

**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 0.101 acres (Parcel 13) described by metes and bounds in Exhibit "A" owned by **TAYLOR TEXAS HOLDINGS, INC.** 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.: 13
Highway: C.R. 401/404
Limits: From: FM 973
To: Intersection of US 79

Page 1 of 5
March 25, 2022

PROPERTY DESCRIPTION FOR PARCEL 13

DESCRIPTION OF A 0.101 ACRE (4,418 SQ. FT.) PARCEL OF LAND LOCATED IN THE H.G. JOHNSON SURVEY, SECTION NO. 6, ABSTRACT NO. 348, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 69.28 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO TAYLOR TEXAS HOLDINGS, INC., RECORDED JULY 10, 2008 IN DOCUMENT NO. 2008053881, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 0.101 ACRE (4,418 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 3-inch iron pipe found, for the northwest corner of said 69.28 acre tract, same being an interior ell corner of the remainder of a called 290.77 acre tract of land described as Tract number Two, Parcel A and a called 1.9 acre tract of land, Parcel B, in a deed to Prewitt Farms, LTD., a Texas Limited Partnership, recorded in Document No. 2007076169 O.P.R.W.C.TX.;

THENCE with the common line of said Prewitt Farms tract and said 69.28 acre tract, the following three (3) courses and distances:

S 22°16'06" E, a distance of 483.09 feet to a calculated point, for an angle corner,

N 68°34'07" E, a distance of 13.00 feet to a calculated point, for an angle corner, and

S 21°38'26" E, a distance of 1,947.47 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,181,803.57, E=3,204,235.23) set 126.60 feet right of County Road 401 (C.R. 401) Engineer's Centerline Station (E.C.S.) 206+16.76 on the proposed north right-of-way line of C.R. 401, for the northwest corner and the **POINT OF BEGINNING** of the parcel described herein;

1) **THENCE** N 68°03'42" E, departing the common line of said Prewitt Farms tract and said 69.28 acre tract, with the proposed north right-of-way line of said C.R. 401, over and across said 69.28 acre tract, a distance of 19.56 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 146.10 feet right of C.R. 401 E.C.S 206+18.42 on the east line of said 69.28 acre tract same being the west line of lot 1, Amended Plat of the Amanda's Commercial Subdivision, recorded in Document No. 2007095833, O.P.R.W.C.TX., described in a deed to Clark Charter and Travel, Inc., recorded in Document No. 2019006536 O.P.R.W.C.TX., for the northeast corner of the parcel described herein, from which a 1/2-inch iron rod found for the northwest corner of said Lot 1, same being the southwest corner of Lot 2 of said Amended Plat of the Amanda's Commercial Subdivision bears N 21°45'06" W, a distance of 134.68 feet;

2) **THENCE** S 21°45'06" E, continuing with the proposed east right-of-way line of C.R. 401, same being the common line of said 69.28 acre tract and said Lot 1, a distance of 223.22 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 148.42 feet right of C.R. 401 E.C.S 203+84.03 on the existing north right-of-way line of U.S. 79, a 200 foot wide right-of-way, as described to the State of Texas in Volume 372, Page 169, Deed Records of Williamson County, Texas (D.R.W.C.TX.), and as depicted in TXDOT right-of-way strip map CSJ 204-03-12 dated December 1951, for the southwest corner of said Lot 1, same being the southeast corner of said 69.28 acre tract and of the parcel described herein, from which a 1/2-inch iron rod with a plastic cap stamped "HOLT & CARSON" found bears S 24°43'39" E, a distance of 2.18 feet;

EXHIBIT “A”

County: Williamson
Parcel No.: 13
Highway: C.R. 401/404
Limits: From: FM 973
To: Intersection of US 79

Page 2 of 5
March 25, 2022

3) **THENCE** S 66°58'03" W, departing the proposed east right-of-way line of said C.R. 401, with the existing north right-of-way line of said U.S. 79, a distance of 20.00 feet to a calculated point for southeast corner of said Prewitt Farms tract, same being the southwest corner of said 69.28 acre tract and the parcel described herein;

4) **THENCE** N 21°38'26" W, departing the existing north right-of-way line of said U.S. 79, with the common line of said Prewitt Farms tract and said 69.28 acre tract, a distance of 223.60 feet to the **POINT OF BEGINNING**, and containing 0.101 acres (4,418 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 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.


