



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 reject the dedication and abandon the public streets known as Lenape Trail, Lenape Cove, Superview Drive, and Indian Scout Trail, all originally dedicated by The Overlook Estates, Phase 1 subdivision - a subdivision in Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

A Commissioners Court hearing for this rejection of dedication and abandonment of public streets request was originally held on May 22, 2012. Action was not taken at that time. The Court requested that the applicant meet with neighboring property owners who showed concern and/or opposition during the hearing. An additional public hearing was held on July 30, 2013. Neighboring property owners again voiced their concerns and opinions (for and against) the privatization. However, the Court postponed taking action on the item until a later date.

STAFF RECOMMENDATIONS:

The request has been reviewed by TNR staff which finds the request meets Section 82.206(c) of the Travis County Standards for Construction of Streets and Drainage in Subdivisions. As such, TNR staff recommends the proposed action.

ISSUES AND OPPORTUNITIES:

Since the hearing of May 22, 2012, additional meetings were held between the developer and the concerned neighboring property owners. It is staff's understanding that the meetings were inconclusive. The responses/opinions have been mixed.

If the request is approved, the developer will then move forward with submitting plans to get permitting for privacy gates at either end of the project.

FISCAL IMPACT AND SOURCE OF FUNDING:

None.

ATTACHMENTS/EXHIBITS:

Updated Request Letter
Proposed Gate Locations
Sign Affidavit and Pictures
Original Packet - May 22, 2012

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 & Long Range Planning	(512) 854-7561

CC:

Stacey Scheffel	Program Manager	TNR - Permits	(512) 854-7565
Chris Gilmore	Asst County Attorney	County Attorney	(512) 854-9415

SM:AB:ps

1101 - Development Services Long Range Planning - The Overlook Estates, Section 1

LAW OFFICE OF TERRENCE L. IRION

1250 S. Capital of Texas Highway
3 Cielo Center, Suite 601
Austin, Texas 78746

Terrence L. Irion

Attorney at Law
(512) 347-9977
(512) 306-8903-FAX
tirion@tirionlaw.com

June 6, 2013

VIA EMAIL: paul.scoggins@co.travis.tx.us

Mr. Paul Scoggins
Engineer Specialist
Travis County TNR
P.O. Box 1748
700 Lavaca Street, 5th Floor
Austin, Texas 78701

RE: Application for Conversion of Existing Public Dedicated Street to Private Street
Overlook Estates Phase I


Dear Paul:

Commissioner Daugherty is going to request that Judge Biscoe put an item for rejection of dedication and abandonment of public street on Linape Trail, Linape Cove, Sugarview Drive and Indian Scout Trail on the next agenda. This item was posted for action on May 22, 2012 and left pending by the Commissioners Court. It was Item 24 on that Agenda. Please confirm that there are no outstanding items that you need to complete the agenda packet (all material from Item 24 on the May 24, 2012 Agenda should be sufficient).

The support letter that we had from FSD #3 stated, "Security gates, if installed at the main entrances of the development shall have an approved KNOX emergency override electric key switch installed in an approved location. The key switch may be ordered at our office during standard business hours. The security gate if installed shall also have an additional means of operation during a power loss condition." Applicant intends to install security gates that meet this specification.

Please advise if there is any additional submittals you will require for the agenda packet prior to June 25. Thank you for your attention to this matter.

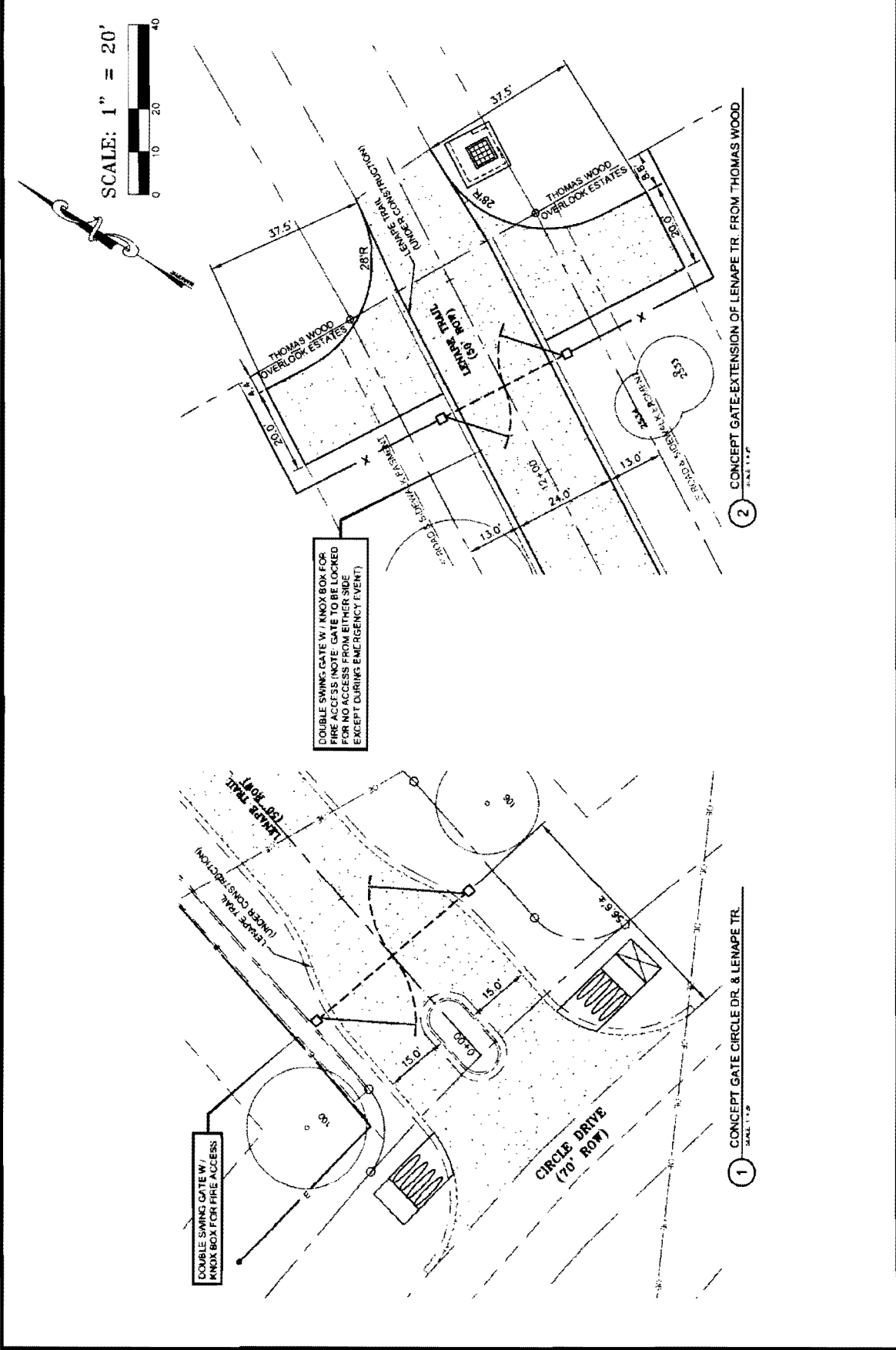
Sincerely,



Terrence L. Irion

TLI:lm

Cc: Keith Schoenfelt
Steve Turnquist





TRANSPORTATION AND NATURAL RESOURCES

Steven M. Manilla, P.E., County Executive
700 Lavaca Street - 5th Floor
Travis County Administration Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

AFFIDAVIT OF POSTING

**TO: County Judge
County Commissioners
Travis County, Texas**

A Public Notice of Public-Private sign was posted on July 9, 2013, on the intersection of Lenape Trail and Circle Drive, at the north end of the Overlook Estates Section 1 subdivision, and the intersection of Thomaswood Lane and Thomas Spring Road at a point as near as practical to the area of ROW being privatized, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 9 DAY OF July, 2013.

