



Travis County Commissioners Court Agenda Request

Meeting Date: December 20, 2013

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

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

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

Sponsoring Court Member: Commissioner Todd, Precinct Two

AGENDA LANGUAGE: Approve setting a public hearing on Tuesday, January 14, 2014 to receive comments regarding a request to authorize the filing of an instrument to vacate a five foot wide public utility easement (PUE) located over and across a portion of Lot 15 of Travis Vista – Precinct Two.

BACKGROUND/SUMMARY OF REQUEST:

TNR staff has received a request to authorize the filing of an instrument to vacate a five foot wide PUE located over and across a portion of Lot 15 of Travis Vista. The easement is dedicated per plat note. Lot 15 fronts on Travis View Loop, a street maintained by Travis County.

The utility companies operating in the area have stated they have no objection to vacating the subject easements. Staff foresees no opposition to this request.

STAFF RECOMMENDATIONS:

The request has been reviewed by TNR staff and staff finds the vacation request meets all Travis County standards. TNR staff recommends setting the public hearing.

ISSUES AND OPPORTUNITIES:

According to the request letter a portion of the existing home was constructed within the subject easement. Vacating this easement should resolve this encroachment issue.

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 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 - Travis Vista

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owner requests the vacation of a five foot wide public utility easement located over and across a portion of Lot 15 of Travis View as recorded at Volume 48, Page 19 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 14, 2014 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the five foot wide public utility easement located over and across a portion of Lot 15 of Travis Vista, as shown and described in the attached field notes and sketch, is 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

Precise Land Surveying, Inc.

4625 Eastover Drive
Mesquite, Texas 75149
(972) 681-7072 Fax (972) 279-1508

Exhibit "A"

BEING a portion of Lot 15, of Travis Vista, a subdivision in Travis County, Texas, according to the plat thereof recorded in Volume 48, Page 19, of the Plat Records of Travis County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2-inch iron rod on the west line of Travis View Loop, being the common east corner of Lot 14 and said Lot 15;

THENCE North 68° 00' 00" West, a distance of 116.79 feet along the common line of said Lots 14 and 15 to the POINT OF BEGINNING of the herein described tract;

THENCE North 68° 00' 00" West, a distance of 5.00 feet along said common line to a set 1/2-inch iron rod;

THENCE North 20° 58' 00" East, a distance of 81.78 feet;

THENCE South 52° 23' 00" East, a distance of 5.22 feet;

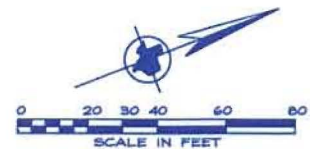
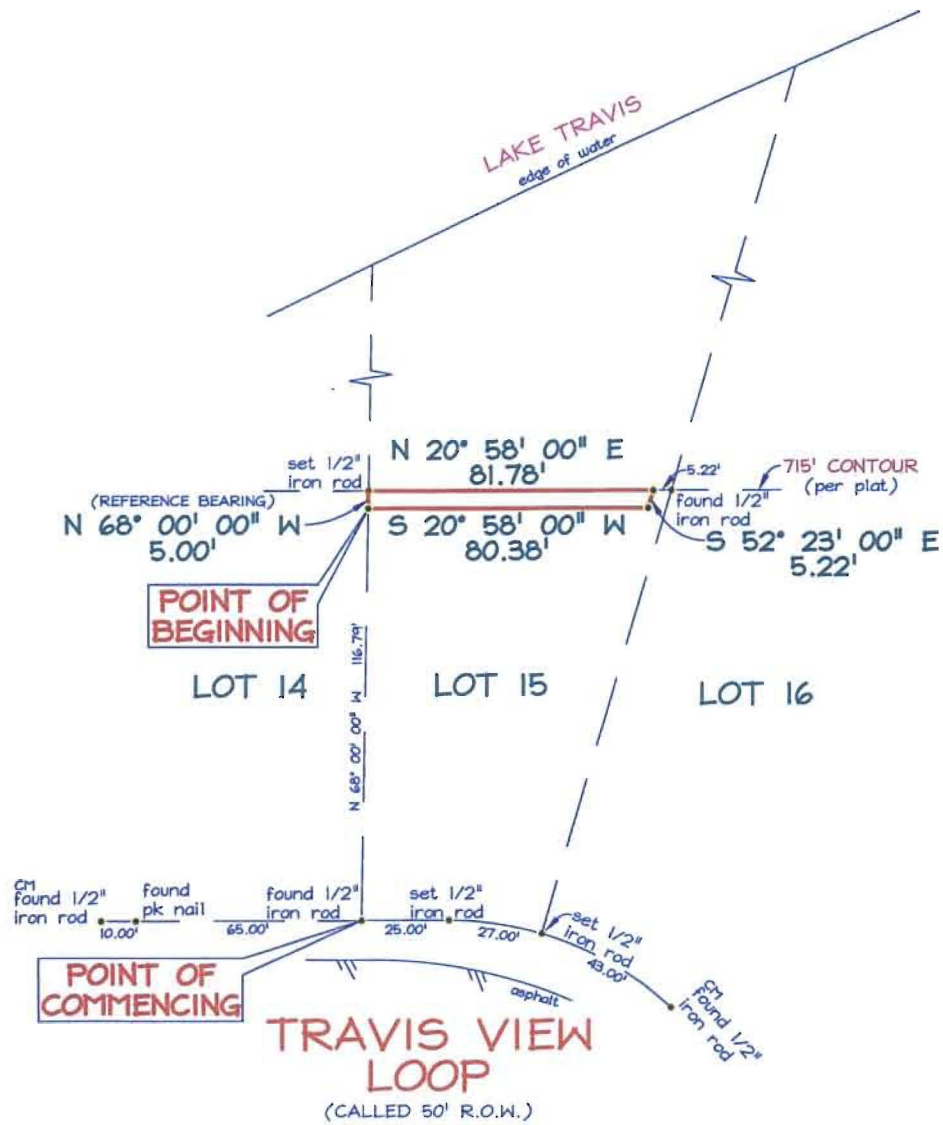
THENCE South 20° 58' 00" West, a distance of 80.38 feet to the POINT OF BEGINNING and containing 405 square feet or 0.01 of one acre of land.

