



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 1001 Krenek Tap Road

LEGAL DESCRIPTION Lot 2, Block 1, E&M Jones Farm Place

APPLICANT (Primary Contact for the Project):

Name Veronica J.B. Morgan, P.E. - Mitchell & Morgan, LLP E-Mail v@mitchellandmorgan.com

Street Address 511 University Drive East, Suite 204

City College Station State TX Zip Code 77840

Phone Number (979) 260-6963 Fax Number (979) 260-3564

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

Name Jim Stewart E-Mail _____

Street Address 4200 Woodland Park Court

City Arlington State TX Zip Code 76013

Phone Number (817) 994-4663 Fax Number (817) 429-8664

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

11-17-2004
Date

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

Date: August 2, 2004

Location of Right-of-Way/Easement to be Abandoned: Lot 2, E&M Jones Farm
Place

Property Owner's Name & Address: Jim Stewart, 4200 Woodland Park Court,
Arlington, TX 76013

Property Owner's Phone Number: (817) 994-4663

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)

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

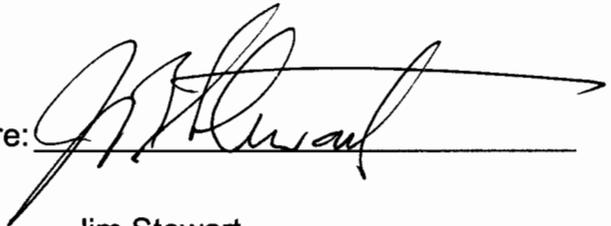
The sewer line is being relocated and a new easement granted on
the final plat of Lot 2, Block 1 of the E&M Jones Farm Place

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

For a sanitary sewer line only.

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: _____



Applicant's Name: Jim Stewart

Applicant's Address: 4200 Woodland Park Court

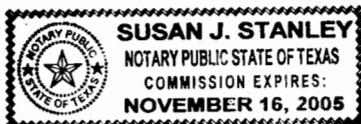
Arlington, TX 76013

Applicant's Phone Number: (817) 994-4663

STATE OF TEXAS)
)
COUNTY OF BRAZOS)

ACKNOWLEDGMENT

Subscribed and sworn to before me, a Notary Public, this 17 day of November, 2004, by James Stewart.



Susan J. Stanley
Notary Public in and for
the State of Texas

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

Located: Lot 2, E&M Jones Farm Place

EXHIBIT NO. 1

Attached are two sealed copies of the metes and bounds description (dividing the area in half) of the easement situated in E&M Jones Farm Place Addition/Subdivision to the City of College Station, Brazos County, Texas, sought to be abandoned.

**METES AND BOUNDS DESCRIPTION
OF A
0.191 ACRE TRACT
MORGAN RECTOR LEAGUE, A-46
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION OF ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE MORGAN RECTOR LEAGUE, ABSTRACT NO. 46, COLLEGE STATION, BRAZOS COUNTY, TEXAS. SAID TRACT BEING A PORTION OF A CALLED 20.00 FOOT WIDE SEWER EASEMENT AS DESCRIBED IN VOLUME 479, PAGE 780 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS. SAID PORTION OF EASEMENT BEING LOCATED WITHIN A CALLED 7.011 ACRE TRACT DESCRIBED AS TRACT TWO BY A DEED TO WATERWOOD TOWNHOMES, L.P., RECORDED IN VOLUME 5157, PAGE 63 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS.

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

COMMENCING AT A 5/8 INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF WINDSOR POINTE, ACCORDING TO THE PLAT RECORDED IN VOLUME 2354, PAGE 257 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, MARKING THE NORTH CORNER OF LOT 1, BLOCK 1, E. & M. JONES FARM PLACE, ACCORDING TO THE PLAT RECORDED IN VOLUME 5190, PAGE 162 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, SAID IRON ROD FOUND MARKING THE WEST CORNER OF SAID 7.011 ACRE TRACT;

