



Travis County Commissioners Court Agenda Request

Meeting Date: December 20, 2011

Prepared By: Paul Scoggins **Phone #:** 854-7619

Division Director/Manager: Anna Bowlin, Division Director of Development Services

Department Head: Steven M. Manilla, P.E., County Executive-TNR

Sponsoring Court Member: Commissioner Huber, Precinct Three

AGENDA LANGUAGE: Consider and take appropriate action on a request to authorize the filing of an instrument to vacate two five foot wide drainage easements located along the north and south lot lines of Lot 7, Block 48 of Austin Lake Hills, Section Three – Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

TNR staff has received a request to vacate two five foot wide drainage easements (DEs) located along the north and south lot lines of Lot 7, Block 49 of Austin Lake Hills, Section Three. The easements are dedicated per plat note as public utility and drainage easements. The subject lot fronts on a section of Lipan Trail that is maintained by Travis County.

Professional engineer Kimberle Geary has stated, and sealed, that:

"This letter is to certify that by vacating the drainage easements, as described on the enclosed survey and Exhibit A (metes and bounds description), no adverse or harmful events could occur. The drainage easements were written into the plat notes and have never been in use. Storm water flows to the drainage ditches along the streets."

After review of the submitted request and recommendation, Travis County engineer John Ellis has stated he has no objections to this vacation request. Staff foresees no opposition to this request.

STAFF RECOMMENDATIONS:

As of this memo staff has not received any inquiries in regards to this vacation request. The request has been reviewed by TNR staff and staff finds the vacation requests meets all Travis County standards. As such, TNR staff recommends the vacation.

ISSUES AND OPPORTUNITIES:

The purpose of this request is to allow a replacement septic system be installed. The current system has failed. Vacating the subject easements will allow the new system be installed without encroaching into septic setbacks per septic regulations.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A.

ATTACHMENTS/EXHIBITS:

- Order of Vacation
- Field Notes and Sketch
- Request Letter
- Utility Statements
- Sign Affidavit and Pictures
- Maps

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Anna Bowlin	Division Director	Development Services	854-7561

CC:

Stacey Scheffel	Program Manager	TNR Permits	854-7565

SM:AB:ps

1101 - Development Services - Austin Lake Hills, Section Three

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owner requests the vacation of two five foot wide drainage easements located along the north and south lot lines of Lot 7, Block 48 of Austin Lake Hills, Section Three as recorded at Book 13, Page 36 of the Real Property Records of Travis County, Texas;

WHEREAS, an independent Professional Engineer has submitted a sealed letter recommending the vacation of the subject drainage easements;

WHEREAS, a Travis County Engineer has stated that there is no objection to the vacation of the drainage easements as described in the attached field notes and sketch;

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of the subject drainage easements as described in the attached field notes and sketch;

WHEREAS, the required public notice was posted and the Travis County Commissioners Court held a public hearing on December 20, 2011 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the two five foot wide drainage easements located along the north and south lot lines of Lot 7, Block 48 of Austin Lake Hills, Section Three, as shown on the attached sketch and described in the attached field notes, are hereby vacated.

ORDERED THIS THE _____ DAY OF _____ 2011.

SAMUEL T. BISCOE, COUNTY JUDGE

COMMISSIONER RON DAVIS
PRECINCT ONE

COMMISSIONER SARAH ECKHARDT
PRECINCT TWO

COMMISSIONER KAREN HUBER
PRECINCT THREE

COMMISSIONER MARGARET GOMEZ
PRECINCT FOUR

CRICHTON AND ASSOCIATES, INC.
LAND SURVEYORS
6448 HIGHWAY 290 EAST
SUITE B-105
AUSTIN, TX 78723
512-244-3395 - PHONE
512-244-9508 - FAX

EXHIBIT "A"
TWO 572 SQUARE FOOT
EASEMENT VACATIONS

FIELD NOTES

FIELD NOTES FOR TWO TRACTS

**TRACT 1 BEING 572 SQUARE FEET OUT OF A 5' DRAINAGE
EASEMENT BOTH SHOWN ON LOT 7, BLOCK 48 AUSTIN LAKE
HILLS SEC. III A SUBDIVISION RECORDED IN PLAT BOOK 13 PG. 36
OF THE TRAVIS COUNTY, TEXAS PLAT RECORDS**

**TRACT 2 BEING 572 SQUARE FEET OUT OF A 5' DRAINAGE
EASEMENT**

**SAID TRACTS BEING MORE PARTICULARLY DESCRIBED BY
METES AND BOUNDS AS FOLLOWS:**

TRACT 1

BEGINNING at a point on the West R.O.W. of Lipan Trail being the East common corner of Lot 7 and Lot 6 Block 49 for the Northeast corner of said Lot 7 and the Northeast corner of this tract and the POINT OF BEGINNING.

