

**Travis County Commissioners Court Agenda Request****Meeting Date:** September 25, 2012**Prepared By:** Michael Hettenhausen **Phone #:** 854-7563**Division Director/Manager:** Anna Bowlin, Division Director, Development Services**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, October 30, 2012 to receive comments regarding requests for partial plat vacations of lots 43 through 53 of the Reserve at Lake Travis Final Plat; lots 43 through 53A of the Revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14 Block C The Reserve at Lake Travis; and lots 43, 44, 45, 46A and 47A of the Revised Plat of Lots 53A & 54A Block A and Lot 17, Block C of the Revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14 Block C The Reserve at Lake Travis in Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

The Reserve at Lake Travis, LLC, owners of Lot 44 of the Reserve of Lake Travis Final Plat and lots 46A and 47A of the Revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14 Block C The Reserve at Lake Travis, Hal Jones, owner of Lot 45 Block A, and Russell and Glenda Harbison, owners of Lot 43 Block A of the Reserve at Lake Travis Final Plat have applied through Travis County for a partial plat vacation of the three plats that show a marina easement on these lots. The original subdivision, located on Thurman Bend Road, consisted of 131 total lots on 291.15 acres and has been modified with several revised plats. The lots proposed for vacation, located on Ruffian Heights Lane and Flying J Boulevard, are bordered by a marina easement on the original and both revised plats.

Approval of the three partial plat vacations will return the lots back to raw land and remove all easements shown graphically on the three plats. Upon approval of the vacation, the owners will be able to replat the lots without the marina easement shown on the original plat and shown and referenced on the two succeeding revised plats. The associated replat (Cliffside at the Reserve at Lake Travis) will be scheduled for plat approval on the same agenda as the public hearing for the partial plat vacation.

STAFF RECOMMENDATIONS:

Texas Local Government Code Section 232.008 states that a recorded plat may be vacated if 75% of the owners of the original subdivision sign the vacation document.

AB

In this case, 80% of the owners of the original subdivision have signed the vacation document (see attached Exhibit A).

ISSUES AND OPPORTUNITIES:

As over 75% of the owners of the original subdivision have signed the vacation document and all Travis County subdivision requirements have been met, staff recommends approval of the motion.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A

ATTACHMENTS/EXHIBITS:

- Precinct map
- Location map
- Copy of vacation document
- Copy of original final plat and both revised plats

