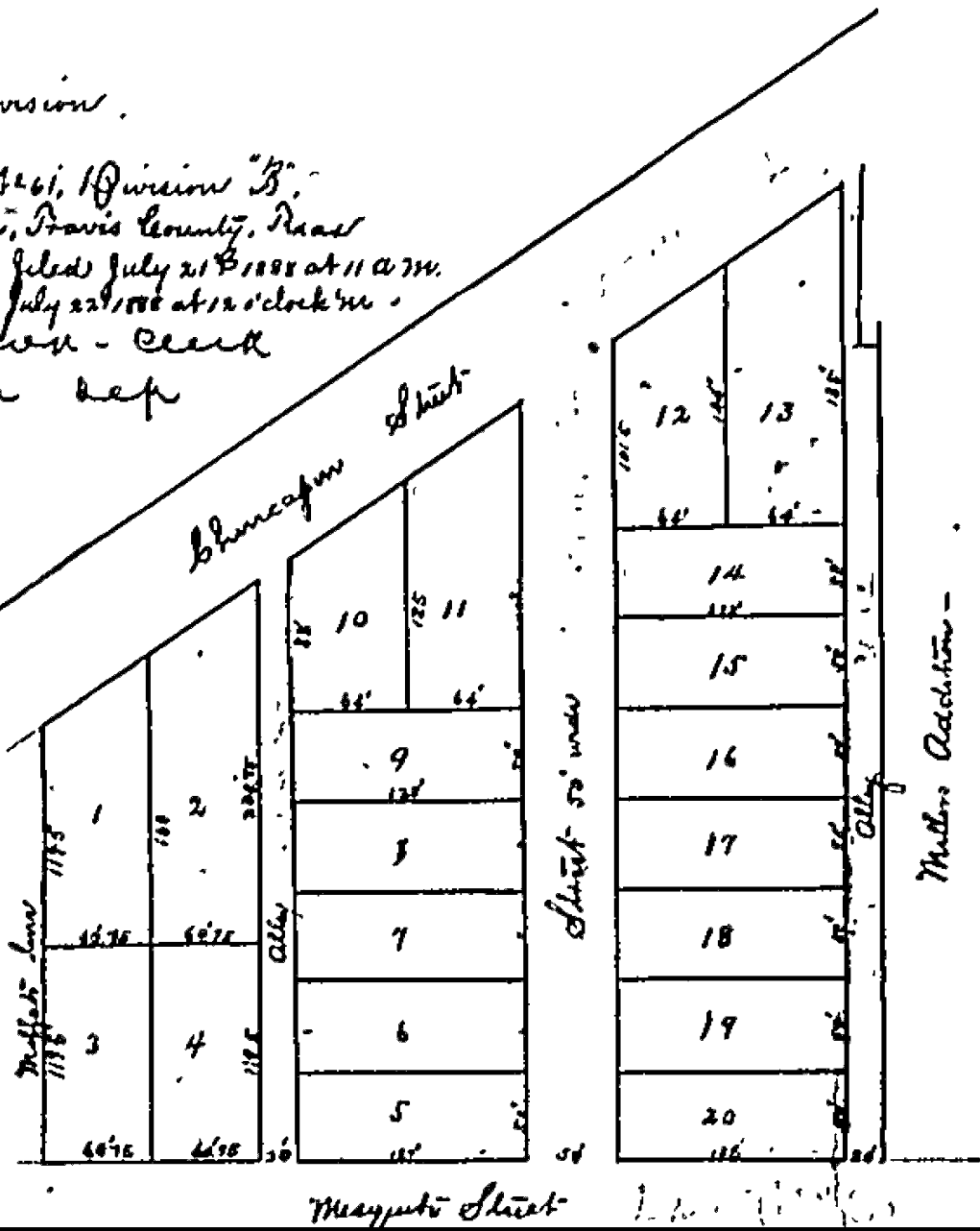


Reactor's subdivision.

is part of Quail No. 1, Division B.
 City of Austin, Travis County, Texas
 Abstract copy - filed July 21, 1888 at 11 a.m.
 Recorded July 22, 1888 at 12 o'clock m.
 Frank D. Baker - Clerk
 J. B. Dep



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URBAN RENEWAL PLAN
BLACKSHEAR AREA

AUSTIN, TEXAS

December 9, 1969

DEED RECORDS
Travis County, Texas

3870 1257

29-6299

THE URBAN RENEWAL PLAN

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B. DESCRIPTION OF PROJECTI. Boundaries of Urban Renewal Area.

a. Project Survey Map: The Project Boundary Map is Exhibit URP-1, which shows the boundary of the project area on a plat reflecting legal descriptions of the lots and blocks involved.

b. Legal Description: The Blackshear Urban Renewal Project Tex. R-95 is situated in the City of Austin, Travis County, State of Texas, and is bounded and described as follows:

Beginning at the intersection of the south right of way line of Rosewood Avenue and the east right of way line of Chicon Street, said point also being the northwest corner of Block 1, Outlot 62, Division B, a partition of the M. L. Jones Estate, of the City of Austin, Texas;

Thence S 23°-07' W along the east right of way line of Chicon Street a distance of 1459 feet to its intersection with the south right of way line of East Eleventh Street;

Thence N 66°-45' W along the south right of way line of East Eleventh Street a distance of 717 feet to its intersection with the East right of way line of Chalmers Avenue;

Thence S 23°-15' W along the east right of way line of Chalmers Avenue a distance of 1396 feet to its intersection with the south right of way line of East Seventh Street;

Thence N 66°-45' W along the south right of way line of East Seventh Street a distance of 700 feet to its intersection with the west right of way line of Comal Street;

Thence N 23°-15' E along the west right of way line of Comal Street a distance of 1388 feet to its intersection with the south right of way line of East Eleventh Street;

Thence N 66°-45' W along the south right of way line of East Eleventh Street a distance of 996 feet to its intersection with the north right of way line of Rosewood Avenue extended;

Thence N 81°-00' E along the north right of way line of Rosewood Avenue a distance of 822 feet to a point, said point also being the southeast corner of Lot 19, Block 5 of Outlot 56, Division B out of the George Robertson Subdivision, of the City of Austin, Texas;

Thence S 09°-00' E a distance of 60 feet to a point in the south right of way line of Rosewood Avenue;

Thence N 81°-00' E along the south right of way line of Rosewood Avenue a distance of 2003 feet to its intersection with the east right of way line of Chicon Street, said point being the point of beginning, and containing 61.4 acres, more or less.

2. Urban Renewal Plan Objectives. The Blackshear Urban Renewal Project will be undertaken and carried out by the Urban Renewal Agency of the City of Austin, Texas. The principal activity will be clearance and redevelopment in order to remove a blighted and decadent area in a residential core of the city. The objectives of the Urban Renewal Plan are as follows:

To acquire and clear those areas blighted with dilapidated and deteriorated structures.

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The elimination of blighting influences in the project area consisting of incompatible land uses and land use relationships, inadequate street layout, excessive dwelling unit densities, overcrowding of structures on the land, and irregular and substandard subdivision of the land, all of which together have contributed to the general economic decline of the project area.

The conservation of certain property ~~is~~ able for retention in the project area and consistent with the land use proposals.

The removal of impediments to the land disposition and development, and the achievement of land use changes so as to provide the maximum possibilities of revitalization of a key residential area.

