



**INFORMATION FOR COMPLETING PETITION
REQUESTING THOROUGHFARE CLOSURE**

INDEX

ITEMS REQUIRED FOR EACH APPLICATION:

- A. Petition for Thoroughfare Closure
- B. Applicant's Support Information for Thoroughfare Closure
- C. Authorization of Agent
- D. Map showing thoroughfare
- E. Fee - Section 10-776

RECEIVED
JUL 02 2019

PLANNING DEPARTMENT

PROCESS

City Code Sec. 10-260 - 10-266

All thoroughfare closures are by Ordinance, and only the City Council has the authority to close a thoroughfare. The Council has assigned the study of thoroughfare closings to the Planning and Zoning Commission, who will make recommendations to the Council. If the Commission recommends this request for the closure of a thoroughfare, it will not be effective until it is then passed by the City Council. The closure process normally requires a period of sixty (60) days.

NOTE: The Planning and Zoning Commission hears all requests on the first Tuesday of each month, at 1:30 p.m., in the Council Chamber, City Hall, 212 North Bonner Avenue, Tyler, Texas.

Thoroughfare Closure requests must be filed in the Planning and Zoning Department, 423 West Ferguson, Tyler, Texas.

Please have a representative present at all public hearings. The applicant has the duty to produce evidence before the Planning and Zoning Commission and City Council to justify the proposed thoroughfare closure. This generally requires a showing that conditions affecting the thoroughfare have substantially changed, resulting in the thoroughfare no longer being required for public access.

OFFICE USE ONLY

Filing Fee for Application

Receipt No.: _____ Amount: _____

Signed By: _____

FORM A



PETITION FOR THOROUGHFARE CLOSURE

The undersigned, as owner of the herein described property hereby makes application in the name of:

900 Oak View Drive

APPLICANT Gwendolyn P. Wright

ADDRESS Oak Point, TX 75068

of the following public thoroughfare of the City of Tyler:

Undeveloped Portion of Rieck Rd.

The thoroughfare: Street Alley

Improved? Paved Unpaved



(Please print all but signature)

Owner(s) Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

Signature: _____

Email: _____

(Please print all but signature)

Owner(s) Name: Phil Burks Phil Burks

Address: 5800 Eagles Nest Blvd.

City, State, Zip: Tyler, TX, 75703

Phone: 903-787-7400

Signature: DocuSigned by: Phil Burks

Email: pburks@genesismworld.com



SUPPORT INFORMATION FOR THOROUGHFARE CLOSURE

Applicants should submit the following information in support of their Thoroughfare Closure Request:

1. Is this thoroughfare a paved or surfaced street, or is it an unimproved right-of-way?

Unimproved ROW

2. Is this public thoroughfare no longer in use? If so, approximately how long has it not been in use?

Never developed. Other portion closed by Ordinance # O-2013-82 Attached w/ Application

3. Is it likely that this thoroughfare will ever be needed for public access?

No

4. Do all of the lots adjacent to the proposed closed thoroughfare have an alternative source of public access? If not, how will public access be provided?

Yes - Eagles Nest Boulevard

5. Is this public right-of-way currently in private use by the adjacent property owner(s)? If so, for what use is the right-of-way currently used?

No - Undeveloped, wooded land

6. Will the closure of this thoroughfare be of any inconvenience to through traffic?

No

7. If this thoroughfare is to be closed to the public, for what private use will it be utilized?

Future development

PRINTED:

Brent Bradbery
OWNER or AGENT (FORM C)

SIGNED:

[Signature]
OWNER or AGENT (FORM C)



AUTHORIZATION OF AGENT

We, the undersigned, being owners of real property adjacent to the thoroughfare closure requested, do hereby authorize (please print),

Agent Name: Brent Bradberry

Address: 1537 E. Grande Blvd., St. 400

City, State, Zip: Tyler, TX 75703

Phone: (903) 581-3737

Signature: *Brent Bradberry*

Email: Brent@drake.texas.com

to act as our Agent in the matter of this thoroughfare closure. The term "agent" shall be construed to mean any lessee, developer, option holder, or authorized individual who is authorized to act in behalf of the owner(s) of said adjacent property.

(Form to be signed below by all owners of the adjacent property.)

