

MEMORANDUM

TO: Gilda Powers, Urban Transportation Commission Coordinator
Austin Transportation Department

FROM: Jennifer Grant, Property Agent
Land Management Section
Office of Real Estate Services

DATE: August 2, 2012

SUBJECT: F#9045-1203 Vacation of Right-of-Way adjacent to 2518
Wooldridge Dr.

Attached are the departmental comments and other information pertinent to the referenced right of way vacation. **The area being requested for vacation will be used to expand the lot for residence remodel/addition.** All affected departments and private utility franchise holders have reviewed this request and recommend approval.


The applicant has requested that this item be submitted for placement on the **August 14, 2012 Urban Transportation Commission Agenda** for their consideration.

Staff contact: Jennifer Grant at 974-7991 or landmanagement@ci.austin.tx.us.

Applicant: Richard Suttle

Property Owner: Wilson GST Gift Trust

Mr. Suttle (Applicant) will conduct a presentation at the meeting and will answer any questions regarding the project and vacation request.



Jennifer Grant, Property Agent
Land Management Section

OFFICE OF REAL ESTATE SERVICES

Attachments

DEPARTMENT COMMENTS FOR THE
VACATION OF A PORTION OF RIGHT OF WAY ADJACENT TO 2518
WOOLDRIDGE DRIVE

AT&T	APPROVE
AUSTIN ENERGY	APPROVE
AUSTIN TRANSPORTATION DIRECTOR	APPROVE
AUSTIN WATER	APPROVE
CAPITAL METRO	APPROVE
CODE COMPLIANCE	APPROVE
CTM – GAATN	APPROVE
EMS	APPROVE
FIRE	APPROVE
GRANDE COMMUNICATIONS	APPROVE
PARD	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Engineering)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Land Use Review-Transportation)	APPROVE
PLANNING & DEVELOPMENT REVIEW (Neighborhood Planning)	REFER TO PLANNING COMMISSION
PLANNING & DEVELOPMENT REVIEW (Zoning Review)	APPROVE
PUBLIC WORKS DIRECTOR	APPROVE
TEXAS GAS SERVICES	APPROVE
TIME WARNER	APPROVE
WATERSHED PROTECTION (Engineering)	APPROVE

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2380
FACSIMILE 512-435-2399

KEVIN M. FLAHIVE
(512) 435-2333
kflahive@abaustin.com

March 9, 2012

VIA HAND DELIVERY

Jennifer Grant
Office of Real Estate Services
City of Austin
505 Barton Springs Road, Suite 1350
Austin, TX 78704

Re: Right-of-Way Vacation Request for Gaston Avenue (the "**Application**")

Dear Ms. Grant:

It was a pleasure meeting you last Friday. As you know, this firm represents and this letter is submitted on behalf of the Wilson GST Gift Trust, the applicant in the above-referenced Application. The purpose of this Application is to seek the vacation of a 5,644 square-foot portion of right-of-way ("**ROW**") adjacent to/across the residential lot located at 2518 Wooldridge Drive. This is not a SMART Housing project.

1. Is this a residential or commercial project?

This is a residential project.

2. How did the area to be vacated get dedicated? By plat or by separate instrument?

This ROW easement was dedicated by plat.

3. Did the City purchase the area to be vacated? ie: Street Deed?

Not to our knowledge.

4. Are both the area to be vacated and your property in the same "subdivision"? (They must both be in the same subdivision to be eligible.)

Yes.

5. Does the area to be vacated *exist* or is it on paper only?

The area exists.

6. Are there any utilities lines within the area to be vacated? If yes, what are your plans for the utilities? Relocation of lines at your expense **or** City to retain the entire area to be vacated as a public utility and drainage easement? (No structures are allowed to be built on, over or under the easements without a license agreement, insurance and annual fee.

Not to our knowledge.

7. How do you plan to develop the area to be vacated?

No new development will be located within the area to be vacated. However, an existing brick wall is located within a portion of the area to be vacated.

8. Has a Site Plan been submitted on your project?

N/A

9. Is your project a Unified Development?

N/A

10. Is your project a S.M.A.R.T. Housing Project?

This is not a S.M.A.R.T. Housing Project.

11. When do you anticipate developing?

N/A

12. What is the current zoning on the adjacent properties?

SF-2-NP

13. What is the current status of the adjacent properties?

Developed.

