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MEMORANDUM

TO: Andrew Rivera, Land Use Commissions Liaison

Planning and Zoning Department

ROM: Kim Vasquez, Property Agent Sr., Office of Real Estate Services

DATE: November 28, 2018

SUBJECT: F#10048-1810 and F#10049-1810 Alley Vacation of W. 17th St.

(Entire 20-ft Wide Alley Traversing Block 33, Division E, of the Government

Tracts Adjoining City of Austin)

Attached are the departmental comments and other information pertinent to the two alley vacation applications F#10048-1810 and F#10049-1810. The area being requested for vacation will be used for future development of the entire block. All affected departments and private utility franchise holders have reviewed the request and recommend approval, subject to the following conditions:

(1) Retain a wastewater easement for Austin Water Utility; and

(2) Any relocation of AT&T and Charter/Spectrum existing utilities within the alley will be at the owner's expense.

The applicant has requested that this item be submitted for placement on **December 11**, **2018 Planning Commission Agenda**.

Staff contact: Kim Vasquez, 512-974-9241, kim.vasquez@austintexas.gov

Applicant: Michael Whellan

Armbrust & Brown, PLLC, (512) 435-2320, MWhellan@abaustin.com

Abutting Owners: Stephen McNally; Travis Hotel Group, LLC

The applicant and/or the property owners' representative will be present at the meeting to answer any questions regarding the development project and vacation request.

Attachments

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SUMMARY OF REVIEW COMMENTS REPORT

F#10048-1810 ALLEY VACATION (689 SF PORTION)
[BETWEEN W 17TH ST AND W 18TH ST, AND GUADADLUPE ST AND SAN ANTONIO ST]

CONDITIONAL APPROVAL COMMENTS

AUSTIN WATER

ASSESSMENT: Case No.: 10048-1810 Alley Vacation (689 sq. ft.) West 17th Street.

See response given below:

Austin Water (AW) has no objection to the vacation of **689 sq. ft**. portion out of a 20-ft wide tract of land, known as the alley dedicated in the Plat of Outlot 33, Division "E", right of way between West 17th Street and West 18th Street, and extending from Guadalupe Street to San Antonio Street in the City of Austin Travis County, Texas.

However, there is an active 6-inch concrete wastewater line within the requested area for vacation, which requires protection and considerations. This line provides service to multiple properties including the West Campus Apartments locate at 1715 Guadalupe Street, built in 2014.

In exchange for AW approval on the vacation request, a new wastewater easement must be dedicated to the city covering the active wastewater line. Once the new wastewater line diverting proposed and existing wastewater flows is completed, tested, and approved by City of Austin and as-built plans for the new wastewater line has been received and approved by AW infrastructure Records the new easement can be request for released." – **Angela Baez, Austin Water**

AT&T

ASSESSMENT: "Records show an aerial fiber and copper cable in this tract. Facilities along this tract can't be vacated until an agreement is reached for relocation" – **David Williams, AT&T**

CHARTER/SPECTRUM COMMUNICATIONS

ASSESSMENT: "Spectrum approves under the condition of the relocation of existing equipment is provided by the Customer/Owner/Developer." – *Timothy White, Charter Communications*

APPROVED COMMENTS	
AUSTIN ENERGY	DEVELOPMENT SERVICES <u>Land Use Review Drainage</u> <u>Engineering</u>
AUSTIN RESOURCE RECOVERY	GRANDE COMMUNICATIONS
AUSTIN TRANSPORTATION	PLANNING & ZONING <u>Neighborhood Planning</u>
CODE COMPLIANCE	PLANNING & ZONING <u>Urban Design</u>
CTM-GAATN	PLANNING & ZONING Zoning Review
• FIRE	PUBLIC WORKS <u>Sidewalks & Special Projects</u>
• GOOGLE	PUBLIC WORKS <u>Street & Bridge Operations</u>
PARKS & RECREATION DEPARTMENT (PARD)	PUBLIC WORKS <u>Urban Trails Program</u>
DEVELOPMENT SERVICES <u>Land Use</u> <u>Review Transportation</u>	WATERSHED PROTECTION DEPARTMENT
TEXAS GAS SERVICES	• EMS

