



Travis County Commissioners Court Agenda Request

Meeting Date: April 22, 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: *Carol B. Judd for* 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 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 that 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 which finds that 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 staff recommends the request.

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
- 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, 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.

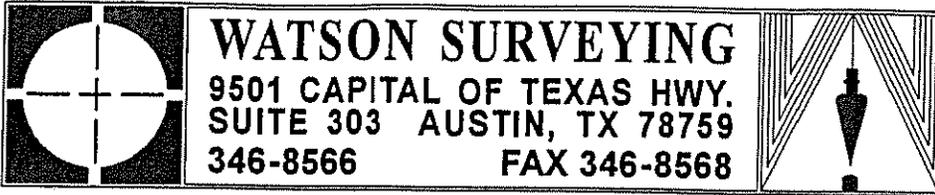
SAMUEL T. BISCOE, COUNTY JUDGE

COMMISSIONER RON DAVIS
PRECINCT ONE

COMMISSIONER BRUCE TODD
PRECINCT TWO

COMMISSIONER GERALD DAUGHERTY
PRECINCT THREE

COMMISSIONER MARGARET GOMEZ
PRECINCT FOUR



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;

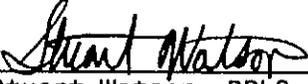
THENCE S14°29'31"E 10.00 feet with said west line of 7.5 foot drainage easement, crossing from Lot 885 into Lot 884, to a computed point on the south line of a 5 foot wide PUE on Lot 884, for the southeast corner hereof;

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





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

LOT 893

LOT 894



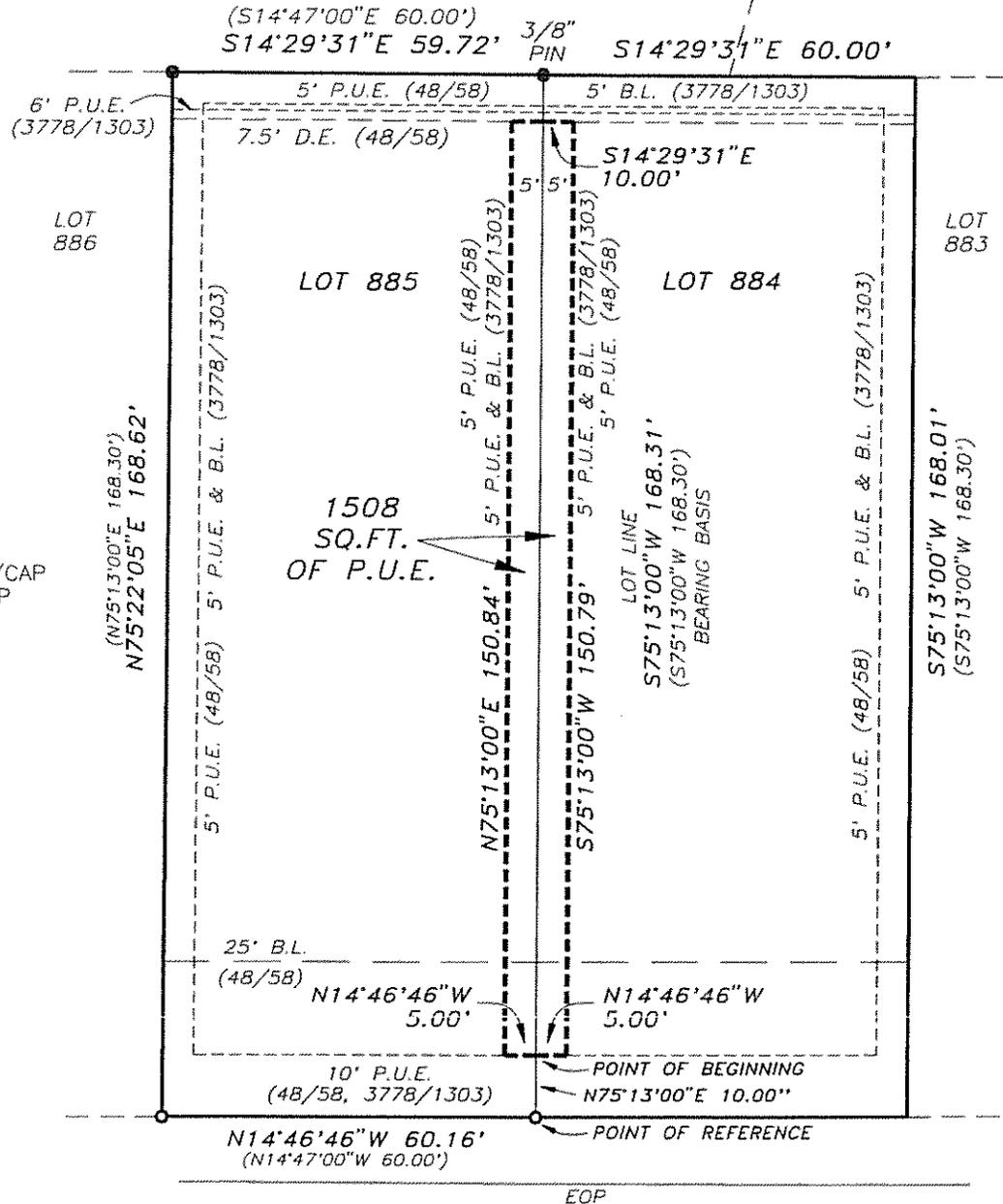
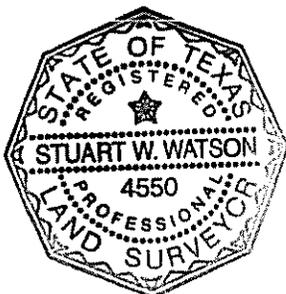
SCALE: 1"=30'

