

# APPLICATION PACKET

## MEMORANDUM

Case No: 10014-1809  
Date: Sept. 24, 2018

### SUBJECT: RIGHT OF WAY VACATION

( ) Lucy Cabading	AT&T	( ) Robynne Heymans	PARD
( ) Melody Giambruno	Austin Energy	( ) Mehrnaz Mehraein	DSD (LUR-Drainage)
( ) Mike Turner	Austin Resource Recovery	( ) Sangeeta Jain	DSD (LUR-Transportation)
( ) Rob Spillar	Austin Transportation Director	( ) Mark Walters	P&Z (Comp. Planning)
( ) Angela Baez	Austin Water	( ) Humberto Rey	P&Z (Urban Design)
( ) Jenna Neal	Austin Water	( ) Wendy Rhoades	P&Z (Zoning Review)
( ) Bruna Quinonez	Code Compliance	( ) David Boswell	PWD (Office of Engineering Street & Bridge)
( ) Carlos DeMatos	CTM – GAATN		
( ) Milissa Warren	EMS	( ) Eric Dusza	PWD (Sidewalk & Special Projects)
( ) Roberto Gonzalez	Capital Metro	( ) Janae Spence	PWD (Urban Trails Connectivity)
( ) Daniel Pina	Grande Communication	( ) Aaron Diaz	Texas Gas
( ) Anthony Platt	Google	( ) Rolando Rodriguez	Fire
( ) Andy Creel	Google	( ) Timothy White	Charter/Spectrum
( ) Frederic Ritter	Google	( ) Annabell Ulary	WPD (Engineering)

A request has been received for the right of way vacation of a portion of **E. Yager Lane (approximately 3.13 acres)**, located east of Dessau Rd. and north of E. Parmer Ln., out of the Mariquita Castro Survey Number 50, Abstract 160, Travis County, Texas.

**SEE ATTACHED INFORMATION and the PROPOSED RE-DEDICATION of a portion of E. Yager Lane** (EastVillage Final Plat Proposal).

Please review this request and return your comments to Kim Vasquez (512) 974-9241.

Email [landmanagement@austintexas.gov](mailto:landmanagement@austintexas.gov)

Mail City of Austin  
Office of Real Estate Services, 13th Floor  
P.O. Box 1088  
Austin, TX 78767

**\*\*\*Due Date: October 12, 2018**

#### **Imagine Austin Comprehensive Plan - - (CITY OF AUSTIN REVIEWERS ONLY):**

Please also review the Vacation request based on the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan (page 186).

APPROVAL: \_\_\_\_\_ YES \_\_\_\_\_ Yes, Subj. to Req'm't \_\_\_\_\_ No

Comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewed by: \_\_\_\_\_

Telephone: \_\_\_\_\_

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



3839 Bee Cave Road, Suite 150, Austin, Texas 78746  
t 512.306.0228 f 512.306.0338 LJA.com TBPE F-1386

August 23, 2018

Kim Vasquez  
City of Austin  
Office of Real Estate Services  
505 Barton Springs Road  
Suite 1350  
Austin, Texas 78704

RE: ROW Vacation of 2908 – 4012 block of E. Yager Lane  
LJA Project #A551-1001

Dear Kim:

Please find enclosed our application to vacate the right-of-way ("ROW") of the 2908 – 4012 block of E. Yager Lane, which is located north of E. Parmer Lane and Samsung Boulevard. The aforementioned portion of E. Yager Lane splits the lower portion of Travis County Appraisal District Parcel No. 02-5141-0302-0000, which is owned by RH Pioneer North, LLC. The purpose of the vacation is to construct the mixed-use development known as *EastVillage* (previously known as District 54 and Pioneer Crossing North), which is located within the Planned Unit Development ("PUD") known as *Pioneer Crossing* (C814-96-0003). PUD revisions depicting the ROW vacation are noted in City of Austin Case Nos. C814-96-0003.13 and C814-96-0003.14. RH Pioneer North, LLC plans to re-dedicate the vacated ROW as part of new ROW in the *EastVillage* final plat (City of Austin Case No. C8-2017-0193.1A). Said new ROW is to be constructed per *District 54* subdivision construction plans (City of Austin Case No. C8-2017-0193.1B).

