

ORDINANCE NO. 20240307-016

AN ORDINANCE VACATING APPROXIMATELY 3,855 SQUARE FEET OF RIGHT-OF-WAY TO CEDAR BUILDING, LLC, BEING THE REMAINDER OF A 0.155-ACRE TRACT ADJOINING A PARCEL LOCATED AT 3503 KERBEY LANE.

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

PART 1. Council approves the vacation of approximately 3,855 square feet of undeveloped right-of-way to Cedar Building, LLC, being the remainder of a 0.155-acre tract dedicated to the City of Austin in fee via a Street Deed recorded in Volume 2465, Page 76 of the Deed Records of Travis County, Texas and adjoining a parcel located at 3503 Kerbey Lane, 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 area of the vacation described in **Exhibit “B”**, which is attached to and incorporated as part of this ordinance.

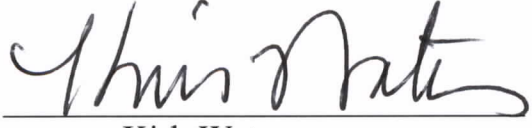
PART 3. A wastewater line easement is reserved from this vacation by the City over the area of the vacation described in **Exhibit “C”**, which is attached to and incorporated as part of this ordinance.


PART 4. Cedar Building, LLC has posted funds with the City in the amount of \$295,936, 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.

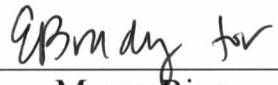
PART 5. This ordinance takes effect on March 18, 2024.

PASSED AND APPROVED

_____, March 7, 2024

§
§
§ 
Kirk Watson
Mayor

APPROVED: 
Anne L. Morgan
City Attorney

ATTEST: 
Myrna Rios
City Clerk

OWNER:
CITY OF AUSTIN

LEGAL DESCRIPTION:
BEING 0.00885 ACRES (3855 SQ.FT.) TRACT OF LAND, BEING OUT
OF THAT CERTAIN 0.155 ACRE TRACT CONVERTED TO THE CITY OF
AUSTIN BY DEED RECORDED IN VOLUME 2453, PAGE 76, DEED
RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

RECORD CALL (W)

WATER METER d

SIGN POST E

ELECTRIC METER

TRAFFIC LIGHT POLE

UTILITY POLE/GUY ANCHOR

UTILITY LINE

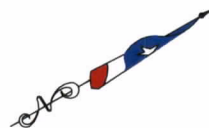
WOOD FENCE

A0433AB2-FN

page 1 of 2

ADDRESS:
1514 WEST 35th STREET
AUSTIN, TEXAS 78731

SCALE
1" = 20'



N29°38'48"E 167.47'
(N29°39'50"E 167.50')
to a Found MAG Nail

1512 O.269 Ac Street
Investors' 55th
(2021054431) P.

POINT OF COMMENCING
Found 1 1/2"
Iron Pipe

POINT OF
COMMENCING
Found 1 1/2"
Iron Pipe

N65' Lot 1
Jefferson Street
Cedar Addition Building, LLC
(2019123895)

0.0885 Acre
(3855 Sq.ft.)
out of
City of Austin
0.155 Acres
(2465/76)

35th Street
cut-off

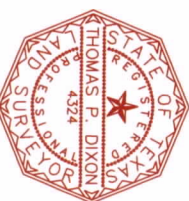
NOTE: BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.

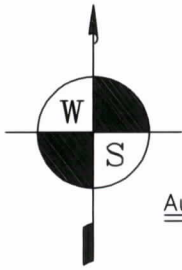
P.O. Box 160176, Austin, Texas 78716-0176

Thomas P. Dixon R.P.L.S. 4324
Phone: 481-9602 FIRM #10124400

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE, AND MAY BE SUBJECT TO ADDITIONAL EASEMENTS OR RESTRICTIONS NOT SHOWN HEREON. NO ADDITIONAL EASEMENT RESEARCH WAS DONE FOR THE PURPOSE OF THIS SURVEY.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE FIELD NOTES AND ACCOMPANYING SKETCH WERE PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY UNDER MY DIRECT SUPERVISION AND THAT THEY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.





