



## Travis County Commissioners Court Agenda Request

**Meeting Date:** June 12, 2012

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

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

A handwritten signature in black ink, appearing to read "Steven M. Manilla".

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

**Sponsoring Court Member:** Commissioner Eckhardt, Precinct Two

**AGENDA LANGUAGE:** Approve setting a public hearing on Tuesday, July 3, 2012 to receive comments regarding a request to authorize the filing of an instrument to vacate two ten foot wide drainage easements and a 25 foot wide drainage easement located over and across portions of Lots 1 and 2 of Baldwin Subdivision and a portion of Lot 15 of Westlake Highlands Section 5, Phase 2, Revised – Precinct Two.

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

TNR staff has received a request to vacate two ten foot wide drainage easements and a 25 foot wide drainage easement located over and across portions of Lots 1 and 2 of the Baldwin Subdivision and Lot 15 of Westlake Highlands Section 5, Phase 2, Revised. The easements are dedicated per their respective plats and are schematically shown on the face of the plats. The subject lots front on Camino Alto, a street maintained by Travis County.

To be more specific, there is a ten foot wide drainage easement located along the south lot line of Lot 2 of the Baldwin Subdivision and along with a 25 foot wide drainage easement located along the common lot line of Lots 1 and 2 of the Baldwin Subdivision. There is also a ten foot wide drainage easement located along the common lot line of Lot 2 of the Baldwin Subdivision and Lot 15 of the Westlake Highlands Section 5, Phase 2, Revised. These easements run adjacent to each other to form one 6,864 square foot easement.

Professional engineer Robert C. Thompson has stated that:

"These easements are apparantly not needed and are an encumbrance to the full use of the property (such as the use of the easement, or area within 25 feet of the easement, for a septic system). In support of the fact that they are not needed, we've attached an exhibit with the City's GIS topography (Exhibit B) confirming that the easement area is on the order of eight (8) feet above the low point in the street (the easement is not helpful, currently or in the future, to the drainage of the street) and that no significant run-off from any lot discharges to the easement.

Additionally, it can be seen from the GIS topography that the street currently discharges along the side of Lot 3 (next to Lot 2) in the Baldwin Subdivision. We've also attached photos (Exhibit C) showing views from the street further supporting these facts. Lastly, we can find no evidence of storm sewers in the area and therefore no evidence that there is a storm line in the easement. In fact, even the existing drainage from the cul-de-sac is overland, not in an inlet and storm sewer. Therefore, we are not sure why the easement was dedicated but we cannot find a reason for it being needed now or in the future."

After review of the submitted request and recommendation, Travis County engineer John Ellis has stated he has no objections to this vacation request. 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 setting the public hearing.

**ISSUES AND OPPORTUNITIES:**

According to the request letter the subject drainage easements are not necessary and are a encumbrance to the full use of the property. These uses could be future construction and septic setbacks to drainage easements.

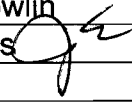
**FISCAL IMPACT AND SOURCE OF FUNDING:**

None.

**ATTACHMENTS/EXHIBITS:**

Order of Vacation  
Field Notes and Sketch  
Request/Engineer's Letter  
Sketches and pictures  
Maps

**REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Anna Bowlin	Division Director	TNR	854-7561
John Ellis 	Engineer	TNR	854-9805

**CC:**

Stacey Scheffel	Program Manager	TNR Permits	854-7565

**SM:AB:ps**

**1101 - Development Services - Baldwin Subdivision and Westlake Highlands Section 5,  
Phase 2, Revised**

**ORDER OF VACATION**

**STATE OF TEXAS                    §**

**COUNTY OF TRAVIS   §**

WHEREAS, the property owner requests the vacation of the ten foot wide drainage easement located along the south lot line of Lot 2 of the Baldwin Subdivision, the 25 foot wide drainage easement located along the common lot line of Lots 1 and 2 of the Baldwin Subdivision, and the ten foot wide drainage easement located along the common lot Line of Lot 2 of the Baldwin Subdivision and Lot 15 of the Westlake Highlands Section 5, Phase 2, Revised with the Baldwin Subdivision being recorded at Volume 87, Pages 106A-106B and the Westlake Highlands Section 5, Phase 2, Revised being recorded at Volume 31, Page 2 – both of the Real Property Records of Travis County, Texas;

WHEREAS, an independent Professional Engineer has submitted a letter recommending the vacation of the subject easements;

WHEREAS, a Travis County Engineer has stated that there is no objection to the vacation of the drainage easements as described in the attached field notes and sketch;

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of the subject drainage 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 July 3, 2012 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the ten foot wide drainage easement located along the south lot line of Lot 2 of the Baldwin Subdivision, the 25 foot wide drainage easement located along the common lot line of Lots 1 and 2 of the Baldwin Subdivision, and the ten foot wide drainage easement located along the common lot Line of Lot 2 of the Baldwin Subdivision and Lot 15 of the Westlake Highlands Section 5, Phase 2, Revised with the Baldwin 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