SIGNATURE: Jaime García
NAME (PRINT): Jaime García
TITLE: TNR/R&B Supervisor

cc: Garcia (sign shop)

M:\PERMITS\Vacate\12ROW\Overlook Estates I\SignRequest-LenapeTrail.doc





NOTICE OF PUBLIC HEARING

JULY 30, 2013, AT 9:00 AM

**RIGHT OF WAY EASEMENT PUBLIC
TO PRIVATE STREETS**

**TO APPROVE THE CHANGE IN STATUS FROM
PUBLIC STREETS TO PRIVATE STREETS,
THE OVERLOOK ESTATES SECTION ONE—
A SUBDIVISION IN PRECINCT 3**

**A HEARING WILL BE HELD AT
THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
700 LAVACA ST. AUSTIN TEXAS
FOR MORE INFORMATION CALL 854-9383**



NOTICE OF PUBLIC HEARING

APRIL 30, 2003, AT 9:00 AM
RIGHT OF WAY EASEMENT PUBLIC
TO PRIVATE STREETS

TO APPROVE THE CHANGE IN STATUS FROM
PUBLIC STREETS TO PRIVATE STREETS
THE OVERLOOK ESTATES SECTION ONE
A SUBDIVISION IN PRECINCT 3

A HEARING WILL BE HELD AT
THE TRAVIS COLLEGE
COMMISSIONERS COURTROOM
700 LAVACA ST. AUSTIN, TEXAS
FOR MORE INFORMATION CALL 654-9283



NOTICE OF PUBLIC HEARING

JULY 30, 2013, AT 9:00 AM

**RIGHT OF WAY EASEMENT PUBLIC
TO PRIVATE STREETS**

**TO APPROVE THE CHANGE IN STATUS FROM
PUBLIC STREETS TO PRIVATE STREETS,
THE OVERLOOK ESTATES SECTION ONE—
A SUBDIVISION IN PRECINCT 3**

**A HEARING WILL BE HELD AT
THE TRAVIS COUNTY
COMMISSIONERS' COURTROOM
700 LAVACA ST. AUSTIN, TEXAS
FOR MORE INFORMATION CALL 854-9383**



NOTICE OF PUBLIC HEARING

JULY 30, 2013, AT 9:00 AM

RIGHT OF WAY EASEMENT PUBLIC
TO PRIVATE STREETS

TO APPROVE THE CHANGE IN STATUS FROM
PUBLIC STREETS TO PRIVATE STREETS,
THE OVERLOOK ESTATES SECTION ONE—
A SUBDIVISION IN PRECINCT 3

A HEARING WILL BE HELD AT
THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
700 LAVACA ST AUSTIN, TEXAS
FOR MORE INFORMATION CALL 854-9383

NOTICE OF PUBLIC HEARING

JULY 30, 2008 AT 9:00 AM
RIGHT OF WAY REASSESSMENT PUBLIC
TO PRIVATE STREETS

TO APPROVE THE CHANGE IN STATUS FROM
PUBLIC STREETS TO PRIVATE STREETS,
THE OVERLOOK ESTATES SECTION ONE—
A SUBDIVISION IN PRECINCT 3

A HEARING WILL BE HELD AT
THE TRAVIS COUNTY
COMMISSION COURTROOM
1001 AVACA AUSTIN, TEXAS

FOR MORE INFORMATION CALL 854-9993



Travis County Commissioners Court Agenda Request ²⁴

Meeting Date: May 22, 2012

Prepared By: Darla Vasterling **Phone #:** 854-7564

Division Director/Manager: Anna Bowlin, Division Director of Development Services ^{AB}

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

Sponsoring Court Member: Commissioner Huber, Precinct Three

AGENDA LANGUAGE: Consider and take appropriate action on a request to authorize the filing of an instrument to reject the dedication and abandon the public streets - Lenape Trail, Lenape Cove, Superview Drive, and Indian Scout Trail, all originally dedicated by the plat of The Overlook Estates Phase 1, a subdivision in Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

On May 20, 1986, the Travis County Commissioners Court passed an Order authorizing the filing for record of the plat of The Overlook Estates 1. In that document the developer Spindletop Savings Association President David L. Parsley signed a statement which dedicated the streets, shown on the plat, to the public.

In a letter from the Law Office of Terrence L. Irion, dated March 27, 2012, Mr. Irion presents the Declaration of Covenants, Conditions, and Restrictions, for the subdivision, which show that the Association shall maintain, repair, and replace, as necessary, all private improvements in the public right of way and/or the roads themselves, should they become private.

The Attorney for the developers, Mr. Irion requests that the streets of this subdivision be declared private by action of the Travis County Commissioners Court. Therefore the Travis County Commissioners Court shall have the Public Hearing on this date of May 22, 2012, in regards to rejecting the dedication and abandoning these streets.

STAFF RECOMMENDATIONS:

The request has been reviewed by TNR staff and staff finds the request meets Section 82.206(c) of the Travis County Standards for Construction of Streets and Drainage in Subdivisions. As such, TNR staff recommends rejecting the dedication and abandoning the streets of this subdivision.

ISSUES AND OPPORTUNITIES:

On March 3, 2012, developers and engineers met with the neighborhood, in order to inform them of the proposed change in status of the roads in this subdivision. Mr. Irion has reported, in his letter dated March 27, 2012, that most of the residents who attended the meeting were not opposed to the change. Although it is possible that one or two may speak against this action, no one has contacted staff in this regard. One resident of Ridge at Thomas Springs requested another sign at Thomaswood Lane and Thomas Springs Drive.

The applicant has submitted Statements from utility companies, the City of Austin Transportation, the emergency services district, and the school district stating that they have no objection to this subdivision converting to private streets. Additionally, the applicant has submitted the homeowners association of incorporation, the bylaws of the association, and the covenants, restrictions, and restrictions showing that there is a body in place to maintain the streets.

Some of the lots have been sold and the applicant is collecting letters of approval of conversion from public to private streets.

FISCAL IMPACT AND SOURCE OF FUNDING:

N/A.

ATTACHMENTS/EXHIBITS:

- Letter from T.L. Irion
- Posted signs and sign in sheet
for March 3 meeting
- Letter from Thompson Land Engineering
plat of the Overlook Estates Phase 1
- Statements from utility companies, City of
Austin, TC ESD #3, Austin ISD
- Letter from homebuilders
- Photos of signs for public hearing
- Map
- Order

REQUIRED AUTHORIZATIONS:

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

CC:

Chris Gilmore	Assist. County Atty.	County Attorney	854-9415
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SM:AB:dv

1101 - Development Services - Overlook Estates Phase 1

1105 - Subdivision - Overlook Estates Phase 1

LAW OFFICE OF TERRENCE L. IRION

1250 S. Capital of Texas Highway
3 Cielo Center, Suite 601
Austin, Texas 78746

Terrence L. Irion
Attorney at Law
(512) 347-9977
(512) 306-8903-FAX
tirion@tirionlaw.com

March 27, 2012

VIA EMAIL: darla.vasterling@co.travis.tx.us

Ms. Darla Vasterling
Engineering Specialist
Travis County TNR
411 W. 13th Street
Austin, Texas 78701

RE: The Overlook Estates Phase I – Request to convert publicly
dedicated right-of-way to private streets

Dear Ms. Vasterling:

Attached please find an electronic copy of the completed application package to convert the above referenced public street to a private street. This application package has been approved by the City of Austin and all public utility service providers including AT&T, PEC, Time Warner Cable and Austin Water Utility. It has also been approved by Fire Department which services this area, ESD No. 3.

Request is made that the item be scheduled on the agenda of the Commissioner's Court for the next available meeting.

I am also attaching with this letter The Overlook Estates Phase I Homeowners Association, Inc. Certificate of Filing; a copy of The Overlook Estates Phase I Declaration of Covenants, Conditions and Restrictions, which includes a private street maintenance covenant.

When Phase Two of the Street is extended to The Ridge at Thomas Springs, a fire access gate will be installed to specifications approved by ESD No. 3.

On March 3, 2012, a neighborhood meeting was held onsite in The Overlook and all lot owners in The Ridge at Thomas Springs were invited to attend to learn more about the plans for The Overlook Development and the private street conversion. I am attaching photos of the tent meeting and also of the notices that were placed at the entrance to The Ridge at Thomas Springs notifying the neighbors of the meeting. Letters were also sent to the property owners immediately adjacent to The Overlook Subdivision. Nineteen residents attended the meeting. All seemed to generally support or at least not oppose the emergency access only connection to the extension of Linape Trail into The Ridge at Thomas Ridge Springs Subdivision with the exception of one lady who owns a 5 acre out parcel (not part of either subdivision) and one woman on Rawhide Trail. A copy of the sign-in sheet for the meeting is also attached for your reference.

Mr. Vasterling
March 27, 2012
Page 2

Having satisfied all the requirements of the County Ordinance for conversion of public dedicated street to private streets, the Applicant respectfully requests that this item be put on the Commissioner's Court agenda for consideration.

