



9:57
Susan

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| For Office Use Only | |
| P&Z Case No. | 04-282 |
| Date Submitted: | 12-10-04 |

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 2710 Horse Haven Lane
 LEGAL DESCRIPTION 29.51 Acres VOL. 6413 PG. 107

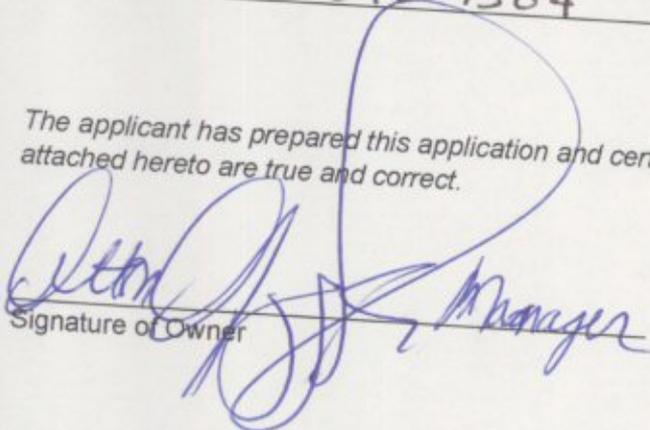
APPLICANT (Primary Contact for the Project):

Name Greg Taggart / MDG E-Mail mdgcstx@yahoo.com
 Street Address 2551 A Texas Ave S
 City College Station State Texas Zip Code 77840
 Phone Number 693-5359 Fax Number 693-4243

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

Name Oakwood Custom Homes Group Ltd E-Mail _____
 Street Address 4816 Close Quarters
 City College Station State Texas Zip Code 77845
 Phone Number 690-1504 Fax Number 690-2504

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


 Signature of Owner

12-9-04
 Date

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

Date: 9 December 2004

Location of Right-of-Way/Easement to be Abandoned: Various locations
on 29.51 Acre Tract, see Exhibit
Drawing and metes and bounds descriptions

Property Owner's Name & Address: Oakwood Custom Homes Group, Ltd
4816 Close Quarters, College Station 77845

Property Owner's Phone Number: 690-1504

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. Not Applicable
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)

C. Carl Kolbe

Lone Star - College Station Golf Academy, Ltd

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

They will be replaced by appropriate
platted easements on Phase Two and
Phase Three Horse Haven Estates

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

Each is depicted on the Exhibit Drawing
and includes Electric Telephone and CATV.
The sewer easements have no infrastructure
constructed.

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

Owner's Signature:

Alton Ofczarszak
Managing Member

Owner's Name:

Oakwood Custom Homes Group, Ltd

Owner's Address:

P.O. Box 9849

College Station 77842

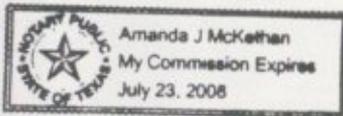
Owner's Phone Number:

690-1504

STATE OF TEXAS
COUNTY OF BRAZOS }

ACKNOWLEDGMENT

Subscribed and sworn to before me, a Notary Public, this 9 day of
December, 2008, by Alton Ofczarszak, Managing Member



Amanda J McKethan
Notary Public in and for
the State of Texas

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

Located: 2710 Horse Haven Lane

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 Future Horse Haven Estates Addition/Subdivision to the City of College Station, Brazos County, Texas, sought to be abandoned.

Metes and bounds included are entire easement portions, see Exhibit Drawing for more information.

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

Located: 2710 Horse Haven Lane

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.

Plat (Exhibit Drawing) - Included.
See Also Adjoining Plats

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

Located: 2710 Horse Haven Lane

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 *Letter Included*

BY: _____
Title _____

VERIZON TELEPHONE COMPANY - *Pending Receipt*

BY: _____
Title _____

COX COMMUNICATIONS - *Pending Receipt*

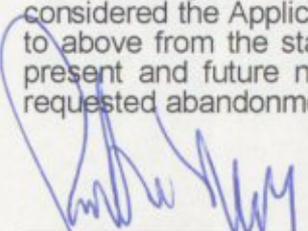
BY: _____
Title _____

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

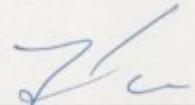
Located: 2710 Horse Haven Lane

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.

