

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN CLOSING A PORTION OF 6th STREET BETWEEN MAIN AND CHURCH STREETS; PROVIDING FOR THE ABANDONMENT BY QUITCLAIM DEED OF THAT PORTION OF 6TH STREET; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT; CALLING A PUBLIC HEARING; PROVIDING A CONFLICT AND SEVERABILITY CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Georgetown (the “Applicant”) is seeking to vacate and abandon a portion of 6th Street, located between Main and Church Streets, as described in Exhibit “A”, attached hereto. The request is pursuant to the construction of a parking garage, a portion of which will be located within the right of way now requested to be abandoned.

WHEREAS, notice of the time and place, where and when this Ordinance would be given a public hearing and considered for final passage, was published in the *Williamson County Sun*, a newspaper of general circulation in the City of Georgetown, said publication being on the 20th day of November, 2019, and the ____ day of _____, 2019 the same being more than seventy-two (72) hours prior to the times designated for said hearing.

WHEREAS, upon considering the Application and additional information pertaining to the Application, the City Council now finds that (a) there are no existing utilities located within the property to be abandoned; OR (b) the utilities existing in the area of the street, alley, and/or public right-of-way will be sufficiently protected by being either relocated or placed into easements or remaining rights of way and that the utility companies serving the area including and surrounding the right-of-way have determined that their utilities, if existing, will also be sufficiently protected by the same means.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GEORGETOWN TEXAS:

SECTION 1. The facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim. The City Council hereby finds that this ordinance implements the following policies of the 2030 Comprehensive Plan- Policy Plan Element(s):

4. Effective Governance

4.1 Effective, Responsive Government

B. We have created and enforced innovative, effective and fair regulatory codes and development standards to guide and improve development quality.

The City Council further finds that the adoption of this ordinance is not inconsistent or in conflict with any other 2030 Comprehensive Plan Policies.

SECTION 2. That the above described streets, alleys, road widening easements and/or public rights-of-way, being also generally depicted on Exhibit “A” attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned.

SECTION 3. That said streets, alleys, road widening easements and/or public rights-of-way are not needed for public purposes and it is in the public interest of the City of Georgetown to abandon said streets, alleys, road widening easements and/or public rights-of-way.

SECTION 4. That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in SECTION 2 of this ordinance, and shall be construed only to that interest the governing body of the City of Georgetown may legally and lawfully abandon.

SECTION 5. The City Attorney is hereby authorized to issue and the Mayor authorized to execute a Quitclaim Deed in the form attached hereto as Exhibit "B" and the City Secretary is authorized to attest thereto on behalf of the City of Georgetown.

SECTION 6. This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Georgetown, and this ordinance shall not operate to repeal or affect any of such other ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any in such other ordinance or ordinances are hereby superseded.

SECTION 7. If any provision of this ordinance or application thereof to any person or circumstance, shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

SECTION 8. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective and be in full force and effect in accordance with the provisions of the Charter of the City of Georgetown.

PASSED AND APPROVED on First Reading on the ____ day of _____, 2019.

PASSED AND APPROVED on Second Reading on the ____ day of _____, 2019.

ATTEST:

THE CITY OF GEORGETOWN:

Robyn Densmore, City Secretary

By: _____
Dale Ross, Mayor

APPROVED AS TO FORM:

Charlie McNabb, City Attorney

DESCRIPTION OF

DESCRIPTION OF A 2237 SQUARE FOOT TRACT OF LAND LOCATED IN THE CLEMENT STUBBLEFIELD SURVEY, ABSTRACT 558, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF WEST 6TH STREET, AN UNNAMED 60 FOOT ROADWAY SHOWN ON THE REVISED MAP OF GEORGETOWN, A MAP OF WHICH IS RECORDED IN VOLUME 5, PAGE 211, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 2237 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found on the south right-of-way line of said West 6th Street at its intersection with the east right-of-way line of South Main Street, a 80 foot wide roadway shown on said REVISED MAP OF GEORGETOWN, for the northwest corner of Block 39, formally Block 7 on said REVISED MAP OF GEORGETOWN, for the southwest corner of the herein described tract, from which point a mag nail with washer stamped "INLAND 5050" found for the common west corner of Lot 6 and Lot 3, said Block 39, bears South 02°30'32" East, with said east right-of-way line of South Main Street, a distance of 119.72 feet;

THENCE, over and across said West 6th Street, the following three (3) curses and distances:

1. North 02°30'32" West, a distance of 12.19 feet, to a mag nail with washer stamped "STEGERBIZZELL" set;
2. North 87°43'51" East, a distance of 180.03 feet, to a to a mag nail with washer stamped "STEGERBIZZELL" set;
3. South 02°03'39" East, a distance of 12.67 feet, to a 1/2 inch iron rod found on said south right-of-way line of West 6th Street, for the northeast corner of that certain tract of land described as Tract II conveyed to the City of Georgetown by Warranty Deed of record in Document No. 1996026182, of the Official Public Records of Williamson County, Texas, same point being the northwest corner of that certain 0.110 acre tract of land conveyed to David C. Belt by General Warranty Deed of record in Document No. 1999076252, said Official Public Records;

*mtc
07/05/2019*

STEGER  BIZZELL

1978 S. Austin Ave
Georgetown, TX 78626

THENCE, South 87°52'54" West, with the current south right-of-way line of West 6th Street, a distance of 179.94 feet, to the **POINT OF BEGINNING**, and containing 2237 square feet of land, more or less, within these metes and bounds.

Bearings are based on the Texas Coordinate System of 1983, Central Zone (NAD_83 (2011)). All distances shown hereon are surface values represented in U.S. Survey Feet based on a Grid-to-Surface Combined Adjustment Factor of 1.00013.