The disposition of property subject to certain restrictions necessary to prevent the continuance or spread of blighting conditions. The provision for the redevelopment of the area in accordance with the Urban Renewal Plan approved by the City Council of the City of Austin, to include such necessary facilities as:

Improved recreational facilities

An expanded area for educational use

Expanded areas for institutional or special purpose uses

An improved residential area.

The provision of these facilities in a manner consistent with the social and economic needs of the residents of the area.

The provision of a substantial number of housing units of low or moderate cost on land to be disposed of for residential purposes.

3. Types of Proposed Renewal Actions. The Blackshear Urban Renewal Project is a combination project involving clearance and redevelopment, and also rehabilitation and conservation areas. These areas are shown on Exhibit URP-111, "Land Acquisition Plan," and the actions to be taken in each area are generally described as follows:

- a. **Clearance and Redevelopment:** Clearance and redevelopment activities include the acquisition of structures, land and other properties, the clearance of undesired structures and the disposition of land for redevelopment as stipulated in Section C. 2. hereof.

Clearance and redevelopment activities will be confined to the areas shown on Exhibit URP-111. Spot clearance and redevelopment will occur in the conservation areas which constitute the remaining project area land not shown in clearance sections.

- b. **Rehabilitation and Conservation:** Rehabilitation and conservation activities involve the protection of all standard properties in such areas except where such standard property is in conflict with the improvement proposals of the Plan. The owners of properties which are feasible of rehabilitation will be required to make such improvements to their property to bring such property up to a standard compatible with the objectives of the Plan.

c. **Public Improvements.** Each property in the entire Urban Renewal area will be adequately served with the following improvements:

- (1) **Streets.** New streets will be constructed and existing streets widened or reconstructed in a logical and orderly manner to achieve the results depicted in the "Land Use Plan" Map, Exhibit URP-II. All streets will be paved with curb and gutter and sidewalks.
- (2) **Public Open Space.** Attractively landscaped public and public open spaces will be provided and maintained within public rights of way and on public property as indicated on the "Land Use Plan" Map, Exhibit URP-II.
- (3) **Utilities.** Project activities include the placing of underground and overhead utility lines within the new street lines and public easements and in the abandonment, removal, relocation, addition, reconstruction or other improvement of all existing utilities wherever necessary within existing or widened street lines or easements to be established. Whenever existing utilities are adequate in accordance with the Urban Renewal Plan, they shall be retained. Utilities systems to be adjusted include storm drainage, sanitary sewer, water distribution, gas distribution, electrical distribution and telephone system.
- (4) **Street Lighting.** The replacement and modernization of the present street lighting system to conform to the new street plan and to meet the general and specific needs of the renewal area are proposed.
- (5) **Traffic Light System.** The replacement and modernization of the present traffic lighting system to conform to the new street plan and to meet the general and specific needs of the renewal area are proposed.

C. LAND USE PLAN:

The "Land Use Plan" consists of the Land Use Plan Map contained in Exhibit URP-II (described in subsection C. 1.) and in the "Land Use Provisions and Building Requirements" (contained in subsection C. 2.).

Land Use Plan Map showing:

- a. Thoroughfare and street rights-of-way.
- b. All other public uses and, as required, institutional or special purpose uses.
- c. Land uses not covered by C. 1. a. and C. 1. b.

2. Land Use Provisions and Building Requirements:

- a. **Permitted Land Uses.** The following land uses shall be permitted in the land use districts shown on the Land Use Plan, Exhibit URP-11.

- (1) **R-Residential District.** In the R-Residential District no building or land shall be used except for the following uses:

- (a) One-family dwellings
- (b) Two-family dwellings
- (c) Town houses (single family) (special permit)
- (d) Public parks and recreational facilities
- (e) Churches
- (f) Accessory uses customary to home occupation such as dressmaking, seamstress, tailoring, millinery, when engaged in by members of the resident family and employing not more than one person not a member of the resident family, but not including beauty culture, barbering or appliance repairing.

- (2) **MF-I-Multi-Family Low Density Residential District.** In the MF-I District no building or land shall be used and no building hereafter shall be erected or structurally altered unless otherwise provided in this plan except for one or more of the following uses:

- (a) Apartment houses
- (b) Churches
- (c) Accessory uses customary to home occupation as permitted in R-Residential District.

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- (3) P-I - Public. In the P-I District no building or land shall be used and no building hereafter shall be erected or structurally altered unless otherwise provided in this plan except for one or more of the following uses:
- (a) Landscaped public open space
 - (b) Public parks and recreational facilities
 - (c) Public school facilities
- (4) B-I - General Business District. In the B-I District no building or land shall be used and no building hereafter shall be erected or structurally altered unless otherwise provided in this plan except for one or more of the following uses:
- (a) Offices for the conduct of professional or semiprofessional occupations
 - (b) Rental library, book, stationery, stamp or coin collection shop
 - (c) Shops for gifts, glass, china, fabric, art objects including antiques, or retail florists
 - (d) Prescription pharmacy, dental or medical laboratory
 - (e) Community buildings, art galleries, religious, philanthropic, educational or charity institutions.
 - (f) Dental and medical clinics
 - (g) Barber shop, beauty shop and any other personal service shop
 - (h) Cafe, cafeteria and restaurant in a building
 - (i) Camera shop and photographic supply shop
 - (j) Cleaning and pressing shop
 - (k) Drug store, soda fountain, candy and tobacco shop
 - (l) Gasoline service station
 - (m) Grocery store
 - (n) Jewelry and optical goods
 - (o) Meat market (sales only)
 - (p) Pickup station for the receiving and delivering of articles to be dyed or laundered but no actual work to be done on the premises
 - (q) Shoe repair shop
 - (r) Variety store
 - (s) Washateria or self-service laundry
 - (t) Wearing apparel shop.

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- (q) Shoe repair shop
- (r) Variety store
- (s) Washateria or self-service laundry
- (t) Wearing apparel shop.

29-6307

- (5) I - Institutional District. In the I District no building or land shall be used and no building hereafter shall be erected or structurally altered unless otherwise provided in this plan except for one or more of the following uses:
- (a) Private schools with curriculum similar to public elementary and secondary schools
 - (b) Churches, colleges, universities and related uses
 - (c) Dormitories, fraternity houses, sorority houses and club houses of which the primary use is for everyday living accommodations for members thereof, or as meeting places for organizations officially recognized by a college or university.
- (6) No nonconforming uses shall be permitted in the project area other than those specifically outlined and delineated under the special regulations and restrictions for each use district as outlined in Section C. 2. b.
- (7) In all residential use districts, including the R and MF - I districts, it is contemplated that this Plan will permit and encourage all applicable forms of low and moderate cost housing. The disposition of property for residential reuse shall be subject to the stated objective of this Plan in Section B. 2 which pledges the provision of a substantial number of housing units of low and moderate cost.

b. Additional Regulations. The following regulations and restrictions are hereby declared to be in the public interest and necessary to carry out the purposes of the Texas Urban Renewal Law and shall be covenants running with the land and shall be fully binding, unless otherwise provided in this Plan, on all persons, institutions, political subdivisions, and all others owning or acquiring property in the Urban Renewal Area described in this Plan, whether acquired by descent, devise, purchase, or otherwise; and every person or body, by the acceptance or retention of title to any tract, parcel, or lot within the Blackshear Urban Renewal Area shall thereby agree to abide by and fully perform said regulations and restrictions and such covenants shall be in full force and effect and binding on all land in the Urban Renewal Area to the extent and for the period of time provided in this Plan.

