

ORDINANCE NO. 20240307-034

AN ORDINANCE VACATING APPROXIMATELY 10,130 SQUARE FEET OF RIGHT-OF-WAY TO JOHN E. MEDDAUGH AND ANDREW M. COTTON D/B/A BURNET ROAD PROPERTY AND GDC-NRG BRENTWOOD, LLC, BEING THAT CERTAIN 40-FOOT-WIDE RIGHT-OF-WAY KNOWN AS CLAY AVENUE, TRAVERSING NORTH FROM BURNET ROAD TO HOUSTON STREET.

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

PART 1. Council approves the vacation of approximately 4,857 square feet of developed right-of-way to John E. Meddaugh and Andrew M. Cotton d/b/a Burnet Road Property, being a 241-square-foot tract conveyed to the City of Austin by Street Deed, as described in **Exhibit “A”** attached to and incorporated as part of this ordinance, plus a 4,616-square-foot portion of the 40-foot-wide street right-of-way dedicated as “Clay Avenue” by the plat of the Broadacres subdivision, of record in Volume 3 page 135, Plat Records of Travis County, Texas, as described in **Exhibit “B”** attached to and incorporated as part of this ordinance, and abutting a parcel located at 5401 Burnet Road.

PART 2. Council approves the vacation of approximately 5,273 square feet of developed right-of-way to GDC-NRG Brentwood, LLC, being a portion of the 40-foot-wide street right-of-way dedicated as “Clay Avenue” by the plat of the Broadacres subdivision, plat of record in Volume 3 page 135, Plat Records of Travis County, Texas, and abutting a parcel located at 5403 Clay Avenue, as described in **Exhibit “C”**, which is attached to and incorporated as part of this ordinance.

PART 3. A public utility easement is reserved from these vacations by the City over the entire area of the vacations.

PART 4. As a condition of these vacations, GDC-NRG Brentwood, LLC, agrees to place ADA ramps at the southwest and northwest corners of the intersection of Houston Street and Clay Avenue as part of the development of its property and to confer with the Urban Trails Division of the Transportation and Public Works Department during the Site Plan review process for the development of its property.

PART 5. John E. Meddaugh and Andrew M. Cotton d/b/a/ Burnet Road Property and GDC-NRG Brentwood, LLC have posted funds with the City in the amount of \$914,200, 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 6. 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



EXHIBIT "A"

241 SQUARE FEET
CLAY AVENUE R.O.W.
CITY OF AUSTIN, TRAVIS COUNTY, TX

FILE NO: 2023.155
PROJECT: 617.096001(EX1)
DATE: 09/18/2023

DESCRIPTION

241 SQUARE FEET SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT CERTAIN 241 SQUARE FOOT TRACT OF LAND CONVEYED TO CITY OF AUSTIN, TEXAS, BY DEED OF RECORD IN VOLUME 7122, PAGE 1011, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 241 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cut "x" set in the east right-of-way line of Burnet Road (r.o.w. varies), being a point in the west line of Block 3, Broadacres Subdivision, recorded in Volume 3, Page 135, of the Plat Records of Travis County, Texas, being the southwest corner of that certain tract conveyed to John E. Meddaugh and Andrew M. Cotton, by Deed of record in Volume 11120, Pg. 813, of said Real Property Records, for the northwesterly corner of said 241 square foot tract and hereof, from which a 1/2-inch iron rod with "Manhard Consulting" cap set at the intersection of said east right-of-way line of Burnet Road and the south right-of-way line of Houston Street (50' r.o.w.), being the northwest corner of said Block 3, bears N04°53'32"W, a distance of 223.71 feet;

THENCE, S78°40'48"E, leaving said east right-of-way line of Burnet Road, over and across said Block 3, along the north line of said 241 square foot tract, being the south line of said Volume 11120, Page 813 tract, a distance of 16.76 feet to a cut "x" set in the east line of said Block 3, being the west right-of-way line of Clay Avenue (40' r.o.w.), for the northeasterly corner of said 241 square foot tract and hereof, from which a cut "x" set at the intersection of said west right-of-way line of Clay Avenue and said south right-of-way line of Houston Street, being the northeasterly corner of said Block 3, bears N27°32'55"E, a distance of 184.45 feet;

