

Travis County Commissioners Court Agenda Request

Meeting Date: August 20, 2013

Prepared By: Paul Scoggins Phone #: (512) 854-7619

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

Services and Long Range Planning

Department Head: Steven M. Manilla, P.E., County Executive-TNR Sponsoring Court Member: Commissioner Daugherty, Precinct Three

AGENDA LANGUAGE: Consider and take appropriate action on 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 812 and 813 of Apache Shores, Section 3 – Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

TNR staff has received a request to authorize the filing of an instrument to vacate two five foot wide public utility easements (PUEs) located along the common lot line of Lots 812 and 813 of Apache Shores, Section 3. The easements are dedicated per plat note. The subject lots front on of Quanah Parker 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 request meets all Travis County standards. As of this memo, staff has not received any inquiries in regards to this request. As such, TNR staff recommends the request.

ISSUES AND OPPORTUNITIES:

According to the request letter the purpose of this request is so that the property owners may build their home over the middle of the two lots without encroaching on the subject easements.

FISCAL IMPACT AND SOURCE OF FUNDING:

None.

ATTACHMENTS/EXHIBITS:

Order of Vacation
Field Notes
Request Letter
Utility Statements
Sign Affidavit and Pictures
Maps

REQUIRED AUTHORIZATIONS:

| Cynthia McDonald | Financial Manager | TNR | (512) 854-4239 |
|-------------------|-------------------|--|----------------|
| Steven M. Manilla | County Executive | TNR | (512) 854-9429 |
| Anna Bowlin | Division Director | Development Services and Long Range Planning | (512) 854-7561 |
| | | | |

CC:

| Stacey Scheffel | Program Manager | TNR-Permits | (512) 854-7565 |
|-----------------|-----------------|-------------|----------------|
| | | | |
| | | | |
| | | | |

SM:AB:ps

1101 - Development Services Long Range Planning - Apache Shores, Section 3

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 812 and 813 of Apache Shores, Section 3 as recorded at Book 3822, Page 175 of the Real Property Records of Travis County, Texas;

WHEREAS, the utility companies known to be operating in the area have indicated they have no need for the public utility 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 public utility 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 20, 2013 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 812 and 813 of Apache Shores, Section 3, as shown and described in the attached field notes and sketch, are hereby vacated.

| ORDERED THIS THE | _DAY OF2013. |
|--|--|
| SAMUEL T. BISC | OE, COUNTY JUDGE |
| COMMISSIONER RON DAVIS PRECINCT ONE | COMMISSIONER BRUCE TODD PRECINCT TWO |
| COMMISSIONER GERALD DAUGHERTY PRECINCT THREE | COMMISSIONER MARGARET GOMEZ PRECINCT FOUR |

