

1 **ORDINANCE NO.**

2 **AN ORDINANCE VACATING APPROXIMATELY 0.0115 ACRES OF RIGHT-**
3 **OF-WAY, BEING A PORTION OF THAT CERTAIN 20-FOOT ALLEY IN**
4 **BLOCK 18, SOUTH HEIGHTS, A SUBDIVISION IN TRAVIS COUNTY,**
5 **TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 1,**
6 **PAGE 112 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND**
7 **AUTHORIZING THE CITY MANAGER TO CONVEY THE RIGHT-OF-WAY**
8 **TO SAME BUT DIFFERENT, LLC**

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

10 **PART 1.** Council approves the vacation of approximately 501 square feet (0.0115 acres)
11 of undeveloped right-of-way, being a portion of that certain 20-foot alley dedicated to the
12 city in Block 18 by the plat of the South Heights subdivision, recorded in Volume 1, Page
13 112 of the Plat Records of Travis County, Texas, said 0.0115-acre tract being more
14 particularly described in **Exhibit “A”**, which is attached to and incorporated as part of
15 this ordinance, and abutting the parcel owned by Same But Different, LLC, a Texas
16 limited liability company, and located at 1200 West Gibson Street.

17 **PART 2.** A wastewater lines easement is reserved by the City from the vacation of this
18 right-of-way, over the entire area of the vacation.

19 **PART 3.** The City Manager, or his designee, is authorized to convey the right-of-way
20 subject to this ordinance to Same But Different, LLC via a deed without warranty, in a
21 form acceptable to the City Attorney or her designee, provided the deed reserves to the
22 City the easement required to be reserved by this ordinance.

23 **PART 4.** Same But Different, LLC has posted funds with the City in the amount of
24 \$99,848, which is the appraised fair market value of the City’s interests in the land being
25 vacated, and these funds will be deposited upon the City’s conveyance of the right-of-
26 way to Same But Different, LLC.

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PART 5. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

_____ §
_____ §
_____, 2025 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____

Deborah Thomas
City Attorney

Erika Brady
City Clerk

DRAFT