August 30, 2023

WATERLOO SURVEYORS
PO BOX 160176
AUSTIN, TEXAS 78716-0176
Phone: 512-481-9602
www.waterloosurveyors.com
T.B.P.L.S. FIRM #10124400
A0433AB2-FN
DRAWN BY: BOBO

page 2 of 2

BEING 0.0885 ACRES (3855 SQ.FT.) TRACT OF LAND, BEING OUT OF THAT CERTAIN 0.155 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN VOLUME 2465, PAGE 76, DEED RECORDS OF TRAVIS COUNTY, TEXAS.

COMMENCING at a found 1/2" iron pipe in the east R.O.W. of Kerbey Lane, being the SW corner of that certain 0.159 acre tract out of lot 4 of Jefferson Street Addition recorded in volume 530, page 234, as conveyed to Cedar Building, LLC., by document no. 2019123896, Official Public Records, same being the NW corner of that certain North 65 feet of Lot 1 of Jefferson Street Addition as conveyed to Cedar Building, LLC., by document no. 2019123895, Official Public Records, from which a found 1/2" iron rod for the NW corner of said 0.1590 acre tract bears N29°59'02"E at a distance of 57.16 feet;

THENCE with the common line between lots 1 & 4 of said Jefferson Street Addition, S47°11'55"E for a distance of 53.88 feet to a set MAG nail in asphalt for the POINT OF BEGINNING of herein described tract;

THENCE continuing with the south line of said lot 4 of Jefferson Street Addition and the north line of herein described tract, S47°11'55"E for a distance of 50.18 feet to a found capped iron rod for the SE corner of said lot 4, being in the west line of that certain 0.269 acre tract conveyed to 1512 35th Street Investors, LP., by document no. 2021054431, Official Public Records, and the NE corner of herein described tract, from which a found MAG nail for the SE corner of said 0.269 acre tract bears S58°43'34"E at a distance of 72.73 feet;

THENCE with the east line of herein described tract, S29°40'56"W for a distance of 47.53 feet to a set capped iron rod stamped "Waterloo RPLS 4324" in the curving north R.O.W. line of the 35th Street Cutoff as recorded on Section Map No. 75 of the City Of Austin, and being the SE corner of herein described tract;

THENCE with the curving north R.O.W. of said 35th Street Cutoff, along a curve to the right, having a radius of 443.78 feet, and arc length of 103.96 feet, whose chord bears N71°39'44"W for a distance of 103.72 feet to a set capped iron rod in the east R.O.W. of Kerby Lane for the SW corner of herein described tract;

THENCE with the east R.O.W. of Kerby Lane, N29°54'20"E for a distance of 26.64 feet to a found MAG nail for the SW corner of the aforementioned North 65 feet of lot 1, from which a found MAG nail for the SE corner of that certain 0.0698 acre tract conveyed to J17 Fortune, LP., by document no. 2020075425, Official Public Records, bears S81°46'45"W at a distance of 63.52 feet;

THENCE with the south line of said North 65 feet of lot 1, S47°08'20"E for a distance of 54.05 feet to a set capped iron rod stamped "Waterloo RPLS 4324" for the SE corner of said North 65 feet of lot 1 and being an interior ell corner for herein described tract;

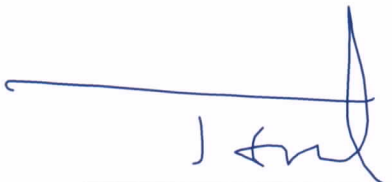
THENCE with the east line of said North 65 feet of lot 1, N29°46'10"E for a distance of 65.00 feet to the POINT OF BEGINNING, containing 0.0885 acres, more or less.

****All records are Travis County, Texas****

Bearings based on the Texas Coordinate System of 1983(nad83) Central Texas Zone, based on local observations.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE FIELD NOTES AND ACCOMPANYING SKETCH WERE PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY UNDER MY DIRECT SUPERVISION AND THAT THEY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

FIELD NOTES REVIEWED
BY: BOBO DATE: 08/31/23
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT


Thomas P. Dixon R.P.L.S. 4324

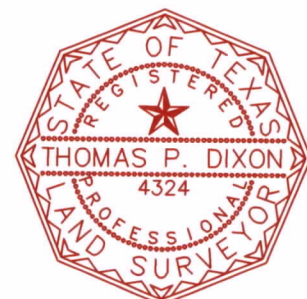


EXHIBIT "B"

