

**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 0.603 acres (Parcel 3) legally described in Exhibit "A" and owned by **BRANDI RITCHIE AND JOHN FREDERICK SCHIMANSKI, JR.**, for the purpose of constructing, reconstructing, maintaining, and operating the CR 313 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 Gravel, Jr.
Williamson County Judge

Exhibit "A"

County: Williamson
Parcel No.: 3
Tax ID: R493724
County Road: 313 East of County Road 332 Jarrell

METES AND BOUNDS DESCRIPTION

FOR A 0.603 ACRE (26,257 SQ. FT.) TRACT OF LAND SITUATED IN THE G. SCHNEIDER SURVEY, ABSTRACT NO. 579 AND THE G. SCHNEIDER SURVEY, ABSTRACT NO. 580, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THE CALLED 5.28 ACRE TRACT OF LAND CONVEYED TO BRANDI RITCHIE AND JOHN FREDRICK SCHIMANSKI JR, WIFE AND HUSBAND, RECORDED IN DOCUMENT NO. 2020121288 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 0.603 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found (Grid Coordinates: N=10268800.04, E=3160412.04) monumenting the southeast corner of said 5.28 acre Ritchie and Schimanski tract and the most southerly southwest corner of the called 6.31 acre tract of land conveyed to Raymond James Trust, N.A., Corporate Trustee of the Alexander Warden Self-Settled Special Needs Trust, recorded in Document No. 2018023919 of the Official Public Records of Williamson County, Texas, same being on the north right-of-way line of County Road 313 (variable width right-of-way), for the southeast corner and **POINT OF BEGINNING** hereof;

THENCE, **S 67°47'37" W** with the south boundary line of said 5.28 acre Ritchie and Schimanski tract and said north right-of-way line of County Road 313, for a distance of **528.15 feet** to an iron rod found with cap marked "FOREST RPLS 1847" monumenting the southwest corner of said 5.28 acre Ritchie and Schimanski tract and the southeast corner of the called 5.29 acre tract of land conveyed to Michael J. Madding, recorded in Document No. 2016004904 of the Official Public Records of Williamson County, Texas, for the southwest corner hereof;

THENCE, **N 21°24'02" W** with the west boundary line of said 5.28 acre Ritchie and Schimanski tract and the east boundary line of said 5.29 acre Madding tract, for a distance of **49.55 feet** to a 5/8" iron rod set with aluminum cap marked "WILLIAMSON COUNTY" for the northwest corner hereof, from which an iron rod found with cap marked "FOREST RPLS 1847" monumenting the northwest corner of said 5.29 acre Madding tract and the most southerly southwest corner of the called 5.35 acre tract of land conveyed to Daniel Rangel and Anna C. Rangel, recorded in Document No. 2020128146 of the Official Public Records of Williamson County, Texas, same being on the east boundary line of the called 5.515 acre tract of land conveyed to ATX 313 Pro, LLC, recorded in Document No. 2022134963 of the Official Public Records of Williamson County, Texas, bears N 21°24'02" W for a distance of 386.37 feet and S 67°48'13" W for a distance of 531.62 feet;

County: Williamson
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County Road: 313 East of County Road 332 Jarrell

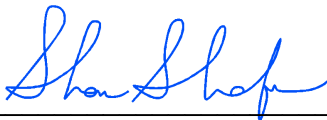
THENCE, **N 67°45'23" E** through the interior of said 5.28 acre Ritchie and Schimanski tract, for a distance of **528.17 feet** to a 5/8" iron rod set with aluminum cap marked "WILLIAMSON COUNTY" on the east boundary line of said 5.28 acre Ritchie and Schimanski tract and the lower west boundary line of said 6.31 acre Raymond James Trust, N.A., Corporate Trustee of the Alexander Warden Self-Settled Special Needs Trust tract, for the northeast corner hereof, from which a 1/2" iron rod found monumenting the northeast corner of said 5.28 acre Ritchie and Schimanski tract and an interior ell corner of the said 6.31 acre Raymond James Trust, N.A., Corporate Trustee of the Alexander Warden Self-Settled Special Needs Trust tract, bears N 21°23'13" W for a distance of 385.94 feet;

THENCE, **S 21°23'13" E** with said east boundary line of the 5.28 acre Ritchie and Schimanski tract and said lower west boundary line of the 6.31 acre Raymond James Trust, N.A., Corporate Trustee of the Alexander Warden Self-Settled Special Needs Trust tract, for a distance of **49.89 feet** to the **POINT OF BEGINNING** hereof and containing 0.603 acre of land more or less.

