



ITEM C3

Travis County Commissioners Court Agenda Request

Meeting Date: January 8, 2013

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

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

A handwritten signature in black ink, appearing to read "Anna Bowlin", written over the printed name.

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

Sponsoring Court Member: County Judge Samuel T. Biscoe

AGENDA LANGUAGE: Approve setting a public hearing on Tuesday, January 29, 2013 to receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot line of Lots 1506 and 1507 of Apache Shores, Section Three Amended – 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 1506 and 1507 of Apache Shores Section Three Amended. The PUEs are dedicated per plat note. The subject lots front on a section of Crazyhorse Pass not 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 request the vacation of the easements for the purpose of building one resident on both lots. Vacating the subject easements will allow the property owner to move forward with the plans 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 Three Amended

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 1506 and 1507 of Apache Shores, Section Three Amended as recorded in Volume 50, Page 81 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 January 29, 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 1506 and 1507 of Apache Shores, Section Three Amended, as shown on the attached sketch and described in the attached field notes, are hereby vacated.

ORDERED THIS THE _____ DAY OF _____ 2013.

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

EXHIBIT “ ___ ”
F# _____

(5' PUBLIC UTILITY EASEMENT)
(PARTIAL VACATION)

**FIELD NOTES
TO ACCOMPANY EXHIBIT**

BEING 0.014 ACRE (609 SQ.FT.) SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1506, APACHE SHORES SECTION 3, A TRAVIS COUNTY SUBDIVISION RECORDED IN VOLUME 50, PAGE 81, PLAT RECORDS, TRAVIS COUNTY, TEXAS, CONVEYED TO FRED MOHLE IN A WARRANTY DEED, RECORDED AS DOCUMENT NO. 2011153270, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; ALSO BEING A PORTION OF A 5 FOOT PUBLIC UTILITY EASEMENT (HEREIN DESCRIBED AS “EASEMENT A”), DEDICATED BY SAID PLAT, LOCATED PARALLEL AND CONTIGUOUSLY EAST TO THE WEST LINE OF SAID LOT 1506 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing from a ½” iron rod found in the south line of Crazyhorse Pass (50' R.O.W.) for the northwest corner of Lot 1506 of said Apache Shores Section 3 and the northeast corner of said Lot 1507;

THENCE: S 13°18'22” E 10.56 feet, with the east line of said Lot 1507 and the west lines of said Lot 1506 and said “Easement A”, into and across a 10 public utility easement, dedicated by said plat, located parallel and contiguously south to the north line of said Lot 1506, to a calculated in the south line of said 10 foot public utility easement for the northwest corner and **Point of Beginning** of the herein described tract;

THENCE: N 58°00'39” E 5.28 feet, into said Lot 1506, into and across said “Easement A,” with the south line of said 10 foot public utility easement, and the north line of the herein described tract, to a calculated point for the northeast corner of the herein described tract;

THENCE: S 13°18'22” E 122.18 feet, with east line of said “Easement A” and the herein described tract, to a calculated point the north line of a 5 foot public utility easement (herein described as “Easement B”), dedicated by said plat, located parallel and contiguously north to the south line of said Lot 1506 for the southeast corner of the herein described tract;

THENCE: S 64°12'25” W 5.12 feet, with the north line of said “Easement B,” into and across said “Easement A,” and with the south line of the herein described tract, to a calculated point in the east line of said Lot 1507 and the west lines of said Lot 1506 and said “Easement A” for the southwest corner of the herein described tract, from which point a ½” iron rod found for the southeast corner of said Lot 1507 and southwest corner of said Lot 1506 bears S 13°18'22” E 5.12 feet;

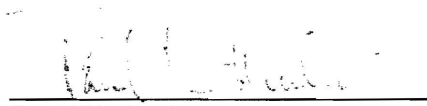
EXHIBIT “ ___ ”

F# _____

(5' PUBLIC UTILITY EASEMENT)
(PARTIAL VACATION)

THENCE: N 13°18'22" W 121.59 feet, with the east line of said Lot 1507 and the west lines of said Lot 1506, said "Easement A," and the herein described tract, to the **Point of Beginning** and containing 0.014 Acre (609 sq.ft.) of land, more or less.

Bearings cited hereon are based on APACHE SHORES SECTION 3, a Travis County Subdivision recorded in Volume 50, Page 81, Plat Records, Travis County, Texas.



Paul Utterback
Registered Professional Land Surveyor No. 5738
November 30, 2011



References:

TCAD MAP 01-4758
Austin Grid WZ-32

Reference: Carter Bruce LLC Address: Crazyhorse Pass, Austin, Texas
 0.014 Acre (609 sq.ft.) out of Lot 1506, APACHE SHORES SECTION 3, Vol. 50, Pg. 81,
 Plat Records, Travis County, Texas, conveyed to Fred Mohle in a Warranty Deed and
 recorded as Doc. No. 2011153270, Official Public Records, Travis County, Texas.

LEGEND	
●	1/2" (IRF) IRON ROD FOUND (unless noted)
⊙	MAG NAIL FOUND IN ROCK
△	CALCULATED POINT
()	RECORD INFORMATION
P.U.E.	PUBLIC UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	S13°18'22"E	10.56'
(L1)	(S12°41'00"E)	-----
L2	N58°00'39"E	5.28'
L3	S64°12'25"W	5.12'
L4	S13°18'22"E	5.12'
(L4)	(S12°41'00"E)	-----



SCALE: 1"=30'

Notes:

- 1) This map and the survey on which it is based have been prepared without the benefit of a title report and are not intended to reflect all easements, encumbrances or other circumstances affecting the title to the property shown hereon.
- 2) Bearings shown hereon are based on the recorded plat.

I, Paul Utterback, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway, and that this plat is an accurate representation of the property to the best of my knowledge.

