

AGENDA ITEM 15

Discuss and take appropriate action on request for variance for a 20 acre tract of land designated at Tract B in the John Bailey Survey No. 7.

Moved: Commissioner Boatright

Seconded: Commissioner Hays

Motion: To grant a variance to the requirement that the 10 acre tract of land, designated as Tract B in the John Bailey Survey No. 7 and referenced in Document No. 9661003, be on a public road.

Vote: 5 - 0

< Attachment >

June 9, 2003

Ref: Land in Bailey Survey – Request of Variance

Dear Commissioner Boatright,

I am writing for your help with a situation that has developed over 10 acres my Husband and I have been trying to purchase from Mr. Russell Williams. We have spent over 3 months getting an updated survey and the necessary information for costs on getting a well and septic system. Also, I have been working with Steve Gilmer, at the Williamson County Health Department to get the necessary information for the septic permit. The loan has been approved and we are ready to close.

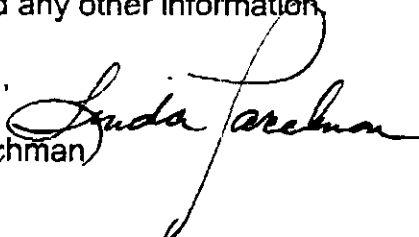
During the appraisal of the land by Rob Randig, with the Texas Land Bank, he realized there was a problem with plat requirements. Vicki Swasey-Griffin, with Coldwell Banker, and I met with Joe England, the Williamson County Engineer, to see if the problem could be resolved. It was determined that Mr. Frank Stephenson who had sold the land to Mr. Williams had illegally subdivided the land and therefore we are not able to get a septic permit if we were to purchase the land. And during the conversation we were told this is not the first time Mr. Stephenson has been involved in this illegal action. Neither the owner to the front (John A. Smith) or behind us (Lex Henderson) can sell us the 30" easement to Hwy 183 so we can meet the requirements to be on a public road.

We have been taxpayers in Williamson County for over 13 years. Our two Daughters graduated from Leander High School and we have 3 Granddaughters attending Leander schools. So you can see we have invested not only tax money but also our time and family in Williamson County. We currently have our home in Cedar Park on the market. The money we will make from the sale we had planned on re-investing in the property in Florence. This would make the land more valuable as tax revenue. And as a taxpayer I would like to think the County should be concerned about this. Since Mr. Stephenson has been illegally subdividing property, he should be penalized instead of Mr. Williams who bought the property in good faith from him.

I would appreciate your help in taking an exception to this property and granting us a variance. I would like to think that some action could be taken against Mr. Stephenson to stop this practice. We have spent money to purchase this property and without your help we will loose that investment. Please let me know if you need any other information.

Thank you,

Linda Parchman



approved 6-17-03
John C. Daefler

Attachments:

- Deed #320
 - Warranty Deed with Vendor's Lien, GF# 3-10193-85/sm
 - Warranty Deed with Vendor's Lien, Doc# 9656399
 - Real Estate Lien note, Jonathan C. & Jenny M. Stupka/Frank Stephenson
 - Land surveyors, October 7, 1996
 - Warranty Deed with Vendor's Lien, Doc# 9661003
 - Survey, March 24, 2003
-



TEXAS DEPARTMENT OF HEALTH
Associateship for Family Health
Financial Management Division
1100 West 49th Street
Austin, TX 78756
Phone: (512) 458-7111
FAX: (512) 458-7441



Fax Cover Sheet

TO: Steve Gilmer

DATE: 5/19/03

WCCHD, Environmental Services

FAX #: 930-3110

FROM: Linda Parchman

Financial Management Division

512/458-7111 ext.
PHONE: 3587

5 Pages sent including cover sheet

SUBJECT: Subdivision Requirements Notice

COMMENTS:

Steve,

Let me know if you need any other information.

Thank you,

Linda

*Please mail back to Linda Parchman. PER County
ENGINEER THIS PROPERTY WAS NOT LEGALLY SUBDIVIDED
BY FRANK STEVENSON. 5-6-03*

RECEIVED
MAY 19 2003
WCCHD-ENV

<http://www.tdh.state.tx.us>
An Equal Employment Opportunity Employer

ProtectTexas

Texas Veterans Land Program



Subdivision Requirements Notice

To the appropriate county or city official: Please complete this form and return it to the Texas Veterans Land Board with an official seal or with a cover letter on your letterhead.

