# **ORDINANCE NO. 20191205-025**

AN ORDINANCE VACATING AND CONVEYING APPROXIMATELY A 0.399 ACRE TRACT OF RIGHT-OF-WAY OF ONION STREET LOCATED BETWEEN EAST 5<sup>TH</sup> STREET AND EAST 6<sup>TH</sup> STREET TO 6<sup>TH</sup> AND ONION, LP.

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

- **PART 1.** Council approves the vacation of an approximately 0.399 acre tract of right-of-way of Onion Street located between East 5<sup>th</sup> Street and East 6<sup>th</sup> Street to 6<sup>th</sup> and Onion, LP., described in Exhibit A, which is attached to and incorporated as part of this ordinance.
- **PART 2.** The amount of \$503,353 has been posted for a 0.399 acre tract of right-of-way of Onion Street located between East 5<sup>th</sup> and East 6<sup>th</sup> which is the appraised fair market value of the interests in the land being vacated, and these funds will be deposited upon the recording of the deed conveying the vacated right-of-way.
- **PART 3**. A restrictive covenant will be recorded restricting any habitable structures within the vacated envelope of Onion Street, described in Exhibit B, which is attached to and incorporated as part of this ordinance.
- **PART 4.** A public access easement will be recorded allowing for pedestrian access, described in Exhibit C, which is attached to and incorporated as part of this ordinance.
- **PART 5**. This ordinance takes effect on December 16, 2019.

PASSED AND APPROVED

	§ Steve Adler Mayor
APPROVED:  Anne L. Morgan City Attorney	ATTEST: Januere & Horacon Jannette S. Goodall City Clerk



# EXHIBIT " A,

#### ONION STREET RIGHT-OF-WAY VACATION AREA

A DESCRIPTION OF 0.399 ACRES (APPROXIMATELY 17,393 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS (DRTCT), SAID 0.399 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with "Chaparral" cap found, at the intersection of the west right-of-way line of Onion Street (60' right-of-way width) and the north right-of-way line of E 5th Street (80' right-of-way width), same being the southeast corner of said Block 4, from which a calculated point for the southwest corner of said Block 4 bears N69°45'36"W a distance of 270.54 feet, and from said calculated point a 1 story concrete and brick building corner bears N81°21'06"W a distance of 0.21 feet;

**THENCE** with the west right-of-way line of Onion Street and the east line of said Block 4, **N20°39'24"E** a distance of **135.05** feet to a 1/2" rebar with "Chaparral" cap found at the south line of a vacated 20 foot alley, being the southeast corner of a 10' public utility and drainage easement recorded in Document No. 2018200606 of the Official Public Records of Travis County, Texas (OPRTCT);

**THENCE** continuing with the west right-of-way of Onion Street, crossing said vacated alley, **N20°39'24"E** a distance of **20.00** feet to a Mag nail with "Chaparral" washer found in the north line of said vacated alley, being the northeast corner of a 10' public utility and drainage easement recorded in Document No.(s) 2019002223 and 2019002224 (OPRTCT);

**THENCE** continuing with the west right-of-way line of Onion Street, and the east line of said Block 4, N20°39'24"E a distance of 135.05 feet to a calculated point at the intersection of the south right-of-way line of E 6th Street (60' right-of-way width) and the west right-of-way line of Onion Street, being the northeast corner of said Block 4, from which a punch hole found in concrete bears S89°05'18" a distance of 0.05 feet, and a scribed "X" found in concrete bears N62°52'13"E a distance of 0.07 feet, also from which a calculated point at the intersection of the south right-of-way line of E 6th Street and the east right-of-way line of Navasota Street, being the northwest corner of said Block 4 bears N69°39'36"W a distance of 270.54 feet, from which a 1/2" rebar with "Chaparral" cap found for witness bears N69°39'36"W a distance of 5.08 feet;

**THENCE** with the south right-of-way line of E 6th Street, crossing Onion Street, S69°27'46"E a distance of 60.00 feet to a 5/8" rebar found for the northwest corner of Block 3 of said Subdivision of Outlot 4, Division "A", from which a cotton spindle with "Chaparral" washer found on the north line of said Block 3 and the south right-of-way line of said E 6th Street, for the northwest corner of a tract called Lot 6 of said Block 3, conveyed to East 6th St., LLC in Document No. 2019018925, bears S69°43'37"E a distance of 227.50 feet;