Waterloo Surveyors SURVEY PLAT Public Utility Easement

AO433PUEsmt
page 3 of 4

LEGAL DESCRIPTION:

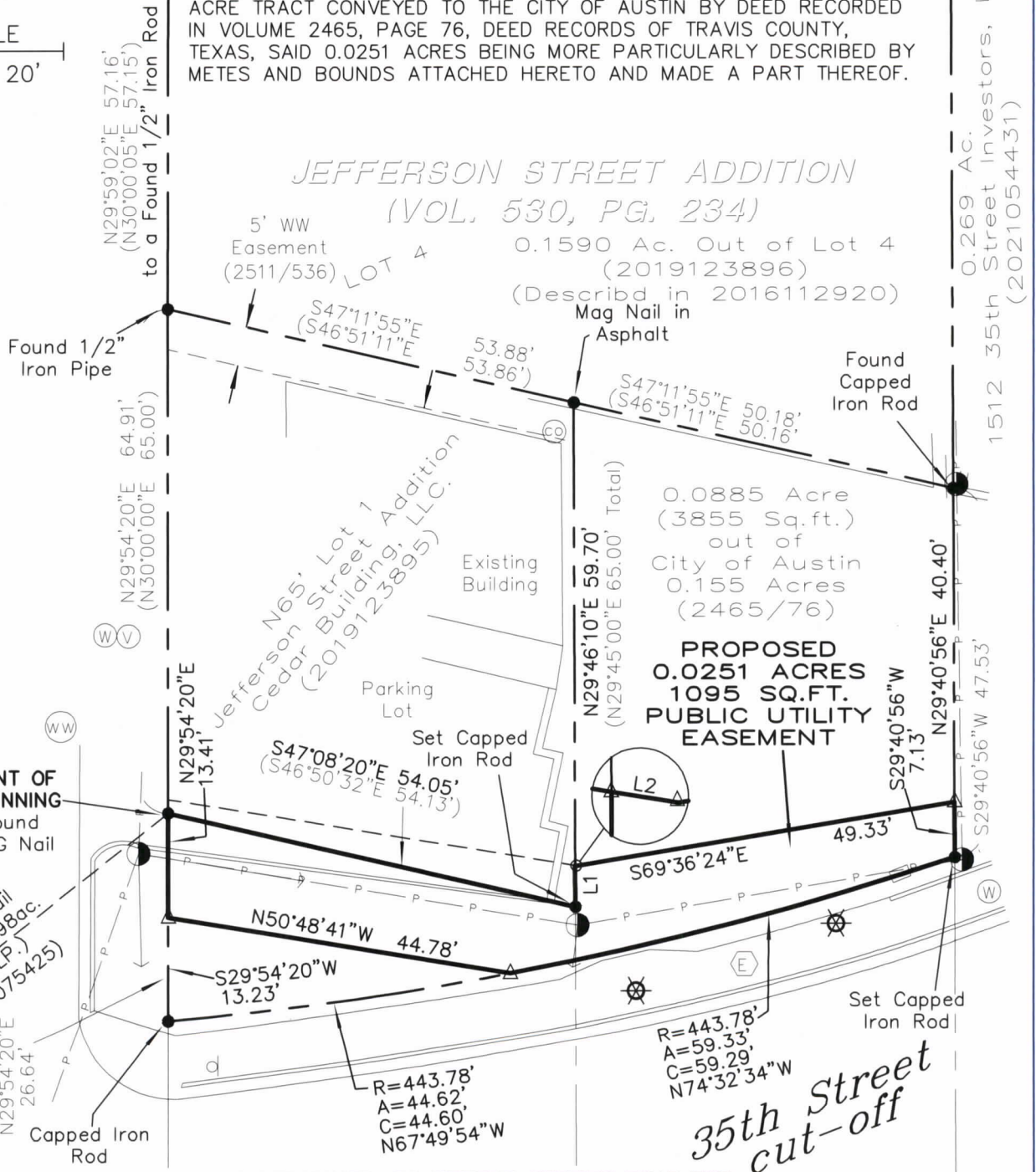
BEING 0.0251 ACRES (1095 SQ.FT.) OF LAND OUT OF THE PROPOSED 0.0885 ACRE TRACT OF LAND, BEING OUT OF THAT CERTAIN 0.155 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN VOLUME 2465, PAGE 76, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.0251 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO AND MADE A PART THEREOF.

