

# APPLICATION REVIEW

## ABD-23-9

HEARING DATE: August 22, 2023

1. **CASE #** ABD-23-9  
**Energov #** 23-000013-ABD

**PROPERTY LOCATIONS:** Abandonment of a portion of a 10' alley running from Carondolet Avenue to the property located at 219 Castle Drive.

**LEGAL DESCRIPTION:** Fieldnotes for 0.03 acres of land in the City of Waco, McLennan County, Texas, being a portion of a 10 foot wide alley in the Castle Heights Addition to the City of Waco, McLennan County, Texas, per plat of said addition recorded in Volume 894, Page 34 of the Deed Records of McLennan County, Texas.

2. <b>APPLICANTS:</b>	<u>Judson Griffis</u>	<u>Dominic Braus</u>
<b>MAILING ADDRESS:</b>	<u>3625 Castle Drive</u> <u>Waco, TX 76710</u>	<u>3609 Herwol Avenue</u> <u>Waco, TX 76710</u>

3. **REQUEST:** Abandonment of a portion of an existing alley

4. **BACKGROUND:** Applicants request a portion of the alley be abandoned

**CASE #ABD-23-9**

**STAFF RECOMMENDATION:**

Planning Services recommends *Approval* of the abandonment request based on the following findings and subject to the following conditions:

Findings:

1. Public use of the right-of-way is not required for the proper flow of traffic or for emergency vehicle access to the area.
2. Utility access for surrounding properties is not adversely impacted by the abandonment of this right of way.

Conditions:

1. Provide a 10' easement for the water main up to and including the meter; or the City will move the meter at no cost to the customer to the frontage of Carondolet. Customer will have to do the plumbing work within their property for the new meter to the existing plumbing at their cost.

**DEPARTMENT/ UTILITY COMMENTS:**

Traffic: No comment.

Engineering: No comment.

Utilities: Easement required or meter relocation required.

Legal: No comment.

Fire Services: No comment.

Police: No comment.

AT&T: No comment.

Atmos Energy: No comment.

Oncor Electric: No comment.



Time Warner Cable: No comment.

Solid Waste: No comment.

**Notices: mailed;**

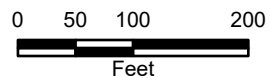


ABD-23-09  
Abandonment of the 10' alley  
located between 3609 Herwol Ave  
and 3625 Castle Ave  
Property Location Map

