

Memo

Meeting Date: August 25, 2014

To: Planning Commission members

From: Patrick B. Howard, AICP
Planning & Development Services Director

Subject: Easement Release, A.E. White Survey 1, Abstract 3944: a request for approval of a release and relocation of an existing sewer easement, on the following property:

Location: 2580 Southwest Boulevard, located 624 feet north of the intersection of Southwest Boulevard and Sherwood Way; more specifically being 1.387 acres of the A.E. White Survey 0001, Abstract 3944, in southwest San Angelo.

Contacts: Dub Z. Johnson, Representative 325-277-2013
Kevin Boyd, Senior Planner 325-657-4210

Recommendation: City staff recommends **APPROVAL** of the proposed sewer easement release.

History and Background:

The applicant has submitted a request for the release and relocation of an existing sewer easement, located at 2580 Southwest Boulevard. The 1.387-acre tract has sole frontage along Southwest Boulevard and rear access to the Red Arroyo. The easement is entirely contained within the lot and is positioned along its southern boundary. Due to the nature of the easement, permanent structures are prohibited. Approval of this request will enable the construction of a new building within the location of the existing easement.

Tom Green County Clerk records indicate that the easement was deeded in 2003. The existing sewer easement measures approximately 20 feet by 360 feet and runs diagonally west to east, parallel to the lot line. Relocation of the easement will run along the northern and western lot lines. The easement is unimproved, as the tract remains entirely vacant, and primarily consists of large dirt piles and mounds.

General Information

Existing Zoning: General Commercial (CG)

Existing Land Use: vacant tract

Surrounding Zoning/Land Use:

North:	General Commercial (CG)	Springhill Suites by Marriott, Olive Garden, Golden Corral and Home Depot
West:	General Commercial (CG)	Hotel construction
South:	General Commercial (CG)	Chrysler Jeep Dodge of San Angelo, Chicken Express and Enterprise Rent A Car
East:	General Commercial (CG) and Single-Family Residential (RS-1)	Red Arroyo, vacant space and commercial development

Thoroughfares/Streets: Southwest Boulevard is identified as an "arterial street" and is designed to connect collector streets to freeways and other arterials carrying large volumes of traffic at high speeds. Access is secondary and mobility is the primary function of these streets.

Storm Water/Drainage: There will be no drainage issues if this easement is released and relocated.

Water/Sewer Utilities: There will be no water or sewer utility issues if this easement is released and relocated.

Fire Protection: There will be no fire protection issues if this easement is released and relocated.

Access Management: There will be no access issues if this easement is released and relocated.

Special Information

Private Utilities: Private utilities do not have any issues with the release and relocation of the proposed easement.

