



## Travis County Commissioners Court Agenda Request

**Meeting Date:** May 22, 2012

**Prepared By:** Darla Vasterling **Phone #:** 854-7564

**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 reject the dedication and abandon the public streets - Lenape Trail, Lenape Cove, Superview Drive, and Indian Scout Trail, all originally dedicated by the plat of The Overlook Estates Phase 1, a subdivision in Precinct Three.

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

On May 20, 1986, the Travis County Commissioners Court passed an Order authorizing the filing for record of the plat of The Overlook Estates 1. In that document the developer Spindletop Savings Association President David L. Parsley signed a statement which dedicated the streets, shown on the plat, to the public.

In a letter from the Law Office of Terrence L. Irion, dated March 27, 2012, Mr. Irion presents the Declaration of Covenants, Conditions, and Restrictions, for the subdivision, which show that the Association shall maintain, repair, and replace, as necessary, all private improvements in the public right of way and/or the roads themselves, should they become private.

The Attorney for the developers, Mr. Irion requests that the streets of this subdivision be declared private by action of the Travis County Commissioners Court. Therefore the Travis County Commissioners Court shall have the Public Hearing on this date of May 22, 2012, in regards to rejecting the dedication and abandoning these streets.

### **STAFF RECOMMENDATIONS:**

The request has been reviewed by TNR staff and staff finds the request meets Section 82.206(c) of the Travis County Standards for Construction of Streets and Drainage in Subdivisions. As such, TNR staff recommends rejecting the dedication and abandoning the streets of this subdivision.

### **ISSUES AND OPPORTUNITIES:**

On March 3, 2012, developers and engineers met with the neighborhood, in order to inform them of the proposed change in status of the roads in this subdivision. Mr. Irion has reported, in his letter dated March 27, 2012, that most of the residents who attended the meeting were not opposed to the change. Although it is possible that one or two may speak against this action, no one has contacted staff in this regard. One resident of Ridge at Thomas Springs requested another sign at Thomaswood Lane and Thomas Springs Drive.

The applicant has submitted Statements from utility companies, the City of Austin Transportation, the emergency services district, and the school district stating that they have no objection to this subdivision converting to private streets. Additionally, the applicant has submitted the homeowners association of incorporation, the bylaws of the association, and the covenants, restrictions, and restrictions showing that there is a body in place to maintain the streets.

Some of the lots have been sold and the applicant is collecting letters of approval of conversion from public to private streets.

**FISCAL IMPACT AND SOURCE OF FUNDING:**

N/A.

**ATTACHMENTS/EXHIBITS:**

- Letter from T.L. Irion
- Posted signs and sign in sheet  
for March 3 meeting
- Letter from Thompson Land Engineering  
plat of the Overlook Estates Phase 1
- Statements from utility companies, City of  
Austin, TC ESD #3, Austin ISD
- Letter from homebuilders
- Photos of signs for public hearing
- Map
- Order

**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:**

Chris Gilmore	Assist. County Atty.	County Attorney	854-9415
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**SM:AB:dv**

**1101 - Development Services - Overlook Estates Phase 1**

**1105 - Subdivision - Overlook Estates Phase 1**

**LAW OFFICE OF TERRENCE L. IRION**

1250 S. Capital of Texas Highway  
3 Cielo Center, Suite 601  
Austin, Texas 78746

**Terrence L. Irion**

*Attorney at Law*

(512) 347-9977

(512) 306-8903-FAX

[tirion@tirionlaw.com](mailto:tirion@tirionlaw.com)

March 27, 2012

VIA EMAIL: [darla.vasterling@co.travis.tx.us](mailto:darla.vasterling@co.travis.tx.us)

Ms. Darla Vasterling  
Engineering Specialist  
Travis County TNR  
411 W. 13<sup>th</sup> Street  
Austin, Texas 78701

RE: The Overlook Estates Phase I – Request to convert publicly  
dedicated right-of-way to private streets

Dear Ms. Vasterling:

Attached please find an electronic copy of the completed application package to convert the above referenced public street to a private street. This application package has been approved by the City of Austin and all public utility service providers including AT&T, PEC, Time Warner Cable and Austin Water Utility. It has also been approved by Fire Department which services this area, ESD No. 3.

Request is made that the item be scheduled on the agenda of the Commissioner's Court for the next available meeting.

I am also attaching with this letter The Overlook Estates Phase I Homeowners Association, Inc. Certificate of Filing; a copy of The Overlook Estates Phase I Declaration of Covenants, Conditions and Restrictions, which includes a private street maintenance covenant.

When Phase Two of the Street is extended to The Ridge at Thomas Springs, a fire access gate will be installed to specifications approved by ESD No. 3.

On March 3, 2012, a neighborhood meeting was held onsite in The Overlook and all lot owners in The Ridge at Thomas Springs were invited to attend to learn more about the plans for The Overlook Development and the private street conversion. I am attaching photos of the tent meeting and also of the notices that were placed at the entrance to The Ridge at Thomas Springs notifying the neighbors of the meeting. Letters were also sent to the property owners immediately adjacent to The Overlook Subdivision. Nineteen residents attended the meeting. All seemed to generally support or at least not oppose the emergency access only connection to the extension of Linape Trail into The Ridge at Thomas Ridge Springs Subdivision with the exception of one lady who owns a 5 acre out parcel (not part of either subdivision) and one woman on Rawhide Trail. A copy of the sign-in sheet for the meeting is also attached for your reference.

Mr. Vasterling  
March 27, 2012  
Page 2

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Having satisfied all the requirements of the County Ordinance for conversion of public dedicated street to private streets, the Applicant respectfully requests that this item be put on the Commissioner's Court agenda for consideration.

Respectfully submitted,



Terrence L. Irion

TLI:lm  
Enclosure(s)  
Cc: Ric Thompson  
Keith Schoenfelt  
Michele Turnquist

# Overlook Meeting

<u>Name</u>	<u>Phone</u>	<u>Email</u>	<u>Address</u>
Cliff A. Powers		justin@cliff2.sbcglobal.net	10212 Thomaswood
Glenn Rinkenberger		KyakPirate@yahoo.com	7306 Lenape
Lenora Rice			12501 <sup>Rising</sup> Snake LP
Ann Myers		praeet@queerchristian.com	10200 Thomaswood
Lois Rice		lricerend@earthlink.net	10210 Thomaswood
Grace Gottschalk			
Earl W. Gottschalk		ewg@railroad@yahoo.com	10304 Thomaswood
JOE CALOVIC	288-0287	J.CALOVIC@SIXCLOSALINET	10201 THOMASWOOD
DANNIE ELIZABETH VARGAS	(512) 288-5371		10402 THOMASWOOD
<del>Ronald Whitehead</del>	<del>288-9280</del>	<del>ELIZVARGAS@SBCGLOBAL.NET</del>	
Ronald Whitehead	288-9280		7309 Lenape Tr
Leharon Clark			Thomaswood
Marian Key's			"
Leonard & Melissa Koellinger		koellinger@comcast.com	10102 Lenape Tr
Gayelle Hirsch	415-5119	g_hirsch@att.net	7310 Lenape Tr
Rip Hirsch	633-6819	rip.hirsch@hotmail.com	"
Daniel Balboa	899-2757		10203 Rising Snake LP
* Kristen Anderson	769-6785	Kristenanderson@swbell.net	
* Max Brown	717-6725	kristenanderson@swbell.net	
Tonya Bills	775-5472	TBills617@yahoo.com	10205 RAISING SNAKE

10412 Rawhide TRAIL


OK WITH PRIVATE - NO CUT THRU  
 NOT A THRU STREET - Thomaswood  
 DON'T WANT STREET LIGHTS

895-8427  
 Glenn Rinkenberger

I DO SUPPORT moving Lenape a private street  
 for overlook as long as you make a public accessible  
 walk-through path when you put up a gate for phase 2

PAWHLA

**NOTICE**  
NEIGHBORHOOD  
MEETING FOR OVERLOOK STATE



BY ORDER OF THE BOARD OF SUPERVISORS  
COUNTY OF BUTTE  
FOR MORE INFORMATION CALL: 530.635.1234







## Darla Vasterling




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**From:** Vince Huebinger <vinceh@flash.net>  
**Sent:** Wednesday, February 29, 2012 11:52 AM  
**To:** Darla Vasterling; Anna Bowlin  
**Cc:** Terry Irion; Keith Schoenfelt  
**Subject:** Fw: Overlook Meeting this weekend (part 1)  
**Attachments:** DSC00134.JPG; DSC00137.JPG; DSC00135.JPG; DSC00136.JPG

Anna/Darla; We will be having our meeting this Saturday at 10am, March 3rd on site with the neighborhood stakeholders and interested parties. There will be a small tent set up at the entry to discuss the private street request. Attached are part 1 of a 3 part email showing the signs that have been put up for notices to all adjoining neighbors interested in attending. You are free to attend this meeting if you would like. Once this meeting is over we will report the results to your office and then proceed to commissioners court with the specific request for private streets. The owners will reserve their right to file request for gated streets to Travis County based on 30-2-159 (L) 1 & 2 at a later date. Thanks, please feel free to call if you have any questions.

