

M E M O R A N D U M

TO: Andrew Rivera, Planning and Zoning Department

FROM: Stephany Roy, Senior Property Agent, Land Management
Development Services Department

DATE: January 29, 2021

SUBJECT: Alley Right-of-Way Vacation Application for 2209 S. 1st
Street (F#10350-2010)

Attached are the departmental comments and other information pertinent to the referenced right of way vacation. **The owner, RPC South First St, LLC is asking for the vacation to allow a mixed-use project, with live-work units and multifamily units.** The proposed vacation tract is currently associated with an active site plan, # SP-2020-0351C.CP.

All affected departments and private utility franchise stakeholders have reviewed the request and recommend approval, subject to the conditions on the Master Comment Report. A Public Utility Easement (PUE) and Drainage Easement will be retained over the entirety of the ROW vacation area.

Land Management is requesting that this item be submitted for placement on the **February 9, 2021 Planning Commission Agenda** for their consideration. The applicant and/or their representative will be at the meeting.

Staff contact: Mashell Smith 512-914-4455 and Stephany Roy at 404-357-1814 or landmanagement@austintexas.gov

Applicant: James M. Schissler, Civiltude, LLC 512-761-6161; jim@civiltude.com

Property Owner: RPC South First St, LLC

Stephany Roy, Senior Property Agent
Land Management

Development Services Department

Attachment - Info Packet: Master Comment Report, Intro letter, Application, Survey, Location Map

MASTER COMMENT REPORT



As of: November 23, 2020

PROJECT NUMBER: 2020-162621 LM

PROJECT NAME: [10350-2010] 2209 S 1st Street

LOCATION: 2209 S 1ST ST, AUSTIN, TX 78704

<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM AT&T (SWBT)				
Approved	Lucy Cabading		11/16/2020	11/16/2020

Comments: Approved
 Thank you,
 Rikki Benevides
 she/her/hers
 MGR OSP PLNG & ENGRG DESIGN
 NETWORK ENGINEERING & OPERATIONS
 Austin-South
 M: 512.771.4961

LM ATD Review

Approved	Ravi Dhamrat	512-974-1217	11/17/2020	11/17/2020
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Comments: After reviewing this request with the Director of the Austin Transportation Department, ATD approves of the alley right-of-way vacation.

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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM Austin Resource Recovery Review				
Approved	Michael Zavala	(512) 974-1837	11/18/2020	11/18/2020
Comments:	Do not see any issues with this vacation that would hinder any ARR services in this area.			

LM AW Infrastructure Management

Approved With Conditions	Eric Sermeno	512-972-0497	11/13/2020	11/13/2020
Comments:	Austin Water (AW) has no objections to the requested 4,357 square-foot, Alley (ROW) Vacation as long the water and wastewater service(s) to adjacent properties are verified and re-routed if needed; and, which is more particularly described as being a portion of a thirteen foot (13-ft) wide alley located in Block 2, South Extension of Bouldin Addition, a subdivision recorded in volume 1, page 94 of the plat records of Travis County, Texas and with an address of 2209 S. 1st Street, Austin, Texas, 78704.			



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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM Drainage Engineering Review				
Approved	Jennifer Back	512-974-6361	11/18/2020	11/18/2020
Comments:	Defer to WPD			

LM Electric Review

Rejected	Rosario Navarro	512-322-6754	11/10/2020	
Comments:	Austin Energy has facilities in the proposed vacation area, this alley must be retained as a PUE as long as the facilities remain.			
Approved With Conditions	Rosario Navarro	512-322-6754	11/12/2020	11/12/2020
Comments:	Conditionally approved as long as a PUE is retained in place of the alley, to cover the existing electric facilities.			

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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM EMS Review				
Approved	Milissa Warren	(512)972-7234	11/16/2020	11/16/2020
Comments:	EMS will support staff recommendation on this request.			

LM Fire For Site Plan Review

Approved	Tom Migl	512-974-0164	11/05/2020	11/05/2020
Comments:	None			



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LM GAATN Review				
Approved	Carlos DeMatos	(512) 974-6513	11/02/2020	11/02/2020
Comments:	None			

LM Google Fiber Texas

Approved	Fredric Ritter		11/19/2020	11/19/2020
Comments:	Google Fiber approves this Easement Release. Thank you! Lorena Veldañez Engineering Technician (Provided for by Adecco) veldanezgaspar@google.com (512) 230-2385			

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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM Grande Communications				
Approved	Daniel Pina		11/04/2020	11/04/2020
Comments:	Grande has no objections Daniel Piña Utility Coordinator- Austin/San Marcos Grande Communications® Cell:737-346-7155 daniel.pina@mygrande.com grandecom			