Waterloo Surveyors, Inc. Thomas P. Dixon RPLS 4324 June 26, 2013

6/26/13 Date

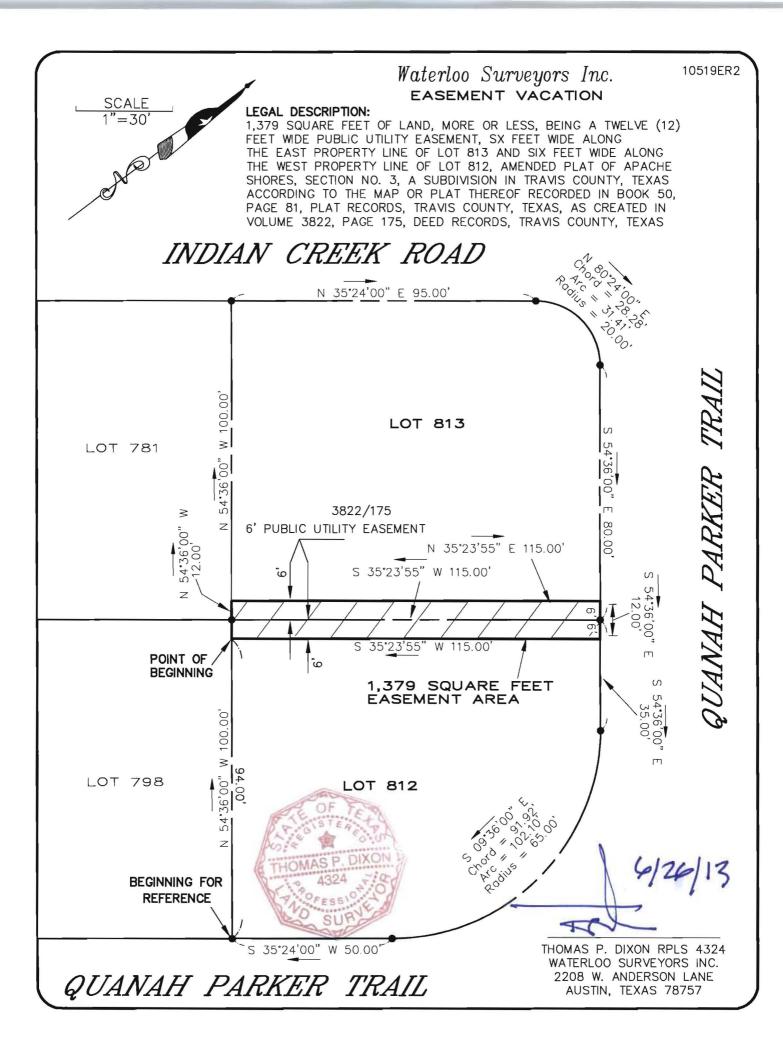
FIELD NOTES

1,379 SQUARE FEET OF LAND, MORE OR LESS, BEING A TWELVE (12) FEET WIDE PUBLIC UTILITY EASEMENT, SIX FEET WIDE ALONG THE EAST PROPERTY LINE OF LOT 812 AND SIX FEET WIDE ALONG THE WEST PROPERTY LINE OF LOT 812, AMENDED PLAT OF APACHE SHORES, SECTION NO. 3, A SUBDIVSION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 50, PAGE 81, PLAT RECORDS, TRAVIS COUNTY, TEXAS; AS CREATED IN VOLUME 3822, PAGE 175, DEED RECORDS, TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

- **BEGINNING FOR REFERENCE** at a point on the west R.O.W. of Quanah Parker Trail, same being at the S.E. corner of Lot 812, AMENDED PLAT OF APACHE SHORES, SECTION NO, 3, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book 50, Page 81;
- **THENCE** N54°36'00"W along the south line of Lot 812 for a distance of 94.00 feet to a point on the east line of a 12 feet wide public utility easement for the S.E. corner hereof and **POINT OF BEGINNING** of this twelve (12) feet wide public utility easement;
- **THENCE** N54°36'00"W along the south line of Lot 812, at six feet passing the common S.W. corner of Lot 812 and the S.E. corner of Lot 813 and in all 12.00 feet to a point on the south line of Lot 813, same being on the west line of said 12 feet wide public utility easement for the S.W. corner hereof;
- **THENCE** N35°23'55"E, crossing Lot 813 along the west line of said public utility easement for a distance of 115.00 feet to a point on the common north line of Lot 813 and the south R.O.W. of Quanah Parker Trail for the N.W. corner hereof;
- THENCE S54°36'00"E along the common north line of Lot 813 and the south R.O.W. of Quanah Parker Trail, at 6 feet passing the common N.E. corner of Lot 813 and the N.W. corner of Lot 812 and in all 12 feet to a point on the north line of Lot 812, same being on the east line of said 12 feet wide public utility easement for the N.E. corner hereof;
- **THENCE** S35°23'55"W, crossing Lot 812 along the east line of said 12 feet wide public utility easement for a distance of 115.00 feet to the **POINT OF BEGINNING**, containing 1,379 square feet of land.

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.

