

## ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE 6121 FM 969 ROAD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT AND LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-NEIGHBORHOOD PLAN (CS-MU-NP) COMBINING DISTRICT.

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-neighborhood plan (CS-NP) combining district and limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district on the property described in Zoning Case No. C14-2020-0017, on file at the Planning and Zoning Department, as follows:

9.546 acres (approximately 415,830 square feet), in the J.C. Tannehill Survey No. 29, Abstract 22, in Travis County, Texas, said 9.546 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 6121 FM 969 Road in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

**PART 2.** The Property is subject to Ordinance No. 021107-Z-12b that established zoning for the MLK-183 Neighborhood Plan.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2020.

**PASSED AND APPROVED**

\_\_\_\_\_, 2020      § \_\_\_\_\_  
                                 § \_\_\_\_\_  
                                 § \_\_\_\_\_  
                                 Steve Adler  
                                 Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
Anne L. Morgan                      Jannette S. Goodall  
City Attorney                      City Clerk

# EARLY LAND SURVEYING, LLC

P.O. Box 92588  
Austin, TX 78709  
512-202-8631  
TBPLS Firm No. 10194487

## 9.546 ACRES TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 9.546 ACRES (APPROXIMATELY 415,830 SQ. FT.) IN THE J.C. TANNEHILL SURVEY NO. 29, ABSTRACT NO. 22 IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 9.546 ACRE TRACT CONVEYED TO ASERO HOLDINGS CORP. IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN EXECUTED MARCH 8, 2007 AND RECORDED IN DOCUMENT NO. 2007042660 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 9.546 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" iron pipe found in the south right-of-way line of F.M. 969 (100' right-of-way width), being a northeast corner of the said 9.546 acre tract, being also the northwest corner of Lot 1, Joshua West Subdivision, a subdivision of record in Volume 13, Page 76 of the Plat Records of Travis County, Texas;

**THENCE** South 12°51'42" West with the east line of the said 9.546 acre tract and the west line of said Lot 1, a distance of 434.40 feet to a 1/2" iron pipe found for the southwest corner of said Lot 1;

**THENCE** South 79°30'56" East with the north line of the said 9.546 acre tract, the south line of Lots 1-3, of said Joshua West Subdivision, the south line of a 0.855 acre tract described in Document No. 2008032092 of the Official Public Records of Travis County, Texas and the south line of a 0.885 acre tract described in Volume 13196, Page 2635 of the Real Property Records of Travis County, Texas, a distance of 413.85 feet to a 1/2" rebar found for the easternmost corner of the said 9.546 acre tract, being the southeast corner of the said 0.885 acre tract, being also in the northwest line of a 3.96 acre tract described in Volume 3009, Page 2281 of the Deed Records of Travis County, Texas;

**THENCE** with the southeast line of the said 9.546 acre tract and the northwest line of the said 3.96 acre tract, the following three (3) courses and distances:

1. South 26°47'58" West, a distance of 527.99 feet to a 1/2" rebar found;
2. South 27°30'31" West, a distance of 19.61 feet to a 1/2" iron pipe found;
3. South 27°13'19" West, a distance of 344.69 feet to a 1/2" iron pipe found for the southernmost corner of the said 9.546 acre tract; being the easternmost corner of

a 5.603 acre tract described in Document No. 2010061238 of the Official Public Records of Travis County, Texas;

**THENCE** with the common line of the said 9.546 acre tract and the said 5.603 acre tract, the following five (5) courses and distances:

1. North 64°40'06" West, a distance of 130.68 feet to a 1/2" iron pipe found;
2. North 28°35'57" East, a distance of 133.75 feet to a 1/2" rebar found;
3. North 53°36'27" West, a distance of 386.32 feet to a 1/2" rebar found;
4. North 28°15'16" East, a distance of 180.56 feet to a 1/2" rebar found;
5. North 62°00'13" West, a distance of 49.88 feet to a 1/2" rebar found for the northernmost corner of the said 5.603 acre, being in the southeast line of a 6.10 acre tract described in Document No. 2003078835 of the Official Public Records of Travis County, Texas;

**THENCE** with the northwest line of the said 9.546 acre tract and the southeast line of the said 6.10 acre tract, the following three (3) courses and distances:

1. North 28°20'02" East, a distance of 177.91 feet to a 1/2" rebar found;
2. North 26°34'33" East, a distance of 330.89 feet to a 1/2" rebar found;
3. North 27°12'07" East, a distance of 298.74 feet to calculated point in the south right-of-way line of F.M. 969, being the northernmost corner of the said 9.546 acre tract, being also the easternmost corner of the said 6.10 acre tract, from which a concrete highway monument found in the south right-of-way line of F.M. 969 and the north line of the said 6.10 acre tract, bears North 79°19'16" West, a distance of 1.50 feet;

**THENCE** South 79°19'16" East with the south right-of-way line of F.M. 969 and the north line of the said 9.546 acre tract, passing a 1/2" rebar with "Matkin Hoover Engineering & Surveying" cap found at a distance of 0.24 feet and continuing for a total distance of 50.00 feet to the **POINT OF BEGINNING**, containing 9.546 acres of land, more or less.

Surveyed on the ground on January 10, 2020

Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, utilizing the SmartNet North America Network.

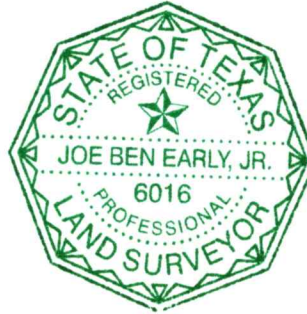
Attachments: Survey Drawing No. 1006-009-BASE



Joe Ben Early, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 6016  
TBPLS Firm No. 10194487

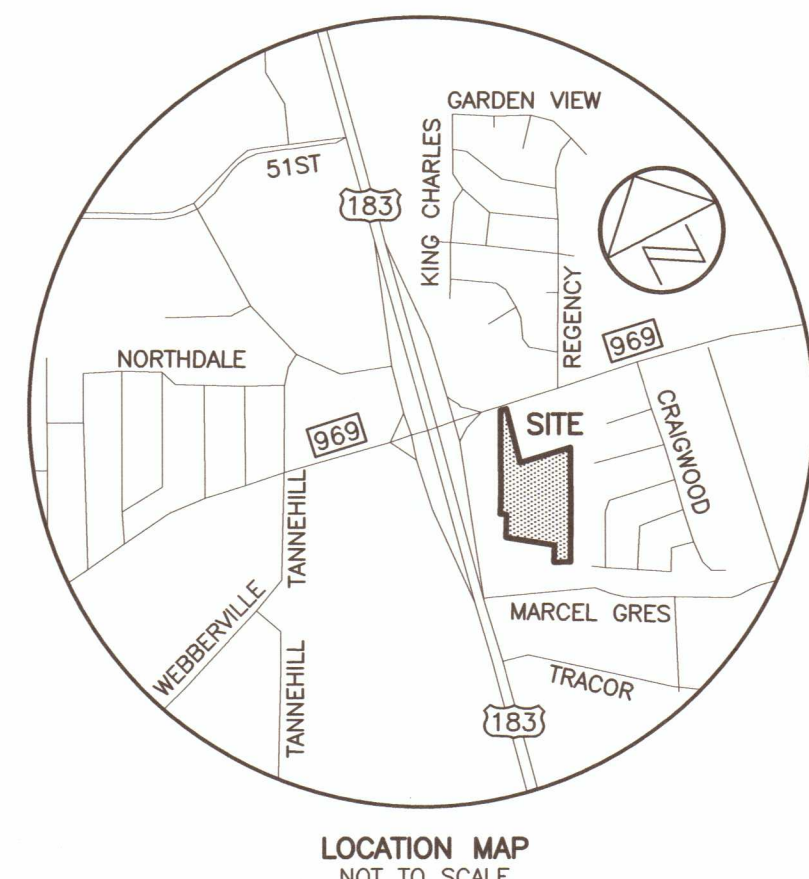
1/15/20

Date





AN ALTA/NSPS LAND TITLE SURVEY OF 9.546 ACRES (APPROXIMATELY 415,830 SQ. FT.) IN THE J.C. TANNEHILL SURVEY NO. 29, ABSTRACT NO. 22 IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 9.546 ACRE TRACT CONVEYED TO ASERO HOLDINGS CORP. IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN EXECUTED MARCH 8, 2007 AND RECORDED IN DOCUMENT NO. 2007042660 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



LOCATION MAP NOT TO SCALE

SCALE: 1" = 30'

