

**IN THE COMMISSIONERS' COURT
OF WILLIAMSON COUNTY, TEXAS**

RESOLUTION

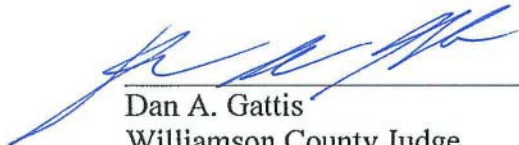
WHEREAS, the Commissioners' Court of Williamson County, Texas, has found and determined that in order to promote the public safety, to facilitate the safety and movement of traffic, and to preserve the financial investment of the public in its roadways, public necessity requires acquisition of fee simple title to 5.635 acres owned by PEGGY SUE SIMPSON A/K/A PEGGY SUE BRIZENDINE and JOHN CARLTON BRIZENDINE (parcel 52 part 1 and part 2), 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: 0440-01-037

Property Description
for Parcel 52 Part 1

BEING a 3.782 acre parcel of land located in Williamson County, Texas, situated in the M. Wells Survey, Abstract 646, and being part of the remainder of a tract of land described as 10.5 acres conveyed from John Carlton Brizendine to Peggy Sue Brizendine by deed dated August 29, 2001 and recorded in Document No. 2001078727 of the Williamson County Deed Records.

COMMENCING at a found 1/2 inch iron rod, being 360.23 feet right of Proposed Baseline Station 1055+57.12, for the southwest corner of the most westerly 0.50 acre tract described (four contiguous 0.50 acre tracts described in deed) in a deed from James E. Johnson to Mark Shelton by deed dated November 12, 2004 and recorded in Document No. 2004088914 of the Williamson County Deed Records, and for the southeast corner of a tract of land described as 1.00 acre conveyed from Jacky Don Duquette and wife, Mellisa Sue Duquette, to Michael Bieren and wife, Deanna Bieren, by deed dated May 25, 2001 and recorded in Document No. 2001036826 of the Williamson County Deed Records;

THENCE North 68° 50' 11" East a distance of 187.46 feet, along the south line of the two most westerly 0.50 acre tracts described in said Shelton deed, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 174.68 feet right of Proposed Baseline Station 1055+82.70, for the POINT OF BEGINNING on the proposed west right-of-way line of State Highway 195 and being on a Control of Access line;

- (1) THENCE North 68° 50' 11" East a distance of 229.93 feet, continuing along the south line of said 0.50 acre tracts, to a found 1/2 inch iron rod, being the southeast corner of said most easterly 0.50 acre tract;
- (2) THENCE North 20° 55' 27" West a distance of 208.52 feet, along the north line of the most easterly 0.50 acre tract, to a found 1/2 inch iron rod, being the northeast corner of said most easterly 0.50 acre tract;
- (3) THENCE North 68° 48' 48" East a distance of 169.12 feet, along the existing south right-of-way line of said Williamson County Road No. 229 and the north line of said 10.5 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 250.00 feet left of Proposed Baseline Station 1054+30.72

- (4) THENCE South $25^{\circ} 43' 40''$ East a distance of 516.23 feet, along the proposed east right-of-way line of State Highway 195, the proposed west right-of-way line of an access road, and a Control of Access line, crossing said 10.5 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 220.36 feet left of Proposed Baseline Station 1059+46.10, on the south line of said 10.5 acre tract and the north line of a tract of land described as 14.17 acres conveyed from Terry Lynn Brizendine to Thomas Dean Brizendine by deed October 9, 2000 and recorded in Document No. 2000072138 of the Williamson County Deed Records;
- (5) THENCE South $68^{\circ} 50' 54''$ West a distance of 417.73 feet, along the south line of said 10.5 acre tract and the north line of said 14.17 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 193.44 feet right of Proposed Baseline Station 1058+88.92, on the proposed west right-of-way line of said State Highway 195;
- (6) THENCE North $25^{\circ} 30' 50''$ West a distance of 306.81 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 10.5 acre tract, to the POINT OF BEGINNING and containing 3.782 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

