

ORDINANCE NO. _____

AN ORDINANCE VACATING APPROXIMATELY 126,437 SQUARE FEET (2.9026 ACRES) OF RIGHT-OF-WAY, BEING THAT CERTAIN VARIABLE WIDTH RIGHT-OF-WAY FORMERLY KNOWN AS HERGOTZ LANE, TRAVERSING NORTHWEST FROM DALTON LANE, REQUIRING DOG'S HEAD JV LTD. TO DEDICATE AN EASEMENT FOR A NEW RECLAIMED WATERLINE AND RIGHT-OF-WAY THAT EQUALS OR EXCEEDS THE VALUE OF THE VACATED INTERESTS, AND AUTHORIZING THE CITY MANAGER TO CONVEY THE RIGHT-OF-WAY TO DOG'S HEAD JV, LTD.

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

PART 1. FINDINGS.

- (A) The approximately 126,437 square feet (2.9026 acres) of developed right-of-way known as "Hergotz Lane" is located within Reinvestment Zone Number Twenty-One, City of Austin ("Zone No. 21") that City Council created under Chapter 311 of the Texas Tax Code on July 23rd, 2026.
- (B) The proposed vacation of right-of-way will further the project plan for Zone No. 21 by supporting the creation of a new public roadway network within the zone with the dedication of new right-of-way.
- (C) The creation of new public roadway network will significantly enhance the value of the taxable real property in Zone No. 21 and will be of general benefit to the City.

PART 2. Council approves the vacation of approximately 126,437 square feet (2.9026 acres) of developed right-of-way, being a portion of the variable-width street right-of-way formerly known as "Hergotz Lane" and originally granted in fee simple to Travis County, and later annexed into the City on May 21, 2026, said 126,437 square feet being more particularly described in **Exhibit "A"**, which is attached and incorporated as part of this ordinance, and abutting the parcel owner Dog's Head JV, Ltd., a Texas limited liability company, and located at 8700 Hergtoz Road.

PART 3. As a condition of the right-of-way vacation, Dog's Head JV Ltd. must dedicate a new easement for a reclaimed water line with a maximum width of 60 feet within the approximately 2,614 acres of land located in Travis County, known as "Dog's Head Property" contained in the area described in **Exhibit "B"**. The dedication of this easement is a condition of approval of a site plan for vertical construction for any area outside the tract identified in **Exhibit "C"**. If Dog's Head JV, Ltd., or successor or assign, fails to dedicate a

new easement for a reclaimed water line within 3 years, then the City can withhold future development approval of a site plan within Dog's Head Property until easement is dedicated.

PART 4. Upon Dog's Head JV, Ltd.'s acquisition of the fee simple beneath the right-of-way from Travis County, the City Manager, or his designee, is authorized to negotiate and execute all document and instruments necessary or desirable to convey the right-of-way subject to the conditions of this ordinance.

PART 5. Dog's Head JV, Ltd. must offset the appraised value of the interests in the land being vacated, \$XX,XXX, by dedicating new right-of-way within Dog's Head Property that equals or exceeds the amount of \$XX,XXX. The property to be dedicated as right-of-way must be property that would not otherwise be required to be dedicated to the City as part of City development approval. Council authorizes the City Manager to enter into a separate agreement with Dog's Head JV, Ltd. that address the timing and location of the future right-of-way dedication.

PART 5. This ordinance takes effect on _____, 2026.

PASSED AND APPROVED

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_____, 2026

Kirk Watson
Mayor

APPROVED: _____
Deborah Thomas
City Attorney

ATTEST: _____
Erika Brady
City Clerk