

**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 2.255 acres (Parcel 4) described by metes and bounds in Exhibit "A" owned by **TAYLOR 47 BUSINESS, LLC, a Texas limited liability company** for the purpose of constructing, reconstructing, maintaining, and operating the County Road 401 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 _____, 2022.

Bill Gravell, Jr.
Williamson County Judge

EXHIBIT "A"

County: Williamson
Parcel No.: 4
Highway: C.R. 401/404
Limits: From: FM 973
To: Intersection of US 79

Page 1 of 7
March 25, 2022

PROPERTY DESCRIPTION FOR PARCEL 4

DESCRIPTION OF A 2.255 ACRE (98,226 SQ. FT.) PARCEL OF LAND LOCATED IN THE J.C. EAVES SURVEY, ABSTRACT NO. 214, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 47.634 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO TAYLOR 47 BUSINESS, LLC, A TEXAS LIMITED LIABILITY, RECORDED DECEMBER 3, 2021 IN DOCUMENT NO. 2021184603, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 2.255 ACRE (98,226 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 with a plastic cap stamped "BAKER AICKLEN" found 732.85 feet right of County Road (C.R. 401) Engineer's Centerline Station (E.C.S.) 166+40.75, for an interior ell corner of said 47.634 acre tract, same being the northeast corner of a called 1.50 acre tract of land, described in a deed to Immanuel Lutheran Church, recorded in Document No. 2014088879, O.P.R.W.C.TX.;

THENCE N 83°06'10" W, with the common line of said 1.50 acre tract and said 47.634 acre tract, a distance of 669.31 feet to a 1/2-inch iron rod with a plastic cap stamped "BAKER AICKLEN" found on the existing east right-of-way line of C.R. 401, a variable width right-of-way, no record information found, for the northwest corner of said 1.50 acre tract, same being the most westerly southwest corner of said 47.634 acre tract;

THENCE N 06°51'51" E, departing the common line of said 1.50 acre tract and said 47.634 acre tract, with the existing east right-of-way line of said C.R. 401, a distance of 108.35 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set (Surface Coordinates: N=10,178,086.48, E=3,203,558.33) set 61.09 feet right of C.R. 401 E.C.S 167+51.84 on the proposed east right-of-way line of C.R. 401, for the south corner and the **POINT OF BEGINNING** of the parcel described herein;

1) **THENCE** N 06°51'51" E, departing the proposed east right-of-way line of said C.R. 401, continuing with the existing east right-of-way line of said C.R. 401, a distance of 1,385.74 feet to a 2-inch metal fence post found 18.34 feet left of C.R. 401 E.C.S 181+38.78 on the south right-of-way line of the Union Pacific Railroad, a 200 foot wide right-of-way, as depicted on a right-of-way and track map dated June 30, 1917, same being the south right-of-way line of C.R. 403, no record information found, for the northwest corner of said 47.634 acre tract and the parcel described herein, said point being the beginning of a curve to the left;

2) **THENCE** departing the existing east right-of-way line of said C.R. 401, with the said south right-of-way line of the Union Pacific Railroad and said curve to the left, an arc distance of 94.84 feet, through a central angle 01°49'58", having a radius of 2,964.79 feet, and a chord that bears N 73°14'16" E, a distance of 94.84 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 68.00 feet right of C.R. 401 E.C.S 181+78.03 on the proposed east right-of-way line of said C.R. 401, for the northeast corner of the parcel described herein, from which a 3/4-inch iron pipe found, for the northeast corner of said 47.634 acre tract bears with said curve to the left, an arc distance of 560.49 feet, through a central angle 10°49'54", having a radius of 2,964.79 feet, and a chord bearing N 66°54'19" E, a distance of 559.65 feet;

EXHIBIT "A"

County: Williamson
Parcel No.: 4
Highway: C.R. 401/404
Limits: From: FM 973
To: Intersection of US 79