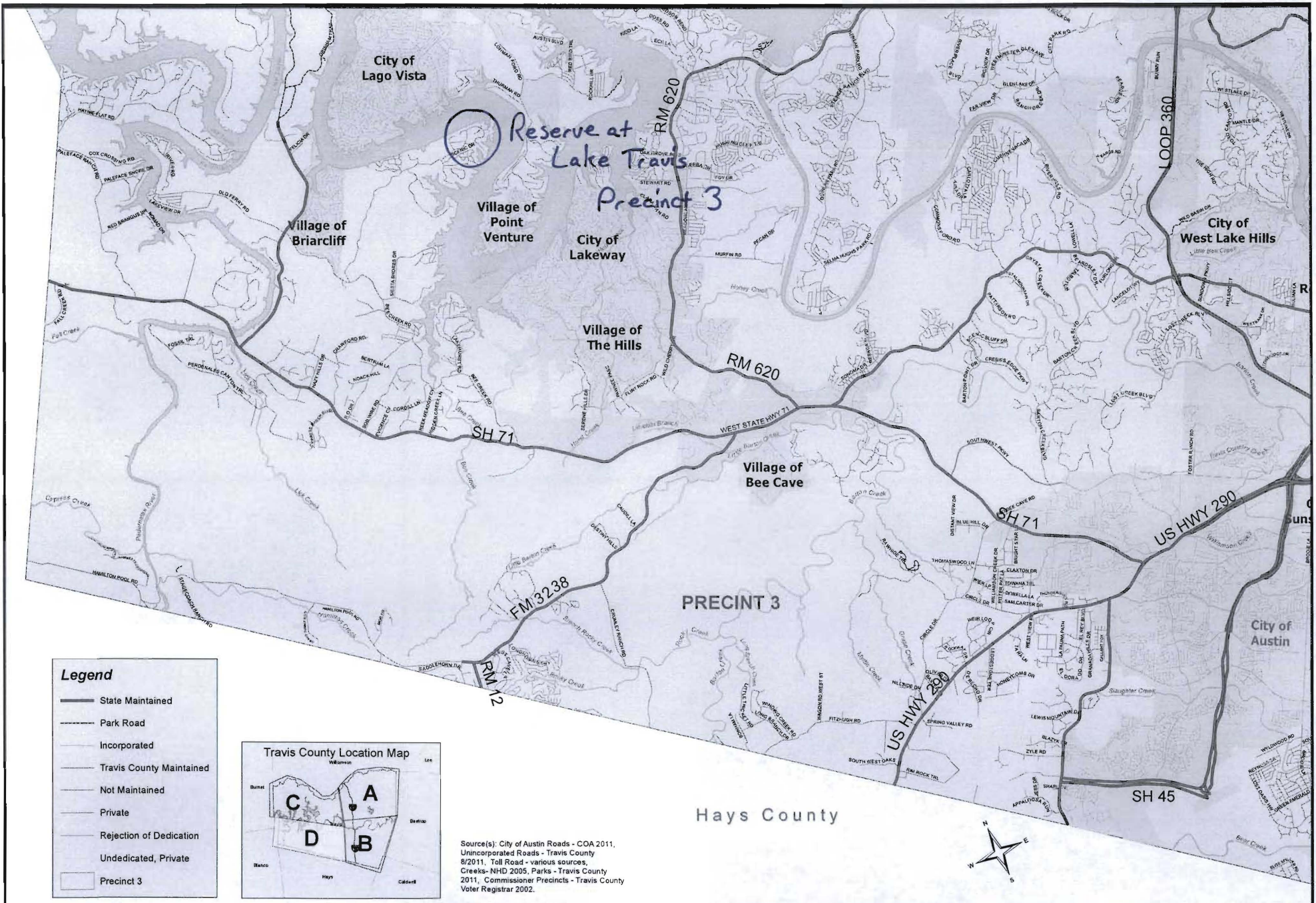
REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429

CC:

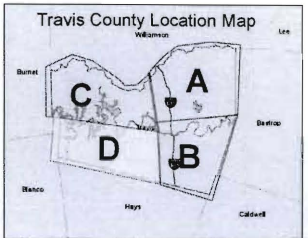
SM:AB:mh

1101 - Development Services - Reserve at Lake Travis Partial Plat Vacation



Legend

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

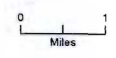


Source(s): City of Austin Roads - COA 2011, Unincorporated Roads - Travis County 8/2011, Toll Road - various sources, Creeks - NHD 2005, Parks - Travis County 2011, Commissioner Precincts - Travis County Voter Registrar 2002.



