

APPLICATION REVIEW

ABD-20-5

HEARING DATE: August 25, 2020

1. **CASE #** ABD-20-5
PROPERTY LOCATIONS: A 0.230 acre easement, a 0.052 acre easement, and a 0.018 acre easement all located near the intersection of FM 434 and Gurley Lane
LEGAL DESCRIPTIONS:
- a) a 20-foot wide (0.230 acre) utility easement, described as a 0.230 acre tract of land situated in the T.J. Chambers Grant, Abstract No. 7, McLennan County, Texas and being all of a called 0.230 acre tract of land described as a perpetual easement, in a deed to City of Waco, as recorded in MCC No. 20170405023 of the official public records of McLennan County, Texas (O.P.R.M.C.T.);
 - b) a 20-foot wide (0.052 acre) utility easement, described as a 0.052 acre tract of land situated in the T.J. Chambers Grant, Abstract No. 7, McLennan County, Texas, and being a portion of a called 0.513 acre tract of land described as a perpetual easement, in a deed to City of Waco, as recorded in MCC No. 2017013061 of the official public records of McLennan County, Texas (O.P.R.M.C.T.); and
 - c) a 20-foot wide (0.018 acre) utility easement, described as a 0.018 acre tract of land situated in the T.J. Chambers Grant, Abstract No. 7, McLennan County, Texas, and being a portion of the remainder of that called 52.96 acre tract of land, Tract Two, described in a deed to City of Waco, a Municipal Corporation, as recorded in Volume 227, Page 57, of the official public records of McLennan County, Texas (O.P.R.M.C.T.)

2. **APPLICANT:** City of Waco
MAILING ADDRESS: P.O. Box 2570
Waco, TX 76702

3. **REQUEST:** Abandonments of previously obtained 20' Perpetual Easements
4. **BACKGROUND:** Utilities and Public Works project amended plans and need easements in different locations

CASE #ABD-20-5

STAFF RECOMMENDATION:

Planning Services recommends APPROVAL of the abandonment request based on the following findings:

Findings:

1. Abandoning the easements is necessary in order to record new easements needed in accordance with revised construction plans.

DEPARTMENT/ UTILITY COMMENTS:

Traffic: No comment.

Engineering: No comment.

Utilities: No comment.

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.

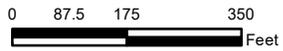
Notices: 1 notices; 0 returned

ABD-20-5
Easement Abandonments
3 locations:
0.230 acre tract
0.018 acre tract
0.052 acre tract
Property Location Map