Paul Utterback, RPLS No. 5738
 Client: Carter Bruce LLC
 Date of Field Work: 06/30/2011
 Field: ZThomas
 Tech: CHenderson
 Date Drawn: 11/30/2011
 Path: Projects/___BULK/CrazyhorsePass-Lots1506-1507/Production/Dwgs/PUE VACATE1506-111130.dwg



eileen merritt's
ATS Engineers Inspectors & Surveyors
 www.ats-engineers.com
 912 S CAPITAL OF TX HWY, STE 460 AUSTIN, TEXAS 78746
 (512) 328-6995
 FAX: (512) 328-6996

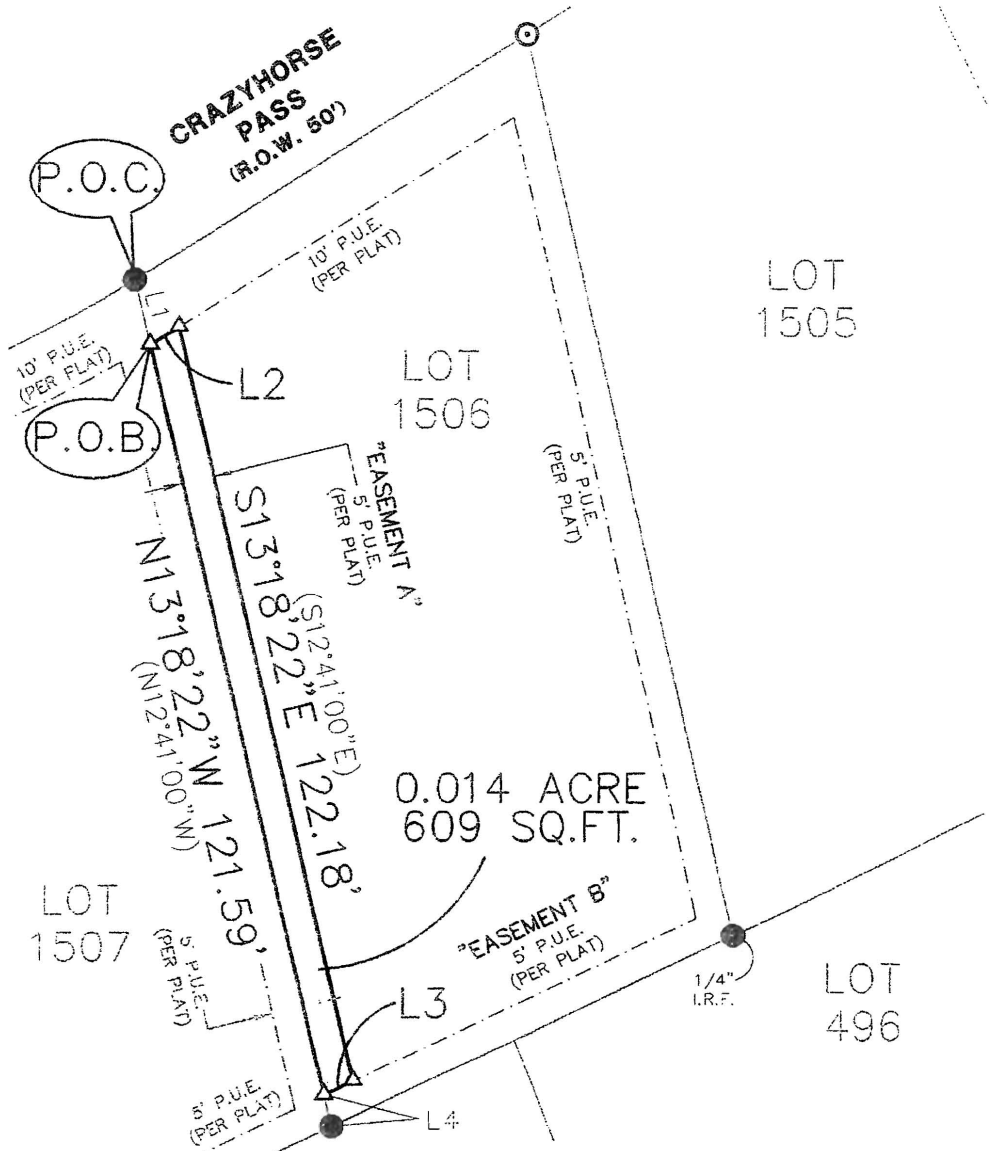


EXHIBIT "____"
F# _____

(5' PUBLIC UTILITY EASEMENT)
(PARTIAL VACATION)

FIELD NOTES
TO ACCOMPANY EXHIBIT

BEING 0.014 ACRE (607 SQ.FT.) SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1507, APACHE SHORES SECTION 3, A TRAVIS COUNTY SUBDIVISION RECORDED IN VOLUME 50, PAGE 81, PLAT RECORDS, TRAVIS COUNTY, TEXAS, CONVEYED TO FRED MOHLE IN A WARRANTY DEED, RECORDED AS DOCUMENT NO. 2011153270, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; ALSO BEING A PORTION OF A 5 FOOT PUBLIC UTILITY EASEMENT (HEREIN DESCRIBED AS "EASEMENT A"), DEDICATED BY SAID PLAT, LOCATED PARALLEL AND CONTIGUOUSLY WEST TO THE EAST LINE OF SAID LOT 1507 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Commencing from a ½" iron rod found in the south line of Crazyhorse Pass (50' R.O.W.) for the northeast corner of Lot 1507 of said Apache Shores Section 3 and the northwest corner of said Lot 1506;

THENCE: S 13°18'22" E 10.56 feet, with the west line of said Lot 1506 and the east lines of said Lot 1507 and said "Easement A", into and across a 10 public utility easement, dedicated by said plat, located parallel and contiguously south to the north line of said Lot 1507, to a calculated in the south line of said 10 foot public utility easement for the northeast corner and **Point of Beginning** of the herein described tract;

THENCE: S 13°18'22" E 121.59 feet, continuing with the west line of said Lot 1506 and the east lines of said Lot 1507 and said "Easement A," to a calculated point in the north line of a 5 foot public utility easement (herein described as "Easement B"), dedicated by said plat, located parallel and contiguously north to the south line of said Lot 1507 for the southeast corner of the herein described tract, from which point a ½" iron found for the southeast corner of said Lot 1507 and southwest corner of said Lot 1506 bears S 13°18'22" E 5.12 feet;

THENCE: S 64°15'41" W 5.12 feet, into said Lot 1507, into and across said "Easement A," with the north line of said "Easement B," and with the south line of the herein described tract, to a calculated point in the west line of said "Easement A" for the southwest corner of the herein described tract;

THENCE: N 13°18'22" W 121.13 feet, with the west lines of said "Easement A" and the herein described tract, to a calculated point in the south line of said 10 foot public utility easement for the northwest corner of the herein described tract;

EXHIBIT "___"
F# _____

(5' PUBLIC UTILITY EASEMENT)
(PARTIAL VACATION)

THENCE: 5.24 feet, with a curve to the left ($r = 185.06$ feet, lc bears $N 59^{\circ}19'31'' E$ 5.24 feet), into and across said "Easement A," with the south line of said 10 foot public utility easement, and with the north line of the herein described tract, to the **Point of Beginning** and containing 0.014 acre (607 sq.ft.) of land, more or less.

