



Travis County Commissioners Court Agenda Request

Meeting Date: October 29, 2013

Prepared By: Greg Chico, Real Estate Manager **Phone #:** (512) 854-4659

Division Director/Manager: Greg Chico, Real Estate Manager

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

Sponsoring Court Member: Commissioner Davis, Precinct One

AGENDA LANGUAGE:

Consider and take appropriate action on the following requests in Precinct One:

- A) A proposed disposition of unused and excess right-of-way comprised of a 0.135 acre (5,883 sq. ft.) parcel of land -- previously intended for Meister Lane near its intersection with Heatherwilde Blvd. -- submitted by the City of Pflugerville for development of a roadway infrastructure improvement project; and
- B) If approved, direct staff to prepare a Deed Without Warranty for execution by the County Judge to convey the excess and unused right-of-way identified in (A) above to the City of Pflugerville.

BACKGROUND/SUMMARY OF REQUEST:

In mid-September, 2013, TNR staff was contacted by the city engineer for the City of Pflugerville regarding their efforts in finalizing plans to initiate construction of a Heatherwilde Boulevard widening and realignment project. Under the City's design, a small area (5,883 square feet) of undeveloped and vacant land -- currently owned as right-of-way by Travis County -- is needed to reach a right-of-way agreement with an adjoining property owner. A map showing the general location of the property in question is attached as Exhibit "A"; for a legal description and sketch of this property, please see the attached Exhibit "B".

The City of Pflugerville has asked Travis County to convey ownership (via Deed Without Warranty) of this land area to the City, as permitted under provisions and in accordance with the Texas Local Government Code 272.001(b). Following this request, TNR staff investigated the issue, and subsequently determined that the small ROW area was not needed by Travis County for any current or potential future purpose.

STAFF RECOMMENDATIONS:

TNR recommends that the Commissioners Court approve the proposed disposition and transfer of this excess right-of-way parcel, and authorize the Judge to execute a Deed Without Warranty conveying the property to the City of Pflugerville.

ISSUES AND OPPORTUNITIES:

This small, triangularly-shaped tract of land was deeded to Travis County for use as right-of-way on November 15, 1960 by H.A. and Ida Mae Meister. The land area is undeveloped, and is not currently used or needed by the County. Moreover, there is not anticipated future need or use for the property.

In evaluating the particulars of the situation, the Travis County Attorney's Office has deemed that the parcel -- and our interest in such real property -- may legally be conveyed to the City of Pflugerville, under provisions of the Texas Local Government Code. Specifically, "The County may donate ... real property to another political subdivision if the land or interest will be used ... [for] a purpose that benefits the public..." Such action would represent a contribution to the overall public benefit arising from the newly aligned and improved roadway.

Given the nominal value of the real property, and the opportunity for collaborative efforts regarding infrastructure improvements, the request from Pflugerville is an opportunity for responsible cooperation on the local government level.

FISCAL IMPACT AND SOURCE OF FUNDING:

Granting title to the sliver of excess right-of-way/land area would have no fiscal or monetary impact to the County.

EXHIBITS/ATTACHMENTS:

- A: General location map of the excess, unused Meister Lane right-of-way
- B: Legal description and sketch for the property requested by the City of Pflugerville.

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	(512) 854-4239
Steven M. Manilla	County Executive	TNR	(512) 854-9429