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

Precinct Map

TRAVIS COUNTY, TEXAS

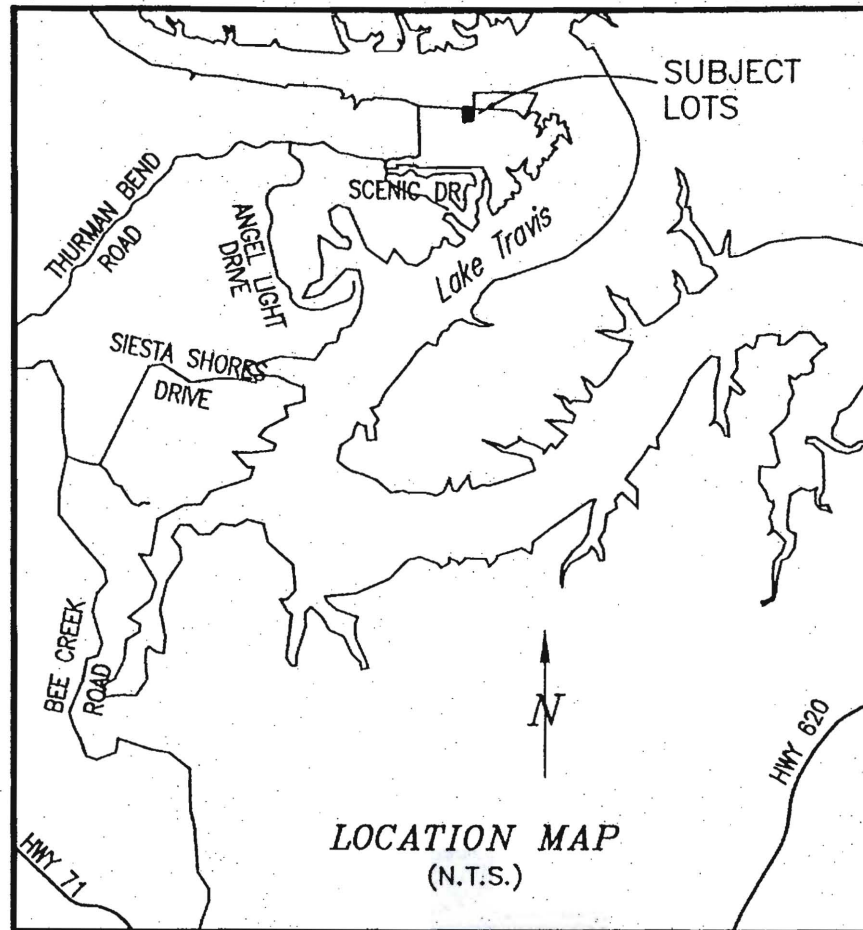


EXHIBIT A

PARTIAL VACATION OF "The Reserve at Lake Travis"

THE STATE OF TEXAS

COUNTY OF Travis

WHEREAS, (The Reserve at Lake Travis, LLC), owner of Lot 44, Block A, The Reserve at Lake Travis, a subdivision as recorded in Document No. 200800255 of the Official Public Records of Travis County, Lots 46A and 47A, Block A Revised Plat of Lots 53A & 54A, Block A and Lot 17, Block C of The Revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14, Block C, The Reserve at Lake Travis and Lots 46-52, 57-67 & 102-B, Block A, The Reserve at Lake Travis a subdivision as recorded in Document No. 201100186, and Lot 53A, Block A, Revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14, Block C. The Reserve at Lake Travis a subdivision as recorded in Document 200900119, WHEREAS, (Harry (Hal) R. Jones, III), owner Lot 45, Block A and (Russell and Glenda Harbison), owner Lot 43, Block A, The Reserve at Lake Travis a subdivision as recorded in Document No. 200800255 of the Official Public Records of Travis County, Texas total 14.61 acres, did heretofore subdivide the same into the subdivision designated (The Reserve at Lake Travis), the plat of which is recorded in Document No. 200800255 and 201100186 of the Travis County, Texas Plat Records, and

WHEREAS, the following lots in said subdivision are now owned by the parties indicated, to wit:

<u>LOT</u>	<u>OWNER</u>
Lot 44, 46A, 47A and 53A, Block A	The Reserve at Lake Travis, LLC
Lot 43, Block A	Russell and Glenda Harbison
Lot 45, Block A	Harry (Hal) R. Jones III

WHEREAS, (The Reserve at Lake Travis, LLC, Harry (Hal) R. Jones, III, and Russell and Glenda Harbison) who collectively constitute 80.63% of the owners of all original, intact lots in (The Reserve at Lake Travis) are desirous of partially vacating said subdivision plat so as to destroy the force and effect of the recording of such subdivision plat insofar and only insofar as the same pertains to Lot(s) 43, 44, 45, 46A and 47A, Block A.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That The Reserve at Lake Travis, LLC, Harry (Hal) R. Jones, III, and Russell and Glenda Harbison for and in consideration of the premises and pursuant to the provisions of Chapter 232.008 of the Local Government Code, does hereby vacate Lot(s) 43, 44, 45, Block A, The Reserve at Lake Travis as recorded in 200800255 of the Official Public Records of Travis County, Lots 46A and 47A, Block A, Revised Plat of Lots 53A & 54A, Block A and Lot 17, Block C of The Revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14, Block C, The Reserve at Lake Travis and Lots 46-52, 57-67 & 102-B, Block A, The Reserve at Lake Travis, a subdivision as recorded in Document No. 201100186 and Lot 53A, Block A, Revised Plat of Lots 53-56 & 103, Block A and Lots 5-9, 13 & 14, Block C, The Reserve at Lake Travis a subdivision as recorded in Document 200900119 only. Said subdivision shall, however, remain in full force and effect as to all other lots in The Reserve at Lake Travis.

