



Travis County Commissioners Court Agenda Request

Meeting Date: September 11, 2012

Prepared By: Tim Pautsch **Phone #:** 854-7689

Division Director/Manager: Anna Bowlin - Division Director Development Services

AB

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

Sponsoring Court Member: Commissioner Davis, Precinct One

AGENDA LANGUAGE: Consider and take appropriate action on a Cash Security Agreement with Gehan Homes Ltd., for sidewalk fiscal for Avalon Phase 7A Lot 15-20 Block T, in Precinct One.

BACKGROUND/SUMMARY OF REQUEST:

The form of the Cash Security Agreement is from the Standards for Construction of Streets and Drainage in Subdivisions that were in place before August 28, 1997.

STAFF RECOMMENDATIONS:

Gehan Homes Ltd., proposed to use this Cash Security Agreement, as follows: Avalon Phase 7A Lot 16-20 Block T, \$3,694.68, to post sidewalk fiscal where the sidewalks have not been completed in this subdivision.

ISSUES AND OPPORTUNITIES:

None

FISCAL IMPACT AND SOURCE OF FUNDING:

There are no budgetary and/or fiscal impacts as this is fiscal posted for a development.

ATTACHMENTS/EXHIBITS:

Cash Security Agreement, Map of lot.

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
Anna Bowlin	Division Director Development Services	TNR	854-7561
Stacey Scheffel <i>(65)</i>	Permits Program Manager	TNR	854-7565

CC:

Tim Pautsch	Engineering Specialist	TNR	854-7689

TP:AB:tp
1101 - Development Services - Avalon Ph 7A

§ 82,1006. EXHIBIT 82.401 (C)

(c) CASH SECURITY AGREEMENT

TO: Travis County, Texas

DEVELOPER/BUILDER: Gehan Homes, Ltd.

ESCROW AGENT: Travis County Treasurer

AMOUNT OF SECURITY: \$3,694.68

SUBDIVISION: Avalon Phase 7A
Address: 3401, 3405, 3409, 3413, 3417, 3421 Crispin Hill Lane
Lots: 16, 17, 18, 19, 20
Block: I

DATE OF POSTING: _____

EXPIRATION DATE: Three Years, or more from Date of Posting

The ESCROW AGENT shall duly honor all drafts drawn and presented in accordance with this Agreement. Travis County may draw on the account of the DEVELOPER/BUILDER up to the aggregate AMOUNT OF SECURITY upon presentation of a draft signed by the County Judge that the following condition exists:

The county considers such a drawing on this Security necessary to complete all or part of the SUBDIVISION Sidewalks. No further substantiation of the necessity of the draw is required by this Agreement.

This Agreement is conditioned on the performance of the duties of the DEVELOPER/ BUILDER to provide for the construction and completion of the Sidewalk Improvements in the SUBDIVISION to current Travis County Standards for Construction of Streets and Drainage in Subdivisions (the “Standards”), so that the Sidewalk Improvements are performing to the Standards upon the approval of the construction of the Sidewalk Improvements, and the acceptance of the Sidewalk Improvements by the Executive Manager of TNR or his designated representative. The DEVELOPER/ BUILDER shall prove that the sidewalk is built to Texas Accessibility Standards by submitting an approved inspection letter from a Registered Accessibility Specialist.

If this document needs to be renewed, it will be renewed at the then current rate for Sidewalks required by Travis County. In no case shall the amount of Security be less that the amount it would cost the County to complete the work if it becomes necessary.

Partial drafts and reductions in the amount of Security are permitted. Drafts will be honored within five calendar days of presentment. In lieu of drawing on the Security, the County, in its

discretion, may accept a substitute Security in the then current amount of the estimated cost of constructing the Improvements. This Agreement may be revoked only by written consent of the DEVELOPER/ BUILDER and the County.

