



Travis County Commissioners Court Agenda Request

Meeting Date: January 14, 2014

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: Consider and take appropriate action 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 346 and 347 of Apache Shores, First Installment – Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

TNR has received a request to authorize the filing of an instrument to vacate two five foot wide PUEs located along the common lot line of Lots 346 and 347 of Apache Shores, First Installment. The easements are dedicated per plat note. Lots 346 and 347 front on Red Feather Trail, a street not 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 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 recommends the request.

ISSUES AND OPPORTUNITIES:

According to the request letter the owner of the subject lots is requesting to vacate the easements so that he may build across the lot line utilizing both lots for a residence. Vacating these easements should prevent any potential encroachment issues pertaining to 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	Permit Program Manager	TNR	(512) 854-7565

SM:AB:ps

1101 - Development Services Long Range Planning - Apache Shores, First Installment

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 346 and 347 of Apache Shores, First Installment as recorded at Book 43, Page 29 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 two five foot wide public utility easements located along the common lot line of Lots 346 and 347 of Apache Shores, First Installment, 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



TRI-TECH 
SURVEYING COMPANY, L.P.
Formerly Point-Line Services &
Doug Siegel Land Surveyors, P.C.

EXHIBIT

PARTIAL RELEASE OF EASEMENTS

FIELD NOTES OF A PORTION OF EASEMENTS THAT HAVE A TOTAL WIDTH OF TEN FEET, BEING FIVE FEET WIDE ON EACH SIDE OF THE DIVIDING LINE OF LOTS 346 AND 347, OF APACHE SHORES FIRST INSTALLMENT, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 43 PAGE 29, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID LOTS 346 AND 347 BEING CONVEYED TO WILLAIM KRASSNER BY DEED OF RECORD UNDER DOCUMENT NUMBER 2013126841 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID EASEMENTS ARE DEDICATED BY STATEMENT ON THE PLAT OF APACHE SHORES FIRST INSTALLMENT AND DEDICATED IN THE DECLARATION OF COVENANTS RECORDED IN VOLUME 3554 PAGE 200, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE EASEMENTS, AS DEDICATED ON THE PLAT, ARE DESCRIBED HEREON AS "FIVE FEET WIDE UTILITY EASEMENTS RETAINED ALONG THE SIDES OF EACH LOT", THE EASEMENTS AS DEDICATED IN THE DECLARATION OF COVENANTS, ARE DESCRIBED THEREIN AS "FIVE FEET WIDE UTILITIES AND DRAINAGE EASEMENTS ALONG THE SIDE LINE OF EACH AND EVERY LOT", THE PERIMETER OF THE PART OF THE ABOVE SAID EASEMENTS THAT IS TO BE RELEASED IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½" diameter iron rod with a plastic cap stamped Tri-Tech set at the Southeast corner of the above said Lot 346, same being the Northeast corner of the above said Lot 347, said iron rod is in the West margin of Red Feather Trail, same being the East line of a ten feet wide utility easement which is dedicated by a statement on the subdivision plat of Apache Shores, First Installment, said iron rod is also in the East line of the a 10 feet wide drainage and utility easement located along the front lines of each lot as reserved in the above said Declaration of Covenants;

THENCE N72°56'11"W, along the common dividing line of said Lots 346 and 347, for a distance of 10.00 feet to a point in the East line of the herein described easement area to be released, said East line is also the West line of the above said 10.00 feet wide drainage and utilities easements along the front line of all lots;

THENCE entering Lot 347 along the East line of the herein described portion of easements to be released, same being the West line of said easement 10 feet in width along the front line of all lots, along a curve to the left, the radius of which is 287.67 feet, the arc distance is 5.00 feet, the chord of which bears S16°37'56"W, 5.00 feet to the Southeast corner hereof and being the **PLACE OF BEGINNING** hereof;

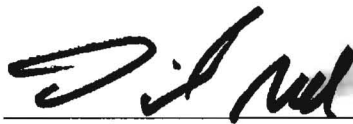
THENCE N72°56'11"W, over and across a portion of said Lot 347, along the South line of the herein described easements to be released, for a distance of 296.01 feet to the Southwest corner hereof,