EXECUTED THE DAYS HEREAFTER NOTED.

DATE

OWNER'S SIGNATURE

The Reserve at Lake Travis, LLC, Hal Jones, President, Hal Jones, Power of Attorney
for Russell and Glenda Harbison and Harry (Hal) R. Jones III

State of Texas)(

County of Travis)(

Before me, the undersigned authority on this day personally appeared Hal Jones, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledges to me that he executed the same for the purpose on the consideration therein expressed and in the capacity therein stated.

Notary Public, State of Texas

Print Notary's Name: _____

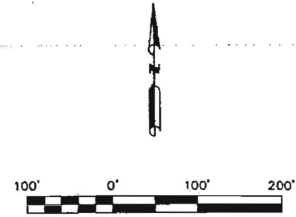
My Commissions Expires: _____

Witness My Hand, this ____ Day of _____, 2012, A.D.

NOTARY STATEMENT REQUIRED FOR EACH SIGNATURE UNLESS ALL OR SOME OWNERS SIGN BEFORE THE SAME NOTARY. THE DATE OF EACH INDIVIDUAL NOTARY CERTIFICATE MUST MATCH THE DATE THAT APPEARS OPPOSITE THE OWNER'S SIGNATURE IN THE BODY OF THE DOCUMENT.

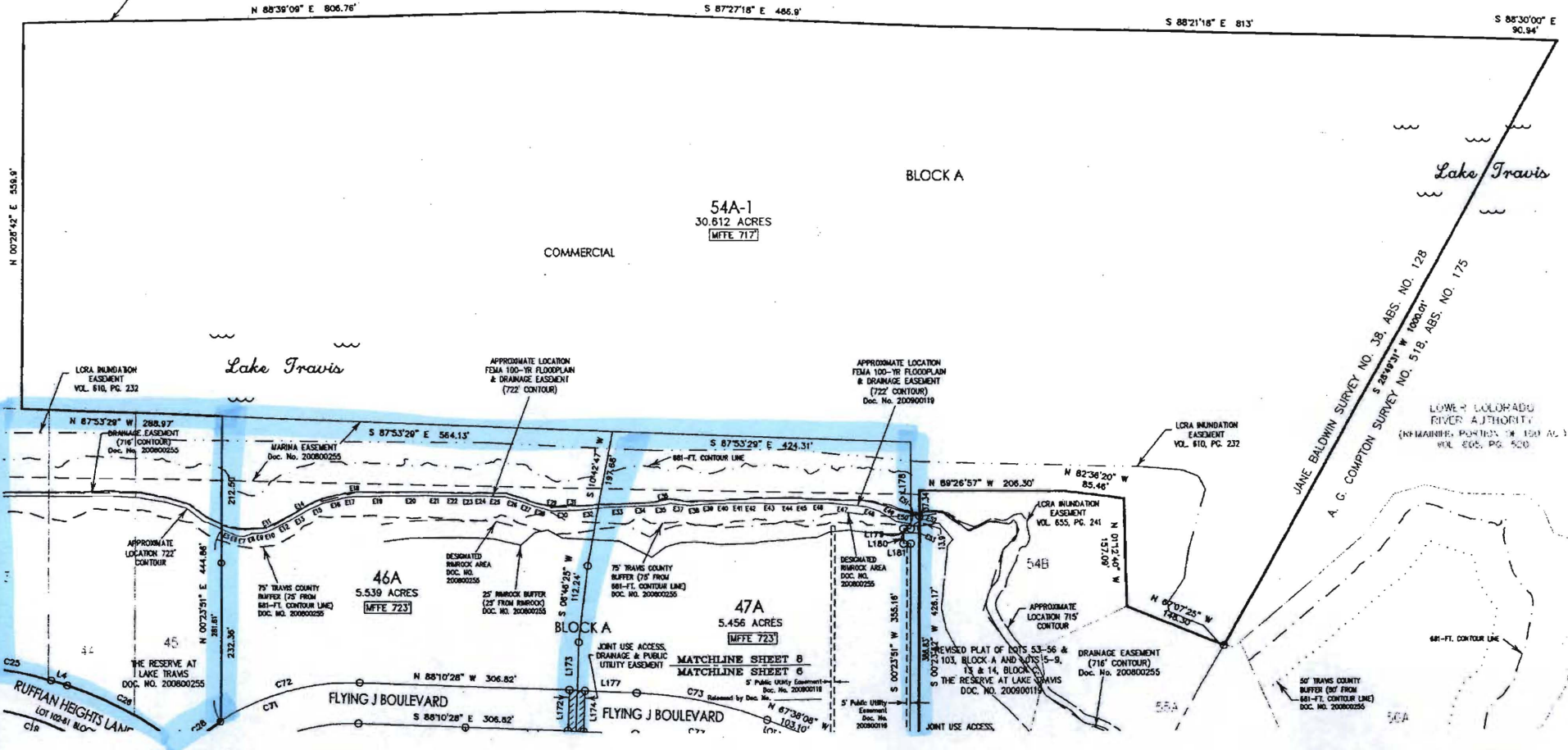
REVISED PLAT OF LOTS 53A & 54A, BLOCK A AND LOT 17, BLOCK C OF THE REVISED
 PLAT OF LOTS 53-56 & 103, BLOCK A AND LOTS 5-9, 13 & 14, BLOCK C, THE RESERVE
 AT LAKE TRAVIS AND LOTS 46-52, 57-67 & 102-B, BLOCK A,
 THE RESERVE AT LAKE TRAVIS

