



# Travis County Commissioners Court Agenda Request

**Meeting Date:** December 17, 2013

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

**Division Director/Manager:** Anna Bowlin, Division Director of Development Services and Long Range Planning

ASB

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

**Sponsoring Court Member:** Commissioner Daugherty, Precinct Three

**AGENDA LANGUAGE:** Approve setting a public hearing on Tuesday, January 7, 2014 to receive comments regarding a request to authorize the filing of an instrument to vacate two five foot wide public utility easements located along the common lot lines of Lots 1042 and 1043 of Apache Shores, Section 2 – 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 1042 and 1043 of Apache Shores, Section 2. The easements are dedicated per plat note. Lots 1042 and 1043 front on Running Deer 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 requests meets all Travis County standards. As such, TNR staff recommends setting the public hearing.

## **ISSUES AND OPPORTUNITIES:**

According to the request letter the owner of the property is in anticipation of the construction of a single family dwelling. Vacating the subject easements will help avoid any potential encroachment issues.

## **FISCAL IMPACT AND SOURCE OF FUNDING:**

None.

**ATTACHMENTS/EXHIBITS:**

Order of Vacation  
Field Notes  
Request Letter  
Utility Statements  
Maps

**REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	(512) 854-4239
Steven M. Manilla	County Executive	TNR	(512) 854-9429
Anna Bowlin	Division Director	Development Services	(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 2**

**ORDER OF VACATION**

**STATE OF TEXAS** §

**COUNTY OF TRAVIS** §

WHEREAS, the property owner requests the vacation of two five foot wide public utility easements located along the common lot line of Lots 1042 and 1043 of Apache Shores, Section 2 as recorded at Volume 48, Page 58 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 January 7, 2014 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 1042 and 1043 of Apache Shores, Section 2, as shown and described in the attached field notes and sketch, are hereby vacated.

ORDERED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2014.

\_\_\_\_\_  
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

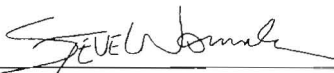
**METES AND BOUNDS DESCRIPTION**

**A 10 FOOT WIDE TRACT OF LAND BEING A PORTION OF LOTS 1042 AND 1043, APACHE SHORES SECTION 2, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OF PLAT THEREOF RECORDED IN VOLUME 48, PAGE 58 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, THE CENTERLINE OF SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS METES AND BOUNDS AS FOLLOWS;**

**BEGINNING** at a cotton spindle found on the westerly right-of-way of Running Deer Trail, being at the southeast corner of the referenced Lot 1042 and the northeast corner of the referenced Lot 1043 for the southeast point on the centerline of the 10 foot wide strip of the herein described tract and **POINT-OF-BEGINNING** of the herein described tract of land;

**Thence** with the common line between the said lots N 87 deg 01 min 57 sec W 122.55 feet to an iron rod found at the common corner of the said lots and Lots 1009 and 995 of the said subdivision for the POINT OF TERMINUS containing 0.024 acres or 1060 square feet of land more or less.

NOTE: This description does not affect the existing 10 foot PUE along the front of the tracts, nor the 5 and 6 foot PUEs along the rear of the tracts.

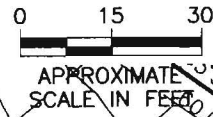
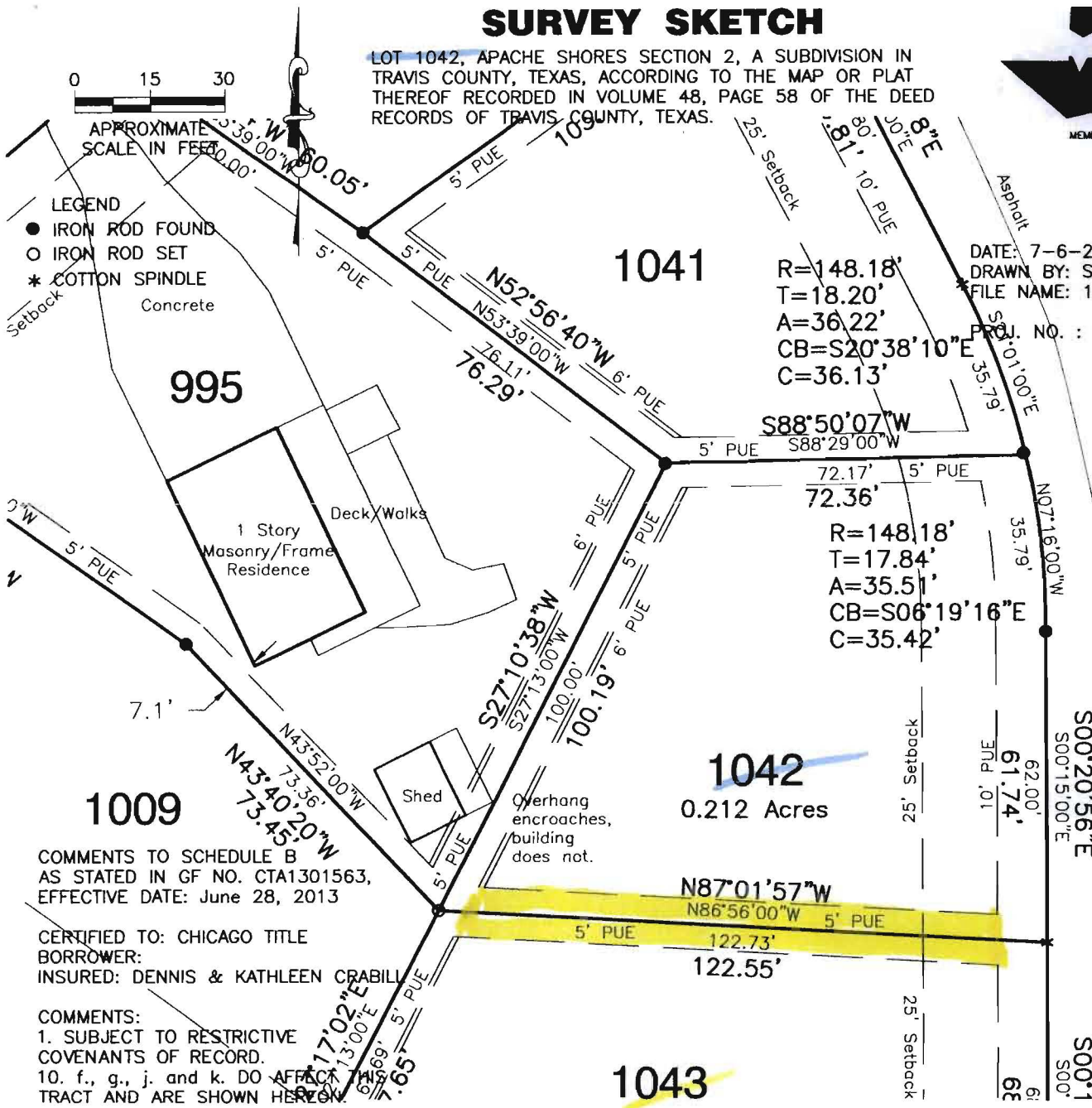
  