**LEGAL DESCRIPTION**

**BEING 6,864 SQUARE FEET OF LAND, OR 0.158 OF AN ACRE OF LAND, MORE OR LESS, BEING A PORTION OF LOT 1, BALDWIN SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 87, PAGES 106A-106B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO ROBERT B. BALDWIN, III AND JANNIS S. BALDWIN IN DOCUMENT NUMBER 2007163969 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF LOT 2, BALDWIN SUBDIVISION, A SUBDIVISION OF RECORD IN VOLUME 87, PAGES 106A-106B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO LENDOL L. DAVIS AND MARINA P. SIFUENTES IN VOLUME 13281, PAGE 1072 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF LOT 15, WESTLAKE HIGHLANDS SECTION 5, PHASE 2, REVISED, A SUBDIVISION OF RECORD IN VOLUME 31, PAGE 2 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO LENDOL L. DAVIS AND MARINA P. SIFUENTES IN DOCUMENT NUMBER 2008079364 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 6,864 SQUARE FEET OF LAND ALSO BEING ALL OF A 10 FOOT DRAINAGE EASEMENT AND A 25 FOOT DRAINAGE EASEMENT CONVEYED UNDER AFORESAID BALDWIN SUBDIVISION AND BEING ALL OF A 10 FOOT DRAINAGE EASEMENT CONVEYED UNDER AFORESAID WESTLAKE HIGHLANDS, SECTION 5, PHASE 2, REVISED SUBDIVISION; SAID 6,864 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a point in the easterly right of way line of Camino Alto, said point being in the westerly line of said Lot 2 and being the northwesterly corner of said 10 foot drainage easement in said Baldwin Subdivision for the northwesterly corner and the **PLACE OF BEGINNING**, hereof;

THENCE, departing said right of way, running through said Lot 2, in part, and said Lot 1, in part, being the northerly line of said 10 foot and 25 foot drainage easement in said Baldwin Subdivision, the following three (3) calls:

1. N 85°53'04" E, a distance of 125.81 feet to a point, said point being the northeasterly corner of said 10 foot drainage easement, the northwesterly corner of said 25 foot drainage easement, for an angle point hereof;
2. N 85°54'48" E, a distance of 28.27 feet for an angle point hereof;
3. N 81°39'59" E, a distance of 148.35 feet to a point in the westerly line of Lot 79, Block A the Replat of Westview on Lake Austin, Phase C, Section 2, a subdivision of record in Volume 95, Page 6 of the Plat Records of said

**PG. 2 OF 3**

County and being in the easterly line of said Lot 1; said point also being the northeasterly corner of said 25 foot drainage easement and being the northeasterly corner hereof; from which a 60D Nail found at an angle point in the east line of said Lot 1 bears N 08°14'24" W, a distance of 60.31 feet;

THENCE S 08°14'24" E with the common boundary line of said Lot 1 and Lot 79, being the easterly line of said 25 foot drainage easement and being the easterly line hereof, a distance of 25.00 feet to a point, said point being the southeasterly corner of said 25 foot drainage easement and the tract hereof;

THENCE S 81°39'59" W, running through said Lot 1 and with the southerly line of said 25 foot easement and the tract hereof, a distance of 149.58 feet to a point in the easterly line of said Lot 15, said point being an exterior angle point of said 25 foot easement and being the southern most corner hereof;

THENCE N 04°27'32" W, running with the common boundary line of said Lot 1 and Lot 15, a distance of 5.02 feet to a point, said point being the southeasterly corner of said 10 foot drainage easement in Westlake Highlands for an interior an angle point hereof; from which an iron pipe found at the northeasterly corner of said Lot 15, being the northwesterly corner of said Lot 1 bears N 04°27'32" W, a distance of 5.00 feet and from said pipe found, a ½" rebar found at the southeasterly corner of said Lot 2, being an interior angle point of said Lot 1 bears N 81°39'59" E (BEARING BASIS), a distance of 113.89 feet;

THENCE, running through said Lot 15 with the southerly line of said 10 foot drainage easement in Westlake Highlands and the southerly line hereof, the following two (2) calls:

1. S 85°54'48" W, a distance of 28.86 feet to an angle point hereof;
2. S 85°53'04" W, a distance of 132.77 feet to a point in the aforementioned right of way line of Camino Alto for the southwesterly of said 10 foot easement and the tract hereof;

THENCE, 5.68 feet along the arc of a curve to the left, along said right of way being the westerly line of said Lot 15, said 10 foot easement, and the tract hereof, having a radius of 50.00 feet and a chord bearing a distance of N 24°04'12" E for 5.67 feet to a 60D Nail found; said point being the southwesterly corner of said Lot 2 and being the northwesterly corner of said Lot 15 for a point online hereof;

THENCE 15.67 feet along the arc of aforesaid curve, continuing along said right of way with the westerly line of said Lot 2, said 10 foot easement in Westlake Highlands, said 10 foot easement in said Baldwin, being the westerly line hereof, having a said radius of 50.00 feet and a chord bearing and distance of N 17°57'04" E for 15.60 feet to the

**PG. 3 OF 3**

**PLACE OF BEGINNING** hereof and containing 6,864 Square Feet of land, more or less.

**THIS DESCRIPTION TO BE USED WITH THE ATTACHED SKETCH ONLY.**



4/19/12

MICHAEL LANCASTER, R.P.L.S. 5529  
B & G SURVEYING, INC.  
1404 W. NORTH LOOP BLVD.  
AUSTIN, TEXAS 78756  
(512) 458-6969, FAX: (512) 458-1129

DATE

B0402412\_ESMT\_REL  
TCAD Parcel ID: 0123110357, 0123110355, & 0123110318

<http://www.bandgsurvey.com>



CURVE	RADIUS	ARC	BEARING	CHORD
C1	50.00	5.68'	N 24°04'12" E	5.67'
C2	50.00	15.67'	N 17°57'04" E	15.60'

# EXHIBIT 'B'

LOT 2

BALDWIN SUBDIVISION

V. 87, PG. 106A-106B

TCAD PARCEL ID-0123110355

**6864 SQ.FT.  
0.158 ACRE**

**CAMINO ALTO**

(50' R.O.W.)

CB=S 41°22'59" E, 69.78'  
R=50.00', A=77.23'

P.O.B.

C2

C1

N 85°54'48" E 28.27'  
N 85°53'04" E 125.81'

[10' D.E.]

