



## Travis County Commissioners Court Agenda Request

**Meeting Date:** May 27, 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 Davis, Precinct One

**AGENDA LANGUAGE:** Consider and take appropriate action on a request to use an Alternative Fiscal Agreement for Lakeside at Blackhawk, Section 5 – Precinct One.

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

The developer of the subject subdivision requests to enter into an Alternative Fiscal Agreement with Travis County. Under this agreement, the plat will be held in abeyance while the street and drainage facilities are constructed.

### **STAFF RECOMMENDATIONS:**

The request has been reviewed by TNR staff which finds that the use of the subject agreement meets all Travis County standards. As such, TNR staff recommends the approval of the proposed motion.

### **ISSUES AND OPPORTUNITIES:**

Under alternative fiscal, the County Executive of TNR holds the plat in abeyance and, upon completion of the items listed below, the Division Director of Development Services and Long Range Planning authorizes the issuance of a Basic Development Permit for the construction of streets and drainage facilities.

#### **Plat Status**

Staff has reviewed the plat and all comments have been addressed. It meets current standards and has everything in place such that it could be recommended for approval and recordation at this time.

#### **Restoration/Erosion Control Fiscal**

The fiscal for the subdivision's restoration and improvements has been posted with Travis County as a letter of credit in the amount of \$204,085.00.

**Access to Publicly Maintained Road**

Lakeside at Blackhawk, Section 5 takes access from a section of Winding Shore Lane within Section 3. This section of Winding Shore Lane is maintained by Travis County.

**Wastewater Service**

Wastewater service for this subdivision will be provided by the City of Pflugerville.

**Construction Plans and Engineer's Estimate of Construction Cost Approved**

All comments by Travis County staff have been addressed and the reviewer is prepared to sign the cover sheets of the plans and issue permit #13-2565. The estimated cost of the improvements is \$979,876.37. This amount includes all costs related to the construction of all streets and drainage facilities (including temporary erosion controls and all structures contributing to the total detention).

The developer has signed the attached statement acknowledging that this action does not imply nor guarantee plat approval by the Commissioners Court and that he/she understands the constraints related to the use of alternative fiscal. An Extension of Sixty-Day Period for Completed Plat Application Final Action is also included.

**FISCAL IMPACT AND SOURCE OF FUNDING:**

N/A

**ATTACHMENTS/EXHIBITS:**

- Alternative Fiscal Acknowledgment
- Exhibit "A" – Description
- Extension of Sixty-Day Period
- Proposed Plat
- Maps

**REQUIRED AUTHORIZATIONS:**

Cynthia McDonald	Financial Manager	TNR	(512) 854-4239
Steven M. Manilla	County Executive	TNR	(512) 854-9429
Anna Bowlin	Division Director	Development Services Long Range Planning	(512) 854-7561

**CC:**

Stacey Scheffel	Permit Program Manager	TNR	(512) 854-7565

**SM:AB:ps**

**1101 - Development Services Long Range Planning - Lakeside at Blackhawk, Section 5**

§ EXHIBIT 82.401 (D)

(d) Alternative Fiscal Policy Request and Acknowledgement

STATE OF TEXAS §

COUNTY OF TRAVIS §

TO THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS:

The undersigned Owner proposes to subdivide that certain tract of land more particularly described in Exhibit "A", which is attached hereto and made a part hereof. The owner requests that the Travis County's Transportation and Natural Resources Department ("TNR") hold the proposed plat of the land in abeyance until all of the proposed subdivision Improvements have been constructed to Travis County Standards for the Construction of Streets and Drainage in Subdivision (the "Standards") to the satisfaction of the Executive Manager of TNR. In order to qualify for this Alternative Fiscal Policy, the proposed subdivision must meet the access criteria set forth in the Standards.

Under this Policy, the Owner is not required to post fiscal Security to secure the construction of the Improvements, but is required to obtain a Travis County Development Permit. The owner will be required to post fiscal for boundary street improvements if they are not to be completed during the construction of the Improvements. Additionally, the Owner shall file Security with the submitted Final Plat to secure restoration of disturbed areas should construction not be completed.

