



## Travis County Commissioners Court Agenda Request

**Meeting Date:** March 6, 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 Eckhardt, Precinct Two

**AGENDA LANGUAGE:** Consider and take appropriate action on a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot line of Lots 4 and 5, Block G of River Ridge – Precinct Two.

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

TNR staff has received a request to vacate two five foot wide public utility easements (PUEs) located along the common lot line of Lots 4 and 5, Block G of the River Ridge subdivision. The easements are dedicated by plat note. The subject lots front on Terjo Lane, a street maintained by Travis County.

The utility companies operating in the area have stated they have no objection to vacating the subject easements. 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 easements.

### **ISSUES AND OPPORTUNITIES:**

According to the request letter, the purpose of this request is to accommodate the required septic field to be located on Lot 4 with the home being on Lot 5. Vacating the subject easements will allow the crossing of the common lot line with septic facilities without encroaching the easements.

### **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 - River Ridge**

**ORDER OF VACATION**

**STATE OF TEXAS           §**

**COUNTY OF TRAVIS       §**

WHEREAS, the property owner requests the vacation of two five foot wide public utility easements located along the common lot line of Lots 4 and 5, Block G of the River Ridge subdivision as recorded in Book 63, Page 18 of the Travis County Plat Records;

WHEREAS, all utility companies known to be operating in the area have indicated they have no need for the easements 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 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 March 6, 2012 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 public utility easements located along the common lot line of Lots 4 and 5, Block G of the River Ridge subdivision, as shown on the attached sketch and described in the attached field notes, are 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

8405 Delavan Ave  
Austin, Tx. 78717



Off: (512) 258-6842

Cell: (512) 659-4266

\*westsurveyors@austin.rr.com\*

**FIELD NOTE DESCRIPTION  
10 FOOT WIDE EASEMENT RELEASE**

BEING A 1,211 SQUARE FOOT TRACT OF LAND OUT OF AND A PART OF LOTS 4 AND 5, BLOCK "G", RIVER RIDGE, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, THE PLAT OF WHICH IS RECORDED IN VOLUME 63, PAGE 18 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1,211 SQUARE FOOT TRACT BEING MORE DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½ inch iron rod found in the Easterly Right-of-Way line of Terjo Lane ( a 60 foot wide R.O.W.) for the Southwest corner of Lot 4, Block "G" of said RIVER RIDGE Subdivision, same being the Northwest corner of Lot 5, Block "G" of said RIVER RIDGE Subdivision;

**THENCE** along a circular curve to the left, having a radius of 330.00 feet, through a delta angle of 0d 52' 08", an arc length of 5.00 feet, bearing North 15d 07' 45" West, a chord distance of 5.01 feet to a point for the Northwest corner of the herein described easement;

**THENCE** departing aforesaid East R.O.W. line of Terjo Lane, crossing through said Lot 4, North 77d 29' 25" East, a distance of 121.21 feet to a point on the West edge of a 7.5 foot wide Public Utility Easement for the Northeast corner of the herein described easement;

**THENCE** along the West edge of said 7.5 foot wide P.U.E., crossing from said Lot 4 and into aforesaid Lot 5, South 13d 28' 00" East, a distance of 10.00 feet to a point for the Southeast corner of the herein described easement;

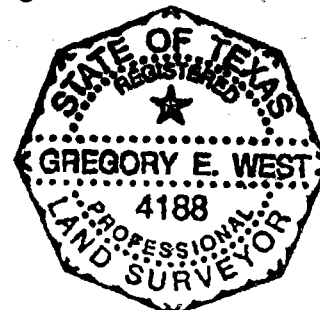
**THENCE** departing the West edge of said 7.5 foot wide P.U.E. and crossing through aforesaid Lot 5, South 77d 29' 25" West, a distance of 121.00 feet to a point on the aforementioned East R.O.W. line of Terjo Lane, for the Southwest corner of the herein described easement;

**THENCE** along the said East R.O.W. line of Terjo Lane, along a circular curve to the left, having a radius of 330.00 feet, through a delta angle of 0d 52' 06", an arc length of 5.00 feet, bearing North 14d 15' 38" West, a chord distance of 5.00 feet to the **POINT OF BEGINNING** and containing a calculated area of **0.028 Acres or 1,211 Square Feet** of land subject to easements, conditions or restrictions of record, if any.

I hereby certify that the foregoing Field Notes were prepared from a survey on-the-ground, under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal this the 30<sup>th</sup> day of January 2012.

Gregory E. West, R.P.L.S. No. 4188  
8405 Delavan Avenue  
Austin, Texas 78717



# EXHIBIT

T. C. Steiner  
Vol. 745, Pg. 420



Scale: 1"=20'

Basis of Bearings shown

85.68'

64.38'

S11°42'09"E  
35.54'

7.5' Public Utility Easement per plat

S13°28'00"E  
10.00'

Easement to be Released  
0.028 Acres.  
1211 Sq.ft.