S 85°53'04" W 132.77'  
S 85°54'48" W 28.86'

N 81°39'59" E 148.35'

BEARING BASIS

113.89' [114.02']

S 81°39'59" W 149.58'

LOT 1

BALDWIN SUBDIVISION

V. 87, PG. 106A-106B

TCAD PARCEL ID-0123110357

LOT 15

WESTLAKE HIGHLANDS

SECTION 5, PHASE 2, REVISED

V. 31, PG. 2

TCAD PARCEL ID-0123110318

LINE	DISTANCE	BEARING
L1	5.00'	N 04°27'32" W
L2	5.02'	N 04°27'32" W

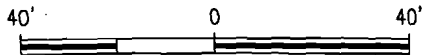
NOTE: OTHER EASEMENTS, IF ANY, ARE NOT SHOWN OR ARE NOT A PART OF THIS EXHIBIT.

### LEGEND

- 1/2" REBAR FOUND
- CALCULATED POINT
- 1/2" IRON PIPE FOUND
- 600 NAIL FOUND
- BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- ( ) PER V. 31, PG. 2
- [ ] PER V. 87, PG. 106A-106B
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING



## SKETCH TO ACCOMPANY FIELD NOTES FOR EASEMENT RELEASE



**B & G SURVEYING, INC.**

**DEWEY H. BURRIS & ASSOCIATES, INC.**

Surveyed by: B & G Surveying, Inc.

WWW.BANDGSURVEY.COM

1404 West North Loop Blvd. Austin, Texas 78756  
Office 512\*458-6969, Fax 512\*458-9845

*[Signature]* 4/19/12

MICHAEL LANCASTER, R.P.L.S. 5529

DATE

JOB #: B0402412\_TA\_ER  
DATE: 04/19/12  
SCALE: 1" = 40'

FIELD WORK BY	JESUS	04/16/12
CALC'D BY	TONI	04/18/12
DRAFTED BY	TONI	04/19/12
CHECKED BY	ML	04/19/12





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

May 4, 2012

Mr. Steven Manilla, P.E., County Executive  
Travis County TNR  
PO Box 1748  
Austin, Texas 78767

**RE: Release of 25 foot and 10 foot Drainage Easement at 2507 & 2510 Camino Alto Drive  
Lots 1 and 2 of the Baldwin Subdivision and Lot 15, Westlake Highlands Section 5, Ph 2  
Revised  
TLE Job No. 1164**

Dear Mr. Manilla,

This letter is to request the release of the 25 foot drainage easement that is shown on the recorded plat between for Lots 1 and 2 of the Baldwin Subdivision, the related 10 foot drainage easement on Lot 1 of the Baldwin Subdivision, next to Lot 15 of the Westlake Highlands Section Five, Ph. 2 (Revised) Subdivision, and also the related 10 foot drainage easement on Lot 15 and 16 of the Westlake Highlands Section 5, Phase 2 Revised (Lot 16 later becoming Lot 1 of the Baldwin Subdivision). See Exhibit A attached for the definition of these easements. These easements are apparently not needed and are an encumbrance to the full use of the property (such as the use of the easement, or area within 25 feet of the easement, for a septic system). In support of the fact that they are not needed, we've attached an exhibit with the City's GIS topography (Exhibit B) confirming that the easement area is on the order of eight (8) feet above the low point in the street (the easement is not helpful, currently or in the future, to the drainage of the street) and that no significant run-off from any lot discharges to the easement. Additionally, it can be seen from the GIS topography that the street currently discharges along the side of Lot 3 (next to Lot 2) in the Baldwin Subdivision. We've also attached photos (Exhibit C) showing views from the street further supporting these facts. Lastly, we can find no evidence of storm sewers in the area and therefore no evidence that there is a storm line in the easement. In fact, even the existing drainage from the cul-de-sac is overland, not in an inlet and storm sewer. Therefore, we are not sure why the easement was dedicated but we cannot find a reason for it being needed now or in the future.

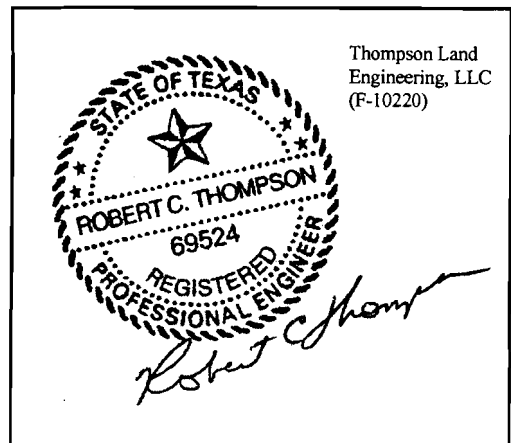
We hope that this information is sufficient for your review of the release of these easements. Please contact me at 512-328-0002 if you have any questions.

