

**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 0.176 acres (Parcel 338) described by metes and bounds in Exhibit "A" owned by **ZOOMERS INVESTMENT GROUP, LLC** for the purpose of constructing, reconstructing, maintaining, and operating the Hero Way/RM 2243 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 _____.

Bill Gravell, Jr.
Williamson County Judge

EXHIBIT A

County: Williamson
Parcel: 338
Highway: FM 2243

METES & BOUNDS DESCRIPTION FOR PARCEL 338

METES & BOUNDS DESCRIPTION FOR A 0.176 ACRE TRACT OF LAND OUT OF THE TALBOT CHAMBERS SURVEY, ABSTRACT NO. 125, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF TRACT 5 OF AMENDED PLAT KITTIE HILL ACRES TRACT 5 AND TRACT 6, A SUBDIVISION AS RECORDED IN CABINET X, SLIDES 378 AND 379 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, AS CONVEYED TO ZOOMERS INVESTMENT GROUP LLC BY SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN DOCUMENT NUMBER 2021055330 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.176 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a 1/2-inch iron rod found at the intersection of the north right-of-way line of Hero Way (f/k/a County Road 269) (width varies) (no deed of reference found) and the east right-of-way line of Winding Oak Drive (50 feet wide) as dedicated by KITTIE HILL ACRES, a subdivision as recorded in Cabinet F, Slides 45 and 46 of the Plat Records of Williamson County, Texas, at the southwest corner of the above described Tract 5, for the southwest corner and **POINT OF BEGINNING** of the herein described tract, from which a 1/2-inch iron rod found at the intersection of the north right-of-way line of said Hero Way and the west right-of-way line of said Winding Oak Drive, at the southeast corner of Tract 4 of said KITTIE HILL ACRES, bears S 69°44'01" W a distance of 52.73 feet;

THENCE, with the east right-of-way line of said Winding Oak Drive and the west line of said Tract 5, N 39°29'20" W a distance of 16.75 feet to a 1/2-inch iron rod with cap stamped "WILCO ROW 5777" (NAD-83, Central Zone Grid Coordinates: N: 10,188,681.12, E: 3,087,915.23) set for the northwest corner of the herein described tract, 238.00 feet left of FM 2243 baseline station 169+35.20, from which a 1/2-inch iron rod with an illegible cap found on the east right-of-way line of said Winding Oak Drive and the west line of said Tract 5, bears N 39°29'20" W a distance of 279.95 feet;

THENCE, over and across said Tract 5, N 69°25'18" E a distance of 449.37 feet to a 1/2-inch iron rod with cap stamped "WILCO ROW 5777" set on the east line of said Tract 5 and the west line of Tract 9 of said KITTIE HILL ACRES as conveyed to JGHTDH #1, LLC by General Warranty Deed with Vendor's Lien recorded in Document Number 2016075658 of the Official Public Records of Williamson County, Texas, for the northeast corner of the herein described tract, from which a 1/2-inch iron rod found on the west line of said Tract 9, at the northeast corner of original Tract 5 of said KITTIE HILL ACRES, bears N 21°01'05" W a distance of 405.61 feet;

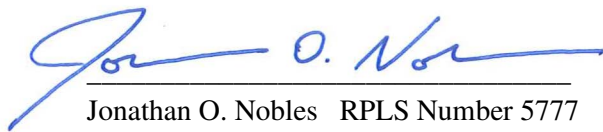
THENCE, with the east line of said Tract 5 and the west line of said Tract 9, S 21°01'05" E a distance of 19.19 feet to a 1/2-inch iron rod found on the north right-of-way line of said Hero Way at the southeast corner of said Tract 5 and at the southwest corner of said Tract 9, for the southeast corner of the herein described tract, from which a 1/2-inch iron rod with a cap stamped "FOREST RPLS 1847" found at an angle point in the north right-of-way line of said Hero Way and the south line of said Tract 9, bears N 69°58'26" E a distance of 119.66 feet;

THENCE, with the north right-of-way line of said Hero Way and the south line of said Tract 5, S 70°03'21" W a distance of 213.57 feet to a cotton spindle found for an angle point;

THENCE, continuing with the north right-of-way line of said Hero Way and the south line of said Tract 5, S 69°39'55" W a distance of 230.54 feet to the **POINT OF BEGINNING** and containing 0.176 acres (7,652 square feet) of land, more or less.

