

**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 0.660 acres owned by **Eric Winkelman** (parcel 42), 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 owner of the hereinafter described property and has failed to agree with the owner on the compensation and damages, if any, due to said owner. 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 owner of any interest in, and the holders of any lien secured by, the following described tract 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.



Dan A. Gattis
Williamson County Judge

EXHIBIT _____

County: Williamson
Parcel No.: 42
Highway: US 79
Limits: US 79 from East of Hutto City Limit to CR 402
CSJ:

PROPERTY DESCRIPTION FOR PARCEL 42

DESCRIPTION OF A 0.660 ACRE (28,758 SQUARE FOOT) TRACT OF LAND SITUATED IN THE PATRICK O'DAUGHERTY SURVEY ABSTRACT NO. 184, IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 1.62 ACRE TRACT OF LAND CONVEYED TO ERIC WINKELMAN, BY INSTRUMENT RECORDED IN DOCUMENT NO. 2003008448 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.661 ACRE (28,780 SQUARE FOOT) TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a found ½" Iron rod in the southerly boundary line of a 135.209 acre remainder of that called 145.59 acre tract of land described in Volume 479, Page 343 of the Deed Records of Williamson County, Texas, said 135.209 acre tract being conveyed to Trona T. Blaha formerly known as Trona T. Krueger, Daniel Dwayne Kruger also known as Daniel D. Krueger, and Trella Latrelle Kruger Arey formerly known as Trella Latrelle Krueger by Cause No. 14,882 in the County Court at Law No. 2 of Williamson County, Texas, same being the most northwesterly corner of said 1.62 acre tract;

THENCE, with the common boundary of said 135.209 acre tract and said 1.62 acre tract, **S 18°20'01" E**, passing at a distance of 125.94 feet, a set Type II Texas Department of Transportation (TXDOT) monument, 149.21 feet left of proposed U.S. 79 baseline station 709+67.93, and continuing for a total distance of 146.04 feet to a set Type II TXDOT monument in the proposed northerly right-of-way of U.S. 79, 129.21 feet left of proposed U.S. 79 baseline station 709+69.51, being the most northwesterly corner of the herein described tract and the **POINT OF BEGINNING** hereof;

1. **THENCE** departing the southerly boundary line of said 135.209 acre tract, with the proposed northerly right-of-way line of U.S. 79, through the interior of said 1.62 acre tract, **N 77°19'11" E** for a distance of 257.82 feet to a set Type II TXDOT monument in the existing westerly right-of-way of C.R. 101 (right-of-way width varies), being the most northeasterly corner of the herein described tract, 129.22 feet left of proposed U.S. 79 baseline station 712+27.73, from which an iron rod found, being the northeast corner of said 1.62 acre tract, bears **N 22°02'04" W**, a distance of 175.20 feet;
2. **THENCE**, departing the proposed northerly right-of-way line of U.S. 79, with the existing westerly right-of-way line of County Road 101, same being the easterly boundary line of said 1.62 acre tract, **S 22°02'04" E** for a distance of 111.48 feet to a calculated point, being the intersecting point of the existing westerly right-of-way County Road 101 and the existing northerly right-of-way line of U.S. 79, (120' right-of-way width), same being the most southeasterly corner of said 1.62 acre tract and the most southeasterly corner of the herein described tract;
3. **THENCE** with the existing northerly right-of-way line of U.S. 79, same being the southerly boundary line of said 1.62 acre tract, **S 77°19'11" W** for a distance of 265.06 feet to a calculated point, being an angle point in the southerly boundary line of said 135.209 acre tract and the most southwesterly corner of said 1.62 acre tract, same being the most southwesterly corner of the herein described tract, from which an iron rod found bears **S 18°17'46" E**, a distance of 0.98 feet;

4. **THENCE** departing the existing northerly right-of-way line of U.S. 79, with the southerly boundary line of said 135.209 acre tract, same being the westerly boundary line of said 1.62 acre tract, **N 18°20'01" W** for a distance of **110.54** feet to the **POINT OF BEGINNING** and containing 0.660 acres (28,758 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.