14. What type of parking facilities currently exist?

Residential garages and driveways.

15. Will your parking requirements increase with the expansion?

N/A

16. How will the increase be handled?

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N/A

17. Have any agreements or easements been executed with adjacent landowner(s) or in draft form? If yes, please include this in your letter and provide us with a copy.

No.

18. Does the area to be vacated lie within the Central Business District (CBD) or UT Areas?

No.

Thank you for your time and consideration in this matter. If you have any questions, comments, or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin M. Flahive". The signature is stylized with a large "K" and "F".

Kevin M. Flahive

cc: Randy Wilson
Alek and Megan Skillern
Richard T. Suttle, Jr.

Application for Street or Alley Vacation

File No. 9045-1203
Department Use Only

DATE: 3.12.12
Department Use Only

TYPE OF VACATION

Type of Vacation: Street: _____; Alley: _____; ROW X Hundred Block: _____
Name of Street/Alley/ROW: Gaston Avenue Is it constructed: Yes ☐ No ☒
Property address: 2518 Wooldridge Drive
Purpose of vacation: Expand lot for residence remodel / addition

PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 115772
Survey & Abstract No.: George W. Spear League
Lot(s): 10 Block: 12 Outlot: _____
Subdivision Name: Pemberton Heights Section I
Plat Book 3 Page Number 136 Document Number N/A

Neighborhood Association Name: Pemberton Heights NA
Address including zip code: P.O. Box 50388, Austin, TX 78763-0388

RELATED CASES

	FILE NUMBERS
Existing Site Plan (circle one): YES / NO	<u>N/A</u>
Subdivision: Case (circle one): YES / NO	<u>N/A</u>
Zoning Case (circle one): YES / NO	<u>N/A</u>

PROJECT NAME, if applicable:

Name of Development Project: N/A
Is this a S.M.A.R.T. Housing Project (circle one): YES / NO

OWNER INFORMATION

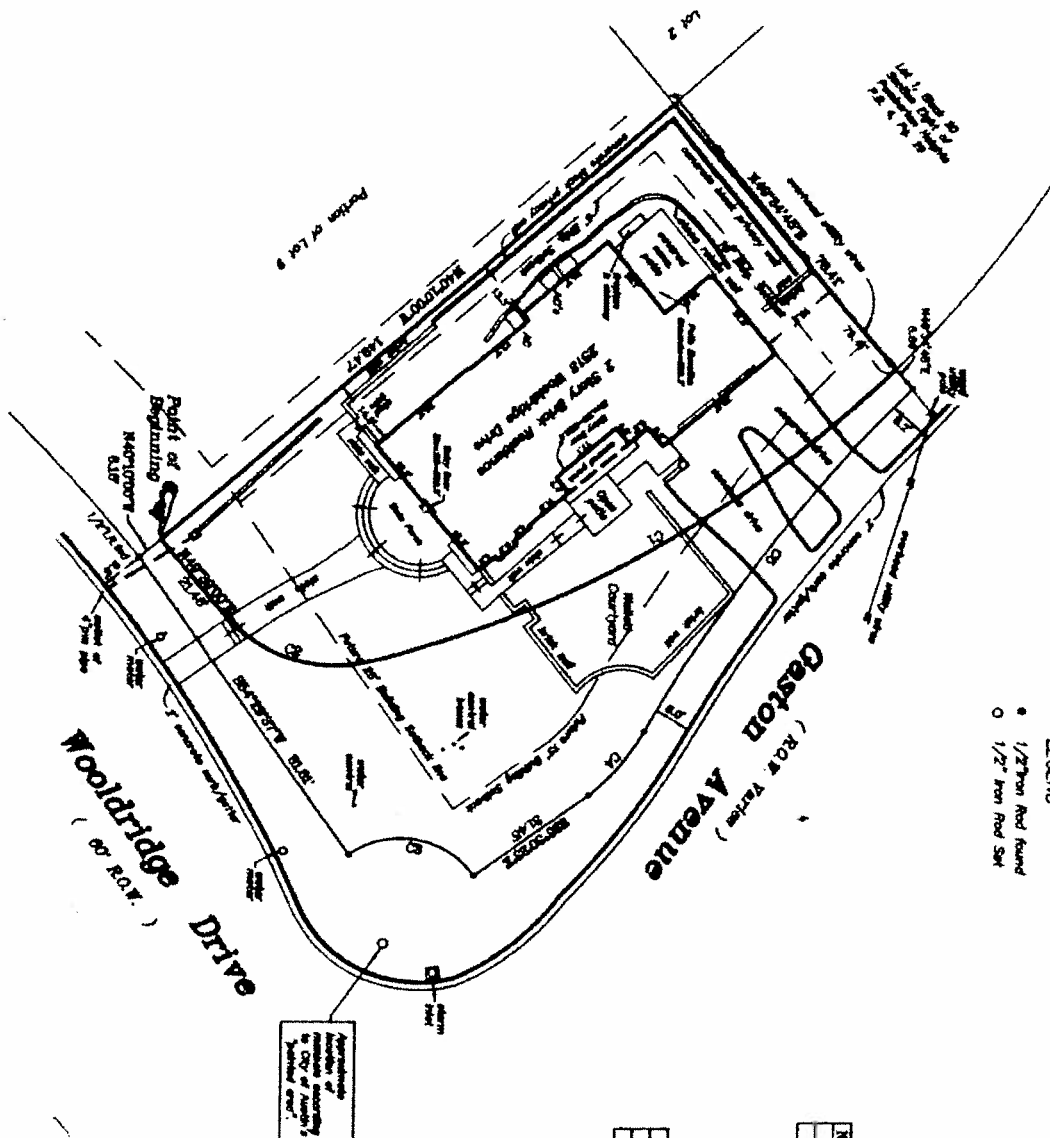
Name: Wilson GST Gift Trust (as shown on Deed)
Address: 16211 Park Ten Place Phone: () Fax No.: ()
City: Houston County: Harris State: TX Zip Code: 77084
Contact Person/Title: Randy Wilson Cell Phone: ()
Email Address: r3930@aol.com
(If multiple owners are joining in this request – complete names, addresses on each, must be attached.)