BEARING BASIS IS FROM PLAT (48/58)

ALL COURSES ARE RECORD, UNLESS OTHERWISE NOTED.

LEGEND

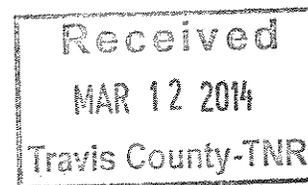
- 3/8" STEEL PIN FOUND
- 1/2" STEEL PIN FOUND W/CAP
- 1/2" STEEL PIN SET W/CAP
- ⊕ 60D NAIL SET
- B.L. BUILDING SETBACK LINE
- U.E. UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- X- FENCE
- E- OVERHEAD UTILITIES
- () RECORD INFORMATION
- EOP EOP OF PAVEMENT
- WM WATER METER



LONG BOW TRAIL
 (50' R.O.W.)

DATED THIS 13 DAY OF FEBRUARY, 2014:

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



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,

A handwritten signature in cursive script that reads "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

Legal Description: Austin, TX 78734

Lots 884 + 885 (House built on Lot 885) A plat drawing with the easement highlighted must accompany this application. Easement Release on Lots 884 + 885

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

[checked] 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: 3.4.14

Reviewer: Henry Marley

Signature: Deborah Gernes Date: 3/5/14

Printed Name: Deborah S. Gernes

Title: General Manager

Please return this completed form to:

Phone: as listed

Fax: above

Email:

Name

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



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

David A. Williams

Name: DAVID A. WILLIAMS

Title: SENIOR PROJECT ENGINEER DESIGN

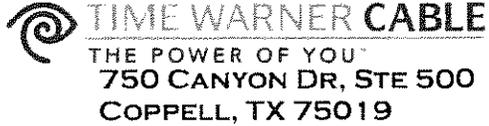
THE STATE OF TX
COUNTY OF TRAVIS

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 7th day of MARCH, 2014



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



from
RTX Design @
twcable

on 3/14/14
in SAVIO acct

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,



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 April, 2014, on the east ROW line of Long Bow Trail along the common lot line of Lots 884 and 885 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 3 DAY OF April, 2014.

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

cc: Garcia (sign shop)

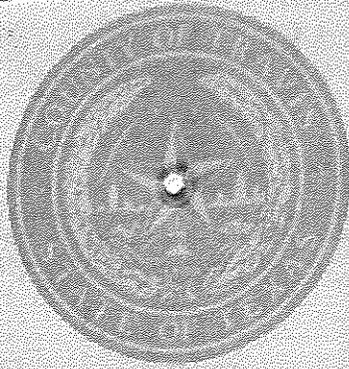
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**NOTICE OF
PUBLIC HEARING**
APRIL 22, 2014 AT 9:00 AM
PUBLIC UTILITY EASEMENT VACATION

TO APPROVE THE VACATION OF TWO FIVE
FOOT WIDE PUBLIC UTILITY EASEMENTS
LOCATED ALONG THE COMMON LOT LINE
OF LOTS 884 AND 885 OF APACHE
SHORTS, SECTION 2--A SUBDIVISION IN
PREDICT 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

