

**Travis County Commissioners Court Agenda Request**

**Meeting Date:** August 14, 2012

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

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

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

**Sponsoring Court Member:** Commissioner Huber, Precinct Three

AB

**AGENDA LANGUAGE:** Consider and take appropriate action on a request to authorize the filing of an instrument to vacate two five foot wide drainage easements located along the common lot line of Lots 2 and 3, Block 40 of Austin Lake Hills, Section One – Precinct Three.

**BACKGROUND/SUMMARY OF REQUEST:**

TNR staff has received a request to vacate two five foot wide drainage easements located along the common lot line of Lots 2 and 3, Block 40 of Austin Lake Hills, Section One. The easements are dedicated per plat note more specifically stated as a public utility easement and drainage easement. The subject lots are located at the corner of Lancer Lane (aka Granada Way per the original plat) and Saracen Road, two streets maintained by Travis County.

Professional engineer Kim Geary has stated that:

"...by vacating the drainage easements, as described on the enclosed survey and Exhibit A (metes and bounds description), no adverse or harmful events could occur. The drainage easements were written into the plat notes and have never been in use. Storm water flows to the drainage ditches along the streets."

After review of the submitted request and recommendation, staff has no objections to this vacation request. Staff foresees no opposition to this request.

**STAFF RECOMMENDATIONS:**

Staff members have received inquiries in regards to this vacation request and how the property is being used. Some inquirers have contacted TNR's enforcement department stating the property is being used as an "RV park" and that it detracts from the neighborhood. It is possible that constituents from the neighborhood might attend the hearing and voice opposition as to how the property is being used.

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

**ISSUES AND OPPORTUNITIES:**

According to the request letter the the septic system on this property is being replaced for a "change of use" case. A new system cannot be installed until these easements are abandoned.

**FISCAL IMPACT AND SOURCE OF FUNDING:**

N/A.

**ATTACHMENTS/EXHIBITS:**

- Order of Vacation
- Field Notes and Sketch
- Request/Engineer's Letter
- Sketch
- Sign Affidavit and Pictures
- Maps

**REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Anna Bowlin	Division Director	Development Services	854-7561
Teresa Calkins	Engineer	Development Services	854-7569

**CC:**

Stacey Scheffel	Program Manager	TNR Permits	854-7565

**SM:AB:ps**

**1101 - Development Services - Austin Lake Hills, Section One**

**ORDER OF VACATION**

**STATE OF TEXAS                    §**

**COUNTY OF TRAVIS §**

WHEREAS, the property owner requests the vacation of two five foot wide drainage easements located along the common lot line of Lots 2 and 3, Block 40 of Austin Lake Hills, Section One as recorded at Volume 12, Page 61 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, Travis County staff has stated that there are no objections 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 August 14, 2012 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the two five foot wide drainage easements located along the common lot line of Lots 2 and 3, Block 40 of Austin Lake Hills, Section One, 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



FIELD NOTES

FIELD NOTES FOR 1,393 SQUARE FEET OF LAND OUT OF THE H.S. WHITEHEAD SURVEY NO. 43, TRAVIS COUNTY, TEXAS; BEING A PORTION OF LOTS 2 AND 3, BLOCK 40, AUSTIN LAKE HILLS, SECTION ONE, A SUBDIVISION AS RECORDED IN BOOK 12, PAGE 61 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1,393 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for POINT OF REFERENCE at a ½" iron rod found on the westerly right-of-way line of Saracen Road, at the most easterly north corner of the above described Lot 3, Block 40, Austin Lake Hills, Section One; Thence, with the westerly right-of-way line of said Saracen Road, S31°26'00"E a distance of 75.00 feet to a ½" iron rod set with cap stamped TERRA FIRMA at the east corner of said Lot 3, also being the north corner of said Lot 2, for the POINT OF BEGINNING of the herein described tract;

THENCE, continuing with the westerly right-of-way line of said Saracen Road, S31°26'00"E a distance of 5.00 feet to a calculated point for the east corner of this tract;