THENCE, S27°32'55"W, along said west right-of-way line of Clay Avenue, being the east line of said Block 3, also being the east line of said 241 square foot tract, a distance of 30.00 feet to a calculated point at the intersection of said west right-of-way line of Clay Avenue and said east right-of-way line of Burnet Road, being the most southerly corner of said Block 3, for the most southerly corner of said 241 square foot tract and hereof;



THENCE, N04°53'32"W, along said east right-of-way line of Burnet Road, being the west line of said Block 3, also being the west line of said 241 square foot tract, a distance of 30.00 feet to the **POINT OF BEGINNING**, and containing 241 square feet (0.006 acre) of land, more or less.


BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF DECEMBER, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

A handwritten signature in blue ink, appearing to read 'A. Dashner', written over a horizontal line.

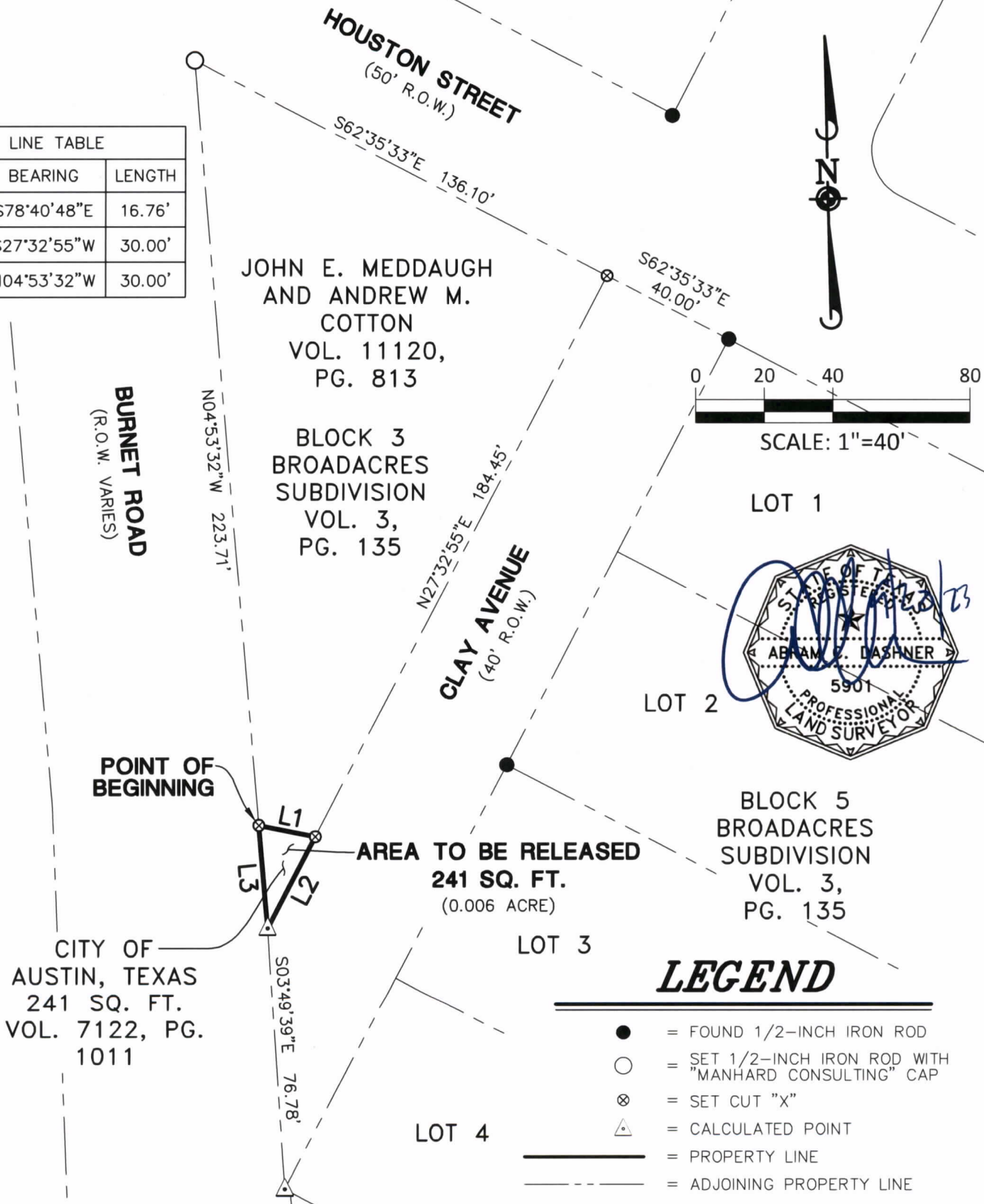
ABRAM C. DASHNER
TEXAS RPLS 5901
MANHARD CONSULTING
TBPLS FIRM NO. 10194754



FIELD NOTES REVIEWED
BY  DATE: 02/22/24
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

10:50 Dwg Name: P:\617.096 Gilbane Development Company\001 Houston St & William Holland Ave\dwg\Surv\Final Drawings\Exhibits Surv\EX1-R.O.W. Vacation.dwg Updated By: PParker

LINE TABLE		
LINE	BEARING	LENGTH
L1	S78°40'48"E	16.76'
L2	S27°32'55"W	30.00'
L3	N04°53'32"W	30.00'



LEGEND

- = FOUND 1/2-INCH IRON ROD
- = SET 1/2-INCH IRON ROD WITH "MANHARD CONSULTING" CAP
- ⊗ = SET CUT "X"
- △ = CALCULATED POINT
- = PROPERTY LINE
- - - = ADJOINING PROPERTY LINE

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

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6448 E Highway 290, Ste. B-105, Austin, TX 78723 ph:512.244.3395 manhard.com