SCALE
1" = 20'



(WW)

KERBEY LANE



POINT OF BEGINNING
Found
MAG Nail

S81°46'45\"W 63.52'
to a Found MAG Nail
(J17 Fortune, LP.)
(Doc No. 2020075425)

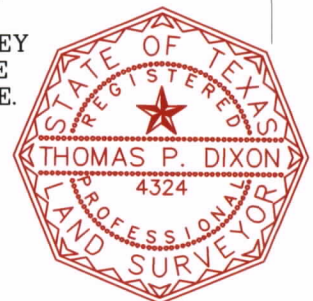
NUM	BEARING	DIST.
L1	N29°46'10\"E	5.30'
L2	S50°48'41\"E	0.28'

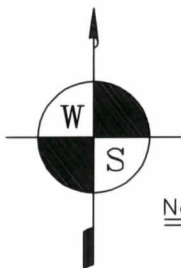
LEGEND

RECORD CALL ()
FOUND CORNER ●
CALCULATED CORNER △

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE FIELD NOTES AND ACCOMPANYING SKETCH WERE PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY UNDER MY DIRECT SUPERVISION AND THAT THEY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Thomas P. Dixon R.P.L.S. 4324





November 30, 2023

WATERLOO SURVEYORS
PO BOX 160176
AUSTIN, TEXAS 78716-0176
Phone: 512-481-9602
www.waterloosurveyors.com
T.B.P.L.S. FIRM#10124400
A0433PUEsmt
DRAWN BY: BOBO

page 4 of 4

BEING 0.0251 ACRES (1095 SQ.FT.) OF LAND OUT OF THE PROPOSED 0.0885 ACRE TRACT OF LAND, BEING OUT OF THAT CERTAIN 0.155 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN VOLUME 2465, PAGE 76, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.0251 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a found MAG nail in the east ROW of Kerbey Lane, being the SW corner of that certain tract called the north 65' of Lot 1 of Jefferson Street Addition as conveyed to Cedar Building, LLC., by deed recorded in Doc. No. 2019123895, Official Public Records, same being the westernmost NW corner of that said certain 0.155 acre tract conveyed to the City of Austin by deed recorded in Vol. 2465, Pg. 76, Deed Records, from which a found MAG nail in the west ROW of Kerbey Lane for the SE corner of that certain 0.0698 acre tract conveyed to J17 Fortune, LP., by deed recorded in Doc. No. 2020075425, Official Public Records bears S81°46'45"W at a distance of 63.52 feet;

THENCE with the common line between said north 65' of Lot 1 and said 0.155 acre City of Austin tract, S47°08'20"E for a distance of 54.05 feet to capped iron rod and N29°46'10"E for a distance of 5.30 feet to a calculated corner for an angle point, from which a MAG nail in sphalt in the south line of that certain 0.1590 acres out of Lot 4 of Jefferson Street Addition as conveyed to Cedar Building, LLC., by deed recorded in Doc. No. 2019123896, Official Public Records bears N29°46'10"E at a distance of 59.70 feet;

THENCE over and across said proposed 0.0885 acres out of said 0.155 acre City of Austin tract S50°48'41"E for a distance of 0.28 feet to a calculated corner for an angle point and S69°36'24"E for a distance of 49.33 feet to a calculated corner in the east line of said proposed 0.0885 acre tract, from which a found capped iron rod for the NE corner of said proposed 0.0885 acre tract bears N29°40'56"E at a distance of 40.40 feet;

THENCE with the east line of said proposed 0.0885 acre tract S29°40'56"W for a distance of 7.13 feet to a capped iron rod in the curving south line of said proposed 0.0885 acre tract and SE corner of herein described easement;

THENCE following said curve to the right having a radius is 443.78 feet for an arc length of 59.33 feet, whose chord bears N74°32'34"W for a distance of 59.29 feet to a calculated corner for an angle point of herein described easment, from which a capped iron rod for the SW corner of said proposed 0.0885 acre tract and the east line of said Kerbey Lane bears along said curve to the right having a radius of 443.78 feet and an arc length of 44.62 feet, whose chord bears N67°49'54"W for a distance of 44.60 feet;