APPLICANT INFORMATION

Name: Richard Suttle
Firm Name: Armbrust & Brown, PLLC
Address: 100 Congress Ave., Ste. 1300
City: Austin State: TX Zip Code: 78701
Office No.: (512) 435-2300 Cell No.: () Fax No.: (512) 435-2360
EMAIL ADDRESS: rsuttle@abaustin.com

The undersigned Landowner/Applicant understands: 1) The application will be handled in accordance with the Policies and Procedures. 2) No action will be taken without payment of the non-refundable application fee or necessary documentation. 3) The application and fee in no way obligates the City to vacate the subject area. 4) It is further understood that all documents related to this transaction and certified check for the "appraised value" must be delivered to the City of Austin prior to placing the item on the Council Agenda for final approval.

Signed By: [Signature]
Landowner/Applicant



LEGEND
 • 1/2" Iron Rod found
 ○ 1/2" Iron Rod Set

Scale: 1"=20'



Original Lot Curve Data

LINE	BEARING	DISTANCE	CHORD BEARING	CHORD DISTANCE
01	S 81° 12' E	154.42'	S 81° 12' E	154.42'
02	S 71° 42' E	171.42'	S 71° 42' E	171.42'

0.228 Acres. = Original Lot Area
 9015 Sqt.

Proposed Lot Curve Data

LINE	BEARING	DISTANCE	CHORD BEARING	CHORD DISTANCE
01	S 81° 12' E	154.42'	S 81° 12' E	154.42'
02	S 71° 42' E	171.42'	S 71° 42' E	171.42'

0.117 Acres. = R.O.W. to be Vacated
 5075 Sqt.

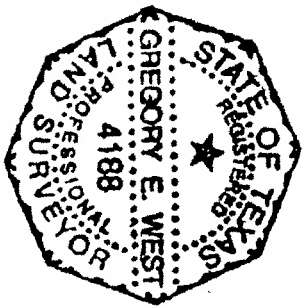
LEGAL DESCRIPTION:

Being Lot 10, Block 12, PEARBERRY HEIGHTS, SECTION ONE, a subdivision in Travis County, Texas according to the plat recorded in Book 3, Page 136 of the Plat Records of Travis County, Tx.

