



# Travis County Commissioners Court Agenda Request

**Meeting Date:** June 19, 2012

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

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

AB

A handwritten signature in black ink, appearing to read "S. 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 10, 2012 to receive comments regarding a request to authorize the filing of an instrument to vacate a five foot wide public utility easement and a five foot wide guy wire easement located along the east lot line of Lot 10, Block F of River Ridge – Precinct Two.

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

TNR staff has received a request to vacate a five foot wide public utility easement (PUE) and a five foot wide guy wire easement located along the east lot line of Lot 10, Block F of the River Ridge subdivision. The PUE is dedicated by plat note with the guy wire easement being schematically shown. The subject lot fronts on Mixson Drive, a street maintained by Travis County.

The utility companies operating in the area have stated they have no objection to vacating the subject easements. Staff foresees no opposition to this request.

## **STAFF RECOMMENDATIONS:**

The request has been reviewed by TNR staff and staff finds the vacation requests meets all Travis County standards. As such, TNR staff recommends setting the public hearing.

## **ISSUES AND OPPORTUNITIES:**

According to the request letter, the purpose of this request is to accommodate for construction of a boat port and driveway in the same area as the subject easements. Vacating the subject easements will allow for this construction without encroaching the easements.

## **FISCAL IMPACT AND SOURCE OF FUNDING:**

None.

**ORDER OF VACATION**

**STATE OF TEXAS           §**

**COUNTY OF TRAVIS       §**

WHEREAS, the property owner requests the vacation of a five foot wide public utility easement and a five foot wide guy wire easement located along the east lot line of Lot 10, Block F of the River Ridge subdivision as recorded in Book 63, Page 18 of the Travis County Plat Records;

WHEREAS, all utility companies known to be operating in the area have indicated they have no need for the easements requested to be vacated as described in the attached field notes and sketch;

WHEREAS, the Travis County Transportation and Natural Resources Department recommends the vacation of the easements as described in the attached field notes and sketch;

WHEREAS, the required public notice was posted and the Travis County Commissioners Court held a public hearing on July 10, 2012 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the five foot wide public utility easement and a five foot wide guy wire easement located along the east lot line of Lot 10, Block F of the River Ridge subdivision, as shown on the attached sketch and described in the attached field notes, are hereby vacated.

ORDERED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2012.

\_\_\_\_\_  
SAMUEL T. BISCOE, COUNTY JUDGE

\_\_\_\_\_  
COMMISSIONER RON DAVIS  
PRECINCT ONE

\_\_\_\_\_  
COMMISSIONER SARAH ECKHARDT  
PRECINCT TWO

\_\_\_\_\_  
COMMISSIONER KAREN HUBER  
PRECINCT THREE

\_\_\_\_\_  
COMMISSIONER MARGARET GOMEZ  
PRECINCT FOUR

RECEIVED

MAY 25 2012

CODE: 1101

TNR

EXHIBIT "A"

EASEMENT RELEASE AREA

Page 1 of 3

**BEING 595 SQUARE FEET OR 0.014 OF AN ACRE OF LAND, MORE OR LESS, OUT OF LOT 10, BLOCK F, RIVER RIDGE, A SUBDIVISION OF RECORD IN VOLUME 63, PAGE 18, PLAT RECORDS, TRAVIS COUNTY, TEXAS, CONVEYED TO MICHAEL J. EIRAS AND KELLY S. EIRAS IN DOCUMENT NUMBER 2011096099, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 5 FOOT PUBLIC UTILITY EASEMENT (P.U.E.) DEDICATED IN SAID PLAT OF RIVER RIDGE; SAID 595 SQUARE FEET OR 0.014 OF AN ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a ½" rebar found in the northerly right of way line of Mixson Drive, said point being the southwesterly corner of Lot 9, Block F of said River Ridge, conveyed to John Arevalo Castillo and Mary A. Castillo in Volume 12325, Page 297, Real Property Records of said County and being the southeasterly corner of said 5 foot P.U.E., said Lot 10, Block F, and the tract hereof;

THENCE N 84°07'07" W, with the said Mixson Drive, being the southerly line of said Lot 10, said 5 foot P.U.E., and the tract hereof, a distance of 5.00 feet to a point, said point being the southwesterly corner of said 5 foot P.U.E. and the southwesterly corner of the tract hereof;

THENCE N 05°37'56" E, departing said Mixson Drive, running through said Lot 10 with the westerly line of said 5 foot P.U.E and the westerly line of the tract hereof, a distance of 117.96 feet to a point on said 5 foot P.U.E. and being the northwesterly corner hereof;

THENCE N 73°38'37" E, continuing through said Lot 10 and running through said 5 foot P.U.E., a distance of 5.39 feet to a point in the westerly line of Lot 7, Block F, said River Ridge, conveyed to Juan R. Castillo in Document Number 2003170370, Official Public Records of said County, for the northeasterly corner hereof; from which a ½" rebar found at the northwesterly corner of said Lot 9, Block F and being the eastern most angle point of said 5 foot P.U.E. bears N 05°37'56" E, a distance of 5.00 feet;

THENCE S 05°37'56" W, with the common boundary line of said Lot 9 and Lot 10 and being the easterly line of said 5 foot P.U.E. and the easterly line hereof, a distance of 120.00 feet to the **PLACE OF BEGINNING** hereof and containing 595 Square Feet of land or 0.014 of an acre of land, more or less.