Page 2 of 7
March 25, 2022

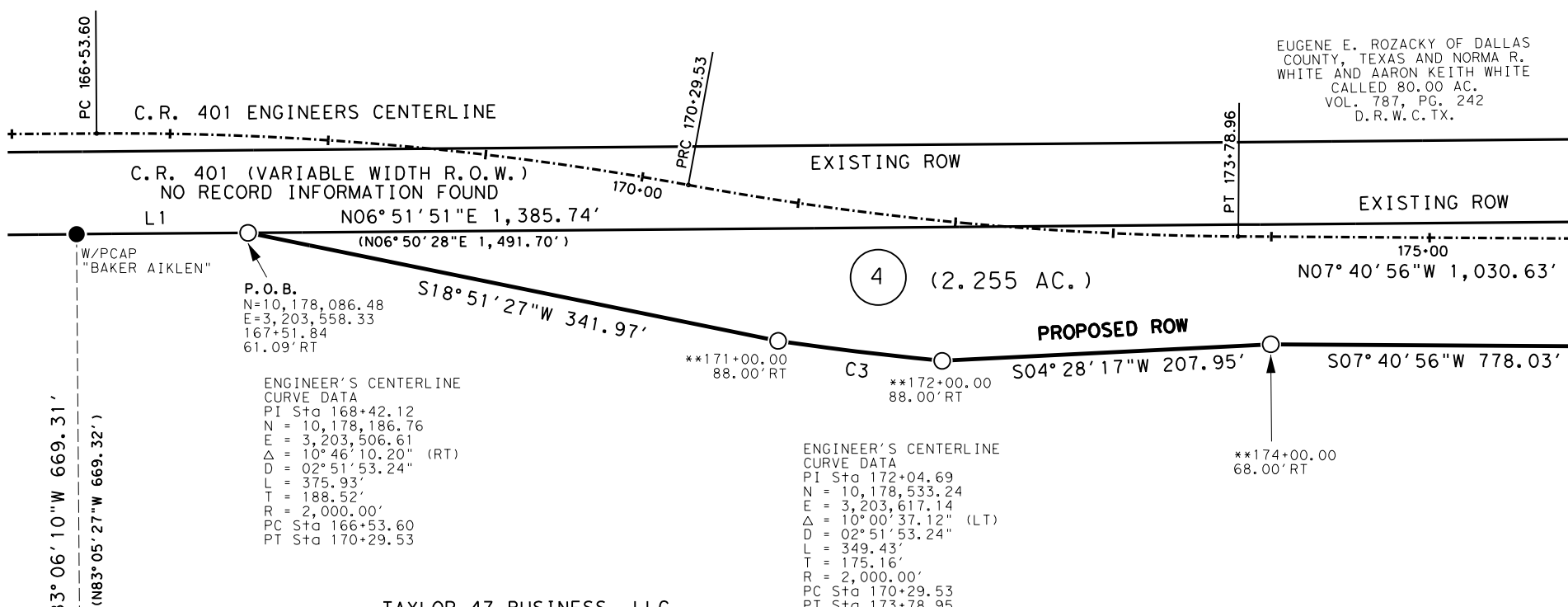
THENCE departing said south right-of-way line of the Union Pacific Railroad, with the proposed east right-of-way line of said C.R. 401, over and across said 47.634 acre tract, following four (4) courses and distances numbered 3-6:

- 3) S 07°40'56" W, a distance of 778.03 feet to a **5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 68.00 feet right of C.R. 401 E.C.S 174+00.00,
- 4) S 04°28'17" W, a distance of 207.95 feet to a **5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 88.00 feet right of C.R. 401 E.C.S 172+00.00, said point being the beginning of a curve to the right,
- 5) With said curve to the right, an arc distance of 104.40 feet, through a central angle 02°51'53", having a radius of 2,088.00 feet, and a chord that bears S 14°14'28" W, a distance of 104.39 feet to a **5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 88.00 feet right of C.R. 401 E.C.S 171+00.00, and

THIS SPACE INTENTIONALLY LEFT BLANK

EXHIBIT "A"

EUGENE E. ROZACKY OF DALLAS COUNTY, TEXAS AND NORMA R. WHITE AND AARON KEITH WHITE CALLED 80.00 AC. VOL. 787, PG. 242 D.R.W.C.TX.



P.O.B.
N=10,178,086.48
E=3,203,558.33
167+51.84
61.09' RT

ENGINEER'S CENTERLINE
CURVE DATA
PI Sta 168+42.12
N = 10,178,186.76
E = 3,203,506.61
Δ = 10° 46' 10.20" (RT)
D = 02° 51' 53.24"
L = 375.93'
T = 188.52'
R = 2,000.00'
PC Sta 166+53.60
PT Sta 170+29.53

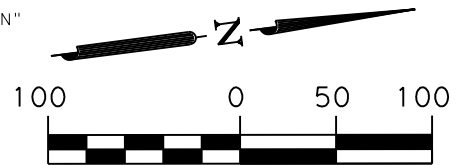
ENGINEER'S CENTERLINE
CURVE DATA
PI Sta 172+04.69
N = 10,178,533.24
E = 3,203,617.14
Δ = 10° 00' 37.12" (LT)
D = 02° 51' 53.24"
L = 349.43'
T = 175.16'
R = 2,000.00'
PC Sta 170+29.53
PT Sta 173+78.95

TAYLOR 47 BUSINESS, LLC,
A TEXAS LIMITED LIABILITY
CORPORATION
RECORDED DECEMBER 3, 2021
CALLED 47.634 AC.
DOC. NO. 2021184603
O.P.R.W.C.TX.