-  ABD-23-09  
 200' Property Notice





August 2023



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



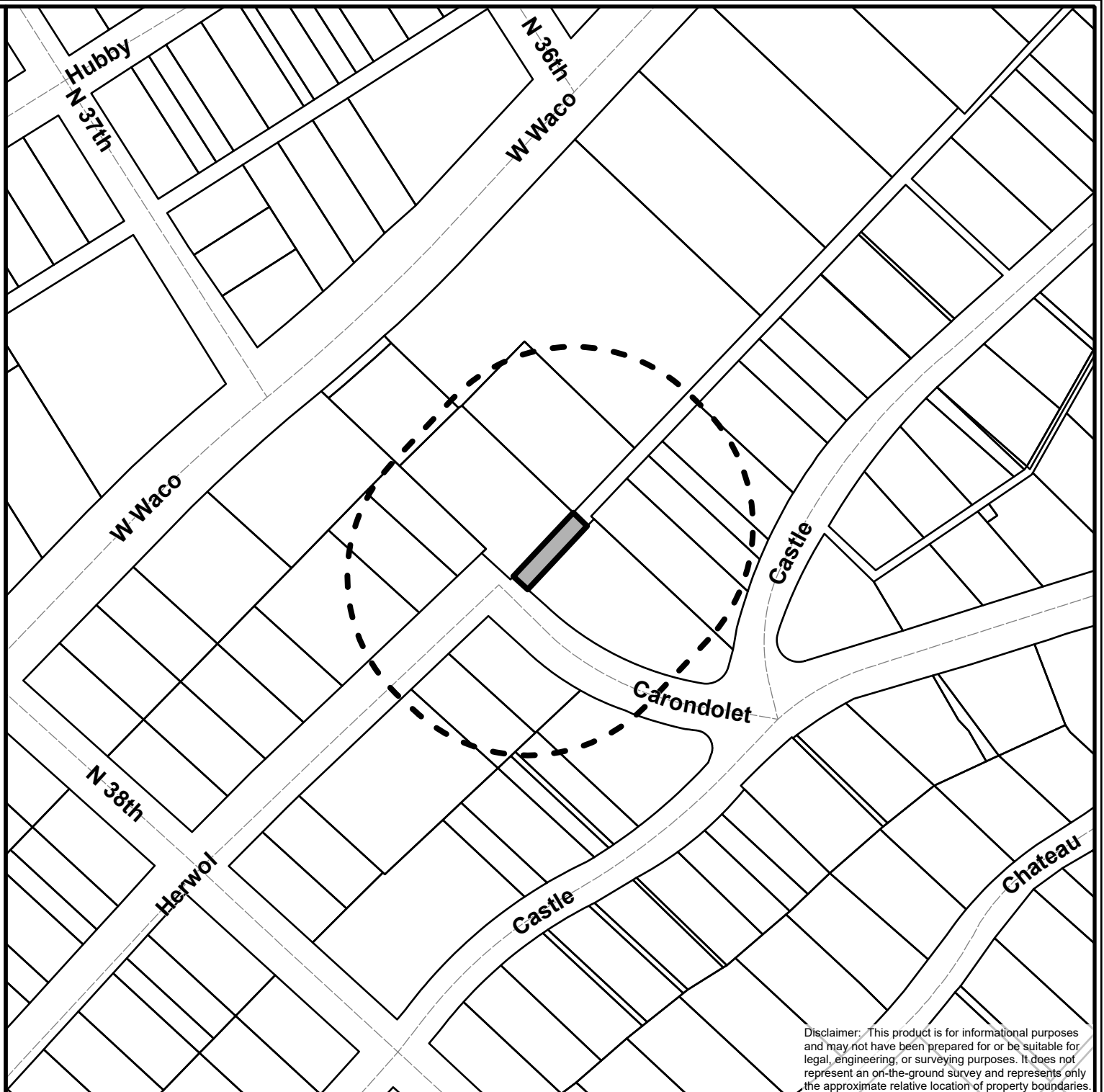
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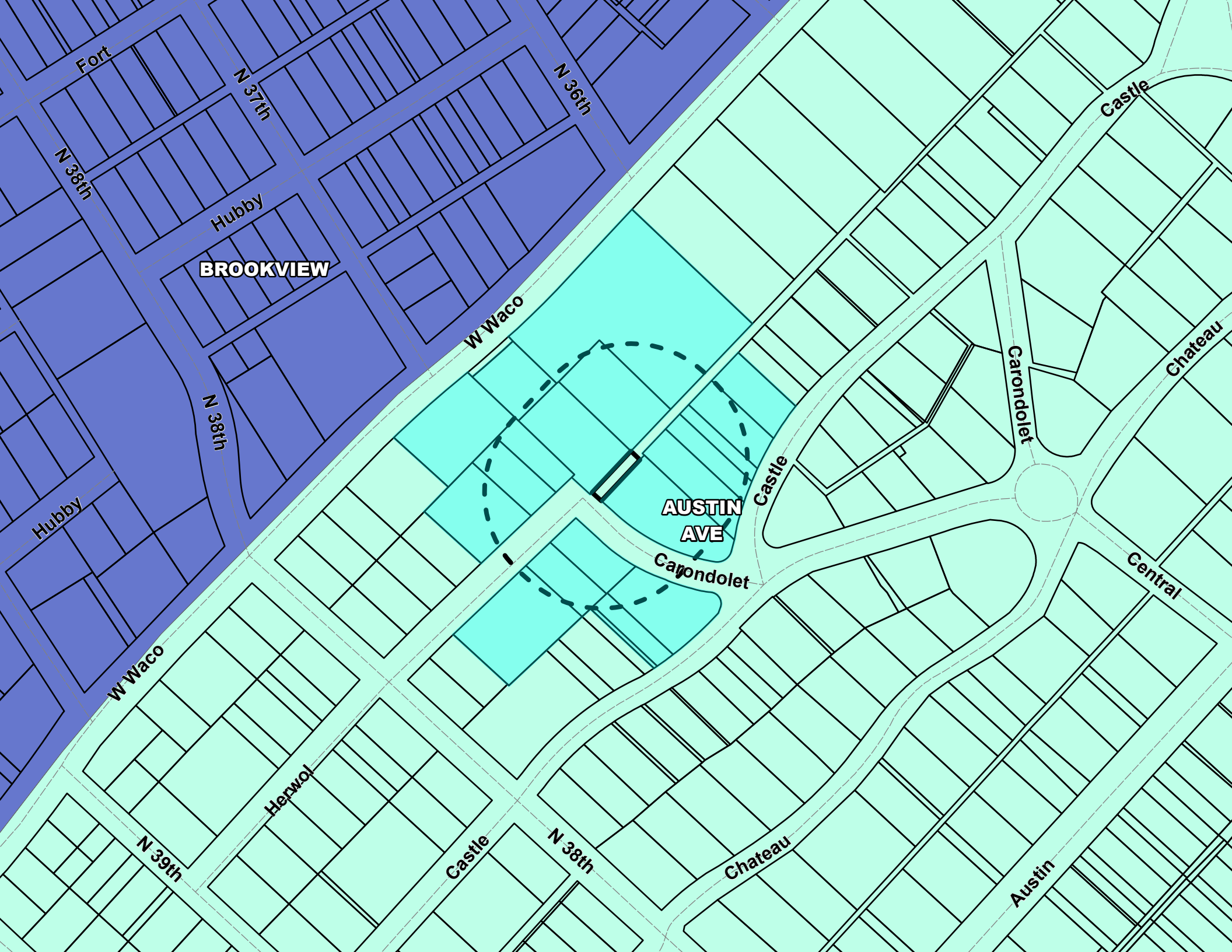


