



Travis County Commissioners Court Agenda Request

Meeting Date: September 10, 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 all five foot wide public utility easements located along the common lot lines of lots 181 through 187 of Paradise Manor, Section Four in Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

TNR staff has received a request to authorize the filing of an instrument to vacate all five foot wide public utility easements (PUEs) located along the common lot lines of Lots 181 through 187 of Paradise Manor, Section Four. The easements are dedicated per plat note. The subject lots front on Shaw Drive and Rim Rock Road. Shaw Drive is maintained by Travis County while Rim Rock Road is not.

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 and its supporting documents the purpose of this request is so that the property owners may start construction of their homesite over several of the subject lots. Part of this construction will be for the septic system, which can potentially cross over lot lines and the subject easements. Vacating the easements will allow them to move forward with their plans 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 of Development Services and Long Range Planning	TNR	(512) 854-7561

CC:

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

SM:AB:ps

1101 - Development Services Long Range Planning - Paradise Manor, Section Four

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owners request the vacation of all five foot wide public utility easements located along the common lot line of Lots 181 through 187 of Paradise Manor, Section Four as recorded at Volume 88, Page 44 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 September 10, 2013 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that all five foot wide public utility easements located along the common lot lines of Lots 181 through 187 of Paradise Manor, Section Four, as shown and described in the attached field notes and sketch, are hereby vacated.

ORDERED THIS THE _____ DAY OF _____ 2013.

SAMUEL T. BISCOE, COUNTY JUDGE

COMMISSIONER RON DAVIS
PRECINCT ONE

COMMISSIONER BRUCE TODD
PRECINCT TWO

COMMISSIONER GERALD DAUGHERTY
PRECINCT THREE

COMMISSIONER MARGARET GOMEZ
PRECINCT FOUR



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MAILING ADDRESS:
10703 Sierra Oaks
Austin, Texas 78759
(512) 919-4140
Fax (512) 919-4142

METES AND BOUNDS DESCRIPTION

OF 5 FOOT WIDE UTILITY EASEMENTS BETWEEN LOTS 181, 182, 183, 184, 185, 186 AND 187, PARADISE MANOR SECTION 4, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 48, PAGE 44 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, THE CENTERLINE OF SAID TRACTS BEING MORE PARTICULARLY DESCRIBED AS METES AND BOUNDS AS FOLLOWS AND AS SHOWN ON THE ATTACHED SKETCH;

Tract 1:

Beginning at the northeast corner of Lot 184 and the southeast corner of lot 185, being also on the westerly right-of-way of Rim Rock Road, for the centerline of a 10 foot wide (5 feet on each lot) utility easement;

Thence with the common line between Lots 184 and 185, S 72 deg 48 min 00 sec W 152.60 feet to a point on the easterly right-of-way of Shaw Drive, being also the southwest corner of lot 185 and the northwest corner of Lot 184, for the terminus of this tract;

Tract 2:

Beginning at the northeast corner of Lot 183 and the southeast corner of lot 184, being also on the westerly right-of-way of Rim Rock Road, for the centerline of a 10 foot wide (5 feet on each lot) utility easement;

Thence with the common line between Lots 183 and 184, S 67 deg 48 min 00 sec W 190.39 feet to a point on the easterly right-of-way of Shaw Drive, being also the southwest corner of lot 184 and the northwest corner of Lot 183, for the terminus of this tract;

Tract 3:

Beginning at the eastmost corner of Lot 183 and the northmost corner of lot 186, being also on the westerly right-of-way of Rim Rock Road, for the centerline of a 10 foot wide (5 feet on each lot) utility easement;

Thence with the common line between Lots 181, 182, 183, 186 and 187, S 10 deg 44 min 00 sec W 221.90 feet to a point at the southeast corner of lot 181 and the northeast corner of Lot 180, being also on the west line of Lot 187, for the terminus of this tract;

Tract 4:

Beginning at the northeast corner of Lot 187 and the southeast corner of lot 186, being also on the westerly right-of-way of Rim Rock Road, for the centerline of a 10 foot wide (5 feet on each lot) utility easement;

Thence with the common line between Lots 186 and 187, S 87 deg 31 min 00 sec W 104.40 feet to a point at the southwest corner of lot 186 and the northwest corner of Lot 187, being also on the east line of Lot 181, for the terminus of this tract;

Tract 5:

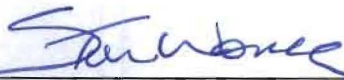
Beginning at the northwest corner of Lot 181 and the southwest corner of lot 182, being also on the easterly right-of-way of Shaw Drive, for the centerline of a 10 foot wide (5 feet on each lot) utility easement;

Thence with the common line between Lots 181 and 182, S 79 deg 13 min 00 sec E 141.68 feet to a point at the southeast corner of lot 182 and the northeast corner of Lot 181, being also on the west line of Lot 186, for the terminus of this tract;