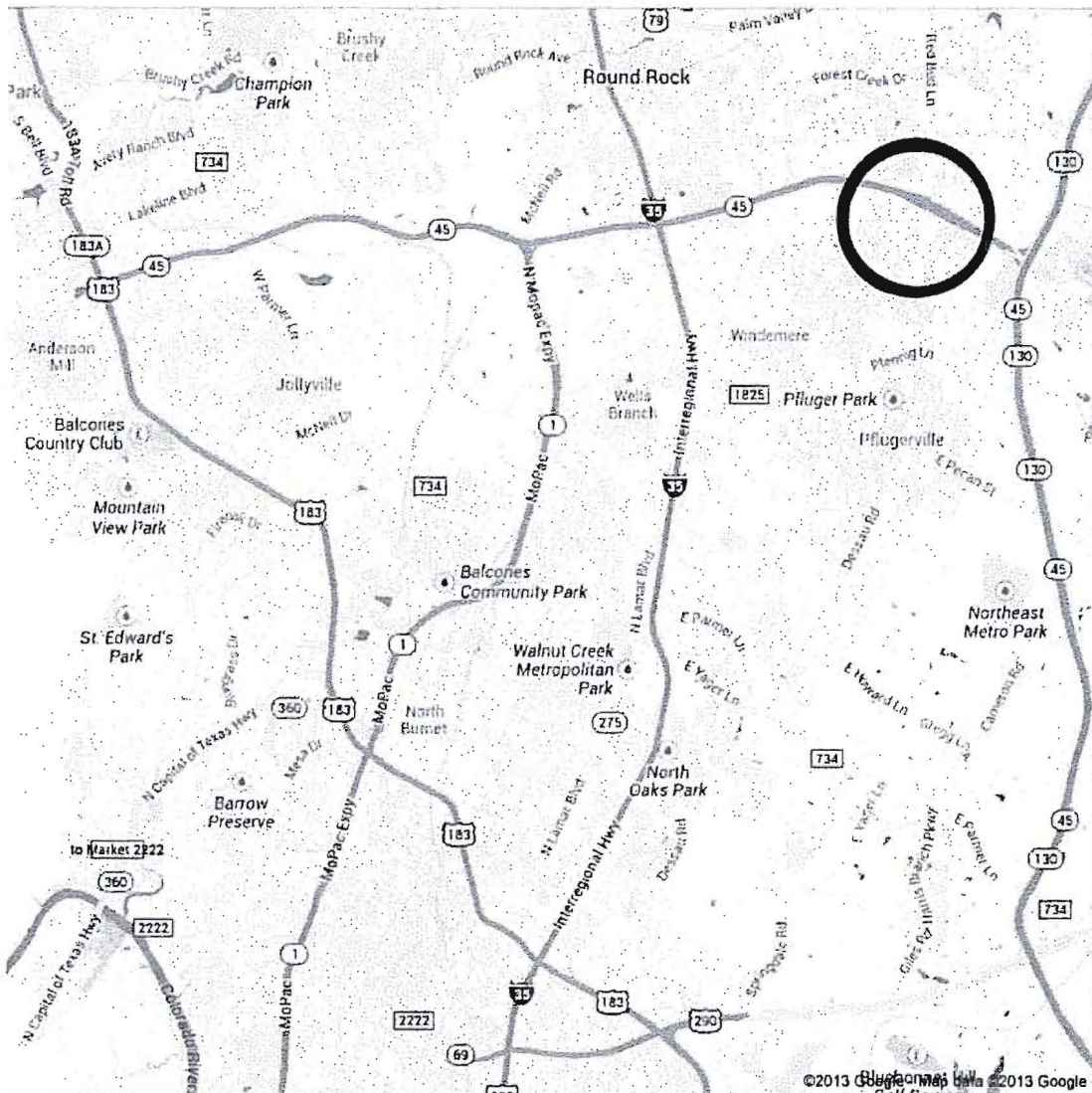
CC:

Tom Nuckols	Asst. County Attorney	TCAO	(512) 854-9513
Chris Gilmore	Asst. County Attorney	TCAO	(512) 854-9455
Greg Chico	Real Estate Manager	TNR	(512) 854-4659

SM:GC:gc
3105 - Public Works/ROW- Agenreq259.doc

Address **Heatherwilde Blvd & Meister Ln**
Meister Ln
Heatherwilde Blvd & Meister Ln
Pflugerville, TX 78660

EXHIBIT "A"



Address **Heatherwilde Blvd &
Meister Ln
Heatherwilde Blvd & Meister Ln
Pflugerville, TX 78660**

EXHIBIT "A"

