



# Travis County Commissioners Court Agenda Request

**Meeting Date:** January 31, 2012

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

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

AB

A handwritten signature in black ink, appearing to read "Anna Bowlin".

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

**Sponsoring Court Member:** Commissioner Huber, Precinct Three

**AGENDA LANGUAGE:** Receive comments regarding a request to authorize the filing of an instrument to vacate a ten foot wide public utility easement located along the rear lot line of Lot 54, Block B of Barton Creek, Section H, Phase 2 – Precinct Three.

## **BACKGROUND/SUMMARY OF REQUEST:**

TNR staff has received a request to vacate a ten foot wide public utility easement (PUE) located along the rear lot line of Lot 54, Block B of Barton Creek Section H, Phase 2. The easement is schematically shown on the face of the plat and is more specifically described as an Electric Easement. The subject lot fronts on Calera Drive, a private street not maintained by Travis County.

The electric company operating in the area is Austin Energy. Austin Energy has stated they have no objection to vacating the subject easement. As of this memorandum staff has received one inquiry. Staff foresees no opposition to this request.

## **STAFF RECOMMENDATIONS:**

The request has been reviewed by TNR staff and staff finds the vacation request meets all Travis County standards. As such, TNR staff recommends vacating the subject easement.

## **ISSUES AND OPPORTUNITIES:**

According to the owner's representative, a plat amendment application is currently being processed to incorporate the rear portion of Lot 12, Block G of the Estates Above Lost Creek, a lot which abuts the rear lot line of Lot 54. If the amendment is approved, the property owner would like to make improvements to that particular area without encroaching on the subject easement.

## **FISCAL IMPACT AND SOURCE OF FUNDING:**

N/A.

**ATTACHMENTS/EXHIBITS:**

- Order of Vacation
- Field Notes and Sketch
- Request Letter
- Utility Statement
- 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 - Barton Creek, Section H, Phase 2**

**ORDER OF VACATION**

**STATE OF TEXAS**           §

**COUNTY OF TRAVIS**       §

WHEREAS, the property owner requests the vacation of a ten foot wide public utility easement, more specifically described as an electric easement, located along the rear lot line of Lot 54, Block B of Barton Creek Section H, Phase 2 as recorded in Document #200500026 of the Travis County Plat Records;

WHEREAS, the electric utility company (Austin Energy) known to be operating in the area has indicated that they have no need for the easement requested to be vacated as described in the attached field notes and sketch;

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of the easement 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 January 31, 2012 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the ten foot wide public utility easement, more specifically described as an electric easement, located along the rear lot line of Lot 54, Block B of Barton Creek Section H, Phase 2, as shown on the attached sketch and described in the attached field notes, is hereby vacated.

ORDERED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2012.

\_\_\_\_\_  
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



Professional Land Surveying, Inc.  
Surveying and Mapping

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

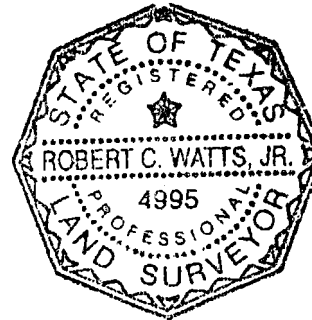
**EASEMENT RELEASE  
10' WIDE ELECTRIC EASEMENT  
CITY OF AUSTIN, TRAVIS COUNTY**

BEING ALL OF THAT 10' WIDE ELECTRIC OUT OF LOT 54, BLOCK B, BARTON CREEK SECTION H, PHASE 2, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200500026 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 54 CONVEYED TO JOSE C. AND INGRID P. VILLARREAL BY SPECIAL WARRANTY DEED DATED APRIL 7, 2006 IN DOCUMENT NO. 2006066321 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

Attachments: Survey Drawing 781-001-EV.