Thomas P. Dixon R.P.L.S. 4324



Cindy Gray 9304 Castlewood Drive Austin, TX

July 1, 2013, 2013

Paul Scoggins
Travis County Transportation and Natural Resources
Planning and Engineering Services
Travis County Administration Building
700 Lavaca Street
Austin, TX

Re: Vacating a Public Utility Easement Request

Mr. Scoggins:

We have two lots that we are requesting the PUE in the center of the two to be released so we may build our home over (in the middle of the property) the current PUE.

The following are the legal descriptions for our properties:

Lot 812, 2403 Indian Creek Drive Lot 813, 2410 Quanah Parker Trail Apache Shores, Section 3

We have enclosed the letters from the utility companies (Austin Energy, Time Warner Cable, AT&T and WCID #17) that service our lots, a stamped metes and bounds description, copy of the plat and our \$315.00 check.

We thank you in advance and if you need to talk to us directly, feel free to contact us at 512-694-2237.



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 YACATION OF PROPERTY

An application is being made to Travis County for the vacation of property

| at 2410 Quanah Parker Trl. & 2403 Indian Creel | k Dr. (address) and/or |
|--|--|
| Lots 812 and 813 Apache Shores Sec 3 | (legal description) and as |
| described on the enclosed drawing or document. An acti | ,, |
| Travis County is pending your return of this statement. Your | prompt reply is requested. |
| | |
| STATEMENT | <u>r</u> |
| We do not have need for an easement on the proper document. | ty as described in the accompanying |
| We do have a need for an easement on the propert document. A description of the required easement is | |
| | Somm Joole |
| | Signature / |
| | Sonny Poole |
| | Printed Name |
| | Mgr., PIRES |
| | Title Austin Energy |
| | Utility Company or District May 23, 2013 |
| | Date |
| Please return this completed form to: | Cynthia Gray |
| | Name |
| | Address |
| | City/State/Zip |

email: cindy@primestrategies.net

Cindy Gray

From:

Giambruno, Melody < Melody. Giambruno@austinenergy.com>

Sent:

Friday, May 24, 2013 11:19 AM

To:

Cindy Gray

Subject:

2410 Quanah Parker Trail - Approved

Attachments:

20130524112310123.pdf

Hi Cindy,

The above easement release request has been approved by Austin Energy.

You will need to take the attached form to Travis Co. along with any other requested information.

Thanks,

Melody

Melody Giambruno Right of Way Specialist Austin Energy 512-322-6576

-----Original Message-----

From: SCC 1007RC@austinenergy.com [mailto:SCC 1007RC@austinenergy.com]

Sent: Friday, May 24, 2013 11:23 AM

To: Giambruno, Melody

Subject: Message from "SCC-1007RC"

This E-mail was sent from "SCC-1007RC" (Aficio MP C4501).

Scan Date: 05.24.2013 11:23:09 (-0500)

Queries to: SCC 1007RC@austinenergy.com



SOUTHWESTERN BELL TELEPHONE COMPANY

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by SOUTHWESTERN BELL TELEPHONE COMPANY, a Delaware corporation, GRANTOR, AND Cynthia L. Gray and James M. Washburn, 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:

Lots 812 and 813, Amended Plat of Apache Shores, Section 3, Deed of record in Document 2013082480, Property Records of Travis County, Texas

Said land of GRANTEE(S) 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 the common property lines of said Lots 812 and 813, 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 200 day of 1100

SOUTHWESTERN BELL TELEPHONE COMPANY

THE STATE OF COUNTY OF

BEFORE ME, the undersigned authority, on this day personally

____, known to me to be the person whose name is DAVID WILLIAMS subscribed to the foregoing instrument as Manager, Engineering-Design of Southwestern Bell Telephone Company, a Delaware 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. 20**_13**.

Given under my hand and seal of office this the 29th day of MAU

Notary Public in and to the My Commission Expires 2017

REBECCA K HOGUE My Commission Expires January 16, 2017

Cindy Gray

From:

MOORE, PATTI <pm2533@att.com>

Sent: To: Thursday, May 30, 2013 4:31 PM

10:

Cindy Gray Easement Release

Subject: Attachments:

Scan 001.pdf

Hello Cindy,

Attached is a scanned copy of your easement release. I will put the original in the US mail to 9304 Castlewood Drive, Austin.