Upon satisfactory completion of the Improvements, the submitted plat shall be forwarded by TNR to the Commissioners Court for approval and recording.

If the Owner elects to proceed under this option, the Owner acknowledges and agrees that, until the plat is filed the Owner may not use the proposed subdivision's description in a contract to convey real property, unless the conveyance is expressly contingent on the recording and approval of the final plat and the purchaser is not given the use or the occupancy of the real property before the recording of the final plat, under penalty of prosecution under Section 12.002 of the Texas Property Code. In addition, the approval of Alternative Fiscal in no way constitutes approval of the proposed plat.

If the plat is to be approved and filed, the Owner must post Security in the amount of 10% of the cost of the Improvements to secure the performance of the construction of the Improvements for one year from the date of the approval of the plat and the acceptance of the construction by the County.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

OWNER:

By: Lakeside 1, Sec. 5, LTD.

Name: Robert M. TIEMANN

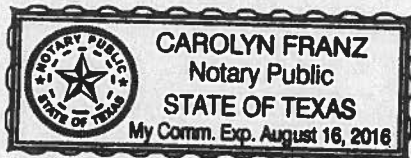
Title: MANAGER  
Authorized Representative

TRAVIS COUNTY, TEXAS By: \_\_\_\_\_  
County Judge

ACKNOWLEDGEMENT

STATE OF TEXAS §  
  §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me by Robert M. Tiemann on the 12<sup>th</sup> day of May 2014, in the capacity stated herein.



Carolyn Franz  
Notary Public in and for  
the State of Texas

Carolyn Franz  
Printed or typed name of notary

My commission  
expires: 8/16/2016

**ACKNOWLEDGEMENT**

STATE OF TEXAS       §  
                                  §  
COUNTY OF TRAVIS   §

This instrument was acknowledged before me by \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in the capacity stated herein.

\_\_\_\_\_  
Notary Public in and for  
the State of Texas

\_\_\_\_\_  
Printed or typed name  
of notary  
My commission  
expires: \_\_\_\_\_

Mailing Address of Owner:

**FIELD NOTE DESCRIPTION: 16.48 ACRE TRACT**

BEING A TRACT OR PARCEL OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE A. BAILEY SURVEY NO. 34 AND THE V.W. SWEARNEGEN SURVEY NO. 32 AND BEING A PART OF THOSE CERTAIN TRACTS OF LAND DESCRIBED AS TRACT 1, SAID TO CONTAIN 95.256 ACRES OF LAND, IN A DEED TO ROBERT M. TIEMANN FROM GEORGE P. PREWITT, JR., INDIVIDUALLY, AND SHIRLEY J. PREWITT ON BEHALF OF LOKI, LTD., DATED DECEMBER 21, 1995 AND RECORDED IN VOLUME 12625, PAGE 570, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND TRACT I, SAID TO CONTAIN 88.189 ACRES OF LAND, IN A DEED TO ROBERT M. TIEMANN FROM JACQUELYNE H. SMITH, DATED AUGUST 4, 2000, AND RECORDED IN DOCUMENT NO. 2000127193 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** for a point of reference at the northeast corner of that certain tract of land said to contain 21.276 acres of land in a Special Warranty Deed to RH of Texas Limited Partnership, from Robert M. Tiemann, recorded in Document No. 2001000859 of the Official Records of Travis County, Texas, same being a point in a common line of the remainder of said 95.256 acre tract;

**THENCE** with the east line of said 21.276 acre tract, the following seven (7) courses:

1. South 15°32'37" West, a distance of 53.19 feet to a point;
2. South 22°17'57" West, a distance of 101.94 feet to a point;
3. South 41°24'49" West, a distance of 266.69 feet to a point in the arc of a curve to the right;
4. Along the arc of said curve to the right a distance of 46.22 feet, said curve having a radius of 225.00 feet, a central angle of 11°46'14", a chord which bears North 42°42'04" West, a chord distance of 46.14 feet to a point, said curve not being tangent to the last described course:
5. South 60°22'07" West, a distance of 213.85 feet to a point;
6. South 66°04'03" East, a distance of 416.80 feet to a point;
7. South 48°43'06" East, a distance of 87.60 feet to the **POINT OF BEGINNING** of the herein described tract;