Respectfully submitted,



Terrence L. Irion

TLI:lm
Enclosure(s)
Cc: Ric Thompson
Keith Schoenfelt
Michele Turnquist

Overlook Meeting

<u>Name</u>	<u>Phone</u>	<u>Email</u>	<u>Address</u>
Cliff A. Powers		Austin.cliff@swc-journal	10712 Thomaswood
Glenn Rinkenberger		Kyakpirate@yahoo.com	7306 Lenape
Leona Rice			12301 ^{Rising} Smoke LP
Ann Myers		practicing@excite.com	10203 Thomaswood
Lois Rice		lricerend@earthlink.net	10210 Thomaswood
Grace Gottschalk			
Earl W. Gottschalk		ewg@railroad@yahoo.com	10204 Thomaswood
JOE CALOVIC 288-0287		J.CALOVIC@SIXCLOSAL.NET	10201 THOMASWOOD
DANN ELIZABETH VARGAS (512) 288-5371			10402 Thomaswood
Ronald Whitehead	288-9280	ELIZVARGAS@SIXCLOSAL.NET	630 g.closal.net
Ronald Whitehead	288-9280		7309 Lenape Tr
Lehsten Clark			Thomaswood
Manan Key's			"
Leonard & Melissa Voeltinger		voeltinger@aol.com	10102 Lenape Tr
* Gaynelle Hirsch	415-5719	g_hirsch@at.net	7310 Lenape Tr
* Rip Hirsch	633-6814	rip.hirsch@hotmail.com	"
Daniel Balboa	899-2757		10203 Rising Smoke LP
* Kristen Anderson	769-6785	kristenanderson@swbell.net	
* Max Brown	775-5725	kristenanderson@swbell.net	10205 RAISING SMOKE
Tonya Bills	775-5472	TBills617@yahoo.com	

10412 Rainhide TRAIL

OK WITH PRIVATE - NO CUT THRU
 NOT A THRU STREET - Thomaswood
 Don't want street lights

895-8127
 Glenn Rinkenberger

I do support moving Lenape a private street
 for overlook as long as you make a public accessible
 walk thru path when you put up a gate for phase 2

NOTICE
OF THE
COURT OF APPEALS
FOR THE STATE OF TEXAS
IN RE: [Illegible Case Name]
[Illegible Case Number]

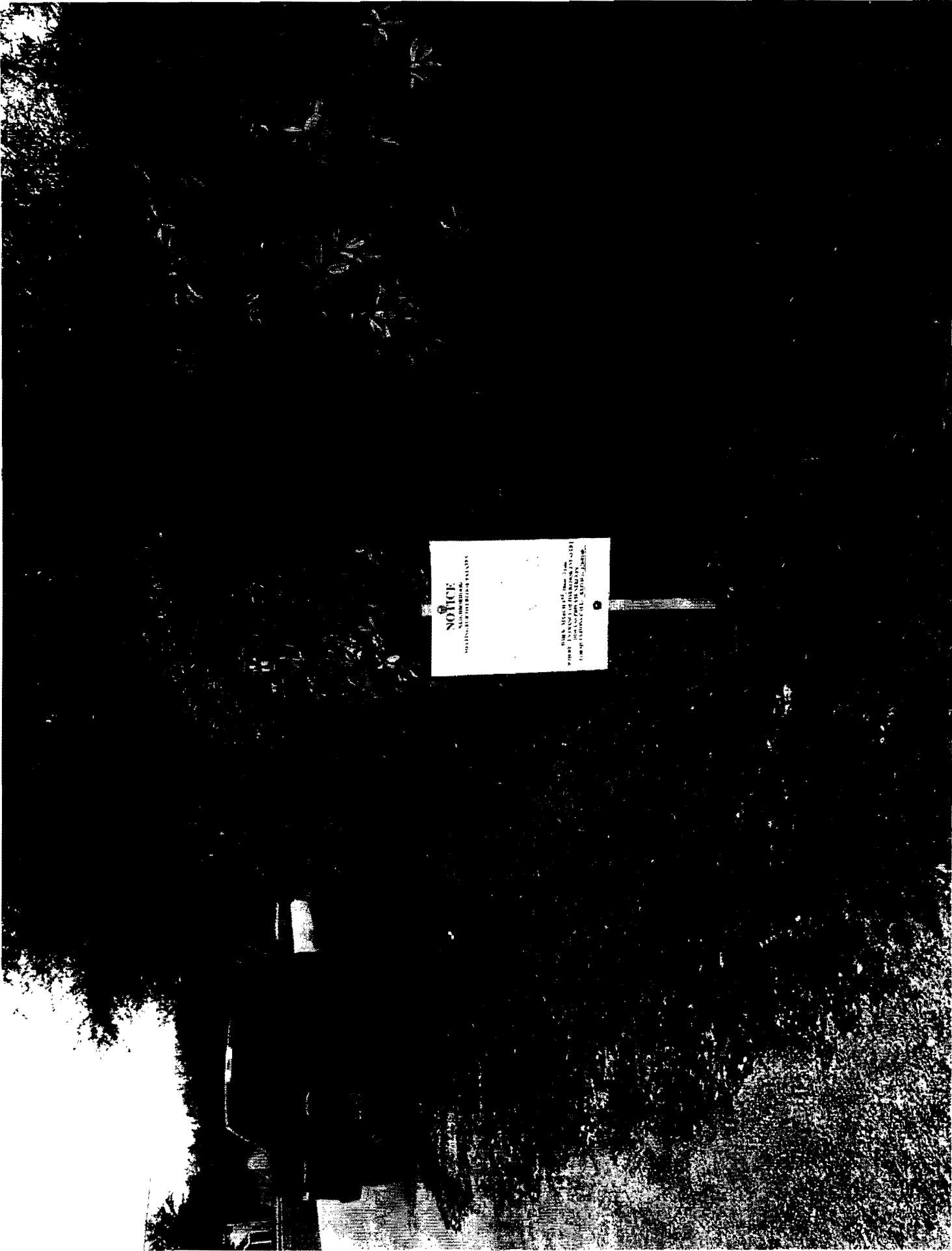


Darla Vasterling

From: Vince Huebinger <vinceh@flash.net>
Sent: Wednesday, February 29, 2012 11:52 AM
To: Darla Vasterling; Anna Bowlin
Cc: Terry Irion; Keith Schoenfelt
Subject: Fw: Overlook Meeting this weekend (part 1)
Attachments: DSC00134.JPG; DSC00137.JPG; DSC00135.JPG; DSC00136.JPG

Anna/Darla; We will be having our meeting this Saturday at 10am, March 3rd on site with the neighborhood stakeholders and interested parties. There will be a small tent set up at the entry to discuss the private street request. Attached are part 1 of a 3 part email showing the signs that have been put up for notices to all adjoining neighbors interested in attending. You are free to attend this meeting if you would like. Once this meeting is over we will report the results to your office and then proceed to commissioners court with the specific request for private streets. The owners will reserve their right to file request for gated streets to Travis County based on 30-2-159 (L) 1 & 2 at a later date. Thanks, please feel free to call if you have any questions.

Vincent G. Huebinger
Bleyl & Assoc. Inc.
(512) 328-7878



NOTICE
 OF THE
 SALE OF REAL ESTATE

THE STATE OF TEXAS,
 COUNTY OF DALLAS.

FOR THE PURPOSES OF THE
 STATUTE IN THAT BEING IN THE
 COUNTY OF DALLAS, TEXAS.



LAW OFFICE OF TERRENCE L. IRION

1250 S. Capital of Texas Highway
3 Cielo Center, Suite 601
Austin, Texas 78746

Terrence L. Irion

Attorney at Law

(512) 347-9977

(512) 306-8903-FAX

tirion@tirionlaw.com

December 21, 2011

VIA EMAIL: darla.vasterling@co.travis.tx.us

Ms. Darla Vasterling

Travis County TNR

411 W. 13th Street

Austin, Texas 78701

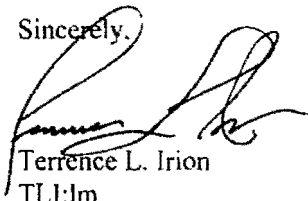
Re: The Overlook Estates Phase I

Dear Ms. Vasterling:

Please find a copy of the typical letter being sent to lot owners in the Ridge at Thomas Springs. As best we can tell, there is no homeowners association so there is no association contact to whom such a letter can be directed.

Thank you for your attention to this matter.

