

<b>REGULAR AGENDA</b>
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**AGENDA ITEM 8**

Discuss and consider approving vacation of a right-of-way easement known as Kobuk Drive in Breakaway Park, Section 3.

The following persons addressed the court concerning Kobuk Drive:

Dale Rye, Assistant County Attorney  
Jane McAdams, Director of Planning, Cedar Park

Moved: **Commissioner Boatright**

Seconded: **Commissioner Heiligenstein**

Motion: To approve a resolution stating that the Williamson County Commissioners' Court has not accepted Kobuk Drive as a public road or as any portion of the Williamson County road system, and has no intention of ever accepting it or improving it, abandoning any rights the County may have over Kobuk Drive to the extent permitted by law.

Vote: 4 - 0 with Commissioner Limmer absent from the meeting.

< Attachment >

**YATES LAND & MINERALS, INC.**

2900 Post River Road Cedar Park, TX 78613

512 • 259-1397 Fax 512 • 260-1163

**WILLIAMSON COUNTY COMMISSIONER'S COURT****RE: request for vacating Kobuk Dr., Breakaway Park, sec.3 (pct2)****From: WALTER YATES**

I respectfully request that you consider this additional information on the above item when you convene Tuesday, October 30th.

At the time this section was platted, (under Austin's ETJ) we were required to Plat Breakaway Road ROW 70 feet wide to accommodate future traffic to the North, as that was the logical expected extension as the property to the North was developed. It has always been that way, and still is.

And, yes, there are a few residents in Breakaway Park, 3 or 4 homes located on the North end of Breakaway Road, that do not like that option. But there is the large majority that do not want Kobuk Drive extended.

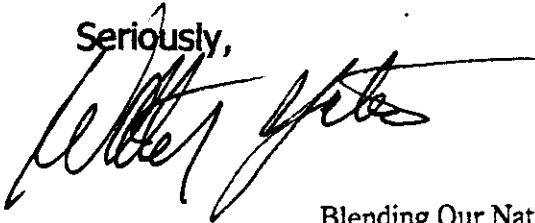
In regard to emergency traffic, the time lost navigating at least four turns on narrow streets to get to the Kobuk area would be made up by coming in on wider streets.

The home owners in that area are more than happy with the way it is now and do not want added traffic to endanger children that have grown up with very little traffic, and sometimes play in the street, or run out to catch a ball. We have got to realize, children don't always THINK. We must THINK today.

A terrible accident could be far worse than a fire truck taking a minute longer.

I am asking you to please grant this request, you will be making over 200 people HAPPY.

Seriously,



Blending Our Natural Resources With Life's Necessities

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## Resolution

The State of Texas        }  
                                  } Know All Men By These Presents:  
County of Williamson     }

**That** on this, the 30<sup>h</sup> day of October A. D. 2001, the Commissioners Court of Williamson County, Texas, met in duly called and convened lawful Session at the County Courthouse in Georgetown, Texas, with the following members present:

John Doerfler, County Judge, Presiding,  
Mike Heiligenstein, Commissioner Precinct One,  
Greg Boatright, Commissioner Precinct Two,  
David Hays, Commissioner Precinct Three, and  
Frankie Limmer, Commissioner Precinct Two,

where, among other matters, came up for consideration and adoption the following Resolution:

*Whereas*, the plat of Breakaway Park Section 3 contains a stub-out street between lots 64 and 65 from Taku Road to the edge of the subdivision to be known as Kobuk Drive, which plat was approved by Williamson County and by the City of Austin and filed of record, and which plat approval did not constitute acceptance of the streets by either the County or Austin;

*Whereas*, Kobuk Drive was never constructed and remains as unimproved land, and by the passage of time and laches the County is now unable (at least without costly litigation) to compel the original developer to construct the street to County standards;

*Whereas*, although the streets in said subdivision were accepted by the County on October 18, 1984, such acceptance was limited by the County Subdivision Regulations to roads that were actually in existence on the ground; and

*Whereas*, the great majority of owners in Breakaway Park and the owners of the adjacent tract oppose the acceptance or construction of Kobuk Drive, and the Williamson County Director of Emergency Services has stated that the road is unnecessary for the delivery of services to the unincorporated area;

*Therefore be it Resolved*, that the Williamson County Commissioner's Court declares that Kobuk Drive has never been accepted by the County, or by usage, as a public road and does not now constitute any portion of the Williamson County road system;

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*Further Resolved*, that Williamson County has no intention of ever accepting this road and will never expend public funds to improve it or to force its improvement by others, and therefore hereby abandons to the extent permitted by law any rights the County may have over Kobuk Drive; and

*Further Resolved*, that this declaration by Williamson County is without prejudice to the established rights of any other parties, whether governmental entities, public utilities, or private parties.

The foregoing Resolution was lawfully moved by COMMISSIONER BOSTRIGHT, duly seconded by COMMISSIONER HEUGENSTEN, and duly adopted by the Commissioners Court on a vote of 4 members for the motion and 0 opposed.

John C. Doerfler 10-30-01  
John Doerfler, Williamson County Judge

ATTEST:

Nancy E. Rister  
Nancy E. Rister, County Clerk

**AGENDA ITEM 9**

Discuss and consider approving the preliminary plat for Wade Crossing, Phase II.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve the preliminary plat for Wade Crossing, Phase II.

Vote: **4 - 0** with Commissioner Limmer absent from the meeting.

**AGENDA ITEM 10**

Discuss and consider approving the preliminary plat for Charles Hodde subdivision (A resubdivision of a tract out of The Place, an unrecorded subdivision).

No action was taken on this agenda item, since the preliminary plat had already been approved. It will be added to the November 6, 2001 agenda for final plat approval.

**AGENDA ITEM 11**

Discuss and consider approving the preliminary plat for Cross Country Estates, Phase 3. (A private subdivision)

Moved: **Commissioner Hays**

Seconded: **Commissioner Boatright**

Motion: To approve the preliminary plat for Cross Country Estates, Phase 3. (A private subdivision.)

Vote: **4 - 0** with Commissioner Limmer absent from the meeting.

**AGENDA ITEM 12**

Discuss and consider rescinding the Court's approval of the preliminary plat for Gamefield Acres, Section 2, Phase B, at the request of the developer.

Moved: **Commissioner Hays**

Seconded: **Commissioner Boatright**

Motion: To rescind the Court's approval of the preliminary plat for Gamefield Acres, Section 2, Phase B, at the request of the developer.

Vote: **4 - 0** with Commissioner Limmer absent from the meeting.

< Attachment >