August 2023

0 50 100 200  
Feet



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Fort

N 37th

N 36th

Hubby

**BROOKVIEW**

W Waco

N 38th

Hubby

W Waco

N 39th

Herwol

Castle

N 38th

**AUSTIN AVE**

Carondolet

Castle

Castle

Chateau

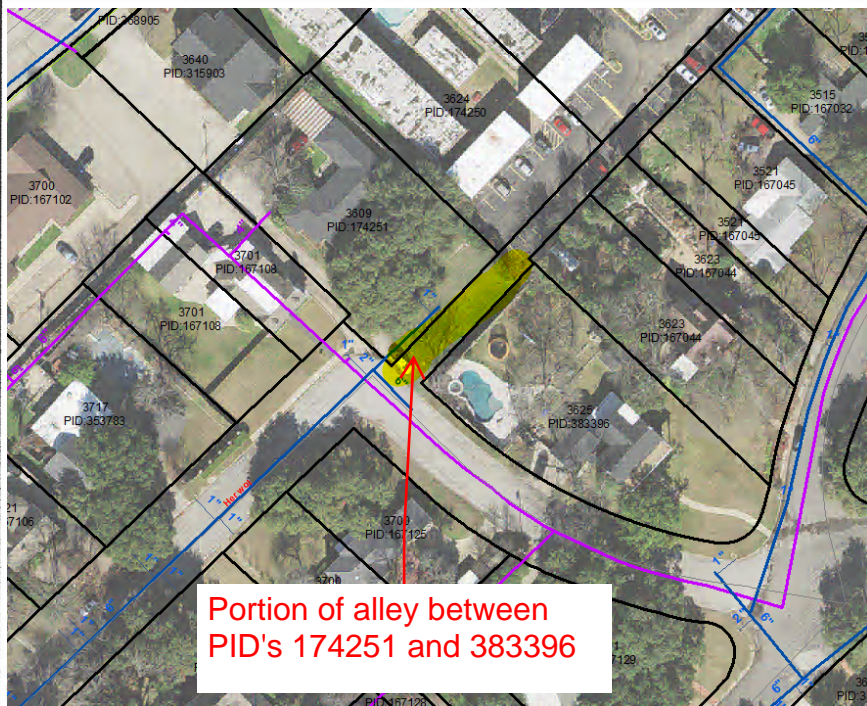
Carondolet

Central

Chateau

Austin





Portion of alley between  
PID's 174251 and 383396

THENCE SOUTH 43 DEGREES 11 MINUTES 54 SECONDS WEST 116.51 FEET TO  
THE POINT OF BEGINNING, CONTAINING 0.03 ACRES OF LAND.