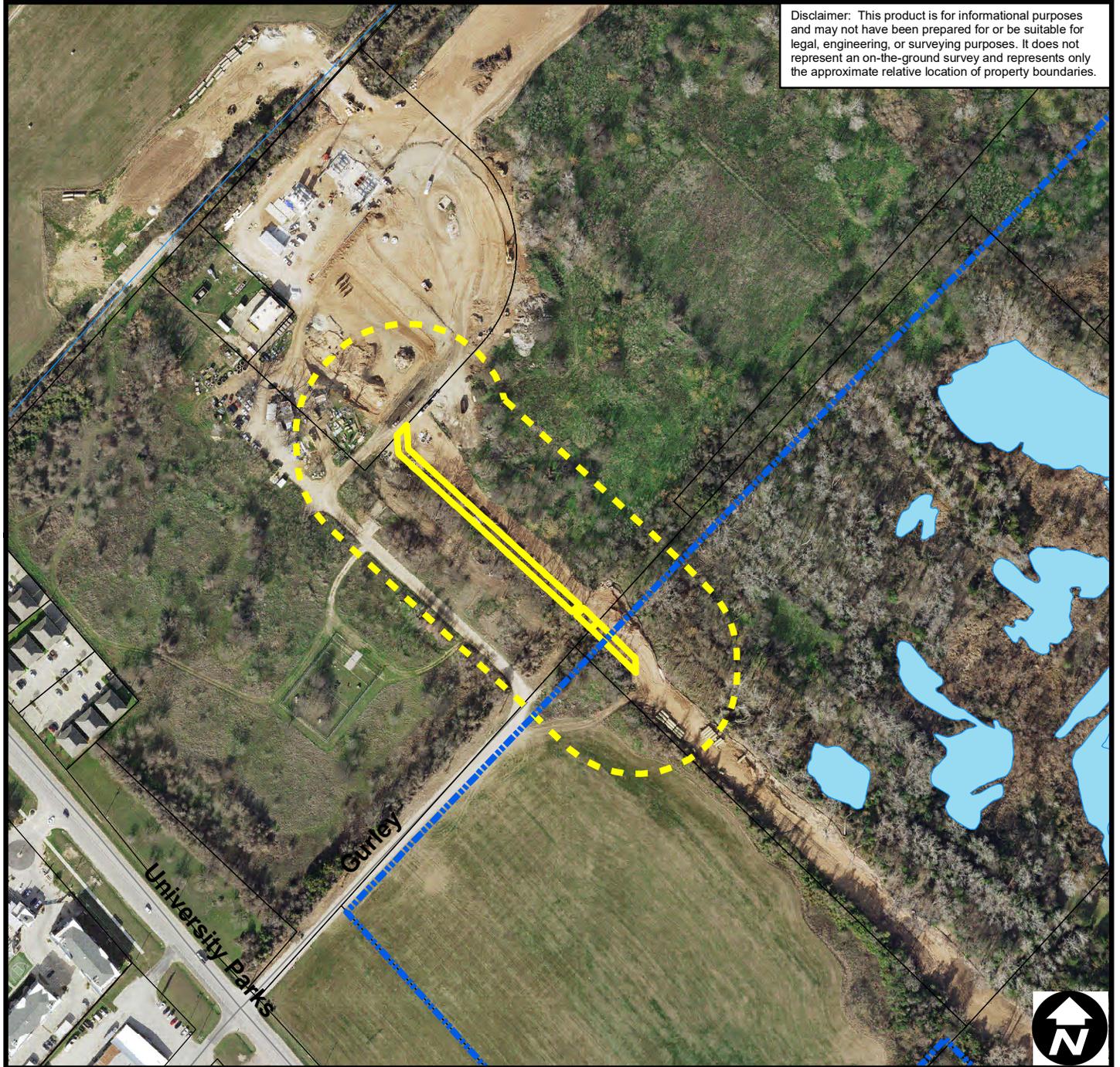
-  Waco City Limits
-  ABD-20-5
-  200' Property Notice Buffer



August 2020



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.



ABD-20-5
Easement Abandonments
3 locations:
0.230 acre tract
0.018 acre tract
0.052 acre tract
Property Location Map

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.

-  Waco City Limits
-  0.230 Acre
-  0.018 Acre
-  0.052 Acre
-  200' Property Notice Buffer