**EXHIBIT "A"**  
**Page 2 of 3**

THIS DESCRIPTION TO BE USED WITH THE ATTACHED SKETCH ONLY.



05/05/12

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MICHAEL LANCASTER, R.P.L.S. 5529  
B & G SURVEYING, INC.  
1404 W. NORTH LOOP BLVD  
AUSTIN, TEXAS 78758  
(512) 458-6869, Fax: (512) 458-9845

DATE

Tcad Parcel ID: 0127550304

Ref #: B0105012\_ESMT\_REL

<http://www.bandgsurvey.com>



DALE A. THORNTON  
TRACY R. THORNTON  
DOC. 2003132496  
LOT 6, BLOCK F  
RIVER RIDGE  
V. 63, PG. 18  
TCAD PARCEL ID#: 01275500511

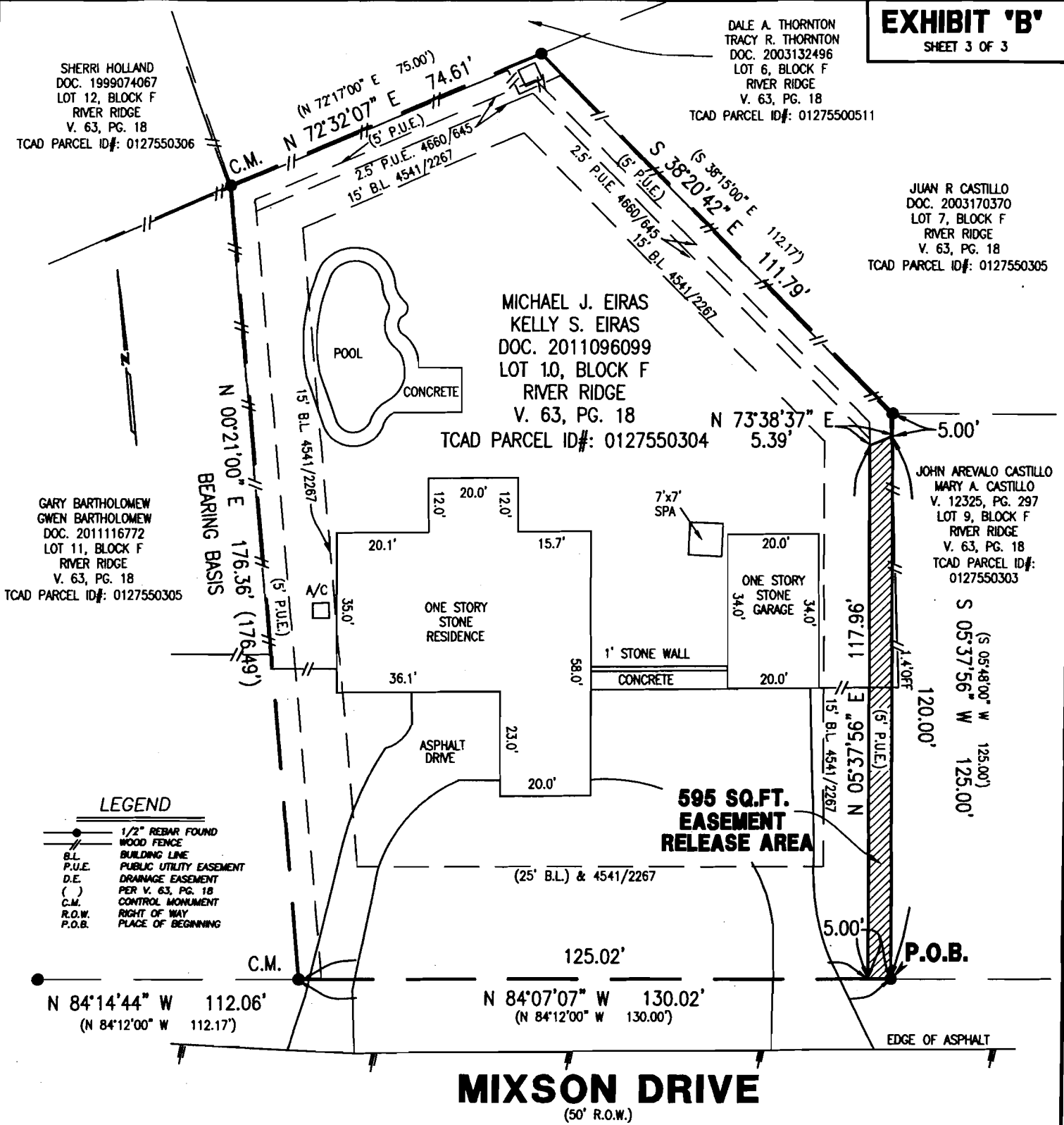
SHERRI HOLLAND  
DOC. 1999074067  
LOT 12, BLOCK F  
RIVER RIDGE  
V. 63, PG. 18  
TCAD PARCEL ID#: 0127550306

