOL. Z, PG. 595  
D.R.T.C.TX

EAST 66.05' OF LOT 5  
MUSGROVE SUBDIVISION  
VOL. Z, PG. 595  
D.R.T.C.TX

SARAH SUSAN  
HOLLOWAY EDGERTON AND  
M. ANDREW EDGERTON  
VOL. 12501, PG. 65  
LOT 6  
MUSGROVE SUBDIVISION  
VOL. Z, PG. 595  
D.R.T.C.TX

ROBERT T. MARTINEZ JR. STREET  
(60' ROW)

LINE TABLE		
NUMBER	DIRECTION	LENGTH
L1	S20°34'36"W	10.00'
L2	N69°25'39"W	66.37'
L3	N20°13'03"E	10.00'
L4	S69°25'39"E	66.43'
L5	N20°34'36"E	10.00'

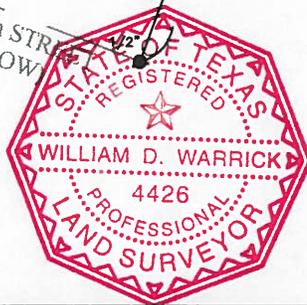
NOTES:

1. ALL BEARING ARE GRID BEARINGS AND ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83, US SURVEY FOOT. DISTANCES SHOWN HEREON ARE GRID.
2. FOR ADDITIONAL INFORMATION, SEE ATTACHED LEGAL DESCRIPTION EXHIBIT "A" MADE IN CONJUNCTION WITH AND CONSIDERED AN INTEGRAL PART OF THIS PLAT OF EASEMENT.
3. THIS ALLEY VACATION PLAT AND THE ATTACHED DESCRIPTION (EXHIBIT "A") WERE PREPARED FOR THE PURPOSES OF VACATING AN ALLEY AND ARE NOT INTENDED FOR USE AS PROPERTY BOUNDARY SURVEY.

- REVISION  
2 - ADDED ADJOINING OWNERSHIP 2015-04-20  
3 - REVISED BEARINGS 2015-05-08

LEGEND

- PARCEL LINE
- ADJOINER LINE
- IRON ROD FOUND
- △ CALCULATION POINT



*William D. Warrick* *MAY 8, 2015*  
WILLIAM WARRICK \_\_\_\_\_ DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 4426 - STATE OF TEXAS

JOB NUMBER: 34755  
DATE: 03/12/2015  
SCALE: 1"=40'  
SURVEYOR: WILLIAM WARRICK  
TECHNICIAN: JEREMY WARREN  
DRAWING: 34755EX-ALLEY VACATION  
TRACT ID:  
PARTY CHIEF:  
FIELDBOOKS:



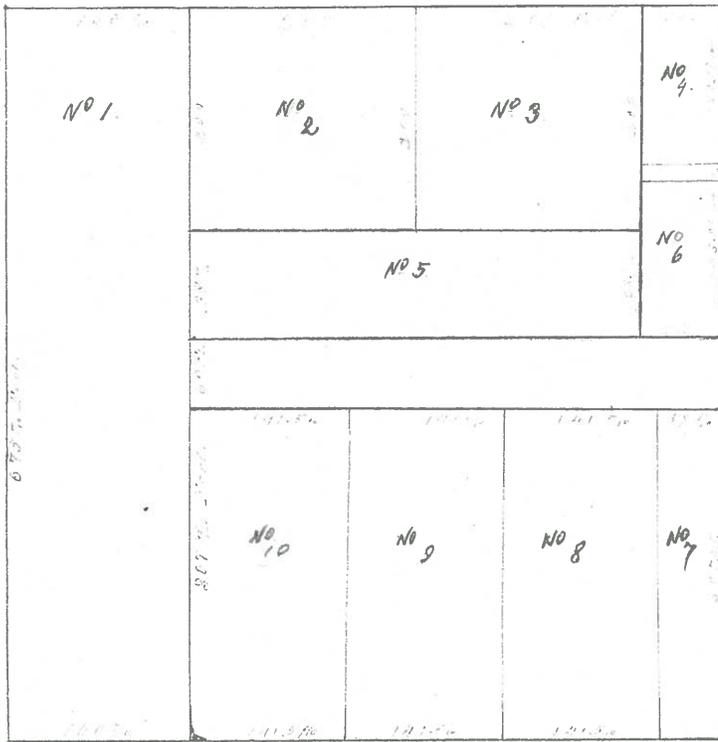
4801 Southwest Parkway  
Building Two, Suite 100  
Austin Texas, 78735  
Ofc: 512.447.0575  
Fax: 512.326.3029  
email: info@sam.biz

PROJECT: PURE CASTING COMPANY  
2106 E. 4TH STREET

SHEET 1  
OF 1

Texas Firm Registration No. 10064300

Rail Road PINE Street



CYPRESS Street

Plan of subdivision of int. Lot No. 8,  
 in Division U in the City of Austin.  
 Surveyed January 3rd, A.D. 1870. H. W. Ford  
 Geo. H. Thompson