Steven W. Womack  
Registered Professional Surveyor  
No. 5025, State of Texas

09 Sept. 2013  
Date



# SURVEY SKETCH

LOT 1042, APACHE SHORES SECTION 2, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 48, PAGE 58 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.



- LEGEND**
- IRON ROD FOUND
  - IRON ROD SET
  - \* COTTON SPINDLE
- Concrete

DATE: 7-6-2013  
 DRAWN BY: Staff  
 FILE NAME: 13-006.dwg  
 PROJ. NO.: 13-006

COMMENTS TO SCHEDULE B AS STATED IN GF NO. CTA1301563, EFFECTIVE DATE: June 28, 2013

CERTIFIED TO: CHICAGO TITLE  
 BORROWER:  
 INSURED: DENNIS & KATHLEEN CRABILL

COMMENTS:  
 1. SUBJECT TO RESTRICTIVE COVENANTS OF RECORD.  
 10. f., g., j. and k. DO AFFECT THIS TRACT AND ARE SHOWN HEREON.

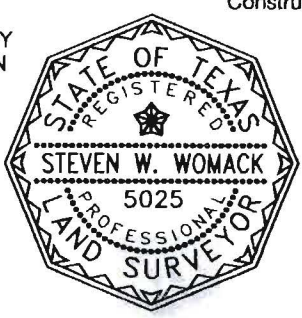
NO PORTION OF THE SURVEY SHOWN HEREON LIES WITHIN THE LIMITS OF A FLOOD HAZARD AREA OR WITHIN THE LIMITS OF THE 100 YEAR FLOOD AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, AS SHOWN ON COMMUNITY PANEL NO. 48453C0220H, DATED 09/26/08, FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS ASSOCIATION STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION II, STANDARD SURVEY AS DESCRIBED IN THE MANUAL OF PRACTICE FOR LAND SURVEYING IN THE STATE OF TEXAS.

**3DS, Inc.**  
 Land Surveyors  
 G.P.S. Services  
 Subdivisions • Topographic  
 Construction • Commercial • Boundaries

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

www.3dsinc.com



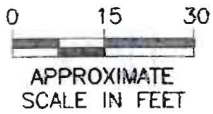
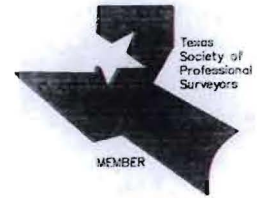
*Steve Womack*  
 STEVE W. WOMACK  
 REGISTERED PROFESSIONAL SURVEYOR  
 NO. 5025, STATE OF TEXAS

8 July 2013  
 DATE

**Running Dec**

# SURVEY SKETCH

LOT 1043, APACHE SHORES SECTION 2, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 48, PAGE 58 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

