

**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 0.1331 acres (Parcel 6) described by metes and bounds in Exhibit "A" owned by **ANNETTE WARD KYLBERG, JEFFREY EARL KYLBERG AND PATRICK ELTON KYLBERG** for the purpose of constructing, reconstructing, maintaining, and operating the County Road 245 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 Gravel, Jr.
Williamson County Judge

EXHIBIT A

County: Williamson

Highway: County Road 245

Project Limits: From RM 2338 to Ronald Reagan Blvd.

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July 23, 2021

PROPERTY DESCRIPTION FOR PARCEL 6

DESCRIPTION OF a 5,796 square foot (0.1331 of one acre) parcel of land consisting of two parts out of the L.P Dyches Survey, Abstract No. 171, in Williamson County, Texas, and being out of a called 31.32 acre tract conveyed to Donald H. Kylberg by Warranty Deed dated March 29, 1979, as recorded in Volume 752, Page 229, Deed Records, Williamson County, Texas (D.R.W.C.T.); said 5,796 square foot (0.1331 of one acre) parcel of land being more particularly described in two parts by metes and bounds as follows:

PART 1

COMMENCING at a 1/2-inch iron rod found at the southeast corner of said 31.32 acre Kylberg tract, being at the northeast corner of that tract described as 161.7551 acres (save & except 0.413 of one acre) conveyed to Pulte Homes of Texas, L.P. by Special Warranty Deed dated January 14, 2015, as recorded in Document No. 2015003147, Official Public Records, Williamson County, Texas (O.P.R.W.C.T.);

THENCE S 69°38'48" W, along the south line of said 31.32 acre Kylberg tract and the north line of said 161.7551 acre (save & except 0.413 of one acre) Pulte Homes of Texas tract, a distance of 2,597.11 feet to a 1/2-inch iron rod with "McGray McGray" cap set in the proposed east right-of-way line of CR 245, for the **POINT OF BEGINNING**, being 67.50 feet right of Engineer's Baseline Station 125+64.59 and having Surface Coordinates of North=10,239,027.44, East=3,102,026.32;

- 1) **THENCE, S 69°38'48" W**, continuing along the south line of said 31.32 acre Kylberg tract, the north line of said 161.7551 acre (save & except 0.413 of one acre) Pulte Homes of Texas tract, and partially along the north line of the Amending Plat of Sun City Neighborhood Sixty-Four, a subdivision of record in Document No. 2016007743, O.P.R.W.C.T., a distance of **64.37 feet** to a 1/2-inch iron rod found at the southwest corner of said 31.32 acre Kylberg tract, being at the northwest corner of said 161.7551 acre (save & except 0.413 of one acre) Pulte Homes of Texas tract, said Amending Plat of Sun City Neighborhood Sixty-Four subdivision, and being in the existing east right-of-way line of CR 245 (varying width);
- 2) **THENCE, N 21°36'36" E**, along the west line of said 31.32 acre Kylberg tract and the existing east right-of-way line of CR 245, a distance of **225.00 feet** to a 1/2-inch iron rod with "McGray McGray" cap set in the proposed east right-of-way line of CR 245, at the beginning of a curve to the right, and being 67.50 feet right of Engineer's Baseline Station 127+46.01;

EXHIBIT A

County: Williamson

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PROPERTY DESCRIPTION FOR PARCEL 6

- 3) **THENCE, 188.22 feet**, along the arc or said curve to the right, having a radius of **1,867.50 feet**, a delta angle of **05°46'29"**, and a chord bearing of **S 06°52'15" W**, along the proposed east right-of-way line of CR 245, crossing said 31.32 acre Kylberg tract, a chord distance of **188.14 feet** to the **POINT OF BEGINNING** and containing 5,683 square feet (0.1305 of one acre) of land, more or less.

PART 2

COMMENCING at a 1/2-inch iron rod found in the north line of said 31.32 acre Kylberg tract, being in the south line of The Final Plat of Planned Unit Development of Sun City Georgetown, Neighborhood Ten-E, a subdivision of record in Document No. 9902298, Official Records, Williamson County, Texas (O.R.W.C.T.), said Neighborhood Ten-E conveyed to Pulte Homes of Texas, LP by Special Warranty Deed dated June 3, 2016, as recorded in Document No. 2016050010, O.P.R.W.C.T.;

THENCE S 68°56'55" W, along the north line of said 31.32 acre Kylberg tract and the south line of said Neighborhood Ten-E and said Pulte Homes of Texas, Inc. tract, a distance of 486.71 feet to a 1/2-inch iron rod with "McGray McGray" cap set in the proposed west right-of-way line of CR 245 at the beginning of a curve to the right, for the **POINT OF BEGINNING**, being 67.50 feet left of Engineer's Baseline Station 131+31.08 and having Surface Coordinates of North=10,239,612.70, East=3,102,033.90;