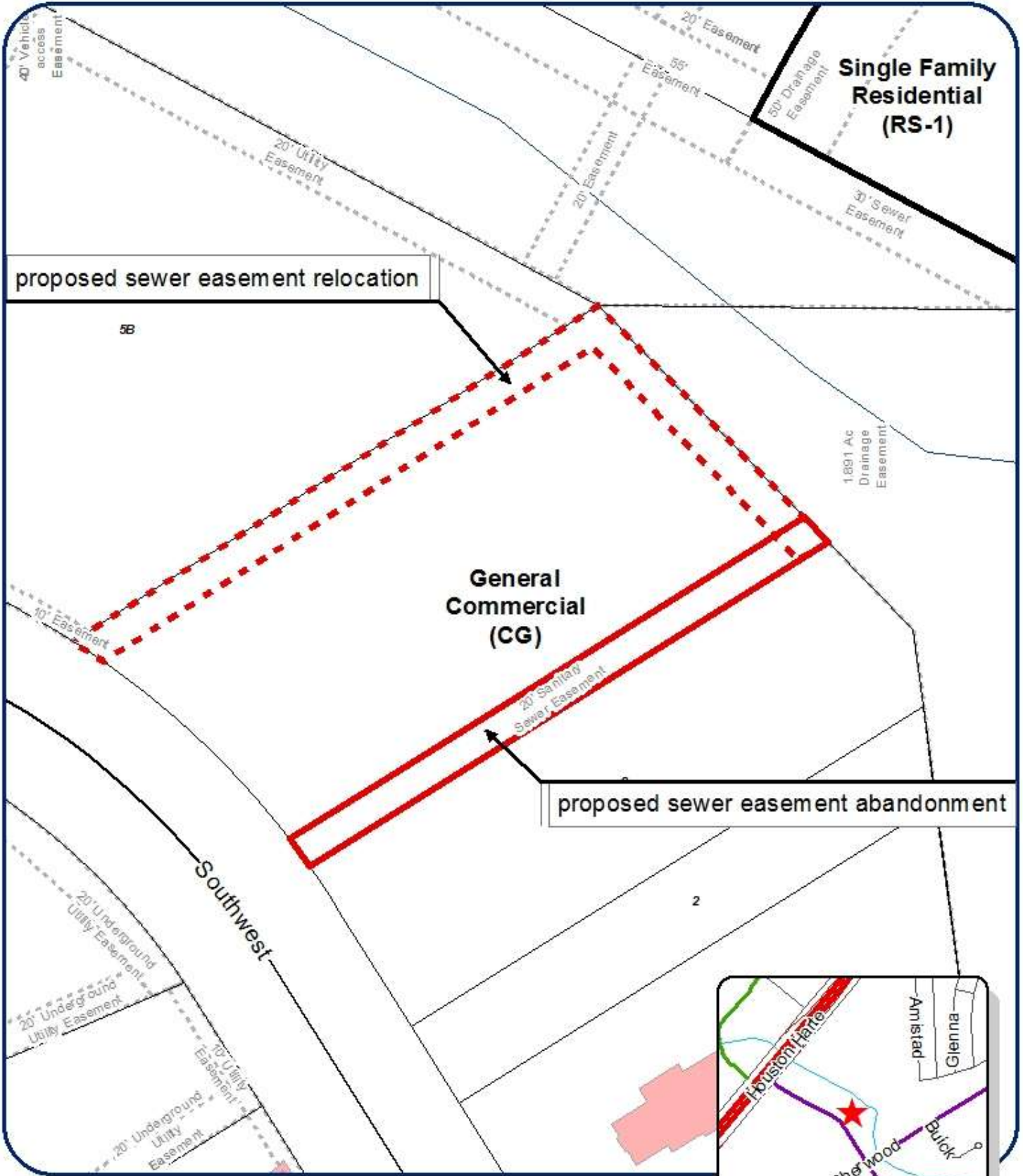
Analysis

Following an internal review based on information obtained as it relates to the site and area characteristics, staff recommends approval of this request. Moreover, the City's Engineering Services Division has no objection to the proposed release of the easement. As part of the development of the site, relocation of the easement will be required to meet all City specifications.

NOTES:

1. Any development is likely to trigger requirement for a drainage report [*Stormwater Ordinance, Section 12.401.e*], in addition to requirements for development due to site placement within floodplain and floodway [*Stormwater Ordinance, Section 12.408*].

Attachments:	Excerpt from Zoning map, highlighting subject property; Aerial photo, highlighting subject property; Record deed of surveyed lot and easements; Survey of existing and proposed easements; and Purpose statement from applicant
Presentation:	Kevin Boyd, Senior Planner
Reviewed by:	Rebeca A. Guerra, AICP, Planning Manager



