



Travis County Commissioners Court Agenda Request

Meeting Date: August 28, 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 "Anna Bowlin".

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

Sponsoring Court Member: Commissioner Huber, Precinct Three

AGENDA LANGUAGE: Approve setting a public hearing on Tuesday, September 18, 2012 to receive comments regarding a request to authorize the filing of an instrument to vacate the two five foot wide public utility easements located along the common lot line Lots 1083 and 1084 of Apache Shores Section 2 – Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

TNR staff has received a request to vacate two five foot wide public utility easements (PUEs) located along the common lot line of Lots 1083 and 1084 of Apache Shores, Section 2. The PUEs are dedicated per plat note. The subject lots front on Running Deer Trail, 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 property owners plan to build their residence on the two lots. Vacating the subject easements will allow the property owners to cross the common lot line with their proposed improvements without encroaching on said easements.

FISCAL IMPACT AND SOURCE OF FUNDING:

None.

ATTACHMENTS/EXHIBITS:

- Order of Vacation
- Field Notes
- Request Letter
- Utility Statements
- Maps

REQUIRED AUTHORIZATIONS:

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

CC:

Stacey Scheffel	Program Manager	TNR Permits	854-7565

SM:AB:ps

1101 - Development Services - Apache Shores, Section 2

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owners request the vacation of two five foot wide public utility easements located along the common lot line of Lots 1083 and 1084 of Apache Shores, Section 2 as recorded in Volume 48, Page 58 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 September 18, 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 public utility easements located along the common lot line of Lots 1083 and 1084 of Apache Shores, Section 2, 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

**1,355 SQUARE FOOT
PUBLIC UTILITY EASEMENT RELEASE
TRAVIS COUNTY, TEXAS**

BEING a 1,355 square foot tract of land situated in Lot 1083 and Lot 1084 of APACHE SHORES, SECTION 2, a subdivision of Travis County, Texas as described by plat recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas, said 1,355 square foot tract of land being more particularly described as follows:

COMMENCING at a 1/2-inch iron rod (controlling monument) found for the southernmost corner of said Lot 1083 and the westernmost corner of said Lot 1084 and being in the northeasterly right-of-way line of Running Deer Trail (a 50 foot width right-of-way) from which a 1/2-inch iron rod (controlling monument) found for the easternmost corner of said Lot 1083 and the northernmost corner of said Lot 1084 bears North 52°15'10" East, at a distance of 152.07 feet;

THENCE North 52°15'10" East along the southeasterly line of said Lot 1083 and the northwesterly line of said Lot 1084, a distance of 10.00 feet to a point for corner in the northeasterly line of a 10 foot public utility easement as shown by plat recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas, same being the point of curvature of a non-tangent curve to the left the radius point of which bears South 45°44'13" West, at a distance of 284.20 feet and the **POINT OF BEGINNING**;

THENCE Northwesterly along the northeasterly line of said 10 foot public utility easement and said non-tangent curve to the left through a central angle of 01°00'56", for an arc distance of 5.04 feet, a chord bearing of North 44°46'15" West and a chord distance of 5.04 feet to a point for corner in the northwesterly line of a 5 foot public utility easement as shown by plat recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas;

THENCE North 52°15'10" East, along the northwesterly line of said 5 foot public utility easement, a distance of 133.89 feet to a point for corner in the southwesterly line of a 6 foot public utility easement described by deed recorded in Volume 3778, Page 1303, Deed Records of Travis County, Texas;

THENCE South 61°18'00" East along the southwesterly line of said 6 foot public utility easement, passing at a distance of 5.45 feet the southeasterly line of said Lot 1083 and the northwesterly line of said Lot 1084, continuing in all for a total distance of 10.91 feet to a point for corner in the southeasterly line of a 5 foot public utility easement as shown by plat recorded in Volume 48, Page 58 of the Plat Records of Travis County, Texas;

