

**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 13.433 acres (Parcel 41) described by metes and bounds in Exhibit "A" owned by **WMV Hutto 390 DE, LLC** 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 Gravel, Jr.
Williamson County Judge

EXHIBIT "A"

County: Williamson
Parcel No.: 41
Tax ID: R020555, R020545
Highway: Southeast Loop
Limits: From: C.R. 137
To: C.R. 404

Page 1 of 6
September 27, 2022

PROPERTY DESCRIPTION FOR PARCEL 41

DESCRIPTION OF A 13.433 ACRE (585,141 SQ. FT.) PARCEL OF LAND LOCATED IN THE MASSILLON FARLEY SURVEY, SECTION NO. 25, ABSTRACT NO. 238, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 389.542 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO WMV HUTTO 390 DE, LLC, RECORDED MARCH 7, 2022 IN DOCUMENT NO. 2022029057, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 13.433 ACRE (585,141 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 "RJ SURVEYING" found 573.50 feet right of Southeast Loop Engineer's Centerline Station (E.C.S.) 342+48.75 on the west line of a called 63.6 acre tract of land, described in a deed to Mart S. Kreuger, recorded in Volume 2551, Page 599, Official Records of Williamson County, Texas (O.R.W.C.TX.), for the most easterly northeast corner of a called 107.22 acre tract of land, described as Tract 5 in a deed to Clarendor Capital, LTD., recorded in Document No. 2021191286, O.P.R.W.C.TX., same being the southeast corner of said 389.582 acre tract;

THENCE N 83°05'04" W, with the common line of said 107.22 acre tract and said 389.582 acre tract, a distance of 816.34 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (replacing a 1/2-inch iron rod found) (Surface Coordinates: N=10,163,225.88, E=3,186,160.31) set 288.37 feet right of Southeast Loop E.C.S. 334+83.79 on the proposed south right-of-way line of Southeast Loop, for the most southerly southeast corner and the **POINT OF BEGINNING** of the parcel described herein;

THENCE departing the proposed south right-of-way line of said Southeast Loop, with the common line of said 107.22 acre tract and said 389.582 acre tract, the following two (2) courses and distances numbered 1-2:

- 1) N 82°41'40" W, a distance of 346.36 feet to a 1/2-inch iron rod with a plastic cap stamped "5729" found, for the southwest corner of said 389.582 acre tract and the parcel described herein, and
- 2) N 07°50'20" E, a distance of 416.78 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 222.95 feet left of Southeast Loop E.C.S. 333+11.91 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 right;

THENCE departing the common line of said 107.22 acre tract and said 389.582 acre tract, with the proposed north right-of-way line of said Southeast Loop, over and across said 389.582 acre tract, the following eight (8) courses and distances numbered 3-10:

- 3) With said curve to the right, an arc distance of 343.53 feet, through a delta of 02°05'06", having a radius of 9,440.00 feet, and a chord that bears N 75°18'03" E, a distance of 343.51 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 229.98 feet left of Southeast Loop E.C.S. 336+55.35,
- 4) N 11°18'32" E, a distance of 130.14 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 348.08 left of Southeast Loop E.C.S. 337+10.01,

EXHIBIT "A"