THENCE N03°58'21"E, along the West line of the herein described easement to be released, same being the East line of a six feet wide drainage and utility easement along the rear lines of all lots as reserved in said Declaration of Covenants, passing at 5.00 feet the dividing line of said Lots 346 and 347, and continuing for a total distance of 10.27 feet to the Northwest corner hereof;

THENCE S72°56'11"E, along the North line of the easements to be released, over and across a portion of Lot 346, for a distance of 298.35 feet to the Northeast corner hereof, said Northeast corner lies in the West line of the above said 10.00 feet wide drainage and utilities easements along the front of all lots;

THENCE along the East line of the herein described portion of the easements to be released, same being the West line of the above said "10.00 feet wide easement along the front of all lots", along a curve to the left, the radius of which is 287.67 feet, the arc distance is 10.00 feet, the chord of which bears S17°07'49"W, 10.00 feet returning to the **PLACE OF BEGINNING** and containing 2,971.52 square feet.

SEE ACCOMPANYING SKETCH



David Bell
Registered Professional Land Surveyor No. 3994
JOB # AUS-PL1575-13

8-20-13

Date



SCALE 1"=40'



SKETCH TO ACCOMPANY METES AND BOUNDS

A COVE OF LAKE AUSTIN
(CALLED "LAKE APACHE" IN BOOK 43 PAGE 29)
(N 03°59'E 195.75')
N 03°58'21"E 195.68'

APACHE SHORES
SECTION TWO
BOOK 48, PG. 58

LOT 848

LOT 845

(91.40')

5' U.E. PER PLAT BK. 43 PG. 29
6' D.E. & U.E. PER VOL. 3554 PG. 200
(104.35')



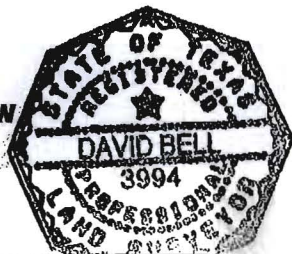
LEGEND	
	1/2" IRON ROD FOUND
	1/2" IRON ROD W/CAP SET
	SPINDLE FOUND
()	RECORD INFORMATION
B.L.	BUILDING LINE
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT

C1
R = 277.67'
DELTA = 10°19'
L = 50.00'
C = 49.94'
 (C = 49.93')
CB = S 22°17'32" W
 (CB = S 22°14' W)

APACHE SHORES
SECTION TWO
BOOK 48, PG. 58

LOT 847

C2
R = 277.67'
DELTA = 10°19'
L = 49.86'
C = 49.80'
 (C = 49.93')
CB = S 11°59'18" W
 (CB = S 11°55' W)



(N 80°28'W 299.79')
N 80°28'16"W 299.62'

LOT 347

LOT 346

S 64°17'00"E 345.43'
(S 64°17'E 345.45')
 BEARING BASIS

5' U.E. PER PLAT BK. 43 PG. 29 & 5' B.L., D.E. AND U.E. PER VOL. 3554 PG. 200

5' U.E. PER PLAT BK. 43 PG. 29 & 5' B.L., D.E. AND U.E. PER VOL. 3554 PG. 200

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AREA OF EASEMENTS
TO BE RELEASED =
2971.52 SQUARE FEET

10' U.E. PER PLAT
BK. 43 PG. 29 &
10' D.E. AND U.E. PER
VOL. 2554 PG. 200

Course	Bearing	Distance
L1	N 72°56'11" W	10.00'
L2	Rad: 287.87'	A: 5.00'
	Tan: 2.50'	CA: 0°58'45"
	Chd: S 18°37'58" W	5.00'
L3	N 72°56'11" W	298.01'
L4	N 03°58'21" E	10.27'
L6	S 72°56'11" E	298.35'
L8	Rad: 287.87'	A: 10.00'
	Tan: 5.00'	CA: 1°59'31"
	Chd: S 17°07'49" W	10.00'

PLACE OF BEGINNING

PLACE OF COMMENCEMENT

RED FEATHER TRAIL (60' R.O.W.)

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SURVEYING COMPANY, L.P.

Use of this survey for any other purpose or other parties shall be at their risk and undersigned is not responsible to others for any loss resulting therefrom.

Dated this the 20th day of August, 2013

Job No. AUS-PL1575-13



TRI-TECH
SURVEYING COMPANY, L.P.