JUAN R CASTILLO  
DOC. 2003170370  
LOT 7, BLOCK F  
RIVER RIDGE  
V. 63, PG. 18  
TCAD PARCEL ID#: 0127550305

MICHAEL J. EIRAS  
KELLY S. EIRAS  
DOC. 2011096099  
LOT 10, BLOCK F  
RIVER RIDGE  
V. 63, PG. 18  
TCAD PARCEL ID#: 0127550304

JOHN AREVALO CASTILLO  
MARY A. CASTILLO  
V. 12325, PG. 297  
LOT 9, BLOCK F  
RIVER RIDGE  
V. 63, PG. 18  
TCAD PARCEL ID#: 0127550303

GARY BARTHOLOMEW  
GWEN BARTHOLOMEW  
DOC. 2011116772  
LOT 11, BLOCK F  
RIVER RIDGE  
V. 63, PG. 18  
TCAD PARCEL ID#: 0127550305

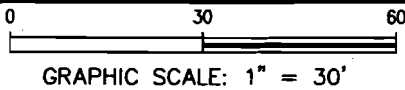


**LEGEND**

- 1/2" REBAR FOUND
- WOOD FENCE
- BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- ( ) PER V. 63, PG. 18
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING

**MIXSON DRIVE**  
(50' R.O.W.)

REVISED: 05/05/12



**SKETCH TO ACCOMPANY FIELD NOTES**

BEING 595 SQUARE FEET OR 0.014 OF AN ACRE OF LAND, MORE OR LESS, OUT OF LOT 10, BLOCK F, RIVER RIDGE, A SUBDIVISION OF RECORD IN VOLUME 63, PAGE 18, PLAT RECORDS, TRAVIS COUNTY, TEXAS AND CONVEYED TO MICHAEL J. EIRAS AND KELLY S. EIRAS IN DOCUMENT NO. 2011096099, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS AND BEING A PORTION OF A 5 FOOT PUBLIC UTILITY EASEMENT, DEDICATED IN SAID RIVER RIDGE; SAID 595 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

DATE: 02/01/12      JOB # B0105012\_ESMT\_REL

**B&G** B&G Surveying, Inc.  
Dewey H. Burris & Associates  
Surveyed by: B&G Surveying, Inc.  
Dewey H. Burris & Associates  
1404 West North Loop Blvd., Austin, Texas 78756  
Office 512\*458-6969 - Fax 512\*458-9845

RECEIVED  
MAY 25 2012

CODE: 1101

TNR

EXHIBIT "A"  
Page 1 of 3

EASEMENT RELEASE AREA

**BEING 170 SQUARE FEET OR 0.004 OF AN ACRE OF LAND, MORE OR LESS, OUT OF LOT 10, BLOCK F, RIVER RIDGE, A SUBDIVISION OF RECORD IN VOLUME 63, PAGE 18, PLAT RECORDS, TRAVIS COUNTY, TEXAS, CONVEYED TO MICHAEL J. EIRAS AND KELLY S. EIRAS IN DOCUMENT NUMBER 2011096099, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A 5 FOOT BY 40 FOOT GUY EASEMENT (G.E.) DEDICATED IN SAID PLAT OF RIVER RIDGE; SAID 170 SQUARE FEET OR 0.004 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**COMMENCING**, at a ½' rebar found at the southwesterly corner of Lot 7, Block F, said River Ridge, conveyed to Juan R. Castillo in Document Number 2003170370, Official Public Records of said County, said point being the northwesterly corner of Lot 9, Block F, said River Ridge, conveyed to John Arevalo Castillo and Mary A. Castillo in Volume 12325, Page 297, Real Property Records of said County, being the eastern most angle point of said Lot 10, and being the northeasterly corner of said G.E. for the northeasterly corner hereof;

THENCE S 05°37'56" W, with the common boundary line of said Lot 9 and Lot 10 and being the easterly line of said G.E. and the easterly line hereof, a distance of 5.00 feet to a point for the northeasterly corner and the **PLACE OF BEGINNING** hereof

