

STREET OR ALLEY ABANDONMENT APPLICATION

Updated: October, 2019



CONTACT INFORMATION

Applicant's Name	Ben Williams	Property Owner	Milan Malkani
Company	Kimley-Horn	Company	SM Block 21, LLC
Applicant's Mailing Address	2600 Via Fortuna, Terrace I, Suite 300, Austin, TX 78746	Owner's Mailing Address	2100 Seven Wins, Austin, TX 78733
Applicant's Phone #	(737) 241-9084	Owner's Phone #	(512) 633-4512
Applicant's Email	ben.williams@kimley-horn.com	Owner's Email	milanmalkani@gmail.com

PROPERTY INFORMATION

Address(es) of Proposed Abandonment: _____
 301 North C.M. Allen Parkway; 420 University Drive

Legal Description: Lot 2-8 Block 21 Subdivision Original Town of San Marcos

NOTE: Alleys and Streets will be abandoned only in whole segments (between intersecting streets or terminus)

Type of Abandonment

- Alley:** Length: 82.93' Width: 16.67'
 (No Appraisal Required)
- Street:** Length: _____ Width: _____
 (Appraisal Required)

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$1,057 Technology Fee \$13 TOTAL COST \$1,070

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

October 21, 2020

City of San Marcos
Planning & Development Services
630 East Hopkins
San Marcos, Texas 78666

RE: *Letter of Consent to Alley Abandonment*

To Whom It May Concern:

Please accept this letter as my consent to abandon the alley abutting Lots 3, 4, and 5 of Block 21, Original Town of San Marcos, as the sole owner of these lots. A portion of this alley was abandoned at an earlier date (260/733), and this will complete the abandonment up to its intersection with University Drive.

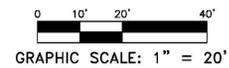
Please contact me at (512) 633-4512 or milanmalkani@gmail.com should you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Milan Malkani", with a horizontal line underneath.

Milan Malkani
SM Block 21, LLC

UNIVERSITY DRIVE



- LEGEND**
- IRON PIPE FOUND
 - IRON ROD FOUND
 - IRON ROD SET
 - MAG NAIL FOUND
 - CALCULATED POINT
 - CONCRETE MONUMENT
 - ▲ FIRE HYDRANT
 - ▲ WATER METER
 - ▲ WATER VALVE
 - ▲ POWER POLE
 - ▲ WOOD FENCE
 - ▲ CHAIN LINK FENCE
 - ▲ WIRE FENCE
 - ▲ OVERHEAD ELEC. LINE
 - ▲ DOWN GUY
 - P.U.E. PUBLIC UTILITY EASEMENT
 - D.E. DRAINAGE ESM.
 - B.L. BUILDING LINE
 - (BRG.-DIST.) RECORD CALL
 - GAS METER
 - TELEPHONE PEDESTAL
 - CONTROL POINT
 - UNDERGR. UTILITY MARKER SIGN
 - UNDERGR. UTIL. TEST STA.
 - SIGN POST
 - SANITARY SEWER MANHOLE
 - LIGHT POLE
 - CLEANOUT
 - CABLE PEDESTAL
 - GAS VALVE
 - ELECTRIC METER
 - ELECTRIC GROUND
 - STORM SEWER MANHOLE
 - ELECTRIC TRANSFORMER
 - TRAFFIC SIGNAL BOX
 - OFFICIAL PUBLIC RECORDS HAYS COUNTY TEXAS

NOTES:

- 1) ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48209C0389F AND 48209C0393, DATED SEPTEMBER 02, 2005, THIS LOT IS LOCATED IN ZONE "X", WHICH IS AN AREA OUTSIDE THE 100-YEAR FLOODPLAIN.
- 2) BEARING BASIS DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES & NAD83.