Tract 6:

Beginning at the northwest corner of Lot 182 and the southwest corner of lot 183, being also on the easterly right-of-way of Shaw Drive, for the centerline of a 10 foot wide (5 feet on each lot) utility easement;

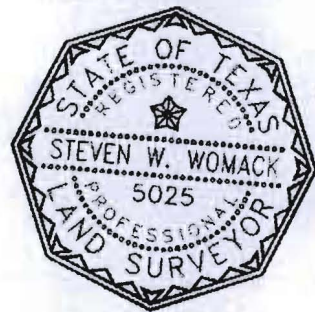
Thence with the common line between Lots 182 and 183, N 86 deg 54 min 00 sec E 175.10 feet to a point at the southeast corner of lot 183 and the northeast corner of Lot 182, being also on the west line of Lot 186, for the terminus of this tract;



Steven W. Womack
Registered Professional Surveyor
No. 5025, State of Texas

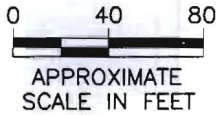
23 July 2013

Date



SURVEY SKETCH

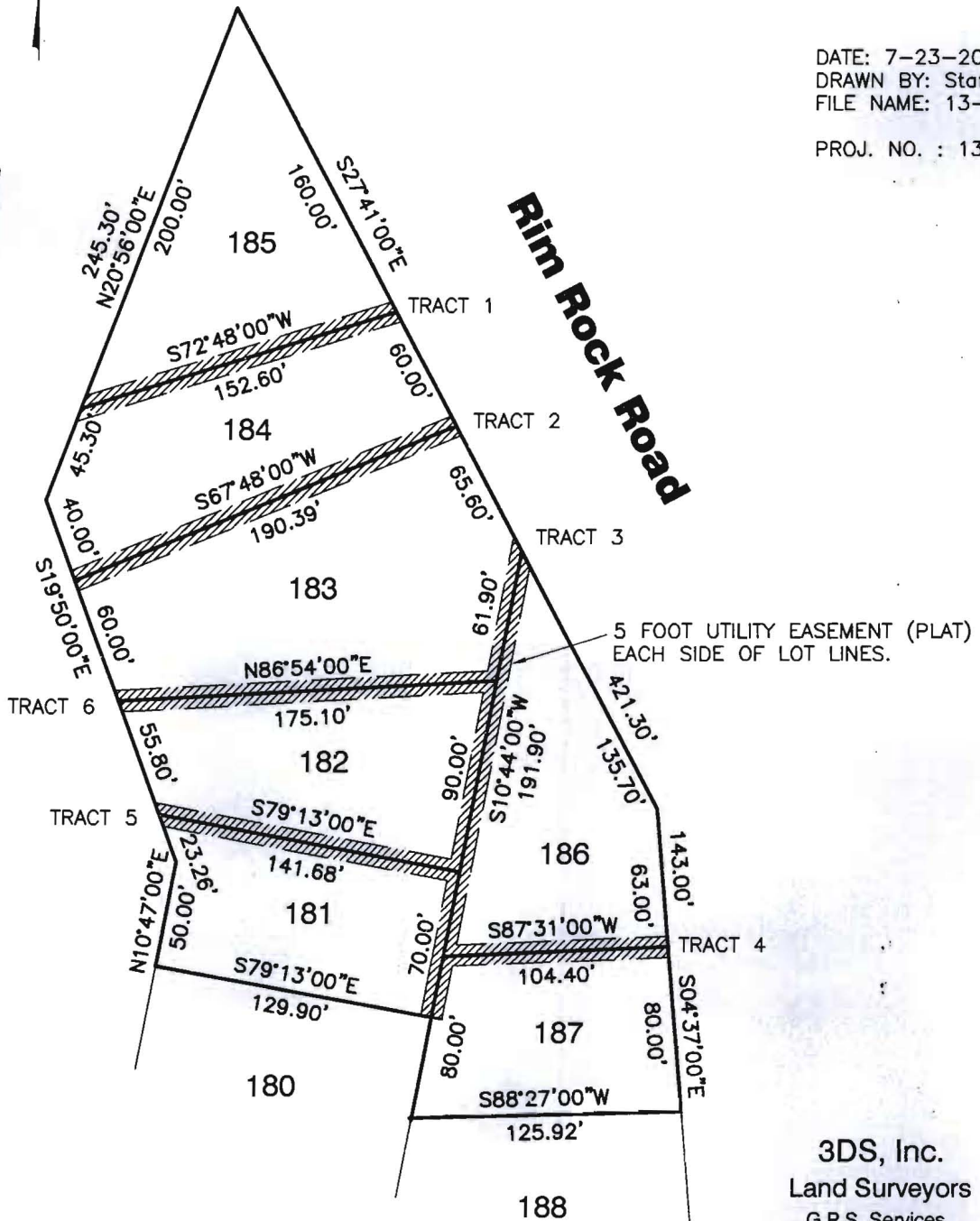
OF THE 5 FOOT UTILITY EASEMENTS BETWEEN LOTS 181, 182, 183, 184, 185, 186 AND 187, PARADISE MANOR SECTION 4, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 48, PAGE 44 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.