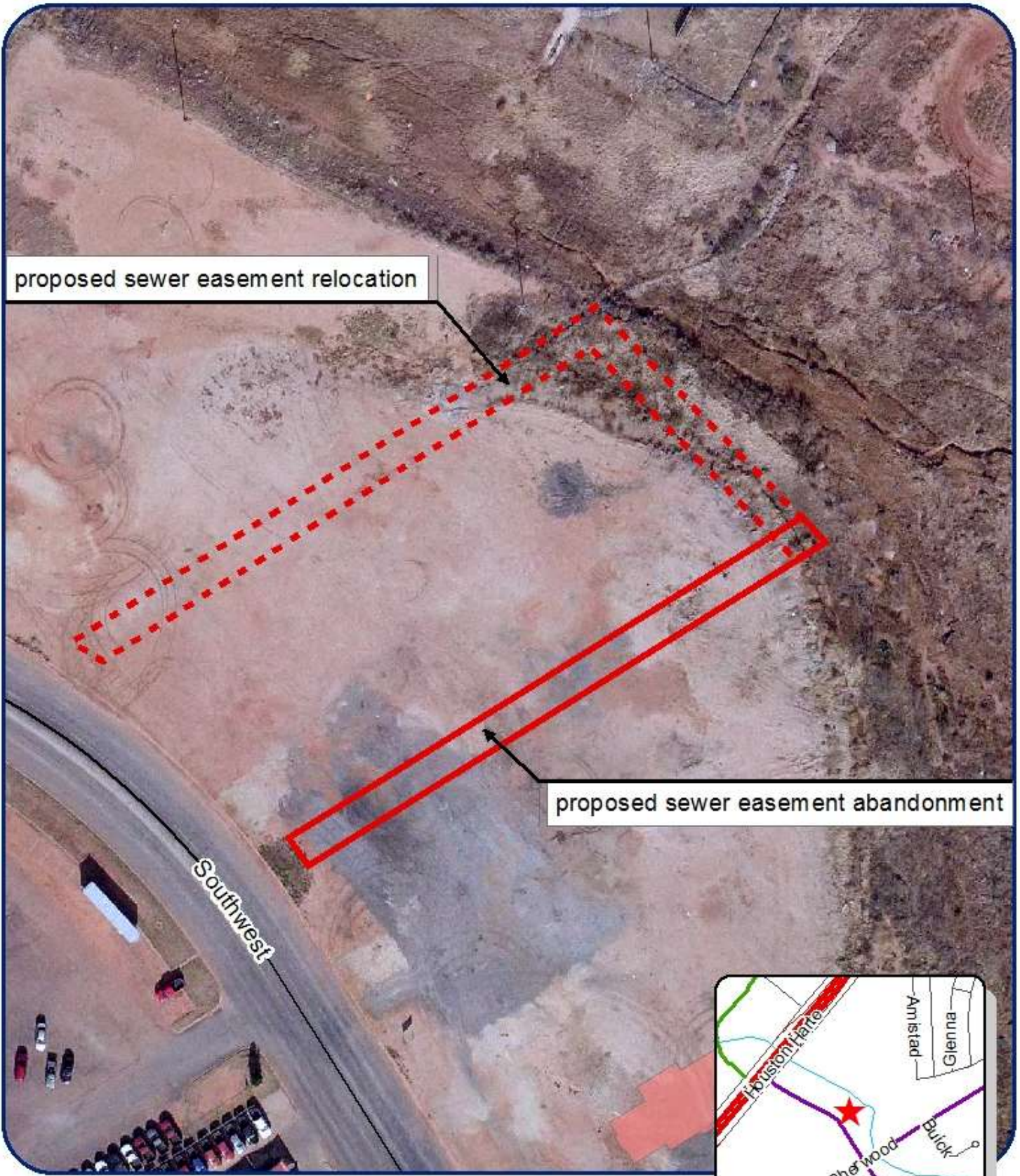
Zoning Case File
Case: A.E. White Survey 1

Council District: Charlotte Farmer
 Neighborhood: Bluffs
 Scale: 1" approx. = 75 ft
 Subject Property: 2580 Southwest Blvd

Legend

- Subject Properties: —
- Current Zoning: N/A
- Requested Zoning Change: N/A
- Vision: Commercial





proposed sewer easement relocation

proposed sewer easement abandonment

Southwest



Zoning Case File

Case: A.E. White Survey 1

Council District: Charlotte Farmer
Neighborhood: Bluffs
Scale: 1" approx. = 75 ft
Subject Property: 2580 Southwest Blvd

Legend


Subject Properties: 
Current Zoning: **N/A**
Requested Zoning Change: **N/A**
Vision: **Commercial**



EXHIBIT "A"

Being an area of 2.973 acres of land out of a certain 35.00 acre tract out of A.E. White Survey No. 1, Abstract No. 3944, San Angelo, Tom Green County, Texas and said 35.00 acre tract being that a certain tract conveyed to Western Hills Development Company, Ltd. and described by deed recorded in Volume 776 at Page 564 of the Deed Records of said Tom Green County and said 2.973 acre tract being more particularly described by metes and bounds as follows;

Beginning at a $\frac{1}{2}$ " iron pipe set for the southwest corner of this tract and the northwest corner of a certain 20' Sanitary Sewer Easement described by deed recorded in Volume 55, Page 678, Official Public Records of Real Property of said Tom Green County and said beginning corner being 20.06 feet N. $36^{\circ}27'51''$ W. from the northwest corner of Lot 3, Block 1, Section 4, Red Arroyo Hills Addition as per plat Recorded in Cabinet E, Slide 56, Plat Records of said Tom Green County and said beginning corner also being in the east or northeast line of Southwest Boulevard;

