

**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 29.901 acres owned by CAL RICHMOND BRANDT and DAVID PAUL BRANDT as Trustees of the Brandt Trust (parcel 13), described by metes and bounds in Exhibit "A", for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of SH 195 ("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 18th 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 13

BEING a 29.901 acre parcel of land located in Williamson County, Texas, situated in the J. Hornsby Survey, Abstract 285, and being part of a tract of land described as 137.3 acres conveyed from Paul R. Brandt and wife, Frances L. Brandt, to Cal Richmond Brandt by deed dated May 31, 1989 and recorded in Document No. 9752653 of the Williamson County Deed Records.

COMMENCING at a fence post, being 1005.44 feet left of Proposed Baseline Station 1030+76.40, for the southeast corner of said 137.3 acre tract;

THENCE South 69° 27' 17" West a distance of 424.56 feet, along the south line of said 137.3 acre tract and the north line of a tract of land described as 336 acres conveyed from Melvin G. Smith, Independent Executor of the Estates of B. T. Preslar, Jr. and Avis Preslar, Deceased, to Melvin G. Smith by deed dated April 16, 2000 and recorded in Document No. 2000031364 of the Williamson County Deed Records, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 585.52 feet left of Proposed Baseline Station 1030+1382, for the POINT OF BEGINNING;

- (1) THENCE South 69° 27' 17" West a distance of 1,672.59 feet, along the south line of said 137.3 acre tract and the north line of said 336 acres, to a fence post for the southwest corner of said 137.3 acre tract and the southeast corner of a tract of land described as 145.00 acres conveyed from Paul R. Brandt and wife, Frances L. Brandt, to Carl Richmond Brandt, by deed dated November 4, 1997 and recorded in Document No. 9752652 of the Williamson County Deed Records;
- (2) THENCE North 21° 38' 38" West 58.03 feet, along the west line of said 137.3 acre tract and the east line of said 145.00 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 75.00 feet left of Proposed Baseline Station 30+51.49;

- (3) THENCE North 69° 16' 45" East, passing at a distance of 548.51 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap stamped "COA", being 75.00 feet left of Proposed Baseline Station 36+00.00, for the beginning of a Control of Access line, and continuing for a total distance of 718.88 feet, along the proposed north right-of-way line of State Highway 138, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 350.00 feet right of Proposed Baseline Station 1028+13.56;
- (4) THENCE North 19° 54' 57" East a distance of 66.32 feet, along the proposed north right-of-way line of said State Highway 138 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 300.00 feet right of Proposed Baseline Station 1027+70.00;
- (5) THENCE North 29° 44' 40" West a distance of 790.26 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 310.00 feet right of Proposed Baseline Station 1019+79.80;
- (6) THENCE North 20° 52' 19" West a distance of 351.31 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 275.00 feet right of Proposed Baseline Station 1016+55.00;
- (7) THENCE North 09° 15' 10" West a distance of 909.51 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 140.00 feet right of Proposed Baseline Station 1008+00.00;
- (8) THENCE North 05° 57' 42" West a distance of 397.69 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 122.78 feet right of Proposed Baseline Station 1004+15.73, on the north line of said 137.3 acre tract and the south line of a tract of land described as 101.67 acres conveyed from B. L. Gaylean to The Thelma and E.L. Gaylean Family Trust, by deed dated June 24, 1991 and recorded in Volume 2297, Page 201 of the Williamson County Deed Records;
- (9) THENCE North 68° 49' 54" East a distance of 278.83 feet, along the north line of said 137.3 acre tract and the south line of said 101.67 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 145.00 feet left of Proposed Baseline Station 1003+37.74;

- (10) THENCE South $15^{\circ} 10' 55''$ East a distance of 681.26 feet, along the proposed east right-of-way line of State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 210.00 feet left of Proposed Baseline Station 1010+50.00;
- (11) THENCE South $21^{\circ} 24' 13''$ East a distance of 518.26 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 230.00 feet left of Proposed Baseline Station 1016+00.00;
- (12) THENCE South $34^{\circ} 14' 17''$ East, passing at a distance 357.82 feet a set Texas Department of Transportation Type II concrete monument, being 280.28 feet left of Proposed Baseline Station 1019+79.80, and continuing for a total distance of 739.61 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 315.00 feet left of Proposed Baseline Station 1023+60.00;
- (13) THENCE South $29^{\circ} 01' 11''$ East a distance of 515.00 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 315.00 feet left of Proposed Baseline Station 1028+75.00;
- (14) THENCE South $66^{\circ} 52' 40''$ East a distance of 65.23 feet, along the proposed east right-of-way line of said State Highway 195 and said Control of Access line, crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 355.03 feet left of Proposed Baseline Station 1029+26.50;
- (15) THENCE North $69^{\circ} 16' 45''$ East, passing at a distance of 162.81 feet a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap stamped "COA", being 516.14 feet left of Proposed Baseline Station 1029+50.00, for the end of said Control of Access line, and continuing for a total distance of 240.69 feet, along the proposed north right-of-way line of said State Highway 138 and crossing said 137.3 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 593.20 feet left of Proposed Baseline Station 1029+61.24;