**Vincent G. Huebinger**  
**Bleyl & Assoc. Inc.**  
(512) 328-7878



  
**NOTICE**  
 NEIGHBORHOOD  
 ADDRESSING FOR ROADWAY CUES  
  
 WITH RESPECT TO THE  
 VOLUME OF TRAFFIC IN THE  
 AND ALL PRIVATE STREETS  
 FOR THE PURPOSES OF THE  


STOP



NOTICE

THE STATE OF TEXAS HAS ADOPTED THE METRIC SYSTEM OF MEASUREMENT AND WEIGHTS AND UNITS AS THE OFFICIAL SYSTEM OF MEASUREMENT AND WEIGHTS AND UNITS FOR ALL PURPOSES OF THE STATE.

**LAW OFFICE OF TERRENCE L. IRION**

1250 S. Capital of Texas Highway  
3 Cielo Center, Suite 601  
Austin, Texas 78746

**Terrence L. Irion**

*Attorney at Law*

(512) 347-9977

(512) 306-8903-FAX

[tirion@tirionlaw.com](mailto:tirion@tirionlaw.com)

December 21, 2011

VIA EMAIL: [darla.vasterling@co.travis.tx.us](mailto:darla.vasterling@co.travis.tx.us)

Ms. Darla Vasterling

Travis County TNR

411 W. 13<sup>th</sup> Street

Austin, Texas 78701

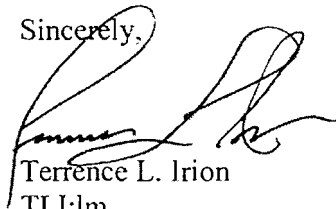
Re: The Overlook Estates Phase I

Dear Ms. Vasterling:

Please find a copy of the typical letter being sent to lot owners in the Ridge at Thomas Springs. As best we can tell, there is no homeowners association so there is no association contact to whom such a letter can be directed.

Thank you for your attention to this matter.

Sincerely,



Terrence L. Irion

TLI:lm

Cc: Keith Schoenfelt

Ric Thompson

**LAW OFFICE OF TERRENCE L. IRION**

1250 S. Capital of Texas Highway  
3 Cielo Center, Suite 601  
Austin, Texas 78746

**Terrence L. Irion**

*Attorney at Law*

(512) 347-9977

(512) 306-8903-FAX

[tirion@tirionlaw.com](mailto:tirion@tirionlaw.com)

December 21, 2011

Hirsch Gaynelle Baker  
7310 Linape Trail  
Austin, Texas 78736-2803

Dear Ms. Baker:

I represent the owners of the Overlook Estates Phase 1 Subdivision, which was platted and recorded in 1986, but which is just now being developed in phases. The first phase of construction which is being completed at this time will build out the streets and utility infrastructure to serve approximately 35 lots along Linape Trail from Circle Drive. The road construction of this phase will stop short of extending Linape Trail to The Ridge at Thomas Springs.

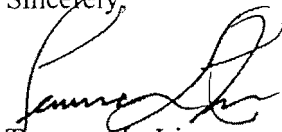
A subsequent phase will eventually build Linape Trail to the street stub-out at The Ridge at Thomas Springs, but no time table has yet been set for this subsequent construction.

The purpose of this letter is to inform you that the owners have requested conversion of the plat dedicated public streets in The Overlook Estates to private streets with the right to install a privacy gate at the entrance on Circle Drive. The conversion to private street request to Travis County will be subject to extension of Linape Trail to the common boundary line with The Ridge at Thomas Springs with the construction of an emergency access gate to allow public emergency service provider access through the street connection. The gate will be installed with a knox box accessible by all public emergency service providers.

If you have any questions regarding this future emergency access or the privatization of Linape Trail through The Overlook Estates, please contact either Keith Schoenfelt at The Overlook Joint Venture (512) 626-3504 or the undersigned.

Also, we have not been able to identify any neighborhood association officers for The Ridge at Thomas Springs. If you know of an association contact within your neighborhood, please advise and I will be happy to provide a copy of this letter your association.

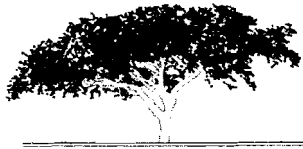
Sincerely,



Terrence L. Irion

TLI:lm

Cc: Keith Schoenfelt



THOMPSON LAND ENGINEERING, LLC  
*Land Planning, Site Design, Subdivision Engineering*

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December 15, 2011

Mr. Steven Manilla, P.E., County Executive  
Transportation and Natural Resources  
Travis County  
P.O. Box 1748  
Austin, Texas 78767

**RE: Letter of request to convert Publicly Dedicated Right-of-Way to Private Streets**  
**Legal name of subdivision: The Overlook Estates Phase 1**  
**TLE No.: 1103**

Dear Mr. Manilla,

This letter is to request that the publicly dedicated right-of-way shown on the plat for The Overlook Estates Phase 1 (Lenape Trail, Superview Drive, and Indian Scout Trail) be converted to private streets. We are seeking the conversion for the following reasons.

- The limiting of traffic will provide a safer environment for the children since children can often wander into the street.
- Converting the streets to private will provide the subdivision with a better feeling of security.
- Converting the streets to private will allow to the installation of community landscaping, irrigation, and monumentation without a licensing agreement.
- All of the drainage from the subdivision goes to Barton Creek. All of the drainage from Circle Drive does not necessarily go into Barton Creek. Therefore, by limiting traffic in the subdivision (limiting the “cut through” traffic) it should help limit the pollutant load to the creek.
- The City of Austin would not accept the park lot as a public park. Therefore, converting the streets to private should help reduce any confusion about the park lot being a City or County maintained park.

Included in this application are the unsigned documents for the easements and the Homeowners Association’s Declaration of Covenants, Conditions and Restrictions (Items 3, 4 & 5) for legal review. We are awaiting the Homeowners Association Certificate of Incorporation (Item 2). We have the signed letters from all the utility companies (Item 6) and the Emergency Services District (Item 7) stating that they have no objection to the streets converting to private. We are awaiting the same letter from AISD Transportation Director (Item 7) and expect to have it shortly. We are also awaiting the letter from the City of Austin concurring with the request but we understand that we have their approval verbally (Item 8). There is no access needed for adjacent property from the private street (Item 9).

Should you need additional information for the administrative aspects of processing this request, please contact myself or Gwen Gates at 328-0002. Should you need additional owner information or should you

Mr. Joseph P. Gieselman, Executive Manager  
Transportation and Natural Resources  
December 15, 2011  
Page 2

wish to talk to the owner, please contact Keith Schoenfelt, President Corum Development, Inc. at 512-626-3504.

Sincerely,  
THOMPSON LAND ENGINEERING, LLC

A handwritten signature in black ink that reads "Robert C. Thompson". The signature is written in a cursive style with a large, stylized initial "R".

Robert C. (Ric) Thompson, P.E.  
M.S., C.F.M., C.P.E.S.C.

RECORDED ROADWAYS	
Lanape Trail	1061.49 LF
Lanape Cove	151.00 LF
Superior Drive	1061.50 LF
Indian Scout Trail	631.11 LF

**RECORD NAME**

City of Austin Reference P.B. 1124 F. 54  
Description: Circle Drive, North Side, 70' East of Rawhide Trail and in Front of House #10112; Top Soil of Fire Hydrant Elevation 1103.97

City of Austin Reference P.B. 1124 F. 55  
Description: Circle Drive, North Side, 0.1 mile West of Rawhide Trail and Opposite House #10112; 2-60' nails on 10' Oak Elevation 1133.84

**LIED DEVELOPER OF TRUST: SPINDLETS ASSOCIATION**  
DAVID L. FARLEY, President  
1915 WICKHAM BLVD.  
DALLAS, TEXAS 75274

**THE STATE OF TEXAS:**  
**THE COUNTY OF TRAVIS:**

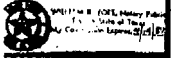
KNOW ALL MEN BY THESE PRESENTS, That, Spindlets Savings Association, a Texas chartered corporation, organized and existing under the laws of the State of Texas, having its main office in Houston, Texas, acting by and through the undersigned officer, holder of title and deed of trust on those tracts of land in Travis County, Texas, managed by Willow West Development, Inc., in accordance with the power of attorney contained in Volume 2082, Page 283, of the Book Records of Travis County, do hereby convey and agree with the subdivision a total of 87.643 acres to whom herein and referred to herein as 87.643 acres out of the Copper District Survey No. 611, Abstract No. 273; 87.318 acres out of the J. R. Morgan Survey No. 14, Abstract No. 1128; 9.33 acres out of the J. R. Morgan Survey No. 14, Abstract No. 2185; and subdivision to be known as THE OVERLOOK ESTATES, PHASE I and do hereby convey and agree with the subdivision to the public use of the streets and easements shown herein.

WITNESSETH HE SAID (SHE SAID) this 22 day of March, 1986, A.D.

**ATTEST:**  
Spindlets Savings Association  
Application, Book 2082, Page 283  
COUNTY OF TRAVIS

David L. Farley, President  
William H. Farley, President

This instrument was acknowledged before me on March 20, 1986, by David L. Farley, President of SPINDLETS SAVINGS ASSOCIATION, a Texas Savings & Loan Association, on behalf of said association.