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September 27, 2022

- 5) S 77°30'40" E, a distance of 74.02 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 315.61 feet left of Southeast Loop E.C.S. 337+76.52,
- 6) S 11°18'32" W, a distance of 94.34 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 230.00 feet left of Southeast Loop E.C.S. 337+36.90,
- 7) N 76°28'25" E, a distance of 559.65 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 230.00 feet left of Southeast Loop E.C.S. 342+96.55, said point being the beginning of a curve to the right,
- 8) With said curve to the right, an arc distance of 62.92 feet, through a delta of 06°22'51", having a radius of 565.00 feet, and a chord that bears N 73°16'59" E, a distance of 62.89 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 233.50 feet left of Southeast Loop E.C.S. 343+59.34
- 9) N 76°28'25" E, a distance of 7.41 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 233.50 feet left of Southeast Loop E.C.S. 343+66.75, and
- 10) N 76°12'05" E, a distance of 201.16 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 234.46 feet left of Southeast Loop E.C.S. 345.67.91 on the common line of said 63.6 acre tract and said 389.582 acre tract, for the northeast corner of the parcel described herein;
- 11) **THENCE** S 08°01'44" W, departing the proposed north right-of-way line of said Southeast Loop, with the common line of said 63.6 acre tract and said 389.582 acre tract, a distance of 503.14 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 233.50 feet right of Southeast Loop E.C.S. 343+83.05 on the proposed south right-of-way line of said Southeast Loop, for the most easterly southeast corner of the parcel described herein;
- THENCE** departing the common line of said 63.6 acre tract and said 389.582 acre tract, with the proposed south right-of-way line of said Southeast Loop, over and across said 389.582 acre tract, the following three (3) courses and distances numbered 12-14:
- 12) S 76°28'25" W, a distance of 694.79 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 233.50 feet right of Southeast Loop E.C.S. 336+88.26,
- 13) S 78°00'48" W, a distance of 181.01 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 228.64 feet right of Southeast Loop E.C.S. 335+07.31, and

THIS SPACE INTENTIONALLY LEFT BLANK

EXHIBIT "A"

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14) S 07°58'06" W, a distance of 64.20 feet to the **POINT OF BEGINNING**, and containing 13.433 acres (585,141 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

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

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



Scott C. Brashear 9/27/2022

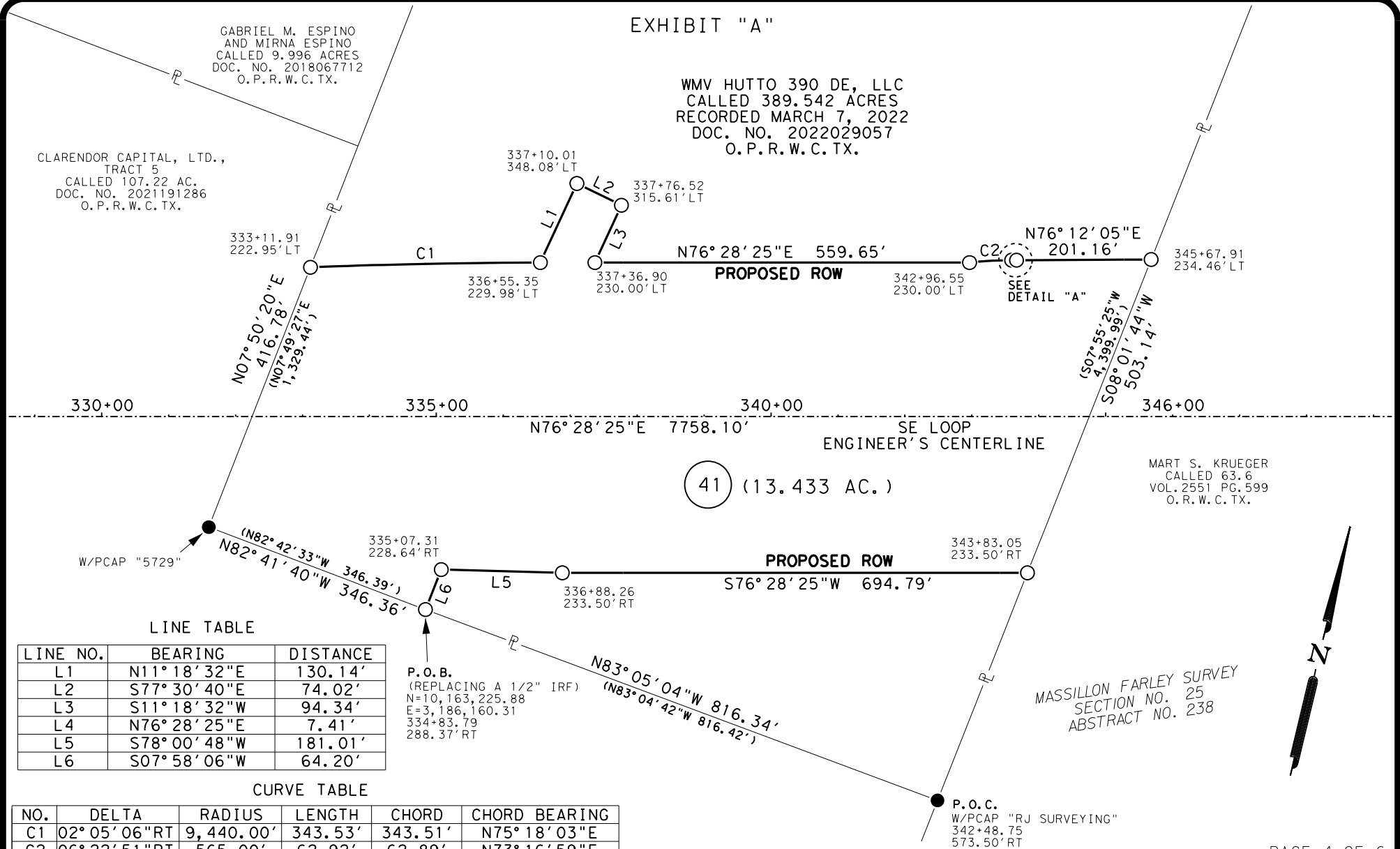
Scott C. Brashear Date
Registered Professional Land Surveyor
No. 6660 – State of Texas