Bearings cited hereon are based on APACHE SHORES SECTION 3, a Travis County Subdivision recorded in Volume 50, Page 81, Plat Records, Travis County, Texas.



Paul Utterback
Registered Professional Land Surveyor No. 5738
November 30, 2011

References:

TCAD MAP 01-4758
Austin Grid WZ-32



EXHIBIT "A"

ATS Job # 11062205s

Reference: Carter Bruce LLC Address: Crazyhorse Pass, Austin, Texas
 0.014 Acre (607 sq.ft.) out of Lot 1507, APACHE SHORES SECTION 3, Vol. 50, Pg. 81,
 Plat Records, Travis County, Texas, conveyed to Fred Mohle in a Warranty Deed and
 recorded as Doc. No. 2011153270, Official Public Records, Travis County, Texas.

LEGEND	
●	½" (IRF) IRON ROD FOUND (unless noted)
○	COTTON SPINDLE FOUND
△	CALCULATED POINT
()	RECORD INFORMATION
P.U.E.	PUBLIC UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT



SCALE: 1"=30'

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	S13°18'22"E	10.56'
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L2	S13°18'22"E	5.12'
(L2)	(S12°41'00"E)	-----
L3	S64°15'41"W	5.12'

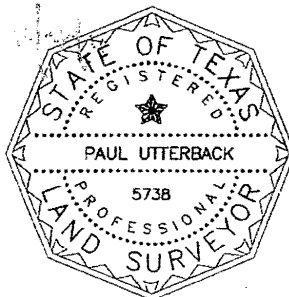
CURVE DATA TABLE				
CURVE	RADIUS	CHORD DIRECTION	CHORD LENGTH	ARC LENGTH
C1	185.06	N59°19'31"E	5.24'	5.24'
(C1)	-----	-----	-----	-----

Notes:

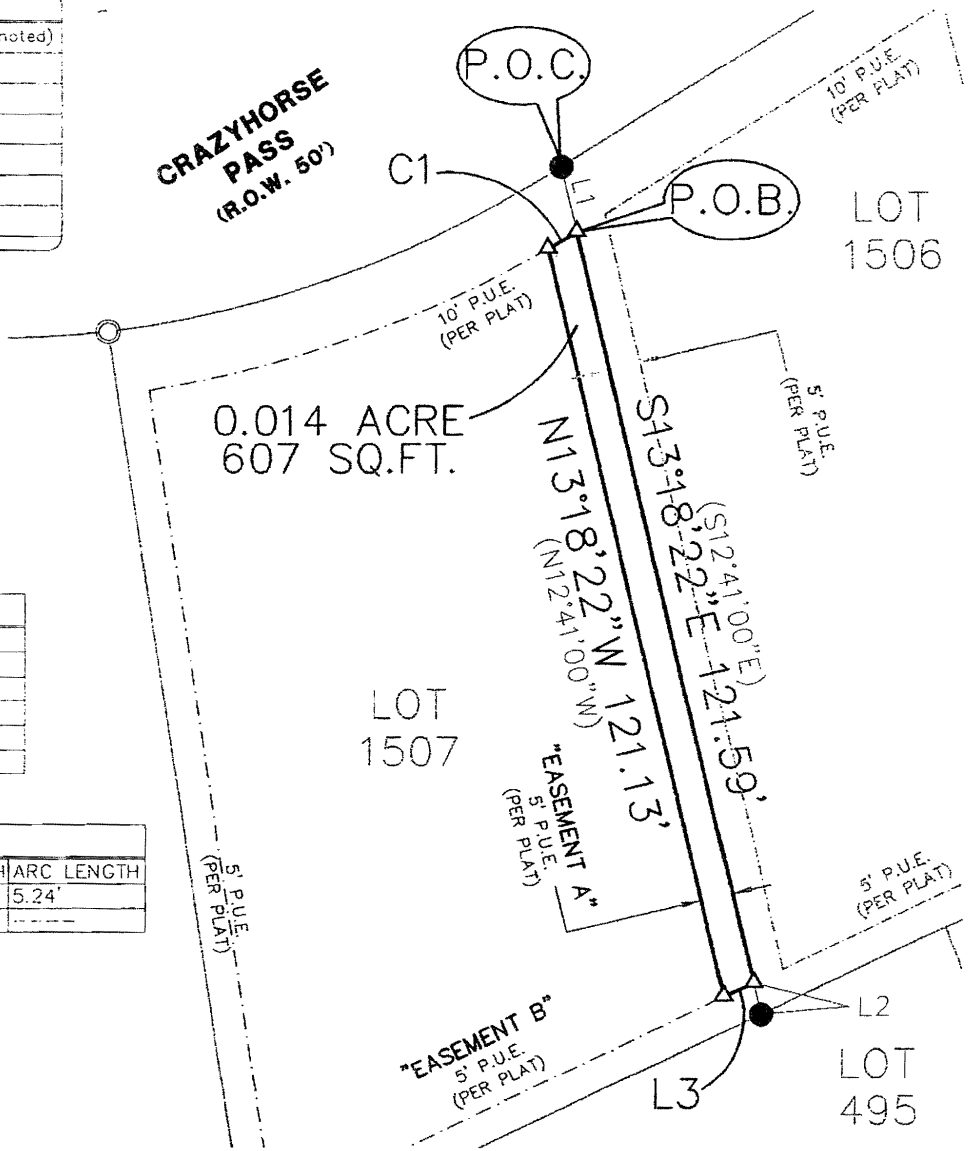
- 1) This map and the survey on which it is based have been prepared without the benefit of a title report and are not intended to reflect all easements, encumbrances or other circumstances affecting the title to the property shown hereon.
- 2) Bearings shown hereon are based on the recorded plat.

