

Bob Masley

3/3/04



**CITY OF COLLEGE STATION
DEVELOPMENT SERVICES**

1101 Texas Avenue South, PO Box 9960

College Station, Texas 77842

Phone 979.764.3570 / Fax 979.764.3496

MEMORANDUM

January 27, 2004

TO: City Staff

FROM: Spencer Thompson, Engineering Services

SUBJECT: **Abandonment of PUE / University Preserve**

The subject PUE was dedicated on the Final Plat for University Preserve in anticipation of constructing a public sewer line and providing access to the sewer to lots in the rear. The lots to the rear (north) of University Drive utilize OSSF's. The public line was never extended. The Developer wishes to abandon the easement.

If you have any questions please contact me.

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FOR OFFICE USE ONLY
 P&Z CASE NO.: 04-500016
 DATE SUBMITTED: 01-23-04

4:20P.
JEC

ABANDONMENT OF PUBLIC ROW-OF-WAY/EASEMENT APPLICATION

MINIMUM SUBMITTAL REQUIREMENTS

- \$300.00 Abandonment of Public Right-of-Way (ROW)/Easement application fee.
- A completed copy of the attached Abandonment of Public ROW/Easement application.
- All exhibits processed (except for Exhibit No. 4, which will be processed by staff).

ADDRESS 1015 and 1017 Lyceum Court

LEGAL DESCRIPTION Lots 3 and 4, Block 1, University Preserve

APPLICANT (Primary Contact for the Project):

Name Switzer Deason E-Mail switzerdeason@msn.com

Street Address 2706 Pinehurst

City Bryan State Texas Zip Code 77802

Phone Number (979) 575-6248 Fax Number (979) 774-1156

PROPERTY OWNER'S INFORMATION (if different from above):

Name Same as above. E-Mail _____

Street Address _____

City _____ State _____ Zip Code _____

Phone Number _____ Fax Number _____

The applicant has prepared this application and certifies that the facts stated herein and exhibits attached hereto are true and correct.

Switzer Deason
Signature of Owner, Agent or Applicant

January 23, 2004
Date

surrounding area to the nearest streets in all directions, showing the abutting lots and block, and the subdivision in which the above described right-of-way/easement is situated, together with the record owners of such lots.

4. Attached, marked Exhibit No. 3, is the consent of all public utilities to the abandonment.
5. Attached, marked Exhibit No. 4, is the consent of the City of College Station staff to the abandonment.
6. Attached, marked Exhibit No. 5, is the consent of all the abutting property owners, except the following: (if none, so state)

7. Such public right-of-way/easement should be abandoned because:

The easement is not being utilized as intended and is an encumbrance on the property.

8. Such public right-of-way/easement has been and is being used as follows:

There are no utilities located within the easement.

I swear that all of the information contained in this application is true and correct to the best of my knowledge and belief.

Applicant's Signature: *[Handwritten Signature]*

Applicant's Name: Switzer Deason

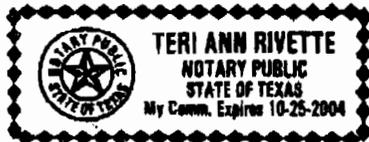
Applicant's Address: 2706 Pinehurst
Bryan, Texas 77802

Applicant's Phone Number: (979) 575-6248

STATE OF TEXAS }
COUNTY OF BRAZOS }

ACKNOWLEDGMENT

Subscribed and sworn to before me, a Notary Public, this 23rd day of January, 2004, by Switzer Deason.



[Handwritten Signature]
Notary Public in and for
the State of Texas

**Application for Abandonment of
a Public Right-of-Way/Easement**

Located: 15' P.U.E. between lots 3 and 4 of Block 1 of the University Preserve subdivision.

EXHIBIT NO. 1

Attached are two sealed copies of the metes and bounds description (dividing the area in half) of the public right-of-way/easement situated in the University Preserve Addition/Subdivision to the City of College Station, Brazos County, Texas, sought to be abandoned.