GRAPHIC SCALE

LEGEND	
●	1/2" REBAR FOUND (OR AS NOTED)
⊙	1/2" IRON PIPE FOUND (OR AS NOTED)
■	CONCRETE HIGHWAY MONUMENT FOUND
*	COTTON SPINDLE FOUND
△	CALCULATED POINT
○	BOLLARD
○	CLEANOUT
⊕	ELECTRIC UTILITY
⊕	FIRE HYDRANT
⊕	WATER VALVE
⊕	WATER METER
⊕	UNDERGROUND GAS MARKER
⊕	GAS VALVE
⊕	LIGHT POLE
⊕	METAL TRANSMISSION POLE
⊕	POWER POLE
⊕	GUY WIRE
⊕	SION
⊕	TELECOM MANHOLE
⊕	UNDERGROUND FIBER MARKER
⊕	TELECOM UTILITY
⊕	ELECTRIC PULL BOX
⊕	OVERHEAD UTILITIES
⊕	EDGE OF ASPHALT PAVEMENT
⊕	WELDED WIRE FENCE
⊕	CHAIN LINK FENCE
⊕	WROUGHT IRON FENCE
⊕	WOOD FENCE
⊕	METAL FENCE
⊕	RAIL FENCE
( )	RECORD INFORMATION

TITLE COMMITMENT NOTE:

COMMITMENT FOR TITLE INSURANCE PREPARED BY:

First American Title Insurance Company  
Heritage Title Company of Austin, Inc.

G.F. No.: 201903247 Effective Date: 10/29/19 Issued: 11/5/19

The surveyor has relied upon the referenced Commitment for Title regarding easements, restrictions, and other matters affecting this property. No additional research was done for the purpose of this survey. Items listed are worded according to the commitment, followed by surveyor's notes and/or observations.

Schedule "B" items contained therein and re-listed below were considered:

1) Restrictive Covenants: DELETED

10a) Electric transmission and/or distribution line easement granted to Texas Power & Light Company, by instrument dated August 26, 1936, recorded in Volume 536, Page 153 of the Deed Records of Travis County, Texas. --- Does not affect

10b) Electric and telephone lines and systems easement granted to the City of Austin, by instrument dated March 10, 1972, recorded in Volume 4256, Page 707 of the Deed Records of Travis County, Texas. --- Subject to, as shown

10c) Electric utility easement granted to the City of Austin, by instrument dated March 7, 2008, recorded under Document No. 2008030166 of the Official Public Records of Travis County, Texas. --- Subject to, "After final construction and installation of the facilities, the easement hereby granted shall be limited to an area extending five feet on all sides of the actual installed location of the FACILITIES (the "Easement Area") and this easement shall no longer be in force or effect thereafter as to those portions of the Property outside the easement." per document

FLOOD-PLAIN NOTE:

The tract shown hereon lies within Zone "X" (areas determined to be outside the 0.2% annual chance floodplain), as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map 48453/03A/07P, dated January 6, 2016, for Travis County, Texas and incorporated areas. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

ALTA/NSPS SURVEY NOTES:

(Table A, Item 7a)

Square footage of buildings, if shown, is based on the outside, ground floor footprint. Unless noted otherwise, the surveyor has not accessed the inside of the building for measurement purposes.

GENERAL SURVEY NOTES:

PROPERTY ADDRESS: 6121 F.M. 969, AUSTIN, TX 78724

ATTACHMENTS: Metes and Bounds Description

BEARING BASIS:

THE TEXAS COGNATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, UTILIZING THE SMARTNET NORTH AMERICA NETWORK.

SURVEYOR'S CERTIFICATE:

CERTIFIED TO:

• Asero Holdings Corp., a Texas corporation  
• Cerco Development, Inc., a Texas corporation  
• First American Title Insurance Company  
• Heritage Title Company of Austin, Inc.

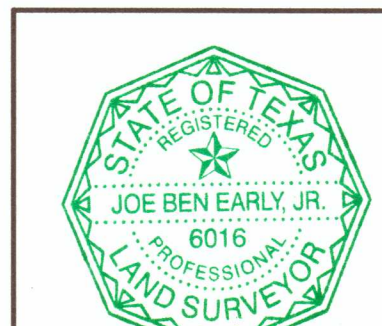
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 7a, 7b, 7c, 8, 13 & 14 of Table A thereof.

The field work was completed on 1/10/20.