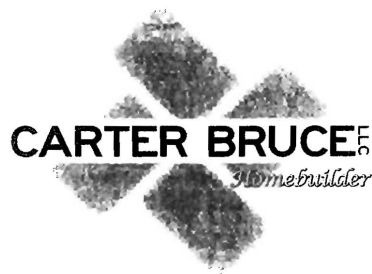
I, Paul Utterback, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

Paul Utterback
 Paul Utterback, RPLS No. 5738
 Client: Carter Bruce LLC
 Date of Field Work: 06/30/2011
 Field: ZThomas
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 Date Drawn: 11/30/2011
 Path: Projects/___BULK/CrazyhorsePass-Lots1506-1507/Production/Dwgs/PUE VACATE1507-111130.dwg



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ATS Engineers Inspectors & Surveyors
 www.ats-engineers.com
 912 S CAPITAL OF TX HWY, STE 450 AUSTIN, TEXAS 78746
 (512) 328-8996 FAX: (512) 328-8996





December 3, 2012

Mr. Paul Scoggins
Transportation and Natural Resources
411 W 13th Street
PO Box 1748
Austin, Texas 78767

RE: Letter of Request to Vacate Easement

Dear Mr. Scoggins,

Carter Bruce LLC is requesting the vacate of the existing 5' PUE on either side of the common lot line of lot 1506 and 1507, Apache Shores, Section 3, Volume 50, Page 81, Austin, Texas 78734.

This request is to combine the existing two residential building lots into one large residential building lot.

Please contact Kay Coen, Project Manager for Carter Bruce LLC at:

Cell – 512-848-9375
Fax – 512-716-0841
Email: carterbrucekcoen@gmail.com

Please feel free to contact me with any questions or if I may be of any further assistance.

Thank-you.

Sincerely,

A handwritten signature in black ink that reads "Kay Coen". The signature is written in a cursive, flowing style.

Kay Coen
Project Manager
Carter Bruce LLC

Carter Bruce LLC
6013 Marquesa Drive
Austin, Texas 78731
Office 512.531.9838 Fax 512.215.0932



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 2421 CRAZY HORSE PASS, AUSTIN TX 78734 (address) and/or LOT 1506 + 1507 APACHE CHORES SEC 3 (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.

Signature

Sonny Poole

Printed Name

Mgr., PIRES

Title

Austin Energy

Utility Company or District

November 5, 2012

Date

Please return this completed form to:

fax: 512-716-0841
email: carterbruce@coen@gmail.com
cell: 512-848-9375

KAY COEN, AEO. MGR.

Name

CARTER BRUCE LLC

Address

6013 MARQUESSA, AUSTIN, TX
City/State/Zip

AUSTIN ENERGY

APPLICATION FOR RELEASE OF PUBLIC UTILITY EASEMENT, VACATION OF PUBLIC RIGHT OF WAY AND LICENSE AGREEMENT FOR PUBLIC UTILITY EASEMENT (OUTSIDE THE CITY LIMITS)

Fax to (512)-322-6101

Identify territory: SOUTHWEST SOUTHEAST NORTHWEST NORTHEAST

Territory boundaries: NORTH/SOUTH: Martin Luther King Blvd./FM 969 EAST/WEST: Lamar Blvd.

Notice: Austin Energy (AE) has the authority to use public utility easements and public rights of way for the placement of electric facilities. AE's approval of a release of a public utility easement (pue), vacation of right of way or a license agreement for a pue is strictly in its capacity as the electric provider. It is the responsibility of the Applicant/Property Owner to contact the owner of the easement or right of way to obtain a formal approval.

- Release
 Vacation of Right of Way
 License Agreement

Name of Property Owner:

CARTER BRUCE LLC

Property Address:

2419 CRAZY HORSE PASS
2421

Legal Description:

LOT 1506 + 1507
(2421) (2419)

TCAD or WCAD Parcel Number:

149989 149988

Site Plan Number:

Subdivision Case Number:

ATTACH THE FOLLOWING ITEMS, AS APPLICABLE:

1. Deed into current owner.
2. Survey of property
3. Subdivision Plat
4. Site Plan
5. Copy of the easement document
6. For a License Agreement, provide survey showing location of proposed encroachment.

Additional information:

Remove 5' PUE EASEMENT AT COMMON ^{CENTER}

PROPERTY LINE of LOT 1506 + 1507

Applicant's Name:	CARTER BRUCE LLC				
Address:	6013 MARQUEESA DR				
City:	AUSTIN	State:	TX	Zip Code:	78731
Phone:	512 848 9375	Fax:	512 716 0841		
Email Address:	carterbruce@coen@gmail.com				

Office Use Only
Date received:
Agent:
Comments:

Austin Energy, Attention: Public Involvement/Real Estate Services, 721 Barton Springs
Room 102, Austin, Texas 78704-1194



SOUTHWESTERN BELL TELEPHONE COMPANY

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by *SOUTHWESTERN BELL TELEPHONE COMPANY, a Missouri corporation, GRANTOR, AND Carter Bruce, LLC, GRANTEE*, 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, as is, all or a specific portion of certain easements for telecommunication purposes hereinafter described that affects land owned by GRANTEE situated in *Travis County, Texas*, and described as follows:

Lots 1506 and 1507, Apache Shores, Section 3, Deed of record in Document 2011158362, Property Records of Travis County, Texas

Said land of GRANTEE being subject to:

Easements recorded in Volume 50, Page 81, Plat Records of Travis County, Texas,

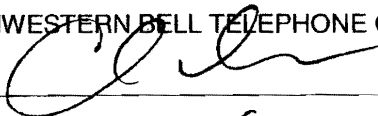
The portion of said easements to be hereby released is described as follows:

All of the 5 foot PUE along either side of the common property lines of said Lots 1506 and 1507, described above,

TO HAVE AND TO HOLD same, together with all rights and appurtenances to the same belonging, unto GRANTEE, 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 17th day of November, 2012-