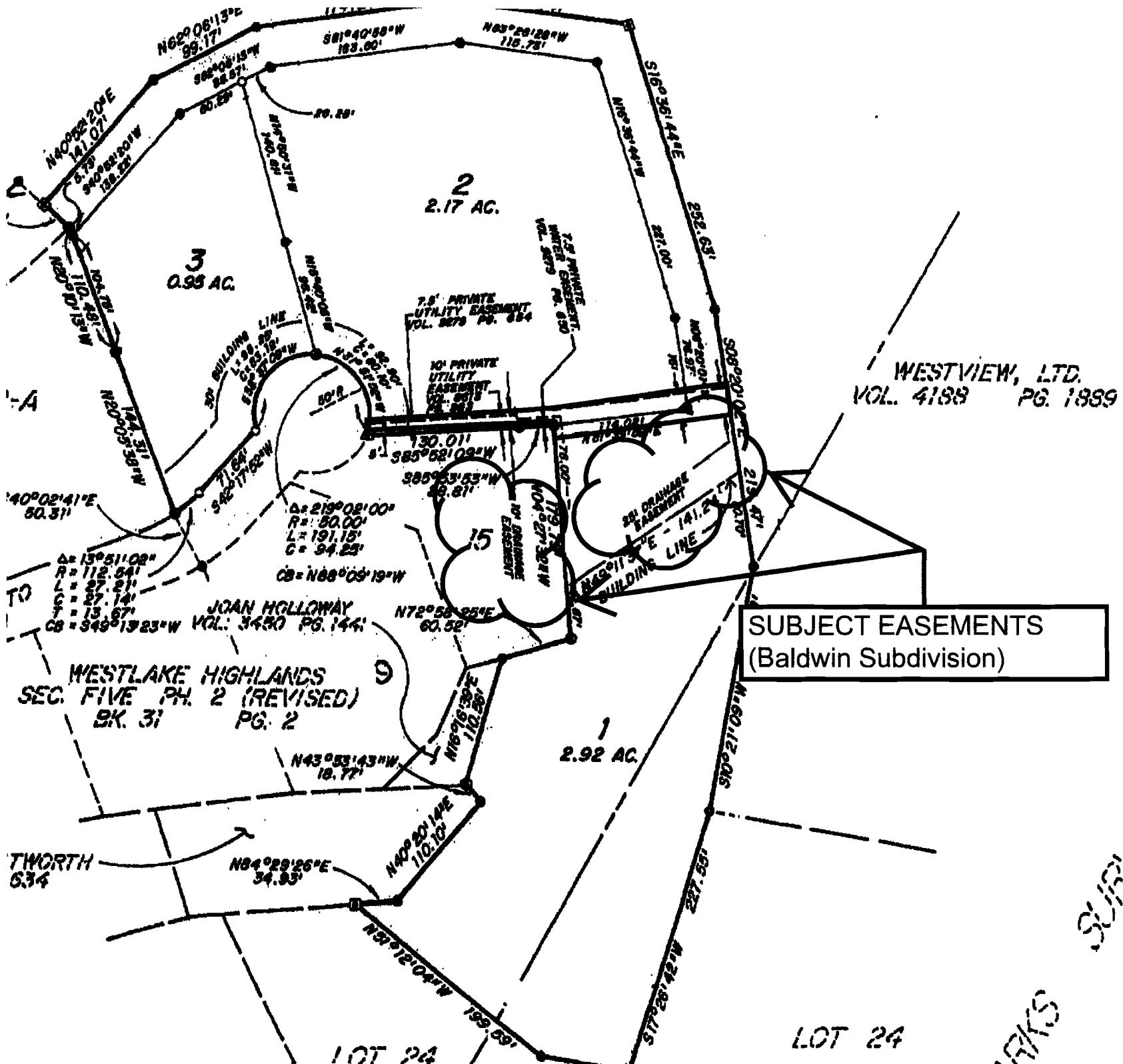
Sincerely,

THOMPSON LAND ENGINEERING, LLC

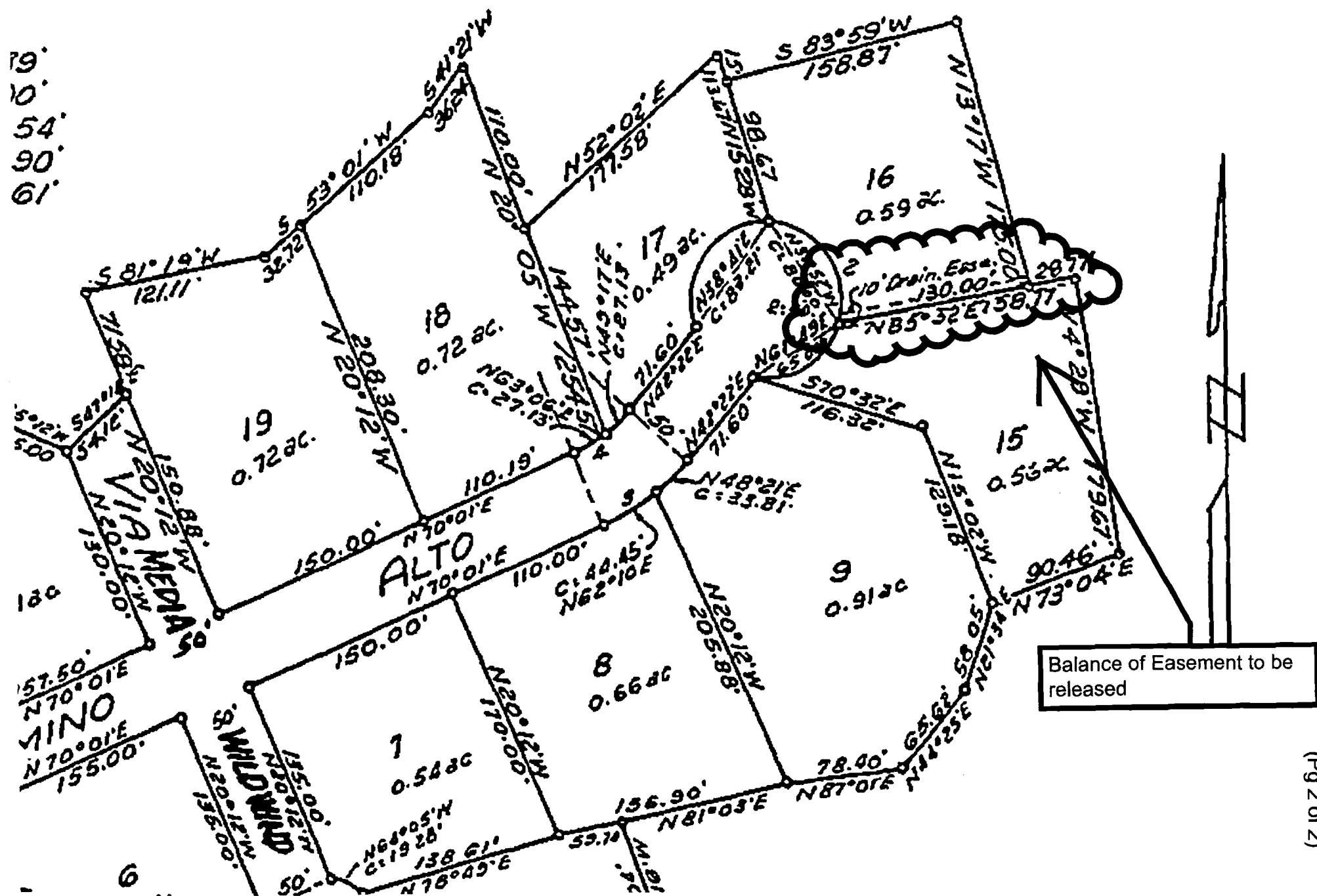
Robert C. (Ric) Thompson, P.E.  
M.S., C.F.M., C.P.E.S.C.