- (16) THENCE South 20° 42' 50" East a distance of 53.15 feet, along the proposed east right-of-way line of said State Highway 138 and crossing said 137.3 acre tract, to the POINT OF BEGINNING and containing 29.901 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 be "A. M. Story", written over a horizontal line.

9/28/04

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

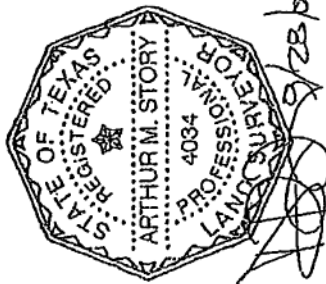
Date

LEGEND

- FOUND CORNER (AS DESCRIBED)
- 1/4" IRON ROD W/ ALUMINUM CAP SET
- ⊗ 3/4" IRON ROD W/ PLASTIC CAP SET
- ⊠ "RODS SURVEYING"
- ⊡ CONCRETE MONUMENT SET (TYPE 11)
- ⊢ FOUND CONCRETE MONUMENT (TYPE 11)
- △ CALCULATED POINT
- △ CONTROL POINT
- △ P.O.B. POINT OF BEGINNING
- △ P.O.C. POINT OF COMMENCEMENT
- BASE LINE / CENTERLINE
- SURVEY LINE
- PROPERTY LINE
- EXIST. ROW
- PROP. ROW
- CONST. EASEMENT (TEMPORARY)
- DRAINAGE EASEMENT (PERMANENT)
- CONTROL OF ACCESS
- 1/4" LINE OR CURVE HEADER
- 1/4" LINE (C-CURVE)
- 6" TRACT (66'-EASEMENT OF TRACT 61)

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.

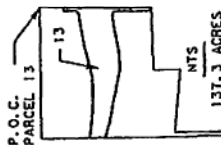
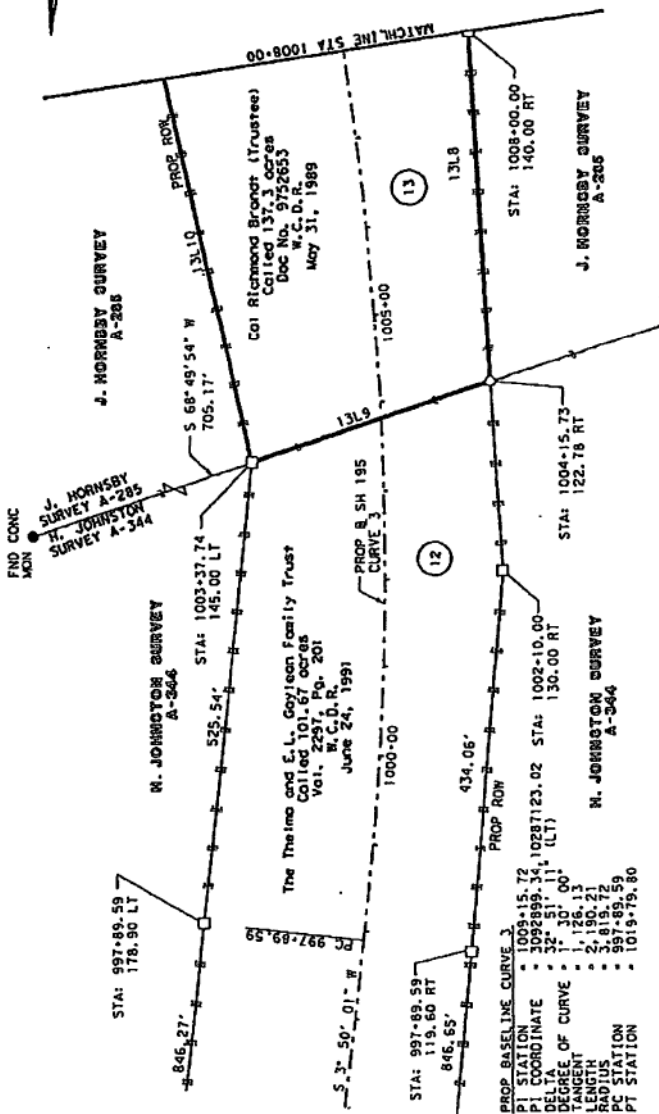