THENCE S 05°37'56" W, continuing with the common boundary line of said Lot 9 and Lot 10 and being the easterly line of said G.E. and the easterly line hereof, a distance of 35.00 feet to a point for the southeasterly corner hereof; from which a ½" rebar found in the northerly right of way line of Mixson Drive, said point being the common southerly corner of said Lot 9 and Lot 10 bears, S 05°37'56" W, a distance of 85.00 feet;

THENCE N 84°22'04" W, running through said Lot 10 with the south line of said G.E., a distance of 5.00 feet to a point, said point being the southwesterly corner of said G.E. for the southwesterly corner hereof;

THENCE N 05°37'56" E, continuing through said Lot 10, with the said westerly line of the G.E. and the westerly line of the tract hereof, a distance of 32.98 feet to a point for the northwesterly corner hereof;

THENCE N 73°38'37" E, still continuing through said Lot 10 and running with the north line of said G.E. and the tract hereof, a distance of 5.39 feet to the **PLACE OF BEGINNING** hereof and containing 170 Square Feet or 0.004 of an acre of land, more or less.

**EXHIBIT "A"**  
**Page 2 of 3**

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05/05/12

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AUSTIN, TEXAS 78758  
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Ref #: B0105012\_ESMT\_REL\_B

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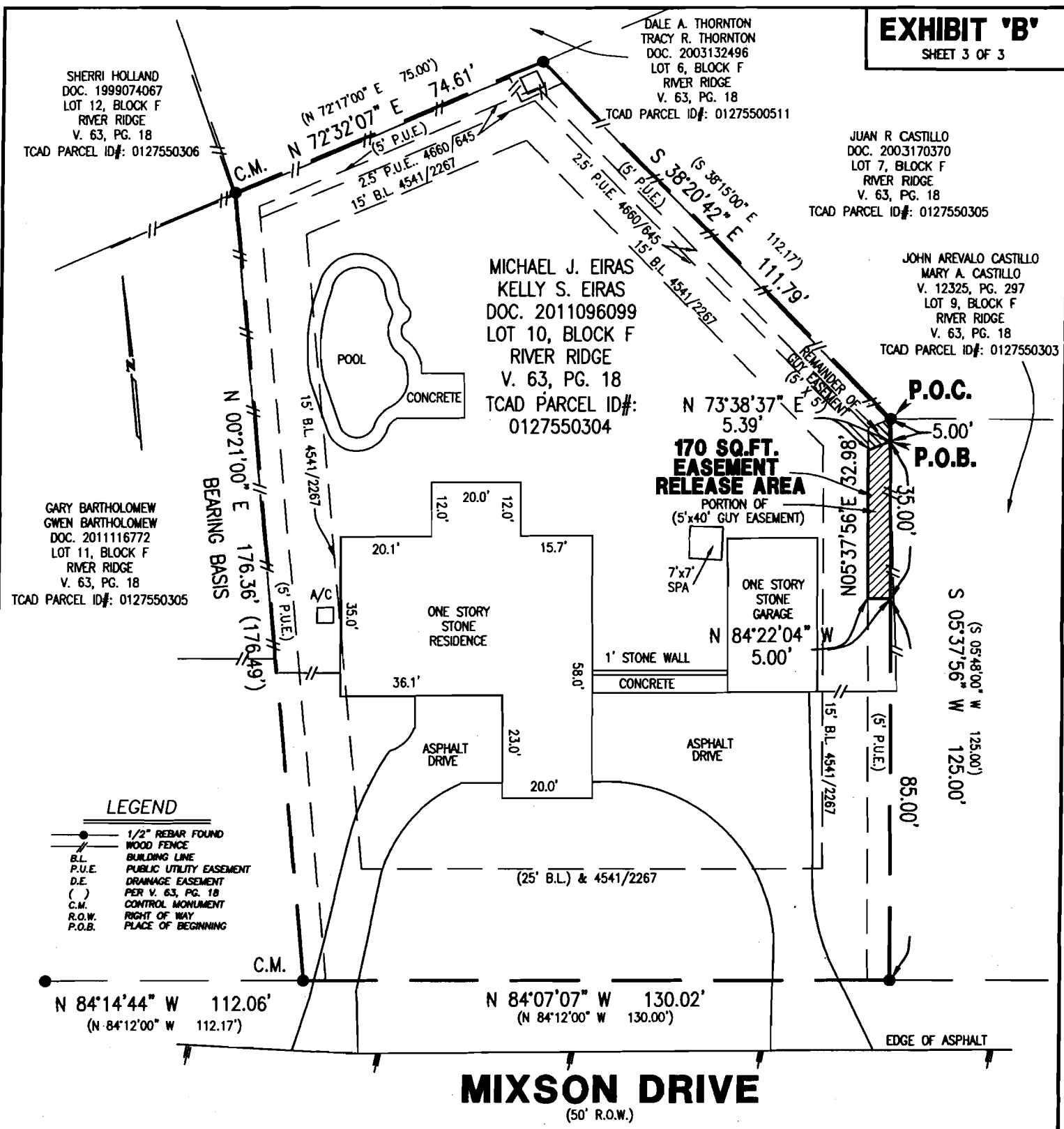
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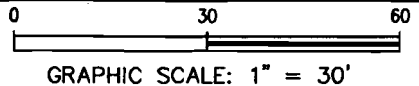
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TCAD PARCEL ID#: 0127550305