LM PARD / Planning & Design Review

Approved	Robynne Heymans	512-974-9549	11/19/2020	11/19/2020
Comments:	None			

As of: November 23, 2020



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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM PAZ Long Range Planning Review				
Approved	Jeffrey Engstrom	512.974.1621	11/10/2020	11/10/2020
Comments:	None			

LM PAZ Zoning Review

Approved	Wendy Rhoades	512-974-7719	10/28/2020	10/28/2020
Comments:	No comments; Approved			

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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM PWD Sidewalks & Special Projects Review				
Approved	Eric Dusza	512-974-6504	11/10/2020	11/10/2020
Comments:	None			

LM PWD Urban Trails Review

Approved	Katie Wettick	512-974-3529	10/29/2020	10/29/2020
Comments:	No urban trails nearby. No comments.			



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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM PWD-OCE Review				
Approved	Jose Ramos	512-974-8763	11/10/2020	11/10/2020
Comments:	None			

LM Texas Gas Services

Approved	Aaron Diaz		10/29/2020	10/29/2020
Comments:	Approved- No conflicts expected. Aaron Diaz Engineer I P: 512-465-1132 C: 512-348-4650 Aaron.Diaz@onegas.com			

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LM Time Warner Cable / Charter

Rejected	Timothy White		11/20/2020	
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Comments: Charter Communications does have a need for an easement on the property
Thanks,
Troy Smith

Approved	Timothy White		11/23/2020	11/23/2020
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Comments: Charter Communications does not have a need for an easement on the property as described
Troy Smith

LM Transportation Planning

Approved	Adam Fiss	512-974-1684	11/18/2020	11/18/2020
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Comments: None



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<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
LM Urban Design Review				
No Comment	Aaron Jenkins	512-974-1243	11/04/2020	11/04/2020
Comments:	Address is outside of reviewing district for Urban Design			

LM Watershed Engineering Review

Approved With Conditions	Sofia Reyes	512-974-7792	11/18/2020	11/18/2020
Comments:	WPD will approve the release of the ROW vacation with the following conditions: being that there is floodplain in the vicinity, the alley vacation will be approved so long as a new easement is dedicated that fully encompasses the fully-developed 100-year floodplain as part of the concept site plan this easement release case is the child of (SP-2020-0351C.CP)			

As of: November 23, 2020

B-12

PROJECT NUMBER: 2020-162621 LM

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LOCATION: 2209 S 1ST ST, AUSTIN, TX 78704



<u>Review Dept.</u>	<u>Reviewer</u>	<u>Phone</u>	<u>Attempt Date</u>	<u>Approved Date</u>
Mobility Bond Review				
No Review Required	Gregory Pepper	512-974-7282	10/29/2020	10/29/2020

Comments: This does not fall within the Corridor Construction Program Limits.

APPLICATION FOR STREET OR ALLEY VACATION

File No. 10350-2010
Department Use Only

DATE: 10/28/2020
Department Use Only

TYPE OF VACATION

Type of Vacation: Street: ; Alley: X ; ROW Hundred Block: 2200
Name of Street/Alley/ROW: Paper Alley Is it constructed: Yes No
Property address: 2209 S 1st St, 501 W Live Oak St
Purpose of vacation: Allow multi-family building and amenities to use this area.

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 0403010231 & 0403010233
Survey & Abstract No.:
Lot(s): 7, 10, 12, & 14 Block: 2 Outlot:
Subdivision Name: South Extension of Bouldin Addition
Plat Book 1 Page Number 94 Document Number

Neighborhood Association Name: Bouldin Creek NA
Address including zip code:

RELATED CASES

Existing Site Plan (circle one): YES / NO
Subdivision: Case (circle one): YES / NO
Zoning Case (circle one): YES / NO
FILE NUMBERS
SP-2020-0351C.CP

PROJECT NAME, if applicable:

Name of Development Project: 2209 South First
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: RPC South First St LLC (as shown on Deed)
Address: 1705 Captl of Tx Hwy, Suite 400 Phone: () Fax No.: ()
City: Austin County: Travis State: TX Zip Code: 78746
Contact Person/Title: Cell Phone: ()
Email Address:
(If multiple owners are joining in this request, complete names and addresses for each must be attached.)

APPLICANT INFORMATION

Name: James M. Schissler
Firm Name: Civiltude, LLC
Address: 5110 Lancaster Ct
City: Austin State: TX Zip Code: 78723
Office No.: (512) 7616-6161 Cell No.: (512) 569-9830 Fax No.: ()
EMAIL ADDRESS: jim@civiltude.com

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 nonrefundable 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 prior to placing the item on the Council Agenda for final approval.