THENCE over and across said 0.0885 acre tract N50°48'41"W for a distance of 44.78 feet to a calculated corner in the east ROW of Kerbey Lane and the west line of said 0.0885 acre tract, from which the aforementioned capped iron rod bears S29°54'20"W at a distance of 13.23 feet;

THENCE with the east ROW of Kerbey Lane N29°54'20"E for a distance of 13.41 feet to the POINT OF BEGINNING, containing 0.0251 acres, more or less.

****All records are Travis County, Texas****

Bearings based on the Texas Coordinate System of 1983(nad83) Central Texas Zone, based on local observations.

FIELD NOTES REVIEWED
BY: Thomas P. Dixon DATE: 12/04/23
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

I, THE UNDERSIGNED, DO HEREBY CERTIFY
THAT THE FIELD NOTES AND
ACCOMPANYING SKETCH WERE PREPARED
FROM AN ACTUAL ON-THE-GROUND
SURVEY UNDER MY DIRECT SUPERVISION
AND THAT THEY ARE TRUE AND CORRECT
TO THE BEST OF MY KNOWLEDGE.


Thomas P. Dixon R.P.L.S. 4324

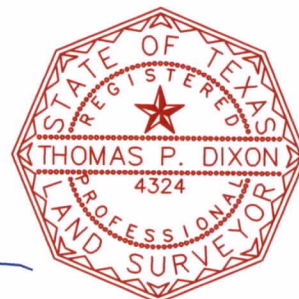


EXHIBIT "C"

Waterloo Surveyors SURVEY PLAT Wastewater Line Easement

A0433WWEsmt
page 1 of 2

LEGAL DESCRIPTION:

BEING 0.0117 ACRES (509 SQ.FT.) OF LAND OUT OF THE PROPOSED 0.0885 ACRE TRACT OF LAND, BEING OUT OF THAT CERTAIN 0.155 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN VOLUME 2465, PAGE 76, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.0117 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO AND MADE A PART THEREOF.

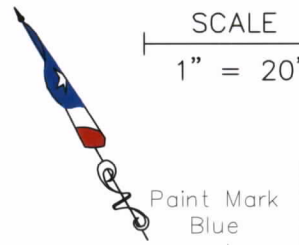
JEFFERSON STREET ADDITION
(VOL. 530, PG. 234)

LOT 4

0.1590 Ac. Out of
Lot 4, Jefferson
Street Addition
(2019123896)
(Described in
2016112920)

0.269 Ac.
1512 35th Street Investors, LP.
(2021054431)

SCALE
1" = 20'



Point Mark
Green

KERBEY LANE

POINT OF COMMENCING
Found 1/2" Iron Pipe

POINT OF
BEGINNING
Set Mag Nail
in Asphalt

N29°59'02"E 57.16'
(N30°00'05"E 57.15')
to a Found 1/2" Iron Rod

N29°54'20"E 64.91'
(N30°00'00"E 65.00')

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

N29°54'20"E 26.64'

S47°11'55"E 53.88'

S47°11'55"E 50.18'

N43°15'54"W 51.13'

S29°46'10"W 56.39'

S29°40'56"W 35.31'

S29°40'56"W 35.31'

S29°40'56"W 35.31'

S29°40'56"W 35.31'

S29°40'56"W 35.31'

S29°40'56"W 35.31'

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S29°40'56"W 35.31'

S29°40'56"W 35.31'

S29°40'56"W 35.31'

S29°40'56"W 35.31'

S29°40'56"W 35.31'

S81°46'45"W 63.52'
to a Found MAG Nail
@SE corner of 0.0698ac.
(J17 Fortune, LP.)
(Doc No. 2020075425)

NOTE:

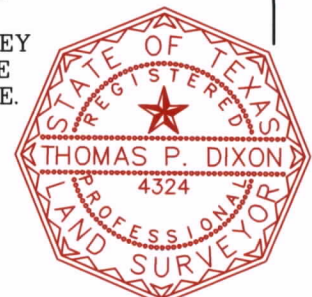
BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE FIELD NOTES AND ACCOMPANYING SKETCH WERE PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY UNDER MY DIRECT SUPERVISION AND THAT THEY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