William H. Farley

In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads and other public thoroughfares delineated and shown on this plat, and all bridges or culverts in connection therewith, shall be the responsibility of the owner and/or the developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and the Commissioners Court of Travis County, Texas assumes no obligation to build the streets, roads or other public thoroughfares shown on this plat or of constructing any bridges or culverts in connection therewith. No it resolved by the Commissioners Court of Travis County, Texas that the acceptance for maintenance by Travis County, Texas, of the roads or streets in real estate subdivisions does not obligate the County to install street marking signs, or this is considered to be part of the developer's construction but that existing signs for traffic control, such as stop and yield signs and STOP AND YIELD SIGNS, shall remain the responsibility of the County.

**COMMISSIONERS COURT CERTIFICATE**  
STATE OF TEXAS:  
COUNTY OF TRAVIS:

I, Doris Shropshire, County Clerk of Travis County, Texas, do hereby certify that on the 22 day of March, A.D. 1986, the Commissioners Court of Travis County, Texas, did pass an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of the said court in Book 2082, Page 283.

WITNESSETH MY HAND AND SEAL OF THE COURT OF SAID COUNTY this 22 day of March, A.D. 1986.



Doris Shropshire, Clerk, County Court, Travis County, Texas

**OWNER/DEVELOPER: WILLOW WEST DEVELOPMENT CO.,**  
KIRBY T. GEE, PRESIDENT  
THE PINNACLE BUILDING, SUITE 600  
7718 HUNTER CRO WEST, AUSTIN, TEXAS 78736

**THE STATE OF TEXAS:**  
**THE COUNTY OF TRAVIS:**

KNOW ALL MEN BY THESE PRESENTS: That, Willow West Development, Inc., a corporation organized and existing under the laws of the State of Texas, having its main office in Austin, Texas, acting by and through the undersigned officer, owner of those tracts of land in Travis County, Texas, managed by Willow West Development, Inc., by deeds recorded in Volume 2082, Page 271, Volume 2082, Page 276, of the Book Records of Travis County, Texas, do hereby subdivide a total of 80.484 acres out of the Copper District Survey No. 611, Abstract No. 273; 23.309 acres out of the J. R. Morgan Survey No. 14, Abstract No. 2185; 9.25 acres out of the J. R. Morgan Survey No. 14, Abstract No. 2244 as shown hereon; said subdivision to be known as THE OVERLOOK ESTATES, PHASE I and do hereby dedicate to the public the use of the streets and easements shown hereon.

WITNESSETH HE SAID (SHE SAID) this 9 day of January, 1986, A.D.

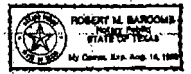
WILLOW WEST DEVELOPMENT, INC.

Kirby T. Gee, President  
7718 Hunter Cro West, Austin, Texas

**THE STATE OF TEXAS:**  
**COUNTY OF TRAVIS:**

BEFORE ME, the undersigned authority, a notary public in and for Travis County, Texas, on this 9 day personally appeared Kirby T. Gee, President of WILLOW WEST DEVELOPMENT, INC., known to me to be the person whose name is subscribed to the foregoing instrument of writing and he acknowledged to me that he executed the same for the purposes and considerations therein expressed and to the capacity therein stated.

WITNESSETH MY HAND AND SEAL OF OFFICE, this 9 day of JAN, 1986, A.D.



Robert M. Barcomb  
Notary Public in and for Travis County, Texas

PRIOR TO CONSTRUCTION, EXCEPT DETACHED SIGNS, FURNISH OR DISPLAY, ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.

**RAVINE CREEK ORDINANCE**

NO MORE THAN ONE (1) OF THE LAND AREA INCORPORATED WITH THIS PLAT LOCATED IN THE UPLAND WILDERNESS ZONE SHALL BE CLEARED OF EXISTING VEGETATION. NO DEVELOPMENT, EXCEPT THAT WHICH IS AUTHORIZED WITHIN THE UPLAND WILDERNESS ZONE, SHALL OCCUR IN THOSE AREAS HAVING SLOPES IN EXCESS OF 15%. AN ALTERNATIVE SOLID DISPOSAL SYSTEM IS REQUIRED FOR DEVELOPMENT FOR ANY LOT SMALLER THAN ONE ACRE WHICH IS NOT SERVED BY A CENTRALIZED WASTEWATER COLLECTION AND TREATMENT UTILITY.

THE NON-DISTURBANCE REQUIREMENTS APPLY TO THE ENTIRE LAND TO BE RETAINED OR CONVEYED TO THE NATURAL STATE, SINCE BEING SUBSTANTIALLY THE SAME CONDITIONS OF THE LAND WHICH EXISTED PRIOR TO THE DEVELOPMENT, INCLUDING BUT NOT LIMITED TO THE SAME TYPE, QUALITY, QUANTITY AND DISTRIBUTION OF SOILS, GRASS COVER, VEGETATION AND TOPOGRAPHICAL FEATURES. DRAINAGE SYSTEMS MAY BE CONSTRUCTED IN THIS AREA, AS WELL AS FENCING, CULVERT AND EXHAUSTION LINES. ACCESS FOR MAINTENANCE OF DAMS IS ALSO PERMITTED, PROVIDED ON LOTS 17-20 IN BLOCK 1 AND LOTS 21-22 IN BLOCK 2 MAY NOT EXCEED FORTY FEET INTO THE DESIGNATED NON-DISTURBANCE AREA. THE PURPOSE OF THIS AREA IS TO PRESERVE THE WATERSHED AND TO RECLAIM THE AQUIFER. SEE SECTION 13-3-01, AUSTIN CITY CODE; 1981, AS AMENDED & 13-3-306(D), AND COMPARE THE 40% BUFFER ZONE.

FEMA MAP REFERENCE 48082 0288 AND 48026 0300  
THE 100 YEAR FLOOD PLAIN IS CONTAINED IN THE REARPORTS SHOW.

Thomas P. McDill Jr.  
THOMAS P. MCDILL JR., P.E.  
3930 BAR CAVE ROAD  
SUITE 0  
AUSTIN, TEXAS 78746



I, William J. Cash, Jr., am authorized under the laws of the State of Texas to prepare the plat of this subdivision and hereby certify that this plat complies with Chapter 113-3 of the Austin City Code, as true and correct and was prepared from an actual survey of the property made by me or under my supervision on the ground.

CASH & BODEN, INC.  
William J. Cash, Jr., President  
2515 W. Lamar, Suite L-125  
Austin, Texas 78751



NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED BY THE AUSTIN-TRAVIS COUNTY HEALTH DEPARTMENT.

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A POTABLE WATER SUPPLY FROM AN APPROVED PUBLIC WATER SUPPLY WITH ADEQUATE QUANTITY FOR FAMILY USE AND OPERATION OF AN APPROVED ON-SITE WASTEWATER SYSTEM. THESE RESTRICTIONS ARE ENFORCEABLE BY THE AUSTIN-TRAVIS COUNTY HEALTH DEPARTMENT AND/OR OWNERS OF DEVELOPERS.

THIS SUBDIVISION WAS BEEN ACCEPTED FOR DEVELOPMENT OF ON-SITE WASTEWATER SYSTEM USE BY THE AUSTIN-TRAVIS COUNTY HEALTH DEPARTMENT.

STEPHEN P. ELLISON

**DRAINAGE EASEMENTS:**

PROPERTY OWNERS SHALL MAINTAIN DRAINAGE EASEMENTS LOCATED ON THEIR LOTS. PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PREVENT ACCESS BY CITY OF AUSTIN/TRAVIS COUNTY AUTHORITY FOR INSPECTION OF SAID EASEMENT.

NO BUILDING, FENCING, LANDSCAPING OR OTHER OBSTRUCTION SHALL BE PLACED WITHIN ANY DRAINAGE EASEMENT UNLESS EXCEPT AS SPECIFICALLY APPROVED BY THE CITY OF AUSTIN/TRAVIS COUNTY ENGINEER.

RIGHT TO CROSS DRAINAGE EASEMENT WITH PRIVATE DRIVE IS RESERVED FOR LOTS 16, 24, 27, 38, 39, 6 & 40 - BLK. 2

WATER: PRIVATELY OWNED CENTRALIZED PUBLIC DISTRIBUTION SYSTEM: ON-SITE INDIVIDUAL JOINT USE ACCESS EASEMENTS TO LANAPE TRAIL IS PROVIDED ACROSS LOTS 34, 39 & 40 (BLK. 2) FOR LOT 34, 39 & 40 (BLK. 2) AND ACCESS POINTS TO LANAPE TRAIL FROM LOTS 28 & 27 (BLK. 2) AS PER AGREEMENT RECORDED IN BOOK 2082, PAGE 283, TRAVIS COUNTY, TEXAS. RESTRICTIONS: 10' BULLETING SETBACK ALONG ALL SIDES AND REAR PROPERTY LINES. ACCESS FOR LOT 16 (BLK. 2) AND LOT 44 (BLK. 2) SHALL BE FROM LANAPE TRAIL. 3708 653

WATER SYSTEM SERVING THIS SUBDIVISION SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE CITY OF AUSTIN AND STATE HEALTH DEPARTMENT PLANS AND SPECIFICATIONS. PLANS AND SPECIFICATIONS WILL BE SUBMITTED TO THE CITY OF AUSTIN WATER AND WASTEWATER DEPARTMENT AND FIRE DEPARTMENT FOR REVIEW.

