IN THE COMMISSIONERS' COURT OF WILLIAMSON COUNTY, TEXAS

RESOLUTION

WHEREAS, the Commissioners' Court of Williamson County, Texas, has found and determined that in order to promote the public safety, to facilitate the safety and movement of traffic, and to preserve the financial investment of the public in its roadways, public necessity requires acquisition of fee simple title to certain tracts of land being 1.379 acres and 3.878 acres (Parcel 6 Part 1 and Part 2) described by metes and bounds in Exhibits "A" and "B" owned by **Fuessel Holdings, LLC**, for the purpose of constructing, reconstructing, maintaining, and operating County Road 101 ("Project"), excluding all the oil, gas, and sulphur which can be removed from beneath said real property, without any right whatever remaining to the owner of such oil, gas, and sulphur of ingress to or egress from the surface of said real property for the purpose of exploring, developing, or mining of the same, as a part of the improvements to the Project, at such locations as are necessary and that such constructing, reconstructing, maintaining, and operating shall extend across and upon, and will cross, run through, and be upon the hereinafter described real properties; and

WHEREAS, the Commissioners' Court of Williamson County, Texas, has, through agents employed by the said office, entered into bona fide good faith negotiations with the owners of the hereinafter described properties and has failed to agree with the owners on the compensation and damages, if any, due to said owners. Now, therefore, the Commissioners' Court of Williamson County, Texas is authorizing the use of its power of eminent domain to condemn property.

BE IT RESOLVED BY THE COMMISSIONERS' COURT OF THE COUNTY

OF WILLIAMSON, that the County Attorney or his designated agent be and he is hereby

authorized and directed to file or cause to be filed against the owners of any interest in,

and the holders of any lien secured by, the following described tracts of land, described in

Exhibits "A" and "B" attached hereto, a suit in eminent domain to acquire the property

interests for the aforesaid purposes; and

It is the intent of the Commissioners' Court that this resolution authorizes the

condemnation of all property interests required to complete the construction and

maintenance of the Project and associated public purposes. If it is later determined that

there are any errors in the descriptions contained herein or if later surveys contain more

accurate revised descriptions, the County Attorney is authorized to have such errors

corrected or revisions made without the necessity of obtaining a new resolution of the

Commissioners' Court authorizing the condemnation of the corrected or revised Property.

BE IT FURTHER RESOLVED that the County Attorney or his designated agent

be and he is hereby authorized and directed to incur such expenses and to employ such

experts as she shall deem necessary to assist in the prosecution of such suit in eminent

domain, including, but not limited to, appraisers, engineers, and land use planners or

other required expert consultants.

Adopted this ______ day of _________, 2017.

Dan A. Gattis

Williamson County Judge

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EXHIBIT A

County: Williamson **Parcel:** 6 Part 1

Highway: County Road 101

METES & BOUNDS DESCRIPTION FOR PARCEL 6, PART 1

METES & BOUNDS DESCRIPTION FOR A 1.379 ACRE (60,089 SQUARE FOOT) TRACT OF LAND SITUATED IN THE JAMES C. EAVES SURVEY, ABSTRACT NO. 213, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF A CALLED 74.3682 ACRE TRACT OF LAND AS CONVEYED TO FUESSEL HOLDINGS LLC BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2012081610 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 1.379 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

COMMENCING FOR POINT OF REFERENCE at a 1/2-inch iron rod found for the common east corner of said Fuessel Holdings tract and a called 72.15 acre tract of land as conveyed to John Bigon and wife, Mary Bigon by warranty deed recorded in Volume 558, Page 77 of the Deed Records of Williamson County, Texas; Thence, with the south line of said Fuessel Holdings tract, same being the north line of said Bigon tract, S 68°33'57" W, a distance of 1910.07 feet to a 1/2-inch iron rod with aluminum cap stamped "WILCO ROW 5777" (NAD-83, Central Zone Grid Coordinates: N=10,177,994.26, E=3,192,903.67) set for the southeast corner and **POINT OF BEGINNING** of the herein described tract, 60.00 feet right of County Road 101 baseline station 24+14.91;

