

**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 7.828 acres owned by THOMAS DEAN BRIZENDINE (parcel 53 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 53 Part 1

BEING a 6.250 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 14.17 acres conveyed from Terry Lynn Brizendine to Thomas Dean Brizendine by deed dated October 9, 2000 and recorded in Document No. 2000072138 of the Williamson County Deed Records.

COMMENCING at a found 1/2 inch iron rod, being 302.77 feet left of Proposed Baseline Station 1065+80.24, for the southwest corner of a tract of land described as 10.00 acres conveyed from Stuart A. Spradley to Toni M. Raimondo by deed dated July 05, 1991 and recorded in Volume 2034, Page 722 of the Williamson County Deed Records and on the north line of a tract of land described as 44.00 acres conveyed from Mike Greene to Paul Ray Ward and wife, Janice Kay Ward, by deed dated March 29, 2002 and recorded in Document No. 2002024622 of the Williamson County Deed Records;

THENCE South 68° 32' 54" West a distance of 19.64 feet, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 283.30 feet left of Proposed Baseline Station 1065+77.65, for the POINT OF BEGINNING;

- (1) THENCE South 68° 32' 54" West a distance of 519.26 feet, along the south line of said 14.17 acre tract and the north line of said 44.00 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 231.44 feet right of Proposed Baseline Station 1065+09.27;
- (2) THENCE North 25° 30' 50" West a distance of 621.51 feet, along the proposed west right-of-way line of State Highway 195 and a Control of Access line, crossing 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;
- (3) THENCE North 68° 50' 54" East a distance of 417.73 feet, along the north line of said 14.17 acre tract and the south line 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, 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 South 25° 43' 40" East a distance of 354.48 feet, along the proposed east right-of-way line of said State Highway 195, the proposed west line of an access road, and a Control of Access line, crossing said 14.17 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 200.00 feet left of Proposed Baseline Station 1063+00.00;
- (5) THENCE South 45° 43' 06" East a distance of 289.88 feet, along the proposed east right-of-way line of said State Highway 195, the proposed west line of said access road, and said Control of Access line, to the POINT OF BEGINNING and containing 6.250 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