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MEMORANDUM

Case No: 10048-1810

SUBJECT: ALLEY VACATION	Date: Oct 9, 2018
CODUCUI. ALLLI FACATION	
() Lucy Cabading () Eben Kellogg () Mike Turner () Mike Turner () Michael Zavala () Robynne Heyma () Michael Zavala () Rob Spillar () Lee Austin () Lee Austin () Lee Austin () Leslie Altamirano () Mike Schofield () Nathan Wilkes () Angela Baez () Austin Water () Jenna Neal () Bruna Quinonez () Carlos DeMatos () Andy Creel () Ansel Pina () Carlos Code Comple () Frederic Ritter () Milissa Warren () Milissa Warren	ein DSD (LUR-Drainage) DSD (LUR-Transportation) uez FIRE Charter/Spectrum Texas Gas Services P&Z (Urban Design)
An application request has been received for the vacation of 20-ft wide tract of land , known as the alley right of way be 18 th St., and extending from Guadalupe St. to San Antonio St.	etween W. 17 th St. and W.
Please review this request and return your comments to Kim \	Vasquez (512) 974-9241.
Email landmanagement@austintexas.gov Mail City of Austin Office of Real Estate Services, 13th Floor P.O. Box 1088 Austin, TX 78767	
***Due Date: October 29, 2018	
Imagine Austin Comprehensive Plan (CITY OF AUSTIN R Please also review the Vacation request based on the Priority Programs a the Imagine Austin Comprehensive Plan (page 186).	
APPROVAL: YES Yes, Subj. to Reqm't	No
Comments:	
Reviewed by: Tele	ephone:

Date: _____

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ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 Congress Avenue, Suite 1300 Austin, Texas 78701-2744 512-435-2300

FACSIMILE 512-435-2360

October 2, 2018

City of Austin Office of Real Estate Services 505 Barton Springs Road, Suite 1350 Austin, Texas 78704 Attn: Land Management Division

Re: Alley Vacation Applications (2) – Alley running between West 18th and West 17th Streets immediately west of Guadalupe Street

Greetings:

Attached are two applications for the vacation of the alley running between West 18th and West 17th Streets west of Guadalupe Street. The property currently owned by Stephen McNally is expected to be conveyed to the owner of the remaining property, Travis Hotel Group LLC or its successor in interest, during the processing of this alley vacation.

The purpose of this request is to allow for future development of the block as one project. Below are answers to the application questions.

1. Is this a residential or commercial project?

Applicant anticipates a commercial development consisting of an office and Travis County courts facility.

2. How was the area to be vacated dedicated? By plat or by separate instrument?

The alley was dedicated by the Plat of the City of Austin dated July 1876 and available at the Austin History Center as L-0033.

3. Did the City purchase the area to be vacated? (i.e., by Street Deed)

We found no deed or easement.

4. Are both the area to be vacated and your property in the same "subdivision"?

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The alley to be vacated is located within one of the Outlots of the City of Austin and all properties adjacent to the alley are in the same Outlot.

5. Is the area to be vacated functional right-of-way, or is it only dedicated on paper?

Currently, the alley is paved and used for surface parking access.

6. Are there any utility lines within the area to be vacated? If yes, what are your plans for the utilities? Applicants should be advised that easements will be retained to protect existing utilities, even if utility relocation is proposed. Also be advised that no structures may be built on, over or under the easements without a license agreement, insurance, and annual fee.

Yes, there is an operational wastewater line in the alley. The plan would be to dedicate easements as necessary and relocate the wastewater line as part of the project to maintain service to the buildings across Guadalupe. Service to the only remaining building on the block will not be required because it will be demolished.

7. How do you plan to develop the area to be vacated?

The development plans are for a Travis County courts facility and a future office building.

8. Has a site plan been submitted on your project?

No.

9. Is your project a Unified Development?

It is anticipated the owner's contiguous properties will be replatted to a single lot or part of a Unified Development Agreement.

10. Is your project a S.M.A.R.T. Housing Project?

No.

11. When do you anticipate starting construction of the development?

Construction is anticipated to begin in 2019.

12. What is the current zoning on the adjacent properties?

DMU

13. What is the current status of the adjacent properties?

Adjacent properties are surface parking and a commercial/residential building that will be

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demolished as part of the development.

14. What type of parking facilities currently exist?

Surface parking is available adjacent to the alley.

15. Will your parking requirements increase with the expansion?

Any redevelopment would meet or exceed code requirements for parking.

