Item C4

Travis County Commissioners Court Agenda Request

Meeting Date: April 1, 2014
Prepared By: Paul Scoggins, Engineering 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, April 22, 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 line of Lots 884 and 885 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 884 and 885 of Apache Shores, Section 2. The easements are dedicated per plat note. Lots 884 and 885 front on Long Bow 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 would like to construct a deck attached to the existing home located on Lot 885. The proposed deck would extend into Lot 884 crossing the common lot line and encroaching into said easements. Vacating the easements should resolve 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 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 - 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 884 and 885 of Apache Shores Section 2 as recorded at Book 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 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 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 April 22, 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 884 and 885 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

WATSON SURVEYING
9501 CAPITAL OF TEXAS HWY.
SUITE 303 AUSTIN, TX 78759
346-8566 FAX 346-8568

Established 1946

PARTIAL RELEASE OF A PUBLIC UTILITY EASEMENT

FIELD NOTES FOR 1508 SQUARE FEET OF LAND, MORE OR LESS, OUT OF A PUBLIC UTILITY EASEMENT, LOCATED IN LOTS 884 AND 885, APACHE SHORES SECTION 2, A SUBDIVISION RECORDED IN VOLUME 48, PAGE 58, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 1508 SQUARE FEET DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a ½" steel pin with cap found at the mutual west corner of said Lots 884 and 885, PROCEEDING N75°13'00"E 10.00 feet with the mutual lot line of said lots, to a computed point in the east line of a 10 foot wide public utility easement (PUE), for the POINT OF BEGINNING hereof:

THENCE N14°46'46"W 5.00 feet with said east line of 10-foot PUE to a computed point in the north line of a 5 foot wide PUE on Lot 885, for the northwest corner hereof;

THENCE N75°13'00"E 150.84 feet with said north line of 5-foot PUE, through Lot 885, to a computed point in the west line of a 7.5 foot wide drainage easement, for the northeast corner hereof;

THENCE S14°29'31"E 10.00 feet with said west line of 7.5 foot drainage easement, crossing from Lot 885 into Lot 884, to a computed point on the south line of a 5 foot wide PUE on Lot 884, for the southeast corner hereof;

THENCE S75°13'00"W 150.79 feet with the south line of said 5 foot PUE, through Lot 884, to a computed point on the east line of a 10 foot wide PUE, for the southwest corner hereof;

THENCE N14°46'46"W 5.00 feet with said east line of 10 foot PUE to the POINT OF BEGINNING, containing 1508 square feet of land, more or less.

Bearing basis is mutual line of Lots 884 and 885 on recorded plat (48/58)
See accompanying sketch for more information

Field notes prepared 13 February 2014 by:

Stuart Watson, RPLS 4550

STATE OF TEXAS
REGISTERED
STUART W. WATSON
4550
PROFESSIONAL
LAND SURVEYOR

WATSON SURVEYING
9501 CAP OF TEX HWY, #303
AUSTIN, TEXAS 78759
PHONE (512) 346-8566

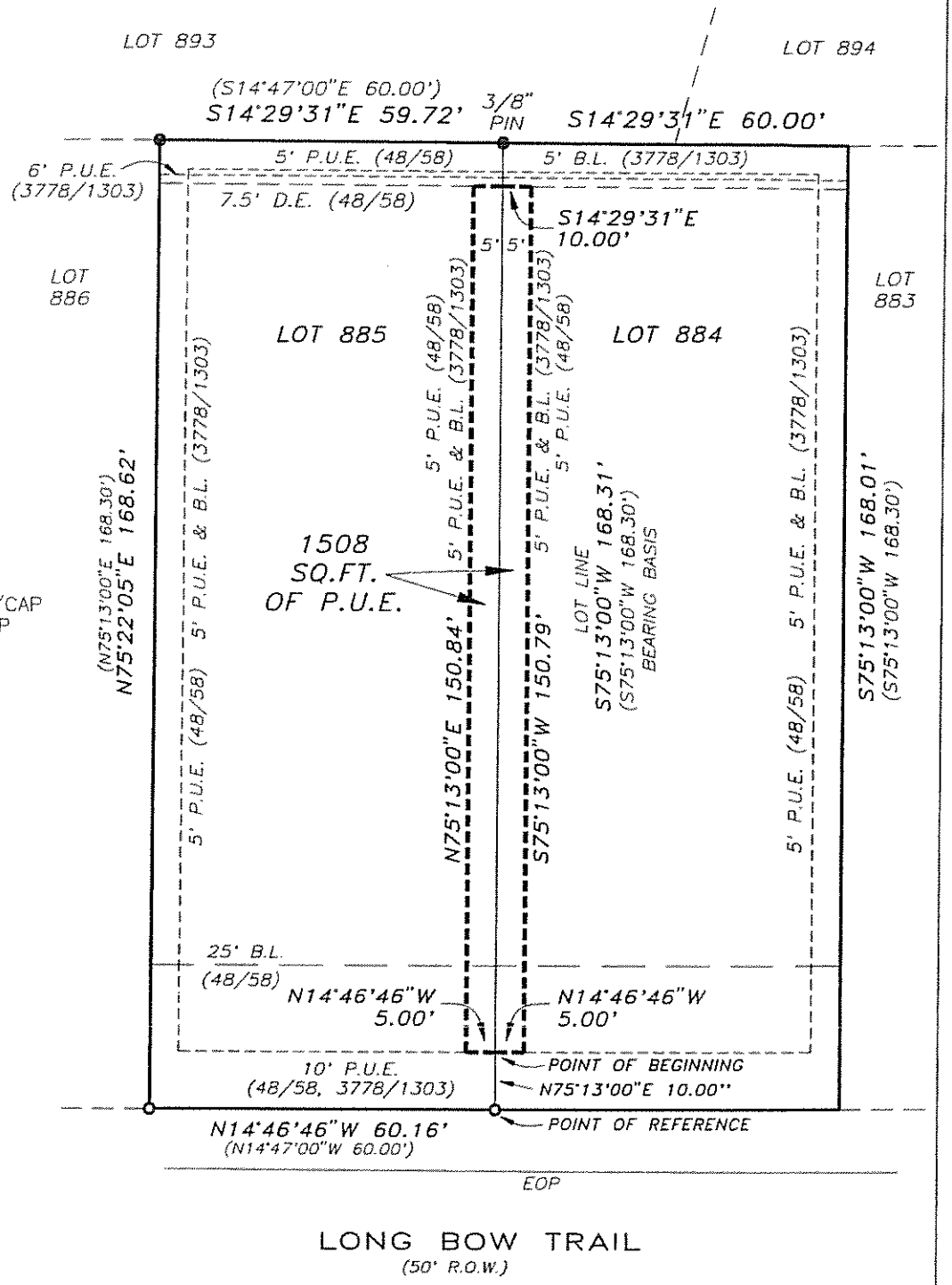
REFERENCE: L885-REL

SKETCH TO ACCOMPANY FIELD NOTES FOR 1508 SQUARE FEET OF LAND OUT OF LOTS 884 AND 885, APACHE SHORES SECTION 2, A SUBDIVISION RECORDED IN VOLUME 48, PAGE 58, PLAT RECORDS OF TRAVIS COUNTY, TEXAS

SCALE: 1"=30'

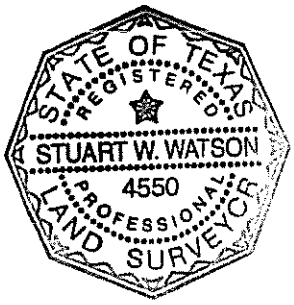
BEARING BASIS IS FROM PLAT (48/58)

ALL COURSES ARE RECORD, UNLESS OTHERWISE NOTED.



LEGEND

●	3/8" STEEL PIN FOUND
⊙	1/2" STEEL PIN FOUND W/CAP
○	1/2" STEEL PIN SET W/CAP
⊕	60D NAIL SET
B.L.	BUILDING SETBACK LINE
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
—X—	FENCE
—E—	OVERHEAD UTILITIES
( )	RECORD INFORMATION
EOP	EOP OF PAVEMENT
WM	WATER METER



DATED THIS 13 DAY OF FEBRUARY, 2014:

Stuart Watson

STUART W. WATSON, REGISTERED PROFESSIONAL LAND SURVEYOR, TEXAS LICENSE NUMBER 4550

Received
MAR 12 2014
Travis County-TNR

Transportation and Natural Resources
700 Lavaca Street
Travis County Administration Building
P.O. Box 1748
Austin, TX 78767

March 3, 2014

To Whom It May Concern:

I am writing to request an easement vacation on the two lots that I own in Apache Shores, Section 2, Lots 884 and 885. The home is located on lot 885, with an address of 2805 Long Bow Trail, Austin, Tx. 78734. I am also the owner of lot 884, an adjacent lot. We hope to build an elevated deck that attaches to the home, and extends across the easement.