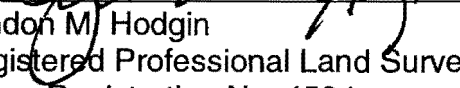
**1,355 SQUARE FOOT
PUBLIC UTILITY EASEMENT RELEASE
TRAVIS COUNTY, TEXAS**

THENCE South 52°15'10" West, along the southeasterly line of said 5 foot public utility easement, a distance of 137.11 feet to a point for corner in the aforementioned northeasterly line of said 10 foot public utility easement, same being the point of curvature of a non-tangent curve to the left the radius point of which bears South 46°45'02" West, at a distance of 284.20 feet;

THENCE Northwesterly along said northeasterly line and said non-tangent curve to the left through a central angle of 01°00'49", for an arc distance of 5.03 feet, a chord bearing of North 43°45'23" West and a chord distance of 5.03 feet to the **POINT OF BEGINNING**;

CONTAINING a computed area of 1,355 square feet or 0.0311 of an acre of land.

I hereby certify that this metes and bounds description and attached plat represent a survey made on the ground under my supervision during the month of June, 2012.



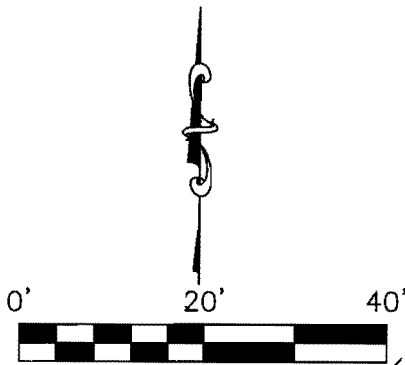
Lyndon M. Hodgkin
Registered Professional Land Surveyor
Texas Registration No. 4584

7-03-12
Date

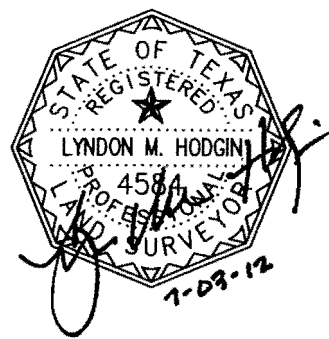
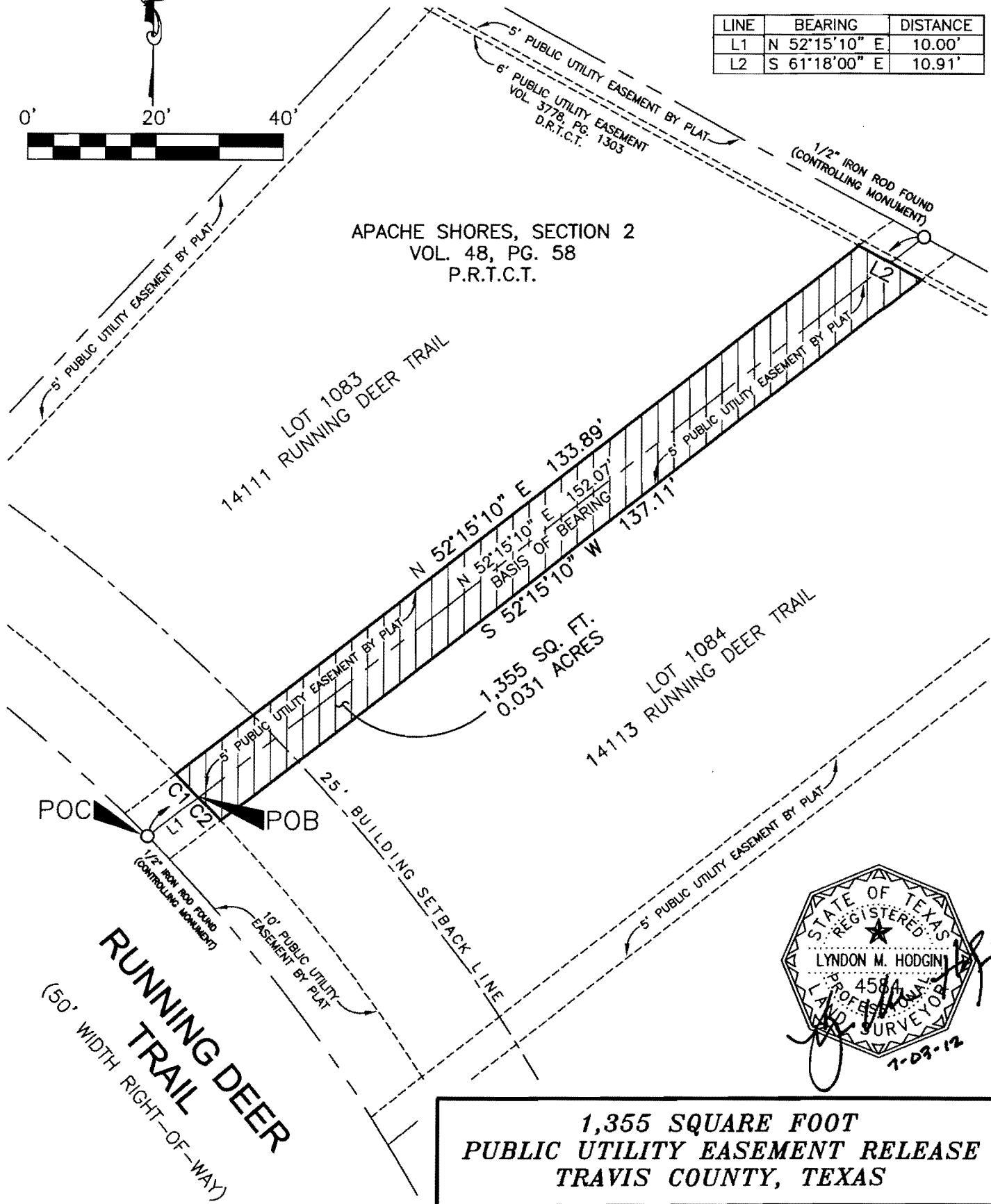


