



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

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 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

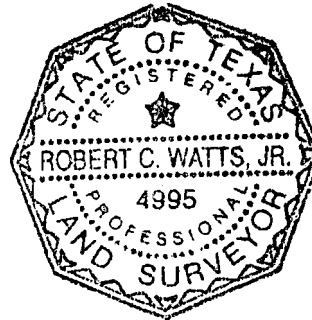
**EASEMENT RELEASE
10' WIDE ELECTRIC EASEMENT
CITY OF AUSTIN, TRAVIS COUNTY**

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.

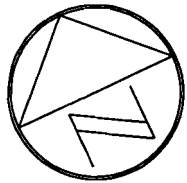
Mut 5 6.23.11

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

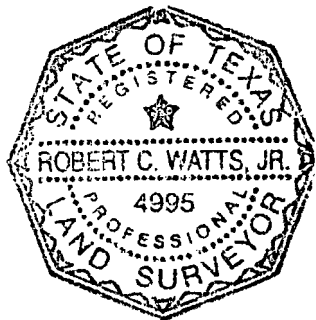


References:
TCAD Parcel No. 0109400129
COA Map Grid C-23

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*

55
BLOCK B
BARTON CREEK
SEC. H PH. 2
(200500026)

12
BLOCK G
THE ESTATES ABOVE
LOST CREEK
(81/286)

52
BLOCK B
(200500026)

10' E.E.
(200500026)

**10' WIDE ELECTRIC UTILITY
EASEMENT**
(200500026)
TO BE VACATED

53
BLOCK B
BARTON CREEK
SEC. H PH. 2
(200500026)

54
BLOCK B
BARTON CREEK
SEC. H PH. 2
(200500026)

JOSE C. AND INGRID
P. VILLARREAL
(2006066321)

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 13th 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

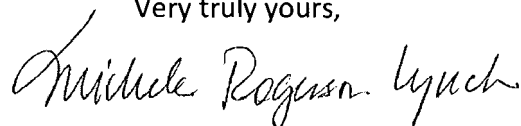
Dear Mr. Scoggins:

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

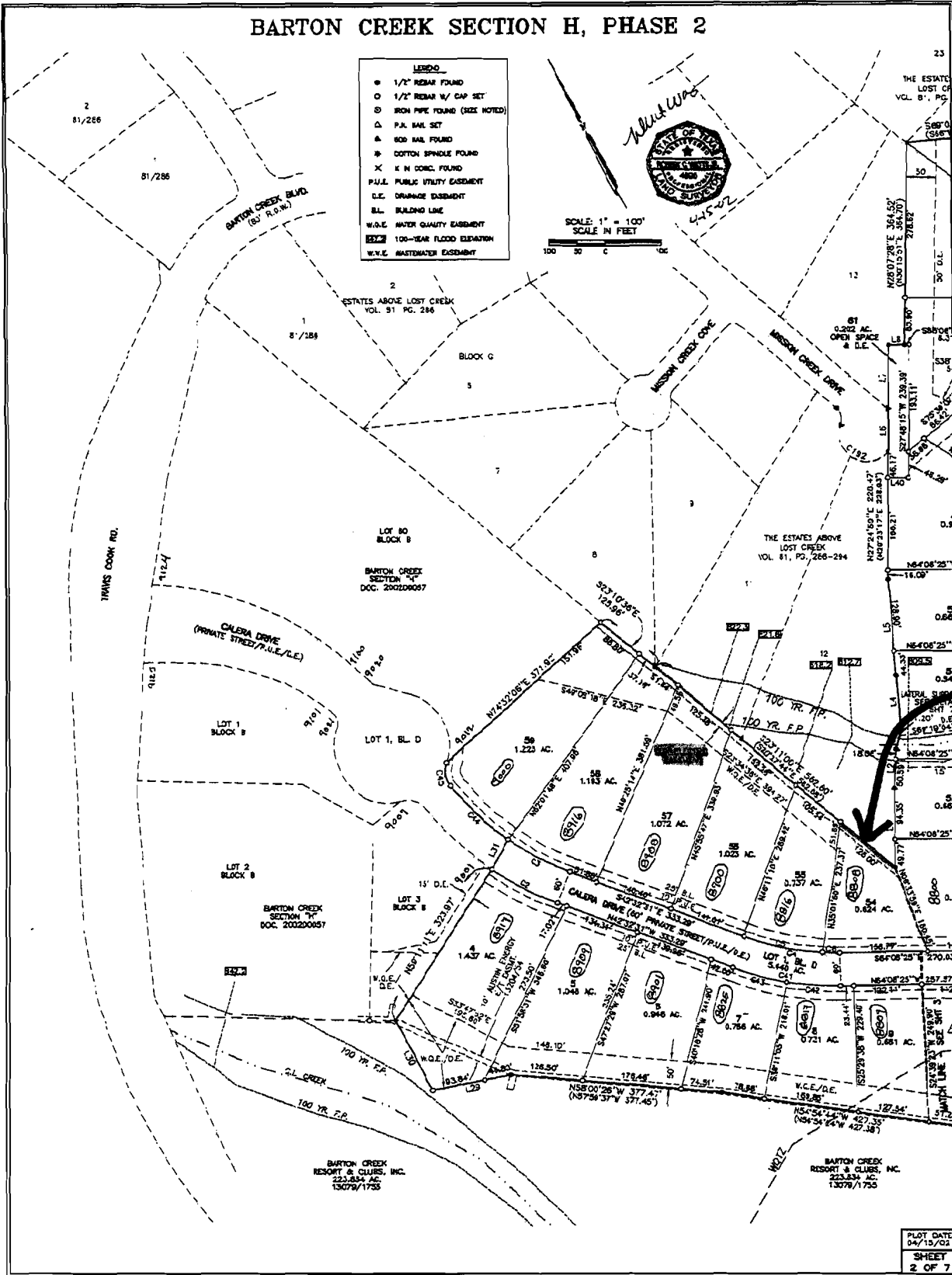
FOR MORE INFORMATION CALL: 854-9383

BARTON CREEK SECTION H, PHASE 2

LEGEND

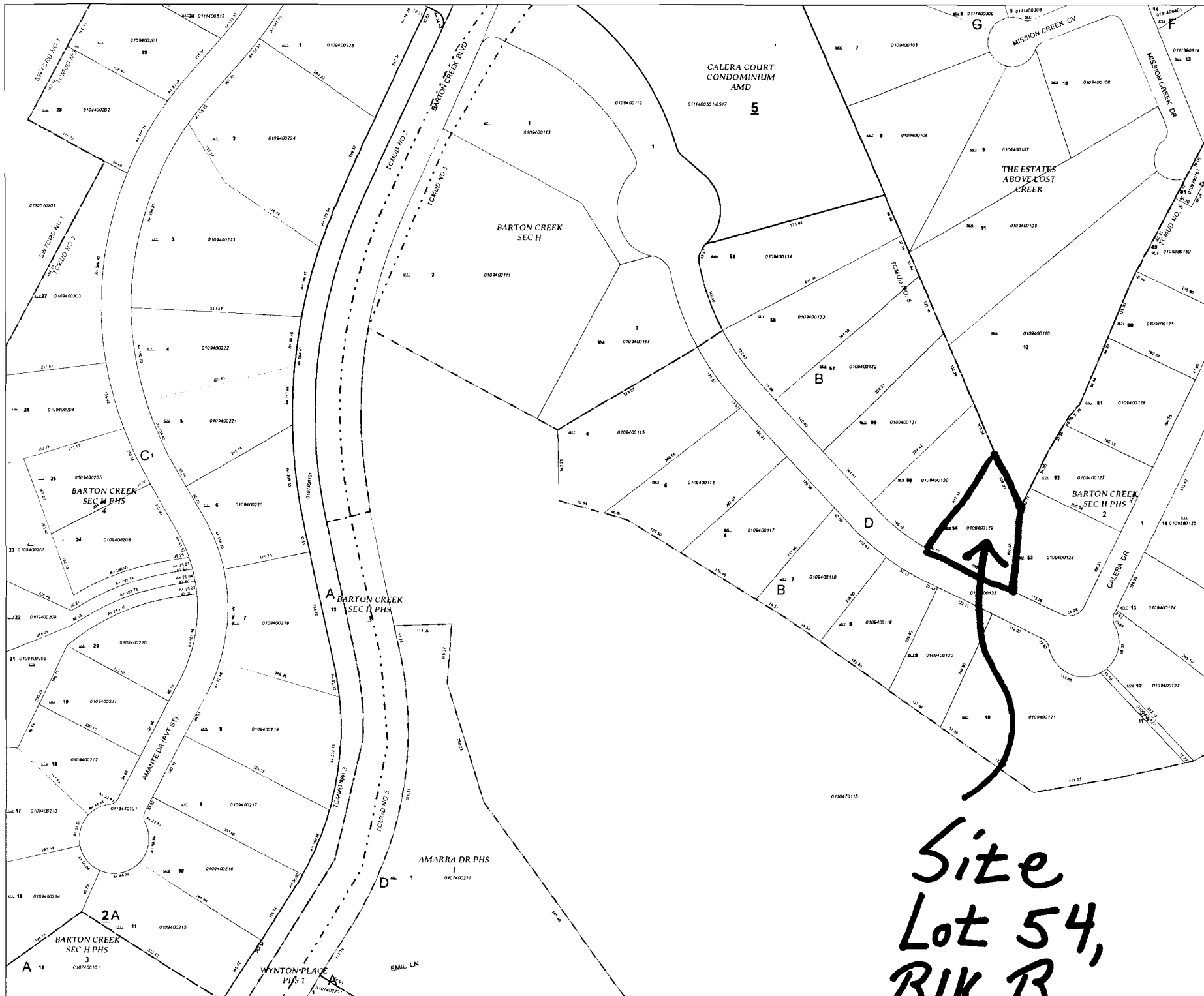
- 1/2" REBAR FOUND
- 1/2" REBAR W/ CAP SET
- ⊙ IRON PIPE FOUND (SIZE NOTED)
- △ P.A. NAIL SET
- ▲ 800 NAIL FOUND
- ⊕ COTTON SPINDLE FOUND
- × K IN CONC. FOUND
- P.U.L. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- B.L. BUILDING LINE
- W.Q.E. WATER QUALITY EASEMENT
- 100-YEAR FLOOD ELEVATION
- W.W.E.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

SCALE: 1" = 100'
SCALE IN FEET



Easement Location

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



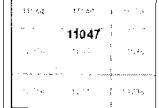
Site
 Lot 54,
 BIK B

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

This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. TCAD does not warrant, represent or guarantee the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
 Projection: Lambert_Conformal_Conic