THENCE S 61° 08' 00" W with the common line of said Lot 7 and Lot 6, 114.49 feet to a point for the Northwest corner of this tract.

THENCE through the interior of said Lot 7 the following two (2) courses:

- 1) S 28° 52' 00" E, 5.00 feet to a point on the common line of said Lot 7 and Lot 6 for the Southwest corner of this tract.
- 2) N 61° 08' 00" E, 114.49 feet to a point on the West R.O.W. of Lipan Trail for the Southeast corner of this tract.

THENCE N 28° 52' 00" W with the West R.O.W. of Lipan Trail, 5.00 feet to the POINT OF BEGINNING and containing 572 square feet more or less.

TRACT 2

BEGINNING at a point on the West R.O.W. of Lipan Trail being the East common corner of Lot 7 and Lot 8 Block 49 for the Southeast corner of said Lot 7 the Southeast corner of this and the POINT OF BEGINNING.

THENCE N 28° 52' 00" W with the West R.O.W. of Lipan Trail, 5.0 feet to a point for the Northeast corner of this tract.

THENCE through the interior of said Lot 7 the following two (2) courses:

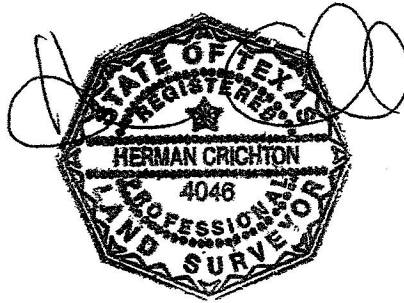
- 1) S 61° 08' 00" W, 114.49 feet to a point for the Northwest corner of this tract.
- 2) S 28° 52' 00" E, 5.00 feet to a point on the common line of said Lot 7 and 8 for the Southwest corner of this tract.

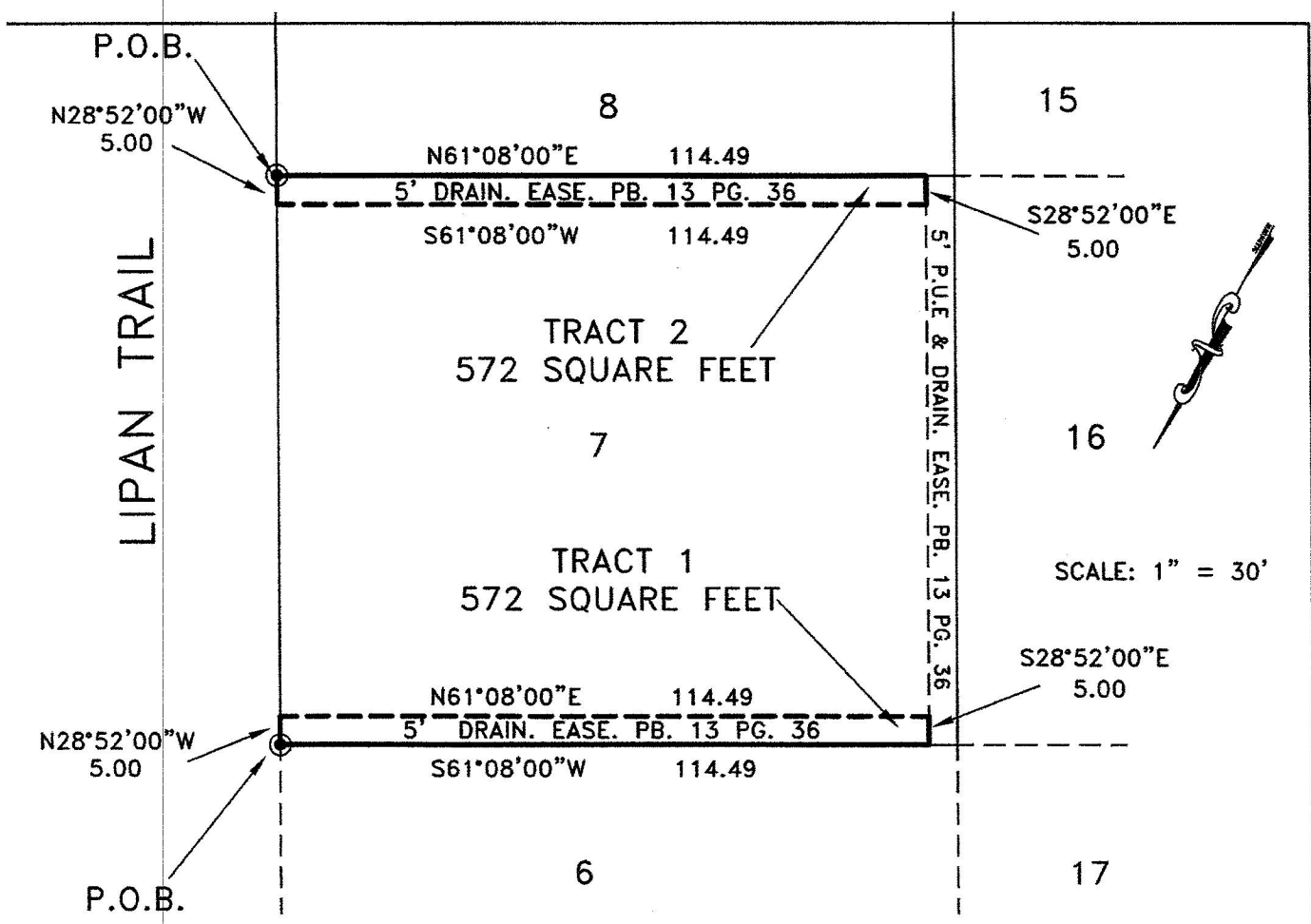
THENCE N 61° 08' 00" E with the common line of said Lot 7 and Lot 8, 114.49 feet to the POINT OF BEGINNING and containing 572 square feet more or less.