EXHIBIT "A"

GABRIEL M. ESPINO
AND MIRNA ESPINO
CALLED 9.996 ACRES
DOC. NO. 2018067712
O.P.R.W.C. TX.

WMV HUTTO 390 DE, LLC
CALLED 389.542 ACRES
RECORDED MARCH 7, 2022
DOC. NO. 2022029057
O.P.R.W.C. TX.

CLARENDOR CAPITAL, LTD.,
TRACT 5
CALLED 107.22 AC.
DOC. NO. 2021191286
O.P.R.W.C. TX.

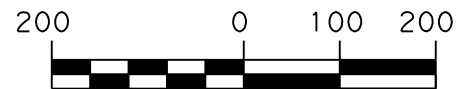


LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N11°18'32"E	130.14'
L2	S77°30'40"E	74.02'
L3	S11°18'32"W	94.34'
L4	N76°28'25"E	7.41'
L5	S78°00'48"W	181.01'
L6	S07°58'06"W	64.20'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	02°05'06"RT	9,440.00'	343.53'	343.51'	N75°18'03"E
C2	06°22'51"RT	565.00'	62.92'	62.89'	N73°16'59"E



GRAPHIC SCALE
SCALE: 1" = 200'
WILLIAMSON COUNTY, TEXAS

FILE: \\saminc\AUS\PROJECTS\1021061125\100\Survey\03Exhibits\41\PLAT\01\P-41.dgn

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REF. FIELD NOTE NO. 49156

EXISTING	389.542 AC.	ACQUIRE	13.433 AC.	REMAINING	372.121 AC. LEFT
				REMAINING	3.988 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
WMV HUTTO 390 DE, LLC
TAX ID: R020555, R020545
PARCEL 41
13.433 AC. (585,141 SQ. FT.)