**METES AND BOUNDS DESCRIPTION
OF A
15' PUBLIC UTILITY EASEMENT
PORTION OF LOTS 3 AND 4, BLOCK 1
UNIVERSITY PRESERVE SUBDIVISION
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF AN EXISTING 15.00 FOOT WIDE PUBLIC UTILITY EASEMENT BEING A PORTION OF LOTS 3 AND 4, BLOCK 1, UNIVERSITY PRESERVE SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN VOLUME 4958, PAGE 252 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHWEST LINE OF LYCEUM COURT (A 50' PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT) MARKING THE COMMON CORNER OF SAID LOTS 3 AND 4;

THENCE: N 49° 41' 16" W ALONG THE COMMON LINE OF SAID LOTS 3 AND 4 FOR A DISTANCE OF 10.00 FEET TO A POINT ON THE NORTHWEST LINE OF AN EXISTING 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT MARKING THE **POINT OF BEGINNING** OF THIS HEREIN DESCRIBED EASEMENT,

THENCE: S 40° 18' 44" W THROUGH SAID LOT 3 AND ALONG THE NORTHWEST LINE OF SAID 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT FOR A DISTANCE OF 7.50 FEET TO A POINT MARKING THE SOUTH CORNER OF THIS HEREIN DESCRIBED EASEMENT;

THENCE: N 49° 41' 16" W CONTINUING THROUGH SAID LOT 3 AND ALONG THE SOUTHWEST LINE OF SAID 15.00 FOOT WIDE PUBLIC UTILITY EASEMENT FOR A DISTANCE OF 126.94 FEET TO A POINT ON THE SOUTHEAST LINE OF ANOTHER EXISTING 10.00 FEET WIDE PUBLIC UTILITY EASEMENT;

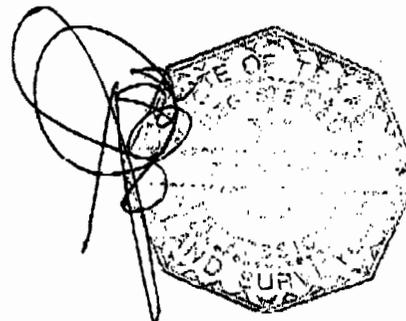
THENCE: N 40° 07' 44" E THROUGH SAID LOTS 3 AND 4 AND ALONG THE SOUTHEAST LINE OF SAID SECOND 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT FOR A DISTANCE OF 15.00 FEET TO A POINT MARKING THE NORTH CORNER OF THIS HEREIN DESCRIBED EASEMENT;

THENCE: S 49° 41' 16" E THROUGH SAID LOT 4 AND ALONG THE NORTHEAST LINE OF SAID 15.00 FOOT WIDE PUBLIC UTILITY EASEMENT FOR A DISTANCE OF 126.98 FEET TO A POINT ON THE NORTHWEST LINE OF SAID FIRST 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT;

THENCE: S 40° 18' 44" W CONTINUING THROUGH SAID LOT 4 AND ALONG THE NORTHWEST LINE OF SAID 10.00 FOOT WIDE PUBLIC UTILITY EASEMENT TRACT FOR A DISTANCE OF 7.50 FEET TO THE **POINT OF BEGINNING** CONTAINING 0.044 OF AN ACRE OF LAND (1904 SQUARE FEET). SEE PLAT PREPARED JANUARY 2004, FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON THE PLAT CALL BEARINGS OF UNIVERSITY PRESERVE SUBDIVISION, 4958/252.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:/WORK/MAB/04-0044.MAB



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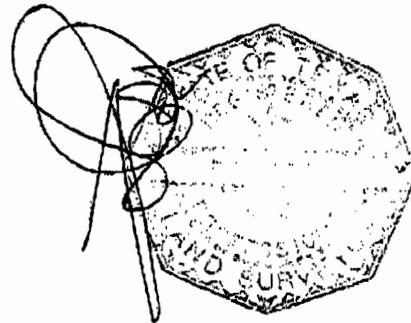
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BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

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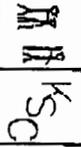


**Application for Abandonment of
a Public Right-of-Way/Easement**

Located: 15' P.U.E. between lots 3 and 4 of Block 1 of the University Preserve subdivision.