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

That I, Scott C. Brashear, 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



 03/24/2022

Scott C. Brashear Date
Registered Professional Land Surveyor
No. 6660 – State of Texas

EXHIBIT "A"

W.KINCAID
SURVEY NO. 5.
ABSTRACT NO. 373

PREWITT FARMS, LTD., A
TEXAS LIMITED PARTNERSHIP
RECORDED AUGUST 28, 2007
TRACT NUMBER TWO
PARCEL A
REMAINDER OF A CALLED 290.77 AC.

PARCEL B
PORTION OF A CALLED 1.9 AC.
DOC. NO. 2007076169
O.P.R.W.C. TX.

ENGINEER'S CENTERLINE
CURVE DATA
PI S+0 206+49.97
N = 10,181,794.79
E = 3,204,099.07
Δ = 11°40'43" (RT)
D = 04°46'29"
L = 244.60'
T = 122.72'
R = 1,200.00'
PC S+0 205+27.24
PT S+0 207+71.84

ENGINEER'S CENTERLINE
CURVE DATA
PI S+0 209+38.21
N = 10,182,079.26
E = 3,204,047.58
Δ = 11°50'11" (LT)
D = 04°46'29"
L = 247.90'
T = 124.39'
R = 1,200.00'
PC S+0 208+13.82
PT S+0 210+61.72

EXISTING ROW

STATE OF TEXAS
VOL. 372, PG. 368
D.R.W.C. TX.

EXISTING ROW

PT 202+67.46

U.S. 79
(200' WIDE R.O.W.)
CSJ: 204-03-12
DECEMBER 1951

203+00

N21°56'18"W
259.78'

13

(0.101 AC.)

N21°38'26"W 223.60'

(S19°09'00"E 793.81')

S21°45'06"E 223.22'

203+84.03
148.42'RT

SEE
DETAIL
STATE OF TEXAS
VOL. 372, PG. 169
D.R.W.C. TX.

LOT 1

CLARK CHARTERS AND TRAVEL, INC.
DOC. NO. 2019006536
O.P.R.W.C. TX.

LOTS 1 & 2
AMENDED PLAT OF THE
AMANDA'S COMMERCIAL SUBDIVISION
DOC. NO. 2007095833
O.P.R.W.C. TX.

APPROXIMATE LOCATION
OF SURVEY LINE

P.O.B.

N=10,181,803.57
E=3,204,235.23
206+16.76
126.60'RT

N21°45'06"W
134.68'

206+18.42
146.10'RT

N10°15'35"W
41.98'

PT 207+71.84

PC 208+13.82

PT 210+61.72

210+00

(S71°11'13"W 13.00')
N68°34'07"E
13.00'

(N19°39'00"W
483.00')
S22°16'06"E
483.09'

S21°38'26"E 1,947.47'

(N19°01'20"W 2,170.67')

P.O.R.

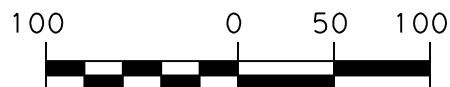
TAYLOR TEXAS HOLDINGS, INC.
RECORDED JULY 10, 2008
CALLED 69.28 AC.
DOC. NO. 2008053881
O.P.R.W.C. TX.

H.G. JOHNSON
SURVEY NO. 6.
ABSTRACT NO. 348

LOT 2

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N68°03'42"E	19.56'
L2	S66°58'03"W	20.00'
(L2)	(S69°35'00"W)	(20.00')



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

FILE: \\saminc\AUS\PROJECTS\1020058261B\100\Survey\03Exhibits\13\PLAT\00\P-13.dgn

EXISTING 69.280 AC. ACQUIRE 0.101 AC. REMAINING 69.179 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 TEXAS HOLDINGS, INC.
PARCEL 13
0.101 AC. (4,418 SQ. FT.)

PAGE 3 OF 5
REF. FIELD NOTE NO. 49115

EXHIBIT "A"

SCHEDULE B:

THIS SURVEY HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. GT2200560, ISSUED BY TEXAS TITLE INSURANCE COMPANY, EFFECTIVE DATE FEBRUARY 28, 2022, AND ISSUED DATE FEBRUARY 7, 2022.