Scott Morris

Scott Morris, Registered Professional Land Surveyor, No. 5076

10-14-2007

Date



2017-01-22 11:22:22

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: 0440-01-037

Property Description
for Parcel 52 Part 2

BEING a 1.853 acre parcel of land located in Williamson County, Texas, situated in the M. Wells Survey, Abstract 646, and being part of a tract of land described as 10.5 acres conveyed from John Carlton Brizendine to Peggy Sue Brizendine by deed dated August 29, 2001 and recorded in Document No. 2001078727 of the Williamson County Deed Records.

COMMENCING at a found 1/2 inch iron rod, being 567.11 feet right of Proposed Baseline Station 1055+28.37, on the existing east right-of-way line of Brizendine Avenue for the northwest corner of said 10.5 acre tract and the southwest corner of tract of land described as 1.00 acre conveyed from Jacky Don Duquette and wife, Mellisa Sue Duquette, to Michael Bieren and wife, Deanna Bieren, by deed dated May 25, 2001 and recorded in Document No. 2001036826 of the Williamson County Deed Records;

THENCE North 68° 53' 03" East a distance of 208.71 feet, along the south line of said 1.00 acre tract, to a fence post for the southeast corner of said 1.00 acre tract;

THENCE North 20° 55' 01" West a distance of 208.34 feet, along the east line of said 1.00 acre tract and the west line of said 10.5 acre tract, to a found 1/2 inch iron rod for the northeast corner of said 1.00 acre tract and the most northwesterly corner of said 10.5 acre tract on the existing south right-of-way line of Williamson County Road No. 229;

THENCE North 68° 48' 43" East a distance of 586.48 feet, along the existing south right-of-way line of said Williamson County Road No. 229 and the north line of said 10.5 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 250.00 feet left of Proposed Baseline Station 1054+30.72, for the POINT OF BEGINNING;

- (1) THENCE North 68° 48' 43" East a distance of 167.46 feet, along the existing south right-of-way line of said Williamson County Road No. 229 and the north line of said 10.5 acre tract, to a found 1/2 inch iron rod for the northeast corner of said 10.5 acre tract and the northwest corner of a tract of land described as 10.00 acres conveyed from Stuart A. Spradley to Toni M. Raimondo by deed dated July 5, 1991 and recorded in Volume 2034, Page 722 of the Williamson County Deed Records;
- (2) THENCE South 23° 22' 05" East, passing at a distance of 220.39 feet a set 5/8 inch iron rod with yellow plastic cap marked "RODS SURVEYING, INC.", being 394.20 feet left of Proposed Baseline Station 1056+72.86, and continuing for a total distance of 515.08 feet, along the east line of said 10.5 acre tract, the west line of said 10.00 acre tract, and the proposed east right-of-way line of an access road, to a found 1/2 inch iron rod for the southeast corner of said 10.5 acre tract and the northeast corner of a tract of land described as 14.17 acres conveyed from Terry Lynn Brizendine to Thomas Dean Bizendine by deed October 9, 2000 and recorded in Document No. 2000072138 of the Williamson County Deed Records;
- (3) THENCE South 68° 50' 54" West a distance of 146.20 feet, along the south line of said 10.5 acre tract and the north line of said 14.17 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 220.36 feet left of Proposed Baseline Station 1059+46.10;

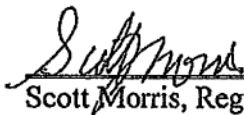
- (4) THENCE North 25° 43' 40" West a distance of 516.23 feet, along the proposed east right-of-way line of State Highway 195, the proposed west right-of-way line of an access road, and a Control of Access line, crossing said 10.5 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 250.00 feet left of Proposed Baseline Station 1054+30.72, to the POINT OF BEGINNING and containing 1.853 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



Scott Morris, Registered Professional Land Surveyor, No. 5076

10-4-2007

Date