Bearing Basis: NAD-83, Texas Central Zone (4203) State Plane System. Distances shown hereon are surface based on a combined surface adjustment factor or 1.00015. Coordinates shown hereon are grid.

A drawing has been prepared to accompany this metes and bounds description.

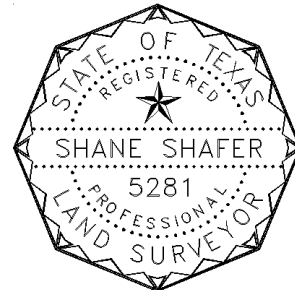
 **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NUMBER 10006900



February 7, 2024

SHANE SHAFER, R.P.L.S. NO. 5281

DATE



Z:\WCRB\2020 WA-7 CR 313 EAST OF CR 332 2023-42\FINAL ROW SURVEYS LTS\PARCEL 3 CR 313 - RITCHIE-SCHIMANSKI FINAL M&B 20240207.doc

DRAWING TO ACCOMPANY A METES AND BOUNDS DESCRIPTION FOR A 0.603 ACRE (26,257 SQ. FT.) TRACT OF LAND SITUATED IN THE G. SCHNEIDER SURVEY, ABSTRACT NO. 579 AND THE G. SCHNEIDER SURVEY, ABSTRACT NO. 580, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THE CALLED 5.28 ACRE TRACT OF LAND CONVEYED TO BRANDI RITCHIE AND JOHN FREDRICK SCHIMANSKI JR. WIFE AND HUSBAND, RECORDED IN DOCUMENT NO. 2020121288 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

PROPERTY ADDRESS: 2115 CR 313, JARRELL, TX 76537

LEGEND

- IRON ROD FOUND
- LA IRON ROD FOUND WITH CAP MARKED "LENZ & ASSOCIATES AUSTIN, TEXAS"
- ⊙ 5/8" IRON ROD SET WITH ALUMINUM CAP MARKED "WILLIAMSON COUNTY"
- PP POWER POLE
- DOWN GUY
- EM ELECTRIC METER
- BB BROADBAND BOX
- TPED TELEPHONE PEDESTAL
- WV WATER VALVE
- WVC WATER VALVE ON CONCRETE
- WM WATER METER
- ICV IRRIGATION CONTROL VALVE
- 6MR 6" METAL RISER
- 2PVC 2" PVC RISER
- ⊣ RP REFLECTOR POST
- X — X — WIRE FENCE (WF)
- PRECAST CONCRETE FENCE (PCF)
- EDGE OF PAVEMENT
- OU — OU — OVERHEAD UTILITY LINE
- RIGHT-OF-WAY DEDICATION LINE
- EXISTING RIGHT-OF-WAY LINE
- EASEMENT LINE
- ADJOINING BOUNDARY LINES
- SUBDIVISION LOT LINES
- SUBJECT TRACT BOUNDARY
- · - · - · - · - · - METAL FENCE (MF)

- MG METAL GATE
- SC STONE COLUMN
- CONC CONCRETE
- CDS CONCRETE DRAINAGE STRUCTURE
- CMP CORRUGATED METAL PIPE
- P.U.E. PUBLIC UTILITY EASEMENT
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING

EASEMENT INFORMATION

- Ⓔ1 JARRELL SCHWERTNER WSC APPARENT LOCATION OF 10' WIDE RIGHT OF WAY EASEMENT VOL. 586, PG. 288
- Ⓔ2 JARRELL SCHWERTNER WSC APPARENT LOCATION OF 15' WIDE RIGHT OF WAY EASEMENT VOL. 601, PG. 272
- Ⓔ3 LONE STAR REGIONAL WATER AUTHORITY AND SONTERA MUNICIPAL UTILITY DISTRICT WATER LINE EASEMENT CALLED 1.925 AC. DOC. NO. 2020089500

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N21°24'02"W	49.55'
L2	S21°23'13"E	49.89'
L3	S67°48'13"W	531.62'

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TITLE COMMITMENT NOTES:

Only those easements and restrictions listed in Schedule B of Texan Title Insurance Company, Commitment for Title Insurance (T-7) GF No. GT2402426, which bears an Effective Date January 8, 2024 and an Issued Date of January 19, 2024 were reviewed by the Surveyor. No other easement record research was performed by Diamond Surveying, Inc.

10a. Easement dated November 4, 1927, executed by Carrie McDonald et al to Texas Power & Light Company, recorded in Volume 235, Page 70, Deed Records, Williamson County, Texas. Not a part of the subject tract.