Lot 5

Lot 4

ADDRESSES:

Lot 4 = 1117 Terjo Lane  
Lot 5 = 1119 Terjo Lane  
Austin, Texas 78732

25' Bldg. Setback line  
per record plat

121.21'  
128.57'  
121.00'

N77°29'25"E  
N77°29'25"E  
S77°29'25"W

1/2" rebar found  
Point of Beginning  
( See attached Fieldnotes )

N12°50'12"W  
88.82'

Terjo Lane

( 60' R.O.W. )

LEGAL DESCRIPTION:

Being Lots 4 & 5, Block "G", RIVER RIDGE,  
a subdivision in Travis County, Texas according  
to the plat recorded in Volume 63, Page 18,  
Plat Records of Travis County, Texas.

WEST SURVEYORS, INC.

8405 Delavan Avenue  
Austin, Texas 78717  
Ph. (512) 258-6842

"westsurveyors@austin.rr.com"

Project No. C057-08E

Curve Data Table

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	1°57'19"	11.26'	330.00'	N13°43'01"W	11.28'
C2	17°37'44"	101.54'	330.00'	N23°30'33"W	101.14'
C3	0°52'06"	5.00'	330.00'	N14°15'38"W	5.00'
C4	0°52'08"	5.01'	330.00'	N15°07'45"W	5.01'

ASPHALT ROADWAY

C2

C1

1/2" rebar found

3/4" rebar found

1/2" rebar found

# Kevin Kielian

1200 Merlene Drive • Austin, Texas 78732 • Phone: 512-797-9027 •  
E-Mail: Kielian@apple.com



Date: January 10, 2012

Paul Scoggins  
Travis County Development Services  
411 West 13<sup>th</sup> Street  
Austin, Texas 78767

Dear Paul:

I am writing this letter of request to vacate the easement between lots 4 and 5, Block G, River Ridge, a subdivision in Travis County, Texas according to plat recorded in book 63, page 18 of the plat records of Travis County, Texas.

The purpose for requesting to vacate the easement between the two lots is to accommodate the required septic field to be located on 1117 Terjo (lot 4), adjacent to 1119 Terjo (lot 5), which will be the location of our home. I've enclosed all the necessary documentation, survey(s), easement release forms from the applicable utility companies, and a check in the amount of \$315 for processing.

Please feel free to contact me with any questions regarding our plats at 512.797.9027.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Kielian', with a long horizontal flourish extending to the right.

Kevin Kielian



**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: 17 and 19 TERJO LANE (address) and/or lots 4 and 5, Block G, RIVER Ridge (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.

Laurie Schumpert  
Signature -  
Laurie Schumpert  
Printed Name  
Sr. Designer  
Title  
Time Warner Cable - Central TX  
Utility Company or District  
January 9, 2012  
Date

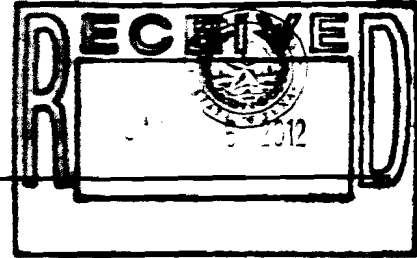
Please return this completed form to:

Kevin Kielian  
Name  
1200 Merlene DR  
Address  
Austin, TX 78732  
City/State/Zip

**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 1117 and 1119 TERJO LANE (address) and/or LOTS 4 and 5, BLOCK G, RIVER RIDGE (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.

OK [Signature]  
Reviewer

[Signature]  
Signature  
Deborah S. Gernes  
Printed Name  
General Manager  
Title  
WCID 17  
Utility Company or District  
1/11/2012  
Date

Please return this completed form to:

Kevin Kielian  
Name  
1200 Merlene DR  
Address  
Austin, TX 78732  
City/State/Zip





**SOUTHWESTERN BELL TELEPHONE COMPANY**

**RELEASE OF EASEMENT**

THIS RELEASE OF EASEMENT, entered into by *SOUTHWESTERN BELL TELEPHONE COMPANY, a Missouri corporation, GRANTOR, AND Kevin Kielian and Chelsea Kielian, GRANTEE(S)*, wherein GRANTOR in consideration of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, does by these presents ABANDON, RELEASE, RELINQUISH AND DISCLAIM to GRANTEE(S), as is, all or a specific portion of certain easements for telecommunication purposes hereinafter described that affects land owned by GRANTEE(S) situated in Travis County, Texas, and described as follows:

Lots 4 and 5, Block G, River Ridge, Deed of record in Document 2011124692, Property Records of Travis County, Texas

Said land of GRANTEE(S) being subject to:

*Easements recorded in Volume 63, Page 18, Plat Records of Travis County, Texas,*

The portion of said easements to be hereby released is described as follows:

*All of the 5 foot PUE's on either side of the common side property lines of said Lots 4 and 5, described above,*

TO HAVE AND TO HOLD same, together with all rights and appurtenances to the same belonging, unto GRANTEE(S), their heirs, successors and assigns forever.

