

**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 a certain tract of land being 3.863 acres (Parcel 35) described by metes and bounds in Exhibit "A" owned by **Doris M. Fuchs, William Gene Fuchs a/k/a William G. Fuchs, David B. Fuchs a/k/a David Fuchs, Karla G. Fuchs and Cheryl D. Fuchs**, 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 Exhibit "A" 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

EXHIBIT A

County: Williamson
Highway: C.R. 101
Parcel: 35

PROPERTY DESCRIPTION FOR
PARCEL 35

DESCRIPTION OF A 3.863 ACRE (168,280 SQUARE FOOT) TRACT OF LAND SITUATED IN THE JAMES C. EAVES SURVEY, ABSTRACT NO. 213, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF THAT CALLED 110.706 ACRE TRACT OF LAND (TRACT TWO) CONVEYED TO DORIS M. FUCHS, ET. AL. BY INSTRUMENT RECORDED IN DOCUMENT NO. 2003077036 AND 2005071194 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 3.863 ACRE (168,280 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/2" iron rod with plastic surveyors cap stamped "RPLS 4249" found, being the southeasterly corner of that called 2.065 acre tract of land conveyed to Jonah Water Special Utility District by instrument recorded in Document No. 2006102636 of the Official Public Records of Williamson County, Texas, same being an ell corner in the northerly boundary line of said remainder of the 110.706 acre tract;

Thence, with the common boundary line of said 2.065 acre tract and said remainder of the 110.706 acre tract, S 66°28'55" W for a distance of 224.37 feet to an iron rod with aluminum cap stamped "WILCO ROW 5050" set, 60.00 feet right of proposed County Road (C.R.) 101 baseline station 181+30.77, having grid coordinates of N=10,192,481.49, E=3,186,912.48, in the proposed easterly Right-of-Way (ROW) line of C.R. 101 (variable width ROW), for the northeasterly corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, departing said 2.065 acre tract, through the interior of said remainder of the 110.706 acre tract, with said proposed easterly ROW line, the following four (4) courses:

1. S 22°12'46" E for a distance of 1334.95 feet to an iron rod with aluminum cap stamped "WILCO ROW 5050" set 60.00 feet right of proposed C.R. 101 baseline station 167+95.82, for a point of curvature to the left;
2. Along said curve to the left, having a delta angle of 01°50'20", a radius of 9350.00 feet, an arc length of 300.06 feet, and a chord which bears S 23°07'56" E for a distance of 300.05 feet to an iron rod with aluminum cap stamped "WILCO ROW 5050" set 60.00 feet right of proposed C.R. 101 baseline station 164+93.83, for a point of reverse curvature to the right;
3. Along said curve to the right, having a delta angle of 02°00'53", a radius of 9470.00 feet, an arc length of 333.02 feet, and a chord which bears S 23°02'39" E for a distance of 333.00 feet to an iron rod with aluminum cap stamped "WILCO ROW 5050" set 60.00 feet right of proposed C.R. 101 baseline station 161+62.92, for a point of tangency;
4. S 22°02'12" E for a distance of 114.78 feet to an iron rod with aluminum cap stamped "WILCO ROW 5050" set 60.00 feet right of proposed C.R. 101 baseline station 160+48.14 in the southerly boundary line of said remainder of the 110.706 acre tract, same being the northerly boundary line of that called 46.99 acre tract of land conveyed to Wayne Angell by instrument recorded in Document No. 2015099470 of the Official Public Records of Williamson County, Texas, for the southeasterly corner of the herein described tract, and from which a 1" iron rod found, being the southeasterly corner of said remainder of 110.706 acre tract, bears N 68°00'03" E at a distance of 2005.42 feet;
5. **THENCE**, departing said proposed easterly ROW line, with the common boundary line of said remainder of the 110.706 acre tract and said 46.99 acre tract, S 68°00'03" W, for a distance of 91.09 feet to a 2" pipe post found (+/- 6 feet tall) in the existing easterly ROW line of C.R. 101 (variable width ROW) for the southwesterly corner of said remainder of 110.706 acre tract, same being the northwesterly corner of said 46.99 acre tract, for the southwesterly corner of the herein described tract;

6. **THENCE**, with the common boundary line of said remainder of the 110.706 acre tract and said existing easterly ROW line of C.R. 101, **N 22°02'47" W** for a distance of **2080.65** feet to an iron rod with plastic surveyors cap stamped "RPLS 4249" found, for the northwesterly corner of said remainder of 110.706 acre tract, same being the southwesterly corner of said 2.065 acre tract, for the northwesterly corner of the herein described tract;
7. **THENCE**, with the common boundary line of said remainder of 110.706 acre tract and said 2.065 acre tract, **N 66°28'55" E** for a distance of **75.77** feet to the **POINT OF BEGINNING**, containing 3.863 acres (168,280 square feet) of land, more or less.