**LEGEND**

- 1/2" REBAR FOUND
- WOOD FENCE
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REVISED: 05/05/12



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April 17, 2012

**Easement Release Request**

Address: 12506 Mixson Drive, Austin TX 78732

Lot: 10 Block: F      Subdivision: River Ridge      Volume: 63      Page: 18

This easement request is being submitted to release the Public Utility Easement (PUE) and the guy wire easement along the East border of the above described property as indicated in survey metes and bounds notes (attached) to allow for construction of a boat port and driveway. This area has been reviewed by the affect utility companies and has no electrical, plumbing or other utilities running through it at this time other than a 5'x 5' section of the North and East area of easement as described in the response from Austin Energy. Letters form affected utility companies are also attached for review.

Please let us know if there are any questions or additional actions required to release this easement. We can be contacted at the number and address below.

Regards,



Michael and Kelly Eiras (owners)  
12506 Mixson Drive  
Austin TX, 78732  
512-739-0794



**SOUTHWESTERN BELL TELEPHONE COMPANY**

**RELEASE OF EASEMENT**

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

Lot 10, Block F, River Ridge, Deed of record in Document 2011096099, Property Records of Travis County, Texas

Said land of GRANTEE(S) being subject to:

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

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

*620 square feet, a portion of a 5 foot Public Utility Easement and a 5 foot by 40 foot Guy Easement along the east property line of said Lot 10, described above,*

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

IN WITNESS WHEREOF, GRANTOR has caused this Release of Easement to be executed by its duly authorized officers this 17<sup>th</sup> day of APRIL, 2012

SOUTHWESTERN BELL TELEPHONE COMPANY

*Steve Fouseron*

Name : STEVE FOUSERON

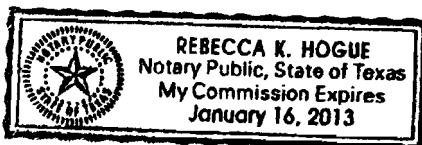
Title: MANAGER ENGINEERING

THE STATE OF TEXAS  
COUNTY OF TRAVIS

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

Given under my hand and seal of office this the 17<sup>th</sup> day of April, 2012.

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





**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

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

**EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY**

An application is being made to Travis County for the vacation of property at 12506 Mixson Drive, Austin TX 78732 (address) and/or Lot 10, Block F, River Ridge, Volume 63, page 18 (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement. Your prompt reply is requested.

**STATEMENT**

We do not have need for an easement on the property as described in the accompanying document.

We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

Laurie Schumpert  
Signature  
Laurie Schumpert  
Printed Name  
St. Designer  
Title  
Time Warner Cable - Central TX  
Utility Company or District  
March 26, 2012  
Date

Please return this completed form to:

Michael Eiras  
Name  
12506 Mixson Drive  
Address  
Austin, TX 78732  
City/State/Zip

12012 N. Mopac Expressway  
512/485-6417 (Laurie Schumpert)

Austin, TX 78758  
512/485-1485 (Fax)

**APPLICATION FOR VACATION OF EASEMENT**

**Please Print**

Application is hereby made for the release of the following easement(s) as described below:

The easement is on property legally described as:

Subdivision: RIVER RIDGE Section: \_\_\_\_\_ Block: F

Lot Numbers: 10

Address: 12506 MIXSON DRIVE AUSTIN TX 78732  
Number & Street City State Zip

As recorded in Volume 63, Page 18, of the Plat Records of Travis County, Texas

Provide common description of the easement requested for release, indicating the amount of the easement to be released:  
(Example: Five foot P.U.E. & D.F. on either side of the common lot line between lots X and X).

Please provide a survey or plat of the area with the easement to be released highlighted.  
REQUEST RELEASE OF PUE AND GUY WIRE EASEMENT ON EAST SIDE OF LOT AS ILLUSTRATED IN ATTACHED SURVEY METES AND BOUNDS DOCUMENT.

Reason for requesting release (Example: Single Family Residence, Accessory Building, etc)  
TO BUILD A BOAT POOR FOR BOAT STORAGE

Please note: If multiple owners are making this request, complete name, address, phone must be provided for all.

