

## SUBDIVISION REVIEW SHEET

**CASE NO.:** C8S-77-136(VAC)

**COMMISSION DATE:** May 3, 2022

**SUBDIVISION NAME:** Larry Jameson Subdivision plat vacation

**ADDRESS:** 315 N Tumbleweed Trail

**APPLICANT:** Nicholas Properties, LLC (Paul Christen)

**AGENT:** Nicholas Properties, LLC (Paul Christen)

**ZONING:** N/A

**NEIGHBORHOOD PLAN:** N/A

**AREA:** 7.66 acres

**LOTS:** 1

**COUNTY:** Travis

**DISTRICT:** N/A

**WATERSHED:** Cuernavaca Creek

**JURISDICTION:** ETJ

**SIDEWALKS:** N/A

**VARIANCE:** N/A

### **DEPARTMENT COMMENTS:**

The request is for the approval of the Larry Jameson Subdivision plat vacation. The applicant proposes to vacate the Larry Jameson Subdivision, which is composed of 1 lot on approximately 7.66 acres. This request is also related to the proposed Hidden Oaks Estates Subdivision re-plat. The plat vacation document and re-plat will be recorded together, once both have been approved.

Plat vacations are not subject to H.B. 3167 requirements and this item can only be considered once. This item was previously scheduled for the ZAP meeting on March 29, 2022, but Commissioners postponed its consideration until Staff was ready to recommend the Hidden Oaks Estates Subdivision re-plat for approval with conditions.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the plat vacation. This plat vacation meets all applicable State and City of Austin LDC requirements.

**CASE MANAGER:** Jennifer Bennett

**PHONE:** 512-974-9002

**E-mail:** [jennifer.bennett@austintexas.gov](mailto:jennifer.bennett@austintexas.gov)

### **ATTACHMENTS**

Exhibit A: Location map

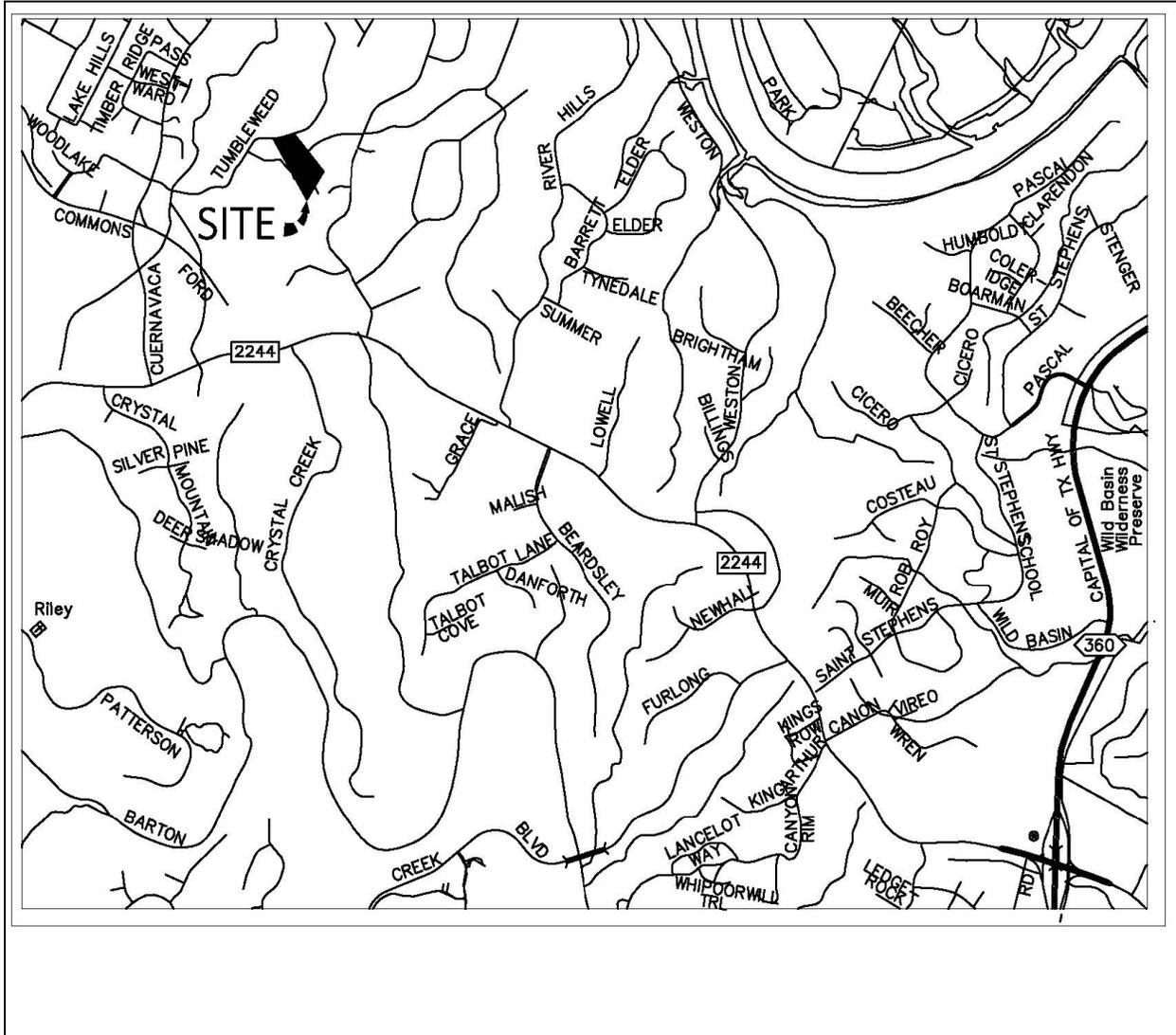
Exhibit B: Larry Jameson Subdivision (plat to be vacated)