THENCE: N 42° 21' 14" E ALONG THE COMMON LINE OF SAID 7.011 ACRE TRACT AND WINDSOR POINTE FOR A DISTANCE OF 247.49 FEET TO A ½ INCH IRON ROD FOUND MARKING THE NORTHWEST CORNER OF SAID 20.00 FOOT WIDE EASEMENT AND THE POINT OF BEGINNING OF THIS HEREIN DESCRIBED TRACT;

THENCE: N 41° 58' 42" E CONTINUING ALONG THE COMMON LINE OF SAID 7.011 ACRE TRACT AND WINDSOR POINTE FOR A DISTANCE OF 20.00 FEET TO A POINT MARKING THE NORTHEAST CORNER OF SAID EASEMENT, FOR REFERENCE A ½ INCH IRON ROD FOUND MARKING AN ANGLE POINT IN SAID COMMON LINE BEARS: N 41° 58' 42" E FOR A DISTANCE OF 262.76 FEET;

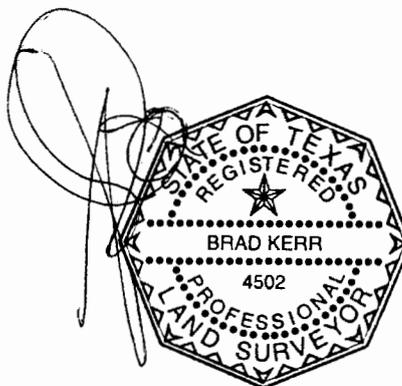
THENCE: S 47° 35' 56" E THROUGH SAID 7.011 ACRE TRACT AND ALONG THE NORTHEAST LINE OF SAID EASEMENT FOR A DISTANCE OF 416.52 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF THIS HEREIN DESCRIBED TRACT;

THENCE: S 42° 31' 50" W CONTINUING THROUGH SAID 7.011 ACRE TRACT AND THROUGH SAID EASEMENT FOR A DISTANCE OF 20.00 FEET TO A POINT ON THE SOUTHWEST LINE OF SAID EASEMENT MARKING THE SOUTHWEST CORNER OF THIS HEREIN DESCRIBED TRACT, FOR REFERENCE A 5/8 INCH IRON ROD FOUND MARKING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1, E. & M. JONES FARM PLACE, AND THE WEST CORNER OF A CALLED 3.00 ACRE TRACT AS DESCRIBED BY A DEED TO BEAUTIFUL SAVIOR EVANGELICAL LUTHERN CHURCH OF COLLEGE STATION RECORDED IN VOLUME 682, PAGE 775 OF THE OFFICIAL RECORDS OF BRAZOS COUNTY, TEXAS, BEARS: S 47° 35' 56" E FOR A DISTANCE OF 13.18 FEET;

THENCE: N 47° 35' 56" W CONTINUING THROUGH SAID 7.011 ACRE TRACT AND ALONG THE SOUTHWEST LINE OF SAID EASEMENT FOR A DISTANCE OF 416.33 FEET TO THE **POINT OF BEGINNING** CONTAINING 0.191 OF AN ACRE OF LAND. SEE PLAT PREPARED JULY 2004 FOR MORE DESCRIPTIVE INFORMATION. BEARING SYSTEM SHOWN HEREIN IS BASED ON GRID NORTH AS ESTABLISHED FROM GPS OBSERVATION.

BRAD KERR
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 4502

D:\work\04-0492.mab





SCALE: 1" = 60'



N/F
WATERWOOD TOWNHOMES, L.P.
TRACT TWO, 7.011 ACRE TRACT
5157/63

PORTION OF
20' SEWER EASEMENT
479/780

N/F
BEAUTIFUL SAVIOR
EVANGELICAL LUTHERAN
CHURCH OF COLLEGE STATION
3.00 ACRE TRACT
682/775

REMAINDER OF
20' SEWER EASEMENT
479/780

LOT 1
BLOCK 1
E. & M. JONES FARM PLACE
5190/162

POINT OF
BEGINNING
1/2 INCH IRON
ROD FOUND

LOT 1
WINDSOR POINTE
2354/257 (PLAT)

20' UTILITY
EASEMENT
642/150

5/8 INCH IRON ROD FOUND
MARKING THE NORTH CORNER
OF LOT 1, BLOCK 1, BEARS:
S 42°21'14" W 247.49'

1/2 INCH IRON ROD
FOUND BEARS: 262.76'
N 41°58'42" E
20.00'

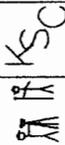
S 47°35'56" E 416.52'
N 47°35'56" W 416.33'
0.191 ACRES (8328 SQ. FT.)

