



Travis County Commissioners Court Agenda Request

Meeting Date: January 7, 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 on a request to authorize the filing of an instrument to vacate two five foot wide Public Utility Easements (PUEs) located along the common lot lines of Lots 1042 and 1043 of Apache Shores, Section 2 - 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 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 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 property is anticipating 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
- 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	Permits Program Manager	TNR	(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

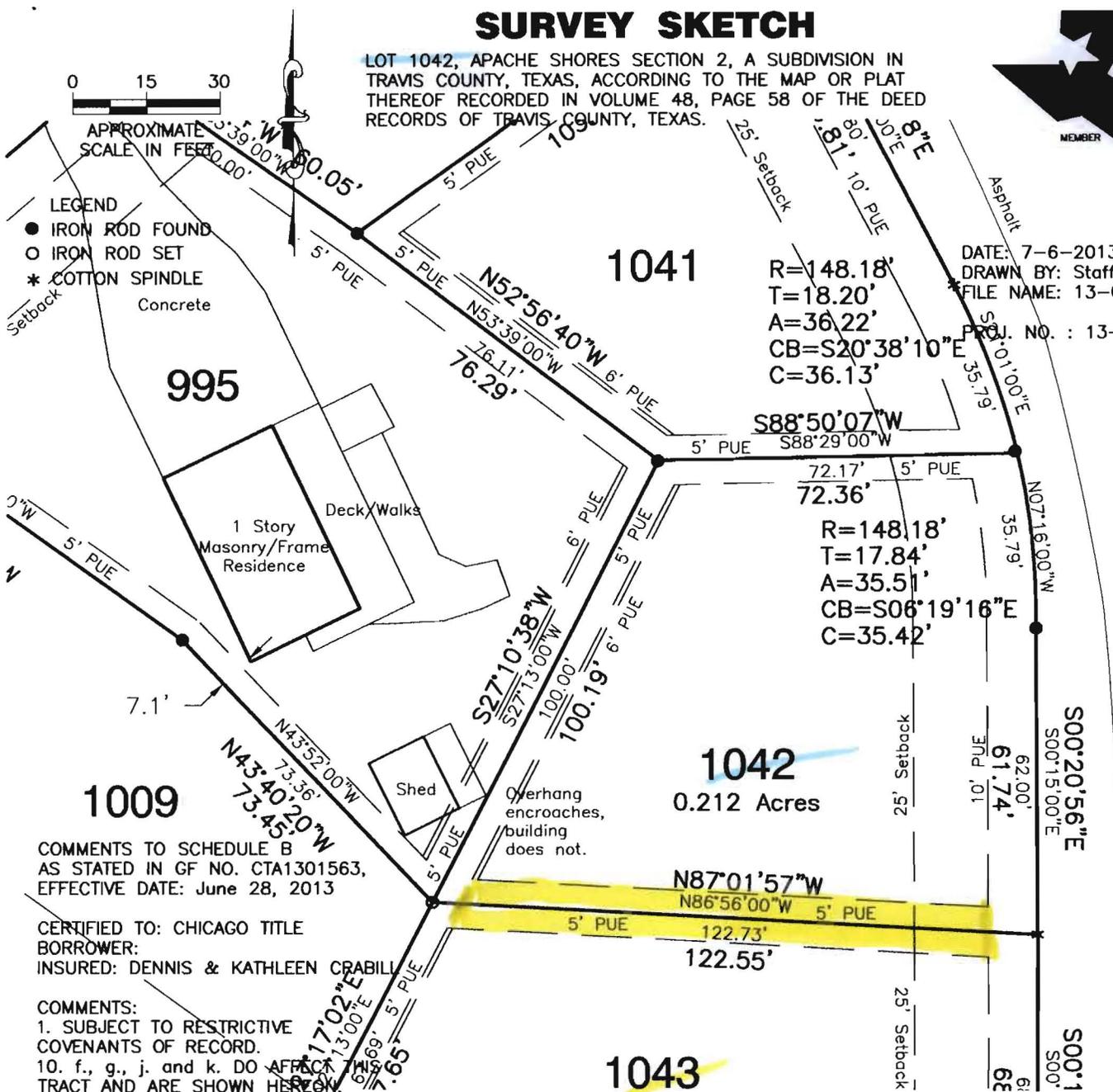


SURVEY SKETCH

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.