EXHIBIT NO. 2

Attached are two copies of a plat or detailed sketch of the public right-of-way/easement sought to be abandoned in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public right-of-way/easement sought to be vacated is situated, and the addition or subdivision in which the portion of the public right-of-way/easement sought to be abandoned is situated. Also, the names of record owners of the abutting lots are shown.



LAND BOUNDARY SURVEY PLAT
 OF A 15' PUBLIC UTILITY EASEMENT
 PORTION OF LOTS 3 AND 4, BLOCK 1
 UNIVERSITY PRESERVE SUBDIVISION
 VO JUME 4958, PAGE 252
 COLLEGE STATION BRAZOS COUNTY, TEXAS

SCALE: 1" = 20 FEET
 PLAT DATE: 01-21-04
 JOB NUMBER: 94-0044
 CAD NAME: 04-0044

PREPARED BY: KERR SURVEYING, LLC
 505 CHURCH STREET, P.O. BOX 269
 COLLEGE STATION, TEXAS 77841
 PHONE (979) 288-3195

N/E CLYDE C. OBERG AND WIFE, ROBIN LEE OBERG
 3192/265

10' PUBLIC UTILITY EASEMENT

15' PUBLIC UTILITY EASEMENT

LOT 3
 BLOCK 1

LOT 4
 BLOCK 1

10' PUBLIC UTILITY EASEMENT

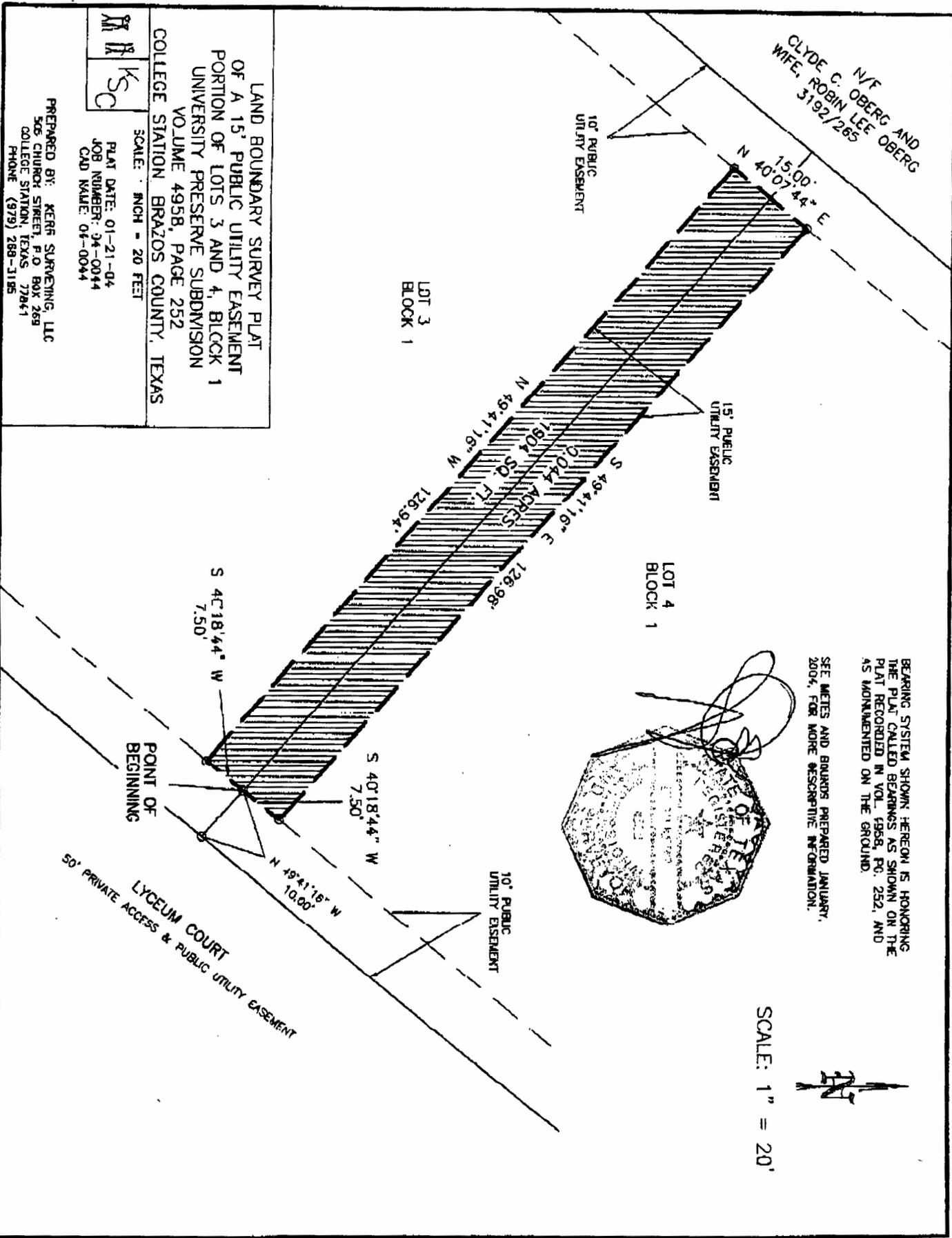
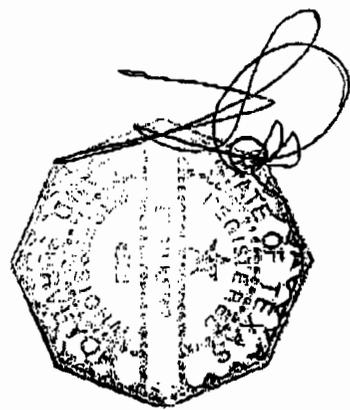
POINT OF BEGINNING