Thence with the southwest line of this tract and northeast line of said Southwest Boulevard a curve to the left, having a radius of 500.00 feet, central angle of $24^{\circ}05'03''$, arc length of 210.17 feet and whose long chord bears, N. $49^{\circ}39'21''$ W. 208.63 feet to a $\frac{1}{2}$ " iron pipe found for the end of this curve;

Thence continuing with above said line, N. $61^{\circ}41'52''$ W. 395.96 feet to a $\frac{1}{2}$ " iron pipe set for Northwest corner of this tract and being in the north line of said 35.00 acre tract;

Thence with the north line of this tract and said 35.00 acre tract, S. $89^{\circ}21'04''$ E. 688.73 feet to a $\frac{1}{2}$ " iron pipe set for the northeast corner of this tract and being in the southwest line of a certain 1.891 acre Drainage Easement described by deed recorded in Volume 721, Page 772, Deed Records of said Tom Green County;

Thence with the northeast line of this tract and southwest line of said Drainage Easement, S. $43^{\circ}50'31''$ E. 174.72 feet to a certain $\frac{1}{2}$ " iron pipe set for the southeast corner of this tract and being in the north line of said Sanitary Sewer Easement;

Thence with the south line of this tract and north line of said Sanitary Sewer Easement, S. $57^{\circ}58'12''$ W. 356.32 feet to the place of beginning and containing an area of 2.973 acres of land.

EXHIBIT "B"

Being an area of 1.586 acres of land out of A. E. White Survey No. 1, Abstract No. 3944, San Angelo, Tom Green County, Texas and said 1.586 acre tract also being out of that certain 2.973 acre tract described in deed dated April 3, 1996 to Arturo Aguirre and wife, Rosa Martha Aguirre and recorded in Volume 524, Page 789, Official Public Records of Real Property of Tom Green County, Texas and said 1.586 acre tract being more particularly described by metes and bounds as follows;

Beginning at a 1/2" iron pipe found for the northwest corner of this tract and said 2.973 acre tract and in the north line of that certain 35.00 acre tract to Western Hills Development Company and recorded in Volume 776, Page 564, Deed Records of Tom Green County, Texas and also being in the northeast line of Southwest Boulevard;

Thence with the north line of this tract, said 2.973 acre tract and said 35.00 acre tract, S. 89° 16' 01" E. 688.73 feet to a 1/2" iron pipe found for the northeast corner of this tract and said 2.973 acre tract and being in the southwest line of a certain 1.891 acre Drainage Basement described by deed recorded in Volume 721, Page 772, Deed Records of Tom Green County, Texas;

Thence with the south line of this tract and across said 2.973 acre tract, S. 57° 29' 39" W. 367.30 feet to a 1/2" iron pipe set for the southeast corner of this tract and being in the northeast line of said Southwest Boulevard;

Thence with the southwest line of this tract and said 2.937 acre tract and the northeast line of said Southwest Boulevard, a curve to the left, having a radius of 500.00 feet, central angle of 04° 03' 46" for this part, arc length of 35.45 feet and whose lone chord bears N. 59° 34' 56" W. 35.45 feet to a 1/2" iron pipe found for the end of this curve;

Thence continuing with the southwest line of this tract and said 2.937 acre tract and the northeast line of said Southwest Boulevard, N. 61° 36' 49" W. 395.96 feet to the place of beginning and containing an area of 1.586 acres of land.