I hereby certify that the foregoing field notes were prepared from public records and does not represent a survey on the ground and are true and correct to the best of my knowledge and belief.

Witness my hand and seal June 17, 2009

Herman Crichton, R.P.L.S. 4046
11_406





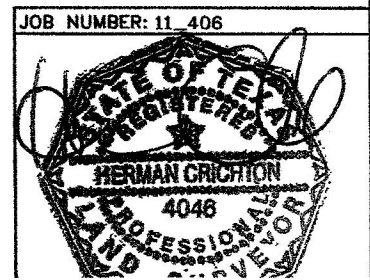
SKETCH TO ACCOMPANY FIELD NOTES FOR 2 TRACTS

TRACT 1 BEING 572 SQUARE FEET OUT OF A 5' DRAINAGE EASEMENT BOTH SHOWN ON LOT 7, BLOCK 48 AUSTIN LAKE HILLS SEC. III A SUBDIVISION RECORDED IN PLAT BOOK 13 PG. 36 OF THE TRAVIS COUNTY, TEXAS PLAT RECORDS.

TRACT 2 BEING 572 SQUARE FEET OUT OF A 5' DRAINAGE EASEMENT

CRICHTON
 AND ASSOCIATES INC.
 LAND SURVEYORS

6448 East Highway 290



Kim Geary, P.E.

Post Office Box 3034, Austin, Texas 78764
(512) 416-0217

October 31, 2011

Mr. Paul Scoggins
Travis County TNR
411 West 13th St.
P. O. Box 1748
Austin, Texas 78767

Re: Abandonment of Drainage Easements
1008 Lipan Trail
Austin, Tx 78733

Lot 7, Blk 48, Austin Lake Hills Sec. 3
Travis County

Dear Mr. Scoggins,

This letter is to certify that by vacating the drainage easements, as described on the enclosed survey and Exhibit A (metes and bounds description), no adverse or harmful events could occur. The drainage easements were written into the plat notes and have never been in use. Storm water flows to the drainage ditches along the streets. Please note that we are only asking for abandonment of drainage easements on Lot 7 or Tract 1 as described by the surveyor. This lot is owned by Judy Brunson.