Sincerely,



Terrence L. Irion

TLL:lm

Cc: Keith Schoenfelt

Ric Thompson

LAW OFFICE OF TERRENCE L. IRION

1250 S. Capital of Texas Highway
3 Cielo Center, Suite 601
Austin, Texas 78746

Terrence L. Irion
Attorney at Law
(512) 347-9977
(512) 306-8903-FAX
tirion@tirionlaw.com

December 21, 2011

Hirsch Gaynelle Baker
7310 Linape Trail
Austin, Texas 78736-2803

Dear Ms. Baker:

I represent the owners of the Overlook Estates Phase 1 Subdivision, which was platted and recorded in 1986, but which is just now being developed in phases. The first phase of construction which is being completed at this time will build out the streets and utility infrastructure to serve approximately 35 lots along Linape Trail from Circle Drive. The road construction of this phase will stop short of extending Linape Trail to The Ridge at Thomas Springs.

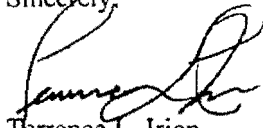
A subsequent phase will eventually build Linape Trail to the street stub-out at The Ridge at Thomas Springs, but no time table has yet been set for this subsequent construction.

The purpose of this letter is to inform you that the owners have requested conversion of the plat dedicated public streets in The Overlook Estates to private streets with the right to install a privacy gate at the entrance on Circle Drive. The conversion to private street request to Travis County will be subject to extension of Linape Trail to the common boundary line with The Ridge at Thomas Springs with the construction of an emergency access gate to allow public emergency service provider access through the street connection. The gate will be installed with a knox box accessible by all public emergency service providers.

If you have any questions regarding this future emergency access or the privatization of Linape Trail through The Overlook Estates, please contact either Keith Schoenfelt at The Overlook Joint Venture (512) 626-3504 or the undersigned.

Also, we have not been able to identify any neighborhood association officers for The Ridge at Thomas Springs. If you know of an association contact within your neighborhood, please advise and I will be happy to provide a copy of this letter your association.

Sincerely,



Terrence L. Irion

TLI:lm

Cc: Keith Schoenfelt



THOMPSON LAND ENGINEERING, LLC

Land Planning, Site Design, Subdivision Engineering

December 15, 2011

Mr. Steven Manilla, P.E., County Executive
Transportation and Natural Resources
Travis County
P.O. Box 1748
Austin, Texas 78767

RE: Letter of request to convert Publicly Dedicated Right-of-Way to Private Streets
Legal name of subdivision: The Overlook Estates Phase 1
TLE No.: 1103

Dear Mr. Manilla,

This letter is to request that the publicly dedicated right-of-way shown on the plat for The Overlook Estates Phase 1 (Lenape Trail, Superview Drive, and Indian Scout Trail) be converted to private streets. We are seeking the conversion for the following reasons.

- The limiting of traffic will provide a safer environment for the children since children can often wander into the street.
- Converting the streets to private will provide the subdivision with a better feeling of security.
- Converting the streets to private will allow to the installation of community landscaping, irrigation, and monumentation without a licensing agreement.
- All of the drainage from the subdivision goes to Barton Creek. All of the drainage from Circle Drive does not necessarily go into Barton Creek. Therefore, by limiting traffic in the subdivision (limiting the "cut through" traffic) it should help limit the pollutant load to the creek.
- The City of Austin would not accept the park lot as a public park. Therefore, converting the streets to private should help reduce any confusion about the park lot being a City or County maintained park.

Included in this application are the unsigned documents for the easements and the Homeowners Association's Declaration of Covenants, Conditions and Restrictions (Items 3, 4 & 5) for legal review. We are awaiting the Homeowners Association Certificate of Incorporation (Item 2). We have the signed letters from all the utility companies (Item 6) and the Emergency Services District (Item 7) stating that they have no objection to the streets converting to private. We are awaiting the same letter from AISD Transportation Director (Item 7) and expect to have it shortly. We are also awaiting the letter from the City of Austin concurring with the request but we understand that we have their approval verbally (Item 8). There is no access needed for adjacent property from the private street (Item 9).

Should you need additional information for the administrative aspects of processing this request, please contact myself or Gwen Gates at 328-0002. Should you need additional owner information or should you

Mr. Joseph P. Gieselman, Executive Manager
Transportation and Natural Resources
December 15, 2011
Page 2

wish to talk to the owner, please contact Keith Schoenfelt, President Corum Development, Inc. at 512-626-3504.

Sincerely,
THOMPSON LAND ENGINEERING, LLC

A handwritten signature in black ink that reads "Robert C. Thompson". The signature is written in a cursive style with a large, stylized initial "R".

Robert C. (Ric) Thompson, P.E.
M.S., C.F.M., C.P.E.S.C.

1 V.M. C.M. 4-11-1986

NO FURTHER IN THIS SUBDIVISION SHALL BE ACCEPTED UNTIL COMPLETED IN A PUBLIC HEARING TO BE HELD IN THE COURTS OF THIS COUNTY ON THE DATE OF THE HEARING. THE CITY OF DALLAS HAS THE APPROVAL OF THE APPLICANT'S COUNTY HEALTH DEPARTMENT.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Dallas, Texas, this 11th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

ALL ERECTS WILL BE CONSIDERED SUBJECTS OF AMPLIFIED ALTERNATIVE URBAN ZONING.

NOTE: REVENUE FROM THE SALE OF THE PROPERTY WILL BE USED TO PAY THE DEBT OF THE CITY OF DALLAS. THE CITY OF DALLAS HAS THE APPROVAL OF THE APPLICANT'S COUNTY HEALTH DEPARTMENT.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Dallas, Texas, this 11th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

FOR THE RECORD, this is the 1st day of April, 1986.

James A. Bowers, Director, Office of Land Development Services
 Dallas, Texas

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

THIS DEED IS THE PROPERTY OF THE CITY OF DALLAS, TEXAS.

THE OVERLOOK ESTATES PHASE I

CG-85-1101(86) PAGE 1 OF 4

Cash & Boden, Inc.

1101 W. WILSON STREET, SUITE 100, DALLAS, TEXAS 75201
 (214) 341-1111



WILLIAM BOWEN ASSOCIATES, INC. 1986, A.S.

WILLIAM BOWEN ASSOCIATES, INC.

1101 WILSON STREET, SUITE 100, DALLAS, TEXAS 75201

FOR THE RECORD, this is the 9th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

FOR THE RECORD, this is the 9th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

FOR THE RECORD, this is the 9th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

FOR THE RECORD, this is the 9th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

COMMISSIONERS' CERTIFICATE

City of Dallas, Texas

FOR THE RECORD, this is the 9th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

FOR THE RECORD, this is the 9th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

FOR THE RECORD, this is the 9th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk

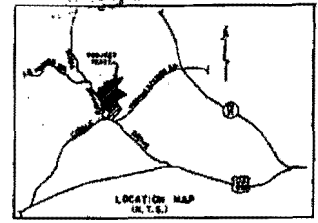
FOR THE RECORD, this is the 9th day of April, 1986.

[Signature]
 Mayor, City of Dallas

[Signature]
 City Clerk



Cash & Boden, Inc.