NOTES:

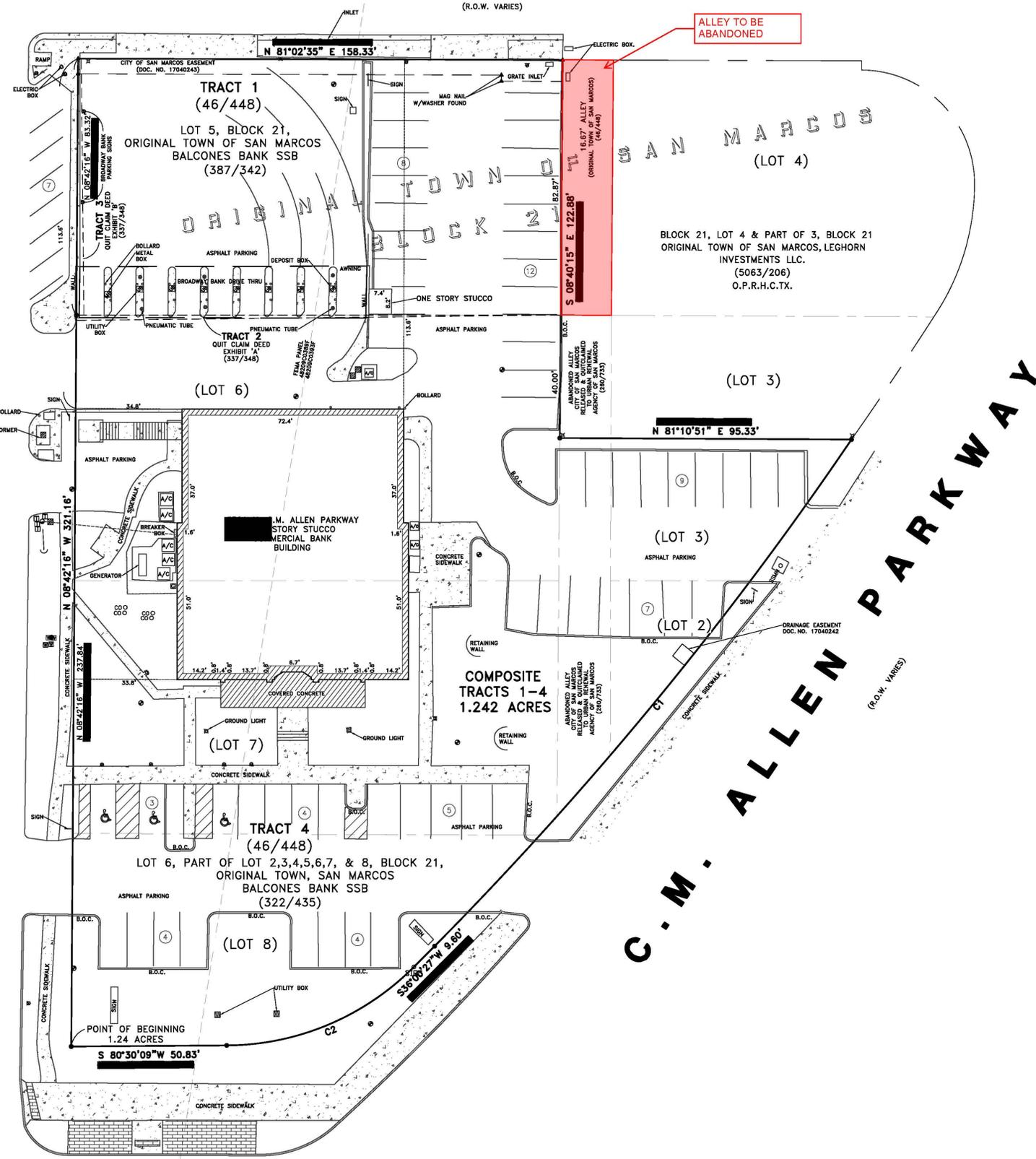
ACCORDING TO THE SCHEDULE B OF THE COMMITMENT FOR TITLE, OF # 18-1631-C, EFFECTIVE JULY 20, 2018 BY FIRST AMERICAN TITLE INSURANCE COMPANY, THE PROPERTY IS SUBJECT TO THE FOLLOWING:

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION):
- F. EASEMENT GRANTED TO THE CITY OF SAN MARCOS, TEXAS, BY BROADWAY BANK, SSB, RECORDED IN DOCUMENT NO. 17040242, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (PORTION OF TRACT 4) (SHOWN HEREON)
- G. EASEMENT GRANTED TO THE CITY OF SAN MARCOS, TEXAS, BY BROADWAY BANK, SSB, RECORDED IN DOCUMENT NO. 17040243, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (TRACT 1) (SHOWN HEREON)

PARKING TABLE	
STANDARD PARKING	60
HANDICAP PARKING	3

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	214.07'	1168.39'	10°29'52"	S 30°28'32" W	213.77'
	(214.32')	(1168.39')		(S30°28'W)	(214.00')
C2	67.80'	67.00'	44°45'00"	S 58°14'20" W	66.24'
	(67.80')	(67.00')		(S58°07'W)	(66.10')

MOON STREET (R.O.W. VARIES)



ALTA/ACSM LAND TITLE SURVEY OF:

TRACT 1: LOT 5, BLOCK 21, ORIGINAL TOWN OF SAN MARCOS, HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 46, PAGE 448, DEED RECORDS OF HAYS COUNTY, TEXAS.