August 2020

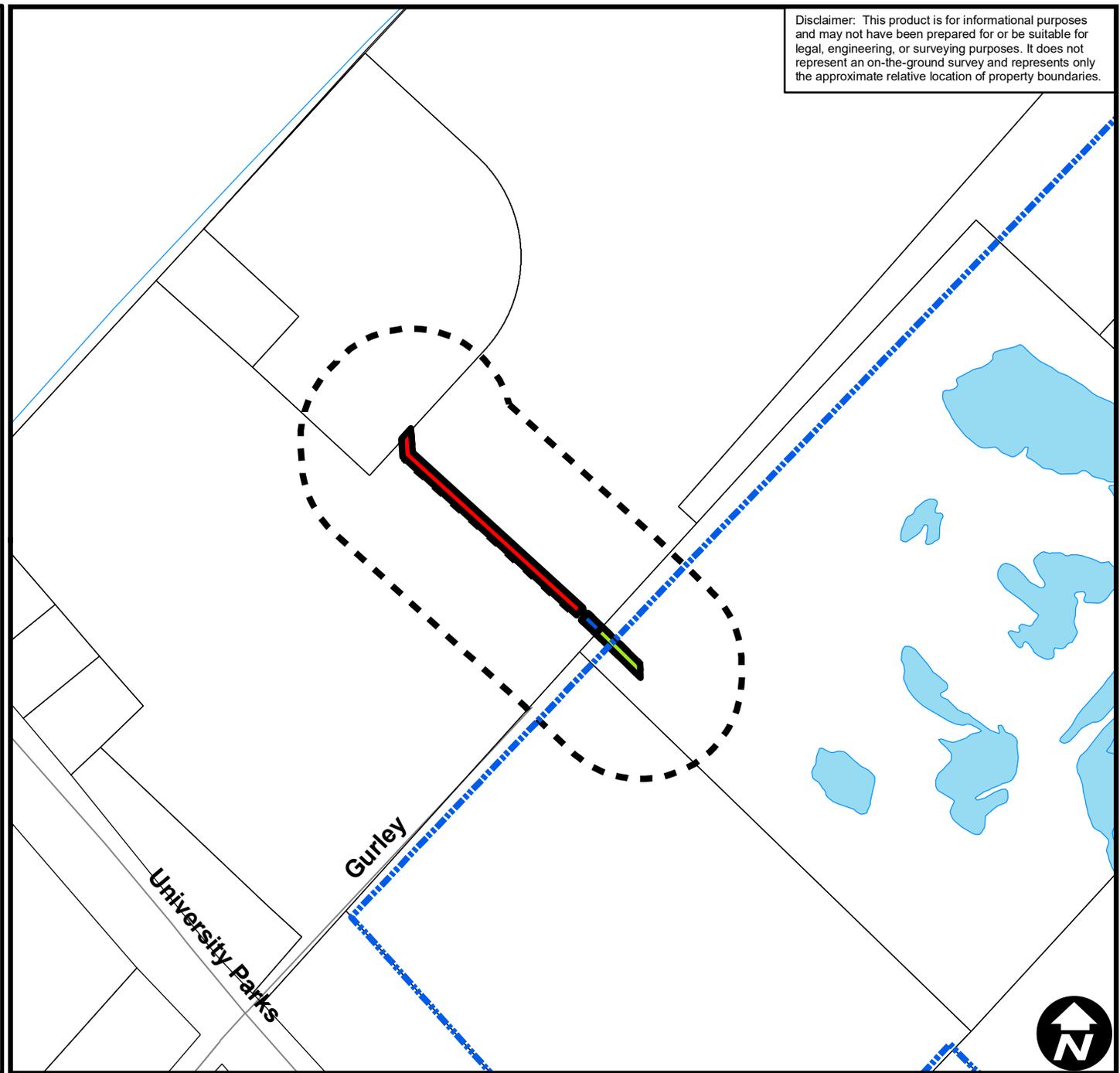
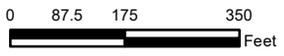




EXHIBIT "A"
PARCEL 4E - 0.230 ACRE
EASEMENT ABANDONMENT

FIELD NOTES FOR A 0.230 ACRE TRACT OF LAND SITUATED IN THE T. J. CHAMBERS GRANT, ABSTRACT NO. 7, McLENNAN COUNTY, TEXAS, AND BEING ALL OF A CALLED 0.230 ACRE TRACT OF LAND DESCRIBED AS A PERPETUAL EASEMENT, IN A DEED TO CITY OF WACO, AS RECORDED IN MCC NO. 20170405023 OF THE OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS (O.P.R.M.C.T.). SAID 0.230 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 3/8 inch rod found for the north corner of the remainder of "Tract Two" a called 52.96 acre tract of land described in a deed to the City of Waco, a Municipal Corporation, as recorded in Volume 227, page 57 of said O.P.R.M.C.T., for an interior ell corner of said 137.15 acre tract;

