

ORDINANCE NO.

AN ORDINANCE VACATING APPROXIMATELY 4,572 SQUARE FEET OF  
RIGHT-OF-WAY TO THIRD STREET AUSTIN, LLC, BEING THE  
REMAINDER OF A 60-FOOT-WIDE RIGHT-OF-WAY ADJOINING A PARCEL  
LOCATED AT 2408 S. 3RD STREET.

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

**PART 1.** Council approves the vacation of approximately 4,572 square feet of right of-way to Third Street Austin, LLC, being the remainder of a 60-foot-wide right-of-way adjoining a parcel located at 2408 S. 3rd Street, as described in **Exhibit "A"**, which is attached to and incorporated as part of this ordinance.

**PART 2.** A public utility easement is reserved from this vacation by the City over the entire area of the vacation.

**PART 3.** Third Street Austin, LLC has posted funds with the City in the amount of \$321,000, which is the appraised fair market value of the interests in the land being vacated, and these funds will be deposited after approval of this ordinance.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2023.

**PASSED AND APPROVED**

\_\_\_\_\_, 2023      § \_\_\_\_\_  
Kirk Watson  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
Anne L. Morgan      Myrna Rios  
City Attorney      City Clerk

EXHIBIT "A"

FIELD NOTES DESCRIPTION

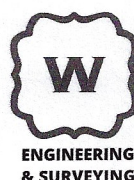
DESCRIPTION OF A 0.105 ACRE (4,572 SQUARE FEET) TRACT OF LAND SITUATED IN THE ISAAC DECKER LEAGUE, A-8, TRAVIS COUNTY, TEXAS; BEING OUT OF THAT CERTAIN 60.00 FEET WIDE TRACT OF LAND CONVEYED TO THE CITY OF AUSTIN (FOR "STREET PURPOSES") BY STREET DEED OF RECORD IN VOLUME 3950, PAGE 1213, DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.105 ACRE TRACT OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8-inch iron pipe found at the southwest corner of South 3rd Street (50' R.O.W.) and being the northwest corner of said 60.00 feet wide tract, same being the southeast corner of Lot 1, Block E, Loma Linda Subdivision, a map or plat of record in Volume 4, Page 216, Plat Records of Travis County, Texas, same being a northerly interior corner of that certain tract conveyed to San Jose Catholic Church (deed record information not available at the time of this survey), from which a 1/2-inch iron rod found on the north line of that certain called 20 feet wide easement tract of record in said Loma Linda Subdivision, being the common south corner of Lots 1 and 9, both of Block A of said Loma Linda Subdivision, bears S 71°20'21" E, a distance of 427.78 feet;

THENCE S 18°25'12" W, leaving the common south corner of South 3rd Street and said Lot 1, Block A, being with the common line of said 60.00 feet wide tract and said San Jose Catholic Church tract, a distance of 20.00 feet to a 1/2-inch iron rod with plastic cap stamped "Wuest Group" set for the POINT OF BEGINNING and northwest corner of the tract described herein;

THENCE S 71°20'21" E, leaving the northerly interior line of said San Jose Catholic Church tract and through the interior of said 60.00 feet wide tract, with the north line of the tract described herein, a distance of 114.31 feet to a 1/2-inch iron rod with plastic cap stamped "Wuest Group" set on the east line of said 60.00 feet wide tract, being the common west corner of said 20 feet wide easement tract and that certain called 69.5 feet by 88.8 feet tract of land conveyed to Octavio V. Balderas and wife, Martha K. Balderas by Warranty Deed with Vendor's Lien of record in Document #2001007074, Official Public Records of Travis County, Texas, for the northeast corner of the tract described herein, from which a 1/2-inch iron rod found at the common north corner of that certain called 0.425 acre tract of land conveyed to James O. Houchins and Susan C. Houchins by General Warranty Deed of record in Document #2016202969, Official Public Records of Travis County, Texas, and that certain called 0.42 acre tract of land conveyed to Jesse Saletan by General Warranty Deed with Vendor's Lien of record in Document #2002060056, Official Public Records of Travis County, Texas, bears S 71°20'21" E, a distance of 139.06 feet;