Below are further details regarding the reason for the vacation.

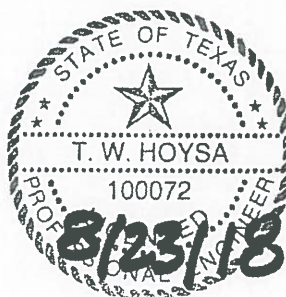
1. This is a commercial project for a mixed-use development that will consist of commercial/retail uses, mixed density residential, various open space lots, and a public park.
2. The area to be vacated was not dedicated via plat or easement. It is a prescriptive easement and noted in adjacent deeds as "save and except" tracts.
3. The City never purchased the area to be vacated.
4. The area to be vacated and our property are in the *Pioneer Crossing* Planned Unit Development and are located within the same proposed final plat, currently in process as C8-2017-0193.1A.
5. The area to be vacated is functional right-of-way.
6. There is a 6-inch waterline located with the right-of-way. The waterline is required to be upgraded and replaced as part of the site's Service Extension Request (SER-3980).
7. The vacated area will be used as part of commercial and mixed density residential tracts as well as new ROW (Innovar Circle) that will run through the *EastVillage* development.
8. Subdivision construction plans to construct the new ROW and utilities for the *EastVillage* development have been submitted as C8-2017-0193.1B. Individual site plans for the lots within C8-2017-0193.1A will be submitted at a later date.

9. Our project is part of a Planned Unit Development, *Pioneer Crossing*.
10. Our project is not a SMART Housing Project.
11. We anticipate starting construction on C8-2017-0193.1B in February 2019.
12. The current zoning on the adjacent properties to the proposed vacated ROW is PUD.
13. The property adjacent to the proposed vacated ROW is currently in the City's permitting process as PUD revision C814-96-0003.14, approved preliminary plan C8-2017-0193, final plat application C8-2017-0193.1A, and subdivision construction plan application C8-2017-0193.1B. The adjacent property is currently used for agricultural purposes.
14. There are no existing parking facilities currently on the property to be vacated.
15. Development around the vacated right-of-way will provide off-street parking for all proposed sites.
16. Increased parking demands will be addressed by providing sufficient parking on all tracts adjacent to the redeveloped right-of-way.
17. No agreements have been made with adjacent landowners. The vacation and replacement right-of-way have been specifically designed to not affect adjacent properties.
18. The area to be vacated does not lie within the Austin Downtown Plan.
19. The area to be vacated does not lie with UT boundaries.
20. The proposed vacation and replacement right-of-way supports Priority Programs by maintaining the connectivity currently provided, increasing roadway capacity, replacing a substandard roadway section, and allowing for increased density within the overall project limits.

Please let us know if you have any additional questions or require additional documentation for your review of this vacation request.

Very Truly Yours,  
LJA ENGINEERING, INC.

  
TW Hoysa, P.E.  
Project Manager



TWH/ew

cc: Jordan Litwiniak, Reger Holdings



# APPLICATION FOR STREET OR ALLEY VACATION

File No. 10014-1809  
Department Use Only

DATE: 9/24/18  
Department Use Only

## TYPE OF VACATION

Approximately 3.13 acres of E. Yager Ln

Type of Vacation: Street: \_\_\_\_\_; Alley: \_\_\_\_\_; ROW X Hundred Block: 2908-4012  
Name of Street/Alley/ROW: E. Yager Lane Is it constructed: ☒ Yes ☐ No  
Property address: 4000 E. Yager Lane, Austin, Texas 78754  
Purpose of vacation: construction of portion of EastVillage (part of Pioneer Crossing Planned Unit Development);  
vacated ROW will be re-dedicated as part of C8-2017-0193.1A (District 54)