THENCE S 41° 45' 42" W along the common lines of said 52.96 and 137.15 acre tracts, a distance of 521.01 feet to a 1/2 inch capped iron rod found and stamped "Wallace Group" for the most easterly southeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE S 41° 45' 42" W along said line, a distance of 20.00 feet, to a 1/2 inch capped iron rod found and stamped "Wallace Group" for the most southerly corner of the herein described tract. From which an iron rod found with aluminum cap stamped "TXDOT" lying in the northeast Right of Way (R.O.W.) line of Farm to Market Highway No. 434, bears S 41° 45' 42" W, a distance of 945.17 feet;

THENCE over and across said 137.15 acre tract, the following two (2) courses and distances:

N 47° 17' 58" W, a distance of 464.43 feet, to a 1/2 inch capped iron rod found and stamped "Wallace Group" for an angle point

N 02° 18' 08" W, a distance of 35.38 feet, to a 1/2 inch capped iron rod found and stamped "Wallace Group" for the west corner of the herein described tract, also being in the common southerly line of a called 6.813 acre tract of land described in a deed to the City of Waco, Texas, a Municipal Corporation, as recorded in MCC No. 2017040498 of said O.P.R.M.C.T. From which a 1/2 inch capped iron rod found and stamped "WALLACE GROUP" for the most southerly corner of the of said 6.813 acre tract bears - S 42° 53' 49" W, a distance of 77.45 feet,

THENCE N 42° 53' 49" E, along the common line of said 137.15 and 6.813 acre tracts, a distance of 28.18 feet to a 1/2 inch capped iron rod found and stamped "Wallace Group" for the north corner of the herein described tract;

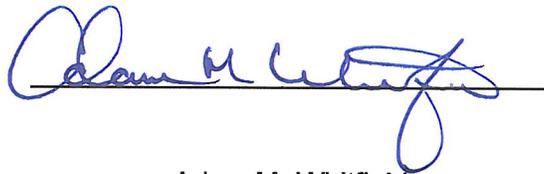
THENCE over and across said 137.15 acre tract, the following two (2) courses and distances:



S 02°18'08" E, a distance of 46.96 feet to a 1/2 inch capped iron rod found and stamped "Wallace Group" for an angle point,

S 47°17'57" E a distance of 455.82 feet to the **POINT OF BEGINNING** and containing 0.230 acres of land more or less.

The bearings shown hereon are grid bearings and are based on GPS observations, and the Texas State Plane Coordinate System, central zone (4203), North American Datum of 1983. An average combined scale factor of 0.99991357386 was utilized for this project or local area. All distances and areas shown are based on "surface coordinates". To obtain grid coordinates or grid distances, multiply by the above referenced average combined scale factor.



Adam M. Whitfield

Registered professional Land Surveyor

Texas Registration Number 5786

9.13.19



Date: September 13, 2019

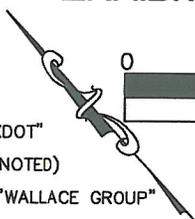


**T. J. CHAMBERS GRANT
ABSTRACT NO. 7
McLENNAN COUNTY, TEXAS**

EXHIBIT "B"

LEGEND

- = IRON ROD FOUND WITH ALUMINUM CAP STAMPED "TXDOT"
 - = 1/2 INCH CAPPED ROD FOUND (UNLESS OTHERWISE NOTED)
 - = 1/2 INCH CAPPED IRON ROD FOUND AND STAMPED "WALLACE GROUP"
- O.P.R.M.C.T. = OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS
 D.R.M.C.T. = DEED RECORDS OF McLENNAN COUNTY, TEXAS
 CM = CONTROLLING MONUMENT



**FIELDNOTE
POINT OF
COMMENCEMENT**

CITY OF WACO, A MUNICIPAL CORPORATION
 REMAINDER OF A
 CALLED 52.96 ACRES
 "TRACT TWO"
 VOLUME 227, PAGE 57
 O.P.R.M.C.T.

**FIELD NOTE
POINT OF
BEGINNING**
 (SURFACE COORDINATES)
 N 10540543.64
 E 3304521.04

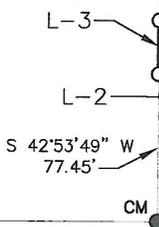
BAYLOR UNIVERSITY, A TEXAS
 NONPROFIT CORPORATION
 CALLED 137.15 ACRES
 MCC NO. 2003004773
 O.P.R.M.C.T.