TRAVIS COUNTY, TEXAS
 FEBRUARY 2, 2011



Approximate South Bank of the
 Colorado River (per Marshall Ford
 Dam Right-of-Way Survey, Sheet
 6-1217, Dated Jan 30, 1937)

Lake Travis



- LEGEND**
- 1/2" IRON ROD SET w/ CAP STAMPED "TERRA FIRMA"
 - 1/2" IRON ROD FOUND (UNLESS NOTED)
 - 1" IRON PIPE FOUND
 - LORA MONUMENT w/ BRASS CAP FOUND
 - COTTON SPINDLE FOUND
 - COTTON SPINDLE SET
 - CONCRETE MONUMENT SET
 - ▲ NAIL FOUND
 - ▲ NAIL SET
 - () RECORD INFORMATION (Adjoining Tracts)
 - [] RECORD INFORMATION (per Marshall Ford Dam Right-of-Way Survey Sheet 6-1217)
 - | | RECORD INFORMATION (per Vol. 605, Pg. 520)
 - MFFE MINIMUM FINISHED FLOOR ELEVATION

BEARING BASIS NOTE:
 HORIZONTAL DATUM BASED UPON TEXAS STATE PLANE
 COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE.
 COORDINATES AND DISTANCES SHOWN ARE SURFACE
 VALUES. COMBINED SCALE FACTOR IS 0.99990156

terra firma LAND SURVEYING

1701 Directors Boulevard, Suite 400 • Austin, Texas 78744 • 512/328-8373 • Fax 512/445-2266

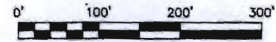
SHEET 8 OF 11

FILE: G:\PROJECTS\4409\017\SURVEY\DRAWINGFILES\001\REVISEDPLAT.DWG	
JOB NO: 0408-017-00-001	DRAWN BY: NSC
DATE: 02-02-2011	CHECKED BY: JON
SCALE: 1"=100'	REVISED: 05-18-2011

REVISED PLAT OF LOTS 53A & 54A, BLOCK A AND LOT 17, BLOCK C OF THE REVISED PLAT OF LOTS 53-56 & 103, BLOCK A AND LOTS 5-9, 13 & 14, BLOCK C, THE RESERVE AT LAKE TRAVIS AND LOTS 46-52, 57-67 & 102-B, BLOCK A, THE RESERVE AT LAKE TRAVIS