Signed By: James M. Schissler
Landowner/Applicant



CIVILITUDE
ENGINEERS & PLANNERS

5110 Lancaster Court
Austin, Texas 78723
Firm Registration #12469

Phone 512 761 6161
Fax 512 761 6167
info@civiltude.co
www.civiltude.com

October 19, 2020

Ms. Mashell Smith
City of Austin Office of Real Estate Services
505 Barton Spring Road, 13th Floor
Austin, Texas 78704

Re: Alley Vacation Application for 2209 S 1st St and 501 W Live Oak St
2209 South First
Austin, Texas 78704

Dear Mashell,

Enclosed is the alley vacation application package for 2209 S 1st St and 501 W Live Oak St. The project proposes to vacate the undeveloped 13-foot wide alley between the tracts that make up the development to allow construction of a mixed-use building with structured parking and ancillary improvements. The adjoining lots are were platted in the South Extension of Bouldin Addition Subdivision recorded in Plat Book 1, Page 94 filed on December 8, 1893. The owners of Lots 1-6 have agreed to file quit-claim deeds for the alley vacation.

1. Is this a residential or commercial project? MIXED USE WITH LIVE-WORK UNITS AND MULTI-FAMILY UNITS.
2. How was the area to be vacated dedicated? By plat or by separate instrument? BY PLAT, ATTACHED.
3. Did the City purchase the area to be vacated? (i.e., by Street Deed) NO.
4. Are both the area to be vacated and your property in the same "subdivision"? (They must both be in the same subdivision to be eligible.) YES, SOUTH EXTENSION OF BOULDIN ADDITION.
5. Is the area to be vacated functional right-of-way, or is it only dedicated on paper? UNDEVELOPED (PAPER) ALLEY.
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 ARE UTILITIES SERVIING EXISTING BUILDINGS THAT WILL BE REMOVED.
7. How do you plan to develop the area to be vacated? A 4-STORY MIXED USE BLDG. WILL BE BUILT WHERE ALLEY IS LOCATED/
8. Has a site plan been submitted on your project? YES, A CONCEPT SITE PLAN, SP-2020-0351C
9. Is your project a Unified Development? YES, THERE ARE 13 LOTS THAT ARE PART OF THE RE-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? SPRING, 2021.
12. What is the current zoning on the adjacent properties? ZONED CS-MIU-CO-NPAND CS-MU-V-CO-NP.
13. What is the current status of the adjacent properties? PROPERTIES ARE DEVELOPED.
14. What type of parking facilities currently exist? MINIMAL OFF-STREET SURFACE PARKING.
15. Will your parking requirements increase with the expansion? PARKING REQUIREMENTS WILL INCREASE.
16. How will the increase be handled? STRUCTURED PARKING UNDER THE BUILDING.
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 SEPARATE AGREEMENTS OR EASEMENTS; THERE ARE NO ADJACENT LAND OWNERS THAT SHARE PROPERTY LINE WITH THE PAPER ALLEY.
18. Does the area to be vacated lie within the Austin Downtown Plan (DAP)? NO Does it meet DAP criteria? N/A
19. Does the area to be vacated lie within UT boundaries: East of Lamar Boulevard, west of IH-35, north of Martin Luther King Boulevard, and south of 45th Street? IT DOES NOT.

B-12

20. Does the proposed vacation support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan? If so, how? VACATION WOULD ALLOW MAXIMUM RESIDENTIAL DENSITY ON CORE TRANSIT CORRIDOR TRACTS AND REDUCE PRESSURE FOR SUBURBAN SPRAWL. DESIGN WOULD FOLLOW SUBCHAPTER E GUIDELINES AND ALSO REDUCE 10 CURB CUTS ALONG S 1ST ST AND WEST LIVE OAK ST DOWN TO TWO CURB CUTS.