THENCE, five (5) feet southerly of and parallel with the north line of said Lot 2, S58°45'55"W a distance of 139.36 feet to a calculated point for the south corner of this tract;

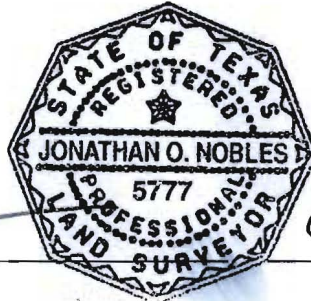
THENCE, five (5) feet easterly of and parallel with the west line of said Lot 2, N31°14'15"W a distance of 5.00 feet to a calculated point on the common line between said Lots 2 and 3, from which a ½" iron rod found bears S58°45'55"W a distance of 5.00 feet;

THENCE, five (5) feet easterly of and parallel with the west line of said Lot 3, N31°28'12"W a distance of 5.00 feet to a calculated point for the west corner of this tract;

THENCE, five (5) feet northerly of and parallel with the south line of said Lot 3, N58°45'55"E a distance of 139.35 feet to a calculated point on the westerly right-of-way line of said Saracen Road, for the north corner of this tract;

THENCE, with the westerly right-of-way line of said Saracen Road, S31°26'00"E a distance of 5.00 feet to the POINT OF BEGINNING, and containing 1,393 square feet (0.032 acre) of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma Land Surveying from a survey made on the ground on June 5, 2012 under my supervision and are true and correct to the best of my knowledge. A sketch accompanies this description.



*Jonathan O. Nobles*  
Jonathan O. Nobles  
Registered Professional Land Surveyor No. 5777

*6/20/2012*  
Date

Client: Jeff Magers  
Date: June 18, 2012  
WO No.: 0A500-197  
FB: 622/18, 631/30  
File:

J:\Projects\A500...\197...\Survey\Drawing & PDF Files\003...\A500-197-PUE\_R-FN.doc

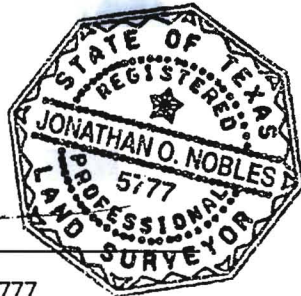
# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

SCALE 1" = 40'

## LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET W/CAP STAMPED "TERRA FIRMA"
- △ CALCULATED POINT
- ( ) RECORD INFORMATION