D.R. - DEED RECORDS MCLENNAN COUNTY  
O.P.R. - OFFICIAL PUBLIC RECORDS MCLENNAN COUNTY  
MCC# - MCLENNAN COUNTY CLERK'S FILE NUMBER



SURVEYED: 6/26/2023

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD 83.

THE SURVEY AS SHOWN HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED  
UNDER MY SUPERVISION DURING THE MONTH OF JUNE 2023.

CALEB K MOONEY R.P.L.S. 6991

TRACE TEXAS LAND SURVEYING ~ T.B.P.E.L.S. FIRM NUMBER 10194801  
4300 W. WACO DR. STE. B2 WACO TX 76710 ~ 254.749.1929

CALLED 0.477 ACRES  
DOMINIC M BRAUS AND SPOUSE,  
SABRINA K BRAUS  
MCC# 2016037820 O.P.R.

CALLLED 4.1297 ACRES  
WALKER & DUNLOP LLC  
MCC# 2020029885 O.P.R.

S46°48'06"E 10.00'

POINT

1/2" SRF W/  
CAP "M&A"

BLAKE W. BURLESON  
AND SPOUSE, SANDRA L. BURLESON  
VOL: 1786 P: 176 D.R.

N43°11'54"E 116.75'  
0.03 ACRES  
10' ALLEY TO BE ABANDONED  
S43°11'54"W 116.51'

LOT 1, BLOCK 1  
GRIFFIS ADDITION  
MCC# 2018016139 O.P.R.

POINT

1/2" SRF W/  
CAP "M&A"

N48°10'23"W 10.00'

POINT OF  
BEGINNING

CARONDOLET AVENUE  
(50' R.O.W.)

SCALE 0 30 60

BEING 0.03 ACRES OF LAND IN THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, BEING A PORTION OF A 10-FOOT-WIDE ALLEY IN THE CASTLE HEIGHTS ADDITION TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, AS PER PLAT OF SAID ADDITION, RECORDED IN VOLUME 894, PAGE 34 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS WITH BEARINGS BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD 83.

BEGINNING AT A 1/2-INCH STEEL ROD FOUND CAPPED "M&A" IN THE EAST LINE OF CARONDOLET AVENUE, AT THE WEST CORNER OF LOT 1, BLOCK 1, GRIFFIS ADDITION, TO THE CITY OF WACO, MCLENNAN COUNTY, TEXAS, AS PER PLAT OF SAID ADDITION, RECORDED UNDER MCLENNAN COUNTY CLERK'S FILE NUMBER 2018016139 OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS, THE SOUTH CORNER OF SAID 10-FOOT-WIDE ALLEY, FOR THE SOUTH CORNER OF THIS:

THENCE NORTH 48 DEGREES 10 MINUTES 23 SECONDS WEST 10.00 FEET ALONG THE EAST LINE OF SAID CARONDOLET AVENUE TO A POINT AT THE WEST CORNER OF SAID 10-FOOT-WIDE ALLEY, THE SOUTH CORNER OF THAT CALLED 0.477 ACRES OF LAND DESCRIBED IN A DEED TO DOMINIC M BRAUS AND SPOUSE, SABRINA K BRAUS, RECORDED UNDER MCLENNAN COUNTY CLERK'S FILE NUMBER 2016037820 OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS, FOR THE WEST CORNER OF THIS;

THENCE NORTH 43 DEGREES 11 MINUTES 54 SECONDS EAST 116.75 FEET ALONG THE NORTH LINE OF SAID 10-FOOT-WIDE ALLEY TO A POINT FOR THE NORTH CORNER OF THIS;

THENCE SOUTH 46 DEGREES 48 MINUTES 06 SECONDS EAST 10.00 FEET TO A 1/2-INCH STEEL ROD FOUND CAPPED "M&A" IN THE SOUTH LINE OF SAID 10-FOOT-WIDE ALLEY, AT THE NORTH CORNER OF SAID GRIFFIS ADDITION, FOR THE EAST CORNER OF THIS;

THENCE SOUTH 43 DEGREES 11 MINUTES 54 SECONDS WEST 116.51 FEET TO THE POINT OF BEGINNING, CONTAINING 0.03 ACRES OF LAND.

