

ORDINANCE NO. _____

AN ORDINANCE VACATING APPROXIMATELY 10,131 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 4,858 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 4,617-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 _____, 2024.

PASSED AND APPROVED

_____, 2024 § _____
Kirk Watson
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Myrna Rios
City Clerk