Exhibit C: Plat vacation document

# EXHIBIT A

## Larry Jameson Subdivision Location Map

(315 N. Tumbleweed Trail/9300 Stallion Dr., Austin, TX 78733)



# EXHIBIT B

**LARRY JAMESON SUBDIVISION**  
SCALE: 1" = 100'

**LEGEND**  
 • - Iron Stk. Found  
 • - Iron Stk. Set

By: *Claude F. Dyer, Jr.*  
**CLAUDE F. DYER, JR.**  
 Reg. Public Surveyor #202  
 June 9, 1977

No habitable structures shall be constructed within 50 feet of the construction of the existing waterway. Minimum slab elevation of structures located in excess of 50 feet of the construction of the existing waterway shall be a minimum of one foot above natural ground. Should this tract be subdivided at a later date, adequate drainage easements will be required. The 100 year storm will produce a flow of 80 cfs having an approximate width of 80 feet.

CARLSON & DIPPEL, INC.

H. B. Loudon  
 Vol. 5168 Pg. 603

H. A. Reed  
 Vol. 4274 Pg. 101E

TRACT 1

ROBERT HARVEY

Larry Jameson  
 Vol. 5729 Pg. 1467

Philadelpia R. Gisselman  
 Vol. 4770 Pg. 1107

APPROVED FOR ACCEPTANCE on the 22<sup>nd</sup> day of July A.D. 1977.  
 By: *Richard Little*  
 Richard Little, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS on the 22<sup>nd</sup> day of July A.D. 1977.  
*James William Magallon*  
 Chairman

THE STATE OF TEXAS  
 COUNTY OF TRAVIS  
 KNOW ALL MEN BY THESE PRESENTS:  
 That I, Larry Jameson, owner of the herein designated tract out of the Robert Harvey Survey #723 in Travis County, Texas, being all that certain 7.66 acre tract covered to me by deed recorded in Volume 5729, page 1467 of the Deed Records of Travis County, Texas, do hereby adopt this plat as my subdivision to be known as LARRY JAMESON SUBDIVISION, subject to any easements or restrictions heretofore granted and do hereby dedicate to the public use all easements shown hereon.  
 WITNESS MY HAND this the 14<sup>th</sup> day of June, A.D. 1977.

