

PROJECT NAME: \_\_\_\_\_

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# EASEMENT

## APPLICATION & CHECKLIST SUBMITTAL PACKET

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### GENERAL INFORMATION

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- An Easement grants legal rights to allow for the use of a property the developer does not own. Typically, easements are shown on the plat. There are cases where a separate instrument easement is needed and this application would apply.
- This application is used to request to dedicate, vacate, and/or relocate easements.
- Separate instrument easements are acceptable when improvements that are located offsite and not part of the subdivision.
- An easement vacate request requires approval by the City Council.

### HELPFUL LINKS

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- Development Services – [www.leandertx.gov/ds](http://www.leandertx.gov/ds). Includes links to the following:
  - Development Process – Applications, Submittal Schedule
  - Planning Department: Zoning, Subdivision, Site Development, Current Developments
  - Building Permits & Inspections: Building Permits, Impact Fees
  - Engineering Department
  - Maps & Guides – Comprehensive Plan, Transportation Plan, Development Guide, Transportation Criteria Manual, Drainage Criteria Manual
- Fire: [www.leandertx.gov/fire](http://www.leandertx.gov/fire)
- Parks: [www.leandertx.gov/parksrec](http://www.leandertx.gov/parksrec)
- Development Hub – Application Portal: [www.leandertx.gov/hubgo](http://www.leandertx.gov/hubgo)

### CONTACT INFORMATION

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Please contact the Development Services Department by emailing [planning@leandertx.gov](mailto:planning@leandertx.gov) with any questions regarding this application.

## INSTRUCTIONS

- Fill out the following application and checklist completely prior to submission. Incomplete applications will not be accepted.
- Current applications and City ordinances may be found on the City's website ([www.leandertx.gov](http://www.leandertx.gov)).
- Please refer to the "Submittal Schedule" for submittal deadlines. Applications may be submitted through the Development Hub at anytime for preview. Once all items are confirmed and accepted, the review process will start on the next available filing date as listed in the submittal schedule.
- All items listed in the "Required Items for Application Submittal" below shall be uploaded to the Development Hub.

## REQUIRED ITEMS FOR THE SUBMITTAL PACKAGE

REQUIRED ITEMS	PROVIDED	<i>Check each box if you have complied with that item. This application/checklist is only a guide. All state and local ordinances and code requirements cannot be reflected on this application/checklist. If there are any questions regarding the regulations, the applicant shall consult source law.</i>
		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

## APPLICATION FEE\* CALCULATION

Filing Fee (\$100 per easement request):	\$ _____
Technology Fee (\$10 if the filing fee is \$250 or less; \$25 if the filing fee is greater than \$250):	\$ _____
<b>TOTAL FEE \$</b>	

\* An invoice for application fees will be provided during the completeness check. All fees shall be paid prior to the acceptance of the submittal for review.

**APPLICANT INFORMATION:**

**Please Note:** The signature of owner authorizes City of Leander staff to visit and inspect the property for which this application is being submitted. The signature also indicates that the applicant or his/her agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. If there are multiple property owners, one notarized form per owner is required. Approval of this application and the related plat or plans does not constitute the approval of variances or waivers to ordinance requirements. Applicant is responsible for compliance with all applicable ordinance unless a variance, waiver, or exception has been specifically approved.

The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

**(Check One):**

I, the owner, will represent this application with the City of Leander.

I, the owner, hereby authorize the person named below to act as my agent in processing this application with the City of Leander.

**OWNERSHIP INFORMATION:**

**Owner Name (Company or Individual):** \_\_\_\_\_

**Contact Name:** \_\_\_\_\_

*(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)*

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Mobile: \_\_\_\_\_

*By signing this form, the owner of the property authorizes the City of Leander to begin proceedings in accordance with the process for the type of application indicated above. Owner further acknowledges that submission of an application does not in any way obligate the City to approve the application. By signing this form the owner of the property authorizes the City of Leander to enter upon the property to perform all necessary inspections and acknowledges that the construction will be in accordance with the City of Leander standards and the approved construction documents. By indicating an agent on the application, the property owner authorizes the agent to represent the request and all official contact will be between the City of Leander and the agent.*

**Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

THE STATE OF \_\_\_\_\_

§

COUNTY OF \_\_\_\_\_

§

KNOW ALL MEN BY THESE PRESENTS

§

Before me, \_\_\_\_\_, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_.