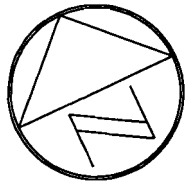
*Mut 5 6.23.11*

Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995

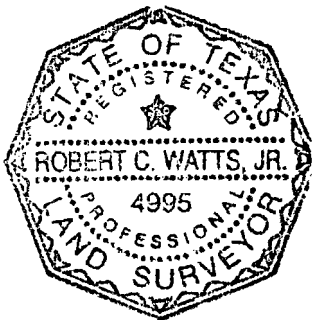


References:  
TCAD Parcel No. 0109400129  
COA Map Grid C-23

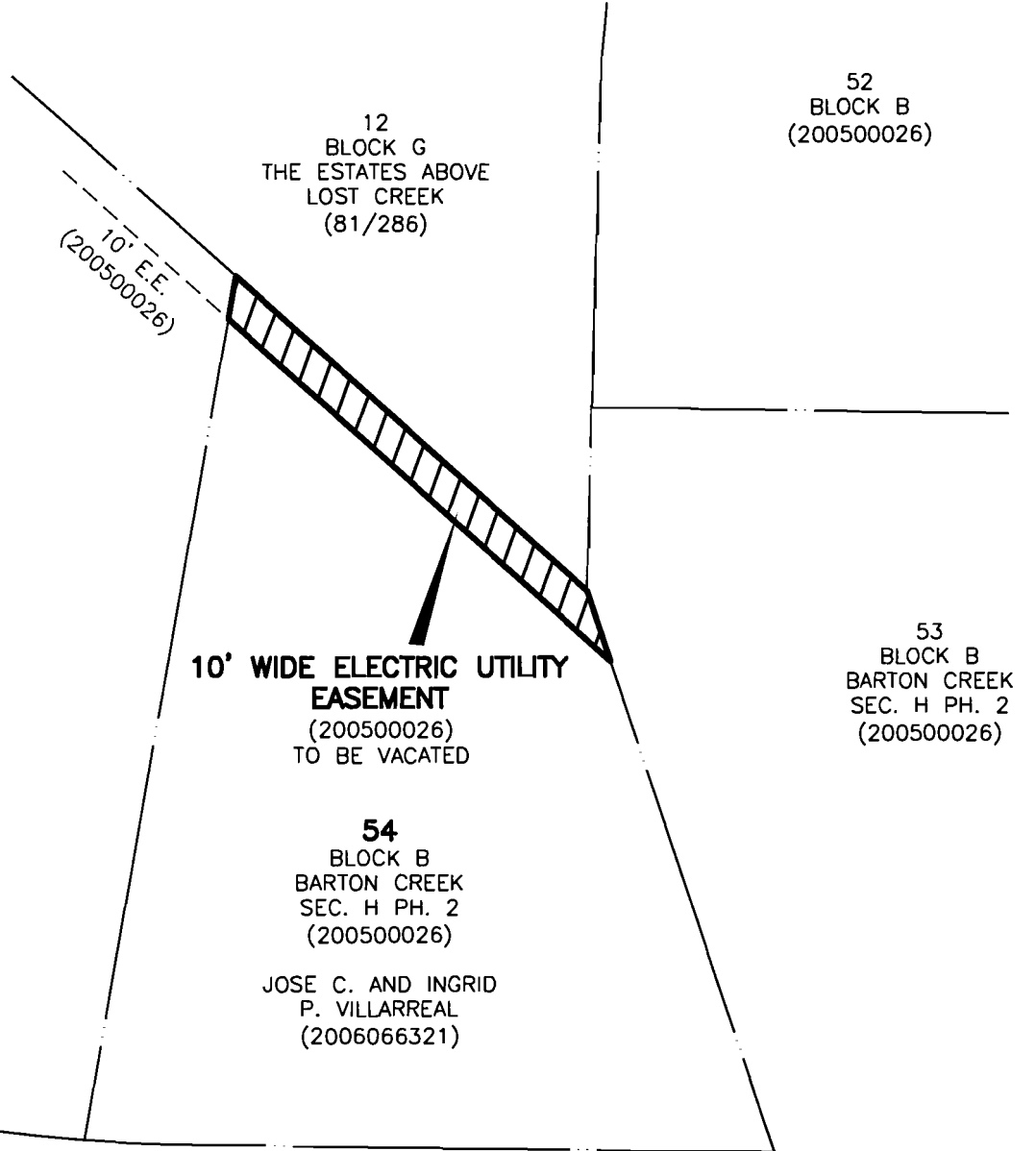
SKETCH TO ACCOMPANY A DESCRIPTION OF A 10' WIDE ELECTRIC EASEMENT OUT OF LOT 54, BLOCK B, BARTON CREEK SECTION H, PHASE 2, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200500026 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID LOT 54 CONVEYED TO JOSE C. AND INGRID P. VILLARREAL BY SPECIAL WARRANTY DEED DATED APRIL 7, 2006 IN DOCUMENT NO. 2006066321 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.