EXHIBIT "A"

SCHEDULE B:

THIS SURVEY HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. T-159153, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE SEPTEMBER 12, 2022, AND ISSUED DATE SEPTEMBER 20, 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.):

1. INGRESS/EGRESS EASEMENT TO AND FROM WATER WELL, AS DESCRIBED IN VOLUME 232, PAGE 91 AND VOLUME 259, PAGE 176, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

2. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY, AS DESCRIBED IN VOLUME 286, PAGE 351, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

3. PIPELINE EASEMENT GRANTED TO JONAH WATER SUPPLY CORP., AS DESCRIBED IN VOLUME 597, PAGE 991, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

4. CHANNEL EASEMENT GRANTED TO STATE OF TEXAS, ACTING THROUGH THE STATE HIGHWAY COMMISSION, AS DESCRIBED IN VOLUME 386, PAGE 377, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

5. PIPELINE EASEMENT GRANTED TO JONAH WATER SUPPLY CORP., AS DESCRIBED IN VOLUME 598, PAGE 8, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

6. PIPELINE EASEMENT GRANTED TO SEMINOLE PIPELINE COMPANY, AS DESCRIBED IN VOLUME 828, PAGE 128 AND ASSIGNED IN VOLUME 848, PAGE 291, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

7. PIPELINE EASEMENT GRANTED TO SEMINOLE PIPELINE COMPANY, AS DESCRIBED IN VOLUME 830, PAGE 364, DEED RECORDS; AND BEING FURTHER AFFECTED BY SUPPLEMENTAL PIPELINE RIGHT-OF-WAY AGREEMENT RECORDED IN VOLUME 2174, PAGE 461, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

8. PIPELINE EASEMENT GRANTED TO SEMINOLE PIPELINE COMPANY, LLC, AS DESCRIBED IN DOCUMENT NO. 2015079038, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

9. PIPELINE EASEMENT GRANTED TO SEMINOLE PIPELINE COMPANY, LLC, AS DESCRIBED IN DOCUMENT NO. 2015090545, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

10. PIPELINE EASEMENT GRANTED TO ENTERPRISE CRUDE PIPELINE, LLC, AS DESCRIBED IN DOCUMENT NO. 2015100565, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

11. PIPELINE EASEMENT GRANTED TO ENTERPRISE CRUDE PIPELINE, LLC, AS DESCRIBED IN DOCUMENT NO. 2016072554, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

12. ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN RESOLUTION ACCEPTING THE PETITION OF CERTAIN PROPERTY OWNERS TO BE INCLUDED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HUTTO OF RECORD IN VOLUME 885, PAGE 64, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (SUBJECT TO IF APPLICABLE)

13. ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN TEMPORARY WORK SPACE AGREEMENT DATED MAY 21, 1992, AS EVIDENCED BY SUBORDINATION OF LIEN TO A GRANT OF EASEMENT AND TEMPORARY WORK SPACE DATED NOVEMBER 13, 1992, RECORDED IN VOLUME 2220, PAGE 803, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. (SUBJECT TO IF APPLICABLE)

14. SUBJECT TO ANY AND ALL RIGHTS AND PRIVILEGES EXISTING OR WHICH MAY LATER EXIST BY VIRTUE OF THAT PORTION OF THE PROPERTY BEING USED AS A CEMETERY; INCLUDING, BUT NOT LIMITED TO THE RIGHTS TO SEPULCHER AND INTERMENT AND TO THE RIGHTS OF INGRESS AND EGRESS IN AND TO THE SAID CEMETERY; AS DISCLOSED BY DEED DATED SEPTEMBER 24, 1902, RECORDED IN VOLUME 102, PAGE 307, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (SUBJECT TO IF APPLICABLE)

15. 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.

16. ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE BOUNDARIES OF A DEDICATED OR UNDEDICATED PUBLIC OR PRIVATE ROADWAY.

17. RIGHTS OF PARTIES IN POSSESSION (OWNERS POLICY ONLY)

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REF. FIELD NOTE NO. 49156

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EXISTING	389.542 AC.	ACQUIRE	13.433 AC.	REMAINING	372.121 AC. LEFT
				REMAINING	3.988 AC. RIGHT



