

ORDER ABANDONING COUNTY ROAD

County Road 123

WHEREAS, on the ____ day of _____, 2017, the Commissioners Court of Williamson County has met in a regularly scheduled meeting; and

WHEREAS, notice of this meeting was duly posted pursuant to Chapter 551 of the Texas Government Code; and

WHEREAS, pursuant to Section 251.058 of the Texas Transportation Code, a Commissioners Court may, on its own initiative, close, abandon and vacate a public road; and

WHEREAS, after due consideration, the Commissioners Court has considered the abandonment of a portion of a county road known as "County Road 123", and as further described in Exhibits "A" and "B" herein; and

WHEREAS, the Court has determined that the portion of said road is no longer utilized by the public as a road; and

WHEREAS, the Court has determined that it is in the best interest of the County to abandon any interest the County and/or the public may have in a certain portion of said road.

NOW THEREFORE, it is hereby ordered by the Commissioners Court of Williamson County, Texas

That the portion of CR 123 as described in Exhibits "A" and "B" are hereby abandoned.

Pursuant to Section 251.058, Texas Transportation Code, the Court finds that the following is true and correct:

1. The following property owners are the owners of real property which abuts the portion of the abandoned road:

JOHN & SYLVIA DUDNEY own the real property abutting the portion of the abandoned road described in Exhibit "A."

CPRT HE AUSTIN, LLC, owns the real property abutting the portion of the abandoned road described in Exhibit "B."

2. That the County be shown as the Grantor in the Williamson County Official Records and that John & Sylvia Dudney and CPRT HE AUSTIN, LLC, respectively, be shown as Grantees in said Official Records, pursuant to the dictates of Section 251.058(3) of the Texas Transportation Code.

DAN A. GATTIS, County Judge

ATTEST:

Nancy Rister, County Clerk

ACKNOWLEDGMENT

STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

§

This instrument was acknowledged before me on this the ____ day of _____, 2017 by Dan A. Gattis, as County Judge of Williamson County, Texas.

Notary Public, State of Texas

Exhibit "A"

0.134 ACRE
PORTION OF COUNTY ROAD 123
EAST R.O.W. VACATION

FN NO. 17-260 (MJJ)
AUGUST 28, 2017
JOB NO. 222010743

DESCRIPTION

OF 0.134 ACRE OF LAND OUT OF THE ROBERT MCNUTT SURVEY, ABSTRACT NO. 422, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THE COUNTY ROAD 123 RIGHT-OF-WAY (R.O.W. VARIES), ADJACENT TO LOT 1, BLOCK A THE HEIGHTS AT DEERFIELD, A SUBDIVISION OF RECORD IN CABINET C, SLIDE 42 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID LOT 1 HAVING BEEN CONVEYED TO JOHN AND SYLVIA DUDNEY BY DEED OF RECORD IN DOCUMENT NO. 2003047562 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.134 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the southerly right-of-way line of the Missouri Pacific Railroad (100' R.O.W.), being in the northeasterly corner of the northerly terminus of County Road 123 (R.O.W. varies) and the northwesterly corner of said Lot 1, for the northeasterly corner hereof;

THENCE, leaving the southerly right-of-way line of the Missouri Pacific Railroad, along the easterly right-of-way line of County Road 123, being the westerly line of said Lot 1, for the easterly line hereof, the following two (2) courses and distances:

- 1) S03°26'48"E, a distance of 170.29 feet to a 1/2 inch iron rod found for the point of curvature of a curve to the left;
- 2) Along said curve to the left having a radius of 15.00 feet, a central angle of 46°12'37", an arc length of 12.10 feet and a chord which bears, S26°38'57"E, a distance of 11.77 feet to a 1/2 inch iron rod with "STANTEC" cap set for the southeasterly corner hereof, from which a 1/2 inch iron rod found in the northerly right-of-way line of Axis Deer Trail (60' R.O.W.), being the end of said curve bears, S73°42'11"E, a chord distance of 12.18 feet;

THENCE, leaving the westerly line of said Lot 1, over and across County Road 123 right-of-way, for the southerly and westerly lines hereof, the following two (2) courses and distances:

- 1) S83°06'12"W, a distance of 37.14 feet to a 1/2 inch iron rod with "STANTEC" cap set for the southwesterly corner hereof, from which a 1/2 inch iron rod with cap found at the intersection of the northerly right-of-way line of Benelli Drive (70' R.O.W.) with the westerly right-of-way line of County Road 123 bears, S83°06'12"W, a distance of 32.41 feet;


2) N03°23'53"W, a distance of 178.11 feet to a point in the southerly right-of-way line of the Missouri Pacific Railroad, being the northerly terminus of County Road 123 right-of-way, from which a 1/2 inch iron rod with "STANTEC" cap set at the northwesterly corner of the northerly terminus of County Road 123 bears, S77°20'38"W, a distance of 33.29 feet;

THENCE, N77°20'38"E, along the southerly right-of-way line of the Missouri Pacific Railroad, being the northerly terminus of County Road 123, for the northerly line hereof, a distance of 32.71 feet to the **POINT OF BEGINNING**, containing an area of 0.134 acre (5,833 sq. ft.) of land, more or less, within these metes and bounds.