Bearing orientation is based on the Texas State Plane Coordinate System NAD-83, Central Zone 4203. All distances are surface and may be converted to grid by dividing by a scale factor of 1.00012.

I hereby certify that these notes were prepared by BGE from a survey made on the ground under my supervision on May 12, 2022 and are true and correct to the best of my knowledge. A sketch accompanies this description.


Jonathan O. Nobles RPLS Number 5777

BGE, Inc.
101 West Louis Henna Blvd., Suite 400
Austin, TX 78728
Telephone: 512-879-0400
TBPELS Licensed Surveying Firm Number 10106502



08/05/2022

Date

Client: Williamson County
Date: August 5, 2022
Project Number: 7473-00

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

**TALBOT CHAMBERS
SURVEY, A-125**

ZOOMERS INVESTMENT GROUP LLC
TRACT 5
DOC. NO. 2021055330 O.P.R.W.C.

AMENDED PLAT KITTIE HILL
ACRES TRACT 5 AND TRACT 6
CAB. X, SLIDES 378 & 379
P.R.W.C.

JGHTDH #1, LLC
REMAINDER OF A
CALLED 27.07 ACRES
(TRACT 9)
DOC. NO. 2016075658
O.P.R.W.C.

KITTIE HILL ACRES
CAB. F, SLIDES 45 & 46
P.R.W.C.

PARCEL 338 0.176 ACRE
7,652 SQUARE FEET

A PORTION OF TRACT 5, AMENDED PLAT
KITTIE HILL ACRES TRACT 5 AND TRACT 6
ZOOMERS INVESTMENT GROUP LLC
DOC. NO. 2021055330 O.P.R.W.C.

WINDING
OAK DRIVE

50' R.O.W.
CAB. F, SLIDES 45
& 46 P.R.W.C.

HEROWAY 15 LLC
(TRACT 4)
DOC. NO. 2022033215 O.P.R.W.C.

TRACT 4

KITTIE HILL ACRES
CAB. F, SLIDES 45-46
P.R.W.C.

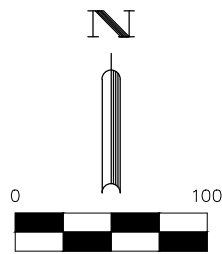
STA 169+35.20
238.00' LT
GRID COORDINATES
N: 10,188,681.12
E: 3,087,915.23

HERO WAY (F/K/A CR 269)
R.O.W. VARIES (NO DEED OF RECORD FOUND)

JNK PROPERTIES 1, LTD.
CALLED 60.000 ACRES
(TRACT 2)
DOC. NO. 2021182868 O.P.R.W.C.
AS DESCRIBED IN
DOC. NO. 2003078335 O.P.R.W.C.

**ELIJAH D. HARMON
SURVEY, A-3**

JNK PROPERTIES 1, LTD.
CALLED 33.834 ACRES
(TRACT 1)
DOC. NO. 2021182868 O.P.R.W.C.
AS DESCRIBED IN
DOC. NO. 2004028572 O.P.R.W.C.



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TBPLS Licensed Surveying Firm No. 10106502

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**PARCEL PLAT
SHOWING PARCEL 338
0.176 ACRE
FM 2243
WILLIAMSON COUNTY, TEXAS**

