



Travis County Commissioners Court Agenda Request

Meeting Date: August 19, 2014

Prepared By: Paul Scoggins, Engineering Specialist **Phone #:** (512) 854-7619 AB

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, September 9, 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 5 and 6, Block C of Aqua Monte – 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 5 and 6, Block C of Aqua Monte. The easements are shown schematically on the plat. Lots 5 and 6 front on Heathcliff Drive, a street not 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 house and its onsite septic system on Lots 4, 5, and 6, Block C of the Aqua Monte subdivision. Vacating the easements between Lots 5 and 6 should resolve any potential encroachment issues. There are not any dedicated easements between Lots 4 and 5.

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	Development Services	(512) 854-7561

CC:

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

SM:AB:ps

1101 - Development Services Long Range Planning - Aqua Monte

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 5 and 6, Block C of Aqua Monte as recorded at Book 23, Page 28 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 September 9, 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 5 and 6, Block C of Aqua Monte, 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

EXHIBIT "A"

5' UTILITY EASEMENT TO BE RELEASED ON LOT 5, BLOCK C
AQUA MONTE SUBDIVISION

FIELD NOTE DESCRIPTION

BEING A CALCULATED MAP AREA OF 328 SQUARE FEET OF LAND OUT OF LOT 5, BLOCK C, AQUA MONTE, A SUBDIVISION RECORDED IN BOOK 23, PAGE 28 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PART OF A 10 FEET WIDE UTILITY EASEMENT CENTERED ALONG THE NORTHEAST LINE OF SAID LOT 5, BEING THE SOUTHWEST LINE OF LOT 6, BLOCK C OF SAID AQUA MONTE SUBDIVISION; SAID 328 SQUARE FEET MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with a cap marked "Stearns 4990" found in the curving right-of-way line (ROW) of Heathcliff Drive, being the southwest corner of said Lot 6 and the north corner of said Lot 5, for the north corner and **POINT OF BEGINNING** herein;

THENCE along the common southwest line of said Lot 6, being the northeast line of said Lot 5, S49°04'00"E, a distance of 65.08 feet to a point for the south corner of said Lot 6, being the east corner of said Lot 5, for the east corner herein;

THENCE along the southeast line of said Lot 5, S30°22'00"W, a distance of 5.09 feet to a point for the south corner herein;

THENCE through the interior of said Lot 5, N49°04'00"W, a distance of 66.26 feet to a point in the curving ROW of Heathcliff Drive, being in the northwest line of said Lot 5 for the west corner herein;

THENCE with a curve to the left, having a radius of 50.00 feet, an arc length of 5.01 feet and a chord which bears N43°47'36"E, a distance of 5.01 feet to the **POINT OF BEGINNING** and containing 328 square feet of land, more or less.

SEE SKETCH TO ACCOMPANY THESE FIELDNOTES (next page).

Field notes written July 17, 2014

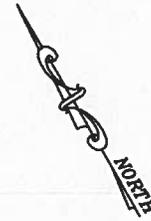
Bearings are taken from the recorded plat bearings

BY: John W. Tobin 07.17.2014 _____ Date

JOHN W. TOBIN
Registered Professional Land Surveyor No. 4422
THE MOORE GROUP
1000 CUERNAVACA
AUSTIN, TEXAS 78733
(512) 442-0377



SKETCH TO ACCOMPANY FIELD NOTES FOR 328 SQUARE FEET OF LAND OUT OF LOT 5, BLOCK C, AQUA MONTE, A SUBDIVISION RECORDED IN BOOK 23, PAGE 28 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS

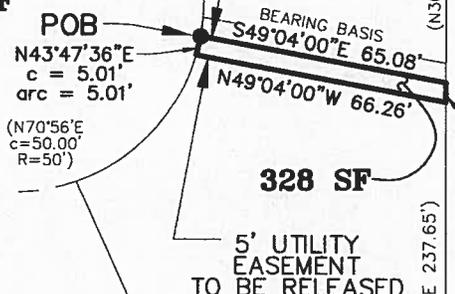


SCALE:
1" = 50'