D.R. - DEED RECORDS MCLENNAN COUNTY  
O.P.R. - OFFICIAL PUBLIC RECORDS MCLENNAN COUNTY  
MCC# - MCLENNAN COUNTY CLERK'S FILE NUMBER



SURVEYED: 6/26/2023

BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS CENTRAL ZONE, NAD 83.

THE SURVEY AS SHOWN HEREON WAS PREPARED FROM AN ON-THE-GROUND SURVEY PERFORMED UNDER MY SUPERVISION DURING THE MONTH OF JUNE 2023.

CALEB K MOONEY R.P.L.S. 6991

TRACE TEXAS LAND SURVEYING ~ T.B.P.E.L.S. FIRM NUMBER 10194801  
4300 W. WACO DR. STE. B2 WACO TX 76710 ~ 254.749.1929

CALLER 4.1297 ACRES  
WALKER & DUNLOP LLC  
MCC# 2020029885 O.P.R.

S46°48'06"E 10.00'

AND SPOUSE: SANDRA L. BURLESON  
VOL: 1786 P: 176 D.R.

CALLER 0.477 ACRES  
DOMINIC M BRAUS AND SPOUSE,  
SABRINA K BRAUS  
MCC# 2016037820 O.P.R.

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1/2" SRF W/  
CAP "M&A"

N43°11'54"E 116.75'  
10' ALLEY TO BE ABANDONED  
S43°11'54"W 116.51'

LOT 1, BLOCK 1  
GRIFFIS ADDITION  
MCC# 2018016139 O.P.R.

POINT

1/2" SRF W/  
CAP "M&A"

N48°10'23"W 10.00'

POINT OF  
BEGINNING

CARONDOLET AVENUE  
(50' R.O.W.)

SCALE 0 30 60



STATE OF TEXAS  
COUNTY OF McLENNAN

Field notes for a 0.534 Acre Parcel of land being all of Lots 13A and 13B, Block D of the Castle Heights Addition to the City of Waco, McLennan County, Texas according to the plat of record in Volume 894, Page 34 of the Deed Records of McLennan County, Texas, and being further described as follows with bearings based on the Texas State Plane Coordinate System, Central Zone, NAD 83.

Beginning at a 3/8 inch iron rod found in concrete at the west corner of the above referenced Lot 13 A, being the intersection of the northeast line of Corondolet Avenue with the southeast line of a 10 foot wide alley as shown on the plat of the Castle Heights Addition of record in Volume 275, Page 236 of the said McLennan County, Texas Deed Records for the west corner of the herein described parcel of land,

Thence N 43degrees 11minutes 54seconds E 116.51 feet, Record is N 45degrees E 116.3 feet, along the northwest line of the said Lot 13A and the southeast line of the said alley to a 3/8 inch iron rod found in concrete at the north corner of the said Lot 13A and the west corner of Lot 14, Block D of the said Castle Heights Addition according to the plat in Volume 275, Page 236 of the said deed records,

Thence S 46degrees 48minutes 06seconds E 230.00 feet, Record is S 45degrees E 230 feet, along the northeast lines of the said Lot 13A and Lot 13B to a 1/2 inch iron rod set with cap stamped M&A placed in the northwest line of Castle Avenue at the east corner of the said Lot 13B and the south corner of the said Lot 14 for the east corner of the herein described parcel of land,

Thence S 14degrees 57minutes 54seconds W 21.40 feet, Record is S 16degrees 46minutes W 21.4 feet, along the said line of Castle Avenue to a 1/2 inch iron rod set with cap stamped M&A placed at the beginning of a curve to the right,

Thence 40.65 feet, Record is 40.65 feet, along the said curve to the right having a Radius 27.65 feet and Chord Bearing S 57degrees 04minutes 54seconds W 37.09 feet to a 1/2 inch iron rod set with cap stamped M&A placed at the end of the said curve and at the beginning of another curve to the right in the north line of the said Corondolet Avenue,

Thence 213.24 feet, Record is 213.51 feet, along the north line of Corondolet Avenue and the said curve to the right having a Radius of 359.80 feet and Chord Bearing N 63degrees 39minutes 20seconds W 210.13 feet to a 3/8 inch iron rod found in concrete at the end of the said curve,

Thence N 48degrees 10minutes 23seconds W 30.12 feet, Record is N 45degrees W 30 feet. to the POINT OF BEGINNING and containing 0.534 acres of land.