TRACT 2: BEING A PORTION OF LOT 6, BLOCK 21, ORIGINAL TOWN OF SAN MARCOS, HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 46, PAGE 448, DEED RECORDS OF HAYS COUNTY, TEXAS, BEING THE SAME PROPERTY DESCRIBED IN EXHIBIT "A" OF THE DEED RECORDED IN VOLUME 387, PAGE 348, DEED RECORDS OF HAYS COUNTY, TEXAS.

TRACT 3: BEING A 0.003 OF AN ACRE PARCEL, MORE OR LESS, BEING AN OVERLAP BETWEEN THE APPARENT WEST LINE OF LOT 5, BLOCK 21, ORIGINAL TOWN OF SAN MARCOS, HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 46, PAGE 448, DEED RECORDS OF HAYS COUNTY, TEXAS, AND THE APPARENT EAST LINE OF MOON STREET, BEING THE SAME PROPERTY DESCRIBED IN EXHIBIT "B" OF THE DEED RECORDED IN VOLUME 387, PAGE 348, DEED RECORDS OF HAYS COUNTY, TEXAS.

TRACT 4: BEING A PORTION OF LOT 6, AND A PORTION OF LOTS 2, 3, 7 AND 8, AND AN ABANDONED ALLEY, ALL IN BLOCK 21, ORIGINAL TOWN OF SAN MARCOS, ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 46, PAGE 448, DEED RECORDS OF HAYS COUNTY, TEXAS, BEING THE SAME PROPERTY CONVEYED BY DEED RECORDED IN VOLUME 322, PAGE 435, DEED RECORDS OF HAYS COUNTY, TEXAS.

COMPOSITE METES & BOUNDS DESCRIPTION

BEING A 1.242 ACRE TRACT OF LAND SITUATED IN BLOCK 21 OF THE ORIGINAL TOWN OF SAN MARCOS, HAYS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 46, PAGE 448, HAYS COUNTY DEED RECORDS, SAME BEING A PORTION OF LOTS 2, 3, 4, 6, 7 & 8 AND A PORTION OF AN ABANDONED ALLEY (0.94 ACRES) AS CONVEYED TO BALCONES SAVINGS ASSOCIATION BY DEED RECORDED IN VOLUME 322, PAGE 435, HAYS COUNTY DEED RECORDS, AND BEING ALL OF LOT 5 CONVEYED TO SAID BALCONES SAVINGS ASSOCIATION BY DEED RECORDED IN VOLUME 387, PAGE 342, DEED RECORDS OF HAYS COUNTY, TEXAS, AND ALSO CONTAINING THOSE CERTAIN TRACTS OF LAND DESCRIBED AS EXHIBITS 'A' & 'B' IN A QUITCLAIM DEED UNTO BALCONES SAVINGS ASSOCIATION RECORDED IN VOLUME 337, PAGE 348, HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND AT THE SOUTHERLY SOUTHWEST CORNER OF SAID BALCONES SAVINGS ASSOCIATION CALLED 0.94 ACRE TRACT, FOR THE SOUTHERLY SOUTHWEST CORNER OF THE HEREIN DESCRIBED 0.242 ACRE TRACT, SAME BEING AT THE INTERSECTION OF THE NORTH LINE OF EAST HUTCHISON STREET, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, WITH EAST LINE OF MOON STREET, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY;