1" = 50'



*Mut w  
6.23.11*



DATE OF SURVEY: N/A  
 PLOT DATE: 6/23/11  
 DRAWING NO.: 781-001-EV  
 PROJECT NO.: 781-001  
 DRAWN BY: RCW

**CALERA DRIVE**  
 (60' PRIVATE STREET)  
 (P.U.E./D.E. 200500026)

**Chaparral**

MICHELE ROGERSON LYNCH  
Director of Land Use & Entitlements

(512) 961-8845  
mlynch@metcalfewilliams.com

July 5, 2011

Travis County  
Transportation and Natural Resources Department  
411 West 13<sup>th</sup> Street  
Austin, TX 78701  
via: Hand Delivery

Re: Easement Vacation Request for 8808 Calera Drive; Lot 54, Block B, Barton  
Creek Section H, Phase 2

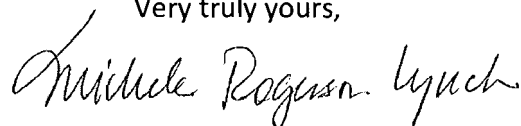
Dear Mr. Scoggins:

As representatives of the property owner of the above referenced Property, we respectfully submit this letter and easement release application. The subject property is located in the Barton Creek Section H, Phase 2 subdivision.

A plat amendment application is currently being processed by City of Austin to shift the rear property lot line of the subject property and legally incorporate a triangular portion of an adjacent lot (3806 Mission Creek Drive). The 10' wide electric easement currently runs along the back of the property line of the subject tract. Hence, we are requesting the easement to be released as the property owner may make improvements to the back of his lot in the future. According to Austin Energy, they do not have any underground equipment within this easement and they are in support of releasing the easement. Please see attached sign-off letter from Austin Energy.

If you have any questions about the easement release application or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this application.

Very truly yours,



Michele Rogerson Lynch  
512.961.8845

Enclosure

Cc: Jose Villarreal, WSC  
Steven Metcalfe, Firm



**TRANSPORTATION AND NATURAL RESOURCES**

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

411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4649

**EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY**

An application is being made to Travis County for the vacation of property at 8808 Calera Drive (address) and/or Lot 54, Block B, Barton Creek Section H, Phase 2 (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement. Your prompt reply is requested.

**STATEMENT**

We do not have need for an easement on the property as described in the accompanying document.

We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

*Robert K. Long Jr.*  
Signature

Robert K. Long Jr.  
Printed Name

Public Involvement/Real Estate Agent  
Title

Austin Energy/City of Austin  
Utility Company or District

6/23/11  
Date

Please return this completed form to:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City/State/Zip



*The Barton Creek Southwest Property Owners Association, Inc.*

December 2, 2011

Longaro & Clarke Consulting Engineers  
7501 North Capital of Texas Highway, Bld A, Ste 250  
Austin, TX 78731

Re: 8808 Calera Drive  
Lot 54, Block A, Section H-2  
Longaro & Clarke  
Utility Easement Vacation

Dear Joseph Longaro:

The Board of Directors of the Barton Creek Southwest POA (the Association encompassing Barton Creek, Section H, Phase 2) has received and reviewed the information requesting to vacate the electric easement located at 8808 Calera Drive. The Board has no issue with this easement vacation as long as the proper governmental entities have agreed and there is no cost to the Association.

