

**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 4.88 acres owned by WILBERT VORWERK AND JOYCE VORWERK (parcel 32), described by metes and bounds in Exhibit "A", for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of Chandler Road ("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 23<sup>rd</sup> day of September, 2008.

  
\_\_\_\_\_  
Dan A. Gattis  
Williamson County Judge

## MEMORANDUM

TO: FILE

FROM: DJC

DATE: 9/15/08

RE: ChandlerIII—parcel 32—Vorwerk

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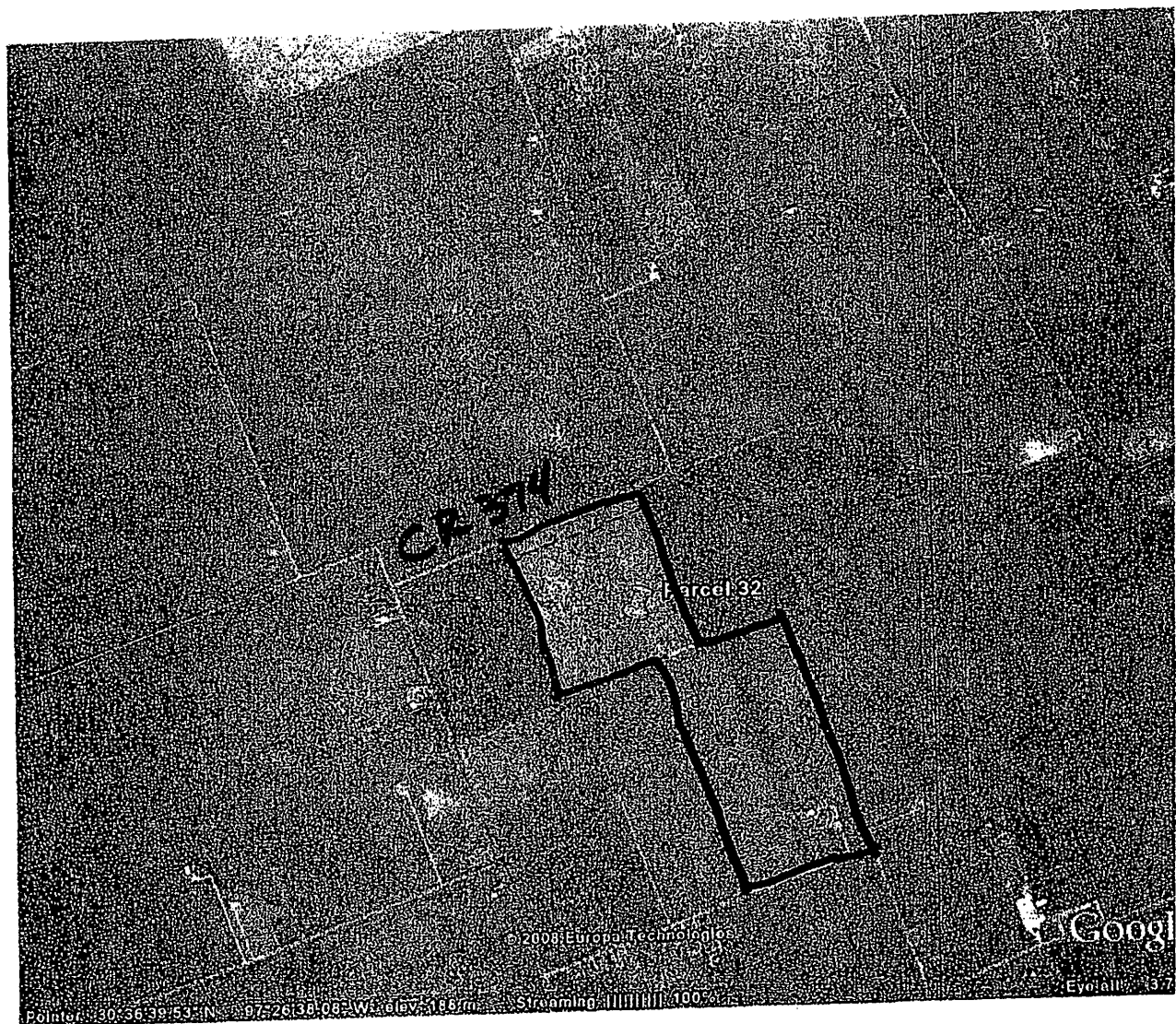
This is an acquisition of 4.88 acre out of a +-157 acre parent tract owned by Wilbert and Joyce Vorwerk.

