Item 15



Travis County Commissioners Court Agenda Request

Meeting Date: April 24, 2012 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 a ten foot wide section of a 25 foot wide drainage easement located along the eastern lot line of Lot 57, Block A of Waterford on Lake Travis, Section Two – Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

TNR staff has received a request to vacate a ten foot wide section of a 25 foot drainage easement located along the eastern lot line of Lot 57, Block A of the Waterford on Lake Travis, Section Two. The easement is schamtically shown on the plat. The subject lot fronts on Osprey Ridge Loop, a private street not maintained by Travis County.

Professional engineer Thomas J. Groll has stated that:

"The site contains an existing 25' drainage easement along the eastern property boundary. An existing culvert adjacent to the Bopp residence conveys storm water runoff from the north side of Osprey Ridge Loop to this easement, which then drains via overland flow to Lake Travis. Due to site constraints, it was necessary fo the house to be situated partially within the easement. Due to the proximity and orientation of the existing culvert relative to Mr. Bopp's residence, it was necessary to install a reinforced concrete pipe with the easement to direct runoff around the residence. With the storm flows routed through the pipe, the easement width can be reduced from 25' to 15' thereby eliminating the overlap of the structure into the easement. Engineered design drawings, storm flow calculations and a permit (#11-0376) was issued on April 29, 2011 for the installation of the pipe and all associated appurtenances are installed according to the design drawings."

After review of the submitted request and recommendation, Travis County engineer Teresa Calkins has stated she 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 so that the recently constructed home is not encroaching on the subject easement. With the installation of the re-inforced concrete pipe County staff will recommend the request to reduce the width of the easement from 25 feet to 15 feet, which will satisfy the encroachment issue.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A.

ATTACHMENTS/EXHIBITS:

Order of Vacation Field Notes and Sketch Request/Engineer's Letter Sign Affidavit and Pics 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
Teresa Calkins	Engineer	Development Services	854-7569

CC:

Stacey Scheffel	Program Manager	TNR Permits	854-7565	

SM:AB:ps 1101 - Development Services - Waterford on Lake Travis, Section Two

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owner's agent requests the vacation of a 10' wide portion of a 25' x 150' drainage easement located along the east lot line of Lot 5, Block H, of Long Canyon II-A as recorded in Volume 84, Page 135B, of the Plat Records of Travis County, Texas, in order to accommodate the construction of a proposed home; and

WHEREAS, a Professional Engineer has stated, with the installation of the new drainage pipe, this vacation will have no adverse impact on the drainage system; and

WHEREAS, a Travis County Engineer has stated that, with the installation of the new drainage pipe, there is no objection to vacating this 10' portion of the 25' drainage easement as described in the attached field notes and sketch; and

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of a 10' portion of the 25' drainage easement as described in the attached field notes and sketch; and

WHEREAS, the required public notice was posted and the Travis County Commissioners Court held a public hearing on April 24, 2012 to consider the proposed action; and

NOW, THEREFORE, the Commissioners Court of Travis County, Texas, orders that the 10' portion of the 25' wide drainage easement located along the east lot line of Lot 5, Block H, of Long Canyon II-A, 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



3DS, Inc. Land Surveyors

O.F.S. Services Dubdivisions • Topographic Construction • Communical • Scundarius MAILING ADDRESS: P.O Box 850 Liberty Hill, Texas 78642

(512) 515-5888 Fax (512) 515-5878 www.3DSinc.com

METES AND BOUNDS DESCRIPTION

BEING 0.35 ACRES OF LAND OUT OF AND A PORTION OF THAT CERTAIN 150' X 25' DRAINAGE EASEMENT AS SHOWN ON LOT 5 BLOCK "H" OF LONG CANYON II-A, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 84, PAGE 135C, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.35 ACRES TO BE VACATED AND DESCRIBED AS METES AND BOUNDS AS FOLLOWS;

COMMENCING at an iron rod found at the Southeast corner of the said lot 5 block "h", point being the Southwestern corner of that certain lot 4 block "h" of Long Canyon II-A, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in book 84, page 135c, plat records of Travis County, Texas, point being on the ROW of Alason Cove, point being the **POINT-OF-COMMENCMENT** of the herein described tract of land;