SIGNATURE

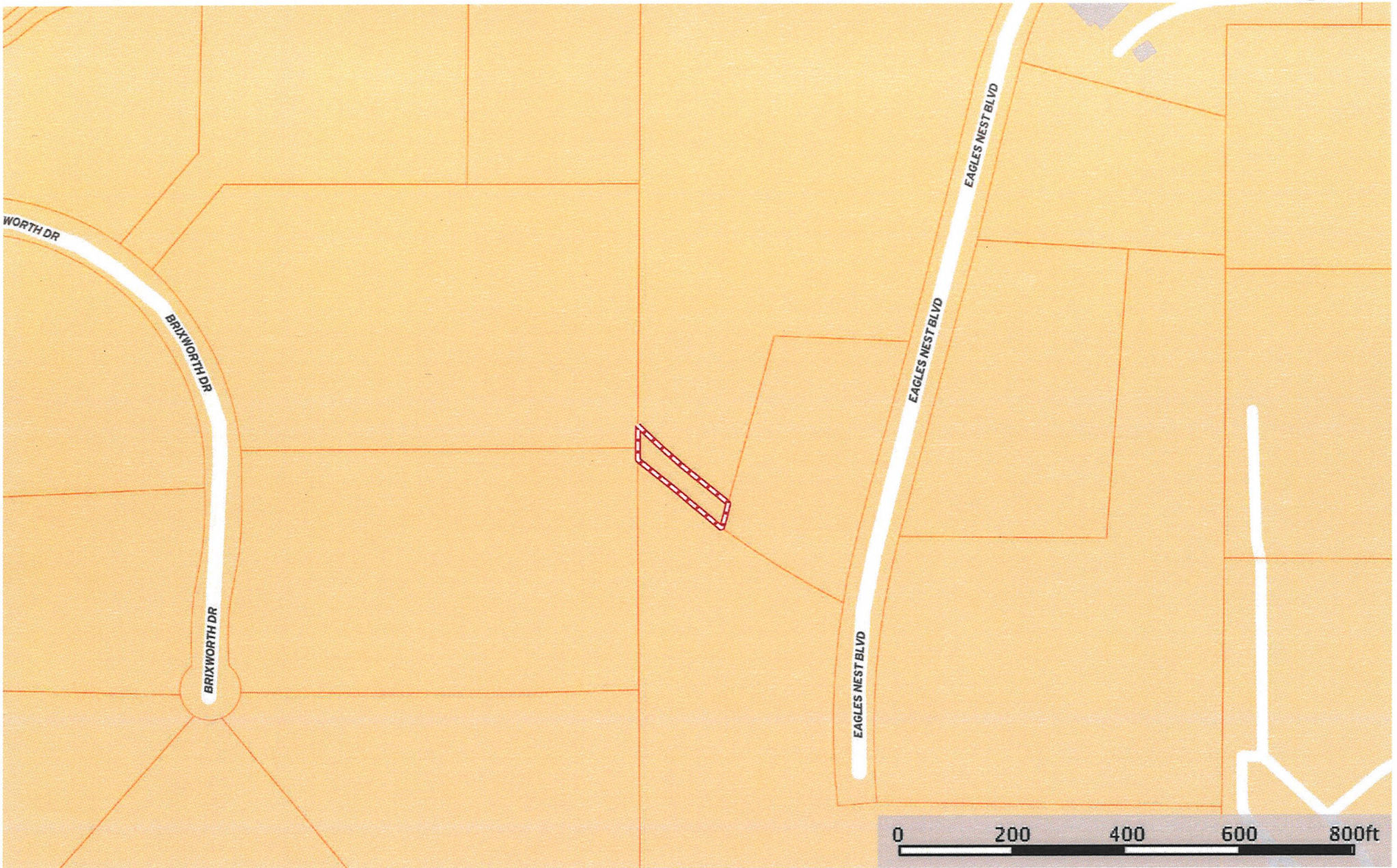
MAILING ADDRESS

1		
2		
3		
4		

(Completion of this section is necessary only when the person submitting this request does not own all of the property. If not the owner, the applicant must sign the petition as "AGENT".)

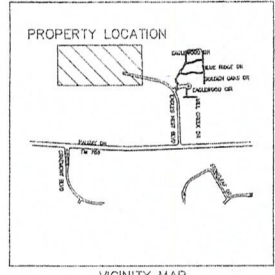
Eagles Nest - ROW Closure

Smith County, Texas, AC +/-



Boundary

MARSHALL UNIVERSITY SURVEY, A-636
(R.O.W. AND BEARING BASIS PER PLAT, CAB. 'E', SLIDES 142-A & B, S.C.P.R.)



NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

BEULAH VANDEPOOL TRUST
2.336 AC.
VOL. 2806, PG. 633,
S.C.L.R.

MICHAEL E. RUSSELL II, ET AL
11.234 AC.
C.F.N. 2006-R00051248,
O.P.R.S.C.

(RECORD: N00°25'56"E, 1232.15')
1134.15'
S00°26'44"E, 1182.87'

100' WIDE EASEMENT TO T.P.&L. CO., VOL. 262, PG. 355, S.C.D.R.
RUSSELL FAMILY PARTNERSHIP 2.510 AC. VOL. 6275, PG. 209, O.P.R.S.C.
(RECORD: N00°36'39"W, 80.73')
N00°32'36"W, 80.83'
N.C.B. 1474-E
4-B N.C.B. 1474-E
EAGLES NEST ADD., PLAT, CAB. 'E', SLIDE 143-C, S.C.P.R.
(RECORD: S49°41'02"E, 7.72')
N49°33'34"W, 7.52'
4-E
CITY OF TYLER 1.065 AC. VOL. 2912, PG. 887, S.C.L.R.
10' WIDE T.P.&L. CO. EASEMENT, CAB. 'B', SLIDE 211-A, S.C.P.R.
R.O.W. DEDICATION, PLAT, CAB. 'D', SLIDE 66-D, S.C.P.R.