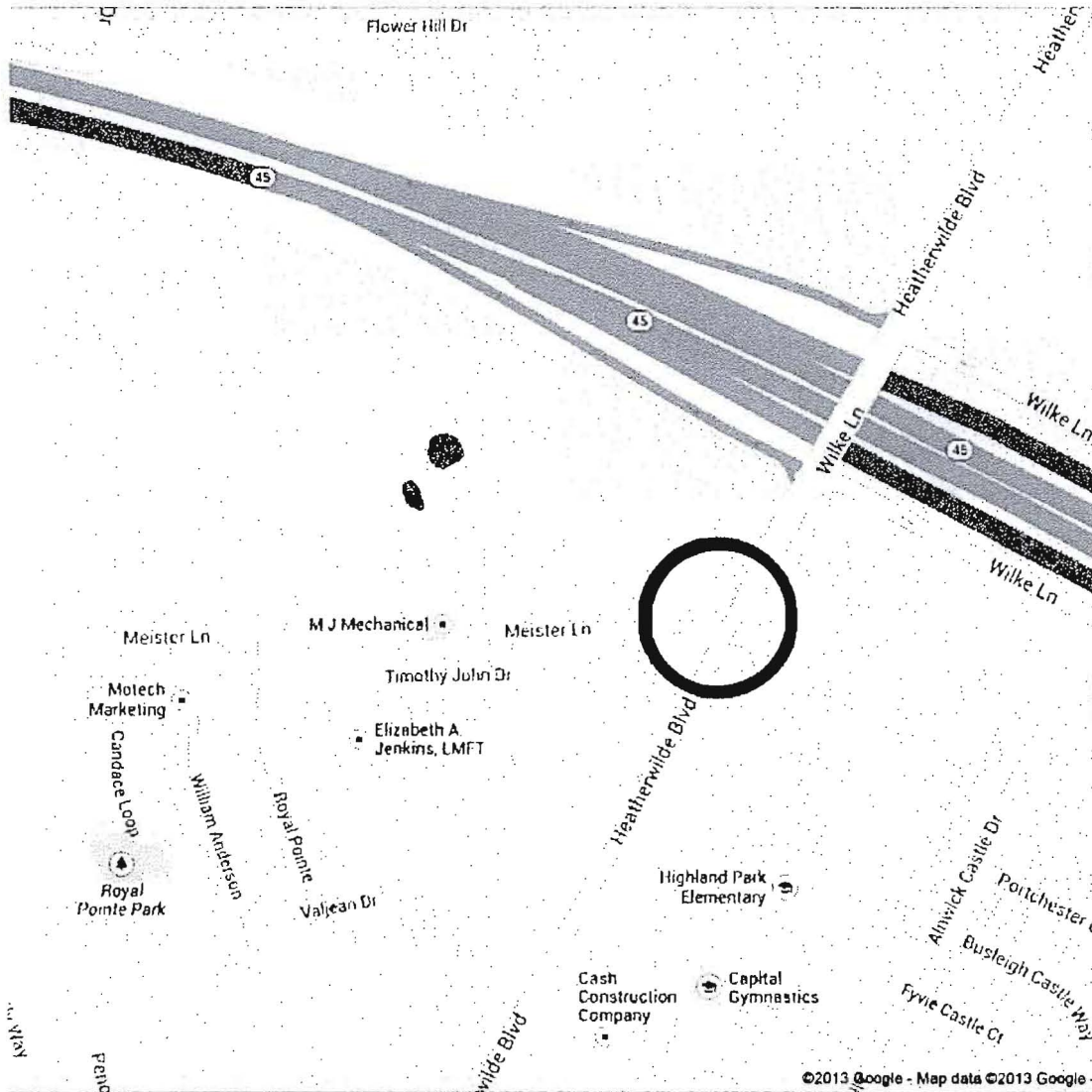


EXHIBIT "B"

County: Travis
Parcel No.: COP—ROW
Project: Heatherwilde Blvd Roadway Improvements
Half AVO: 26890

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DESCRIPTION FOR CITY OF PFLUGERVILLE—RIGHT-OF-WAY ABANDONMENT

BEING A 0.135 ACRE (5,883 SQUARE FEET) TRACT SITUATED IN THE PETER CONRAD SURVEY NO. 71, ABSTRACT NO. 200, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF MEISTER LANE, A VARYING WIDTH RIGHT-OF-WAY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a Texas Department of Transportation (TxDOT) Type II Concrete Monument with Brass Disk found in the east line of a called 132.6766 acres tract described in a Correction Warranty Deed to John S. Lloyd, and recorded in Document No. 2003196132 of the Official Public Records of Travis County, Texas, same being an angle point in the west right-of-way line of Heatherwilde Boulevard, a varying width right-of-way according to TxDOT CSJ Map No. 0683-06-013, said Type II Concrete Monument being 947.41 feet right of centerline station 750+99.83 of State Highway 45, a varying width right-of-way according to said TxDOT CSJ Map No. 0683-06-013, and from which a TxDOT Type II Concrete Monument with Brass Disk found for an angle point in said west right-of-way line of Heatherwilde Boulevard bears N61°09'38"W a distance of 14.99 feet, and from which a TxDOT Type II Concrete Monument with Brass Disk found in the east right-of-way line of said Heatherwilde Boulevard, same being the west line of a called 27.067 acres tract described in a Special Warranty Deed to Bancroft Austin 45 LP, and recorded in Document No. 2005085898, said Official Public Records of Travis County, Texas, bears S61°45'51"E a distance of 74.23 feet;