STATE OF TEXAS  
COUNTY OF McLENNAN

That Judson P. Griffis and Haley A. Griffis, being the owners of the property described above and wishing to subdivide same into lot and block do hereby adopt the plat attached hereto and titled FINAL PLAT LOT 1, BLOCK 1, GRIFFIS ADDITION to the City of Waco, McLennan County, Texas, being 0.534 acres of land, and being all of Lots 13A and 13B, Block D of the Castle Heights Addition to the City of Waco, McLennan County, Texas according to the plat of record in Volume 894, Page 34 of the Deed Records of McLennan County, Texas, as our legal subdivision of same and do hereby dedicate all rights-of-way and easements shown hereon to the use of the public forever. Any private improvements placed in said rights-of-way and easements shall be placed at no risk or obligation to the Public and the City of Waco, Trustee of the Public to hold these easements and the City shall have no responsibility to repair or replace such improvements if they are damaged or destroyed in the utilization of these rights-of-way or easements. The sale of the lot shown on this plat shall be made in accordance therewith, subject to all restrictions and conditions recorded in McLennan County, Texas Real Property Records pertaining to such subdivision.

By: Judson P. Griffis  
Judson P. Griffis  
P.O. Box 7660  
Waco, Tx 76714

By: Haley A. Griffis  
Haley A. Griffis  
P.O. Box 7660  
Waco, Tx 76714

STATE OF TEXAS  
COUNTY OF McLENNAN

Before me, the undersigned authority, Notary Public in and for the State of Texas, on this day personally appeared Judson P. Griffis, known to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this the 7<sup>th</sup> day of May, 2018.

Notary Public in and for the State of Texas

STATE OF TEXAS  
COUNTY OF McLENNAN

Before me, the undersigned authority, Notary Public in and for the State of Texas, on this day personally appeared Haley A. Griffis, known to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that she executed the same for the purpose and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this the 7<sup>th</sup> day of May, 2018.

Notary Public in and for the State of Texas

STATE OF TEXAS  
COUNTY OF McLENNAN

I hereby certify that the above and foregoing plat and field notes of the FINAL PLAT LOT 1, BLOCK 1, GRIFFIS ADDITION to the City of Waco, McLennan County, Texas, being 0.534 acres of land, and being all of Lots 13A and 13B, Block D of the Castle Heights Addition to the City of Waco, McLennan County, Texas according to the plat of record in Volume 894, Page 34 of the Deed Records of McLennan County, Texas, complies with Section 3.13, Minor and Amended Plats of the Waco Subdivision Ordinance and was approved on this the 4 day of May, 2018.

By: Marie Jupe  
Marie Jupe, Senior Planner

FINAL PLAT  
LOT 1, BLOCK 1, GRIFFIS ADDITION  
to the City of Waco, McLennan County, Texas, being 0.534 acres of land, and being all of Lots 13A and 13B, Block D of the Castle Heights Addition to the City of Waco, McLennan County, Texas according to the plat of record in Volume 894, Page 34 of the Deed Records of McLennan County, Texas

FIELD NOTE POINT  
OF BEGINNING

TX GRID CORD.  
N: 10535344.09  
E: 3283988.97

N48°10'23"W 30.12  
[Plat: N45°W 30.00]

10' Alley

[Plat: N45°E 116.30']  
N43°11'54"E 116.51

10' Alley

Lot 13A  
Block D

0.534 ACRES  
LOT 1  
BLOCK 1

Lot 14 & 15A  
Block D

[Plat: S45°E 230.00']  
S46°48'06"E 230.00

CARONDOLET AVENUE  
(50' R.O.W.)

Legend

- - 3/8" Iron Rod Found in Concrete
- - 1/2" Iron Rod Set Capped "M&A"

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	40.65'	27.65'	84°14'35"	S 57°04'54" W	37.09'
C2	213.24'	359.80'	33°57'26"	N 63°39'20" W	210.13'

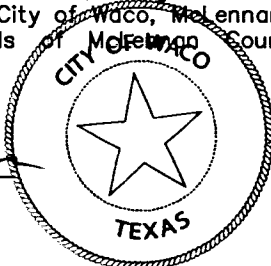
[Plat C1: Arc Length 213.51, Radius 27.65, Chord N65°13'30"W 171.34']

[Plat C2: Arc Length 40.65, Radius 27.65, Chord S58°53'W 37.09']