FILED FOR RECORD
2003 SEP 23 PM 1:17

ELIZABETH MCGILL
COUNTY CLERK
COUNTY OF TOM GREEN, TEXAS

STATE OF TEXAS }
COUNTY OF TOM GREEN }

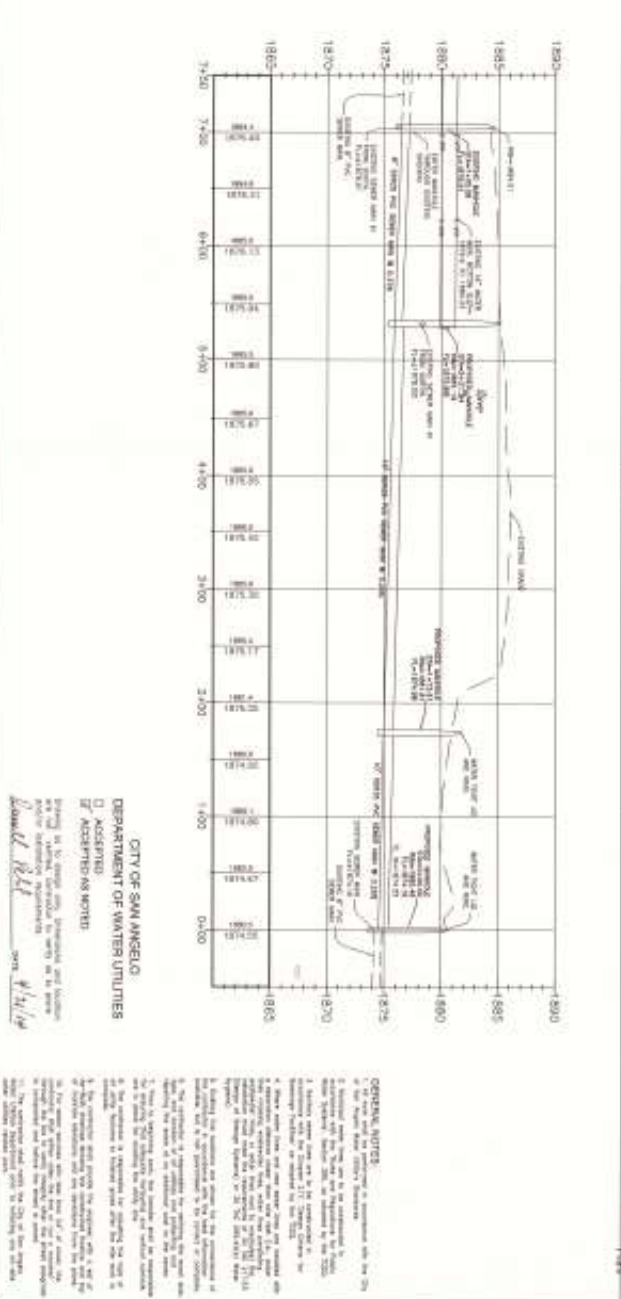
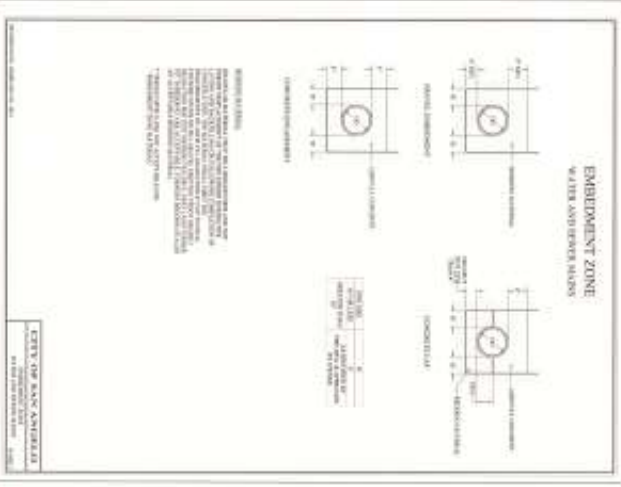
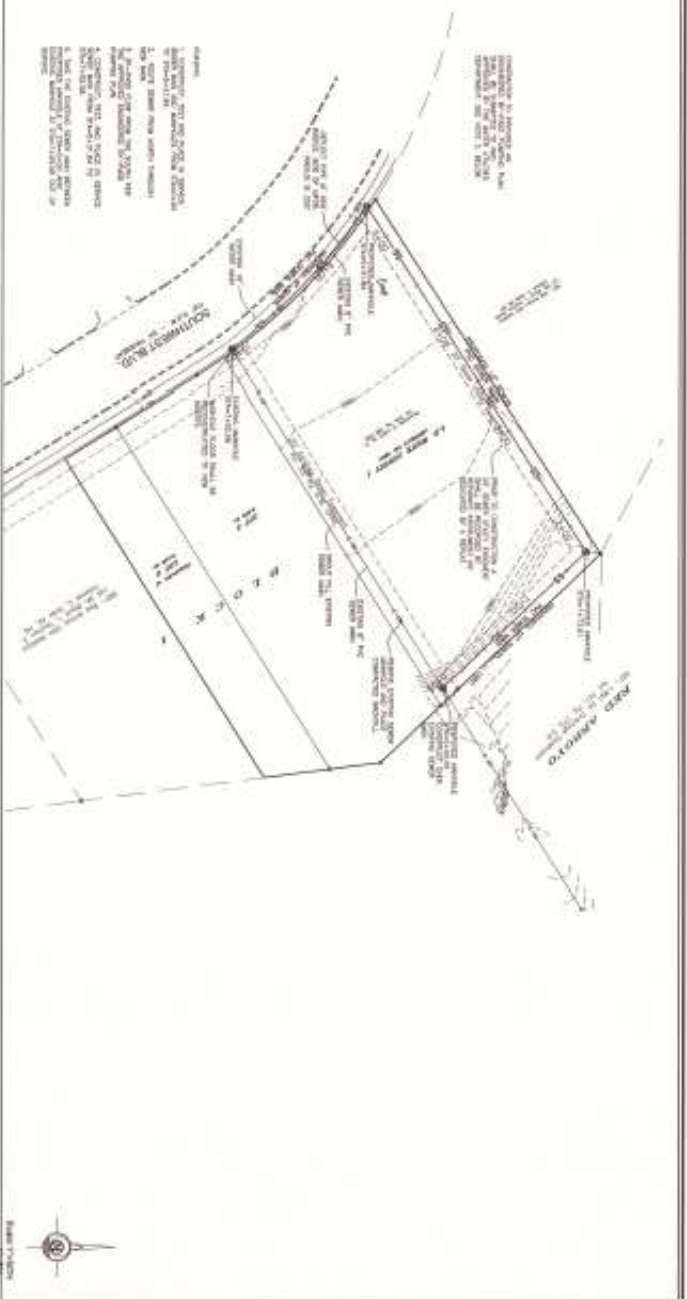
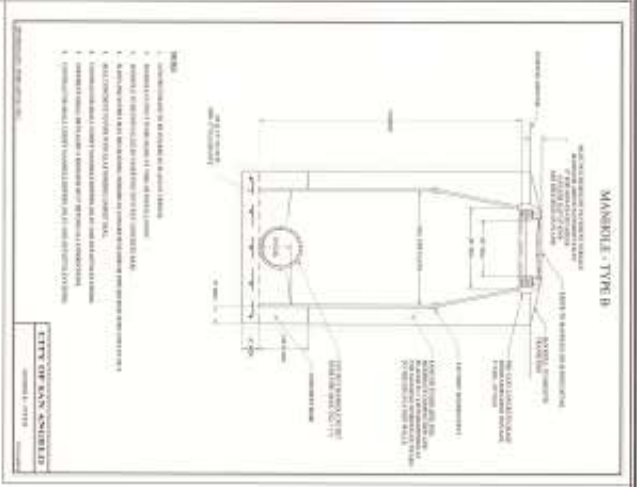
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED in the Official Public Records of Real Property of Tom Green County, Texas on