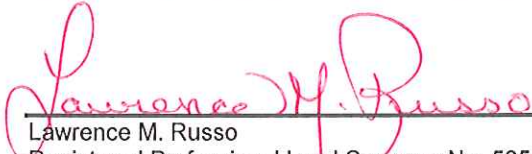
This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF WILLIAMSON §

That I, Lawrence M. Russo, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.



Lawrence M. Russo
Registered Professional Land Surveyor No. 5050
Inland Geodetics, LLC
Firm Registration No: 100591-00
1504 Chisholm Trail Road, Suite 103
Round Rock, TX 78681

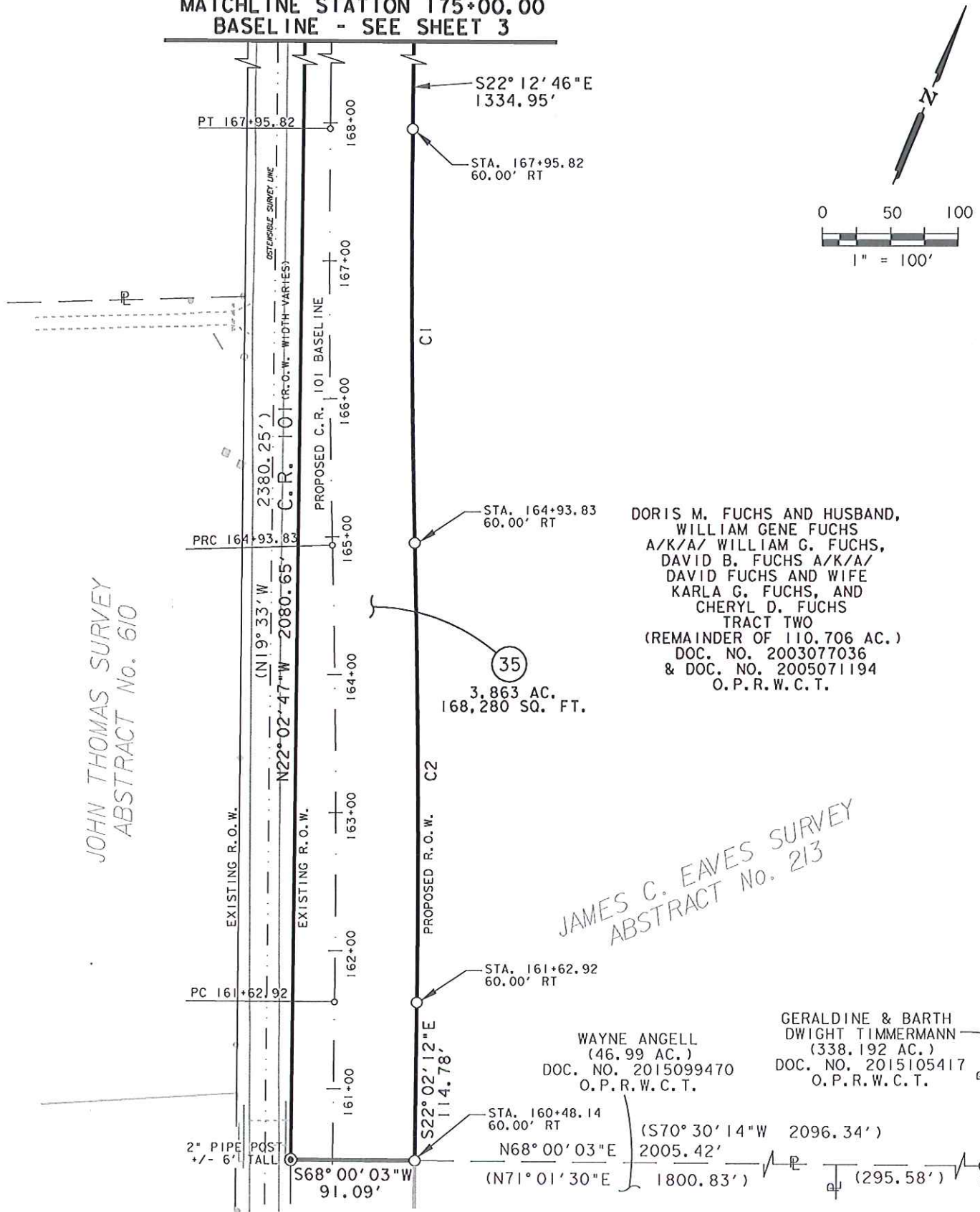


Date



PLAT TO ACCOMPANY PARCEL DESCRIPTION

MATCHLINE STATION 175+00.00
BASELINE - SEE SHEET 3



JOHN THOMAS SURVEY
ABSTRACT No. 610

JAMES C. EAVES SURVEY
ABSTRACT No. 213

DORIS M. FUCHS AND HUSBAND,
WILLIAM GENE FUCHS
A/K/A/ WILLIAM G. FUCHS,
DAVID B. FUCHS A/K/A/
DAVID FUCHS AND WIFE
KARLA G. FUCHS, AND
CHERYL D. FUCHS
TRACT TWO
(REMAINDER OF 110.706 AC.)
DOC. NO. 2003077036
& DOC. NO. 2005071194
O.P.R.W.C.T.