**THENCE** departing the east line of said 21.276 acre tract, North 32°40'12" East, crossing said 95.256 acre tract, a distance of 172.84 feet to a point in the arc of a curve to the right, for an angle corner of this tract;

**THENCE** along the arc of said curve to the right a distance of 15.78 feet passing a point in the east line of said 95.256 acre tract, entering said 88.189 acre tract, in all a total arc distance of 37.42 feet, said curve having a radius of 265.00 feet, a central angle of 08°05'25", a chord which bears South 53°17'06" East, a chord distance of 37.39 feet to a

point, for an angle corner of this tract, said curve not being tangent to the last described course;

**THENCE** crossing said 88.189 acre tract the following twenty-seven (27) courses:

1. North  $40^{\circ}45'37''$  East, a distance of 50.00 feet to a point, for an angle corner of this tract;
2. North  $73^{\circ}55'00''$  East, a distance of 157.06 feet to a point, for an angle corner of this tract;
3. North  $82^{\circ}48'09''$  East, a distance of 152.74 feet to a point, for an angle corner of this tract;
4. South  $89^{\circ}28'43''$  East, a distance of 139.32 feet to a point, for an angle corner of this tract;
5. North  $04^{\circ}03'06''$  West, a distance of 49.00 feet to a point, for an angle corner of this tract;
6. North  $85^{\circ}56'54''$  East, a distance of 140.00 feet to a point, for an angle corner of this tract;
7. South  $04^{\circ}03'06''$  East, a distance of 7.43 feet to a point, for an angle corner of this tract;
8. North  $85^{\circ}56'54''$  East, a distance of 187.94 feet to a point, for an angle corner of this tract;
9. North  $84^{\circ}35'35''$  East, a distance of 190.00 feet to a point, for an angle corner of this tract;
10. North  $05^{\circ}24'25''$  West, a distance of 31.40 feet to a point, for an angle corner of this tract;
11. North  $84^{\circ}35'35''$  East, a distance of 120.00 feet to a point, for the northeast corner of this tract;
12. South  $05^{\circ}24'25''$  East, a distance of 100.00 feet to a point, for an angle corner of this tract;
13. South  $02^{\circ}04'12''$  East, a distance of 112.52 feet to a point, for an angle corner of this tract;
14. South  $01^{\circ}31'55''$  East, a distance of 116.79 feet to a point, for an angle corner of this tract;
15. South  $23^{\circ}12'53''$  West, a distance of 348.92 feet to a point, for an angle corner of this tract;
16. South  $50^{\circ}32'07''$  West, a distance of 351.81 feet to a point, for an angle corner of this tract;
17. South  $76^{\circ}12'36''$  West, a distance of 232.14 feet to a point, for an angle corner of this tract;
18. North  $09^{\circ}52'46''$  West, a distance of 120.00 feet to a point, for an angle corner of this tract;
19. North  $80^{\circ}07'14''$  East, a distance of 6.95 feet to a point in the arc of a curve to the left, for an angle corner of this tract;
20. Along the arc of said curve to the left a distance of 4.29 feet, said curve having a radius of 634.63 feet, a central angle of  $00^{\circ}23'15''$ , a chord which bears North

- 79°55'36" East, a chord distance of 4.29 feet to a point, for an angle corner of this tract;
21. North 10°16'01" West, a distance of 179.99 feet to a point, for an angle corner of this tract;
  22. South 80°07'14" West, a distance of 273.04 feet to a point, for an angle corner of this tract;
  23. North 16°05'00" West, a distance of 30.47 feet to a point, for an angle corner of this tract;
  24. South 73°55'00" West, a distance of 87.47 feet to a point, for an angle corner of this tract;
  25. North 54°19'41" West, a distance of 90.50 feet to a point, for an angle corner of this tract;
  26. North 17°18'12" West, a distance of 81.91 feet to a point, for an angle corner of this tract;
  27. North 20°52'56" West, a distance of 118.68 feet to a point in the east line of said 21.276 acre tract, for an angle corner of this tract;

