

AN ORDINANCE VACATING APPROXIMATELY 1.581 ACRES OF RIGHT-OF-WAY, BEING PORTIONS OF THOSE CERTAIN VARIABLE-WIDTH RIGHTS-OF-WAY KNOWN AS SAINT THOMAS DRIVE AND WILLOW BAY ROAD, AND CONDITIONALLY AUTHORIZING THE CITY MANAGER TO CONVEY THE RIGHTS-OF-WAY TO MERITAGE HOMES OF TEXAS, LLC.

PART 1. Council approves the vacation of approximately 1.283 acres of undeveloped right-of-way, being a portion of the variable-width street right-of-way known as “Saint Thomas Drive” and a portion of the variable-width right-of-way known as “Willow Bay Road”, originally dedicated to the city by the plat of the Lexington Parke Section One subdivision, recorded in Document Number 200400121 of the Official Public Records of Travis County, Texas, said 1.283-acre tract being more particularly described in **Exhibit “A”**, which is attached to and incorporated as part of this ordinance, and abutting the parcels owned by Meritage Homes of Texas, LLC, an Arizona limited liability company, and located at 11632 Saint Thomas Drive.

PART 2. Council approves the vacation of approximately 0.298 acres of undeveloped right-of-way, being a portion of the variable-width right-of-way known as “Willow Bay Road”, originally dedicated to the city by the plat of the Lexington Parke Section One subdivision, recorded in Document Number 200400121 of the Official Public Records of Travis County, Texas, said 0.298-acre tract being more particularly described in **Exhibit “B”**, which is attached to and incorporated as part of this ordinance, and abutting the parcels owned by Meritage Homes of Texas, LLC, an Arizona limited liability company, and located at 11632 Saint Thomas Drive.

PART 3. A wastewater lines easement is reserved by the City from the vacation of this right-of-way over the entire area more particularly described in **Exhibit “D”**, which is attached to and incorporated as part of this ordinance, for the City’s existing 8-inch wastewater line and wastewater manholes.

PART 4. Upon Meritage Homes of Texas, LLC's grant to the City of a separate wastewater lines easement over, across, upon, under, and through the area more particularly described in **Exhibit "C"**, which is attached to and incorporated as part of this ordinance, for the City's existing 8-inch wastewater line and wastewater manholes, and provided that Meritage Homes of Texas, LLC agrees to indemnify, defend, and hold the City harmless for any claims arising out of or in any way related to the vacation of these rights-of-way, the City Manager, or his designee, is authorized to negotiate and

execute all documents and instruments necessary or desirable to convey the rights-of-way subject to this ordinance to Meritage Homes of Texas, LLC.

PART 5. Meritage Homes of Texas, LLC has posted funds with the City in the amount of \$167,251, which is the appraised fair market value of the interests in the land being vacated, and these funds will be deposited upon the City's conveyance of the right-of-way to Meritage Homes of Texas, LLC.

PART 6. This ordinance takes effect on _____, 2025.

PASSED AND APPROVED

_____, 2025 §
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 § _____
 Kirk Watson
 Mayor

APPROVED: _____ **ATTEST:** _____
Deborah Thomas Erika Brady
City Attorney City Clerk