### Status of negotiations:

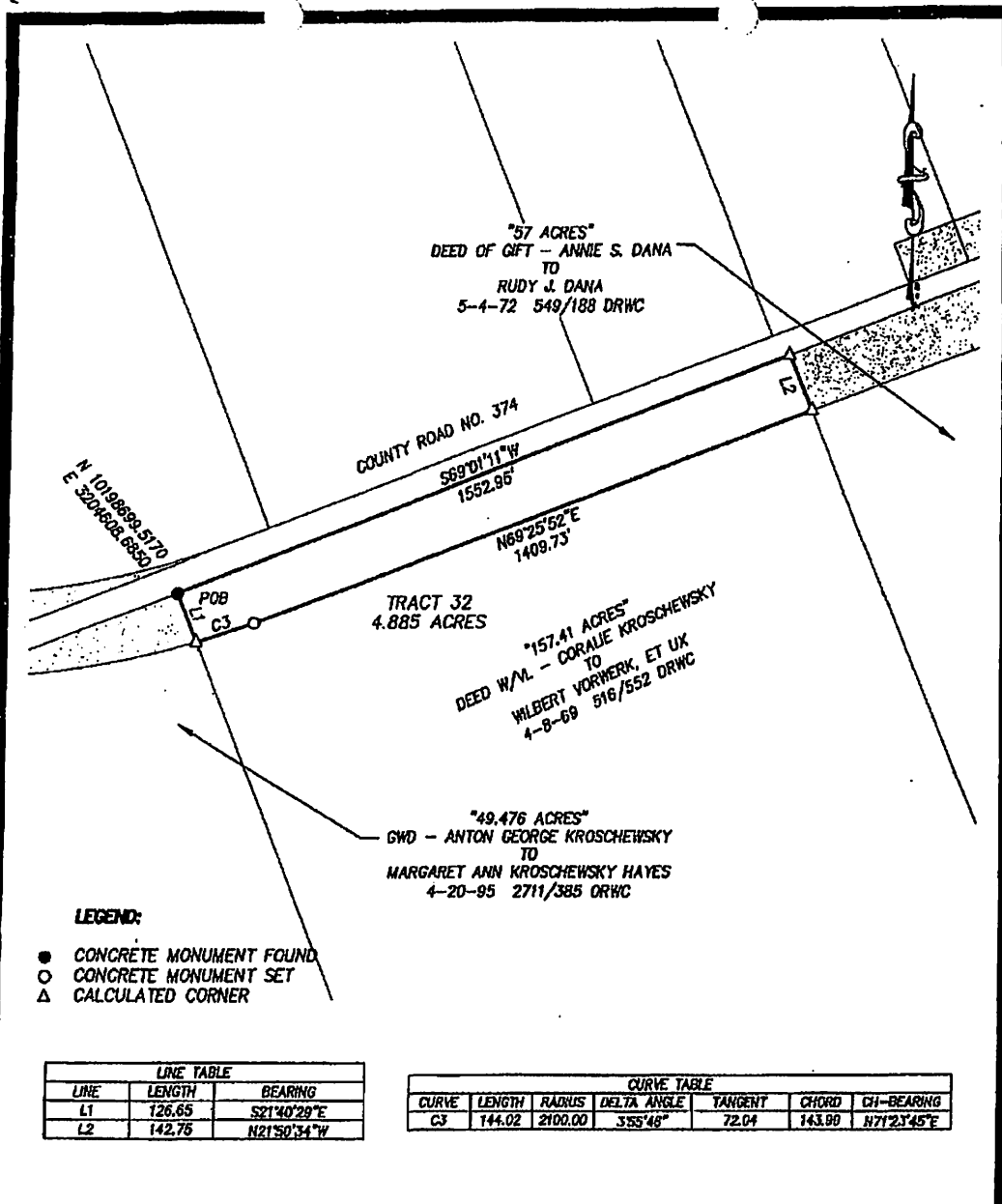
- |    |                                     |  |
|----|-------------------------------------|--|
| 1. | Original offer:                     | \$54,000 (\$11,000/acre)                     |
| 2. | Counteroffer from the landowners:   | \$97,600 (\$20,000/acre) plus two 30' drives |
| 3. | Updated offer to landowner          | \$61,062 (\$12,500/acre)                     |
| 4. | Revised counteroffer from landowner | \$85,487 (\$17,500/acre)                     |

### Additional notes:

1. Mr. Vorwerk's handwritten note listing his reasons for the higher asking price is attached. He relies on the price that we gave to the Walther family several months ago, however we paid a premium on that parcel in advance of the project to avoid utility relocation costs for Jonah. There was a one acre sale across the road from his property which was higher, but is (1) not comparable because of size and (2) was purchased with knowledge of the project to convert to a business after the road is built.
2. He also claims that his proximity adjacent to the city limits of Taylor, and his likelihood of being annexed if he so desired, add value to the property that we did not take into account. He also says that Taylor has applied for a CCN that would cover his property and so he should be paid more.
3. We met with Mr. Vorwerk in our office and answered all of his questions and explained the reasons for our valuation. He still will not come into the range that we have settled other parcels on this project (+-\$12,500/acre). We recommend that he be authorized for condemnation.



Vorwerk - parcel 32



**NOTES:**

1.) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. 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.

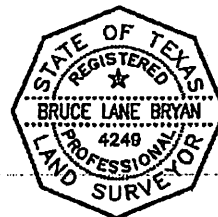
2.) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL TEXAS ZONE, NAD 83 (93). ALL DISTANCES AND COORDINATES ARE ADJUSTED TO SURFACE USING THE PROJECT SURFACE ADJUSTMENT FACTOR OF 1.00012.

3.) THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

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.

BRUCE L. BRYAN  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 4249, STATE OF TEXAS

DATE



PAGE \_\_\_ OF \_\_\_  
REFERENCE FIELD NOTE NO. \_\_\_



BRYAN TECHNICAL SERVICES, INC.  
P.O. BOX 1371  
TAYLOR, TEXAS 76574  
512-365-2524  
512-365-2526 (Fax)  
surveying@btsinc.com

RIGHT-OF-WAY DRAWING  
SHOWING THE PROPERTY OF:

WILBERT VORWERK, ET UX

9-15-08 #32 QRP  
\$17,500

- 1) CCL - Sewer
- 2) proven sale
- 3) Help push Walther sale

Prime may water question