16. How will the increase be handled?

Parking will be handled on site below grade.

17. Have any agreements or easements been executed with adjacent landowner(s) or in draft form? If yes, please include this in your letter and provide us with a copy.

No.

18. Does the area to be vacated lie within the Austin Downtown Plan (DAP)? Does it meet DAP criteria?

The property lies in the Uptown/Capitol District and meets AU-5 as it will provide opportunities for Downtown office and employment uses. Keeping Travis County courts in downtown allows easier access for City of Austin and Travis County residents from all parts of the City and County by utilizing the existing and future planned transit systems.

19. Does the area to be vacated lie within <u>UT boundaries</u>: East of Lamar Boulevard, west of IH- 35, north of Martin Luther King Boulevard, and south of 45th Street?

No, the area to be vacated lies south of Martin Luther King Boulevard.

20. Does the proposed vacation support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan? If so, how?

This proposed alley vacation supports the Priority Programs in the areas of Compact and Connected and Workforce. The redevelopment will increase employment opportunities close to downtown with urban transit options, such as train, bus and bike way.

Thank you in advance for your time and consideration of this application. If you have any questions or need additional information, please do not hesitate to contact me at (512) 435-2394.

Respectfully,

Michael J. Whellan

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APPLICATION FOR STREET OR ALLEY VACATION

File No. 10048	3-1810	DATE:	10/9/2018
File No. 10048 Departmen	nt Use Only		Department Use Only
TYPE OF VACATIO			
Type of Vacation: Str	eet:; Alley: _ X; RC	OW Hundre	ed Block: 1700
Name of Street/Alley/	ROW: 17th & 18th St between	San Antonio & Gua	adalupeIs it constructed: Yes No
Property address:	408 W. 17th Street		
Purpose of vacation: _	Redevelopment of block		
DDODEDEV DECCD	IDTION AD LACENTETO	DEA TO DE MA	CATED
	IPTION ADJACENT TO A	REA TO BE VAC	AIED
Parcel #: 02120021710	and 0210021709		
Survey & Austract No	:: Block: Outlo	· 33 Division E	portion
Subdivision Name:	Mitzi Davis Subdivision (por	tion of Outlot 33)	SOLIO!
	Page Number		
, ILL DOOK 30	_ 1 age 1 tuitioei	Doublicht Humber	
Neighborhood Associa	ation Name:		
Address including zip			
Zip			
RELATED CASES			
TELATED CASES			FILE NUMBERS
			TIDE I (CIVIDANIO
Existing Site Plan (ci	rcle one): YES / NO		
Existing Site Plan (cir Subdivision: Case (cir	cle one): YES NO		
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Existing Site Plan (circular Subdivision: Case (circular Case) PROJECT NAME, if the Name of Development Is this a S.M.A.R.T. Has this within the Down OWNER INFORMA Name: Stephen Mct. Address: P. O. Box. City: Austin Contact Person/Title: Email Address: (If multiple owners a APPLICANT INFORMA Name: Judy Firm Name: Arm. Address: 100 Cor. City: Austin	cle one): YES NO ne): YES NO N	one: ((as shown on Deed) Fax No.: (Zip Code: 78767 Cell Phone: () ddresses for each must be attached. de: 78701
Existing Site Plan (circular Subdivision: Case (circular Case) PROJECT NAME, if Name of Development Is this a S.M.A.R.T. H Is this within the Downown Stephen McPaddress: P. O. Box City: Austin Contact Person/Title: Email Address: (If multiple owners a APPLICANT INFO Name: Judy Firm Name: Arm Address: 100 Contact Parm Address: 100 Contact Parm Name: Arm Nam	cle one): YES NO ne): YES NO N	YES / NO s (circle one): YES one: (State:Texas	(as shown on Deed) Fax No.: (Zip Code:

The undersigned Landowner/Applicant understands: 1) This application will be handled in accordance with standard City policies and procedures. 2) No action will be taken without (a) payment of the <u>nonrefundable</u> application fee, or (b) necessary documentation. 3) The application and fee in no way obligate the City to vacate the subject area. 4) All documents related to this transaction and a certified check for the appraised value must be delivered to the City of Austin <u>prior</u> to placing the item on the Council Agenda for final approval.