This is to declare that on this date a survey was made on the ground, under my direction and supervision, of the above and foregoing description.



Robert T. Paul, Jr.

Registered Professional Land Surveyor
October 24, 2013
613-1673A

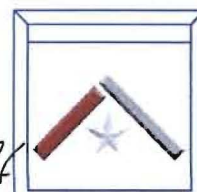
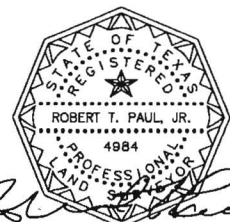


5' PUBLIC UTILITY
EASEMENT RELEASE

LOT 15, TRAVIS VISTA
VOL. 48, PG. 19
P.R.T.C.T.

DATE: 10/31/13

JOB NO: 613-1673A
TECH: JAN



DALLAS: PHONE 972-681-7072 FAX 972-279-1508
FORT WORTH: PHONE 817-451-0522 FAX 817-498-3418

Mr. Scoggins,

We are requesting Travis County to vacate the easement on the subject property of:

David Simono
13108 Travis View Loop, Austin Tx 78732

Legal Description of "Lot 15 Travis Vista"

We are requesting this as the property has a PUE going through the back of the house. This PUE has been signed off by all parties:

Time Warner
AT&T
Austin Energy
WCID 17

Thanks for your consideration,

Sincerely
Kirk Lewis
kirklewis@austin.rr.com
512-422-2495

For David Simono



SOUTHWESTERN BELL TELEPHONE COMPANY

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by *SOUTHWESTERN BELL TELEPHONE COMPANY, a Delaware corporation, GRANTOR, AND David M. Simono and spouse, Erika Simono, 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 15, of Travis Vista, Deed of record in Document 2011126620, Property Records of Travis County, Texas

Said land of GRANTEES being subject to:

Easements recorded in Volume 48, Page 19, 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 crossing said Lot 15, 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 11th day of NOVEMBER, 2013

SOUTHWESTERN BELL TELEPHONE COMPANY

David A Williams

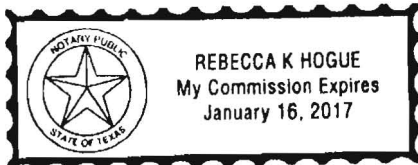
Name: David A Williams

Title: Lead OSP Plant & Cable Designer

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 11th day of NOVEMBER, 2013



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



TRAVIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT 17

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

UTILITY EASEMENT RELEASE APPLICATION

Date: 11-1-13

A release of the following utility easement(s) is hereby requested. (\$30.00 fee is required)

Property Address: 13108 Travis View Loop

Legal Description: Lot 15 Travis Vista Vol 48, 19

A plat drawing with the easement highlighted must accompany this application.

Applicant Name: Kirk Lewis

Address:

Reason for Request: Vacate Easement PUE

X Water District 17 DOES NOT have a need for an easement on the property as described in the accompanying document. The easement(s) is (are) hereby released.

Water District 17 DOES have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

Signature: Henry Marley Date: 11.5.13

Reviewer: Henry Marley

Signature: Deborah S. Gernes Date: 11/5/2013

Printed Name: Deborah S. Gernes Title: General Manager Travis County WCID #17 3812 Eck Lane Austin, TX 78734

Please return this completed form to:

Phone: 512-422-2495

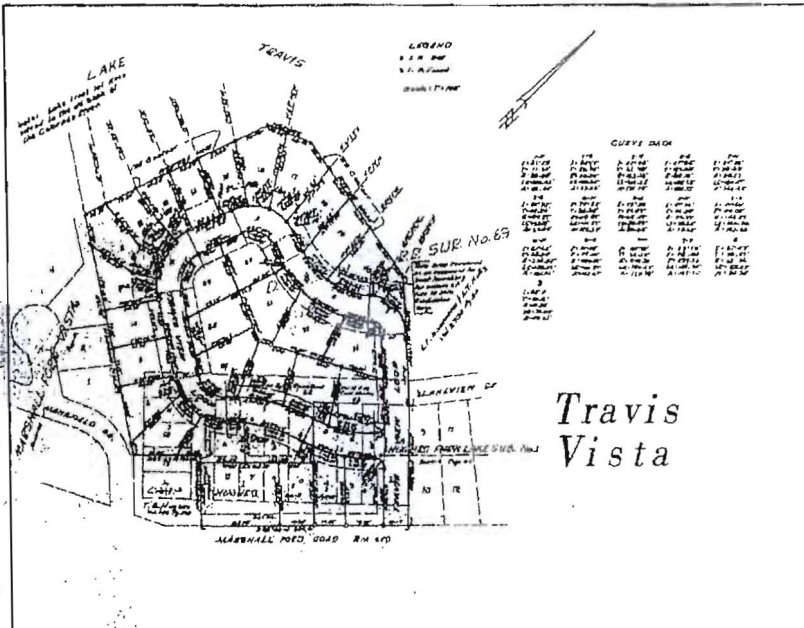
Fax:

Email: KirkLewis@austin.tx.gov

Name: Kirk Lewis

Address: 512-422-2495

City/State/Zip:



**STATE OF TEXAS
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS.**
That we, E. T. Holly and E. E. Neumaier, owners of that certain tract of land out of the D.W. Eckhardt Co. Survey No. 63 in Travis County, Texas, including lots 1-12 and 14-15 and lots 16-18 of CAMP HUGHES, a subdivision of Tract No. 13 as per plat of said tract recorded in Book 4 of the Plat Records of Travis County, Texas, and lots 19-21 of the same tract and lots 22-24 of HUGHES CAMP LAKE SUB-DIVISION No. 1, according to a plat of record in Book 4 of the Plat Records of Travis County, Texas, and 2 1/2 acre tract known as Lakeview Drive, and an undivided area of said D.W. Eckhardt Co. Survey No. 63 and conveyed to us as stated of record in Vol. 2760 of page 58 of the Deed Records of Travis County, Texas, do hereby subdivide said tract in accordance with the attached map, said subdivision to be known as TRAVIS VISTA and do hereby dedicate to the public use streets and easements shown hereon.

WITNESS OUR HANDS, this 15th day of September, A.D. 1969.

E. T. Holly
E. E. Neumaier

**STATE OF TEXAS
COUNTY OF TRAVIS:**
Before me, the undersigned authority, on this day personally appeared E. T. Holly, 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 considerations therein expressed.

GIVEN UNDER MY HAND and seal of office this 15th day of September, A.D. 1969.

Notary Public in and for Travis Co. Tex.
E. E. Neumaier

In approving this plat by the Commissioners' Court of Travis County, Texas, it is understood that the building of all streets, roads or other public thoroughfares and the responsibility of the owner and developer of the tract of land covered by this plat, in accordance with plats and specifications approved by the Commissioners' Court of Travis County, Texas, and the Commissioners' Court of Travis County, Texas, assumes no obligation to build any of streets, roads or other public thoroughfares shown on this plat, or any bridges or culverts in connection therewith.

NOTE:
No lot in this subdivision shall be occupied with other structures or other construction or structures from a "mobile home" or other portable structure, or a public utility structure in which case, unless specifically stated on the plat, a permit shall be required from the City of Austin, Texas, for such structures. This restriction is enforced by the City of Austin, Travis County Health Unit under the subdivision.

This is to certify that Section 53.27 of the City Code of 1967 has been complied with.

Approved: _____
Notary Public in and for Travis Co. Tex.
E. E. Neumaier

**STATE OF TEXAS
COUNTY OF TRAVIS:**
Before me, the undersigned authority on this day personally appeared E. E. Neumaier, 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 considerations therein expressed.

GIVEN UNDER MY HAND and seal of office this 15th day of September, A.D. 1969.

Notary Public in and for Travis Co. Tex.
E. E. Neumaier

FILED FOR RECORD on the 7 day of October, AD 1969 at 2:30 o'clock P.M.
Miss Emma Limberg, Clerk of Travis County

Approved: _____
Notary

**STATE OF TEXAS
COUNTY OF TRAVIS:**
I, Miss Emma Limberg, county clerk of Travis County, Texas, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 7 day of October, AD 1969 at 2:30 o'clock P.M. and duly recorded on the 7 day of October, AD 1969 at 2:30 o'clock P.M. in the Plat Records of said county in Book 4, at page 19.

WITNESS MY HAND and seal of the court of said county, this date that written above.

Miss Emma Limberg, Clerk of Travis Co. Tex.
By: _____
Notary

**STATE OF TEXAS
COUNTY OF TRAVIS:**
I, Miss Emma Limberg, clerk of the county court with seal for the County and State aforesaid, do hereby certify that on the 7 day of October, AD 1969 the Commissioners' Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order has been filed in the Minutes of said court in Book 3 of page 578.

WITNESS MY HAND and seal of the County Court of said county, this 15th day of October, AD 1969.

Miss Emma Limberg, Clerk of Travis Co. Tex.
By: _____
Notary

APPROVED FOR ACCEPTANCE
Date: _____
Miss A. Dobson, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD by the Planning Commission of the City of Austin, Texas, on the 15th day of October, AD 1969.

Approved by: _____ Date: _____

Vol. 78 Page 19
Oct-19 1969
Plat Records of Travis County, Texas
22-2585
Vol. 78 Page 19
Plat Records of Travis County, Texas
C.8-69-40

Precise Land Surveying, Inc.