**0.230 ACRE
EASEMENT
ABANDONMENT**

CITY OF WACO, TEXAS
 A MUNICIPAL CORPORATION
 CALLED 6.813 ACRES
 MCC NO. 2017040498
 O.P.R.M.C.T.

BAYLOR UNIVERSITY,
 A TEXAS NONPROFIT CORPORATION
 CALLED 28.986 ACRES
 MCC NO. 2018030832
 O.P.R.M.C.T.

PROPOSED
LIFT STATION SITE



S 47°17'57" E - 455.82'
 N 47°17'58" W - 464.43'

CITY OF WACO
 PERPETUAL EASEMENT
 MCC NO. 2017040502
 O.P.R.M.C.T.

BRAZOS RIVER AUTHORITY
 20' PERMANENT SEWER EASEMENT
 VOLUME 1434, PAGE 738
 D.R.M.C.T.

| Line Table | | |
|------------|---------------|--------|
| LINE | BEARING | LENGTH |
| L-1 | S 41°45'42" W | 20.00' |
| L-2 | N 02°18'08" W | 35.38' |
| L-3 | N 42°53'49" E | 28.18' |
| L-4 | S 02°18'08" E | 46.96' |

BAYLOR UNIVERSITY, A TEXAS
 NONPROFIT CORPORATION
 CALLED 137.15 ACRES
 MCC NO. 2003004773
 O.P.R.M.C.T.

S 41°45'42" W - 945.17'

BAYLOR UNIVERSITY,
 A TEXAS NONPROFIT CORPORATION
 CALLED 137.15 ACRES
 MCC NO. 2003004773
 O.P.R.M.C.T.

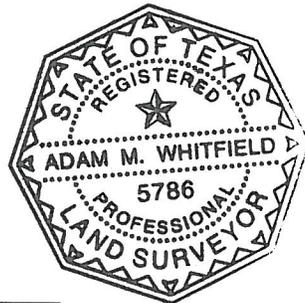
**F. M. 434
(150' R.O.W. WIDTH)**

FIELD NOTE DESCRIPTION (EXHIBIT "A") ATTACHED HERETO

The bearings shown hereon are grid bearings and are based on GPS observations, and the Texas State Plane Coordinate System, central zone (4203), North American Datum of 1983. An average combined scale factor of 0.99991357386 was utilized for this project or local area. All distances and areas shown are based on "surface coordinates". To obtain grid coordinates or grid distances, multiply by the above referenced average combined scale factor.



200 W. Hwy 6, Suite 620, Waco, Texas 76712 254.772.9272
 TBPLS 10194124



To the best of my knowledge, information, and belief, the plat hereon is a correct representation of the property as determined by a survey made on the ground September, 2019, the lines and dimensions of said property being as indicated by the plat. This survey substantially complies with the current Texas Society of Professional Surveyors standards and specifications.

Date: September 13, 2019

Adam M. Whitfield
 ADAM M. WHITFIELD, RPLS NO. 5786



EXHIBIT "A"
PARCEL 5C - 0.052 ACRE
EASEMENT ABANDONMENT

FIELD NOTES FOR A 0.052 ACRE TRACT OF LAND SITUATED IN THE T. J. CHAMBERS GRANT, ABSTRACT NO. 7, McLENNAN COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 0.513 ACRE TRACT OF LAND DESCRIBED AS A PERPETUAL EASEMENT, IN A DEED TO CITY OF WACO, AS RECORDED IN MCC NO. 2017013061 OF THE OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS (O.P.R.M.C.T.). SAID 0.052 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch capped iron rod found and stamped "Walker Partners" lying in the southerly line of the remainder of a called 52.96 acre tract of land described as Tract Two, in a deed to the City of Waco, a Municipal Corporation, as recorded in Volume 227, page 57 of said O.P.R.M.C.T., being the most westerly corner of a called 28.986 acre tract of land described in a deed to Baylor University, a Texas Nonprofit Corporation, as recorded in MCC No. 2018030832 of said O.P.R.M.C.T., also being an exterior corner of the remainder of a called 137.15 acre tract of land described in deed to Baylor University, a Texas Nonprofit Corporation, as recorded in MCC No. 2003004773 of said O.P.R.M.C.T. from which a Texas Department of Transportation concrete monument found lying in the northeast Right-of-Way Line of FM Highway No. 434, being the most westerly corner of said 137.15 acre tract, bears S 41° 49' 02" W a distance of 867.48 feet;