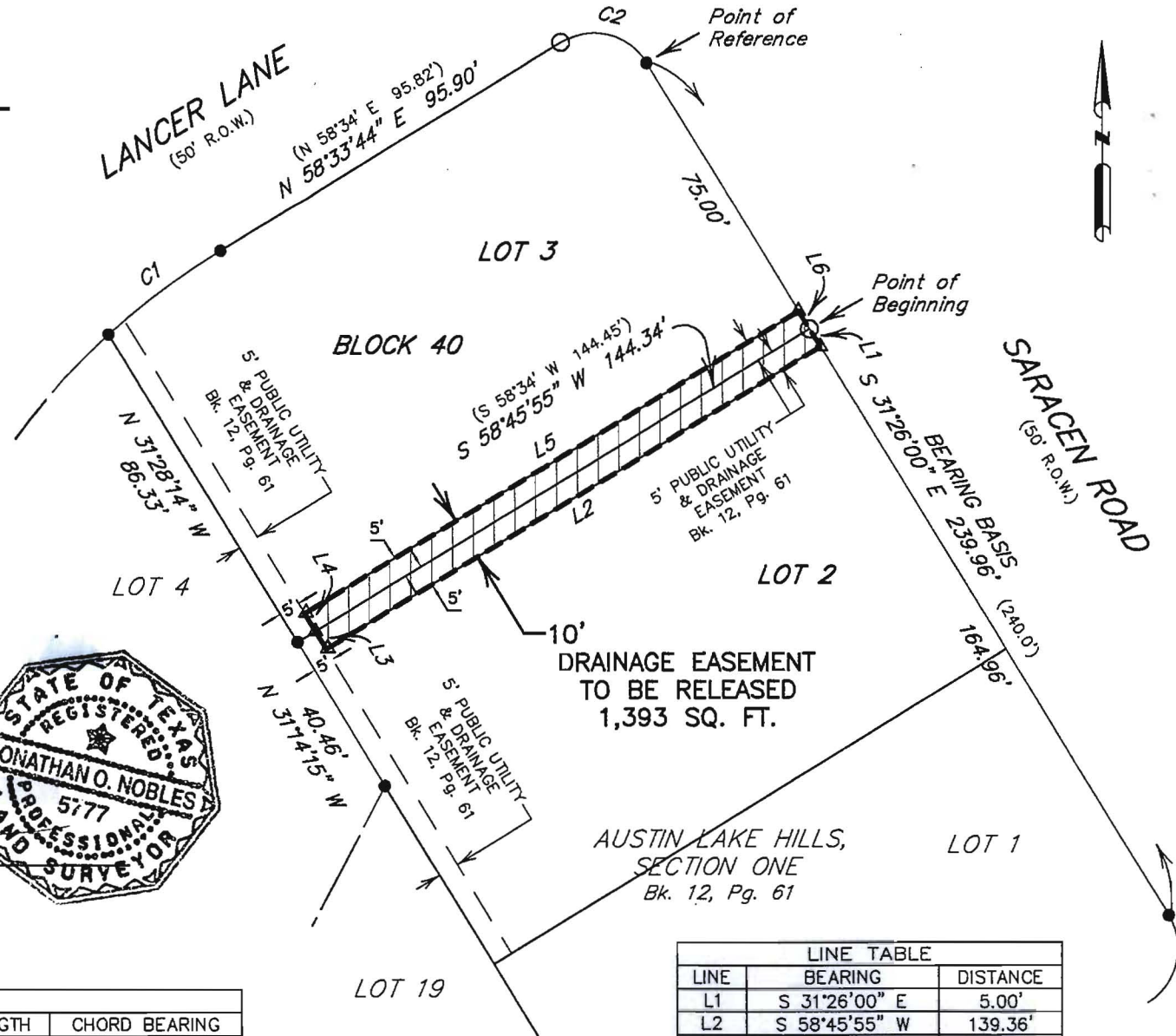
As Surveyed By



Jonathan O. Nobles  
Registered Professional Land Surveyor No. 5777  
Date: June 5, 2012

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	181.11'	33.70'	33.65'	N 53°10'33" E
	(181.11')	(33.72')	(33.67')	(N 53°14' E)
C2	15.00'	23.56'	21.21'	N 76°26'00" W
	(15.00')	(23.56')	(21.21')	(N 76°26' W)

Client : Jeff Magers  
Date : June 18, 2012  
Office : J. Nobles, M. Carney  
Crew : R. Meyer, D. Smith, S. Barger, B. Rigaby, J. Jones  
F.B. : 622/18, 631/30  
Job No : 0A500-197-00\003  
File : J:\Projects\A500\197\Survey\Drawing Files\003\A500-197-Emrt Release.dwg  
J:\Projects\A500\197\Survey\Point Files\A500-197.crd



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 31°26'00" E	5.00'
L2	S 58°45'55" W	139.36'
L3	N 31°14'15" W	5.00'
L4	N 31°28'14" W	5.00'
L5	N 58°45'55" E	139.35'
L6	S 31°26'00" E	5.00'

**terra firma** LAND SURVEYING

**Kim Geary, P.E.**

Post Office Box 3034, Austin, Texas 78764  
(512) 416-0217

June 26, 2012

Mr. Paul Scoggins  
Travis County TNR  
411 West 13<sup>th</sup> St.  
P. O. Box 1748  
Austin, Texas 78767

Re: Abandonment of Drainage Easements  
1703 Lancer Ln. & 1702 Saracen Rd.  
Austin, Tx 78733

Lots 2 & 3, Blk 40, Austin Lake Hills Sec. 1  
Travis County

Dear Mr. Scoggins,

This letter is to certify that by vacating the drainage easements, as described on the enclosed survey and Exhibit A (metes and bounds description), no adverse or harmful events could occur. The drainage easements were written into the plat notes and have never been in use. Storm water flows to the drainage ditches along the streets. Please note that we are only asking for abandonment of drainage easements lots 2 and 3 as described by the surveyor. This lot is owned by Jeff Magers.