## PROPERTY DESCRIPTION ADJACENT TO AREA TO BE VACATED

Parcel #: 02-5141-0302-0000  
Survey & Abstract No.: Samuel Cushing Survey No. 70, Abstract 164 and Mariquita Castro Survey No. 50,  
Lot(s): N/A Block: N/A Outlot: N/A Abstract No. 160  
Subdivision Name: N/A  
Plat Book N/A Page Number N/A Document Number N/A

Neighborhood Association Name: N/A  
Address including zip code: N/A

## RELATED CASES

	FILE NUMBERS
Existing Site Plan (circle one): <input checked="" type="radio"/> YES / <input type="radio"/> NO	<u>C8-2017-0193.1B</u>
Subdivision: Case (circle one): <input checked="" type="radio"/> YES / <input type="radio"/> NO	<u>C8-2017-0193 and C8-2017-0193.1A</u>
Zoning Case (circle one): <input checked="" type="radio"/> YES / <input type="radio"/> NO	<u>C814-96-0003.13 and C814-96-0003.14</u>

## PROJECT NAME, if applicable:

Name of Development Project: District 54  
Is this a S.M.A.R.T. Housing Project (circle one): YES / ☒ NO  
Is this within the Downtown Austin Plan Boundaries (circle one): YES / ☒ NO

## OWNER INFORMATION

Name: RH Pioneer North, LLC (as shown on Deed)  
Address: 2730 Transit Rd Phone: (716) 809-8692 Fax No.: ( )  
City: West Seneca County: \_\_\_\_\_ State: New York Zip Code: 14224  
Contact Person/Title: Jordan Litwiniak Cell Phone: ( )  
Email Address: JLitwiniak@regerholdings.com  
(If multiple owners are joining in this request, complete names and addresses for each must be attached.)