APPROVED FOR ACCEPTANCE: *Marion D. Davis Jr.* APRIL 1ST 1986  
James J. DeSpain, Director, Office of Land Development Services Date  
MARTIN A. CARTER

ACCEPTED AND AUTHORIZED FOR RECORD by the Planning Commission of the City of Austin on the 1ST day of APRIL, 1986 A.D.  
*Frances Schenkkan* *Mary Arnold*  
FRANCES SCHENKKAN, Chairperson MARY ARNOLD, Secretary

FILED FOR RECORD, this the 22 day of MAY, A.D. 1986 at 1:00 o'clock P.M.  
Doris Shropshire, Clerk, County Court, Travis County, Texas

BY *Ann Carter*  
Deputy ANN CARTER

**THE STATE OF TEXAS**  
**COUNTY OF TRAVIS:**

I, Doris Shropshire, Clerk of the County Court, within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of writing, with its certificate of authentication was filed for record in my office on the 22 day of MAY, A.D. 1986 at 1:00 o'clock P.M., and duly recorded on the 22 day of MAY, A.D. 1986 at 1:00 o'clock P.M., in the Plat Records of said County, in Book No. 2082, Pages 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

WITNESSETH MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, this date last written.

BY *Ann Carter*  
Deputy ANN CARTER

**THE OVERLOOK ESTATES PHASE 1**

C8-85-110.1(86) PAGE 1 OF 4

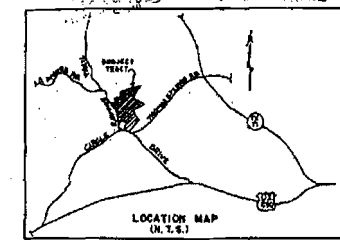
Cash & Boden, Inc.



974 West Austin  
P. O. Box 822, Cleburne, TX 76112  
682-212-2121

2515 W. Lamar Blvd., Suite L-125  
Austin, TX 78751  
(512) 451-0915

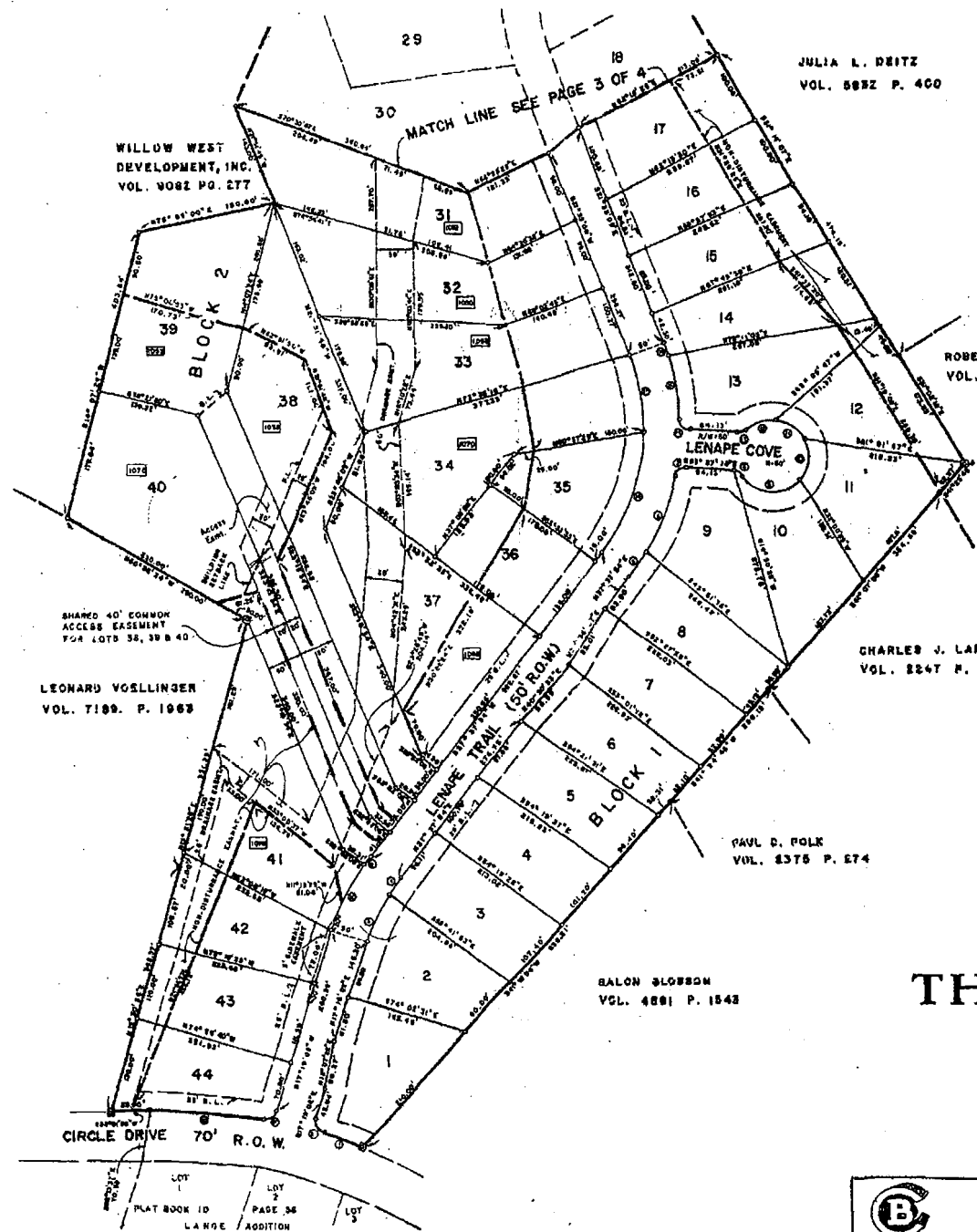




SCALE: 1" = 100'

- LEGEND**
- IRON PIN SET
  - IRON PIN FOUND
  - CONCRETE MONUMENT SET
  - MINIMUM 1st FLOOR ELEVATION
  - BL. BUILDING LINE

LOT	ACRES	AREA
1	1	0.516 Ac.
2	1	0.518 Ac.
3	1	0.500 Ac.
4	1	0.500 Ac.
5	1	0.500 Ac.
6	1	0.502 Ac.
7	1	0.500 Ac.
8	1	0.501 Ac.
9	1	0.540 Ac.
10	1	0.512 Ac.
11	1	0.503 Ac.
12	1	0.520 Ac.
13	1	0.562 Ac.
14	1	0.559 Ac.
15	1	0.516 Ac.
16	1	0.501 Ac.
17	1	0.508 Ac.
18	2	1.020 Ac.
19	2	1.001 Ac.
20	2	1.022 Ac.
21	2	1.037 Ac.
22	2	0.501 Ac.
23	2	0.516 Ac.
24	2	1.126 Ac.
25	2	1.694 Ac.
26	2	1.716 Ac.
27	2	2.843 Ac.
28	2	1.371 Ac.
29	2	0.541 Ac.
30	2	0.559 Ac.
31	2	0.512 Ac.



JULIA L. DEITZ  
VOL. 588Z P. 400

ROBERT U. PAVLICA  
VOL. 439I P. 174S

CHARLES J. LANE  
VOL. 224T P. 43S

PAUL D. POLK  
VOL. 237S P. 274

BALON SLOSSON  
VOL. 489I P. 154Z

CURVE DATA

CURVE NO.	RADIUS	ARC	CHORD	CHORD BEARING
1	722.16'	59.00'	58.98'	N 70° 33' 36" W
2	15.00'	23.62'	23.25'	N 23° 47' 30" W
3	275.00'	72.90'	72.28'	N 24° 21' 03" W
4	275.00'	25.01'	25.00'	N 35° 01' 35" W
5	325.00'	42.24'	42.51'	N 33° 53' 57" W
6	325.00'	107.96'	107.46'	N 20° 39' 03" W
7	15.00'	21.79'	19.93'	N 52° 45' 24" W
8	15.00'	13.62'	13.16'	N 59° 36' 41" W
9	50.00'	80.79'	76.82'	N 83° 37' 18" W
10	90.00'	63.24'	57.49'	N 07° 16' 04" W
11	50.00'	50.44'	48.35'	N 56° 49' 19" W
12	50.00'	45.40'	43.85'	N 68° 22' 06" W
13	15.00'	13.62'	13.14'	N 68° 22' 06" W
14	15.00'	21.79'	19.93'	N 43° 59' 56" W
15	325.00'	88.05'	86.67'	N 10° 13' 03" W
16	325.00'	30.00'	30.00'	N 19° 19' 21" W
17	325.00'	105.45'	105.09'	N 10° 34' 49" W
18	325.00'	178.58'	175.45'	N 15° 01' 45" W
19	325.00'	14.23'	14.23'	N 36° 28' 59" W
20	325.00'	101.00'	100.60'	N 26° 13' 13" W
21	15.00'	21.79'	19.90'	N 56° 31' 26" W
22	722.16'	156.07'	155.76'	N 83° 47' 32" W

# THE OVERLOOK ESTATES PHASE 1

PAGE 2 OF 4

C8-85-110.1(86)

Cash & Boden, Inc.