Also, please record the original release with the County.

Thank you, Patti

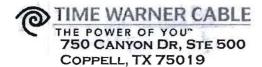
-----Original Message-----From: MOORE, PATTI

Sent: Thursday, May 30, 2013 3:48 PM

To: MOORE, PATTI

Subject: Scan from a Xerox WorkCentre

Please open the attached document. It was scanned and sent to you using a Xerox WorkCentre. For more information on Xerox products and solutions, please visit http://www.xerox.com.



June 14, 2013

Cindy Gray 512-694-2237 (cell)

Email: cindy@primestrategies.net

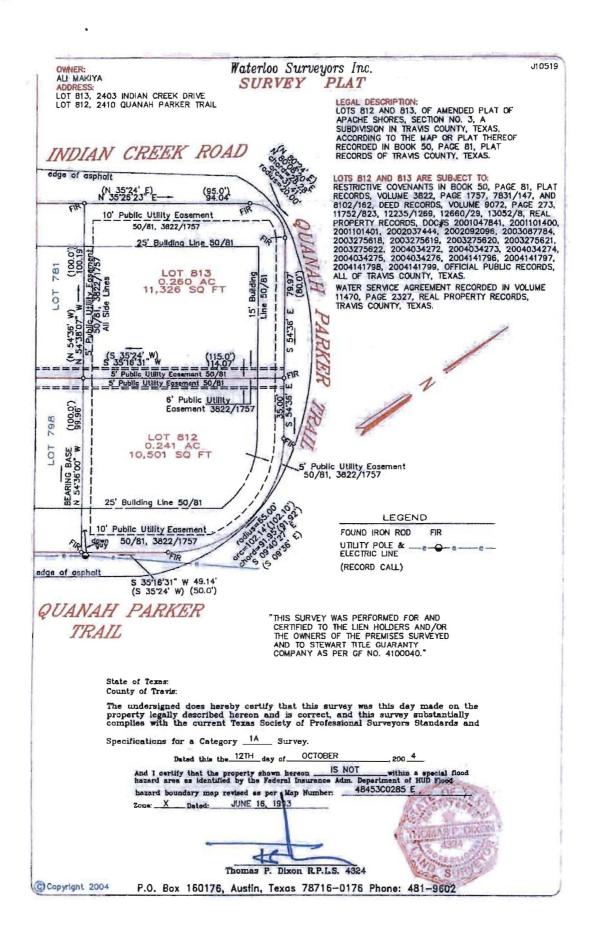
SUBJECT: Abandonment of easement for 2403 Indian Creek Dr and 2410 Quanah Parker Trail, Austin, TX

We have reviewed your request for the above referenced Utility Easement, and Time Warner Cable (TWC) hereby grants the abandonment of the public utility easement along 2403 Indian Creek Dr and Quanah Parker Trail.

If applicable, please contact the Texas Excavation Safety System (Texas811) to have facilities marked & located within affected easements before any excavations are started.

For future reference, please send all utility coordination, abandonments, encroachments, plat signatures or serviceability requests, or notices of relocation to west-engineering-relo@twcable.com. Please spare this information with whoever needs these services.







2012 RELOCATION PROJECT ESTIMATE ONLY

Origination Date: Start Date: Completion Date:

NODE: V50

6/17/2013 5/17/2013 6/14/2013

| Activity Name: Fo | | Forced Relocation 2403 INDIAN CREEK RD & 2410 QUANAH PARK TRL | | | | KTRL | Job/ | DOCK #: | | |
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| Project Type | | A | Relocati | ion | 1 | W/Fiber Ac | 200 | Other | 1 | |
| PA Type: | | New | , a - , b | - | 7 . T. San | isting Band itegory: | iwioth: | N/A Forced Plant Rela | | |
| BU | Project | | ID. | ou | AS | Product | EA | An Cat | Sub Cal | |
| 14900 | #N/A | 1 | in. | 1551 | 1111 | n/a | 601 | FRELO | Mukiple | V 22-1-1-195 |
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| П | Design - Aerial | A10 | 601 | | | | A | | | | |
| | Make Ready - Aerial | A11 | 601 | | | | | | | | |
| 1 | Strand & Hardware - Aeriol | A1Z | 601 | - | No. of Particular Property lies | | Add a series | | | | |
| | Splicing & Electronics - Aerial | AL3 | 601 | - | THE STREET | | 3.78 | | JESTERS | | |
| | Fiber Construction - Aerial | A14 | 601 | 777 | #17 PM | | Sandiel A | 10.378.3 | | | |
| | Coaxial Construction - Aerial | A15 | 601 | | - | | _ | | 7 | | |
| NOL | Capitalized Interest - Aerial | A16 | 601 | | | | | | - | | 07 |
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| PURCHASE INFORMATION | Hardware - UG | U12 | 601 | her bayers | And a sales | | Ole | | | | |
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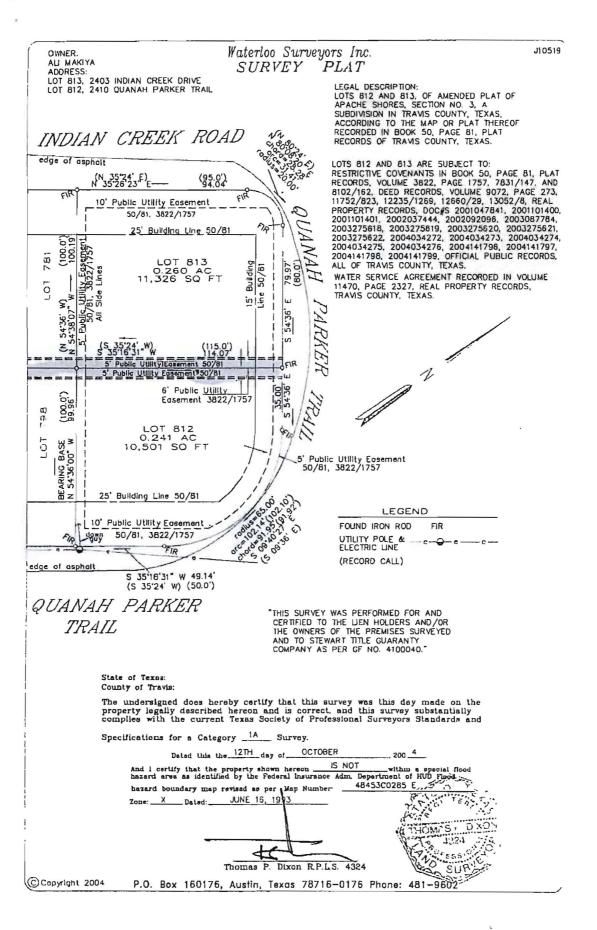
| | | Requested By: | | Clent Approved By: | | | | |
|-----------|------------|-------------------------|-----------|--------------------|-------|------|--|--|
| | Name: | Matt Brashler | | Name: | | _ | | |
| APPROVALS | Title: | Forced Relo Coordinator | | Title: | a Pri | - | | |
| 4 | Phone: | 200 | Date | Phone: | 4 100 | Date | | |
| | Signature: | | 6/17/2013 | Signature: | | | | |



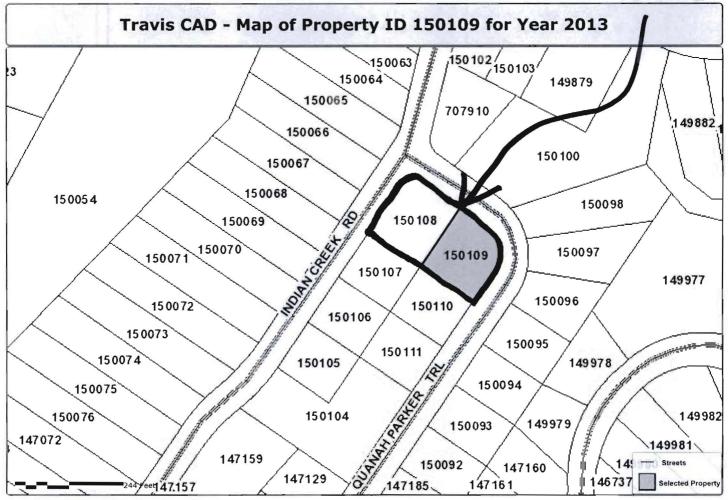
TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 17