LEGEND

- = IRON ROD FOUND
- POB = POINT OF BEGINNING

HEATHCLIFF DRIVE



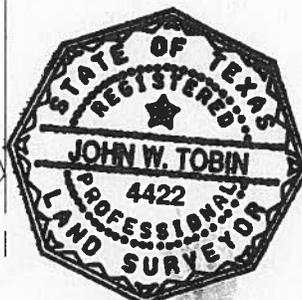
PRTCTX = PLAT RECORDS OF TRAVIS CO. TX.
c = CHORD LENGTH
R = RADIUS LENGTH

BEARINGS ARE BASED ON THE RECORDED PLAT BEARINGS FOR AQUA MONTE SUBDIVISION AS RECORDED IN BOOK 23, PAGE 28, PRTCTX.

(RECORD DATA IS SHOWN IN PARENTHESIS)

PREPARED BY:

John W. Tobin 07.17.20 14
JOHN W. TOBIN, R.P.L.S. NO. 4422



THE MOORE GROUP
Firm Reg. #249

ENGINEERING, SURVEYING & PLANNING
1000 CUERNAVACA AUSTIN, TEXAS 78733
PH. (512) 442-0377 FAX (512) 442-7807

EXHIBIT "A"
5' UTILITY EASEMENT TO BE RELEASED ON LOT 6, BLOCK C
AQUA MONTE SUBDIVISION

FIELD NOTE DESCRIPTION

BEING A CALCULATED MAP AREA OF 324 SQUARE FEET OF LAND OUT OF LOT 6, BLOCK C, AQUA MONTE, A SUBDIVISION RECORDED IN BOOK 23, PAGE 28 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PART OF A 10 FEET WIDE UTILITY EASEMENT CENTERED ALONG THE SOUTHWEST LINE OF SAID LOT 6, BEING THE NORTHEAST LINE OF LOT 5, BLOCK C OF SAID AQUA MONTE SUBDIVISION; SAID 324 SQUARE FEET MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with a cap marked "Stearns 4990" found in the curving right-of-way line (ROW) of Heathcliff Drive, being the north corner of said Lot 5 and the southwest corner of said Lot 6, for the west corner and **POINT OF BEGINNING** herein;

THENCE along the east ROW of Heathcliff Drive and the west line of said Lot 6, with a curve to the left, having a radius of 50.00 feet, an arc length of 5.01 feet and a chord which bears N38°03'49"E, a distance of 5.01 feet to a point for the north corner herein;

THENCE through the interior of said Lot 6, S49°04'00"E, a distance of 64.40 feet to a point in the southeast line of said Lot 6, for the east corner herein;

THENCE along the southeast line of said Lot 6, S30°26'00"W, a distance of 5.09 feet to a point for the east corner of said Lot 5, being the south corner of said Lot 6, for the south corner herein;

THENCE along the common northeast line of said Lot 5, being the southwest line of said Lot 6, N49°04'00"W, a distance of 65.08 feet to the **POINT OF BEGINNING** and containing 324 square feet of land, more or less.

SEE SKETCH TO ACCOMPANY THESE FIELDNOTES (next page).

Field notes written July 17, 2014

Bearings are taken from the recorded plat bearings

BY:

John W. Tobin 07-17-2014

JOHN W. TOBIN

Date

Registered Professional Land Surveyor No.4422

THE MOORE GROUP

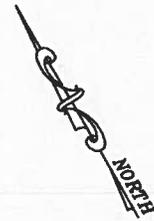
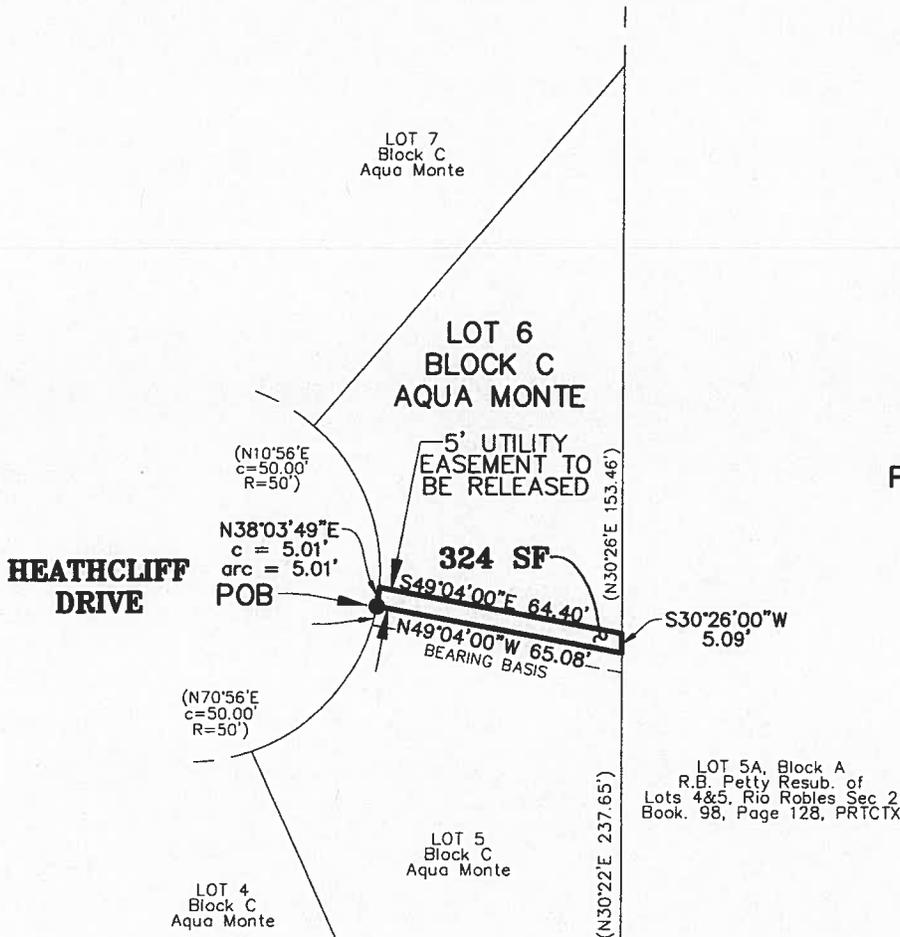
1000 CUERNAVACA

AUSTIN, TEXAS 78733

(512) 442-0377



SKETCH TO ACCOMPANY FIELD NOTES FOR 324 SQUARE FEET OF LAND OUT OF LOT 6, BLOCK C, AQUA MONTE, A SUBDIVISION RECORDED IN BOOK 23, PAGE 28 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS



SCALE:
1" = 50'

LEGEND

- = IRON ROD FOUND
- POB = POINT OF BEGINNING

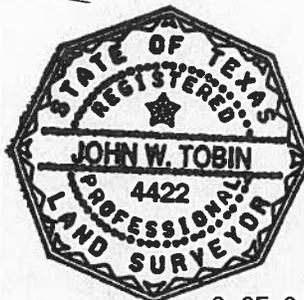
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(RECORD DATA IS SHOWN IN PARENTHESIS)

PREPARED BY:

John W. Tobin 07.17.2014
JOHN W. TOBIN, R.P.L.S. NO. 4422



2 OF 2

THE MOORE GROUP
Firm Reg. #249

ENGINEERING, SURVEYING & PLANNING
1000 CUERNAVACA
AUSTIN, TEXAS 78733
PH. (512) 442-0377
FAX (512) 442-7807

Received
JUL 11 2014
Travis County-TNR



TRAVIS CREEK
Homes L.L.C.