IN WITNESS WHEREOF, GRANTOR has caused this Release of Easement to be executed by its duly authorized officers this 12<sup>th</sup> day of JANUARY, 2012

SOUTHWESTERN BELL TELEPHONE COMPANY

Steve Fougerson

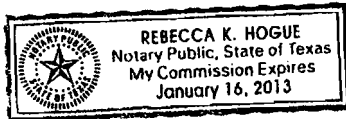
Name : STEVE FOUGERON

Title: ENGINEERING DESIGN

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared STEVE FOUGERON, known to me to be the person whose name is subscribed to the foregoing instrument as Manager, Engineering-Design of Southwestern Bell Telephone Company, a Missouri corporation, and acknowledged to me that he/she executed the same for purposes and considerations therein expressed in the capacity stated, and as the act and deed of said corporation.

Given under my hand and seal of office this the 12<sup>th</sup> day of JANUARY, 2012



Rebecca K. Hogue  
Notary Public in and for the State of TEXAS  
My Commission Expires Jan 16, 2013



**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 117 and 119 Terjo Lane (address) and/or Lots 4 and 5, Block G, River Ridge (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.

*Sunny Poole*  
Signature  
Sunny Poole

\_\_\_\_\_  
Printed Name  
Manager, PIRES

\_\_\_\_\_  
Title  
Austin Energy

\_\_\_\_\_  
Utility Company or District

\_\_\_\_\_  
Date 1/12/2012

Please return this completed form to:

\_\_\_\_\_  
Name  
Kevin Kielian

\_\_\_\_\_  
Address  
1200 Meekene DR

\_\_\_\_\_  
City/State/Zip  
Austin, TX 78732

CODE: 1101



**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

RECEIVED  
FEB 14 2012  
TNR

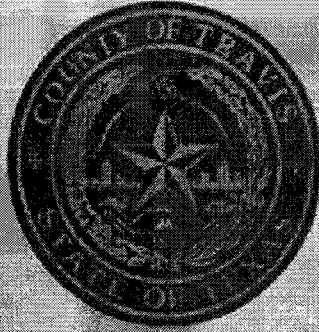
**AFFIDAVIT OF POSTING**

**TO: County Judge  
County Commissioners  
Travis County, Texas**

A Public Notice of Vacation of two 5' wide public utility easements sign was posted on Feb 13, 2012, on the easterly side of Terjo Lane along the common lot line of Lots 4 and 5, Block G of River Ridge at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 14 DAY OF Feb, 2012.

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



# NOTICE OF PUBLIC HEARING

MARCH 6, 2012, AT 9:00 AM  
PUBLIC UTILITY EASEMENT VACATION

TO APPROVE THE VACATION OF TWO  
FIVE FOOT WIDE PUBLIC UTILITY  
EASEMENTS LOCATED ALONG THE  
COMMON LOT LINE OF LOTS 4 AND 5,  
BLOCK G OF RIVER RIDGE — A  
SUBDIVISION IN PRECINCT TWO

AT THE TRAVIS COUNTY  
COMMISSIONERS COURTROOM  
314 WEST 11th STREET  
(FIRST FLOOR), AUSTIN  
FOR MORE INFORMATION CALL: 854-9383