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

| Date: 04-25-12 | EASEMENT RE ≥ | ELEASE APPLICATION | 1 | | | | | |
|--|---|--|--------------|--|--|--|--|--|
| A release of the following utility easement(s) is hereby requested. (\$30.00 fee is required) | | | | | | | | |
| Property Address: | 2403 INDIAN | CREEK \$ 2410 G | JANAH PARKER | | | | | |
| Legal Description: | 02 | 813 SEW 2 | 2 | | | | | |
| | A plat drawing with the this application: | easement highlighted must acco | MASO AMD | | | | | |
| Applicant Name: | CIMPY DE | AN | _ | | | | | |
| Address: | 7304 | THUM! | _ | | | | | |
| Reason for Request : | AND WOULD | LIVE TO BE ABLE | _10 | | | | | |
| / | | BUILD OVER TH | | | | | | |
| , | | d for an easement on the proper ement(s) is (are) hereby released | | | | | | |
| | | an easement on the property as | | | | | | |
| Henry WMa | document. A description | n of the required easement is atta | ached. | | | | | |
| Signature | Date | Signature | Date | | | | | |
| Reviewer: Henry | Marley | Deborah S. Gernes | | | | | | |
| | • | Printed Name General Manager | | | | | | |
| | | Title | | | | | | |
| | | | | | | | | |
| Please return this con | npleted form to: | Name: | | | | | | |
| Phone: | | Address: | | | | | | |
| | | City/State/ZIp: | | | | | | |
| Email: | | | | | | | | |







Property Details

Account

Property ID: 150109 Geo ID: 0147600707

Type: Real

Legal Description: LOT 812 APACHE SHORES SEC 3 AMENDED

Location

Situs Address: 2410 QUANAH PARKER TRL TX 78734

Neighborhood: R4110 APACHE SHORES

Mapsco: 490Q

Jurisdictions: 0A, 03, 07, 2J, 52

Owner

Owner Name: GRAY CYNTHIA L &

Mailing Address: JAMES M WASHBURN, 9304 CASTLEWOOD DR, AUSTIN, TX 78748

Property

Appraised Value: \$23,000.00

http://propaccess.traviscad.org/Map/View/Map/1/150109/2013

PropertyACCESS www.truesutomation.com

Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or 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 mapped data does not constitute a legal document.

UINLAN PARKRO Point Park at Windy FOYDR DEBB40p Som BEND EADOWLARK ST 059 MA DRA VANDO STEWART RD врскнігг рв RED BIRD TRL AUSTIN BLVD Jesse EORDRD P

Site

Point City of illage of Venture West Lake Hills Briarcliff City of Lakeway Village of The Hills Village of PRECINT 3 City of Austin Legend **Travis County Location Map** Hays County Source(s) City of Austin Roads - COA 2013, Source(s) City of Austin Roads - COA 2013, Unincorporated Roads - Travis County 2013, Toll Road - various sources, Creeks- NHD 2005, Parks - Travis County 2013, Commissioner Precincts - Travis County Voter Registrar 2011. This product is for informational purposes and may not have been prepared for or be suitable

Inis product is for informational purposes and may not have open prepared for or so suitable for legal, engineering or survering purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Travis County has produced this product for reference purposes only and offers no warranties for the product's accuracy or completeness.

Travis County Roadways, Map D 📖





Map Prepared by: Travis County, Dept. of Transportation & Natural Resources. Date: 5/21/2013