Please find enclosed a metes and bounds description and a sketch of the plat.

Easement Requirement Statements have been sent to four utilities, who have not yet responded, including:

- At & T
- Time Warner Cable
- Austin Energy
- Travis Co. Water Control, District 17

I will forward that information as it is returned to me. I'd be glad to provide additional information as needed, so feel free to contact me through the contact information listed below.

Sincerely,

Joan Wagner

Joan Wagner

2805 Long Bow Trail
Austin, TX 78734
(512) 809-3581
joanwagner2@hotmail.com

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: 1-29-13

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

Property Address: 2805 Long Bow Trail
Austin, Tx 78734

Legal Description: Lots 884 + 885 (House built on Lot 885 Easement Release on Lots 884 + 885)

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

Applicant Name: Joan Wagner

Address: 2805 Long Bow Trail
Austin, Tx.

Reason for Request : Hope to build across easement with a deck from edge of house crossing into other lot. Eventually will want to put a new driveway into undeveloped Lot # 884

✓ 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 Marley 3.4.14
Signature Date

Reviewer: Henry Marley

Deborah S Gernes 3/5/14
Signature Date

Deborah S. Gernes
Printed Name

General Manager
Title

Please return this completed form to:

Name

Phone: as listed

Fax: above

Email:

Address

City/State/Zip

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 2805 Long Bow Trail, Austin TX 78734 (address) and/or Lots 884 & 885, Apache Shore 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

Mgr., PIRES
Title

Austin Energy
Utility Company or District

March 13, 2014
Date

Please return this completed form to:

Joan Wagner Trustee
Name

2805 Long Bow Trail
Address

Austin, TX 78734
City/State/Zip

cc: joanwagner2@hotmail.org

at&t

SOUTHWESTERN BELL TELEPHONE COMPANY

PARTIAL RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by *SOUTHWESTERN BELL TELEPHONE COMPANY, a Delaware corporation, GRANTOR, AND Joan Wagner, Trustee of Joan Wagner Living Trust*, 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 884 and 885, Apache Shores, Section 2, Deed of record in Documents 2013186992 and 2014021007, Property Records of Travis County, Texas

Said land of GRANTEE 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:

1508 square feet of land, more or less, out of a Public Utility Easement located along the common property lines of said Lots 884 and 885, 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 7TH day of MARCH, 2014