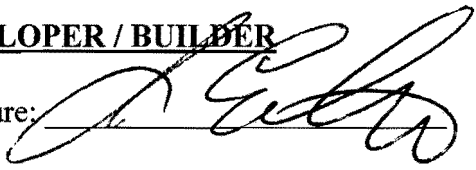
If the street right of way covered by this Cash Security Agreement is annexed, for full purposes by a City, then the ESCROW AGENT shall be construed to mean "the City" and the funds, plus interest, can be transferred to the annexing City.

All escrowed funds will be invested and interest paid at the rate Travis County receives for its 90-day accounts. Additionally, a \$25.00 investment fee will be charged, for every 90 days, Travis County holds the funds.

DEVELOPER / BUILDER

ADDRESS OF DEVELOPER

Signature: _____



Barton Creek Plaza III

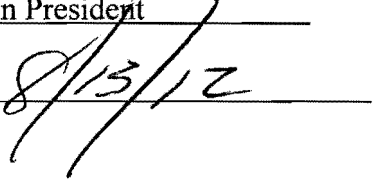
Name: Justin Eicher

3815 S. Capital of Texas Hwy., Suite 275

Title: Division President

Austin, TX 78704

Date: _____

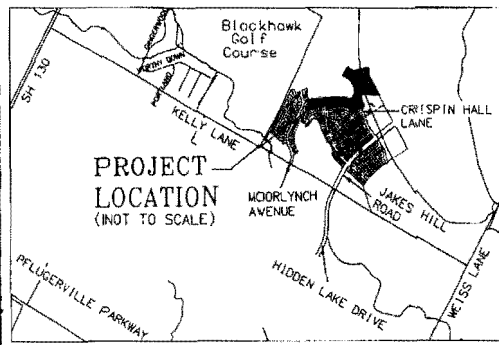


Phone: (512) 330-9366

APPROVED BY THE TRAVIS COUNTY COMMISSIONERS' COURT: _____
Date

COUNTY JUDGE, TRAVIS COUNTY, TEXAS
Date

\$ 65.00 Nov. 05, 2009 200900157



- LEGEND**
- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
 - 1/2" IRON ROD SET W/CAIP MARKED "DATE END"
 - IRON PIPE FOUND
 - CONCRETE MONUMENT SET
 - BENCHMARK
 - X CUT IN CONCRETE
 - X FOUND IN CONCRETE
 - X CUT ON METAL LID
 -
 - PLAT BOUNDARY
 - LOT LINES
 - EXISTING EASEMENT
 - PROPOSED EASEMENT
 - ADJOINING PROPERTY LINES
 - SIDEWALK
 - 10' WIDE AND BIKE TRAIL
 - REAL PROPERTY RECORDS TRAVIS COUNTY TEXAS
 - DEED RECORDS TRAVIS COUNTY TEXAS
 - OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
 - PLAT RECORDS OF TRAVIS COUNTY TEXAS
 - PUBLIC UTILITY EASEMENT
 - E.L.
 - B.L.
 - R.O.W.
 - BLOCK DESIGNATION