SOUTHWESTERN BELL TELEPHONE COMPANY



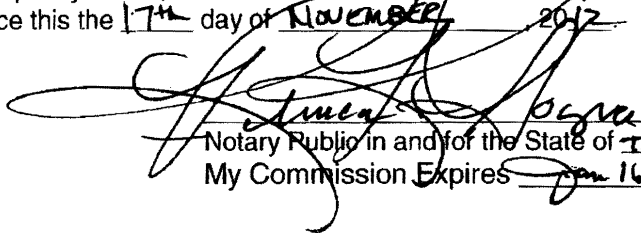
Name : Chris Cowen

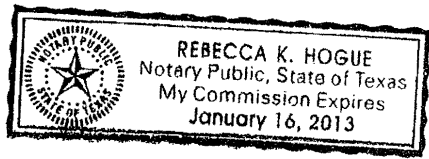
Title: Manager - Engineering

THE STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared CHRIS COWEN, 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 17th day of NOVEMBER, 2012


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



APPLICATION FOR EASEMENT RELEASE
TO BE SENT TO AT&T Texas at
817 W. NORTH LOOP, ROOM 200, AUSTIN, TX 78756
Patti Moore 512- 870-4967, FAX 512-870-4475, Frances Freeman 512-870-4915

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

The easement(s) is on property legally described as:

Subdivision / Section: APACHE SHORES SEC 3
Lot and Block No: LOT 1506 + 1507
Deed book volume/page or Document #: VOL 50, Pg 81, PLAT RECORDS TRAVIS CO, TX
Street Address: 2421 CRAZY HORSE PASS

Provide common description of the easement requested for release, indicating the amount of the easement to be released (provide a survey of the property with the easements to be released highlighted)

CARTER BRUCE IS REQUESTING THE 5'
PUE ALONG COMMON LOT LINES OF LOT
1506 + 1507 BE REMOVED

Property Owner's Name: CARTER BRUCE
Mailing Address: 6013 MARQUESSA DR HOUSTON TX 75131
Telephone No.: ATLICE 512-531-9838 - KAY COEN 512-848-4315
(Note: if multiple owners are joining in this request, the complete names, addresses and phone numbers on each must be attached.)
APPLICANT/AGENT'S NAME: CARTER BRUCE / KAY COEN
APPLICANT'S ADDRESS: 6013 MARQUESSA DR
PHONE: 512 531 9838 FAX: 512 716 0841

The undersigned Owner/Applicant/Agent understands that the processing of this Easement Release Application will be handled in accordance with the Procedure for Requesting Release of Easements established by each utility company.

Signed by Kay Coen, Proj Mgr - CBUC
Land Owner/Applicant/Agent

To be sent to 817 W. North Loop, Room 200, Austin, TX 78756 along with survey plat of property showing easement(s), and legal description with the volume and page or the document # from recording of the property deed in County Records.



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

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

EASEMENT RELEASE STATEMENT FOR VACATION OF PROPERTY

A request for release of the P.U.E. easement(s) has been made on the property legally described as:

Subdivision or Section: APACHE SHORES. SECTION 3

Lot and Block Numbers: LOTS 1506 AND 1507

Street Address: 2421 CRAZYHORSE PASS, AUSTIN, TX 78734

Property Owner: CARTER BRUCE LLC

STATEMENT

X Time Warner Cable **does not** have a need for an easement on the property as described in the accompanying document.

 Time Warner Cable **does** have a need for an easement on the property as described in the accompanying document.

Time Warner Cable

Laurie Schumpert
Signature

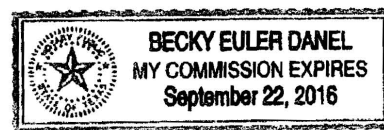
Sr. Designer
Title

State of Texas
County of Travis

This instrument was acknowledged before me on November 29, 2012 by

Laurie Schumpert

Becky Euler Danel
Notary Public



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: APACHE SHORES Section: 3 Block: NA

Lot Numbers: LOT 1506 + 1507

Address: 2421 CRAZY HORSE PASS, AUSTIN TX 78734
Number & Street City State Zip

As recorded in Volume 50, Page B1, 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.E. 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.

5' PUE ON EITHER SIDE OF THE COMMON LOT LINE BETWEEN
1506 + 1507. PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

Reason for requesting release (Example: Single Family Residence, Accessory Building, etc)

SINGLE FAMILY RESIDENCE

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

Property Owner's name(s): CARTER BRUCE LLC

Mailing Address: 6013 MARQUESA DR, AUSTIN TX 78731
Number & Street City State Zip

Phone: 512 531 9234 KAY 512 246 9315 512 716 6841
Day Time Cell Fax

I authorize the following person/company to act in my behalf as my designated agent:

Name of agent/company: CARTER BRUCE LLC KAY COEN
Name of Company Name of Contact

Mailing Address: 6013 MARQUESA DR, AUSTIN TX 78731
Number & Street City State Zip

Phone: 512 531 9234 KAY 512 246 9315 512 716 6841
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

Kay Coen
Signature of Applicant/Agent Date 11/28/12

EXHIBIT " " "

ATS Job # 11062205s

Reference: Carter Bruce LLC Address: Crazyhorse Pass, Austin, Texas
 0.014 Acre (607 sq.ft.) out of Lot 1507, APACHE SHORES SECTION 3, Vol. 50, Pg. 81,
 Plat Records, Travis County, Texas, conveyed to Fred Mohle in a Warranty Deed and
 recorded as Doc. No. 2011153270, Official Public Records, Travis County, Texas.

LEGEND	
●	1/2" (IRF) IRON ROD FOUND (unless noted)
○	COTTON SPINDLE FOUND
△	CALCULATED POINT
()	RECORD INFORMATION
P.U.E.	PUBLIC UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT



SCALE: 1"=30'

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	S13°18'22"E	10.56'
(L1)	(S12°41'00"E)	
L2	S13°18'22"E	5.12'
(L2)	(S12°41'00"E)	
L3	S64°15'41"W	5.12'

CURVE DATA TABLE					
CURVE	RADIUS	CHORD	DIRECTION	CHORD LENGTH	ARC LENGTH
C1	185.06	IN59°19'31"E		5.24'	5.24'
(C1)					

Notes:

- 1) This map and the survey on which it is based have been prepared without the benefit of a title report and are not intended to reflect all easements, encumbrances or other circumstances affecting the title to the property shown hereon.
- 2) Bearings shown hereon are based on the recorded plat.