CURVE TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	284.20'	1°00'56"	5.04'	N44°46'15"W	5.04'
C2	284.20'	1°00'49"	5.03'	N43°45'23"W	5.03'

LINE	BEARING	DISTANCE
L1	N 52°15'10" E	10.00'
L2	S 61°18'00" E	10.91'



APACHE SHORES, SECTION 2
VOL. 48, PG. 58
P.R.T.C.T.



**1,355 SQUARE FOOT
PUBLIC UTILITY EASEMENT RELEASE
TRAVIS COUNTY, TEXAS**

July 23, 2012

To Whom It May Concern,

This is a request to vacate the easement between the following properties

APACHE SHORES SEC 2 Subdivision, Lot 1083, Travis County

Lot 1083 Running Deer Trail

Austin, Texas 78734

&

APACHE SHORES SEC 2 Subdivision, Lot 1084, Travis County

Lot 1084 Running Deer Trail

Austin, Texas 78734

The lots will be combined in order to begin construction on our residence. Please contact me with any questions.

A handwritten signature in black ink, appearing to read "Josh Grieswell", written in a cursive style.

Josh Grieswell

(972) 880-3298



TRAVIS COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT 17

3812 Eck Lane • Austin, Texas 78734
• Phone (512) 266-1111 • Fax (512) 266-2790

Date: 4/4/12 **UTILITY EASEMENT RELEASE APPLICATION**

A release of the following utility easement(s) is hereby requested.
(\$30.00 fee is required)

Property Address: lot 1083/1084 Running Deer trail
Legal Description: Austin, TX 78734

A plat drawing with the easement highlighted must accompany this application.

Applicant Name: Joshua Gripswell 972-880-3298
Address: 8523 Eustis Ave
Dallas, TX 75218

Reason for Request: one lot

Water District 17 **DOES NOT** have a need for an easement on the property as described in the accompanying document. The easement(s) is (are) hereby released.