Property Owner's name(s): MICHAEL AND KELLY GIRAS

Mailing Address: 12506 MIXSON DRIVE AUSTIN TX 78732  
Number & Street City State Zip

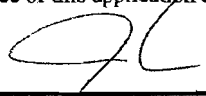
Phone: 512-737-0794  
Day Time Cell Fax

I authorize the following person/company to act in my behalf as my designated agent: N/A  
Name of agent/company: \_\_\_\_\_ Name of Company Name of Contact

Mailing Address: \_\_\_\_\_  
Number & Street City State Zip

Phone: \_\_\_\_\_  
Day Time Cell Fax

The undersigned Owner/Applicant/Agent understands that the processing of the Easement Release Application will be handled in accordance with procedure for requesting release of easements established by Time Warner Cable. It is further understood that acceptance of this application does not obligate Time Warner Cable to release the subject easement



Signature of Applicant/Agent

03/26/02

Date



**TRANSPORTATION AND NATURAL RESOURCES**

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**STATEMENT**

We do not have need for an easement on the property as described in the accompanying document.

We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

Henry W. Mearley 3.27.12  
Reviewed by:

Deborah J. Gernes  
Signature  
Deborah J. Gernes  
Printed Name  
General Manager  
Title  
TR. Cty. WCID 17  
Utility Company or District  
3.27.12  
Date

Please return this completed form to:

Michael Eiras  
Name  
12506 Mixson Drive  
Address  
Austin, TX 78732  
City/State/Zip



**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE


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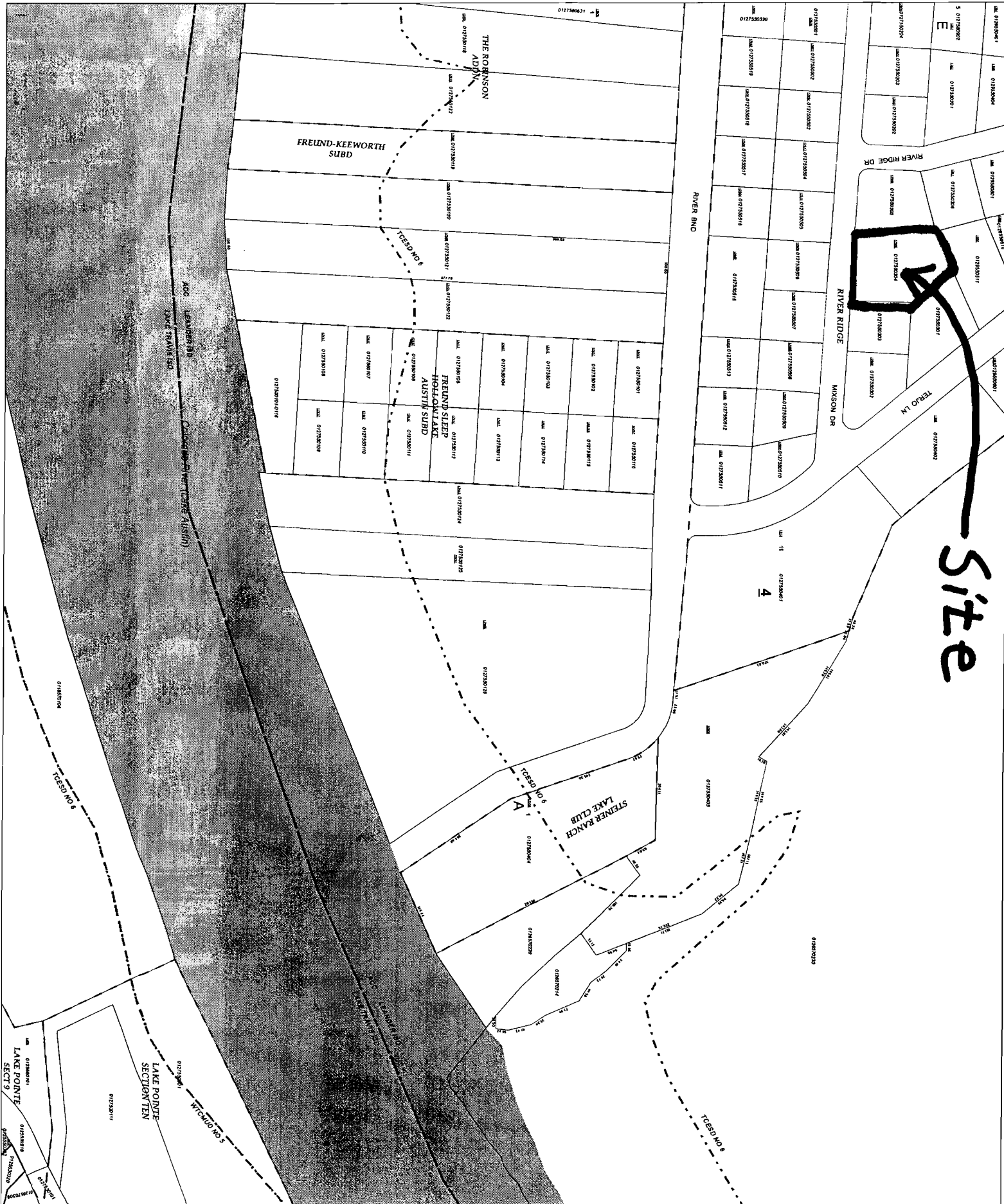
**STATEMENT**