- (1) The General Regulations and Restrictions, applying to all land within the Urban Renewal Area described by this Plan, being covenants running with the land, are as follows:
- (a) The land uses as shown on the Land Use Plan, Exhibit URP - II, as described in Section C. 2. a. (1) through (6) of this Plan are hereby designated as the only uses which will be permitted on the land within the boundaries of the Urban Renewal Area designated by this Plan. Changes in land uses shall be made only in accordance with the provisions for the amendment of this Plan as set forth herein and in the Texas Urban Renewal Law.

- (b) The improvement, development, and use of the land within the project area and the rehabilitation, construction, and reconstruction of buildings and other improvements on such land shall conform to these regulations and restrictions and to all other applicable laws, codes, ordinances, and other legal regulations which relate to the utilization of land and the improvements thereon. Where a conflict may exist or develop between the regulations and restrictions adopted herein and other applicable legal regulations, then the more restrictive regulations shall control. Invalidation of any one or any part of these regulations and restrictions by judgment or court order shall in no wise affect any of the other regulations or restrictions or other parts thereof, and the remaining regulations and restrictions shall continue in full force and effect.
- (c) The Urban Renewal Agency of the City of Austin, Texas, acting by and through its Executive Director, or other duly authorized representative, or, in the event such Agency shall become nonexistent or changed in any way, then the successors or assigns of the Urban Renewal Agency shall administer the applicable provisions of this Plan and shall review and approve all land division or subdivision plans and all site improvement and building plans before any construction or work is commenced within the Urban Renewal Area. Such review and approval, however, shall not relieve any such builder or subdivider from the necessity of obtaining the review and approval of other applicable and legally authorized bodies such as the City Planning Commission or the Building Official of the City of Austin. No building shall be erected or placed on any tract, parcel, or lot, in the Urban Renewal Area, nor shall any existing structure be altered, until the building plans and specifications and a plot or site plan have been submitted to and approved in writing by the Urban Renewal Agency. No division or subdivision of any land within the Project Area shall be made until a proposal, prepared in sufficient detail to clearly indicate the extent of such division or subdivision of land, has been submitted to and approved in writing by the Urban Renewal Agency.
- (d) No tract, parcel, or lot, or any building or part thereof, shall ever be restricted in any way in the sale, lease, or occupancy thereof because of race, color, creed, or national origin.
- (e) No oil well drilling or any commercial mining operations of any kind shall be permitted upon any land within the Urban Renewal Area described by this Plan.
- (f) No fence, wall or hedge shall be erected or allowed to grow nearer to any side street right of way line than ten (10) feet, nor nearer to any front property line than twenty-five (25) feet, within the Urban Renewal Area described by this Plan, nor shall any trees, shrubs or man-made object be permitted to grow or be erected in such a manner as to restrict or obstruct the vision of motorists traveling on the public streets, particularly on corner lots where two streets intersect.
- (g) These Regulations and Restrictions shall be enforceable as provided in Section C.2.c. hereof.

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(2) Special Regulations and Restrictions. For each use district described in Section C. 2. a. (1) through (6), there are hereby established Special Regulations and Restrictions which shall be construed as covenants running with the land, and which shall be in addition to the General Regulations and Restrictions heretofore enumerated. Such Special Regulations and Restrictions are as follows:

- (a) Special Regulations and Restrictions applicable to the R District. This district includes areas in the Project where new construction is to take place as well as areas where existing structures are to remain.
1. All tracts, parcels or lots shall be used only for one of those purposes enumerated in Section C. 2. a. (1) of this Plan.
 2. All single tracts, parcels or lots on which new construction for one-family or two-family dwellings is to be carried out after the date of the filing for record of this Plan shall be restricted to only one detached structure not to exceed two (2) stories in height for each tract, parcel or lot. Where one or more adjoining parcels or lots are to be developed through the construction of Town Houses, each development parcel shall be restricted to only one detached structure for use for residential purposes, such structure not to exceed two (2) stories in height. Each dwelling unit provided therein shall be for individual ownership but provision may be made in detached structures for parking or common service facilities such as laundry or storage.
 3. There are structures scheduled to remain in the project area which require rehabilitation. Such structures shall be brought into conformance with the property rehabilitation standards attached as an appendix to this Urban Renewal Plan.
 4. Easements for public utilities shall be reserved as indicated on the Land Use Plan, "Exhibit URP-II," and as required to adequately serve the area with proper services. No buildings, pavement or any other structures or improvements shall be built or maintained within the area of such easements; provided, however, that this restriction shall not prevent the construction of a fence as otherwise permitted by these Special Regulations and Restrictions across such easement, so long as such fence does not interfere with the use of such easement for public utility purposes.

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5. No trade or profession of any character shall be carried on upon any lot in this district nor shall anything be done thereon which may be or become an annoyance to the neighborhood.

6. No tract, parcel or lot shall be used or maintained as a rubbish-dumping ground. Trash, garbage or other waste shall not be kept except in sanitary containers. All containers for the storage or disposal of such material shall be kept in a clean and sanitary condition.

7. No trailer, tent, shack, garage apartment, stable or barn shall be placed, erected, or permitted to remain on any tract, parcel or lot, nor shall any structure of temporary character be used at any time as a residence. No building or structure of any type may be moved onto any tract, parcel or lot within the Urban Renewal Area without prior authorization by the Urban Renewal Agency. All relocation of structures shall be bound by the rehabilitation requirements of this Plan and shall conform thereto.

8. No dwelling shall be erected or placed on any lot having less than the following dimensions and area:

| a. | Lot Area: | Interior Lot | Corner Lot |
|----|------------|--------------|-------------|
| | One Family | 5,750 S. F. | 6,900 S. F. |
| | Two Family | 7,000 S. F. | 7,000 S. F. |
| | Town House | 3,500 S. F. | 5,000 S. F. |
| b. | Lot Width: | Interior Lot | Corner Lot |
| | One Family | 50 Feet | 60 Feet |
| | Two Family | 60 Feet | 70 Feet |
| | Town House | 35 Feet | 50 Feet |

The minimum lot width must be provided at the building setback line and at all points for a distance of fifty feet to the rear of the building line.

9. No new building or structure of any kind shall be located on any of said lots nearer than fifteen (15) feet from the side street line, nor nearer than twenty-five (25) feet from the front lot line.

No building shall be located nearer than fifteen (15) feet from the rear lot line. For the purpose of this Plan, eaves, steps and open porches shall not be considered as a part of a building; provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon any other lot.

In interior lots the total width of side yards shall be not less than thirty percent (30%) of the total width of the lot except that the total width of side yards shall not be required to be more than fifteen (15) feet and that the least side yard shall not be less than five (5) feet wide.

10. No sign of any kind shall be displayed to the public view on any of said lots except one professional sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period, provided said builder's signs are approved in writing by the Urban Renewal Agency.
11. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any of said lots, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.
12. Provision shall be made on each lot to park within the perimeter of such lot at least one passenger vehicle per dwelling unit. Driveways between the public street and parking areas or garage entrances, as well as the parking areas themselves, shall be of hard-surface all-weather construction.
13. Each dwelling unit shall be of double wall construction and shall contain not less than one bedroom, one three-piece bathroom, a kitchen with sink, and at least one other habitable room.
14. Exterior wall covering shall be of a generally accepted low-maintenance material such as impregnated western cedar, brick or cement asbestos siding. Exterior wall covering materials such as sheet metal, asphalt, or corrugated iron shall not be permitted.
15. Nonconforming uses herein identified and presently existing in this use district may be continued provided no structural alterations are made on such building or such use otherwise expanded. Said nonconforming uses allowed to remain are the apartment houses located at 1126-1/2 Chicon (Parcel 1-31), 1124 A&B and 1126 Salina (Parcel 2-18). The Commercial use at 1616 East 7th Street (Parcel 19-07) would also be allowed to remain. Should such uses be discontinued or the terms of these regulations be violated, any further use of said land shall be in conformity with the provisions of this Plan.
16. These Special Regulations and Restrictions shall be enforceable in accordance with Section C. 2. c. hereof.