**THENCE** leaving the south right-of-way line of E 6th Street, with the east right-of-way of Onion Street, and the west line of said Block 3, S20°39'24"W a distance of 289.66 feet to a 1/2" rebar with "Chaparral" cap found at the intersection of the east right-of-way line of Onion Street and the north right-of-way line of E 5th Street, being the southwest corner of said Block 3, from which a 1/2" rebar with "Chaparral" cap found on the north right-of-way line of E 5th Street and the south line of said Block 3, for the southwest corner of a tract called Lots 7 & 8 out of said Block 3, conveyed to Joseph Carlin in Document No. 2017026778 (OPRTCT), bears S69°44'31"E a distance of 181.95 feet;

THENCE with the north right-of-way line of E 5th Street, crossing Onion Street, N69°53'18"W a distance of 60.00 feet to the **POINT OF BEGINNING** hereof, and containing 0.399 acres, more or less.

Surveyed on the ground February 6, 2017. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions. Attachments: drawing 1827-001-LOT2

10/23/19

Eric J. Dannheim, RPLS State of Texas #6075

FIELD NOTES REVIEWED

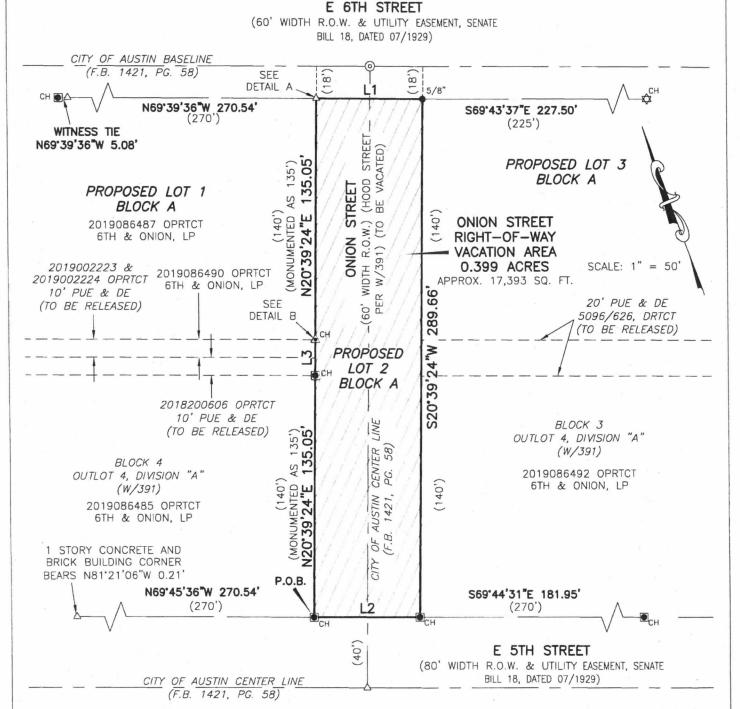
MINDATE: 11.19.2019

CITY OF AUSTIN

PUBLIC WORKS DEPARTMENT



References: COA Grid: K-22 TCAD Map: 02-0406



SKETCH TO ACCOMPANY A DESCRIPTION OF 0.399 ACRES (APPROXIMATELY 17,393 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

PAGE 1 OF 2

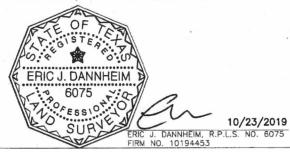
JOB NUMBER: 1827-001

DWG NO. 1827-001-L0T2

DATE: 10/23/2019

FIELD CREW:

OFFICE: BBP



CITY OF AUSTIN, TRAVIS COUNTY, TEXAS



# LEGEND

OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TX **OPRTCT** DEED RECORDS OF TRAVIS COUNTY, TX DRTCT

1/2" REBAR FOUND (OR AS NOTED)

CH 1/2" REBAR WITH "CHAPARRAL" CAP FOUND

COTTON SPINDLE WITH "CHAPARRAL" WASHER FOUND

CENTER LINE MONUMENT FOUND IN METAL CANISTER 0

**△**CH MAG NAIL WITH "CHAPARRAL" WASHER FOUND

X IN CONC. FOUND  $\boxtimes$ 

CALCULATED POINT

PUNCH HOLE FOUND

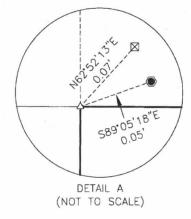
CONTROL POINT/BENCHMARK LOCATION

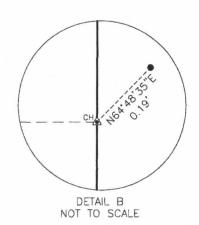
PUBLIC UTILITY AND DRAINAGE EASEMENT PUE & DE

POINT OF BEGINNING P.O.B.