- We do not have need for an easement on the property as described in the accompanying document.
- We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

  
\_\_\_\_\_  
Signature  
Sonny Poole  
\_\_\_\_\_  
Printed Name  
Mgr., PIRES  
\_\_\_\_\_  
Title  
Austin Energy  
\_\_\_\_\_  
Utility Company or District  
May 10, 2012  
\_\_\_\_\_  
Date

Please return this completed form to:

Michael Eiras  
\_\_\_\_\_  
Name  
12506 Mixson Drive  
\_\_\_\_\_  
Address  
Austin, TX 78732  
\_\_\_\_\_  
City/State/Zip



Site

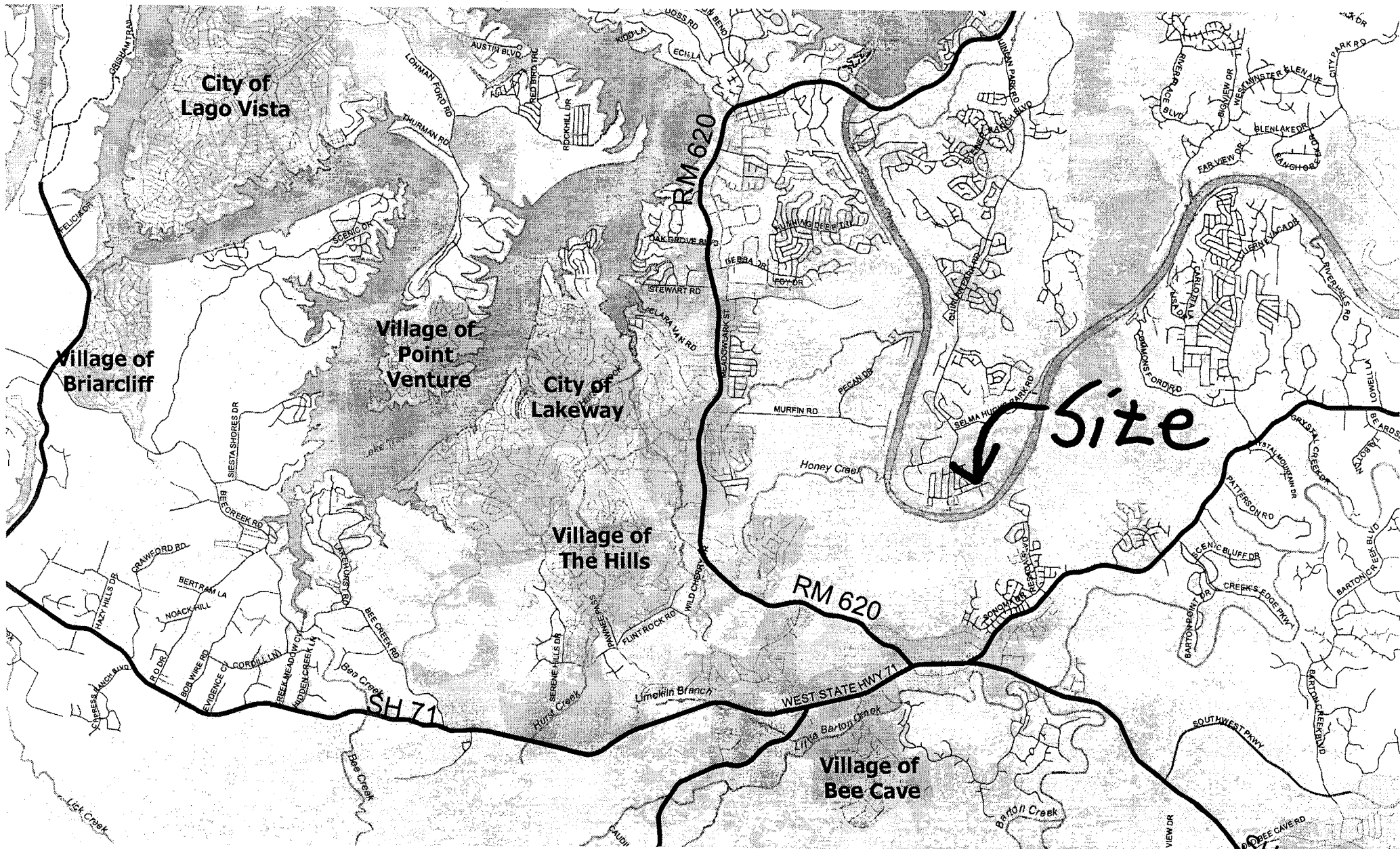
12755

Revision Date  
11/04/2010

NAD\_1983\_StatePlane  
Texas\_Central\_FIPS\_4203\_Feet  
Projection: Lambert\_Conformal\_Conic

This tax map was compiled solely for the use of TCAO. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAO makes no claims, promises or guarantees about the accuracy, completeness or adequacy of this information and expressly disclaims liability for any errors and omissions. The mapped data does not constitute a legal document.