10b. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated April 4, 1980, by and between R. F. Goode and Claudia E. Goode, as Lessor and W. L. McGinnis, as Lessee, recorded on October 6, 1980, in Volume 811, Page 638, Deed Records, Williamson County, Texas. Not a survey matter

10c. Coal, lignite, oil, gas or other mineral interest(s), together with rights incident thereto, contained in instrument dated December 11, 1992 and recorded on December 14, 1992 in Volume 2230, Page 724, Official Records, Williamson County, Texas, which document contains the following language: "a reservation of an undivided 1/2 interest in and to all oil, gas and other minerals in and under or hereafter produced from the above-described land". Not a survey matter.

10d. Electric Utility Easement dated February 8, 1993, executed by Roger Vogt to Bartlett Electric Cooperative, Inc., recorded in Volume 2309, Page 180, Official Records, Williamson County, Texas. The subject tract is a part of the 100 acre tract of land described in said instrument. Unable to determine the exact location of said easement, due to a vague description. Said document states: "The width of the easement shall be twenty (20) feet, one-half (1/2) of such distance to either side of the Cooperative's lines, as they are or will be constructed on Grantor's hereinafore described property. In instances where the Cooperative's poles, guy wires, anchor structures or other facilities (other than lines) are not located in the mid-point of the easement, then in such instances the easement width shall include a distance of ten (10) feet from and around any such pole, guy wire, anchor structure of other facility."

10e. Electric Utility Easement dated August 31, 2004, executed by Dona Ann Vogt to Bartlett Electric Cooperative, Inc., recorded under Document No. 2006016066, Official Public Records, Williamson County, Texas. The Subject Tract is a part of the 10.57 acre tract of land described in said instrument. Unable to determine the exact location of said easement due to a vague description. Said instrument states: "The width of the easement shall be twenty (20) feet, one-half (1/2) of such distance on either side of the Cooperative's lines, as they are or will be constructed on the Property. In instances where the Cooperative's poles, guy wires, anchor structures or other facilities (other than lines) are not located in the mid-point of the easement, then in such instances the easement width shall include a distance of ten (10) feet from and around any such pole, guy wire, anchor structure or other facility."

10f. Easement dated August 29, 2007, executed by Jason Schwerthner and Jennifer Schwerthner to Bartlett Electric Cooperative, Inc., recorded under Document No. 2008045579, Official Public Records, Williamson County, Texas. The Subject Tract is a part of the 5.28 acre tract of land described in said instrument. Unable to determine the exact location of said easement due to a vague description. Said instrument states: "The width of the easement shall be twenty (20) feet, one-half (1/2) of such distance on either side of the Cooperative's lines, as they are or will be constructed on the Property. In instances where the Cooperative's poles, guy wires, anchor structures or other facilities (other than lines) are not located in the mid-point of the easement, then in such instances the easement width shall include a distance of ten (10) feet from and around any such pole, guy wire, anchor structure or other facility."

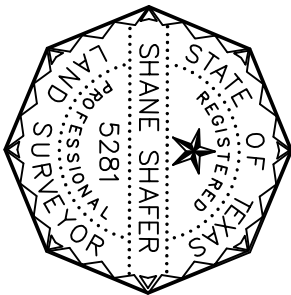
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NOTES:

- 1) BEARING BASIS: NAD-83, TEXAS CENTRAL ZONE (4203) STATE PLANE SYSTEM, DISTANCES SHOWN HEREON ARE SURFACE DISTANCES BASED ON A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00015. COORDINATES SHOWN HEREON ARE GRID.
- 2) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.
- 3) THE TRACT SHOWN HEREON LIES WITH IN ZONE 'X' (NO SCREEN) AREAS OF MINIMAL FLOOD HAZARD, ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 48491C0150F, FOR WILLIAMSON COUNTY, TEXAS, WITH AN EFFECTIVE DATE OF DECEMBER 20, 2019.

To: Williamson County, Texas, Texan Title Insurance Company, and Longhorn Title Company, LLC exclusively.

I, Shane Shafer, Registered Professional Land Surveyor in the State of Texas, hereby certify that this drawing represents a survey made on the ground under my direct supervision completed on February 7, 2024. At the time of this survey there were no encroachments, conflicts or protrusions apparent on the ground, EXCEPT AS SHOWN. This survey substantially complies with the standards for a CATEGORY 1A, CONDITION III LAND TITLE SURVEY per the current Manual of Practice for Land Surveying in the State of Texas, issued by the Texas Society of Professional Surveyors. USE OF THIS SURVEY BY OTHER PARTIES SHALL BE AT THEIR OWN RISK AND UNDERSIGNED SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS RESULTING THEREFROM.



 February 7, 2024
SHANE SHAFER, R.P.L.S. NO. 5281 DATE

CR 313 PARCEL 3 SHEET 4 OF 4

 **DIAMOND SURVEYING, INC.**
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