

**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 that certain tract of land being 0.352 acres (Parcel 5) described by metes and bounds in Exhibit "A" owned by **UPENDRA BANDI** for the purpose of constructing, reconstructing, maintaining, and operating Corridor H (Sam Bass Rd) 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 he 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 _____, 2020.

Bill Gravell, Jr.
Williamson County Judge

EXHIBIT "A"

County: Williamson
Parcel No.: 5
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

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July 24, 2020

PROPERTY DESCRIPTION FOR PARCEL 5

DESCRIPTION OF A 0.352 ACRE (15,311 SQ. FT.) PARCEL OF LAND LOCATED IN THE W. ANDERSON SURVEY, ABSTRACT 15, AND THE J.H. DILLARD SURVEY, ABSTRACT 179, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 3, SPANISH OAK TERRACE, PHASE TWO, A SUBDIVISION OF RECORD IN CABINET C, SLIDE 48, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS (P.R.W.C.TX.), DESCRIBED IN A DEED TO BUSTLE INVESTMENT GROUP, LLC, RECORDED DECEMBER 11, 2019 IN DOCUMENT NO. 2019125401, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 0.352 ACRE (15,311 SQ. FT.) PARCEL, AS SHOWN ON A PLAT PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found 488.29 feet right of County Road 175 (Sam Bass Road) Engineer's Centerline Station (E.C.S.) 261+37.48 on the north line of Lot 15, of said Spanish Oaks Terrance Subdivision, described in a deed to M.A. Urbanczyk, Jr. & Linda G. Urbanczyk, recorded in Document No. 1999061910, O.P.R.W.C.TX., for the southwest corner Lot 4, of said Spanish Oak Terrace Subdivision, described in a deed to Bustle Investment, LLC, recorded in Document No. 2019092139, O.P.R.W.C.TX., same being the southeast corner of Lot 5, of said Spanish Oaks Terrance Subdivision, described in a deed to Bustle Investment Group, LLC, recorded in Document No. 2018024886, O.P.R.W.C.TX.;

THENCE N 69°42'58" E, with the common line of said Lot 15 and said Lot 4, a distance of 424.30 feet to a calculated point** (Surface Coordinates: N=10,171,710.70, E=3,106,908.89) 64.00 feet right of Sam Bass Road E.C.S 261+40.67 on the proposed west right-of-way line of Sam Bass Road, for the northwest corner and **POINT OF BEGINNING** of the parcel described herein;

1) **THENCE** N 69°42'58" E, departing the proposed west right-of-way line of said Sam Bass Road, continuing with the common line of said Lot 3 and said Lot 4, crossing at a distance of 23.73 feet the north line of a 10-feet wide Road Widening Easement show on the said Spanish Oaks Terrace subdivision plat, and continuing for a total distance of 33.73 feet to a calculated point on the existing west right-of-way line of Sam Bass Road, a variable width right-of-way, no record information found, for the southeast corner of said Lot 4, same being the northeast corner of said Lot 3 and of the parcel described herein;

2) **THENCE** S 20°24'05" E, departing the common line of said Lot 3 and Lot 4, with the existing west right-of-way of said Sam Bass Road and the east line of said 10-feet wide Road Widening Easement, a distance of 471.88 feet to a 5/8-inch iron with an aluminum cap stamped "WILLIAMSON COUNTY" (1/2-inch iron rod found but replaced with 5/8-inch iron with an aluminum cap stamped "WILLIAMSON COUNTY") set 32.84 feet right of Sam Bass Road E.C.S. 266+12.79 on the proposed west right-of-way line of said Sam Bass Road, for the northeast corner of Lot 2, of said Spanish Oak Terrace Subdivision, described in a deed to Amy Kwalwasser and Chris Kjeldsen, recorded in Book 2522, Page 494, Official Records of Williamson County, Texas (O.R.W.C.TX.), same being the southeast corner of Lot 3 and of the parcel described herein;

EXHIBIT "A"

County: Williamson
Parcel No.: 5
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

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July 24, 2020

THENCE, departing the existing west right-of-way line of said Sam Bass Road, with the proposed west right-of-way line of said Sam Bass Road, the following two (2) courses and distances numbered 3-4:

3) S 69°36'12" W, crossing at a distance of 10.00 feet the south line of said 10-foot wide Road Widening Easement, and continuing for a total distance of 31.16 feet to a calculated point** 64.00 feet right of Sam Bass Road E.C.S. 266+12.66, for the southwest corner of the parcel described herein, and

4) N 20°42'48" W, over and across said Lot 3, a distance of 471.95 feet to the **POINT OF BEGINNING**, and containing 0.352 acre (15,311 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00012. Units: U.S. Survey Feet.