Your expeditions review of this request is greatly appreciated. **The septic system is being replaced for a "change of use" case. A new system cannot be installed until these easements are abandoned.**

Sincerely,

*Kim Geary*

RECEIVED  
JUN 26 2012  
TRAVIS COUNTY - TNR  
PERMITS DEPARTMENT





**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 1703 Lancer and 1702 Saracen Austin TX 78733 (address) and/or lots 2+3 Block 40 Austin Lakehills Sec. 1 (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.

Jeff Magers  
Signature  
Jeff Magers  
Printed Name  
Owner  
Title  
WCID #18  
Utility Company or District  
6-26-12  
Date

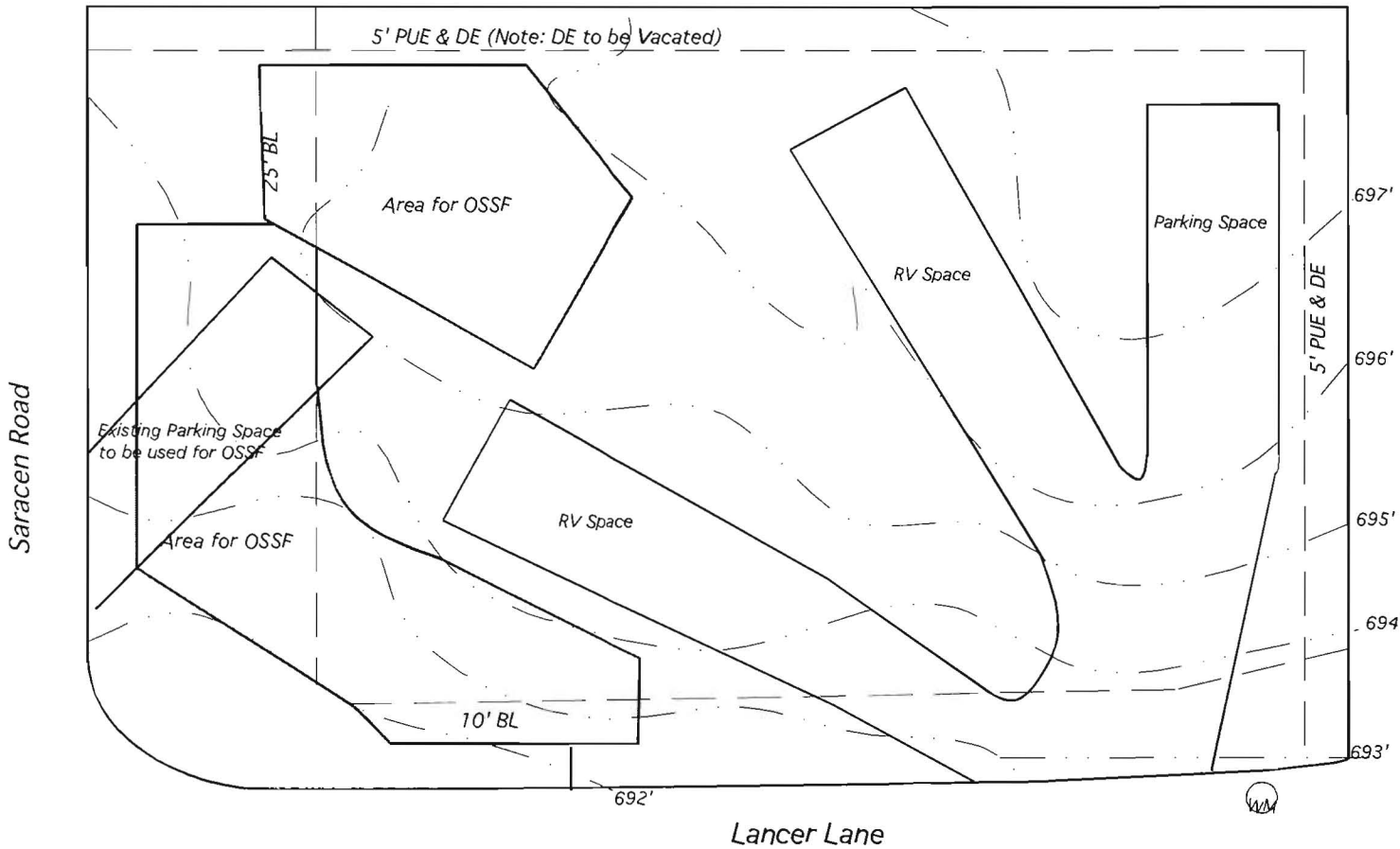
Please return this completed form to:

Jeff Magers  
Name  
1702 Saracen RD  
Address  
Austin TX 78733  
City/State/Zip



OSSF Design: Infiltrator Panels  
1703 Lancer Lane  
Austin, Texas 78733

Lot 3, Austin Lake Hills, Section 1  
Travis County



Scale: 1" - 20'



Kim Geary, P.E.  
Post Office Box 3034  
Austin, Texas 78764  
512.416-0217  
kvgeary@gmail.com

RECEIVED

JUL 26 2012

TNR



**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

**AFFIDAVIT OF POSTING**

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

A Public Notice of Vacation of two 5' wide drainage easements sign was posted on July 24, 2012, on the westerly side of Saracen Road along the common lot line of Lots 2 and 3, Block 40 of Austin Lake Hills, Section One at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 25 DAY OF July, 2012.

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

cc: Garcia (sign shop)

M:\PERMITS\Vacate\12DE\07-SaracenRd\SignRequest-SaracenRd.doc



# **NOTICE OF PUBLIC HEARING**

**AUGUST 14, 2012, AT 9:00 AM**

**DRAINAGE EASEMENT VACATION**

**TO APPROVE THE VACATION OF TWO FIVE  
WIDE DRAINAGE EASEMENTS LOCATED ALONG THE  
COMMON LOT LINE OF LOTS 2 AND 3, BLOCK 40  
OF AUSTIN LAKE HILLS, SECTION ONE – A  
SUBDIVISION IN PRECINCT THREE**