THENCE NORTH 08°42'16" WEST (N 08°46'00" W RECORD), WITH THE EAST LINE OF SAID MOON STREET, AT A DISTANCE OF 237.84 FEET (237.89' RECORD), PASSING THE NORTHWEST CORNER OF SAID BALCONES SAVINGS ASSOCIATION CALLED 0.94 ACRE TRACT AND THE COMMON SOUTHWEST CORNER OF THE ABOVE-MENTIONED BALCONES SAVINGS ASSOCIATION LOT 5, AND CONTINUING ON FOR A TOTAL DISTANCE OF 321.1 FEET (RECORDED TO A MAG NAIL WITH WASHER FOUND FOR CORNER AT THE INTERSECTION OF THE EAST LINE OF SAID MOON STREET WITH THE SOUTH LINE OF UNIVERSITY DRIVE, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, SAME BEING AT THE NORTHWEST CORNER OF SAID BALCONES SAVINGS ASSOCIATION LOT 5, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED 1.242 ACRE TRACT;

THENCE NORTH 81°02'35" EAST (N 80°50'00" E RECORD), ALONG THE SOUTH LINE OF SAID UNIVERSITY DRIVE AND THE COMMON NORTH LINE OF SAID BLOCK 21, A DISTANCE OF 181.23 FEET (158.48' RECORD) TO A MAG NAIL WITH WASHER FOUND FOR CORNER AT THE NORTHEAST CORNER OF SAID BALCONES SAVINGS ASSOCIATION LOT 5, FOR THE NORTHERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED 1.242 ACRE TRACT, SAME BEING IN THE WEST LINE OF A 16.67 FOOT ALLEY AS SHOWN BY SAID PLAT OF THE ORIGINAL TOWN OF SAN MARCOS, RECORDED IN VOLUME 46, PAGE 448, DEED RECORDS OF HAYS COUNTY, TEXAS;

THENCE SOUTH 08°40'15" EAST (S 08°43'56" E RECORD), WITH THE WEST LINE OF SAID ALLEY, AT A DISTANCE OF 82.87 FEET (83.32' RECORD) PASSING THE SOUTHWEST CORNER OF SAID BALCONES SAVINGS ASSOCIATION LOT 5 AND THE COMMON NORTHERLY NORTHEAST CORNER OF THE AFORESAID BALCONES SAVINGS ASSOCIATION CALLED 0.94 ACRE TRACT, SAME BEING AT THE COMMON WESTERLY NORTHWEST CORNER OF THAT CERTAIN CALLED 0.31 ACRE TRACT OF LAND CONVEYED TO LEGHORN INVESTMENTS, LLC BY DEED RECORDED IN VOLUME 5063, PAGE 208, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND BEING AT THE COMMON NORTHWEST CORNER OF THAT PORTION OF SAID ALLEY "RELEASED AND QUITCLAIMED" UNTO THE URBAN RENEWAL AGENCY OF THE CITY OF SAN MARCOS BY INSTRUMENT RECORDED IN VOLUME 260, PAGE 735, HAYS COUNTY DEED RECORDS, AND CONTINUING ON FOR A TOTAL DISTANCE OF 122.87 FEET (123.32' RECORD) TO A 1/2" IRON ROD WITH CAP FOUND AT THE WESTERLY SOUTHWEST CORNER OF SAID LEGHORN INVESTMENTS CALLED 0.31 ACRE TRACT, SAME BEING AT AN INTERIOR CORNER OF SAID BALCONES SAVINGS ASSOCIATION CALLED 0.94 ACRE TRACT, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED 1.242 ACRE TRACT;

THENCE NORTH 81°10'51" EAST (N 81°08'00" E RECORD), ALONG AND WITH THE COMMON LINE OF SAID BALCONES SAVINGS ASSOCIATION CALLED 0.94 ACRE TRACT AND SAID LEGHORN INVESTMENTS CALLED 0.31 ACRE TRACT, DISTANCE OF 98.33 FEET (95.29' RECORD) TO A 1/2" IRON ROD WITH ALUMINUM CAP FOUND AT THE SOUTHERLY SOUTHWEST CORNER OF SAID LEGHORN INVESTMENTS CALLED 0.31 ACRE TRACT, SAME BEING AT THE MOST EASTERLY NORTHEAST CORNER OF SAID BALCONES SAVINGS ASSOCIATION CALLED 0.94 ACRE TRACT, FOR THE MOST EASTERLY NORTHEAST CORNER OF THE HEREIN DESCRIBED 1.242 ACRE TRACT, AND BEING IN THE NORTHWEST LINE OF C.M. ALLEN PARKWAY, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY, AND ALSO BEING IN THE ARC OF A CURVE TO THE RIGHT;