**THENCE** with the east line of said 21.276 acre tract the following two (2) courses:

1. North 20°52'52" West, a distance of 40.77 feet to a point, for an angle corner of this tract;
2. North 48°43'06" West, a distance of 44.57 feet passing a point in the west line of said 88.189 acre tract, entering said 95.256 acre tract in all a total distance of 68.85 feet to the **POINT OF BEGINNING**.

Containing 16.48 acres of land more or less.

This survey was made from available deed information, plat records, and other recorded information available, and does not purport to be an on the ground survey.

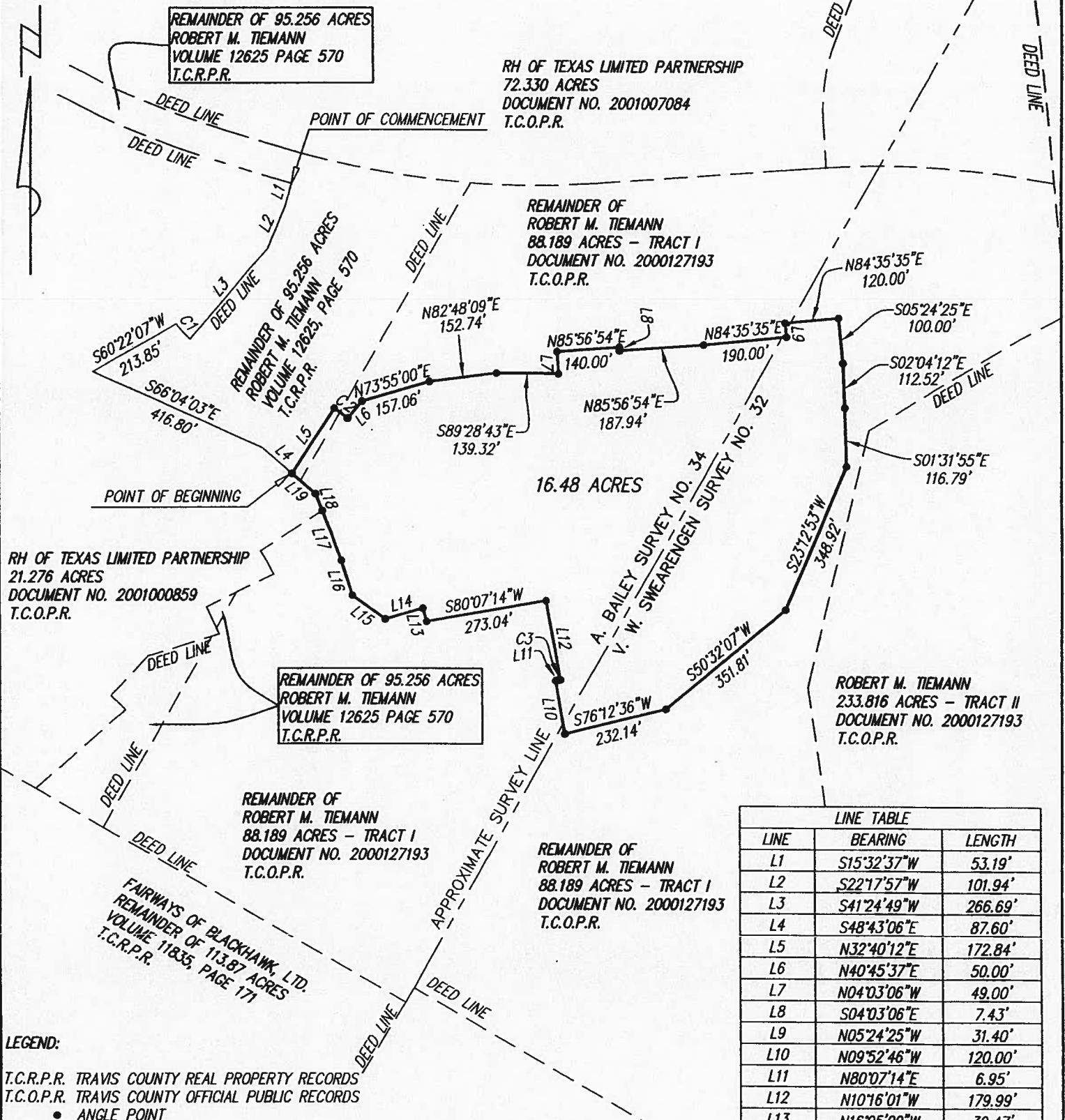
Randall S. Jones 11/20/01  
Randall S. Jones Date  
Registered Professional Land Surveyor No. 4391  
State of Texas