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

A. EASEMENT DATED JULY 23, 1941, GRANTED BY ADOLF SCHOENROCK AND WIFE, MARTHA SCHOENROCK TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 308, PAGE 438, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

B. EASEMENT DATED AUGUST 26, 1946, GRANTED BY MRS. MARTHA SCHOENROCK TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 337, PAGE 353, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO DETERMINE LOCATION, MAY AFFECT)

C. LEASE FOR COAL, LIGNITE, OIL, GAS OR OTHER MINERALS, TOGETHER WITH RIGHTS INCIDENT THERETO, DATED MARCH 17, 1948, BY AND BETWEEN MARTHA SCHOENROCK, A WIDOW, AND HENRY SCHOENROCK AND WIFE, MARY SCHOENROCK, AS LESSOR AND RALPH ARNOLD, AS LESSEE, RECORDED ON MAY 12, 1948, IN VOLUME 348, PAGE 617, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. REFERENCE TO WHICH INSTRUMENT IS HERE MADE FOR PARTICULARS. NO FURTHER SEARCH OF TITLE HAS BEEN MADE AS TO THE INTEREST(S) EVIDENCED BY THIS INSTRUMENT, AND THE COMPANY MAKES NO REPRESENTATIONS AS TO THE OWNERSHIP OR HOLDER OF SUCH INTEREST(S). (DOES NOT AFFECT)

D. EASEMENT AGREEMENT DATED AUGUST 4, 2011, EXECUTED BY TAYLOR TEXAS HOLDINGS, INC. TO THE CITY OF TAYLOR, TEXAS, RECORDED UNDER DOCUMENT NO. 2011057118, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

E. THIS POLICY DOES NOT INSURE TITLE TO ANY MOBILE HOME WHICH MAY BE LOCATED ON SUBJECT PROPERTY.

F. ANY PORTION OF THE HEREIN DESCRIBED PROPERTY WHICH LIES WITHIN THE BOUNDARIES OF A ROAD OR ROADWAY.

G. 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.


H. 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)

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

J. "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)

PAGE 4 OF 5
REF. FIELD NOTE NO. 49115

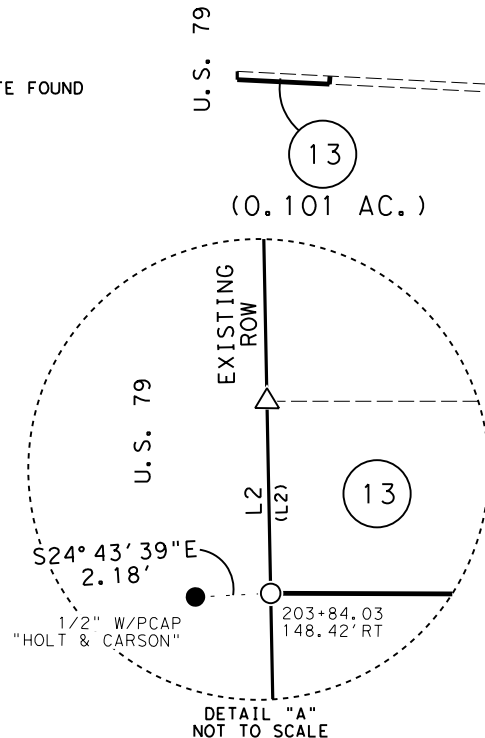
FILE: \\saminc\AUS\PROJECTS\1020058261B\100\Survey\03Exhibits\13\PLAT\00\P-13.dgn

EXISTING	69.280 AC.	ACQUIRE	0.101 AC.	REMAINING	69.179 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 TEXAS HOLDINGS, INC. PARCEL 13 0.101 AC. (4,418 SQ. FT.)	

LEGEND

EXHIBIT "A"

- 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
- 1/2 --- DISTANCE NOT TO SCALE
- 1 --- DEED LINE (COMMON OWNERSHIP)



TAYLOR TEXAS HOLDINGS, INC.
RECORDED JULY 10, 2008
CALLED 69.28 AC.
DOC. NO. 2008053881
O.P.R.W.C.TX.

PARENT TRACT
NOT TO SCALE

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. GT2200560, EFFECTIVE DATE FEBRUARY 28, 2022, AND ISSUED DATE FEBRUARY 7, 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.

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.



FILE: \\saminc\AUS\PROJECTS\1020058261B\100\Survey\03Exhibits\13\PLAT\00\P-13.dgn

EXISTING	69.280 AC.	ACQUIRE	0.101 AC.	REMAINING	69.179 AC. RIGHT
----------	------------	---------	-----------	-----------	------------------

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

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
TAYLOR TEXAS HOLDINGS, INC.
PARCEL 13
0.101 AC. (4,418 SQ. FT.)