

**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 2.265 acres owned by DAVID LYN ELMS and KAREN JO ELMS (parcel 10), described by metes and bounds in Exhibit "A", for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of SH 195/CR 228 ("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 18<sup>th</sup> day of August, 2009.

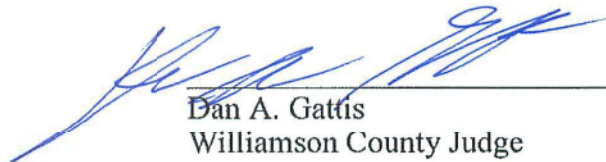
  
\_\_\_\_\_  
Dan A. Gattis  
Williamson County Judge

EXHIBIT A

County: Williamson  
Highway: SH 195  
Limits: From 0.805 Miles South of the Bell County Line to 6.332 Miles South  
ROW CSJ: 0836-01-013

Property Description  
for Parcel 10

BEING a 2.265 acre parcel of land located in Williamson County, Texas, situated in the H. Johnston Survey, Abstract 344, and being part of a tract of land described as 13.00 acres conveyed from The Veterans Land Board of Texas to Thomas Woodrow Elms by deed dated August 25, 1983 and recorded in Volume 936, Page 45 of the Williamson County Deed Records.

COMMENCING at a north corner, being 1,076.39 feet right of Proposed Baseline Station 976+02.30, of said 13.00 acre tract on the south line of a tract of land described as 7.00 acres conveyed from B. M. Beck and wife, Eula Beck, to John Bachinger by deed dated April 17, 1981 and recorded in Volume 847, Page 863 of the Williamson County Deed Records and the northeast corner of a tract of land described as 5.52 acres conveyed from Linda F. Elms to David L. Elms by deed dated March 16, 2003 and recorded in Volume 2290, Page 714 of the Williamson County Deed Records;

THENCE South 35° 28' 50" East a distance of 745.88 feet, along the west line of said 13.00 acre tract and the east line of said 5.52 acre tract to a set Texas Department of Transportation Type II concrete monument, being 705.55 feet right of Proposed Baseline Station 983+69.76, at the southwest corner of said 13.00 acre tract for the POINT OF BEGINNING;

- (1) THENCE North 50° 30' 45" East a distance of 650.64 feet, along the proposed north right-of-way line of said Williamson County Road No.228, crossing said 13.00 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 175.75 feet right of Proposed Baseline Station 979+60.00, for the beginning of a Control of Access line;
- (2) THENCE North 09° 01' 20" West a distance of 668.75 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 13.00 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 170.75 feet right of Proposed Baseline Station 972+70.00;

- (3) THENCE North 17° 26' 41" West a distance of 180.68 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 13.00-acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 182.14 feet right of Proposed Baseline Station 970+83.94, for the end of said Control of Access line;
- (4) THENCE North 28° 55' 26" East a distance of 52.30 feet, along the west line of said 13.00 acre tract and the east line of a tract of land described as 8.00 acres conveyed from The Veterans Land Board of Texas to Ivan Gean Hyden by deed dated April 23, 1992 and recorded in Volume 2135, Page 162 of the Williamson County Deed Records, to a found 3/8 inch iron rod for a north corner of said 13.00 acre tract, the northeast corner of said 8.00 acre tract, and the southeast corner of a tract of land described as 11.96 acres conveyed from Carl Leroy Champlin and wife, Anita K. Champlin, to Leonard G. Hyden by deed dated December 30, 1993 and recorded in Volume 2480, Page 183 of the Williamson County Deed Records;
- (5) THENCE South 19° 46' 45" East a distance of 871.40 feet, along the east line of said 13.00 acre tract and the west line of a tract of land described as 460 acres conveyed from J. C. Brown and wife, Madge H. Brown, to Helen Brown McEvoy, Thomas W. Brown, and J.C. Brown, Jr. by deed May 6, 1966 and recorded in Volume 487, Page 320 of the Williamson County Deed Records, to a found 1/2 inch iron rod for the southeast corner of said 13.00 acre tract and on the existing north right-of-way line of Williamson County Road No. 228;

- (6) THENCE South 54° 32' 31" West a distance of 814.30 feet, along the south line of said 13.00 acre tract and the existing north right-of-way line of said Williamson County Road No. 228, to the POINT OF BEGINNING and containing 2.265 acres of land.

Basis of bearing is the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (1993 Adjustment). All coordinates are adjusted to surface using a surface adjustment factor of 1.000120.

Access is prohibited across the "Control of Access Line" to the transportation facility from the adjacent property.

A plat of even survey date herewith accompanies this property description.

Surveyed by:  
RODS Surveying, Inc.  
6810 Lee Road, Spring, Texas 77379  
Phone (281) 379-6388



A handwritten signature in black ink, appearing to read "A. M. Story", written over a horizontal line.