LYCEUM COURT
 50' PRIVATE ACCESS & PUBLIC UTILITY EASEMENT



SCALE: 1" = 20'

BEARING SYSTEM SHOWN HEREON IS HONORING THE PLAT CALLED BEARINGS AS SHOWN ON THE PLAT RECORDED IN VOL. 1998, PG. 252, AND AS MONUMENTED ON THE GROUND.
 SEE METES AND BOUNDS PREPARED JANUARY, 2004, FOR MORE DESCRIPTIVE INFORMATION.



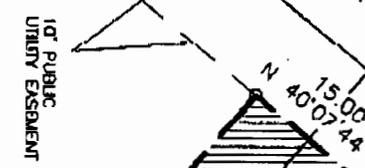
M H KSC

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VOLUME 4958, PAGE 252
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1 INCH = 20 FEET
PLAT DATE: 01-21-04
JOB NUMBER: 04-0044
CAD NAME: 01-0044

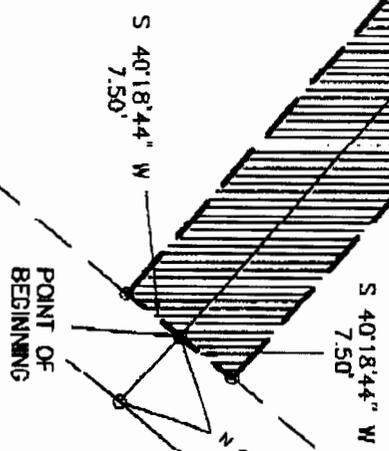
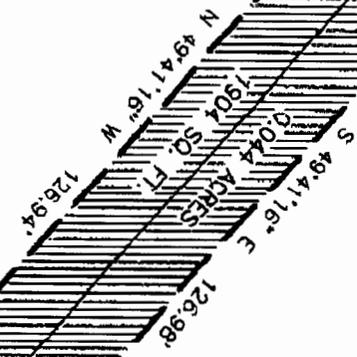
PREPARED BY: KERR SURVEYING, LLC
505 CHURCH STREET, P.O. BOX 289
COLLEGE STATION, TEXAS 77841
PHONE: (979) 288-3155