976 Reed Austin  
P. O. Box 805, GARDNER, TX 78044  
(409) 543-1267

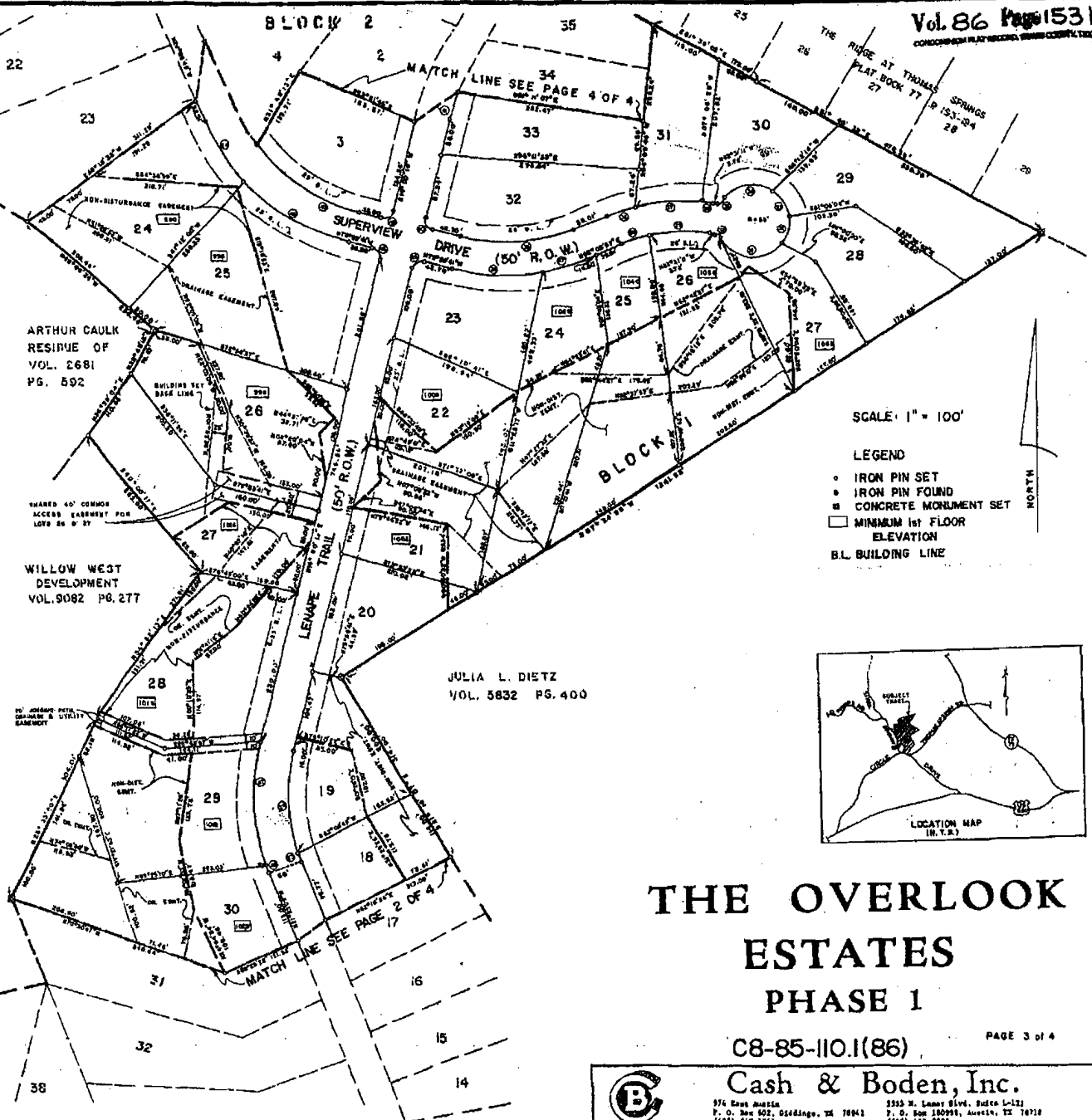
5550 N. Lamar Blvd., Suite L-153  
P. O. Box 180979, AUSTIN, TX 78718  
(512) 451-0918

**CURVE DATA**

CURVE NO.	RADIUS	ARC	CHORD	CHORD BEARING
23	235.00'	15.00'	15.00'	M 20° 01' 34" W
24	275.00'	155.82'	155.75'	M 02° 13' 19" W
25	15.00'	23.36'	21.21'	M 59° 00' 15" E
26	385.00'	135.77'	132.78'	M 87° 16' 56" E
27	325.00'	70.14'	70.00'	M 74° 14' 54" E
28	378.00'	48.54'	48.50'	M 73° 07' 19" E
29	275.00'	87.82'	87.14'	M 87° 15' 35" E
30	15.00'	14.44'	13.89'	S 35° 36' 41" E
31	35.00'	109.35'	92.30'	S 85° 23' 07" E
32	35.00'	44.54'	43.33'	M 14° 20' 00" E
33	35.00'	44.23'	43.06'	M 11° 54' 46" W
34	35.00'	80.31'	73.40'	M 83° 11' 07" W
35	15.00'	14.44'	13.89'	M 68° 14' 19" W
36	325.00'	13.97'	13.97'	M 84° 33' 32" W
37	325.00'	100.66'	100.26'	M 84° 31' 44" W
38	325.00'	46.94'	44.91'	M 72° 01' 59" W
39	275.00'	172.50'	169.98'	M 66° 02' 08" W
40	15.00'	15.36'	11.71'	M 30° 59' 41" W
41	175.00'	41.42'	41.38'	M 14° 19' 21" E
42	15.00'	23.59'	21.23'	S 39° 00' 18" W
43	175.00'	189.71'	186.00'	M 56° 13' 45" W
44	325.00'	105.44'	105.00'	M 35° 27' 35" W
45	325.00'	185.54'	185.91'	M 39° 22' 31" W
46	15.00'	32.18'	21.21'	M 50° 59' 48" W
47	325.00'	189.88'	187.29'	M 62° 43' 37" W
48	325.00'	12.00'	12.00'	M 10° 31' 41" W

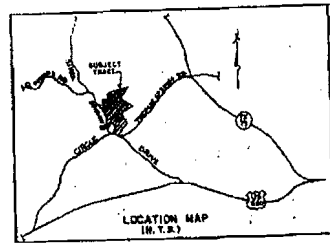
**LOT AREAS**

LOT	AREA	LOT	AREA
18	0.3286 Ac.	3	0.1180 Ac.
19	0.4493 Ac.	24	1.0910 Ac.
20	0.5287 Ac.	25	1.5383 Ac.
21	0.7847 Ac.	26	1.1806 Ac.
22	0.7024 Ac.	27	1.0240 Ac.
23	0.4472 Ac.	28	1.1730 Ac.
24	1.2091 Ac.	29	1.1082 Ac.
25	0.8124 Ac.	30	1.0574 Ac.
26	1.0010 Ac.	31	1.0934 Ac.
27	0.5387 Ac.		
28	0.6861 Ac.		
29	0.8537 Ac.		
30	0.5444 Ac.		
31	0.3422 Ac.		
32	0.7422 Ac.		
33	0.5507 Ac.		



SCALE: 1" = 100'

- LEGEND**
- IRON PIN SET
  - IRON PIN FOUND
  - CONCRETE MONUMENT SET
  - MINIMUM 1st FLOOR ELEVATION
  - B.L. BUILDING LINE

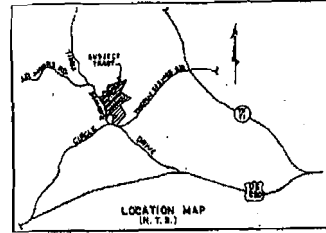


# THE OVERLOOK ESTATES PHASE 1

C8-85-110.1(86) PAGE 3 of 4



**Cash & Boden, Inc.**  
 976 East Austin  
 P. O. Box 802, CedarRidge, TN 37041  
 (601) 542-2287  
 3555 N. Lenoir Blvd., Suite L-1212  
 P. O. Box 180998, Austin, TX 78718  
 (512) 431-0326