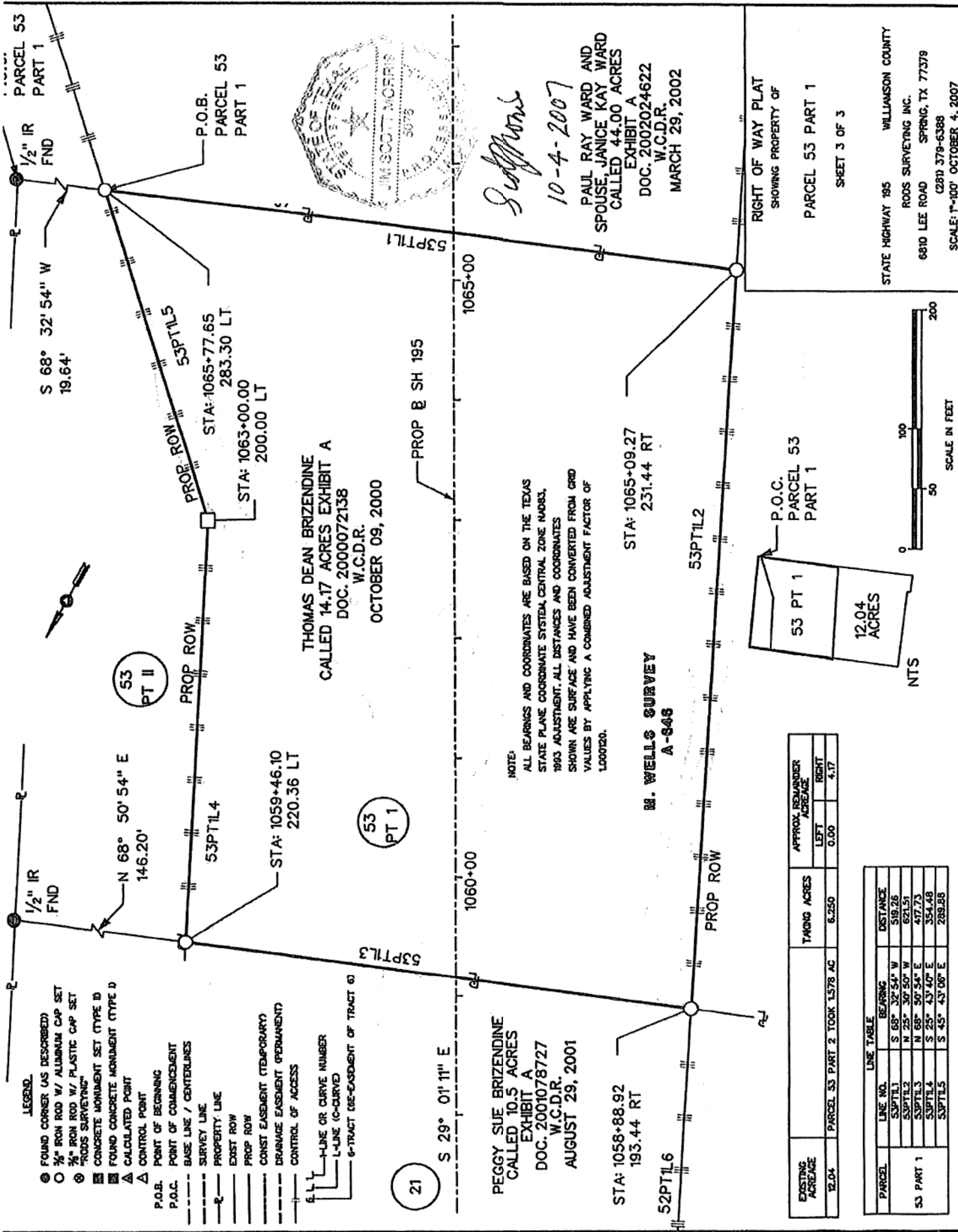
Scott Morris

Scott Morris, Registered Professional Land Surveyor, No. 5076

10-4-2007

Date





EXISTING ACRES	TAKING ACRES	APPROX. REMAINDER ACRES	
		LEFT	RIGHT
12.04	PARCEL 53 PART 2 TOOK 1578 AC	6.250	4.17

LINE TABLE			
PARCEL	LINE NO.	BEARING	DISTANCE
53 PART 1	53PT1L1	S 68° 32' 54\"	519.26
	53PT1L2	N 25° 30' 50\"	621.51
	53PT1L3	N 68° 30' 54\"	477.73
	53PT1L4	S 25° 43' 40\"	354.48
	53PT1L5	S 45° 43' 06\"	289.86



STATE HIGHWAY 195 WILLIAMSON COUNTY
 ROOS SURVEYING INC.
 6810 LEE ROAD SPRING, TX 77379
 (281) 379-6388
 SCALE: 1\"/>

RIGHT OF WAY PLAT
 SHOWING PROPERTY OF
 PARCEL 53 PART 1
 SHEET 3 OF 3

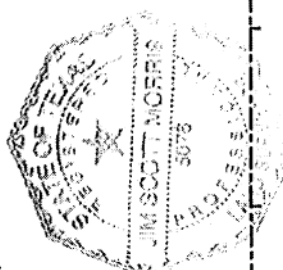
NOTE:
 ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS
 STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD83.
 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES
 SHOWN ARE SURFACE AND HAVE BEEN CONVERTED FROM GRID
 VALUES BY APPLYING A COMBINED ADJUSTMENT FACTOR OF
 1.000720.

W. WELLS SURVEY
 A-848

PEGGY SUE BRIZENDINE
 CALLED 10.5 ACRES
 EXHIBIT A
 DOC. 2001078727
 W.C.D.R.
 AUGUST 29, 2001

THOMAS DEAN BRIZENDINE
 CALLED 14.17 ACRES EXHIBIT A
 DOC. 2000072138
 W.C.D.R.
 OCTOBER 09, 2000

PAUL RAY WARD AND
 SPOUSE, JANICE KAY WARD
 CALLED 44.00 ACRES
 EXHIBIT A
 DOC. 2002024622
 W.C.D.R.
 MARCH 29, 2002



Signature
 10-4-2007

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 53 Part 2

BEING a 1.578 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 14.17 acres conveyed from Terry Lynn Brizendine to Thomas Dean Brizendine by deed dated October 9, 2000 and recorded in Document No. 2000072138 of the Williamson County Deed Records.

BEGINNING at a found 1/2 inch iron rod, being 302.77 feet left of Proposed Baseline Station 1065+80.24, for the southeast corner of said 14.17 acre tract, the southwest corner of a tract of land described as 10.00 acres conveyed from Stuart A. Spradley to Toni M. Raimondo by deed dated July 05, 1991 and recorded in Volume 2034, Page 722 of the Williamson County Deed Records, and on the north line of a tract of land described as 44.00 acres conveyed from Mike Greene to Paul Ray Ward and wife, Janice Kay Ward, by deed dated March 29, 2002 and recorded in Document No. 2002024622 of the Williamson County Deed Records;