THENCE with said east line of the 132.6766 acres tract and said west right-of-way line of Heatherwilde Boulevard, S28°26'56"E a distance of 121.25 feet to the southeast corner of said 132.6766 acres tract, same being the intersection of said west right-of-way line of Heatherwilde Boulevard with the north right-of-way line of said Meister Lane;

THENCE with said north right-of-way line of Meister Lane, same being the south line of said 132.6766 acres tract, S87°41'58"W a distance of 44.65 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set for the **POINT OF BEGINNING** of the tract described herein;

THENCE leaving said south line of the 132.6766 acres tract and said north right-of-way line of Meister Lane, crossing said Meister Lane, the following three (3) courses and distances:

1. S27°45'26"W a distance of 68.15 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set for non-tangent point of curvature to the right;
2. with the arc of said curve to the right a distance of 14.97 feet, said curve having a radius of 25.00 feet, a central angle of 34°18'12", and a chord bearing N81°57'40"W a distance of 14.75 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set for a point of reverse curvature to the left, and

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DESCRIPTION FOR CITY OF PFLUGERVILLE—RIGHT-OF-WAY ABANDONMENT

3. with the arc of said curve to the left a distance of 190.68 feet, said curve having a radius of 535.00 feet, a central angle of $2^{\circ}47'34''$, and a chord bearing $N75^{\circ}01'11''W$ a distance of 189.67 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ASSOC INC." set in said north right-of-way line of Meister Lane and said south line of the 132.6766 acres tract;


THENCE with said north right-of-way line of Meister Lane and said south line of the 132.6766 acres tract, $N87^{\circ}41'58''E$ a distance of 229.75 feet to said **POINT OF BEGINNING**, and containing 0.135 acre (5,883 square feet).

NOTES:

All bearings shown hereon are based upon the Texas Coordinate System of 1983, Central Zone. All distances shown hereon are surface distances. The Grid to Surface adjustment scale factor is 1.00011.

See Texas Department of Transportation Right-of-Way Map CSJ No. 0683-06-013 for detailed information regarding State Highway 45.

I, Dan H. Clark, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying plat of even date herewith, are true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey on the ground under my direction and supervision.



Dan H. Clark, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 6011
Halff Associates, Inc.,
4030 W. Braker Ln, Suite 450, Austin, Texas 78759, 512-252-8184

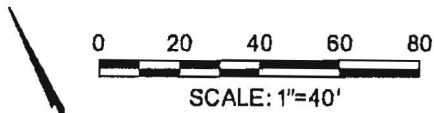
6/14/2013
Date



EXHIBIT "B"

SKETCH TO ACCOMPANY
PARCEL DESCRIPTION

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PETER CONRAD SURVEY
NO. 71, A-200

JOHN S. LLOYD
(132.6766 ACRES LESS 40.539 ACRES)
DOC. NO. 2003196132
O.P.R. T.C.T.

RICHARD Z. RADY AND AGATHA O. RADY
(132.6766 ACRES LESS 40.539 ACRES)
DOC. NO. 2006202616
O.P.R. T.C.T.

PROPOSED
R.O.W. ABANDONMENT
5,883 SQ. FT.
0.135 AC.

MEISTER LANE
(VARYING WIDTH R.O.W.)

CITY OF
PFLUGERVILLE
(0.155 ACRE)
DOC. NO. 2009124443
O.P.R. T.C.T.

LOT 1, BLOCK A
ROYAL POINTE COMMERCIAL
DOC. NO. 200400349
P.R.T.C.T.

HEATHERWILDE BOULEVARD (VARYING WIDTH R.O.W.)