- 1) **THENCE, 32.30 feet** along the arc of said curve to the right, having a radius of **1,867.50 feet**, a delta angle of **00°59'28"**, and a chord bearing of **S 07°46'41" E**, along the proposed east right-of-way line of CR 245, crossing said 31.32 acre Kylberg tract, a chord distance of **32.30 feet** to a 1/2-inch iron rod with "McGray McGray" cap set in the west line of said 31.32 acre Kylberg tract, being in the existing east right-of-way line of CR 245, and being 67.50 feet right of Engineer's Baseline Station 130+99.94;
- 2) **THENCE, N 20°27'54" W**, along the west line of said 31.32 acre Kylberg tract and the existing east right-of-way line of CR 245, a distance of **31.44 feet** to a calculated point at the northwest corner of said 31.32 acre Kylberg tract, being at the southwest corner of said Neighborhood Ten-E and said Pulte Homes of Texas tract;

EXHIBIT A

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Highway: County Road 245
Project Limits: From RM 2338 to Ronald Reagan Blvd.

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PROPERTY DESCRIPTION FOR PARCEL 6

- 3) **THENCE, N 68°56'55" E**, along the north line of said 31.32 acre Kylberg tract and the south line of said Neighborhood Ten-E and said Pulte Homes of Texas tract, a distance of **7.10 feet** to the **POINT OF BEGINNING** and containing 113 square feet (0.0026 of one acre) of land, more or less.

PART 1 5,683 Sq. Ft. (0.1305 Ac.)

PART 2 113 Sq. Ft. (0.0026 Ac.)

TOTAL 5,796 Sq. Ft. (0.1331 Ac.)

All bearings and coordinates shown are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum 1983 (NAD 83) 2011 Adjustment, Epoch 2010.00. All distances and coordinates shown are surface and may be converted to grid by dividing by a surface adjustment factor of 1.00012. All measurements are in U.S. Survey Feet.

A parcel plat of even date was prepared in conjunction with this property description.

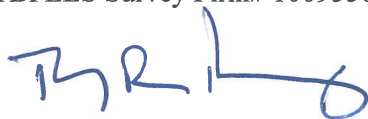
STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Troy R. Thomas, 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, this the 23rd day of July, 2021 A.D.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591
TBPELS Survey Firm# 10095500



7/23/2021



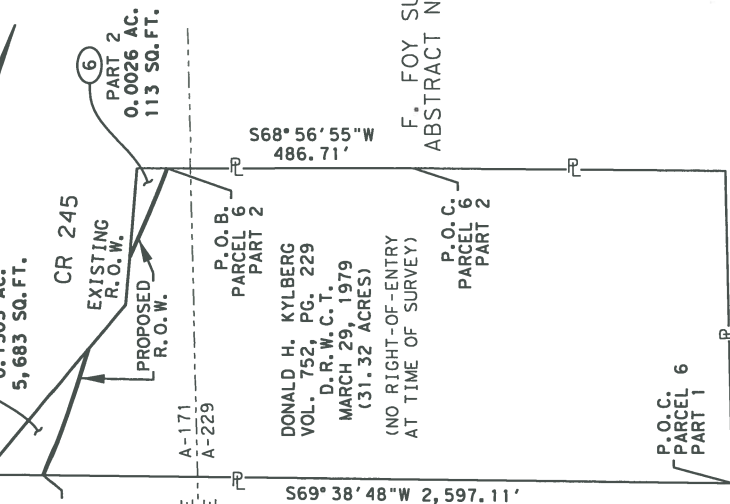
Troy R. Thomas, Reg. Professional Land Surveyor No. 6130

2021/Descriptions/CR 245 Williamson County/Parcel 6

L.P. DYCHES SURVEY
ABSTRACT NO. 171

LEGEND

- FOUND IRON ROD (1/2" UNLESS NOTED)
- ⊙ FOUND IRON PIPE (1/2" UNLESS NOTED)
- △ CALCULATED POINT, NOT SET
- 1/2" IRON ROD W/ "MCGRAY & MCGRAY"
- CAP SET (UNLESS NOTED)
- (XXX) RECORD INFORMATION
- P— PROPERTY LINE (OWNERSHIP DIVISION)
- S— APPROXIMATE SURVEY LINE
- D— DEED LINE (OWNERSHIP IN COMMON)
- N.T.S.— DISTANCE NOT TO SCALE (N.T.S.)
- P.O.B.— POINT OF BEGINNING
- P.O.C.— POINT OF COMMENCEMENT
- R.O.W.— RIGHT-OF-WAY
- N.T.S.— NOT TO SCALE
- B.L.— BUILDING SETBACK LINE
- 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.O.C.— PARCEL NUMBER FOR R.O.W. ACQUISITION



F. FOY SURVEY
ABSTRACT NO. 229

NOTES:

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00012. UNITS: U.S. SURVEY FEET.
- ABSTRACTING AND FIELD SURVEYING WERE PERFORMED FROM MAY 2020 THROUGH JULY 2021.
- THIS PARCEL PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
- RIGHT-OF-ENTRY WAS UNABLE TO BE OBTAINED AT THE TIME OF SURVEY. MONUMENTS ALONG THE PROPOSED R.O.W. LINE WERE UNABLE TO BE SET WHERE NOTED.

