

AGENDA ITEM 23

Hold Public Hearing on resubdivision of Bear Creek Country Estates, Lots 4C & 7 of the Resubdivision of Lots 4, 7 & 28, Bear Creek Country Estates.

Judge Doerfler announced the public hearing open at 10:00 a.m.

County Engineer Joe England addressed the court regarding the proposed resubdivision.

Judge Doerfler announced the public hearing closed at 10:04 a.m.

AGENDA ITEM 24

Discuss and consider plat approval of resubdivision of Bear Creek Country Estates, Lots 4C & 7.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To approve plat of Resubdivision of Lots 4C and 7, of the Resubdivision of Lots 4, 7 & 28, Bear Creek Country Estates.

Vote: **5 - 0**

AGENDA ITEM 25

Discuss and consider granting a variance to the resubdivision regulations for the resubdivision of Tonkawa Park at Block House Creek, Lot 1, Block A.

Moved: **Commissioner Hays**

Seconded: **Commissioner Heiligenstein**

Motion: To grant a variance to the resubdivision regulations for the resubdivision of Tonkawa Park at Block House Creek, Lot 1, Block A.

Vote: **5 - 0**

< Attachment >



GRAY • JANSING & ASSOCIATES, INC.

April 19, 2002

Mr. Joe England, County Engineer
Williamson County Unified Road System
3151 SE Inner Loop, Suite B
Georgetown, Texas 78626

Re: Request for Variance
Tonkawa Park at Block House Creek, Resubdivision of Lot 1 Block A
Submittal of Final Plat
GJA No. 1423-8687-23

Dear Mr. England:

On behalf of Block House Municipal Utility District, this letter requests a variance from the Williamson County Subdivision Regulations Item 3.3.13 that requires all lots to have frontage on a public street. Lot 2 is being created by this resubdivision in order to allow the Block House Municipal Utility District to convey the lot to Pedernales Electric Cooperative, Inc. (PEC) for an electrical substation. Lot 1 has been designated by the Block House MUD as a park and it's land use will not change. Access to Lot 2 will be provided by a 50' wide Access Easement, as indicated on the plat. A copy of the recorded access easement is enclosed. This easement document number has been placed on the Resubdivision plat. Since Lot 1 land use will remain as a park, the access easement across Lot 1 will provide Lot 2 with permanent access to a public roadway.

Should you have any questions, or require any additional information, please call me at 452-0371.

Sincerely,

GRAY • JANSING & ASSOCIATES, INC.

James M. Brewer, P.E.
Project Manager

approved 5-28-02
John C. Dreyer

JMB:an
Attachments

cc: Block House MUD Board of Directors
Ms. Sue Littlefield; Armburst Brown & Davis LLP
Ms. Kay Jeanes; PEC
Mr. David W. Gray, P.E.; Gray • Jansing & Associates, Inc.



ORIGINAL FILED
BUT NOT COMPAREDDECLARATION OF ACCESS EASEMENT

APR 12 2002

COPY

Dancy E. Ruter
County Clerk, Williamson Co. TX

THE STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

This Declaration of Access Easement ("Agreement") is made by Block House Municipal Utility District, a political subdivision of the State of Texas ("Grantor"), and is as follows:

RECITALS

A. Grantor is in the process of subdividing 3.22 acres of land, in Williamson County, Texas, more fully described on Exhibit A, attached hereto and incorporated herein by reference (the "3.22 Acre Tract"). The 3.22 Acre Tract is a portion of a 17.18 acre tract of land conveyed to Grantor by Continental Homes of Texas, L.P. by deed of record in Document No. 9864043, Official Public Records of Williamson County, Texas (the "17.18 Acre Tract").

B. In connection with the subdivision of the 3.22 Acre Tract, Grantor desires to create an easement over a portion of the remainder of the 17.18 Acre Tract, for the purpose of providing ingress and egress to the 3.22 Acre Tract.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor agrees as follows:

1. Establishment of Easement. Grantor hereby establishes an easement for unobstructed ingress and egress between Susan Lane and the 3.22 Acre Tract over the portion of the 17.18 Acre Tract more fully described in Exhibit B, attached hereto and incorporated herein for all purposes, subject, however, to the right of Grantor, or its successors and assigns, to relocate and replace the easement with an easement providing similar, reasonable access from Susan Lane to the 3.22 Acre Tract, in accordance with a master park development plan for the remainder of the 17.18 Acre Tract. Any replacement easement will be effective, and the easement described herein released, upon recordation by Grantor of a replacement easement, including written notice that such easement replaces this easement, in the Official Public Records of Williamson County, Texas.