4625 Eastover Drive
Mesquite, Texas 75149
(972) 681-7072 Fax (972) 279-1508

Exhibit "A"

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THENCE North 68° 00' 00" West, a distance of 116.79 feet along the common line of said Lots 14 and 15 to the POINT OF BEGINNING of the herein described tract;

THENCE North 68° 00' 00" West, a distance of 5.00 feet along said common line to a set 1/2-inch iron rod;

THENCE North 20° 58' 00" East, a distance of 81.78 feet;

THENCE South 52° 23' 00" East, a distance of 5.22 feet;

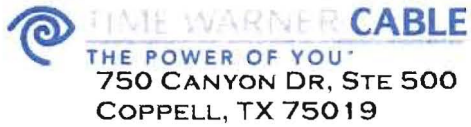
THENCE South 20° 58' 00" West, a distance of 80.38 feet to the POINT OF BEGINNING and containing 405 square feet or 0.01 of one acre of land.

This is to declare that on this date a survey was made on the ground, under my direction and supervision, of the above and foregoing description.



Robert T. Palmer

Registered Professional Land Surveyor
October 24, 2013
613-1673A



Vie

November 5, 2013

Debra Holloway
Gracy Title
1921 Lohmans Crossing Suite 200
Austin, TX 78734
debra@gracytitle.com

SUBJECT: Abandonment of the ROW at 13108 Travis View Loop, 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 13108 Travis View Loop and/or Lot 15, Travis Vista, located in Austin, TX.

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

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

Sincerely,



North Texas Area

2012 Project Authorization Form
Plant Construction (All Types)

Origination Date: 11/6/2013

Start Date: _____

Completion Date: _____

NODE: _____

PROJECT INFORMATION

Location Name:	NTX Dallas				Miles	Cost Per		
Project Name:	_____				Aerial	_____		
Activity Name:	_____		Job/ DOCK #:	_____	Underground	_____		
Line of Business:	Select LOB	Project Driver:	_____		Total	_____		
Project Type:	Select Project Type	BW/Fiber Activity:	_____					
PA Type:	Select Type	Existing Bandwidth:	_____		Passings	Cost Per		
			Category:					
BU	Project #	ID	OU	BS	Product	FA	Res. Cat	Sub. Cat
14900			5105		n/a	601		Multiple

Project Justification

Construct fiber tie-point and distribution plant to service new MDU customers.....

LEAVE BLANK

PURCHASE INFORMATION

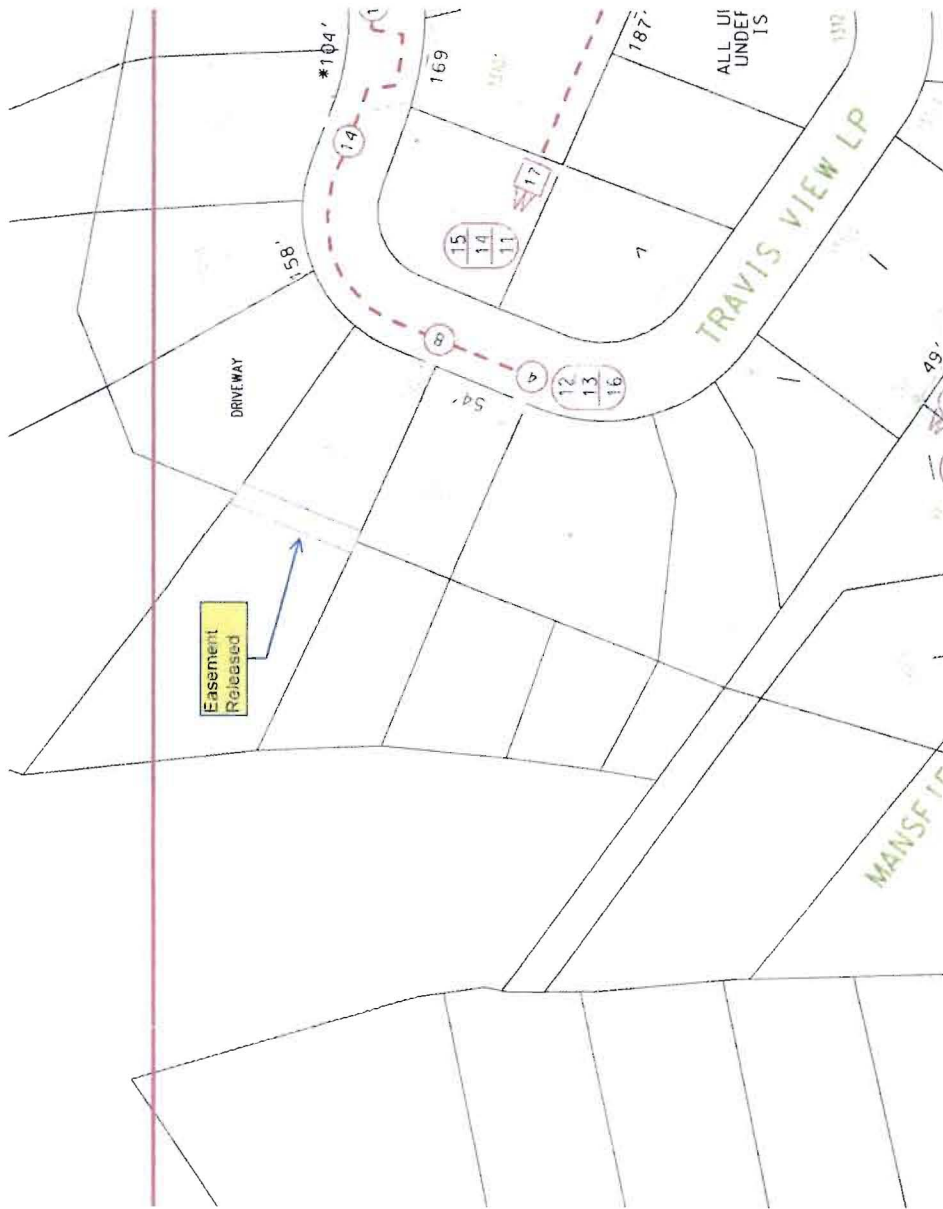
	Contract Labor	In-House Labor	Materials	Freight	Reimbursement	Total
Design - Aerial	601	_____	_____	_____	_____	_____
Make Ready - Aerial	601	_____	_____	_____	_____	_____
Strand & Hardware - Aerial	601	_____	_____	_____	_____	_____
Splicing & Electronics - Aerial	601	_____	_____	_____	_____	_____
Fiber Construction - Aerial	601	_____	_____	_____	_____	_____
Coaxial Construction - Aerial	601	_____	_____	_____	_____	_____
Capitalized Interest - Aerial	601	_____	_____	_____	_____	_____
Design - UG	601	_____	_____	_____	_____	_____
Make Ready - UG	601	_____	_____	_____	_____	_____
Hardware - UG	601	_____	_____	_____	_____	_____
Splicing & Electronics - UG	601	_____	_____	_____	_____	_____
Fiber Construction - UG	601	_____	_____	_____	_____	_____
Coaxial Construction - UG	601	_____	_____	_____	_____	_____
Capitalized Interest - UG	601	_____	_____	_____	_____	_____
EQHDE						
Fiber Optonics - Headend	601	_____	_____	_____	_____	_____
INSTL						
Drops - New Connects	601	_____	_____	_____	_____	_____
Make Ready - Replacements	_____	_____	_____	_____	_____	_____
Total						

