



Travis County Commissioners Court Agenda Request

Meeting Date: December 30, 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. Manilla, P.E., County Executive-TNR

Sponsoring Court Member: Commissioner Daugherty, Precinct Three

AGENDA LANGUAGE: Approve setting a public hearing on Tuesday, January 21, 2014 to receive comments regarding a request to authorize the filing of an instrument to vacate a portion of the two ten foot wide Public Utility Easements (PUEs) located along the common lot line of Lots 80 and 81 of Sandy Creek Ranches, Phase Four – Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

TNR has received a request to authorize the filing of an instrument to vacate a portion of the two ten foot wide PUEs located along the common lot line of Lots 80 and 81 of Sandy Creek Ranches, Phase Four. The easements are dedicated per plat note. Lots 80 and 81 front on Sheep Hollow Trail, is a street maintained by Travis County.

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

STAFF RECOMMENDATIONS:

TNR has reviewed the request and finds that it meets Travis County standards and recommends setting the public hearing.

ISSUES AND OPPORTUNITIES:

According to the request letter the owner would like to vacate a portion of the two subject easements in order to build a home and install its septic tank. Vacating portions of the easements should resolve any potential encroachment issues.

FISCAL IMPACT AND SOURCE OF FUNDING:

None.

ATTACHMENTS/EXHIBITS:

ORDER OF VACATION

STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, the property owner requests the vacation of a portion of the two ten foot wide public utility easements located along the common lot line of Lots 80 and 81 of Sandy Creek Ranches, Phase Four as recorded at Book 63, Page 43 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 portion of the two 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 portion of the two 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 21, 2014 to consider the proposed action; and

NOW, THEREFORE, by unanimous vote, the Commissioners Court of Travis County, Texas, orders that the portion of the two ten foot wide public utility easements located along the common lot line of Lots 80 and 81 of Sandy Creek Ranches, Phase Four, 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

FILE#
EXHIBIT “_1_”

1,081 SQUARE FOOT
PARTIAL RELEASE OF PUBLIC UTILITY EASEMENT

EXHIBIT “A”

BEING 1,081 SQUARE FEET OF LAND, BEING A PORTION OF A LOTS 80 AND 81, SANDY CREEK RANCHES, A SUBDIVISION RECORDED IN VOLUME 63, PAGES 43-44, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF EACH OF THE 10 FOOT PUBLIC UTILITY EASEMENTS THAT RUNS ALONG EACH SIDE LINE OF SAID LOTS 80 AND 81, SAME BEING THAT CERTAIN DAVID AND ANNA RIEKS TRACT RECORDED IN DOCUMENT NUMBER 2013033424, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 1,081 SQUARE FEET OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at an iron rod found in the westerly right-of-way line of Sheep Hollow Trail, at the common easterly corner of said Lots 80 and 81:

THENCE South 50 degrees 13 minutes 00 seconds West, along the common line of said Lots 80 and 81, 114.34 feet to a point in said line, for the POINT OF BEGINNING and a point in the easterly line hereof:

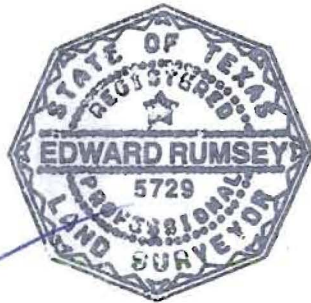
THENCE South 39 degrees 41 minutes 19 seconds East, through said Lot 81 and said 10 foot Public Utility Easement (herein referred to as PUE), 10.00 feet to a point in the southerly line of said PUE, for the southeast corner hereof:

THENCE South 50 degrees 13 minutes 00 seconds West, continuing through said Lot 81, along the southerly line of said PUE, 53.98 feet to a point in said line, for the southwest corner hereof:

THENCE North 39 degrees 57 36 seconds West, continuing said Lot 81 and said PUE at 10.00 feet passing the common line of said Lots 80 and 81, and continuing through said Lot 80 and said PUE in all 20.00 feet to a point in the northerly line of said PUE, for the northwest corner hereof:

THENCE North 50 degrees 13 minutes 00 seconds East, continuing through said Lot 80, along the northerly line of said PUE, 54.08 feet to a point in said line, for the northeast corner hereof:

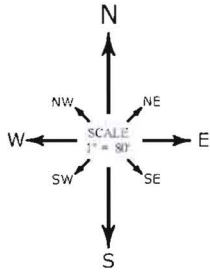
THENCE South 39 degrees 41 minutes 19 seconds East, continuing through said Lot 80, through said PUE, 10.00 feet to the POINT OF BEGINNING.