Notary Public's Signature \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**AGENT INFORMATION:**

If an agent is representing the owner of the property, please complete the following information:

**Project Agent:** \_\_\_\_\_ **Company:** \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Mobile: \_\_\_\_\_

*I hereby attest that I prepared this application/checklist and that all information shown hereon is correct and complete to the best of my knowledge:*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Date

## TYPE OF REQUEST (CHECK APPROPRIATE BOX)

- **Easement Dedication:** \_\_\_\_\_  
Type of Easement
- **Easement Vacate & Replace:** \_\_\_\_\_  
Proposed Change
- **Easement Vacate:** \_\_\_\_\_  
Instrument Number & Type of Easement

## GRANTEE/GRANTOR INFORMATION

Entity Name: \_\_\_\_\_ Lien Holder Name: \_\_\_\_\_  
\_\_\_\_\_  
Signatory Name & Title: \_\_\_\_\_ Signatory Name & Title: \_\_\_\_\_  
\_\_\_\_\_  
Address (Including County): \_\_\_\_\_ Address (Including County): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## EASEMENT DEDICATION REQUEST

- \_\_\_ 1. Provide a metes and bounds exhibit as well as a sketch. Label this exhibit as "Exhibit A". Include square footage and acreage in the metes and bounds description.
- \_\_\_ 1. Specific Easement Request:  
\_\_\_\_\_  
\_\_\_\_\_
- \_\_\_ 2. Is the property developed?  YES  NO  
Specify type of Development: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## EASEMENT VACATE & REPLACE REQUEST

- \_\_\_ 2. Provide a metes and bounds exhibit as well as a sketch. Label this exhibit as "Exhibit A". Include square footage and acreage in the metes and bounds description.
- \_\_\_ 3. Are there existing improvements located within the easement?  YES  NO
- \_\_\_ 4. Provide documentation from beneficiaries such as the grantee or dry utility providers (a list of providers is available from the Planning Department)
- \_\_\_ 5. Specific Services and Utility Provider(s):  
Water: \_\_\_\_\_  
Wastewater: \_\_\_\_\_  
Electric: \_\_\_\_\_
- \_\_\_ 6. Specific Easement Request:  
\_\_\_\_\_  
\_\_\_\_\_
- \_\_\_ 7. Is the property developed?  YES  NO  
Specify type of Development: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## EASEMENT VACATE REQUEST

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- \_\_\_ 1. Are there existing improvements located within the easement?  YES  NO
- \_\_\_ 2. Provide documentation from beneficiaries such as the grantee or dry utility providers (a list of providers is available from the Planning Department)
- \_\_\_ 3. Specific Services and Utility Provider(s):  
Water: \_\_\_\_\_  
Wastewater: \_\_\_\_\_  
Electric: \_\_\_\_\_
- \_\_\_ 4. Is the property developed?  YES  NO  
Specify type of Development: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CONFLICT OF INTEREST DISCLOSURES

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Please submit at the time of submission of application and update disclosures within 7 business days after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

### **ARTICLE 9.05, CITY CODE OF ORDINANCES – CODE OF ETHICS:**

<http://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leanderset>

#### ▪ **Ethics Ordinance – Disclosure Statements**

The City's Ethics Ordinance requires persons seeking to enter discretionary contracts with the City or appearing before the City Council or another City board or body to disclose certain relationships and conflicts of interest. The relevant sections of the Ethics Ordinance are set forth below. The Ethics Ordinance can be found in Article 9.05, Chapter 9 of the City's Code of Ordinances at the above link.

#### **Sec. 9.05.007 Persons doing business with the city**

##### (a) Persons seeking discretionary contracts.

- (1) For the purpose of assisting the city in the enforcement of provisions contained in this article, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in [sections 9.05.004](#) and [9.05.005](#) of this article. Further, the individual or business entity agree to abide by the same ethical standards as set forth for public servants in this article.
- (2) Subsection (a) of this section will become a permanent footnote on documents contained in city bid packets for discretionary contracts.

##### (b) Disclosure of conflicts of interest by persons appearing before a board or city body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:

- (1) An employee or officer of the city that advises or makes presentations to the board or city body; or
- (2) Any member of the board or city body;

has or may have a conflict of interest pursuant to chapter 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.