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 1.919 acres (Parcel 58) described by metes and bounds in Exhibit "A" owned by SIMON HOMES, INC. 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 .

Bill Gravell, Jr.

Williamson County Judge

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EXHIBIT "A"

County: Williamson Page 1 of 7 September 27, 2022

Parcel No.: 58

R021374 Tax ID: Highway: Southeast Loop

Limits: From: C.R. 137 To: C.R. 404

PROPERTY DESCRIPTION FOR PARCEL 58

DESCRIPTION OF A 1.919 ACRE (83,600 SQ. FT.) PARCEL OF LAND LOCATED IN THE CHARLES J. GERLACH SURVEY, SECTION NO. 16, ABSTRACT NO. 261, AND THE MATHIAS WILBARGER SURVEY, SECTION NO. 15, ABSTRACT NO. 663, WILLIAMSON COUNTY, TEXAS BEING A PORTION OF A CALLED 16.747 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO SIMON HOMES, INC., A TEXAS CORPORATION, RECORDED NOVEMBER 23, 2021 IN DOCUMENT NO. 2021178546, OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS (O.R.W.C.TX.); SAID 1.919 ACRE (83,600 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 found 874.24 feet left of Southeast Loop Engineer's Centerline Station (E.C.S.) 196+67.49 on the existing east right-of-way line of C.R. 137, a variable width right-of-way, no record information found, for the northwest corner of said 16.747 acre tract;

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

S 07°37'57" W, a distance of 161.47 feet to a calculated point, and

S 07°55'30" W, a distance of 396.75 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,159,081.25, E=3,173,642.19) set 316.04 feet left of Southeast Loop E.C.S 196+62.75 on the proposed north right-of-way line of Southeast Loop, for the northwest corner and the **POINT OF BEGINNING** of the parcel described herein;

THENCE, departing the existing east right-of-way line of said C.R. 137, with the proposed north right-of-way line of said Southeast Loop, over and across said 16.747 acre tract, the following eleven (11) courses and distances numbered 1-11:

- 1) S 82°38'43" E, a distance of 28.70 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 316.04 feet left of Southeast Loop E.C.S 196+91.45, for an angle corner of the parcel described herein,
- 2) S 07°21'17" W, a distance of 36.88 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 279.16 feet left of Southeast Loop E.C.S 196+91.45, for an angle corner of the parcel described herein,
- 3) S 37°11'11" E, a distance of 64.14 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 233.44 feet left of Southeast Loop E.C.S 197+36.44, for an angle corner of the parcel described herein, said point being the beginning of a curve to the right,
- 4) With said curve to the right, an arc distance of 145.86 feet, through a delta of 00°53'05", having a radius of 9,445.00 feet, and a chord that bears S 81°09'43" E, a distance of 145.86 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 229.66 feet left of Southeast Loop E.C.S 198+82.25, for an angle corner of the parcel described herein,

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To: C.R. 404

- 5) S 80°43'10" E, a distance of 170.50 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 223.93 feet left of Southeast Loop E.C.S 200+52.65, for an angle corner of the parcel described herein,
- 6) S 80°05'40" E, a distance of 87.05 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 220.06 feet left of Southeast Loop E.C.S 201+39.61, for an angle corner of the parcel described herein.
- 7) S 82°31'04" E, a distance of 73.57 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 219.90 feet left of Southeast Loop E.C.S 202+13.18, for an angle corner of the parcel described herein, said point being the beginning of a curve to the right,
- 8) With said curve to the right, an arc distance of 40.40 feet, through a delta of 04°03'01", having a radius of 571.50 feet, and a chord that bears S 80°29'33" E, a distance of 40.39 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 218.38 feet left of Southeast Loop E.C.S 202+53.54, for an angle corner of the parcel described herein, said point being the beginning of a curve to the left.
- 9) With said curve to the left, an arc distance of 225.10 feet, through a delta of 01°22'37", having a radius of 9,366.50 feet, and a chord that bears S 79°09'21" E, a distance of 225.09 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 204.68 feet left of Southeast Loop E.C.S 204+78.22, for an angle corner of the parcel described herein,
- 10) N 48°08'56" E, a distance of 140.08 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 310.73 feet left of Southeast Loop E.C.S 205+69.74, for an angle corner of the parcel described herein, and
- 11) S 80°46'44" E, a distance of 138.47 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 306.22 feet left of Southeast Loop E.C.S 207+08.14 on the proposed north right-of-way line of said Southeast Loop, same being the common line of said 16.747 acre tract and a called 20.92 acre tract of land, described in a deed to Bland B. Davis, Jr. and Susan J. Davis, husband and wife, recorded in Document No. 9658603, O.R.W.C.TX., for the northeast corner of the parcel described herein;
- 12) **THENCE** S 07°34'43" W, continuing with the proposed north right-of-way line of said Southeast Loop, passing at a distance of 109.95 feet a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 196.27 feet left of Southeast Loop E.C.S 207+07.71, departing the proposed north right-of-way line of said Southeast Loop, with the common line of said 16.747 acre tract and said 20.92 acre tract a total distance of 148.39 feet to a 1/2-inch iron rod found, for the northeast corner of a called 8.114 acre tract of land, described in a deed to Jacaruso Holdings LLC, recorded in Document No. 2017078585, Official Public Records of Williamson County, Texas (O.P.R.W.C.TX.), same being the southeast corner of said 16.747 acre tract and the parcel described herein;

