



# Travis County Commissioners Court Agenda Request

**Meeting Date:** March 29, 2014

**Prepared By:** Daniel Perry **Phone #:** (512) 263-9114

**Division Director/Manager:** Charles Bergh, Parks Director

**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 Amendment to the Master Park Lease with the LCRA to delete 1.685 acres from Sandy Creek Park.

## **BACKGROUND/SUMMARY OF REQUEST:**

On April 15, 2014 the Travis County Commissioners' Court held a public meeting at The Commissioners' Court room, 700 Lavaca, Austin, Texas, regarding the proposed sale of approximately 1.68 acres of Sandy Creek Park, which is currently leased to Travis County from the LCRA, for the purpose of the Brushy Creek Regional Utility Authority constructing a new deepwater intake and pumping station on Lake Travis in Precinct Three. This meeting was required by Chapter 26 of the Texas Parks and Wildlife Code.

## **STAFF RECOMMENDATIONS:**

Staff recommends to amend the Master Park Lease with the LCRA to delete 1.685 acres from Sandy Creek Park.

## **ISSUES AND OPPORTUNITIES:**

The Brushy Creek Regional Utility Authority held a public meeting regarding this piece of land on July 17, 2013 with Travis County holding its Chapter 26 meeting on April 15, 2014. The sale of this land is supported by the LCRA. The 1.685 acres is part of the tract that Travis County leases from the LCRA for use as parkland in Sandy Creek Park. The Brushy Creek Regional Utility Authority has agreed to offer the County approximately \$7,100 for this proposal if approved.

The park entry and operations should be minimally impacted during construction.

## **FISCAL IMPACT AND SOURCE OF FUNDING:**

Approximately \$7,100 in revenue.

## **ATTACHMENTS/EXHIBITS:**

**REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	854-4239
Steve Manilla	County Executive	TNR	854-9429
David Salazar	Executive Assistant	County Judge	854-9558
Charles Bergh	Director	TNR - Parks	854-9408
Kelly Wells	Supervisor, Real Estate Services	LCRA	578-4570
Robert Armistead	Program Manager	TNR-Parks	854-9831

**CC:**

Dan Perry	District Park Manager	TNR - Parks	263-9114

: :  
**0101 - Administrative -**

STATE OF TEXAS           §  
  §  
COUNTY OF TRAVIS       §

THIRD AMENDMENT TO PARK LEASE BETWEEN TRAVIS COUNTY  
AND THE LOWER COLORADO RIVER AUTHORITY DATED MAY 19, 1992  
("THE AGREEMENT")

Parties:           Travis County

                      Lower Colorado River Authority

Purpose:           The purpose of this Amendment is to remove certain property from one of the parks  
                      included in the Park Lease.

Amendment:

1. The 1.685-acre tract of land described in Exhibit A, attached hereto and incorporated herein, being a part of what is known as Sandy Creek Park, is now hereby excluded from Sandy Creek Park and from the terms of the Lease.
2. The description of Sandy Creek Park as described in Exhibit B of the Agreement is amended to exclude the 1.685-acre tract described on Exhibit A.

All other terms of the subject Agreement, as amended by the First and Second Amendments, shall remain in full force and effect.

Effective as of April 30, 2014.

TRAVIS COUNTY, TEXAS

LOWER COLORADO RIVER AUTHORITY

By: \_\_\_\_\_  
      Samuel T. Biscoe  
      County Judge

By: \_\_\_\_\_  
      Fredrick E. Crawford  
      Manager, Real Estate Services

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

**EXHIBIT "A"**

**METES AND BOUNDS DESCRIPTION  
OF A  
1.685 ACRE TRACT OF LAND  
SITUATED IN THE EAST TEXAS RAILROAD COMPANY SURVEY NO. 54,  
TRAVIS COUNTY, TEXAS**

BEING A 1.685 ACRE (73,385 SQUARE FOOT) TRACT OF LAND SITUATED IN THE EAST TEXAS RAILROAD COMPANY SURVEY NO. 54, TRAVIS COUNTY, TEXAS; SAID 1.685 ACRE TRACT BEING A PORTION OF THAT CERTAIN CALLED 91.548 ACRE LEASE TRACT DESCRIBED IN FIELD NOTES PREPARED BY LOWER COLORADO RIVER AUTHORITY (UNRECORDED); AND ALSO BEING A PORTION OF THAT CERTAIN CALLED 2,352.66 ACRE TRACT OF LAND DESCRIBED IN A DEED TO LOWER COLORADO RIVER AUTHORITY (LCRA), AS RECORDED IN VOLUME 1168, PAGE 120 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.); SAID 1.685 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2-inch iron rod with orange plastic cap stamped "Wallace Group" (hereafter referred to as "Wallace cap") set for the easternmost southeast corner of the herein described tract, same marking the easternmost southeast corner of said 91.548 acre lease tract, and being on the westerly right-of-way (R.O.W.) line of Lime Creek Road (having a width of 60 feet at this location), and being located at Texas State Plane Coordinate grid position N=10,141,879.6043 and E=3,061,278.0499;