DATE: 7-23-2013
 DRAWN BY: Staff
 FILE NAME: 13-008.dwg
 PROJ. NO. : 13-008

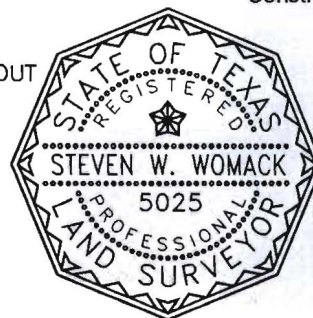
Shaw Drive

Rim Rock Road



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THIS SURVEY WAS COMPLETED IN THE OFFICE (NO FIELDWORK) WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THERE MAY BE ADDITIONAL EASEMENTS, SETBACKS, ETC. THAT AFFECT THIS TRACT BUT ARE NOT SHOWN HEREON.



10703 SIERRA OAKS
 AUSTIN, TX 78759
 PH: (512) 919-4140

www.3dsinc.com



Steve Womack
 STEVE W. WOMACK
 REGISTERED PROFESSIONAL SURVEYOR
 NO. 5025, STATE OF TEXAS

23 July 2013

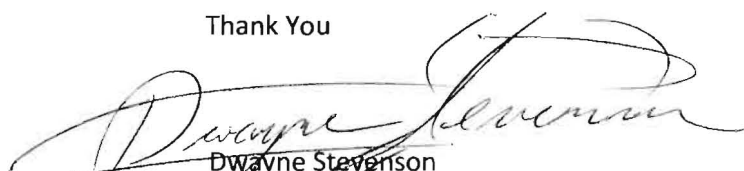
DATE

07 / 26 / 2011

To whom it may concern,

This is a letter of request for easements to be vacated. We, Dwayne and Rita Stevenson have been to PEC Electric Co and Verizon Phone Co, which are the only two companies involved in utility easements. I have notarize letters from both companies vacating land easement on both sides of common lines on lots 181, 182 , 183 , 184 , 185 and 186 at Paradise Manor, Sect 4, Plat Map volume 48, page 44. These notarized letters have been filed and recorded with Travis Co. We now request approval to proceed with development permit and septic permit across lots 181, 182 and 183.

Thank You



Dwayne Stevenson
Rita Stevenson



RELEASE OF EASEMENT

STATE OF TEXAS §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS

ORIGINAL
FILED FOR RECORD

WHEREAS, Robert E. Byron, as previous owner of all lots in Paradise Manor Subdivision, Section IV, a subdivision in Travis County, Texas according to the map or plat thereof, heretofore granted certain easements to Pedernales Electric Cooperative, Inc., a corporation for public utility purposes covering property situated within Paradise Manor Subdivision, Section IV, said public utility easements being recorded in Volume 48, Page 44 of the Plat Records of Travis County, Texas, and;

WHEREAS, said dedicated public utility easements referred to hereinabove include and are comprised in part by a strip of land five (5) feet in width along the lot line of all lots within Paradise Manor Subdivision, Section IV, in Travis County, Texas; and,

WHEREAS, **Dwayne and Rita Stevenson**, as owners of Lots 181, 182, 183, 184, 185, 186, 187 in Paradise Manor Subdivision, Section IV, as recorded in Document No. 2012142579, desires that the said five (5) foot public utility easement along the common boundary line of Lots 181 and 182, Lots 182 and 183, Lots 183 and 184, Lots 184 and 185, 186 and 187 and the rear lot line of 186 and 187 where it adjoins the rear lot lines of Lots 181, 182 and 183, in Paradise Manor Subdivision, Section IV, be abandoned and released in full; and

WHEREAS, Pedernales Electric Cooperative, Inc. provides electric service to the aforementioned area and will continue to have an adequate easement to said property;

NOW, THEREFORE, be it known that Pedernales Electric Cooperative, Inc., a corporation whose post office address is Johnson City, Texas, for and in consideration of Three Hundred Dollars (\$300.00), does hereby release it's interest in the said five (5) foot public utility easement along the common boundary line of Lots 181 and 182, Lots 182 and 183, Lots 183 and 184, Lots 184 and 185, 186 and 187 and the rear lot line of 186 and 187 where it adjoins the rear lot lines of Lots 181, 182 and 183, in Paradise Manor Subdivision, Section IV, a Subdivision, in Travis County, Texas, and referred to herein above.