Approximate South Bank of the Colorado River (per Marshall Ford Dam Right-of-Way Survey, Sheet 6-1217, Dated Jan 30, 1937)

Lake Travis



BEARING BASIS NOTE:
HORIZONTAL DATUM BASED UPON TEXAS STATE PLANE COORDINATE SYSTEM, NAD83, TEXAS CENTRAL ZONE. COORDINATES AND DISTANCES SHOWN ARE SURFACE VALUES. COMBINED SCALE FACTOR IS 0.9999918

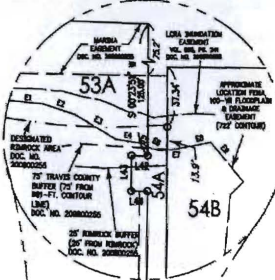
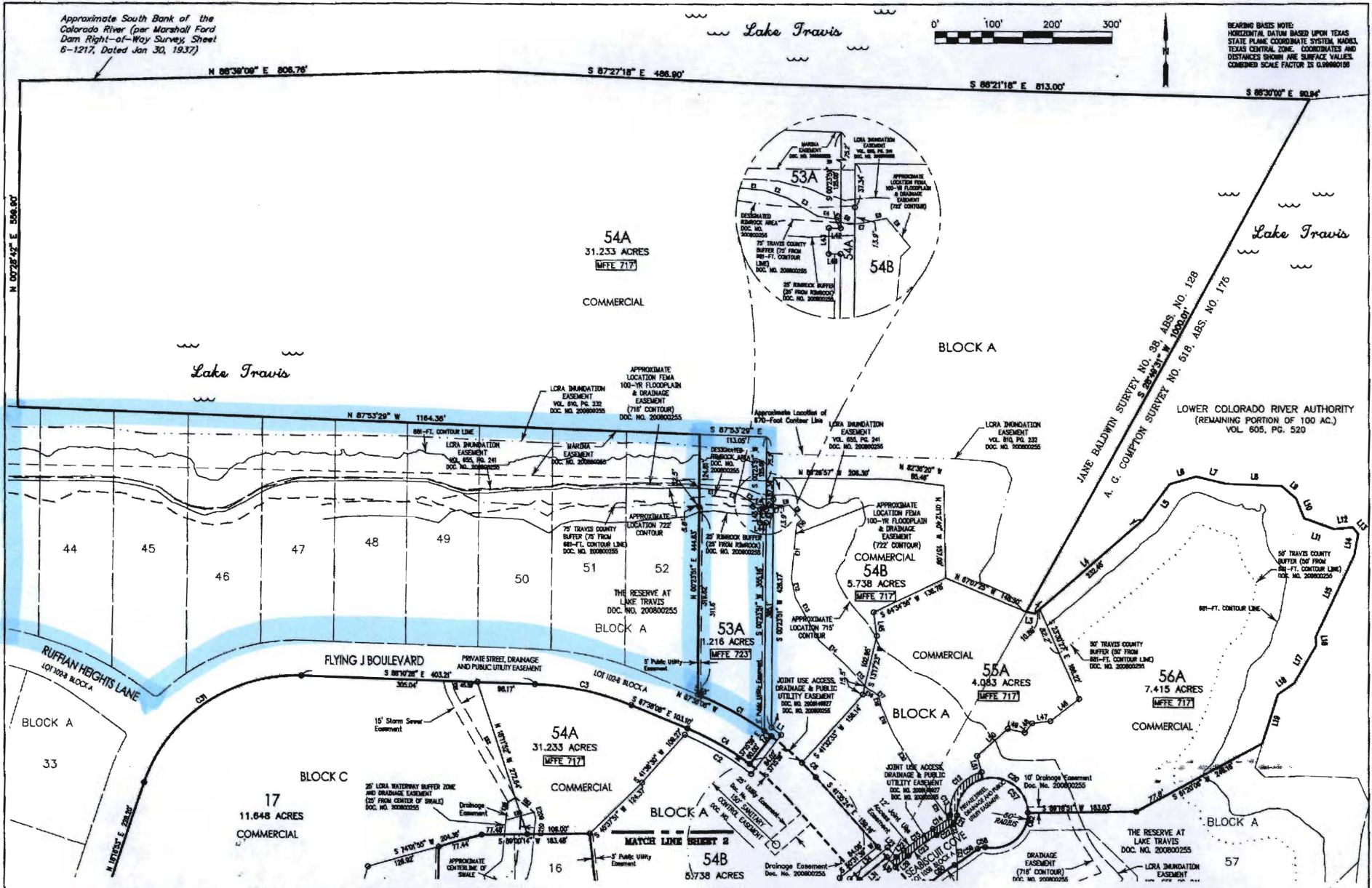
N 88°39'09" E 808.78'