THENCE N 41° 47' 43" E, along the common line of said 28.986 acre tract and Tract Two, a distance of 81.32 feet to a 1/2 inch capped iron rod found and stamped "Wallace Group" for the **POINT OF BEGINNING** also being the most westerly northwest corner of the herein described tract;

THENCE N 41° 47' 43" E, continuing along said common line, a distance of 20.00 feet, to a 1/2 inch capped iron rod found and stamped "Wallace Group", for most northerly corner of the herein described tract. From which a 1/2 inch capped iron rod found and stamped "Walker Partners" for the most easterly corner of said Tract Two, also being an angle point of said 28.986 acres bears N 41° 47' 43" E, a distance of 520.50 feet;

THENCE over and across said 28.986 acre tract the following three (3) courses and distances:

S 47° 17' 57" E, a distance of 104.03 feet, along the common northeast line of said 0.513 acre tract and the southwest line of that called 20' permanent sewer easement described in deed to Brazos River Authority, as recorded in Volume 1434, Page 738, of the Deed Records of McLennan County, Texas, to an angle point hereof,

S 02° 17' 57" E, a distance of 28.28 feet, over and across said 0.513 acre tract, to an angle point hereof,

N 47° 17' 57" W, a distance of 123.71 feet, to the **POINT OF BEGINNING** and containing 0.052 acre of land more or less.

The bearings shown hereon are grid bearings and are based on GPS observations, and the Texas State Plane Coordinate System, central zone (4203), North American Datum of 1983. An average combined scale factor of 0.99991357386 was utilized for this project or local area. All distances and areas shown are based on "surface coordinates". To obtain grid coordinates or grid distances, multiply by the above referenced average combined scale factor.


 Adam M. Whitfield

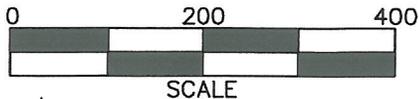
Registered professional Land Surveyor
 Texas Registration Number 5786

9.13.19

Date: September 13, 2019



EXHIBIT "B"



- LEGEND
- = DEPARTMENT OF TRANSPORTATION MONUMENT FOUND
 - = 1/2 INCH IRON ROD FOUND AND STAMPED "WALKER PARTNERS" (UNLESS OTHERWISE NOTED)
 - = 1/2 INCH CAPPED IRON ROD FOUND AND STAMPED "WALLACE GROUP"
 - △ = CALCULATED POINT
 - O.P.R.M.C.T. = OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS
 - D.R.M.C.T. = DEED RECORDS OF McLENNAN COUNTY, TEXAS
 - CM = CONTROLLING MONUMENT

BAYLOR UNIVERSITY,
A TEXAS NONPROFIT CORPORATION
CALLED 137.15 ACRES
MCC NO. 2003004773
O.P.R.M.C.T.

Proposed 0.018 Acre
Easement Abandonment

POINT OF BEGINNING
(SURFACE COORDINATES)
N 10540501.90
E 3304536.78

POINT OF COMMENCING

BAYLOR UNIVERSITY,
A TEXAS NONPROFIT CORPORATION
CALLED 28.986 ACRES
MCC NO. 2018030832
O.P.R.M.C.T.

BAYLOR UNIVERSITY,
A TEXAS NONPROFIT CORPORATION
CALLED 137.15 ACRES
MCC NO. 2003004773
O.P.R.M.C.T.