RIGHT OF WAY PLAT
SHOWING PROPERTY OF

PARCEL 13

SHEET 5 OF 8

ROW CSJ NO. 0836-01-013 & 0440-01-037
STATE HIGHWAY 195 WILLIAMSON COUNTY
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
SCALE: 1"=200' September 28, 2004



EXISTING ACREAGE	TAKING ACRES	APPROX. REMAINDER	
		LEFT	RIGHT
137.30	29.901	51.49	55.91

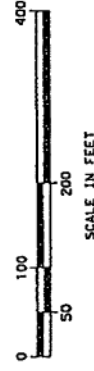
PARCEL	LINE NO.	BEARING		DISTANCE
		LEFT	RIGHT	
13	13.1	S 69° 21' 17\"	W	1672.59
	13.2	N 21° 38' 38\"	E	58.03
	13.3	N 69° 16' 45\"	E	718.88
	13.4	N 19° 54' 57\"	E	66.32
	13.5	N 29° 44' 40\"	W	790.26
	13.6	N 20° 52' 19\"	W	351.31
	13.7	N 9° 15' 10\"	W	909.51
	13.8	N 5° 57' 42\"	W	397.69
	13.9	N 68° 49' 54\"	E	278.83
	13.10	S 15° 10' 55\"	E	681.26
	13.11	S 21° 24' 13\"	E	518.26
	13.12	S 34° 14' 17\"	E	739.61
	13.13	S 29° 01' 11\"	E	515.00
	13.14	S 66° 52' 40\"	E	65.23
	13.15	N 69° 16' 45\"	E	240.69
	13.16	S 20° 42' 50\"	E	53.15

LEGEND

- FOUND CORNER (AS DESCRIBED)
- 1/4" IRON ROD W/ ALUMINUM CAP SET
- 3/4" IRON ROD W/ PLASTIC CAP SET
- "HOTS SURVEYING"
- CONCRETE MONUMENT SET (TYPE 11)
- FOUND CONCRETE MONUMENT (TYPE 11)
- CALCULATED POINT
- CONTROL POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BASE LINE / CENTERLINE
- SURVEY LINE
- PROPERTY LINE
- EXIST ROW
- PROP ROW
- CONST EASEMENT (TEMPORARY)
- DRAINAGE EASEMENT (PERMANENT)
- CONTROL OF ACCESS
- 1-LINE OR CURVE NUMBER
- 1-LINE (IC-CURVE)
- 6-TRACT (EASEMENT OF TRACT 6)

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.