Formerly Point-Line Services, Inc.
Formerly D. Seelig Land Surveyors, PC
Formerly Brandt Surveying, PC

WWW.SURVEYINGCOMPANY.COM

3802 Manchaca Road
Austin, Texas 78704

Phone: (512) 440-0222
Fax: (512) 440-0224

Phone: (512) 339-0808

DAVID BELL, R.P.L.S. 3994



11/12/13

Travis County
Transportation & Natural Resources
Planning & Engineering Services
700 Lavaca
Austin, TX 78701

Attention: Paul Scoggins

RE: Easement Vacation for 14318 & 14320 Red Feather Trail

Mr. Scoggins,

Please let this letter serve as a request to vacate the easement running between lots 346 and 347 of Apache Shores 1st Installment, also known as 14318 and 14320 Red Feather Trail. The vacation is being requested so that the owner, William Krassner, may build across the lot line utilizing both lots for a residence. Attached to this request are metes and bounds survey, a drawing showing the easement and the following releases from utility companies.

Austin Energy

WCID #17

AT&T

Time Warner

After speaking with several providers, the following utilities do not serve the area and indicated that a release from them was not necessary:

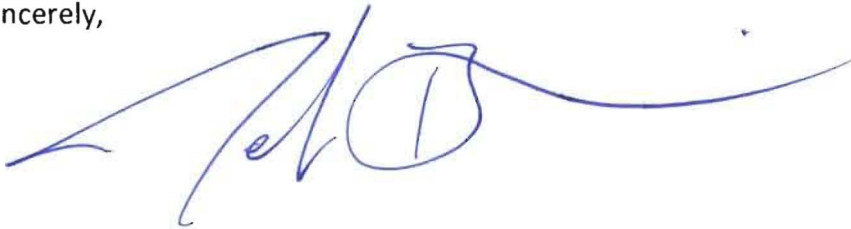
COA Water & Waste Water Utility

Texas Gas Service

TXU Electric & Gas

Please let me know if there is anything else required to obtain an approval for the easement vacation at 14318 and 14320 Red Feather Trail.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeb Barmish', with a long horizontal flourish extending to the right.

Jeb Barmish

Slipknot Construction Services

1304 E. 7th Street

Austin, TX 78702

(512) 771-8503

Jeb.barmish@att.net

For: William Krassner

1540 Cypress Creek Road

Cedar Park, TX 78613

(512) 577-0075



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 14318 & 14320 Red Feather Trail, Austin (address) and/or Lots 346 & 347 Apache Shores, 1st Installment (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.

Sonny Poole
 Signature
 Sonny Poole
 Printed Name
 Mgr. PIRES
 Title
 Austin Energy
 Utility Company or District
 10/29/13
 Date
 William Krassner
 Name
 N/A
 Address
 N/A
 City/State/Zip

Please return this completed form to:

INT. *JP*
 DATE. 10-31-13

cc: jeb.barmish@att.net



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: 10/24/13

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

Property Address: 14318 + 14320 Red Feather Trail

Legal Description: Lots 346 + 347 of Apache Shores, First Installment

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

Applicant Name: Jeb Barmish

Address: 1304 E. 7th St. Austin, TX 78702

Reason for Request: property owner has purchased two adjacent lots, 346 + 347, and would like to vacate the existing P.U.E. dividing the lots in order to build across the lots.

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.

Henry W. Mearns Signature Date 10.28.13

Deborah S. Gemes Signature Date 10/28/13

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

Please return this completed form to: Jeb Barmish

Phone: (512) 771-8503

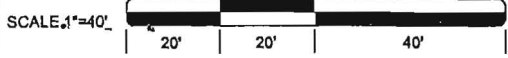
Fax: (512) 474-4557

Email: jeb.barmish@att.net

Name: Jeb Barmish

Address: 1304 E. 7th St. Austin, TX 78702

City/State/Zip



SKETCH TO ACCOMPANY METES AND BOUNDS

A COVE OF LAKE AUSTIN
(CALLED "LAKE APACHE" IN BOOK 43 PAGE 29)
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LOT 345

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PLACE OF BEGINNING

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RED FEATHER TRAIL (50' R.O.W.)