BAYLOR UNIVERSITY,
A TEXAS NONPROFIT CORPORATION
CALLED 28.986 ACRES
MCC NO. 2018030832
O.P.R.M.C.T.

**0.052 ACRE EASEMENT
ABANDONMENT**

BRAZOS RIVER AUTHORITY
20' PERMANENT SEWER EASEMENT
VOLUME 1434, PAGE 738
D.R.M.C.T.

CITY OF WACO
0.513 ACRES
PERPETUAL EASEMENT
MCC NO. 2017013061
O.P.R.M.C.T.

**F. M. HIGHWAY NO. 434
(150' WIDTH R.O.W.)**

| Line Table | | |
|------------|---------------|---------|
| LINE | BEARING | LENGTH |
| L-1 | N 41°47'43" E | 20.00' |
| L-2 | S 47°17'57" E | 104.03' |
| L-3 | S 02°17'57" E | 28.28' |
| L-4 | N 47°17'57" W | 123.71' |

FIELD NOTE DESCRIPTION (EXHIBIT "A") ATTACHED HERETO:

The bearings shown hereon are grid bearings and are based on GPS observations, and the Texas state plane coordinate system, central zone, North American Datum of 1983. An average combined scale factor of 0.99991357386 was utilized for this project or local area. All distances and areas shown are based on "surface coordinates". To obtain grid coordinates or grid distances, multiply by the above referenced average combined scale factor.



200 W. Hwy 6, Suite 620, Waco, Texas 76712 254.772.9272
TBPLS 10194124



To the best of my knowledge, information, and belief, the plat hereon is a correct representation of the property as determined by a survey made on the ground September, 2019, the lines and dimensions of said property being as indicated by the plat. This survey substantially complies with the current Texas Society of Professional Surveyors standards and specifications.

Date: September 13, 2019

Adam M. Whitfield
ADAM M. WHITFIELD, RPLS NO. 5786



EXHIBIT "A"
PARCEL 5D - 0.018 ACRE
EASEMENT ABANDONMENT

FIELD NOTES FOR A 0.018 ACRE TRACT OF LAND SITUATED IN THE T. J. CHAMBERS GRANT, ABSTRACT NO. 7, McLENNAN COUNTY, TEXAS, AND BEING A PORTION OF THE REMAINDER OF THAT CALLED 52.96 ACRE TRACT OF LAND, TRACT TWO, DESCRIBED IN A DEED TO CITY OF WACO, A MUNICIPAL CORPORATION, AS RECORDED IN VOLUME 227, PAGE 57, OF THE OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS (O.P.R.M.C.T.). SAID 0.018 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch capped iron rod found and stamped "Walker Partners" lying in the southerly line of the remainder of said Tract Two, being the most westerly corner of a called 28.986 acre tract of land described in a deed to Baylor University, a Texas Nonprofit Corporation, as recorded in MCC No. 2018030832 of said O.P.R.M.C.T., also being an exterior corner of the remainder of a called 137.15 acre tract of land described in deed to Baylor University, a Texas Nonprofit Corporation, as recorded in MCC No. 2003004773 of said O.P.R.M.C.T., from which a Texas Department of Transportation concrete monument found lying in the northeast Right-of-Way Line of FM Highway No. 434, being the most westerly corner of said 137.15 acre tract, bears S 41° 49' 02" W a distance of 867.48 feet;

THENCE N 41° 47' 43" E, along the common line of said 28.986 acres and Tract Two, a distance of 81.32 feet to a 1/2 inch capped iron rod found and stamped "Wallace Group" for the **POINT OF BEGINNING** also being the south corner of the herein described tract;

THENCE N 47° 17' 57" W, over and across said Tract Two, a distance of 39.71 feet, to a 1/2 inch capped iron rod found and stamped "Wallace Group" lying in the northwest line of the remainder of said Tract Two, also being a common line of said 137.15 acre tract, for the west corner hereof;