WAYNE ANGELL
(46.99 AC.)
DOC. NO. 2015099470
O.P.R.W.C.T.

GERALDINE & BARTH
DWIGHT TIMMERMANN
(338.192 AC.)
DOC. NO. 2015105417
O.P.R.W.C.T.

PARCEL PLAT SHOWING PROPERTY OF
DORIS M. FUCHS, ET. AL.

PARCEL 35

**INLAND U
GEODETICS**
PROFESSIONAL LAND SURVEYORS
1504 CHISHOLM TRAIL RD. STE. 103
ROUND ROCK, TX. 78681
PH. (512) 238-1200, FAX (512) 238-1251
FIRM REGISTRATION NO. 100591-00

SCALE 1" = 100'	PROJECT CR 101	COUNTY WILLIAMSON
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LEGEND

PLAT TO ACCOMPANY PARCEL DESCRIPTION

- | | |
|---|--|
| ✱ FENCE CORNER POST FOUND | ⊕ CENTER LINE |
| ● 1/2" IRON ROD FOUND UNLESS NOTED | ℙ PROPERTY LINE |
| ⊕ 1/2" IRON ROD FOUND W/PLASTIC CAP | () RECORD INFORMATION |
| ⊙ COTTON GIN SPINDLE FOUND | — LINE BREAK |
| ⊙ 1/2" IRON PIPE FOUND UNLESS NOTED | ≡ DENOTES COMMON OWNERSHIP |
| X X CUT FOUND | P.O.B. POINT OF BEGINNING |
| ▲ 60/D NAIL FOUND | P.O.R. POINT OF REFERENCE |
| △ CALCULATED POINT | N.T.S. NOT TO SCALE |
| ○ 1/2" IRON ROD W/ ALUMINUM CAP
STAMPED "WILCO-ROW-5050" SET
(UNLESS NOTED OTHERWISE) | D.R.W.C.T. DEED RECORDS
WILLIAMSON COUNTY, TEXAS |
| | O.R.W.C.T. OFFICIAL RECORDS
WILLIAMSON COUNTY, TEXAS |
| | O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS
WILLIAMSON COUNTY, TEXAS |
| | P.R.W.C.T. PLAT RECORDS
WILLIAMSON COUNTY, TEXAS |

1) All bearings shown hereon are based on grid bearing. All distances are surface distances. Coordinates are surface values based on the Texas State Plane Coordinate System, NAD 83, Central Zone.

THE SURVEY SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 1622937-GTN, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE JULY 14, 2016, ISSUE DATE JULY 29, 2016.

- IOE. EASEMENT TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 283, PAGE 480, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- F. EASEMENT TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 288, PAGE 437, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- G. EASEMENT TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 355, PAGE 548, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- H. EASEMENT TO JONAH WATER SUPPLY CORPORATION, RECORDED IN VOLUME 563, PAGE 510, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CANNOT BE LOCATED.
- I. TERMS, CONDITIONS, AND STIPULATIONS IN THE AGREEMENT, RECORDED IN DOCUMENT NO. 2010082110 AND DOCUMENT NO. 2010082223, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SUBJECT TO.
- J. NOTICE REGARDING ORDINANCE 2010-45, RECORDED IN DOCUMENT NO. 2010083176, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.
- K. INCLUSION WITHIN THE LOWER BRUSHY CREEK WATER CONTROL & IMPROVEMENT DISTRICT, SUBJECT TO IF APPLICABLE.

NUMBER	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	01° 50' 20"	9350.00'	300.06'	300.05'	S23° 07' 56"E
C2	02° 00' 53"	9470.00'	333.02'	333.00'	S23° 02' 39"E

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

Lawrence M. Russo 09/27/2016
 LAWRENCE M. RUSSO DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5050
 INLAND GEODETICS, LLC
 FIRM REGISTRATION NO. 100591-00
 1504 CHISHOLM TRAIL ROAD, SUITE 103
 ROUND ROCK, TEXAS 78681



	ACRES	SQUARE FEET
ACQUISITION	3.863	168,280
CALC/DEED AREA	43.592	1,898,868
REMAINDER AREA	39.729	1,730,588

PARCEL PLAT SHOWING PROPERTY OF
DORIS M. FUCHS, ET. AL.

SCALE 1" = 100'	PROJECT CR 101	COUNTY WILLIAMSON
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PARCEL 35