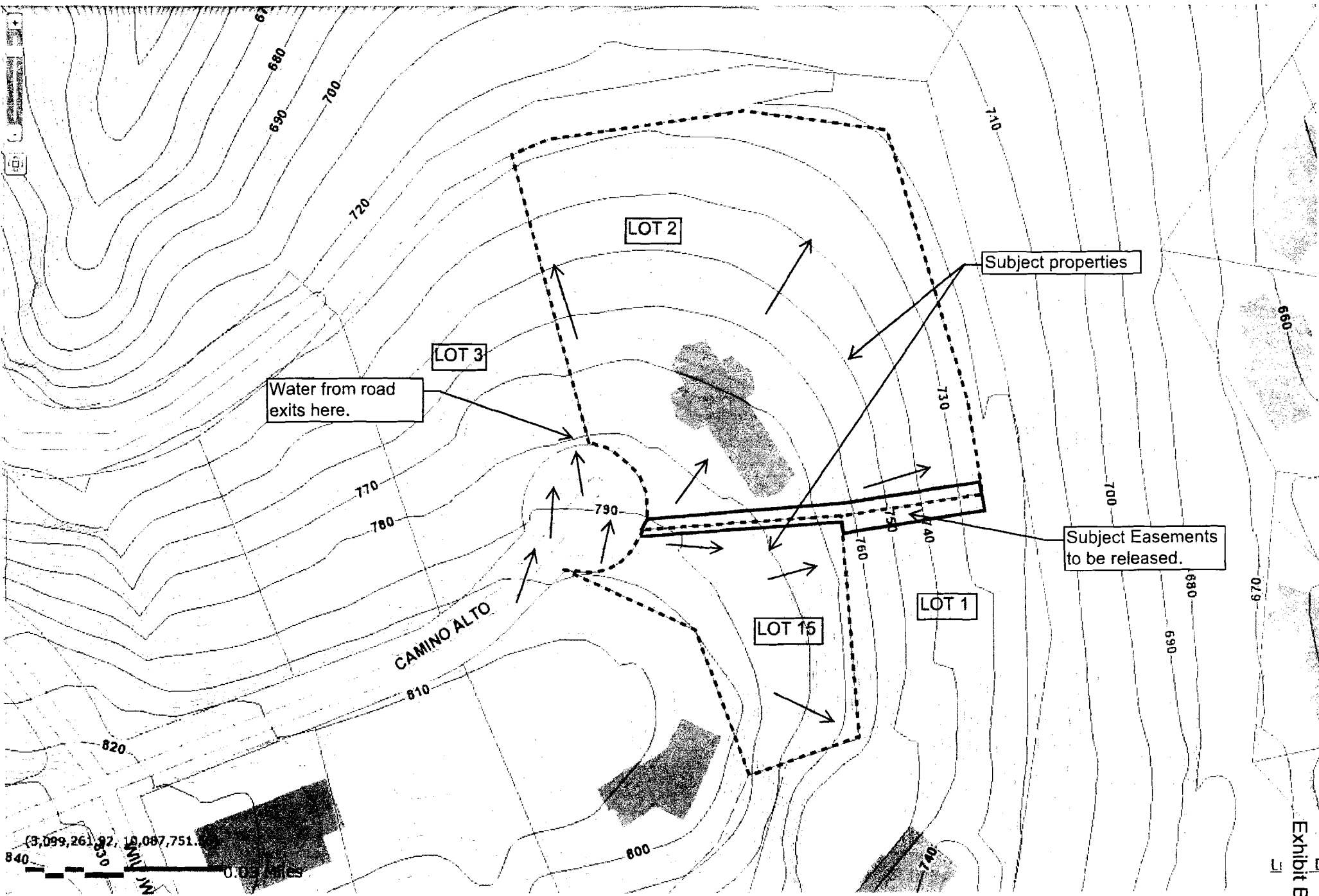
May 4, 2012





Oct. 10-66 RCCHA 9289 # 4.50





Water from road exits here.

Subject properties

Subject Easements to be released.