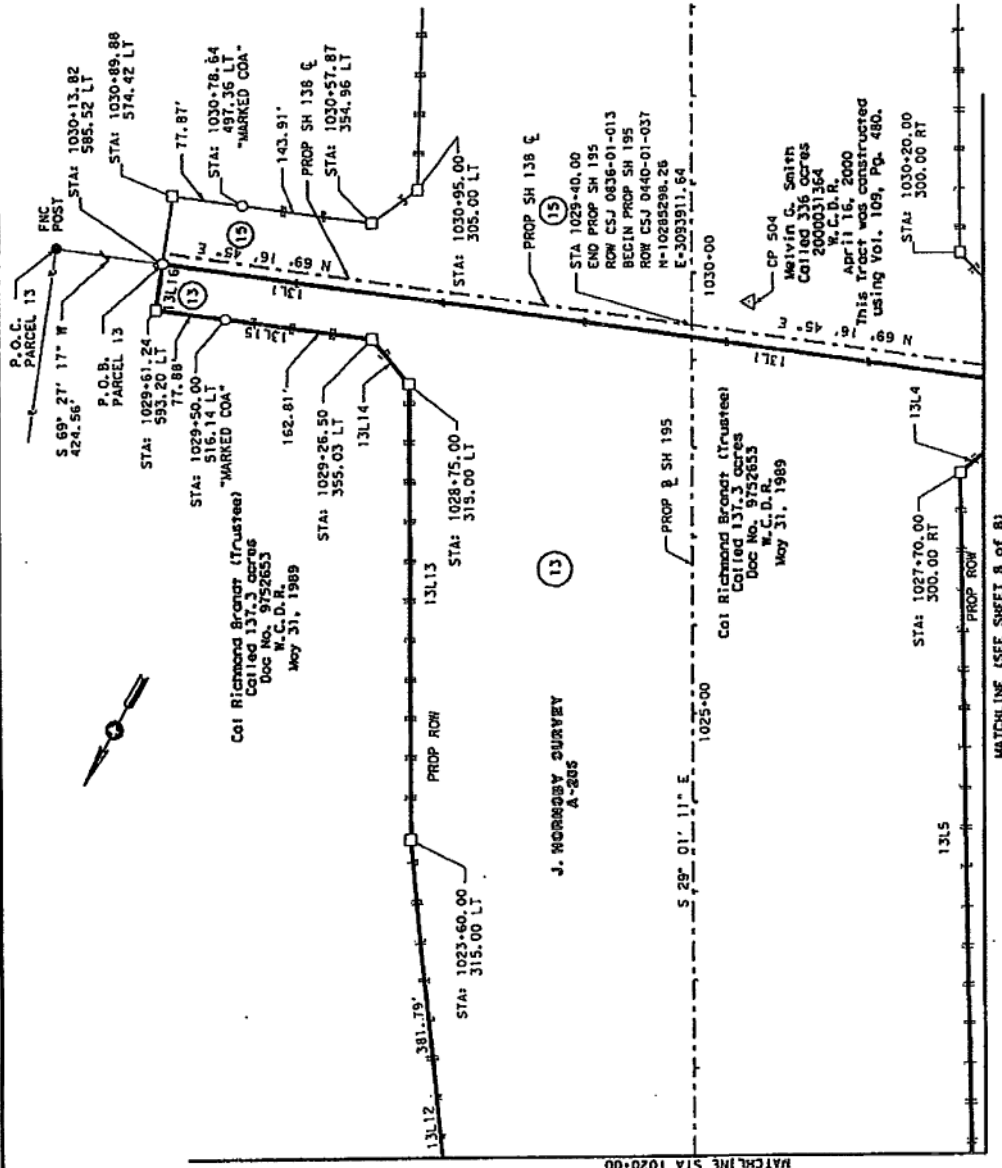


RIGHT OF WAY PLAT SHOWING PROPERTY OF

PARCEL 13

SHEET 7 OF 8

ROW CSJ NO. 0836-01-013 & 0440-01-037
STATE HIGHWAY 195 WILLIAMSON COUNTY
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6386
SCALE: 1"=200' September 28, 2004



J. HORNBY SURVEY
A-205

Col Richmond Bront (Trustee)
Called 137.3 acres
Doc No. 9752653
W.C.D.R.
May 31, 1989

CP 504
Melvin G. Smith
Called 316 acres
2000031364
W.C.D.R.
April 16, 2000
This tract was constructed
using Vol. 109, Pg. 480.

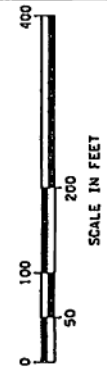
MATCHLINE (SEE SHEET 8 OF 8)

LEGEND

- FOUND CORNER (AS DESCRIBED)
- 3/4" IRON ROD W/ ALUMINUM CAP SET
- ⊙ 1/4" IRON ROD W/ PLASTIC CAP SET
- ⊙ "RODS SURVEYING"
- CONCRETE MONUMENT SET (TYPE 11)
- ⊠ FOUND CONCRETE MONUMENT (TYPE 11)
- △ CALCULATED POINT
- △ CONTROL POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- BASE LINE / CENTERLINE
- SURVEY LINE
- EXIST ROW
- PROP ROW
- CONST EASEMENT (TEMPORARY)
- DRAINAGE EASEMENT (PERMANENT)
- CONTROL OF ACCESS
- 1-LINE OR CURVE NUMBER
- L-LINE (IC-CURVE)
- E-TRACT (IC-EASEMENT OF TRACT 6)

NOTES

ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83, 1983 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 13

SHEET 8 OF 8

ROW CSJ NO. 0835-01-013 & 0440-01-037
STATE HIGHWAY 195 WILLIAMSON COUNTY
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
SCALE: 1"=200' September 28, 2004

