

**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 2.038 acres owned by CAL RICHMOND BRANDT and DAVID PAUL BRANDT as Trustees of the Brandt Trust (parcel 14), described by metes and bounds in Exhibit "A", for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of SH 195/SH 138 ("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.

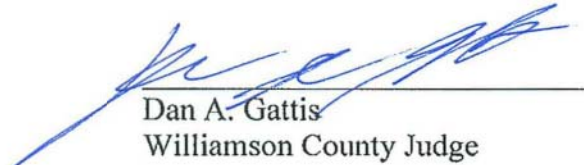

Dan A. Gattis
Williamson County Judge

EXHIBIT A

County: Williamson
Highway: SH 195
Limits: Bell County Line to IH 35
ROW CSJ: 0836-01-013

Property Description
for Parcel 14

BEING a 2.038 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 145.00 acres conveyed from Paul R. Brandt and wife, Frances L. Brandt, to Cal Richmond Brandt by deed dated November 4, 1997 and recorded in Document No. 9752652 of the Williamson County Deed Records.

COMMENCING at the interior corner, being 4,888.33 feet right of Proposed Baseline Station 1022+14.52 of State Highway 195, of said 145.00 acre tract and the northwest corner 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;

THENCE North 69° 12' 58" East a distance of 2,532.62 feet, along the south line of said 145.00 acre tract and the north line of said 336 acre tract, crossing existing State Highway 195, to a set Texas Department of Transportation Type II concrete monument, being 15.52 feet right of Proposed Baseline Station 17+25.73, for the POINT OF BEGINNING;

- (1) THENCE North 27° 30' 02" West a distance of 100.85 feet, along the existing east right-of-way line of said State Highway 195 and crossing said 145.00 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 115.66 feet left of Proposed Baseline Station 17+13.82,
- (2) THENCE South 81° 39' 39" East a distance of 52.83 feet, along the proposed north right-of-way line of said State Highway 138 and crossing said 145.00 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 90.00 feet left of Proposed Baseline Station 17+60.00;
- (3) THENCE North 67° 14' 01" East a distance of 140.09 feet, along the proposed north right-of-way line of said State Highway 138 and crossing said 145.00 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 95.00 feet left of Proposed Baseline Station 19+00.00;

- (4) THENCE North 69° 16' 45" East a distance of 200.00 feet, along the proposed north right-of-way line of said State Highway 138 and crossing said 145.00 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 95.00 feet left of Proposed Baseline Station 21+00.00;
- (5) THENCE North 73° 05' 35" East a distance of 300.67 feet, along the proposed north right-of-way line of said State Highway 138 and crossing said 145.00 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 75.00 feet left of Proposed Baseline Station 24+00.00;
- (6) THENCE North 69° 16' 45" East a distance of 651.49 feet, along the proposed north right-of-way line of said State Highway 138 and crossing 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, being on the west line of a 137.3 acre tract conveyed from Paul R. Brandt and wife, Frances L. Brandt, to Cal Richmond Brandt, Trustee by deed May 31, 1989 and recorded in Document No. 9752653 of the Williamson County Deed Records;
- (7) THENCE South 21° 38' 38" East a distance of 58.03 feet, along the east line of said 145.00 acre tract and the west line of said 137.3 acre tract, to a fence post for the southeast corner of said 145.00 acre tract and the southwest corner of said 137.3 acre tract;

- (8) THENCE South $69^{\circ} 12' 58''$ West a distance of 1,326.70 feet, along the south line of said 145.00 acre tract and the north line of said 336 acre tract, to the POINT OF BEGINNING and containing 2.038 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.

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. Story", written over a horizontal line.

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

9/28/04
Date