STATE OF TEXAS  
COUNTY OF McLENNAN

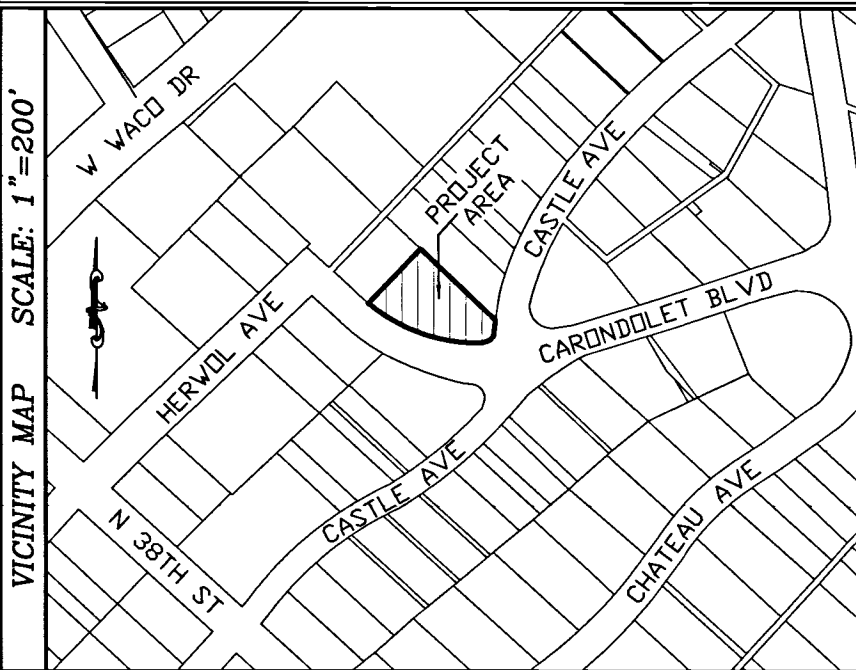
I hereby certify that the above and foregoing plat and field notes of the FINAL PLAT LOT 1, BLOCK 1, GRIFFIS ADDITION to the City of Waco, McLennan County, Texas, being 0.534 acres of land, and being all of Lots 13A and 13B, Block D of the Castle Heights Addition to the City of Waco, McLennan County, Texas according to the plat of record in Volume 894, Page 34 of the Deed Records of McLennan County, Texas, was approved on this the 14 day of May, 2018.

By: Esmeralda Hudson  
Esmeralda Hudson - City Secretary



COUNTY CLERK'S FILE NUMBER

2018016139 PLAT Total Pages: 1



Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No.48309C0370C, Dated SEPTEMBER 26, 2008, the property shown on this plat appears to be situated in Zone "X". Under "OTHER AREAS" Zone "X" is defined as "Areas determined to be outside the 0.2% annual chance floodplain". This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or this company.

MITCHELL & ASSOCIATES, INC. DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

Water provided by: The City of Waco CCN# 10039  
Electric Service provided by: Oncor  
Sewer provided by: The City of Waco  
School District: WACO ISD

COUNTY CLERK'S FILE NUMBER

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

J. A. "Andy" Harwell  
J. A. "Andy" Harwell, County Clerk  
05/16/2018 02:10 PM  
Fee: \$32.00  
2018016139 PLAT  
McLennan County, Texas



MITCHELL & ASSOCIATES, INC.  
ENGINEERING & SURVEYING  
600 Austin Ave. Ste. 29, Waco Texas (254) 776-5151  
T. B. P. L. S. FIRM REGISTRATION NO. 10194044

Sheet:  
1 of 1

0 40 80  
SCALE

ADDRESS: 3625 Castle Drive DATE February, 2018  
WORK ORDER NO. 18-01-1001 DRAWN BY GA/JRW  
DIGITAL FILE 18-01-1001.dwg FIELDBOOK/PG. JW4/20

SURVEYORS RED SEAL

SURVEYED: 2/13/2018

SURVEYORS CERTIFICATION

The plat shown hereon was prepared from an on the ground survey performed by me in February, 2018 and corner monuments are as shown.

Robert E. Mitchell  
Robert E. Mitchell R.P.L.S. 5801

Copyright: Mitchell & Associates, Inc., 2018.