DATE 10-17-2013

EDWARD C. RUMSEY, TX. RPLS #5729
ALL STAR LAND SURVEYING
9020 ANDERSON MILL ROAD
AUSTIN, TEXAS 78729
JOB # A1005613
TCAD PROP ID # 354900
AUSTIN GRID X-49

1,081 SQ. FT. PARTIAL RELEASE OF A PUBLIC UTILITY EASEMENT

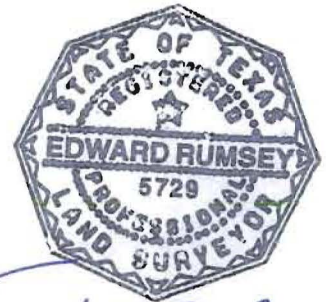
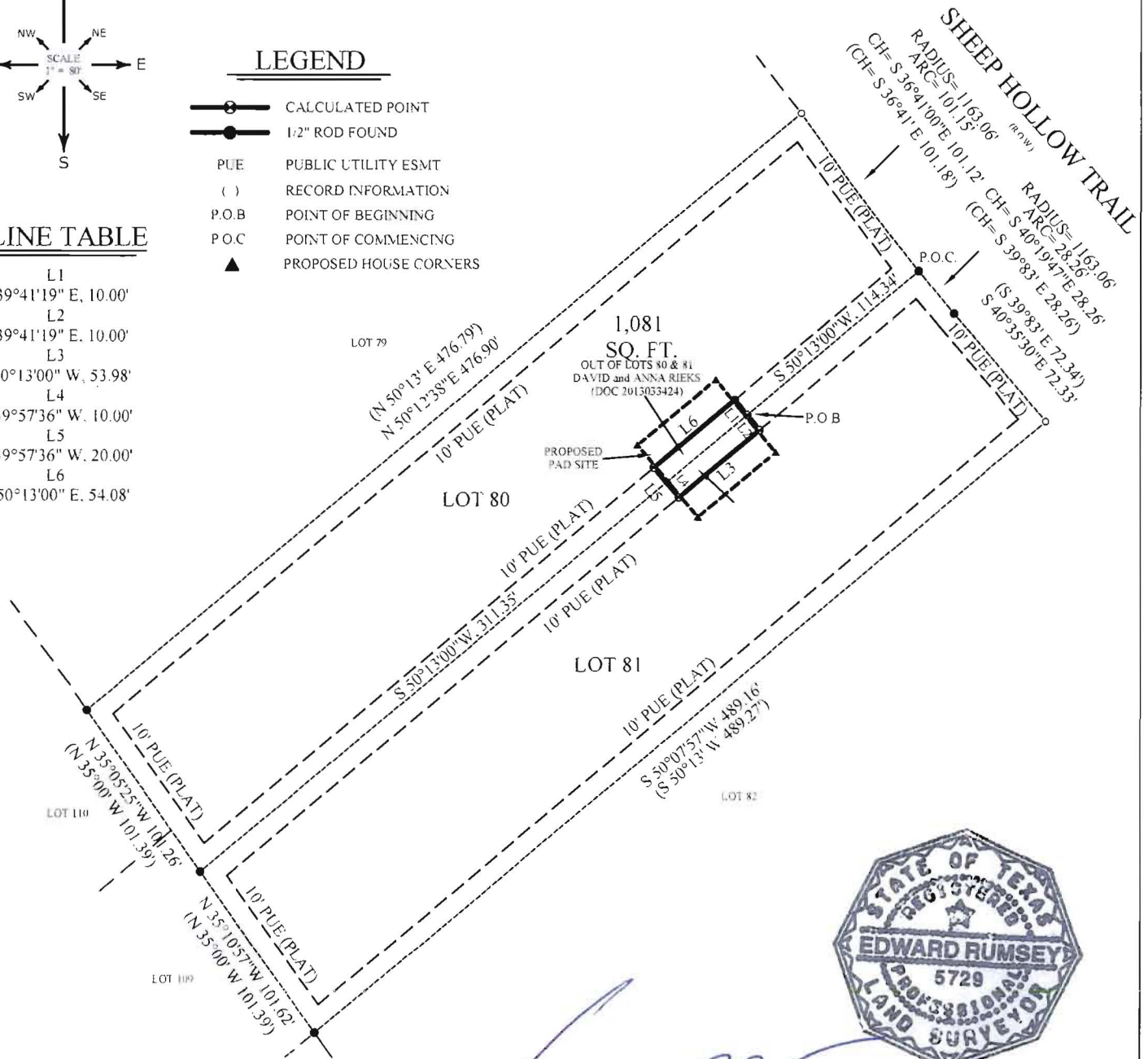