THENCE N 41° 45' 42" E along said common line, a distance of 20.00 feet, to a 1/2 inch capped iron rod found and stamped "Wallace Group", for the north corner hereof;

THENCE S 47° 17' 57" E, over and across said Tract Two, a distance of 39.72 feet, to a 1/2 inch capped iron rod found and stamped "Wallace Group" lying in the southeast line of the remainder of said Tract Two, also being the northwest line of said 28.986 acre tract, for the east corner hereof, from which a 1/2 inch capped iron rod found and stamped "Walker Partners" for the most easterly corner of said Tract Two, also being an angle point of said 28.986 acres bears N 41° 47' 43" E, a distance of 520.50 feet;

THENCE S 41° 47' 43" W, along the common line of said Tract Two and 28.986 acre tract, a distance of 20.00 feet, to the **POINT OF BEGINNING** and containing 0.018 acre of land more or less.

The bearings shown hereon are grid bearings and are based on GPS observations, and the Texas State Plane Coordinate System, central zone (4203), North American Datum of 1983. An average combined scale factor of 0.99991357386 was utilized for this project or local area. All distances and areas shown are based on "surface coordinates". To obtain grid coordinates or grid distances, multiply by the above referenced average combined scale factor.

Adam M. Whitfield

Registered professional Land Surveyor

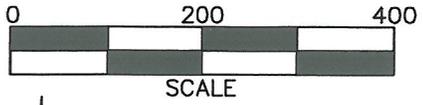
Texas Registration Number 5786

9-13-19

Date: September 13, 2019



EXHIBIT "B"



0.018 ACRE EASEMENT ABANDONMENT

CITY OF WACO, A MUNICIPAL CORPORATION
REMAINDER OF A CALLED 52.96 ACRES "TRACT TWO"
VOLUME 227, PAGE 57 O.P.R.M.C.T.

- LEGEND
- = DEPARTMENT OF TRANSPORTATION MONUMENT FOUND
 - = 1/2 INCH IRON ROD FOUND AND STAMPED "WALKER PARTNERS" (UNLESS OTHERWISE NOTED)
 - = 1/2 INCH CAPPED IRON ROD FOUND AND STAMPED "WALLACE GROUP"
 - O.P.R.M.C.T. = OFFICIAL PUBLIC RECORDS OF McLENNAN COUNTY, TEXAS
 - D.R.M.C.T. = DEED RECORDS OF McLENNAN COUNTY, TEXAS
 - CM = CONTROLLING MONUMENT

BAYLOR UNIVERSITY, A TEXAS NONPROFIT CORPORATION CALLED 137.15 ACRES MCC NO. 2003004773 O.P.R.M.C.T.

POINT OF BEGINNING (SURFACE COORDINATES)
N 10540501.90
E 3304536.78

POINT OF COMMENCING

BAYLOR UNIVERSITY, A TEXAS NONPROFIT CORPORATION CALLED 28.986 ACRES MCC NO. 2018030832 O.P.R.M.C.T.

BAYLOR UNIVERSITY, A TEXAS NONPROFIT CORPORATION CALLED 137.15 ACRES MCC NO. 2003004773 O.P.R.M.C.T.

BAYLOR UNIVERSITY, A TEXAS NONPROFIT CORPORATION CALLED 28.986 ACRES MCC NO. 2018030832 O.P.R.M.C.T.

BRAZOS RIVER AUTHORITY 20' PERMANENT SEWER EASEMENT VOLUME 1434, PAGE 738 D.R.M.C.T.

CITY OF WACO 0.513 ACRES PERPETUAL EASEMENT MCC NO. 2017013061 O.P.R.M.C.T.

F. M. HIGHWAY NO. 434 (150' WIDTH R.O.W.)

| Line Table | | |
|------------|---------------|--------|
| LINE | BEARING | LENGTH |
| L-1 | N 47°17'57" W | 39.71' |
| L-2 | N 41°45'42" E | 20.00' |
| L-3 | S 47°17'57" E | 39.72' |
| L-4 | S 41°47'43" W | 20.00' |

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TBPLS 10194124



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