To  
WACO = TEXAS

SCALE 1 = 150'

1 = 150' J. H. STRANGE, ENGINEER.  
JUNE 1928

JUNE 1928



Streets to be 36 feet from curb to curb except N 38<sup>th</sup> and Austin which are to be 40 feet sidewalk space to be 7 feet on all streets except Austin which is to be 17 1/2 feet and N 38<sup>th</sup> which is to be 12 1/2 feet. Alleys to be 10 feet wide.

Plan of Castle Heights addition to Waco.

Castle Heights Co. In

By W L Walcott President

The State of Texas  
County of M. Lincoln

The State of Texas  
County of McKinney This is to certify that the attached revised plat of Castle Knights addition was approved  
by the Board of Commissioners of the City of Waco at a meeting held July 10 1938

Witness my hand and official seal this the 19<sup>th</sup> day of July A.D. 1988

Gen. D. G. Fields

City Secretary City of Waco, Tex.

The State of Texas  
County of McLean

Before me the undersigned Notary within and for M Linnear County Tex on this day personally appeared  
W R Wallcut, President of Castle Heights Co Inc known to me to be the person whose name is subscribed to the foregoing  
plat of Castle Heights addition to the City of Waco on the reverse side hereof and acknowledged to me that said plat of  
Castle Heights addition to the City of Waco was executed as the act and deed of said Castle Heights Co, Inc  
known under my hand and seal of office this July 25<sup>th</sup> 20 1928.

Erwin H Jones Notary Public

Erwin H Jones Notary Public  
McLinan County Tex

Filed for record July 27-1928-3<sup>35</sup> PM Recorded July 28-1928-9 am  
84

JW Baker, clerk

By J. A. Lowrey. Deputy



## Petition for Abandonment of Public Property

I, the undersigned owner of the property set forth by my name hereby join in and request the City of Waco to abandon the public property described (see attached survey and field-note description). I also understand that the signing of this petition releases any and all rights to property ingress/egress access.

Name: Dominic Braus  
Address: 3609 Herwol Ave.

Legal Description: GINN-LANERI TR Lot  
D11 Block F Acres .477  
Phone No.: 979-574-0277  
Signature: 

Name: Judson Griffis  
Address: 3625 Castle Dr.

Legal Description: GRIFFIS ADDITION Lot 1  
Block 1 Acres .534  
Phone No.: 254-744-2227  
Signature: 

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Legal Description: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Signature: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Legal Description: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Signature: \_\_\_\_\_

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Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Legal Description: \_\_\_\_\_  
Phone No.: \_\_\_\_\_  
Signature: \_\_\_\_\_



**SIGNATURE PAGE**

**I hereby certify that the information included in this application is true to the best of my knowledge.**

Applicant's Signature 	Date 4/24/2023	Name (PRINTED) Dominic Braus
Address & Zip 3609 Herwol Ave.	Telephone 979-574-0277	Email Address Dbraus1@gmail.com

Present Owner(s) Signature	Date	Name (PRINTED)
Address & Zip	Telephone	Email Address

Buyer(s) Signature, if under contract	Date	Name (PRINTED)
Address & Zip	Telephone	Email Address

List names of all partners, board members, and officers of companies involved in this case, in order for the Plan Commission to determine conflicts of interest they might have in individual cases. Failure to do so may result in delaying action on the case until the following month: \_\_\_\_\_

**Please print, sign, and attach to your online application in Energov.**



## SIGNATURE PAGE

**I hereby certify that the information included in this application is true to the best of my knowledge.**

Applicant's Signature <small>DocuSigned by:</small> <i>Judson Griffis</i> <small>E4E9D148B6824D93</small>	Date 5/2/2023   8:14:01 AM PDT	Name (PRINTED)  Judson Griffis
Address & Zip 3625 Castle Dr.	Telephone 254-744-2227	Email Address jud.griffis@gmail.com

Present Owner(s) Signature	Date	Name (PRINTED)
Address & Zip	Telephone	Email Address

Buyer(s) Signature, if under contract	Date	Name (PRINTED)
Address & Zip	Telephone	Email Address

List names of all partners, board members, and officers of companies involved in this case, in order for the Plan Commission to determine conflicts of interest they might have in individual cases. Failure to do so may result in delaying action on the case until the following month: \_\_\_\_\_

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