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

**FOR MORE INFORMATION CALL 854-9383**





## NOTICE OF PUBLIC HEARING

AUGUST 14, 2012, AT 9:00 AM

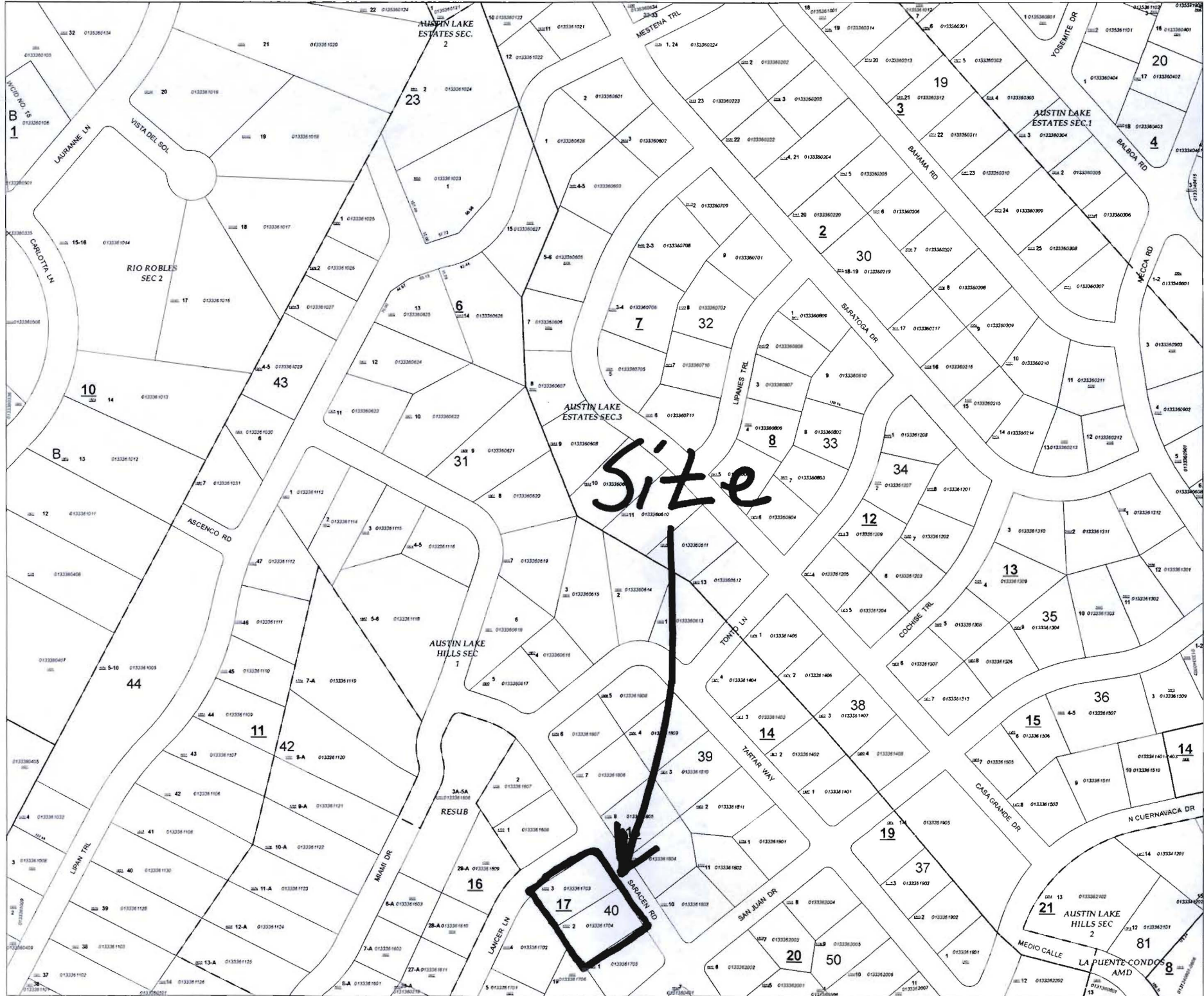
### DRAINAGE EASEMENT VACATION

TO APPROVE THE VACATION OF TWO FIVE  
WIDE DRAINAGE EASEMENTS LOCATED ALONG THE  
COMMON LOT LINE OF LOTS 2 AND 3, BLOCK 40  
OF AUSTIN LAKE HILLS, SECTION ONE - A  
SUBDIVISION IN PRECINCT THREE

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

FOR MORE INFORMATION CALL 854-9383





**Travis Central Appraisal District**  
 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) 836-3328  
 TOD (512) 836-3328

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NAD 1983 StatePlane  
 Texas Central FIPS 4203 Feet  
 Projection: Lambert\_Conformal\_Conic