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LEGEND

B.L.	BUILDING LINE
B.W.F.	BARBED WIRE FENCE
CAB.	CABINET
CMP	CORRUGATED METAL PIPE
DOC.	DOCUMENT
D.R.W.C.	DEED RECORDS OF WILLIAMSON COUNTY
ELEC.	ELECTRIC
ESMT.	EASEMENT
M.H.	MANHOLE
NO.	NUMBER
N.T.S.	NOT TO SCALE
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
PED.	PEDESTAL
P.O.B.	POINT OF BEGINNING
PED.	PEDESTAL
P.L.M.	PIPELINE MARKER
P.O.B.	POINT OF BEGINNING
P.P.	POWER POLE
P.R.W.C.	PLAT RECORDS OF WILLIAMSON COUNTY
R.O.W.	RIGHT-OF-WAY
SAN.	SANITARY
S.L.V.	SANITARY LINE VENT
S.N.S.	STREET NAME SIGN
S.S.	STOP SIGN
TEL.	TELEPHONE
T.R.W.	TIMBER RETAINING WALL
U.C.M.	UNDERGROUND CABLE MARKER
()	RECORD INFO FOR CAB. X, SLIDES 378-379 P.R.W.C.
{ }	RECORD INFO FOR CAB. F, SLIDES 45-46 P.R.W.C.
●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
○	SET 1/2" IRON ROD W/CAP "WILCO ROW 5777"
⊗	COTTON SPINDLE FOUND
—X—	WIRE FENCE
—OHT—	OVERHEAD TELEPHONE
—OHP—	OVERHEAD POWER
—//—	EDGE OF ASPHALT
[10.3]	SCHEDULE B ITEM

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 69°44'01" W	52.73'
L2	N 39°29'20" W	16.75'
L3	S 21°01'05" E	19.19'
L4	N 69°58'26" E	119.66'

RECORD LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	{S 71°46' W}	{52.94'}
L4	{N 72°08' E}	{119.74'}

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PARCEL PLAT SHOWING PARCEL 338 0.176 ACRE FM 2243 WILLIAMSON COUNTY, TEXAS			
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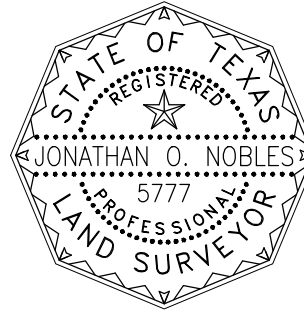
GENERAL NOTES:

1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. DISTANCES SHOWN HEREON ARE IN SURFACE AND CAN BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED SCALE FACTOR = 1.00012
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS SKETCH.
3. THIS PARCEL PLAT WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY TITLE RESOURCES GUARANTY COMPANY AND TEXAS NATIONAL TITLE, INC. UNDER G.F. NO. T-164941, DATED EFFECTIVE JULY 1, 2022 AND ISSUED ON JULY 12, 2022.

RESTRICTIVE COVENANT AND EASEMENT NOTES:

1. RESTRICTIVE COVENANTS OF RECORD ITEMIZED IN CABINET F, SLIDE 45 AND CABINET X, SLIDE 378, PLAT RECORDS; VOLUME 2135, PAGE 300, OFFICIAL RECORDS; DOCUMENT NO. 2015018800, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT.
- 10.2 ANY AND ALL EASEMENTS, BUILDING LINES AND CONDITIONS, COVENANTS AND RESTRICTIONS AS SET FORTH IN PLAT RECORDED IN CABINET F, SLIDE 45, PLAT RECORDS, WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.3 A 10 FOOT ROAD WIDENING EASEMENT RESERVED ALONG COUNTY ROAD 269, AS SHOWN ON THE PLAT OF RECORD IN CABINET X, SLIDE 378 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.4 BUILDING SETBACK LINE(S) AS SHOWN AND/OR DESCRIBED ON PLAT OF RECORD IN CABINET X, SLIDE 378 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.5 BUILDING SETBACK LINES AS SET FORTH IN INSTRUMENT RECORDED IN VOLUME 2135, PAGE 300, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.6 AN ELECTRIC TRANSMISSION LINE EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC. AS DESCRIBED IN VOLUME 799, PAGE 641, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.7 ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN ORDINANCE NO. 16-051-00 IF RECORD IN DOCUMENT NO. 2017011292, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, DO NOT AFFECT THE SUBJECT TRACT.

I hereby certify that this survey was made on the ground by BGE, Inc. under my supervision on May 12, 2022 and is true and correct to the best of my knowledge. The property has access to a public roadway and there are no visible encroachments, except as shown hereon.



08/05/2022

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SHOWING PARCEL 338
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WILLIAMSON COUNTY, TEXAS

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