2677 Cam Alto, Texas, United States  
Address is approximate





2685 Cam Alto, Texas, United States  
Address is approximate



Exhibit C  
(Pg 2 of 4)



1

Exhibit C  
(Pg 3 of 4)



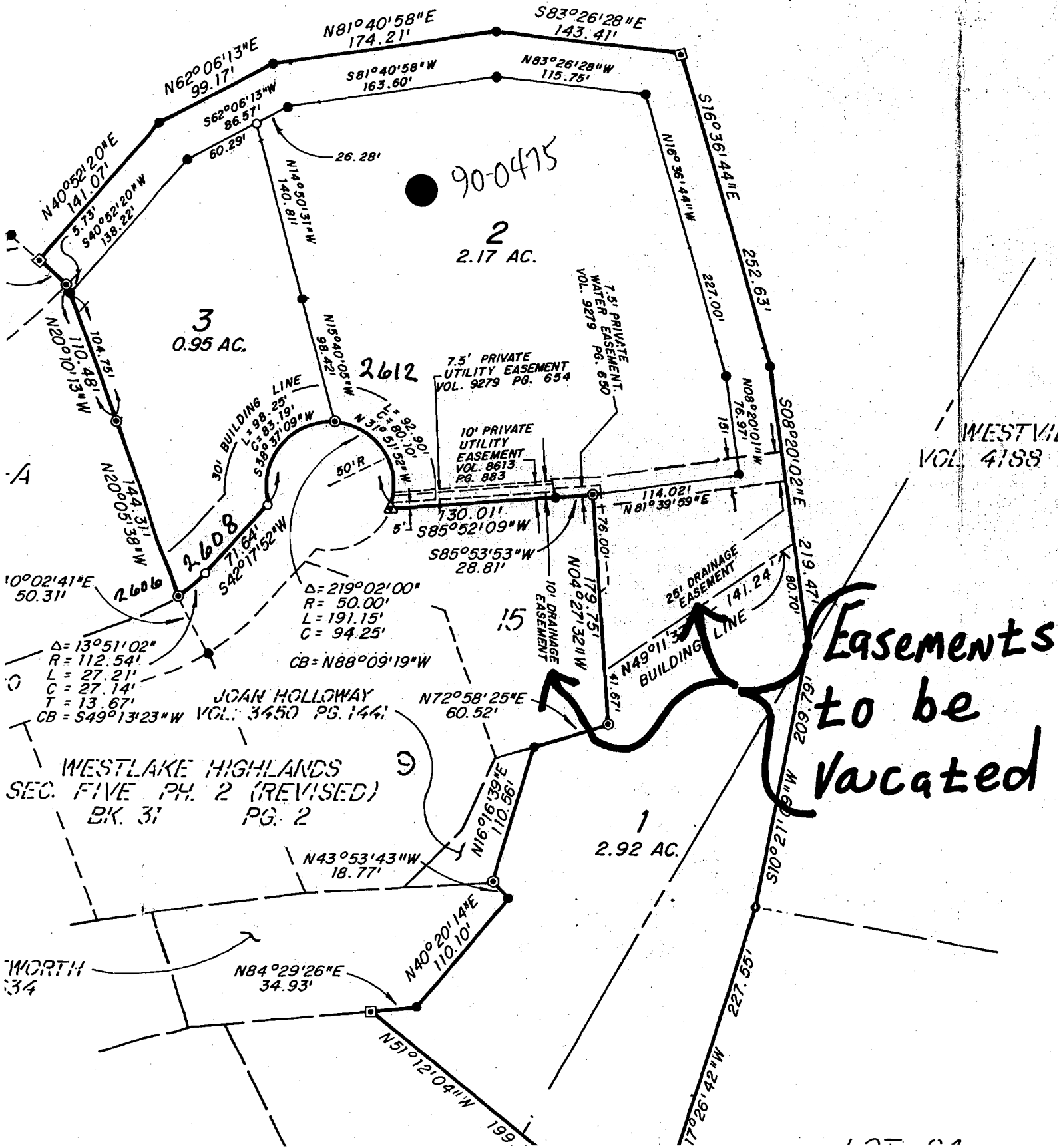
Approximate location of easements to be released.

Exhibit C  
(Pg 4 of 4)