Thence N89°16'27"W following a curve to the left having a radius of 50.00 feet, a delta of 17°20'11" and a chord distance of 15.07 feet to a calculated point, point being the **POINT-OF-BEGINNING** of the said 0.35 acre remainder of the said 150' x 25' drainage easement;

Thence N89°16'27"W following a curve to the left having a radius of 50.00 feet, a delta of 12°21'42" and a chord distance of 10.77 feet to a calculated point for the most Southwestern corner of the said 0.34 acre tract of land;

Thence traversing over and across the said lot 5 block "h" the following two (2) courses and distances;

- 1. N22°05'45"E for a distance of 155.63 feet to a calculated point for the Northwestern corner of the said 0.35 acres;
- 2. S67°54'15"E for a distance of 10.00 feet to a calculated point for the Northeastern corner of the said 0.35 acre tract of land;

Thence S22°05'45"W for a distance of 151.72 feet to the **POINT-OF-BEGINNING** containing 0.35 acres of land more or less.

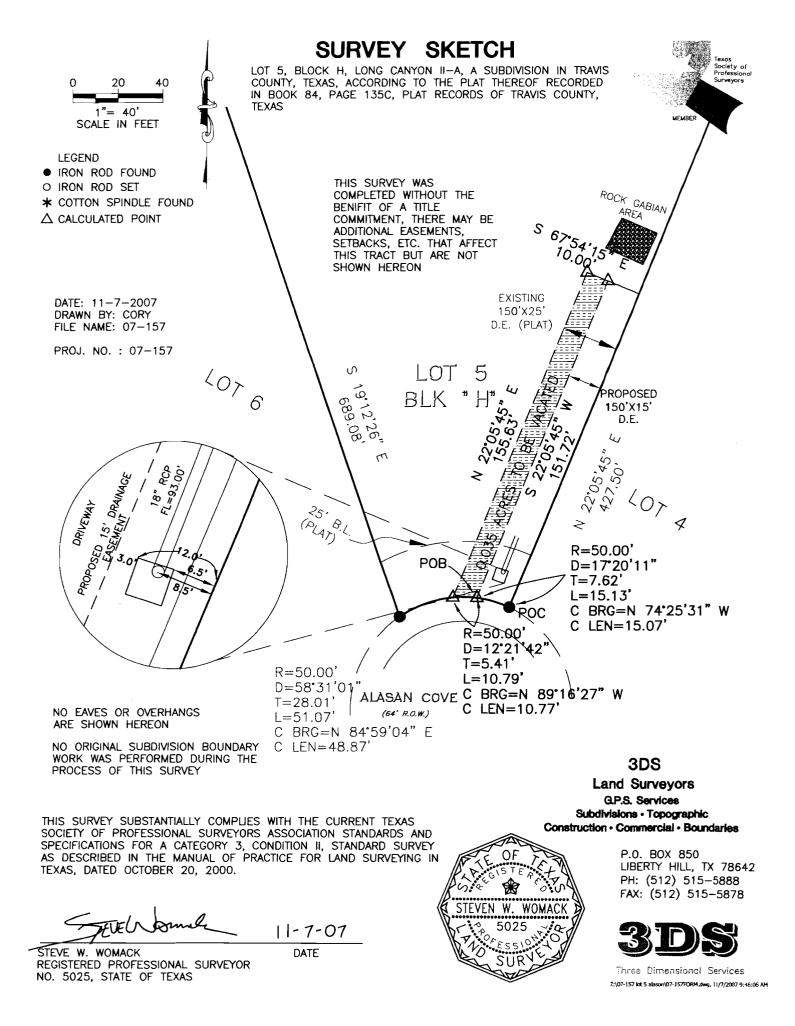
Steven W. Womack Registered Professional Surveyor No. 5025, State of Texas

11-7-2007

Date



Page 1 of 1





Tel: 512-477-3713 Fax: 512-320-8125 mhart7@austin.rr.com

November 7, 2007

Ms. Stacy Scheffel Tarvis County Transportation and Natural Resources 411 West 13th Street Austin, Texas 78701

Re: Lot 5, Block H, Long Canyon II-A 6504 Alasan Cove Partial Easement Vacation Request

Dear Ms. Scheffel:

As a representative of the property owner, Mr. Andy Allen, we are formally requesting a partial vacation of the existing drainage easement located on Lot 5, Block H, Long Canyon II-A, as recorded in Vol. 84, Page 135B of the Travis County Plat Records. The proposed property is an existing single family lot located at the end of Alasan Cove in Travis County, Texas. A 25 foot wide, 150 foot long drainage easement was dedicated by plat and exists along the east lot line. Please see the attached final plat.