APRIL 22, 2014, AT 9:00 AM

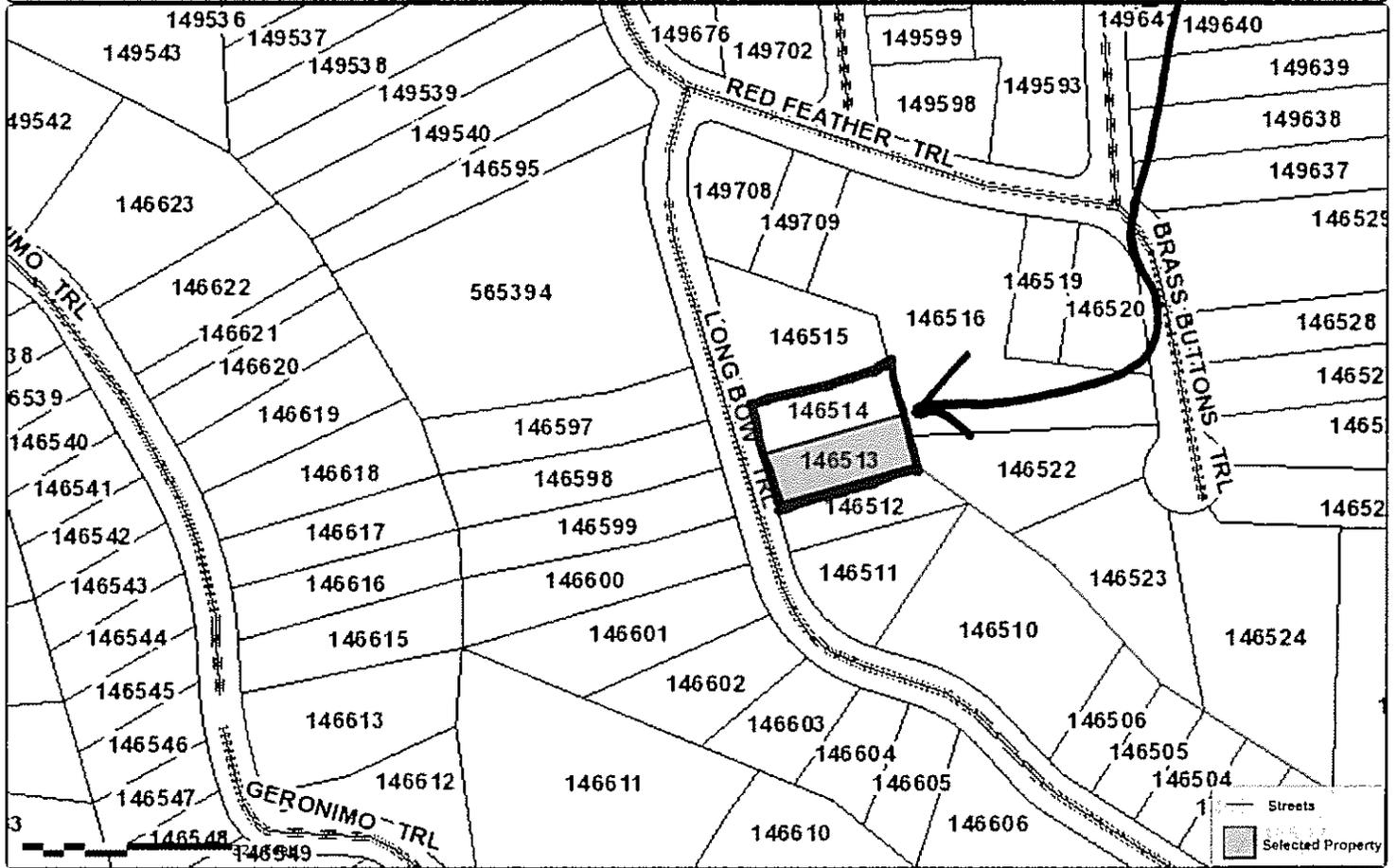
PUBLIC UTILITY EASEMENT VACATION

TO APPROVE THE VACATION OF TWO FIVE
FOOT WIDE PUBLIC UTILITY EASEMENTS
LOCATED ALONG THE COMMON LOT LINE
OF LOTS 884 AND 885 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