THENCE, continuing with the south line of said Fuessel Holdings tract and the north line of said Bigon tract, S 68°33'57" W, a distance of 178.32 feet to a 1/2-inch iron rod with aluminum cap stamped "WILCO ROW 5777" set on the occupied east right-of-way line of County Road 101 for the northwest corner of said Bigon tract, same being the southwest corner of the herein described tract, 106.37 left of County Road 101 baseline station 24+79.07, from which a disturbed 1/2-inch iron rod bears N 77°14'40" E, a distance of 0.38 feet and a TXDOT Type II monument bears S 22°28'15" E, a distance of 272.52 feet;

THENCE, with the east occupied right-of-way line of said County Road 101, N 22°18'33" W, a distance of 575.30 feet to a calculated point on the south line of a called 1.265 acre tract of land as conveyed to Travis Lee Betak by gift deed recorded in Document Number 2011041723 of the Official Public Records of Williamson County, Texas, for the northwest corner of the herein described tract;

THENCE, with the south line of said Betak tract, N 68°32'12" E, a distance of 72.18 feet to a 1/2-inch iron rod with aluminum cap stamped "WILCO ROW 5777" set for the northeast corner of the herein described tract, 60.00 feet right of county road 101 baseline station 30+27.18, from which a 1/2-inch iron rod with an orange cap found for the southeast corner of said Betak tract bears N 68°32'12" E, a distance of 285.46 feet;

THENCE, leaving the south line of said Betak tract and over and across said Fuessel Holdings tract,

9/1/2016

S 22°05'55" E, a distance of **41.78** feet to a 1/2-inch iron rod with aluminum cap stamped "WILCO ROW 5777" set at a point of curvature of a curve to the left;

THENCE, continuing across said Fuessel Holdings tract, along said curve to the left, an arc distance of **483.02** feet, having a radius of **1,355.00** feet, a central angle of **20°25'28"** and a chord which bears **S 32°18'39"** E, a distance of **480.47** feet to a point of tangency;

THENCE, continuing across said Fuessel Holdings tract, S 42°31'23" E, a distance of 66.08 feet to the POINT OF BEGINNING and containing 1.379 acres (60,089 square feet) of land, more or less.

Bearing orientation is based on the Texas State Plane Coordinate System NAD-83, Central Zone 4203. All distances are surface and may be converted to grid by dividing by a scale factor of 1.00012352.

I hereby certify that these notes were prepared by BGE from a survey made on the ground under my supervision on February 26, 2016 and are true and correct to the best of my knowledge. A sketch accompanies this description.

Jonathan O. Nobles RPLS No. 5777

Brown & Gay Engineers, Inc. 7000 North Mopac, Suite 330

Austin, Texas 78731

Telephone: (512) 879-0400

TBPLS Licensed Surveying Firm No. 10106502

Client:

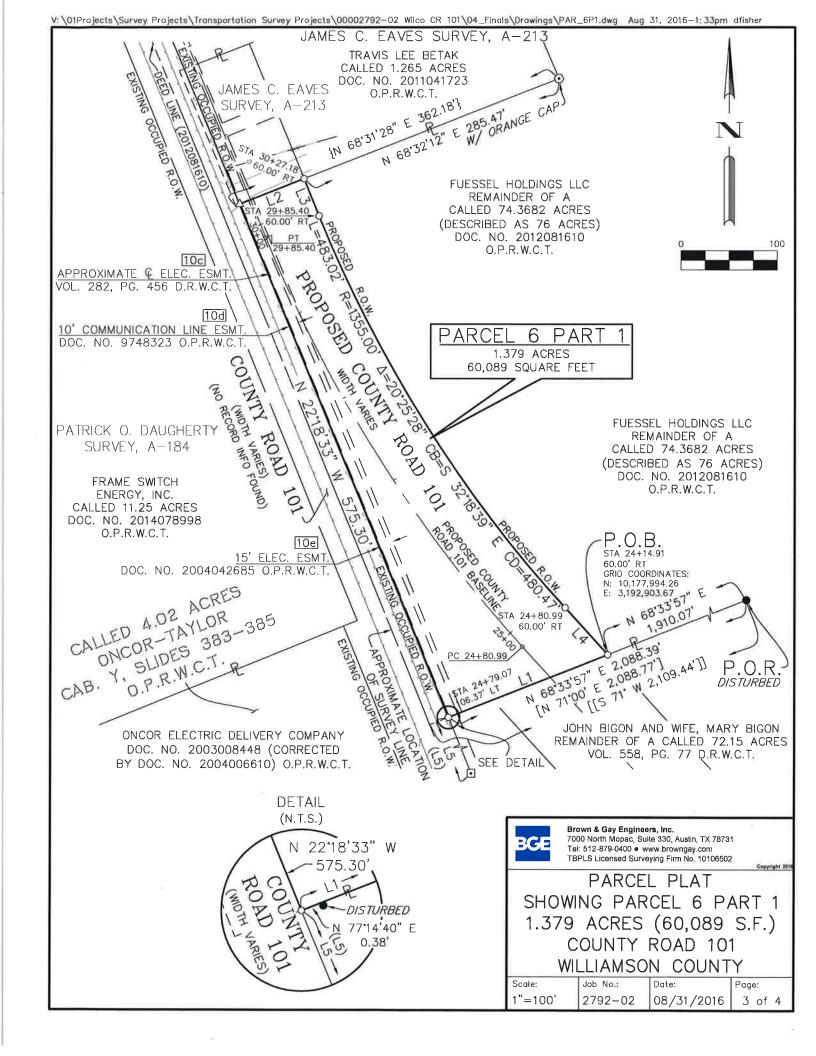
Williamson County

Date:

August 31, 2016

Job No:

2792-00



RESTRICTIVE COVENANT AND EASEMENT NOTES:

THIS SURVEY WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY TITLE RESOURCES GUARANTY COMPANY AND COUNTERSIGNED BY INDEPENDENCE TITLE UNDER G.F. NUMBER 1622123—GTN, DATED EFFECTIVE JUNE 15, 2016 AND ISSUED ON JUNE 24, 2016.

- 10c. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION TELEPHONE LINE(S) EASEMENT GRANTED TO TEXAS POWER AND LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 282, PAGE 456, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10d. EASEMENT AND RIGHT OF WAY GRANTED TO GTE SOUTHWEST, INCORPORATED BY INSTRUMENT RECORDED IN DOCUMENT NO. 9748323, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10e. EASEMENT AND RIGHT OF WAY FOR OVERHEAD AND/OR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATIONS LINE(S) GRANTED TO ONCOR ELECTRIC DELIVERY COMPANY RECORDED IN DOCUMENT NO. 2004042685, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.

LEGEND

D.R.W.C.T. DEED RECORDS OF WILLIAMSON COUNTY, TEXAS **ELECTRIC** ELEC. **FASEMENT** ESMT. N.T.S. NOT TO SCALE O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS P.O.B POINT OF BEGINNING POINT OF REFERENCE P.O.R. RIGHT-OF-WAY R.O.W. RECORD INFORMATION FROM VOL. 558, PG. 77 RECORD INFORMATION FROM DOC. NOS. 2008087669 RECORD INFORMATION FROM DOC. NO. 2011041723 [[]] RECORD INFORMATION FROM DOC. NO. 2012081610 LINE BREAK Ŕ PROPERTY LINE FOUND 1/2" IRON ROD FOUND 1/2" IRON ROD W/ CAP •

SET 1/2" IRON ROD WITH "WILCO ROW 5777" CAP

FOUND TXDOT TYPE II MONUMENT

CALCULATED POINT OVERHEAD POWER

EDGE OF ASPHALT

LINE TABLE					
NUMBER	BEARING	DISTANCE			
L1	S 68'33'57" W	178.32'			
L2	N 68*32'12" E	72.18'			
L3	S 22°05'55" E	41.78'			
L4	S 42°31'23" E	66.08'			
L5	N 22°28'15" W	272.52'			
(L5)	(N 22°28'08" W)	(272.52')			

GENERAL NOTES:

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Unit.