I, Paul Utterback, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

Paul Utterback
 Paul Utterback, RPLS No. 5738

Client: Carter Bruce LLC

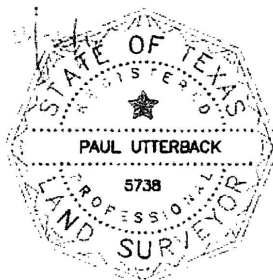
Date of Field Work: 06/30/2011

Field: ZThomas

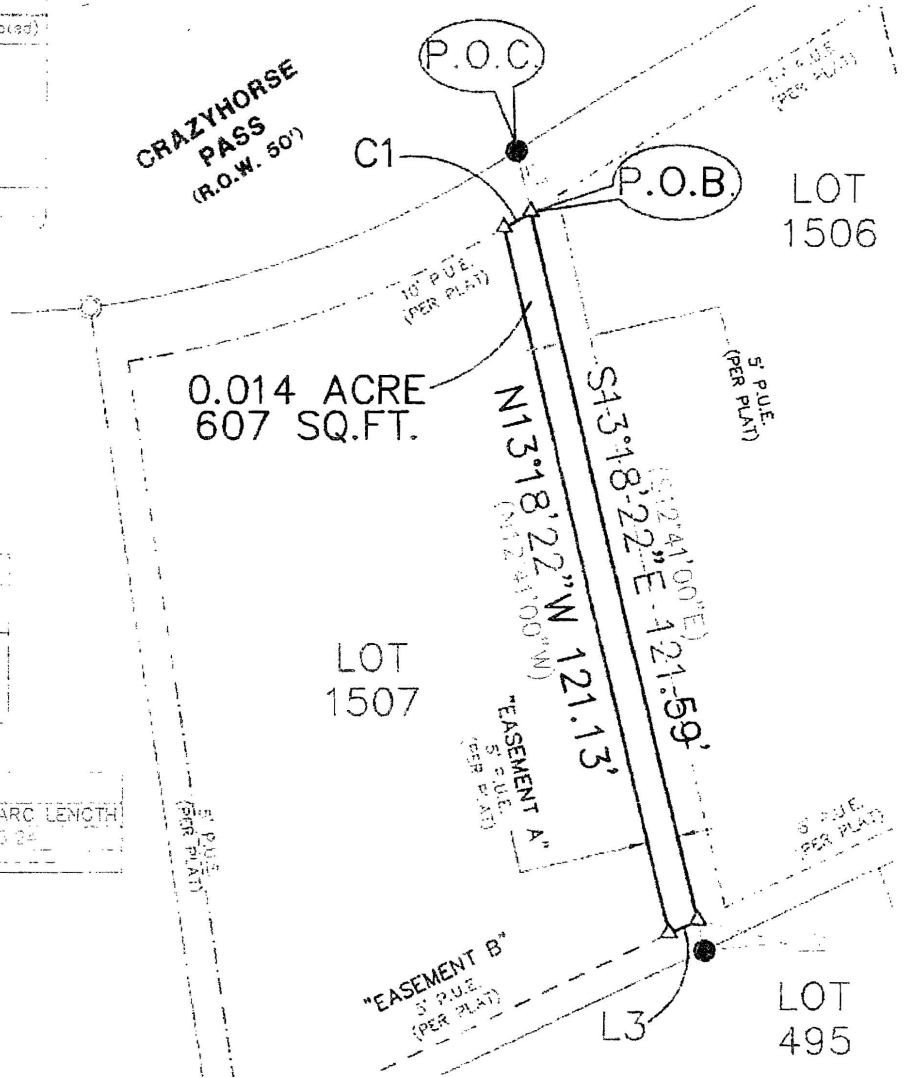
Tech: CHenderson

Date Drawn: 11/30/2011

Path: Projects/___BULK/CrazyhorsePass-Lots1506-1507/Production/Dwgs/PUE VACATE1507-111130.dwg



**Engineers
 Inspectors
 & Surveyors**
 (512) 328-6996
 FAX: (512) 328-6996



EXHIBIT

ATS Job # 11062205s

Reference: Carter Bruce LLC Address: Crazyhorse Pass, Austin, Texas
 0.014 Acre (609 sq.ft.) out of Lot 1506, APACHE SHORES SECTION 3, Vol. 50, Pg. 81,
 Plat Records, Travis County, Texas, conveyed to Fred Mohle in a Warranty Deed and
 recorded as Doc. No. 2011153270, Official Public Records, Travis County, Texas.

LEGEND	
●	1/2" (IRF) IRON ROD FOUND (unless noted)
⊙	NAIL FOUND IN ROCK
△	CALCULATED POINT
()	RECORD INFORMATION
P.U.E.	PUBLIC UTILITY EASEMENT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	S13°18'22"E	10.56'
(L1)	(S12°41'00"E)	
L2	N53°00'39"E	5.23'
L3	S64°12'25"W	5.12'
L4	S13°18'22"E	5.12'
(L4)	(S12°41'00"E)	