10' U.E. PER PLAT
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WWW.SURVEYINGCOMPANY.COM

3802 Manchaca Road
Austin, Texas 78704

Phone: (512) 440-0222

Fax: (512) 440-0224

Phone: (512) 339-0808

Use of this survey for any other purpose or
other parties shall be at their risk and
undersigned is not responsible to others for
any loss resulting therefrom.

Dated this the 20th day of August, 2013

Job No. AUS-PLI575-13

DAVID BELL, R.P.L.S. 3994



SOUTHWESTERN BELL TELEPHONE COMPANY

RELEASE OF EASEMENT

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

Lots 346 and 347, Apache Shores First Installment, Deed of record in Document 2013126841, Property Records of Travis County, Texas

Said land of GRANTEE being subject to:

Easements recorded in Volume 43, Page 29, 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/DE along the common property lines of said Lots 346 and 347, described above,

TO HAVE AND TO HOLD same, together with all rights and appurtenances to the same belonging, unto GRANTEE, 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

Name: DAVID A. WILLIAMS

Title: Lead OSP PLNG & ENGNG DESIGN

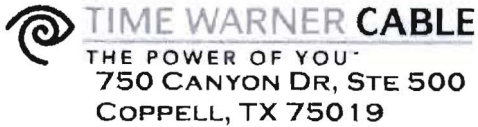
THE STATE OF TX
COUNTY OF TRAVIS

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 11th day of NOVEMBER, 2013.

Notary Public in and for the State of TEXAS
My Commission Expires Jan 16 2017





October 28, 2013

Jeb Barmish
Slipknot Construction Services
7205 Guava Cove
Austin, TX 78750

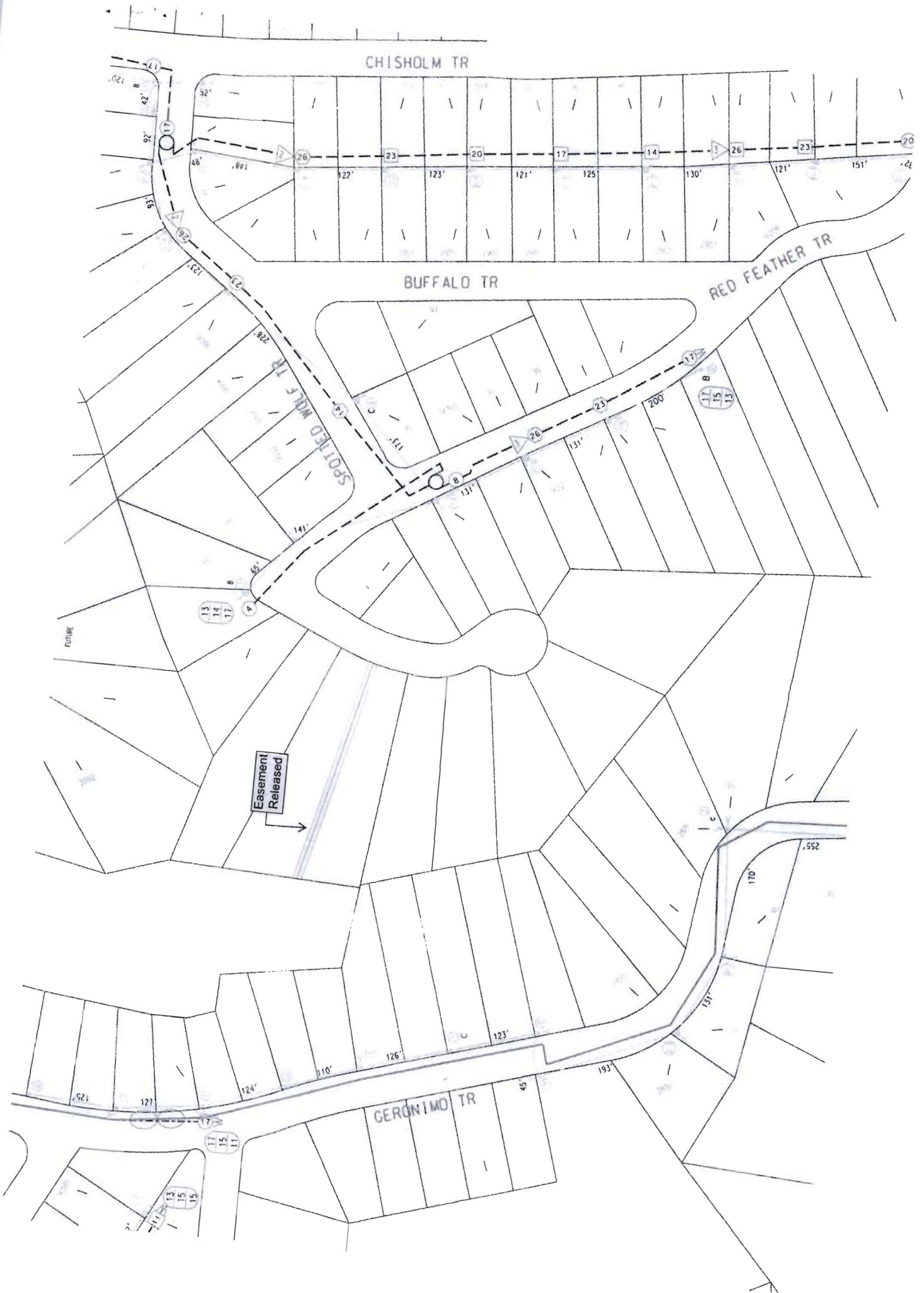
SUBJECT: Abandonment of the ROW between 14318 and 14320 Red Feather Trail, Austin, TX

