



Easement Release and Encroachment Agreement

Copies of this and other Development Packet Chapters are available online at:
www.roundrocktexas.gov/land-development-permit

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**Planning and Development Services Department
City of Round Rock, Texas**

Version: February 2015

Easement Release

This section of the Development Packet consists of information and required forms for requesting the release of an easement. Section 36-46 of the Round Rock Subdivision Ordinance allows a landowner to request the vacation of an easement established by a plat or a separate easement.

The purpose of a release or abandonment of an easement is to nullify and void all or a portion of a public easement, including but not limited to a public utility easement, drainage easement, conservation easement, public access easement, or combination public easement. This also includes right-of-way dedications, and includes easements established by a previously recorded plat or by separate instrument document. A release of easement may be initiated by the respective lot owner, owners or by the City.

Easements between two or more private parties cannot be released by the City.

Easement Release Process

Release of an easement is a power granted to the City Manager and does not require consideration or approval by the Planning and Zoning Commission. Consequently, an application for the release of an easement may be submitted at any time.

The Applicant must secure approval of the easement release request from all appropriate entities and/or utility service providers prior to submitting the application. Staff will obtain the signatures of the Utility and Environmental Services Director and the Planning and Development Services Director.

Depending on the scope or complexity of the area to be released, either the City of Round Rock or private utility providers may require field notes and a survey sketch prepared by a Registered Licensed Professional Surveyor.

After all the required materials have been submitted to Planning and Development Services (PDS) for review, and PDS has issued its final approval, the application is forwarded to the City's Attorney's Office to draft the easement release document. That release document is then executed by the City Manager and recorded in the Official Public Records. A copy of the recorded release document will be sent to the applicant within two weeks after recordation.

The easement is considered released only after the easement release document has been signed by the City Manager and recorded in the Official Public Records of Williamson or Travis County. PDS staff will notify the Applicant and various city departments of the easement release. To the extent appropriate, PDS staff will work with other departments if the easement release is tied to a pending development permit.

***** IMPORTANT: The easement release process may take 30 calendar days from the date of submittal to the recordation of the release document. *****

Required Submittals

- Applications may be submitted in person by the applicant or applicant's agent, or sent via postal mail.
- Incomplete applications will not be forwarded for action.

The Applicant shall submit an application that contains all of the following:

- ____ 1. Completed Project Information Sheet.
- ____ 2. Signed Landowner's Letter - 1 copy of a signed letter from the owner(s) of the property encumbered by the easement. Original signature is required.
- ____ 3. A copy of the owner's deed to verify proof of ownership (unofficial copy is acceptable);
- ____ 4. A copy of the recorded Plat showing the area to be released and relevant plat notes, if any (unofficial copy is acceptable) OR official copy of the separate easement document that dedicated the easement;
- ____ 5. For a full release:
 - A description of the easement to be released, including the lot description and orientation to the nearest lot line;
 - A sketch of the lot, and the easement to be released. Show the entire lot on the sketch.
- ____ 6. For a partial release:
 - A survey sketch and metes and bounds description of the portion of the easement to be released, including the lot description and orientation to the nearest lot line. Show the entire lot on the survey sketch;
 - One CD containing PDF files of the field notes and the survey sketch.
- ____ 7. Signed release form(s) from each public or private utility service providers, as applicable. **Original signatures are required.**
 - ATMOS Energy-Round Rock District
 - Oncor Electric Delivery-Round Rock District
 - Pedernales Electric Cooperative
 - Time Warner Cable requires a unique release form (see attached).
 - AT&T Texas requires a unique release form (see attached).
- ____ 8. Payment of fees. In accordance with the fee schedule adopted by City Council. Checks shall be made payable to the City of Round Rock.

Application Fee:	\$250
Legal Fee:	<u>\$50</u>
TOTAL	\$300



Easement Release

Project Information Sheet

Planning & Development Services Department (PDS) 512-218-5428

Subdivision Name: _____

Original Easement Record Information Cabinet/Slide or Document #: _____

Property & Legal Description

Tax Appraisal Dist. ID# (s): _____

Subdivision: _____

Phase: _____ Section: _____ Block: _____ Lot: _____

- OR -

Survey Name & Abstract #: _____

To be released: Square feet: _____ Acres: _____

Owner Information

Name: _____ Title: _____

Firm name (if applicable); _____

Firm address: _____

Ph: _____ Email: _____

Applicant/Agent Contact Information

Name: _____ Title: _____

Firm name (if applicable); _____

Firm address: _____

Ph: _____ Email: _____

Staff use Only Application No: _____ Date: _____

City of Round Rock Development Contacts

Planning and Development Services Department (PDS)