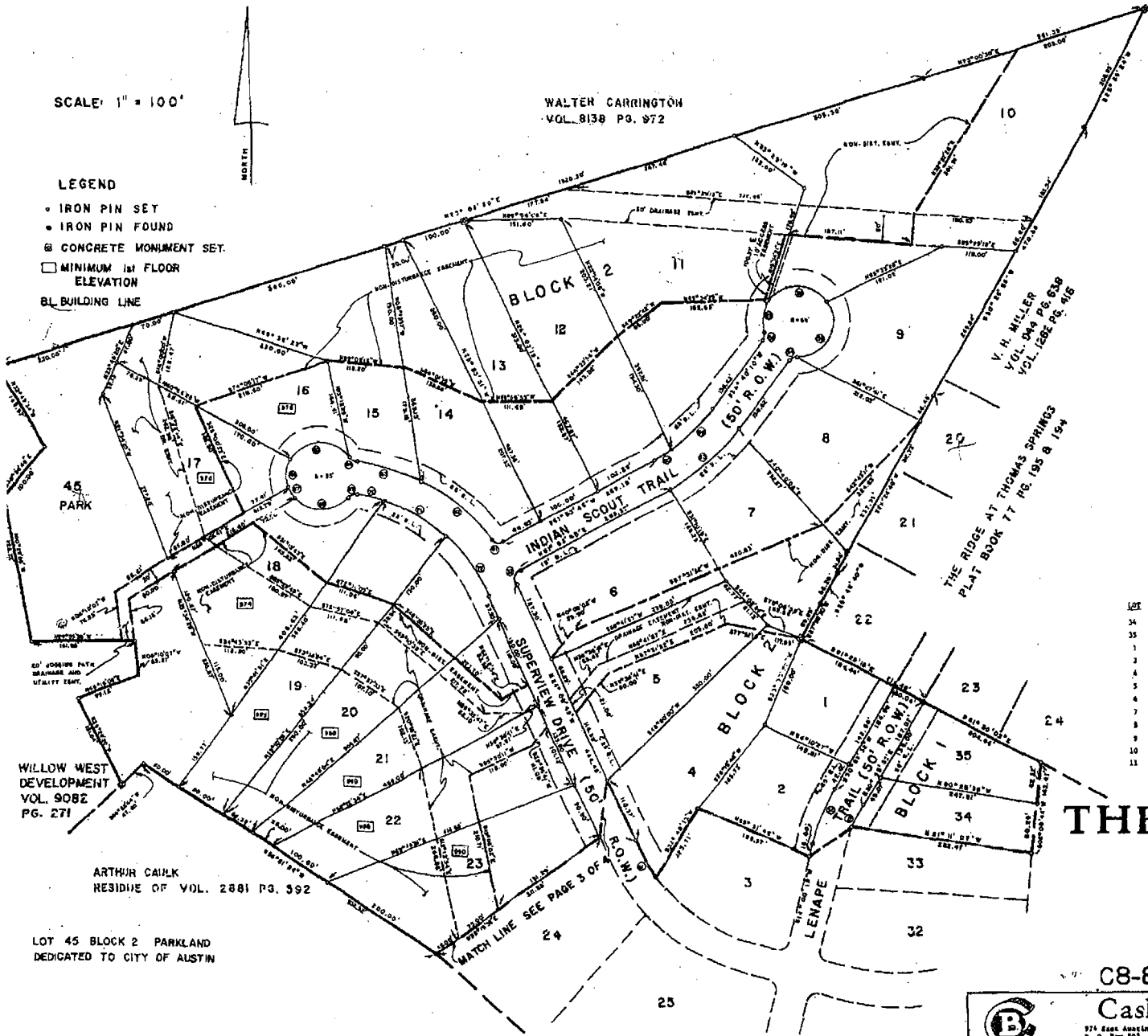


SCALE: 1" = 100'

WALTER CARRINGTON  
 VOL. 8138 PG. 972

LEGEND

- IRON PIN SET
- IRON PIN FOUND
- ⊗ CONCRETE MONUMENT SET.
- MINIMUM 1st FLOOR ELEVATION
- BL BUILDING LINE



CURVE DATA

CURVE NO.	RADIUS	ARC	CHORD	CHORD BEARING
49	275.00'	40.04'	40.00'	N 24° 48' 14" W
50	325.00'	59.26'	59.91'	N 22° 29' 23" W
51	275.00'	59.03'	58.91'	N 50° 18' 47" W
52	15.00'	22.23'	20.47'	N 38° 51' 50" E
53	325.00'	143.09'	143.94'	N 49° 16' 53" W
54	15.00'	16.66'	15.88'	N 64° 16' 40" W
55	55.00'	180.37'	97.74'	N 29° 07' 26" W
56	35.00'	103.26'	89.57'	N 88° 27' 04" W
57	59.00'	32.94'	50.92'	N 00° 05' 10" W
58	35.00'	14.44'	13.83'	N 00° 05' 40" W
59	275.00'	91.09'	90.65'	N 44° 09' 11" W
60	275.00'	30.02'	30.00'	N 58° 46' 08" W
61	15.00'	21.08'	19.38'	N 77° 52' 03" W
62	325.00'	145.13'	143.93'	N 50° 23' 23" W
63	325.00'	108.23'	104.77'	N 72° 27' 30" W
64	15.00'	12.12'	12.12'	N 64° 39' 28" W
65	15.00'	214.54'	94.94'	N 88° 43' 20" W
66	33.00'	44.17'	44.83'	N 05° 04' 42" W
67	15.00'	20.13'	20.02'	N 29° 29' 19" W
68	15.00'	97.43'	85.22'	N 89° 12' 25" W
69	15.00'	16.04'	15.19'	N 49° 07' 15" W
70	275.00'	42.02'	41.88'	N 73° 52' 11" W
71	275.00'	114.83'	114.00'	N 38° 31' 48" W
72	275.00'	112.13'	111.55'	N 25° 51' 55" W

LOT AREAS

LOT	BLOCK	AREA	LOT	BLOCK	AREA
34	1	0.301 Ac.	12	1	1.515 Ac.
35	1	0.303 Ac.	13	1	1.085 Ac.
1	2	0.519 Ac.	14	2	1.029 Ac.
2	2	0.590 Ac.	15	2	1.248 Ac.
3	2	1.002 Ac.	16	2	2.008 Ac.
4	2	2.082 Ac.	17	2	1.001 Ac.
5	2	1.016 Ac.	18	2	1.101 Ac.
6	2	1.005 Ac.	19	2	1.219 Ac.
7	2	1.013 Ac.	20	2	1.236 Ac.
8	2	1.034 Ac.	21	2	1.009 Ac.
9	2	1.114 Ac.	22	2	1.112 Ac.
10	2	2.558 Ac.	23	2	1.090 Ac.
11	2		24	2	1.873 Ac.

WILLOW WEST DEVELOPMENT  
 VOL. 9082  
 PG. 271

ARTHUR CAULK  
 RESIDUE OF VOL. 2881 PG. 392

LOT 45 BLOCK 2 PARKLAND  
 DEDICATED TO CITY OF AUSTIN

# THE OVERLOOK ESTATES PHASE 1

PAGE 4 of 4

C8-85-110.1(86)

Cash & Boden, Inc.



974 East Austin  
 P. O. Box 803, Cedarburg, TX 78942  
 (409) 542-1287

5355 W. Lamar Blvd., Suite 1-121  
 P. O. Box 180318, Austin, TX 78718  
 (512) 491-0912



**TRANSPORTATION AND NATURAL RESOURCES**

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

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

**EASEMENT REQUIREMENT STATEMENT FOR CONVERTING PUBLIC STREETS  
TO PRIVATE STREETS**

Item #6 & #7

An application is being made to Travis County for the Conversion from Public Streets to Private Streets in Overlook Estates Phase I subdivision 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 approve the change from Public Street Easements to Private Street Easements as described in the accompanying document.

X\_\_\_\_\_ We do approve the change from Public Street Easements to Private Street Easements as described in the accompanying document. A map of the subject streets is attached. (Note: this approval is with the understanding that we will not be denied access to our facilities.)

*[Handwritten Signature]*

Signature

*BRADY HARRIS*

Printed Name

*DISTRICT ENGINEERING SERVICE*

Title

*DEC*

Utility Company or District

*3/18/11*

Date

Please return this completed form to:  
David Knoll  
c/o Thompson Land Engineering, LLC  
904 N. Cuernavaca  
Austin, Texas 78733



**TRANSPORTATION AND NATURAL RESOURCES**

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

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

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TO PRIVATE STREETS**


Item #6 & #7

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We do approve the change from Public Street Easements to Private Street Easements as described in the accompanying document. A map of the subject streets is attached. (Note: this approval is with the understanding that we will not be denied access to our facilities.)

  
\_\_\_\_\_  
Signature

W.M.S. GESSAS  
\_\_\_\_\_  
Printed Name

MGR DESIGN AT&T (CONTRACTOR)  
\_\_\_\_\_  
Title

AT&T  
\_\_\_\_\_  
Utility Company or District

3-23-2011  
\_\_\_\_\_  
Date

Please return this completed form to:  
David Knoll  
c/o Thompson Land Engineering, LLC  
904 N. Cuernavaca  
Austin, Texas 78733



**TRANSPORTATION AND NATURAL RESOURCES**

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

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

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- We do approve the change from Public Street Easements to Private Street Easements as described in the accompanying document. A map of the subject streets is attached. (Note: this approval is with the understanding that we will not be denied access to our facilities.)