**Unable to set at time of survey, 5/8" iron rod with an aluminum cap stamped "Williamson County" may be set upon completion of the road construction project under the supervision of a registered professional land surveyor.

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

That I, Marvin Dearbonne Jr, 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 Austin, Travis County, Texas, on the date shown below.

SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

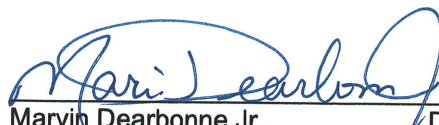
 24 July 2020
Marvin Dearbonne Jr. Date
Registered Professional Land Surveyor
No. 5697 – State of Texas



EXHIBIT "A"

CITY OF ROUND ROCK
245.4 ACRES
DOC. NO. 2000066640
O. P. R. W. C. TX.

EXISTING R.O.W.

260+00

SAM BASS ROAD
ENGINEER'S CENTERLINE

S20° 42' 48" E 1,634.35'

265+00

S20° 24' 05" E 471.88'

C.R. 175 (SAM BASS RD)

WILLIAMSON COUNTY
DOC. NO. 2002031683
O. P. R. W. C. TX.

EXISTING R.O.W.

S17° 48' E 473.50'

(0.352 AC.)

(VARIABLE WIDTH R.O.W.)
(NO RECORD INFORMATION FOUND)

W. ANDERSON SURVEY
ABSTRACT 15

P.O.B.
**UNABLE TO SET
AT TIME OF SURVEY
N=10, 171, 710.70
E=3, 106, 908.89
261+40.87
64.00 RT

0.108 AC.
EASEMENT FOR FUTURE
ROAD WIDENING
CABINET C, SLIDE 48
P. R. W. C. TX.

GRAVEL
ROAD

266+12.79
32.84' RT
(1 1/2" IRF REPLACED
WITH 5/8" IR W/ACAP
"WILLIAMSON COUNTY")
**UNABLE TO SET
AT TIME OF SURVEY
266+12.66
64.00 RT

BUSTLE INVESTMENT GROUP, LLC
DOC. NO. 2019092139
O. P. R. W. C. TX.

LOT 4
SPANISH OAKS TERRACE
PHASE 2
CABINET C, SLIDE 48
P. R. W. C. TX.

BUSTLE INVESTMENT GROUP, LLC
RECORDED DECEMBER 11, 2019
DOC. NO. 2019125401
O. P. R. W. C. TX.

LOT 3
SPANISH OAK TERRACE
PHASE TWO
CABINET C, SLIDE 48
P. R. W. C. TX.

J.H. DILLARD SURVEY
ABSTRACT 179

10' P.U.E.

APPROXIMATE LOCATION OF SURVEY LINE

N69° 42' 58" E 424.30'

(N72° 16' E 414.80')

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N69° 42' 58" E	33.73'
L2	S69° 36' 12" W	31.16'

BUSTLE INVESTMENT GROUP, LLC
CALLED 4.34 ACRES
DOC. NO. 2018024886
O. P. R. W. C. TX.

LOT 5
SPANISH OAKS TERRACE
PHASE 2
CABINET C, SLIDE 48
P. R. W. C. TX.

B

WILLIAMSON COUNTY, TEXAS

GRAPHIC SCALE
SCALE: 1" = 100'



AMY KWALWASSER
& CHRIS KJELDSEN
BOOK 2522, PG. 494
O. R. W. C. TX.

LOT 2
SPANISH OAK TERRACE
PHASE TWO
CABINET C, SLIDE 48
P. R. W. C. TX.

P.O.C.
1/2"
261+37.48
488.29' RT

FILE: \\saminc\aus\PROJECTS\1017038216\100\Survey\03Exhibits\5\PLAT\00P-5.dgn
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REF. FIELD NOTE NO. 45814

EXISTING	*4.480 AC.	ACQUIRE	0.352 AC.	REMAINING	4.128 AC.	RIGHT
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4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
(512) 447-0575
Fax: (512) 526-3029
Texas Firm Registration No. 10064300



RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
BUSTLE INVESTMENT GROUP, LLC
PARCEL 5
0.352 AC. (15,311 SQ. FT.)