PA TOTALS

Project #	Was this activity Budgeted?	Select Answer	Budget	Outlook	YTD Authorized	Uncommitted
Budgeted Project Information (If Budget is "Borrowed" from another Project, Indicate that Project here):						Total Requested Authorization
Project ID	Activity ID	OU	BS	FA	Amount	

APPROVALS

Requester Information		Required Approvals	Date
Name:	_____	_____	_____
Title:	_____	_____	_____
Phone:	_____	Date	_____
Signature:	_____	11/6/2013	_____





TRANSPORTATION AND NATURAL RESOURCES

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

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

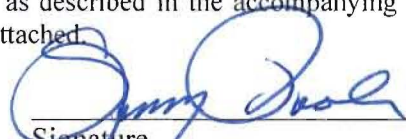
EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at 13108 Travis view Loop, Austin, TX 78732 (address) and/or Lot 15 Travis Vista (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
Mgr., PIRES

Title
Austin Energy

Utility Company or District
October 30, 2013

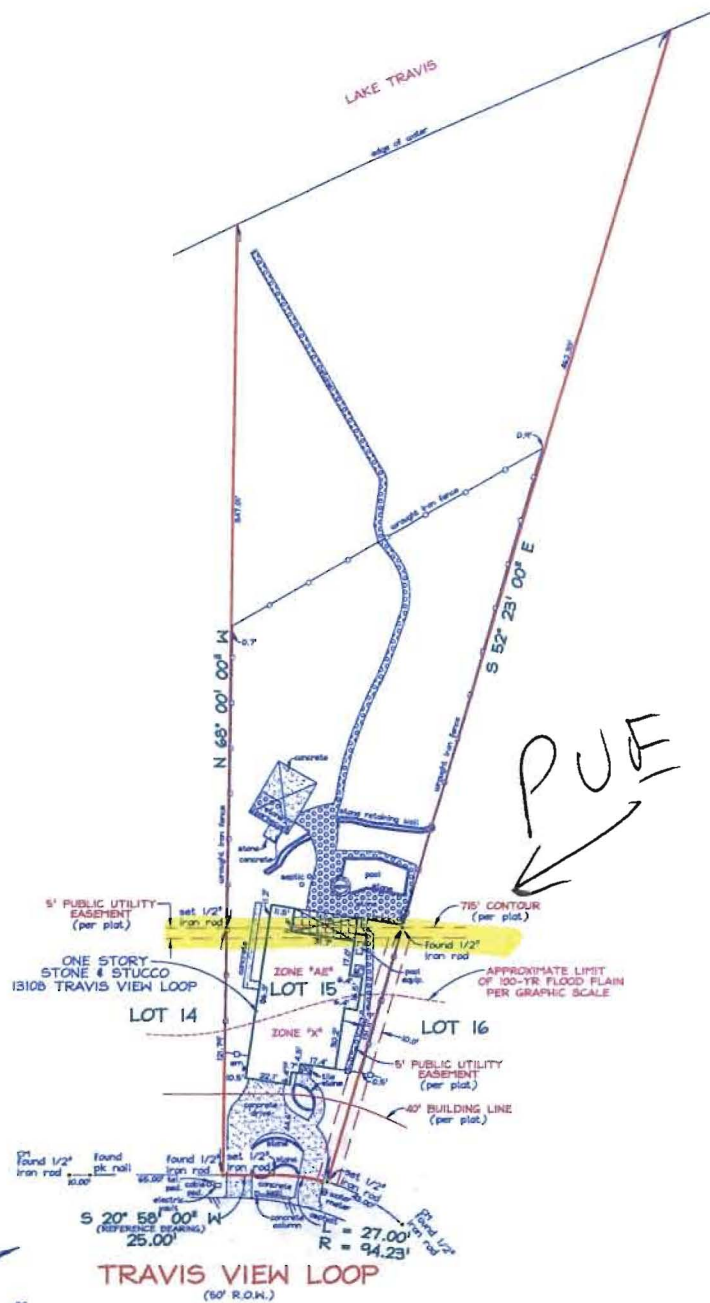
Date

Please return this completed form to:

David Simond
Name

13108 Travis View Loop
Address

Austin TX 78732
City/State/Zip



PROPERTY DESCRIPTION

Being Lot 15, of Travis Vista, a subdivision in Travis County, Texas, according to the map or plot of record in Volume 45, Page 19, of the Plat Records of Travis County, Texas.

THIS IS TO DECLARE that on this date a survey was made on the ground, under my supervision of the above described tract of land.

On this date the easements, rights-of-way or other locatable matters of record of which the undersigned has knowledge or has been advised are as shown or noted hereon.

A portion of the subject property appears to lie within the limits of a 100-year flood hazard zone according to the Map published by the Federal Emergency Management Agency, and has a Zone "AE", "X" Rating as shown by Map No. 48493C0220 H, dated SEPTEMBER 26, 2008. The statement that the property does or does not lie within a 100-year flood zone is not to be taken as a representation that the property will or will not flood. This survey is not to be used for construction purposes and is for the exclusive use of Gracy Title Company only and this survey is made pursuant to that one certain title commitment under the GP number 0247-14814, provided by the title company named hereon.

NOTES:

CM = CONTROLLING MONUMENT.

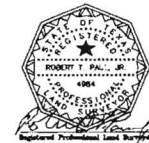
THIS PROPERTY IS AFFECTED BY THE FOLLOWING:
RELEASE OF EASEMENT, VOL. 5405, PG. 2224, D.R.T.C.T.

THIS PROPERTY IS SUBJECT TO THE FOLLOWING:
EASEMENT, VOL. 554, PG. 539, D.R.T.C.T.

THIS PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
EASEMENT, VOL. 632, PG. 164, VOL. 632, PG. 166,
VOL. 649, PG. 119, PG. 649, PG. 123, D.R.T.C.T.
EASEMENT, VOL. 480, PG. 305, D.R.T.C.T.

BEARINGS ARE BASED ON THE RECORDED PLAT REFERENCED ABOVE.

LAKE FRONT LOT LINES EXTEND TO THE OLD BANK OF THE COLORADO RIVER, AS NOTED ON PLAT.



NO.	REVISION

Precise Land Surveying, Inc.
4025 EASTOVER DRIVE • MESQUITE, TEXAS 75149
(972) 681-7072 FAX (972) 279-1508