We have reviewed your request for the above referenced Utility Easement, and Time Warner Cable (TWC) hereby grants the abandonment of the ROW between 14318 and 14320 Red Feather Trail, located within the city of 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,



CHISHOLM TR

BUFFALO TR

RED FEATHER TR

GERONIMO TR

Easement Released

SPOTTED WOLF TR

FUTURE





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 two five foot wide public utility easements was posted on December 17, 2013, along the westerly ROW line of Red Feather Trail at the common lot line of Lots 346 and 347 of Apache Shores, First Installment at a point as near as practical to the area being vacated, and was also posted at the Travis County Courthouse.

CERTIFIED THIS THE 18 DAY OF December, 2013.

SIGNATURE: Jaime Garcia
NAME (PRINT): Jaime Garcia
TITLE: TNR R&B Supervisor

cc: Garcia (sign shop)

M:\PERMITS\Vacate\13PUE\17-RedFeatherTrail\SignRequest-RedFeatherTr.doc



NOTICE OF PUBLIC HEARING

**JANUARY 14, 2014, AT 9:00 AM
PUBLIC UTILITY EASEMENT VACATION**

**TO APPROVE THE VACATION OF TWO FIVE
FOOT WIDE PUBLIC UTILITY EASEMENTS
LOCATED ALONG THE COMMON LOT LINE
OF LOTS 346 AND 347 OF APACHE
SHORES, FIRST INSTALLMENT—
A SUBDIVISION IN PRECINCT THREE**