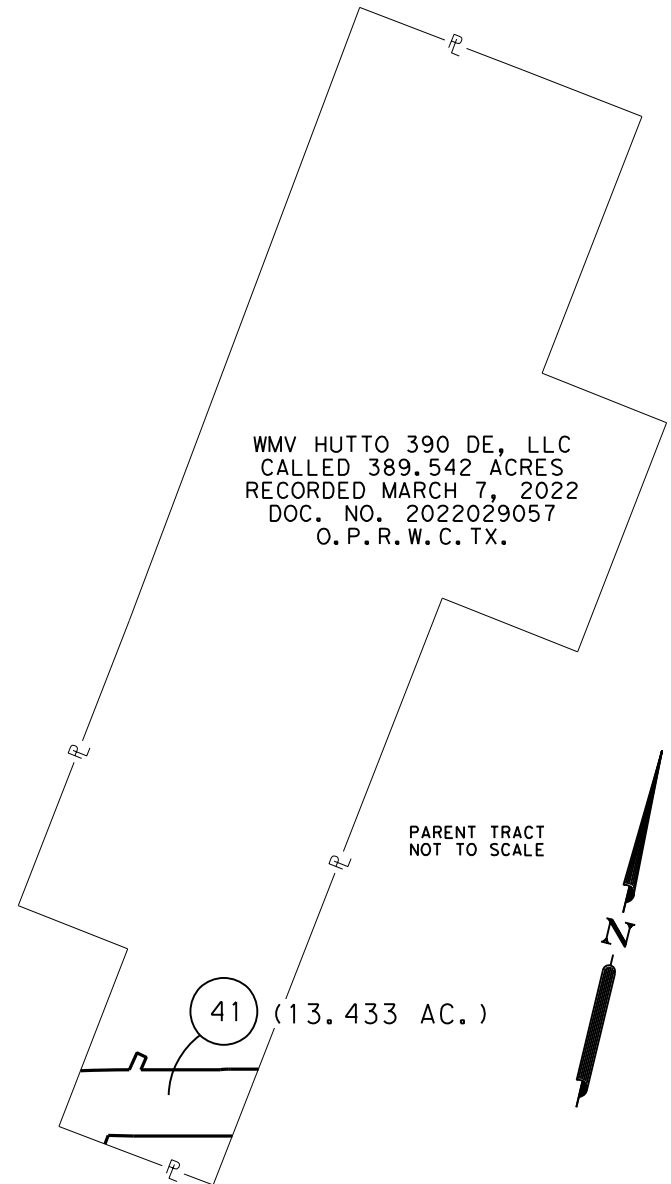
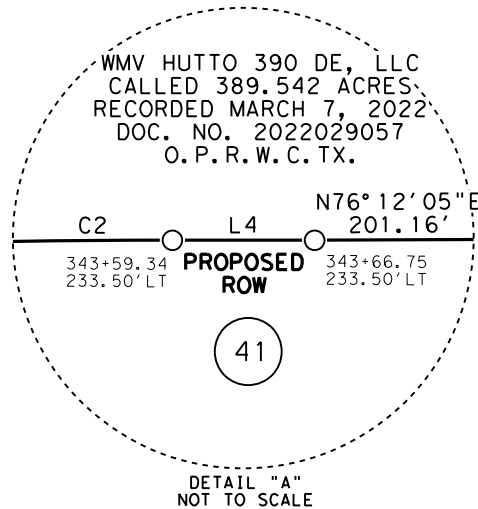
4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
(512) 447-0575
Fax: (512) 326-3029
Texas Firm Registration No. 10064300

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
WMV HUTTO 390 DE, LLC
TAX ID: R020555, R020545
PARCEL 41
13.433 AC. (585,141 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 --- DISTANCE NOT TO SCALE
- 1 --- 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 TITLE RESOURCES GUARANTY COMPANY, GF NO. T-159153, EFFECTIVE DATE SEPTEMBER 12, 2022, AND ISSUED DATE SEPTEMBER 20, 2022. 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.
5. * 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.

EXISTING	389.542 AC.	ACQUIRE	13.433 AC.	REMAINING	372.121 AC. LEFT
				REMAINING	3.988 AC. RIGHT

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

9/27/2022

DATE

SAM

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
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13.433 AC. (585,141 SQ. FT.)

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