- 1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE 4203. SCALE FACTOR = 1.00012352
- 2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS SKETCH.
- FENCES ROADS & UTILITIES SHOWN WERE LOCATED ON THE GROUND. AERIAL IMAGERY WAS USED TO APPROXIMATE LOCATIONS OF OTHER IMPROVEMENTS SHOWN HEREON.



JONATHAN O. NOBLES RPLS NO. 5777 BROWN & GAY ENGINEERS, INC. 7000 NORTH MOPAC, SUITE 330 AUSTIN, TEXAS 78731

TELEPHONE: (512) 879-0400

BGE

Brown & Gay Engineers, Inc.
7000 North Mopac, Suite 330, Austin, TX 78731
Tel: 512-879-0400 ● www.browngay.com
TBPLS Licensed Surveying Firm No. 10106502

PARCEL PLAT
SHOWING PARCEL 6 PART 1
1.379 ACRES (60,089 S.F.)
COUNTY ROAD 101

WILLIAMSON COUNTY

Scale: Job No.: Date: Page: 1"=100' 2792-02 08/31/2016 4 of 4

EXHIBIT B

County: Williamson Parcel: 6 Part 2

Highway: County Road 101

METES & BOUNDS DESCRIPTION FOR PARCEL 6, PART 2

METES & BOUNDS DESCRIPTION FOR A 3.878 ACRE (168,921 SQUARE FOOT) TRACT OF LAND SITUATED IN THE JAMES C. EAVES SURVEY, ABSTRACT NO. 213, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF A CALLED 74.3682 ACRE TRACT OF LAND AS CONVEYED TO FUESSEL HOLDINGS LLC BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2012081610 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 3.878 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

COMMENCING FOR POINT OF REFERENCE at a 1/2-inch iron rod with red cap found for the intersection of the south right-of-way line of said County Road 395 with the east line of said Fuessel Holdings remainder tract, same being the common south corner of a previously dedicated 0.3668 acre tract of land as conveyed to Williamson County, Texas by special warranty deed recorded in Document Number 2003081478 of the Official Public Records of Williamson County, Texas and a previously dedicated 0.4582 acre tract of land as conveyed to Williamson County, Texas by special warranty deed recorded in Document Number 2003081476 of the Official Public Records of Williamson County, Texas, from which a 1/2-inch iron rod with cap stamped "WILCO" found for the southeast corner of said 0.4582 acre dedication bears N 68°34'27" E, a distance of 997.87 feet; Thence, with the south right-of-way line of said County Road 395, S 68°29'08" W, a distance of 659.36 feet to a 1/2-inch iron rod with aluminum cap stamped "WILCO ROW 5777" (NAD-83, Central Zone Grid Coordinates: N=10,180,672.47, E=3,191,741.25) set for the northeast corner and POINT OF BEGINNING of the herein described tract, 98.75 feet right of County Road 101 baseline station 53+69.75;

THENCE, leaving the south right-of-way line of said County Road 395 and over and across said Fuessel Holdings remainder tract, S 23°24'16" W, a distance of 54.33 feet to a 1/2-inch iron rod with aluminum cap stamped "WILCO ROW 5777" set for an angle point, 60.00 feet right of County Road 101 baseline station 53+31.67;

THENCE, continuing over and across said Fuessel Holdings remainder tract, S 22°05'55" E, a distance of 2,152.36 feet to a 1/2-inch iron rod with aluminum cap stamped "WILCO ROW 5777" set in a south line of said Fuessel Holdings remainder tract, same being a north line of a called 1.265 acre tract of land as conveyed to Travis Lee Betak by gift deed recorded in Document Number 2011041723 of the Official Public Records of Williamson County, Texas for the southeast corner of the herein described tract, 60.00 feet right of County Road 101 baseline station 31+79.30, from which a 1/2-inch iron rod with cap stamped "4249" found for the northeast corner of said Betak tract, same being an interior corner of said Fuessel Holdings remainder tract bears N 68°32'12" E, a distance of 283.95 feet

THENCE, with the north line of said Betak tract and a south line of said Fuessel Holdings remainder tract, S 68°32'12" W, a distance of 72.74 feet to a calculated point in the occupied east right-of-way line of County Road 101 (width varies) for the southwest corner of the herein described tract;

9/1/2016

THENCE, with the occupied east right-of-way line of said County Road 101, N 22°18'33" W, a distance of 2,190.87 feet to a calculated point at the intersection of the occupied east right-of-way line of said County Road 101 and the south right-of-way line of said County Road 395 for the northwest corner of the herein described tract;

THENCE, with the south right-of-way line of said County Road 395, N 68°29'08" E, a distance of 119.55 feet to the POINT OF BEGINNING and containing 3.878 acres (168,921 square feet) of land, more or less.