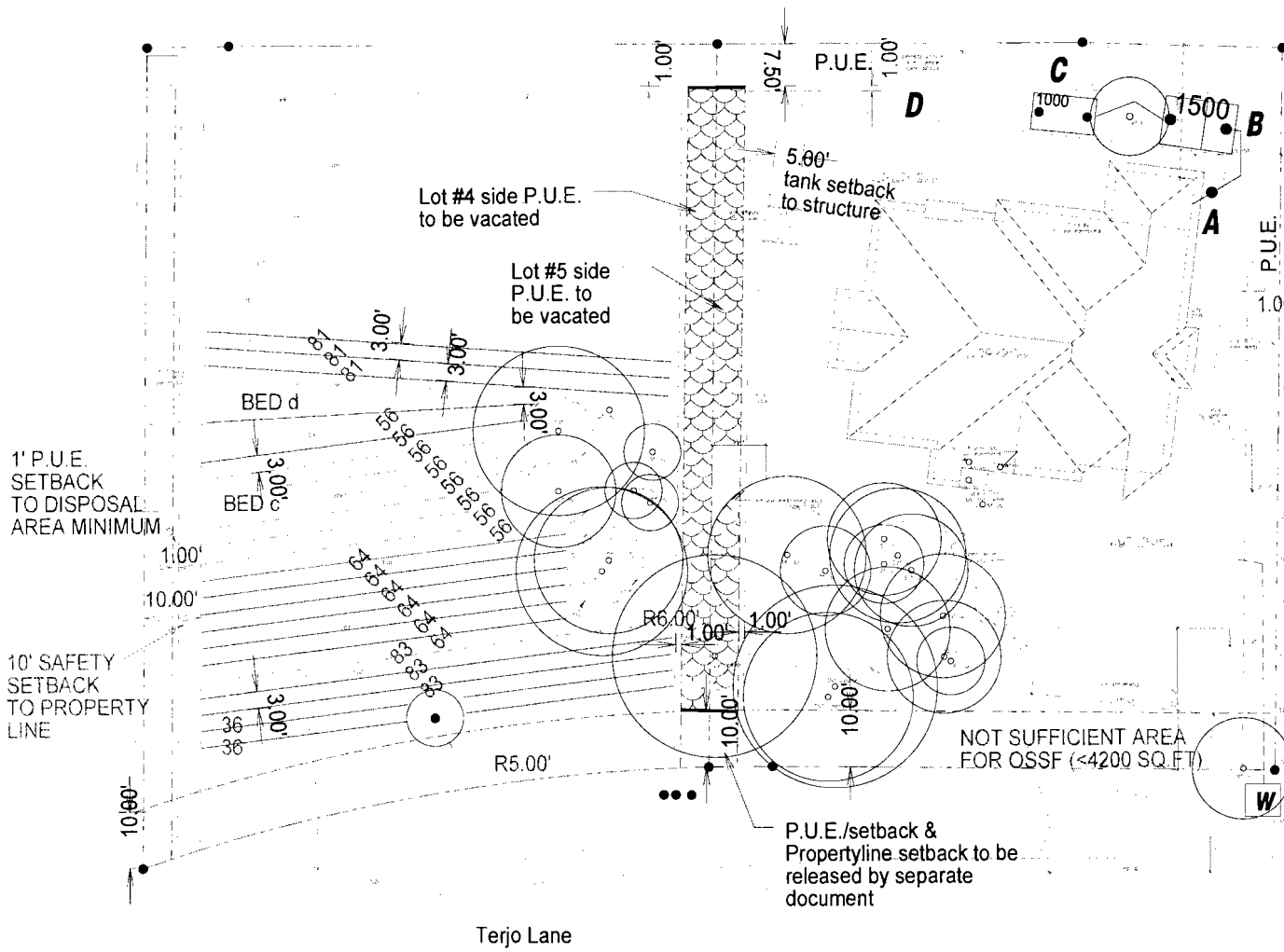
## NOTICE OF PUBLIC HEARING

MARCH 6, 2012 AT 9:00 AM  
PUBLIC UTILITY EASEMENT VACATION

TO APPROVE THE VACATION OF TWO  
FIVE FOOT WIDE PUBLIC UTILITY  
EASEMENTS LOCATED ALONG THE  
COMMON LOT LINE OF LOTS 4 AND 5  
BLOCK C OF RIVER RIDGE - A  
SUBDIVISION IN PRECINCT TWO

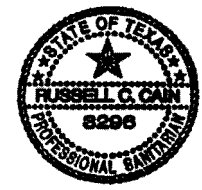
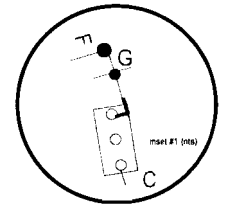
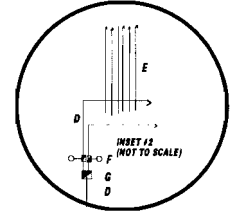
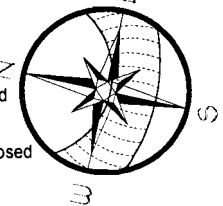
AT THE TRAVIS COUNTY  
COMMISSIONERS COURTROOM  
314 WEST 11TH STREET  
(FIRST FLOOR) AUSTIN  
FOR MORE INFORMATION CALL: 854-9383





- A. Two way Sweep Tee CLEANOUT (within 3' of structure and each 50' max after)
- B. 1500 GAL. 2 compartment Septic Tank
- C. 1000 gallon Pump Tank
- D. 2" Supply main
- E. 1" PVC DISTRIBUTION LINE
- F. ball type regulating valve