## NOTES

- 1. BEARINGS, DISTANCES AND AREAS IN PARENTHESIS ARE FROM RECORD INFORMATION.
- 2. ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1827-001-LOT2
- 3. BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS.
- 4. DATE OF SURVEY: FEBRUARY 6, 2017





LINE	BEARING	DISTANCE
L1	S69'27'46"E	60.00'
L2	N69'53'18"W	60.00'
L3	N20'39'24"E	20.00'

PAGE 2 OF 2

JOB NUMBER: 1827-001 DWG NO. 1827-001-LOT2 DATE: 10/23/2019 FIELD CREW:

OFFICE: BBP

10/23/2019 J. DANNHEIM, R.P.L.S. NO. 6075 FIRM NO. 10194453

CITY OF AUSTIN, TRAVIS COUNTY, TEXAS





# EXHIBIT "B "

# RESTRICTIVE COVENANT AREA

A DESCRIPTION OF 0.399 ACRES (APPROXIMATELY 17,393 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS (DRTCT), SAID 0.399 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with "Chaparral" cap found, at the intersection of the west right-of-way line of Onion Street (60' right-of-way width) and the north right-of-way line of E 5th Street (80' right-of-way width), same being the southeast corner of said Block 4, from which a calculated point for the southwest corner of said Block 4 bears N69°45'36"W a distance of 270.54 feet, and from said calculated point a 1 story concrete and brick building corner bears N81°21'06"W a distance of 0.21 feet;

THENCE with the west right-of-way line of Onion Street and the east line of said Block 4, N20°39'24"E a distance of 135.05 feet to a 1/2" rebar with "Chaparral" cap found at the south line of a vacated 20 foot alley, being the southeast corner of a 10' public utility and drainage easement recorded in Document No. 2018200606 of the Official Public Records of Travis County, Texas (OPRTCT);

**THENCE** continuing with the west right-of-way of Onion Street, crossing said vacated alley, **N20°39'24"E** a distance of **20.00** feet to a Mag nail with "Chaparral" washer found in the north line of said vacated alley, being the northeast corner of a 10' public utility and drainage easement recorded in Document No.(s) 2019002223 and 2019002224 (OPRTCT);

**THENCE** continuing with the west right-of-way line of Onion Street, and the east line of said Block 4, N20°39′24″E a distance of 135.05 feet to a calculated point at the intersection of the south right-of-way line of E 6th Street (60' right-of-way width) and the west right-of-way line of Onion Street, being the northeast corner of said Block 4, from which a punch hole found in concrete bears S89°05'18" a distance of 0.05 feet, and a scribed "X" found in concrete bears N62°52'13"E a distance of 0.07 feet, also from which a calculated point at the intersection of the south right-of-way line of E 6th Street and the east right-of-way line of Navasota Street, being the northwest corner of said Block 4 bears N69°39'36"W a distance of 270.54 feet, from which a 1/2" rebar with "Chaparral" cap found for witness bears N69°39'36"W a distance of 5.08 feet;

**THENCE** with the south right-of-way line of E 6th Street, crossing Onion Street, **S69°27'46"E** a distance of **60.00** feet to a 5/8" rebar found for the northwest corner of Block 3 of said Subdivision of Outlot 4, Division "A", from which a cotton spindle with "Chaparral" washer found on the north line of said Block 3 and the south right-of-way line of said E 6th Street, for the northwest corner of a tract called Lot 6 of said Block 3, conveyed to East 6th St., LLC in Document No. 2019018925, bears S69°43'37"E a distance of 227.50 feet;

**THENCE** leaving the south right-of-way line of E 6th Street, with the east right-of-way of Onion Street, and the west line of said Block 3, **S20°39'24"W** a distance of **289.66** feet to a 1/2" rebar with "Chaparral" cap found at the intersection of the east right-of-way line of Onion Street and the north right-of-way line of E 5th Street, being the southwest corner of said Block 3, from which a 1/2" rebar with "Chaparral" cap found on the north right-of-way line of E 5th Street and the south line of said Block 3, for the southwest corner of a tract called Lots 7 & 8 out of said Block 3, conveyed to Joseph Carlin in Document No. 2017026778 (OPRTCT), bears S69°44'31"E a distance of 181.95 feet;

**THENCE** with the north right-of-way line of E 5th Street, crossing Onion Street, **N69°53'18"W** a distance of **60.00** feet to the **POINT OF BEGINNING** hereof, and containing 0.399 acres, more or less.