S 87°27'18" E 488.90'

S 86°21'16" E 813.00'

S 86°30'0" E 80.84'

N 00°28'42" E 856.80'



54A
31.233 ACRES
MFFE 717
COMMERCIAL

BLOCK A

Lake Travis

Lake Travis

LOWER COLORADO RIVER AUTHORITY
(REMAINING PORTION OF 100 AC.)
VOL. 605, PG. 520

53A
1.218 ACRES
MFFE 723

54B
5.738 ACRES
MFFE 717
COMMERCIAL

55A
4.083 ACRES
MFFE 717
COMMERCIAL

56A
7.415 ACRES
MFFE 717
COMMERCIAL

54A
31.233 ACRES
MFFE 717
COMMERCIAL

54B
5.738 ACRES

17
11.648 ACRES
COMMERCIAL

LEGEND

- 1/4" IRON ROD SET w/ CAP STAMPED "TERRA FIRMA"
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1" IRON PIPE FOUND
- LORA MONUMENT w/ BRASS CAP FOUND
- COTTON SPINDLE FOUND
- CONCRETE MONUMENT SET
- ▲ NAIL FOUND
- △ NAIL SET
- () RECORD INFORMATION (Adjoining Tracts)
- [] RECORD INFORMATION (per Marshall Ford Dam Right-of-Way Survey Sheet 6-1217)
- [] RECORD INFORMATION (per Vol. 605, Pg. 520)
- MFFE MINIMUM FINISHED FLOOR ELEVATION
- WQZ WATER QUALITY ZONE

REVISED PLAT OF LOTS 53-56 & 103, BLOCK A AND LOTS 5-9, 13 & 14, BLOCK C, THE RESERVE AT LAKE TRAVIS

TRAVIS COUNTY, TEXAS

APRIL 10, 2009

terra firma LAND SURVEYING

SHEET 1 OF 5

FILE: S:\PROJECTS\4409\015\RESUBDISMPLAT.DWG	DATE: 04-09-2009	DRAWN BY: CLF
JOB NO: 0408-015-00-001	DATE: 04-09-2009	CHECKED BY: JON
SCALE: 1"=100'		REVISED: 08-03-08