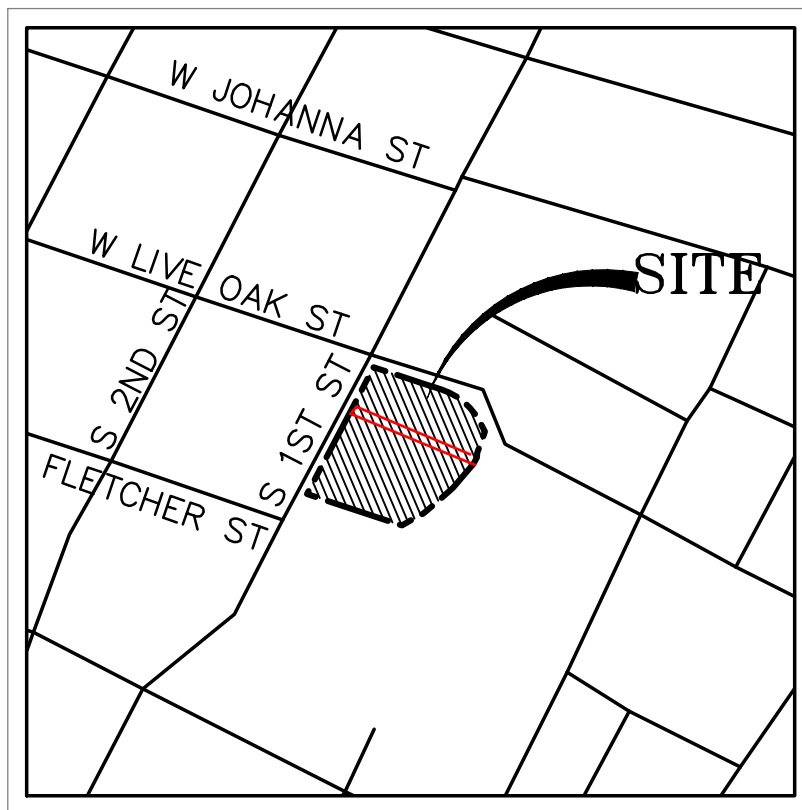
If you have any questions, please do not hesitate to contact us and inquire at 512-761-6161.

Sincerely,

James M Schissler

James M. Schissler, P.E.

Vice President

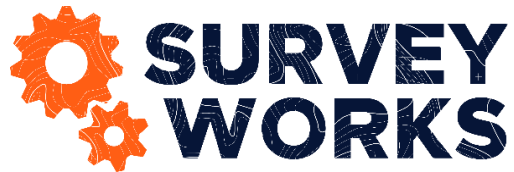


0' 250' 500' 1000'

SCALE: 1:500'

LOCATION MAP

GRID: H20
MAPSCO: 614R



FIELD NOTE DESCRIPTION

DESCRIPTION OF A 4,357 SQUARE FOOT TRACT OR PARCEL OF LAND, BEING A PORTION OF A THIRTEEN (13) FOOT WIDE ALLEY LOCATED IN BLOCK 2, SOUTH EXTENSION OF BOULDIN ADDITION AS RECORDED IN VOLUME 1, PAGE 94, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID 4,357 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found (1/2-Inch diameter), being the north corner of Lot 10, Block 2 of said South Extension of Bouldin Addition, being a point in the east right of way line of South 1st Street, being the west corner of said 13 foot wide alley;

Thence, N 27°43'33" E a distance of 12.64 feet, along the west line of said 13 foot wide alley, common with the east right of way line of South 1st Street, to an iron rod found (1/2-Inch diameter), being the west corner of Lot 1, Block 2 of said South Extension of Bouldin Addition, and the north corner of said 13 foot wide alley;

Thence, S 71°40'05" E for a total distance of 346.99 feet departing the east right of way line of South 1st Street along the south line of Lots 1-7 of said South Extension of Bouldin Addition, common with the north line of said 13 foot wide alley passing at a distance of 46.06 feet an iron rod found (1/2-Inch diameter), at 92.12 an iron rod set (1/2" diameter with pink cap stamped "Survey Works 6356) at 138.18 feet an iron rod found (1/2-Inch diameter), at 184.01 feet an iron pipe found (1/2-Inch diameter), at 276.00 feet an iron pipe found (1/2-Inch diameter) to a calculated point being the south corner of Lot 7 of said South Extension of Bouldin Addition, for the northeast corner of said 13 foot wide alley;

Thence, S 06°08'23" W a distance of 12.76 feet, along the east line of said 13 foot wide alley to a calculated point, being a point on a Boundary Line Agreement as recorded in Volume 9320, Page 996, Real Property Records, Travis County, Texas, for the southeast corner of the 13 foot wide alley, from which an iron pipe found in Bouldin Creek bears, N 27°32'21" E a distance of 10.36 feet;

Thence, N 71°40'05" W a distance of 351.75 feet along the south line of said 13 foot wide alley, common with the north line Lots 10, 12 and 14 of said South Extension of Bouldin Addition to the **POINT OF BEGINNING**, in all containing **4,357 square feet** of land, more or less.

All bearings and distances are based on State Plane Coordinate System, Texas Central Zone, NAD 1983.

I, Derek Kinsaul, licensed to practice Land Surveying in the State of Texas, hereby certify that the foregoing metes and bounds legal description and accompanying sketch were based on an on the ground survey.