Surveyed on the ground February 6, 2017. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions. Attachments: drawing 1827-001-LOT2-RCA

10/23/19

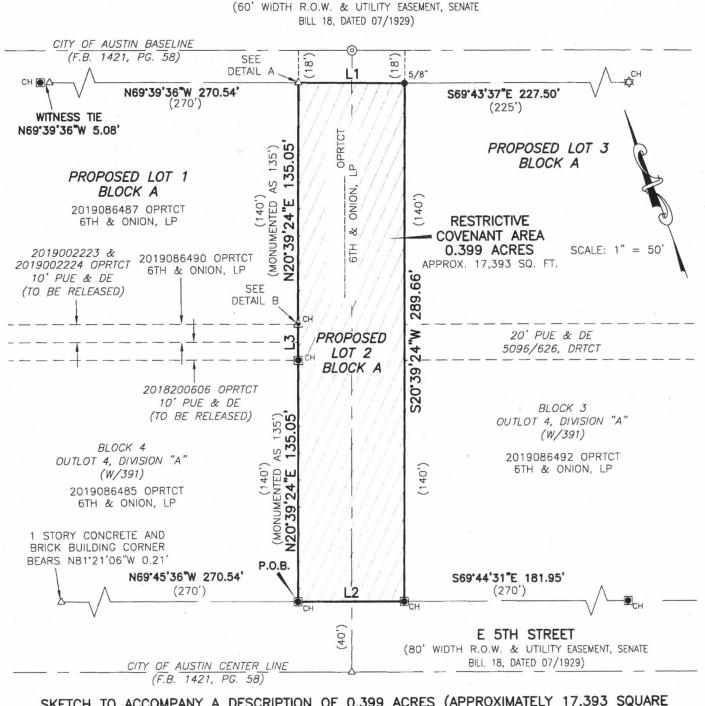
Eric J. Dannheim, RPLS State of Texas #6075

FIELD NOTES REVIEWED

BY: DATE: 11-21-201

CITY OF AUSTIN PUBLIC WORKS DEPARTMENT ERIC J. DANNHEIM D

References: COA Grid: <u>K-22</u> TCAD Map: <u>02-0406</u>



E 6TH STREET

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.399 ACRES (APPROXIMATELY 17,393 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

PAGE 1 OF 2

JOB NUMBER: 1827-001

DWG NO. 1827-001-LOT2-RCA

DATE: 10/23/2019

FIELD CREW:

OFFICE: BBP



CITY OF AUSTIN, TRAVIS COUNTY, TEXAS



## LEGEND

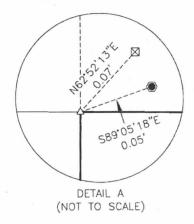
OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TX **OPRTCT** DEED RECORDS OF TRAVIS COUNTY, TX DRTCT 1/2" REBAR FOUND (OR AS NOTED) CH 1/2" REBAR WITH "CHAPARRAL" CAP FOUND COTTON SPINDLE WITH "CHAPARRAL" WASHER FOUND 0 CENTER LINE MONUMENT FOUND IN METAL CANISTER **△**CH MAG NAIL WITH "CHAPARRAL" WASHER FOUND  $\boxtimes$ X IN CONC. FOUND CALCULATED POINT Δ PUNCH HOLE FOUND CONTROL POINT/BENCHMARK LOCATION

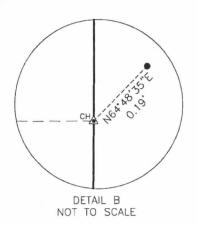
PUBLIC UTILITY AND DRAINAGE EASEMENT

POINT OF BEGINNING

## NOTES

- BEARINGS, DISTANCES AND AREAS IN PARENTHESIS ARE FROM RECORD INFORMATION.
- 2. ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1827-001-LOT2-RCA
- BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS.
- 4. DATE OF SURVEY: FEBRUARY 6, 2017





LINE	BEARING	DISTANCE
L1	S69°27'46"E	60.00'
L2	N69°53'18"W	60.00'
L3	N20'39'24"E	20.00'

PAGE 2 OF 2

JOB NUMBER: 1827-001

DWG NO. 1827-001-L0T2-RCA

DATE: 10/23/2019

FIELD CREW:

OFFICE: BBP

PUE & DE

P.O.B.