THENCE ALONG AND WITH THE NORTHWEST LINE OF SAID C.M. ALLEN PARKWAY AND THE COMMON SOUTHWEST LINE OF SAID BALCONES SAVINGS ASSOCIATION CALLED 0.94 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES NUMBERED (1) THROUGH (4):

- 1) SOUTHWESTERLY, A DISTANCE OF 214.07 FEET (214.32' RECORD) ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1168.39 FEET (RECORDED), A DELTA ANGLE OF 10°29'52" AND A CHORD WHICH BEARS SOUTH 30°28'32" WEST (S 30°28' W RECORD), A DISTANCE OF 213.77 FEET (214.00' RECORD) TO A 1/2" IRON ROD WITH AN ALUMINUM CAP FOUND AT THE END OF SAID CURVE FOR A CORNER;
- 2) SOUTH 38°00'27" WEST (S 35°56'00" W RECORD), A DISTANCE OF 9.60 FEET (RECORDED) TO A 1/2" IRON ROD WITH CAP MARKED "RPLS5687" SET FOR CORNER AT THE BEGINNING OF THE ARC OF A SECOND CURVE TO THE RIGHT;
- 3) SOUTHWESTERLY, A DISTANCE OF 67.85 FEET (67.80' RECORD) ALONG THE ARC OF SAID SECOND CURVE TO THE RIGHT, HAVING A RADIUS OF 67.00 FEET (RECORDED), A DELTA ANGLE OF 44°45'00" AND A CHORD WHICH BEARS SOUTH 58°14'20" WEST (S 58°07' W RECORD), A DISTANCE OF 66.24 FEET (66.10' RECORD) TO A 1/2" IRON ROD FOUND AT THE END OF SAID CURVE FOR A CORNER;
- 4) SOUTH 80°30'09" WEST (S 80°24'00" W RECORD), A DISTANCE OF 50.83 FEET (50.88' RECORD) TO THE POINT OF BEGINNING AND CONTAINING .242 ACRES OF LAND.

BEARING BASIS HEREIN DERIVED BY GPS MEASUREMENTS ADJUSTED BY HARN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE COORDINATES (TEXAS SOUTH CENTRAL ZONE) & NAD 83.

TO:

PURCHASER: CARSON DIVERSIFIED GP, LLC
 LENDER: TBD
 TITLE CO: FIRST AMERICAN TITLE INSURANCE COMPANY
 GF NO: 18-1631-C
 ADDRESS: 301 N. C.M. ALLEN PARKWAY, SAN MARCOS, TX.

SURVEYORS CERTIFICATION:

CARSON DIVERSIFIED GP, LLC, AND ITS AFFILIATES; FIRST AMERICAN TITLE GUARANTY COMPANY; (GF NO. 18-1631-C);

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND INCLUDES ITEMS 1, 3, 4, 5, 7(9)(1), 8, 9, 11, 13, OF TABLE A THEREOF. THE FIELDWORK COMPLETED ON 08/27/18.

Richard H. Taylor
 RICHARD H. TAYLOR, RPLS
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NUMBER 3986 STATE OF TEXAS

DATE: 09/14/18

© ASH & ASSOCIATES, L.L.C.

NO.	REVISION	DATE
1	AMENDED DESCRIPTION	09/14/18
2	FEES COMMENTS	MAM 9/13/18

REVISIONS

ASH & ASSOCIATES
 SURVEYING & ENGINEERING
 142 JACKSON LANE
 SAN MARCOS, TEXAS 78666
 SURVEYING: 10047-00
 ENGINEERING: F-13483
 (512) 392-1719
 FAX (512) 392-1928
 ashandassociates.net
 SERVING THE COMMUNITY OF TEXAS

DRAWING INFORMATION

DESIGNED BY: JB DATE: 08-06-18
 DRAWN BY: MAM PROJECT NO: 18-6919
 APPROVED BY: RHT
 FILE NAME: LOT 5 BLK 21
 PLOT SCALE: 1" = 20'

ALTA/ACSM LAND TITLE SURVEY
 LOT 5, BLK 21, PARTS OF LOTS 2, 3, 6, 7, 8
 ORIGINAL TOWN OF SAN MARCOS
 HAYS COUNTY TEXAS
 301 N. C.M. ALLEN PARKWAY, SAN MARCOS TX 78666

DRAWING
 SHEET: 1
 OF 1