  
\_\_\_\_\_  
Signature

AARON BERRY  
\_\_\_\_\_  
Printed Name

DESIGN SUPERVISOR  
\_\_\_\_\_  
Title

TIME WARNER CABLE, INC  
\_\_\_\_\_  
Utility Company or District

3/24/2011  
\_\_\_\_\_  
Date

Please return this completed form to:  
David Knoll  
c/o Thompson Land Engineering, LLC  
904 N. Cuernavaca  
Austin, Texas 78733



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

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

EASEMENT REQUIREMENT STATEMENT FOR CONVERTING PUBLIC STREETS  
TO PRIVATE STREETS

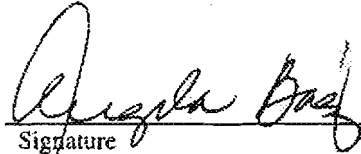
Item #6 & #7

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We do approve the change from Public Street Easements to Private Street Easements as described in the accompanying document. A map of the subject streets is attached. (Note: this approval is with the understanding that we will not be denied access to our facilities.)

  
Signature

ANGELA BAEZ  
Printed Name

Project COORDINATOR  
Title

Austin Water Utility  
Utility Company or District

December 6, 2011  
Date

Please return this completed form to:  
Robert C. (Ric) Thompson, P.E.  
c/o Thompson Land Engineering, LLC  
904 N. Cuernavaca  
Austin, Texas 78733



**TRANSPORTATION AND NATURAL RESOURCES**

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

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

**EASEMENT REQUIREMENT STATEMENT FOR CONVERTING PUBLIC STREETS  
TO PRIVATE STREETS**

Item #6 & #7

An application is being made to Travis County for the Conversion from Public Streets to Private Streets in Overlook Estates Phase I subdivision 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 approve the change from Public Street Easements to Private Street Easements as described in the accompanying document.

We do approve the change from Public Street Easements to Private Street Easements as described in the accompanying document. A map of the subject streets is attached. (Note: this approval is with the understanding that we will not be denied access to our facilities.)

Joe R. Almazan  
Signature

JOE R. ALMAZAN  
Printed Name

DEVELOPMENT SERVICES PROCESS  
Title COORDINATOR

CITY OF AUSTIN  
Utility Company or District

12/21/2011  
Date

Please return this completed form to:  
Robert C. (Ric) Thompson, P.E.  
c/o Thompson Land Engineering, LLC  
904 N. Cuernavaca  
Austin, Texas 78733





**TRANSPORTATION AND NATURAL RESOURCES**

JOSEPH P. GIBELMAN, EXECUTIVE MANAGER

411 West 13th Street  
Executive Office Building  
PO Box 1748  
Austin, Texas 78767  
C(512) 854-9383  
FAX (512) 854-3649

**EASEMENT REQUIREMENT STATEMENT FOR CONVERTING PUBLIC STREETS  
TO PRIVATE STREETS**

Item #6 & #7

An application is being made to Travis County for the Conversion from Public Streets to Private Streets in Overlook Estates Phase I subdivision 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.

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M. J. Lacey 09/10/11  
Signature

Michael Lacey  
Printed Name

District Chief/Fire Marshal  
Title

Travis County ESD #3  
Utility Company or District

3/23/2011  
Date

Please return this completed form to:  
David Knoll  
c/o Thompson Land Engineering, LLC  
904 N. Querrey  
Austin, Texas 78733



**TRANSPORTATION AND NATURAL RESOURCES**

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

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

**EASEMENT REQUIREMENT STATEMENT FOR CONVERTING PUBLIC STREETS  
TO PRIVATE STREETS**  
Item #6 & #7

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Signature

KRIS HAFEZIZADEH

Printed Name

DIRECTOR OF TRANSPORTATION

Title

AUSCIN ISD

Utility Company or District

12/15/11

Date

Please return this completed form to:  
Robert C. (Ric) Thompson, P.E.  
c/o Thompson Land Engineering, LLC  
904 N. Cuernavaca  
Austin, Texas 78733

- (5) any wellands, as defined by federal or state law or regulation, affecting the Property; or  
(6) any threatened or endangered species or their habitat affecting the Property.
8. **BROKERS' FEES:** All obligations of the parties for payment of brokers' fees are contained in separate written agreements
9. **CLOSING:**
- A. The closing of the sale will be on or before 1/26/2012, ~~1/26/2012~~, or within 7 days after objections made under Paragraph 6D have been cured or waived whichever date is later (Closing Date). If either party fails to close the sale by the Closing Date, the non-defaulting party may exercise the remedies contained in Paragraph 15.
- B. At closing:
- (1) Seller shall execute and deliver a general warranty deed conveying title to the Property to Buyer and showing no additional exceptions to those permitted in Paragraph 5 and furnish tax statements or certificates showing no delinquent taxes on the Property.
  - (2) Buyer shall pay the Sales Price in good funds acceptable to the escrow agent.
  - (3) Seller and Buyer shall execute and deliver any notices, statements, certificates, affidavits, releases, loan documents and other documents reasonably required for the closing of the sale and the issuance of the Title Policy
  - (4) There will be no liens, assessments, or security interests against the Property which will not be satisfied out of the sales proceeds unless securing the payment of any loans assumed by Buyer and assumed loans will not be in default.
  - (5) If the Property is subject to a lease, Seller shall (i) deliver to Buyer the lease(s) and the move-in condition form signed by the tenant, if any, and (ii) transfer security deposits (as defined under §92.102, Property Code), if any, to Buyer. In such an event, Buyer shall deliver to the tenant a signed statement acknowledging that the Buyer has received the security deposit and is responsible for the return of the security deposit, and specifying the exact dollar amount of the security deposit
10. **POSSESSION:** Seller shall deliver to Buyer possession of the Property in its present or required condition upon closing and funding.
11. **SPECIAL PROVISIONS:** (Insert only factual statements and business details applicable to the sale. TREC rules prohibit licensees from adding factual statements or business details for which a contract addendum or other form has been promulgated by TREC for mandatory use )  
See Addendum A and Exhibit A

Sellers are licensed real estate agents in the state of Texas

Buyer agrees to privatization of roads

Seller agrees to allow transfer of earnest money to another available lot should buyer choose to change lots to build on

12. **SETTLEMENT AND OTHER EXPENSES:**

A. The following expenses must be paid at or prior to closing:

(1) Expenses payable by Seller (Seller's Expenses):

(a) Releases of existing liens, including prepayment penalties and recording fees; release of Seller's loan liability; tax statements or certificates; preparation of deed; one-half of escrow fee; and other expenses payable by Seller under this contract

(b) Seller shall also pay an amount not to exceed \$ \_\_\_\_\_ to be applied in the following order: Buyer's Expenses which Buyer is prohibited from paying by FHA, VA, Texas Veterans Land Board or other governmental loan programs, and then to other Buyer's Expenses as allowed by the lender.

(2) Expenses payable by Buyer (Buyer's Expenses): Appraisal fees; loan application fees; adjusted origination charges; credit reports; preparation of loan documents; interest on the notes from date of disbursement to one month prior to dates of first monthly payments; recording fees; copies of easements and restrictions; loan title policy with



**NOTICE OF  
PUBLIC HEARING**

MAY 22, 2012 AT 9:00 AM  
RIGHT OF WAY EASEMENT VACATION  
TO APPROVE THE CHANGE IN STATUS  
FROM PUBLIC STREETS TO PRIVATE  
STREETS, THE OVERLOOK ESTATES  
SECTION ONE SUBDIVISION IN PRECINCT  
THREE

AT THE TRAVIS COUNTY  
COMMISSIONERS' COURTROOM  
314 WEST 11th STREET  
(FIRST FLOOR), AUSTIN  
FOR MORE INFORMATION CALL 854-7564



# **NOTICE OF PUBLIC HEARING**

**MAY 22, 2012 AT 9:00 AM  
RIGHT of WAY EASEMENT VACATION  
TO APPROVE THE CHANGE IN STATUS  
FROM PUBLIC STREETS TO PRIVATE  
STREETS, THE OVERLOOK ESTATES  
SECTION ONE SUBDIVISION IN PRECINCT  
THREE**

**AT THE TRAVIS COUNTY  
COMMISSIONERS COURTROOM  
314 WEST 11th STREET  
FIRST FLOOR), AUSTIN**

**FOR MORE INFORMATION CALL 854-7564**

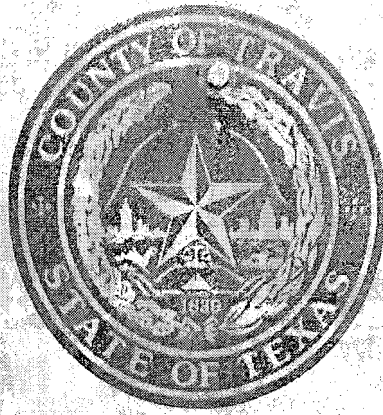
NOTICE OF  
PUBLIC HEARING

MAY 22, 2012 AT 9:00 AM  
PART OF MAP 64012001000001  
TO APPROVE THE CHANGE IN STATUS  
FROM PUBLIC STREETS TO PRIVATE  
STREETS, THE OVERLOOK ESTATES  
SECTION ONE SUBDIVISION IN PRECINCT  
THREE

AT THE TRAVIS COUNTY  
COMMISSIONERS' COURT ROOM  
204 WEST 10TH STREET  
FIRST FLOOR - AUSTIN

FOR MORE INFORMATION CALL 504-4566





# **NOTICE OF PUBLIC HEARING**

**MAY 22, 2012 AT 9:00 AM**

**RIGHT of WAY EASEMENT VACATION**

**TO APPROVE THE CHANGE IN STATUS  
FROM PUBLIC STREETS TO PRIVATE  
STREETS, THE OVERLOOK ESTATES  
SECTION ONE SUBDIVISION IN PRECINCT  
THREE**

**AT THE TRAVIS COUNTY  
COMMISSIONERS COURTROOM  
314 WEST 11th STREET  
(FIRST FLOOR), AUSTIN**

**FOR MORE INFORMATION CALL 854-7564**

CODE: 4115

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

APR 18 2012

TNR

AFFIDAVIT OF POSTING

TO: County Judge  
County Commissioners  
Travis County, Texas

A Public Notice of Public-Private sign was posted on April 23, 2012, on the intersection of Lenape Train and Circle Drive and at the north end of the Overlook Estates Section 1 subdivision at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 24 DAY OF April, 2012.