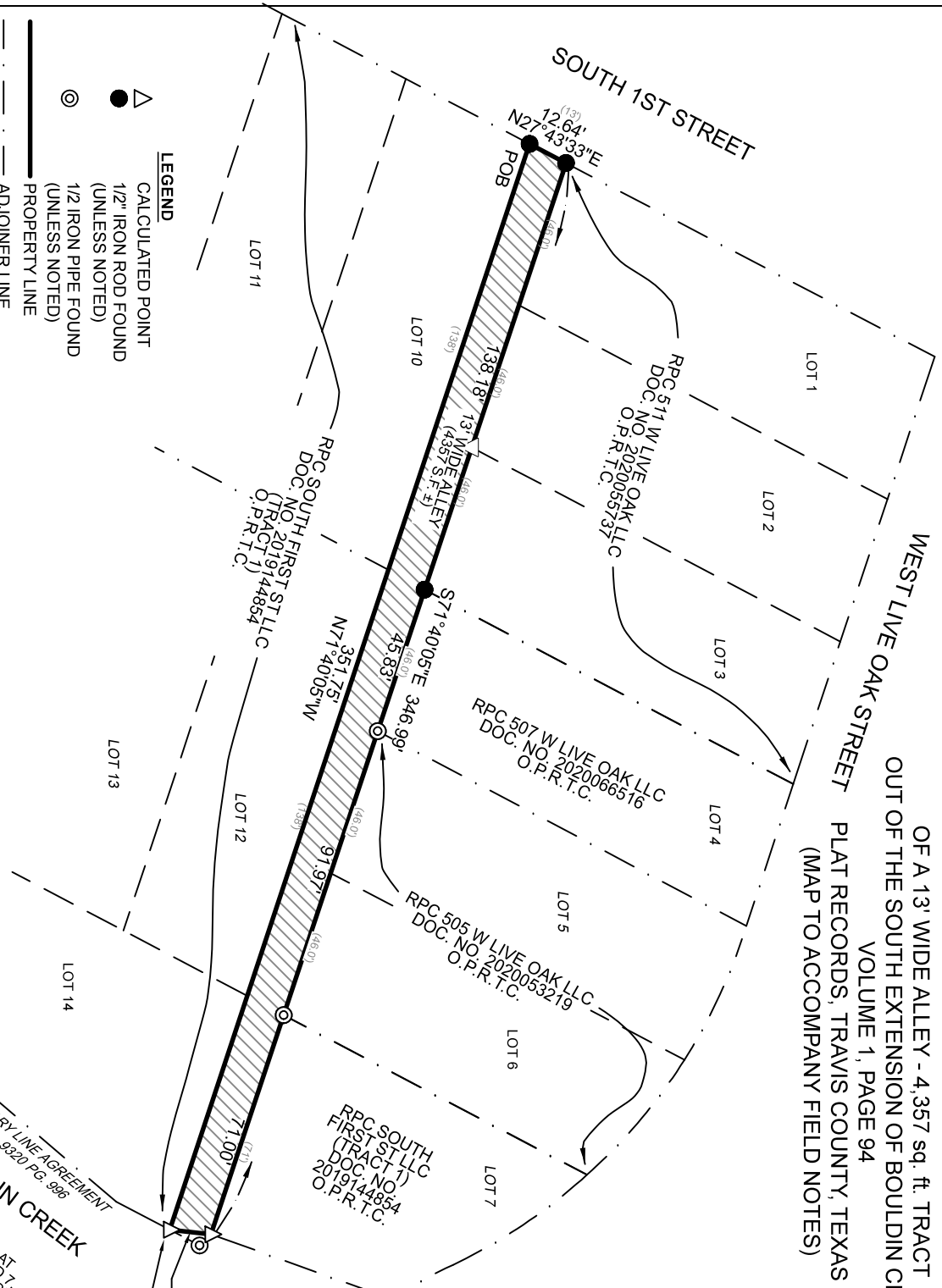
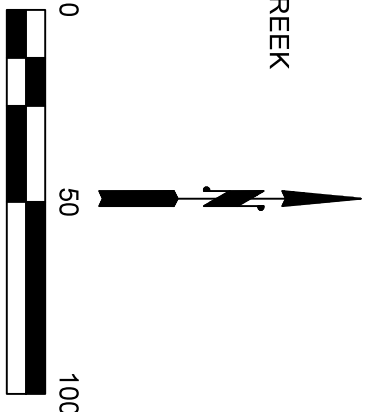
October 14th, 2020