The foregoing metes and bounds description and survey on which it is based is accompanied by and a part of a survey map of the subject tract.

I certify that this description was prepared from a survey made on the ground on June 26, 2019, under my supervision.

Steger & Bizzell Engineering Inc.

 07/05/2019

Miguel A. Escobar, LSLs, RPLS
Texas Reg. No. 5630
1978 South Austin Avenue
Georgetown, Texas 78626
(512) 930-9412
TBPLS Firm No. 10003700



P:\22000-22999\22669-CoG Parking Lot Replat-Rezone\Survey Data\Descriptions\22669-Street Vacation.docx



1978 S. Austin Ave
Georgetown, TX 78626

WEST 6TH STREET
(60' ROW)
(VOL. 5, PG. 211, DR)

N 87° 43' 51" E 180.03'

POB

L1

S 87° 52' 54" W 179.94'

2,237 SQ. FT.

STREET VACATION

CLEMENT STUBBLEFIELD SURVEY, A-558
WILLIAMSON COUNTY, TEXAS

SOUTH MAIN STREET
(80' ROW)
(VOL. 5, PG. 211, DR)

S 02° 30' 32" E 119.72'

ORIGINAL
LOT LINE

LOT 7

ORIGINAL
LOT LINE

LOT 7
LOT 8

12.6'

L2

N 87° 52' 54" E
59.77'

CALLED 0.110 ACRES
PT OF LOTS 5 & 8, BLOCK 39
DAVID C. BELT
DOC. NO. 1999076252,
OPR

SOUTH CHURCH STREET
(60' ROW)
(VOL. 5, PG. 211, DR)

TRACT II
PT LOTS 5 & 8, BLOCK 39
CITY OF GEORGETOWN
DOC. NO. 1996026182, OPR

TRACT I
PT LOTS 6 & 7, BLOCK 39
CITY OF GEORGETOWN
DOC. NO. 199626182, OPR

PT OF LOT 5, BLOCK 39
LINDA McCALLA
DOC. NO.
2003093285, OPR

ORIGINAL
LOT LINE

LOT 6

LOT 5

LOT 8

- LEGEND
- IRON ROD FOUND (1/2" OR AS NOTED)
 - ⊙ COTTON SPINDLE FOUND
 - ⊙ MAG NAIL WITH WASHER STAMPED "STEGER BIZZELL" SET
 - ⊙ MAG NAIL WITH WASHER STAMPED "INLAND 5050" FOUND
 - ▲ RIGHT-OF-WAY
 - ▲ OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
 - OPR DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
 - DR POINT OF BEGINNING
 - POB

Line Table		
Line #	Direction	Length
L1	N 02°30'32" W	12.19'
L2	S 02°03'39" E	12.67'

GRAPHIC SCALE: 1" = 40'



NOTES:

- REFERENCE IS HEREON MADE TO THE METES AND BOUNDS DESCRIPTION OF THIS TRACT ACCOMPANYING THIS SKETCH.
 - BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (NAD 83 (2011)). ALL DISTANCES SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID-TO-SURFACE COMBINED ADJUSTMENT FACTOR OF 1.00013.
- I CERTIFY THAT THIS MAP WAS PREPARED FROM A SURVEY MADE ON THE GROUND ON JUNE 26, 2019, UNDER MY SUPERVISION.



EXHIBIT OF
2,237 SQUARE FOOT STREET VACATION
OUT OF WEST 6TH STREET,
A 60 FOOT WIDE ROADWAY
IN THE CLEMENT STUBBLEFIELD SURVEY, A-558
WILLIAMSON COUNTY, TEXAS

STEGER BIZZELL

ADDRESS	1978 S. AUSTIN AVENUE	GEORGETOWN, TX 78626
METRO	512.930.9412	TEXAS REGISTERED ENGINEERING FIRM F-181
SERVICES	>>>ENGINEERS	>>>LANDERS
		STEGERBIZZELL.COM

DATE 07/05/2019 JOB NO. 22669

EXHIBIT "B"

QUITCLAIM DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DATE: _____, 20__

GRANTOR: City of Georgetown, a Texas home-rule municipal corporation

GRANTOR'S Mailing Address (including County): P.O. Box 409, Georgetown, Williamson County, Texas 78627

GRANTEE: City of Georgetown, a Texas home-rule municipal corporation

GRANTEE'S Mailing Address (including County): P.O. Box 409, Georgetown, Williamson County, Texas 78627

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

PROPERTY:

BEING all that portion of 6th Street, as described by metes and bounds with diagram in Exhibit "A", attached hereto and incorporated herein.

For the consideration, GRANTOR quitclaims to GRANTEE all of GRANTOR'S right, title, and interest in and to the above described Property, to have and to hold it to GRANTEE, GRANTEE'S successors and assigns, forever. Neither GRANTOR, nor GRANTOR'S successors and assigns, shall have, claim or demand any right or title to the property or any part of it.

EXECUTED this the ____ day of _____, 2019.

GRANTOR
CITY OF GEORGETOWN

ATTEST:

BY: _____
Dale Ross, Mayor

Robyn Densmore, City Secretary

STATE OF TEXAS)
)
COUNTY OF WILLIAMSON)

ACKNOWLEDGMENT

BEFORE ME, the undersigned authority, on this date personally Dale Ross, Mayor of the City of Georgetown, a Texas home-rule municipal corporation, known to me 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 consideration therein expressed, as the act and deed of said municipality, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2019.

Notary Public, State of Texas

APPROVED AS TO FORM:

Charlie McNabb, City Attorney

[Exhibit “A” to Quitclaim Deed]

Exhibit “A” to the Quitclaim Deed is heretofore attached as Exhibit “A” to the foregoing Ordinance and will be attached accordingly to the original Quitclaim Deed prior to execution and recording.