SOUTHWESTERN BELL TELEPHONE COMPANY

Name: DAVID A. WILLIAMS

Title: MANAGER DESIGN ENGINEERING

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 7TH day of MARCH 2014

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

REBECCA K HOGUE
My Commission Expires
January 16, 2017

from
RTX. Design @
twcable.
on 3/14/14
in SAVID acct

TIME WARNER CABLE
THE POWER OF YOU
750 CANYON DR, STE 500
COPPELL, TX 75019

March 7, 2014

Joan Wagner
2805 Long Bow Trail
Austin, TX 78734

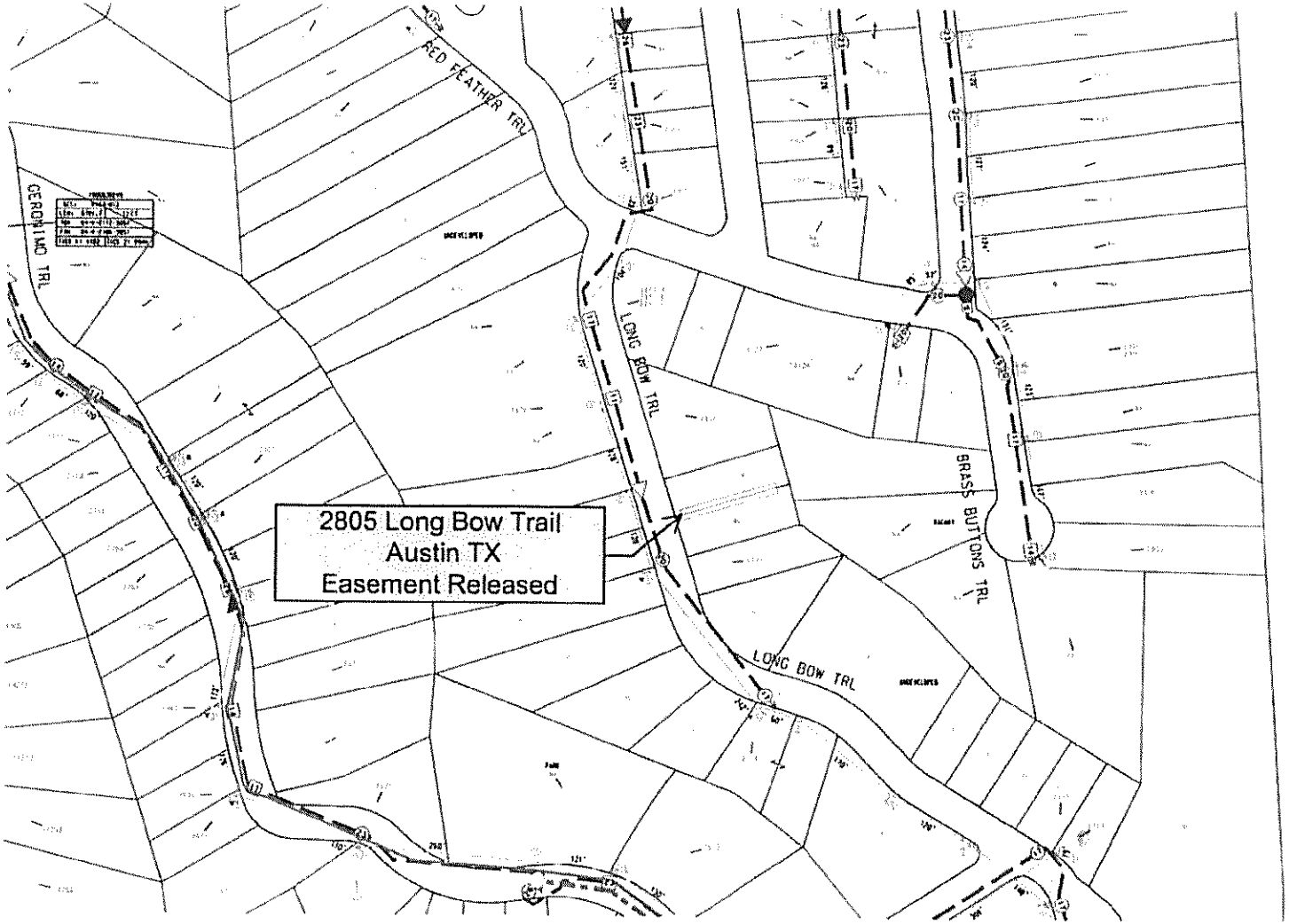
SUBJECT: Abandonment of 2805 Long Bow Trail, Austin, TX

We have reviewed your request for the above referenced Utility Easement, and Time Warner Cable (TWC) hereby grants the abandonment of the ROW near Long Bow Trail and 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.