Bearing orientation is based on the Texas State Plane Coordinate System NAD-83, Central Zone 4203. All distances are surface and may be converted to grid by dividing by a scale factor of 1,00012352.

I hereby certify that these notes were prepared by BGE from a survey made on the ground under my supervision on February 26, 2016 and are true and correct to the best of my knowledge. A sketch accompanies this description.

Jonathan O. Nobles RPLS No. 5777

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Brown & Gay Engineers, Inc. 7000 North Mopac, Suite 330

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Client:

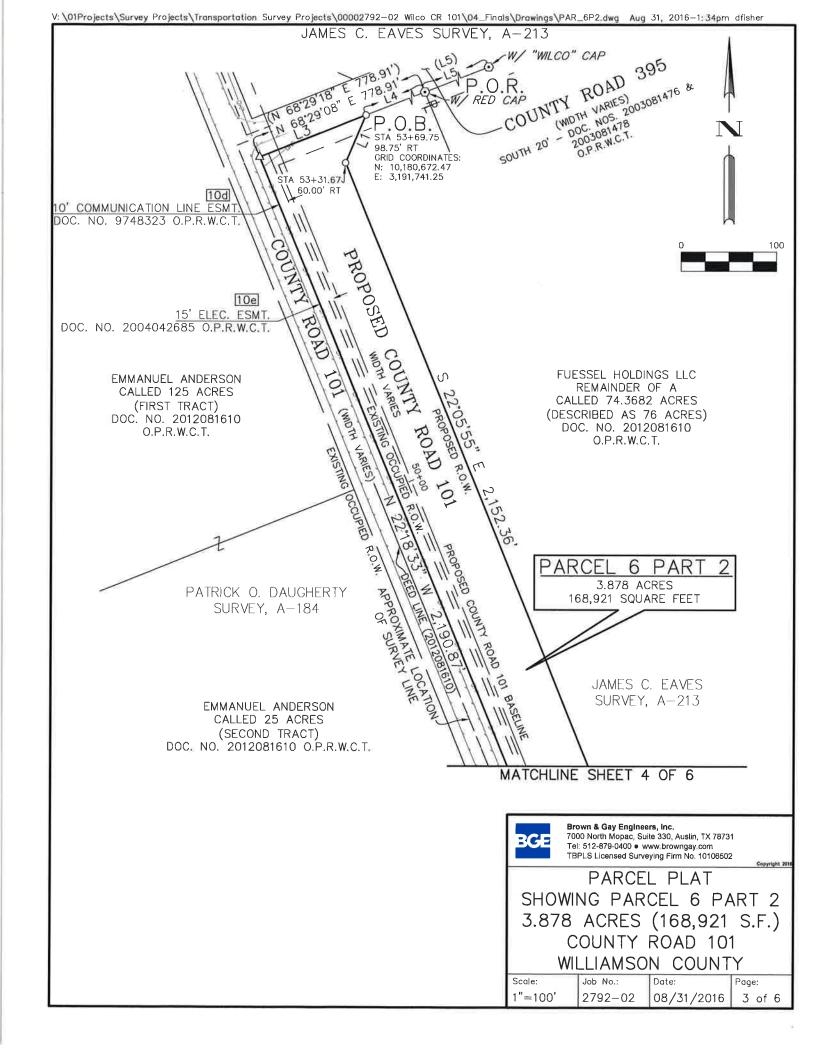
Williamson County

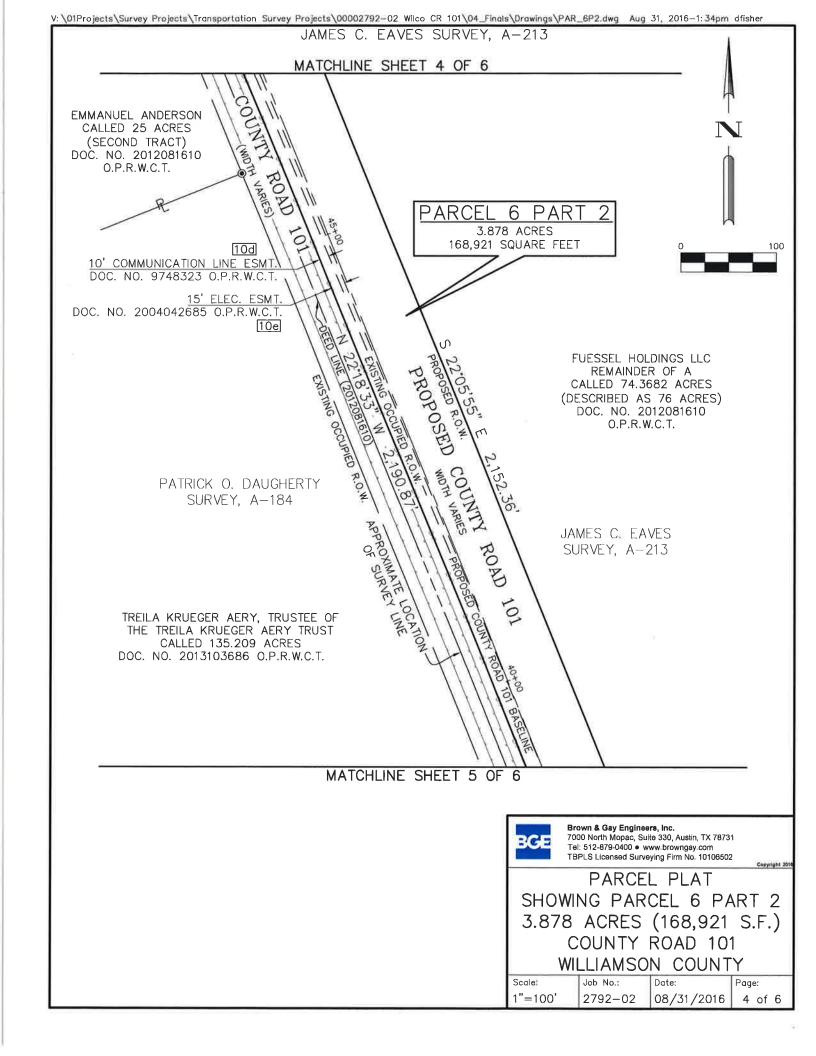
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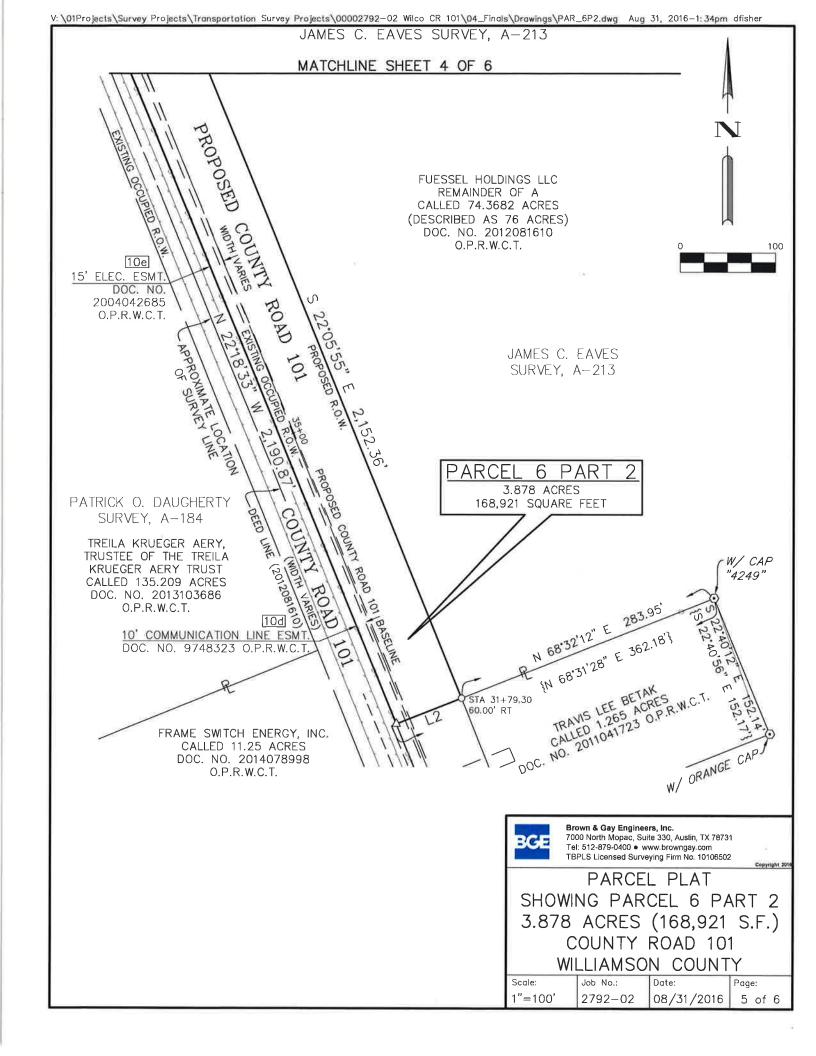
August 31, 2016