THENCE, departing the westerly R.O.W. line of said Lime Creek Road, with the southerly line of said 91.548 acre lease tract, over and across said LCRA 2,352.66 acre tract, the following three (3) courses and distances:

- 1) (L1) South 62 degrees 01 minutes 46 seconds West, a distance of 108.65 feet to a 1/2-inch iron rod with "Wallace cap" set for an angle point of the herein described tract;
- 2) (L2) South 12 degrees 37 minutes 51 seconds West, a distance of 37.71 feet to a 1/2-inch iron rod with "Wallace cap" set for an angle point of the herein described tract;
- 3) (L3) South 27 degrees 58 minutes 14 seconds East, a distance of 32.37 feet to a 3-inch galvanized fence post for an angle point of the herein described tract, said point being on the northerly line of that certain called 2.73 acre tract of land described as a Right-Of-Way Easement to Cedar Park Water Supply Corporation, as recorded in Volume 4898, Page 1247, D.R.T.C.T.;

THENCE, (L4) South 62 degrees 01 minutes 46 seconds West, with the common southerly line of said 91.548 acre lease tract and the northerly line of said 2.73 acre tract, and continuing over and across said LCRA 2,352.66 acre tract, a distance of 39.38 feet to a cut "X" in concrete set for the southernmost corner of said 91.548 acre lease tract and the herein described tract, same marking the northwest corner of said 2.73 acre tract;

THENCE, (L5) North 85 degrees 17 minutes 18 seconds West, with the southerly line of said 91.548 acre lease tract, and continuing over and across said LCRA 2,352.66 acre tract, a distance of 21.94 feet to a 1/2-inch iron rod with "Wallace cap" set for the southwest corner of the herein described tract, and from which a 1/2-inch iron rod found and as called for in the field notes for said 91.548 acre lease tract bears North 85 degrees 17 minutes 18 seconds West, at a distance of 189.41 feet;

**Exhibit "A" (continued)**  
**Description of a 1.685 acre tract**

THENCE, departing the southerly line of said 91.548 acre lease tract, and continuing over and across said LCRA 2,352.66 acre tract and said 91.548 acre lease tract, the following two (2) courses and distances:

- 1) North 16 degrees 54 minutes 28 seconds West, a distance of 456.30 feet to a 1/2-inch iron rod with "Wallace cap" set for the northwest corner of the herein described tract;
- 2) North 73 degrees 05 minutes 32 seconds East, a distance of 194.05 feet to a 1/2-inch iron rod with "Wallace cap" set for the northeast corner of the herein described tract and being on a non-tangent curve to the left, said point also being on the common easterly line of said 91.548 acre lease tract and the westerly R.O.W. line of said Lime Creek Road, and from which a Travis County aluminum disc found and as called for in the field notes for said 91.548 acre lease tract bears North 08 degrees 45 minutes 26 seconds East, at a chord distance of 389.74 feet;

THENCE, with the common easterly line of said 91.548 acre lease tract and the westerly R.O.W. line of said Lime Creek Road, and continuing over and across said LCRA 2,352.66 acre tract, the following two (2) courses and distances:

- 1) In a Southerly direction, 154.01 feet along the arc of said curve to the left, having a radius of 815.47 feet, a central angle of 10 degrees 49 minutes 15 seconds, and a chord bearing and distance of South 10 degrees 28 minutes 49 seconds East – 153.78 feet to a Travis County aluminum disc found and as called for in the field notes for said 91.548 acre lease tract for a corner of the herein described tract;
- 2) South 17 degrees 13 minutes 40 seconds East, a distance of 218.59 feet to the **POINT OF BEGINNING** and containing 1.685 acres (73,385 square feet) of land, more or less, based on the survey and drawing made by The Wallace Group, Inc., Round Rock, Texas in June and July of 2013.

Bearings are based on the Texas State Plane Coordinate System (Central Zone, NAD83) which is based on Leica's Central Texas GPS Cooperative CORS RTK Network.

A drawing of even survey date herewith accompanies this metes and bounds description.

I, Daniel M. Flaherty, Registered Professional Land Surveyor No. 5004, State of Texas, do hereby certify that this metes and bounds description and exhibit drawing A-4600 attached hereto was prepared from an actual survey of the property performed on the ground and that the same is true and correct.

**PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.**

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Daniel M. Flaherty, R.P.L.S. #5004  
The Wallace Group, Inc.  
One Chisholm Trail, Suite 130  
Round Rock, Texas 78681  
Ph. (512) 248-0065  
22951-FN01.doc

**EXHIBIT "A"**

**DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION OF A  
1.685 ACRE TRACT OF LAND SITUATED IN THE EAST TEXAS RAILROAD COMPANY SURVEY NO. 54, TRAVIS  
COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 91.548 ACRE LEASE TRACT DESCRIBED IN FIELD  
NOTES PREPARED BY LOWER COLORADO RIVER AUTHORITY (UNRECORDED), AND ALSO BEING A PORTION OF  
THAT CERTAIN CALLED 2,352.66 TRACT OF LAND DESCRIBED IN A DEED TO LOWER COLORADO RIVER  
AUTHORITY, RECORDED IN VOLUME 1168, PAGE 120 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS**

**LEGEND**

- = FOUND 1/2" IRON ROD UNLESS OTHERWISE NOTED
- = FOUND TRAVIS COUNTY ALUMINUM DISC
- = 1/2" IRON ROD WITH ORANGE PLASTIC CAP  
STAMPED "WALLACE GROUP" SET
- D.R.T.C.T. = DEED RECORDS, TRAVIS COUNTY, TEXAS

**EAST TEXAS RAILROAD  
COMPANY SURVEY NO. 54  
TRAVIS COUNTY, TEXAS**

APPROXIMATE LOCATION OF SURVEY LINE

APPROXIMATE LOCATION OF SURVEY LINE

20.8 ACRE DEED LINE  
2,352.66 ACRE DEED LINE

CALLLED 91.548 ACRE LEASE TRACT DESCRIBED IN FIELD NOTES PREPARED BY LOWER COLORADO RIVER AUTHORITY (UNRECORDED) BEING A PORTION OF CALLED 2,352.66 ACRES TO LOWER COLORADO RIVER AUTHORITY VOLUME 1168, PAGE 120 D.R.T.C.T. AND A PORTION OF CALLED 20.8 ACRES TO LOWER COLORADO RIVER AUTHORITY VOLUME 1110, PAGE 377 D.R.T.C.T.

CALLLED 2,352.66 ACRES LOWER COLORADO RIVER AUTHORITY VOLUME 1168, PAGE 120 D.R.T.C.T.

194.05'  
N 73°05'32" E

△= 10°49'15"  
R= 815.47'  
L= 154.01'  
C= 153.78'  
CB= S 10°28'49" E

APPROXIMATE LOCATION OF SURVEY LINE

CALLLED 2,352.66 ACRES LOWER COLORADO RIVER AUTHORITY VOLUME 1168, PAGE 120 D.R.T.C.T.

**FIELD NOTE  
POINT OF  
BEGINNING**

GRID N: 10,141,879.6043  
GRID E: 3,061,278.0499

PORTION OF CALLED 2,352.66 ACRES LOWER COLORADO RIVER AUTHORITY VOLUME 1168, PAGE 120 D.R.T.C.T.

N 85°17'18" W  
189.41'

3" FENCE POST

CUT "X" SET

CALLLED 2.73 ACRES CEDAR PARK WATER TREATMENT PLANT RIGHT-OF-WAY EASEMENT VOLUME 489B PAGE 1247 D.R.T.C.T.

CALLLED 2.73 ACRES CEDAR PARK WATER TREATMENT PLANT RIGHT-OF-WAY EASEMENT VOLUME 489B PAGE 1247 D.R.T.C.T.

(60' R.O.W.)

**GENERAL NOTES:**

- 1.) ALL PROPERTY CORNERS FOUND ARE CONTROL MONUMENTS.
- 2.) SUBJECT TO ANY AND ALL COVENANTS, RESTRICTIONS, EASEMENTS AND CONDITIONS THAT MAY BE APPLICABLE.
- 3.) THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT.
- 4.) THIS DRAWING IS ACCOMPANIED BY A METES & BOUNDS DESCRIPTION.
- 5.) BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, NAD83) WHICH IS BASED ON LEICA'S CENTRAL TEXAS GPS COOPERATIVE CORS RTK NETWORK.

NUMBER	DIRECTION	DISTANCE
L1	S 62°01'46" W	108.65'
L2	S 12°37'51" W	37.71'
L3	S 27°58'14" E	32.37'
L4	S 62°01'46" W	39.38'
L5	N 85°17'18" W	21.94'
L6	S 67°24'35" E	59.72'
L7	N 74°03'27" E	59.86'



**The Wallace Group, Inc.**

One Chisholm Trail, Suite 130, Round Rock, Texas 78681 (512) 248-0065  
**Engineers ■ Architects ■ Planners ■ Surveyors**  
 Waco \* Killeen \* Dallas \* Round Rock

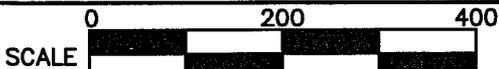
I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THAT THIS PLAT AND THE SURVEY UPON WHICH IT IS BASED MEETS THE REQUIREMENTS FOR LAND SURVEYS IN THE STATE OF TEXAS. THIS THE 1ST DAY OF JULY, 2013.

**PRELIMINARY; THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE**

SURVEYED: 06-25-2013

DANIEL M. FLAHERTY, RPLS NO. 5004

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PLAT NO. A-4600 DRAFT DATE 07-01-2013 DRAWN BY TAB  
 WORK ORDER NO. 22951 FIELDBOOK/P.G. 178/23 TAB # A-4600  
 DIGITAL FILE 22951R-SITE 8 PARCELS F/N # 22951-FN01

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