2. Character of Easement. The easement is appurtenant to the 3.22 Acre Tract.

3. Duration of Easement. The easement herein granted (or any replacement easement) will terminate upon a public roadway being improved to applicable standards for public roadways established by Williamson County, Texas and dedicated to the public to provide permanent access to the 3.22 Acre Tract. Further, this easement may be terminated by Grantor if the subdivision of the 3.22 Acre Tract is not completed.

4. Exclusiveness of Easement. The easement, rights, and privileges herein granted are non-exclusive, and Grantor or its assigns may enter upon and use the easement for any purpose that is not inconsistent with the easement, rights, and privileges granted hereunder. Grantor may also grant other easements or rights on or across the easement that are not inconsistent with the easement, rights, and privileges granted hereunder.

5. **Improvement and Maintenance.** Grantor, or, with the approval of Grantor, its assigns, may improve the easement consistent with its use for ingress and egress to the 3.22 Acre Tract. It is contemplated that the easement will ultimately be located within the parking lot planned for the remainder of the 17.18 Acre Tract. The parking lot will be constructed and maintained by Grantor. To compensate Grantor for the loss of parking due to the easement, the cost of paving and drainage improvements and the value of the land encumbered by the easement, and for maintenance costs associated with the use of the easement by any subsequent owner of the 3.22 Acre Tract, such subsequent owner will be obligated to pay, on demand from Grantor, 50% of Grantor's annual costs of maintaining and repairing the parking lot.

6. **Entire Agreement.** This Agreement contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this Agreement shall be of no force and effect except in a subsequent modification in writing, signed by the party to be charged.

IN WITNESS WHEREOF, this Agreement is executed this 11th day of April, 2002.

BLOCK HOUSE MUNICIPAL UTILITY DISTRICT

By: [Signature]
 Printed Name: Chris Mann
 Title: President

STATE OF TEXAS §

COUNTY OF Williamson §

This instrument was acknowledged before me the 11 day of April, 2002 by Chris Mann, President of Block House Municipal Utility District, a political subdivision of the State of Texas, on behalf of the district.

[Signature]
 Notary Public Signature

ADDRESS OF GRANTOR:

BLOCK HOUSE MUNICIPAL UTILITY DISTRICT
 C/O ARMBRUST & BROWN, L.L.P.
 100 CONGRESS AVENUE, SUITE 1300
 AUSTIN, TX 78701

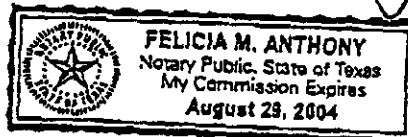


EXHIBIT "A"
PAGE 1 OF 2FIELD NOTES FOR 3.220 ACRES IN THE S. J. DOVER SURVEY, A-168
WILLIAMSON COUNTY, TEXAS

FIELD NOTES DESCRIBING 3.220 acres of land, in the S. J. Dover Survey, Abstract No. 168, situated in Williamson County, Texas, being a portion of Lot 1, Block A, Tonkawa Park at Block House Creek, a subdivision of record in Cabinet S, Slides 230-232 of the Plat Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin found on the East right-of-way line of the Austin & Northwestern Railroad right-of-way, being the Northwest corner of said Lot 1, also being the Southeast corner of that certain 225.64 acres of land conveyed to Philip Y. Chang, et al, for the Northwest corner and POINT OF BEGINNING of this tract.

THENCE with the division line between said Lot 1 and said 225.64 acre tract, for the North line hereof, N69°35'10"E, 323.42 feet to an iron pin set for the Northeast corner of this tract.

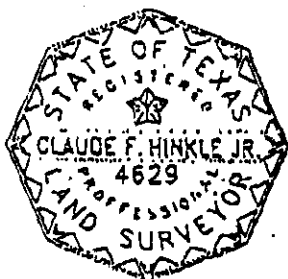
THENCE S23°29'30"E, 425.64 feet to an iron pin set for the Southeast corner of this tract.

THENCE S68°30'30"W, 322.96 feet to an iron pin set on the East right-of-way line of the Austin & Northwestern Railroad right-of-way, for the Southwest corner of this tract.

THENCE with said East right-of-way line, N23°29'30"W, 443.00 feet to the POINT OF BEGINNING of this tract, containing 3.220 acres of land, more or less.

I Claude F. Hinkle, Jr., a REGISTERED PROFESSIONAL LAND SURVEYOR, do hereby certify that these field notes were prepared from existing records, supplemental surveys, and computations made by Gray & Jansing & Associates, Inc. and Austin Surveyors, and are true and correct to the best of my knowledge and belief. These field notes are to be used only for an exhibit for an Earnest Money Contract between Block House Municipal Utility District and Pademales Electric Cooperative, Inc. Any use by these or any other persons or entities for any other purpose is expressly prohibited.