**A HEARING WILL BE HELD AT
THE TRAVIS COUNTY
COMMISSIONERS COURTROOM
700 LAVACA ST. AUSTIN, TEXAS**

FOR MORE INFORMATION CALL 854-9383



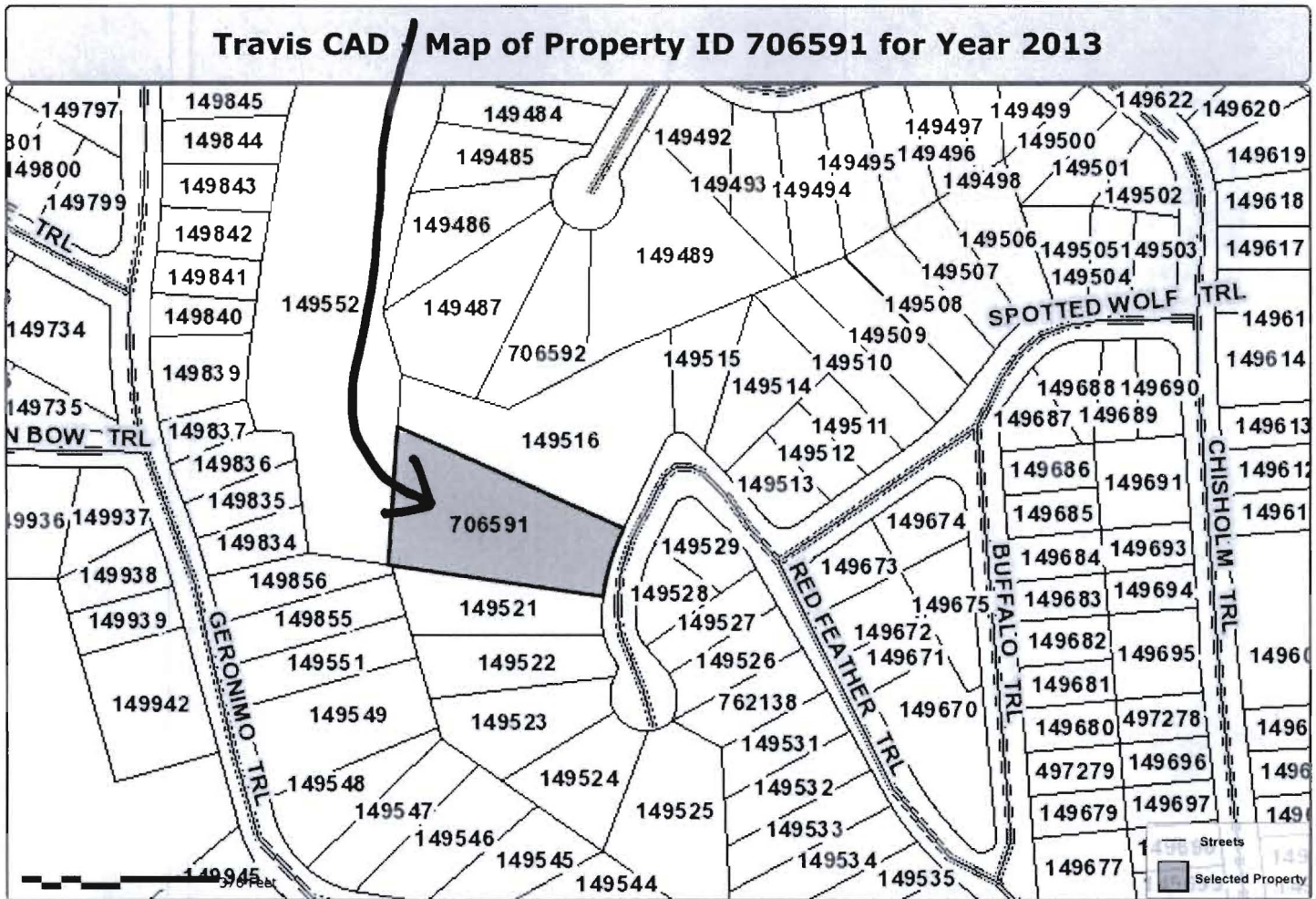
NOTICE OF PUBLIC HEARING

THE NATIONAL PARK SERVICE HAS BEEN DESIGNATED AS THE LEADING AGENCY FOR THE DEVELOPMENT AND MANAGEMENT OF THE NATIONAL SYSTEM OF PUBLIC LANDS. THE NATIONAL PARK SERVICE IS CURRENTLY CONSIDERING THE DEVELOPMENT AND MANAGEMENT OF THE NATIONAL SYSTEM OF PUBLIC LANDS. THE NATIONAL PARK SERVICE IS CURRENTLY CONSIDERING THE DEVELOPMENT AND MANAGEMENT OF THE NATIONAL SYSTEM OF PUBLIC LANDS.

FOR MORE INFORMATION, CONTACT THE NATIONAL PARK SERVICE AT THE FOLLOWING ADDRESS:

NATIONAL PARK SERVICE
1000 EAST MAIN STREET
DENVER, COLORADO 80202

Site



Property Details

Account

Property ID: 706591
Geo ID: 0147550179
Type: Real
Legal Description: LOT 346&347 APACHE SHORES FIRST INSTALLMENT

Location

Situs Address: RED FEATHER TRL TX 78734
Neighborhood: APACHE SHORES(Obsolete-MERGED INTO R4120)
Mapsc0: 490R
Jurisdictions: 0A, 03, 07, 2J, 52