Your expeditions review of this request is greatly appreciated. **The septic system has failed on Lot 7 and must be replaced. A replacement system cannot be installed until these easements are abandoned.**

Sincerely,

Kim Geary



Brunson Residence
1008 Lipan Trail
Austin, TX 78733

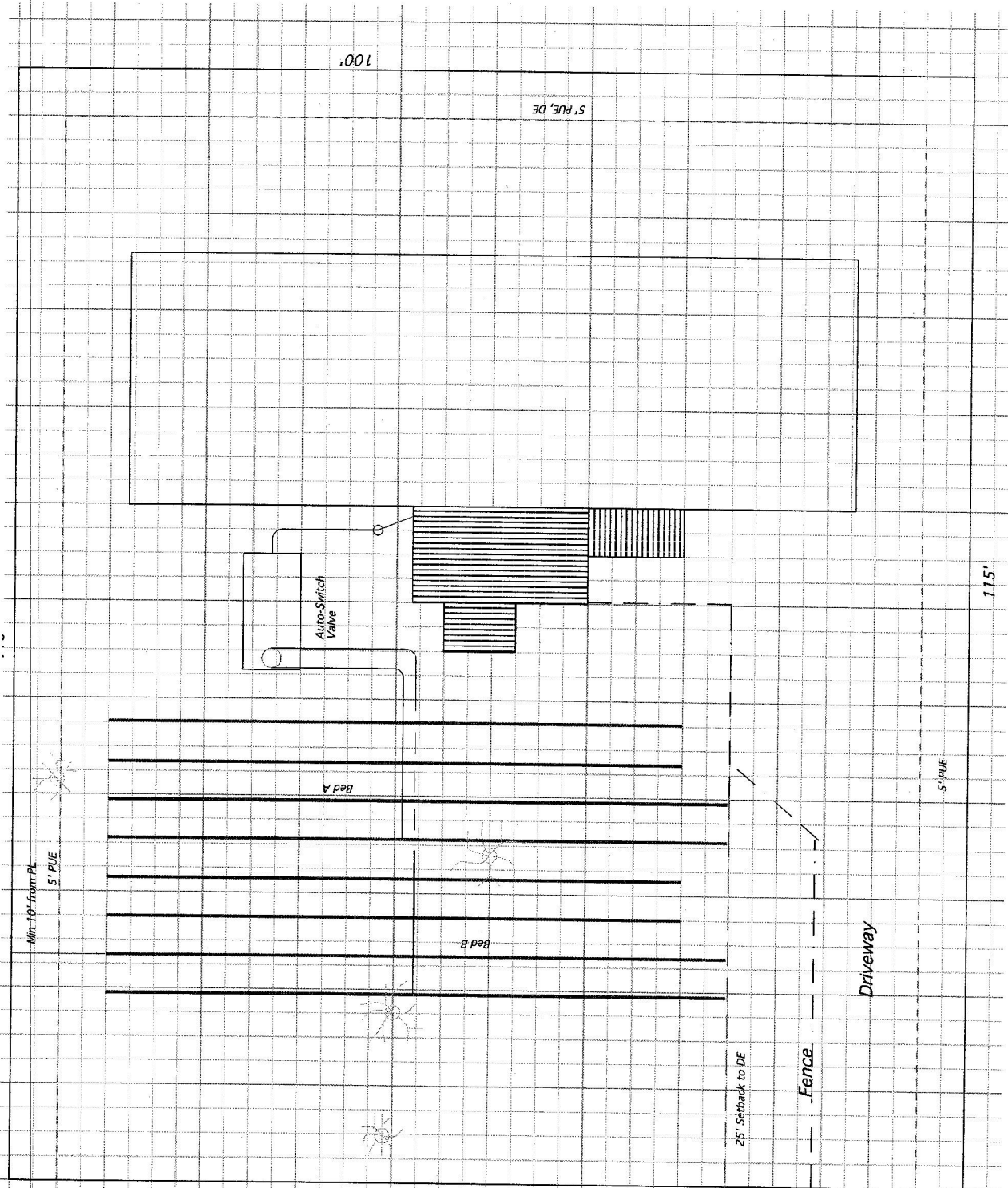
Lot 7, Blk 48, Austin Lake Hills Sec 3
Travis County

Kim Geary, P.E.
Post Office Box 3034
Austin, Texas 78764
512.416-0217

**Replacement OSSF
Low Pressure Dosed Trenches**

Contractor's Notes:

- 500 LF of LPD Trenches
- 1.1/4" Laterals, 2" Supply Lines
- 12" x 18" Deep, 10" - 12" Wide, 4' - 5' Centers
- Convert AquaSafe Tank to Septic & Pump Tank



NOV 29 2011

TNR



TRANSPORTATION AND NATURAL RESOURCES

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

AFFIDAVIT OF POSTING

TO: County Judge
County Commissioners
Travis County, Texas

A Public Notice of Vacation of two 5' wide drainage easements sign was posted on November 28, 2011, on the westerly side of Lipan Trail along the front lot line of Lot 7, Block 48 of Austin Lake Hills. Section Three at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 28 DAY OF November, 2011.