AUSTIN SURVEYORS
P. O. Box 180243
Austin, Texas 78718

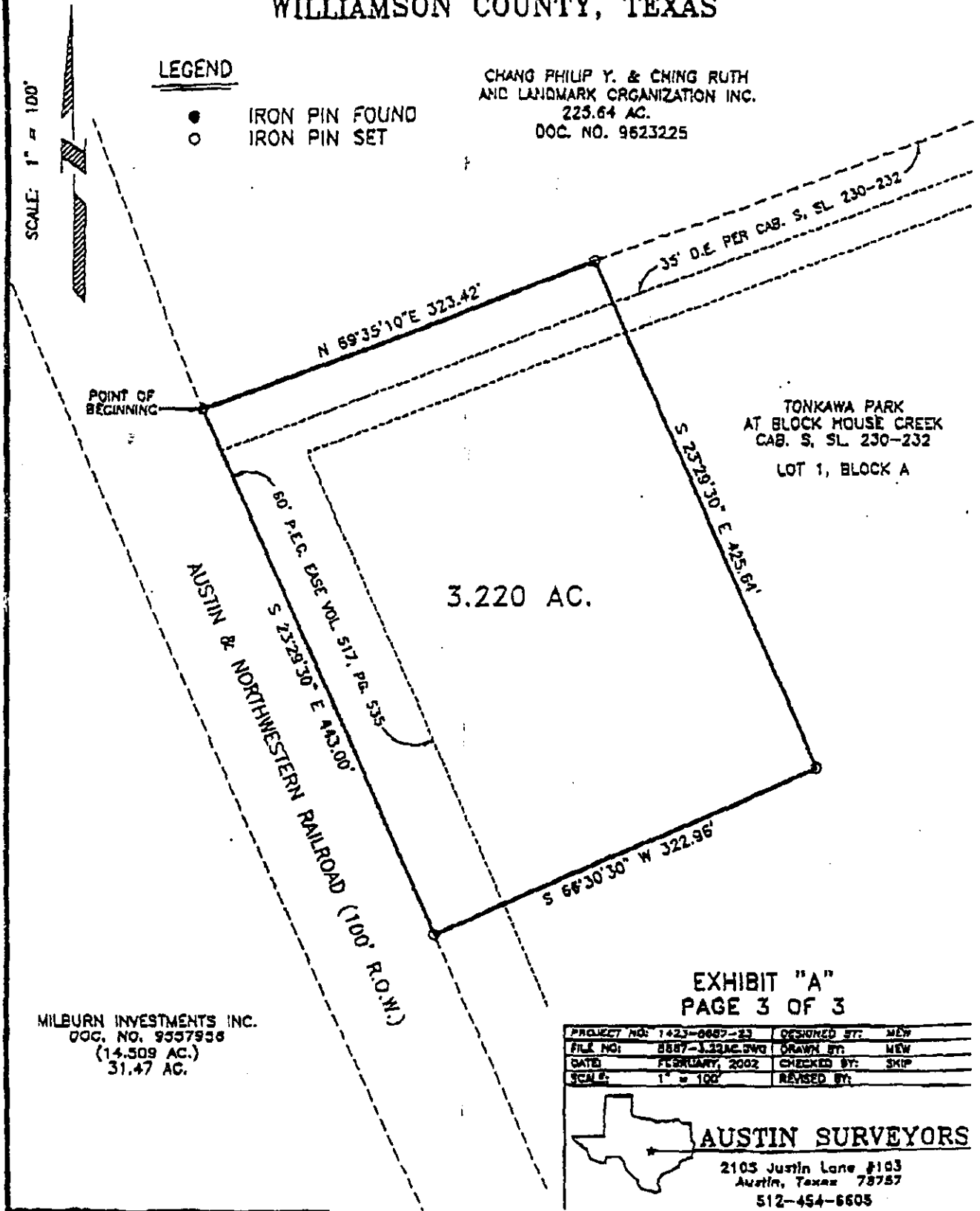



Claude F. Hinkle, Jr.
Registered Professional Land Surveyor No. 4629

Date 21 Mar 02

1423-8687-23
8687-3.22AG.DOC/mew

SKETCH TO ACCOMPANY FIELD NOTES FOR 3.220 ACRES
IN THE S. J. DOVER SURVEY, A-168
WILLIAMSON COUNTY, TEXAS



FIELD NOTES FOR A 50' WIDE TEMPORARY ACCESS EASEMENT

FIELD NOTES DESCRIBING a strip of land, being fifty (50) feet in width, in the S. J. Dover Survey, Abstract No. 168, situated in Williamson County, Texas, being a portion of Lot 1, Block A, Tonkawa Park at Block House Creek, a subdivision of record in Cabinet S, Slides 230-232 of the Plat Records of Williamson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin found on the Southwest right-of-way line of Susan Lane, from which an iron pin found at the North corner of Lot 1, Block C, Block House Creek Section 613, a subdivision of record in Cabinet I, Slide 152 of the Plat Records of Williamson County, Texas, bears S23°53'57"E, 11.58 feet, for the POINT OF BEGINNING of this tract, being the Point of Curvature of a curve to the left having a radius of 75.00 feet and a central angle of 47°30'02".

THENCE with the arc of said curve 62.18 feet, the long chord of which bears N47°20'09"W, 60.41 feet to an iron pin set for the Point of Tangency of said curve.

THENCE N71°05'10"W, 183.87 feet to an iron pin set at the Point of Curvature of a curve to the right having a radius of 125.00 feet and a central angle of 47°35'41".

THENCE with the arc of said curve 103.84 feet, the long chord of which bears N47°17'20"W, 100.88 feet to an iron pin set for the Point of Tangency of said curve.