EXECUTED: July 23, 2013

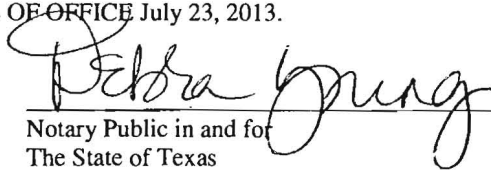
PEDERNALES ELECTRIC COOPERATIVE, INC.

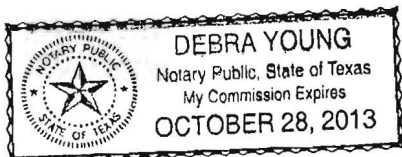
BY: 
Nathan Burns
Director, Marble Falls District

THE STATE OF TEXAS §
COUNTY OF BURNET §

BEFORE ME, the undersigned authority, on this day personally appeared Nathan Burns, Director, Marble Falls District, Pedernales Electric Cooperative, Inc., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE July 23, 2013.


Notary Public in and for
The State of Texas



ORIGINAL
FILED FOR RECORDS

Dwayne Stevenson
Return:

2409 W Riviera DR
Cedar Park TX 78613

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Jul 26, 2013 01:15 PM

CLINTONB: \$20.00

2013139274

Dana DeBeauvoir, County Clerk
Travis County TEXAS

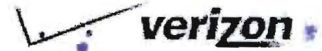


TRV
2 PGS

2013139273

ORIGINAL
FILED FOR RECORD

RELEASE of EASEMENT



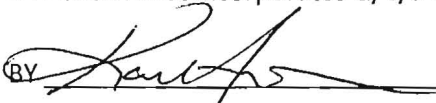
July 18, 2013

GTE Southwest, Incorporated d/b/a/ Verizon Southwest Inc. a Texas Corporation, for the good and valuable consideration, hereby releases and relinquishes all right, title, and interest in that easement granted by Paradise Manor Sec IV, owned by Dwayne and Rita Rita Stevenson of Cedar Park, Texas. On the 17th of January, 2013 and recorded under the Auditor's File No. Volume 48, Page 44 situated in Travis County, State of Texas and described as follows:

THAT TRACT OR PARCEL OF LAND BEING LOT NUMBER 181 thru 187 LOCATED AT 6013 SHAW DR, MARBLE FALLS, TEXAS ON ADJACENT LINES COMMON TO LOT 181,182,183,184,185,186, AND 187 AS SHOWN ON THE PLAT RECORDED IN VOL 48, PAGE 44, TRAVIS COUNTY, TEXAS.

WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper authority on the 18th day of July, 2013.

GTE Southwest Incorporated d/b/a Verizon Southwest, Inc.

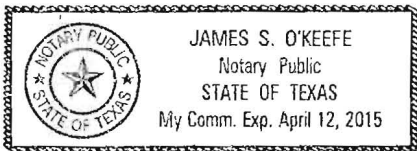
BY 
Kathy Heiner

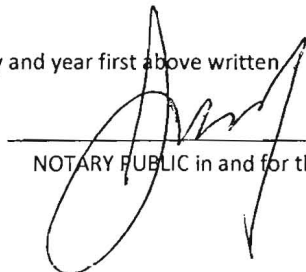
ITS Supv-Ntwk Eng & Ops
Verizon Southwest, Inc.

STATE OF TEXAS
COUNTY OF Williamson

On this 18th day of July, 2013 before me, the undersigned, a Notary Public in and for the State of Texas, duly commissioned and sworn, personally appeared Kathy Heiner of Verizon Southwest, Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said Corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written




NOTARY PUBLIC in and for the State of Texas

ORIGINAL
INDEXED FOR RECORDS

Dwayne Stevenson

Return:

2409 W Riviera Dr
Cedar Park Texas
78613

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Jul 26, 2013 01:15 PM 2013139273

CLINTONB: \$20.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS



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 Vacation sign for all five foot wide public utility easements located along the common lot lines of Lots 181 through 187 was posted on August 20, 2013, along the easterly ROW line of Shaw Drive at the common lot line of Lots 184 and 185 of Paradise Cove, Section Four at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 20 DAY OF August, 2013.