Once the vacation is complete, please send a copy of the final paperwork for the Association's files.

Do not hesitate to contact me should you have any questions.

Sincerely,

Matt Moore  
Management Specialist  
Barton Creek Southwest ACC

Cc: The Board of Barton Creek Southwest,  
Jose and Ingrid Villarreal  
Nicole Castro, Metcalfe Williams, LLP



TNR



**TRANSPORTATION AND NATURAL RESOURCES**

*Steven M. Manilla, P.E., County Executive*  
411 West 15th 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 a 10' wide public utility easement sign was posted on January 9, 2012, on the north side of Calera Drive along the front lot line of Lot 54, Block B of Baton Creek, Section H, Phase 2 at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 10 DAY OF January, 2012.

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

cc: Garcia (sign shop)

M:\PERMITS\Vacate\12PUE\01-CaleraDr\SignRequest-Calera Drive.doc



# NOTICE OF PUBLIC HEARING


JANUARY 31, 2012, AT 9:00 AM

PUBLIC UTILITY EASEMENT VACATION

TO APPROVE THE VACATION OF A TEN  
FOOT PUBLIC UTILITY EASEMENT  
(ELECTRIC EASEMENT) LOCATED ALONG  
THE REAR LOT LINE OF LOT 54, BLOCK B  
OF BARTON CREEK, SECTION H, PHASE 2,  
A SUBDIVISION IN PRECINCT THREE