REVISED PLAT OF LOTS 53-56 & 103, BLOCK A AND LOTS 5-9, 13 & 14, BLOCK C, THE RESERVE AT LAKE TRAVIS

1701 Shepherd Boulevard, Suite 400 - Austin, Texas 78764 817/228-2273 Fax 817/448-2288

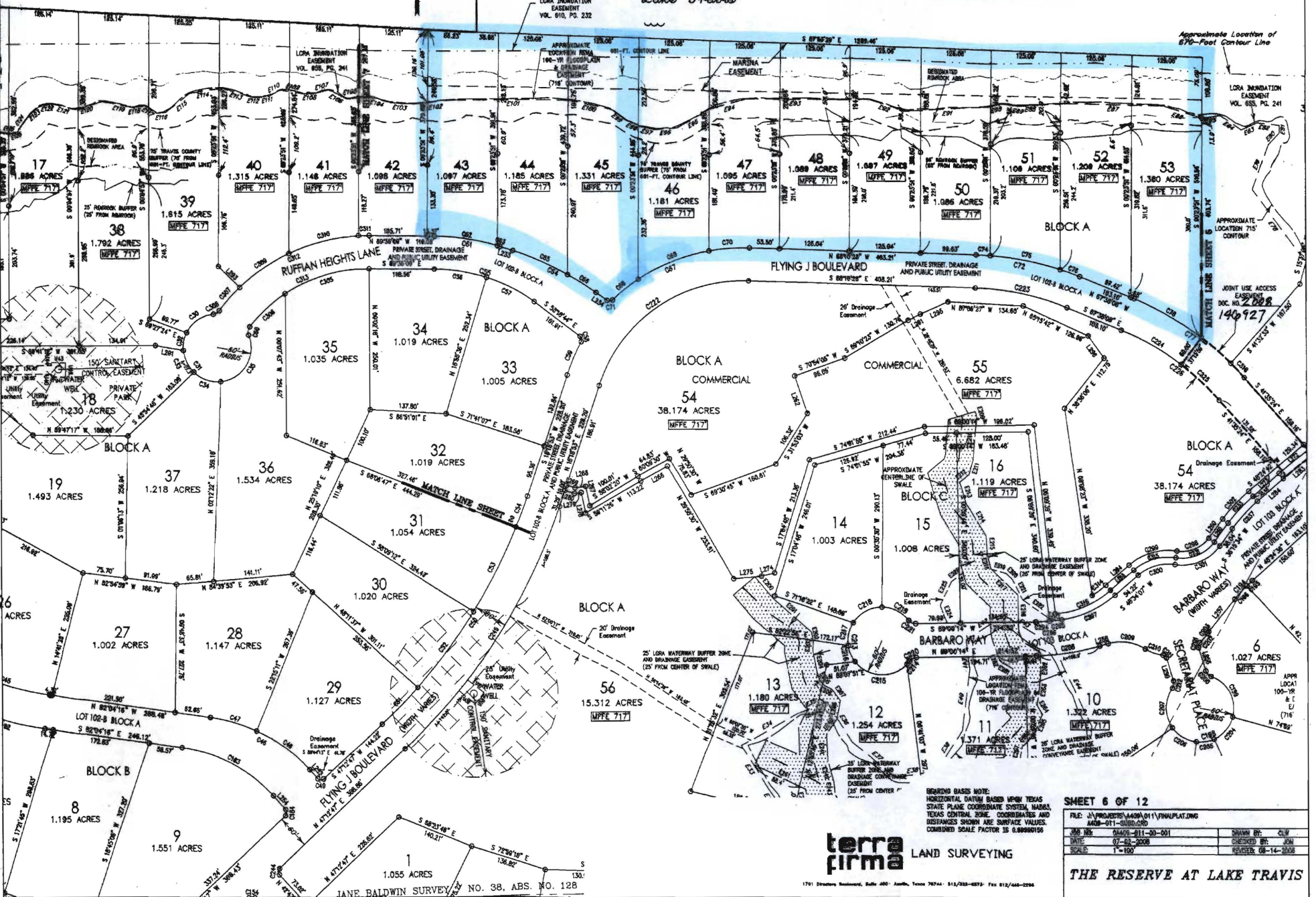
2008 00155



THE RESERVE AT LAKE TRAVIS

TRAVIS COUNTY, TEXAS
AUGUST 14, 2008

Lake Travis



BOARDING BASIS NOTE:
HORIZONTAL DATUM BASED UPON TEXAS
STATE PLANE COORDINATE SYSTEM, NAD83,
TEXAS CENTRAL ZONE. COORDINATES AND
DISTANCES SHOWN ARE SURFACE VALUES.
COMBINED SCALE FACTOR IS 0.999991016

SHEET 6 OF 12

FILE: J:\PROJECTS\4409\011\FIN\PLAT.DWG	DRAWN BY: CLW
AKS-011-SUBD.CAD	CHECKED BY: JSA
DATE: 07-22-2008	REVISION: 08-14-2008
SCALE: 1"=100'	

terra firma LAND SURVEYING

1701 Drexler Boulevard, Suite 400 • Austin, Texas 78744 • 512/333-8373 • Fax 512/448-2254

THE RESERVE AT LAKE TRAVIS

PHOTOGRAPHIC MYLAR

JANE BALDWIN SURVEY, NO. 38, ABS. NO. 128