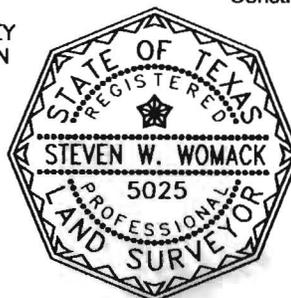
NO PORTION OF THE SURVEY SHOWN HEREON LIES WITHIN THE LIMITS OF A FLOOD HAZARD AREA OR WITHIN THE LIMITS OF THE 100 YEAR FLOOD AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, AS SHOWN ON COMMUNITY PANEL NO. 48453C0220H, DATED 09/26/08, FOR TRAVIS COUNTY, TEXAS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



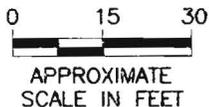
Steven W. Womack
 STEVE W. WOMACK
 REGISTERED PROFESSIONAL SURVEYOR
 NO. 5025, STATE OF TEXAS

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.



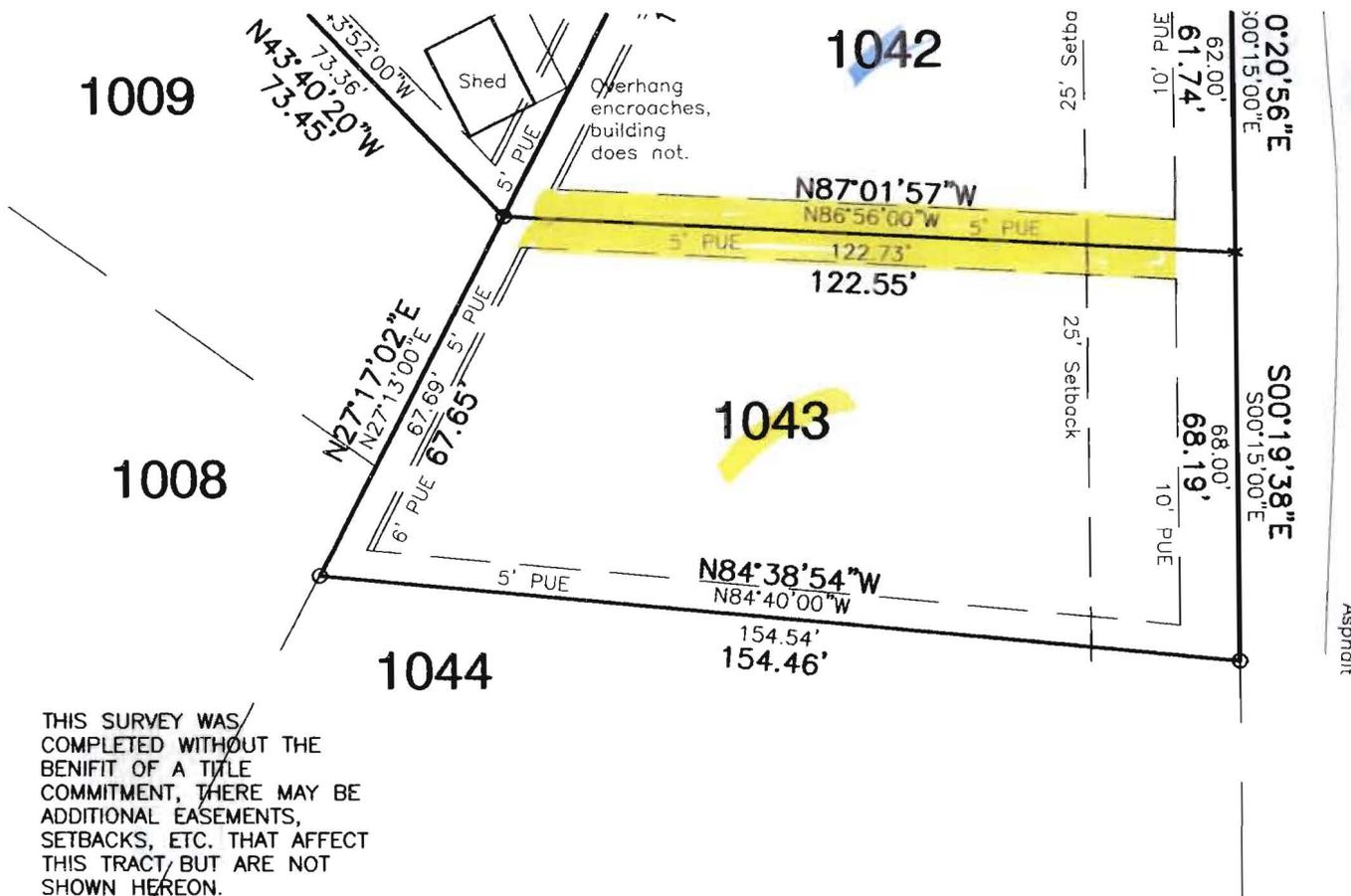
DATE: 7-6-2013
 DRAWN BY: Staff
 FILE NAME: 13-006.dwg