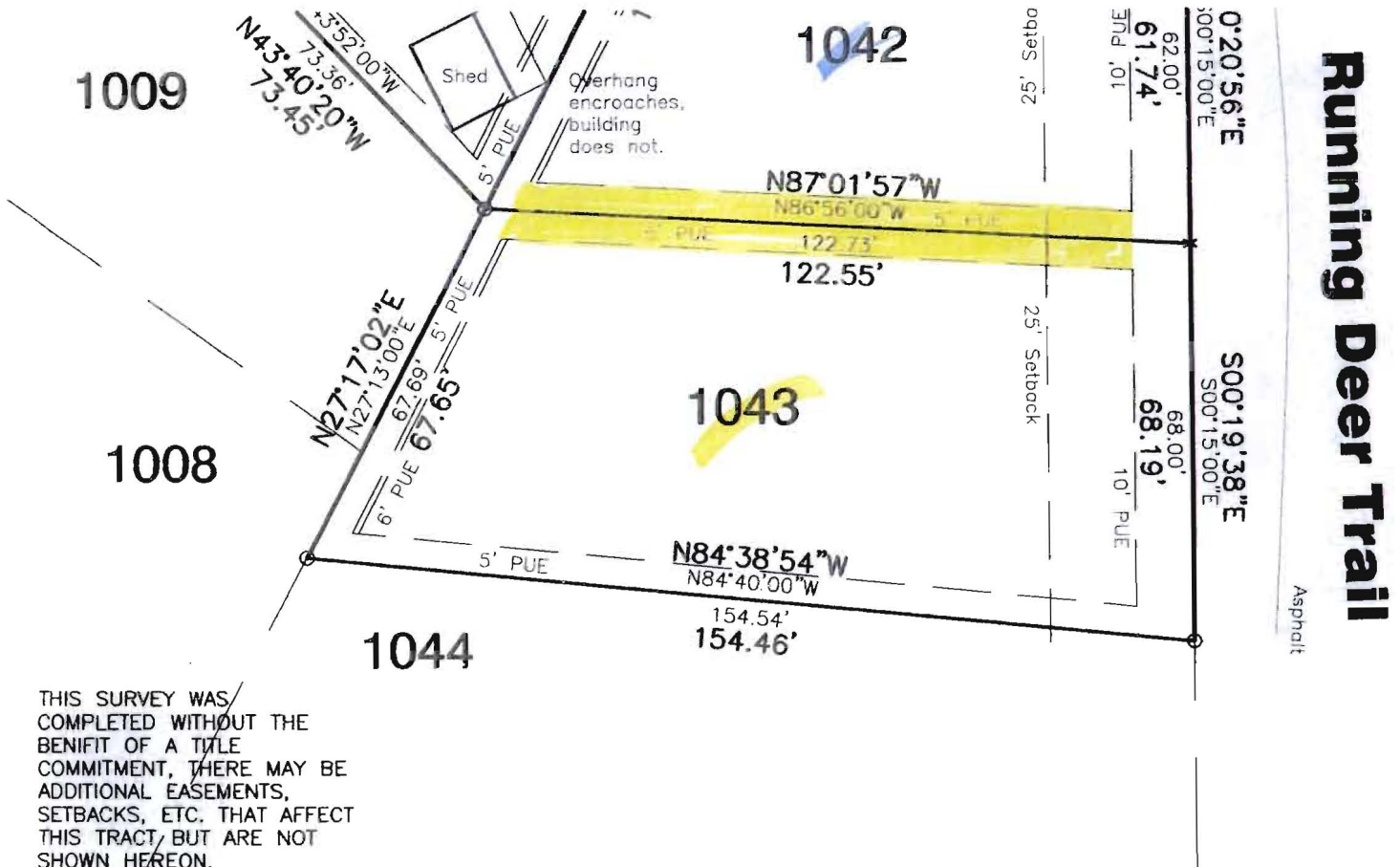


DATE: 7-6-2013  
 DRAWN BY: Staff  
 FILE NAME: 13-006.dwg

PROJ. NO. : 13-006

**LEGEND**

- IRON ROD FOUND
- IRON ROD SET
- \* COTTON SPINDLE



THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE ADDITIONAL EASEMENTS, SETBACKS, ETC. THAT AFFECT THIS TRACT BUT ARE NOT SHOWN HEREON.

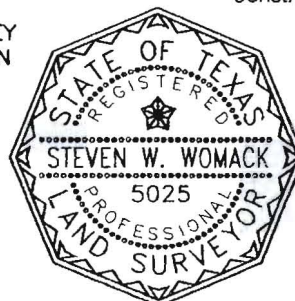
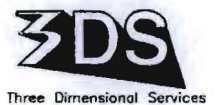
NO PORTION OF THE SURVEY SHOWN HEREON LIES WITHIN THE LIMITS OF A FLOOD HAZARD AREA OR WITHIN THE LIMITS OF THE 100 YEAR FLOOD AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, AS SHOWN ON COMMUNITY PANEL NO. 48453C0220H, DATED 09/26/08, FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS ASSOCIATION STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION II, STANDARD SURVEY AS DESCRIBED IN THE MANUAL OF PRACTICE FOR LAND SURVEYING IN THE STATE OF TEXAS.

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www.3dsinc.com



*STEVEN W. WOMACK*

8 July 2013

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

DATE

RECEIVED

OCT 2 2013

TRAVIS COUNTY - TNR  
PERMITS DEPARTMENT

Dennis Crabili  
P. O. Box 342198  
Austin, TX 78734-2198  
512.974.7232 Day  
512.914.9427 Mobile  
[DLCrabill@hotmail.com](mailto:DLCrabill@hotmail.com)

October 21, 2013

Paul Scoggins, Engineering Specialist  
Travis County Development Services and Long Range Planning  
700 Lavaca Street  
Austin, TX 78701

Subject: Vacating Public Utility Easement  
Lots 1042 & 1043, Apache Shores, Section 2, a Subdivision in Travis  
County, 14120 & 14122 Running Deer Trail

Paul Scoggins,

Please accept this as my letter of request to vacate the easement between the subject  
properties in anticipation of the construction of a single family dwelling.