J.C. EAVES
ABSTRACT NO. 214

IMMANUEL LUTHERAN CHURCH
CALLED 1.50 AC.
DOC. NO. 2014088879
O.P.R.W.C.TX.

P.O.C.
1/2" W/PCAP
"BAKER AICKLEN"
166+40.75
732.85' RT



WILLIAMSON COUNTY, TEXAS

LINE TABLE

| LINE NO. | BEARING | DISTANCE |
|----------|----------------|----------|
| L1 | N06° 51' 51" E | 108.35' |

CURVE TABLE

| NO. | DELTA | RADIUS | LENGTH | CHORD | CHORD BEARING |
|-----|----------------|-----------|---------|---------|----------------|
| C3 | 02° 51' 53" RT | 2,088.00' | 104.40' | 104.39' | S14° 14' 28" W |

MATCH SHEET 5 OF 7

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| | | | | | |
|----------|------------|---------|-----------|-----------|------------------|
| EXISTING | 47.634 AC. | ACQUIRE | 2.255 AC. | REMAINING | 45.379 AC. RIGHT |
|----------|------------|---------|-----------|-----------|------------------|

SAMTM
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
TAYLOR 47 BUSINESS, LLC,
A TEXAS LIMITED LIABILITY
CORPORATION
PARCEL 4
2.255 AC. (98,226 SQ. FT.)

EXHIBIT "A"

EUGENE E. ROZACKY OF DALLAS COUNTY, TEXAS AND NORMA R. WHITE AND AARON KEITH WHITE CALLED 80.00 AC. VOL. 787, PG. 242 D. R. W. C. TX.

ENGINEER'S CENTERLINE CURVE DATA
 PI Sta 187+43.03
 N = 12,345,678.90
 E = 123,456.78
 $\Delta = 34^\circ 01' 09.37''$ (RT)
 D = $05^\circ 15' 23.38''$
 L = 647.19'
 T = 333.45'
 R = 1,090.00'
 PC Sta 184+09.59
 PT Sta 190+56.77

EXISTING ROW C.R. 401 (VARIABLE WIDTH R.O.W.)
 NO RECORD INFORMATION FOUND

EXISTING ROW N06° 51' 51" E 1,385.74'
 (N06° 50' 28" E 1,491.70')

C.R. 401 ENGINEERS CENTERLINE N07° 40' 56" E 1,030.63' 180+00

PROPOSED ROW 4 (2.255 AC.)

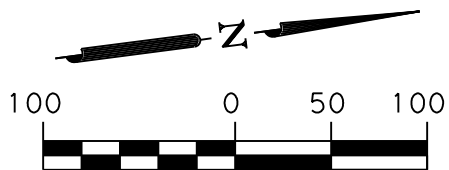
S07° 40' 56" W 778.03'

TAYLOR 47 BUSINESS, LLC,
 A TEXAS LIMITED LIABILITY
 RECORDED DECEMBER 3, 2021
 CALLED 47.634 AC.
 DOC. NO. 2021184603
 O. P. R. W. C. TX.

CURVE TABLE

| NO. | DELTA | RADIUS | LENGTH | CHORD | CHORD BEARING |
|------|----------------|-------------|-----------|-----------|------------------|
| C1 | 01° 49' 58" LT | 2,964.79' | 94.84' | 94.84' | N73° 14' 16" E |
| (C1) | (LT) | (2,924.55') | (656.76') | (655.38') | (N67° 47' 29" E) |
| C2 | 10° 49' 54" LT | 2,964.79' | 560.49' | 559.65' | N66° 54' 19" E |

J.C. EAVES
 ABSTRACT NO. 214



GRAPHIC SCALE
 SCALE: 1" = 100'
 WILLIAMSON COUNTY, TEXAS

UNION PACIFIC RAILROAD
 (200' WIDE R.O.W.) AND
 TRACK MAP DATED JUNE 30, 1917
 DEGREE OF CURVATURE = 2° 00'
 (DELTA = 37° 12')

MATCH SHEET 4 OF 7

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| | | | | | |
|----------|------------|---------|-----------|-----------|------------------|
| EXISTING | 47.634 AC. | ACQUIRE | 2.255 AC. | REMAINING | 45.379 AC. RIGHT |
|----------|------------|---------|-----------|-----------|------------------|



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RIGHT-OF-WAY SKETCH
 SHOWING PROPERTY OF
 TAYLOR 47 BUSINESS, LLC,
 A TEXAS LIMITED LIABILITY
 PARCEL 4
 2.255 AC. (98,226 SQ. FT.)