Italic = 100 scale map  
 Thin = 100 scale map  
 Bold = 400 scale map

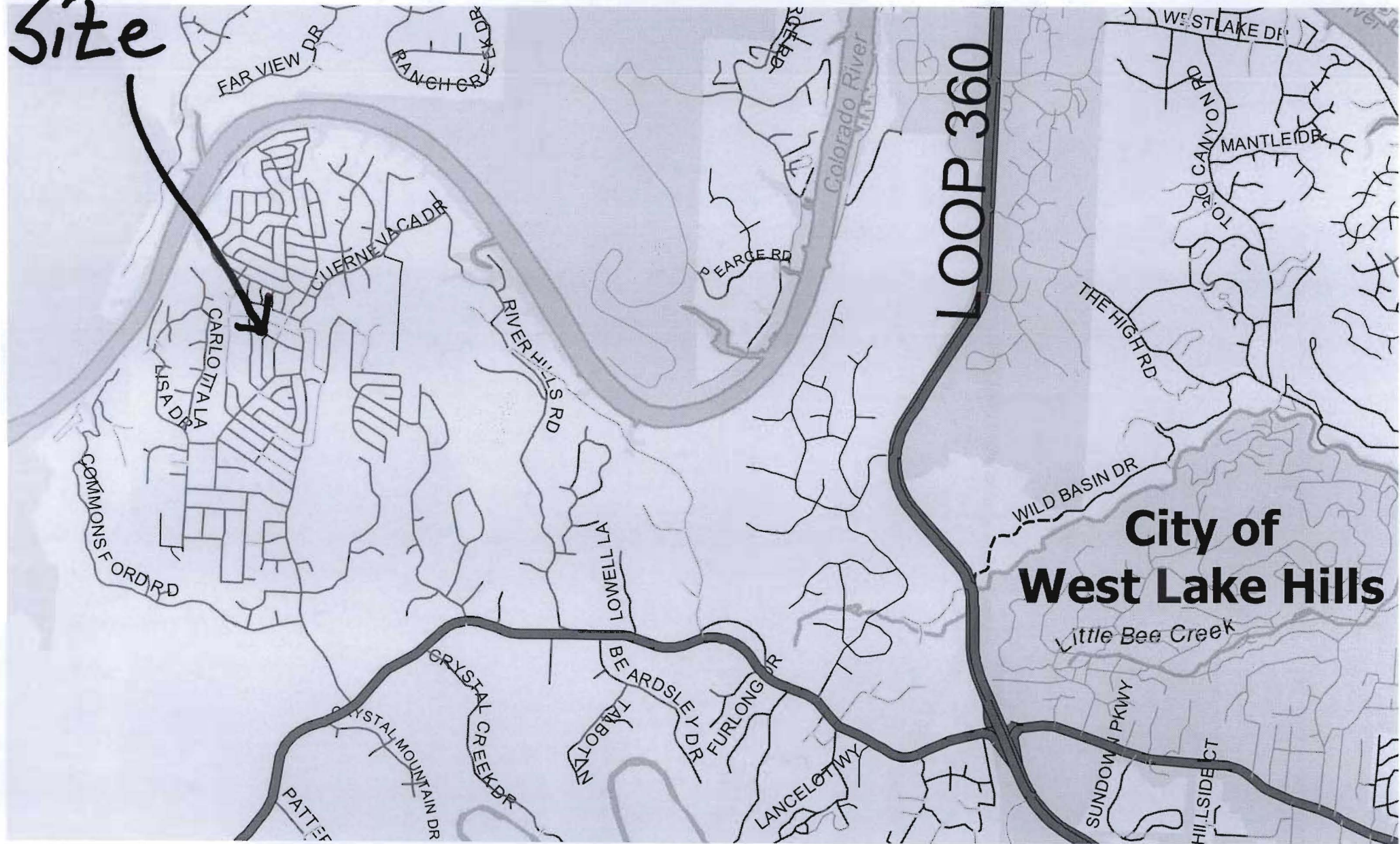
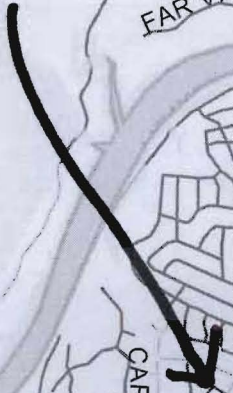
0 100 Feet

