



FOR OFFICE USE ONLY
P&Z CASE NO.: _____
DATE SUBMITTED: _____

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 _____ 401 Texas Avenue _____

LEGAL DESCRIPTION _____ Lot 2, Republic Bank of A&M Subdivision, College Station, TX _____

APPLICANT (Primary Contact for the Project):

Name _____ Jane Street, Ltd. (Mary Makins, Manager) _____ E-Mail _____

Street Address _____ P.O. Box 3321 _____

City _____ Bryan _____ State _____ TX _____ Zip Code _____ 77805 _____

Phone Number _____ (979) 846-3955 _____ Fax Number _____ (979) 693-0909 _____

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

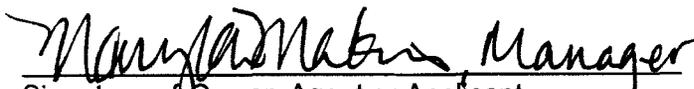
Name _____ Jane Street, Ltd. _____ E-Mail _____

Street Address _____ P.O. Box 3241 _____

City _____ Bryan _____ State _____ TX _____ Zip Code _____ 77805 _____

Phone Number _____ (979) 846-3955 _____ Fax Number _____ _____

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


Signature of Owner, Agent or Applicant

_____ 3-11-04 _____
Date

**APPLICATION FOR
THE ABANDONMENT OF A
PUBLIC RIGHT-OF-WAY/EASEMENT**

Date: January 9, 2004

Location of Right-of-Way/Easement to be Abandoned: 401 Texas Avenue

Property Owner's Name & Address: Jane Street, Ltd.

P.O. Box 3241 Bryan, TX 77805-3241

Property Owner's Phone Number: (979) 846-3955

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF COLLEGE STATION:

The undersigned hereby makes application for the abandonment of that portion of the above right-of-way particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represents and warrants the following:

1. The undersigned will hold the City of College Station harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such abandonment.
2. Attached, marked Exhibit No. 1, are two sealed metes and bounds descriptions (dividing the area in half) of the area sought to be abandoned, prepared by a Registered Public Surveyor.
3. Attached, marked Exhibit No. 2, are two copies of a plat or detailed sketch of that portion of the public right-of-way/easement sought to be abandoned and the 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)

Mrs. Stetz has been notified by certified mail and we have attempted several phone calls to contact her. To date she has been nonresponsive.

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

The utilities will be rerouted to an adjacent location and a new easement dedicated.

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

For electrical and sanitary sewer facilities and telephone and cable tv.

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: Mary Makins, manager

Applicant's Name: Mary Makins

Applicant's Address: P.O. Box 3321

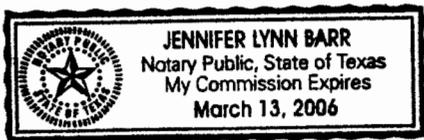
Bryan, TX 77805

Applicant's Phone Number: (979) 846-3955

STATE OF TEXAS)
COUNTY OF BRAZOS)

ACKNOWLEDGMENT

Subscribed and sworn to before me, a Notary Public, this 11th day of March, 2004, by Mary Makins.



Jennifer Lynn Barr
Notary Public in and for
the State of Texas

Application for Abandonment of
a Public Easement

Located: @ 401 Texas Avenue, Lot 2, Republic Bank of A&M Subdivision

EXHIBIT NO. 1

Attached are two sealed copies of the metes and bounds description (dividing the area in half) of the public easement situated in the Republic Bank of A&M Subdivision to the City of College Station, Brazos County, Texas, sought to be abandoned.

Application for Abandonment of
a Public Easement

Located: @ 401 Texas Avenue, Lot 2, Republic Bank of A&M Subdivision

EXHIBIT NO. 2

Attached are two copies of a plat or detailed sketch of the public 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.