Please find attached the following:

1. Metes and bounds description sealed by an RPLS of the portion of easement to be vacated.
2. Copy of sealed RPLS survey showing the public utility easement in relation to the property and highlighting the portion requested to be vacated.
3. Documents from Austin Energy, Time Warner Cable, and WCID # 17 stating they have no objection to the proposed vacation of easement.
4. Check in the amount of \$315 payable to Travis County.

Please contact me at any of the above numbers with any questions.

Thank you in advance for your prompt attention to this matter.

Sincerely,

  
Dennis Crabili

attachments



**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

700 Lavaca Street  
Travis County Administration Building  
PO Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4649

**EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY**

An application is being made to Travis County for the vacation of property at 14120 & 14122 Running Deer Trail and/or Lots 1042 & 1043, Apache Shores, Section 2, a Subdivision in Travis County (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement. Your prompt reply is requested.

**STATEMENT**

We do not have need for an easement on the property as described in the accompanying document.

We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

*David A. Williams*  
Signature  
DAVID A. WILLIAMS  
Printed Name  
LEADERSHIP PLAN & ENGINEERING ASSOCIATES  
Title  
ATTY  
Utility Company or District  
11-25-13  
Date

Please return this completed form to:

Dennis Crabill  
Name  
P. O. Box 342198  
Address  
Austin, TX, 78734-2198  
City/State/Zip





**SOUTHWESTERN BELL TELEPHONE COMPANY**

**RELEASE OF EASEMENT**

THIS RELEASE OF EASEMENT, entered into by *SOUTHWESTERN BELL TELEPHONE COMPANY, a Delaware corporation, GRANTOR, AND Dennis Crabill and Kathleen B. Crabill, GRANTEES*, 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 GRANTEES, as is, all or a specific portion of certain easements for telecommunication purposes hereinafter described that affects land owned by GRANTEES situated in *Travis County, Texas*, and described as follows:

*Lot 1042 and Lot 1043, Apache Shores, Section 2, Deed of record in Documents 2013162615 and 2013052843, Property Records of Travis County, Texas*

Said land of GRANTEES being subject to:

*Easements recorded in Volume 48, Page 58, 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 1042 and 1043, described above,*

TO HAVE AND TO HOLD same, together with all rights and appurtenances to the same belonging, unto GRANTEES, 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 25<sup>th</sup> day of NOVEMBER, 2013

SOUTHWESTERN BELL TELEPHONE COMPANY

*David A. Williams*

Name: DAVID A. WILLIAMS

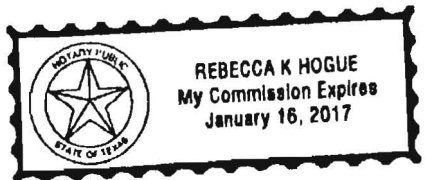
Title: MANAGER DESIGN ENGINEERING DEPT.

THE STATE OF TX  
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared DAVID WILLIAMS, known to me to be the person whose name is subscribed to the foregoing instrument as Manager, Engineering-Design of Southwestern Bell Telephone Company, a 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.

Given under my hand and seal of office this the 25<sup>th</sup> day of NOVEMBER, 2013.

*Rebecca K Hogue*  
Notary Public in and for the State of TEXAS  
My Commission Expires Jan. 16, 2017





**TRANSPORTATION AND NATURAL RESOURCES**

STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE

700 Lavaca Street  
Travis County Administration Building  
PO Box 1748  
Austin, Texas 78767  
(512) 854-9383  
FAX (512) 854-4649

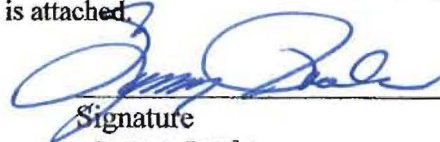
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An application is being made to Travis County for the vacation of property at 14120 AND 14122 RUNNING DEER TRAIL (address) and/or LOT 1042 AND 1043 APACHE SHORES SECTION 2 (legal description) and as described on the enclosed drawing or document. An action of the Commissioners' Court of Travis County is pending your return of this statement. Your prompt reply is requested.

**STATEMENT**

X We do not have need for an easement on the property as described in the accompanying document.

       We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.