SIGNATURE: Jaime Garcia
NAME (PRINT): Jaime Garcia
TITLE: TNR/R&B Supervisor

cc: Garcia (sign shop)

M:\PERMITS\Vacate\11DE\04-LipanTrail\SignRequest-LipanTr.doc



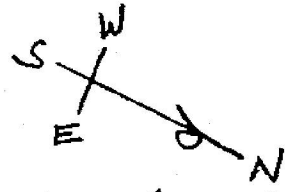
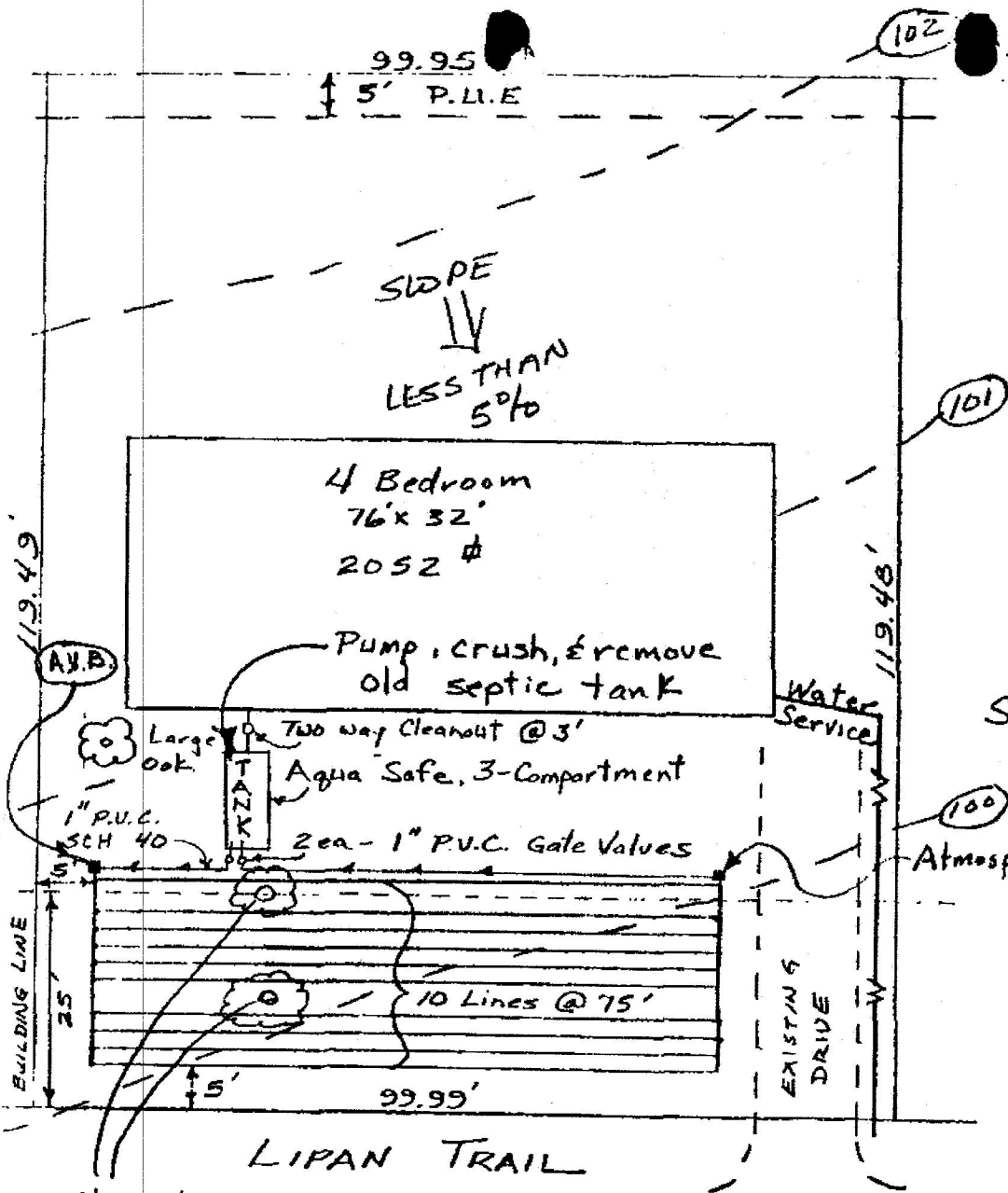
NOTICE OF PUBLIC HEARING