SEP 26 2003

Elizabeth McGill

ELIZABETH MCGILL COUNTY CLERK
TOM GREEN COUNTY, TEXAS





SKG ENGINEERING, LLC SANITARY - ENVIRONMENTAL - LABORS 1000 WEST 11TH STREET SAN ANGELO, TEXAS 76901 PHONE: 361-355-1111 FAX: 361-355-1112 WWW.SKG-LLC.COM	RED ARROYO HILLS SOUTHWEST BLVD SAN ANGELO, TEXAS	SKG ENGINEERING, LLC SANITARY - ENVIRONMENTAL - LABORS 1000 WEST 11TH STREET SAN ANGELO, TEXAS 76901 PHONE: 361-355-1111 FAX: 361-355-1112 WWW.SKG-LLC.COM	SKG ENGINEERING, LLC SANITARY - ENVIRONMENTAL - LABORS 1000 WEST 11TH STREET SAN ANGELO, TEXAS 76901 PHONE: 361-355-1111 FAX: 361-355-1112 WWW.SKG-LLC.COM
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**DUB Z. JOHNSON
REAL ESTATE SERVICES**

The City of San Angelo
San Angelo, Texas 79601

July 18, 2014


Re: Abandonment of 20' Sanitary Sewer Easement (Vol. 55, Page 678, OPR)

To Whom It May Concern:

The above mentioned easement runs west to east through the middle of a 2.897 acre tract (see survey with notes attached as Exhibit A). This tract is under contract to be sold and the buyer intends on constructing a building on top of the current / above mentioned easement. Buyer has received approval from The City of San Angelo Department of Water Utilities to relocate the sewer line from the center of the property to the northern edge of the property (see attached plan with notes from COSA regarding relocation of Sewer line, Exhibit B).

The Buyers (Forrest Brothers) and the Seller (Art Aguirre) request that the easement be abandoned. If you need any additional information please call me at 325.277.2013.

Thanks


Dub Z. Johnson
Agent for Seller

Encl.