Signature  
Sonny Poole

Printed Name  
Manager, PIRES

Title  
Austin Energy

Utility Company or District  
September 19, 2013

Date

Please return this completed form to:

DENNIS CRABILL  
Name

P.O. BOX 342198  
Address

AUSTIN, TX 78734  
City/State/Zip

INT.   
DATE. 9/19/2013



**TRANSPORTATION AND NATURAL RESOURCES**

**STEVEN M. MANILLA, P.E., COUNTY EXECUTIVE**

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Travis County Administration Building  
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**STATEMENT**

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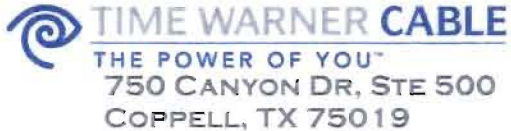
We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

Henry W. Marley  
Reviewer: H. Marley  
Date: 9.17.13

Deborah S. Gernes  
Signature  
Deborah S. Gernes  
Printed Name  
General Manager  
Title  
Travis City WCID 17  
Utility Company or District  
Sept. 24, 2013  
Date

Please return this completed form to:

DENNIS CRABILL  
Name  
P.O. Box 342198  
Address  
AUSTIN, TX 78734  
City/State/Zip



October 4, 2013

Dennis Crabill  
P.O. Box 342198  
Austin, TX 78734-2198  
(512) 914-9427

SUBJECT: Abandonment of ROW between lots 1042 and 1043, Apache Shores, Austin, TX

We have reviewed your request for the above referenced Utility Easement, and Time Warner Cable (TWC) hereby grants the abandonment of the ROW between lots 1042 and 1043, Apache Shores Section 2, 14120 and 14122 Running Deer Trail, within the city of Austin, Texas 78734.

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](mailto:west-engineering-relo@twcable.com). Please share this information with whoever needs these services.

Sincerely,



Central Texas Area

2012 RELOCATION PROJECT  
ESTIMATE ONLY

Origination Date: 10/7/2013  
Start Date: 10/4/2013  
Completion Date: 10/4/2013  
NODE: NDV49

PROJECT INFORMATION

Location Name: CTX Austin

Activity Name: Forced Relocation

Project Name: 14120 & 14122 Running Deer Tr, Austin TX Job/ DOCK #: \_\_\_\_\_

Line of Business: 408 - Forced Relocations Project Driver: Replacement - Identified

Project Type: Forced Relocation 8W/Fiber Activity: Other

PA Type: New Existing Bandwidth: N/A

Category: Forced Plant Relo

BU	Project #	ID	OU	RS	Product	EA	Res. Cat	Sub. Cat
14900	#N/A		1551	##	7/8	601	FRELO	Multiple

Project Scope

This is a replat. Cost for this project will be \$0.00.

MATERIAL AND LABOR INFORMATION

Itemization

Category	Item #	Description	Unit	Qty.

PURCHASE INFORMATION

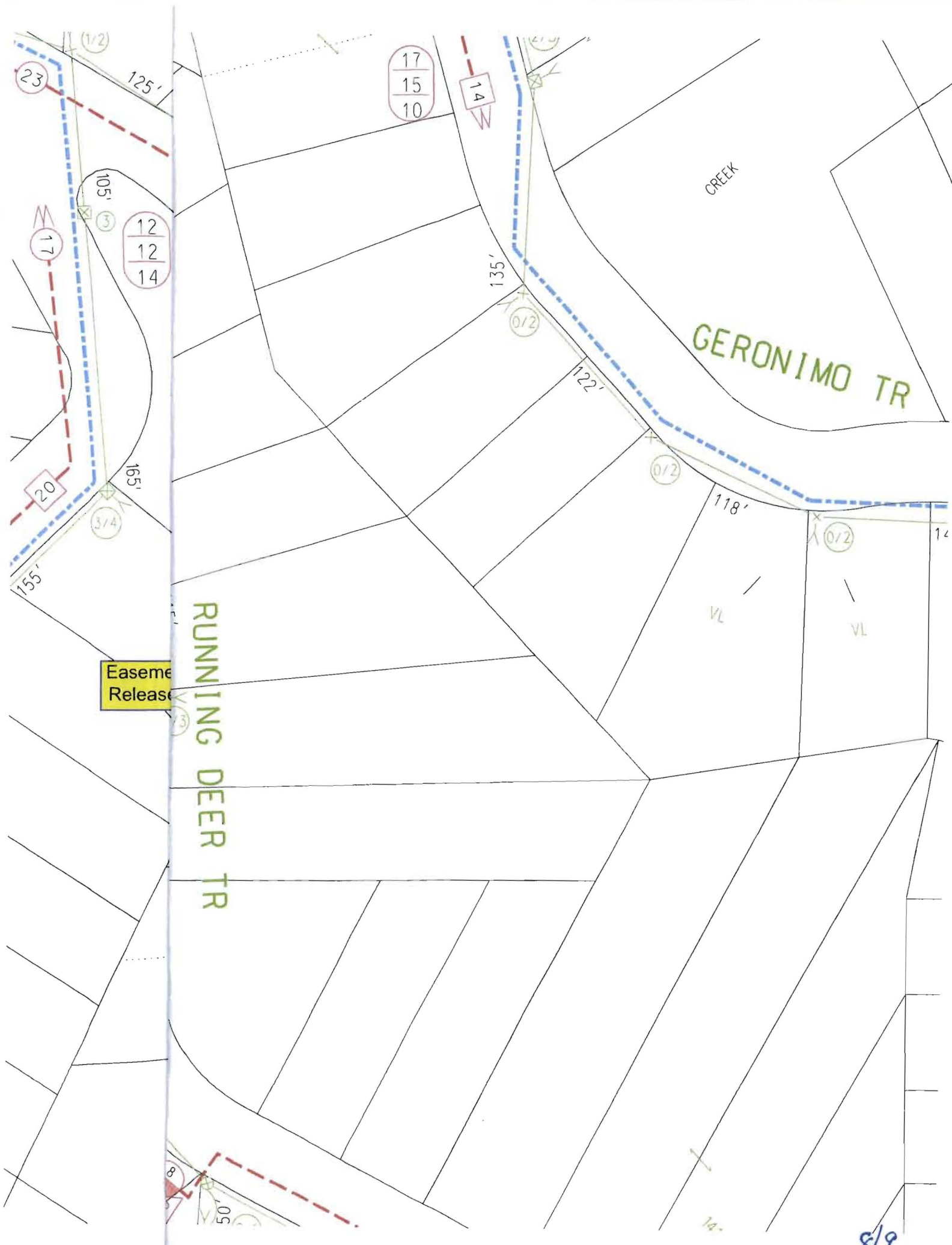
			Contract Labor	In-House Labor	Materials	Freight	Reimbursement	Total
<b>FRELO</b>								
Design - Aerial	A10	601						
Make Ready - Aerial	A11	601						
Strand & Hardware - Aerial	A12	601						
Splicing & Electronics - Aerial	A13	601						
Fiber Construction - Aerial	A14	601						
Coaxial Construction - Aerial	A15	601						
Capitalized Interest - Aerial	A16	601						
Design - UG	U10	601						
Make Ready - UG	U11	601						
Hardware - UG	U12	601						
Splicing & Electronics - UG	U13	601						
Fiber Construction - UG	U14	601						
Coaxial Construction - UG	U15	601						
Capitalized Interest - UG	U16	601						
<b>EQMDE</b>								
Fiber Optronics - Headend	H31	601						
<b>INSTL</b>								
Drops - New Connects		601						
Make Ready - Replacements								