AT THE TRAVIS COUNTY  
COMMISSIONER'S COURTROOM  
314 WEST 11TH STREET  
(FIRST FLOOR), AUSTIN

FOR MORE INFORMATION CALL: 854-9383

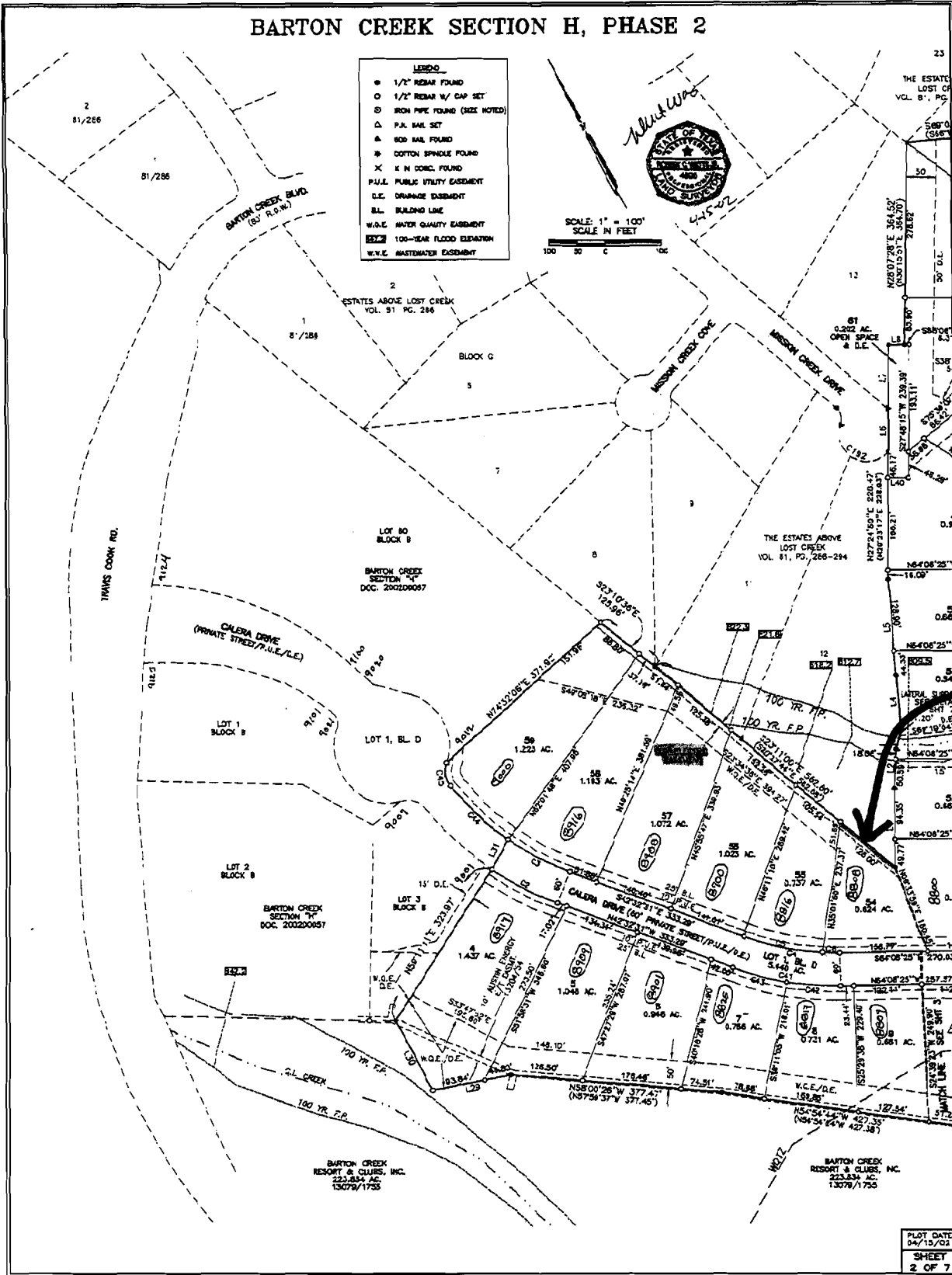
  
**NOTICE OF  
PUBLIC HEARING**  
JANUARY 11, 1984 AT 10:00 AM  
PUBLIC HEARING SESSION IN LAYTON  
IS OPENING TO THE PUBLIC AT 4:30  
P.M. FOR THE PURPOSE OF RECEIVING  
PUBLIC COMMENTS CONCERNING A PRO-  
POSED ZONING MAP AMENDMENT TO  
THE COUNTY ZONING MAP IN THE CITY  
OF BENTON, ARIZONA.  
AS THE PUBLIC COUNTY  
BOARD OF SUPERVISORS  
DOES NOT MEET  
FIRST FLOOR, AUDITORIUM  
FOR MORE INFORMATION CALL 324-3434