- (b) Special Regulations and Restrictions applicable to the MF-1 District. This district is limited to areas of the Project where only new construction of apartment houses or churches is to take place on redeveloped land as well as areas where existing structures are to remain.

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1. All tracts or parcels situated in this district shall be used only for the construction of apartment houses (as herein defined) or churches specifically excluding the construction of that class of facility called an "apartment hotel" as defined by the zoning ordinance of the City of Austin.
2. By the term "apartment house" is meant a building used as the home of three families or households living independently of each other in separate dwelling units, each equipped for the preparation of food.
3. Each dwelling unit, same being a separate one-family area, shall have at least one bedroom, one three-piece bathroom, a kitchen with sink, and at least one other habitable room.
4. No building having a height in excess of forty-five (45) feet shall be erected or placed on any tract or parcel within this district.
5. The exterior of all buildings constructed in this district shall be of all masonry construction. No building, structure or sign of any type may be moved on any tract or parcel; provided, however, that after a written consent is given by the Urban Renewal Agency, permanent signs may be erected showing the name of the structure; and provided further, however, that temporary construction buildings and other construction facilities and needs may be located and maintained on the site while construction is in progress.
6. Easements for public utilities shall be reserved on all property as indicated on the Land Use Plan, "Exhibit URP-II," and as required to adequately serve all areas with proper service. No buildings, pavement, or any other structures or improvements shall be built or maintained within the area of such easement which would restrict the use of such easement for public utility purposes.
7. Hard-surfaced off-street parking shall be provided according to the following schedule for apartment usage:

| | |
|-------------------------|--------------|
| Efficiency Apartment | 1 Space |
| One Bedroom Apartment | 1-1/2 Spaces |
| Two Bedroom Apartment | 2 Spaces |
| Each Additional Bedroom | 1/2 Space |

On any tract used as a church site there shall be provided on the land occupied by the church not

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not less than one hard-surfaced off-street parking space for each four hundred (400) square feet of gross floor area in the church building.

- 8. The minimum setback line for buildings from any property line in the R-district shall be twenty-five (25) feet.
- 9. A minimum of five percent (5%) of the total area of each parcel shall be devoted to landscaped and planted areas.
- 10. These Special Regulations and Restrictions shall be enforceable in accordance with Section C. 2. c. hereof.

(c) Special Restrictions and Regulations applicable to the P-I District. No buildings or structures shall be built or maintained in this district other than those used for recreational or public school purposes.

- 1. Should any of the publicly-owned and operated facilities permitted by Section C. 2. a. (4) to be constructed or operated within this district be terminated or abandoned by the City of Austin or Austin Independent School District, then the land formerly occupied by such public use shall thereafter be restricted to the uses enumerated for the R-Residential District.
- 2. Underground utilities may be installed or maintained within the limits of these parcels as required to adequately serve all areas of the project or adjoining property. No improvements shall be built or maintained within the area of such parcels which would restrict the proper installation or maintenance of such public utilities.
- 3. These Special Regulations and Restrictions shall be enforceable in accordance with Section C. 2. c. hereof.

(d) Special Regulations and Restrictions Applicable to B-I District.

- 1. All tracts or parcels shall be used only for those purposes specified in Section C. 2. a. (4) hereof.
- 2. No tract designated B-I on Exhibit URP-II shall be subdivided without first obtaining the written approval of the Urban Renewal Agency.

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3. All buildings constructed in this district shall be of masonry construction and shall not exceed thirty-five (35) feet in height.
4. All buildings constructed in this district shall be set back from any street right of way line, not less than twenty-five (25) feet and shall be set back from any property line other than a street right of way line not less than five (5) feet.
5. Hard-surfaced off-street parking shall be provided on-site in the following ratio: one (1) off-street parking space for each two hundred (200) square feet of gross floor area in the building.
6. Easements for public utilities shall be reserved on all property as indicated on the Land Use Plan, "Exhibit URP-II," and as required to adequately serve all areas with proper services. No buildings, pavement, or any other structures or improvements shall be built or maintained within the area of such easement which would restrict the use of such easement for public utility purposes.
7. Adequate loading and unloading space shall be provided to each using entity wholly on the premises.
8. Signs within this use district shall be integrated with the architectural design of the structure which they identify and shall not be permitted to project above the roof of the structure on which they are mounted nor shall they project beyond the face of the building more than twenty-four (24) inches. The maximum size of signs in this use district shall be limited to twenty-four (24) square feet in area. Flashing signal type signs which cast a light beam will not be permitted. A maximum of one (1) sign for each separately owned and/or leased business shall be permitted and it shall pertain to and serve the identification of the establishment only. The final design and exact location of signs in this use district shall be subject to final approval by the Urban Renewal Agency.
9. Points of access and extent of curb cuts to parcels shall be subject to review and approval by the Urban

Renewal Agency and the Traffic Engineering Department of the City of Austin prior to the commencement of any building construction for this use district.

29-6315

10. Nonconforming uses herein identified and presently existing in this use district may be continued providing no structural alterations are made therein on such building or such use otherwise expanded. Said nonconforming uses allowed to remain are the single family residential structures at 1815 Rosewood (Parcel 1-04), 1801 Rosewood (Parcel 1-7), 1223 Rosewood (Parcel 10-6), 1209 Rosewood (Parcel 10-8) and 1211 Rosewood (Parcel 10-8), and the multi-family structure at 1809 Rosewood (Parcel 1-5). Should such uses be discontinued or the terms of these regulations violated, then any further use of said land shall be in conformity with the provisions of this Plan.

11. These Special Regulations and Restrictions shall be enforceable in accordance with Section C. 2. c. hereof.

(e) Special Regulations and Restrictions applicable to the I District. This district includes areas in the project where new construction is to take place.

1. All tracts, parcels or lots shall be used only for one of those purposes enumerated in Section C. 2. a. (5) of this Plan.
2. The exterior of all buildings constructed in this district shall be of all masonry construction. No building having a height in excess of seventy-five (75) feet shall be erected or placed on any tract or parcel within this district. Where proposed buildings exceed forty-five (45) feet in height, structures shall be set back from all lot lines not less than one (1) foot for each foot of such building height exceeding forty-five (45) feet.
3. The minimum set back line for buildings from any property line shall be twenty-five (25) feet.
4. Easements for public utilities shall be reserved on all property as indicated on the Land Use Plan, "Exhibit URP-II," and as required to adequately serve all areas with proper service. No buildings, pavement or any other structure or improvements shall be built or maintained within the area of such easements which would restrict the use of such easements for public utility purposes.
5. A minimum of five percent (5%) of the total area of the parcels shall be devoted to landscaped and planted areas.
6. For public or private educational usage, hard-surfaced off-street parking spaces shall be provided at the following ratios:

One space for each ten (10) seats for student and faculty usage or one space for each four hundred (400) square feet of gross floor area, whichever is less, and

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One space for each two persons which the establishment is designed to house.