Paul Scoggins
Travis County Transportation and Natural Resources
700 Lavaca Street
Travis County Administration Building
Austin, Texas 78767

Dear Mr. Scoggins,

Please find attached to this letter forms concerning the vacating of a utility easement. The easement is located between lots five and six, Block C, Aqua Monte Subdivision. The street address is 1600 Heathcliff Dr. Austin, Texas 78733. All three lots (Lots 4, 5 and 6) are owned by John K. Frederick, 1707 Lost Creek Blvd. Austin, Texas 78746.

Mr. Frederick is ready to start construction of a personal residence on these lots. The onsite septic system has been designed and submitted to the County. The system will require a line to run across the easement from the tanks to the drain field, hence the need to vacate the easement. The system has been approved pending the easement being vacated.

Easement releases have been obtained from Austin Energy, AT&T and WCID 18. A survey is also attached.

If any additional information is needed please contact me as follows. Eddie Dick-512-695-9377. Thanks you for your consideration.

Sincerely,



Eddie Dick
Owner
Travis Creek Homes, LLC



SOUTHWESTERN BELL TELEPHONE COMPANY

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT, entered into by SOUTHWESTERN BELL TELEPHONE COMPANY, a Delaware corporation, GRANTOR, AND John Kurt Frederick, 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:

Lot 4, Lot 5, and Lot 6, Block C, Aqua Monte, Deed of record in Document 2013165425, Property Records of Travis County, Texas

Said land of GRANTEE being subject to:

Easements recorded in Volume 23, Page 28, Plat Records of Travis County, Texas,

The portion of said easements to be hereby released is described as follows:

All of the 10 foot wide utility easement between the said Lots 5 and 6, 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 1 day of July, 2014.

SOUTHWESTERN BELL TELEPHONE COMPANY



Name : Anthony Micketus

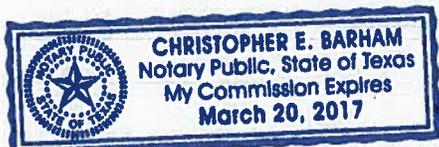
Title: MGR.-ENG. DESIGN

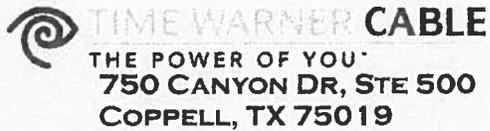
THE STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared ANTHONY MICKETUS, 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 1st day of JULY, 2014.