Civil Engineers | Surveyors | Water Resource Engineers | Water & Waste Water Engineers
Construction Managers | Environmental Scientists | Landscape Architects | Planners
Texas Board of Professional Engineers & Land Surveyors Reg. No. F-10194754 (Surv), F-21732 (Eng)

GILBANE DEVELOPMENT COMPANY			
CLAY AVENUE & BURNET ROAD, AUSTIN, TX 78756			
R.O.W. VACATION EXHIBIT			
DATE:	DRAWN BY:	SCALE:	CODE:
9/18/23	PWP	1"=40"	2023.155



EXHIBIT "B"

4,616 SQUARE FEET
CLAY AVENUE R.O.W.
CITY OF AUSTIN, TRAVIS COUNTY, TX

FILE NO: 2024.015
PROJECT: 617.005003(EX3)
DATE: 02/05/2024

DESCRIPTION

4,616 SQUARE FEET SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CLAY AVENUE (40' R.O.W.) RIGHT-OF-WAY ADJACENT TO BLOCK 3, BROADACRES SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4,616 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cut "X" set at the intersection of the south right-of-way line of Houston Street (50' r.o.w.) and the west right-of-way line of said Clay Avenue, being the northeast corner of said Block 3, for the northwesterly corner hereof;

THENCE, S62°35'33"E, along said south right-of-way of Houston Street, a distance of 20.00 feet to a mag nail with washer set on the calculated centerline of said Clay Avenue right-of-way, for the northeasterly corner hereof, from which a 1/2-inch iron rod found at the intersection of the east right-of-way line of said Clay Avenue and said south right-of-way line of Houston Street, being the northwest corner of Lot 1, Block 5, of said Broadacres Subdivision, bears S62°35'33"E, a distance of 20.00 feet;

THENCE, S27°33'05"W, over and across said Clay Street right-of-way, along said calculated centerline, a distance of 247.29 feet to a mag nail with washer set in the east right-of-way line of Burnet Road (r.o.w. varies), for the most southerly corner hereof;