Derek Kinsaul
RPLS No. 6356
Job #19-0048.03
City Map Grid H-20



RIGHT OF WAY VACATION
 OF A 13' WIDE ALLEY - 4,357 sq. ft. TRACT
 OUT OF THE SOUTH EXTENSION OF BOULDIN CREEK
 VOLUME 1, PAGE 94
 PLAT RECORDS, TRAVIS COUNTY, TEXAS
 (MAP TO ACCOMPANY FIELD NOTES)



LEGEND

- CALCULATED POINT
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2 IRON PIPE FOUND (UNLESS NOTED)
- PROPERTY LINE
- ADJOINER LINE
- ALLEY TO BE VACATED
- POINT OF BEGINNING
- VOLUME AND PAGE
- PLAT RECORDS
- TRAVIS COUNTY
- DOCUMENT NUMBER
- OFFICIAL PUBLIC RECORDS
- TRAVIS COUNTY
- RECORD INFORMATION

DATUM & BEARING BASIS

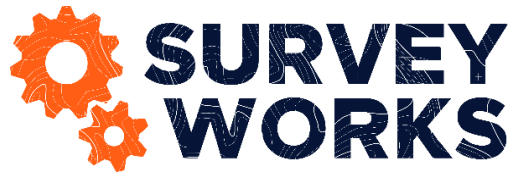
TEXAS STATE PLANE COORDINATE SYSTEM,
 GRID NORTH CENTRAL ZONE (4203), NAD 83,
 ELEVATION DATA NAVD 88; GEOID 12B;
 DISTANCES IN US SURVEY FEET (GRID).

BOUNDARY LINE AGREEMENT
 Vol. 9820 Pg. 896
 LOT 7A
 AMENDED PLAT
 OF LOTS 5, 6 AND 7
 SHELTON SUBDIVISION
 VOL. 97 Pg. 120
 P.R.T.C.

PROJECT NO. 19-0048.03
 AUSTIN, TEXAS
 TRAVIS COUNTY



INFO@SURVEYWORKSAUSTIN.COM
 SURVEYWORKSAUSTIN.COM
 1207 UPLAND DRIVE
 AUSTIN, TX 78741
 FIRM #10194157
 (512) 599-8057



FIELD NOTE DESCRIPTION

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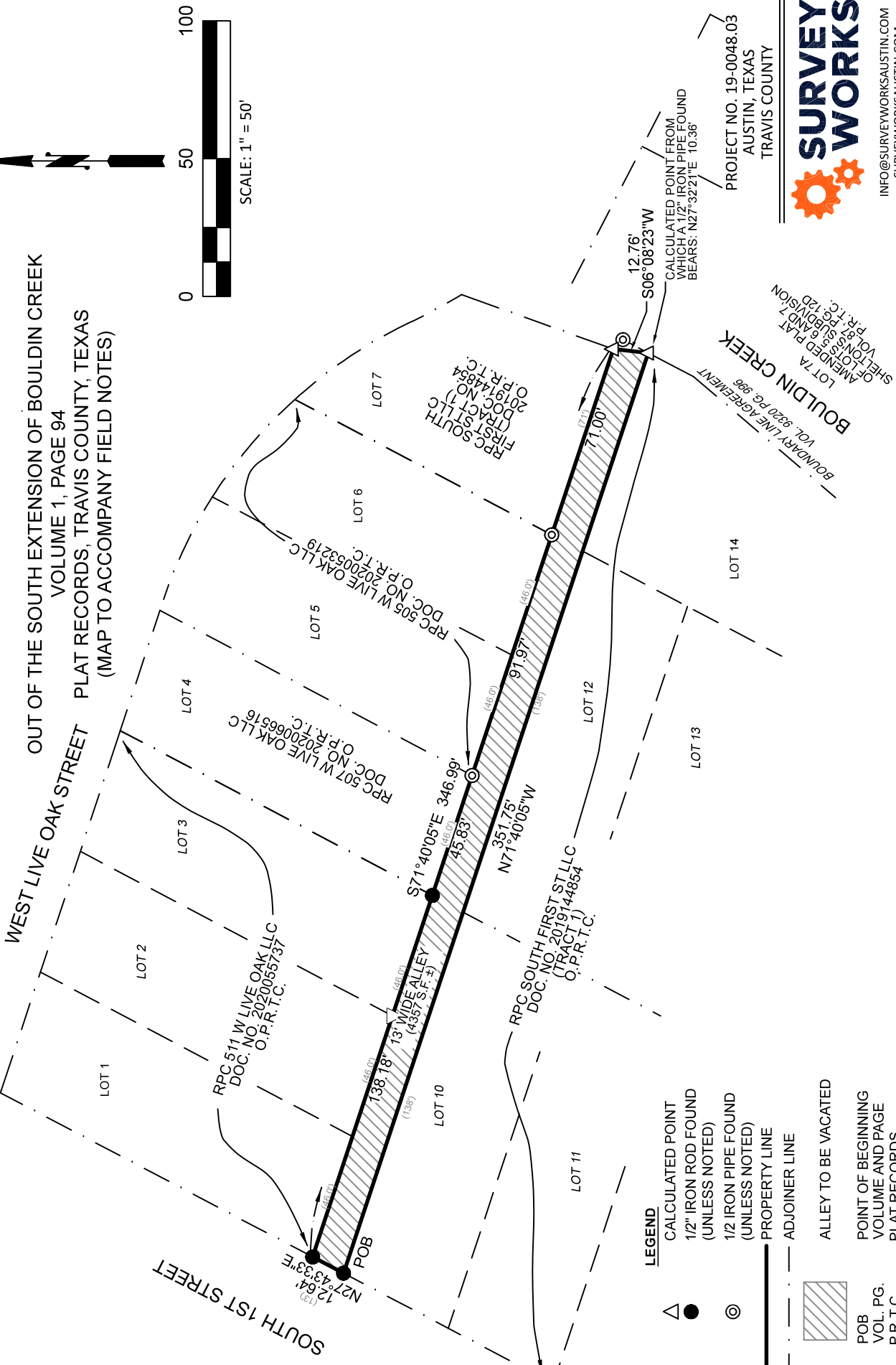