ERIC J. DANNHEIM

SURVEY

SURV

CITY OF AUSTIN, TRAVIS COUNTY, TEXAS



10/23/2019

ERIC J. DANNHEIM, R.P.L.S. NO. 6075
FIRM NO. 10194453

302 W. Hopkins, Ste. 1A, San Marcos, TX 78666
(512) 749-2878
(979) 567-4500



# EXHIBIT "C"

#### PUBLIC ACCESS EASEMENT AREA

A DESCRIPTION OF 0.264 ACRES (APPROXIMATELY 11,484 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS (DRTCT); SAID 0.264 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with "Chaparral" cap found at the intersection of the east right-of-way line of Onion Street (60' right-of-way width) and the north right-of-way line of E 5th Street (80' right-of-way width), same being the southwest corner of said Block 3;

**THENCE**, crossing Onion Street, the following three (3) courses and distances:

- 1) N69°53'18"W, with the north right-of-way-line of E 5th Street, a distance of 51.78 feet to a calculated point, from which a 1/2" rebar with "Chaparral" cap found at the intersection of the west right-of-way line of Onion Street and the north right-of-way line of E 5th Street, same being the southeast corner of said Block 4, bears N69°53'18"W a distance of 8.22 feet;
- 2) N20°39'24"E, leaving the north right-of-way-line of E 5th Street, a distance of 38.32 feet to a calculated point;
- 3) N69°20'36"W, a distance of 8.22 feet to a calculated point in the west right-of-way-line of Onion Street, same being the east line of said Block 4, from which said 1/2" rebar with "Chaparral" cap found at the southeast corner of Block 4 bears S20°39'24"W a distance of 38.39 feet;

THENCE, with the common line of Onion Street and said Block 4, N20°39′24″E, at a distance of 96.66 feet passing a 1/2" rebar with "Chaparral" cap found at the south line of a vacated 20 foot alley, being the southeast corner of a 10' public utility and drainage easement recorded in Document No. 2018200606 of the Official Public Records of Travis County, Texas (OPRTCT), at a distance of 116.66 feet passing a Mag nail with "Chaparral" washer found in the north line of said vacated alley, being the northeast corner of a 10' public utility and drainage easement recorded in Document No.(s) 2019002223 and 2019002224 (OPRTCT), and continuing, for a total distance of 116.77 feet to a calculated point;

**THENCE**, crossing Onion Street, the following seven (7) courses and distances:

- 1) S69°44'13"E, a distance of 20.92 feet to a calculated point;
- 2) N20°15'53"E, a distance of 70.01 feet to a calculated point;
- 3) N69°43'59"W, a distance of 1.00 feet to a calculated point;
- 4) N20°16'08"E, a distance of 64.84 feet to a calculated point in the south right-of-way-line of E 6th Street (60' right-of-way width);

- 5) S69°27'46"E, with the south right-of-way-line of E 6th Street a distance of 19.04 feet to a calculated point, from which a 5/8" rebar found for the northwest corner of said Block 3 bears S69°27'48"E a distance of 21.96 feet;
- 6) **S20°17'09"W**, leaving the south right-of-way-line of E 6th Street, a distance of **134.76** feet to a calculated point;
- 7) S69°44'04"E, a distance of 21.09 feet to a calculated point in the east right-of-way-line of Onion Street, same being the west line of said Block 3, from which said 5/8" rebar found bears N20°39'24"E a distance of 134.66 feet;

**THENCE**, with the common line of Onion Street and said Block 3, S20°39'24"W, a distance of 155.00 feet to the **POINT OF BEGINNING** hereof, and containing 0.264 acres, more or less.

Surveyed on the ground February 6, 2017. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS solutions. Attachments: drawing 1827-001-PAE

