

**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 0.447 acres owned by Steven and Janis Gangl (parcel 11), described by metes and bounds in Exhibit "A", for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of Highway 79 ("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, widening, straightening, lengthening, 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 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,

BE IT RESOLVED BY THE COMMISSIONERS' COURT OF THE COUNTY OF WILLIAMSON, that the County Attorney or her designated agent be and she 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

BE IT FURTHER RESOLVED that the County Attorney or her designated agent be and he is hereby authorized and directed to incur such expenses and to employ such experts as she shall deem necessary to assist her in the prosecution of such suit in eminent domain, including, but not limited to, appraisers, engineers, and land use planners.

Adopted this 15th day of April, 2008.


~~Dan A. Gattis~~ Lisa L. Birkman
Williamson County Judge

EXHIBIT

A

County: Williamson
Parcel No.: 11
Highway: U.S. 79
Limits: From: 79-B E. of Taylor
To: E. of FM 1063
RCSJ: 0204-04-044

PROPERTY DESCRIPTION FOR PARCEL 11

DESCRIPTION OF A 0.447 ACRE (19,478 SQ. FT.) TRACT OF LAND LOCATED IN THE HARDY PACE SURVEY, ABSTRACT NO. 493, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 5.447 ACRE TRACT OF LAND DESCRIBED IN A DEED TO STEVEN G. GANGL AND WIFE, JANIS K. GANGL, AS RECORDED IN DOCUMENT NO. 2003017281, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.447 ACRE (19,478 SQ. FT.) TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap set, 106.83 feet left of United States Highway 79 (U.S. 79) Engineer's Centerline Station 1108+87.35, being in the proposed north right-of-way line of said U.S. 79, same being the east line of said 5.447 acre tract, also being the west line of a called 5.00 acre tract of land described in a deed to Norman Johnson, as recorded in Document No. 2004020659, Official Public Records of Williamson County, Texas, and being the northeast corner and **POINT OF BEGINNING** of the tract described herein, from which a 1/2-inch iron rod found for the north common corner of said 5.447 acre tract and said 5.00 acre tract, same being the south line of a called 29.12 acre tract of land described in a deed to Lenz Acres Partnership, as recorded in Document No. 2004058570, Official Public Records of Williamson County, Texas bears, N 21°24'03" W, a distance of 461.47 feet;

1) **THENCE** with said common line, S 21°24'03" E, a distance of 40.35 feet to a 1/2-inch iron rod found for the south common corner of said 5.447 acre tract and said 5.00 acre tract, same being in the existing north right-of-way line of said U.S. 79 and in the north line of a called 2.998 acre tract of land conveyed to the State of Texas, as recorded in Volume 448, Page 184, Deed Records of Williamson County, Texas, also being the southeast corner of the tract described herein;

THENCE leaving said common line, with said existing right-of-way line, the following two (2) courses and distances:

- 2) S 76°07'59" W, passing at a distance of 160.18 feet a TxDOT Type I concrete monument found, continuing in all a total distance of 425.05 feet to a calculated point of curvature, and
- 3) with the arc of a curve to the left a distance of 95.96 feet, through a central angle of 01°43'38", having a radius of 3183.10 feet, and whose chord bears S 75°16'10" W, a distance of 95.95 feet to the calculated south common corner of said 5.447 acre tract and a called 0.51 acre tract of land described in a deed to Lenz Acres Partnership, as recorded in Document No. 2004058570, Official Public Records of Williamson County, Texas, same being the southwest corner of the tract described herein;

4) **THENCE** leaving said existing right-of-way line, with the common line of said 5.447 acre tract and said 0.51 acre tract, N 18°01'26" W, a distance of 30.27 feet to a 1/2-inch iron rod with a TxDOT aluminum cap set, 107.92 feet left of U.S. 79 Engineer's Centerline Station 1103+76.08, being in said proposed right-of-way line, same being the northwest corner of the tract described herein, from which a 1/2-inch iron rod found for the north common corner of said 5.447 acre tract and said 0.51 acre tract bears, N 18°01'26" W, a distance of 405.73 feet;

THENCE with said proposed right-of-way line, crossing through the interior of said 5.447 acre tract the following two (2) courses and distances:

- 5) with the arc of a curve to the right a distance of 363.24 feet, through a central angle of 03°33'11", having a radius of 5857.55 feet, and whose chord bears N 74°21'23" E, a distance of 363.19 feet to a TxDOT Type II concrete monument set, 106.88 feet left of U.S. 79 Engineer's Centerline Station 1107+32.88, and
- 6) N 76°07'59" E, a distance 154.88 feet to the **POINT OF BEGINNING** and containing 0.447 acre (19,478 sq. ft.) of land, more or less.

This property description is accompanied by a separate plat of even date.

All coordinates shown hereon are NAD 83/93 (HARN) State Plane Coordinates adjusted to the surface using a combined scale factor of 1.0001135512.

Access Control on Non-Access Controlled Facilities: "Access will be permitted to the highway facility from the remainder of the property lying adjacent to U.S. 79."


THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, C. M. Solomon, 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.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 23rd day of October 2007 A.D.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290, Building B
Austin, Texas 78735


C. M. Solomon
Registered Professional Land Surveyor
No. 5734 - State of Texas





GRAPHIC SCALE
1" = 100'
WILLIAMSON COUNTY

LEGEND

- TYPE I CONCRETE MONUMENT FOUND
- TYPE II CONCRETE MONUMENT FOUND
- ⊗ TYPE II CONCRETE MONUMENT SET
- 1/2" IRON ROD FOUND UNLESS NOTED
- 1/2" IRON ROD W/ TXDOT ALUMINUM CAP SET UNLESS NOTED
- ⊙ 1/2" IRON PIPE FOUND UNLESS NOTED
- COTTON SPINDLE FOUND UNLESS NOTED
- ⊗ PK NAIL FOUND
- △ CALCULATED POINT
- ▲ 60D NAIL FOUND UNLESS NOTED
- R PROPERTY LINE
- C CENTER LINE
- E RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- IRF IRON ROD FOUND
- IPF IRON PIPE FOUND
- R.P.R.W.C.TX REAL PROPERTY RECORDS WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.TX OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- D.R.W.C.TX DEED RECORDS WILLIAMSON COUNTY, TEXAS
- P.R.W.C.TX PLAT RECORDS WILLIAMSON COUNTY, TEXAS
- O.R.W.C.TX OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS

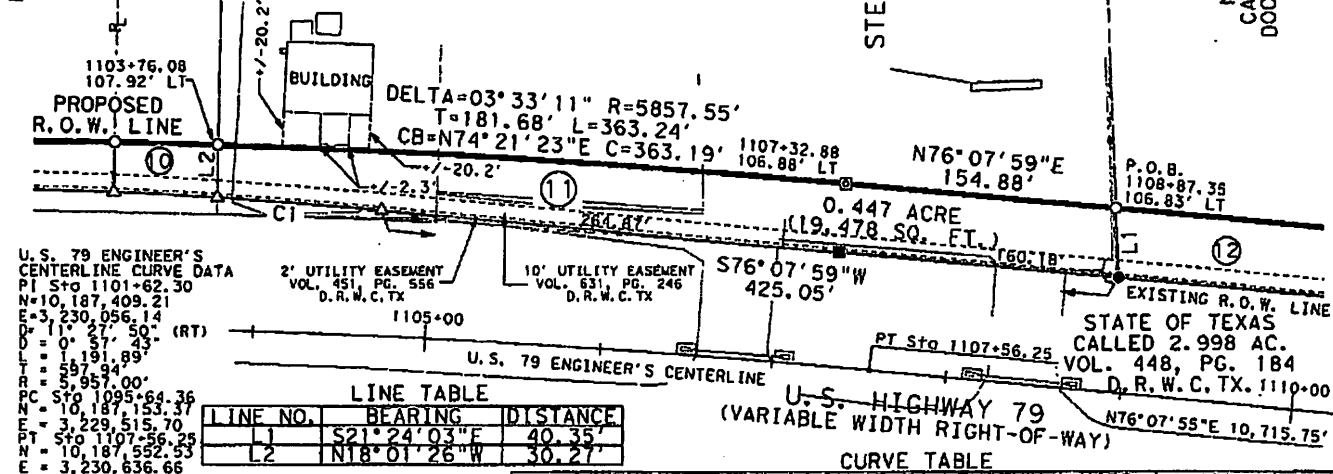
LENZ ACRES PARTNERSHIP
CALLED 29.12 ACRES
DOC. NO. 2004058570
O. P. R. W. C. TX.

HARDY PACE
SURVEY
ABS. NO. 493

STEVEN G. GANGL AND WIFE,
JANIS K. GANGL
CALLED 5.447 ACRES
DOC. NO. 2003017281
O. P. R. W. C. TX.

NORMAN JOHNSON
CALLED 5.00 ACRES
DOC. NO. 2004020659
O. P. R. W. C. TX.

LENZ ACRES PARTNERSHIP
CALLED 0.51 ACRE
DOC. NO. 2004058570
O. P. R. W. C. TX.



NOTES:

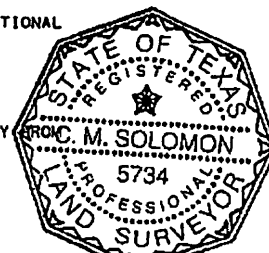
- RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
- ALL COORDINATES SHOWN HEREON ARE NAD 83/93 (HARN) STATE PLANE COORDINATES ADJUSTED TO THE SURFACE USING A COMBINED SCALE FACTOR OF 1.0001135512.
- IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY DIGITAL FILES SUPPLEMENTED BY ON-THE-GROUND SURVEY BY SAM, INC. THERE MAY BE ADDITIONAL IMPROVEMENTS THAT ARE NOT SHOWN.
- VISIBLE UTILITIES SHOWN HEREON ARE BASED UPON VISIBLE EVIDENCE FOUND ON THE GROUND. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES THAT ARE NOT SHOWN.
- ENGINEER'S CENTERLINE DERIVED FROM SCHEMATIC PROVIDED BY CARTER & BURGESS, INC., ON 11/08/06.
- PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

7. ACCESS CONTROL ON NON-ACCESS CONTROLLED FACILITIES: "ACCESS WILL BE PERMITTED TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE PROPERTY OF THE PROPERTY LYING ADJACENT TO U.S. 79."

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.

C. M. Solomon
C. M. SOLOMON
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5734, STATE OF TEXAS

10/23/07
DATE



PAGE 03 OF 03

REF. FIELD NOTE NO. 4271



5508 West Highway 290
Building B
Austin, Texas 78735
(512) 447-0575
Fax: (512) 326-3029

RIGHT-OF-WAY SKETCH
PARCEL 11
WILLIAMSON CO.
RCSJ NO. 0204-04-044