LEGEND

- CALCULATED POINT
- 1/2" ROD FOUND
- PUE PUBLIC UTILITY ESMT
- () RECORD INFORMATION
- P.O.B POINT OF BEGINNING
- P.O.C POINT OF COMMENCING
- ▲ PROPOSED HOUSE CORNERS

LINE TABLE

L1	S 39°41'19" E. 10.00'
L2	S 39°41'19" E. 10.00'
L3	S 50°13'00" W. 53.98'
L4	N 39°57'36" W. 10.00'
L5	N 39°57'36" W. 20.00'
L6	N 50°13'00" E. 54.08'



[Handwritten Signature]
10-17-13

SURVEY DATE	OCTOBER 17, 2013
JOB NO	A1005613
CALC BY	CHRIS ZOTTER 10/08/2013
DRAWN BY	CHRIS ZOTTER 10/08/2013
RPLS CHECK	EDWARD RUMSEY 10/17/2013



9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
WWW.ALLSTARLANDSURVEYING.COM

LEGAL DESCRIPTION:

BEING 1,081 SQUARE FEET OF LAND, BEING A PORTION OF A LOTS 80 AND 81, SANDY CREEK RANCHES, A SUBDIVISION RECORDED IN VOLUME 63, PAGES 43-44, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF EACH OF THE 10 FOOT PUBLIC UTILITY EASEMENTS THAT RUNS ALONG EACH SIDE LINE OF SAID LOTS 80 AND 81, SAME BEING THAT CERTAIN DAVID AND ANNA RIEKS TRACT RECORDED IN DOCUMENT NUMBER 2013033424, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 1,081 SQUARE FEET OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.

December 4, 2013

Corporate Offices:

411 Durham
Houston, TX 77007
713-802-9887
FAX 713-869-5866

To Whom it May Concern,

2508 Ashley Worth Blvd.
Ste 100
Austin, TX 78738
512-323-3900
FAX 512-323-3950

1-888-8TILSON
TilsonHome.com

Sales Offices:

CENTRAL TEXAS

Boerne
1-800-929-4663

Georgetown
1-888-816-2997

San Marcos
1-800-929-2458

GULF COAST

Angleton
1-800-275-0261

Bryan
1-800-275-8576

Houston
1-800-683-5171

Katy
1-866-846-4443

Spring
1-888-540-6710

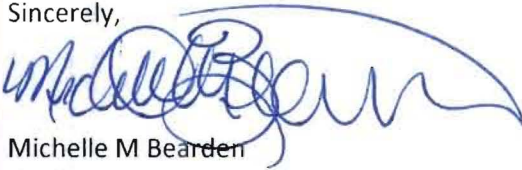
NORTH TEXAS

McKinney
1-800-291-6812

Weatherford
1-800-807-8093

Please find attached the survey, metes and bounds and letters from the utility company's waiving their interest in the easement located between Lots 80 and 81, Sandy Creek Ranches Subdivision, Phase Four, Book 63, Page 43, Travis County Texas. We need to vacate the easement as listed on the survey and metes and bound in order to build a home and install a septic. Please expedite this process as our homeowner's are anxious to move forward. Please call me at 512-323-3903 if you have any questions.

Sincerely,



Michelle M Bearden

Closing Coordinator.