THENCE S 18°25'33" W, with a portion of the common line of said 60.00 feet wide tract and said 69.5 feet by 88.8 feet tract, being with the east line of the tract described herein, a distance of 40.00 feet to a 1/2-inch iron rod with plastic cap stamped "Wuest Group" set at the common east corner of said 60.00 feet wide tract and that certain called 0.59 acre tract of land conveyed to Third Street Austin, LLC, by Special Warranty Deed with Vendor's Lien of record in Document #2021180557, Official Public Records of Travis County, Texas, for the southeast corner of the tract described herein, from which a 3/8-inch iron pipe found at the common south corner of said 0.59 acre tract and the south 100 feet of that certain called 0.42 acre tract of land conveyed to Third Street Austin, LLC, by Special Warranty Deed with Vendor's Lien of record in Document #2021180561, Official Public Records of Travis County, Texas, being on the north line of Lot 1, Block A, San Jose Catholic Church Subdivision, a map or plat of record in Document #200700020, Official Public Records of Travis County, Texas, bears S 18°25'33" W, a distance of 226.13 feet;





THENCE N 71°20'21" W, leaving the west line of said 69.5 feet by 88.8 feet tract and with the common line of said 60.00 feet wide tract and said 0.59 acre tract, being with the south line of the tract described herein, a distance of 114.31 feet to a 1/2-inch iron rod with plastic cap stamped "Wuest Group" set at the common west corner of said 60.00 feet wide tract and said 0.59 acre tract, being on the northerly interior line of said San Jose Catholic Church tract, for the southwest corner of the tract described herein, from which a 5/8-inch iron rod found at the southwest corner of said 0.59 acre tract and being an interior corner of said San Jose Catholic Church tract, bears S 18°25'12" W, a distance of 225.52 feet;

THENCE N 18°25'12" E, leaving the northwest corner of said 0.59 acre tract and with the common line of said 60.00 feet wide tract and said San Jose Catholic Church tract, being with the west line of the tract described herein, a distance of 40.00 feet to the POINT OF BEGINNING and containing 0.105 acre (4,572 square feet) of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone (4203), NAD83, Grid.

That I, Cara L. Williams, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying survey map are true and correct to the best of my knowledge and belief and was prepared from an actual on-the-ground survey under my direction and supervision.