301 W. Bagdad, Suite 210, Round Rock, TX 78664 512-218-5428 Fax: 512-218-3286
Brad Wiseman, AICP, PDS Director 512-341-3321 bwiseman@roundrocktexas.gov

Planning Division

301 W. Bagdad, Suite 210, Round Rock, TX 78664 512-218-5428 Fax: 512-218-3286
Susan Brennan, AICP, Planning Manager 512-218-5425 sbrennan@roundrocktexas.gov

Platting Application Requirements, Review and Approval Process, Easement Dedications and Vacations, Parkland and Right-of-Way Donations by Deed

Veronica Chandler, Planning Tech 512-341-3320 vchandler@roundrocktexas.gov

Zoning & PUD Applications

Clyde von Rosenberg, AICP, Senior Planner 512-341-3174 cvonrosenberg@roundrocktexas.gov

Development Services Division (DSO)

301 W. Bagdad, Suite 140, Round Rock, TX 78664 512-218-7043 Fax: 512-671-2751
Aneil Naik, Dev. Serv. Manager 512-671-2753 anaik@roundrocktexas.gov

Forestry and Zoning Compliance

David Bost, Senior Planner 512-341-3175 dbost@roundrocktexas.gov
Kamie Fitzgerald, Planner 512-671-2702 kfitzgerald@roundrocktexas.gov

Floodplain & Drainage Requirements, Utilities, and Subdivision Improvements

Laton Carr, PE, Senior Engineer 512-218-3238 lcarr@roundrocktexas.gov
Jeff Brooks, Engineer Associate 512-341-3363 jbrooks@roundrocktexas.gov

Fiscal Posting, Easement Dedication and Construction Plan Close Out

Roxanne Valadez, Planning Tech 512-218-6658 rvaladez@roundrocktexas.gov

Transportation Department

2008 Enterprise Drive, Round Rock, TX 78664 512-218-7044 Fax: 512-218-3242

Transportation Requirements

John Dean, Asst. Director 512-218-6617 jdean@roundrocktexas.gov

Parks and Recreation Department (PAR)

301 W. Bagdad, Suite 250, Round Rock, TX 78664 512-218-5540 Fax: 512-218-5548

Parkland Dedication, Trails, and Forestry in Existing Subdivisions

Katie Baker, Park Development Spc. 512-341-3355 kbaker@roundrocktexas.gov
Emsud Horozovic, Forestry Manager 512-341-3350 ehorozovic@roundrocktexas.gov

Fire Department

203 Commerce Blvd., Round Rock, TX 78664 512-218-5590 Fax: 512-218-5594

Fire Safety in Subdivision Design

Mark Selby, Prevention Division Captain 512-218-6633 selby@roundrocktexas.gov

Utility and Environmental Services Department

2008 Enterprise Drive, Round Rock, TX 78664 512-218-5556 Fax: 512-218-5563

Utility Planning and As-Built Plans

Michael Thane, Director 512-218-3236 mthane@roundrocktexas.gov
David Freireich, Engineering 512-671-2756 dfreireich@roundrocktexas.gov
Jimmy Vrabel, Senior Engineering Tech. 512-218-6604 jvrabel@roundrocktexas.gov
Ryan Beardmore, Senior Engineering Tech. 512-671-2752 rbeardmore@roundrocktexas.gov

Landowner's Letter

Date: _____

To: Brad Wiseman
Planning & Development Services Director
City of Round Rock, Texas

Re: Easement release for property located at: _____

Dear Mr. Wiseman:

The purpose of this request is to release the referenced easement, or portion thereof, as described in Exhibit A, attached to this letter. The reason for this request is: _____

After a thorough examination, the respective suppliers of utility service have no objection to this proposal and have indicated their agreement by signing below. Thank you for considering this request.

Sincerely,

Landowner *date*

I have reviewed the above proposal for utility service purposes, and I have no objections.

Name *date*
Oncor-Round Rock District

Name *date*
AT&T (formerly SBC)

Name *date*
ATMOS Energy-Round Rock District

Name *date*
Pedernales Electric Cooperative

Utility Service Provider Contacts

NOTE: Contact information is provided as a courtesy only and is subject to change

AT&T Texas/SW Bell

Applicants should email requests to: g07099@att.com

For questions, applicants should contact:

Lucy M. Cabading LR2878@att.com 254-757-7818
925 Washington Ave, Room 202, Waco, TX 76701