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EXHIBIT "A"

County: Williamson September 27, 2022

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13) **THENCE** N 82°22'33" W, departing the common line of said 16.747 acre tract and said 20.92 acre tract, with the common line of said 16.747 acre tract and said 8.114 acre tract, a distance of 1,046.35 feet to a 1/2-inch iron rod with a plastic cap stamped "DIAMOND SURVEY" found on the existing east right-of-way line of said C.R. 137, for the northwest corner of said 8.114 acre tract, same being the southwest corner of said 16.747 acre tract and the parcel described herein;

14) THENCE N 07°55'30" E, departing the common line of said 16.747 acre tract and said 8.114 acre tract, with the existing east right-of-way line of said C.R. 137, a distance of 153.30 feet to the POINT OF BEGINNING, and containing 1.919 acres (83,600 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.

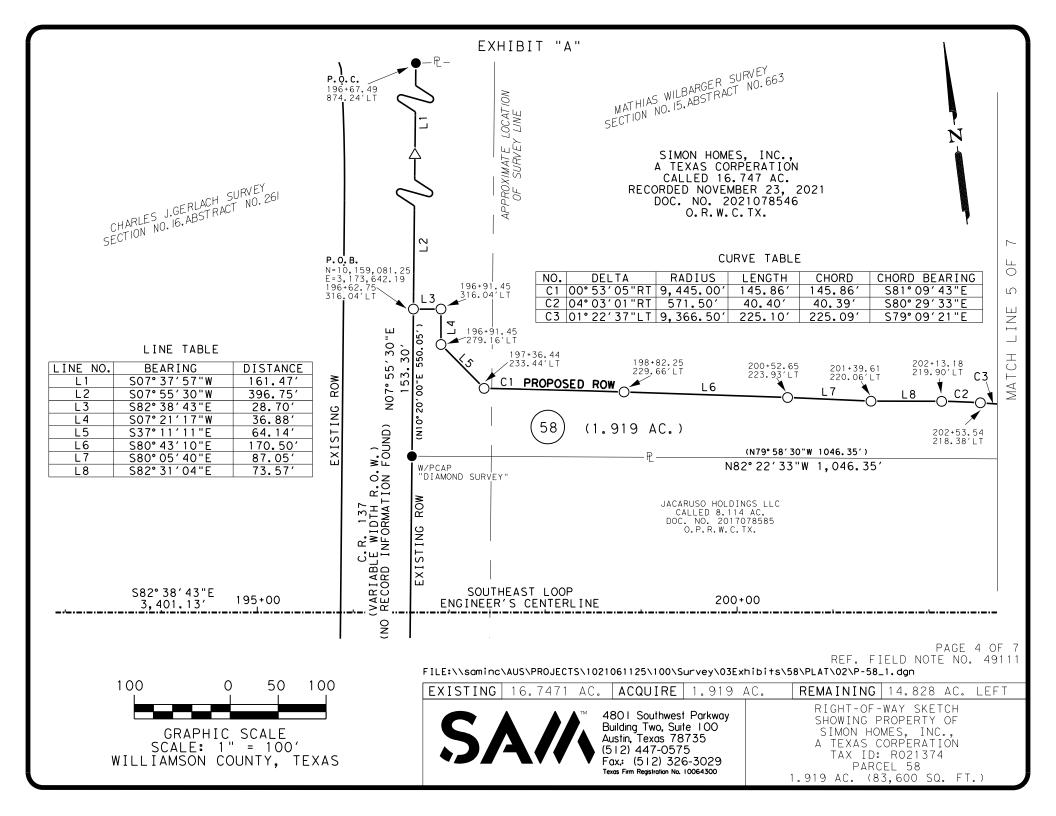
SURVEYING AND MAPPING, LLC 4801 Southwest Pkwy Building Two, Suite 100 Austin, Texas 78735 TX. Firm No. 10064300