Tilson Home Corporation

2508 Ashley Worth Blvd. Suite 100

Austin, Texas 78738

RELEASE OF EASEMENT

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

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WHEREAS, Sandy Creeks Ranches Inc., as previous owner of all lots in Sandy Creek Ranches Phase Four 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 Sandy Creek Ranches Phase Four Subdivision, said easement being recorded in Volume 63, Page 43&44 of the Plat Records of Travis County, Texas, and;

WHEREAS, said dedicated easements referred to hereinabove include and are comprised in part by a strip of land 10 feet in width along the side lot line of all lots within Sandy Creek Ranches Phase Four Subdivision, in Travis County, Texas; and,

WHEREAS, David and Anna Rieks as current owner of lots 80 and 81, in Sandy Creek Ranches Phase Four Subdivision, desires that the said 10' foot public utility easement along the original common boundary line of lots 80 and 81 in Sandy Creek Ranches Phase Four, Subdivision, 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 One Dollar (\$1.00), does hereby release the said 10' foot public utility easement along the original common boundary line of lots 80 and 81 in, Sandy Creek Ranches Phase Four Subdivision, in Travis County, Texas, and referred to herein above.

EXECUTED: October 30, 2013

PEDERNALES ELECTRIC COOPERATIVE, INC.

BY:

[Handwritten signature of Joe Lockhart]

Joe Lockhart
District Manager

THE STATE OF TEXAS

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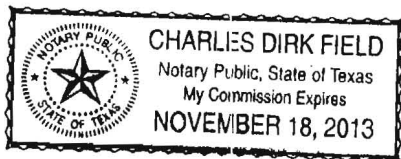
COUNTY OF WILLIAMSON

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BEFORE ME, the undersigned authority, on this day personally appeared, Joe Lockhart District Manager of 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 October 30, 2013.



Charles Dirk Field
Notary Public in and for
The State of Texas



SOUTHWESTERN BELL TELEPHONE COMPANY

PARTIAL RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by *SOUTHWESTERN BELL TELEPHONE COMPANY, a Delaware corporation, GRANTOR, AND David Rieks and Anna Rieks, GRANTEE(S)*, 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 GRANTEE(S), as is, all or a specific portion of certain easements for telecommunication purposes hereinafter described that affects land owned by GRANTEE(S) situated in *Travis County, Texas*, and described as follows:

The surface only in Lots 80 and 81, Sandy Creek Ranches, Phase Four, Deed of record in Document 2013033424, Property Records of Travis County, Texas

Said land of GRANTEE(S) being subject to:

Easements recorded in Volume 63, Pages 43-44, Plat Records of Travis County, Texas,

The portion of said easements to be hereby released is described as follows:

Being 1,081 square feet of land, being a portion of Lots 80 and 81, and being a portion of each of the 10 foot PUEs that runs along each sideline of said Lots 80 and 81, described above,

TO HAVE AND TO HOLD same, together with all rights and appurtenances to the same belonging, unto GRANTEE(S), 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 21st day of OCTOBER, 2013

SOUTHWESTERN BELL TELEPHONE COMPANY

Name: DAVID A. WILLIAMS

Title: HEAD OF RIEKS ENERGY, INC

THE STATE OF TX
COUNTY OF TRAVIS

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 21st day of OCTOBER, 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

EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

An application is being made to Travis County for the vacation of property at 24707 Sheep Hollow Trail (address) and/or Leander, TX. 78641 (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.

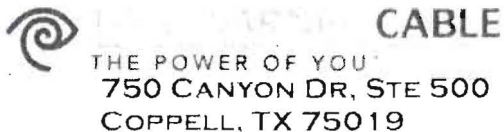
STATEMENT

- Checkmark: 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: Robert L. Laughman
Printed Name: Robert L. Laughman
Title: President
Utility Company or District: Aqua Texas INC
Date: 11/7/13

Please return this completed form to:

Name
Address
City/State/Zip



October 30, 2013

Sally O' Toole
Tilson Home Corporation
411 Durham Dr.
Houston, TX 77007

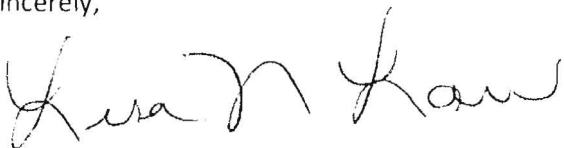
SUBJECT: Abandonment of the ROW between Lots 80 and 81, Sandy Creek Ranches, Leander, TX

We have reviewed your request for the above referenced Utility Easement, and Time Warner Cable (TWC) hereby grants the abandonment of the ROW near Sheep Hollow Trail and Ranch Rd, located within the city of Leander, TX.