OWNER/SUBDIVIDER: KM AVALON LTD.
 BLAKE J. WAGNER, PRESIDENT
 1011 N. LAMAR BLVD.
 AUSTIN, TEXAS 78703

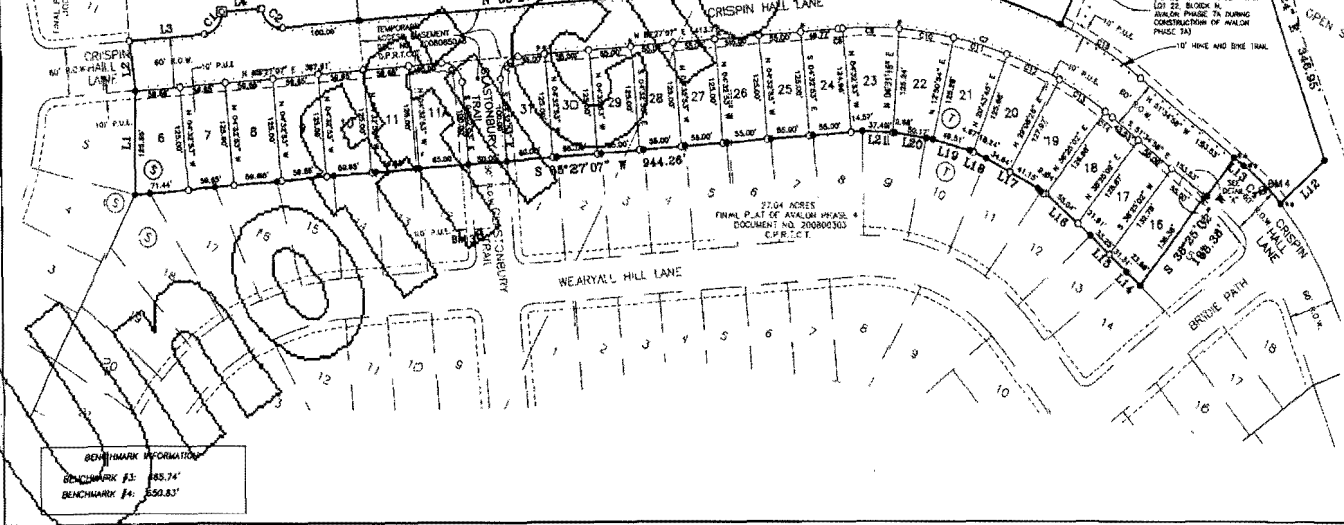
SURVEYOR: PATE SURVEYORS
 NEIL HINES, R.P.L.S.
 7801 N. CAPITAL OF TEXAS HIGHWAY
 SUITE 350
 AUSTIN, TEXAS 78731
 TELEPHONE: (512) 340-0800
 FAX: (512) 340-0804

ENGINEER: PATE ENGINEERS, INC.
 7801 N. CAPITAL OF TEXAS HIGHWAY,
 SUITE 350
 AUSTIN, TEXAS 78731
 TELEPHONE: (512) 340-0800
 FAX: (512) 340-0804

13.451 ACRES
 KM AVALON, LTD.
 TO
 BOARD OF TRUSTEES OF
 THE PFLUGERVILLE INDEPENDENT
 SCHOOL DISTRICT
 DOC NO. 2008085044, O.P.R.T.C.T.

**PHILLIP GOLDEN SURVEY
 NO. 17, A-328**
 199.93 ACRES (RESIDUE)
 RONNY RINDERKNECHT, ET AL
 TO KM AVALON, LTD
 DOC NO. 2005118416, O.P.R.T.C.T.

**EDWARD FLINT SURVEY
 NO. 11, A-277**
 199.93 ACRES (RESIDUE)
 RONNY RINDERKNECHT, ET AL
 TO KM AVALON, LTD
 DOC NO. 2005118416, O.P.R.T.C.T.



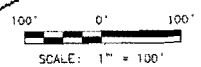
REVISIONS:

NO.	DATE	DESCRIPTION	BY

**FINAL PLAT
 AVALON, PHASE 7A**
 A 16.41 ACRE SUBDIVISION
 OUT OF THE
 PHILLIP GOLDEN SURVEY NO. 17, ABSTRACT NO. 328
 EDWARD FLINT SURVEY NO. 11, ABSTRACT NO. 277
 TRAVIS COUNTY, TEXAS
 CONTAINING
 25 LOTS, 3 BLOCKS
 JOB No. 1655-004-01-A520

PATE SURVEYORS
 HOUSTON • AUSTIN • ARLINGTON • SAN ANTONIO
 7801 NORTH CAPITAL OF TEXAS HIGHWAY
 SUITE 350
 AUSTIN, TEXAS 78731
 PH: (512) 340-0800
 FAX: (512) 340-0804
 WWW.PATEENG.COM

SHEET
 1 OF 2



BENCHMARK INFORMATION
 BENCHMARK #3: 885.74'
 BENCHMARK #4: 650.83'