



Application & Checklist -- Vacation of Easement

Property Owner, Project Name, Address & Permit # if applicable: _____

Contact Name: _____

Contact Number: _____

The following items must be submitted to the Engineering Department for the application to be considered complete. The Application along with the filing fee will be returned if it is determined to be incomplete and will not be considered filed. Provide one set of original documents for item 3 and two sets of copies of items 3-7.

- _____ 1. Letter addressed to the Director of Engineering describing request and stating the reason for the vacation. Letter MUST include specific address, legal description, and applicant's contact information.
- _____ 2. At this point, the City of Cedar Park Engineering Department will determine if there are any objections to the requested release. Only upon verification from the Engineering Department, should applicant proceed.

Please note: Easement Releases require approval from City Council.

Public utilities may charge fees for their respective release. Though owners will incur additional charges, be advised, council has full authority to approve or disapprove owner's request. Therefore, the property owner continues with easement release process with full knowledge their request may not be granted.

- _____ 3. ***For Utility Releases:*** Provide **original/signed letter or release form from each utility** that is authorized to use the easement. (e.g., P.U.E.--PEC, Atmos, Texas Gas Service, Southern Union Gas, AT&T, Grande, Time Warner CATV, City of Cedar Park Water and Wastewater Department,) P.U.E.'s or easements granted specifically for water, wastewater or drainage must have a release form or letter signed by the City of Cedar Park Director of Engineering or Sr. Engineer as his designee.
- _____ 4. ***For Drainage Releases:*** Application must have a release form or letter signed by the City of Cedar Park Director of Engineering or Sr. Engineer as his designee. No outside utility release letters are required unless utilities are involved. TBD by engineering staff.
- _____ 5. Provide **legible copy of recorded easement being vacated and graphic showing exactly what is being vacated** on the subject property. If a graphic exhibit was not provided with the original easement, prepare one for this submittal. If the easement being vacated was dedicated by recorded subdivision plat, include an exhibit showing the lots, which contain the easement being vacated.
- _____ 6. Prepare and provide the legal document by which the easement can be vacated or partially vacated. When the vacation document is prepared, include the Mayor's name, title, and signature line. Also include notary's acknowledgment for the Mayor's signature. (A sample can be provided upon request.)
- _____ 7. Include and label the following two exhibits: EXHIBIT A: Metes and bounds or narrative description of area being vacated; and EXHIBIT B: Graphic showing area being vacated.
- _____ 8. Attach a \$50.00 filing fee (Made payable to: City of Cedar Park) to this completed application along with the original documents and back-up copies as noted above for each easement release requested. City staff will place release on the City Council agenda for approval.
- _____ 9. Once approved by council action, your easement will then be recorded at the applicable county courthouse. A copy with recording number will be mailed to you *if you request* it at the time of application. Once recorded at the County of Record, anyone can access it indefinitely as it becomes part of the county's permanent land records. Initial if you request a copy: YES NO

RELEASE OF EASEMENTS

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

This release of Easements is executed as of the ____ day of _____, _____ by the CITY OF CEDAR PARK.

RECITALS:

A. THE CITY OF CEDAR PARK (the Public) was granted a _____-foot wide public utility easement crossing the property described in the Plat, which easement is recorded in Document Number XXXXXX or Cabinet and slide of the Official Records of Williamson County, Texas. (This easement is hereinafter referred to as “PUE”);

B. Name of Owner, as current owners of Lot XX, Block X in XXXXXXXX, desire that the _____-foot wide portion of the said X.X-foot wide public utility easement where the proposed subsurface improvements are located, as described in Exhibit “A”, be abandoned and released in full.

C. The City of Cedar Park has determined that the _____-foot wide portion of the PUE proposed for release is not now needed and will not be required in the future.

D. Name of Owner, as current owners of Lot XX, Block X in XXXXXXXX, has obtained easement release or easement encroachment approval of said portion of land from Pedernales Electric Cooperative, Charter Communications, Texas Gas Service, AT&T, and Atmos Energy.