PROJ. NO. : 13-006

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

Running Deer Trail

Asphalt



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.

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3DS, Inc.

Land Surveyors

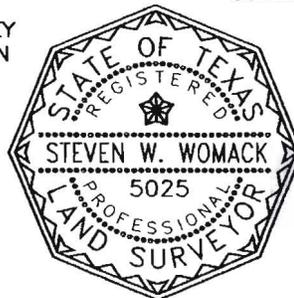
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www.3dsinc.com



Steve W. Womack

8 July 2013

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

DATE

4/9

RECEIVED

OCT 21 2013

TRAVIS COUNTY - TNR
PERMITS DEPARTMENT

Dennis Crabill
P. O. Box 342198
Austin, TX 78734-2198
512.974.7232 Day
512.914.9427 Mobile
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 Crabill

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 & INQUIRY DIST. 20

Title

MT & T

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 25th day of NOVEMBER, 2013

SOUTHWESTERN BELL TELEPHONE COMPANY

David A Williams

Name: DAVID A. WILLIAMS

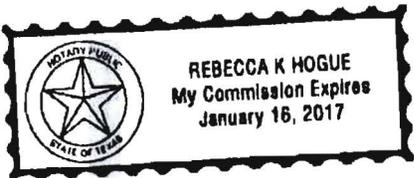
Title: MANAGER ENGINEERING DESIGN

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 25th 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

EASEMENT REQUIREMENT STATEMENT FOR VACATION OF PROPERTY

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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

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

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STATEMENT

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

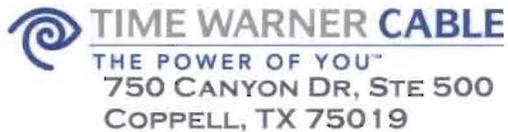
We do have a need for an easement on the property as described in the accompanying document. A description of the required easement is attached.