Officer: Steve G. Limer, OLS92 City/County: Williamson County, Texas ^{County Cities} ~~City of~~ HEALTH DISTRICT

Title: ASSISTANT DIRECTOR, WCCHD ENVIRONMENTAL SERVICES

Seller: RUSSELL W. WILLIAMS

Buyer: JOHN W. & LINDA L. PARCHMAN

Land: _____ acres in the _____ Survey, Abstract No. _____

The Texas Veterans Land Board (VLB) has been asked to finance the purchase of this land. Because the land is not in a recorded subdivision, the VLB wants to ensure that the transaction complies with city/county requirements and that the tract will be eligible for public services such as utility connections, building permits and septic system permits. Please review the field notes and plat for the referenced tract and complete this form on behalf of the city/county. Please mark the appropriate paragraph.

- ☐ The proposed transaction is not in violation of the city/county subdivision regulations. It is in compliance or it falls under an exception. The purchaser will not have a problem obtaining services from the city/county.
- ☐ The city/county cannot render an opinion as to whether the transaction is or is not in violation of the city/county subdivision regulations because of insufficient documentation. However, the purchaser will not have a problem obtaining public services from the city/county.
- ☒ The proposed transaction is in violation of the city/county subdivision requirements. Because the transaction does not comply with city/county requirements, the purchaser will be unable to obtain services from the city/county. Flood Plain building permits E & S permits can only be issued after the property has been officially subdivided.
- ☐ Other: _____

Signature: Steve G. Limer

OS 6592

City/County
Seal

Date: 6-4-03

Return to:
Texas Veterans Land Board
P.O. Box 12873
Austin, Texas 78711-2873

RECEIVED
MAY 19 2003
WCCHD-ENV



P. O. Box 324
Cedar Park, Texas 78630-0324
(512) 258-9590 Phone
(512) 258-5948 Fax

RECEIVED
MAY 19 2003
WCCHD-ENR

**PERIMETER FIELD NOTE DESCRIPTION
9.995 ACRES OF LAND
JOHN BAILEY SURVEY NO. 7, ABSTRACT NO. 55**

BEING A 9.995 ACRE TRACT OF LAND, OUT OF THE JOHN BAILEY SURVEY NO. 7, ABSTRACT NO. 55 IN WILLIAMSON COUNTY, TEXAS, SAME BEING THAT CALLED 10.0000 ACRE TRACT, CALLED TRACT 7, AS CONVEYED BY WARRANTY DEED TO RUSSELL W. WILLIAMS RECORDED AS DOCUMENT NO. 9661003 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the North boundary line of that certain 31.329 acre tract of land recorded in Volume 2713, Page 285, Deed Records, Williamson County, Texas, same being the Southwest corner of that certain 10.000 acre tract of land, called Tract 6, as conveyed to Manuel C. Molina and Belen L. Molina, recorded in Document No. 2000023464, Official Public Records, Williamson County, Texas, also being the Southeast corner of said Tract 7, for the Southeast corner hereof, from which a point on the West Right-of-Way line of U.S. Highway 183, same being the Northeast corner of said 31.329 acre tract, also being the Southeast corner of that certain 213.484 acre tract of land, recorded in Volume 393, Page 373, Deed Records, Williamson County, Texas, bears North 70°53'51" East, 827.80 feet, and North 70°52'21" East, 813.17 feet;

THENCE with the common line of said 31.329 acre tract and said Tract 7, South 69°26'28" West a distance of 0.22 feet to a 5/8" iron rod found being the Southeast corner of that certain 20.00 acre tract, called Tract C, as described in Volume 721, Page 203, Deed Records, Williamson County, Texas, for an angle point in the South boundary line hereof;

THENCE continuing with the common line of said 31.329 acre tract and said Tract 7, South 70°50'55" West a distance of 420.34 feet to a 1/2" iron rod found being the Southeast corner of that certain 9.988 acre tract of land, conveyed to Marshall N. Wipff and Elizabeth Ann Wipff, recorded in Volume 1376, Page 873, Official Records, Williamson County, Texas, same being the Southwest corner of said Tract 7, and the Southwest corner hereof;

THENCE departing the North boundary line of said 31.329 acre tract, with the common line of said 9.988 acre tract and said Tract 7, North 18°58'59" West (Bearing Basis and Directional Control Line) a distance of 1030.60 feet to a 1/2" iron rod found in the South margin of that certain 2.85 acre, 50 foot wide, Ingress/Egress Easement, recorded in

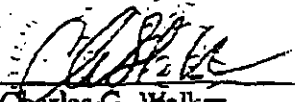
Volume 721, Page 212, Deed Records, Williamson County, Texas, same being the Northeast corner of said 9.988 acre tract, also being the Northwest corner of said Tract 7, for the Northwest corner hereof, from which a 1/2" iron rod found being the Northwest corner of said 9.988 acre tract, same being the Southwest corner of said 2.85 acre Ingress/Egress Easement, bears South 69°21'38" West a distance of 418.57 feet;