For church usage, one hard-surfaced off-street parking space shall be provided for each four hundred (400) square feet of gross floor area of the structure.

For hospital or clinical usage, one hard-surfaced off-street parking space shall be provided for each four (4) employees; one off-street parking space for each four (4) patient beds; and one off-street parking space for each staff doctor shall be provided.

7. For private or parochial schools or day nurseries, all buildings and land usage shall meet the applicable provisions of the Zoning Ordinance of the City of Austin and the minimum requirements of the State Department of Public Welfare.
8. No building, structure or sign of any type may be moved on any tract or parcel; provided, however, that after written consent is given by the Urban Renewal Agency, permanent signs may be erected showing the name of the structure, and provided further, however, that temporary construction buildings and other construction facilities and needs may be located and maintained on the site while construction is in progress.
9. These Special Regulations and Restrictions shall be enforceable in accordance with Section C. 2. c. hereof.

- c. Duration and Enforcement of Regulations and Restrictions. All regulations restricting land use and the General and Special Regulations and Restrictions provided for in this Plan shall become effective immediately upon the filing of this Plan for record in the Deed Records of Travis County Texas.

All land use restrictions and the General and Special Regulations and Restrictions heretofore enumerated shall be construed as covenants running with the land and shall be fully binding upon all persons and others owning or acquiring property in the Blackshear Urban Renewal Project Area, whether by descent, devise, purchase, or otherwise; and any person or others by the acceptance or retention of title to any tract, parcel, or lot within the Project Area shall thereby agree and covenant to abide by and fully perform all regulations and covenants herein.

If any person or persons shall violate or attempt to violate any of the General Regulations and Restrictions set forth in Section c. 2. b. (1) hereof, it shall be lawful for any other person or persons owning any property within the Blackshear Project, or the Urban Renewal Agency or its successor, or the City of Austin, or, in the case of General Restriction No. (d) (nondiscrimination), The United States of America, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Restrictions, to prevent him or them from so doing, or to correct such violation.

If any person or persons shall violate or attempt to violate any of the Special Regulations and Restrictions established herein for specified districts, it shall be lawful for the Urban Renewal Agency, or its successor, or any person or persons owning property within the district in which such violation is existing or threatened, and which latter persons are bound by the same restrictions being

violated or threatened with violation, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Restrictions to prevent or correct such violation.

These regulations and restrictions shall be binding until January 1, 2000. During the month of January, 2000, said General Regulations and Restrictions may be amended by a three-fourths majority vote of the then property owners within the Project Boundary, and the Special Regulations and Restrictions may be amended by a three-fourths majority vote of the then property owners in the district covered by such Special Regulations and Restrictions. However, if no amendment occurs, the Regulations and Restrictions shall be automatically extended for successive periods of ten (10) years; at the end of each ten (10) year period, they may be amended during the month of January as provided above. At the time of any amendment vote, each owner shall have one vote; joint owners shall have only one vote between them; each separate tract, parcel, or lot shall be entitled to one vote.

- d. Applicability of Regulations and Restrictions to Real Property Not To Be Acquired. All properties within the Blackshear Urban Renewal Project Boundaries are subject to acquisition and purchase by the Urban Renewal Agency of the City of Austin in order to assure the accomplishment of the objectives of this Plan. Provisions are made, however, for present owners to retain ownership of land if said land can be used in accordance with the Urban Renewal Plan and the owner agrees in writing to so use his land.

All of the General and Special Regulations and Restrictions, as well as the land use restrictions, are binding on all lands within the Project Boundaries regardless of whether such lands are acquired by the Urban Renewal Agency.

D. PROJECT PROPOSALS

1. Land Acquisition.

a. Identification of Real Property to be Acquired:

- (1) All real property in the Project Area proposed to be acquired for clearance and redevelopment is shown on "Land Acquisition Plan," Exhibit URP-III. This exhibit shows those areas indicated for total clearance and redevelopment, as well as those properties in the conservation area to be acquired for spot clearance of structures substandard to a degree warranting clearance. In addition, street rights-of-way will be acquired as necessary to carry out the Urban Renewal Plan proposals.
- (2) All public facilities to be provided within the Project Area are shown on Exhibit URP-II, "Land Use Plan."
- (3) In the Conservation section, as shown on Exhibit URP-III, "Land Acquisition Plan," those properties scheduled for acquisition include only those properties needed for rights of way and for resubdividing purposes necessary for obtaining the objectives of the Plan, and those properties necessary for acquisition to provide for spot clearance of structures structurally substandard to a degree warranting clearance.

29-6317

Under the provisions of this section, the Agency may acquire a lesser interest in property than the fee simple, which lesser interest may include acquisition of one or more structures but excluding the land or some interest therein where the acquisition of such lesser interest will serve the objectives of this Plan and where its requirements for redevelopment are otherwise met.

29-5318

Special Conditions Under Which Properties Not Designated For Acquisition May Be Acquired. Properties not designated for acquisition may be acquired by the Urban Renewal Agency if the respective owners thereof do not voluntarily comply with the requirements and controls contained in this Plan.

- c. Special Conditions Under Which Properties Designated For Acquisition May Be Excluded From Acquisition. Properties designated for acquisition may be excluded from acquisition where it is determined by the Urban Renewal Agency that the purposes of the Plan may be achieved without such acquisition.
2. Rehabilitation and Conservation. Properties are currently included for retention in the Urban Renewal Area wherein rehabilitation of existing structures will be required; consequently, property rehabilitation standards have been included in the Plan. The owners of such properties which are feasible of rehabilitation will be required to make such improvements to their property to bring such property up to a standard compatible with the objectives of the Plan.
3. Proposals to Provide Low and Moderate Cost Housing. It is the intent of the Urban Renewal Agency to develop proposals to provide a substantial number of housing units of low and moderate cost on land to be disposed of for residential purposes.

Thus the LPA will employ those sections of the Housing Act of 1949 as amended through 1969 which provide programs for the construction of low and moderate income housing to the fullest extent feasible. These are sections 221(d)(3), 221(h), 235, 236, and any additional programs hereafter.

4. Redeveloper's Obligations. Each redeveloper of land in the project area will be obligated by means of appropriate covenants running with the land to devote the land to uses specified in the Urban Renewal Plan and to begin and to complete the construction of the improvements thereon within a reasonable time to be specified by the Urban Renewal Agency of the City of Austin. Since it is the purpose of the regulations and controls specified in this Plan to assure the renewal of the area in conformity with the objectives of the Urban Renewal Plan, it will be, therefore, the obligation of all the developers not only to comply with these controls but also to familiarize themselves with the overall Urban Renewal Plan and to prepare development proposals which are in harmony with

29-6319

the objectives of the Plan. All such proposals will be subject to review and approval by the Urban Renewal Agency of the City of Austin prior to land disposition and prior to commencement of construction. Thus, the LPA will reserve the right in land disposition to insure that an appropriate portion of the housing redeveloped on residential land will be made available at a sales price or rental that low and moderate income persons and families can afford. The redeveloper will not be permitted to dispose of property until the improvements are completed without prior written consent of the Urban Renewal Agency of the City of Austin, which consent will not be granted except under conditions that will prevent speculation and protect the interest of the City of Austin and the Urban Renewal Agency. No land shall be disposed of to a redeveloper who would prohibit the sale, lease or occupancy of land purchased in the project because of race, color, creed or national origin.