EXHIBIT "A"

LEGEND

5/8" IRON ROD SET WITH ALUMINUM CAP
STAMPED "WILLIAMSON COUNTY"

1/2" IRON ROD FOUND UNLESS NOTED

FENCE POST (TYPE NOTED)

CALCULATED POINT

PROPERTY LINE

RECORD INFORMATION

POINT OF BEGINNING

POINT OF COMMENCING

POINT OF REFERENCE

NOT TO SCALE

DEED RECORDS OF
WILLIAMSON COUNTY, TEXAS

OFFICIAL RECORDS OF
WILLIAMSON COUNTY, TEXAS

OFFICIAL PUBLIC RECORDS OF
WILLIAMSON COUNTY, TEXAS

DISTANCE NOT TO SCALE

DEED LINE (COMMON OWNERSHIP)

B

M. A. URBANCZYK, JR.
& LINDA G. URBANCZYK
DOC. NO. 1999061910
O. P. R. W. C. TX.

LOT 15
SPANISH OAKS TERRACE
PHASE 2
CABINET C, SLIDE 48
P. R. W. C. TX.

SCHEDULE B:

THIS SURVEY HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 19521118, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE DECEMBER 23, 2019, AND ISSUED DATE JANUARY 3, 2020.

I. RESTRICTIVE COVENANTS: CABINET C, SLIDE 48, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, DOCUMENT NO. 199938819, DOCUMENT NO. 2004067953, SUBJECT NO. 2017024684, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, SUBJECT TO.

10A. 10' IN WIDTH ALONG STREETSIDE PROPERTY LINES FOR FUTURE ROAD WIDENING EASEMENT RECORDED IN CABINET C, SLIDE 48, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

B. 10' IN WIDTH ALONG ALL BOUNDARY LINES FOR PUBLIC UTILITIES EASEMENT RECORDED IN CABINET C, SLIDE 48, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

C. ELECTRIC/TELEPHONE EASEMENT TO PEDERNALES ELECTRIC COOPERATIVE, INC. RECORDED IN VOLUME 601, PAGE 107, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, UNPLOTTABLE, MAY AFFECT.

D. WATERLINE EASEMENT TO CITY OF ROUND ROCK, TEXAS RECORDED IN DOCUMENT NO. 2007103234, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.

E. TERMS, CONDITIONS, AND STIPULATIONS IN THE INTERLOCAL AGREEMENT AS EVIDENCED IN AMENDMENT RECORDED IN DOCUMENT NO. 2006047401, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SUBJECT TO.

F. ANY AND ALL PORTION OF THE SUBJECT PROPERTY LYING WITHIN THE BOUNDARIES OF A PUBLIC OR PRIVATE ROADWAY.

G. ALL LEASES, GRANTS, EXCEPTION OR RESERVATION OF COAL, LIGNITE, OIL, GAS AND OTHER MINERAL, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED.

H. RIGHTS OF PARTIES IN POSSESSION. (OWNER POLICY)

I. ANY VISIBLE AND APPARENT EASEMENT, EITHER PUBLIC OR PRIVATE, LOCATED ON OR ACROSS THE LAND, THE EXISTENCE OF WHICH IS NOT DISCLOSED BY THE PUBLIC RECORDS AS HEREIN DEFINED.

J. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.

K. RIGHT OF TENANTS, AS TENANTS ONLY, UNDER ANY AND ALL UNRECORDED LEASES OR RENTAL AGREEMENTS.

NOTES:

1. ALL BEARINGS SHOWN ARE BASED ON NAD83/2011/NAVD88 TEXAS COORDINATE SYSTEM, CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00012. ALL COORDINATES SHOWN ARE IN SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SAME FACTOR. PROJECT UNITS ARE IN U.S. SURVEY FEET.

2. THIS SURVEY WAS COMPLETED WITH THE BENEFIT OF TITLE REPORT, PROVIDED BY TITLE RESOURCES GUARANTY COMPANY, GF NO. 19521118, EFFECTIVE DATE DECEMBER 23, 2019, AND ISSUED DATE JANUARY 3, 2020. THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.

3. SAM BASS ROAD ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM KFRSE. SCHEMATIC RECEIVED BY SAM, LLC. IN APRIL, 2019.

4. THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

* AREA CALCULATED BY SAM, LLC.

**UNABLE TO SET AT TIME OF SURVEY, 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "WILLIAMSON COUNTY" MAY BE SET UPON COMPLETION OF THE ROAD CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

M. A. Dearbonne Jr.
MARVIN DEARBONNE JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5697, STATE OF TEXAS

24 July 2020
DATE



4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
(512) 447-0575
Fax: (512) 326-3029
Texas Firm Registration No. 10064300

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
BUSTLE INVESTMENT GROUP, LLC
PARCEL 5
0.352 AC. (15,311 SQ. FT.)

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REF. FIELD NOTE NO. 45814
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EXISTING	*4.480 AC.	ACQUIRE	0.352 AC.	REMAINING	4.128 AC.	RIGHT
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