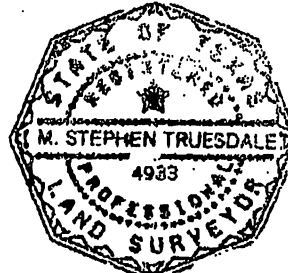
That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

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

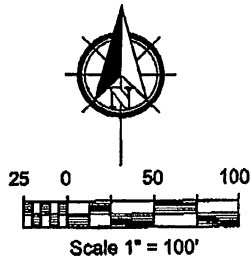
M. Stephen Truesdale 30 APR '07
M. Stephen Truesdale Date
Registered Professional Land Surveyor No. 4933

Licensed State Land Surveyor
Inland Geodetics, LP
1504 Chisholm Trail Rd., Ste. 101
Round Rock, TX. 78681

79par42.doc

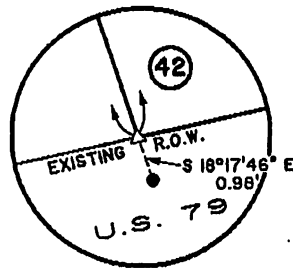


PLAT TO ACCOMPANY DESCRIPTION



TRONA T. BLAHA
F/K/A TRONA T. KRUEGER
DANIEL DWAYNE KRUEGER
A/K/A DANIEL D. KRUEGER
TREILA LATRELLE KRUEGER AERY
F/K/A TREILA LATRELLE KRUEGER
CAUSE NO. 14,862
COUNTY COURT AT LAW NO. 2
WILLIAMSON COUNTY, TEXAS
VOL. 301, PG. 390, D.R.W.C.T.
(135.209 AC. REMAINDER OF
145.59 AC. DESCRIBED IN
VOL. 479, PG. 343, D.R.W.C.T.)

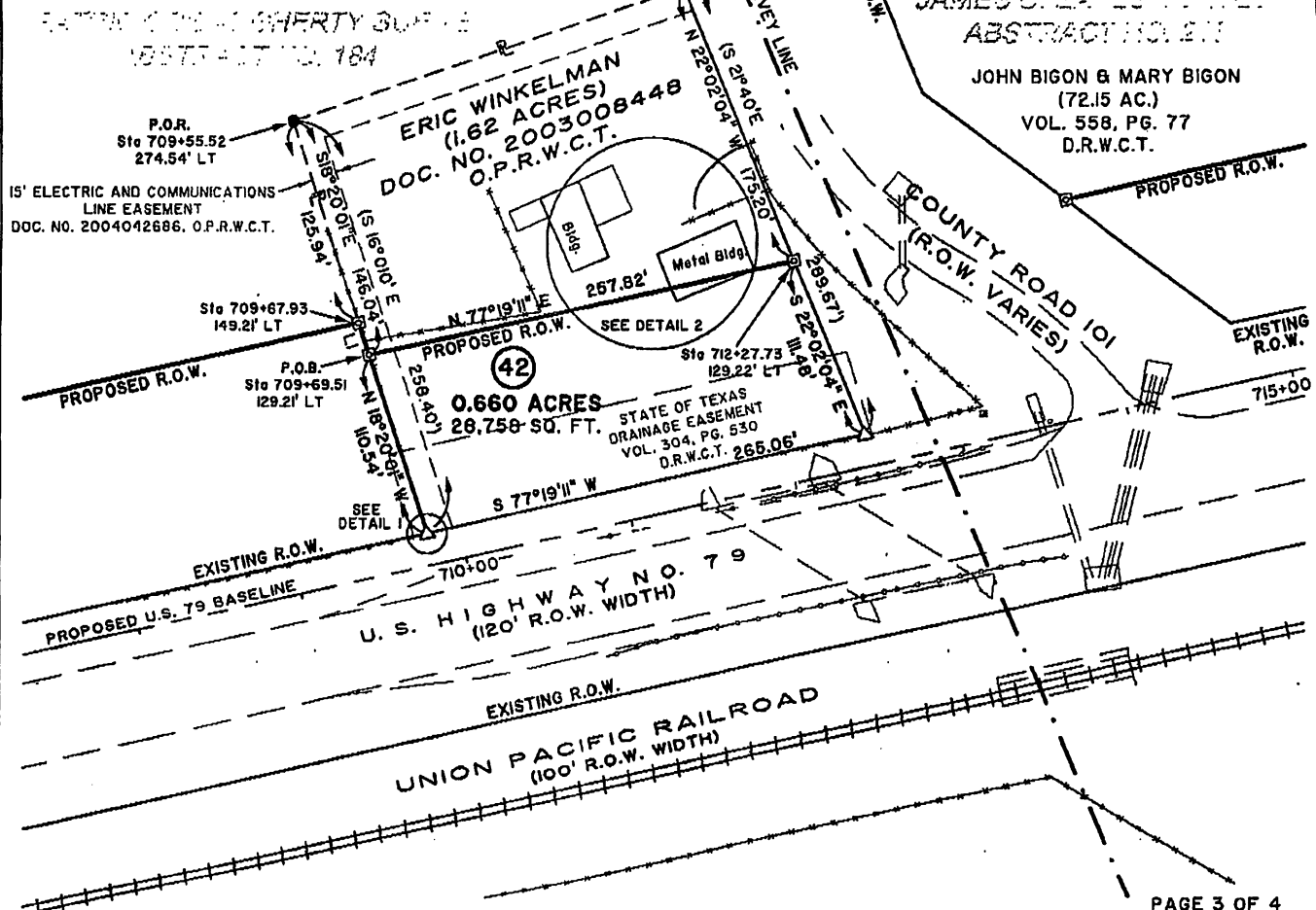
NO.	DIRECTION	DISTANCE
LI	S18°20'01"E	20.10'