*Larry Jameson*  
 Larry Jameson  
 3004 Goodnight  
 Austin, Texas 78705

*Richard F. Dyer, Jr.*  
 Notary Public in/for Travis County, Texas

In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads or other public thoroughfares or any bridges or culverts necessary to be placed in such streets, roads or other public thoroughfares shall be the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas and said court assumes no obligation to build any of the streets, roads or other public thoroughfares or any bridges or culverts in connection therewith. The acceptance for maintenance by the Commissioners Court of Travis County, Texas of the roads or streets in real estate subdivisions does not obligate the county to install street marking signs, as this is considered to be a part of the developers construction, but that erecting signs for traffic control such as speed limits and stop and yield signs, shall be the responsibility of the county.

**SEPTIC TANK NOTE:**  
 Each house in this subdivision shall be connected to a septic tank with a capacity of not less than 750 gallons and with a drain field of not less than 400 square feet and shall be installed in accordance with the regulations of the city-county health officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin-Travis County Health Dept. and/or the developer.

This subdivision is approved for one(1) tract to be served by septic tank system for single family unit only, until sanitary sewer service is available.

No construction may begin until location of septic tank system has been approved by the Austin-Travis County Health Dept.

Date: 20 July 77 *Paul R. ...*

THE STATE OF TEXAS  
 COUNTY OF TRAVIS  
 I, Doris Shropshire, county clerk, Travis County, Texas, do hereby certify that on the 22<sup>nd</sup> day of August 1977, the Commissioners Court of Travis County, Texas passed an order authorizing the recording of this plat and that said order has been duly entered in the minutes of said court in Book 75 Page 20.  
 WITNESS MY HAND AND SEAL OF OFFICE this the 22<sup>nd</sup> day of August A.D. 1977  
 Doris Shropshire, County Clerk, Travis County, Texas  
 Deputy: *Mike Kelgore*

FILED FOR RECORD on the 2<sup>nd</sup> day of August A.D. 1977 at 4:15 o'clock P.M.  
 Doris Shropshire, County Clerk, Travis County, Texas  
 Deputy: *Mike Kelgore*

THE STATE OF TEXAS  
 COUNTY OF TRAVIS  
 I, Doris Shropshire, clerk of the county court within and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 2<sup>nd</sup> day of August A.D. 1977 at 4:15 o'clock P.M. and duly recorded on the 7<sup>th</sup> day of August A.D. 1977 at 4:15 o'clock P.M. in the Plat Records of said county in Book 75 Page 20.  
 WITNESS MY HAND AND SEAL OF OFFICE the date last written above  
 Doris Shropshire, County Clerk, Travis County, Texas  
 Deputy: *Mike Kelgore*

Vol. 75 Page 336  
 PLAT RECORDS, TRAVIS COUNTY, TEXAS  
 Aug. 8-77 RECHA 7164 \* 750

Vol. 75 Page 336  
 PLAT RECORDS, TRAVIS COUNTY, TEXAS  
 1-53-491-  
 1-53-0838

THE STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

APR - 8 1985 7162 \* 6.00  
APR - 8 1985 7161 \* 5.00  
MODIFICATION OF PLAT NOTE

03896605

5  
6  
cc

WHEREAS, on June 14, 1977, Larry Jameson executed a subdivision plat named LARRY JAMESON SUBDIVISION, (the "Subdivision"); and,

WHEREAS, said plat was approved by the Planning Commission of the City of Austin and the Commissioner's Court of Travis County, Texas and filed of record in Book 75, Page 336 of the Plat Records of Travis County, Texas; and,

WHEREAS, the Subdivision consists of a single lot containing seven and 66/100 (7.66) acres; and,

WHEREAS, the SEPTIC TANK NOTE printed on the face of the plat is confusing and misleading and is susceptible to an interpretation that would permit the construction of only one house on the entire 7.66 acres, when such interpretation is not intended; and,

WHEREAS, the undersigned, being the sole owner of all of the land included within the boundaries of the Subdivision, desires to modify and clarify the said Septic Tank Note to properly reflect the current status of the property; NOW THEREFORE,

WITNESSETH:

FOR AND IN CONSIDERATION of the premises, the undersigned WILLIAM J. SCUDDER, a single man, the sole owner of Tract 1 of the LARRY JAMESON SUBDIVISION, being all of the land included within the boundaries of the said LARRY JAMESON SUBDIVISION as recorded in Book 75, Page 336 of the Plat Records of Travis County, Texas, does hereby SET ASIDE, DELETE, AND FOREVER REMOVE from said plat the SEPTIC TANK NOTE printed upon the face of said plat, and in its place does hereby SUBJECT AND BIND the land described in said Plat to the following REVISED SEPTIC TANK NOTE, to-wit:

REVISED SEPTIC TANK NOTE:

Each Dwelling Unit constructed in this subdivision shall be connected to a septic tank or other sewage disposal system approved by and installed and inspected in accordance with the duly published rules and regulations of the City of Austin-Travis County Health Department.

No construction of any unit may begin in the subdivision until the septic tank or other sewage disposal system therefor has been approved by the Austin-Travis County Health Department.

Except as modified above, the undersigned owner does hereby RATIFY, CONFIRM AND IN ALL THINGS APPROVE each and all of the other provisions of the plat of the LARRY JAMESON SUBDIVISION, and specifically does hereby RATIFY AND CONFIRM AND IN ALL THINGS APPROVE each and all of the dedications to the public shown on the aforesaid plat.

EXECUTED this the 2 day of April, 1985.

*William J. Scudder*  
WILLIAM J. SCUDDER  
Owner, Larry Jameson Subdivision

THE STATE OF TEXAS  
COUNTY OF TRAVIS

The foregoing instrument was acknowledged before me on the 2 day of April, 1985 by WILLIAM J. SCUDDER.

*Nora Villeda*  
Notary Public, The State of Texas HAYS  
Nora Villeda  
NOTARY SEAL

REAL PROPERTY RECORDS  
Travis County, Texas

09104 0759

FILED

APR 8 2 24 PM '85

*Curio Anapolini*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS



STATE OF TEXAS COUNTY OF TRAVIS  
I hereby certify that this instrument was FILED on  
the date and at the time stamped hereon by me; and  
was duly RECORDED, in the Volume and Page of the  
named RECORDS of Travis County, Texas, on

APR 8 1985



*Curio Anapolini*  
COUNTY CLERK  
TRAVIS COUNTY, TEXAS

*Bill Lueders*  
*1112 West Ben White*  
*Suite 325*  
*Attn: Brooks 78704*

09104 0760

# EXHIBIT C

TOTAL VACATION OF Larry Jameson Subdivision  
Name of existing recorded subdivision

THE STATE OF TEXAS

COUNTY OF TRAVIS

Whereas Larry Jameson, owners of See Exhibit A Attached,  
Name of original subdivider of existing recorded subdivision Property description as shown in dedicated statement of existing recorded subdivision  
did heretofore subdivide the same into the subdivision designated Larry Jameson Subdivision,  
Name of existing recorded subdivision  
the plat of which is recorded in Volume 75, Page 336 or Document Number \_\_\_\_\_ of  
the TRAVIS County, Texas Official Public Records, and

WHEREAS, the following lots in said subdivision are now owned by the parties indicated, to wit:

<u>LOT</u>	<u>Block</u>	<u>OWNER</u>
<u>TRACT 1</u>	_____	<u>Nicholas Property Partners LLC</u>

(Insert more lines as needed for multiple lots. NOTE: ALL lot owners from the original subdivision must be listed directly above and must sign this document)

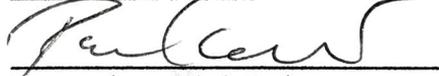
WHEREAS, Nicholas Property Partners LLC, for and in consideration of the premises and pursuant  
List names of owners listed directly above  
to the provisions of Chapter 212.013 of the Local Government code, does hereby vacate all of  
Larry Jameson Subdivision.  
Name of existing recorded subdivision

EXECUTED THE DAYS HEREAFTER NOTED.

DATE  
9/22/21

9/22/21

OWNER'S SIGNATURE



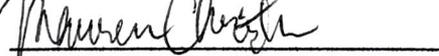
Owner or owner's representative signature above

PAUL CHAISTEN, MEMBER

Insert printed version of owner's name above. Also, if a representative is signing on behalf of a company, include representative's name and the capacity in which they are signing. Example: John Smith, Director for Hypothetical Company LLC).