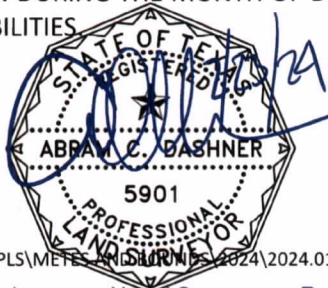
THENCE, N03°49'39"W, along said east right-of-way of Burnet Road, a distance of 38.39 feet to a cut "X" set in concrete at the intersection of said east right-of-way line and said west right-of-way line of Clay Avenue, being the south corner of that certain 241 square foot tract of land conveyed to City of Austin, Texas, by Deed of record in Volume 7122, Page 1011, of the Deed Records of Travis County, Texas, for the most westerly corner hereof;

THENCE, N27°32'55"E, along said west right-of-way line of Clay Avenue, being the east line of said Block 3, in part along the east line of said 241 square foot tract, a distance of 214.46 feet to the **POINT OF BEGINNING**, and containing 4,616 square feet (0.106 acre) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF DECEMBER, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

ABRAM C. DASHNER
TEXAS RPLS 5901
MANHARD CONSULTING
TBPLS FIRM NO. 10194754



FIELD NOTES REVIEWED
BY: [Signature] DATE: 02/26/24
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

Dwg Name: P:\617.005 Narrow Road Group\003 5401 Burnet Rd\dwg\Surv\Final Drawings\ Exhibits Surv\EX3-ROW Vacation.dwg, Updated By: adashner 14:12

LINE TABLE		
LINE	BEARING	LENGTH
L1	S62°35'33"E	20.00'
L2	N03°49'39"W	38.39'
L3	S03°49'39"E	38.39'

BURNET ROAD
(R.O.W. VARIES)

BLOCK 3
BROADACRES
SUBDIVISION
VOL. 3,
PG. 135

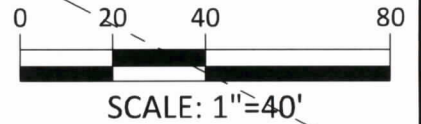
N27°32'55"E 214.46'
0.106 ACRE
(4,616 SQ. FT.)
N27°33'05"E 247.29'

CLAY AVENUE
(40' R.O.W.)

HOUSTON STREET
(50' R.O.W.)

POINT OF
BEGINNING

S62°35'33"E
20.00'



LOT 1



LOT 2

BLOCK 5
BROADACRES
SUBDIVISION
VOL. 3,
PG. 135

LOT 3

LOT 4

LEGEND

- = FOUND 1/2-INCH IRON ROD
- ⊗ = SET CUT "X"
- △ = SET MAG NAIL W/STEEL WASHER
- = PROPERTY LINE
- - - = ADJOINING PROPERTY LINE

CITY OF
AUSTIN, TEXAS
241 SQ. FT.
VOL. 7122, PG.
1011

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

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Construction Managers | Environmental Scientists | Landscape Architects | Planners
Texas Board of Professional Engineers & Land Surveyors Reg. No. F-10194754 (Surv), F-21732 (Eng)

NARROW ROAD GROUP

CLAY AVENUE, AUSTIN, TX 78756

R.O.W. VACATION EXHIBIT

DATE:

02/05/24

DRAWN BY:

MA

SCALE:

1"=40"

CODE:

2024.015



EXHIBIT "C"

5,273 SQUARE FEET
CLAY AVENUE R.O.W.
CITY OF AUSTIN, TRAVIS COUNTY, TX

FILE NO: 2023.026
PROJECT: 617.005003(EX2)
DATE: 02/09/2023

DESCRIPTION

5,273 SQUARE FEET SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN CLAY AVENUE (40' R.O.W.) RIGHT-OF-WAY ADJACENT TO LOTS 1-4, BLOCK 5, BROADACRES SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 5,273 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found at the intersection of the south right-of-way line of Houston Street (50' r.o.w.) and the east right-of-way line of said Clay Avenue, being the northwest corner of said Lot 1, for the northeasterly corner hereof;