10/23/19

Eric J. Dannheim, RPLS State of Texas #6075

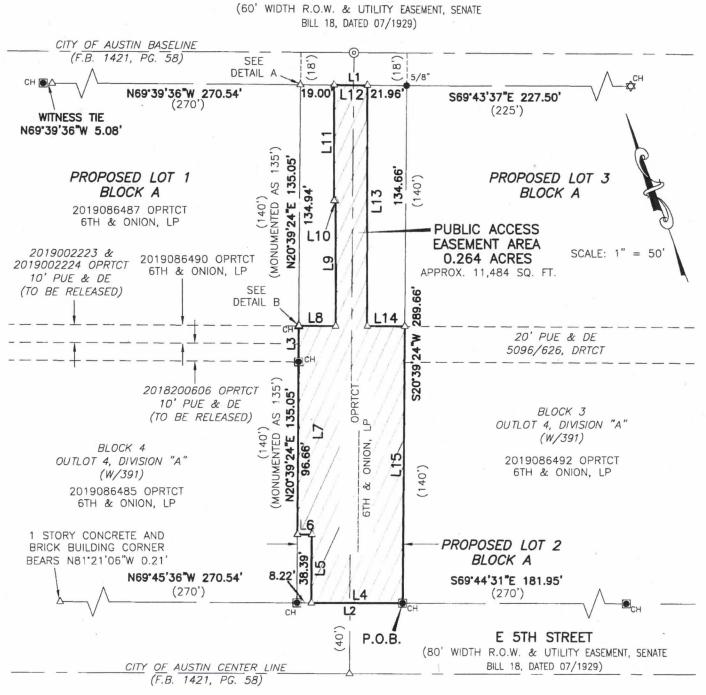
FIELD NOTES REVIEWED

BY BA 15 DATE: 11-19.2019

CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

ERIC J. DANNHEIM B

References: COA Grid: <u>K-22</u> TCAD Map: <u>02-0406</u>



E 6TH STREET

A SKETCH TO ACCOMPANY A DESCRIPTION OF 0.264 ACRES (APPROXIMATELY 11,484 SQUARE FEET), IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF ONION STREET, LYING BETWEEN BLOCKS 3 & 4, SUBDIVISION OF OUTLOT 4, DIVISION "A", A SUBDIVISION RECORDED IN VOLUME W, PAGE 391, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS

PAGE 1 OF 2

JOB NUMBER: 1827-001

DWG NO. 1827-001-PAE

DATE: 10/23/2019

FIELD CREW:

OFFICE: BBP, ED



10/23/2019 RIC J. DANNHEIM, R.P.L.S. NO. 6075

FIRM NO. 10194453

CITY OF AUSTIN, TRAVIS COUNTY, TEXAS



## LEGEND

OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TX **OPRTCT** DRTCT DEED RECORDS OF TRAVIS COUNTY, TX 1/2" REBAR FOUND (OR AS NOTED) CH 1/2" REBAR WITH "CHAPARRAL" CAP FOUND CH COTTON SPINDLE WITH "CHAPARRAL" WASHER FOUND 0 CENTER LINE MONUMENT FOUND IN METAL CANISTER MAG NAIL WITH "CHAPARRAL" WASHER FOUND X IN CONC. FOUND  $\boxtimes$ CALCULATED POINT Δ PUNCH HOLE FOUND CONTROL POINT/BENCHMARK LOCATION PUE & DE PUBLIC UTILITY AND DRAINAGE EASEMENT

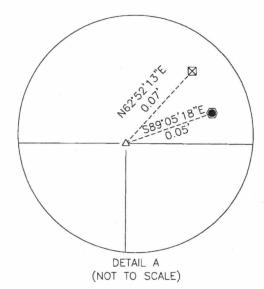
LINE	BEARING	DISTANCE
L1	S69°27'46"E	60.00'
L2	N69°53'18"W	60.00'
L3	N20'39'24"E	20.00'
L4	N69'53'18"W	51.78'
L5	N20'39'24"E	38.32'
L6	N69'20'36"W	8.22'
L7	N20'39'24"E	116.77
L8	S69'44'13"E	20.92'
L9	N20'15'53"E	70.01
L10	N69°43'59"W	1.00'
L11	N20'16'08"E	64.84'
L12	S69'27'46"E	19.04'
L13	S20'17'09"W	134.76'
L14	S69'44'04"E	21.09'
L15	S20'39'24"W	155.00'

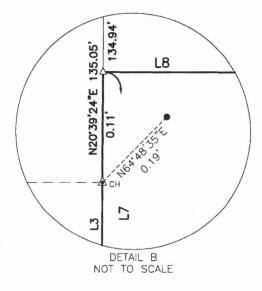
POINT OF BEGINNING

P.O.B.

## NOTES

- BEARINGS, DISTANCES AND AREAS IN PARENTHESIS ARE FROM RECORD INFORMATION.
- 2. ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1827-001-PAE
- BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS.
- 4. DATE OF SURVEY: FEBRUARY 6, 2017





PAGE 2 OF 2

JOB NUMBER: 1827-001

DWG NO. 1827-001-PAE

DATE: 10/23/2019

FIELD CREW:

OFFICE: BBP, ED



10/23/2019 ERIC J. DANNHEIM, R.P.L.S. NO. 6075 FIRM NO. 10194453 CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