Signed By:	
	Landowner/Applicant

PARTIAL ALLEY VACATION

EXHIBIT " "

1708 GUADALUPE STREET

BEING 689 SQUARE FEET OF LAND, MORE OR LESS, BEING A PORTION OF THE EXISTING 20 FOOT WIDE ALLEY AS DEDICATED IN THE PLAT OF OUTLOT 33, DIVISION "E", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at an iron pipe found at the point of intersection of the northerly right-of-way line of West 17th Street (60' ROW) with the westerly right-of-way line of Guadalupe Street (80' ROW) for the southeast corner of that certain called 0.409 of an acre tract of land, being Lot A, of the Mitzi Davis Subdivision as recorded in Volume 46, Page 56, of the Plat Records of Travis County, Texas, said lot A being conveyed by deed to Travis Hotel Group LLC as recorded in Document Number 2015000329 of the Official Public Records of Travis County, Texas;

THENCE N 18° 46' 57" E, along the westerly right-of-way line of Guadalupe Street, a distance of 182.48 feet to a set spindle for the northeast corner of said Lot A;

THENCE N 71° 01'10" W, along the common dividing line between said alley and said Lot A, a distance of 139.36 feet to a ½" iron rod found for the northwest corner of said Lot A same being the northeast corner of that certain called E. 25' of W 138' of S 128' of Outlot 3, Division E as conveyed by deed to Stephen McNally as recorded in Volume 10331, Page 486 of the Real Property Records of Travis County, Texas, and being the TRUE POINT OF BEGINNING for this partial alley vacation;

THENCE N 18° 11' 51" E, through said alley, along a prolongation of the common dividing line between said tracts of land, a distance of 10.00 feet to a calculated point in the centerline of said alley;

THENCE N 71° 01' 10" W, along the centerline of said alley, a distance of 68.86 feet to a calculated point for a reentrant corner of this partial alley vacation said point being on the prolongation of the common dividing line between the west line of that certain called the center 44' of the W 138' of the south 128' of Outlot 33, Division E, as conveyed to Stephen McNally as recorded in Volume 10031, Page 486, of the Official Public Records of Travis County, Texas, with he east line of that certain called the W 69' of the S 128' of Outlot 33, Division E as conveyed to the Travis Hotel Group LLC as recorded in Document Number 2015000330 of the Official Public Records of Travis County, Texas;

THENCE S 18° 44' 47" W, through said alley, along the prolongation of said common dividing line a distance of 10.00 feet to a ½" iron rod found for the northwest corner of said McNally tract of land, same being same being the northeast corner of said Travis Hotel Group LLC tract of land;

THENCE S 71° 01` 10" E, along the common dividing line between said McNally tracts of land and said alley, for a distance of 68.96 feet to **THE POINT OF BEGINNING**, and containing 689 square feet of land, more or less.

This description is based upon an on the ground survey of the above said tracts of land by All Points Surveying dated September 03rd, 2015.

This metes and bounds description is to accompany an illustration map of same date.

ROGER L. WAY R.P.L.S. No. 3910

JOB No. 01B23918

TCAD PARCEL ID: AUSTIN GRID:

ROGER L. WAY

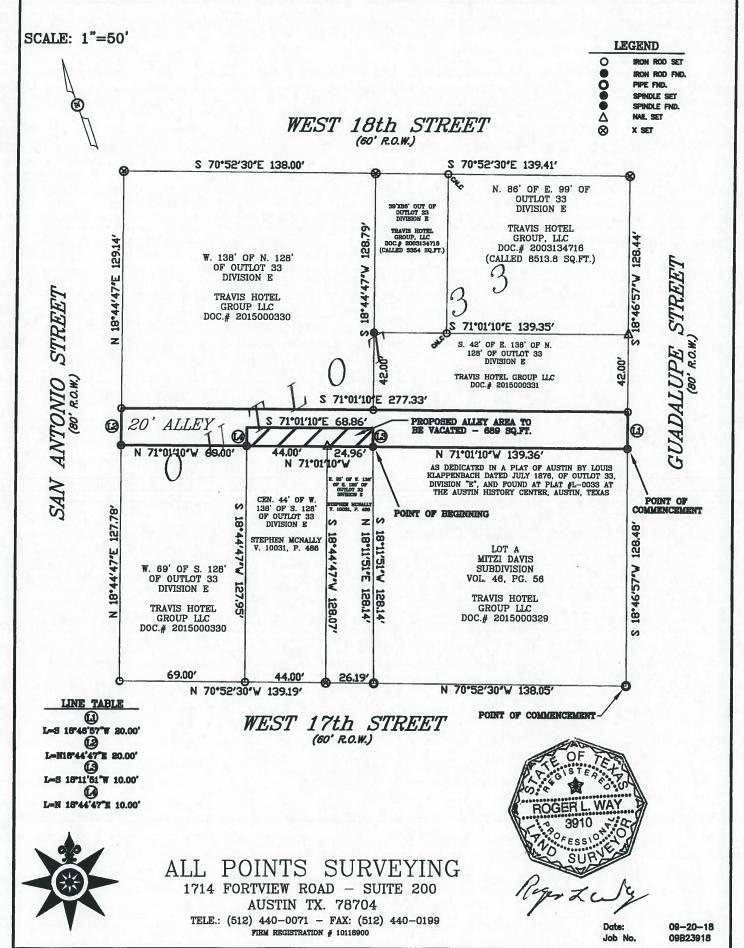
3910

SURVEY

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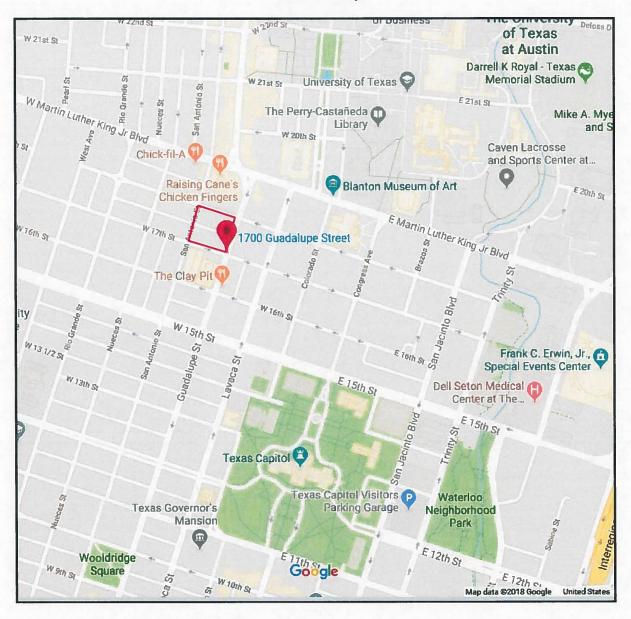
9/20/18 Date

SKETCH TO ACCOMPANY PROPOSED ALLEY VACATION



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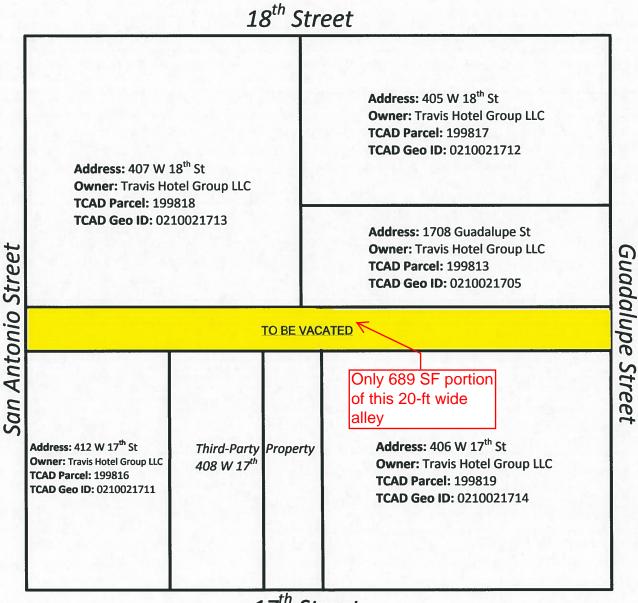
Location Map