**20' Wide Utility Easement
Part of Lot 2 - Republicbank Addition
Richard Carter Survey, A-8
College Station, Brazos County, Texas**

Field notes of a 20' wide utility easement, lying and being situated in the Richard Carter Survey, Abstract No. 8, College Station, Texas, and being part of and lying across Lot 2 (0.6368 Ac) of Republicbank Addition according to the plat recorded in Volume 980, Page 629, of the Official Records of Brazos County, Texas, and said easement being 20 feet wide and being more particularly described as follows:

COMMENCING at the 1/2" iron rod found (with cap) marking the north corner of Lot 2 - Republicbank Addition in the southeast right-of-way line of Cooner Street, from which a concrete right-of-way marker found bears S 62°30'00" E - 2.70 feet;

THENCE S 47°49'10" E along the northeast line of the beforementioned Lot 2 - Republicbank Addition for a distance of 84.50 feet to a nail set at the PLACE OF BEGINNING of this easement;

THENCE along the northeast line of said Lot 2 as follows:

S 47°49'10" E for a distance of 15.50 feet to a 1/2" iron rod found at angle point corner,
S 47°34'06" E for a distance of 4.50 feet to a nail set;

THENCE S 40°37'17" W across said Lot 2 for a distance of 165.52 feet to a nail set in the northeast right-of-way line of South Texas Avenue;

THENCE N 47°34'06" W along the northeast right-of-way line of Texas Avenue, same being the southwest line of said Lot 2 for a distance of 20.01 feet and corner, from which the 1/2" iron rod found marking the west corner of Lot 2 bears N 47°34'06" W - 89.00 feet;

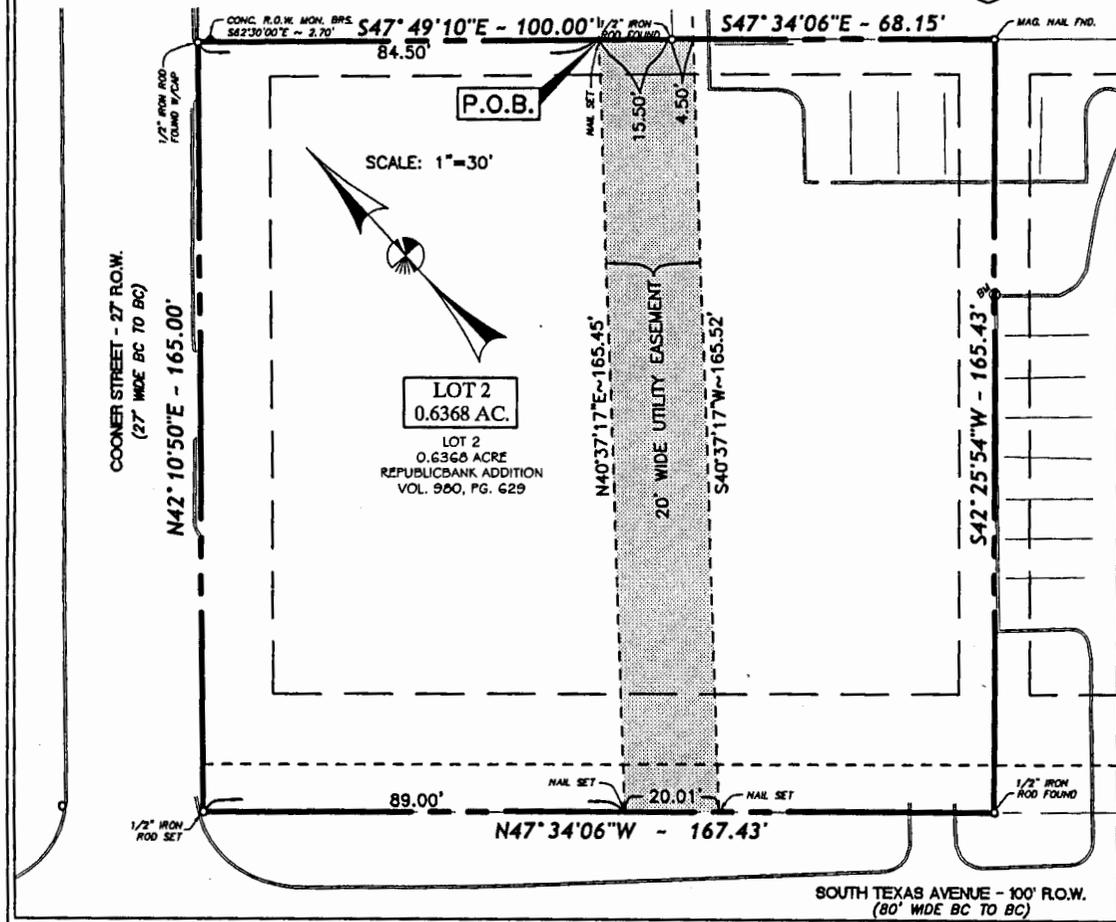
THENCE N 40°37'17" E across said Lot 2 for a distance of 165.45 feet to the PLACE OF BEGINNING, encompassing an area of 0.08 acre, more or less.