Water District 17 **DOES** 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 Marley 5.24.12
Signature Date
Reviewer: HENRY WMARLEY

Deborah S. Gernes
Signature Date
Deborah S. Gernes
Printed Name
General Manager
Title

Please return this completed form to:

Phone: 972-880-3298 Name: Joshua Gripswell
Fax: _____ Address: 8523 Eustis Ave
Email: info@somaw.com City/State/Zip: Dallas, TX 75218



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 1083/1084 Bonning Deer Trail (address) and/or (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
Sr. Designer
Title
Time Warner Cable - Central TX
Utility Company or District
May 4, 2012
Date

Please return this completed form to:

Name

Address

City/State/Zip



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 14113 Running Deer Trail, Austin, TX (address) and/or Lot 1084 Apache Shores, Sec 2 Subdivision (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

X 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: Sonny Poole
Title: Austin Energy
Utility Company or District:
Date: April 24, 2012

Please return this completed form to:

Name: Paul Patterson
Address: 101 S. Cot Rd. Suite 36 #115
Richardson, TX 75080
City/State/Zip:

paul@gomow.com



SOUTHWESTERN BELL TELEPHONE COMPANY

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by SOUTHWESTERN BELL TELEPHONE COMPANY, a Missouri corporation, GRANTOR, AND Joshua Michael Grieswell and Maria Lien Grieswell, 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 1083 and 1084, Apache Shores, Section 2, Deed of record in Documents 2012044119 and 2012044120, Property Records of Travis County, Texas

Said land of GRANTEE(S) being subject to:

Easements recorded in Volume 48, Page 58, Plat Records of Travis County, Texas,

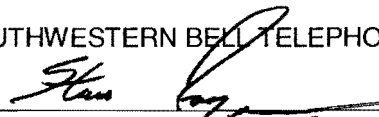
The portion of said easements to be hereby released is described as follows:

All of the 5 foot PUE along either side of the common property lines of said Lots 1083 and 1084, 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 27th day of APRIL, 2012.