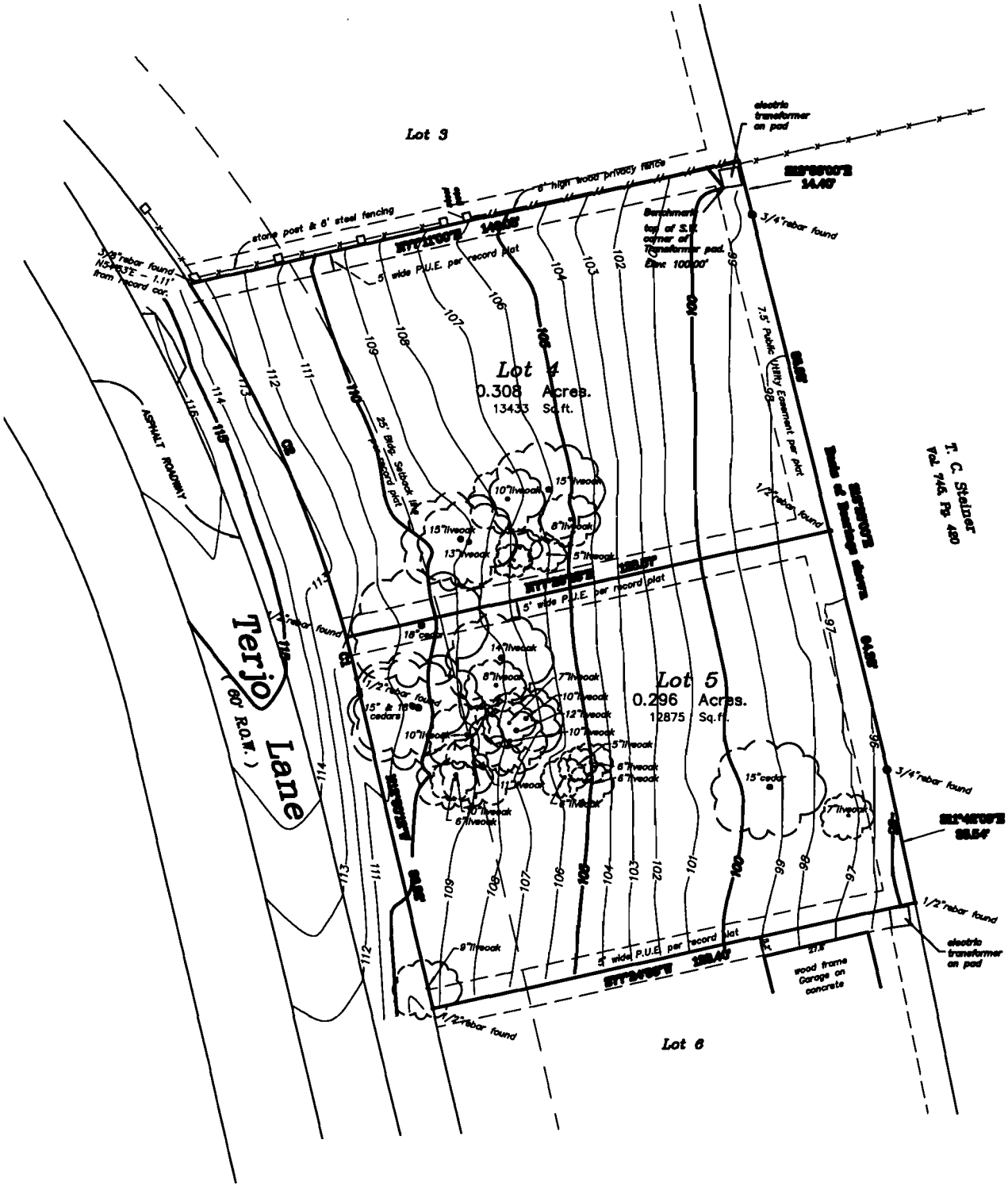
RBM= <100'>= corner pin found  
 Pump = ?Bames Model SP 33  
 0.3 hp 115v?  
 w. water meter & waterline proposed  
 x. profile hole



*Russell C. Cain*  
 Russell C. Cain, R.S. #3296/S.E.#12133

This Plan is not a site survey and should not be used as such.

COPYRIGHT © 1996-2012 RUSSELL C. CAIN, R.S. THESE DRAWINGS AND THE IDEAS HEREON ARE THE PROPERTY OF THE DESIGNER AND MAY NOT BE USED WITHOUT EXPRESS WRITTEN CONSENT.	CAIN SEPTIC DESIGN Russell C. Cain, R.S. #3296 330 Summer Mountain Dr. San Marcos, TX 78666-1756 210 650 2246/206 222 2246 fax cainSEPTICdesign@hotmail.com	Drawn by: RCC DATE: 04/05/2011 05/03/2011	ONSITE WASTEWATER SYSTEM Low Pressure Dose WASTE DISPOSAL PLAN Kevin & Chelsey Kielian
		SCALE: 1" = 20' 18 of 18	1119 Terjo Ln. Lot #4&5, Block G, River Ridge Subd. Austin, TX 78732



Scale: 1"=20'

Curve Data Table

NUM	DELTA	ABC	RADIUS	BEARING	DISTANCE
C1	1°07'19"	11.89'	330.00'	N15°45'01"W	11.89'
C2	17°37'44"	101.64'	330.00'	N23°30'33"W	101.14'

LEGAL DESCRIPTION:

Being Lots 4 & 5, Block "G", RIVER RIDGE, a subdivision in Travis County, Texas according to the plat recorded in Volume 63, Page 18, Plat Records of Travis County, Texas.