Drainage improvements were approved by Travis County in May 2006 to remove the existing 25' wide concrete pad and replace it with an 18" RCP. Please see the attached Drainage Plans and Calculations. The 18" stormsewer pipe is now in place and adequately conveying the runoff from the street and across Lot 5, as depicted in the construction plans.

We are requesting the drainage easement be partially vacated, to revise the width from 25' to a standard 15' drainage easement. A 15' drainage easement is allows adequate room for any required maintenance or access to the 18" RCP.

The existing drainage easement extends more than half of the frontage of this lot, leaving a very small length of lot frontage to construct a driveway entrance. The property is also very steep with limited area to construct a building foundation. Because of these significant draw backs for the proposed lot, the owner has requested the drainage easement be partially vacated, from 25' to a width of 15', to allow more room for construction of a single family home.

Please review the attached exhibits. If you should need any additional information, please don't hesitate to call. Your expeditious review of this application is appreciated. If you have any questions regarding this submittal, please call.

Sincerely,

Martha H. Mangum, P.E.



cc: Mr. Andy Allen – Keller Williams

Long Canyon Phase II & III Homeowners Association, Inc. P.O. Box 29701 Austin, Texas 78755-6701

January 31, 2012

Mr. Paul Scoggins Travis County Development Services 411 West 13th Street Austin, TX 78701 [delivered via email]

Re: 6504 Alasan Cove, Partial Drainage Easement Vacation

Dear Mr. Scoggins:

Long Canyon Phase II & III Homeowners Association, Inc. (HOA) has formalized and executed an agreement with the owners of the subject property, with pertinent documents filed with Travis County Official Public Records (2011160543, 2011160544, 2011160545 and 2011160546). Copies of these documents have been separately forwarded to you.

The HOA no longer opposes the partial vacation of the drainage easement for the subject property.

If there are any questions, please contact me.

ncerelv.

Denny Hamill/ President

VS #

TRAVIS COUNTY COMMISSIONERS' COURT AGENDA REQUEST

Work Session

Voting Session 11/27/07

- I. A. Request made by: Joseph P. Gieselman, Executive Manager Phone # 854-9383
 - B. Requested Text:

Approve setting a Public Hearing on December 18, 2007 to receive comments regarding a request to authorize the filing of an instrument to vacate 10' of a 25' wide drainage easement located along the east lot line of Lot 5, Block H, of Long Canyon II-A – a subdivision in Travis **County in Precinct 3.**

C. Approved by:

Commissioner Gerald Daugherty, Precinct Three

II. A. Is backup material attached*: Yes X No *Any backup material to be presented to the court must be submitted with this Agenda Request – 1 original and 8 copies

B. Have the agencies affected by this request been invited to attend? Yes X No Please list those contacted and their phone number

John Hille - 854-9415 Austin American-Statesman Anna Bowlin - 854-9383 Joe Arriaga - 854-9383 Don Grigsby - 854-9383

III. PERSONNEL

A change in your department's personnel (reclassifications, etc.)

BUDGET REQUESTS IV.

If your request involves any of the following please check appropriately:

Additional funding for your department

Transfer of funds within your department budget

A change in your department's personnel

The County Personnel (473-9165) and/or the Budget and Research Office (473-9171) must be notified prior to submission of this agenda request.

AGENDA REOUEST DEADLINES

All Agenda Requests and supporting materials must be submitted to the County Judge's Office in writing by 5:00 p.m. on Tuesdays for the next week's meeting.