Anita Frank AF2416@att.com 254-773-8527
117 North 1st St, Temple, TX 76501

Oncor Electric Delivery, Round Rock District

350 Texas Ave., Round Rock, TX 78664 fax: 512-244-5689

Earlene Folmar Earlene.Folmar@Oncor.com 512-244-5656
Jesse Trevino Jesse.Trevino@oncor.com 512-244-5661

ATMOS Energy, Round Rock District

3110 North IH 35, Round Rock TX 78681 fax: 512-310-3819

Martin Perez Martin.Perez@atmosenergy.com 512-415-8426

Time Warner Cable

750 Canyon Drive, Suite 500, Coppell, TX 75019

Lisa Law west-engineering-relo@twcable.com 972-537-5323

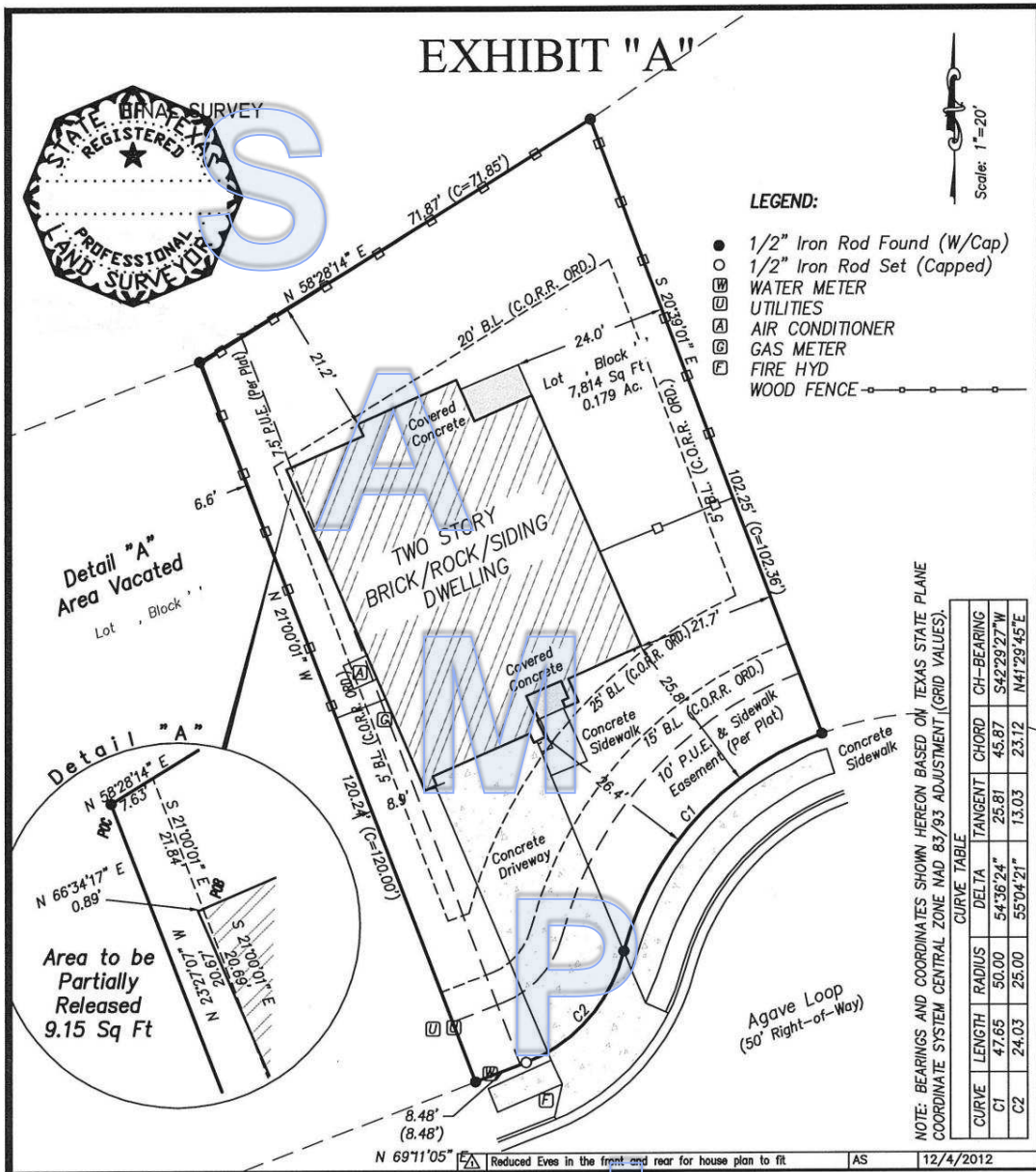
Pedernales Electric Cooperative

PO Box 2620, Cedar Park TX 78630 fax: 512-257-2643

Diann Hamilton Diann.hamilton@PECI.com 800-868-4791 ext7422
Ted Hodgkiss Ted.hodgkiss@PECI.com 800-868-4791 ext7402