SOUTHWESTERN BELL TELEPHONE COMPANY



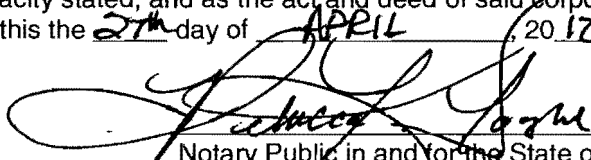
Name : STEVE FOUGERON

Title: MANAGER DESIGN ENGINEER

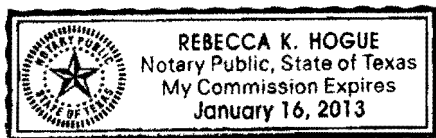
THE STATE OF TEXAS
COUNTY OF TRAVIS

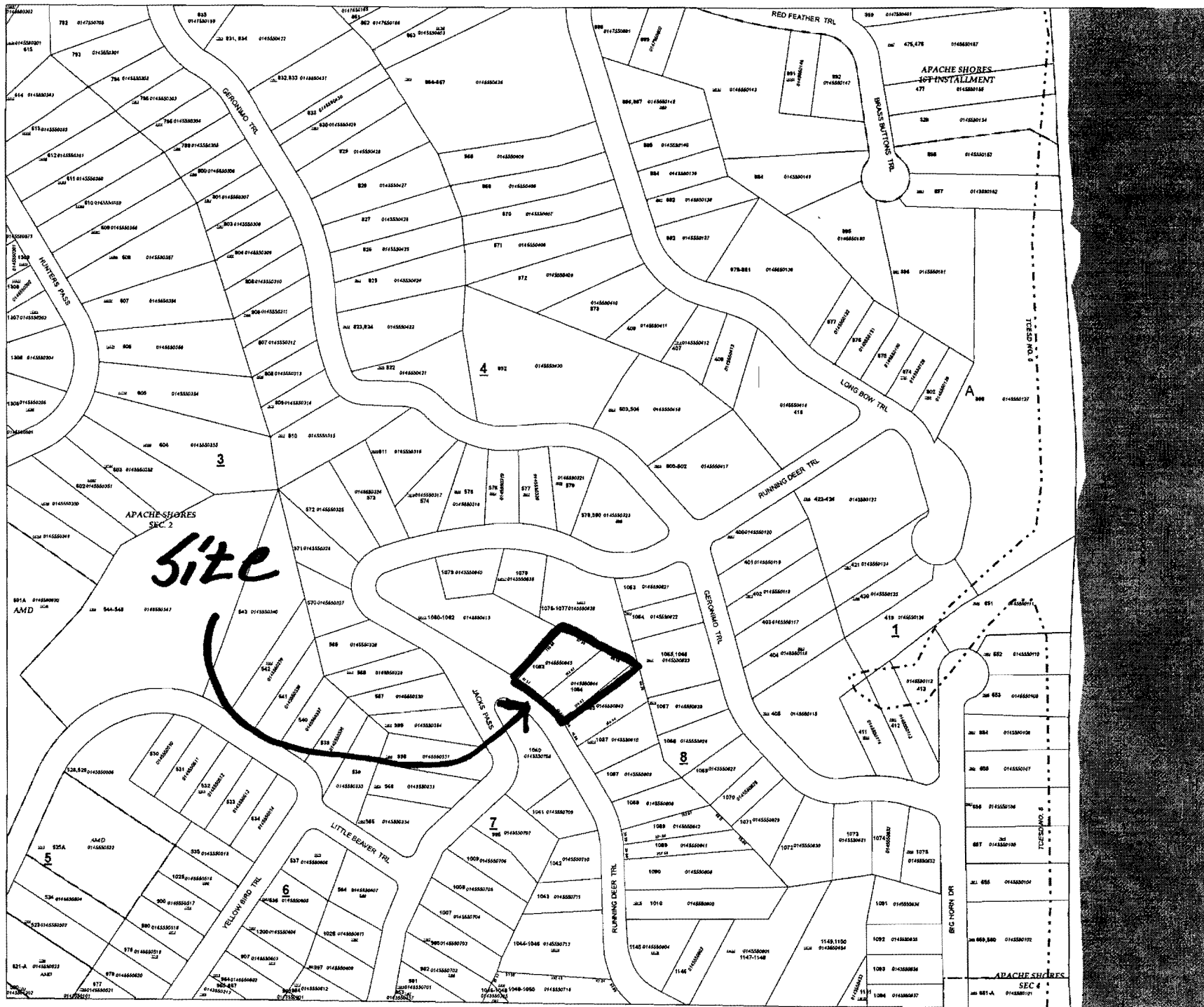
BEFORE ME, the undersigned authority, on this day personally appeared STEVE EDUGERON, known to me to be the person whose name is subscribed to the foregoing instrument as Manager, Engineering-Design of Southwestern Bell Telephone Company, a Missouri corporation, and acknowledged to me that he/she executed 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 27th day of APRIL, 2012.




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





Travis Central Appraisal District
 P.O. Box 149012
 Austin, Texas 78714
 Internet Address: www.traviscad.org
 Main Telephone Number (512) 454-5317
 Appraisal Information (512) 634-9318
 TDD (512) 636-3326

This map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate. Engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD 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 shipped data does not constitute a legal document.

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
 Projection: Lambert_Conformal_Conic

