

**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 0.353 acres owned by **Madeline Teichelman and Rebecca Teichelman Borgne, Trustee of the Residual Trust Created by the Will of Edwin Carl Teichelman** (parcel 49), said property described by metes and bounds in Exhibit "A" for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of Highway 79 ("Project"), 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 property; 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 property 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 _____ day of _____, 2009.



Darl A. Gattis
Williamson County Judge

EXHIBIT _____

County: Williamson
Parcel No.: 49
Highway: US 79
Limits: US 79 from East of Hutto City Limit to CR 402
CSJ:

PROPERTY DESCRIPTION FOR PARCEL 49

DESCRIPTION OF A 0.353 ACRE (15,396 SQUARE FOOT) TRACT OF LAND SITUATED IN THE J. J. STUBBLEFIELD SURVEY ABSTRACT NO. 562, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 1 ACRE TRACT OF LAND CONVEYED TO MADELINE DECKER TEICHELMAN AS INDEPENDENT EXECUTRIX OF THE ESTATE OF CARL EDWIN TEICHELMAN AND REBECCA LYNN TEICHELMAN BORGNE AS TRUSTEE OF THE CARL EDWIN TEICHELMAN TESTAMENTARY TRUST BY CAUSE NO. 03-0043-CP1, FILED IN COUNTY COURT AT LAW NO. 1 IN WILLIAMSON COUNTY, TEXAS, SAID 1 ACRE TRACT BEING THAT SAME 1 ACRE SAVE AND EXCEPT TRACT DESCRIBED IN DOCUMENT NO. 2006049418 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF THAT CALLED 104.44 ACRE TRACT OF LAND CONVEYED TO EDWIN TEICHELMAN BY INSTRUMENT RECORDED IN VOLUME 435, PAGE 496 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.353 ACRE (15,396 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING FOR REFERENCE at a found 1/2" iron rod with plastic cap at an interior ell corner in the southerly boundary line of that called 101.62 acre tract of land conveyed to Rebecca Lynn Teichelman Borgne, Trustee of the Edwin Carl Teichelman Testamentary Trust by said Cause No. 03-0043-CP1 filed in County Court at Law No. 1 in Williamson County, Texas, being the remainder of said 104.44 acre tract, of land described in Volume 435, Page 496 of the Deed Records of Williamson County, Texas, 288.14 feet left of proposed U.S. 79 baseline station 685+97.20, being the northwesterly corner of said 1 acre tract;

THENCE, with the common boundary line of said 1 acre tract and said 101.62 acre tract, **S 13°20'56" E** for a distance of **173.97** feet to a set 1/2" iron rod with TXDOT aluminum cap in the proposed northerly right-of-way line of U.S. 79, 114.19 feet left of proposed U.S. 79 baseline station 685+99.23, being the northwesterly corner and **POINT OF BEGINNING** of the herein described tract;

1. **THENCE**, departing said common boundary line, through the interior of said 1 acre tract, with said proposed northerly right-of-way line of U.S. 79, **N 77°19'11" E** for a distance of **162.06** feet to a set 1/2" iron rod with TXDOT aluminum cap in a common boundary line of said 1 acre tract and said 101.62 acre tract, 114.19 feet left of proposed U.S. 79 baseline station 687+61.29, being the northeasterly corner of the herein described tract;
2. **THENCE**, departing said proposed northerly right-of-way line of U.S. 79, with said common boundary line, **S 13°20'56" E** for a distance of **95.01** feet to a calculated point in the existing northerly right-of-way line of U.S. 79 (120 foot right-of-way width), being the southeasterly corner of said 1 acre tract and a exterior ell corner in the southerly boundary line of said 101.62 acre tract, and being the southeasterly corner of the herein described tract, from which a found 1/2" iron rod with plastic cap bears **N 13°20'56" W**, a distance of **0.74** feet;

3. **THENCE**, departing said common boundary line, with the southerly boundary line of said 1 acre tract, same being said existing northerly right-of-way line of U.S. 79, **S 77°19'11" W** for a distance of **162.06** feet to a calculated point, being the southwesterly corner of said 1 acre tract and an exterior ell corner in the southerly boundary line of said 101.62 acre tract, and being the southwesterly corner of the herein described tract, from which a found 1/2" iron rod with plastic cap bears **N 13°20'56" W**, a distance of 0.72 feet;
4. **THENCE**, departing said existing northerly right-of-way line of U.S., with said common boundary line, **N 13°20'56" W** for a distance of **95.01** feet to the **POINT OF BEGINNING**, containing 0.353 acres (15,396 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

That I, M. Stephen Truesdale, 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.