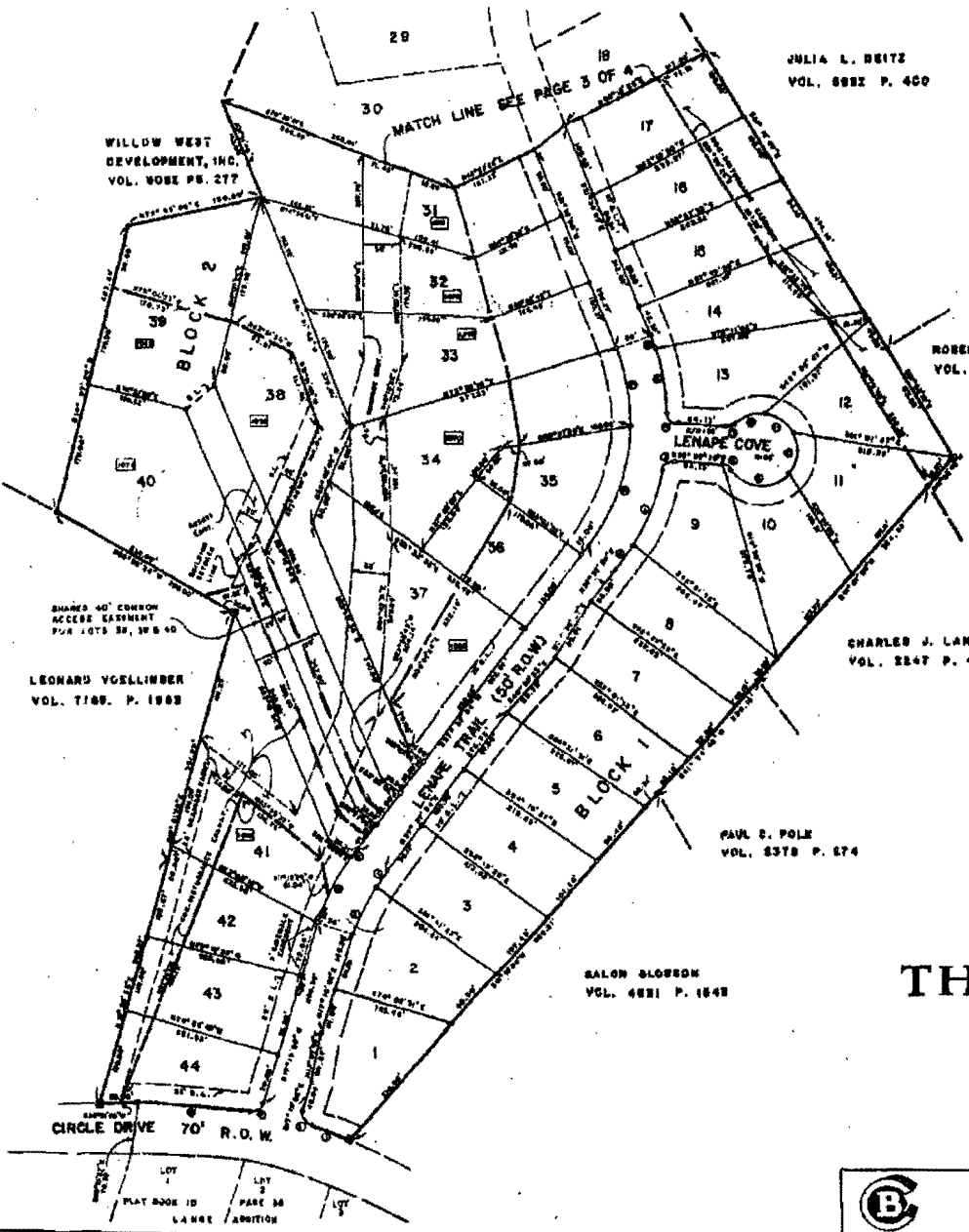


SCALE: 1" = 100'

- LEGEND**
- IRON PIN SET
 - IRON PIN FOUND
 - CONCRETE MONUMENT SET
 - MINIMUM 1st FLOOR ELEVATION
 - BL. BUILDING LINE

LOT AREAS

LOT	ACRES	AREA
1	1	1.514 Ac.
2	1	0.713 Ac.
3	1	0.700 Ac.
4	1	0.700 Ac.
5	1	0.700 Ac.
6	1	0.502 Ac.
7	1	0.500 Ac.
8	1	0.501 Ac.
9	1	0.500 Ac.
10	1	0.500 Ac.
11	1	0.500 Ac.
12	1	0.500 Ac.
13	1	0.500 Ac.
14	1	0.500 Ac.
15	1	0.500 Ac.
16	1	0.500 Ac.
17	1	0.500 Ac.
18	1	0.500 Ac.
19	1	0.500 Ac.
20	1	0.500 Ac.
21	1	0.500 Ac.
22	1	0.500 Ac.
23	1	0.500 Ac.
24	1	0.500 Ac.
25	1	0.500 Ac.
26	1	0.500 Ac.
27	1	0.500 Ac.
28	1	0.500 Ac.
29	1	0.500 Ac.
30	1	0.500 Ac.
31	1	0.500 Ac.
32	1	0.500 Ac.
33	1	0.500 Ac.
34	1	0.500 Ac.
35	1	0.500 Ac.
36	1	0.500 Ac.
37	1	0.500 Ac.
38	1	0.500 Ac.
39	1	0.500 Ac.
40	1	0.500 Ac.
41	1	0.500 Ac.
42	1	0.500 Ac.
43	1	0.500 Ac.
44	1	0.500 Ac.



ROBERT D. PAVLICA
VOL. 4301 P. 1748

JULIA L. BEITZ
VOL. 6882 P. 400

CHARLES J. LANE
VOL. 2247 P. 488

PAUL S. POLK
VOL. 2378 P. 274

SALON BLOSSOM
VOL. 4881 P. 1848

LEONARD VOLLINGER
VOL. 7189 P. 1888

CURVE DATA

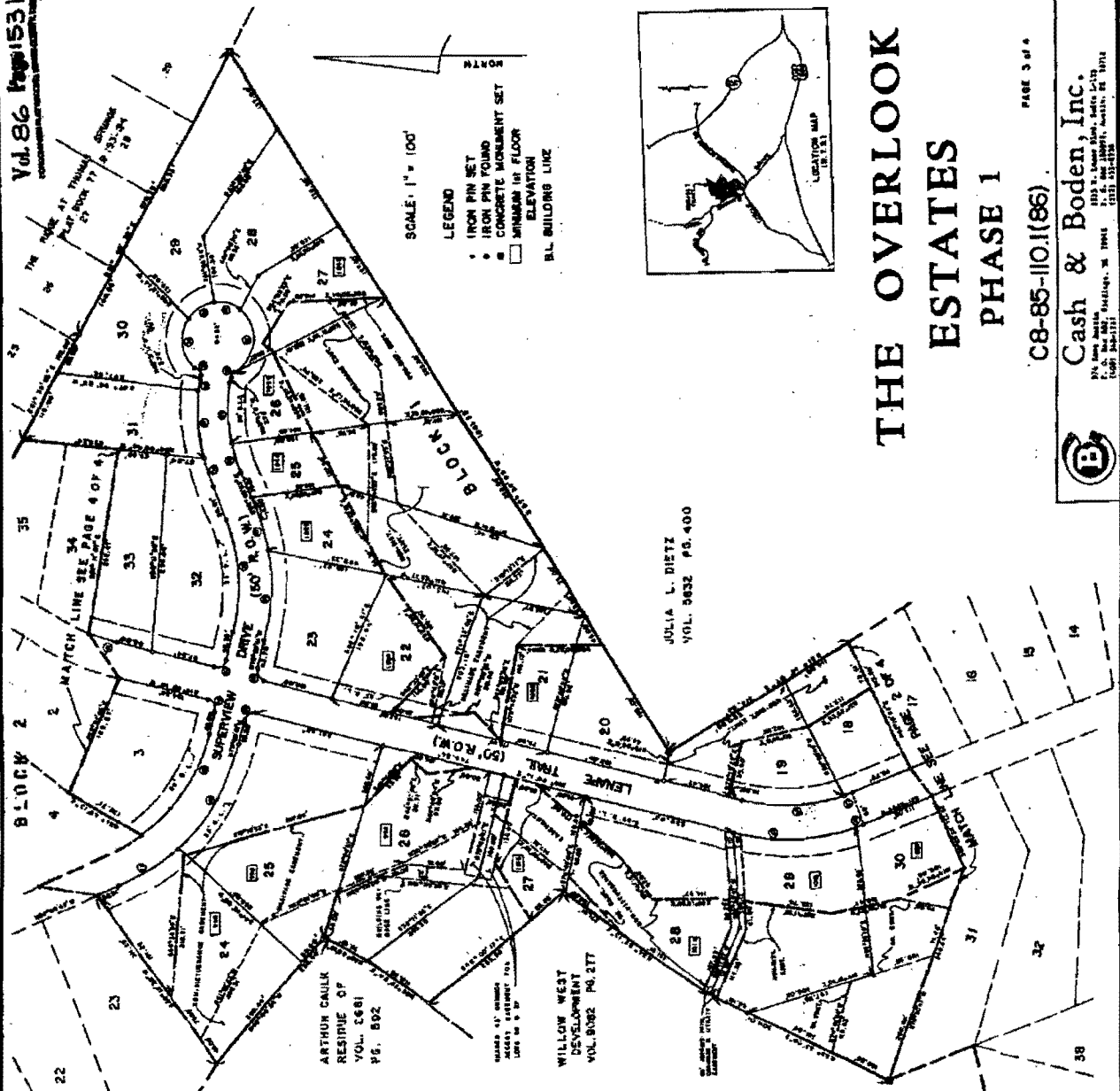
CURVE NO.	RADIUS	ARC	CHORD	CHORD BEARING
1	722.18'	59.00'	58.98'	N 70° 35' 36" W
2	19.00'	23.62'	21.25'	N 21° 41' 30" W
3	179.00'	72.50'	74.78'	N 84° 51' 49" E
4	773.00'	75.00'	74.00'	S 23° 51' 30" E
5	322.00'	41.38'	41.51'	N 27° 53' 53" E
6	383.00'	107.98'	107.48'	N 30° 21' 02" E
7	11.00'	21.78'	18.89'	N 52° 45' 24" E
8	13.00'	13.82'	13.26'	N 59° 36' 41" E
9	30.00'	90.79'	74.82'	N 62° 27' 18" E
10	40.00'	81.84'	37.65'	N 77° 14' 04" E
11	50.00'	68.64'	48.23'	N 54° 43' 19" E
12	30.00'	85.40'	45.81'	N 68° 22' 08" E
13	39.80'	55.43'	12.24'	N 69° 52' 06" E
14	51.00'	71.79'	19.91'	N 43° 58' 19" E
15	243.00'	88.95'	88.81'	N 10° 13' 07" E
16	343.00'	70.08'	28.00'	N 89° 48' 24" E
17	375.00'	105.43'	105.09'	N 10° 21' 48" E
18	275.00'	178.38'	172.49'	N 19° 01' 49" E
19	775.00'	84.25'	14.32'	N 34° 32' 39" E
20	913.00'	103.00'	100.60'	N 24° 15' 13" E
21	13.00'	21.79'	19.90'	N 24° 51' 28" E
22	721.31'	194.07'	195.76'	N 85° 47' 52" E