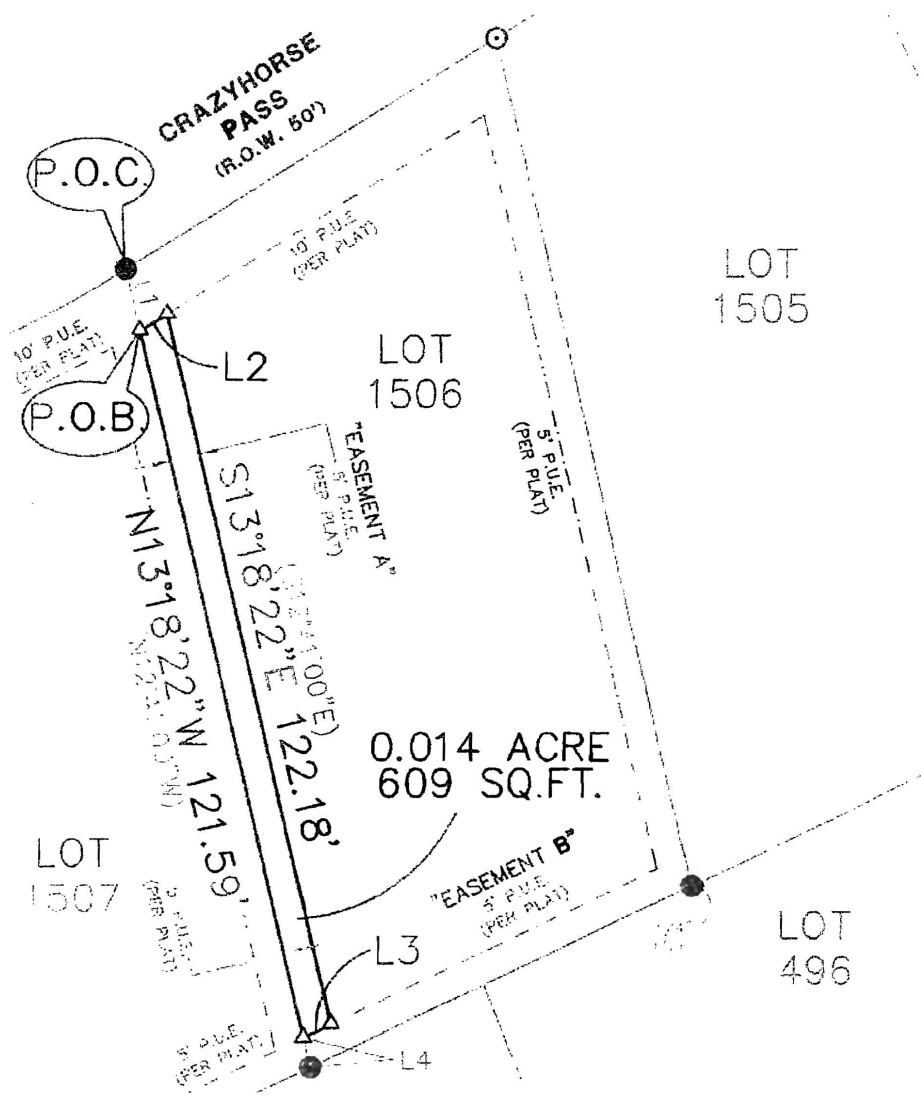


SCALE: 1"=30'

Notes:

- 1) This map and the survey on which it is based have been prepared without the benefit of a title report and are not intended to reflect all easements, encumbrances or other circumstances affecting the title to the property shown hereon.
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I, Paul Utterback, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.



Paul Utterback

Paul Utterback, RPLS No. 5738
 Client: Carter Bruce LLC
 Date of Field Work: 06/30/2011
 Field: ZThomas
 Tech: CHenderson
 Date Drawn: 11/30/2011
 Path: Projects/___BULK/CrazyhorsePass-Lots1506-1507/Production/Dwgs/PUE VACATE1506-111130.dwg



eileen merritt's
ATS
 www.ats-engineers.com
 912 S CAPITAL OF TX HWY, STE 460
 AUSTIN, TEXAS 78746

**Engineers
 Inspectors
 & Surveyors**
 (512) 328-8985
 FAX: (512) 328-8996



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 2421 CRAZY HORSE PASS, AUSTIN TX 78734 (address) and/or LOT 1506 + 1507 APACHE SHORES SEC 3 (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.

Henry K Marley
Reviewer: Henry Marley
10.29.12
Date

Travis County WCID #17
3812 Eck Lane
Austin, TX 78734

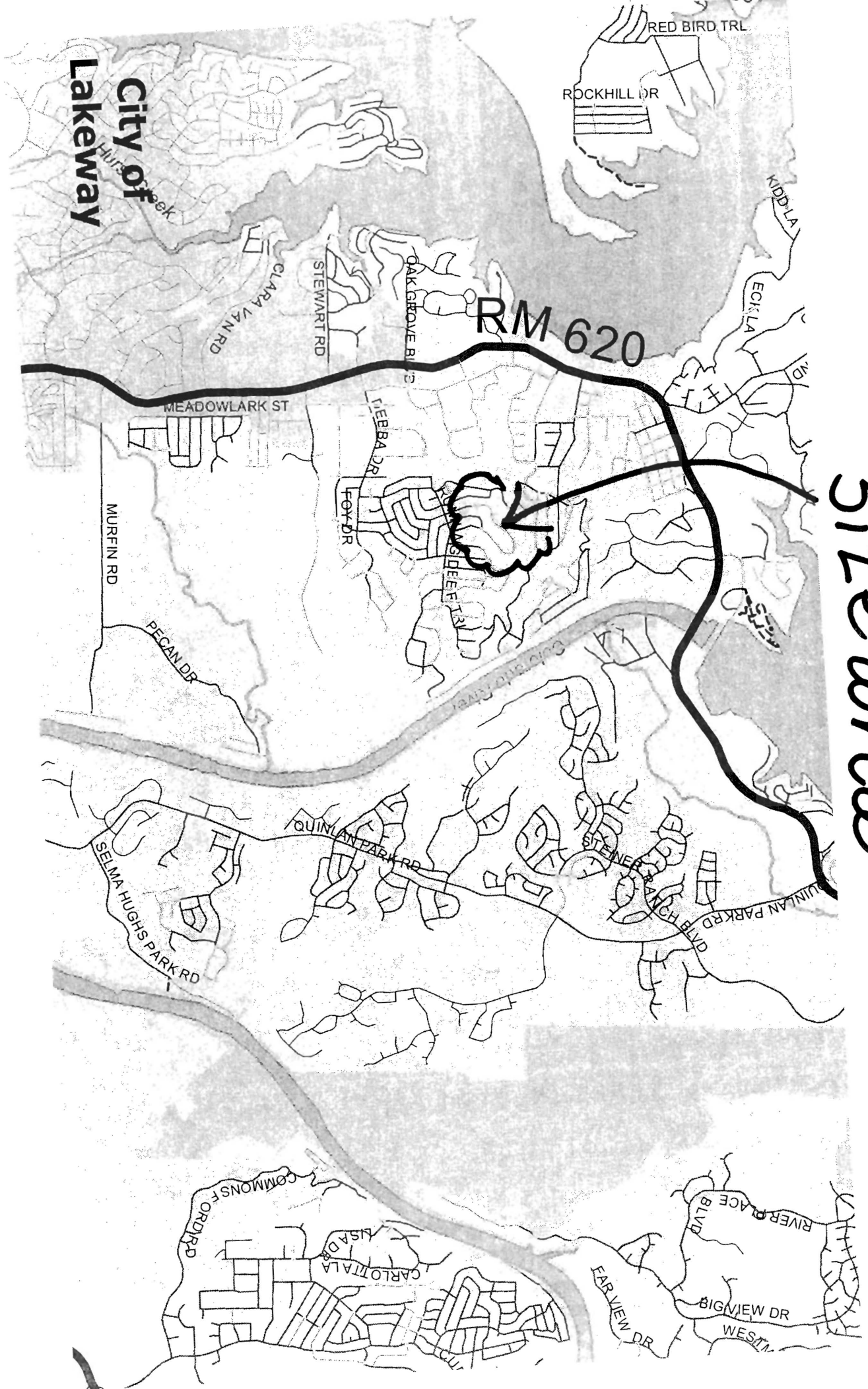
Deborah Gernes
Signature
Deborah Gernes
Printed Name
General Manager
Title
TC WCID #17
Utility Company or District
11-5-12
Date