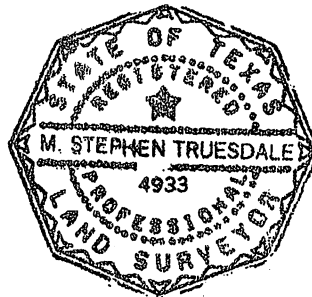
WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

13 DEC 07

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LP
1504 Chisholm Trail Rd., Ste. 101
Round Rock, TX. 78681

Date



79par49.doc

PLAT TO ACCOMPANY DESCRIPTION

LEGEND

- TXDOT TYPE I CONCRETE MONUMENT FOUND
- ▣ TXDOT TYPE II MONUMENT SET
- ▣ TXDOT TYPE II MONUMENT FOUND
- ⊙ 1/2" IRON PIPE FOUND UNLESS NOTED
- 1/2" IRON ROD SET W/TXDOT ALUMINUM CAP UNLESS NOTED
- ⊙ 1/2" IRON ROD WITH PLASTIC CAP FOUND
- ▲ 60 D NAIL SET UNLESS NOTED
- ▲ 80 D NAIL FOUND UNLESS NOTED
- △ CALCULATED POINT
- FENCE POST
- ℓ PROPERTY LINE
- ℓ CENTER LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENT
- X- FENCE
- D.R.W.C.T. DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- LINE BREAK

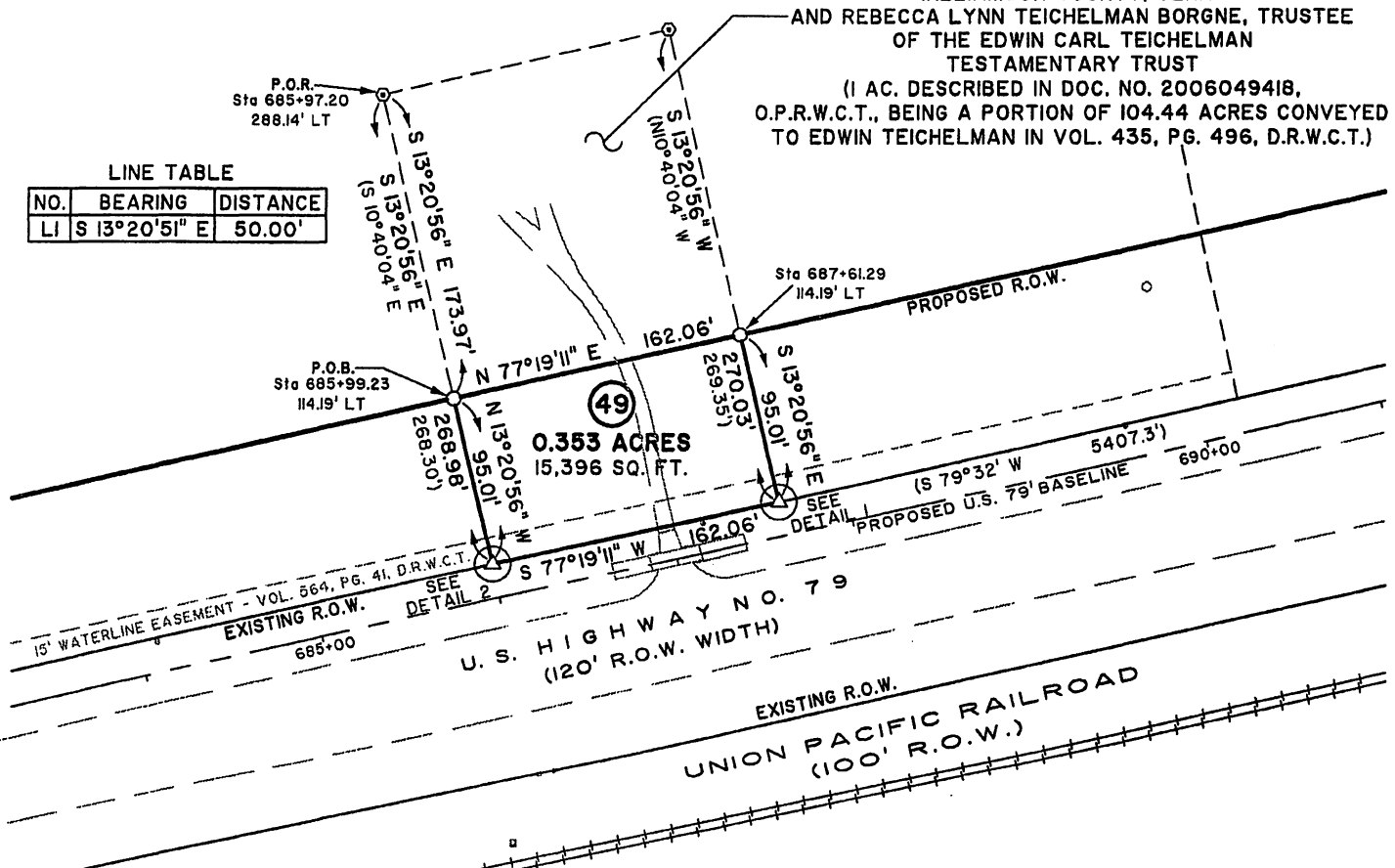
REBECCA LYNN TEICHELMAN BORGNE, TRUSTEE
OF THE EDWIN CARL TEICHELMAN TESTAMENTARY TRUST
(101.62 AC.)
CAUSE NO. 03-0043-CPI
COUNTY COURT AT LAW NO. 1
WILLIAMSON COUNTY, TEXAS
DOC. NO. 2006049418, O.P.R.W.C.T.
(REMAINDER OF 104.44 ACRES DESCRIBED
IN VOL. 435, PG. 496, D.R.W.C.T.)