Revision Date  
 10/23/2009

**1 3336**



Site



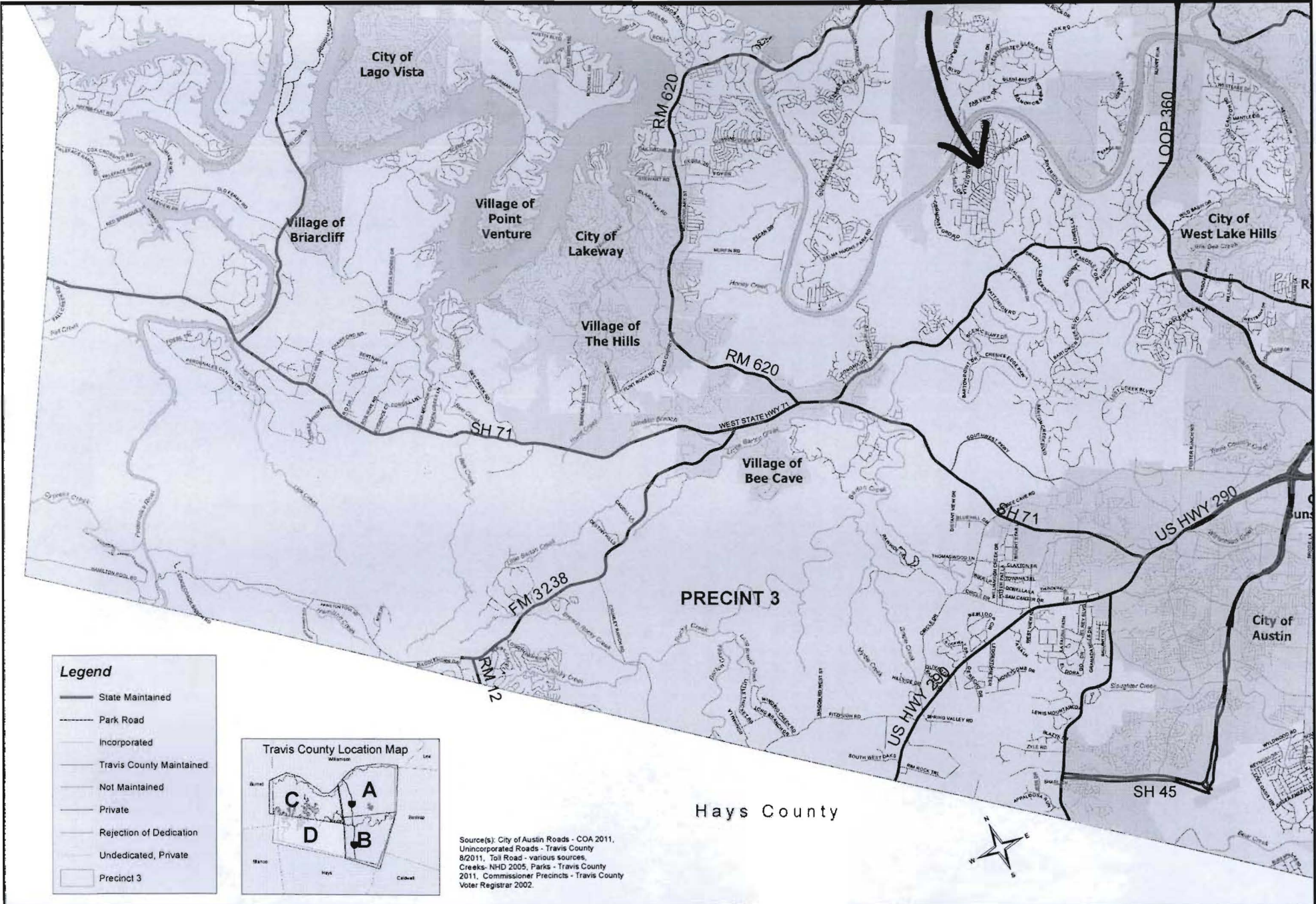
LOOP 360

City of  
West Lake Hills

Little Bee Creek



Site



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

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.