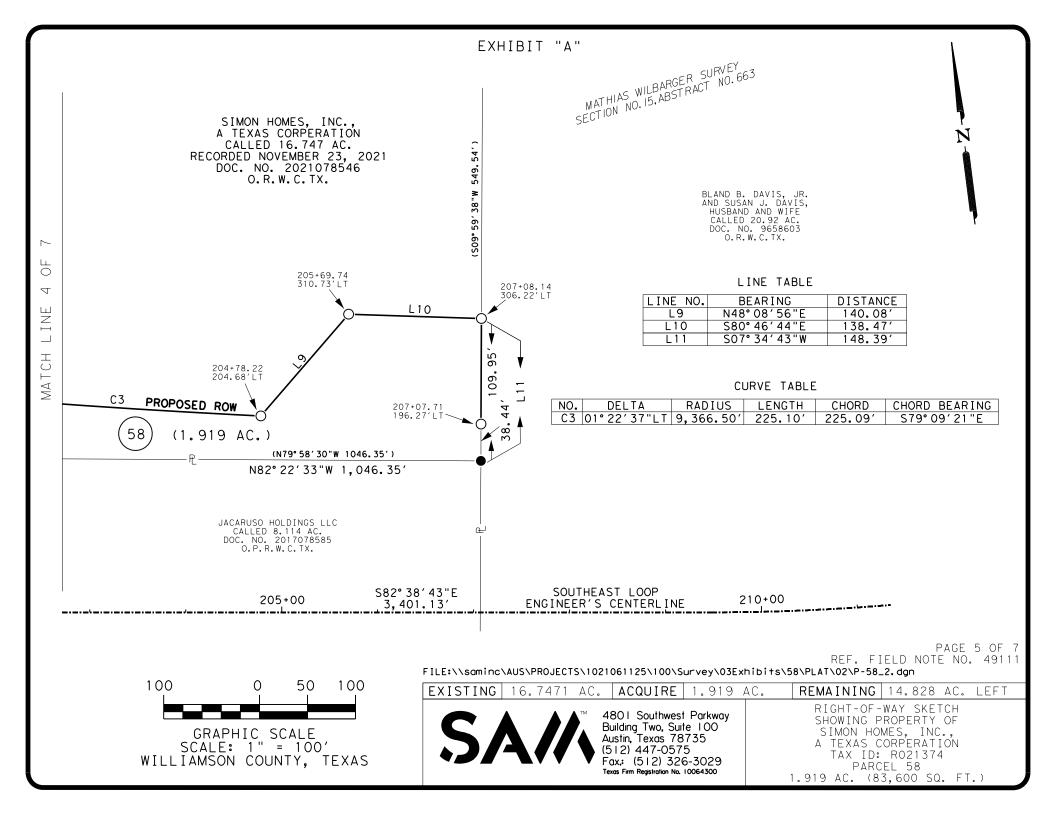
Scott C. Brashear Registered Professional Land Surveyor

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No. 6660 - State of Texas

FN 49111 SAM Job No. 61125





SCHEDULE B:

THIS SURVEY HEREON WAS PREPARED IN CONJUCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. T-159162, 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. AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE AND/OR SYSTEM EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY AS DESCRIBED IN VOLUME 348, PAGE 383 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

2. A WATER AND/OR FLOOD CONTROL EASEMENT GRANTED TO BRUSHY CREEK WCID #1 AS DESCRIBED IN VOLUME 423, PAGE 693 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT. MAY AFFECT)

3. A ROAD EASEMENT AS DESCRIBED IN VOLUME 424, PAGE 10 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

4. A PIPELINE EASEMENT GRANTED TO LONE STAR GAS COMPANY AS DESCRIBED IN VOLUME 476, PAGE 236 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. AS AFFECTED BY PARTIAL RELEASE OF EASEMENT RECORDED IN VOLUME 928, PAGE 701 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