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

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

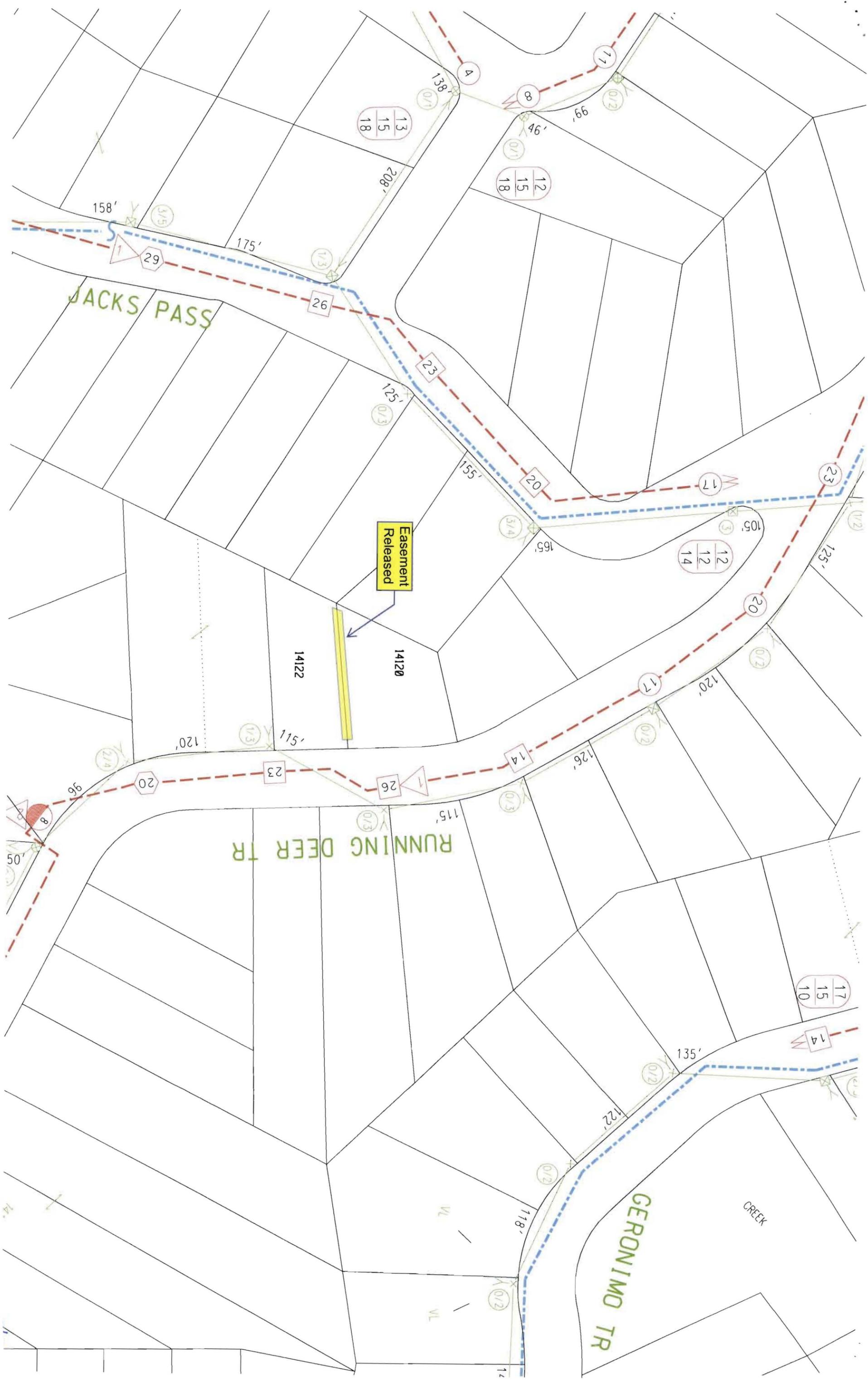
SUBJECT: Abandonment of ROW between lots 1042 and 1043, Apache Shores, Austin, TX

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. Please share this information with whoever needs these services.

Sincerely,



JACKS PASS

RUNNING DEER TR

GERONIMO TR

Easement Released

14122

14120

158'

175'

208'

138'

4

8

17

13
15
18

12
15
18

99'

46'

29

26

23

125'

155'

20

17

23

105'

12
12
14

125'

20

17

120'

120'

115'

23

26

14

126'

96'

20

115'

105'

50'

17
15
10

14

135'

122'

118'

CREEK



TRANSPORTATION AND NATURAL RESOURCES

Steven M. Manilla, P.E., County Executive
411 West 13th Street
Executive Office 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**

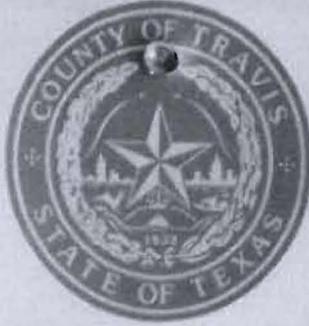
A Public Notice of Vacation of two five foot wide public utility easements sign was posted on December 17, 2013, on the westerly side of Running Deer Trail along the common lot line of Lots 1042 and 1043 of Apache Shores Section 2 at a point as near as practical to the area being vacated, and was also 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\15-RunningDeerTrail\SignRequest-RunningDeerTr.doc



NOTICE OF PUBLIC HEARING

JANUARY 7, 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 1042
AND 1043 OF APACHE SHORES, SECTION 2—
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