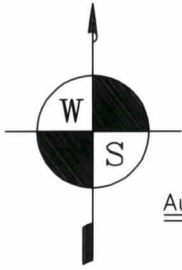
NUM	BEARING	DIST.
L1	S29°40'56"W	12.21'
L2	N29°46'10"E	8.61'

Thomas P. Dixon R.P.L.S. 4324

P.O. Box 160176, Austin, Texas 78716-0176 Phone: 481-9602 FIRM #10124400



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August 8, 2023

WATERLOO SURVEYORS
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AUSTIN, TEXAS 78716-0176
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www.waterloosurveyors.com
T.B.P.L.S. FIRM#10124400
A0433WWESMT
DRAWN BY: BOBO

page 2 of 2

BEING 0.0117 ACRES (509 SQ.FT.) OF LAND OUT OF THE PROPOSED 0.0885 ACRE TRACT OF LAND, BEING OUT OF THAT CERTAIN 0.155 ACRE TRACT CONVEYED TO THE CITY OF AUSTIN BY DEED RECORDED IN VOLUME 2465, PAGE 76, DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.0117 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a found 1/2" iron pipe in the east R.O.W. of Kerbey Lane, being the SW corner of that certain 0.159 acre tract out of lot 4 of Jefferson Street Addition recorded in volume 530, page 234, as conveyed to Cedar Building, LLC., by document no. 2019123896, Official Public Records, same being the NW corner of that certain North 65 feet of Lot 1 of Jefferson Street Addition as conveyed to Cedar Building, LLC., by document no. 2019123895, Official Public Records, from which a found 1/2" iron rod for the NW corner of said 0.1590 acre tract bears N29°59'02"E at a distance of 57.16 feet;

THENCE with the common line between lots 1 & 4 of said Jefferson Street Addition, S47°11'55"E for a distance of 53.88 feet to a set MAG nail in asphalt for the POINT OF BEGINNING of herein described wastewater line easement;

THENCE continuing with the south line of said lot 4 of Jefferson Street Addition and the north line of herein described tract, S47°11'55"E for a distance of 50.18 feet to a found capped iron rod for the SE corner of said lot 4, being in the west line of that certain 0.269 acre tract conveyed to 1512 35th Street Investors, LP., by document no. 2021054431, Official Public Records, and the NE corner of herein described wastewater line easement;

THENCE with the east line of herein described wastewater line easement, S29°40'56"W for a distance of 12.21 feet to a calculated corner, from which a set capped iron rod stamped "Waterloo RPLS 4324" in the curving north R.O.W. line of the 35th Street Cutoff as recorded on Section Map No. 75 of the City Of Austin bears S29°40'56"W at a distance of 35.31 feet;

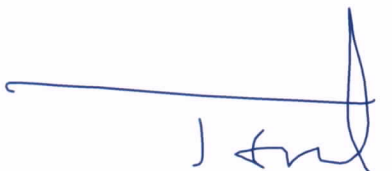
THENCE over and across said 0.0885 acre tract N43°15'54"W for a distance of 51.13 feet to a calculated corner in the west line of said 0.0885 acre tract, also being the east line of said North 65' of Lot 1 of Jefferson Street Addition for the SW corner of herein described wastewater line easement, from which a set capped iron rod stamped "Waterloo RPLS 4324" for the SE corner of said North 65' of Lot 1 of Jefferson Street Addition and interior ell corner of said 0.0885 acre tract bears S29°46'10"W at a distance of 56.39 feet;


THENCE with the west line of said 0.0885 acre tract N29°46'10"E for a distance of 8.61 feet to the POINT OF BEGINNING, containing 0.0117 acres, more or less.

****All records are Travis County, Texas****

Bearings based on the Texas Coordinate System of 1983(nad83) Central Texas Zone, based on local observations.

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE FIELD NOTES AND ACCOMPANYING SKETCH WERE PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY UNDER MY DIRECT SUPERVISION AND THAT THEY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


Thomas P. Dixon R.P.L.S. 4324

FIELD NOTES REVIEWED
BY  DATE: 08/10/23
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