Sample Survey

EXHIBIT "A"



THIS IS TO CERTIFY THAT, ON THIS DATE, A TRUE AND ACCURATE SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION OF PROPERTY LOCATED AT NO. _____ AGAVE LOOP IN WILLIAMSON COUNTY, TEXAS, DESCRIBED AS FOLLOWS: LOT _____, BLOCK _____, BEHRENS RANCH PHASE _____, SECTION _____, A SUBDIVISION IN WILLIAMSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN CABINET FF, SLIDES 26-27 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS.

9.15 Sq Ft

THESE NOTES DESCRIBE A PORTION OF LAND IN BEHRENS RANCH PHASE _____, SECTION _____, LOT _____, BLOCK _____, SITUATED IN WILLIAMSON COUNTY, AS RECORDED IN CABINET FF, SLIDES 26-27 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (PRWC); SUBJECT BEING SURVEYED ON THE GROUND UNDER THE DIRECT SUPERVISION OF _____, REGISTERED PROFESSIONAL LAND SURVEYOR No. _____ ON June _____, 2013, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING at the Northwest corner of Lot _____, Block _____, same being the Northeast corner of Lot _____, Block _____, THENCE North 58°28'14" East, 7.63 feet, and South 21°00'01" East, 21.84 feet to the POINT OF BEGINNING;
 THENCE South 21°00'01" East, for a distance of 20.69 feet to a point;
 THENCE North 23°27'07" West, for a distance of 20.67 feet to a point;
 THENCE North 66°34'17" East, for a distance of 0.89 feet to the POINT OF BEGINNING containing according to the dimensions herein stated and area of 9.15 Sq Ft of Land.



750 Canyon Drive
west-engineering-relo@twcable.com

Coppell, TX 75019
972-537-5323

APPLICATION FOR VACATION OF EASEMENT

Please Print. Application is hereby made for the release of the following easement(s) as described below.

The easement is on property legally described as:

Subdivision: _____ Section: _____ Block: _____

Lot Numbers: _____

Address: _____
Number & Street City State Zip

As recorded in Volume _____, Page _____, of the Plat Records of _____ County, Texas

Provide common description of the easement requested for release, indicating the amount of the easement to be released.
Example: Five foot P.U.E. & D.E. on either side of the common lot line between lots X and X. Please provide a survey or plat of the area with the easement to be released highlighted.

Reason for requesting release (Example: Single Family Residence, Accessory Building, etc):

Please note: If multiple owners are making this request, complete name, address, phone must be provided for all.

Property Owner's name(s): _____

Mailing Address: _____
Number & Street City State Zip

Phone: _____
Day Time Cell Fax

I authorize the following person/company to act in my behalf as my designated agent:

Name of agent/company: _____
Name of Company Name of Contact

Mailing Address: _____
Number & Street City State Zip

Phone: _____
Day Time Cell Fax

The undersigned Owner/Applicant/Agent understands that the processing of the Easement Release Application will be handled in accordance with procedure for requesting release of easements established by Time Warner Cable. It is further understood that acceptance of this application does not obligate Time Warner Cable to release the subject easement

Signature of Applicant/Agent

Date

APPLICATION FOR EASEMENT RELEASE
TO BE SENT TO AT&T Texas at
925 Washington Ave, Room 202, Waco, TX 76701
Email g07099@att.com
Lucy Cabading, FAX 254-757-7821, Anita Frank FAX 254-773-8574

Application is hereby made for the release of the following easement(s) as described below:

The easement(s) is on property legally described as:

Subdivision / Section: _____

Lot and Block No: _____

Deed book volume/page
or Document # _____

Street Address: _____

Provide common description of the easement requested for release, indicating the amount of the easement to be released (provide a survey of the property with the easements to be released highlighted) Please provide purpose for this release.

Property Owner's Name: _____

Mailing Address: _____

Telephone No.: _____

(Note: if multiple owners are joining in this request, the complete names, addresses and phone numbers on each must be attached.)

LAND OWNER NAME: _____

LAND OWNER ADDRESS: _____

PHONE: _____ **FAX :** _____

The undersigned **Owner** understands that the processing of this Easement Release Application will be handled in accordance with the Procedure for Requesting Release of Easements established by each utility company.

Signed by _____
Land Owner

To be sent to 925 Washington Ave. Room 202, Waco, TX 76701 along with survey plat of property showing easement(s), and legal description with the volume and page or the document # from recording of the property deed in County Records.