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

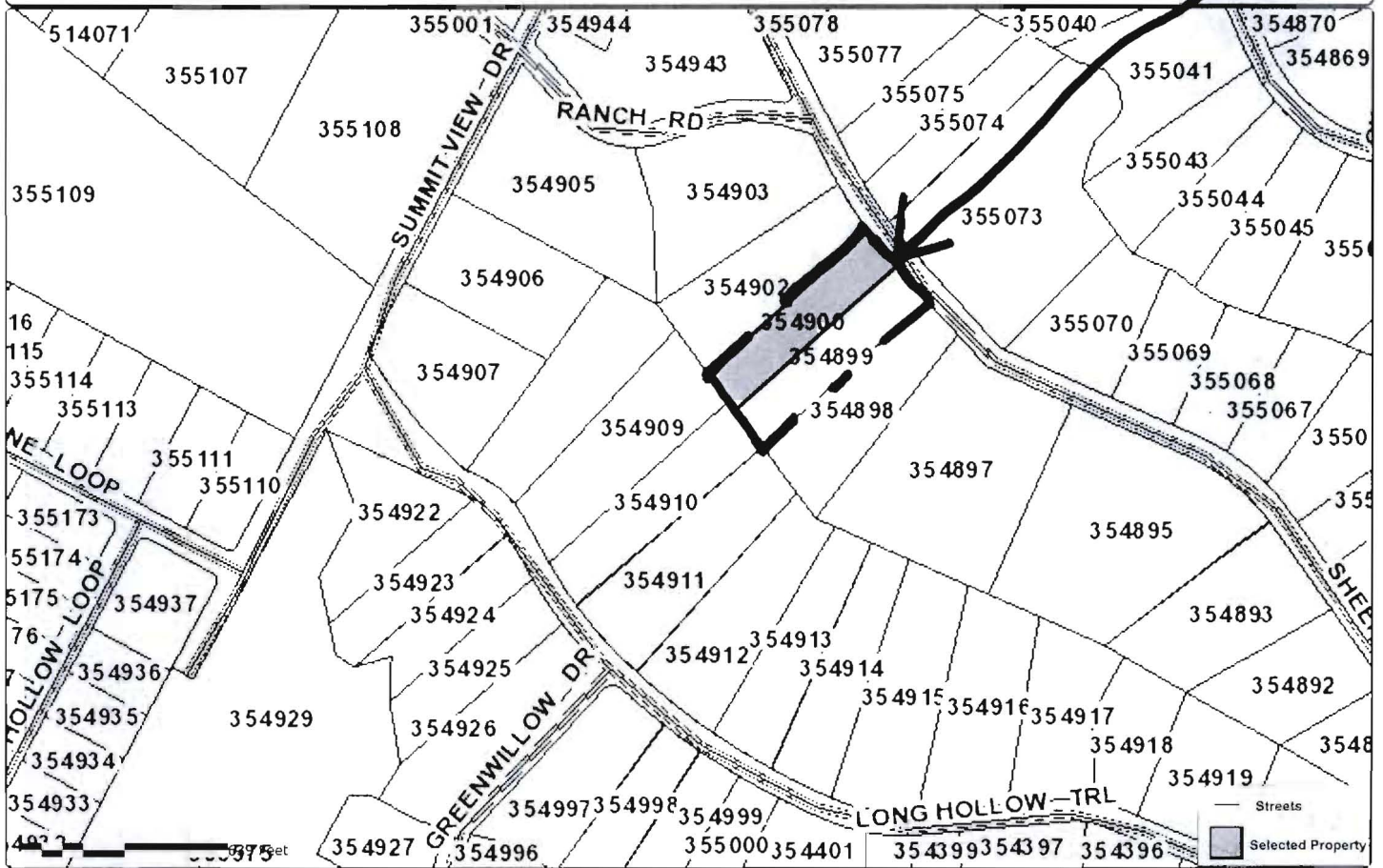
For future reference, please send all utility coordination, abandonments, encroachments, plat signatures, or serviceability requests, or notices of relocation to west-engineering-relo@twcable.com. Please share this information with whoever needs these services.