Anyone redeveloping property in the project area shall keep all buildings, improvements, equipment, machinery and walkways constructed, erected, installed or located in the project area in good and safe condition, structurally and otherwise.

5. Underground Utility Lines. With the exception of the electric distribution facilities, street lighting system and telephone system, all utility distribution lines, whether public or private, shall be placed underground.

E. STATE AND LOCAL REQUIREMENTS:

The elements of the Urban Renewal Plan satisfy all pertinent requirements of state and local laws.

F. PROCEDURE FOR CHANGES IN APPROVED PLAN:

The Urban Renewal Plan may be modified or amended at any time; provided, however, that if any proposed modification should affect the street layout, land use, public utilities, zoning, open-space, or density, then such modification shall not be made until it has been submitted to the Planning Commission of the City of Austin, and a report rendered thereon to the City Council within thirty (30) days after receipt of such modifications by the Commission. Upon receipt of such recommendations from the Planning Commission, or if no recommendations are received within said thirty (30) days, then without recommendation, the City Council shall conduct a public hearing thereon after giving notice as required by law, following which hearing the Council may approve or reject such proposed amendment, and provided further, however, that if such modification occurs after the sale or lease by the Urban Renewal Agency of real property within the project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser or his successors in interest may be entitled to assert.

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, as Stamped hereon by me, on

JUN 18 1970



Emilia Limburg
COUNTY CLERK
TRAVIS COUNTY, TEXAS

Tex. R-95

TRAVIS COUNTY, TEXAS

JUN 18 4 01 PM '70

FILED

R-213
Revised - December 3, 1968

3870 1278

JUN 15 1980
ORDINANCE 800228-R
4932

2-30-7365

11.00

AN ORDINANCE PERPETUALLY CLOSING, ABANDONING AND VACATING A PORTION OF GREGORY STREET FROM ITS CUL-DE-SAC WESTERLY TO COMAL STREET AND PERPETUALLY CLOSING, ABANDONING, AND VACATING A PORTION OF COMAL STREET FROM EAST ELEVENTH STREET TO ROSEWOOD AVENUE IN CONNECTION WITH URBAN RENEWAL PLAN IMPROVEMENTS BY AUSTIN REDEVELOPMENT AUTHORITY IN THE BLACKSHEAR AREA PROGRAM; VACATING AND ABANDONING SAID PORTIONS OF SAID PUBLIC STREETS TO THE ABUTTING PROPERTY OWNERS THEREON, FINDING FAIR MARKET VALUE QUID PRO QUO IN RELIEF OF THE CITY FROM ALL FUTURE COSTS AND POTENTIAL LIABILITIES ARISING, OR TO ARISE, FROM CONTINUATION OF ANY CITY TITLE OR INTEREST THEREIN AS PUBLIC WAYS OR PUBLIC PROPERTIES; RESERVING, HOWEVER, IN SAID PORTIONS COMPLETE PUBLIC UTILITY EASEMENTS IN, UPON, OVER, UNDER, AND ACROSS SAID PORTIONS; SUSPENDING THE ORDINANCE READINGS RULES AND THUS EFFECTIVELY ENACTING THIS THE DAY OF INTRODUCTION; AND DECLARING AN EMERGENCY.

WHEREAS, it is the finding of the City Council that Austin Redevelopment Authority is, for the purposes hereof, the owner of all abutting land surrounding that portion of a public street, Gregory Street, from its cul-de-sac westerly to Comal Street, in connection with Urban Renewal Plan improvements, particularly described in the annexed, and hereby incorporated by reference, Exhibit "A"; and,

WHEREAS, it is the finding of the City Council that Austin Redevelopment Authority is for the purposes hereof, the owner of all abutting land surrounding that portion of public street, Comal Street, from East Eleventh Street to Rosewood Avenue, in connection with Urban Renewal Plan Improvements, particularly described in the annexed, and hereby incorporated by reference, Exhibit "B"; and,

WHEREAS, it is the finding of the City Council that Austin Redevelopment Authority has duly applied for perpetual closing, abandonment, and vacation of said portion of Gregory Street and said portion of Comal Street, has paid the processing fee therefor, and, pursuant to City staff determination, that said portions each have fair market values equal in quid pro quo to the total probable value in relief of the City of Austin from all future costs, debts, charges, and claims, and any potential liabilities arising or to arise from continuation of any City title or interest therein as public ways or public properties, same now being surplus to the City's needs, which determination is hereby adopted, and the Authority being by City policy an exempt governmental agency; and,

WHEREAS, however, it is the finding of the City Council that complete public utility easements should be reserved in, upon, over, under, and across all points in said portions of said streets' areas as herein particularly described; Now, Therefore,

2-30-7366

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

PART 1. Pursuant to the above stated findings, which, by this reference, are incorporated herein and made part hereof, that portion of a public street, Gregory Street, from its cul-de-sac westerly to Comal Street, particularly described in the annexed Exhibit "A," be perpetually closed and abandoned to public travel, and vacated to the owner of all abutting land thereat, Austin Redevelopment Authority, free of all claim, charge, debt, or liability made or to be made, if any, against the City of Austin, its officers, agents, or employees, by any other parties whomsoever. The City Manager and the City Clerk are authorized and directed to do those things necessary to execute and implement this ordinance.

PART 2. There is hereby reserved by the City of Austin in said portions of said streets complete public utility easements in, upon, over, under, and across said portions of said streets.

PART 3. Imminent necessity to expeditiously forward Austin Redevelopment Authority Blackshear Area Program public improvements in and around said portions of Gregory and Comal Streets and to reduce lost time from impending seasonal inclement weather and, thereunder, to clarify and fix public rights as between the City and the Authority, create an imperative public necessity and emergency, relating to the immediate preservation of the public peace, health and safety, that this ordinance be adopted as an emergency measure, requiring suspension of the rule for three readings of an ordinance on separate days as well as the rule ordering that no ordinance be finally passed on the date of its introduction and, it being accordingly so voted, this ordinance shall be effective immediately on its passage at one reading.

PASSED AND APPROVED

February 28, 1980

X
X
X
X

Carole Keeton Meek
Mayor

APPROVED: *Albert D. Rosen*
City Attorney

ATTEST: *Grace Monroe*
City Clerk

12DEC79
JRR:sh

7008 597

2-30-7367

EXHIBIT "A"

Portion of Street Area
to be Vacated
(Gregory Street)

FIELD NOTES

FIELD NOTES FOR 3,753 SQUARE FEET OF LAND,
SAME BEING OUT OF AND A PART OF THAT CER-
TAIN STREET THIRTY (30.00) FEET IN WIDTH
IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS,
KNOWN AS GREGORY STREET, AS SHOWN ON A MAP
OR PLAT OF E.J. RAU SUBDIVISION OF 1 ACRE
OUT OF OUTPLOT 61, DIV. "B" OF RECORD IN
BOOK 2 AT PAGE 620 AND BOOK 31 AT PAGE 273
OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS,
WHICH 3,753 SQUARE FEET OF LAND IS MORE
PARTICULARLY DESCRIBED BY METES AND BOUNDS
AS FOLLOWS:

BEGINNING at the northwest corner of the herein described tract of land, same being the southwest corner of Lot 4 in Clough's Subdivision, a subdivision in the City of Austin, Travis County, Texas of record in Book 1 at Page 32 of the Plat Records of Travis County, Texas, same being the intersection of the east line of Comal Street with the north line of Gregory Street;