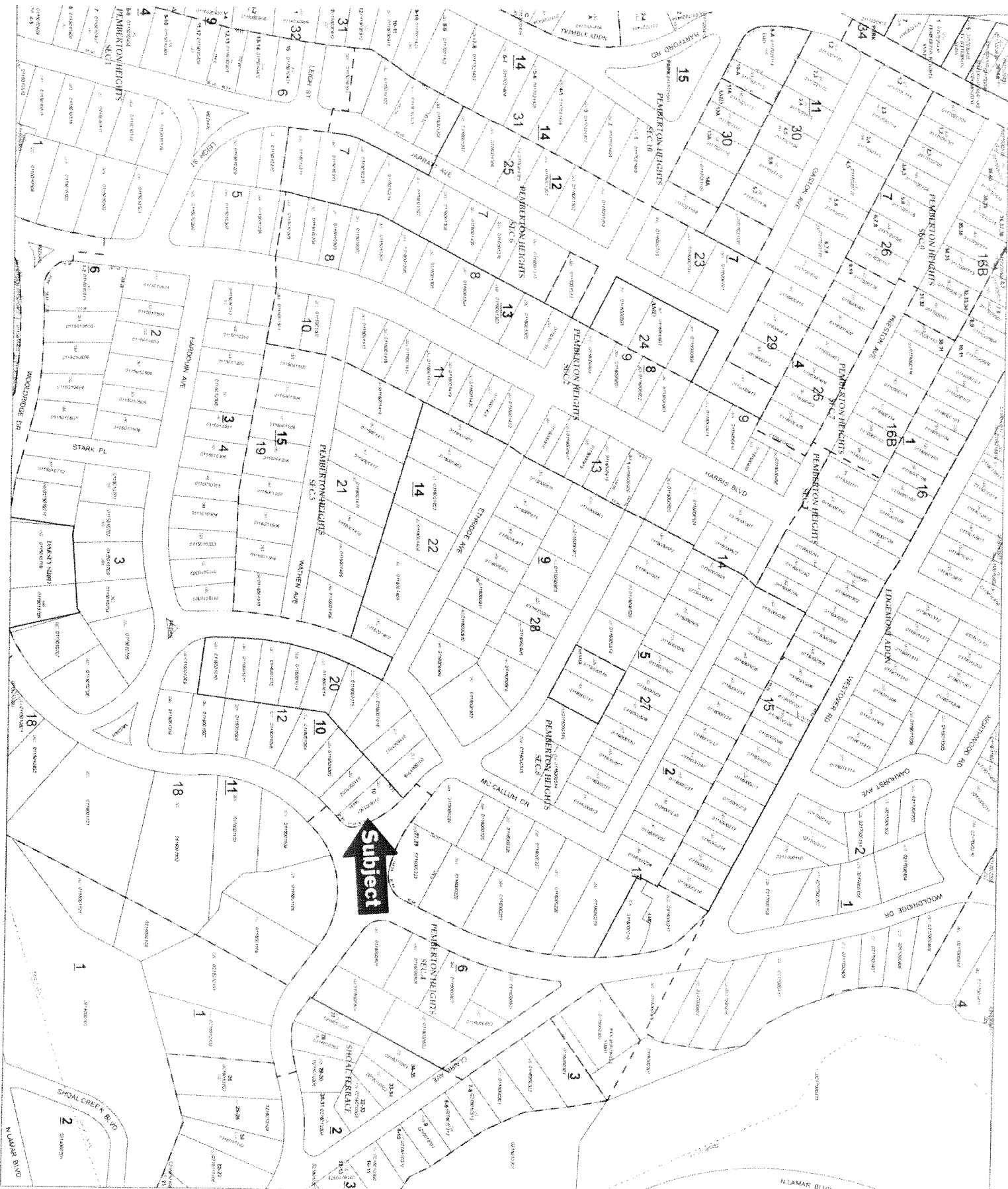
Reference to plat of Section 1, City of Austin, Texas.

The survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1 Survey.

Alek Skillern
 Surveyor
 12/27/2012



Drawing prepared on July 2, 2012.
 Field work: December 7, 2011



Subject

NAD_1983_StatePlane
 Texas_Central_FIPS_4203_Feet
 Projection: Lambert_Conformal_Conic

0 120 1600
 Feet

Revision Date
 6/23/2011

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