Please return this completed form to:

fax: 512-716-0841
email: carterbruce@coen@gmail.com
cell: 512-848-9375

Kay Coen, Rec. Mgr.
Name
CARTER BRUCE LLC
Address
6013 MARQUESA AUSTIN TX
City/State/Zip
78731

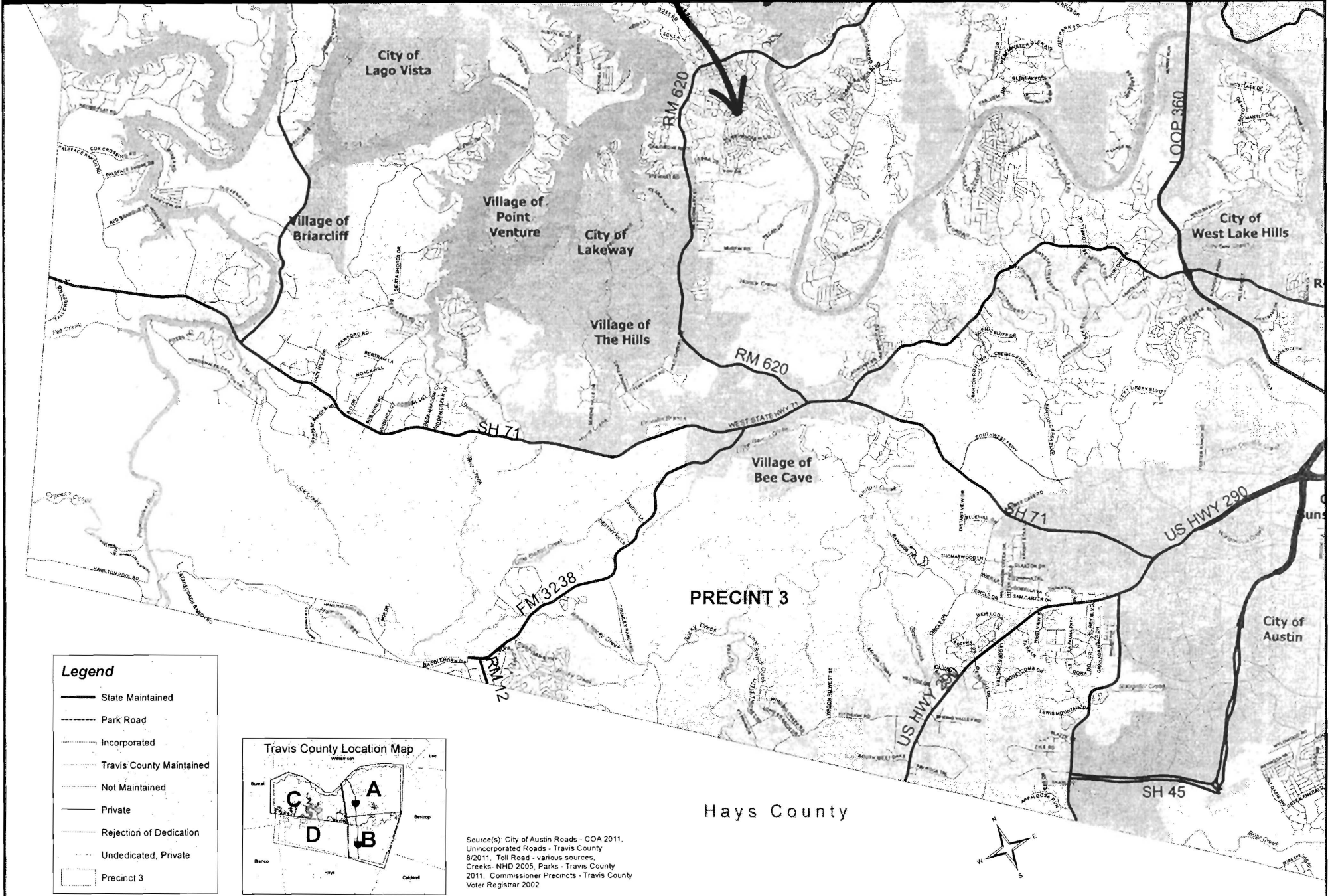
**City of
Lakeway**



RM 620

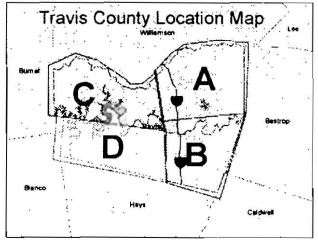
Site area

Site

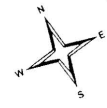


Legend

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

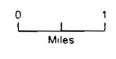


Source(s) City of Austin Roads - COA 2011,
 Unincorporated Roads - Travis County
 8/2011, Toll Road - various sources,
 Creeks - NHD 2005, Parks - Travis County
 2011, Commissioner Precincts - Travis County
 Voter Registrar 2002



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