9/28/04

Arthur M. Story, Registered Professional Land Surveyor, No. 4034

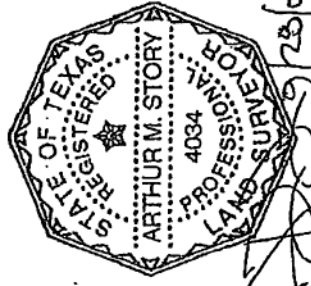
Date



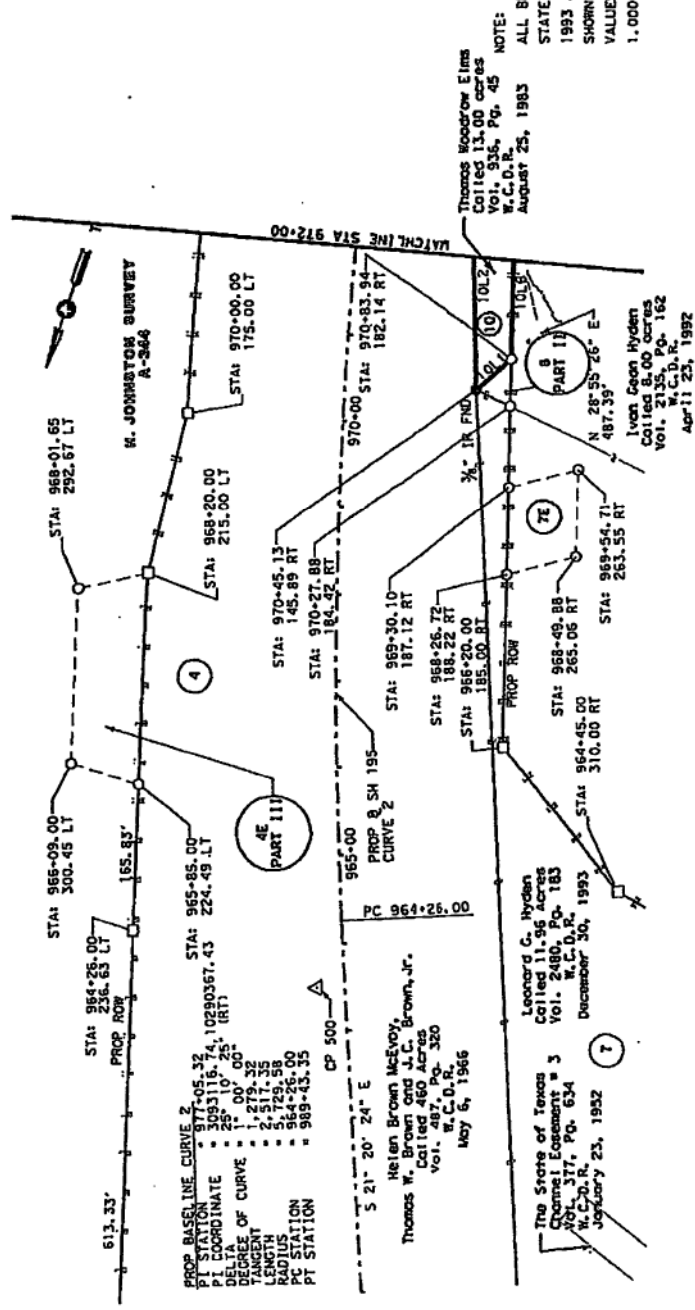
**LEGEND**

- FOUND CORNER (AS DESCRIBED)
- 1/4" IRON ROD W/ ALUMINUM CAP SET
- ⊙ 3/4" IRON ROD W/ PLASTIC CAP SET
- ⊠ CONCRETE MONUMENT (TYPE 1)
- ⊡ FOUND CONCRETE MONUMENT (TYPE 1)
- △ CALCULATED POINT
- ▲ CONTROL POINT
- POINT OF BEGINNING
- POINT OF COMANCHMENT
- BASE LINE / CENTERLINE
- SURVEY LINE
- PROPERTY LINE
- EXIST. ROW
- PROP. ROW
- CONST. EASEMENT (TEMPORARY)
- DRAINAGE EASEMENT (PERMANENT)
- CONTROL OF ACCESS
- L-1 LINE OR CURVE NUMBER
- L-2 LINE (C-CURVE)
- G-TRACT (RE-ASSIGNMENT OF TRACT 6)

ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83, 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF 1.000120.



**RIGHT OF WAY PLAT**  
 SHOWING PROPERTY OF  
**PARCEL 10**  
 SHEET 4 OF 5  
 ROW CSJ NO. 0836-01-013  
 STATE HIGHWAY 195 WILLIAMSON COUNTY  
 RODS SURVEYING INC.  
 6810 LEE ROAD SPRING, TX 77379  
 (281) 379-6388  
 SCALE: 1"=200' September 28, 2004



Thomas Woodrow Elms  
 Vol. 116, P. 45  
 W.C.D.R. August 25, 1983

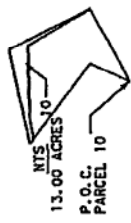
NOTE:  
 ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83, 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF 1.000120.

Ivan Ceon Hyden  
 Called 8.00 acres  
 Vol. 2135, P. 162  
 W.C.D.R. Apr 11 25, 1992

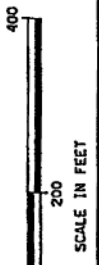
Leonard C. Hyden  
 Called 11.96 Acres  
 Vol. 2480, P. 183  
 W.C.D.R. December 30, 1993

The State of Texas  
 Called 460 Acres  
 Vol. 377, P. 634  
 W.C.D.R. January 23, 1932

Heleen Brown McEvoy,  
 Thomas W. Brown and J.C. Brown, Jr.  
 Called 460 Acres  
 Vol. 487, P. 320  
 W.C.D.R. May 6, 1966



NTS  
 13.00 ACRES  
 P.O.C.  
 PARCEL 10



EXISTING ACREAGE	TAKING ACRES	APPROX. REMAINDER ACREAGE	
		LEFT	RIGHT
13.00	2.265		10.74

PARCEL	LINE TABLE		
	LINE NO.	BEARING	DISTANCE
10	10.1	N 28° 55' 26" E	52.30
	10.2	S 19° 46' 45" E	871.40
	10.3	S 54° 32' 31" W	814.30
	10.4	N 50° 30' 45" E	650.64
	10.5	N 9° 01' 20" W	668.75
	10.6	N 17° 26' 41" W	180.68