N/F
CLYDE C. OBERG AND
WIFE, ROBIN LEE OBERG
3192/265

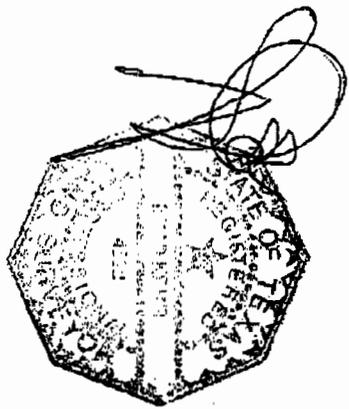


LOT 3
BLOCK 1

LOT 4
BLOCK 1



LYCEUM COURT
50' PRIVATE ACCESS & PUBLIC UTILITY EASEMENT



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AS MONUMENTED ON THE GROUND
SEE METES AND BOUNDS PREPARED JANUARY,
2004, FOR MORE DESCRIBIVE INFORMATION.

SCALE: 1" = 20'



Application for Abandonment of
a Public Right-of-Way/Easement

Located: 15' P.U.E. between lots 3 and 4 of Block 1 of the University Preserve subdivision.

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public right-of-way/utility easement sought to be abandoned in the Application for Abandonment above referred to, do hereby consent to the abandonment of the described portion thereof.

TXU GAS COMPANY

BY: [Signature]
Title S. Project Manager

VERIZON TELEPHONE COMPANY

BY: [Signature]
Title Supervisor - Network Eng.

COX COMMUNICATIONS

BY: [Signature]
Title Plant Manager

**Application for Abandonment of
a Public Right-of-Way/Easement**

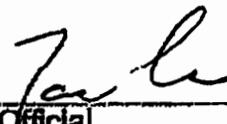
Located: 15' P.U.E. between lots 3 and 4 of Block 1 of the University Preserve subdivision.

EXHIBIT NO. 4

The undersigned, City staff of the City of College Station, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above from the standpoint of City of College Station ordinances and with respect to present and future needs of the City of College Station and see no objection to the requested abandonment from the City's standpoint.



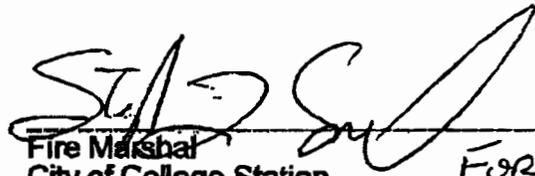
Engineer
City of College Station



Building Official
City of College Station



Zoning Official
City of College Station



Fire Marshal
City of College Station
FOR
ERIC HOYT





Director of Public Utilities
City of College Station

Long Michaleby 4-1-04 Elect OK

Ed Lantry 3/3/04 OK

**Application for Abandonment of
a Public Right-of-Way/Easement**

Located: 15' P.U.E. between lots 3 and 4 of Block 1 of the University Preserve subdivision.

EXHIBIT NO. 5

The undersigned, owners of property abutting upon that portion of the public right-of-way/easement named and described in the Application for Abandonment of a Public Right-of-Way/Easement referred to above, do hereby consent to such abandonment.

NAME: Switzer & Johnson
SWITZER & JOHNSON
ADDRESS: 502 Anwarhad Point Rd.
Belton, Tx 76513

NAME: Switzer & Johnson, President
CRK FINANCIAL SERVICES INC.
ADDRESS: 2706 PINEBARK
BRYAN, TX 77802

NAME: Clyde Oberg
ADDRESS: 1203 Munson
CS, TX 77840-2522

NAME: _____
ADDRESS: _____