# BARTON CREEK SECTION H, PHASE 2

**LEGEND**

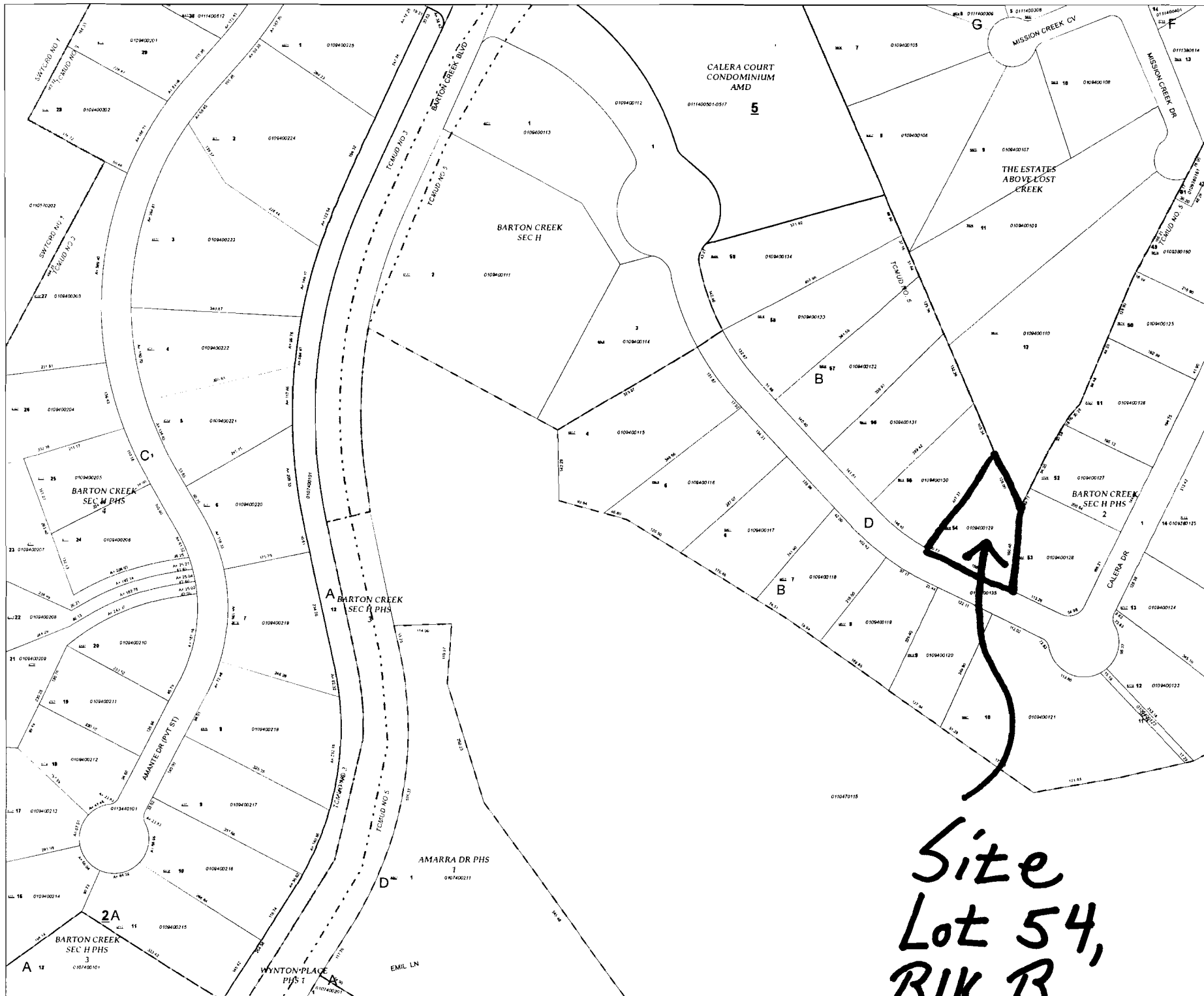
- 1/2" REBAR FOUND
- 1/2" REBAR W/ CAP SET
- ⊙ IRON PIPE FOUND (SIZE NOTED)
- △ P.A. NAIL SET
- ▲ 800 NAIL FOUND
- ⊕ COTTON SPINDLE FOUND
- × K IN CONC. FOUND
- P.U.L. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- B.L. BUILDING LINE
- W.Q.E. WATER QUALITY EASEMENT
- 100-YEAR FLOOD ELEVATION
- W.W.E. WASTEWATER EASEMENT

SCALE: 1" = 100'  
SCALE IN FEET



*Easement Location*

PLOT DATE: 04/15/03  
SHEET 2 OF 7



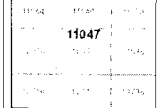
Site  
 Lot 54,  
 BIK B

**Travis Central Appraisal District**  
 P.O. Box 149012  
 Austin, Texas 78714  
 Internet Address: [www.traviscad.org](http://www.traviscad.org)  
 Main Telephone Number: (512) 834-9317  
 Appraisal Information: (512) 834-3328  
 TDD: (512) 836-3328

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NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet  
 Projection: Lambert\_Conformal\_Conic