THENCE, with said north line of Gregory Street, S 66°42'00" E 157.94 feet to the northeast corner of the herein described tract of land, same being a point in Gregory Street cul-de-sac as shown on a map or plat of Kealing Park Village, Section 1, a subdivision in the City of Austin, Travis County, Texas, of record in Book 78 at Page 103 of the Plat Records of Travis County, Texas, same being a point of curvature of a curve having an angle of intersection of 256°39', a radius of 50.00 feet and a tangent distance of infinity;

THENCE, with said curve to the left an arc distance of 57.97 feet, the chord of which arc bears S 80°05'29" W 54.78 feet to the southwest corner of the herein described tract of land, same being the intersection of Gregory Street cul-de-sac of said Kealing Park Village, Section 1 with the south line of Gregory Street;

THENCE, with said south line of Gregory Street in a westerly direction to the southwest corner of the herein described tract of land, same being the intersection of said south line of Gregory Street with the aforesaid east line of Comal Street;

THENCE, with said east line of Comal Street in a northerly direction to the point of beginning.

THERE IS TO BE RETAINED, HOWEVER, a public utilities easement in, upon, and across the entirety of the above described street to be vacated.

FIELD NOTES: Don Shumaker
11/21/79

APPROVED:

James E. Thompson
James E. Thompson, P.E.
Division Engineer
Mapping Division
Engineering Department

References
2-C-408
1-A-1073
2-C-2215
2-H-5622
46-191

R.M.

Section Map 34

/ep

7008 598

2-30-7368

EXHIBIT "B"

Portion of Street Area
to be Vacated
(Comal Street)

FIELD NOTES

FIELD NOTES FOR 10,831 SQUARE FEET OF LAND,
SAME BEING OUT OF AND A PART OF THAT CER-
TAIN STREET TWENTY (20.00) FEET IN WIDTH
IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS,
KNOWN AS COMAL STREET, AS SHOWN ON A MAP OR
PLAT OF RECTOR'S SUBDIVISION, A SUBDIVISION
IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS
OF RECORD IN BOOK 1 AT PAGE 45 OF THE PLAT
RECORDS OF TRAVIS COUNTY, TEXAS, WHICH 10,831
SQUARE FEET OF LAND IS MORE PARTICULARLY DES-
CRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the northeast corner of the herein described
tract of land, same being the northwest corner of Lot 4, in Clough's Subdi-
vision, a subdivision in the City of Austin, Travis County, Texas, of
record in Book 1 at Page 32 of the Plat Records of Travis County, Texas,
same being the intersection of the south line of Rosewood Avenue and the
east line of Comal Street;

THENCE, with said east line of Comal Street, S 24°01' W
548 feet more or less to the southeast corner of the herein described tract
of land, same being the intersection of said east line of Comal Street and
the north line of East 11th Street;

THENCE, N 65°59' W 20 feet to the southwest corner of the
herein described tract of land, same being the southeast corner of Lot 20, in
said Rector's Subdivision, same being the intersection of said north line of
East 11th Street and the west line of Comal Street;

THENCE, with said west line of Comal Street, N 24°01' E 535
feet more or less to the northwest corner of the herein described tract of
land, same being the northeast corner of Lot 13, in said Rector's Subdivision,
same being the intersection of said west line of Comal Street and the afore-
said south line of Rosewood Avenue;

THENCE, with the south line of Rosewood Avenue in a easterly
direction to the point of beginning.

THERE IS TO BE RETAINED, HOWEVER, a public utilities easement
in, upon and across the entirety of the above described street to be vacated.

FIELD NOTES: Don Shumaker
11/20/79

APPROVED:

James E. Thompson
James E. Thompson, P.E.
Division Engineer
Mapping Division
Engineering Department

References
2-C-677
2-C-2215
1-A-1073
Section Map 34

R.M.

/ep

7008 599

2-30-7369

THE STATE OF TEXAS |
COUNTY OF TRAVIS |

I, Grace Monroe, City Clerk of the City of Austin, Texas, do hereby certify that the foregoing instrument is a true and correct copy of Ordinance No. 800228-R, consisting of 4 page(s), passed by the City Council of the City of Austin, Texas, at a regular meeting on the 28th day of February, 1980.

Grace Monroe

Grace Monroe
City Clerk, City of Austin, Texas

(COURT SEAL)

FILED
JUN 12 8 28 AM '80
Doris Almaguer
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this Instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, as Stamped hereon by me, on

JUN 12 1980



Doris Almaguer
COUNTY CLERK
TRAVIS COUNTY, TEXAS

7008 600



OTHER 2005026873
10 PGS

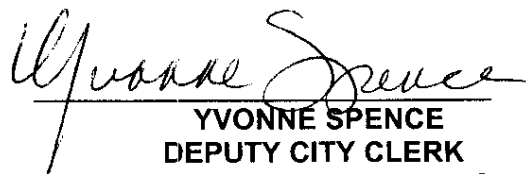


THE STATE OF TEXAS §
COUNTY OF TRAVIS §

I, Yvonne Spence, Deputy City Clerk of the City of Austin, Texas, do hereby certify that the foregoing instrument is a true and correct copy of Ordinance 040805-52, consisting of 2 page(s) and Exhibit "A", "B", and "C", consisting of 6 page(s) for a total of 8 page(s), adopted by the City Council of Austin, Texas, at a Regular Called Meeting on the 5th day of August 2004, as on file in the City Clerk's Office.

WITNESS my hand and official seal of the City of Austin at Austin, Texas, this 16th day of February 2005.




YVONNE SPENCE
DEPUTY CITY CLERK
CITY OF AUSTIN, TEXAS

ORDINANCE NO. 040805-52

AN ORDINANCE MODIFYING THE BLACKSHEAR URBAN RENEWAL PLAN, THE BRACKENRIDGE URBAN RENEWAL PLAN, AND THE GLEN OAKS URBAN RENEWAL PLAN.

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

PART 1. BACKGROUND AND FINDINGS:

(A) Urban Renewal Agency of the City of Austin action:

- (1) The Urban Renewal Agency developed a plan modification to the Blackshear Plan (Blackshear Plan Modification), attached to and made a part of this ordinance as Exhibit A.
- (2) The Urban Renewal Agency developed a plan modification to the Brackenridge Plan (Brackenridge Plan Modification), attached to and made a part of this ordinance as Exhibit B.
- (3) The Urban Renewal Agency developed a plan modification to the Glen Oaks Plan (Glen Oaks Plan Modification), attached to and made a part of this ordinance as Exhibit C.
- (4) In accordance with Section 374.014(b) (*Municipal Urban Renewal Plan*) of the Texas Local Government Code, on May 17, 2004, the Urban Renewal Agency approved a resolution recommending that the council adopt the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification.

(B) Planning Commission action: In accordance with Section 374.014(b) (*Municipal Urban Renewal Plan*) of the Texas Local Government Code, on July 27, 2004, the Planning Commission approved a resolution recommending that the council adopt the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification.

(C) Council action:

- (1) On December 9, 1969, the council adopted the Blackshear Urban Renewal Plan, on file at Volume 3870, Page 1257 of the Deed Records of Travis County, Texas (the Blackshear Plan).