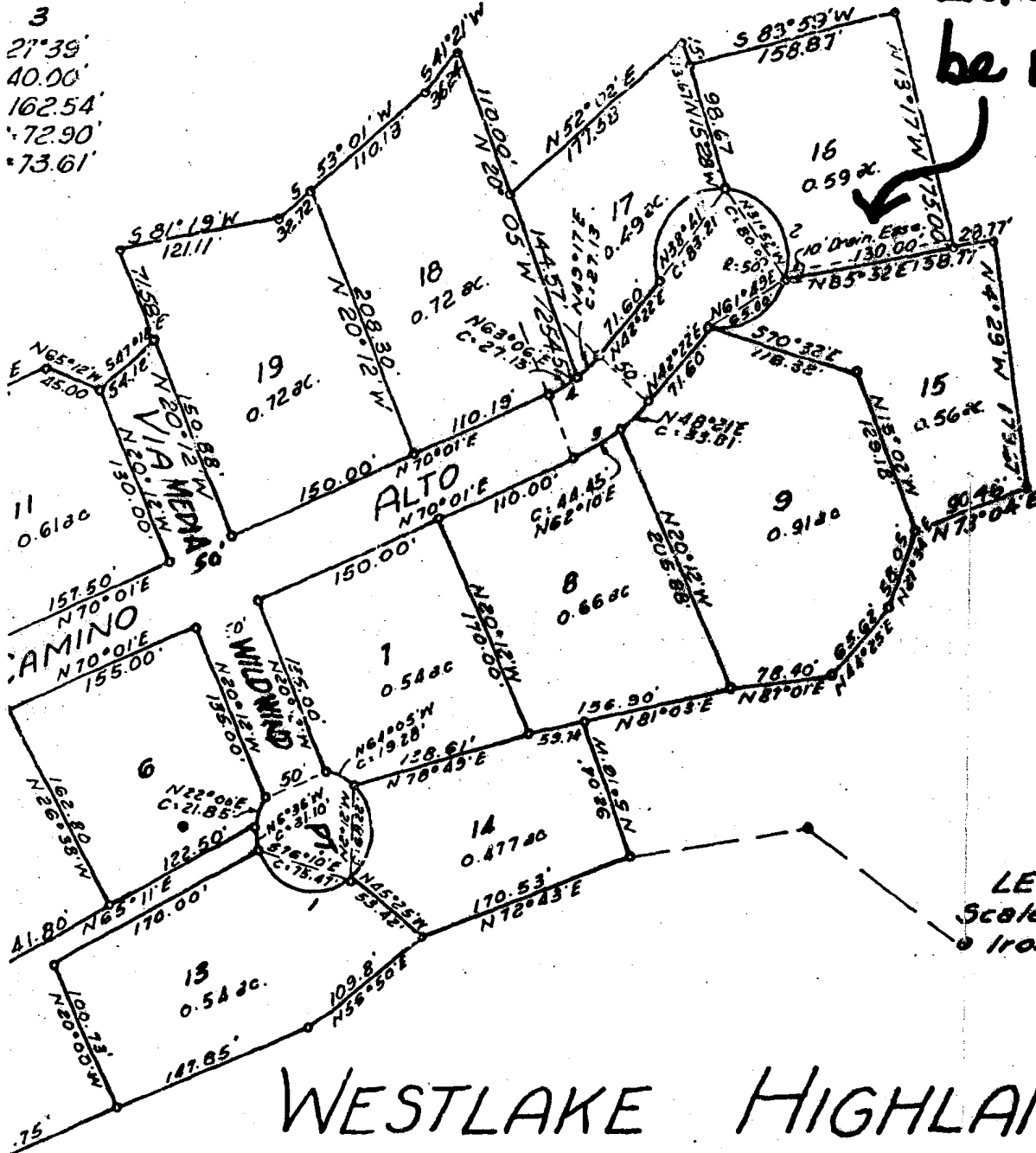
# Baldwin Subdivision

WESTVIEW, LTD.  
VOL. 4188 PG. 1889



Oct. 10-66 RCCHA 9289 # 450

Easement to be vacated



3  
 27°39'  
 40.00'  
 162.54'  
 72.90'  
 73.61'

# WESTLAKE HIGHLANDS SECTION 5, PHASE 2, REVISED

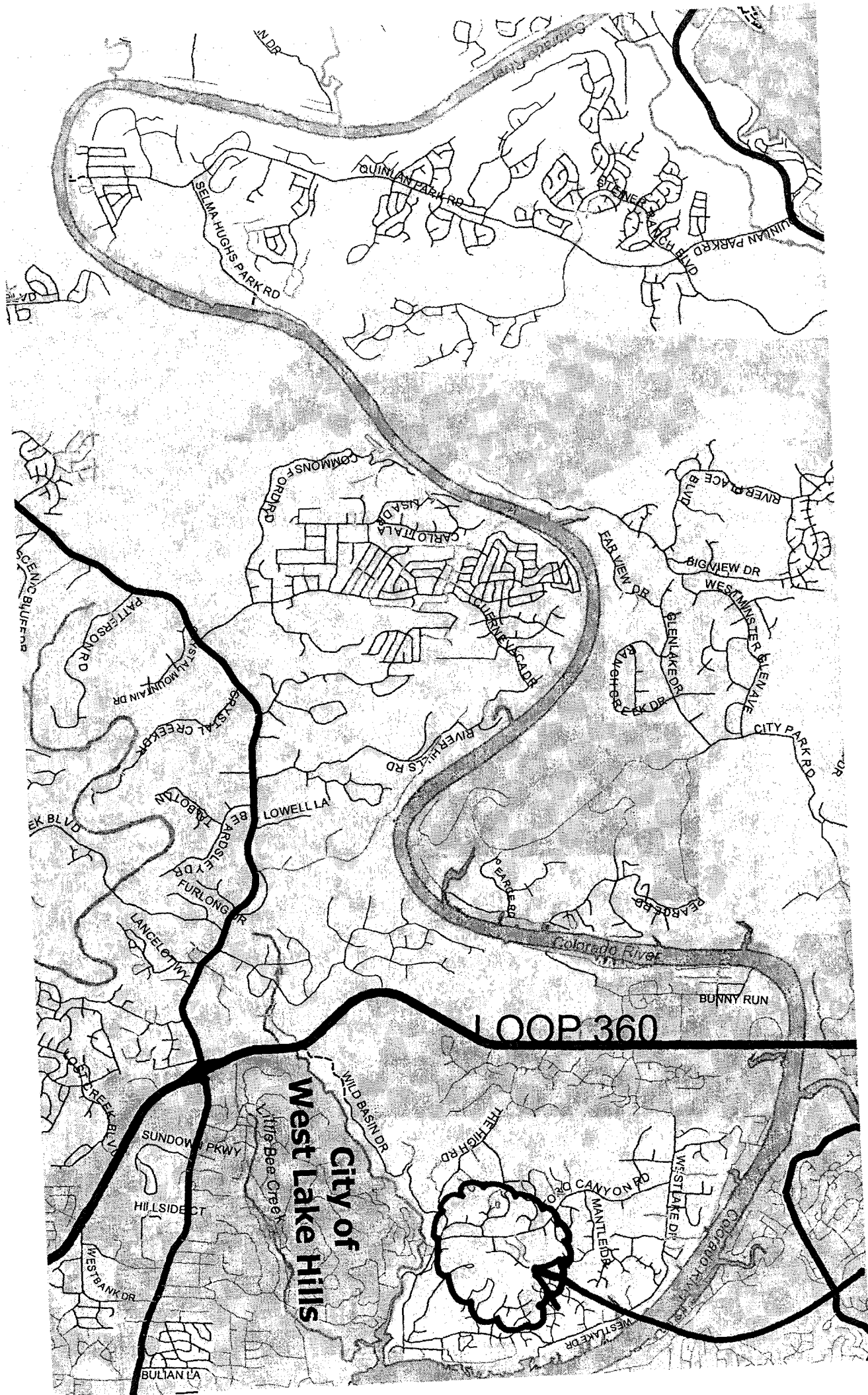
BY THESE PRESENTS

JOHN HUME, JR., acting by and  
 t and Attorney-in-Fact, being  
 a the David Thomas Survey,  
 tion 5, Phase 2, as shown by  
 je 1, Travis County Plat Records,  
 oy Joan Holloway, who joins in  
 nan, being the owner of three  
 Survey, conveyed to him by  
 3185, Pages 1466, 1469 and 1473,  
 i Records, and shown on the  
 i 14, do hereby subdivide all of  
 hed plat. said Subdivision to