7-24-23

Date

Cara L. Williams  
RPLS No. 6336  
State of Texas



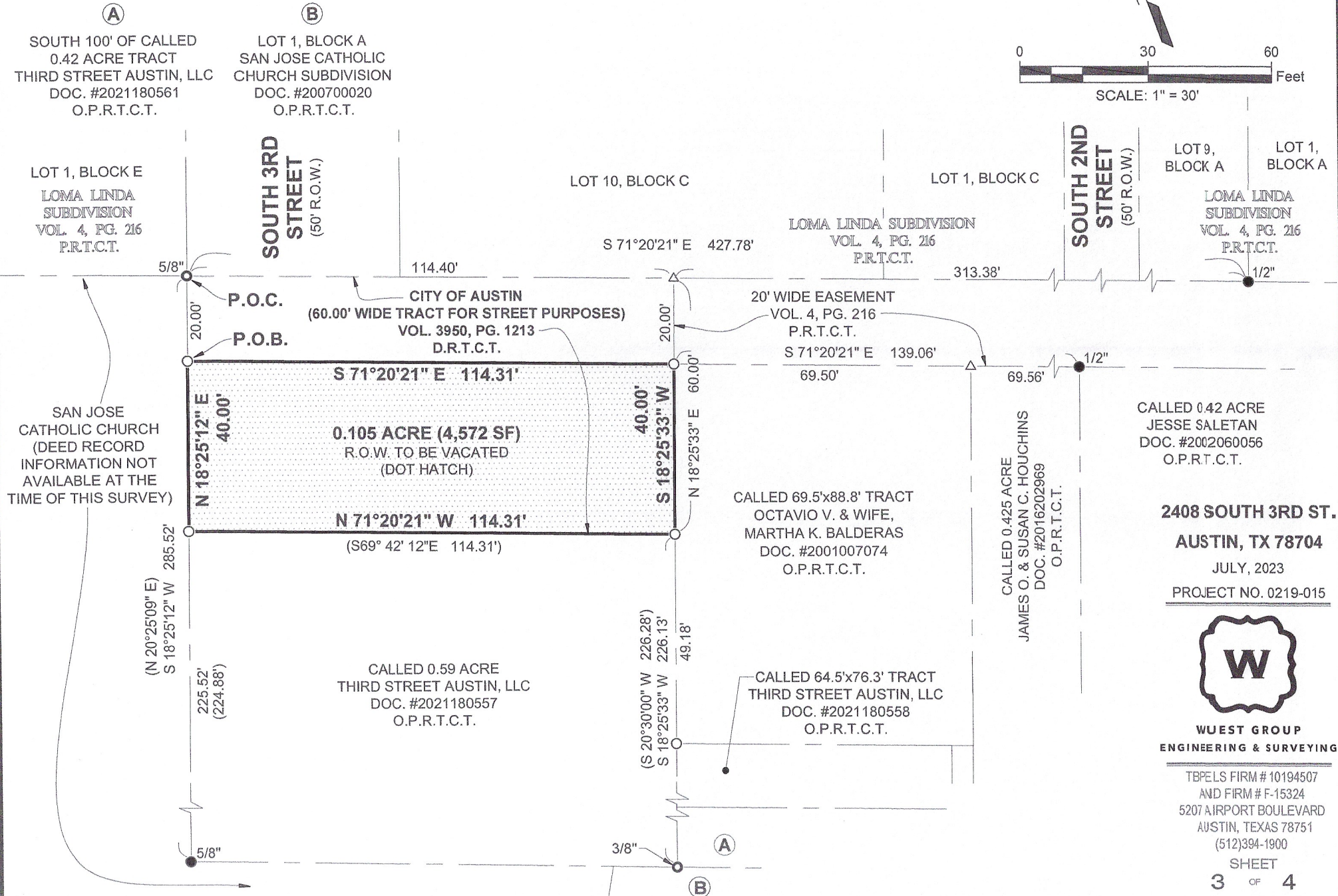
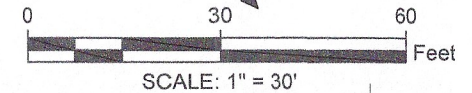
FIELD NOTES REVIEWED  
BY:  DATE: 07/24/23  
CITY OF AUSTIN  
PUBLIC WORKS DEPARTMENT



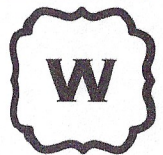
# EXHIBIT "A"

## SKETCH TO ACCOMPANY FIELD NOTES DESCRIPTION

R.O.W. TO BE VACATED



2408 SOUTH 3RD ST.  
AUSTIN, TX 78704  
JULY, 2023  
PROJECT NO. 0219-015



WUEST GROUP  
ENGINEERING & SURVEYING

TBPELS FIRM # 10194507  
AND FIRM # F-15324  
5207 AIRPORT BOULEVARD  
AUSTIN, TEXAS 78751  
(512)394-1900

SHEET  
3 OF 4

# EXHIBIT " A "

R.O.W. TO BE VACATED

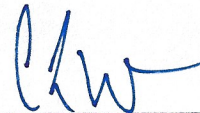
## SKETCH TO ACCOMPANY FIELD NOTES DESCRIPTION

### LEGEND

●	IRON ROD FOUND (SIZE NOTED)
○	IRON PIPE FOUND (SIZE NOTED)
○	1/2" IRON ROD w/CAP STAMPED "WUEST GROUP" SET
△	CALCULATED POINT
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
( )	RECORD INFO. PER DOC. #2021180557, O.P.R.T.C.T.
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

### BEARING BASIS & HORIZONTAL DATUM:

TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4203),  
NAD83, GRID.



7-24-23

CARA L. WILLIAMS  
RPLS NO. 6336 - STATE OF TEXAS  
WUEST GROUP  
(512)394-1900

DATE:



2408 SOUTH 3RD ST.  
AUSTIN, TX 78704

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4 OF 4