SIGNATURE: Jaime Garcia

NAME (PRINT): Jaime Garcia

TITLE: Trvr Road & Bridge Supervisor

cc: Garcia (sign shop)

M:\PERMITS\Vacate\13PUE\11-ShawDrive\SignRequest-ShawDr.doc



NOTICE OF PUBLIC HEARING

SEPTEMBER 10, 2013 AT 9:00 AM

PUBLIC UTILITY EASEMENT VACATION
TO APPROVE THE VACATION OF ALL FIVE FOOT
WIDE PUBLIC UTILITY EASEMENTS LOCATED
ALONG THE COMMON LOT LINES OF LOTS 181
THROUGH 187 OF PARADISE COVE, SECTION
FOUR - A SUBDIVISION IN PRECINCT THREE

**AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
700 LAVACA STREET
(FIRST FLOOR), AUSTIN**

FOR MORE INFORMATION CALL 854-9383



NOTICE OF PUBLIC HEARING

SEPTEMBER 10, 2013 AT 9 00 AM

PUBLIC UTILITY EASEMENT VACATION

TO APPROVE THE VACATION OF ALL FIVE FOOT
WIDE PUBLIC UTILITY EASEMENTS LOCATED
ALONG THE COMMON LOT LINES OF LOTS 181
THROUGH 187 OF PARADISE COVE, SECTION
FOUR – A SUBDIVISION IN PRECINCT THREE

AT THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
700 LAVACA STREET
(FIRST FLOOR), AUSTIN

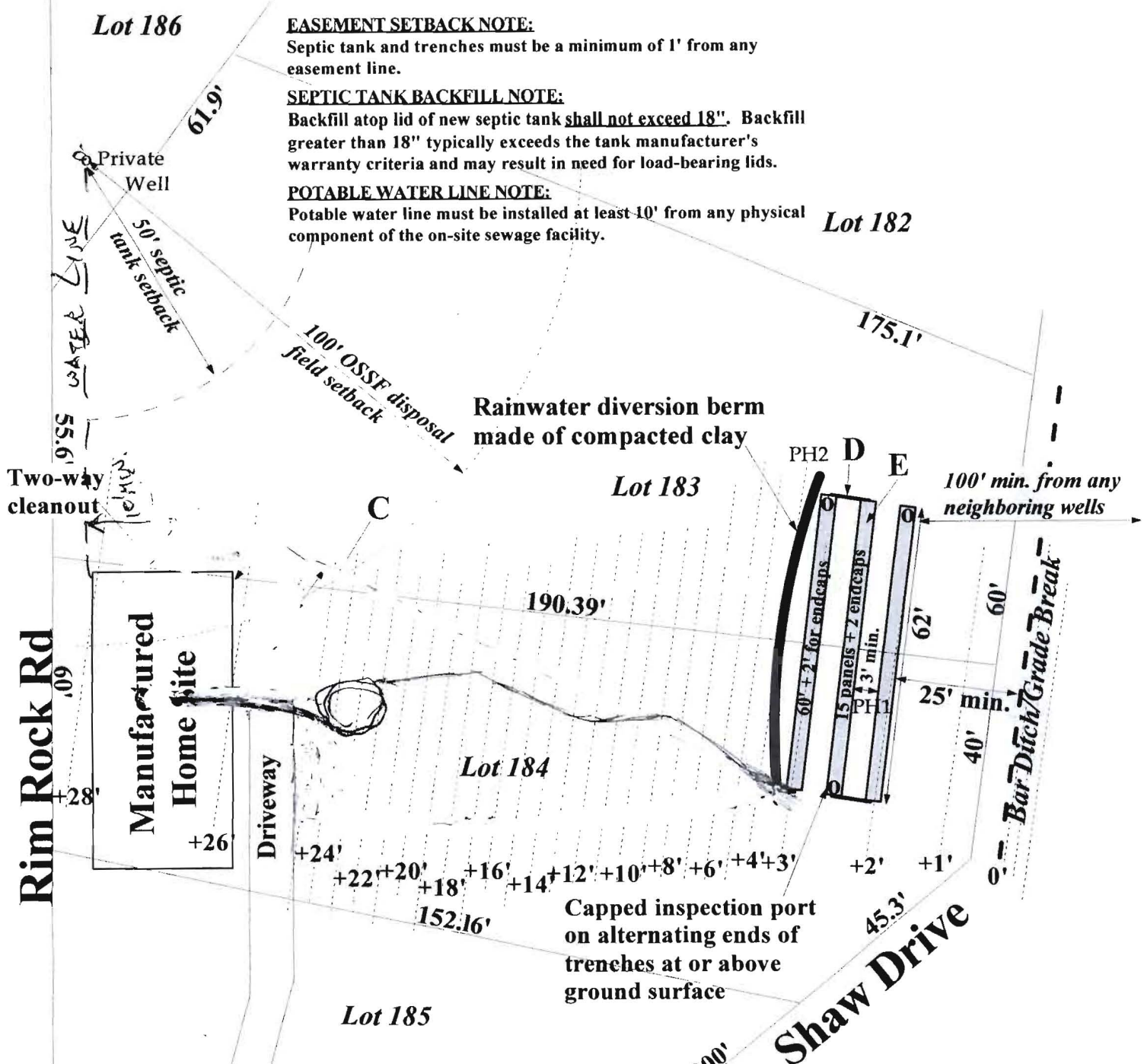
FOR MORE INFORMATION CALL 854-9383

Site Plan for a Standard Absorption Trench OSSF Utilizing Leaching Chambers
for

Dwayne Stevenson
6013 Shaw Drive

Lots 181 - 187, Paradise Manor Subdivision, Sec. 4
Marble Falls, TX 78654 in Travis County

Scale 1" = 30'



EASEMENT SETBACK NOTE:

Septic tank and trenches must be a minimum of 1' from any easement line.