ADDRESSES:

Lot 4 = 1117 Terjo Lane  
Lot 5 = 1119 Terjo Lane  
Austin, Texas 78732

NOTES:

This survey was performed without the benefit of a title report and is subject to same as such might reflect. Only the record plat was used as referenced material for this survey.

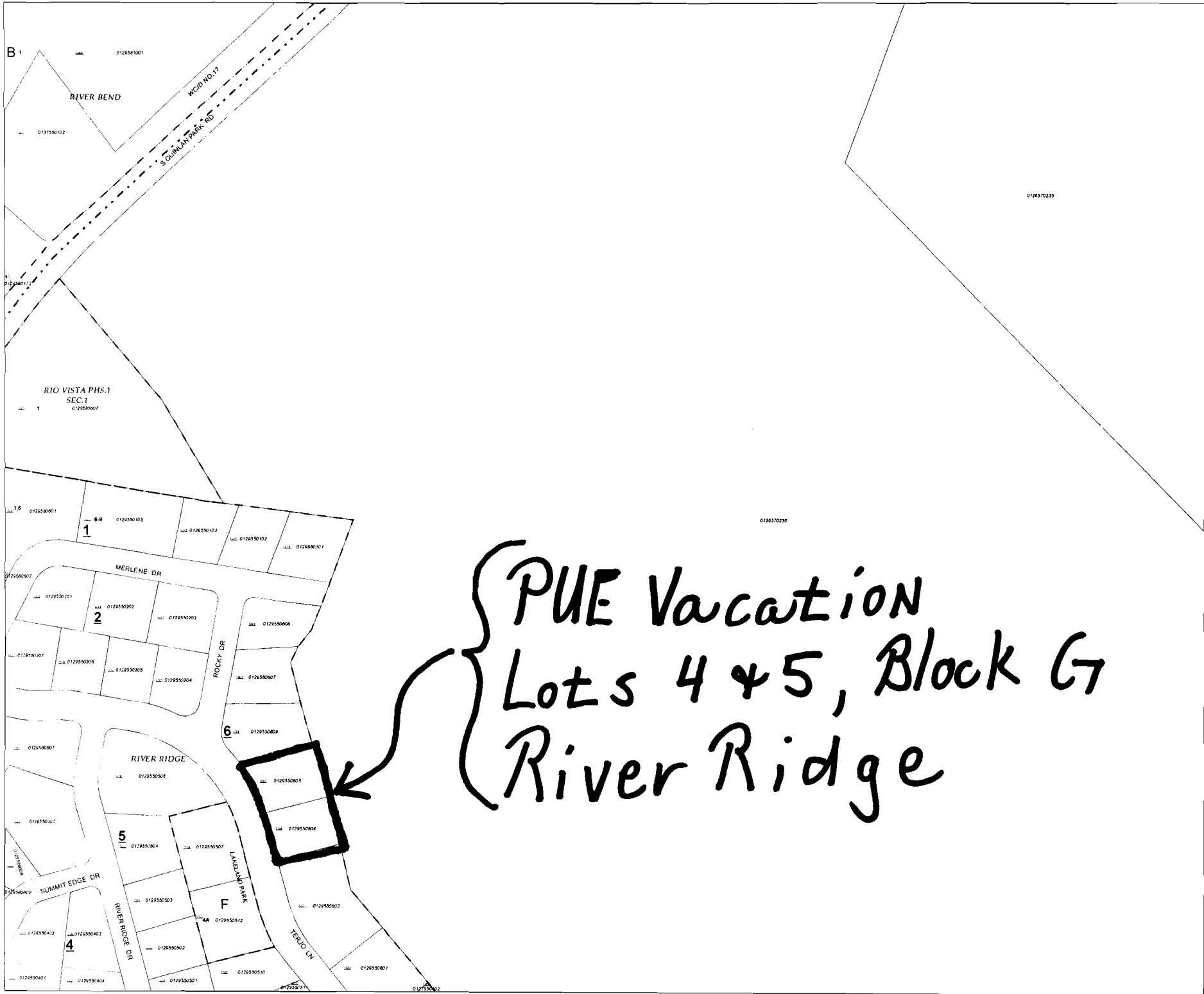
Not all "cedar trees" are shown.