Derek Kinsaul
RPLS No. 6356
Job #19-0048.03
City Map Grid H-20



PUBLIC UTILITY AND DRAINAGE EASEMENT

OUT OF THE SOUTH EXTENSION OF BOULDIN CREEK
 VOLUME 1, PAGE 94
 PLAT RECORDS, TRAVIS COUNTY, TEXAS
 (MAP TO ACCOMPANY FIELD NOTES)



- LEGEND**
- Δ CALCULATED POINT
 - \bullet 1/2" IRON ROD FOUND (UNLESS NOTED)
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 - PROPERTY LINE
 - - - ADJOINER LINE
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 - POB POINT OF BEGINNING
 - VOL. PG. VOLUME AND PAGE
 - P.R.T.C. PLAT RECORDS
 - DOC. NO. TRAVIS COUNTY
 - O.P.R.T.C. DOCUMENT NUMBER
 - () OFFICIAL PUBLIC RECORDS
 - () TRAVIS COUNTY
 - () RECORD INFORMATION

DATUM & BEARING BASIS

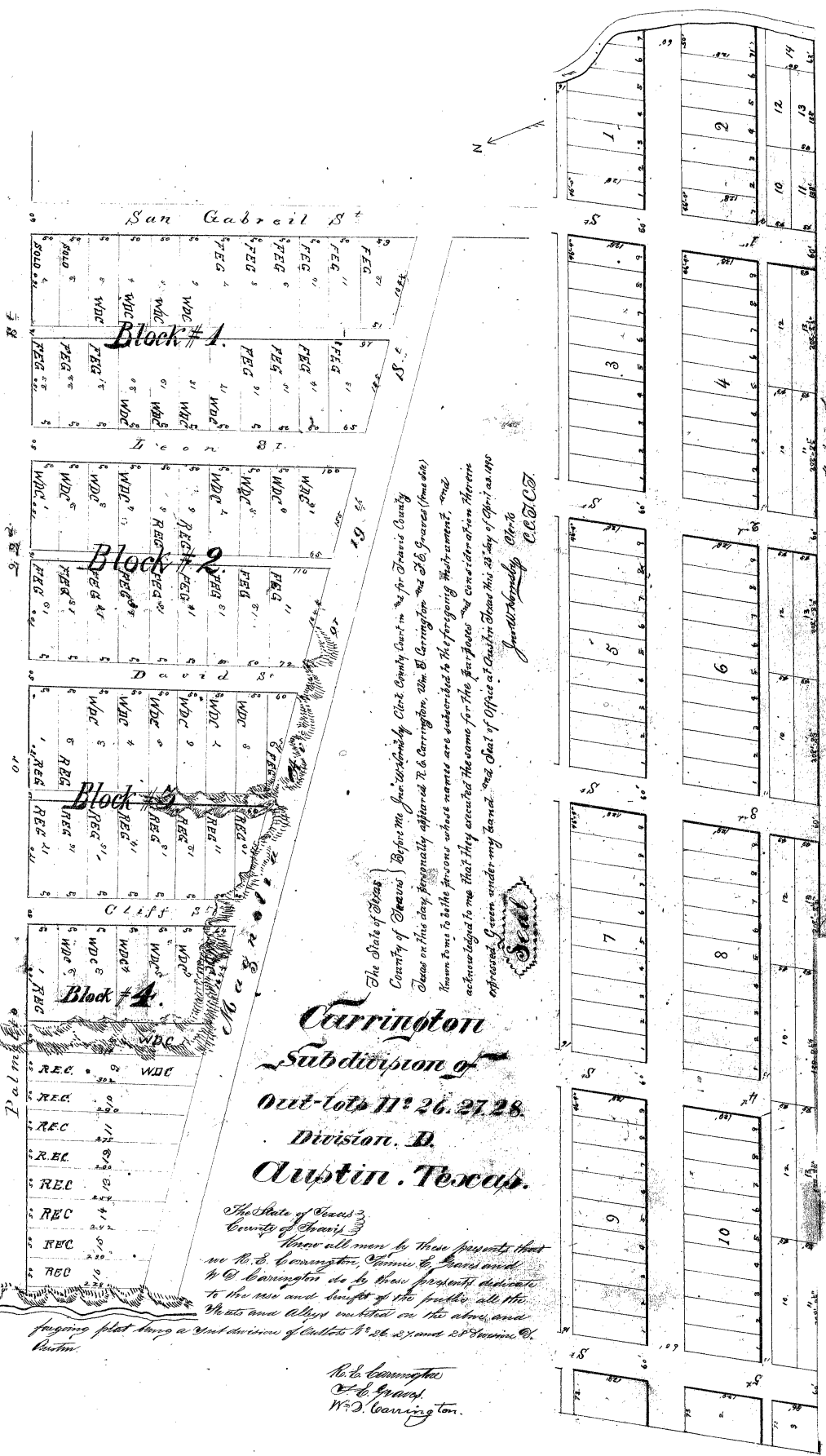
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PROJECT NO. 19-0048.03
 AUSTIN, TEXAS
 TRAVIS COUNTY