- (2) On January 18, 1968, the council adopted the Brackenridge Urban Renewal Plan, on file at Volume 3620, Page 1544 of the Deed Records of Travis County, Texas (the Brackenridge Plan).
- (3) On September 22, 1966, the council adopted the Glen Oaks Urban Renewal Plan, on file at Volume 3294, Page 1684 of the Deed Records of Travis County, Texas (the Glen Oaks Plan).
- (4) On August 5, 2004, the council held public hearings on the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification as prescribed by Section 374.014(c) (*Municipal Urban Renewal Plan*) of the Texas Local Government Code.

PART 2. In accordance with Section 374.014(e) (*Municipal Urban Renewal Plan*) of the Texas Local Government Code, the council adopts the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification.


PART 3. The city clerk shall file a certified copy of the Blackshear Plan Modification, the Brackenridge Plan Modification, and the Glen Oak Plan Modification in the real property records of Travis County, Texas. The city clerk shall also attach a copy of the modifications to the appropriate urban renewal plans on file at the clerk's office.

PART 4. This ordinance takes effect on August 16, 2004.

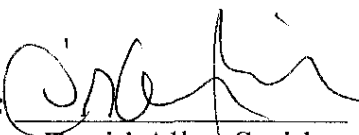
PASSED AND APPROVED

_____ August 5 _____, 2004

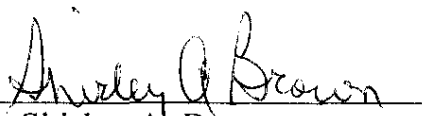
§
§
§



Will Wynn
Mayor

APPROVED: 

David Allan Smith
City Attorney

ATTEST: 

Shirley A. Brown
City Clerk

Blackshear Plan Modification

The Blackshear Urban Renewal Plan is modified by striking in its entirety Section C.2.c. of Part A of the Blackshear Urban Renewal Plan and substituting in its place a new Section C.2.c. of Part A as follows:

c. Duration and Enforcement of Regulations and Restrictions.

All regulations restricting land use and the General and Special Regulations and Restrictions provided for in this Plan shall become effective immediately upon the filing of this Plan for record in the Deed Records of Travis County, Texas.

All land use restrictions and the General and Special Regulations and Restrictions, heretofore enumerated shall be construed as covenants running with the land and shall be fully binding upon all persons and others owning or acquiring property in the Blackshear Urban Renewal Area, whether by descent, devise, purchase or otherwise; and any person or others by the acceptance or retention of title to any tract, parcel or lot within the Project Area shall thereby agree and covenant to abide by and fully perform all regulations and covenants herein.

If any person or persons shall violate or attempt to violate any of the General Regulations and Restrictions set forth in Section C.2.b.(1) hereof, it shall be lawful for any other person or persons owning any property within the Blackshear Project, or the Urban Renewal Agency of the City of Austin or its successor, or the City of Austin, or, in the case of General Restriction No. (d)(non-discrimination), the United States of America, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate the General Regulations and Restrictions, to prevent him or them from so doing, or to correct such violation.

If any person or persons shall violate or attempt to violate any of the Special Regulations and Restrictions established herein for specified districts, it shall be lawful for the Urban Renewal Agency of the City of Austin or its successor, or any person or persons owning any property within the district in which such violation is existing or threatened, and which latter persons are bound by the same restrictions being violated or threatened with violation, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Special Regulations and Restrictions, to prevent the person or persons from so doing, or correct such violation.

At 12:01 a.m. January 1, 2005 this plan terminates.

Brackenridge Plan Modification

The Brackenridge Urban Renewal Plan is modified by striking in its entirety Section C.2.c. of Part A of the Brackenridge Urban Renewal Plan and substituting in its place a new Section C.2.c. of Part A as follows:

d. Duration of Controls.

All regulations restricting land use and the General and Special Regulations and Restrictions provided for in this Plan shall become effective immediately upon the filing of this Plan for record in the Deed Records of Travis County, Texas.

All land use restrictions and the General and Special Regulations and Restrictions, heretofore enumerated shall be construed as covenants running with the land and shall be fully binding upon all persons and others owning or acquiring property in the Brackenridge Urban Renewal Area, whether by descent, devise, purchase or otherwise; and any person or others by the acceptance or retention of title to any tract, parcel or lot within the Project Area shall thereby agree and covenant to abide by and fully perform all regulations and covenants herein.

If any person or persons shall violate or attempt to violate any of the General Regulations and Restrictions set forth in Section C.2.b.(1) hereof, it shall be lawful for any other person or persons owning any property within the Brackenridge Project, or the Urban Renewal Agency of the City of Austin or its successor, or the City of Austin, or, in the case of the non-discrimination Restriction, the United States of America, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate the General Regulations and Restrictions, to prevent him or them from so doing, or to correct such violation.

If any person or persons shall violate or attempt to violate any of the Special Regulations and Restrictions established herein

for Specified Districts, it shall be lawful for the Urban Renewal Agency of the City of Austin or its successor, or any person or persons owning any property within the District in which such violation is existing or threatened, and which latter persons are bound by the same restrictions being violated or threatened with violation, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Special Regulations and Restrictions, to prevent the person or persons from so doing, or correct such violation.

At 12:01 a.m. January 1, 2005 this plan terminates.

Glen Oaks Plan Modification

The Glen Oaks Urban Renewal Plan is modified by striking in its entirety Section C.2.c. of Part A of the Glen Oaks Urban Renewal Plan and substituting in its place a new Section C.2.c. of Part A as follows:

e. Duration and Enforcement of Regulations and Restrictions.

All regulations restricting land use and the General and Special Regulations and Restrictions provided for in this Plan shall become effective immediately upon the filing of this Plan for record in the Deed Records of Travis County, Texas.

All land use restrictions and the General and Special Regulations and Restrictions, heretofore enumerated shall be construed as covenants running with the land and shall be fully binding upon all persons and others owning or acquiring property in the Glen Oaks Urban Renewal Area, whether by descent, devise, purchase or otherwise; and any person or others by the acceptance or retention of title to any tract, parcel or lot within the Project Area shall thereby agree and covenant to abide by and fully perform all regulations and covenants herein.

If any person or persons shall violate or attempt to violate any of the General Regulations and Restrictions set forth in Section C.2.b.(1) hereof, it shall be lawful for any other person or persons owning any property within the Glen Oaks Project, or the Urban Renewal Agency of the City of Austin or its successor, or the City of Austin, or, in the case of General Restriction No. (d)(non-discrimination), the United States of America, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate the General Regulations and Restrictions, to prevent him or them from so doing, or to correct such violation.

If any person or persons shall violate or attempt to violate any of the Special Regulations and Restrictions established herein for specified Districts, it shall be lawful for the Urban Renewal Agency of the City of Austin or its successor, or any person or persons owning any property within the District in which such violation is existing or threatened, and which latter persons are bound by the same restrictions being violated or threatened with violation, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such Special Regulations and Restrictions, to prevent the person or persons from so doing, or correct such violation.

At 12:01 a.m. January 1, 2005 this plan terminates.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2005 Feb 17 01:31 PM 2005026873

FERGUSONL \$32.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

AFTER RECORDING RETURN TO:

City of Austin
Law Department
City Hall Building
Attn: James M. Williams, Sr.
P.O. Box 1088
Austin, Texas 78767-8865

PREPARED IN THE LAW OFFICE OF:

City of Austin
Law Department

APPROVED AS TO FORM:

James M. Williams, Sr.
Assistant City Attorney
Texas State Bar No. 2154950