30' WIDE WATER MAIN EASEMENT TO CITY OF TYLER, VOL. 2940, PG. 235, S.C.L.R.
20' WIDE PRIVATE ACCESS EASEMENT FOR THE RUSSELL TRACT (TO BE MAINTAINED BY THE OWNER OF LOT 5-A)
150' WIDE EASEMENT TO T.P.&L. CO., VOL. 1544, PG. 893, S.C.D.R. AND PER PLAT, CAB. 'B', SLIDE 211-A, S.C.P.R.

N.C.B. 1474-V
LOT 5-A
(741,874 SQ. FT.)
17,031 AC.

STREET CLOSED PER CITY ORDINANCE 0-2013-82
RADIUS=1235.00'
DELTA=17°03'43"
CHORD=S54°56'49"E,
366.41'
LENGTH=367.77'

10' WIDE ELECTRIC DELIVERY EASEMENT PER PLAT, CAB. 'E', SLIDE 142-A & B, S.C.P.R.

N.C.B. 1474-B
LOT 4-B
(69,159 SQ. FT.)
1.588 AC.
RADIUS=1235.00'
DELTA=09°48'10"
CHORD=N58°35'35"W,
210.33'
LENGTH=210.58'

GWENDOLYN P. WRIGHT
8.826 AC.
VOL. 3346, PG. 657,
S.C.L.R.

3-A

VICINITY MAP

2014 00001327

Filed For Record in:
Smith County, Texas
On Jan 15, 2014
at 02:23P
Receipt #: 678531
Record Fee: 51.00
Doc/Num : 00901327
Doc/Type: Plat
Deputy - Denise Avera
I hereby certify that this instrument was filed and data recorded in the Official Records of Smith County, Texas
Karen Phillips
County Clerk

EAGLES NEST BLVD.
END OF PAVING
RADIUS=1230.00'
DELTA=19°38'57"
CHORD=S03°44'28"W,
419.76'
LENGTH=421.82'
(RECORD: L=421.86)

LONE STAR GAS CO. EASEMENT, VOL. 517, PG. 191, S.C.D.R.

R.O.W. LINE
CONC. CURB
CONC. CURB
R.O.W. LINE

APPROVAL:

THIS PLAT APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF TYLER, THIS THE 11 DAY OF Jan, 2014.

Robert Matush CHAIRMAN
Theresa Feltz SECRETARY

CORPORATE GREEN AT EAGLES NEST SUBD., PLAT, CAB. 'E', SLIDES 142-A & B, S.C.P.R.

SURVEYOR'S STATEMENT:

I, ROBERT MATUSH, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3683, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION DURING THE MONTH OF DECEMBER, 2013.

Robert Matush
ROBERT MATUSH
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS



**CORPORATE GREEN AT
EAGLES NEST SUBDIVISION
THIRD AMENDMENT
AN AMENDING REPLAT OF
CORPORATE GREEN AT
EAGLES NEST SUBDIVISION
LOTS 4-A, 5, 4-C AND 4-D
N.C.B. 1474-V
MARSHALL UNIVERSITY SURVEY, A-636
CITY OF TYLER
SMITH COUNTY, TEXAS**

BOB MATUSH SURVEYING, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
T.B.P.L.S. FIRM NO. 10048200
2624 KENSINGTON DRIVE, SUITE 107 TYLER, TEXAS 75703
TEL. (903) 561-7287 FAX (903) 561-2013 www.bmstyer.com
JOB NO. 13-546 DATE: 15 DEC. 2013 SCALE: 1"=100'

OWNER'S STATEMENT:

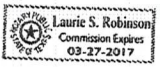
THAT WE, GENCORE, LLC, ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, AND WE, PHILIP E. BURKS AND BOBBIE K. BURKS, ARE THE OWNERS OF THE TRACTS SHOWN HEREON AND DO ACCEPT THIS AS ITS PLAN FOR THE SUBDIVIDING INTO LOTS AND BLOCKS AND DO DEDICATE TO THE PUBLIC THE EASEMENTS AS SHOWN. IT IS THE PROPERTY OWNER'S RESPONSIBILITY TO VERIFY EASEMENTS PRIOR TO CONSTRUCTING ANY IMPROVEMENTS.

WITNESS MY HAND, THIS THE 20th DAY OF December, 2013.

Philip E. Burks
MANAGING MEMBER FOR GENCORE, LLC

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, IN AND FOR SMITH COUNTY, TEXAS, THIS THE 20th DAY OF December, 2013.

Laurie S. Robinson



BY: *Philip E. Burks*
PHILIP E. BURKS, OWNER

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, IN AND FOR SMITH COUNTY, TEXAS, THIS THE 20th DAY OF December, 2013.

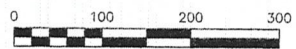
Laurie S. Robinson



BY: *Bobbie K. Burks*
BOBBIE K. BURKS, OWNER

SUBSCRIBED AND SWORN BEFORE ME, A NOTARY PUBLIC, IN AND FOR SMITH COUNTY, TEXAS, THIS THE 20th DAY OF December, 2013.

Laurie S. Robinson



PLAT RECORDED IN CABINET 'E', SLIDE 288 A
DATE RECORDED: 11/21/14