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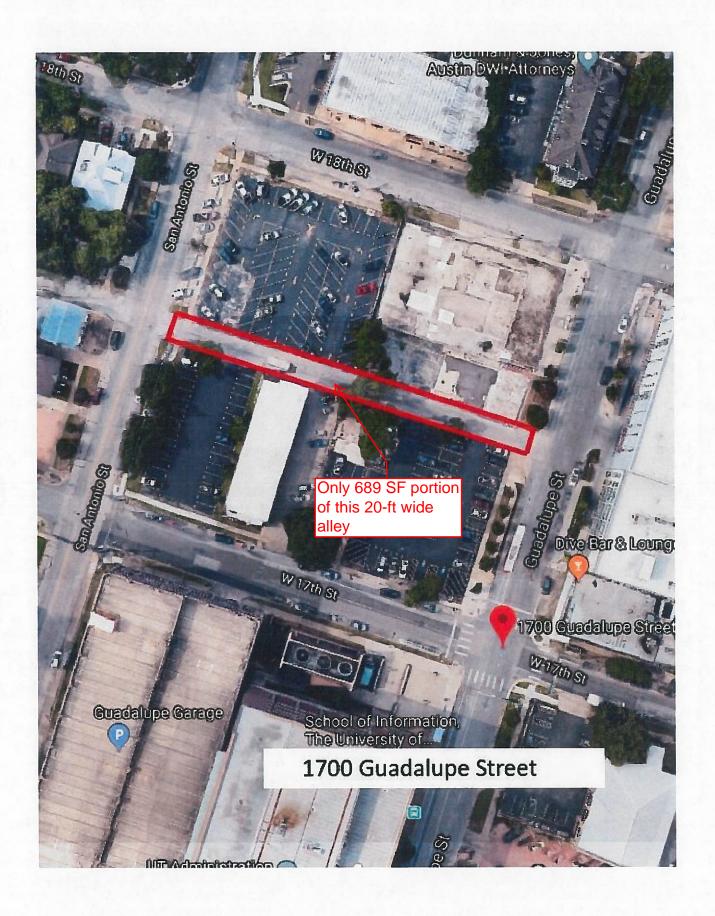
Alley Vacation

Located between the north and south halves of Outlot 33, Division E, City of Austin, also described as between 17th Street and 18th Street at San Antonio Street and Guadalupe Street.



17th Street

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Travis CAD

Property Search Results > 199814 MCNALLY STEPHEN for Year Tax Year: 2018 2018

Property

Account

Property ID:

199814 0210021709

Legal Description: E 25' OF W138' OF S 128' OF OLT 33 DIVISION E

Geographic ID:

Real

Zoning:

Agent Code:

Type: Property Use Code:

Property Use Description:

Protest

Protest Status: Informal Date: Formal Date:

Location

Address:

408 W 17 ST TX 78701

Mapsco:

Neighborhood:

05CBD 05CBD Map ID:

021001

DMU

Neighborhood CD: Owner

Name:

MCNALLY STEPHEN

Owner ID:

183537

Mailing Address:

PO BOX 848

% Ownership:

100.0000000000%

AUSTIN, TX 78767-0848

Exemptions:

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value	: +	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$400,000	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
(=) Market Value:	=	\$400,000	
(–) Ag or Timber Use Value Reduction:	_	\$0	

(=) Appraised Value:	=	\$400,000
(–) HS Cap:	-	\$0

(=) Assessed Value: \$400,000

Taxing Jurisdiction

MCNALLY STEPHEN Owner: % Ownership: 100.0000000000%

Total Value: \$400,000



Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	1.192000	\$400,000	\$400,000	\$4,768.00
02	CITY OF AUSTIN	0.444800	\$400,000	\$400,000	\$1,779.20
03	TRAVIS COUNTY	0.369000	\$400,000	\$400,000	\$1,476.00
0A	TRAVIS CENTRAL APP DIST	0.000000	\$400,000	\$400,000	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.107385	\$400,000	\$400,000	\$429.54
68	AUSTIN COMM COLL DIST	0.100800	\$400,000	\$400,000	\$403.20
	Total Tax Rate:	2.213985			
				Taxes w/Current Exemptions:	\$8,855.94
				Taxes w/o Exemptions:	\$8,855.94

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	0.0735	3200.00	0.00	0.00	\$400,000	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$400,000	0	400,000	\$0	\$400,000
2017	\$0	\$272,000	0	272,000	\$0	\$272,000
2016	\$0	\$249,600	0	249,600	\$0	\$249,600
2015	\$0	\$224,000	0	224,000	\$0	\$224,000
2014	\$0	\$224,000	0	224,000	\$0	\$224,000

