

**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 4.091 acres (Parcel 44) described by metes and bounds in Exhibit "A" owned by **SWINDOLL INVESTMENTS LP** for the purpose of constructing, reconstructing, maintaining, and operating the Southeast Loop Segment 2 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.: 44
Tax ID: R311807, R311809
Highway: Southeast Loop
Limits: From: C.R. 137
To: C.R. 404

Page 1 of 5
December 22, 2021

PROPERTY DESCRIPTION FOR PARCEL 44

DESCRIPTION OF A 4.091 ACRE (178,215 SQ. FT.) PARCEL OF LAND LOCATED IN THE MATHIAS WILBARGER SURVEY, SECTION NO. 15, ABSTRACT NO. 663, AND THE WILLIAM GATLIN SURVEY, SECTION NO. 23, ABSTRACT NO. 271, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 10 ACRE TRACT OF LAND, DESCRIBED AS TRACT TWELVE IN A DEED TO SWINDOLL INVESTMENTS LP, RECORDED DECEMBER 30, 2008 IN DOCUMENT NO. 2008093458, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.) AND A PORTION OF A REMAINDER OF A CALLED 10 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO SWINDOLL INVESTMENTS LP, RECORDED MAY 10, 2017 IN DOCUMENT NO. 2017041967, O.P.R.W.C.TX.; SAID 4.091 ACRE (178,215 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 5/8-inch iron rod found 684.94 feet left of Southeast Loop Engineer's Centerline Station (E.C.S.) 237+66.71 on the existing west right-of-way line of C.R. 137, a variable width right-of-way, no record information found, for the most easterly southeast corner of a remainder of a called 62.136 acre tract of land, described in a deed to Brookland Partners Ltd., recorded in Document No. 2017023816, O.P.R.W.C.TX., same being the northeast corner of said Tract Twelve;

THENCE, with the existing west right-of-way line of said C.R. 137, the following two (2) courses and distances:

S 07°06'19" W, a distance of 704.08 feet to a calculated point, and

S 08°20'19" W, a distance of 65.88 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,159,472.32, E=3,176,842.49) set 147.00 feet left of Southeast Loop E.C.S. 232+15.85 on the proposed north right-of-way line of Southeast Loop, for the northeast corner and the **POINT OF BEGINNING** of the parcel described herein;

1) **THENCE** S 08°20'19" W, departing the proposed north right-of-way line of said Southeast Loop, continuing with the existing west right-of-way line of said C.R. 137, a distance of 429.55 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 147.00 feet right of Southeast Loop E.C.S. 229+02.68 on the proposed south right-of-way line of said Southeast Loop, for the southeast corner of the parcel described herein;

THENCE, departing the existing west right-of-way line of said C.R. 137, with the proposed south right-of-way line of said Southeast Loop, over and across said Tract Twelve, the following two (2) courses and distances numbered 2-3:

2) S 51°31'50" W, a distance of 135.09 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 147.00 feet right of Southeast Loop E.C.S. 227+67.59, for an angle corner of the parcel described herein, said point being the beginning of a curve to the right, and

EXHIBIT "A"

County: Williamson
Parcel No.: 44
Tax ID: R311807, R311809
Highway: Southeast Loop
Limits: From: C.R. 137
To: C.R. 404

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December 22, 2021

- 3) With said curve to the right, an arc distance of 256.30 feet, through a delta of $06^{\circ}03'47''$, having a radius of 2,422.00 feet, and a chord that bears $S\ 54^{\circ}33'43''\ W$, a distance of 256.18 feet to a calculated point 147.00 feet right of Southeast Loop E.C.S. 225+26.84 in the center of Brushy Creek, for the southwest corner of the parcel described herein;

THENCE, departing the proposed south right-of-way line of said Southeast Loop, with the centerline of said Brushy Creek, the following four (4) courses and distances numbered 4-7:

- 4) $N\ 58^{\circ}22'32''\ W$, a distance of 34.49 feet to a calculated point, for an angle corner of the parcel described herein,
- 5) $N\ 60^{\circ}06'39''\ W$, a distance of 46.15 feet to a calculated point, for an angle corner of the parcel described herein,
- 6) $N\ 57^{\circ}59'10''\ W$, a distance of 63.37 feet to a calculated point, for an angle corner of the parcel described herein, and
- 7) $N\ 58^{\circ}42'55''\ W$, a distance of 189.79 feet to a calculated point 147.00 feet left of Southeast Loop E.C.S. 223+68.46 on the proposed north right-of-way line of said Southeast Loop, for the northwest corner of the parcel described herein, said point being the beginning of a curve to the left;