LAND BOUNDARY SURVEY PLAT
OF A
PORTION OF A 20' WIDE
SEWER EASEMENT
VOLUME 479, PAGE 780
COLLEGE STATION, BRAZOS COUNTY, TEXAS

SCALE: 1 INCH = 60 FEET
PLAT DATE: 07-22-04
JOB NUMBER: 04-0492
CAD NAME: 04-0492
CR5 FILE: 01-0522

PREPARED BY: KERR SURVEYING, LLC
505 CHURCH STREET, P.O. BOX 269
COLLEGE STATION, TEXAS 77841
PHONE (979) 268-3195

SEE METES AND BOUNDS PREPARED JULY, 2004,
FOR MORE DESCRIPTIVE INFORMATION.
BEARING SYSTEM SHOWN HEREON IS BASED ON
GRID NORTH AS ESTABLISHED FROM GPS
OBSERVATION.



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

Located: Lot 2, E&M Jones Farm Place

EXHIBIT NO. 2

Attached are two copies of a plat or detailed sketch of the 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 easement sought to be vacated is situated, and the addition or subdivision in which the portion of the easement sought to be abandoned is situated. Also, the names of record owners of the abutting lots are shown.

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

Located: _____

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: _____
Title _____

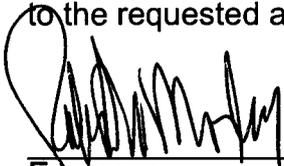
*Not Applicable because
the easement is not
a public utility easement.
It was written solely
for sanitary sewer.*

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

Located: Lot 2, E&M Jones Farm Place

EXHIBIT NO. 4

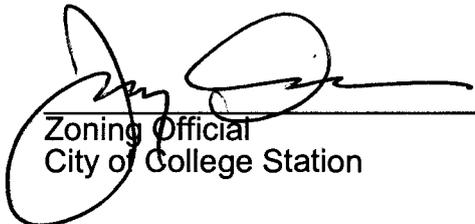
The undersigned, City staff of the City of College Station, certify that they have carefully considered the Application for Abandonment of the public right-of-way/easement referred to above from the standpoint of City of College Station ordinances and with respect to present and future needs of the City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

Director of Public Utilities
City of College Station

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

Located: Lot 2, E&M Jones Farm Place

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

Director of Public Utilities
City of College Station

Tony Michael
CSU Electric
11/29/04

Post-it® Fax Note	7671	Date	11/29/04	# of pages ▶	1
To	Bridgette		From	Tony M	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #			Fax #		

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

Located: Lot 2, E&M Jones Farm Place

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 Sanitary Sewer/Easement referred to above, do hereby consent to such abandonment.

NAME: 
ADDRESS: 1007 KRENEK TAP ROAD
COLLEGE STATION TX 77840

ROBERT HARMEL
BSLC CHAIRMAN

NAME: _____
ADDRESS: _____

NAME: _____
ADDRESS: _____

NAME: _____
ADDRESS: _____

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

Located: Lot 2, E&M Jones Farm Place

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 Sanitary Sewer/Easement referred to above, do hereby consent to such abandonment.

NAME: *Robert Harmeli*

ROBERT HARMELI
BSLC CHAIRMAN

ADDRESS: 1007 KRENEK TAP ROAD
COLLEGE STATION TX 77840

NAME: *Duncan Bain* for Windsor Pointe Apts. Sub-Agent for Owner

ADDRESS: DUNCAN BAIN, ORION REAL ESTATE SERVICES
205 WILD BASIN RD. AUSTIN, TX 78746

NAME: _____

ADDRESS: _____

NAME: _____

ADDRESS: _____