THE OVERLOOK ESTATES PHASE 1

PAGE 2 OF 4

C8-85-110.1(86)

Cash & Boden, Inc.
 274 South Austin
 P. O. Box 882, Houston, TX 77002
 (409) 541-1267
 3528 S. Loop East, Suite L-151
 P. O. Box 100990, Dallas, TX 75210
 (214) 221-0010



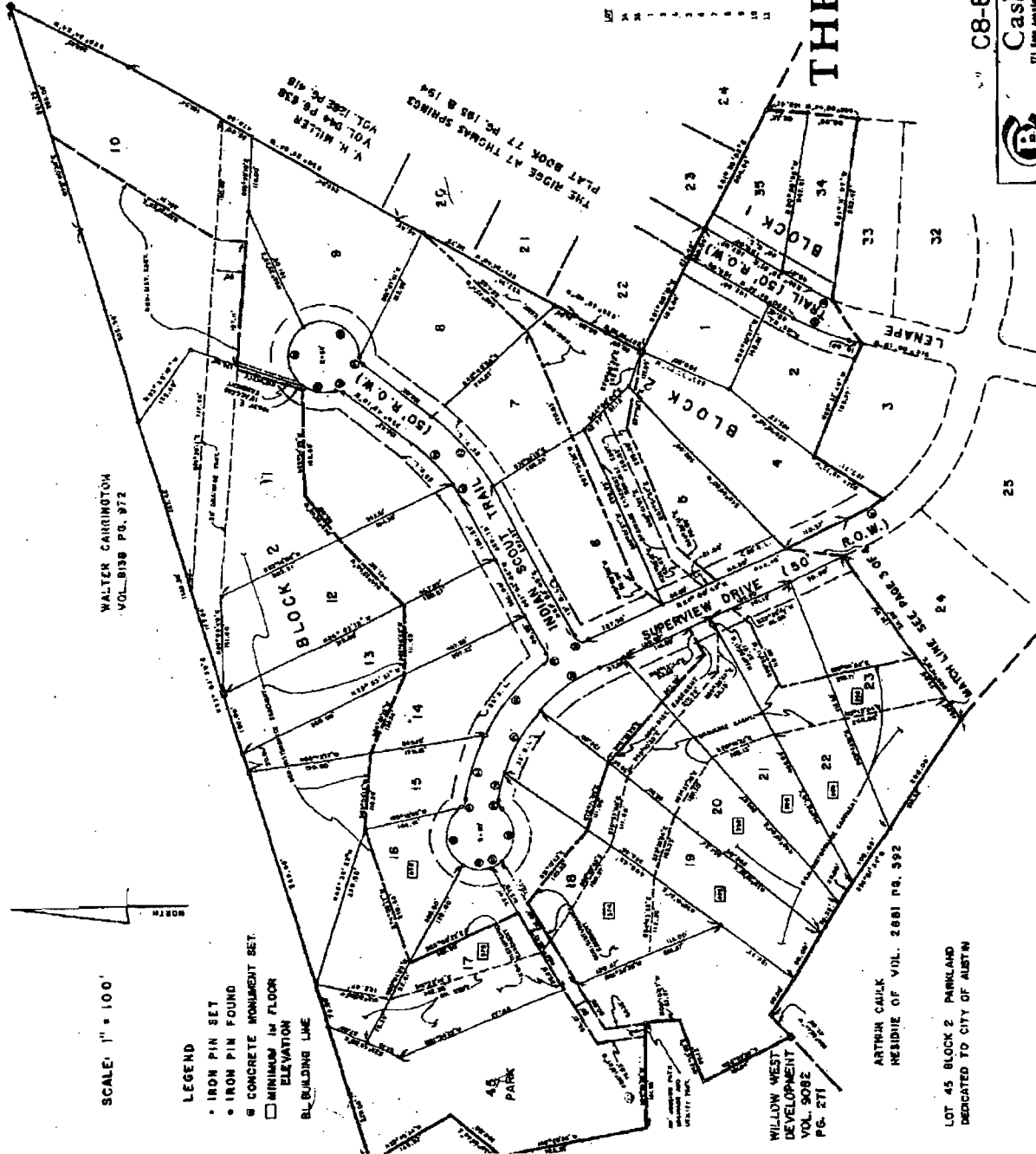
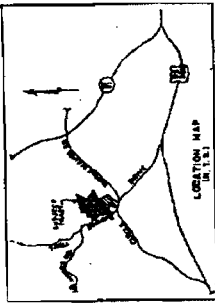
THE OVERLOOK ESTATES PHASE 1

C8-85-110.1(86) PAGE 3 of 4

Cash & Boden, Inc.
 1815 N. Lamar Blvd., Suite 2419
 P.O. Box 661811
 Dallas, TX 75266
 (214) 353-8333



ACREAGE	AREA	PERCENT	PERCENT	PERCENT	PERCENT
1	0.1286 Ac.	1	1	1	1
2	0.1497 Ac.	2	2	2	2
3	0.1287 Ac.	3	3	3	3
4	0.1787 Ac.	4	4	4	4
5	0.1504 Ac.	5	5	5	5
6	0.1421 Ac.	6	6	6	6
7	0.1421 Ac.	7	7	7	7
8	0.1421 Ac.	8	8	8	8
9	0.1421 Ac.	9	9	9	9
10	0.1421 Ac.	10	10	10	10
11	0.1421 Ac.	11	11	11	11
12	0.1421 Ac.	12	12	12	12
13	0.1421 Ac.	13	13	13	13
14	0.1421 Ac.	14	14	14	14
15	0.1421 Ac.	15	15	15	15
16	0.1421 Ac.	16	16	16	16
17	0.1421 Ac.	17	17	17	17
18	0.1421 Ac.	18	18	18	18
19	0.1421 Ac.	19	19	19	19
20	0.1421 Ac.	20	20	20	20
21	0.1421 Ac.	21	21	21	21
22	0.1421 Ac.	22	22	22	22
23	0.1421 Ac.	23	23	23	23
24	0.1421 Ac.	24	24	24	24
25	0.1421 Ac.	25	25	25	25
26	0.1421 Ac.	26	26	26	26
27	0.1421 Ac.	27	27	27	27
28	0.1421 Ac.	28	28	28	28
29	0.1421 Ac.	29	29	29	29
30	0.1421 Ac.	30	30	30	30
31	0.1421 Ac.	31	31	31	31
32	0.1421 Ac.	32	32	32	32
33	0.1421 Ac.	33	33	33	33
34	0.1421 Ac.	34	34	34	34
35	0.1421 Ac.	35	35	35	35
36	0.1421 Ac.	36	36	36	36
37	0.1421 Ac.	37	37	37	37
38	0.1421 Ac.	38	38	38	38