THENCE N23°29'30"W, 10.00 feet to an iron pin set for the Northwest corner of this tract.

THENCE N66°30'30"E, 50.00 feet to an iron pin set for the Northeast corner of this tract.

THENCE S23°29'30"E, 10.00 feet to an iron pin set at the Point of Curvature of a curve to the left having a radius of 75.00 feet and a central angle of 47°35'41".

THENCE with the arc of said curve 62.30 feet, the long chord of which bears S47°17'20"E, 60.53 feet to an iron pin set for the Point of Tangency of said curve.

THENCE S71°05'10"E, 183.87 feet to an iron pin set at the Point of Curvature of a curve to the right having a radius of 125.00 feet and a central angle of 47°30'02".

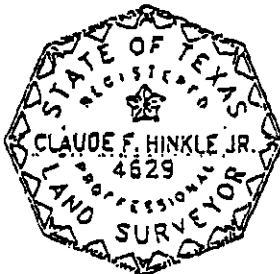
THENCE with the arc of said curve 103.63 feet, the long chord of which bears S47°20'09"E, 100.69 feet to an iron pin set for the Point of Tangency of said curve.

EXHIBIT "B"
PAGE 2 OF 3

T-ENCE S66°24'52"W, 50.00 feet to the POINT OF BEGINNING of the herein described tract, containing 0.413 acres of land, more or less.

I Claude F. Hinkle, Jr., a REGISTERED PROFESSIONAL LAND SURVEYOR, do hereby certify that these field notes were prepared from existing records, supplemental surveys, and computations made by Gray & Jansing & Associates, Inc. and Austin Surveyors, and are true and correct to the best of my knowledge and belief. These field notes are to be used only for an exhibit for a Temporary Access Easement from Block House Municipal Utility District to Pedernales Electric Cooperative, Inc. Any use by these or any other persons or entities for any other purpose is expressly prohibited.