RELEASE OF EASEMENTS:

Now, therefore, the undersigned, being the duly authorized signatory for the City of Cedar Park, in consideration, the receipt and adequacy of which is hereby acknowledged, has this day, and does by these presents, RELEASE, DISCHARGE and QUITCLAIM all of the right, title, interest

and estate in and to the property described in the **Plat created by the PUE**, which, the undersigned has or may be entitled to by virtue of said PUE, and does hereby declare the same fully released and discharged.

EXECUTED this the _____ day of _____, _____.

CITY OF CEDAR PARK

a municipal corporation

By: _____

Name: Brenda Eivens

Title: City Manager

STATE OF TEXAS §

COUNTY OF WILLIAMSON §

This instrument was acknowledged before me this _____ day of _____, _____ by _____ of the City of Cedar Park, a municipal corporation, on behalf of said corporation.

Notary Public, State of Texas



LOCATIVE SURVEY OF POOL FOR

SCALE: 1" = 80'

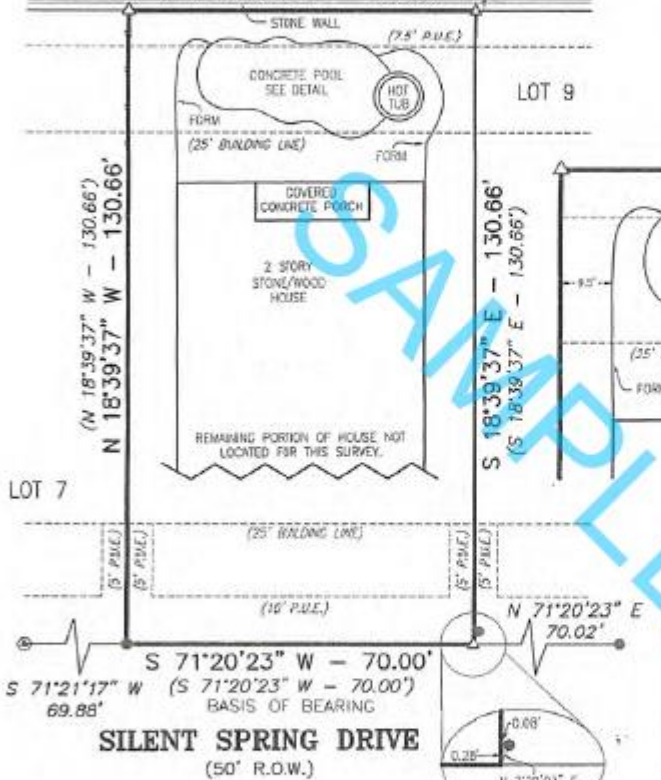
LITTLE ELM TRAIL (110' R.O.W.)

LEGEND

UNLESS NOTED OTHERWISE

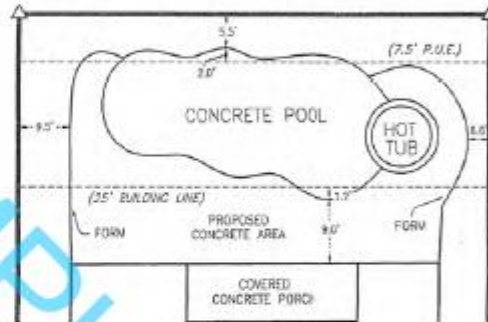
- 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON ROD WITH "POINTLINE RPLS 1567" PLASTIC CAP SET
- △ CALCULATED POINT
- P.R.W.C. PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
- P.U.E. PUBLIC UTILITY EASEMENT
- R.O.W. RIGHT-OF-WAY
- () RECORD INFORMATION PER PLAT

LANDSCAPE LOT 8 (N 71°20'23" E - 70.00') (15' LANDSCAPE AND PEDESTRIAN ACCESS EASEMENT)



DETAIL

NOT TO SCALE



NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS, OR OTHER MATTERS OF RECORD THAT AFFECT THIS TRACT BUT ARE NOT SHOWN HEREON.
2. THERE ARE IMPROVEMENTS NOT SHOWN HEREON. THE PURPOSE OF THIS SURVEY WAS TO LOCATE THE POOL IN RELATION TO THE BOUNDARY LINE(S).

CERTIFY:

THIS MAP SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS' STANDARDS AND SPECIFICATIONS FOR A CATEGORY 3, CONDITION II SURVEY.