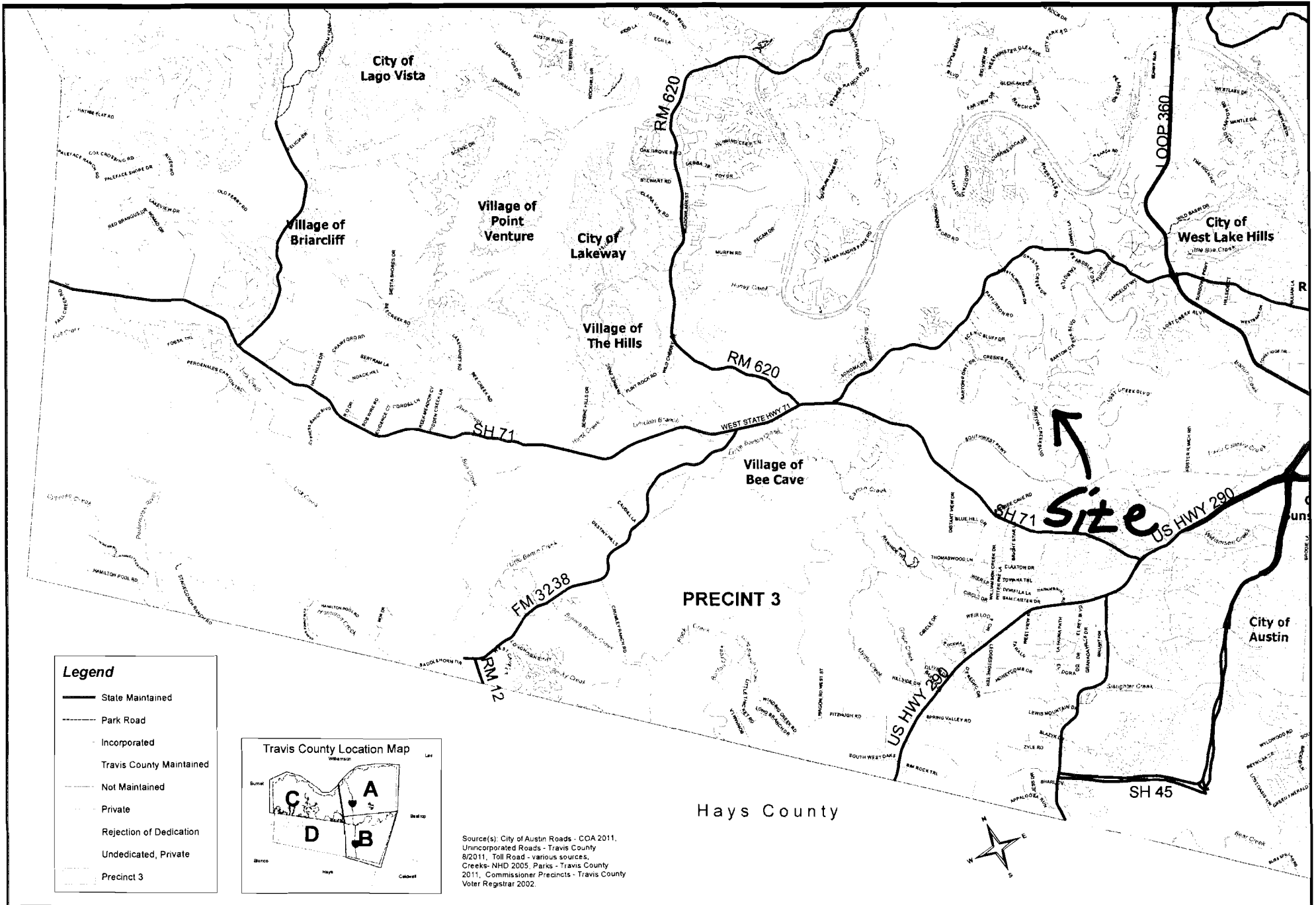
Ratio = 1:50 scale map  
 Thin = 1:50 scale map  
 Bold = 400 scale map



0 100 Feet

Revision Date  
 10/25/2007

**1 0940**



Map Disclaimer: The data is provided "as is" with no warranties of any kind

# Travis County Roadways, Map D

0 1 Miles



Map Prepared by Travis County, Dept. of Transportation & Natural Resources Date 8/9/2011