

**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 0.506 acre (Parcel 5) described by metes and bounds in Exhibit "A" owned by **Thomas D. Diaz III and Melissa R. Sharpe-Diaz**, for the purpose of constructing, reconstructing, maintaining, and operating CR 176 @ RM 2243 roadway improvements ("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 _____, 2018.

Dan A. Gattis
Williamson County Judge

EXHIBIT A

County: Williamson
Parcel: 5
Highway:County Road 176

FIELD NOTES
FOR

A 0.506 ACRE, OR 22,056 SQUARE FEET MORE OR LESS, TRACT OF LAND, BEING OUT OF A CALLED 1.000 ACRE TRACT, DESCRIBED IN CONVEYANCE TO THOMAS D. DIAZ, III AND MELISSA R. SHARPE-DIAZ IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2003019309 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, OUT OF THE JOHN T. CHURCH SURVEY, ABSTRACT NO. 140, WILLIAMSON COUNTY, TEXAS. SAID 0.506 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

COMMENCING at a ½” iron rod found, on the south line of a called 50.0 acre tract recorded in Document No. 2011065655 of the Official Public Records of Williamson County, Texas, the northwest corner of a called 1.998 acre tract recorded in Document No. 9667430 of the Official Records of Williamson County, Texas, same being the northeast corner of a remnant of a called 26.045 acre tract recorded in Document No. 2002058098 of the Official Public Records of Williamson County, Texas, from which a ½” iron rod found, on the west line of a called 44.31 acre tract recorded in Document No. 2006038439 of the Official Public Records of Williamson County, Texas, the southeast corner of said called 50.0 acre tract, same being the northeast corner of said called 1.998 acre tract bears **N 68°45'56" E**, a distance of **294.91 feet**;

THENCE S 69°07'32" W, with the south line of said called 50.0 acre tract, same being the north line of said remnant of a called 26.045 acre tract, a distance of **88.65 feet** to a ½” iron rod with a yellow cap marked “Pape-Dawson set, (Grid Coordinates determined as N=10190097.43, E=3102111.15), the **POINT OF BEGINNING** of the herein described tract;

THENCE S 21°03'14" E, departing the south line of said called 50.0 acre tract, with the west line of said remnant of a called 26.045 acre tract, same being the east line of said called 1.000 acre tract, a distance of **102.44 feet** to a ½” iron rod with a yellow cap marked “Pape-Dawson set;

THENCE departing the west line of said remnant of a called 26.045 acre tract, through the interior of said called 1.000 acre tract, the following two (2) courses and distances:

1. **S 38°32'35" W**, a distance of **30.93 feet** to a ½” iron rod with a yellow cap marked “Pape-Dawson set, a point of curvature, and

2. with said tangent curve to the left having radius of **1011.00 feet**, a central angle of **08°20'16"**, a chord bearing and distance of **S 34°22'27" W, 146.99 feet**, an arc length of **147.12 feet** to a ½" iron rod with a yellow cap marked "Pape-Dawson set, on the east line of a "2nd" remnant of said called 26.045 acre tract, same being the west line of said called 1.000 acre tract;

THENCE N 21°03'14" W, with the east line of said "2nd" remnant of a called 26.045 acre tract, same being the west line of said called 1.000 acre tract, a distance of **201.97 feet** to a ½" iron rod with a yellow cap marked "Pape-Dawson set, on the south line of the aforementioned 50.0 acre tract, a northeast corner of said "2nd" remnant of a called 26.045 acre tract, same being the northwest corner of said called 1.000 acre tract;

THENCE N 69°07'32" E, with the south line of said called 50.0 acre tract, same being the north line of said called 1.000 acre tract, a distance of **147.72 feet** to the **POINT OF BEGINNING** and containing 0.506 of an Acre in Williamson County, Texas. Said tract being described in accordance with an exhibit prepared by Pape Dawson Engineers, Inc. under Job No. 59006-16.

PREPARED BY: Pape-Dawson Engineers, Inc.

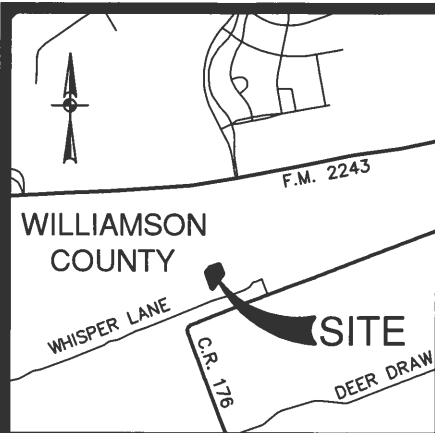
DATE: January 18, 2018

JOB No.: 59006-16

DOC.ID.: H:\survey\SURVEY16\16-59006\Exhibits\Word\SHARPE-DIAZ-0.506Acre.docx

TBPE Firm Registration #470

TBPLS Firm Registration #100288-01



LOCATION MAP

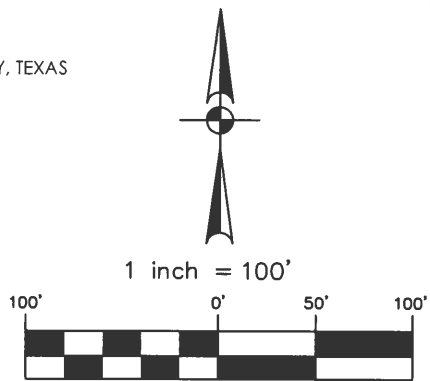
NOT-TO-SCALE

LEGEND:

- D.R. DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.R. OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- P.R. PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
- FD. FOUND
- I.R. IRON ROD

NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



MATCHLINE SHEET 2 OF 2

OWNER: MMA RANCH LIMITED PARTNERSHIP
A CALLED 50.0 ACRE TRACT
DOC. NO. 2011065655 (O.P.R.)