THENCE with the South margin of said 2.85 acre Ingress/Egress Easement, same being the North boundary line of said Tract 7, North 69°30'39" East a distance of 420.49 feet to a 1/2" iron rod set and capped "Walker", same being the Northwest corner of said Tract 6, also being the Northeast corner of said Tract 7, for the Northeast corner hereof, from which a 1/2" iron rod found on the West Right-of-Way line of U.S. Highway 183, same being the Northeast corner of that certain 3.5647 acre tract, called Tract 3, as described in Document No. 9656399, also being the Southeast corner of said 2.85 acre Ingress/Egress Easement, bears North 69°30'52" East a distance of 1641.46 feet

THENCE departing the South margin of said 2.85 acre Ingress/Egress Easement, with the common line of said Tract 6 and said Tract 7, South 18°59'41" East a distance of 1040.42 feet to the **POINT OF BEGINNING** hereof containing 9.995 acres of land.

This perimeter description is a part of and accompanies a separate sketch of this survey.

Surveyed under the direction and supervision of the undersigned:


Charles G. Walker
Registered Professional Land Surveyor
Number 5283
Job Number 277001

March 24, 2003
Date of field survey

277001SubjectTract.doc

RECEIVED
MAY 29 2003
WCCHD-EN



P. O. Box 324
Cedar Park, Texas 78630-0324
(512) 258-9590 Phone
(512) 258-5948 Fax

RECEIVED
MAY 14 2003
WCCM-ENV

**PERIMETER FIELD NOTE DESCRIPTION
2.847 ACRES OF LAND
JOHN BAILEY SURVEY NO. 7, ABSTRACT NO. 55**

BEING A 2.847 ACRE TRACT OF LAND, OUT OF THE JOHN BAILEY SURVEY NO. 7, ABSTRACT NO. 55 IN WILLIAMSON COUNTY, TEXAS, SAME BEING THAT CERTAIN 2.85 ACRE TRACT AS DESCRIBED IN VOLUME 721, PAGE 212, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found being the Northwest corner of that certain 9.988 acre tract of land, conveyed to Marshall N. Wipff and Elizabeth Ann Wipff, recorded in Volume 1376, Page 873, Official Records, Williamson County, Texas, same being the Southwest corner of said 2.85 acre tract, for the Southwest corner hereof, from which a 1/2" iron rod found being the Northeast corner of said 9.988 acre tract, same being the Northwest corner of that certain 10.0000 acre tract, called Tract 7, conveyed to Russell W. Williams, recorded as Document No. 9661003, Official Records, Williamson County, Texas, bears North 69°21'38" East a distance of 418.57;

THENCE North 19°00'44" West a distance of 50.02 feet to a point being the Northwest corner of said 2.85 acre tract, for the Northwest corner hereof;

THENCE North 69°29'16" East a distance of 2480.52 feet to a point on the West Right-of-Way line of U.S. Highway 183, being the Northeast corner of said 2.85 acre tract, for the Northeast corner hereof;

THENCE with the West Right-of-Way line of U.S. Highway 183, South 19°00'44" East a distance of 50.02 feet to a 1/2" iron rod found being the Northeast corner of that certain 3.5647 acre tract, called Tract 3, as described in Document No. 9656399, same being the Southeast corner of said 2.85 acre tract, for the Southeast corner hereof;

THENCE departing the West Right-of-Way line of U.S. Highway 183, with the North property lines of Tract 3, Tract 4, Tract 5, Tract 6 and Tract 7, as described in Document No. 9656399, Official Records, Williamson County, Texas, and the North property line of said 9.988 acre tract, South 69°29'16" West a distance of 2480.52 feet to the **POINT OF BEGINNING** hereof and containing 2.847 acres of land.

This perimeter description is a part of and accompanies a separate sketch of this survey.

Surveyed under the direction and supervision of the undersigned:

Charles G. Walker
Registered Professional Land Surveyor

March 24, 2003
Date of field survey

Exhibit "A"
Page 1 of 2

CRICHTON AND ASSOCIATES
LAND SURVEYORS
107 NORTH LAMPASAS
ROUND ROCK, TEXAS 78664
512-244-3395

TRACT 7
FIELD NOTES

FIELD NOTES FOR 10.0000 ACRES OUT OF THE JOHN BAILEY SURVEY NO. 7, ABSTRACT NO. 55 IN WILLIAMSON COUNTY, TEXAS BEING A PORTION OF A 29.98 ACRE TRACT RECORDED IN VOL. 1835 PG. 616 BOTH OF THE WILLIAMSON COUNTY, TEXAS DEED RECORDS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron pin found on the West R.O.W. of U. S. Highway 183 at the Southeast corner of a 19.977 acre tract recorded in Vol. 1269 Pg. 779 of the Williamson County, Texas Official Records, also being the Northeast corner of a 31.329 acre tract conveyed to Lonnie Willis in Vol. 814 Pg. 372 of the Williamson County, Texas Deed Records.