Notary Public in and for the State of Texas
My Commission Expires 3/20/2017





July 11, 2014

Eddie Dick
Travis Creek Homes
P.O. Box 342076
Austin, Texas 78734

SUBJECT: Abandonment of 1600 Heathcliff Dr, Austin, TX 78733

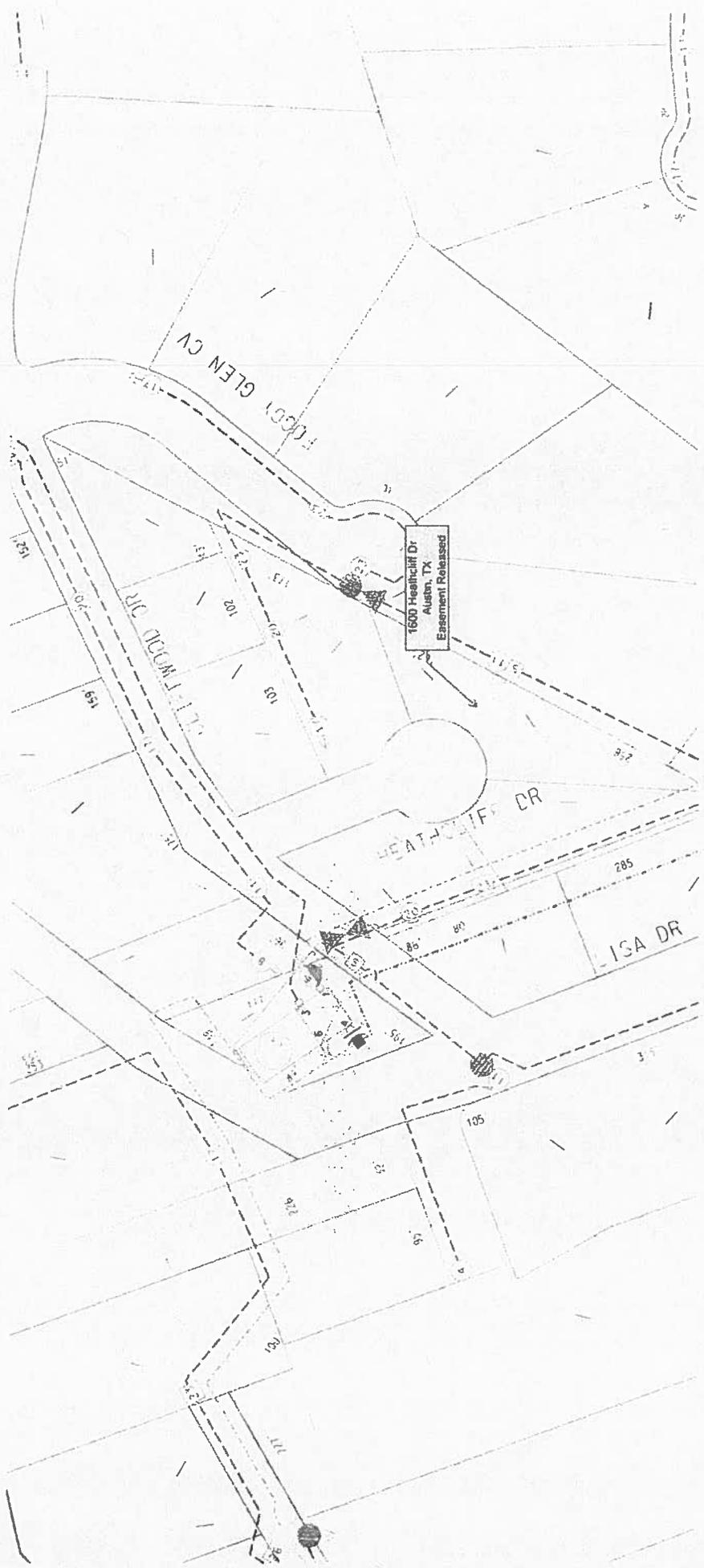
We have reviewed your request for the above referenced Utility Easement, and Time Warner Cable (TWC) hereby grants the abandonment of the ROW near 1600 Heathcliff Dr, located within the city of Austin, TX.

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,

Lisa N. Law



1600 Heathcliff Dr
Austin, TX
Easement Released

HOGAN GLEN CV

HEATHCLIFF DR

ISA DR

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Central Texas Area

2012 RELOCATION PROJECT
ESTIMATE ONLY

Origination Date: 7/14/2014
Start Date: 7/11/2014
Completion Date: 7/11/2014

NODE: B107

PROJECT INFORMATION

Location Name: CTX Austin
 Activity Name: Forced Relocation
 Project Name: 1600 Heathcliff Dr_Austin TX Job/ DOCK #: _____
 Line of Business: 408 - Forced Relocations Project Driver: Replacement - Identified
 Project Type: Forced Relocation BW/Fiber Activity: Other
 PA Type: New Existing Bandwidth: N/A
 Category: Forced Plant Relo

BU	Project #	ID	QU	BS	Product	FA	Res Cat	Sub Cat
14900	#N/A		1551	##	n/a	601	FRELO	Multiple

Project Scope

This is a replat. Cost for this project will be \$0.00.