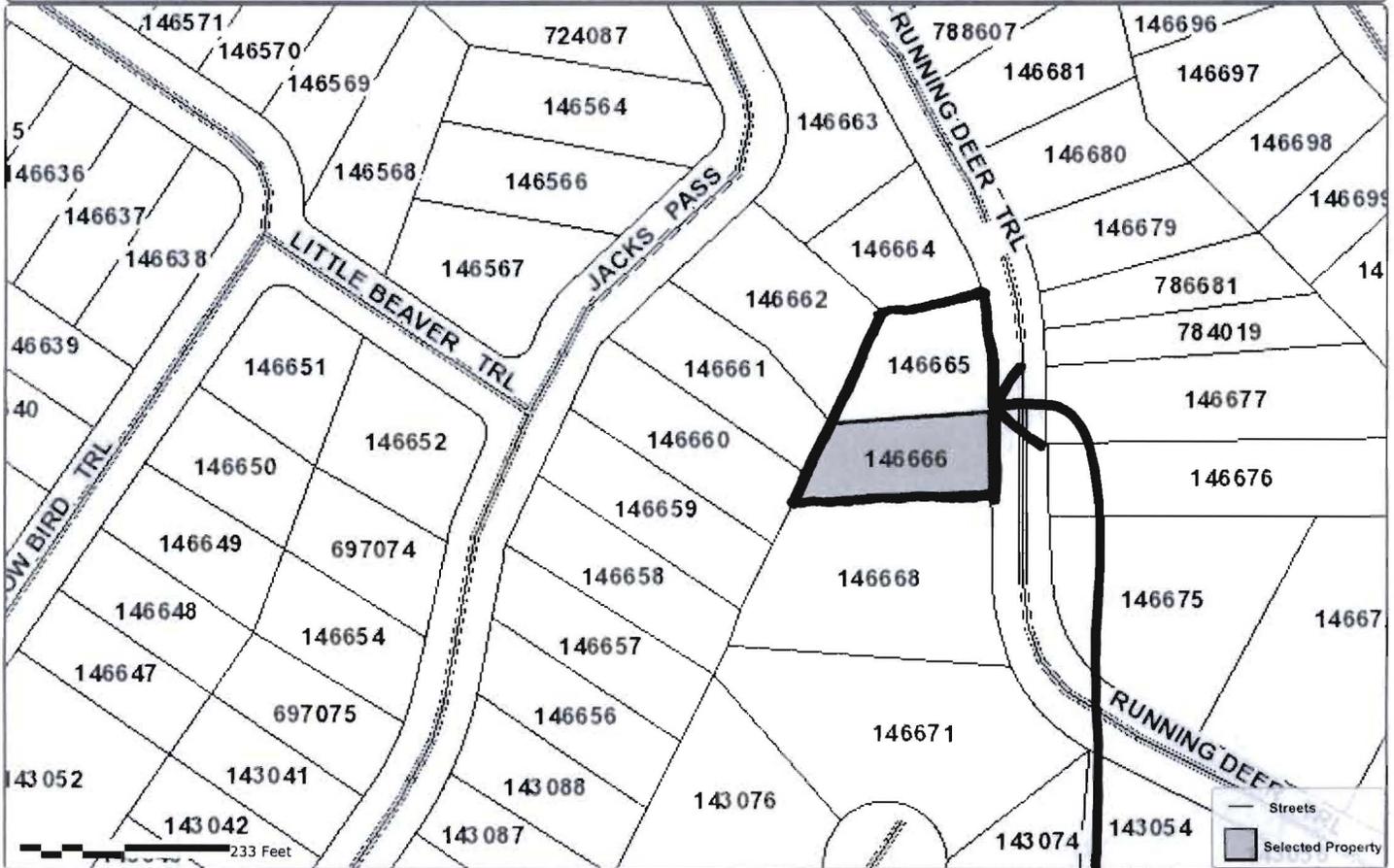
**NOTICE OF
 PUBLIC HEARING**

The State of Texas, by and through the State Engineer, Department of Transportation, is holding a public hearing on the proposed project described below. The hearing will be held on the date, time, and place specified below. The purpose of the hearing is to receive comments from interested parties on the proposed project.

Project Name: [Illegible]
Location: [Illegible]
Date: [Illegible]
Time: [Illegible]
Place: [Illegible]

For more information, contact the State Engineer at [Illegible] or visit the project website at [Illegible].