THENCE S 70° 52' 21" W with the common line of said 31.329 acre tract and said 19.977 acre tract, 813.17 feet to a 3/8" iron pin found at the South common corner of said 19.977 acre tract and said 29.98 acre tract.

THENCE S 70° 53' 51" W with the common line of said 31.329 acre tract and said 29.98 acre tract, 827.80 feet to a 1/2" iron pin set for the Southeast corner of this tract and the POINT OF BEGINNING.

THENCE S 70° 53' 51" W with the common line of said 31.329 acre tract and said 29.98 acre tract, 0.29 feet to a 5/8" iron pin found.

THENCE S 70° 49' 01" W continuing with the common line of said 31.329 acre tract and said 29.98 acre tract, 420.51 feet to a 3/8" iron pin found at the Southwest corner of this tract of said 29.98 acre tract also being the Southeast corner of a 9.989 acre tract conveyed to Marshall N. Wipff in vol. 1376 Pg. 875 of the Williamson County, Texas Official Records for the Southwest corner of this tract.

THENCE N 18° 58' 59" W with the common line of said 29.98 acre tract and said 9.989 acre tract, 1030.82 feet to a 1/2" iron pin found at the North common corner of said 29.98 acre tract and said 9.989 acre tract, also being on the South line of a 87.47 acre tract conveyed to John Smith in Vol. 466 Pg. 602 of the Williamson County, Texas Deed Records, also being on the south line of a 50 foot ingress/egress easement recorded in Vol. 721 Pg. 221, Vol. 721 Pg. 212 and Vol. 721 Pg. 203 of the Williamson County, Texas Deed Records, for the Northwest corner of this tract.

THENCE N 69° 29' 55" E with the common line of said 29.98 acre tract and said 87.47 acre tract, 420.52 feet to a 1/2" iron pin found for the Northeast corner of this tract.

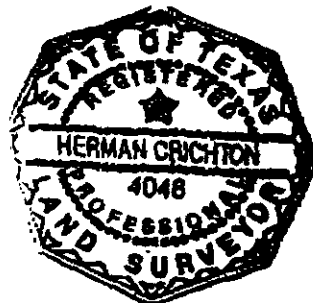
Book 2 Page 2

THENCE S 19° 00' 24" E through the interior of said 29.98 acre tract, 1040.57 feet to the POINT OF BEGINNING and containing 10.0000 acres more or less.

I hereby certify that the foregoing field notes were prepared from a survey on the ground, under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal this the 7th day of Oct., 1996.

Herman Crichton
Herman Crichton, R.P.L.S. 4046



NOTED
BY THE COUNTY CLERK
I hereby certify that this document was FILED and
RECORDED in the Official Public Records of
Williamson County, Texas on the date and time
noted above.

Elaine Bizzell
COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

Doc# 9661003
Pages: 4
Date : 11-19-1996
Time : 02:53:56 P.M.
Filed & Recorded in
Official Records
of WILLIAMSON County, TX.
ELAINE BIZZELL
COUNTY CLERK
Rec. \$ 15.00

RECORDERS MEMORANDUM
All or parts of the text on this page was not
clearly legible for satisfactory recordation.

AGENDA ITEM 16

Consider authorizing advertising and setting date of July 9, 2003 at 3:00 p.m. in the Auditor's Office to receive bids for culverts - precast box.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To authorize the advertising and setting date of July 9, 2003 at 3:00 p.m. in the Auditor's Office to receive bids for culverts – precast box.

Vote: 5 - 0

AGENDA ITEM 17

Consider authorizing advertising and setting date of July 23, 2003 at 2:00 p.m. in the Commissioner's Courtroom to receive bids for wooden bridge replacement - package IIA (CR 424).

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To authorize advertising and setting the date of July 23, 2003 at 2:00 p.m. in the Commissioner's Courtroom to receive bids for wooden bridge replacement – package IIA (CR 424).

Vote: 5 - 0

AGENDA ITEM 18

Consider awarding bids received for CR 214 reconstruction to the lowest bidder meeting specifications - Capital Excavation.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To award bids received for CR 214 reconstruction to the lowest bidder meeting specifications – Capital Excavation.

Vote: 5 - 0

<Attachment>