PURCHASE INFORMATION

			Contract Labor	In-House Labor	Materials	Freight	Reimbursement	Total
FRELO								
Design - Aerial	A10	601	_____	_____	_____	_____	_____	_____
Make Ready - Aerial	A11	601	_____	_____	_____	_____	_____	_____
Strand & Hardware - Aerial	A12	601	_____	_____	_____	_____	_____	_____
Splicing & Electronics - Aerial	A13	601	_____	_____	_____	_____	_____	_____
Fiber Construction - Aerial	A14	601	_____	_____	_____	_____	_____	_____
Coaxial Construction - Aerial	A15	601	_____	_____	_____	_____	_____	_____
Capitalized Interest - Aerial	A16	601	_____	_____	_____	_____	_____	_____
UG								
Design - UG	U10	601	_____	_____	_____	_____	_____	_____
Make Ready - UG	U11	601	_____	_____	_____	_____	_____	_____
Hardware - UG	U12	601	_____	_____	_____	_____	_____	_____
Splicing & Electronics - UG	U13	601	_____	_____	_____	_____	_____	_____
Fiber Construction - UG	U14	601	_____	_____	_____	_____	_____	_____
Coaxial Construction - UG	U15	601	_____	_____	_____	_____	_____	_____
Capitalized Interest - UG	U16	601	_____	_____	_____	_____	_____	_____
EQMDE								
Fiber Optonics - Headend	H31	601	_____	_____	_____	_____	_____	_____
INSTL								
Drops - New Connects		601	_____	_____	_____	_____	_____	_____
Make Ready - Replacements			_____	_____	_____	_____	_____	_____

TOTALS

Total Labor _____
 Total Material _____
GRAND TOTAL - ESTIMATE ONLY

APPROVALS

Requested By:		Client Approved By:	
Name: <u>Matt Brashier</u>		Name: _____	
Title: <u>Forced Relo Coordinator</u>		Title: _____	
Phone: _____	Date	Phone: _____	Date
Signature: _____	<u>7/14/2014</u>	Signature: _____	_____



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 1600 Heathcliff Dr., Austin, TX 78733 (address) and/or Lots 4,5,& 6, Block C, Aqua Monte Subdivision (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.



Signature

Sonny Poole

Printed Name

Mgr., PIRES

Title

Austin Energy

Utility Company or District

May 5, 2014

Date

Date

Please return this completed form to:

Eddie Dick - Travis Creek Homes

Name
13440 Saddle Back Pass

Address
Bee Cave, TX 78738

City/State/Zip

INT. 
DATE. 5/5/2014



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 1605 Heathcliff DR. Austin, TX 78733 (address) and/or lots 4,5,6, Block C, Aqua Monte Subdivision (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.

Marcia Hyink
Signature
Marcia Hyink
Printed Name
Board President
Title
TC WC & ID 18
Utility Company or District
June 9, 2014
Date