**Travis Central Appraisal District**  
8314 Cross Park Drive  
Austin, Texas 78754  
P.O. Box 149012  
Austin, Texas 78714  
Internet Address: [www.traviscad.org](http://www.traviscad.org)  
Main Telephone Number (512)-834-9317  
Appraisal Information (512) 834-9318  
TDD (512) 836-3328



City of  
Lago Vista

Village of  
Briarcliff

Village of  
Point  
Venture

City of  
Lakeway

Village of  
The Hills

Village of  
Bee Cave

Site

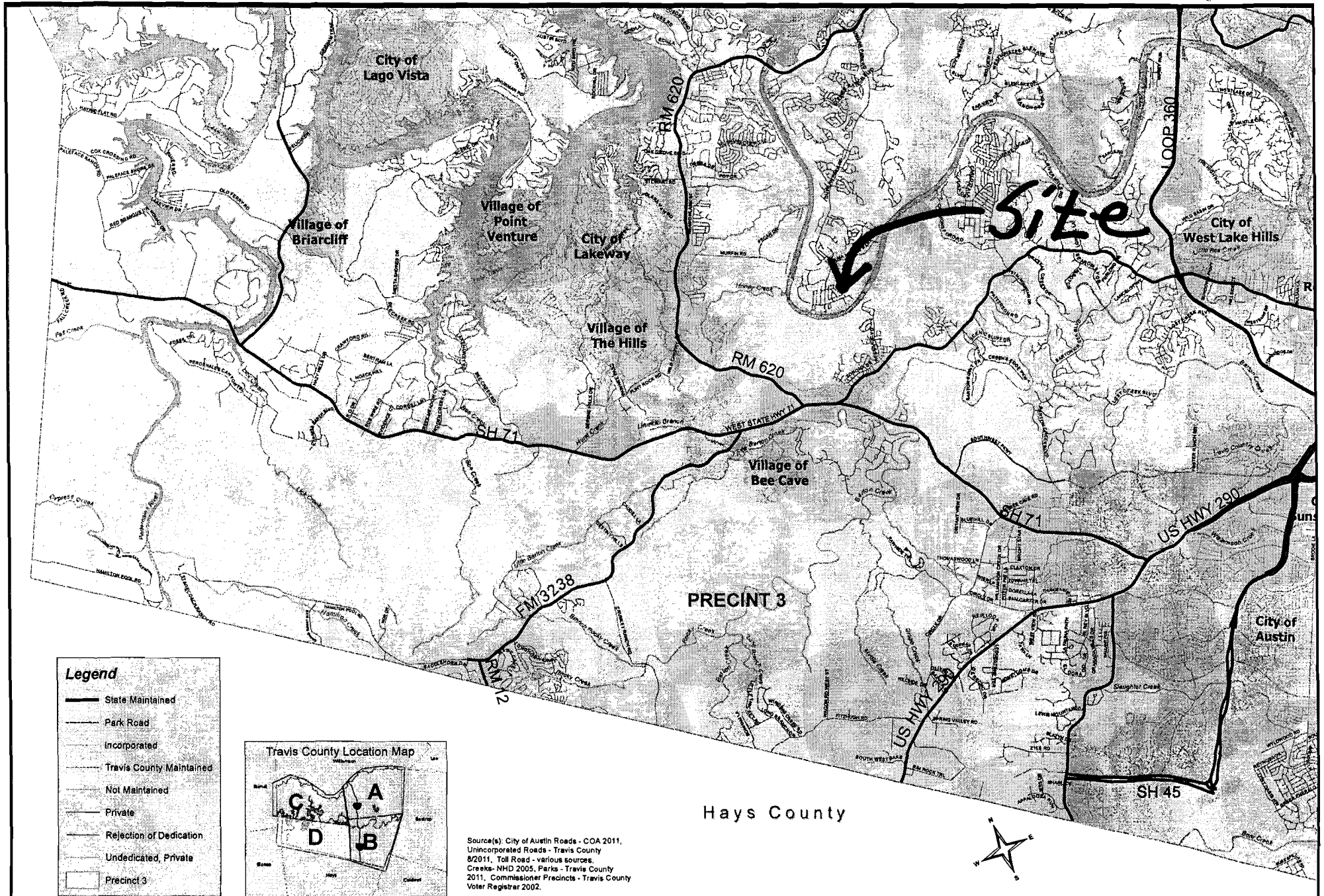
RM 620

RM 620

SH 71

WEST STATE HWY 71





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

# Travis County Roadways, Map D

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

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