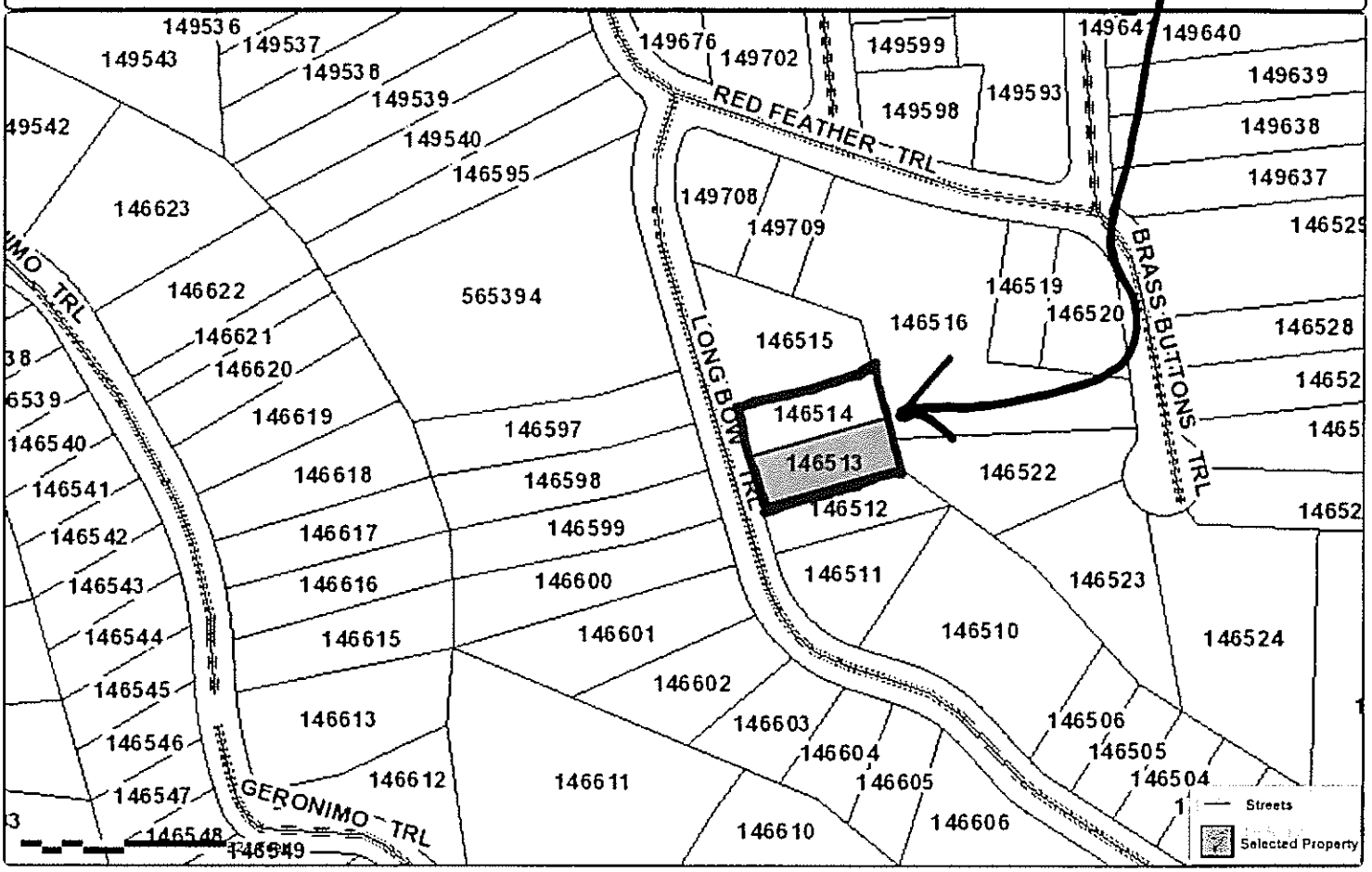
For future reference, please send all utility coordination, abandonments, encroachments, plat signatures, or serviceability requests, or notices of relocation to west-engineering-relo@twcable.com. Please share this information with whoever needs these services.

Sincerely,


2805 Long Bow Trail
Austin TX
Easement Released
RED FEATHER TRL
GERONIMO TRL
LONG BOW TRL
LONG BOW TRL
BRASS BUTTONS TRL

Site

Travis CAD - Map of Property ID 146513 for Year 2014



Property Details

Account

Property ID: 146513
Geo ID: 0145550139
Type: Real
Legal Description: LOT 884 APACHE SHORES SEC 2

Location

Situs Address: 2805 LONG BOW TRL TX 78734
Neighborhood: R4100
Mapsco: 490R
Jurisdictions: 0A, 03, 07, 2J, 52

Owner

Owner Name: WAGNER JOAN LIVING TRUST
Mailing Address: , 2805 LONG BOW TRL, AUSTIN, TX 78734