BEARING BASIS: IS REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

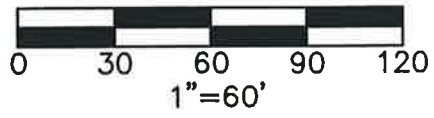
STANTEC CONSULTING
SERVICES INC.
221 WEST SIXTH ST.
SUITE 600
AUSTIN, TEXAS 78701



JOHN T. BILNOSKI DATE
R.P.L.S. NO. 4998
STATE OF TEXAS
TBPLS # F-10194230
john.bilnoski@stantec.com

9/19/17



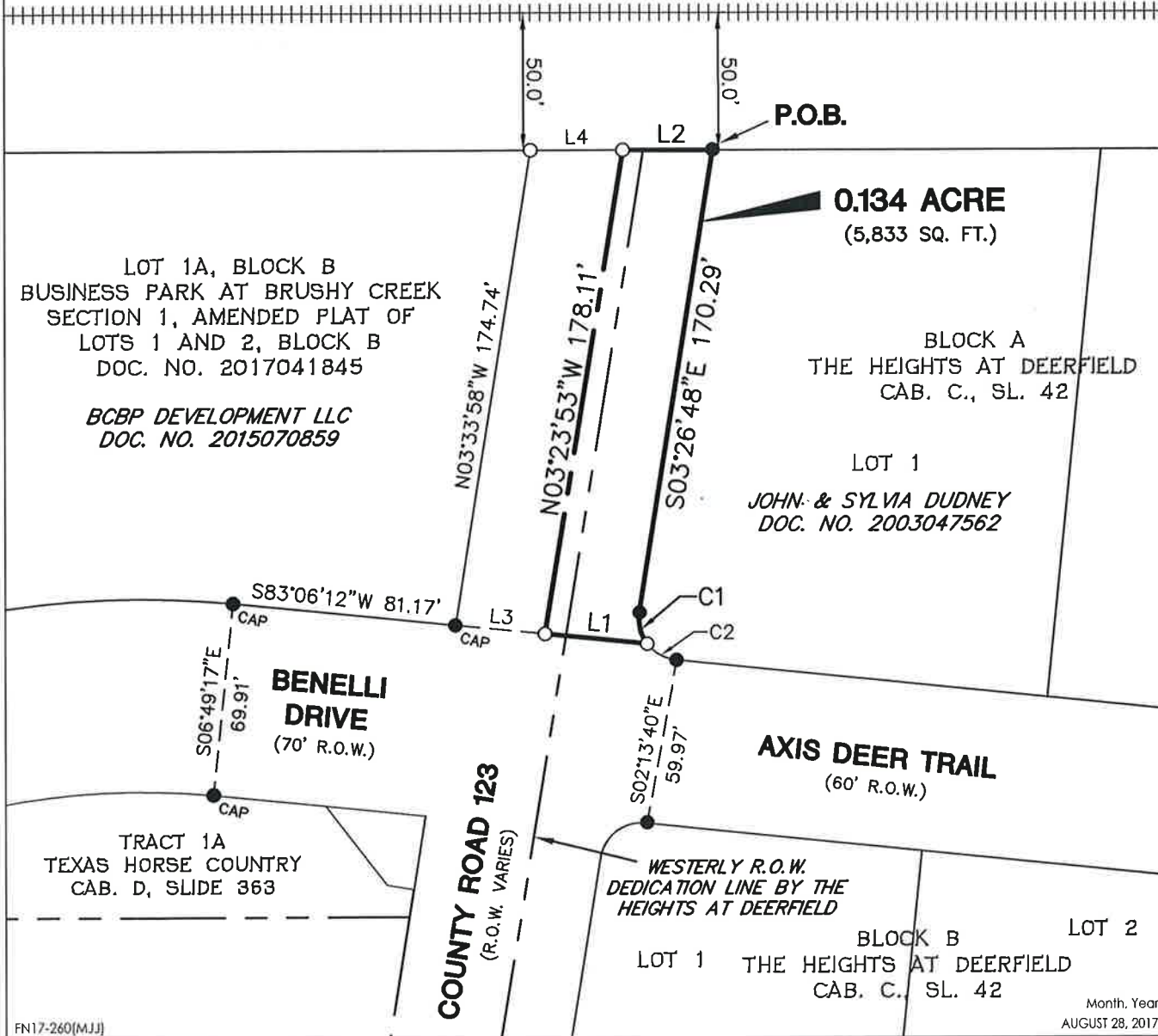


US HIGHWAY NO. 79
(R.O.W. VARIES)