TOTALS

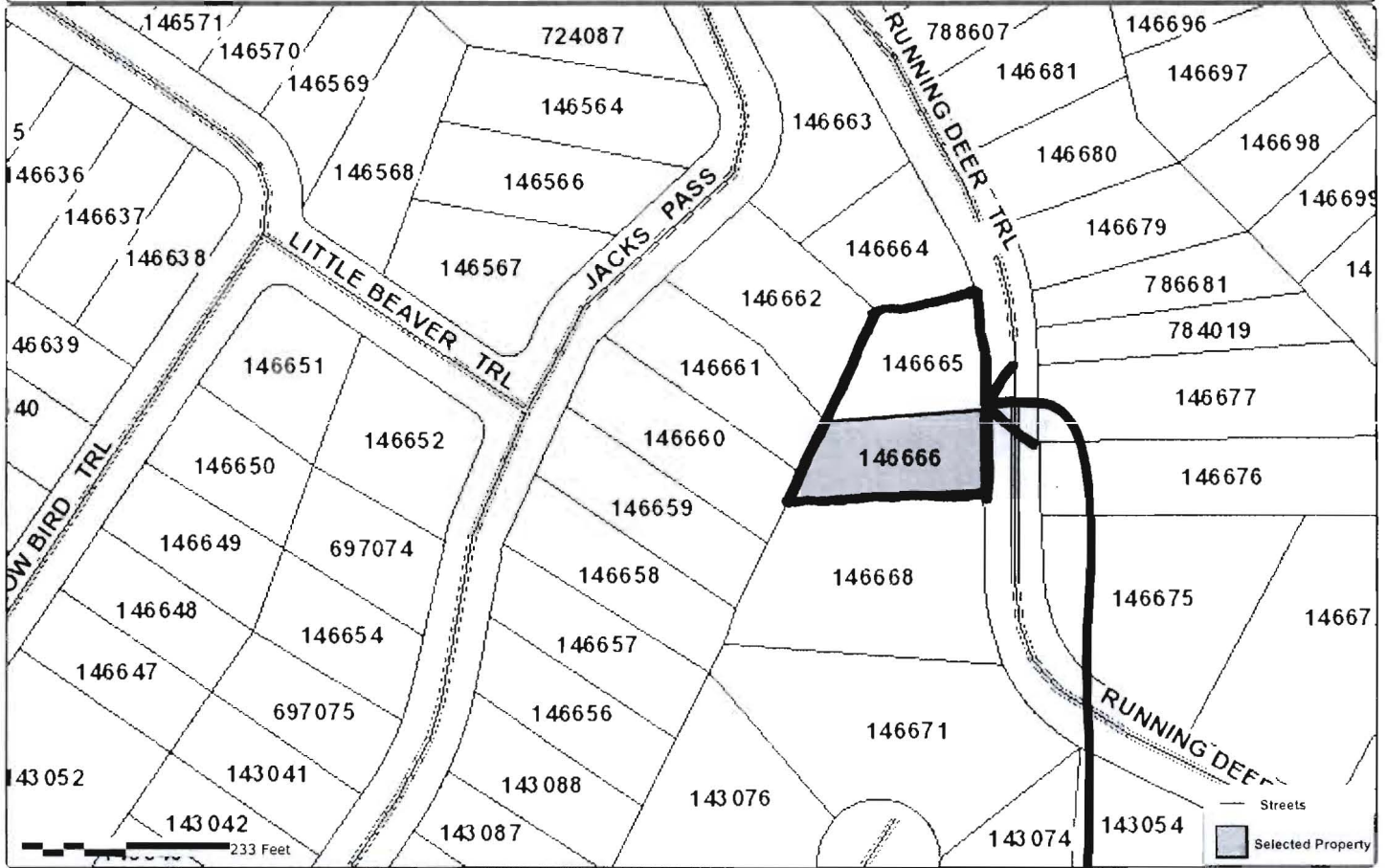
Total Labor \_\_\_\_\_  
Total Material \_\_\_\_\_  
GRAND TOTAL - ESTIMATE ONLY \_\_\_\_\_