Owner

Owner Name: DECKER JAY & MARY
Mailing Address: , 171 WOODLAND DR, , DRIFTWOOD, TX 78619-4246

Property

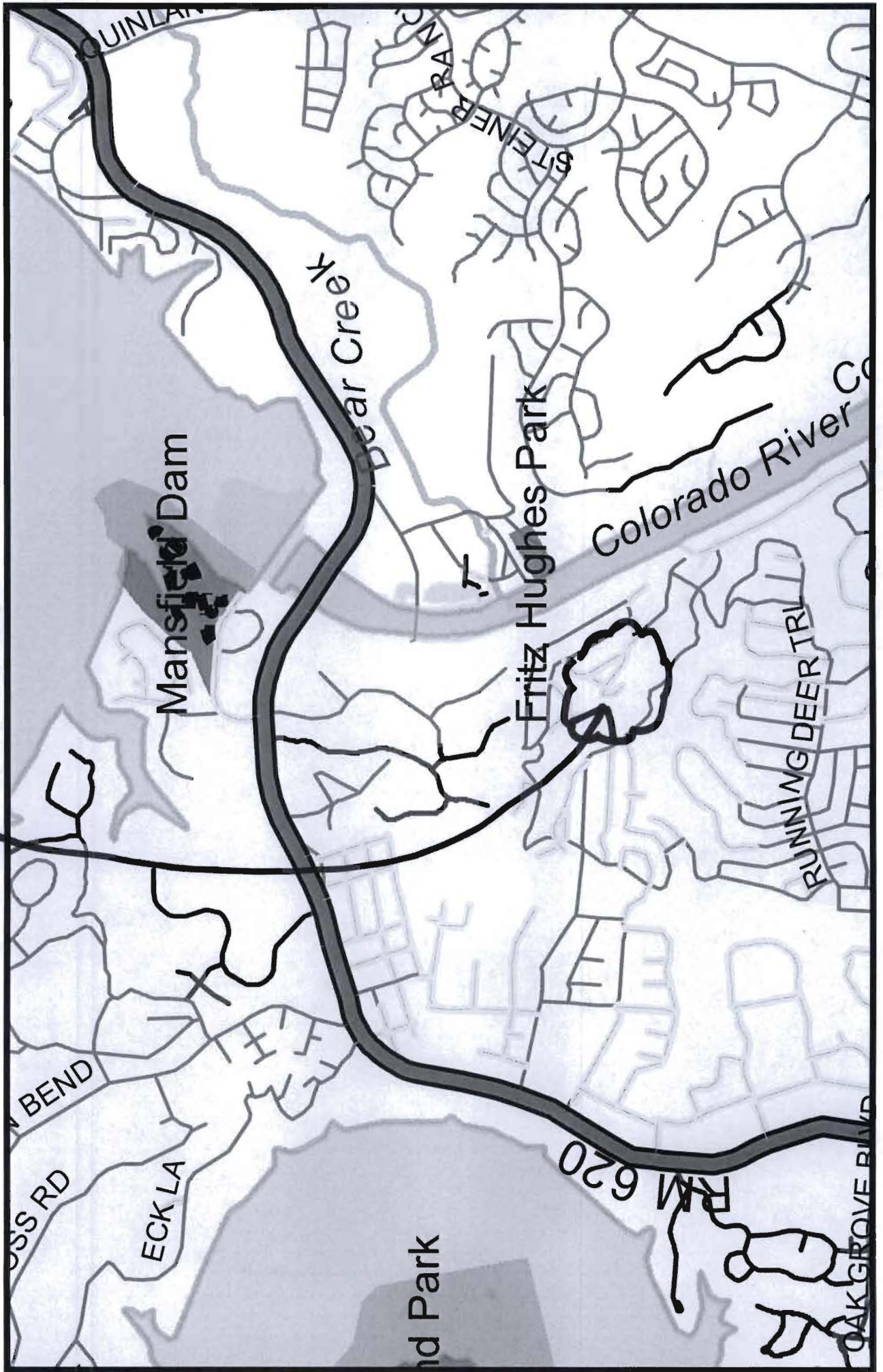
Appraised Value: \$46,000.00

<http://propaccess.traviscad.org/Map/View/Map/1/706591/2013>

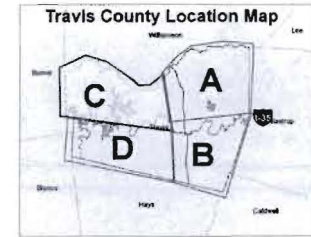