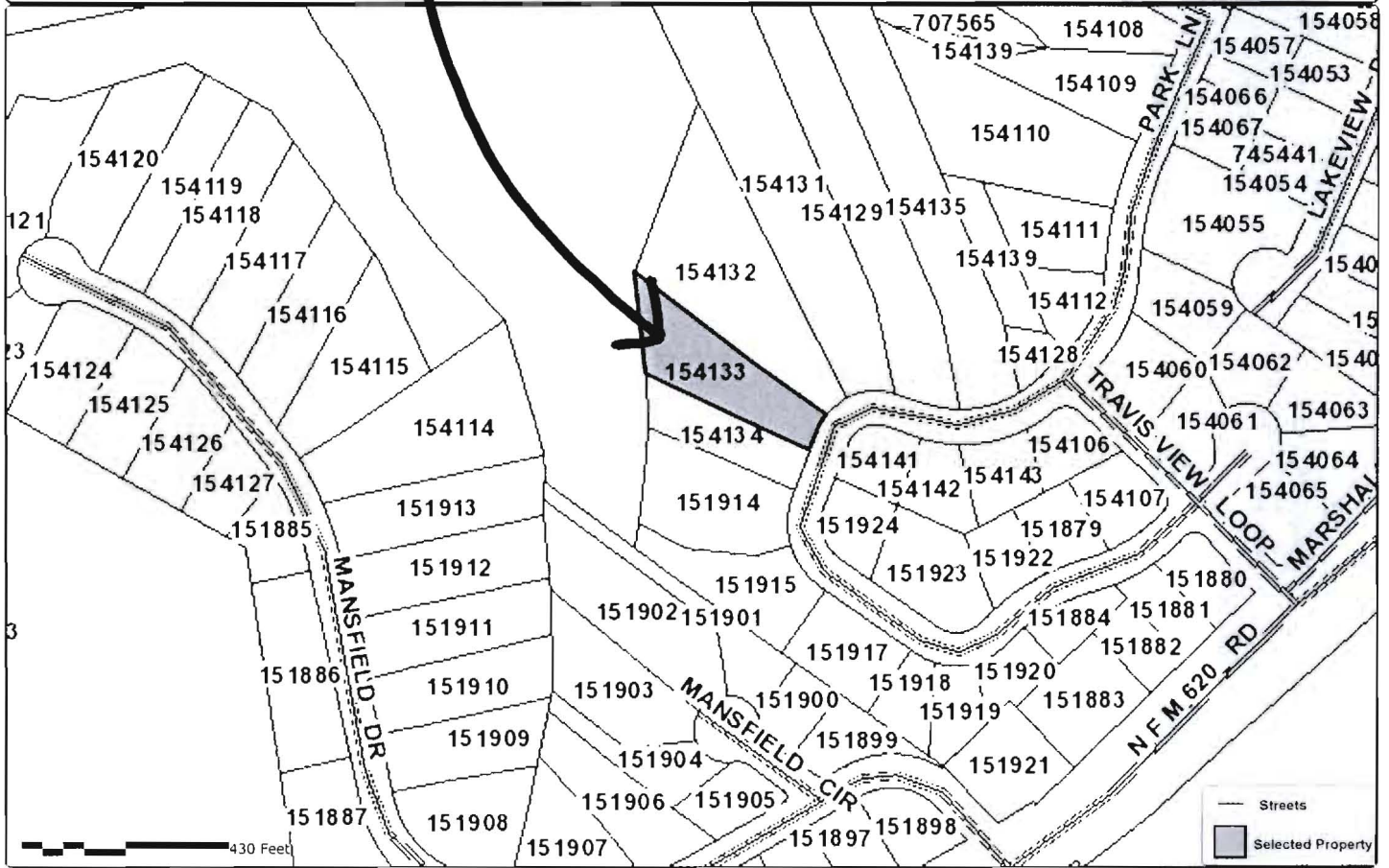
BOUNDARY SURVEY
13108 TRAVIS VIEW LOOP
TRAVIS COUNTY, TEXAS



SUBJECT	
DATE	10/28/13
JOB	
FIELD DATE	10/24/13
ISSUED BY	
DATE	
PROJECT NO.	
JOB NUMBER	613-1673
SHEET	1 of 1

Site

Travis CAD Map of Property ID 154133 for Year 2013



Property Details

Account

Property ID: 154133
Geo ID: 0152480206
Type: Real
Legal Description: LOT 15 TRAVIS VISTA

Location

Situs Address: 13108 TRAVIS VIEW LOOP TX 78732
Neighborhood: WATERFRONT COMMANCHE, ETC
Mapsc0: 491G
Jurisdictions: 0A, 03, 17, 2J, 52, 68, 69

Owner

Owner Name: SIMONO DAVID M & ERIK A
Mailing Address: , 13018 TRAVIS VIEW LOOP, , AUSTIN, TX 78732-1739