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
Mapsc0: 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

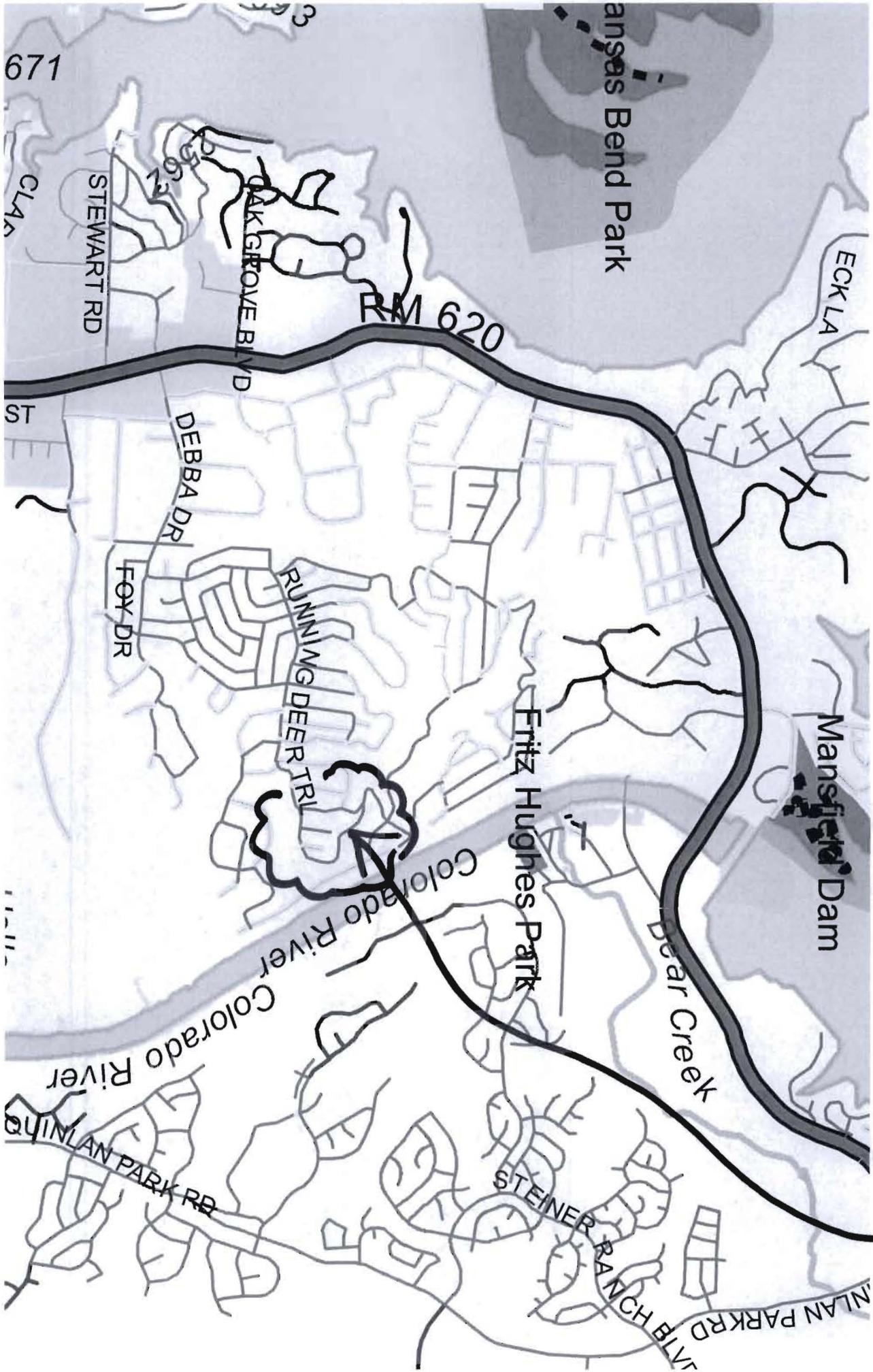
*Site
Location*

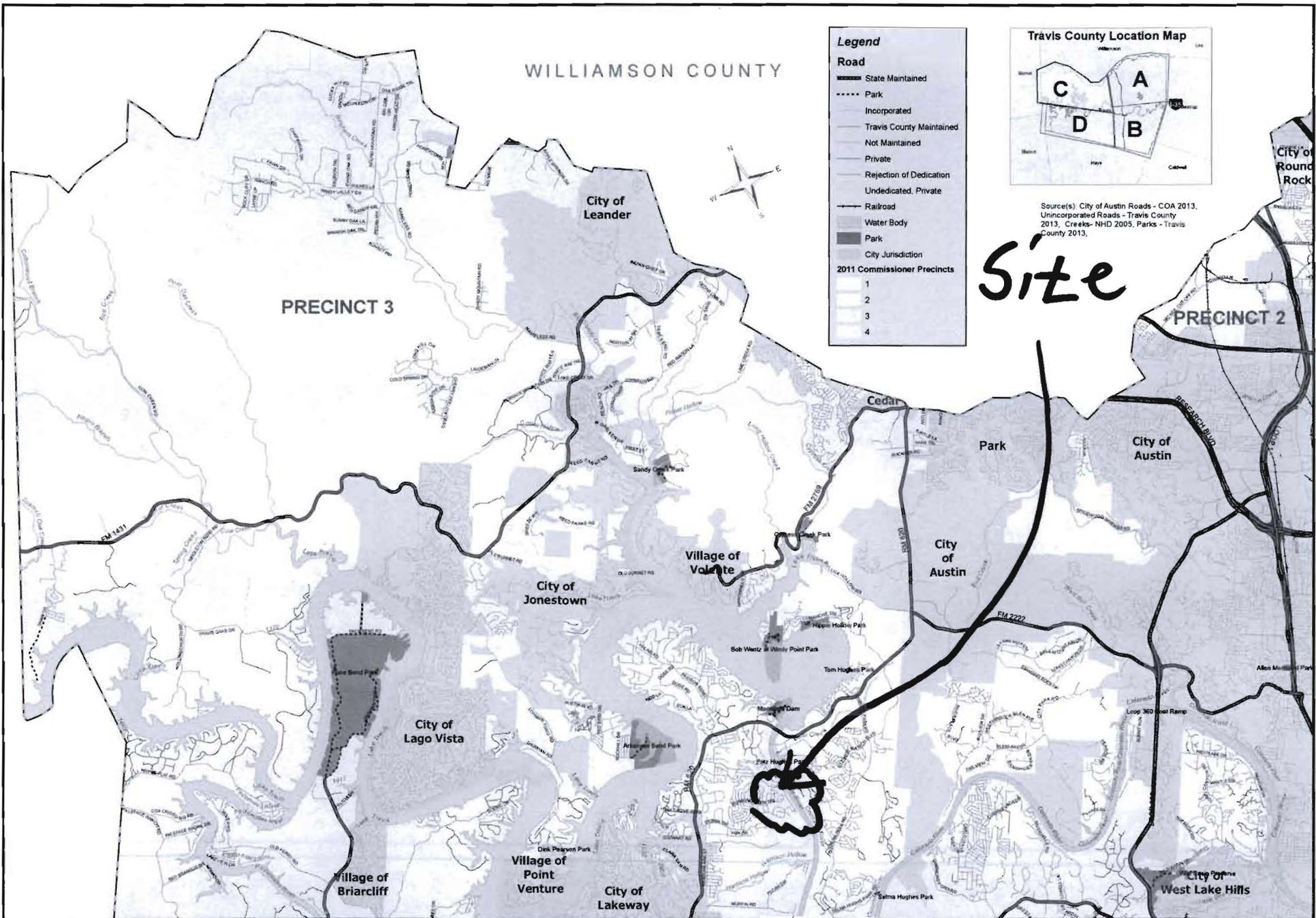
<http://propaccess.traviscad.org/Map/View/Map/1/146666/2013>

powered by
PropertyACCESS
www.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





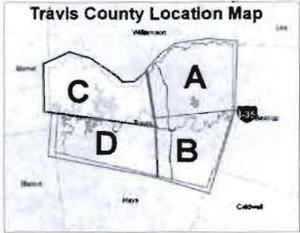
Legend

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

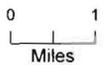


Source(s) City of Austin Roads - COA 2013, Unincorporated Roads - Travis County 2013, Creeks - NHD 2005, Parks - Travis County 2013.

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