Property

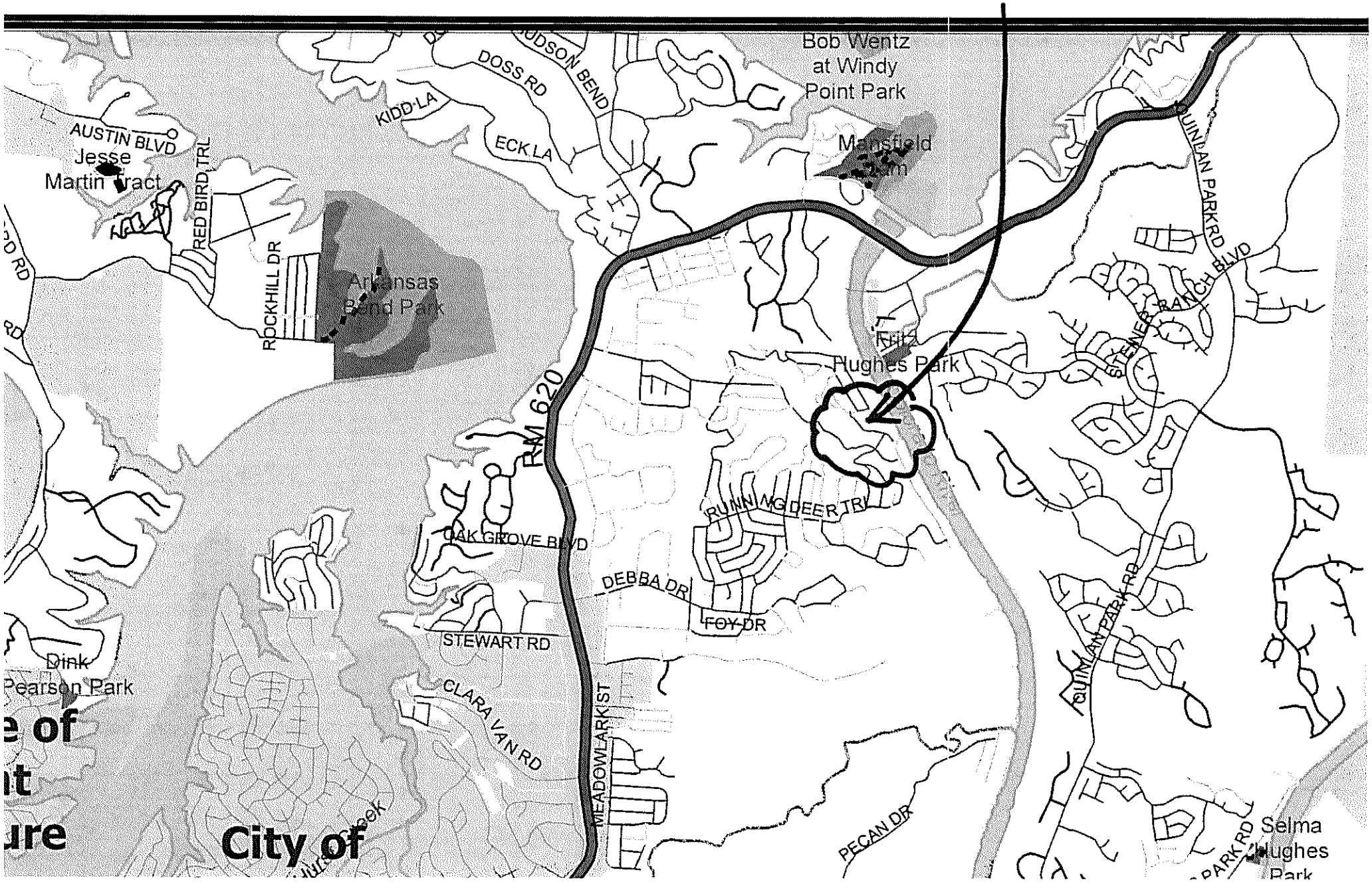
Appraised Value: N/A

http://propaccess.traviscad.org/Map/View/Map/1/146513/2014

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
Mansfield
Park
DOSS RD
HUDSON BEND
KIDD LA
ECK LA
AUSTIN BLVD
Jesse
Martin Tract
RED BIRD TRL
ROCKHILL DR
Arkansas
Bend Park
RM 620
Fritz
Hughes Park
2
QUINLAN PARK RD
STEINER RANCH BLVD
RUNNING DEER TRL
OAK GROVE BLVD
DEBBA DR
FOY DR
STEWART RD
CLARA VAN RD
MEADOWLARK ST
PECAN DR
Dink
Pearson Park
Selma
Hughes
Park
City of

Site Area

City of Lago Vista

Village of Briarcliff

Village of Point Venture

City of Lakeway

Village of The Hills

City of West Lake Hills

Village of Bee Cave

PRECINT 3

City of Austin

Hays County

RM 620

WEST STATE HWY 71

US HWY 290

SH 45

Legend

- Park
- State Maintained
- Incorporated
- Travis County Maintained
- Not Maintained
- Private
- Reputed of Dedication
- Unedificated, Private
- Railroad
- Water Body
- City Jurisdiction
- Park

2011 Commissioner Precincts

- 2
- 3

Travis County Location Map

A B C D

Source(s): City of Austin Roads - COA 2013, Unincorporated Roads - Travis County 2013, Toll Road - various sources, Creeks- NHD 2005, Parks - Travis County 2013, Commissioner Precincts - Travis County Voter Registrar 2011.

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 D

0 0.9 Miles

Map Prepared by: Travis County, Dept. of Transportation & Natural Resources. Date: 5/21/2013