Job No:

2792-00







RESTRICTIVE COVENANT AND EASEMENT NOTES:

THIS SURVEY WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY TITLE RESOURCES GUARANTY COMPANY AND COUNTERSIGNED BY INDEPENDENCE TITLE UNDER G.F. NUMBER 1622123-GTN, DATED EFFECTIVE JUNE 15, 2016 AND ISSUED ON JUNE 24, 2016.

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- 10e. EASEMENT AND RIGHT OF WAY FOR OVERHEAD AND/OR UNDERGROUND ELECTRIC SUPPLY AND COMMUNICATIONS LINE(S) GRANTED TO ONCOR ELECTRIC DELIVERY COMPANY RECORDED IN DOCUMENT NO. 2004042685, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.

LEGEND

D.R.W.C.T. DEED RECORDS OF WILLIAMSON COUNTY, TEXAS

ELEC. ELECTRIC ESMT. EASEMENT N.T.S. NOT TO SCALE

O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

POINT OF BEGINNING P.O.B. P.O.R. POINT OF REFERENCE R.O.W. RIGHT-OF-WAY

LINE BREAK

RECORD INFORMATION FROM VOL. 558, PG. 77 RECORD INFORMATION FROM DOC. NOS. 2008087669 RECORD INFORMATION FROM DOC. NO. 2011041723]] RECORD INFORMATION FROM DOC. NO. 2012081610

PROPERTY LINE FOUND 1/2" IRON ROD FOUND 1/2" IRON ROD W/ CAP

(O) • FOUND TXDOT TYPE II MONUMENT 0

SET 1/2" IRON ROD WITH "WILCO ROW 5777" CAP

CALCULATED POINT OVERHEAD POWER EDGE OF ASPHALT

LINE TABLE					
NUMBER	BEARING	DISTANCE			
L1	S 23°24'16" W	54.33'			
L2	S 68*32'12" W	72.74'			
L3	N 68°29'08" E	119.55'			
L4	S 68*29'08" W	659.36'			
L5	N 68'34'27" E	997.87'			
(L5)	(N 68'34'37" E)	(997.84')			

GENERAL NOTES:

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- BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE 4203. SCALE FACTOR = 1.00012352
- 2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS SKETCH.
- 3. FENCES ROADS & UTILITIES SHOWN WERE LOCATED ON THE GROUND. AERIAL IMAGERY WAS USED TO APPROXIMATE. LOCATIONS OF OTHER IMPROVEMENTS SHOWN HEREON.



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PARCEL PLAT SHOWING PARCEL 6 PART 2 3.878 ACRES (168,921 S.F.) COUNTY ROAD 101 WILLIAMSON COUNTY

Scale:	Job No.:	Date:	Page:
1"=100'	2792-02	08/31/2016	6 of 6