RJ Surveying, Inc.  
1212 E. Braker Lane  
Austin, Texas 78753



**SKETCH TO ACCOMPANY FIELD NOTES**



LINE TABLE		
LINE	BEARING	LENGTH
L1	S15°32'37"W	53.19'
L2	S22°17'57"W	101.94'
L3	S41°24'49"W	266.69'
L4	S48°43'06"E	87.60'
L5	N32°40'12"E	172.84'
L6	N40°45'37"E	50.00'
L7	N04°03'06"W	49.00'
L8	S04°03'06"E	7.43'
L9	N05°24'25"W	31.40'
L10	N09°52'46"W	120.00'
L11	N80°07'14"E	6.95'
L12	N10°16'01"W	179.99'
L13	N16°05'00"W	30.47'
L14	S73°55'00"W	87.47'
L15	N54°19'41"W	90.50'
L16	N17°18'12"W	81.91'
L17	N20°52'56"W	118.68'
L18	N20°52'52"W	40.77'
L19	N48°43'06"W	68.85'

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	DIRECTION	DELTA
C1	46.22'	225.00'	23.19'	46.14'	N42°42'04"W	11°46'14"
C2	37.42'	265.00'	18.74'	37.39'	S53°17'06"E	8°05'25"
C3	4.29'	634.63'	2.15'	4.29'	N79°55'36"E	0°23'15"

DATE: NOVEMBER 19, 2001 SCALE: 1" = 300'

JOB NO.: 859

**RJ SURVEYING, INC.**

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793

§ EXHIBIT 82.201(D) EXTENSION OF SIXTY DAY PERIOD FOR COMPLETED PLAT APPLICATION FINAL ACTION

Date: \_\_\_\_\_

Owner's Name and Address: Lakeside I Section 3, Ltd.

4421 Rowe Ln.

Pflugerville, TX 78660

Proposed Subdivision Name and Legal Description (the "Property"): Lakeside at Blackhawk Section 5

The undersigned Owner and the Executive Manager of Travis County Transportation and Natural Resources Department hereby agree that the sixty (60) day period for final action to be taken on a Completed Plat Application for the Property is hereby extended by mutual agreement and without compulsion for the reasonable period of: \_\_\_\_\_

Executed and effective as of the later date set forth below.

Owner: Lakeside I, Sec. 3

By: [Signature]

Name: Robert M. Timmerman

Title: Partner

Authorized Representative  
Travis County, Texas

By: [Signature]

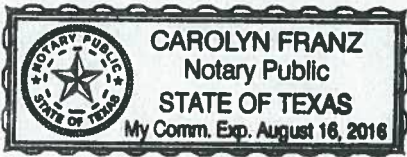
Executive Manager  
Travis County Transportation and Natural Resources Department

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the day of October 24, 2013, by Robert M. Tiemann of Travis County, Texas, known to me personally or on the basis of an approved form of identification, in the capacity stated.