SEPTIC TANK BACKFILL NOTE:

Backfill atop lid of new septic tank shall not exceed 18". Backfill greater than 18" typically exceeds the tank manufacturer's warranty criteria and may result in need for load-bearing lids.

POTABLE WATER LINE NOTE:

Potable water line must be installed at least 10' from any physical component of the on-site sewage facility.

Rainwater diversion berm made of compacted clay

Lot 183

100' min. from any neighboring wells

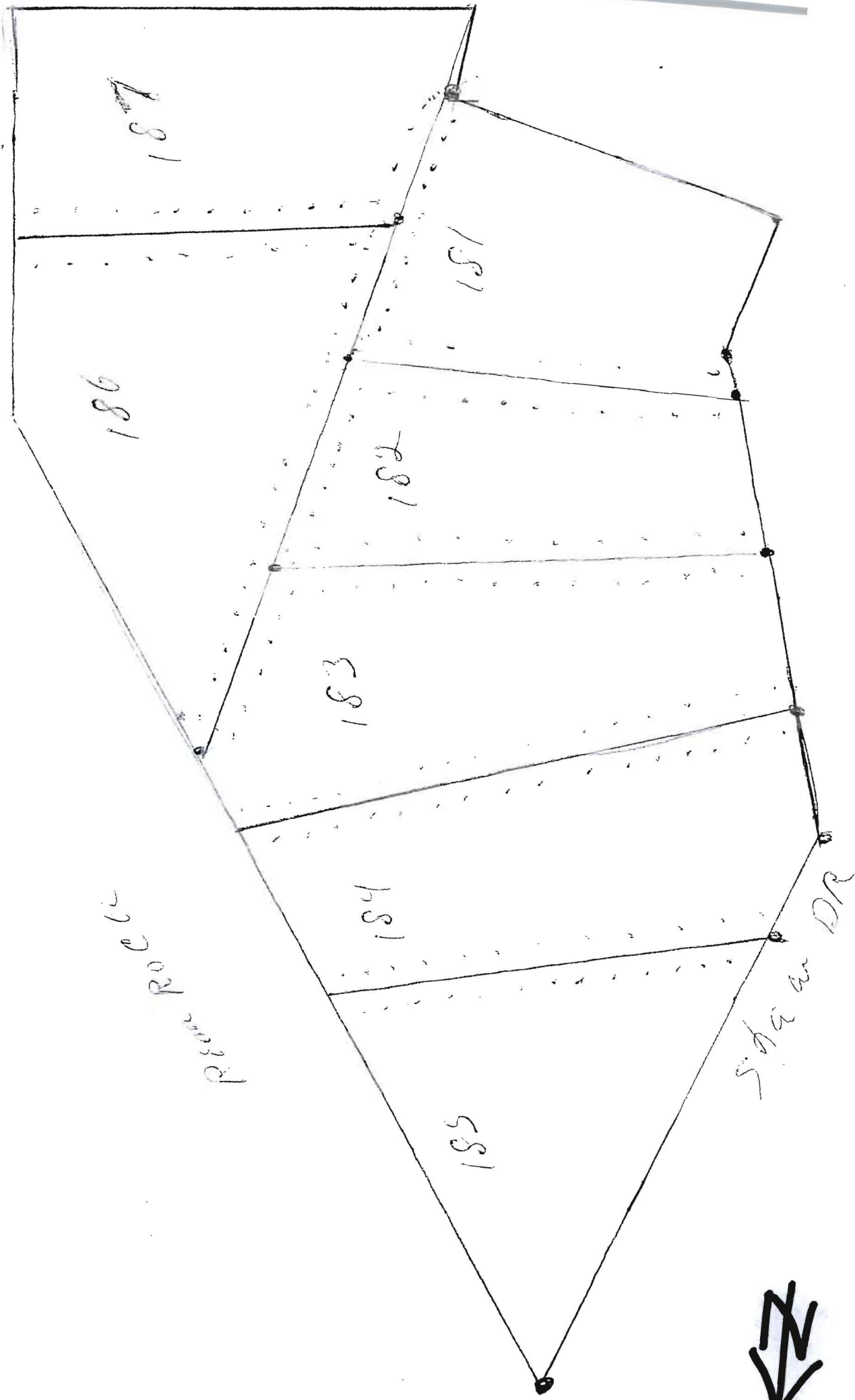
Lot 184

Lot 185

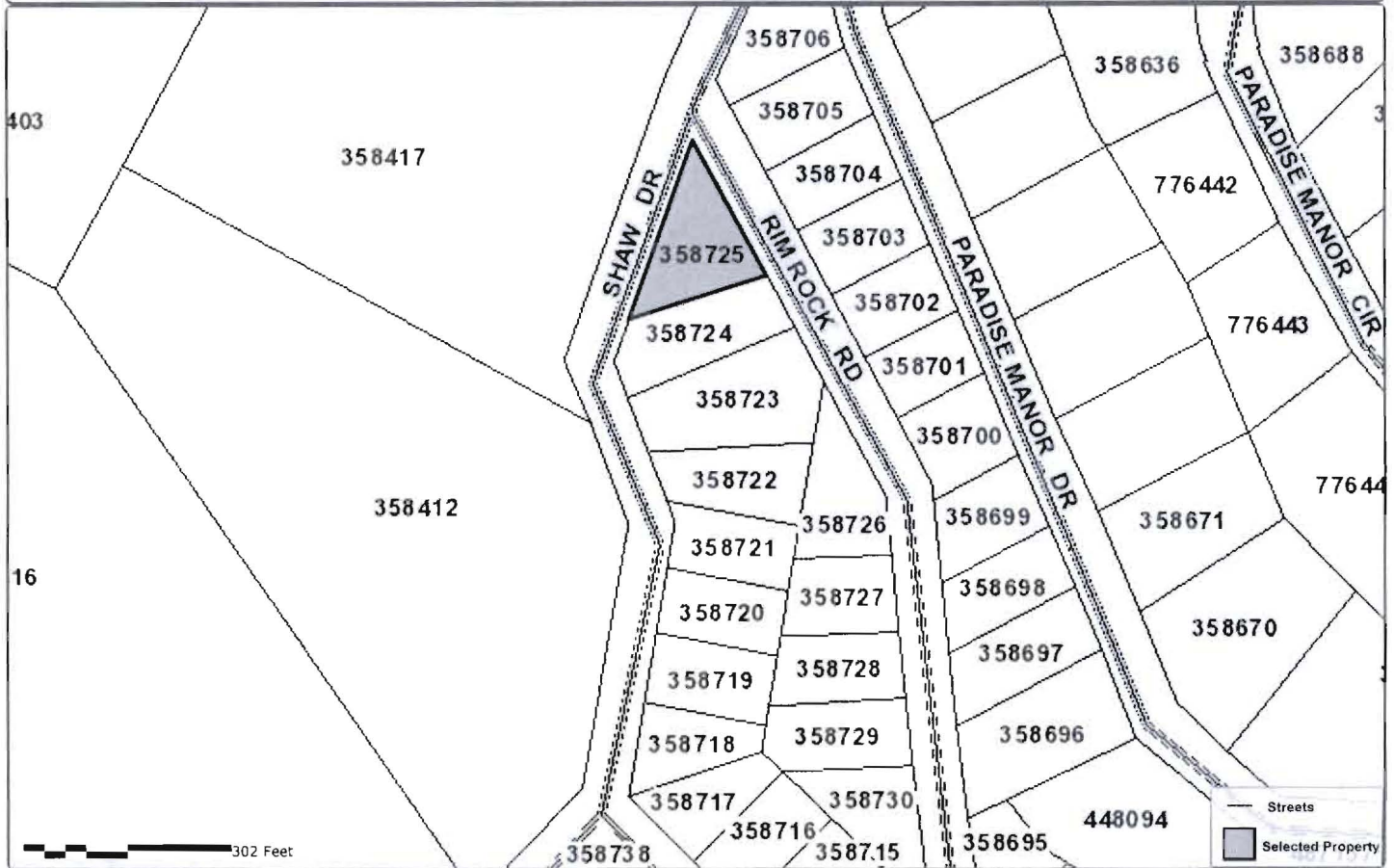
SYSTEM COMPONENTS:

- A - Solid 3" or 4" SCH 40 PVC from house to septic tank with a minimum of 1/8" per foot fall along this sewer pipe. At least 12" fall is required from the bottom of outlet/exit hole of septic tank to bottom/floor of the upper-most trench.
- B - 750 gallon two-compartment pre-cast concrete septic tank level on 4" sand
- C - 3" or 4" SCH 40 PVC pipe from septic tank to drainfield
- D - Crossover/spill-over pipes - SDR 35 or SCH 40 PVC on alternating ends of trenches
- E - Trenches utilizing Infiltrator "Quick4" Standard Leaching Chambers:
 - * 3' wide trenches
 - * MINIMUM depth of 12" and a MAXIMUM depth of 24"
 - * 3' minimum spacing between trenches
 - * floor of each trench must be level within 1" per every 25 linear feet
 - * grass vegetation (perennial or annual grasses) must be established and maintained atop trenches

lines on both sides
of each middle lot line's



Travis CAD - Map of Property ID 358725 for Year 2013



Property Details

Account

Property ID: 358725
Geo ID: 0595150419
Type: Real
Legal Description: LOT 185 PARADISE MANOR SEC 4