MADELINE DECKER TEICHELMAN
INDEPENDENT EXECUTRIX OF THE
ESTATE OF EDWIN CARL TEICHELMAN
CAUSE NO. 03-0043-CPI
COUNTY COURT AT LAW NO. 1
WILLIAMSON COUNTY, TEXAS

AND REBECCA LYNN TEICHELMAN BORGNE, TRUSTEE
OF THE EDWIN CARL TEICHELMAN
TESTAMENTARY TRUST
(1 AC. DESCRIBED IN DOC. NO. 2006049418,
O.P.R.W.C.T., BEING A PORTION OF 104.44 ACRES CONVEYED
TO EDWIN TEICHELMAN IN VOL. 435, PG. 496, D.R.W.C.T.)

LINE TABLE

NO.	BEARING	DISTANCE
LI	S 13°20'51" E	50.00'



PARCEL PLAT SHOWING PROPERTY OF
REBECCA LYNN
TEICHELMAN BORGNE, TRUSTEE



SCALE
1" = 100'

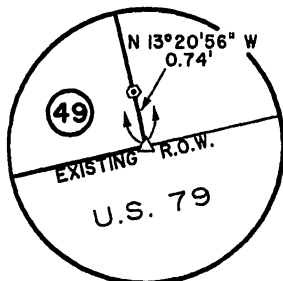
CSJ #

PROJECT
U.S. 79

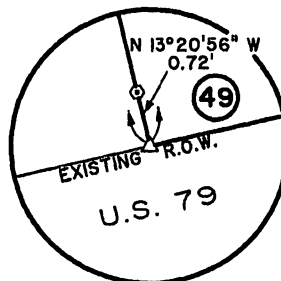
COUNTY
WILLIAMSON

PARCEL 49

PLAT TO ACCOMPANY DESCRIPTION



DETAIL 1
NOT TO SCALE



DETAIL 2
NOT TO SCALE

NOTES:

- 1) THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED ON SCHEDULE B OF THE TITLE REPORT, G.F. NO. 801-06-1448, PROVIDED BY TITLE RESOURCES GUARANTY COMPANY, DATED DECEMBER 1, 2006.
- 2) THE ELECTRIC AND TELEPHONE LINE EASEMENT GRANTED TO TEXAS POWER AND LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 288, PAGE 35 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, IS INSUFFICIENTLY DESCRIBED IN SAID DOCUMENT AND CANNOT BE PLACED OR LOCATED HEREON.
- 3) THIS PARCEL IS SUBJECT TO ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN RESOLUTION NO. 2006-27R OF THE CITY OF HUTTO, TEXAS, RECORDED IN DOCUMENT NO. 2006045188 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.
- 4) ALL BEARINGS SHOWN HEREON ARE BASED ON GRID BEARINGS. ALL DISTANCES ARE SURFACE DISTANCES. COORDINATES ARE SURFACE VALUES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, USING A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00011.
- 5) IMPROVEMENTS SHOWN HEREON ARE BASED UPON AERIAL SURVEY DIGITAL FILES PROVIDED BY OTHERS AND SUPPLEMENTED BY ON THE GROUND SURVEYING PERFORMED BY INLAND GEODETICS, L.P.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREON WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

M. Stephen Truesdale 13 DEC 07

M. STEPHEN TRUESDALE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4933
LICENSED STATE LAND SURVEYOR
INLAND GEODETICS, L.P.
1504 CHISHOLM TRAIL ROAD, SUITE 103
ROUND ROCK, TEXAS 79681



PAGE 4 OF 4



PARCEL PLAT SHOWING PROPERTY OF
REBECCA LYNN
TEICHELMAN BORGNE, TRUSTEE



SCALE
1" = 100'

CSJ #

PROJECT
U.S. 79

COUNTY
WILLIAMSON

PARCEL 49