DETAIL 1
NOT TO SCALE

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 FOUND UNLESS NOTED
- ▲ 60 D NAIL SET UNLESS NOTED
- △ 60 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.R.W.C.T. OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- LINE BREAK



PAGE 3 OF 4



PARCEL PLAT SHOWING PROPERTY OF
ERIC WINKELMAN



SCALE
1" = 100'

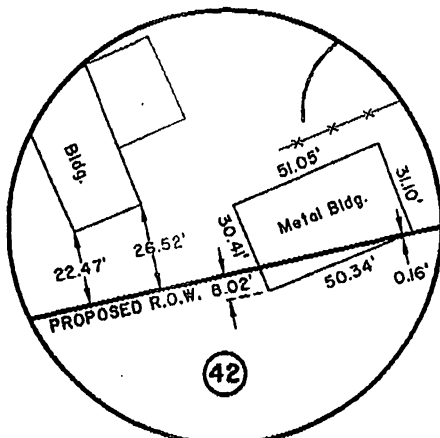
CSJ #

PROJECT
U.S. 79

COUNTY
WILLIAMSON

PARCEL 42

PLAT TO ACCOMPANY DESCRIPTION

DETAIL 2
NOT TO SCALE

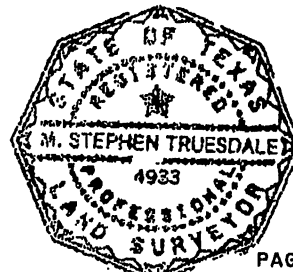
NOTES:

- 1) THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED ON SCHEDULE B OF THE TITLE REPORT, G.F. NO. 801-07-1051, PROVIDED BY TITLE RESOURCES GUARANTY COMPANY, DATED FEBRUARY 14, 2007.
- 2) THE ELECTRIC EASEMENT GRANTED TO TEXAS POWER AND LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 238, PAGE 542 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 A 15 FOOT WIDE, BLANKET TYPE, WATER PIPE LINE EASEMENT GRANTED TO JONAH WATER SUPPLY CORP. BY INSTRUMENT RECORDED IN VOLUME 574, PAGE 1 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, BEING 7.5 FEET ON EITHER SIDE ON THE PIPE AS INSTALLED.
- 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.

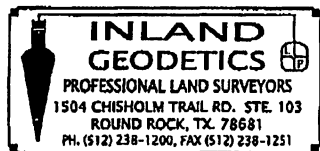
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREON WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

M. Stephen Truesdale 30 APR 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
ERIC WINKELMAN



SCALE 1" = 100'	CSJ #	PROJECT U.S. 79	COUNTY WILLIAMSON
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PARCEL 42