Joe Ben Early, Jr. Date: 1/10/20

Registered Professional Land Surveyor  
State of Texas No. 6016

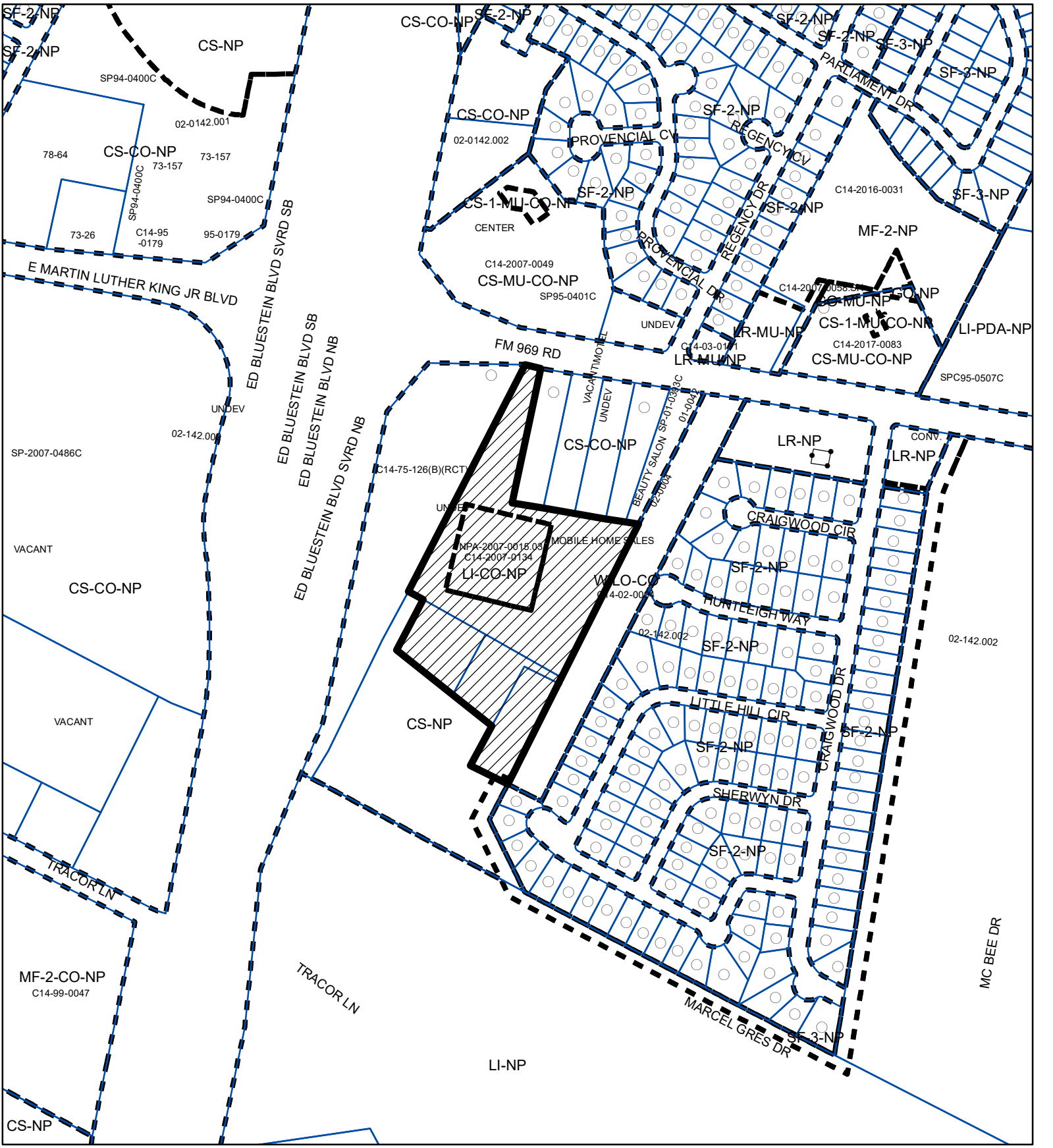
jeoben@earlysurveying.com






**EARLY**  
LAND SURVEYING  
A LIMITED LIABILITY COMPANY  
P.O. BOX 82988  
AUSTIN, TX 78709  
512-202-8631  
FORM NO. 10164467

PROJECT NO.: 1006-009  
DRAWING NO.: 1006-009-BASE  
PLOT DATE: 1/15/20  
PLOT SCALE: 1" = 30'  
DRAWN BY: MAW & JBE  
SHEET 01 OF 01





1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

### ZONING CASE#: C14-2020-0017

#### Exhibit B

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**Created: 2/6/2020**