STATE OF TEXAS  
 COUNTY OF TRAVIS

I, Miss Emilie Limberg, Clerk of the County  
 Court within and for the County and State aforesaid,  
 do hereby certify that the within and foregoing in-  
 strument of vr ling with its certificate of authen-  
 tication was ed for record in my office on the  
 10 day of Oct AD 1966, at 1:00 o'clock P.M.  
 and duly recorded the 10 day of Oct AD 1966,  
 at 1:05 o'clock P.M. in the Plat Records of said  
 County in Book 31 at Page 2

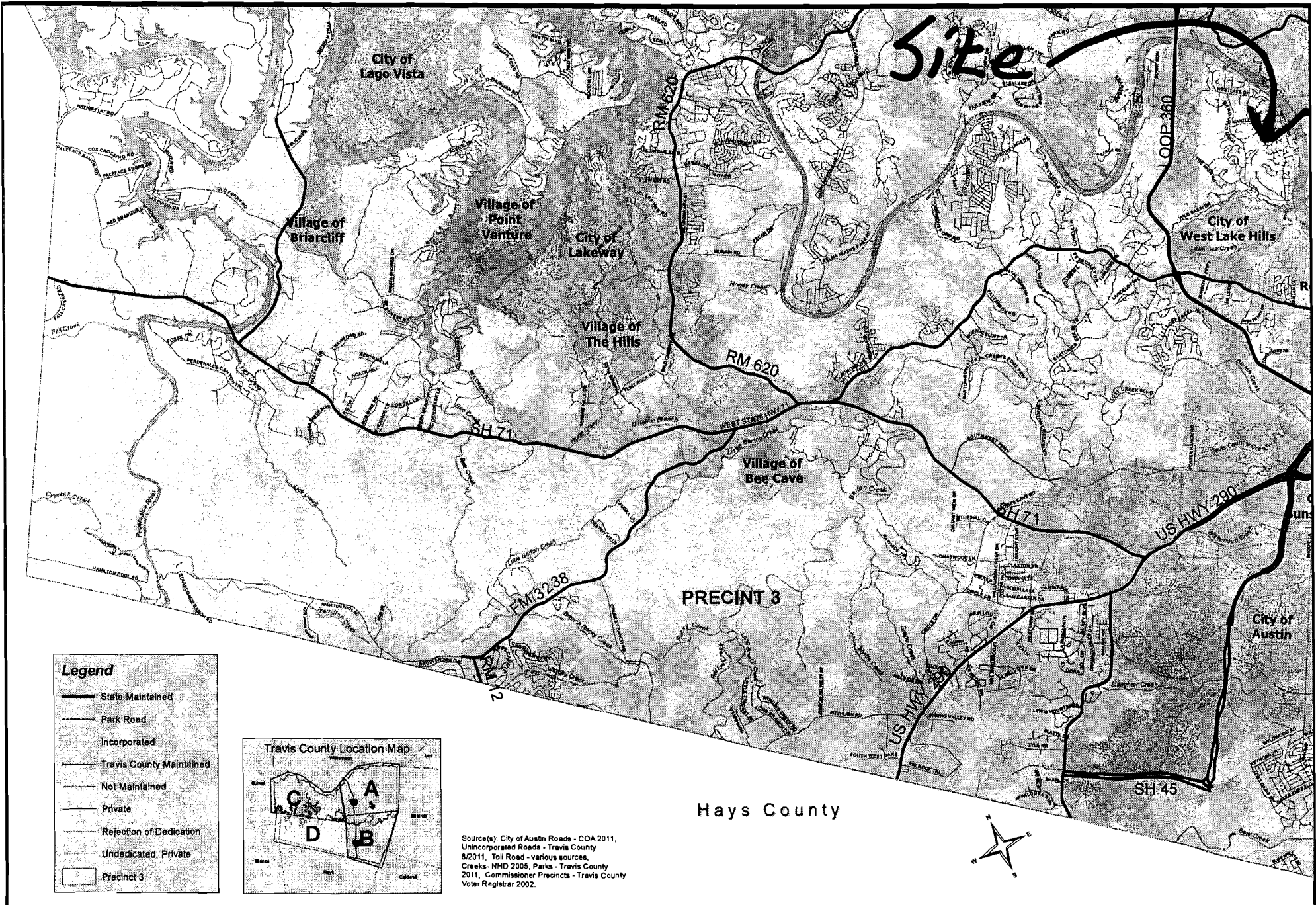
WITNESS MY HAND AND SEAL of the Court of said  
 County.  
 Miss Emilie Limberg, Clerk Travis County, Texas



City of  
West Lake Hills

LOOP 360

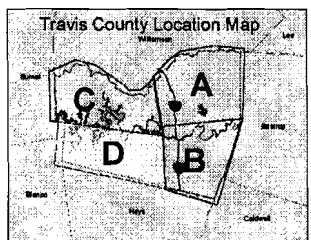
Size



Site

**Legend**

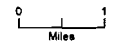
- State Maintained
- Park Road
- Incorporated
- Travis County Maintained
- Not Maintained
- Private
- Rejection of Dedication
- Undedicated, Private
- Precinct 3



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