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

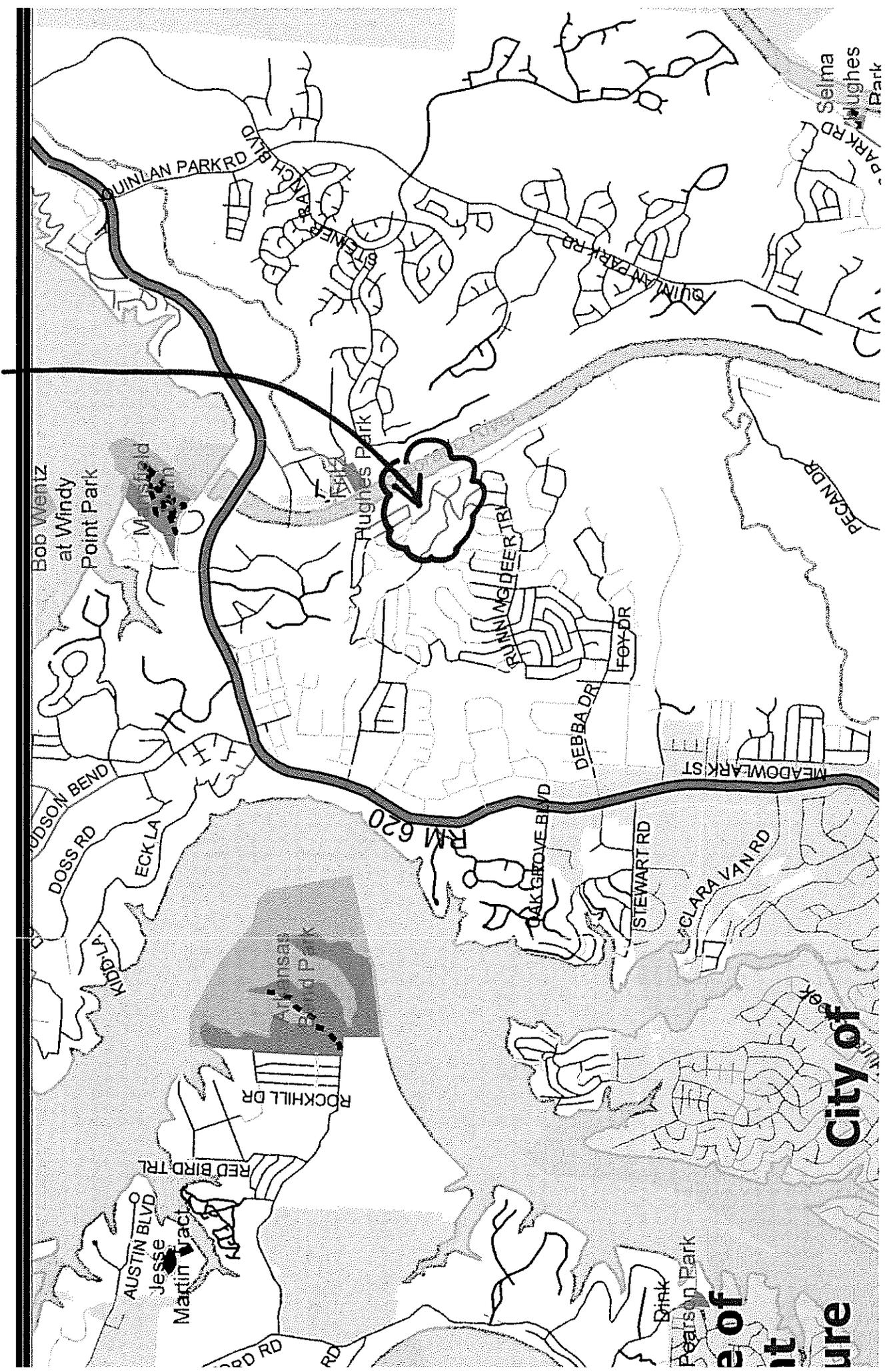
Appraised Value: N/A

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

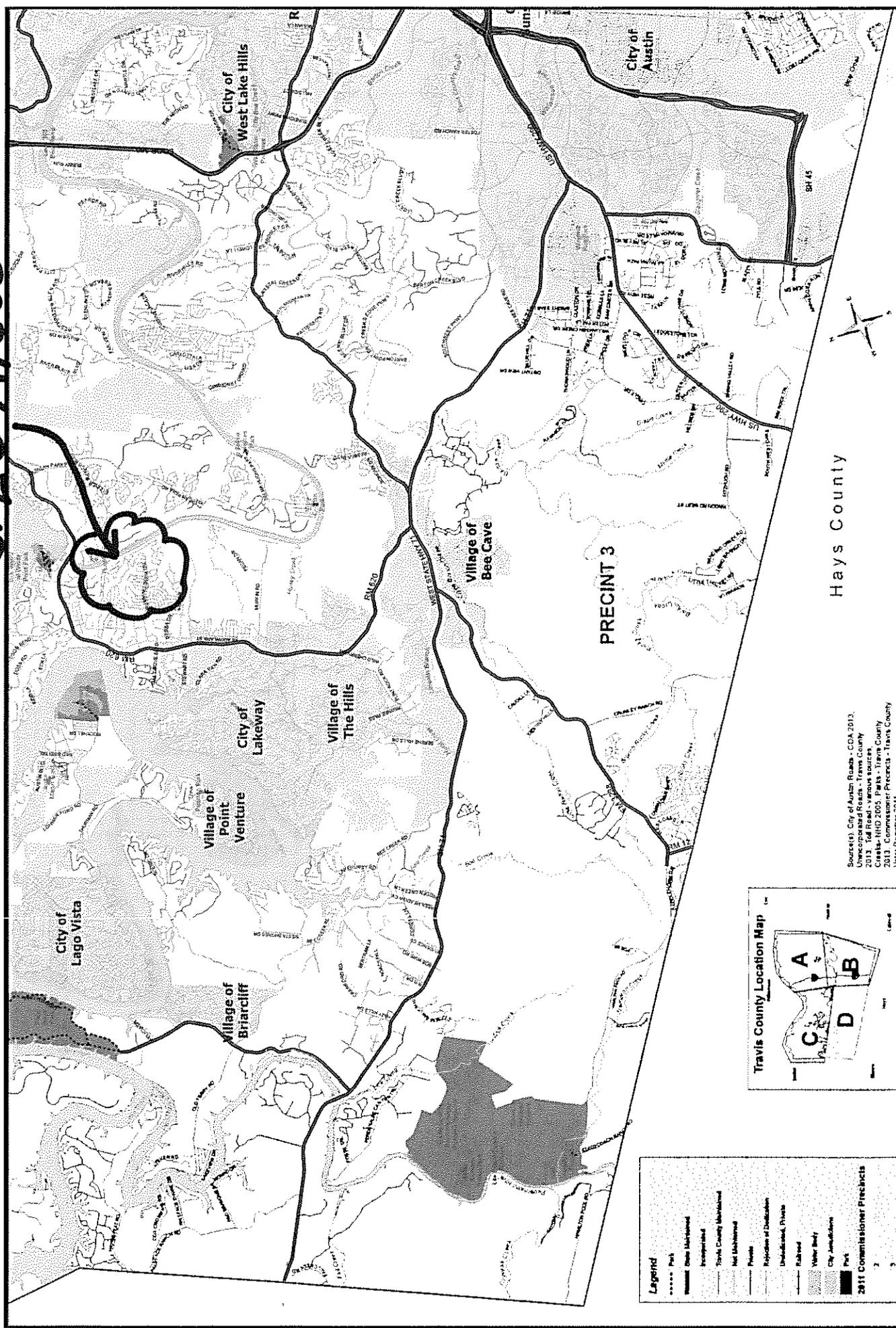
powered by:
PropertyACCESS

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



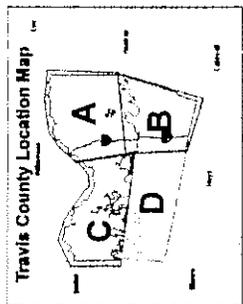
Site Area



Map Prepared by: Travis County
 Date: 11/15/2011
 Prepared by: GIS Resources
 Date: 5/21/2013

Travis County Roadways, Map D

Sources: City of Austin Roads - COA 2010,
 Unincorporated Roads - Travis County
 2013, Toll Road - various sources
 Creeks - NHD 2005, Parks - Travis County
 2013, Commissioner Precincts - Travis County
 Votat Register 2011.



Legend	
-----	Park
-----	State Maintained
-----	Unimproved
-----	Travis County Maintained
-----	Not Maintained
-----	Private
-----	Proposed or Underway
-----	Unimproved, Private
-----	Railroad
-----	Water Body
-----	City Jurisdiction
-----	Park
2011 Commissioner Precincts	
-----	1
-----	2
-----	3

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 prepared this product for reference purposes only and does not warrant for the product's accuracy or completeness.