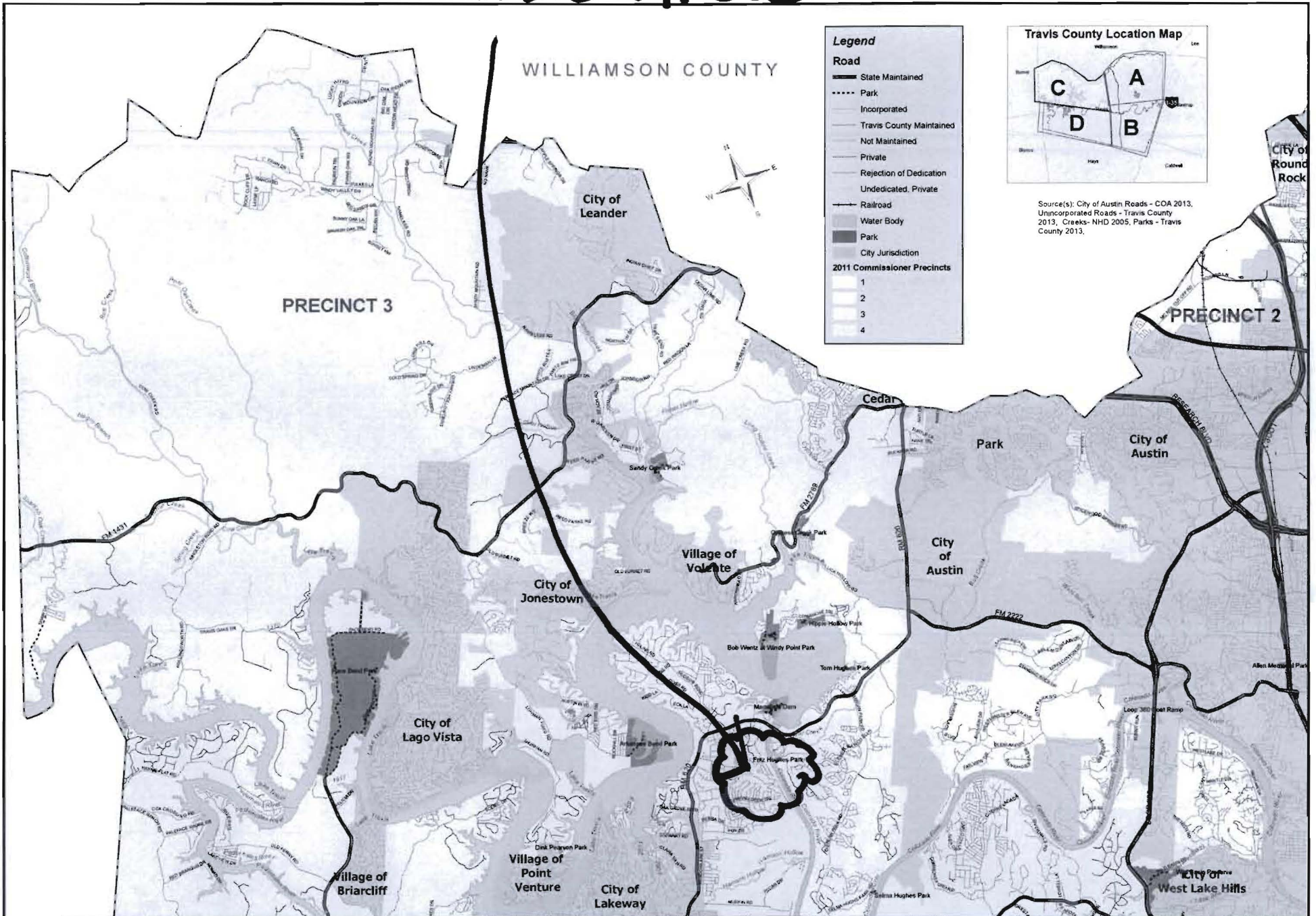
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Site Area



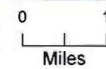
Site Area



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

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