THENCE, S27°33'15"W, along said east right-of-way line of Clay Avenue, being the west lines of said Lots 1- 4, a distance of 280.11 feet to a cut "X" set in concrete at the intersection of the east right-of-way line of Burnet Road (r.o.w. varies) and said east right-of-way line of Clay Avenue, being the west common corner of said Lot 4 and Lot 5, of said Block 5, for the most southerly corner hereof;

THENCE, N03°49'39"W, along said east right-of-way line of Burnet Road, a distance of 38.39 feet to a mag nail set on the calculated centerline of said Clay Avenue right-of-way, for the most westerly corner hereof;

THENCE, N27°33'05"E, over and across said Clay Avenue right-of-way, along said calculated centerline, a distance of 247.29 feet to a mag nail set in said south right-of-way line of Houston Street, for the northwesterly corner hereof, from which a cut "x" set at the intersection of the west right-of-way line of Clay Avenue and said south right-of-way line of Houston Street, being the northeast corner of Block 3 of said Broadacres Subdivision, bears N62°35'33"W, a distance of 20.00 feet;

THENCE, S62°35'33"E, along said south right-of-way of Houston Street, a distance of 20.00 feet to the **POINT OF BEGINNING**, and containing 5,273 square feet (0.121 acre) of land, more or less.

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

I HEREBY CERTIFY THAT THE ABOVE DESCRIPTION WAS PREPARED BASED UPON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF DECEMBER, 2022, AND IS TRUE AND CORRECT TO THE BEST OF MY ABILITIES.

ABRAM C. DASHNER
TEXAS RPLS 5901
MANHARD CONSULTING
TBPLS FIRM NO. 10194754



FIELD NOTES REVIEWED
BY DATE: 02/26/24
CITY OF AUSTIN
PUBLIC WORKS DEPARTMENT

14:21 Dwg Name: P:\617.005 Narrow Road Group\003 5401 Burnet Rd\dwg\Surv\Final Drawings\Exhibits_Surv\EX2-ROW Vacation.dwg Updated By: adashner

LINE TABLE		
LINE	BEARING	LENGTH
L1	N03°49'39"W	38.39'
L2	S62°35'33"E	20.00'

BURNET ROAD
(R.O.W. VARIES)

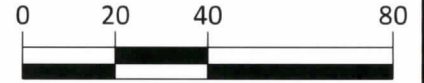
BLOCK 3
BROADACRES
SUBDIVISION
VOL. 3,
PG. 135

HOUSTON STREET
(50' R.O.W.)

N62°35'33"W
20.00'

POINT OF
BEGINNING

LOT 1



SCALE: 1"=40'

CLAY AVENUE
(40' R.O.W.)

N27°33'05"E 247.29'
0.121 ACRE
(5,273 SQ. FT.)

LOT 2

BLOCK 5
BROADACRES
SUBDIVISION
VOL. 3,
PG. 135

LOT 3

CITY OF
AUSTIN, TEXAS
241 SQ. FT.
VOL. 7122, PG.
1011

N03°49'39"W
38.39'

L1

LOT 4

LOT 5

LEGEND

- = FOUND 1/2-INCH IRON ROD
- ⊗ = SET CUT "X"
- △ = SET MAG NAIL W/STEEL WASHER
- = PROPERTY LINE
- - - = ADJOINING PROPERTY LINE

BEARING BASIS: TEXAS COORDINATE SYSTEM, NAD 83 (2011), CENTRAL ZONE, UTILIZING THE ALLTERRA CENTRAL VIRTUAL REFERENCE NETWORK.

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NARROW ROAD GROUP

CLAY AVENUE, AUSTIN, TX 78756

R.O.W. VACATION EXHIBIT

DATE:

2/9/23

DRAWN BY:

PWP

SCALE:

1"=40"

CODE:

2023.026