Carolyn Franz  
Notary Public, State of Texas

My Commission Expires: 8-16-2016  
Carolyn Franz  
(Printed Name of Notary)

ACKNOWLEDGEMENT

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledge before me on the day of \_\_\_\_\_, \_\_\_\_\_ by  
\_\_\_\_\_ of Travis County, Texas, known to me personally or on the basis of an approved  
form of identification, in the capacity stated.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
My Commission Expires:

\_\_\_\_\_  
(Printed Name of Notary)

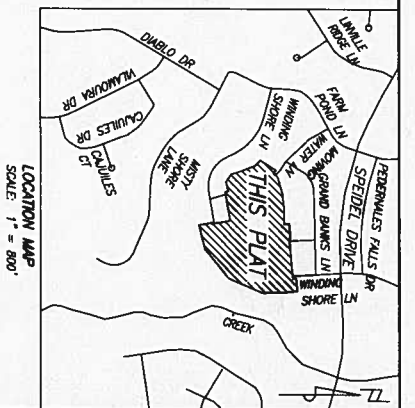
After Recording Return To:

Travis County, Texas  
Attn: Transportation and Natural Resources Department  
P.O. Box 1748  
Austin, Texas 78767

FINAL PLAT OF  
 LAKESIDE AT BLACKHAWK SECTION 5

TRAVIS COUNTY  
 CONSUMER PROTECTION NOTICE FOR HOME BUYERS

IF YOU ARE BUYING A LOT OR HOME, YOU SHOULD DETERMINE WHETHER IT IS INSIDE OR OUTSIDE THE CITY LIMITS. DEPENDING ON STATE LAW AND OTHER FACTORS, LAND OUTSIDE THE CITY LIMITS MAY BE SUBJECT TO FEWER LOCAL GOVERNMENT CONTROLS OVER THE DEVELOPMENT AND USE OF LAND THAN INSIDE THE CITY LIMITS. BECAUSE OF THIS, LOCAL GOVERNMENT MAY NOT BE ABLE TO RESTRICT THE NATURE OR EXTENT OF DEVELOPMENT NEAR THE LOT OR HOME NOR PROHIBIT NEARBY LAND USES THAT ARE INCOMPATIBLE WITH A RESIDENTIAL NEIGHBORHOOD. THIS CAN AFFECT THE VALUE OF YOUR PROPERTY. TRAVIS COUNTY REQUIRES THIS NOTICE TO BE PLACED ON SUBDIVISION PLATS. IT IS NOT A STATEMENT OR REPRESENTATION OF THE OWNER OF THE PROPERTY, THE SUBDIVIDER, OR THEIR REPRESENTATIVES



No.	DATE REVISION	BY

SHEET 1 OF 3 SHEETS

DATE: FEBRUARY 24, 2014  
**RANDALL JONES & ASSOCIATES ENGINEERING, INC.**  
 1212 E. BRAKER LANE, AUSTIN, TEXAS 78753  
 (512) 836-4793 FAX: (512) 836-4817  
**RJ SURVEYING & ASSOCIATES, INC.**  
 1212 E. BRAKER LANE, AUSTIN, TEXAS 78753  
 (512) 836-4793 FAX: (512) 836-4817