Sincerely,



Site Location

Travis CAD - Map of Property ID 354900 for Year 2013



Property Details

Account

Property ID: 354900
Geo ID: 0525770313
Type: Real
Legal Description: LOT 80 SANDY CREEK RANCHES PHS 4

Location

Situs Address: 24707 SHEEP HOLLOW TRL TX 78641
Neighborhood: SANDY CREEK RANCHETTES, ETAL
Mapsc0: 309U
Jurisdictions: 0A, 03, 2J, 41, 68, 69

Owner

Owner Name: RIEKS DAVID & ANNA
Mailing Address: , 1506 CARTERS GROVE, KATY, TX 77449

Property

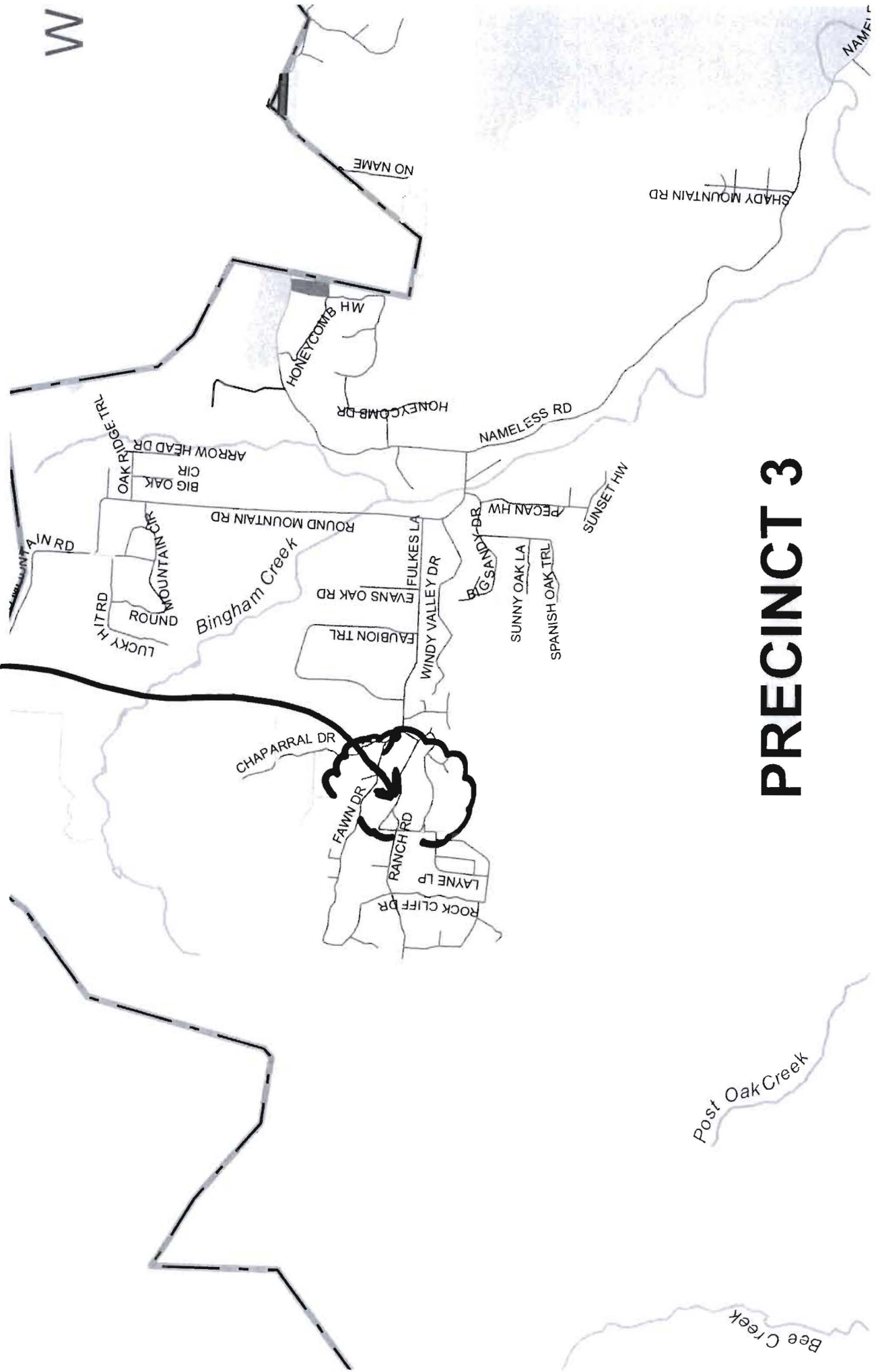
Appraised Value: \$24,195.00

<http://propaccess.traviscad.org/Map/View/Map/1/354900/2013>

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PropertyACCESS
www.trueautomation.com