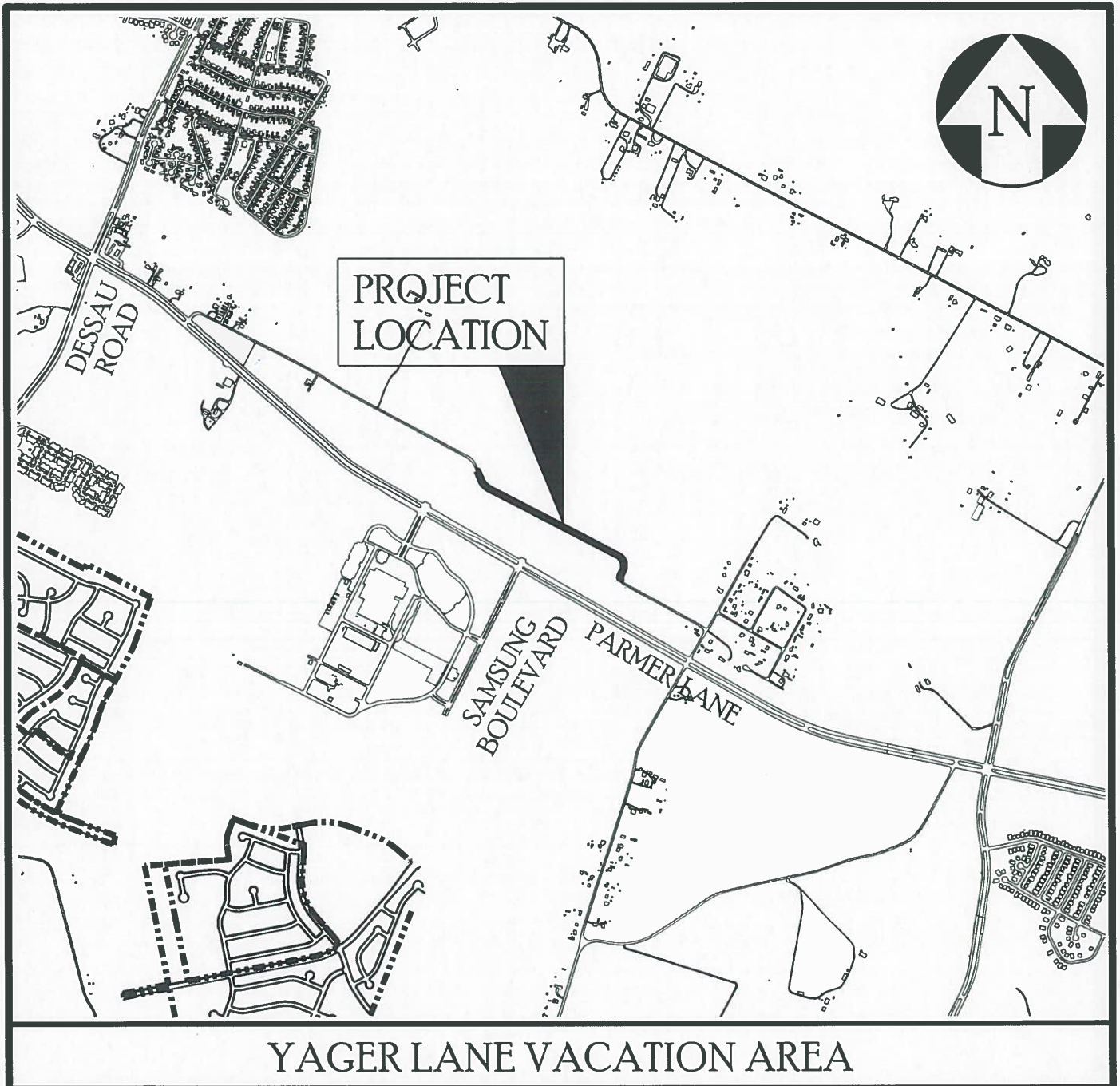
## APPLICANT INFORMATION

Name: Walter Hoysa  
Firm Name: LJA Engineering, Inc.  
Address: 3839 Bee Cave Rd #150  
City: Austin State: Texas Zip Code: 78746  
Office No.: (512) 306-0228 Cell No.: ( ) Fax No.: ( )  
EMAIL ADDRESS: whoysa@LJA.com

The undersigned Landowner/Applicant understands: 1) This application will be handled in accordance with standard City policies and procedures. 2) No action will be taken without (a) payment of the nonrefundable application fee, or (b) necessary documentation. 3) The application and fee in no way obligate the City to vacate the subject area. 4) All documents related to this transaction and a **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:

  
Landowner/Applicant



(N.T.S.)  
LOCATION MAP  
(N.T.S.)



## LANDESIGN SERVICES, INC.

1220 McNeil Road, Suite 200  
Round Rock, Texas 78681  
TBPLS Firm No. 10001800  
512-238-7901 office

EXHIBIT " "

### METES AND BOUNDS DESCRIPTION

BEING 3.13 ACRES OF LAND, SURVEYED BY LANDESIGN SERVICES, INC., SITUATED IN THE M. CASTRO SURVEY NO. 50, ABSTRACT NO. 160 IN TRAVIS COUNTY, TEXAS AND BEING ALL OF A CALLED 3.12 ACRE TRACT OF LAND DESCRIBED AS A SAVE AND EXCEPT TRACT IN DOCUMENT NO. 2017178604 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), ALSO BEING A PORTION OF YAGER LANE (R.O.W. VARIES) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a Cotton Spindle found in the Northerly right-of-way line of said Yager Lane and the South line of a called 367.425 acre tract of land described in said Document No. 2017178604, from which a 1/2-inch rebar found for the Southwest corner of a called 38.73 acre tract of land described in Document No. 2018034315 of the O.P.R.T.C.T. and a Southeast corner of said 367.425 acre tract, also being in said Northerly right-of-way line of Yager Lane, bears South 61°10'52" East a distance of 592.46 feet;

THENCE **South 77°04'44" West** along the Southeast line of said 3.12 acre tract, over and across said Yager Lane, a distance of **79.70** feet to a 1-inch iron pipe found in the Southerly right-of-way line of said Yager Lane;