EXHIBIT "A"

SCHEDULE B:

THIS SURVEY HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 21061677, ISSUED BY TEXAS TITLE INSURANCE COMPANY, EFFECTIVE DATE JANUARY 28, 2022, AND ISSUED DATE FEBRUARY 8, 2022.

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION.):

A. RIGHT OF WAY EASEMENT DATED JUNE 18, 1936, EXECUTED BY MISS IDA H. F. SCHULTZ TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 282, PAGE 61, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO DETERMINE LOCATION, MAY AFFECT)

B. EASEMENT DATED DECEMBER 13, 1955, EXECUTED BY MARVIN G. ROZNOVAK AND ARTIE B. ROZNOVAK TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 410, PAGE 41, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO DETERMINE LOCATION, MAY AFFECT)

C. EASEMENT DATED OCTOBER 24, 1972, EXECUTED BY MARVIN G. ROZNOVAK AND ARTIE B. ROZNOVAK TO TEXAS POWER & LIGHT COMPANY AND THE SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 570, PAGE 76, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO DETERMINE LOCATION, MAY AFFECT)

D. RIGHT OF WAY EASEMENT DATED AUGUST 23, 1974, EXECUTED BY MARVIN G. ROZNOVAK AND ARTIE B. ROZNOVAK TO JONAH WATER SUPPLY CORP., RECORDED IN VOLUME 597, PAGE 979, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

E. A 30' RIGHT OF WAY EASEMENT CONVEYED TO DONALD W. KUNZE AND NANCY L. KUNZE BY W. A. KUNZE AND ANNIE MAE KUNZE IN WARRANTY DEED DATED OCTOBER 25, 1983, RECORDED IN VOLUME 948, PAGE 561, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

F. RIGHT OF WAY EASEMENT DATED OCTOBER 18, 1994, EXECUTED BY FRED GOLA AND ANGELEE GOLA TO JONAH WATER SPECIAL UTILITY DIST., RECORDED UNDER DOCUMENT NO. 9458612, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

G. PUBLIC UTILITY AND ACCESS EASEMENT DATED FEBRUARY 3, 2006, EXECUTED BY FREDDY GOLA TO JONAH WATER SPECIAL UTILITY DISTRICT, RECORDED UNDER DOCUMENT NO. 2006009994, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

H. THE RIGHTS OF LOWER BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT LEVY TAXES AND ISSUE BONDS.


I. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS OR OTHER MINERALS, 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 MINERALS THAT ARE NOT LISTED.

I. ALL VISIBLE AND APPARENT EASEMENTS AND ALL UNDERGROUND EASEMENTS, THE EXISTENCE OF WHICH MAY ARISE BY UNRECORDED GRANT OR BY USE. (OWNER'S TITLE POLICY ONLY)

K. RIGHTS OF PARTIES IN POSSESSION. (OWNER'S TITLE POLICY ONLY)

I. "ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND." (NOTE: UPON RECEIPT OF A SURVEY ACCEPTABLE TO COMPANY, THIS EXCEPTION WILL BE DELETED. COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL EXCEPTIONS PER ITS EXAMINATION OF SAID SURVEY)