THENCE, departing the centerline of said Brushy Creek, with the proposed north right-of-way line of said Southeast Loop, over and across said Swindoll Investments LP tracts, the following two (2) courses and distances numbered 8-9:

- 8) With said curve to the left, an arc distance of 373.35 feet, through a delta of $10^{\circ}03'08''$, having a radius of 2,128.00 feet, and a chord that bears $N\ 56^{\circ}33'24''\ E$, a distance of 372.87 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 147.00 feet left of Southeast Loop E.C.S. 227+67.59, for an angle corner of the parcel described herein, and

THIS SPACE INTENTIONALLY LEFT BLANK

EXHIBIT "A"

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- 9) N 51°31'50" E, a distance of 448.26 feet to the **POINT OF BEGINNING**, and containing 4.091 acres (178,215 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/NADV88 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 coordinated shown are in surface and may be converted 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.

Preliminary

12/22/2021 9:17:58 AM

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

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

EXHIBIT "A"

ENGINEER'S CENTERLINE
CURVE DATA
PI Sta 219+09.65
N = 10,158.480.19
E = 3,175.830.14
Δ = 45°49'27" (LT)
D = 02°31'07"
L = 1,819.51'
T = 961.56'
R = 2,275.00'
PC Sta 209+48.08
PT Sta 227+67.59

WILLIAM GATLIN SURVEY
SECTION NO.23,ABSTRACT NO.271

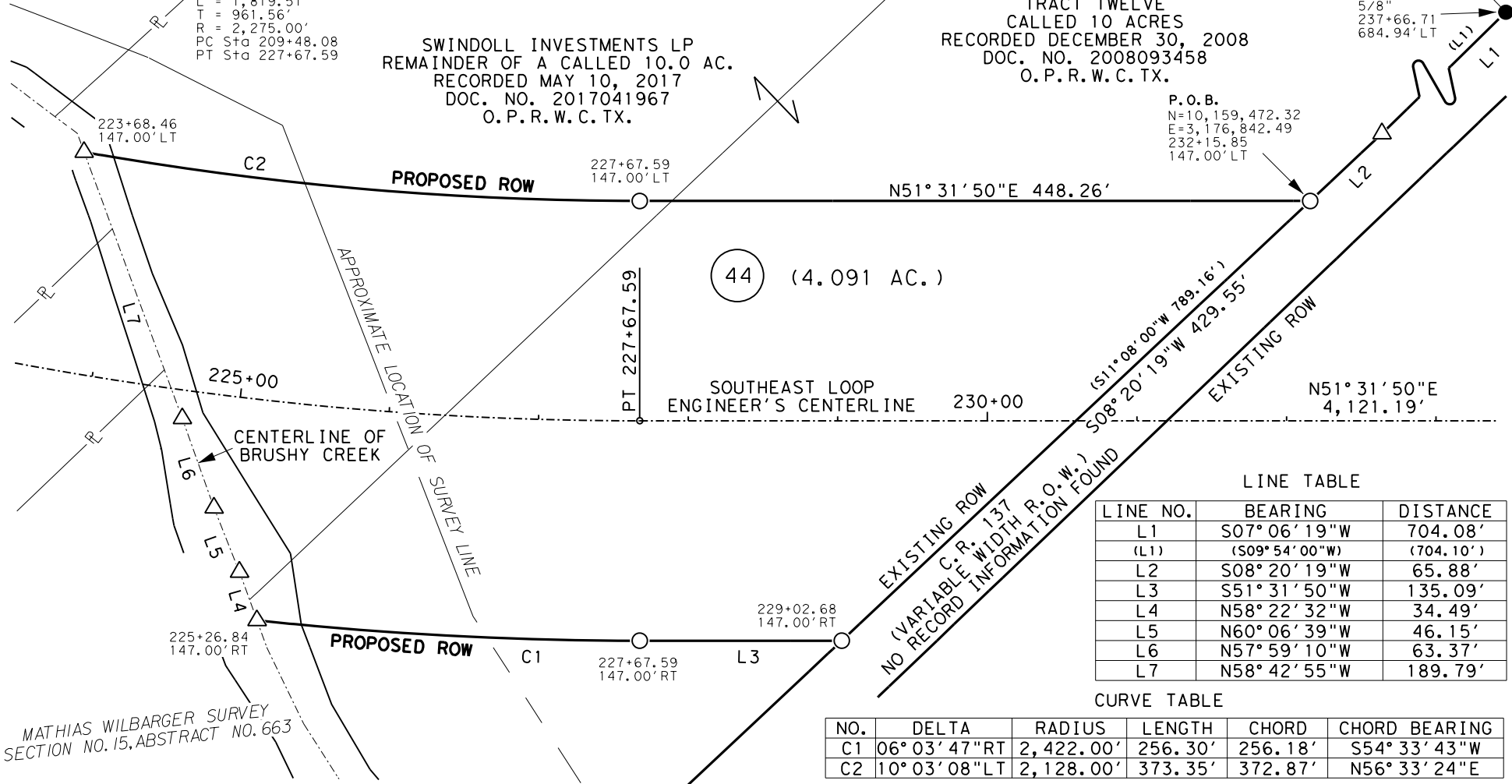
SWINDOLL INVESTMENTS LP
REMAINDER OF A CALLED 10.0 AC.
RECORDED MAY 10, 2017
DOC. NO. 2017041967
O.P.R.W.C. TX.