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD WITH "STANTEC" CAP SET
- P.O.B. POINT OF BEGINNING

MISSOURI PACIFIC/UNION PACIFIC RAILROAD
(100' R.O.W.) (VOL. 17, PG. 597)



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FN17-260(MJJ)

Month, Year
AUGUST 28, 2017



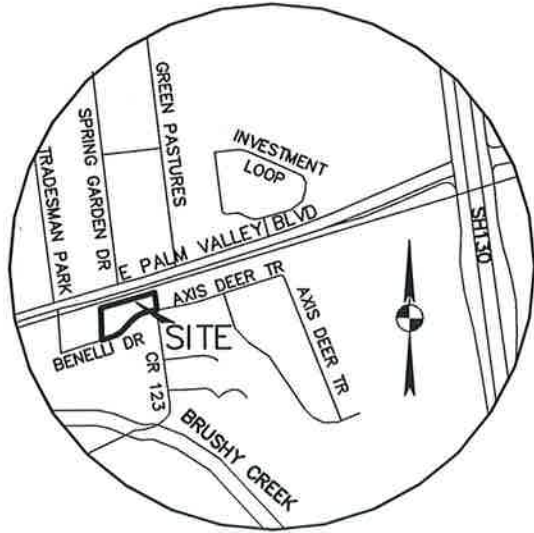
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Austin, TX 78701
TBPE # F-6324 TBPLS # 10194230
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HUTTO, TEXAS

Figure No.
SHEET 1 OF 2

Title
R.O.W. VACATION
COUNTY ROAD 123



VICINITY MAP
N.T.S.

BEARING BASIS NOTE:

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

LINE TABLE		
NO.	BEARING	DISTANCE
L1	S83°06'12"W	37.14'
L2	N77°20'38"E	32.71'
L3	S83°06'12"W	32.41'
L4	S77°20'38"W	33.29'

CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	12.10'	15.00'	46°12'37"	S26°38'57"E	11.77'
C2	12.54'	15.00'	47°53'51"	S73°42'11"E	12.18'

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Figure No.

SHEET 2 OF 2

Title

R.O.W. VACATION
COUNTY ROAD 123

Exhibit "B"

0.132 ACRE
PORTION OF COUNTY ROAD 123
WEST R.O.W. VACATION

FN NO. 17-259(MJJ)
AUGUST 28, 2017
JOB NO. 222010743

DESCRIPTION

OF 0.132 ACRE OF LAND OUT OF THE ROBERT MCNUTT SURVEY, ABSTRACT NO. 422, SITUATED IN WILLIAMSON COUNTY, TEXAS BEING A PORTION OF THE COUNTY ROAD 123 RIGHT-OF-WAY (R.O.W. VARIES), ADJACENT TO LOT 1A, BLOCK "B" BUSINESS PARK AT BRUSHY CREEK SECTION 1, AMENDED PLAT OF LOTS 1 AND 2, BLOCK B, A SUBDIVISION OF RECORD IN DOCUMENT NO. 2017041845 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID LOT 1A CONVEYED TO BCBP DEVELOPMENT, LLC BY DEED OF RECORD IN DOCUMENT NO. 2015070859 OF SAID OFFICIAL PUBLIC RECORDS; SAID 0.132 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with cap found at the intersection of the northerly right-of-way line of Benelli Drive (70' R.O.W.) with the westerly right-of-way line of County Road 123, being the southeasterly corner of said Lot 1A and the southwesterly corner hereof, from which a 1/2 inch iron rod with cap found at the point of curvature in the northerly line of Benelli Drive bears, S83°06'12"W, a distance of 81.17 feet;

