

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
AUTHORIZING THE RELEASE AND VACATION OF A PORTION OF A
PUBLIC UTILITY EASEMENT ESTABLISHED IN TRAVIS COUNTY
DOC. NO. 2003211530; CONSISTING OF 0.50 ACRES OF LAND OUT OF
THE THOMAS G. STUART SURVEY NO. 6, ABSTRACT NO. 689 IN
PFLUGERVILLE, TX (VAC1009-01); PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, there is presently a Public Utility Easement (the "Easement"), consisting of 1.51 acres of land out of the Thomas G. Stuart Survey No. 6, Abstract No. 689 recorded in Document No. 2003211530 of the official public records of Travis County, Texas; and

WHEREAS, approximately 0.50 acres of the easement is depicted in the metes and bounds description attached hereto as Exhibit "A" and is depicted in the sketch attached hereto as Exhibit "B" and made a part hereof; and

WHEREAS, a revision of the Highland Park ALUR was approved in 2007 which among other components amended the subdivision design which relocated an alley that previously contained 0.50 acres of the easement as described in Exhibit "A" and depicted in Exhibit "B"; and

WHEREAS, the easement was intended to provide a natural gas line to the subdivision and the 0.50 acres of the easement does not currently contain any utilities; and

WHEREAS, the owner has created a separate easement recorded in Document No. 2010120865 of the official public records of Travis County, Texas to realign the easement adjacent to Kingston Lacy Blvd; and

WHEREAS, the City Council of the City of Pflugerville, after due investigation and consideration, has determined that the 0.50 acres of the easement are not, and will not be, needed by the City and should be released and vacated; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE,
TEXAS:

Section 1: That the 0.50 acre portion of the Public Utility Easement as described in Exhibit "A", depicted in Exhibit "B", and recorded as part of Document No. 2003211530 of the official public records of Travis County, Texas is hereby RELEASED AND VACATED.

Section 2: That the City Secretary is directed to record a certified copy of this Ordinance in the Real Property Records of Travis County, Texas.

Section 3: That the provisions of this Ordinance are severable, and if any provision or part of this Ordinance or the application thereof to any person or circumstance is ever held by a

court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Ordinance and the application of the other provisions or parts hereof will not be affected thereby.

Section 4: That this Ordinance will take effect on its passage by 3 affirmative votes of members of the City Council. On first reading however, this Ordinance must be posted and approved at a subsequent meeting as required by Section 3.15 (d) of the City Charter.

ADOPTED this ____ day of _____, 2010.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Jeff Coleman, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

Floyd Akers, City Attorney

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

Before me, the undersigned authority, on this day personally appeared Jeff Coleman, Mayor of the City of Pflugerville, known to be to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office on this the ____ day of _____, 2010.

Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF TRAVIS §
 §

Before me, the undersigned authority, on this day personally appeared Karen Thompson, City Secretary of the City of Pflugerville, known to be to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office on this the ____ day of _____, _____.

Notary Public, State of Texas

EXHIBIT "A"

FIELD NOTES

JOB NO: 0584-27
DATE: JULY 15, 2010
PAGE: 2 of 2

0.50 ACRES

Being 0.50 acres out of the Thomas G. Stuart Survey No. 6, Abstract No. 689, and being a portion of that tract described as approximately 150.65 acres in a General Warranty Deed granted to WDP, Ltd., a Texas limited partnership, dated June 20, 2002 and recorded as Doc. No. 2002120520, Official Public Records, Travis County, Texas, and being a portion of that tract described as approximately 205.53 acres in a General Warranty Deed granted to WDP, Ltd., a Texas limited partnership, dated June 20, 2002 and recorded as Doc. No. 2002120519, said Official Public Records, and further described by metes and bounds as follows :

BEGINNING: at a calculated point in the north line of said WDP, Ltd. (2002120519) tract from which a 1/2" iron pin found for the northwest corner of said WDP, Ltd. (2002120519) tract bears N 62°29'23" W 2045.81 feet;

THENCE: S 62°20'47" E 162.15 feet with the north line of said WDP, Ltd. (2002120519) tract to an "X" found in a limestone monument for the northeast corner of said WDP, Ltd. (2002120519) tract and the northwest corner of said WDP, Ltd. (2002120520) tract;

THENCE: S 62°26'27" E 57.85 feet with the north line of said WDP, Ltd. (2002120520) tract to a calculated point;

THENCE: into said WDP, Ltd. (2001120520) tract S 27°34'35" W 760.60 feet to a calculated point;

THENCE: N 62°25'25" W 25.00 feet to a calculated point for the southwest corner of this tract;

THENCE: N 27°34'35" E 745.59 feet to a calculated point at an interior "ell" corner,

THENCE: continuing across said WDP, Ltd. (2002120520) tract N 62°21'44" W at 32.82 feet passing the common deed line for said WDP, Ltd. (2002120519) tract and said WDP, Ltd. (2002120520) tract, in all 195.00 feet to a calculated point;

THENCE: N 27°43'35" E 15.00 feet to the Point of Beginning.

Bearings cited hereon are based on Texas State Plane Coordinate System (Central Zone) NAD 83 (93).



Clyde C. Castleberry, Jr., R.P.L.S. No. 4835
Castleberry Surveying, Ltd.
3613 Williams Drive, Suite 903
Georgetown, Texas 78628

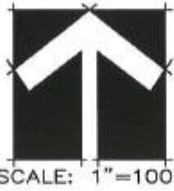
CCC/jrb



EXHIBIT "B"

EXHIBIT TO ACCOMPANY FIELD NOTES:
 0.50 ACRE OUT OF THE THOMAS G. STUART
 SURVEY No. 6, ABSTRACT No. 689

NORTHWEST CORNER OF
 REMAINDER OF WDP, LTD. TRACT
 DOC. NO. 2002120519 BEARS
 N 62°29'23" W 2045.81'



BEARINGS BASED ON TEXAS STATE
 PLANE COORDINATE SYSTEM
 (CENTRAL ZONE) NAD 83 (93)

REMAINDER OF WDP, LTD.
 DOC. NO. 2002120519
 O.P.R.T.C.

POINT OF
 BEGINNING

"X" FOUND
 L2

0.50 ACRE PORTION
 OF 25' P.U.E.
 DOC. NO. 2003211530

REMAINDER OF WDP, LTD.
 DOC. NO. 2002120520
 O.P.R.T.C.



LINE TABLE		
NUMBER	DIRECTION	DISTANCE
L1	S 62°20'47" E	162.15'
L2	S 62°26'27" E	57.85'
L3	N 62°25'25" W	25.00'
L4	N 62°21'44" W	195.00'
L5	N 27°34'35" E	15.00'

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SHEET

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