TRANSPORTATION AND NATURAL RESOURCES



JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street Executive Office Building, 11th Floor P.O. Box 1748 Austin, Texas 78767 (512) 854-9383 FAX (512) 854-4697

MEMORANDUM

DATE: November 16, 2007

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, Executive Manager

FROM:

Anna Bowlin, Program Manager – Development Services

SUBJECT: Approve setting a Public Hearing on December 18, 2007 to receive comments regarding a request to authorize the filing of an instrument to vacate 10' of a 25' wide drainage easement located along the east lot line of Lot 5, Block H, of Long Canyon Π-A – a subdivision in Travis County in Precinct 3.

Summary and Staff Recommendation:

TNR has received a request from the property owner's agent requesting to vacate 10' of a 25' wide drainage easement located on Lot 5, Block H, of Long Canyon II-A. This 25' wide by 150' long drainage easement is located along the east lot line of Lot 5. Lot 5 fronts on Alasan Cove, a street currently maintained by Travis County. The property owner is requesting this vacation in order to accommodate the proposed construction of a new home and driveway.

In the request letter, it is stated, "The existing 25' drainage easement extends more than half of the frontage of this lot, leaving a very small length of lot frontage to construct a driveway entrance. The property is also very steep with limited area to construct a building foundation." This vacation will allow more room for construction of the proposed home.

To allow this vacation, Travis County issued permit #06-2273 to allow the property owner to remove the existing 25' wide concrete pad, which is what was being used to convey the drainage, and replace it with an 18" RCP. With this 18" RCP, a concrete sump (with grate) was installed at the top of the casement to convey the drainage from Alasan Cove into the 18" RCP. The pipe extends approximately 137' and stops towards the end of the 150' long easement. At that point, a 10' x 15' rock pad was installed to dissipate the runoff and to restore the flow to existing conditions.

Professional Engineer, Martha H. Mangum, has stated "The 18" storm sewer pipe is now in place and is adequately conveying the runoff from the street and across Lot 5..." She further states "We are requesting the drainage easement be partially vacated, to revise the width from 25' to a standard 15' drainage easement. A 15' drainage casement allows adequate room for any required maintenance or access to the 18" RCP."

Page 2 November 16, 2007

Travis County Engineer, Don Grigsby, has stated he has no objections to this vacation. TNR recommends the vacation of the 10' wide portion of the easement as described in the attached Order of Vacation and as shown on the attached field notes and sketch.

Budgetary and Fiscal Impact:

None.

Issues and Opportunities:

With the installation of the new 18" storm sewer pipe to convey the runoff from Alasan Cove across Lot 5, Travis County now has no need for the 10' portion of the 25' wide easement being vacated. Travis County has relied on Martha Mangum's professional opinion as a Professional Engineer in regards to this vacation. Travis County has also relied on her opinion that the newly installed 18" storm sewer pipe will adequately convey the runoff from Alasan Cove, without having any adverse impacts to surrounding properties.

Required Authorizations:

None.

Exhibits:

Order of Vacation Letter of Request/Engineer's letter (1) Field Notes and Sketch Location Maps (3)

PS:AB:ps

1105 Alasan Cove

07-DE-04



TRANSPORTATION AND NATURAL RESOURCES

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

AGENDA – DECEMBER 18, 2007 ADDENDUM TO BACKUP MEMO FOR A PUBLIC HEARING IN REGARDS TO THE VACATION OF 10' OF A 25' WIDE x 150' LONG DRAINAGE EASEMENT

DATE: December 11, 2007

TO: Members of the Commissioners' Court

THROUGH: Joseph P. Gieselman, Executive Manager

- **FROM:** Anna Bowlin, Program Director Development Services
- SUBJECT: Vacating a 10' wide x 150' long portion of a 25' wide x 150' long drainage easement located along the east lot line of Lot 5, Block H, of Long Canyon II-A Travis County, Precinct 3.

Issues and Opportunities:

Mr. Bob Kirkpatrick, a representative of the Long Canyon Home Owners Association (HOA) and a member of the HOA's Architectural Control Committee, contacted TNR with questions regarding the proposed vacation. TNR staff explained that the owner of the lot was permitted (#06-2273) to install and 18" drainage pipe that replaced the concrete slab that was being used to convey runoff in this area. Additionally, it was explained that with the new drainage pipe in place, along with a sealed letter from an independent Professional Engineer, Travis County felt the drainage easement vacation could be done as requested.