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	12/29/1986	SW	SPECIAL WARRANTY DEED	INTERFIRST BANK AUSTIN N A TRU	MCNALLY STEPHEN	10031	00486	
2	5/8/1986	WD	WARRANTY DEED	WILLIAMS MYRTLE MRS	INTERFIRST BANK AUSTIN N A TRU	09821	00510	
3	6/21/1962	WD	WARRANTY DEED		WILLIAMS MYRTLE MRS	02459	00512	

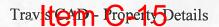
Questions Please Call (512) 834-9317

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Website version: 1.2.2.24

Database last updated on: 8/22/2018 1:55 AM

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Travis CAD

Property Search Results > 199815 MCNALLY STEPHEN for Year Tax Year: 2018 2018

Property

Type:

Account

Property ID:

199815 0210021710

Legal Description: CEN 44' OF W 138' OF S128' OF OLT 33 DIVISION E

Geographic ID:

Real

Zoning:

Agent Code:

Property Use Code:

Property Use Description:

Protest

Protest Status: Informal Date: Formal Date:

Location

Address:

408 W 17 ST TX 78701

Mapsco:

Neighborhood:

05CBD

Map ID:

021001

DMU

Neighborhood CD:

05CBD

Owner

Name:

MCNALLY STEPHEN

PO BOX 848

Owner ID:

183537

Mailing Address:

% Ownership:

100.0000000000%

AUSTIN, TX 78767-0848

Exemptions:

Values

(+) Improvement Homesite Value: \$0 \$555,280 (+) Improvement Non-Homesite Value: + (+) Land Homesite Value: \$704,000 (+) Land Non-Homesite Value:

Ag / Timber Use Value \$0 \$0 (+) Agricultural Market Valuation: + \$0 (+) Timber Market Valuation: + \$0

(=) Market Value: \$1,259,280 (-) Ag or Timber Use Value Reduction: \$0

(=) Appraised Value: \$1,259,280 (-) HS Cap: \$0

(=) Assessed Value: \$1,259,280

Taxing Jurisdiction

Owner: **MCNALLY STEPHEN** % Ownership: 100.0000000000% **Total Value:** \$1,259,280



Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
01	AUSTIN ISD	1.192000	\$1,259,280	\$1,259,280	\$15,010.62
02	CITY OF AUSTIN	0.444800	\$1,259,280	\$1,259,280	\$5,601.28
03	TRAVIS COUNTY	0.369000	\$1,259,280	\$1,259,280	\$4,646.75
0A	TRAVIS CENTRAL APP DIST	0.000000	\$1,259,280	\$1,259,280	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.107385	\$1,259,280	\$1,259,280	\$1,352.28
68	AUSTIN COMM COLL DIST	0.100800	\$1,259,280	\$1,259,280	\$1,269.35
	Total Tax Rate:	2.213985			
				Taxes w/Current Exemptions:	\$27,880.28
				Taxes w/o Exemptions:	\$27,880.27

Improvement / Building

Improvement #1: OFFICE (SMALL) State Code: F1 Living Area: 6996.0 sqft Value: \$555,280

Туре	Description	Class CD	Exterior Wall	Year Built	SQFT
1ST	1st Floor	D - 5		1965	3498.0
2ND	2nd Floor	WV - 5		1965	3498.0
011	PORCH OPEN 1ST F	* - 5		1965	45.0
303	STAIRWAYS FV	F-V - *		1965	1.0
551	PAVED AREA	AA - *		1965	3180.0
SO	Sketch Only	SO - *			76.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	0.1293	5632.00	0.00	0.00	\$704,000	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$555,280	\$704,000	0	1,259,280	\$0	\$1,259,280
2017	\$621,280	\$478,720	0	1,100,000	\$0	\$1,100,000
2016	\$255,860	\$478,720	0	734,580	\$0	\$734,580
2015	\$235,400	\$394,240	0	629,640	\$0	\$629,640
2014	\$165,440	\$394,240	0	559,680	\$0	\$559,680

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	12/29/1986	SW	SPECIAL WARRANTY DEED	INTERFIRST BANK AUSTIN NA TRUS	MCNALLY STEPHEN	10031	00486	
2	5/8/1986	WD	WARRANTY DEED	WILLIAMS MYRTLE	INTERFIRST BANK AUSTIN NA TRUS	09821	00510	
3	6/21/1962	WD	WARRANTY DEED		WILLIAMS MYRTLE	02499	00512	

Questions Please Call (512) 834-9317

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