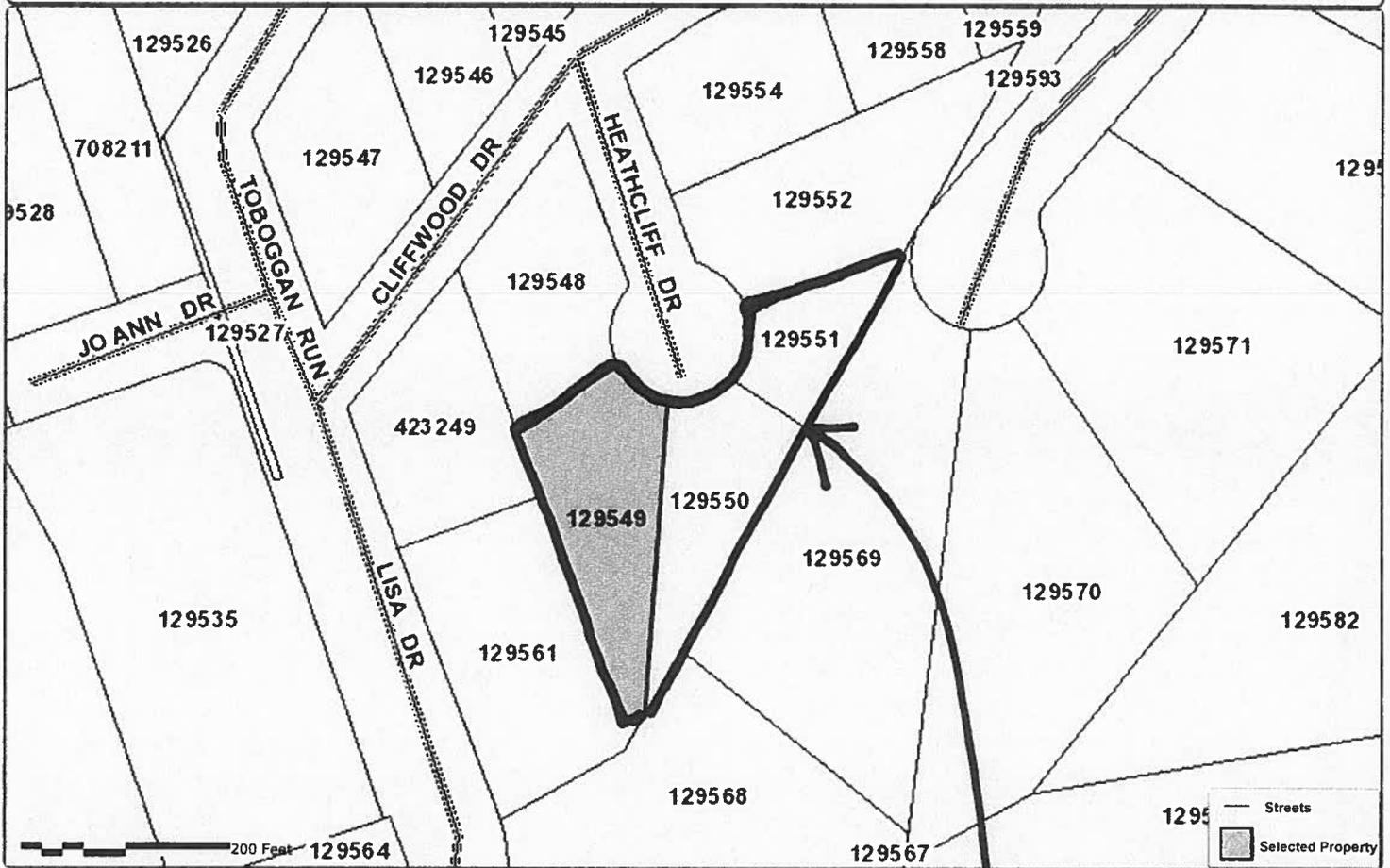
Please return this completed form to:

Name

Address

City/State/Zip

Travis CAD - Map of Property ID 129549 for Year 2014



Property Details

Account

Property ID: 129549

Geo ID: 0133380304

Type: Real

Legal Description: LOT 4 BLK C AQUA MONTE

Location

Situs Address: HEATHCLIFF DR TX 78733

Neighborhood: N8904

Mapsc0: 522S

Jurisdictions: 08, 58, 0A, 2J, 03

Owner

Owner Name: FREDERICK JOHN KURT

Mailing Address: , 1707 LOST CREEK BLVD, AUSTIN, TX 78746

Property

Appraised Value: \$48,000.00

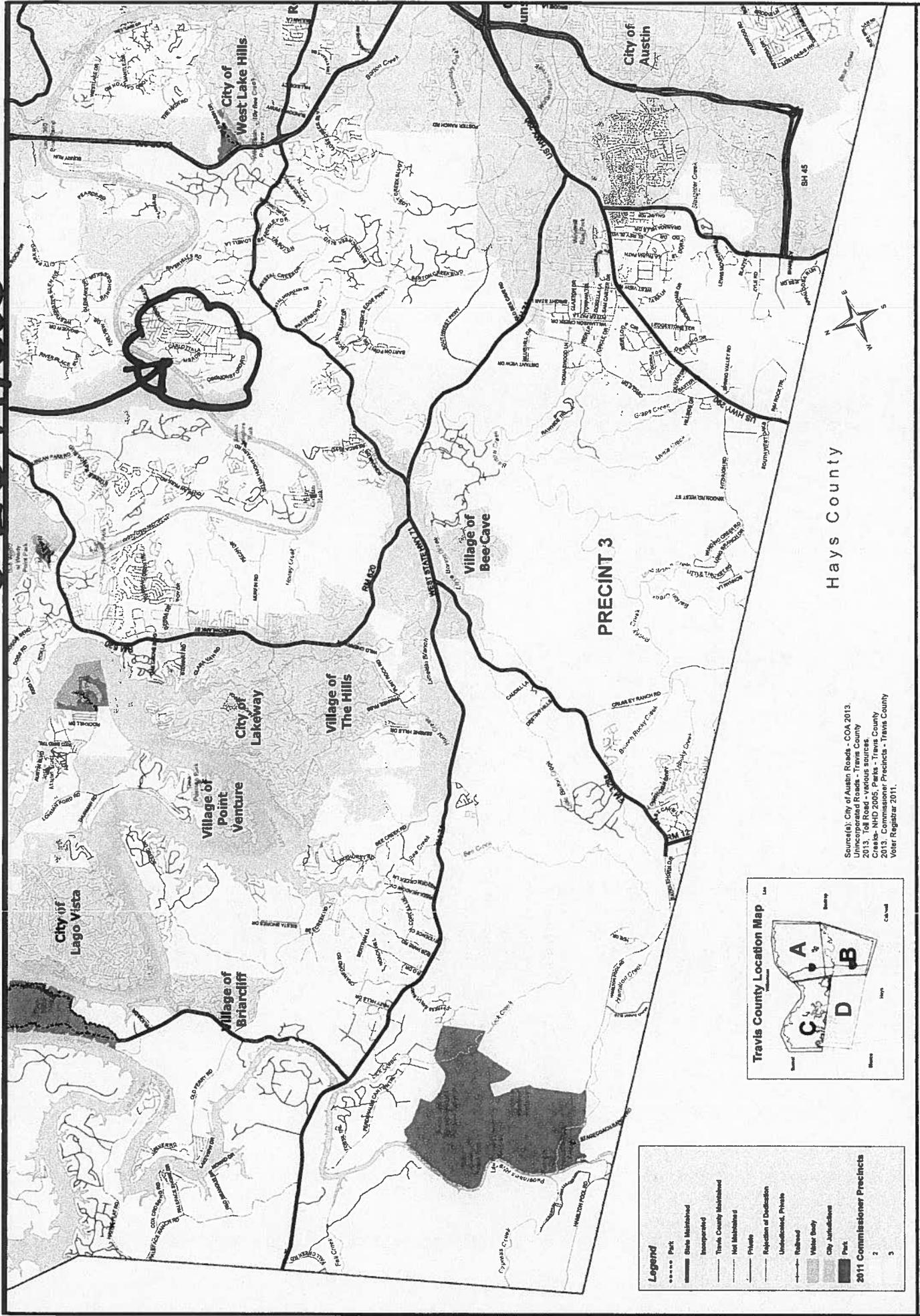
Site
Location

<http://propaccess.traviscad.org/Map/View/Map/1/129549/2014>

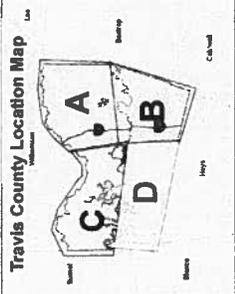
powered by
PropertyACCESS
www.trueautomation.com

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.

SILE AREA



Hays County



Sources: City of Austin Roads - COA 2013.
 Unincorporated Roads - Travis County
 2013, Toll Road - various sources
 2013, Toll Road - Travis County
 2013, County Precincts - Travis County
 Voter Registrar 2011.

Legend

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

2011 Commissioner Precincts

- 2
- 3
- 5

Map Prepared by: Travis County,
 Dept. of Transportation & Natural
 Resources.
 Date: 3/2/2013



0 0.9
 Miles

Travis County Roadways, Map D

This product is for informational purposes and may not have been prepared for or be suitable for any specific purpose. It is not intended to be used as a legal document 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.

Site Area