5. A WATER LINE EASEMENT GRANTED TO MANVILLE WATER SUPPLY CORPORATION AS DESCRIBED IN VOLUME 650, PAGE 608 AND VOLUME 718, PAGE 15 OF THE DEED RECORDS OF WILLIAMSON COUNTY. TEXAS. (UNABLE TO PLOT, MAY AFFECT)

6. A WATER LINE EASEMENT GRANTED TO WILLIAM O. NELSON AND BETTYE DIXON NELSON AS DESCRIBED IN VOLUME 737, PAGE 864 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

7. AN ELECTRIC AND/OR TELEPHONE TRANSMISSION AND/OR DISTRIBUTION LINE AND/OR SYSTEM EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY AS DESCRIBED IN VOLUME 801, PAGE 257 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

8. ASSESSMENT OF ROLLBACK OR SUPPLEMENTAL TAXES AGAINST THE LAND, AND ALL INTEREST AND PENALTIES WHICH MAY ACCRUE.

9. SUBJECT TO THE RESERVATION OF A STATED UNDIVIDED 1/4TH ROYALTY INTEREST IN AND TO ALL OF THE OIL, GAS, AND OTHER MINERALS IN, ON, OR UNDER THE SUBJECT PROPERTY, AS RETAINED IN AN INSTRUMENT OF RECORD IN VOLUME 868, PAGE 275 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. (SUBJECT TO IF APPLICABLE)

TITLE TO SAID INTEREST HAS NOT BEEN RESEARCHED SUBSEQUENT TO THE DATE OF THE ABOVE REFERENCED INSTRUMENT AND THE COMPANY MAKES NO REPRESENTATION AS TO THE OWNERSHIP OR HOLDER OF SUCH INTEREST(S).

10. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND 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 MINERAL INTEREST THAT ARE NOT LISTED.

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

12. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE, INCLUDING BUT NOT LIMITED TO FENCES NOT FOLLOWING THE PROPERTY BOUNDARIES, THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE SUBJECT PROPERTY. (OWNER'S POLICY ONLY)

PAGE 6 OF 7 REF. FIELD NOTE NO. 49111

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|**acquire**||1.919 ac.

SA//

EXISTING | 16.7471 AC.

480 | Southwest Parkway Building Two, Suite | 100 Austin, Texas 78735 (512) 447-0575 Fax.: (512) 326-3029 Texas Firm Repositation No. 10064300 RIGHT-OF-WAY SKETCH SHOWING PROPERTY OF SIMON HOMES, INC., A TEXAS CORPERATION TAX ID: RO21374 PARCEL 58 1.919 AC. (83,600 SQ. FT.)

REMAINING | 14.828 AC. LEFT

LEGEND 5/8" IRON ROD SET WITH ALUMINUM CAP 0 STAMPED "WILLIAMSON COUNTY" 1/2" IRON ROD FOUND UNLESS NOTED \bigcirc 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 \oplus MAGNAIL FOUND 0 SPINDLE FOUND × RAILROAD TIE Δ CALCULATED POINT PROPERTY LINE RECORD INFORMATION) P. O. B. POINT OF BEGINNING POINT OF COMMENCING P. O. C. P.O.R. POINT OF REFERENCE NOT TO SCALE N. T. S. DEED RECORDS OF D. R. W. C. TX. WILLIAMSON COUNTY, TEXAS OFFICIAL RECORDS OF O. R. W. C. TX. WILLIAMSON COUNTY, TEXAS OFFICIAL PUBLIC RECORDS OF

WILLIAMSON COUNTY, TEXAS DISTANCE NOT TO SCALE

DEED LINE (COMMON OWNERSHIP)

SIMON HOMES, INC., A TEXAS CORPERATION CALLED 16.747 AC. RECORDED NOVEMBER 23, 2021 ROW DOC. NO. 2021078546 O.R.W.C.TX. TING PARENT TRACT NOT TO SCALE Ġ EXI! PROPOSED ROW 58 (1.919 AC.)

NOTES:

O. P. R. W. C. TX.

- 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-159162, 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.
- * 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.



EXHIBIT "A"

REF. FIELD NOTE NO. 49111

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Som C. Re

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

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 SIMON HOMES, INC., A TEXAS CORPERATION TAX ID: R021374 PARCEL 58 1.919 AC. (83,600 SQ. FT.)

REMAINING | 14.828 AC. LEFT

PAGE 7 OF 7

EXISTING | 16.7471 AC. **ACQUIRE** | 1.919 AC.