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 DIRECTION AND SUPERVISION.

Troy R. Thomas

7/23/2021

TROY R. THOMAS, REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6130

DATE

THE SURVEY SHOWN WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 2129130-KFO ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE MAY 28, 2021, ISSUED DATE JUNE 11, 2021.

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

G. PEDERNALES ELECTRIC COOPERATIVE, INC. EASEMENT AS DESCRIBED IN VOLUME 643, PAGE 222, DEED RECORDS, WILLIAMSON COUNTY, TEXAS - DOES NOT AFFECT

H. CHISHOLM TRAIL WATER SUPPLY CORP. EASEMENT AS DESCRIBED IN VOLUME 1107, PAGE 445, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS - BLANKET EASEMENT (UNABLE TO PLOT)

I. AFFIDAVIT TO THE PUBLIC REGARDING AN ON-SITE SEWAGE FACILITY AS DESCRIBED IN DOCUMENT NO. 200103553, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS - (UNABLE TO PLOT)

REVISIONS

RECORD	ACQUISITION	REMAINING RT
31.32 AC. (1,364,299 SQ. FT.)	TOTAL 0.1331 AC. (5,796 SQ. FT.)	31.19 AC. (1,358,503 SQ. FT.)



McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPELS SURVEY FIRM # 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591
www.mcgray.com

PARCEL PLAT SHOWING
PROPOSED R.O.W. AT
PARCEL 6

CR 245 - FROM R.M. 2338
TO RONALD REAGAN BLVD.
WILLIAMSON COUNTY, TEXAS

DATE: JULY 2021 SCALE: N.T.S.



NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE GRID AND MAY BE CONVERTED TO SURFACE BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00012. UNITS: U.S. SURVEY FEET.
2. ABSTRACTING AND FIELD SURVEYING WERE PERFORMED FROM MAY 2020 THROUGH JULY 2021.
3. THIS PARCEL PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
4. RIGHT-OF-ENTRY WAS UNABLE TO BE OBTAINED AT THE TIME OF SURVEY. MONUMENTS ALONG THE PROPOSED R.O.W. LINE WERE UNABLE TO BE SET. WORK NOTED.

PARCEL PLAT SHOWING
PROPOSED R.O.W. AT
PARCEL 6
CCR 245 - FROM R.M. 2338
TO RONALD REAGAN BLVD.
WILLIAMSON COUNTY, TEXAS

SCALE: 1"=100'

L. P. DYCHES SURVEY
ABSTRACT NO. 171

MARY SINK [NS] LUZIUS
DOC. NO. 2007019684
O. P. R. W. C. T.
FEBRUARY 19, 2007
(20 ACRE REMAINDER OF 91.929
FURTHER DESCRIBED IN
VOL. 1083, PG. 101
D. R. W. C. T.

130+00

WILLIAMSON COUNTY
DOC. NO. 2003082496
O.P.R.W.C.T.
AUGUST 21, 2003
(Q. 545 ACRE)

EXISTING R.O.W.

CR 245
WIDTH VARIES)
E 176.45

129.03.19
128.28' RT
23" LIVE
OAK TREE

67.50' RT

DONALD H. KYLBURG
VOL. 752, PG. 229
D.R.W.C.T.
MARCH 29, 1979
(31.32 ACRES)

F. FOY SURVEY
ABSTRACT NO. 229

PULTE HOMES OF —
TEXAS, L.P.
DOC. NO. 201500314
O.P.R.W.C.T.
-- JANUARY 14, 2015
(161.7551 ACRES,
SAVE & EXCEPT 0.41
ACRE)

PULTE HOMES OF
TEXAS, L.P.
DOC. NO. 2015003147
O.P. R.W.C.T.

--- JANUARY 14, 2015
(161.7551 ACRES,
SAVE & EXCEPT 0.41
ACRE)

•

CEPT 0.4
(RE)

SAVE 8

DETAIL "A" N.T.S.

ENGINEER'S'S BASELINE CURVE DATA	
PI NORTHING	= 10,239,335.27
PI EASTING	= 3,102,120.82
PI STATION	= 128+94.01
DELTA	= 43° 03' 36" (LT)
DEGREE OF CURVE	= 3° 10' 59"
TANGENT	= 710.13
LENGTH	= 1,352.77
RADIUS	= 1,800.00'
CHORD BEARING	= N 0° 20' 47" E
CHORD	= 1,321.16
PC STATION	= 121+83.88
PT STATION	= 135+36.65

LINE TABLE

LINE	BEARING	DISTANCE
L1	S69°38'48"W	64.37'
L2	N20°27'54"W	31.44'
L3	N68°56'55"E	7.10'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	188.22'	1,867.50'	05°46'29"RT	S06°52'15"W	188.14'
C2	32.30'	1,867.50'	00°59'28"RT	S07°46'41"E	32.30'

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DATE: JULY 2021