THENCE along the South line of said 3.12 acre tract and the Southerly right-of-way line of said Yager Lane, the following eight (8) courses and distances:

1. **North 27°14'25" East** a distance of **180.54** feet to a 1/2-inch rebar found;
2. **North 08°46'02" East** a distance of **51.35** feet to a 1/2-inch rebar found;
3. **North 19°34'44" West** a distance of **45.34** feet to a 1/2-inch rebar found;
4. **North 36°52'08" West** a distance of **36.11** feet to a 1/2-inch rebar found;
5. **North 56°51'35" West** a distance of **28.96** feet to a 1/2-inch rebar found;



6. **North 62°57'32" West** passing a 1/2-inch rebar found at a distance of 980.80 feet, passing another 1/2-inch rebar found at a distance of 1081.11 feet, and continue for a total distance of **1918.43** feet to a 1/2-inch rebar found;
7. **North 49°50'42" West** a distance of **22.42** feet to a 1/2-inch rebar found; and
8. **North 21°34'31" West** a distance of **214.20** feet to a 1/2-inch rebar found for the Southwest corner of said 3.12 acre tract and the Northeast corner of a called 20.79 acre tract described in Document No. 2013122753 of the O.P.R.T.C.T., from which a 1/2-inch rebar found in the North line of said 20.79 acre tract and said Southerly right-of-way line of Yager Lane, bears North 21°50'01" West a distance of 101.00 feet;

THENCE **North 74°25'09" East along the West line of said 3.12 acre tract**, over and across said Yager Lane, a distance of **58.08** feet to a 1/2-inch rebar found for the Northwest corner of said 3.12 acre tract and being in the Northerly right-of-way line of said Yager Lane, from which a 1/2-inch rebar found in the West line of said 367.425 acre tract and said Northerly right-of-way of Yager Lane, also being the Southeast corner of a called 151.503 acre tract of land described in Document No. 2017203040 of the O.P.R.T.C.T., bears North 26°16'00" East a distance of 73.32 feet;

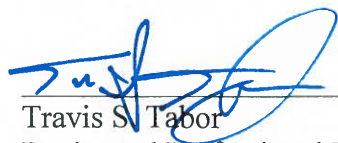
THENCE along the Northerly line of said 3.12 acre tract and said Northerly right-of-way line of Yager Lane, the following eight (8) courses and distances:

1. **South 21°19'09" East** a distance of **164.52** feet to a 1/2-inch rebar found;
2. **South 44°27'08" East** a distance of **33.81** feet to a 1/2-inch rebar found;
3. **South 56°19'11" East** a distance of **53.80** feet to a 1/2-inch rebar found;
4. **South 62°39'57" East** a distance of **1953.49** feet to a 1-inch iron pipe found;
5. **South 26°58'11" West** a distance of **9.31** feet to a 1-inch iron pipe found;
6. **South 07°04'21" West** a distance of **136.13** feet to 1/2-inch rebar found;
7. **South 25°58'07" West** a distance of **122.83** feet to 60D Nail found; and

8. **South 18°31'02" East** a distance of **25.59** feet to the to the **POINT OF BEGINNING** and containing 3.13 acres of land more or less.

All bearings shown hereon are based on the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83 - 2011 Adjustment), Central Zone (4203). Distances shown hereon are surface values represented in U.S. Survey Feet, based on a grid-to-surface combined adjustment factor of 1.00008978.

This property description was prepared by an on the ground survey made under my supervision and is accompanied by a separate plat of even date. The field work was completed during the month of April 2017.



Travis S. Tabor  
Registered Professional Land Surveyor  
State of Texas No. 6428

08/03/2018



Job Number: 17-030

Attachments: CAD Drawing: : L:\LJA\17-030 Pioneer Crossing\DWGS\Yager Vac.dwg



FRED C. MORSE SR. ESTATE  
DOC. NO. 2017203040  
O.P.R.T.C.T.  
(151.503 AC.)