0.506 OF AN ACRE
(22,056 SQUARE FEET MORE OR LESS)

STA. 110+40.27
98.76 RT.

**JOHN T. CHURCH
SURVEY
ABSTRACT NO. 140**

AERIAL UTILITY EASEMENT
DOC. NO. 2016001535 (O.P.R.)

OWNER: IRMA DIAZ
REMNANT OF A
CALLED 26.045 ACRE
TRACT
DOC. NO. 2002058098
(O.P.R.)

STA. 111+53.69
67.47 LT.

OWNER: THOMAS D.
DIAZ, III AND MELISSA
R. SHARPE-DIAZ
A CALLED 1.000 ACRE
TRACT
DOC. NO. 2003019309
(O.P.R.)

GRID COORDINATES
N=10190097.43
E=3102111.15
STA. 109+15.17
23.35 RT.

STA. 109+67.02
65.00 LT.

STA. 109+97.95
65.00 LT.

OWNER: KENNETH E.
KIRK AND THERESA M.
KIRK
A CALLED 1.998 ACRE
TRACT
DOC. NO. 9667430
(O.R.)

OWNER: IRMA DIAZ
REMNANT OF A
CALLED 26.045 ACRE
TRACT
DOC. NO. 2002058098 (O.P.R.)

EXHIBIT
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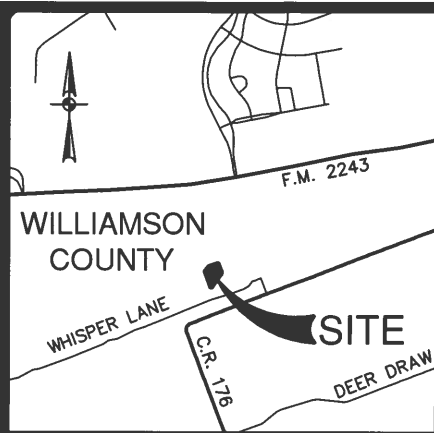


AUSTIN | SAN ANTONIO | HOUSTON | FORT WORTH | DALLAS
10801 N MoPAC EXPY., BLDG. 3, SUITE 200 | AUSTIN, TX 78759 | 512.454.8711
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028801

JANUARY 18, 2018

SHEET 3 OF 4
JOB No.: 59006-16

Date: Mar 22, 2018, 3:00pm User ID: PGRAHAM
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LOCATION MAP

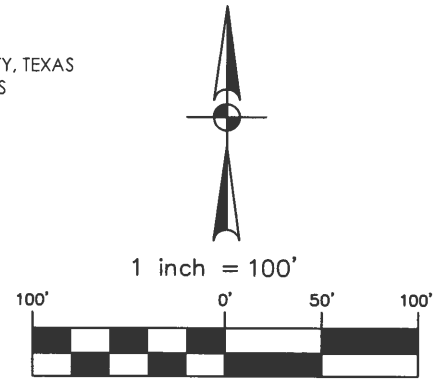
NOT-TO-SCALE

LEGEND:

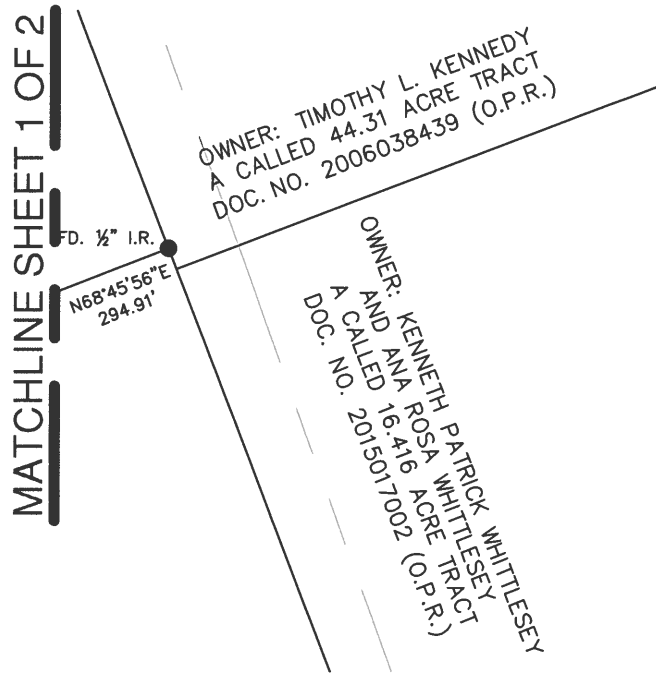
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LINE TABLE		
LINE	BEARING	LENGTH
L1	S69°07'32"W	88.65'
L2	S21°03'14"E	102.44'
L3	S38°32'35"W	30.93'
L4	N21°03'14"W	201.97'
L5	N69°07'32"E	147.72'



CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C2	1011.00'	8°20'16"	S34°22'27"W	146.99'	147.12'

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SHEET 4 OF 4