Mr. Kirkpatrick also discussed his concerns regarding the lot owner's compliance with the subdivision's Restrictive Covenants. According to Mr. Kirkpatrick, a lot owner in this subdivision must have their improvement plans reviewed and approved by the HOA before starting construction. Mr. Kirkpatrick feels that the HOA has not been kept completely involved with the improvements of the subject lot and would like the opportunity to meet with the lot owner on this matter. According to the lot owner, a meeting has been set for the morning of Thursday, December 13, 2007. The lot owner and/or the HOA will contact TNR with the results of this meeting the same day.

December 11, 2007 Page 2

As to County permitting, Basic Development Permit #07-1876 was issued June 6, 2007 for a Single Family Resident along with Driveway Permit #07-1877 on June 1, 2007. The drainage improvements were permitted through Permit #06-2273 on May 30, 2006. If this portion of the drainage easement were not vacated as requested, a portion of the house, as it stands now, would be constructed in the easement.

Required Authorizations: NO ADDITIONS OR REVISIONS

Exhibits: Location Maps

PS:AB:ps

1105 Long Canyon II-A Alasan Cove – DE Vacation

07-DE-04



TRANSPORTATION AND NATURAL RESOURCES JOSEPH P. GLESELMAN, EXECUTIVE MANAGER 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 a Drainage Easement sign was posted on

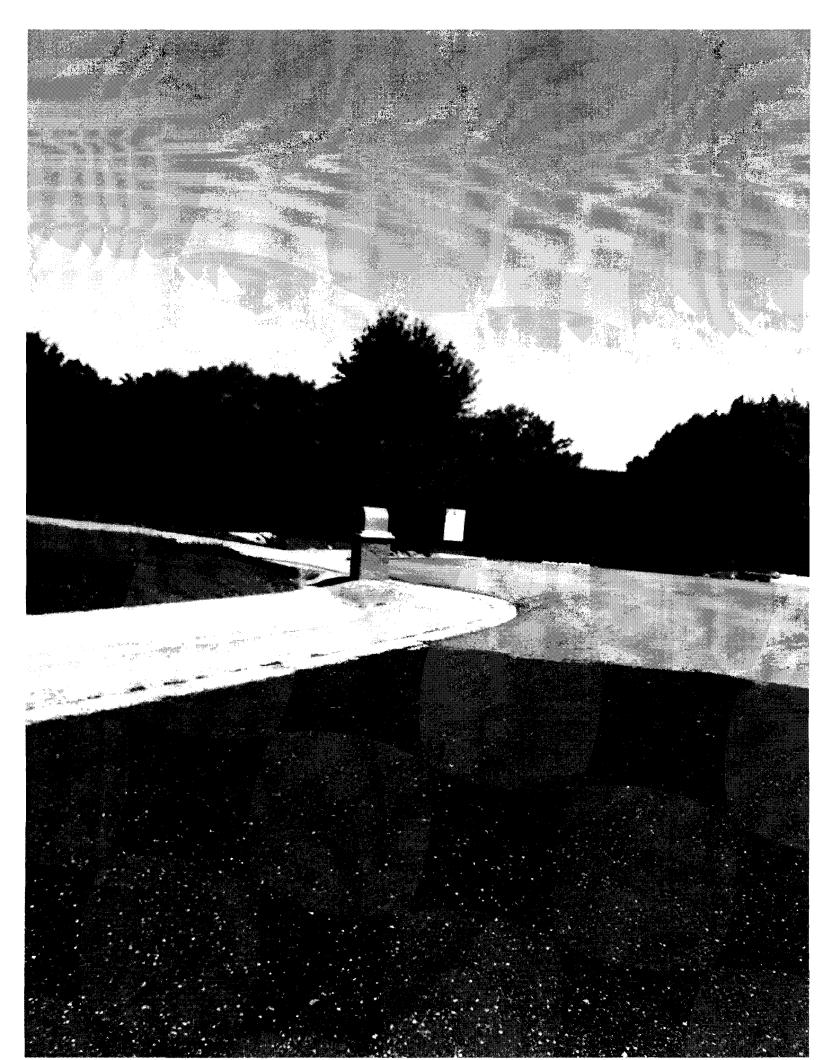
, 2007, on the <u>north end cul-de-sac of Alasan Cove at the east</u> <u>lot line of Lot 5. Block H of Long Canyon II-A</u> at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