WALTER CARRINGTON
 VOL. 8138 PG. 972

VOL. 9082 PG. 271
 V.N. MILLER
 VOL. 1282 PG. 418
 THE RIDGE AT THOMAS SPRINGS
 PLAT BOOK 77 PG. 183 & 184

SCALE: 1" = 100'

- LEGEND**
- IRON PIN SET
 - IRON PIN FOUND
 - ⊕ CONCRETE MONUMENT SET
 - MINIMUM 1st FLOOR ELEVATION
 - BUILDING LINE

CHERRY MAPS

AREA	ACRES	COMB.	CHERRY MAPS
1	1.27	1.27	1.27
2	1.27	1.27	1.27
3	1.27	1.27	1.27
4	1.27	1.27	1.27
5	1.27	1.27	1.27
6	1.27	1.27	1.27
7	1.27	1.27	1.27
8	1.27	1.27	1.27
9	1.27	1.27	1.27
10	1.27	1.27	1.27
11	1.27	1.27	1.27
12	1.27	1.27	1.27
13	1.27	1.27	1.27
14	1.27	1.27	1.27
15	1.27	1.27	1.27
16	1.27	1.27	1.27
17	1.27	1.27	1.27
18	1.27	1.27	1.27
19	1.27	1.27	1.27
20	1.27	1.27	1.27
21	1.27	1.27	1.27
22	1.27	1.27	1.27
23	1.27	1.27	1.27
24	1.27	1.27	1.27
25	1.27	1.27	1.27
26	1.27	1.27	1.27
27	1.27	1.27	1.27
28	1.27	1.27	1.27
29	1.27	1.27	1.27
30	1.27	1.27	1.27
31	1.27	1.27	1.27
32	1.27	1.27	1.27
33	1.27	1.27	1.27
34	1.27	1.27	1.27
35	1.27	1.27	1.27
36	1.27	1.27	1.27
37	1.27	1.27	1.27
38	1.27	1.27	1.27
39	1.27	1.27	1.27
40	1.27	1.27	1.27
41	1.27	1.27	1.27
42	1.27	1.27	1.27
43	1.27	1.27	1.27
44	1.27	1.27	1.27
45	1.27	1.27	1.27

LOT AREA

LOT	AREA	ACRES	AREA
1	1.27	1.27	1.27
2	1.27	1.27	1.27
3	1.27	1.27	1.27
4	1.27	1.27	1.27
5	1.27	1.27	1.27
6	1.27	1.27	1.27
7	1.27	1.27	1.27
8	1.27	1.27	1.27
9	1.27	1.27	1.27
10	1.27	1.27	1.27
11	1.27	1.27	1.27
12	1.27	1.27	1.27
13	1.27	1.27	1.27
14	1.27	1.27	1.27
15	1.27	1.27	1.27
16	1.27	1.27	1.27
17	1.27	1.27	1.27
18	1.27	1.27	1.27
19	1.27	1.27	1.27
20	1.27	1.27	1.27
21	1.27	1.27	1.27
22	1.27	1.27	1.27
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25	1.27	1.27	1.27
26	1.27	1.27	1.27
27	1.27	1.27	1.27
28	1.27	1.27	1.27
29	1.27	1.27	1.27
30	1.27	1.27	1.27
31	1.27	1.27	1.27
32	1.27	1.27	1.27
33	1.27	1.27	1.27
34	1.27	1.27	1.27
35	1.27	1.27	1.27
36	1.27	1.27	1.27
37	1.27	1.27	1.27
38	1.27	1.27	1.27
39	1.27	1.27	1.27
40	1.27	1.27	1.27
41	1.27	1.27	1.27
42	1.27	1.27	1.27
43	1.27	1.27	1.27
44	1.27	1.27	1.27
45	1.27	1.27	1.27

THE OVERLOOK ESTATES PHASE 1

C8-85-110 (186)



Cash & Boden, Inc.
 1100 N. LINDSAY, AUSTIN, TEXAS 78701
 P.O. BOX 1100, AUSTIN, TEXAS 78701
 (512) 452-1100



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

**EASEMENT REQUIREMENT STATEMENT FOR CONVERTING PUBLIC STREETS
TO PRIVATE STREETS**

Item #6 & #7

An application is being made to Travis County for the Conversion from Public Streets to Private Streets in Overlook Estates Phase I subdivision 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 approve the change from Public Street Easements to Private Street Easements as described in the accompanying document.

We do approve the change from Public Street Easements to Private Street Easements as described in the accompanying document. A map of the subject streets is attached. (Note: this approval is with the understanding that we will not be denied access to our facilities.)

[Signature]
Signature

BENNY KAGANES
Printed Name

DISTRICT ENGINEERING SERVICE
Title

PEC
Utility Company or District

3/18/11
Date

Please return this completed form to:
David Knoll
c/o Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, Texas 78733



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

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Signature

W^MS. GESSAS

Printed Name

MGR DESIGN AT&T (CONTRACTOR)

Title

AT&T

Utility Company or District

3-23-2011

Date

Please return this completed form to:
David Knoll
c/o Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, Texas 78733



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

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Signature

AARON BERRY
Printed Name

DESIGN SUPERVISOR
Title

TIME WARNER CABLE, INC
Utility Company or District

3/24/2011
Date

Please return this completed form to:
David Knoll
c/o Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, Texas 78733



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

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Angela Bazz
Signature

ANGELA BAZZ
Printed Name

Project Coordinator
Title

Austin Water Utility
Utility Company or District

December 6, 2011
Date

Please return this completed form to:
Robert C. (Ric) Thompson, P.E.
c/o Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, Texas 78733



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GIESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

**EASEMENT REQUIREMENT STATEMENT FOR CONVERTING PUBLIC STREETS
TO PRIVATE STREETS**

Item #6 & #7

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Joe R. Almazan
Signature

JOE R. ALMAZAN
Printed Name

DEVELOPMENT SERVICES PROCESS
Title COORDINATOR

CITY OF AUSTIN
Utility Company or District

12/21/2011
Date

Please return this completed form to:
Robert C. (Ric) Thompson, P.E.
c/o Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, Texas 78733



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. CHESELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1746
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4849

**EASEMENT REQUIREMENT STATEMENT FOR CONVERTING PUBLIC STREETS
TO PRIVATE STREETS**

Item #6 & #7

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[Signature] 07/10/11
Signature

Michael Lacey
Printed Name

District Chief/Fire Marshal
Title

Travis County ESD #3
Utility Company or District

3/23/2011
Date

Please return this completed form to:
David Knoll
c/o Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, Texas 78733



TRANSPORTATION AND NATURAL RESOURCES

JOSEPH P. GISELMAN, EXECUTIVE MANAGER

411 West 13th Street
Executive Office Building
PO Box 1748
Austin, Texas 78767
(512) 854-9383
FAX (512) 854-4649

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TO PRIVATE STREETS**
Item #6 & #7

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Signature

KRIS HAFEZIZADEH

Printed Name

DIRECTOR OF TRANSPORTATION

Title

AUSCIN ISD

Utility Company or District

12/15/11

Date

Please return this completed form to:
Robert C. (Ric) Thompson, P.E.
c/o Thompson Land Engineering, LLC
904 N. Cuernavaca
Austin, Texas 78733

- (5) any wellands, as defined by federal or state law or regulation, affecting the Property; or
(6) any threatened or endangered species or their habitat affecting the Property.
8. **BROKERS' FEES:** All obligations of the parties for payment of brokers' fees are contained in separate written agreements
9. **CLOSING:**
- A. The closing of the sale will be on or before 1/26/2012 ~~1/26/2012~~, or within 7 days after objections made under Paragraph 6D have been cured or waived whichever date is later (Closing Date). If either party fails to close the sale by the Closing Date, the non-defaulting party may exercise the remedies contained in Paragraph 15.
- B. At closing:
- (1) Seller shall execute and deliver a general warranty deed conveying title to the Property to Buyer and showing no additional exceptions to those permitted in Paragraph 6 and furnish tax statements or certificates showing no delinquent taxes on the Property.
 - (2) Buyer shall pay the Sales Price in good funds acceptable to the escrow agent.
 - (3) Seller and Buyer shall execute and deliver any notices, statements, certificates, affidavits, releases, loan documents and other documents reasonably required for the closing of the sale and the issuance of the Title Policy
 - (4) There will be no liens, assessments, or security interests against the Property which will not be satisfied out of the sales proceeds unless securing the payment of any loans assumed by Buyer and assumed loans will not be in default
 - (5) If the Property is subject to a lease, Seller shall (i) deliver to Buyer the lease(s) and the move-in condition form signed by the tenant, if any, and (ii) transfer security deposits (as defined under §92.102, Property Code), if any, to Buyer. In such an event, Buyer shall deliver to the tenant a signed statement acknowledging that the Buyer has received the security deposit and is responsible for the return of the security deposit, and specifying the exact dollar amount of the security deposit
10. **POSSESSION:** Seller shall deliver to Buyer possession of the Property in its present or required condition upon closing and funding.
11. **SPECIAL PROVISIONS:** (Insert only factual statements and business details applicable to the sale. TREC rules prohibit licensees from adding factual statements or business details for which a contract addendum or other form has been promulgated by TREC for mandatory use)
See Addendum A and Exhibit A