200 BILLINGS LN, AUSTIN, TX 78733

Insert owner's address above (or if a company, insert company's address).



Owner or owner's representative signature above

MAUREEN CHAISTEN, MEMBER

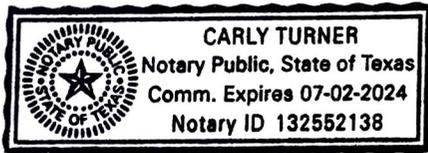
Insert printed version of owner's name above. Also, if a representative is signing on behalf of a company, include representative's name and the capacity in which they are signing. Example: John Smith, Director for Hypothetical Company LLC).

200 BILLINGS LN, AUSTIN TX 78733

Insert owner's address above (or if a company, insert company's address).

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Paul Christen, known to be the person whose name is subscribed to the foregoing instrument and he/she/they acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed and in the capacity therein stated.



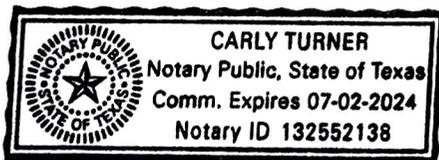
SEAL

Carly M Turner  
Printed name: CARLY TURNER  
Notary Public in and for the State of Texas

My commission expires: 07/02/2024

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Maureen Christen, known to be the person whose name is subscribed to the foregoing instrument and he/she/they acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed and in the capacity therein stated.



SEAL

Carly M Turner  
Printed name: CARLY TURNER  
Notary Public in and for the State of Texas

My commission expires: 07/02/2024

**APPROVAL OF TOTAL PLAT VACATION**

BE IT KNOWN, that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Land Use Commission of the City of Austin, at its regular meeting, did approve the total vacation of the subdivision known as \_\_\_\_\_ Larry Jameson Subdivision \_\_\_\_\_ as recorded in Volume 75 Page 336 or

Name of existing recorded subdivision

Document Number \_\_\_\_\_ of the Travis County, Texas Official Public Records, upon application therefore by all of the owners of all the lots in said subdivision.

EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_, Chair  
Land Use Commission  
City of Austin

ATTEST:

\_\_\_\_\_  
Printed Name: \_\_\_\_\_, Senior Planner  
City of Austin Development Services Department

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared \_\_\_\_\_ known to be the person whose name is subscribed to the foregoing instrument as Senior Planner with the City of Austin Development Services Department, a municipal corporation, and he/she/they acknowledged to me that he/she/they executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Printed name: \_\_\_\_\_  
Notary Public in and for the State of Texas  
My commission expires: \_\_\_\_\_

SEAL

**APPROVAL OF TOTAL PLAT VACATION**

BE IT KNOWN, that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Travis County Commissioners Court, at its regular meeting, did approve the total vacation of the subdivision known as \_\_\_\_\_ Larry Jameson Subdivision \_\_\_\_\_, a subdivision located in Travis County, Texas, and Name of existing recorded subdivision within the Extra Territorial Jurisdiction of the City of Austin, as recorded in Volume 75 Page 336 or Document Number \_\_\_\_\_ of the Travis County, Texas Official Public Records, upon application therefore by all of the owners of all of the lots in said subdivision.

EXECUTED, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Andy Brown, Travis County Judge  
County Commissioners Court  
Travis County, Texas

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Andy Brown, known to be the person whose name is subscribed to the foregoing instrument as Travis County Judge of the County Commissioners Court, Travis County, Texas, and he acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

SEAL

\_\_\_\_\_  
Printed name: \_\_\_\_\_  
Notary Public in and for the State of Texas  
My commission expires: \_\_\_\_\_

After recorded, please return to:

## Exhibit A

The Larry Jameson Subdivision is platted out of the Robert Harvey Survey #723 in Travis County, Texas being all that certain 7.66 acres conveyed to Larry Jameson by deed recorded in Volume 5729, page 1467 of the Deed Records of Travis County, Texas