THENCE, N03°33'58"W, leaving the northerly right-of-way line of Benelli Drive, along the westerly right-of-way line of County Road 123, being the easterly line of said Lot 1A, for the westerly line hereof, a distance of 174.74 feet to a 1/2 inch iron rod with "STANTEC" cap set in the southerly right-of-way line of the Missouri Pacific Railroad right-of-way (100' R.O.W.), for the northeasterly corner of said Lot 1A and northwesterly corner hereof, from which a 1/2 inch iron rod with "RJ Surveying" cap found bears, N12°39'49"W, a distance of 0.38 feet;

THENCE, N77°20'38"E, leaving the northeasterly corner of said Lot 1A, along the southerly right-of-way line of the Missouri Pacific Railroad, being the northerly terminus of County Road 123, for the northerly line hereof, a distance of 33.29 feet to a 1/2 inch iron rod with "STANTEC" cap set for the northeasterly corner hereof, from which a 1/2 inch iron rod with RJ Surveying cap found in the southerly right-of-way line of the Missouri Pacific Railroad, being the northwesterly corner of Lot 1, Block A The Heights at Deerfield, a subdivision of record in Cabinet C, Slide 42 of the Plat Records of Williamson county, Texas bears, N77°20'38"E, a distance of 32.71 feet;


THENCE, leaving the southerly right-of-way line the Missouri Pacific Railroad, over and across County Road 123, for the easterly and southerly lines hereof, the following two (2) courses and distances:

- 1) S03°23'53"E, a distance of 178.11 feet to a 1/2 inch iron rod with "STANTEC" cap set for the southeasterly corner hereof;
- 2) S83°06'12"W, a distance of 32.41 feet to the **POINT OF BEGINNING**, containing an area of 0.132 acre (5,753 sq. ft.) of land, more or less, within these metes and bounds.

BEARING BASIS: IS REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

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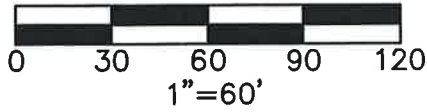
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JOHN T. BILNOSKI DATE
R.F.L.S. NO. 4998
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US HIGHWAY NO. 79
(R.O.W. VARIES)

LEGEND

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- P.O.B. POINT OF BEGINNING

MISSOURI PACIFIC/UNION PACIFIC RAILROAD
(100' R.O.W.) (VOL. 17, PG. 597)

FROM WHICH AN IRON ROD WITH RJ SURVEYING CAP FOUND BEARS N12°39'49"W, 0.38'

0.132 ACRE
(5,753 SQ. FT.)

LOT 1A, BLOCK B
BUSINESS PARK AT BRUSHY CREEK
SECTION 1, AMENDED PLAT OF
LOTS 1 AND 2, BLOCK B
DOC. NO. 2017041845
BCBP DEVELOPMENT LLC
DOC. NO. 2015070859

BLOCK A
THE HEIGHTS AT DEERFIELD
CAB. C., SL. 42

LOT 1
JOHN & SYLVIA DUDNEY
DOC. NO. 2003047562

S83°06'12"W 81.17'

S06°49'17"E
69.91'

BENELLI DRIVE
(70' R.O.W.)

P.O.B.

COUNTY ROAD 123
(R.O.W. VARIES)

S02°13'40"E
59.97'

AXIS DEER TRAIL
(60' R.O.W.)

WESTERLY R.O.W.
DEDICATION LINE BY THE
HEIGHTS AT DEERFIELD

BLOCK B
LOT 1 THE HEIGHTS AT DEERFIELD
CAB. C., SL. 42

LOT 2

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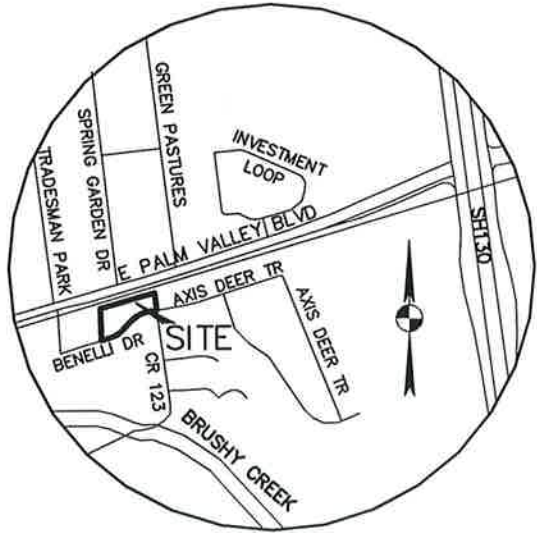
CLIENT
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Figure No.

SHEET 1 OF 2

Title

R.O.W. VACATION
COUNTY ROAD 123



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Figure No.

SHEET 2 OF 2

Title

R.O.W. VACATION
COUNTY ROAD 123