DECEMBER 20, 2011, AT 9:00 AM
DRAINAGE EASEMENT VACATION

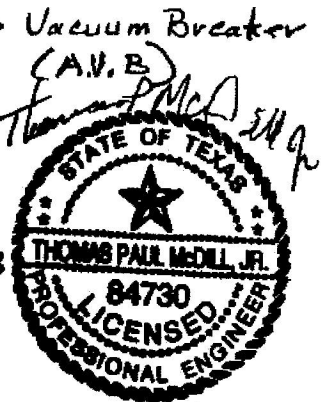
TO APPROVE THE VACATION OF THREE
5' WIDE DRAINAGE EASEMENTS LOCATED
ALONG THE SIDE AND REAR LOT LINES OF
LOT 7, BLOCK 48 OF AUSTIN LAKE HILLS,
SECTION THREE— A SUBDIVISION IN
PRECINCT THREE

A HEARING WILL BE HELD AT THE TRAVIS
COUNTY COMMISSIONERS COURTROOM
314 WEST 11TH STREET (FIRST FLOOR)
AUSTIN, TX

FOR MORE INFORMATION CALL 854-9383

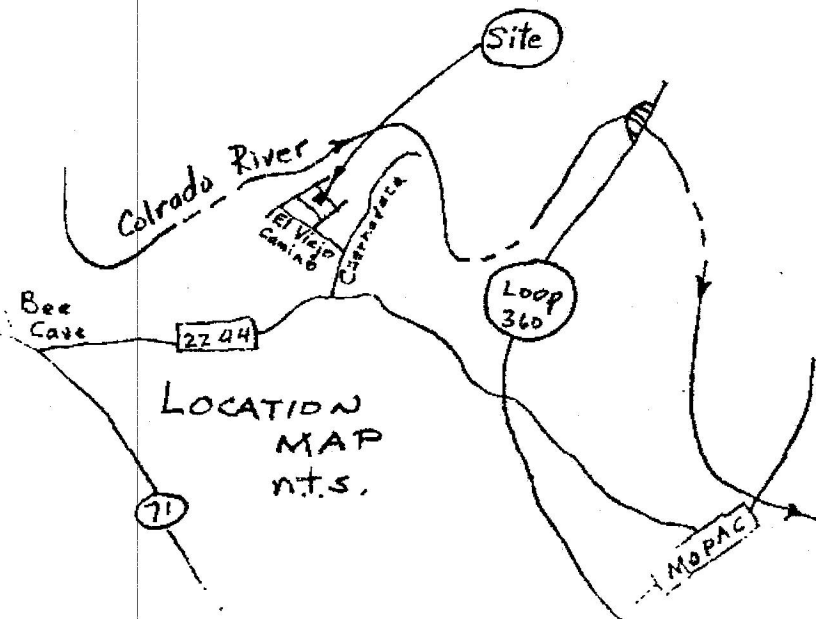


Scale: 1" = 20'



WORK LINES
AROUND EXISTING
OAK TREES

Note: No portion of the
Drip Line Field will
be within 10' of
a water line



BRUNSON - OSSF
4 BEDROOM - AEROBIC DRIP
1008 LIPAN TRAIL
MCDILL ENGINEERING
10706 INDIAN SCOUT
AUSTIN, TX 78736
(512) 283-2392



Address 1008 Lipan Trail
Austin, TX 78733

Notes Request to vacate to five foot wide drainage easements located along the north and south lot lines of Lot 7, Block 48 of Austin Lake Hills, Section Three - a subdivision in Precinct Three, Commissioner Karen Huber.





**NOTICE OF
PUBLIC HEARING**

DECEMBER 20, 2011 AT 9:00 AM
DRAINAGE EASEMENT VACATION

TO APPROVE THE VACATION OF THREE
5' WIDE DRAINAGE EASEMENTS LOCATED
ALONG THE SIDE AND REAR LOT LINES OF
LOT 7, BLOCK 48 OF AUSTIN LAKE HILLS
SECTION THREE - A SUBDIVISION IN
PRECINCT THREE

A HEARING WILL BE HELD AT THE TRAVIS
COUNTY COMMISSIONERS COURTROOM
314 WEST 11TH STREET, FIRST FLOOR
AUSTIN, TX

FOR MORE INFORMATION CALL 854-9383