6/14/2013 9:24:59 AM on1212 HALFF E:\2600005\26890\CADD\Survey\SV-LL-DT08\REF-2-26890.dgn I:\P\550_MON\F5_FW.dgn

HALFF
4030 WEST BRAKER LANE, SUITE 450
AUSTIN, TEXAS 78759-5356
TEL (812) 252-8194
FAX (812) 282-8141

RIGHT-OF-WAY ABANDONMENT
CITY OF PFLUGERVILLE

HEATHERWILDE BLVD.
ROADWAY IMPROVEMENTS

ACCOMPANYING FILE: h260005\26890\DATA OUT\SV-LD-COP-LL070-26890.DOC

PROJECT AVO: 26890

COUNTY: TRAVIS

EASEMENT AREA: 0.135 AC.
5,883 SQ.FT.

SCALE: 1"=40'

LEGEND

- TXDOT TYPE #CONCRETE MONUMENT FOUND
- ◼ TXDOT TYPE #CONCRETE MONUMENT FOUND
- ⊗ TXDOT TYPE #CONCRETE MONUMENT SET
- 1/2" IRON ROD SET WITH "HALFF ASSOC INC." CAP UNLESS NOTED
- IRON ROD FOUND (SIZE/CAP NOTED)
- SQUARE-HEAD BOLT FOUND
- ⊙ IRON PIPE FOUND (SIZE NOTED)
- ▲ FOUND "X" CUT (UNLESS NOTED)
- △ CALCULATED POINT
- ⊙ FENCE POST
- N.T.S. NOT TO SCALE
- (XXX) RECORD INFORMATION PARENT TRACT
- (XXX) RECORD INFORMATION ADJONED TRACT
- R.O.W. RIGHT-OF-WAY
- ESMT. EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY TEXAS
- DOC.# DOCUMENT NUMBER
- D.E. DRAINAGE EASEMENT
- B.L. BUILDING SETBACK LINE
- DISTANCE NOT SHOWN TO SCALE
- PROPERTY LINE
- APPROXIMATE SURVEY LINE
- P.O.C. POINT OF COMMENCING
- P.O.B. POINT OF BEGINNING

SKETCH TO ACCOMPANY
PARCEL DESCRIPTION

- 1) THE BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES, THE GRID TO SURFACE ADJUSTMENT SCALE FACTOR IS 1.00011.
- 2) THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.
- 3) THE RECORDED EASEMENTS, SETBACKS AND ENCUMBRANCES HEREON ARE SHOWN WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SURVEYOR HAS MADE NO INDEPENDENT INVESTIGATION OR SEARCH FOR THIS INFORMATION.
- 4) SEE TEXAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP CSJ NO. 0683-06-013 FOR DETAILED INFORMATION AND STATIONING REGARDING STATE HIGHWAY 45.

CURVE TABLE

CV. NO.	DELTA	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	34°18'12"	25.00'	14.97'	14.75'	N 81°57'40" W
C2	2°47'34"	535.00'	190.68'	189.67'	N 75°01'11" W

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N 61°09'38" W	14.99'
L2	S 87°41'58" W	44.65'

I HEREBY CERTIFY THAT THIS PLAT AND THE ACCOMPANYING DESCRIPTION OF EVEN DATE HERewith ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.



[Handwritten Signature]

DAN H. CLARK
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6011

6/11/13
DATE

6/11/2013 9:25:09 AM gm212z MALFF R:\260000\26890\CADD\SURV\SY-LL\OY\HEATHER-4-26890.DOC IE:HP5550_MCN_LFS_FK.D1T

<p>4030 WEST BRAKER LANE, SUITE 450 AUSTIN, TEXAS 78759-3366 TEL (512) 252-8104 FAX (512) 252-8141</p>	RIGHT-OF-WAY ABANDONMENT CITY OF PFLUGERVILLE	PROJECT AVO: 26890
	HEATHERWILDE BLVD. ROADWAY IMPROVEMENTS	COUNTY: TRAVIS
ACCOMPANYING FILE: I:\260000\26890\DATA\Ouf\SY-LD-COP-LL0YD-26890.DOC	EASEMENT AREA: 0.135 AC. 5,883 SQ.FT.	SCALE: 1"=40'