Property

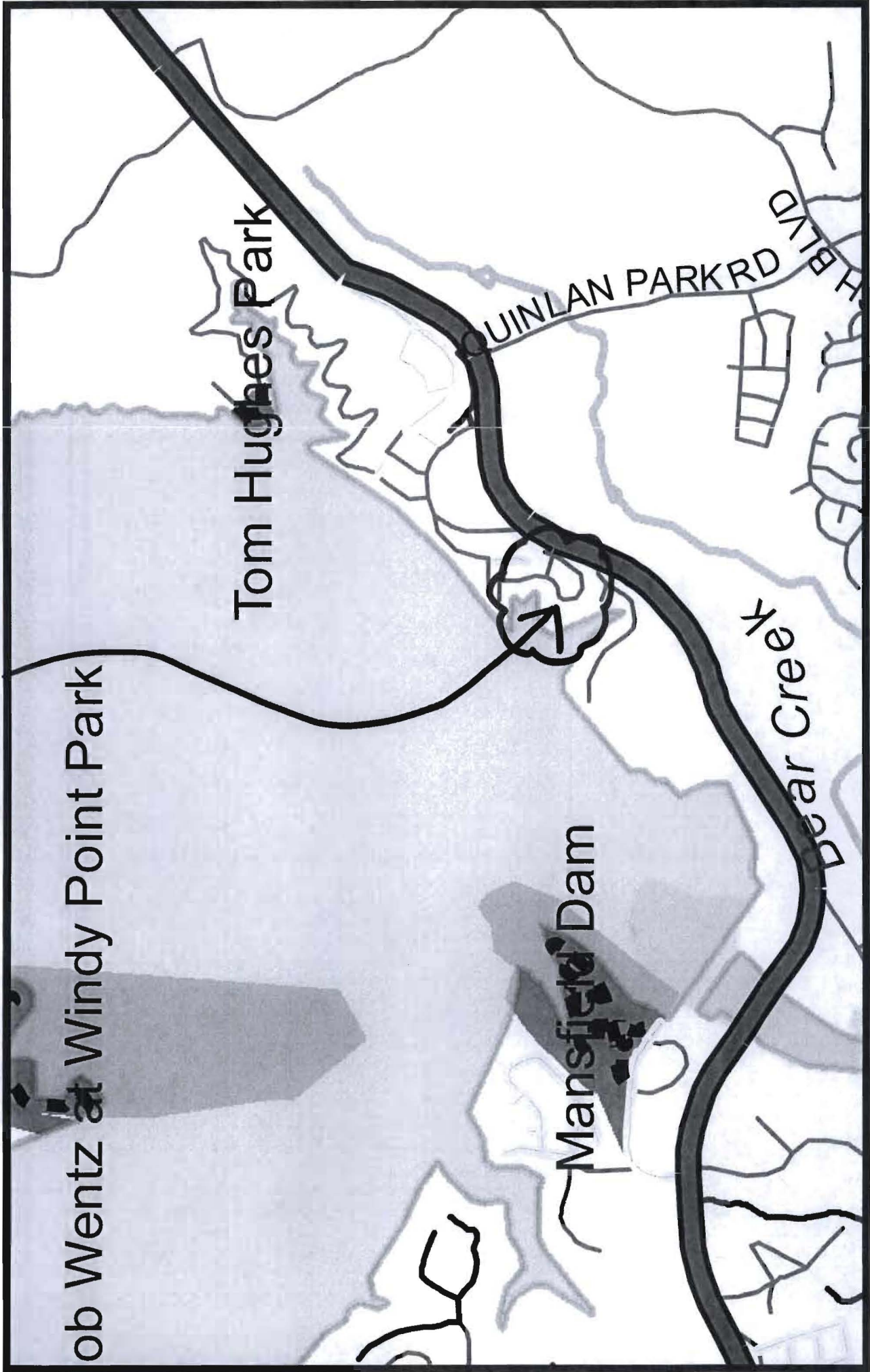
Appraised Value: \$828,528.00

<http://propaccess.traviscad.org/Map/View/Map/1/154133/2013>

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.

Site Area



Bob Wentz at Windy Point Park

Tom Hughes Park

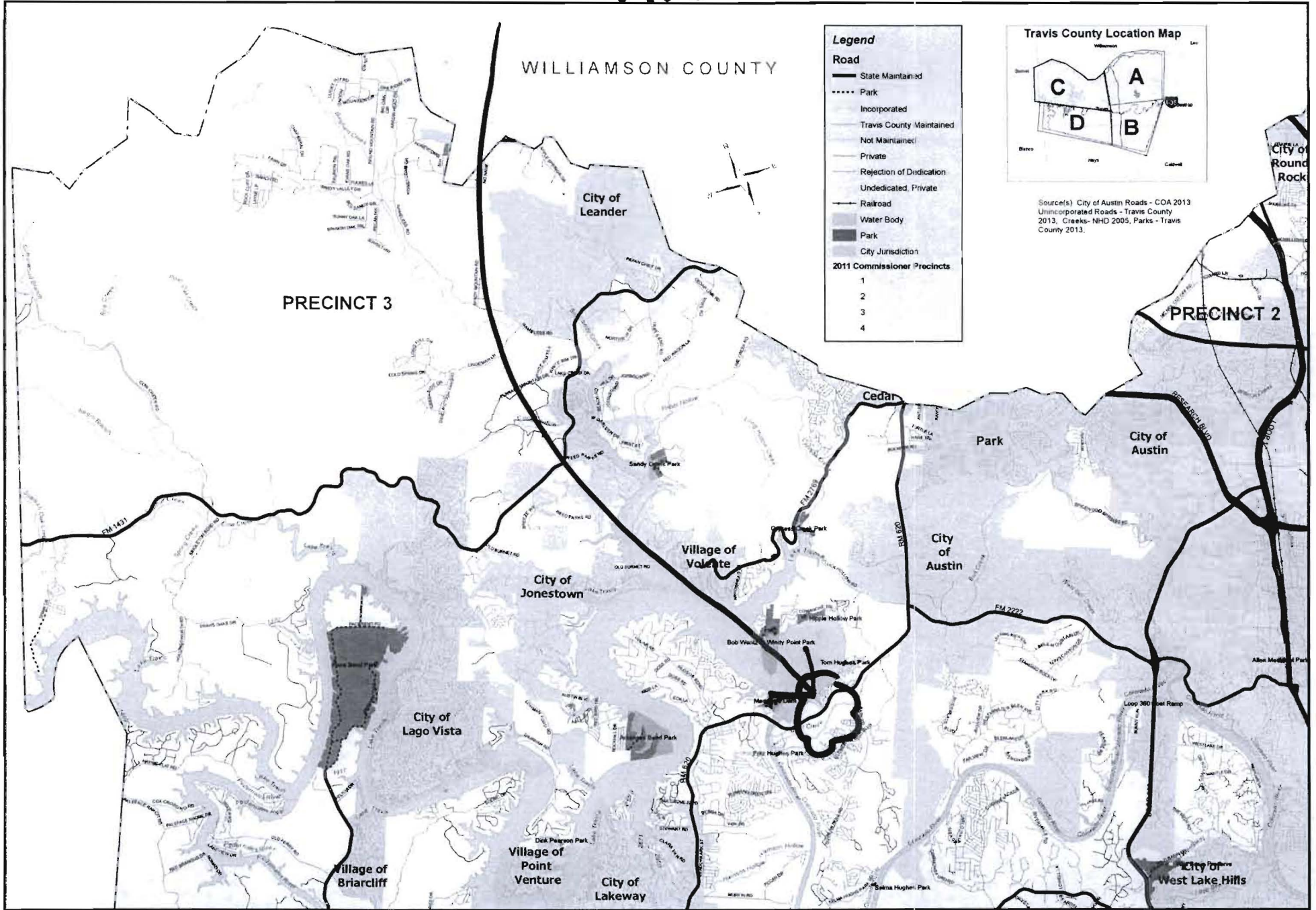
Mansfield Dam

Bear Creek

QUINLAN PARK RD

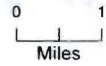
H BLVD

Site Area



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