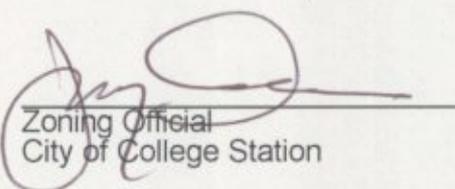


Engineer
City of College Station



Building Official
City of College Station

City



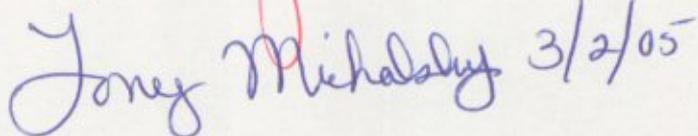
Zoning Official
City of College Station



Fire Marshal
City of College Station



Director of Public Utilities
City of College Station



Jones Michalsky 3/2/05

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

Located: 2710 Horse Haven Lane

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: No consents rec'd.

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____

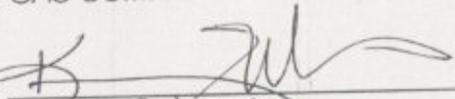
Application for Abandonment of
a Public Right-of-Way/Easement

Located: 2901 Horse Haven Ln, College Sta., TX

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: 
Title Sr. Project Manager

VERIZON TELEPHONE COMPANY

BY: _____
Title _____

COX COMMUNICATIONS

BY: _____
Title _____

04-282
2:30
Susan
1-25-05

MUNICIPAL DEVELOPMENT GROUP
2551 TEXAS AVE. SOUTH, STE A * COLLEGE STATION,
TEXAS 77840 * 979-693-5359 * FAX: 979-693-4243 *
E-MAIL: MDGCSTX@YAHOO.COM

FACSIMILE TRANSMITTAL SHEET

TO: JENNIFER PROCHAZKA et al FROM: Allyn Taylor
COMPANY: CoCS Planning & Dpmt. Services DATE: 1/25/05
FAX NUMBER: 764-3496 TOTAL NO. OF PAGES INCLUDING COVER: 2
PHONE NUMBER: 764-3520 RE: Horse Haven Verizon Esm 4 Release

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

This should be the last easement release on Horse Haven, Jennifer. Let me know if you need anything else.

(a)

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

Located: 2710 Horse Haven Lane

EXHIBIT NO. 3

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TXU GAS COMPANY

BY: _____
Title _____

VERIZON TELEPHONE COMPANY

BY: *John [Signature]*
Title Supervisor - Network Eng.

COX COMMUNICATIONS

BY: _____
Title _____

MUNICIPAL DEVELOPMENT GROUP
2551 TEXAS AVE. SOUTH, STE A COLLEGE STATION,
TEXAS 77840 * 979-693-5359 * FAX: 979-693-4243 *
E-MAIL: MDGCSTX@YAHOO.COM

85
1-24-05
11:45
04-282

FACSIMILE TRANSMITTAL SHEET

TO: Alan Gibbs
FROM: Allyn Taylor
COMPANY: CoCS Planning & Report
DATE: 1/24/05
FAX NUMBER: 764-3494
TOTAL NO. OF PAGES INCLUDING COVER: 3
PHONE NUMBER: 764-3570
RE: Horse Haven Esmt Releases

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Still working on John Arnold w/
Verizon n got a verbal hot no
paper work yet.

aw



Fax

4114 East 29th Bryan, Texas 77820
(979) 846-2229 phone (979) 268-0139 fax

To: MDG From: Michael Lavender

Fax: _____ Phone: _____

Phone: _____ Pages: 2

Re: _____ Date: 1-24-05

Urgent For Review Please Comment Please Reply Please Recycle

• Comments:

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

Located: 2901 Horse Haven Lane, College Sta., TX

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: _____
Title _____

VERIZON TELEPHONE COMPANY

BY: _____
Title _____

COX COMMUNICATIONS

BY: Michael R. [Signature] 1-24-05
Title Plant Manager