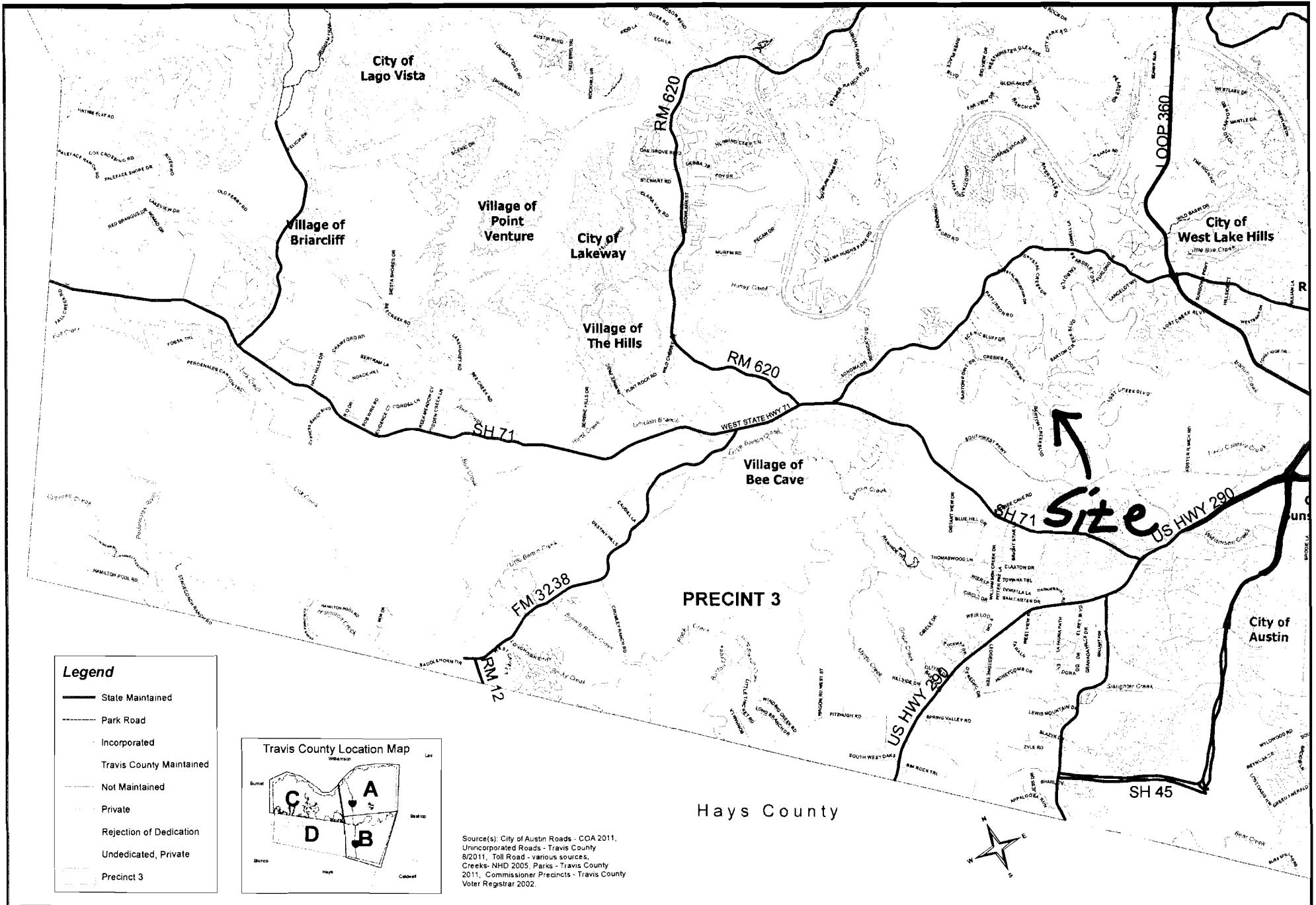
Scale: 1" = 100 scale map
 Thin = 100 scale map
 Bold = 400 scale map



0 100 Feet

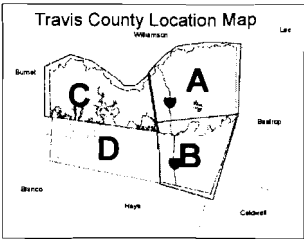
Revision Date
 10/25/2007

1 0940

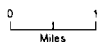


Legend

- State Maintained
- - - Park Road
- Incorporated
- Travis County Maintained
- - - Not Maintained
- Private
- Rejection of Dedication
- Undedicated, Private
- Precinct 3



Source(s): City of Austin Roads - COA 2011.
 Unincorporated Roads - Travis County
 8/2011, Toll Road - various sources,
 Creeks - NHD 2005, Parks - Travis County
 2011, Commissioner Precincts - Travis County
 Voter Registrar 2002.



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

Travis County Roadways, Map D

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