Sellers are licensed real estate agents in the state of Texas

Buyer agrees to privatization of roads

Seller agrees to allow transfer of earnest money to another available lot should buyer choose to change lots to build on

12. **SETTLEMENT AND OTHER EXPENSES:**

- A. The following expenses must be paid at or prior to closing:
- (1) Expenses payable by Seller (Seller's Expenses):
 - (a) Releases of existing liens, including prepayment penalties and recording fees; release of Seller's loan liability; tax statements or certificates; preparation of deed; one-half of escrow fee; and other expenses payable by Seller under this contract
 - (b) Seller shall also pay an amount not to exceed \$ _____ to be applied in the following order: Buyer's Expenses which Buyer is prohibited from paying by FHA, VA, Texas Veterans Land Board or other governmental loan programs, and then to other Buyer's Expenses as allowed by the lender.
 - (2) Expenses payable by Buyer (Buyer's Expenses): Appraisal fees; loan application fees; adjusted origination charges; credit reports; preparation of loan documents; interest on the notes from date of disbursement to one month prior to dates of first monthly payments; recording fees; copies of easements and restrictions; loan title policy with





NOTICE OF PUBLIC HEARING

**MAY 22, 2012 AT 9:00 AM
RIGHT of WAY EASEMENT VACATION
TO APPROVE THE CHANGE IN STATUS
FROM PUBLIC STREETS TO PRIVATE
STREETS, THE OVERLOOK ESTATES
SECTION ONE SUBDIVISION IN PRECINCT
THREE**

**AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
314 WEST 11th STREET
FIRST FLOOR), AUSTIN**

FOR MORE INFORMATION CALL 854-7564

**NOTICE OF
PUBLIC HEARING**

MAY 22, 2012 AT 9:00 AM

3641 N. AIR ESCAPEMENT VALLEY LN

TO APPROVE THE CHANGE IN STATUS
FROM PUBLIC STREETS TO PRIVATE
STREETS THE OVERLOOK ESTATES
SECTION ONE SUBDIVISION 4 PRESENT
THREE

AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
204 WEST 10TH STREET
FIRST FLOOR, AUSTIN

FOR MORE INFORMATION CALL 512-758-7504



NOTICE OF PUBLIC HEARING

MAY 22, 2012 AT 9:00 AM

RIGHT OF WAY EASEMENT VACATION

TO APPROVE THE CHANGE IN STATUS
FROM PUBLIC STREETS TO PRIVATE
STREETS, THE OVERLOOK ESTATES
SECTION ONE SUBDIVISION IN PRECINCT
THREE

AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
314 WEST 11th STREET
(FIRST FLOOR), AUSTIN

FOR MORE INFORMATION CALL 854-7564

CODE: 4115

TRANSPORTATION AND NATURAL RESOURCES
STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9383
fax 512-854-4649

RECEIVED
APR 18 2012
TNR

AFFIDAVIT OF POSTING

TO: County Judge
County Commissioners
Travis County, Texas

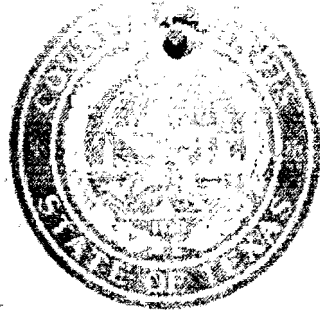
A Public Notice of Public-Private sign was posted on April 23, 2012, on the intersection of Lenape Train and Circle Drive and at the north end of the Overlook Estates Section 1 subdivision at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 24 DAY OF April, 2012.

SIGNATURE: Jaime Garcia
NAME (PRINT): Jaime Garcia
TITLE: TNR R/B Supervisor

cc: Garcia (sign shop)

M:\PERMITS\Vacate\12ROW\Overlook Estates \SignRequest.doc



NOTICE OF PUBLIC HEARING

MAY 22, 2012, AT 9:00 AM

RIGHT OF WAY EASEMENT VACATION

TO APPROVE THE CHANGE IN STATUS
FROM PUBLIC STREETS TO PRIVATE
STREETS, THE OVERLOOK ESTATES
SECTION ONE SUBDIVISION
IN PRECINCT THREE

AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
314 WEST 11th STREET
(FIRST FLOOR), AUSTIN

FOR MORE INFORMATION CALL 854-7564



CODE: 4115

**TRANSPORTATION AND NATURAL RESOURCES
STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE**

411 West 13th Street
Executive Office Building
P.O. Box 1748
Austin, Texas 78767
tel 512-854-9385
fax 512-854-4649

AFFIDAVIT OF POSTING

**TO: County Judge
County Commissioners
Travis County, Texas**

A Public Notice of Public-Private sign was posted on May 3, 2012, on the intersection of Thomaswood Lane and Thomas Springs Road at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 7 DAY OF May, 2012.

SIGNATURE: Jaime Garcia
NAME (PRINT): Jaime Garcia
TITLE: TRV/R&B Supervisor

cc: Garcia (sign shop)

**ORDER OF THE TRAVIS COUNTY COMMISSIONERS COURT
CONVERTING LENAPE TRAIL, LENAPE COVE, SUPERVIEW DRIVE, AND INDIAN
SCOUT TRAIL TO PRIVATE STREETS**

WHEREAS, the streets and roads in the Overlook Estates Phase 1, a subdivision recorded at Vol. 86, Page 152d - 153c, Travis County Plat Records, were dedicated to the public in 1986, and the new owners want to apply to the Commissioners Court to change the status of the streets from public to private; and

WHEREAS, the streets have not been accepted by Travis County; and

WHEREAS, on application by the attorney for the property owners of the Overlook Estates Phase 1, a request was received and a Public Hearing held on July 30, 2013, in the Travis County Commissioners Court ("the Court") to consider whether the following roads and streets, each of which connect directly or indirectly to Circle Drive (collectively, "the Public Roads") should be converted from public county roads and streets to private roads and streets through their abandonment by Travis County:

Lenape Trail, Lenape Cove, Superview Drive, and Indian Scout Trail hereinafter referred to collectively as ("the Streets"); and

WHEREAS, the Overlook Estates Phase 1 HOA, Inc., (OEP1HOA) a validly existing nonprofit corporation, will maintain the streets when the construction is complete and the Court is notified of completion of construction of the streets and drainage; and

WHEREAS, by virtue of the aforementioned actions, OEP1HOA, Inc. has assumed authority and responsibility to pay applicable taxes on and maintain the Streets and established easements for utilities, drainage, emergency service providers, and other public service providers so that abandonment of the Streets will not substantially impair the rights of the utilities, service providers, and any and all land owners who rely on or use the Streets for access; and

WHEREAS, the City of Austin, in whose extraterritorial jurisdiction the Streets are located, has consented to the conversion of the county streets and roads in its extraterritorial jurisdiction from public to private by adoption of Section 30-2-159, Austin/Travis County Subdivision Regulations; and

WHEREAS, the requisite 20-day notices were posted, and the Court held a public hearing to consider and provide an opportunity for public comment on this matter; and

WHEREAS, the Court finds that the abandonment of the Streets will not substantially interfere with the access rights of any affected land owner.

NOW, THEREFORE, THE COURT FINDS AND ORDERS THAT:

1. The recitals to this Order are true and correct and are incorporated herein.
2. The Streets are hereby classified as third class streets.
3. The Streets are hereby abandoned and the public's interest in the right-of-way is relinquished, except as to the easements for utilities, drainage, and public service agencies established by such declarations and agreements.

ORDERED by unanimous vote on _____, 2013.

Samuel T. Biscoe
Travis County Judge

Ron Davis
Commissioner, Precinct 1

Bruce Todd
Commissioner, Precinct 2

Gerald Daugherty
Commissioner, Precinct 3

Margaret Gomez
Commissioner, Precinct 4