 1/16" = 100 scale map
 Thin = 100 scale map
 Bold = 400 scale map

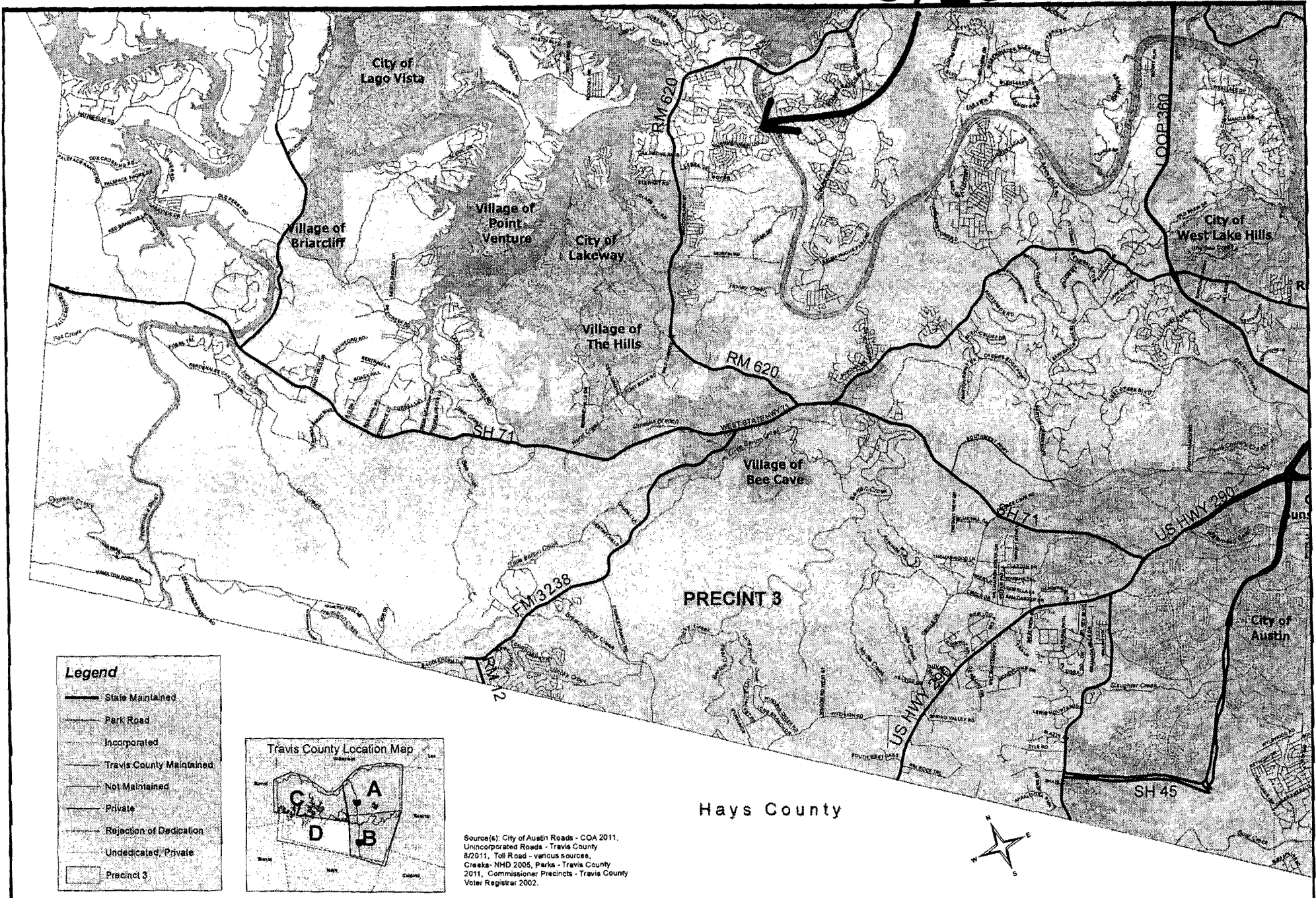
14758	14765	14773
14820	14827	14835
14858	14865	14873

0 100 Feet

Revision Date:
 4/27/2012

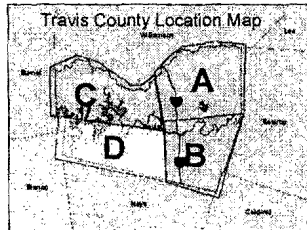
14555

Site



Legend

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



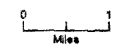
Source(s): City of Austin Roads - COA 2011.
 Unincorporated Roads - Travis County
 8/2011, Toll Road - various sources,
 Creeks- NHD 2005, Parks - Travis County
 2011, Commissioner Precincts - Travis County
 Voter Registrar 2002.

Hays County



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

Site