Lot shown is located in Zone "X" and is an approximation based upon interpolating the information from a 1" = 1000' scale Federal Emergency Management Agency Flood Insurance Rate Map of Unincorp. Travis County, Texas Community Panel No. 481028\_0410H with an effective date of Sept. 28, 2008 and such Flood Information is to be used only for the purpose of Flood Insurance. This Surveyor does not assume responsibility for the inaccuracy of said Rate Maps.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category Six, Condition III Survey. (fieldwork performed on Sept. 14, 2011)

Gregory E. West, RPLS. No. 4188

Date \_\_\_\_\_



PUE Vacation  
 Lots 4 & 5, Block G  
 River Ridge

Travis Central Appraisal District  
 8314 Cross Park Drive  
 Austin, Texas 78754  
 Internet Address: [www.travisCAD.org](http://www.travisCAD.org)  
 Main Telephone Number (512) 834-8317  
 Appraisal Information (512) 834-9318  
 TDD (512) 836-3328

This tax map was compiled solely for the use of TCAO. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards and are not intended to constitute any warranty or guarantee of 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:  
 Thin = 100 scale map  
 Bold = 100 scale map  
 Bold = 400 scale map

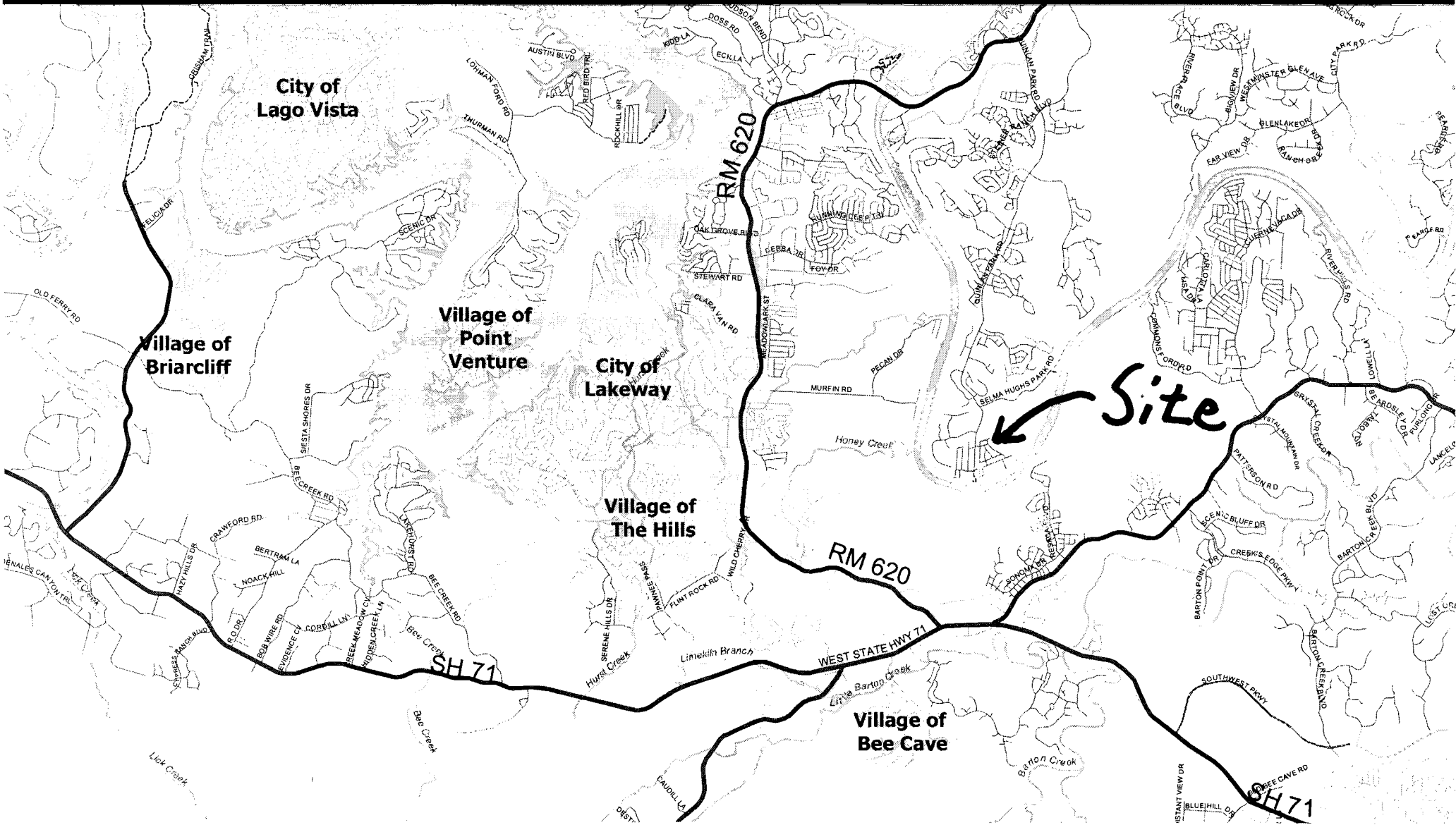
12956	12955	12954
12958	12957	12956
12959	12958	12957