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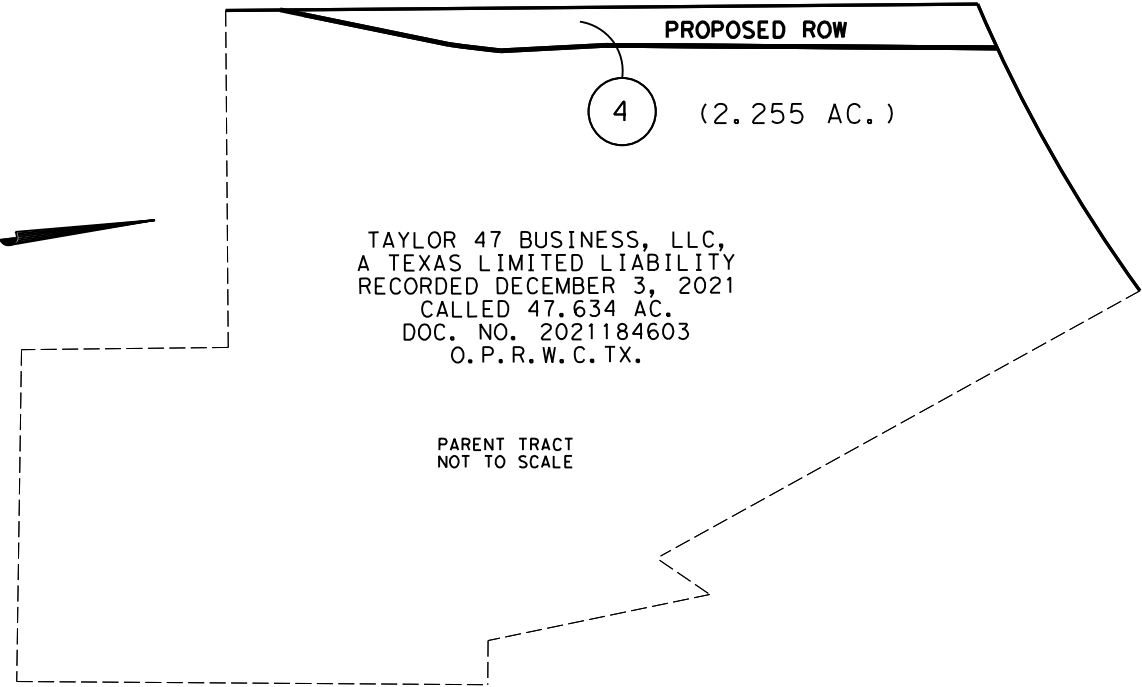
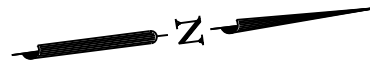
| | | | | | | |
|--|------------|---------|---|-----------|---|-------|
| EXISTING | 47.634 AC. | ACQUIRE | 2.255 AC. | REMAINING | 45.379 AC. | RIGHT |
|  | | | 4801 Southwest Parkway Building Two, Suite 100 Austin, Texas 78735 (512) 447-0575 Fax: (512) 326-3029 Texas Firm Registration No. 10064300 | | RIGHT-OF-WAY SKETCH SHOWING PROPERTY OF TAYLOR 47 BUSINESS, LLC, A TEXAS LIMITED LIABILITY PARCEL 4 2.255 AC. (98,226 SQ. FT.) | |

LEGEND

EXHIBIT "A"

C.R. 401

- 5/8" IRON ROD SET WITH ALUMINUM CAP STAMPED "WILLIAMSON COUNTY"
- 1/2" IRON ROD FOUND UNLESS NOTED
- ⬡ FENCE POST (TYPE NOTED)
- TYPE I CONCRETE MONUMENT FOUND
- ◻ TXDOT TYPE II BRONZE DISK IN CONCRETE FOUND
- ⊙ 1/2" IRON PIPE FOUND UNLESS NOTED
- ▲ 80D NAIL FOUND
- ⊕ MAGNAIL FOUND
- ⊗ SPINDLE FOUND
- ✕ RAILROAD TIE
- △ CALCULATED POINT
- ℙ PROPERTY LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- N.T.S. NOT TO SCALE
- D.R.W.C.TX. DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.R.W.C.TX. OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- DISTANCE NOT TO SCALE
- - - DEED LINE (COMMON OWNERSHIP)



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 1.00012352. 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 TEXAS TITLE INSURANCE COMPANY, GF NO. 21061677, EFFECTIVE DATE JANUARY 28, 2022, AND ISSUED DATE FEBRUARY 8, 2022. THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
 3. C.R. 401 ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM HNTB. SCHEMATIC RECEIVED BY SAM, LLC. IN MAY, 2021.
 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.



PAGE 7 OF 7
REF. FIELD NOTE NO. 48889

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| | | | | | |
|----------|------------|---------|-----------|-----------|------------------|
| EXISTING | 47.634 AC. | ACQUIRE | 2.255 AC. | REMAINING | 45.379 AC. RIGHT |
|----------|------------|---------|-----------|-----------|------------------|

Scott C. Brashear

 SCOTT C. BRASHEAR
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 6660, STATE OF TEXAS

03/24/2022

 DATE

SAMTM
 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
 TAYLOR 47 BUSINESS, LLC,
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 PARCEL 4
 2.255 AC. (98,226 SQ. FT.)