APPROVALS

Requested By:	Client Approved By:
Name: <u>Matt Brashier</u>	Name: _____
Title: <u>Forced Relo Coordinator</u>	Title: _____
Phone: _____	Phone: _____
Date: _____	Date: _____
Signature: _____	Signature: _____
	10/7/2013



## Travis CAD - Map of Property ID 146666 for Year 2013



### Property Details

#### Account

Property ID: 146666  
 Geo ID: 0145550711  
 Type: Real

Legal Description: LOT 1043 APACHE SHORES SEC 2

#### Location

Situs Address: RUNNING DEER TRL TX 78734  
 Neighborhood: APACHE SHORES  
 Mapsco: 490V  
 Jurisdictions: 0A, 03, 07, 2J, 52

#### Owner

Owner Name: CRABILL DENNIS & KATHLEEN B  
 Mailing Address: , PO BOX 342198, AUSTIN, TX 78734-0037

#### Property

Appraised Value: \$25,000.00

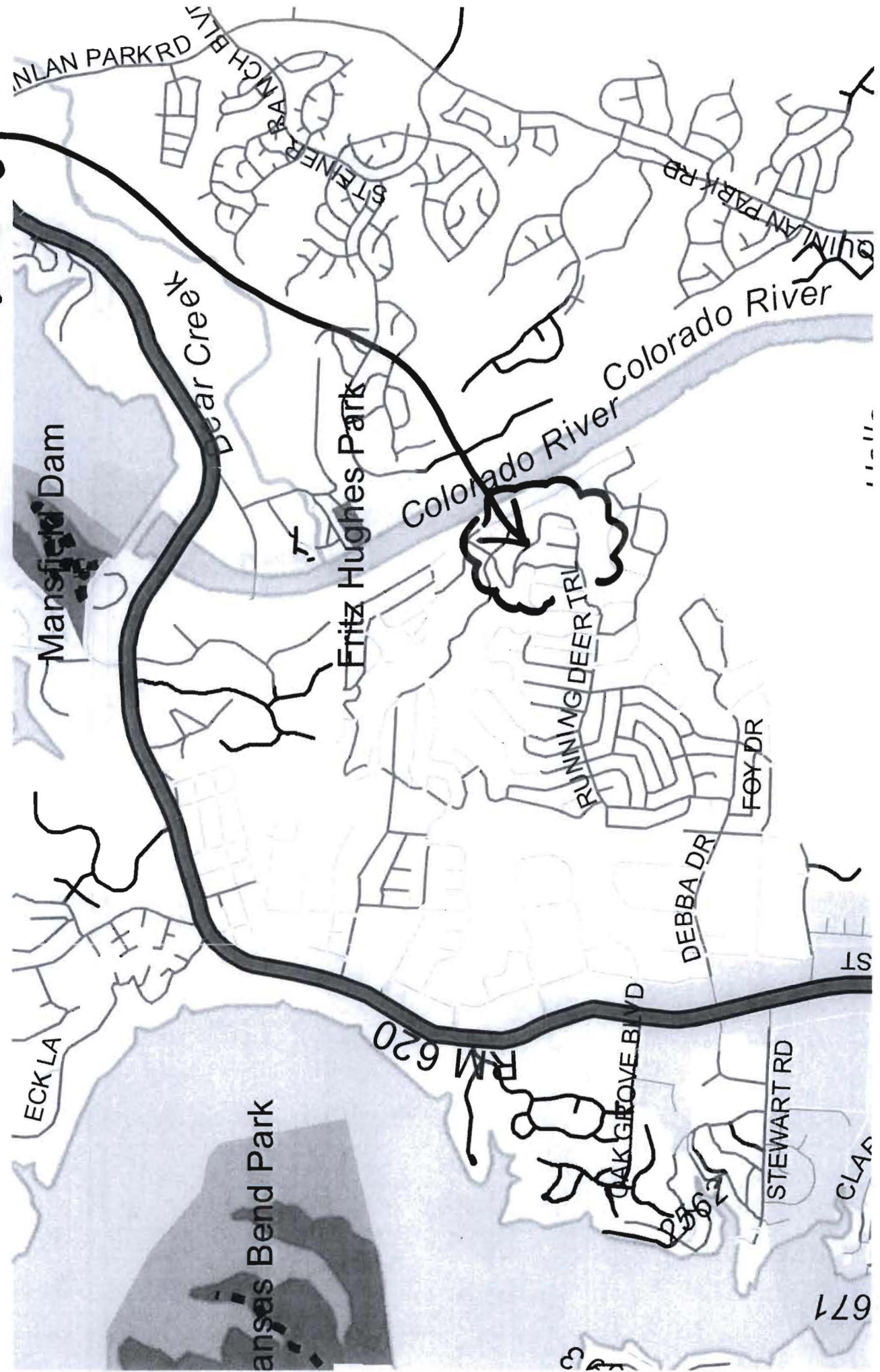
*Site  
 Location*