Location

Situs Address: 6013 SHAW DR TX 78654
Neighborhood: PARADISE MANOR - MFISD
Mapsco: 366Y
Jurisdictions: 0A, 03, 2J, 3A, 41

Owner

Owner Name: STEVENSON DWAYNE & RITA
Mailing Address: , 2409 W RIVIERA DR, , CEDAR PARK, TX 78613-4603

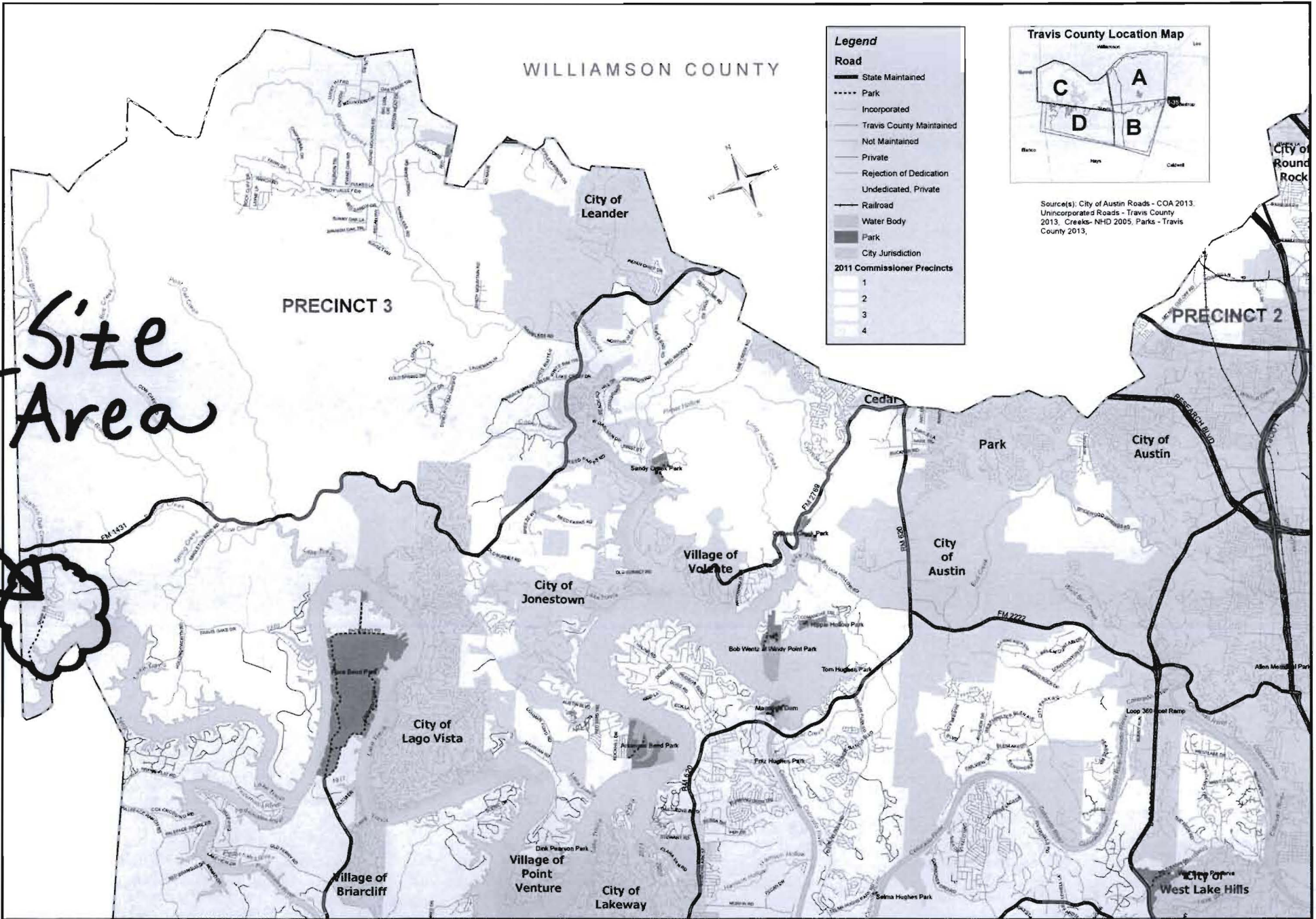
Property

Appraised Value: \$3,000.00

<http://propaccess.traviscad.org/Map/View/Map/1/358725/2013>

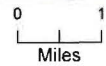
powered by
PropertyACCESS
www.trueautomation.com

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.



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering or surveying 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 C



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

PRECINCT 3

Site Area