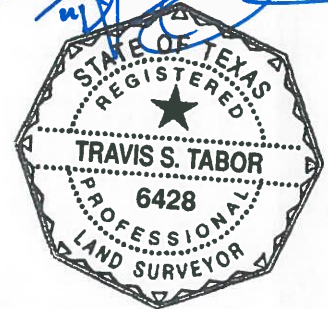


GRAPHIC SCALE

Line Table		
Line #	Direction	Length
L4	N49° 50' 42"W	22.42'
L5	S44° 27' 08"E	33.81'

YAGER LANE  
(R.O.W. VARIES)

08/03/2018



RH PIONEER NORTH LLC  
DOC. NO. 2017178604  
O.P.R.T.C.T.  
(367.425)

DYNAMIC FINANCE  
CORPORATION  
DOC. NO. 2013122753  
O.P.R.T.C.T.  
(20.79 AC.)

3.13 ACRES  
YAGER LANE  
ROW VACATION

RH PIONEER NORTH LLC  
DOC. NO. 2017178604  
O.P.R.T.C.T.  
(367.425)

3.12 ACRES  
SAVE AND EXCEPT TRACT  
DOC. NO. 2011048580  
O.P.R.T.C.T.

S. CUSHING SURVEY NO. 70  
ABSTRACT NO. 164  
M. CASTRO SURVEY NO. 50  
ABSTRACT NO. 160

THIS PROJECT IS REFERENCED FOR ALL BEARING AND COORDINATE BASIS TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83 - 2011 ADJUSTMENT), CENTRAL ZONE (4203).

DISTANCES SHOWN HEREON ARE SURFACE VALUES REPRESENTED IN U.S. SURVEY FEET BASED ON A GRID-TO-SURFACE COMBINED ADJUSTMENT FACTOR OF 1.00008978.

JOB NUMBER: 17-030		DATE: 08/01/2018	
PROJECT NAME: PIONEER CROSSING			
DRAWING NAME: YAGER VAC.DWG			
DRAWING FILE PATH: L:\LJA\17-030 PIONEER CROSSING\DWGS\			
METES AND BOUNDS FILE PATH: L:\LJA\17-030 PIONEER CROSSING\M&B\YAGER VAC.DOC			
RPLS: TST	TECH: HAS	PARTY CHIEF: JE	CHK BY: TST
SHEET 04 of 05		FIELDBOOKS N/A	SCALE: 1"= 50'



LANDESIGN  
SERVICES, INC.

1220 MCNEIL ROAD, SUITE 200  
ROUND ROCK, TX 78681  
TBPLS FIRM NO. 10001800  
512-238-7901



# GRAPHIC SCALE

3.12 ACRES  
SAVE AND EXCEPT TRACT  
DOC. NO. 2017178604  
O.P.R.T.C.T.

RH PIONEER NORTH LLC  
DOC. NO. 2017178604  
O.P.R.T.C.T.  
(367.425)

M. CASTRO SURVEY NO. 50  
ABSTRACT NO. 160

RH PIONEER NORTH LLC  
DOC. NO. 2017178604  
O.P.R.T.C.T.  
(367.425)

3.13 ACRES  
YAGER LANE  
ROW VACATION

YAGER HULSEY, LLC  
DOC. NO. 2018034315  
O.P.R.T.C.T.  
(38.73 AC.)

POINT OF  
BEGINNING

592.46'  
S61°10'52"E

YAGER LANE  
(R.O.W. VARIES)

PARMER YAGER LLC  
DOC. NO. 2018018739  
O.P.R.T.C.T.  
(9.730)

Line Table

Line #	Direction	Length
L1	N19° 34' 44"W	45.34'
L2	N36° 52' 08"W	36.11'
L3	N56° 51' 35"W	28.96'
L6	S26° 58' 11"W	9.31'
L7	S18° 31' 02"E	25.59'