<http://propaccess.traviscad.org/Map/View/Map/1/146666/2013>

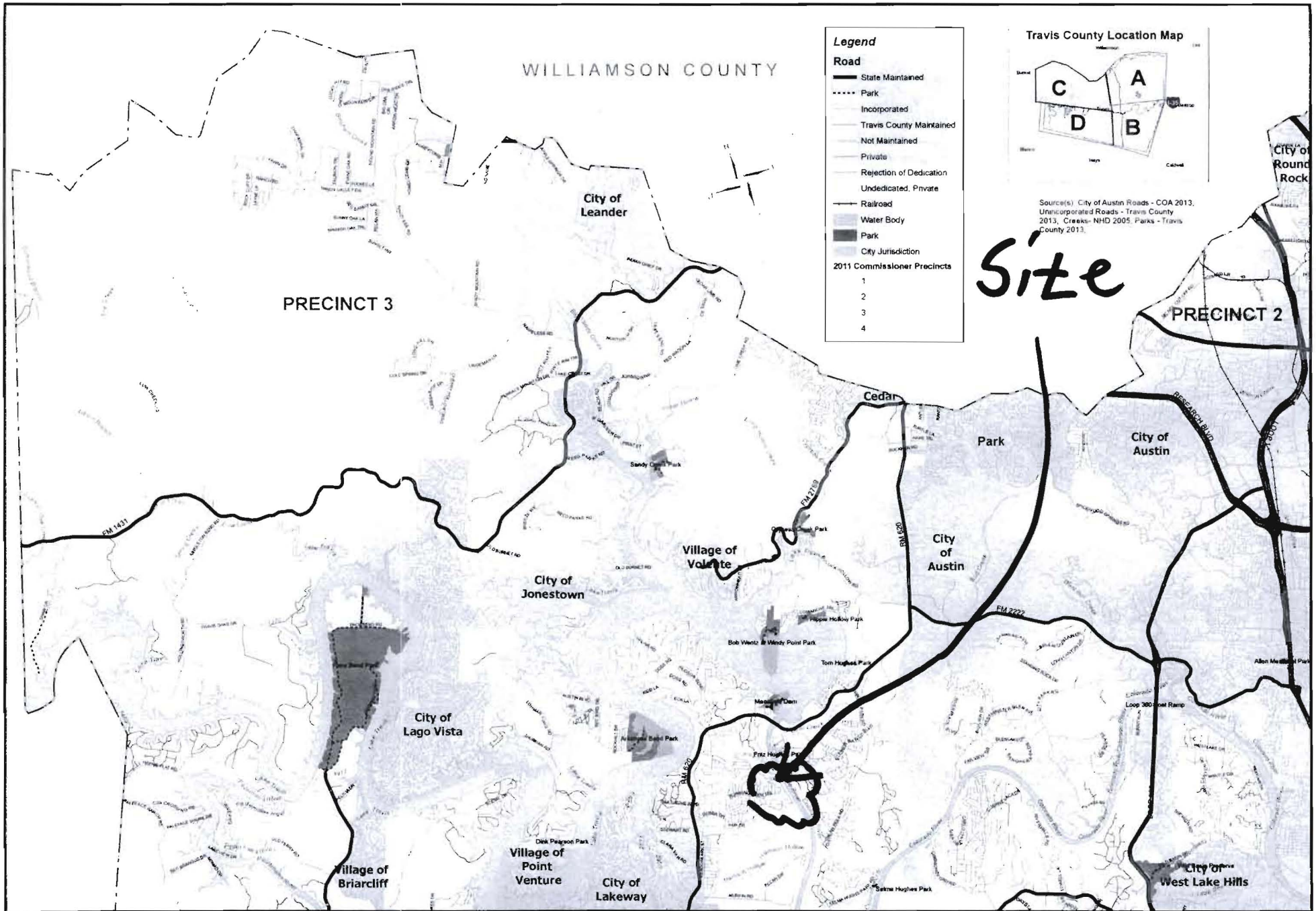
powered by  
**PropertyACCESS**  
www.travisinformation.com

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.

# Site Location



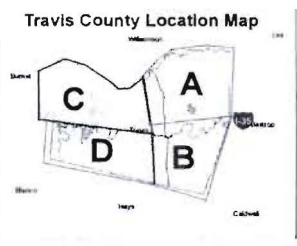




**Legend**

**Road**

- State Maintained
- Park
- Incorporated
- Travis County Maintained
- Not Maintained
- Private
- Rejection of Dedication
- Undedicated, Private
- Railroad
- Water Body
- Park
- City Jurisdiction
- 2011 Commissioner Precincts
- 1
- 2
- 3
- 4

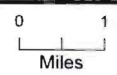


Source(s): City of Austin Roads - COA 2013, Unincorporated Roads - Travis County 2013, Creeks - NHD 2005, Parks - Travis County 2013.

*Site*

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