BROOKLAND PARTNERS LTD
REMAINDER OF A CALLED 62.136 ACRES
DOC. NO. 2017023816
O.P.R.W.C. TX.

SWINDOLL INVESTMENTS LP
TRACT TWELVE
CALLED 10 ACRES
RECORDED DECEMBER 30, 2008
DOC. NO. 2008093458
O.P.R.W.C. TX.

P.O.B.
N=10,159,472.32
E=3,176,842.49
232+15.85
147.00'LT

P.O.C.
5/8"
237+66.71
684.94'LT



MATHIAS WILBARGER SURVEY
SECTION NO.15,ABSTRACT NO.663

LINE TABLE

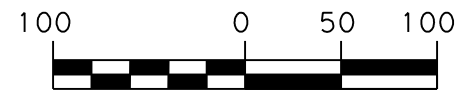
LINE NO.	BEARING	DISTANCE
L1	S07°06'19"W	704.08'
(L1)	(S09°54'00"W)	(704.10')
L2	S08°20'19"W	65.88'
L3	S51°31'50"W	135.09'
L4	N58°22'32"W	34.49'
L5	N60°06'39"W	46.15'
L6	N57°59'10"W	63.37'
L7	N58°42'55"W	189.79'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	06°03'47"RT	2,422.00'	256.30'	256.18'	S54°33'43"W
C2	10°03'08"LT	2,128.00'	373.35'	372.87'	N56°33'24"E

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REF. FIELD NOTE NO. 49148

FILE:\\saminc\AUS\PROJECTS\1021061125\100\Survey\03Exhibits\44\PLAT\00\P-44_1.dgn



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

EXISTING	*14.999 AC.	ACQUIRE	4.091 AC.	REMAINING	9.846 AC. LEFT
				REMAINING	1.062 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
SWINDOLL INVESTMENTS LP
TAX ID: R311807, R311809
PARCEL 44
4.091 AC. (178,215 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
- 1/4 --- DISTANCE NOT TO SCALE
- 1 --- DEED LINE (COMMON OWNERSHIP)

CENTERLINE OF
BRUSHY CREEK

SWINDOLL INVESTMENTS LP
REMAINDER OF A CALLED 10.0 AC.
RECORDED MAY 10, 2017
DOC. NO. 2017041967
O.P.R.W.C. TX.

SWINDOLL INVESTMENTS LP
TRACT TWELVE
CALLED 10 ACRES
RECORDED DECEMBER 30, 2008
DOC. NO. 2008093458
O.P.R.W.C. TX.

PARENT TRACT
NOT TO SCALE

PROPOSED ROW

44 (4.091 AC.)

EXISTING ROW
C.R. 137

PROPOSED ROW

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 WITHOUT THE BENEFIT OF TITLE REPORT, THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
 3. SOUTHEAST LOOP ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM JOHNSON, MIRMIRAN & THOMPSON, INC. SCHEMATIC RECEIVED BY SAM, LLC. IN OCTOBER, 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\1021061125\100\Survey\03Exhibits\44\PLAT\00\P-44_1.dgn

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REF. FIELD NOTE NO. 49148

Preliminary

12/22/2021 9:18:09 AM

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

DATE

EXISTING	*14.999 AC.	ACQUIRE	4.091 AC.	REMAINING	9.846 AC. LEFT
				REMAINING	1.062 AC. RIGHT



4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
(512) 447-0575
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RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
SWINDOLL INVESTMENTS LP
TAX ID: R311807, R311809
PARCEL 44
4.091 AC. (178,215 SQ. FT.)