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 AUSTIN, TX 78741
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 (512) 599-8067

Index for Record April 23rd 1893 at 10:30 AM. 677
Number of Acres: 237.18005 12.8 600.2 700.



Carrington
Subdivision of
Out-lots No. 26, 27, 28,
Division B,
Austin, Texas.

The State of Texas }
 County of Travis }
 Know all men by these presents that we M. C. Granberry, M. C. Granberry and W. D. Carrington do by these presents dedicate to the use and benefit of the public all the streets and alleys marked on the above and foregoing plat being a West division of Out-lots No. 26, 27, and 28 of Austin, Texas.

M. C. Granberry
 W. D. Carrington

The State of Texas }
 County of Travis }
 Know all men by these presents that we J. J. Davis, J. J. Davis and J. J. Davis do by these presents dedicate to the use and benefit of the public all the streets and alleys marked on the above and foregoing plat being a West division of Out-lots No. 26, 27, and 28 of Austin, Texas.



South Extension of Boulton Addition
 10
 The City of Austin
 April 23rd 1893 at 3 P.M.
 Book Two 1893 at 3 P.M.
 Travis County, Texas
 J. J. Davis

The State of Texas }
 County of Travis }
 Know all men by these presents that we G. A. Dawson and J. J. Davis both of the county of Travis and State of Texas, each set forth do hereby dedicate to the use and benefit of the public forever the streets and alleys as exhibited by the plat hereon, the same being a subdivision into lots and blocks of 4.5/10 acres of land now owned by G. A. Dawson and J. J. Davis, together with about 18 32/100 acres of land now owned by said J. J. Davis and being the same land conveyed to said J. J. Davis by said J. J. Davis and husband, J. E. Boulton by deed of record, Vol. 108 page 441, given under my hand this 28th day of November, A. D. 1893.

M. C. Granberry
 Notary Public, Travis County, Texas
 Scale, 1 inch to 100 feet

The State of Texas }
 County of Travis }
 Know all men by these presents that we G. A. Dawson and J. J. Davis both of the county of Travis and State of Texas, each set forth do hereby dedicate to the use and benefit of the public forever the streets and alleys as exhibited by the plat hereon, the same being a subdivision into lots and blocks of 4.5/10 acres of land now owned by G. A. Dawson and J. J. Davis, together with about 18 32/100 acres of land now owned by said J. J. Davis and being the same land conveyed to said J. J. Davis by said J. J. Davis and husband, J. E. Boulton by deed of record, Vol. 108 page 441, given under my hand this 28th day of November, A. D. 1893.

J. J. Davis
 G. A. Dawson