0 100 Feet

Revision Date  
 11/12/2010

**1 2955**





**City of  
Lago Vista**

**Village of  
Briarcliff**

**Village of  
Point  
Venture**

**City of  
Lakeway**

**Village of  
The Hills**

**Village of  
Bee Cave**

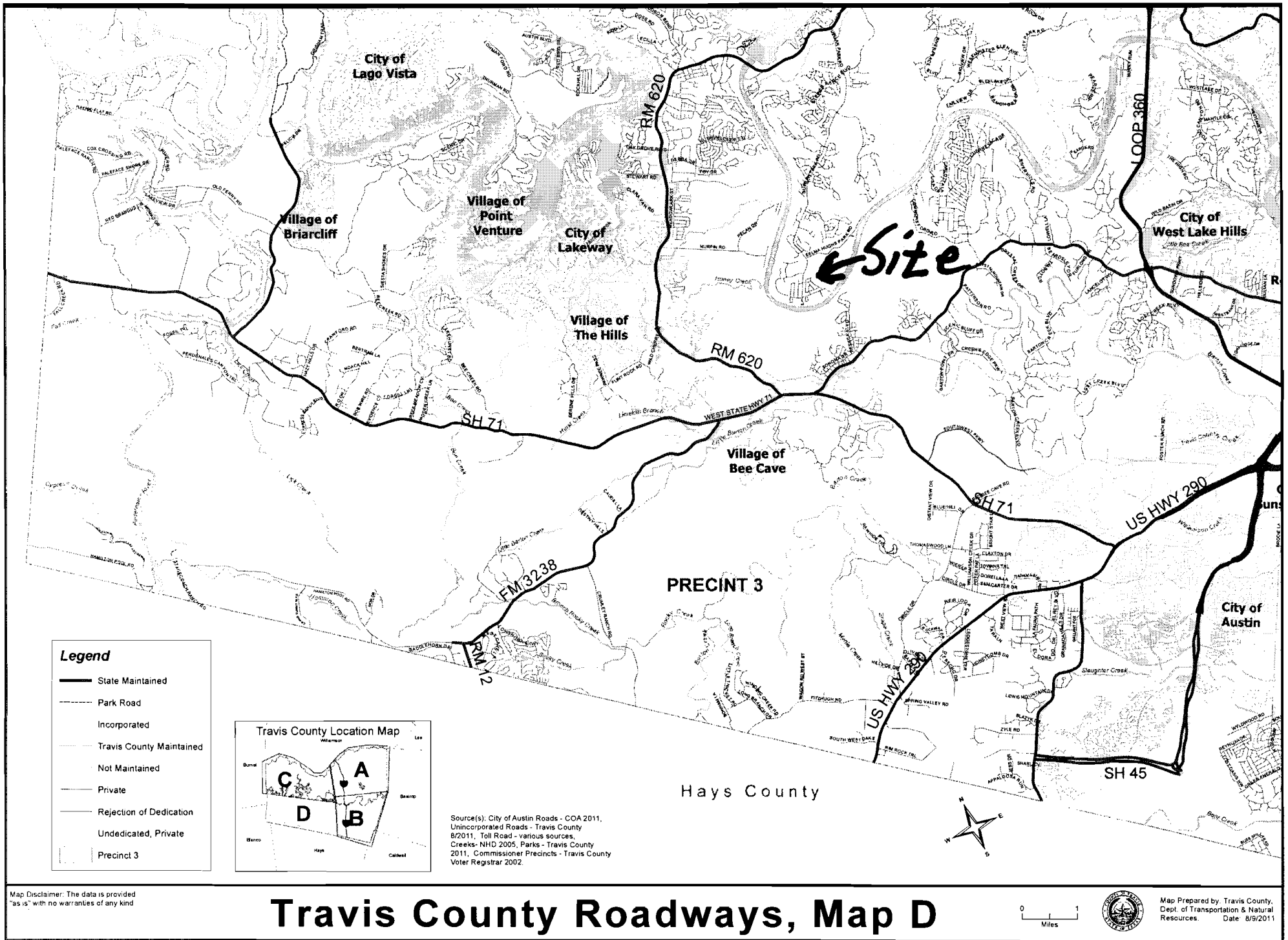
**Site**

**RM 620**

**RM 620**

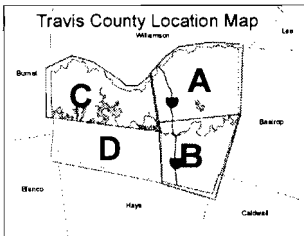
**SH 71**

**SH 71**



**Legend**

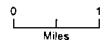
- State Maintained
- - - Park Road
- Incorporated
- ..... Travis County Maintained
- - - Not Maintained
- Private
- Rejection of Dedication
- Undedicated, Private
- ..... Precinct 3



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

# Travis County Roadways, Map D



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