SIGNATURE: Jaime Garcia

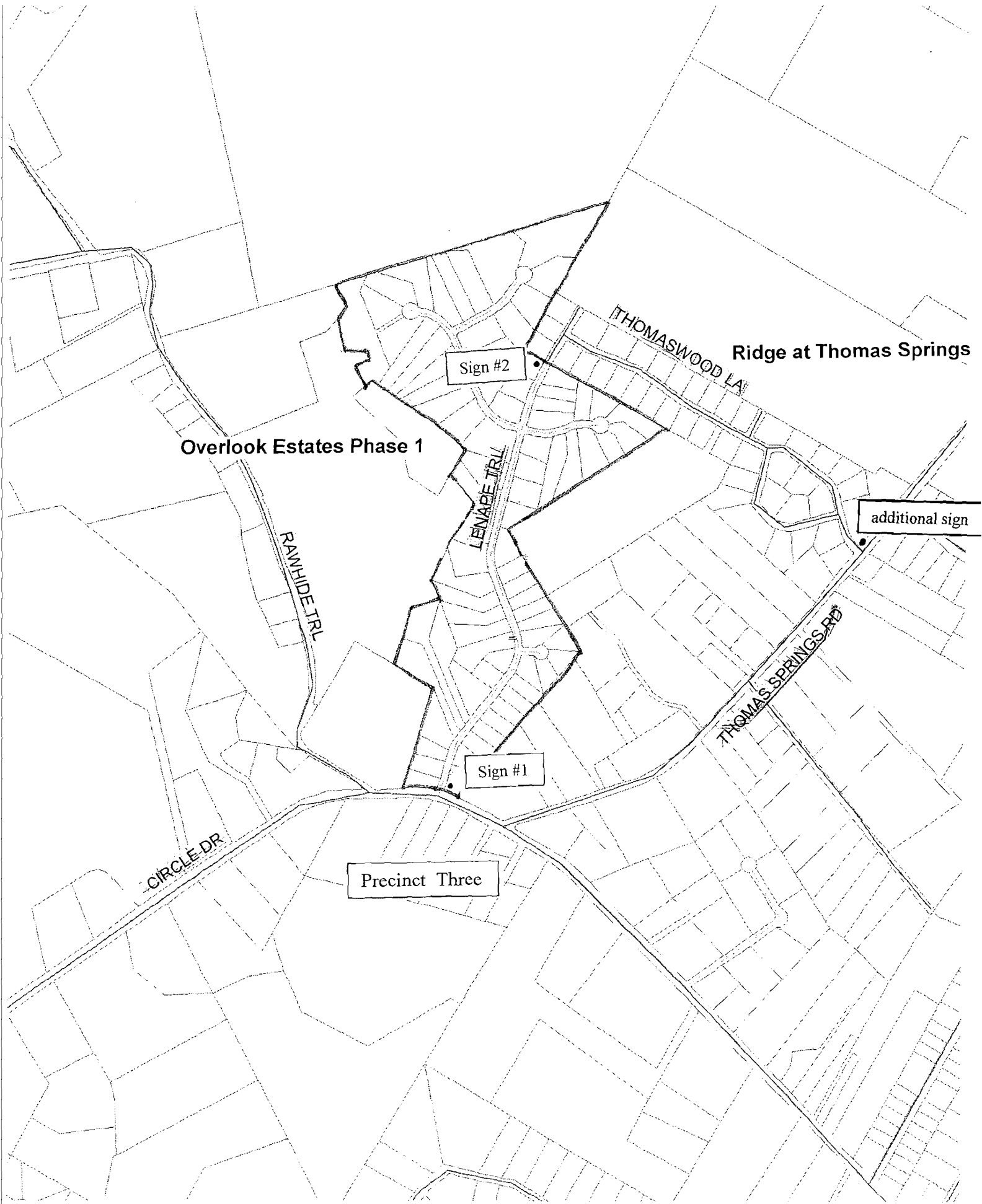
NAME (PRINT): Jaime Garcia

TITLE: TNR R/B Supervisor

cc: Garcia (sign shop)

M:\PERMITS\Vacate\12ROW\Overlook Estates \SignRequest.doc





Overlook Estates Phase 1

Ridge at Thomas Springs

Sign #2

additional sign

Sign #1

Precinct Three

CIRCLE DR

RAWHIDE TRL

LENAPE TRL

THOMASWOOD LN

THOMAS SPRINGS RD

# **NOTICE OF PUBLIC HEARING**

**MAY 22, 2012 AT 9:00 AM**

**RIGHT OF WAY EASEMENT VACATION**

**TO APPROVE THE CHANGE IN STATUS  
FROM PUBLIC STREETS TO PRIVATE  
STREETS, THE OVERLOOK ESTATES  
SECTION ONE SUBDIVISION  
IN PRECINCT THREE**

**AT THE TRAVIS COUNTY  
COMMISSIONERS COURTROOM  
314 WEST 11th STREET  
(FIRST FLOOR), AUSTIN**

**FOR MORE INFORMATION CALL 854-7564**



CODE: 4115

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

TTR

**AFFIDAVIT OF POSTING**

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

A Public Notice of Public-Private sign was posted on May 3, 2012, on the intersection of Thomaswood Lane and Thomas Springs Road at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 7 DAY OF May, 2012.

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

cc: Garcia (sign shop)

**ORDER OF THE TRAVIS COUNTY COMMISSIONERS COURT  
CONVERTING LENAPE TRAIL, LENAPE COVE, SUPERVIEW DRIVE, AND INDIAN  
SCOUT TRAIL TO PRIVATE STREETS**

WHEREAS, the streets and roads in the Overlook Estates Phase 1, a subdivision recorded at Vol. 86, Page 152d - 153c, Travis County Plat Records, were dedicated to the public in 1986, and the new owners want to apply to the Commissioners Court to change the status of the streets from public to private; and

WHEREAS, the streets have not been accepted by Travis County; and

WHEREAS, on application by the attorney for the property owners of the Overlook Estates Phase 1, a request was received and a Public Hearing held on May 22, 2012, in the Travis County Commissioners Court ("the Court") to consider whether the following roads and streets, each of which connect directly or indirectly to Circle Drive (collectively, "the Public Roads") should be converted from public county roads and streets to private roads and streets through their abandonment by Travis County:

Lenape Trail, Lenape Cove, Superview Drive, and Indian Scout Trail hereinafter referred to collectively as ("the Streets"); and

WHEREAS, the Overlook Estates Phase 1 HOA, Inc., (OEP1HOA) a validly existing nonprofit corporation, will maintain the streets when the construction is complete and the Court is notified of completion of construction of the streets and drainage; and

WHEREAS, by virtue of the aforementioned actions, OEP1HOA, Inc. has assumed authority and responsibility to pay applicable taxes on and maintain the Streets and established easements for utilities, drainage, emergency service providers, and other public service providers so that abandonment of the Streets will not substantially impair the rights of the utilities, service providers, and any and all land owners who rely on or use the Streets for access; and

WHEREAS, the City of Austin, in whose extraterritorial jurisdiction the Streets are located, has consented to the conversion of the county streets and roads in its extraterritorial jurisdiction from public to private by adoption of Section 30-2-159, Austin/Travis County Subdivision Regulations; and

WHEREAS, the requisite 20-day notices were posted, and the Court held a public hearing to consider and provide an opportunity for public comment on this matter; and

WHEREAS, the Court finds that the abandonment of the Streets will not substantially interfere with the access rights of any affected land owner.

NOW, THEREFORE, THE COURT FINDS AND ORDERS THAT:

1. The recitals to this Order are true and correct and are incorporated herein.
2. The Streets are hereby classified as third class streets.
3. The Streets are hereby abandoned and the public's interest in the right-of-way is relinquished, except as to the easements for utilities, drainage, and public service agencies established by such declarations and agreements.

ORDERED by unanimous vote on \_\_\_\_\_, 2012.

\_\_\_\_\_  
Samuel T. Biscoe  
Travis County Judge

\_\_\_\_\_  
Ron Davis  
Commissioner, Precinct 1

\_\_\_\_\_  
Sarah Eckhardt  
Commissioner, Precinct 2

\_\_\_\_\_  
Karen Huber  
Commissioner, Precinct 3

\_\_\_\_\_  
Margaret Gomez  
Commissioner, Precinct 4