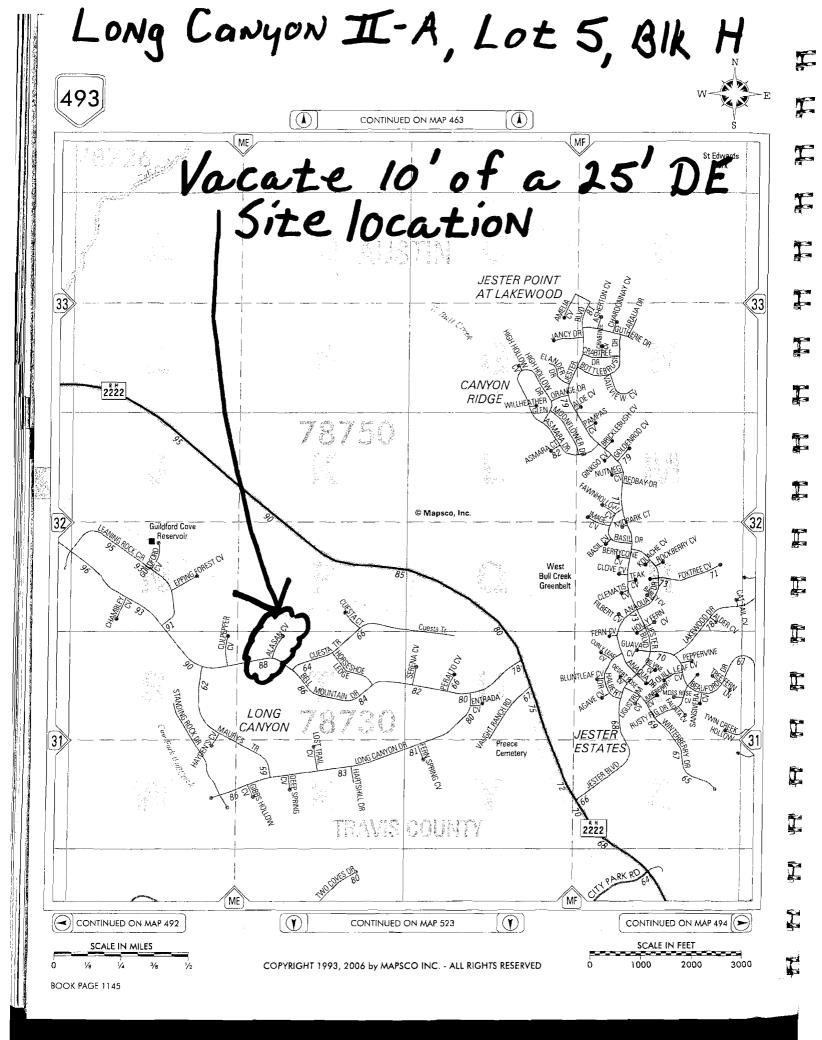
CERTIFIED THIS THE	3 rd	DAY OF	April	, 2007.
	SIGN	ATURE:	and Dan	
	NAM	E (PRINT):	avid Greear	
	TITLI	3: Traffic	Program Manag	get

NOTICE OF BLIC HEARING APRIL 24 2012 AT 900 AM DRAINAGE EASEMENT VACATION

TO APPROVE THE VACATION OF A 10 WIDE PORTION OF A 25 WIDE DRAINAGE EASEMENT LOCATED ALONG THE EAST SUE LOT LINE OF LOT 5 BLOCK H OF LONG CANYON II-A-A SUBDIVISION IN PRECINCT THREE

COMMISSIONERS COUNTY 314 WEST 11th STREET FIRST FLOOR: AUSTIN FOR MORE INFORMATION CALL 854-9383





Long Canyon II-A, Lot 5, BIK H-10' portion of 25' DE Vacation (West 10 PROPOSED SEPTIC FIFLD 25'× 150' DE C1STONE WALL CURE ALASAN COVE (54' R.O.W.) OVERALL SITE cord-C1 =A= 51.07' R= 50.00 5 84° 59' 04" W 48.87 SCALE: 1" - 40'-0" (1" - 80'-0" @ 11" x