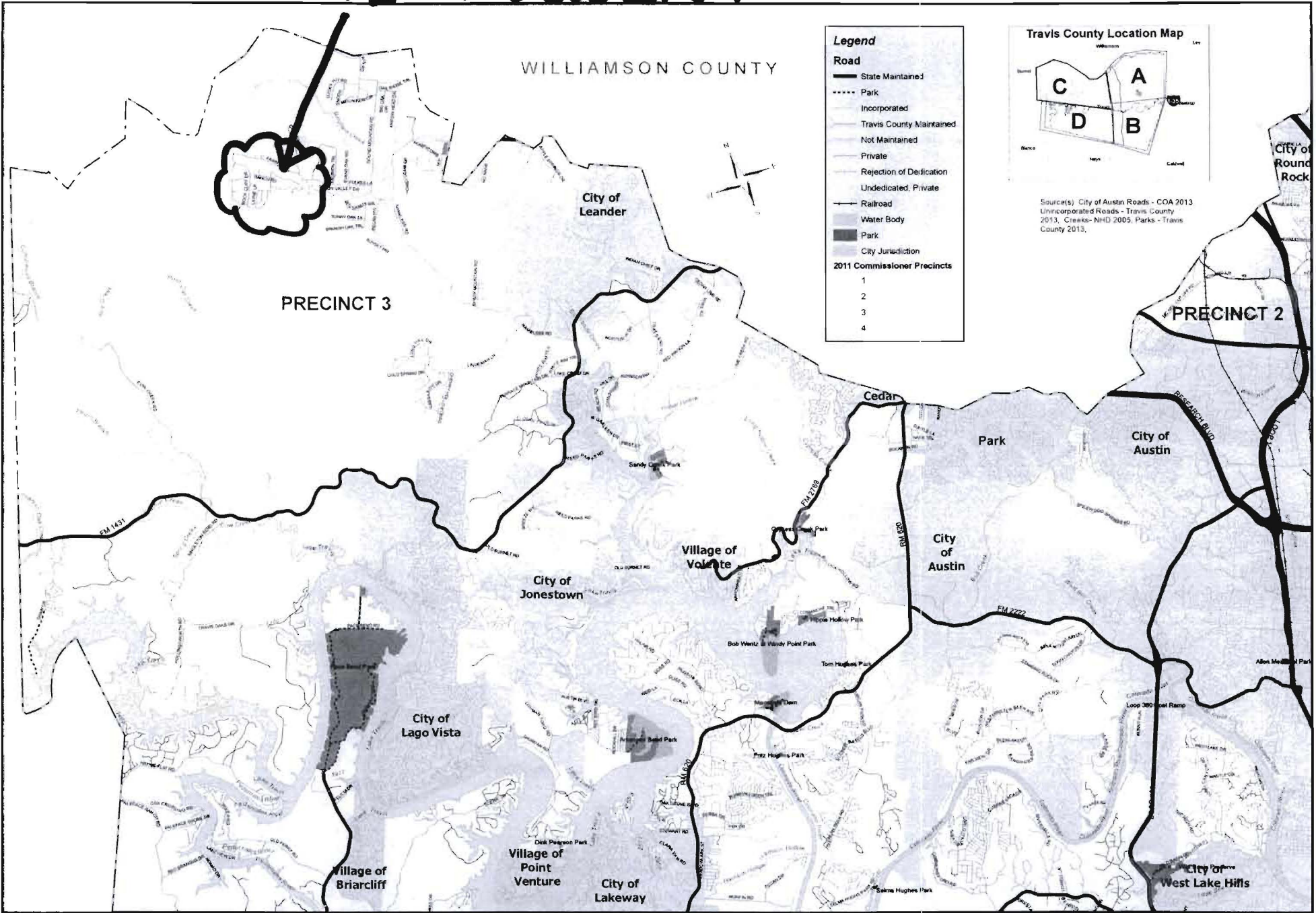
Map Disclaimer: This tax map was compiled solely for the use of TCAD. Areas depicted by these digital products are approximate, and are not necessarily accurate to mapping, surveying or engineering standards. Conclusions drawn from this information are the responsibility of the user. The TCAD makes no 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 Location



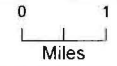
PRECINCT 3

Site Location



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