Surveyed July 2003

By: 
S. M. Kling
R.P.L.S. No. 2003



Prepared 07\29\03
kes03-03a:\republicbank20'ezmt.wpd



Application for Abandonment of
a Public Easement

Located: @ 401 Texas Avenue, Lot 2, Republic Bank of A&M 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.

ONCOR GAS COMPANY

BY:  _____
Title Engineer

VERIZON TELEPHONE COMPANY

BY: _____
Title _____

COX COMMUNICATIONS

BY: _____
Title _____

Application for Abandonment of
a Public Easement

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ONCOR GAS COMPANY

BY: _____
Title _____

VERIZON TELEPHONE COMPANY

BY:  _____
Title Supervisor - Network Engineering

COX COMMUNICATIONS

BY: _____
Title _____

Application for Abandonment of
a Public Easement

Located: @ 401 Texas Avenue, Lot 2, Republic Bank of A&M 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 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

City

Zoning Official
City of College Station

Fire Marshal
City of College Station

David J. Massey

Director of Public Utilities
City of College Station

Jonny Michalsky elect. 3-7-04

Dalshyn w/s. 3-08-04.

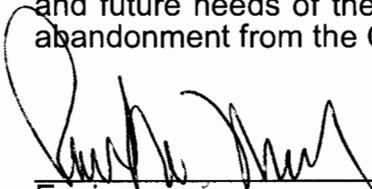
*Abandonment conditional on relocation of
infrastructure and dedication/recording of new
easement.*

Application for Abandonment of
a Public Easement

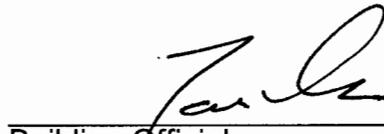
Located: @ 401 Texas Avenue, Lot 2, Republic Bank of A&M Subdivision

EXHIBIT NO. 4

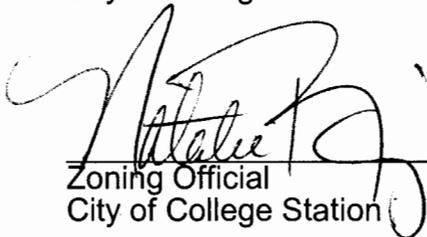
The undersigned, City staff of the City of College Station, certify that they have carefully considered the Application for Abandonment of the public easement referred to above from the standpoint of City of College Station ordinances and with respect to present and future needs of the City of College 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

Director of Public Utilities
City of College Station

Application for Abandonment of
a Public Easement

Located: @ 401 Texas Avenue, Lot 2, Republic Bank of A&M Subdivision

EXHIBIT NO. 5

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

NAME: Rutman

ADDRESS: 3743 Texas Ave.
Bryan, Tx 77802

NAME: Jane Street Ltd
By: Handman Acquisitions, LLC, gen. ptner.

ADDRESS: By: Mary K. Maden, Managing member
PO Box 3241 Bryan Tx 77805

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____