## LEGEND

- IRON REBAR FOUND (1/2", OR AS NOTED)
  - ⊗ COTTON SPINDLE FOUND
  - ⊙ 1" IRON PIPE FOUND
  - ▲ NAIL FOUND (60D, OR AS NOTED)
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

JOB NUMBER: 17-030	DATE: 08/01/2018
PROJECT NAME: PIONEER CROSSING	
DRAWING NAME: YAGER VAC.DWG	
DRAWING FILE PATH: L:\LJA\17-030 PIONEER CROSSING\DWGS\	
METES AND BOUNDS FILE PATH: L:\LJA\17-030 PIONEER CROSSING\M&B\YAGER VAC.DOC	
RPLS: TST	TECH: HAS
PARTY CHIEF: JE	CHK BY: TST
SHEET 05 of 05	FIELDBOOKS N/A
SCALE: 1" = 50'	



LANDESIGN  
SERVICES, INC.

1220 MCNEIL ROAD, SUITE 200  
ROUND ROCK, TX 78681  
TBPLS FIRM NO. 10001800  
512-238-7901

## Travis CAD

Property Search Results > 258973 RH PIONEER NORTH LLC for Tax Year: 2018  
Year 2018

### Property

#### Account

Property ID:	258973	Legal Description:	ABS 160 SUR 50 CASTRO M ACR 367.425 (1-D-1)
Geographic ID:	0251410302	Zoning:	
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

#### Protest

Protest Status:  
Informal Date:  
Formal Date:

#### Location

Address:	3407 GREGG LN TX 78653	Map ID:	025141
Neighborhood:	1NE1		
Neighborhood CD:	1NE1		

#### Owner

Name:	RH PIONEER NORTH LLC	Owner ID:	1751698
Mailing Address:	2730 TRANSIT ROAD WEST SENECA, NY 14224-2523	% Ownership:	100.0000000000%

Exemptions:

### Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$9,603,020	\$51,719
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$9,603,020	
(-) Ag or Timber Use Value Reduction:	-	\$9,551,301	
<hr/>			
(=) Appraised Value:	=	\$51,719	
(-) HS Cap:	-	\$0	
<hr/>			
(=) Assessed Value:	=	\$51,719	

### Taxing Jurisdiction

Owner: RH PIONEER NORTH LLC  
% Ownership: 100.0000000000%  
Total Value: \$9,603,020

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
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02	CITY OF AUSTIN	0.444800	\$51,719	\$51,719	\$230.04
03	TRAVIS COUNTY	0.369000	\$51,719	\$51,719	\$190.84
0A	TRAVIS CENTRAL APP DIST	0.000000	\$51,719	\$51,719	\$0.00
2J	TRAVIS COUNTY HEALTHCARE DISTRICT	0.107385	\$51,719	\$51,719	\$55.53
34	MANOR ISD	1.515000	\$51,719	\$51,719	\$783.55
68	AUSTIN COMM COLL DIST	0.100800	\$51,719	\$51,719	\$52.14
Total Tax Rate:		2.536985			
				Taxes w/Current Exemptions:	\$1,312.10
				Taxes w/o Exemptions:	\$1,312.10

### Improvement / Building

No improvements exist for this property.

### Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	IMPR	Improved Pasture	367.4250	16005033.00	0.00	0.00	\$9,603,020	\$51,719

### Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$0	\$9,603,020	51,719	51,719	\$0	\$51,719
2017	\$0	\$9,521,484	50,529	50,529	\$0	\$50,529
2016	\$0	\$9,521,484	50,813	50,813	\$0	\$50,813
2015	\$0	\$8,743,327	51,054	51,054	\$0	\$51,054
2014	\$0	\$2,331,554	51,586	51,586	\$0	\$51,586

### Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	11/2/2017	SW	SPECIAL WARRANTY DEED	CATHAY BANK	RH PIONEER NORTH LLC			2017178604
2	1/1/2012							
3	4/5/2011	ST	SUBSTITUTE TRUSTEE DEED	PALMER LANE GOLF INC	CATHAY BANK			2011048580TR

Questions Please Call (512) 834-9317

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