

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4106 1/2, 4120, 4122, AND 4122 1/2 EAST 12TH STREET, IN THE EAST MLK COMBINED NEIGHBORHOOD PLANNING AREA, FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE LOW DENSITY-NEIGHBORHOOD PLAN (MF-2-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 family residence-neighborhood plan (SF-3-NP) combining district to multifamily residence low density-neighborhood plan (MF-2-NP) combining district on the property described in Zoning Case No. C14-2023-0038.SH, on file at the Planning Department, as follows:

3.4377 acres of land, being out of the GEORGE J. NEILL SURVEY No. 1, ABSTRACT NO. 586, in Travis County, Texas, and being out of and a portion of OUTLOT No. 18 1/2, DIVISION "B", ORIGINAL CITY OF AUSTIN, Travis County, Texas, as shown on the map or plat thereof filed in the General Land Office of the State of Texas, and being all of a called 3.4376 acre tract conveyed in a deed and recorded as Document No. 2022054630 of the Official Public Records of Travis County, Texas, said 3.43 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance (the "Property"),

locally known as 4106 1/2, 4120, 4122, and 4122 1/2 East 12th Street, in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

PART 2. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 021107-Z-12c that established zoning for the MLK Neighborhood Plan.

PART 3. 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



PO Box 90876
Austin, TX 78709
512.554.3371
jward@4wardls.com
www.4wardls.com

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 3.4377 ACRES (149,748 SQUARE FEET) OUT OF THE GEORGE J. NEILL SURVEY NO. 1, ABSTRACT NO. 586, IN TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF OUTLOT NO. 18-1/2, DIVISION B, OF THE GOVERNMENT TRACTS ADJOINING THE CITY OF AUSTIN, ACCORDING TO A MAP OR PLAT ON FILE WITH THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, AND BEING ALL OF A CALLED 3.4376 ACRE TRACT CONVEYED TO 4120 E 12TH STREET PARTNERS, LP IN DOCUMENT NO. 2022054630 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 3.4377 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2-inch iron rod found in the west right-of-way line of Springdale Road (right-of-way varies), and being at the common east corner of Lot 1 and Lot 2 of the Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, recorded in Volume 11, Page 84 of the Plat Records of Travis County, Texas (P.R.T.C.T.), from which a 1/2-inch iron rod found in the west right-of-way line of said Springdale Road, and being at the northeast corner of said Lot 2, Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, and being the southeast corner of Lot 2 of the Resubdivision of a Portion of Outlot 18 1/2, Division "B", recorded in Volume 8, Page 132 (P.R.T.C.T.) bears, N26°57'55"E, a distance of 106.14 feet;

THENCE, with the west right-of-way line of said Springdale Road, and with the east line of said Lot 1, Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, S26°58'22"W, a distance of 80.11 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set, said point being at the intersection of the west right-of-way line of said Springdale Road with the north right-of-way line of East 12th Street (right-of-way varies), and being the southeast corner of said Lot 1, Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2;

THENCE, with the north right-of-way line of said East 12th Street and the south line of said Lot 1, Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, S78°27'03"W, a distance of 203.12 feet to a 1/2-inch iron rod with "4Ward Boundary" cap set for the southeast corner and **POINT OF BEGINNING** hereof, said point being in the north right-of-way line of said East 12th Street, and being the southwest corner of said Lot 1, Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, and being the southeast corner of said 3.4376 acre tract;

THENCE, with the north right-of-way line of said East 12th Street and the south line of said 3.4376 acre tract, **S78°27'03"W**, a distance of **83.90** feet to a 1/2-inch iron rod found for an exterior ell-corner hereof, said point being in the north right-of-way line of said East 12th Street, and being the southeast corner of Lot 4 of M.H. Fluornoy Subdivision No. 2, recorded in Volume 18, Page 42 (P.R.T.C.T.), and being an exterior ell-corner of said 3.4376 acre tract;

THENCE, leaving the north right-of-way line of said East 12th Street, with the common lines of Lots 1 through 4 of said M.H. Fluornoy Subdivision No. 2 and the south lines of said 3.4376 acre tract; the following three (3) courses and distances:

- 1) **N11°05'26"W**, a distance of **119.75** feet to a 1/2-inch iron rod found for an interior ell-corner hereof,
- 2) **S78°21'23"W**, a distance of **239.73** feet to a 1/2-inch iron rod found for an interior ell-corner hereof, and
- 3) **S11°04'30"E**, a distance of **119.36** feet to a 1/2-inch iron rod found for an exterior ell-corner hereof, said point being in the north right-of-way line of said East 12th Street, and being at the southwest corner of said Lot 1 of M.H. Fluornoy Subdivision No. 2, and being an exterior ell-corner of said 3.4376 acre tract;

THENCE, with the north right-of-way line of said East 12th Street and the south line of said 3.4376 acre tract, **S78°27'03"W**, a distance of **80.39** feet to a 1/2-inch iron pipe found for the southwest corner hereof, said point being in the north right-of-way line of said East 12th Street, and being the southeast corner of Lot 1, Block 4 of

Chernosky Subdivision No. 9, recorded in Volume 4, Page 190 (P.R.T.C.T.), and being the southwest corner of said 3.4376 acre tract;

THENCE, leaving the north right-of-way line of said East 12th Street, with the east line of said Block 4 of Chernosky Subdivision No. 9 and the west line of said 3.4376 acre tract, the following two (2) courses and distances:

- 1) **N11°06'02"W**, a distance of **506.13** feet to a 1/2-inch iron pipe found for an angle point hereof, and
- 2) **N10°56'24"W**, a distance of **79.22** feet to a 1/2-inch iron rod found for the northwest corner hereof, said point being in the east line of Lot 12 of said Block 4 of Chernosky Subdivision No. 9, and being at the southwest corner of Lot 32 of Fluornoy Heights Section Three, a subdivision recorded in Volume 30, Page 2 (P.R.T.C.T.), and being the northwest corner of said 3.4376 acre tract;

THENCE, with the south lines of Lots 31 and 32 of said Fluornoy Heights Section Three, and with the north line of said 3.4376 acre tract, **N78°55'38"E**, a distance of **204.88** feet to a 1/2-inch iron rod found for an exterior ell-corner hereof, said point being in the west line of the Bethany Cemetery, a subdivision recorded in Volume 1, Page 96 (P.R.T.C.T.), being at the southeast corner of said Lot 31, and being an exterior ell-corner of said 3.4376 acre tract;

THENCE, with the common line of said Bethany Cemetery and said 3.4376 acre tract, the following two (2) courses and distances:

- 1) **S09°05'58"E**, a distance of **279.68** feet to a 1/2-inch iron pipe found for an interior ell-corner hereof, and
- 2) **N79°21'15"E**, a distance of **206.81** feet to a 1/2-inch iron pipe found for an exterior ell-corner hereof, said point being at the northwest corner of Lot 2 of said Resubdivision of a Portion of Outlot 18 1/2, Division "B", and being an exterior ell-corner of said 3.4376 acre tract;

THENCE, with the common line of Lot 2 of said Resubdivision of a Portion of Outlot 18 1/2, Division "B", and said 3.4376 acre tract, **S11°29'41"E**, a distance of **154.79** feet to a 1/2-inch iron pipe found for an angle point hereof, said point being the common west corner of Lot 2 of said Resubdivision of a Portion of Outlot 18 1/2, Division "B", and Lot 1 of said Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, and being an angle point in the east line of said 3.4376 acre tract, from which a 1/2-inch iron rod found at the most westerly corner of Lot 2 of said Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, being an angle point in the north line of Lot 1 of said Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, and being a point in the south line of Lot 2 of said Resubdivision of a Portion of Outlot 18 1/2, Division "B" bears, **N78°31'38"E**, a distance of 126.55 feet;

THENCE, with the east line of said 3.4376 acre tract and the west line of Lot 1 of said Resubdivision of a Portion of Outlot 18 1/2, Division "B", Section 2, **S11°25'47"E**, a distance of **146.15** feet to the **POINT OF BEGINNING**, and containing 3.4377 Acres (149,748 Square Feet) more or less.

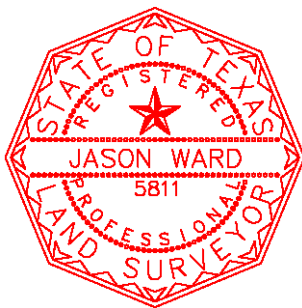
NOTE:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000064590564. See attached sketch (reference drawing: 00379_rev3.dwg)

TCAD Parcel # 319710
COA Grid # L-23 & M-23

11/29/22

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC





Created: 3/27/2023