F-9784

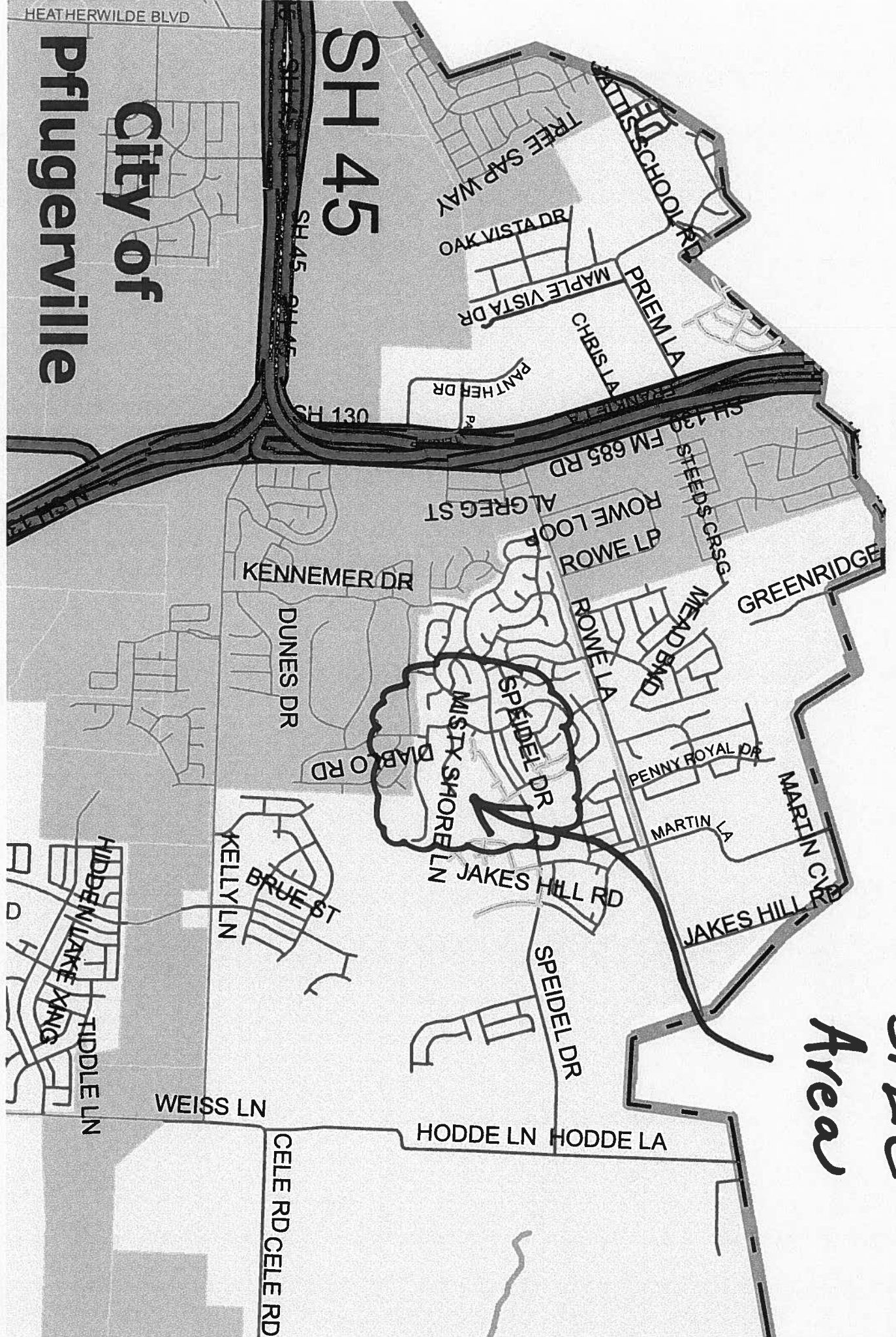




HEATHERWILDE BLVD

# City of Pflugerville

## SH 45

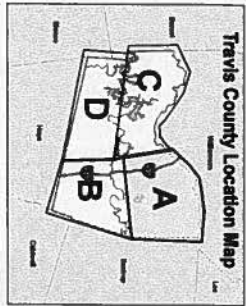


*Site Area*



*Site Area*

Travis County Location Map



**Legend**

- ..... Road
- ..... Park
- ..... State Maintained
- ..... Incorporated
- ..... Travis County Maintained
- ..... Not Maintained
- ..... Private
- ..... Rejection of Dedication
- ..... Undedicated, Private
- ..... Railroad
- ..... Water Body
- ..... City Jurisdiction
- ..... Park
- ..... 2011 Commissioners Precincts

1  
2  
3

Source(s): City of Austin Roads - COA 2013  
 Unincorporated Roads - Travis County  
 2013 Toll Road - Various sources  
 Creek-NHD 2005, 7 years - Travis County  
 2011 Precincts - Travis County  
 Voter Register 2011.



**Travis County Roadways, Map A**



Map Prepared by Travis County  
 Dept. of Transportation & Natural  
 Resources  
 Date: 02/12/2013

This product is for informational purposes and may not have been prepared for or the 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.