AUSTIN SURVEYORS
P. O. Box 180243
Austin, Texas 78718





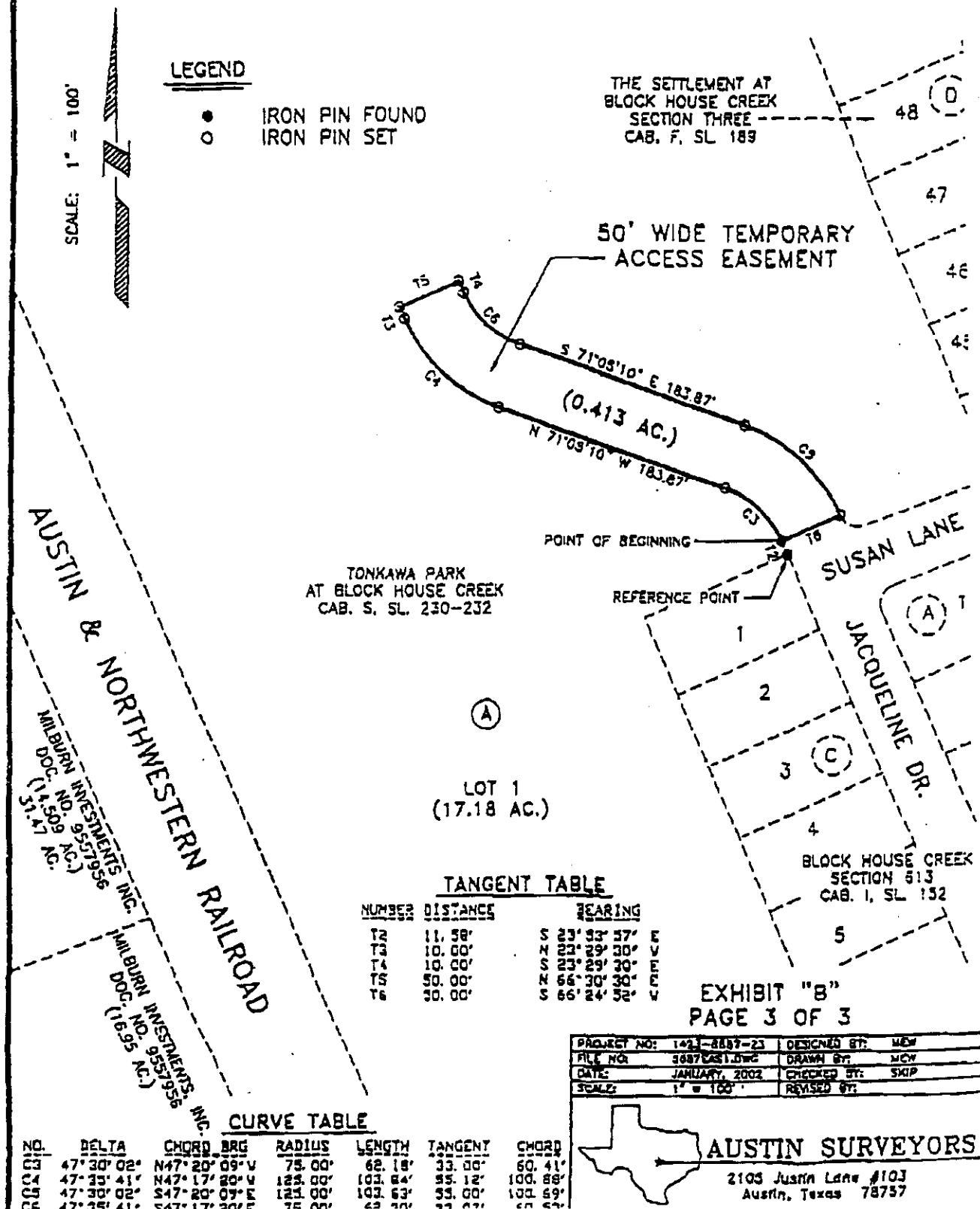
Claude F. Hinkle, Jr.
Registered Professional Land Surveyor No. 4629

Date

31 Jan 02

1423-8687-23
8687EAS1.DOC/mew

SKETCH TO ACCOMPANY FIELD NOTES
FOR A 50' WIDE TEMPORARY ACCESS EASEMENT



AGENDA ITEM 26

Discuss and consider plat approval of resubdivision of Tonkawa Park at Block House Creek, Lot 1, Block A.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Heiligenstein**

Motion: To approve plat of resubdivision of Tonkawa Park at Block House Creek, Lot 1, Block A.

Vote: **5 - 0**

AGENDA ITEM 27

Hear presentation on Twin Lakes Park.

Brian Binkowski of Hall/Bargainer and Wade Todd with the Greater Williamson County YMCA gave a presentation on the Twin Lakes Park master plan grant application.

Mr. Binkowski gave an overview of the plan map. He stated that the park plan incorporates active and passive recreational activities, based on local needs. He stated that the overall budget for the total project would be approximately 2.6 million dollars.

Mr. Todd stated that the intention is to submit a 1.3 million dollar grant request to Texas Parks & Wildlife, with the balance to come from YMCA and LCRA.

No action was taken on this agenda item.

AGENDA ITEM 28

Hold public hearing regarding the County's submission of an application to Texas Parks & Wildlife for the proposed improvements to Twin Lakes Park and the impact of the flood plain on the proposed improvement.

Judge Doerfler announced the public hearing open at 10:20 a.m. on Tuesday, May 28, 2002.

Commissioner Boatright stated that a small portion of the park is in the flood plain. Brian Binkowski stated that *the preliminary determination is that a portion of the parking lot, the majority of the trailhead facility and the amphitheater lie in the flood plain.*

Judge Doerfler announced the public hearing closed at 10:23 a.m. on Tuesday, May 28, 2002.

AGENDA ITEM 29

Consider approving a resolution to authorize grant application to Texas Parks and Wildlife for improvements to Twin Lakes Park.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve a resolution to authorize grant application to Texas Parks and Wildlife for improvements to Twin Lakes Park.

Vote: **5 - 0**

< Attachment >