- (1) THENCE South 68° 32' 54" West a distance of 19.64 feet, along the south line of said 14.17 acre tract and the north line of said 44.00 acre tract, to a set 5/8 inch iron rod with a Texas Department of Transportation aluminum cap, being 283.30 feet left of Proposed Baseline Station 1065+77.65;
- (2) THENCE North 45° 43' 06" West a distance of 289.88 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 14.17 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 200.00 feet left of Proposed Baseline Station 1063+00.00;
- (3) THENCE North 25° 43' 40" West a distance of 354.48 feet, along the proposed east right-of-way line of said State Highway 195, the proposed west right-of-way line of said access road, and said Control of Access line, crossing 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 68° 50' 54" East a distance of 146.20 feet, along the north line of said 14.17 acre tract and the south line of a tract of land described as 10.5 acres conveyed from John Carlton Brizendine to Peggy Sue Brizendine by deed August 29, 2001 and recorded in Document No. 2001078727 of the Williamson County Deed Records, to a found 1/2 inch iron rod for the northeast corner of said 14.17 acre tract and the southeast corner of said 10.5 acre tract.
- (5) THENCE South 23° 13' 00" East, passing at a distance of 409.42 feet a set 5/8 inch iron rod with a yellow plastic cap marked "RODS SURVEYING, INC.", and continuing for a total distance of 617.29 feet, along the east line of said 14.17 acre tract and the proposed east right-of-way line of said access road, to the POINT OF BEGINNING and containing 1.578 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

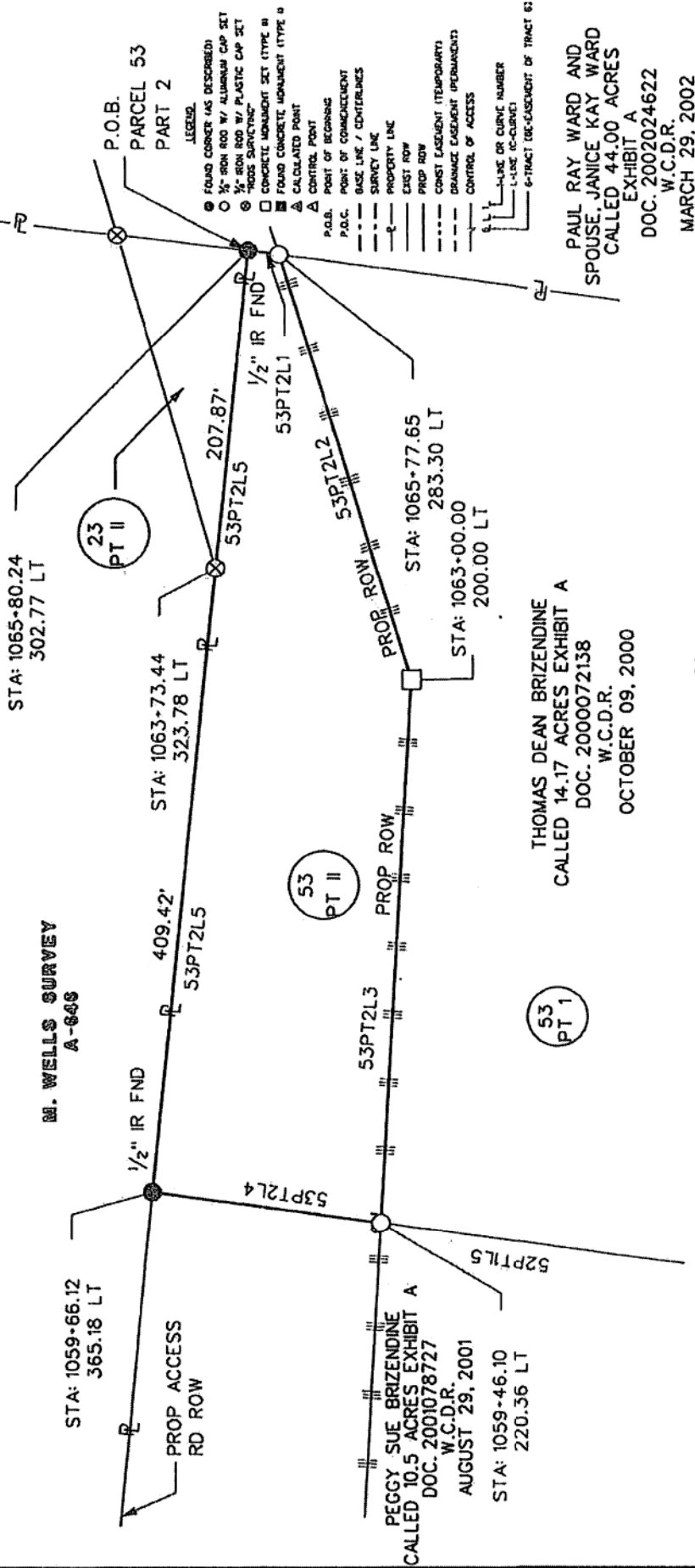
10-04-2007

Date



TONI M. RAIMONDO
CALLED 10.00 ACRES EXHIBIT A
VOL. 2034, PAGE 722
W.C.D.R.
JULY 05, 1991

M. WELLS SURVEY
A-648



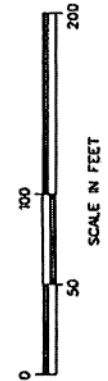
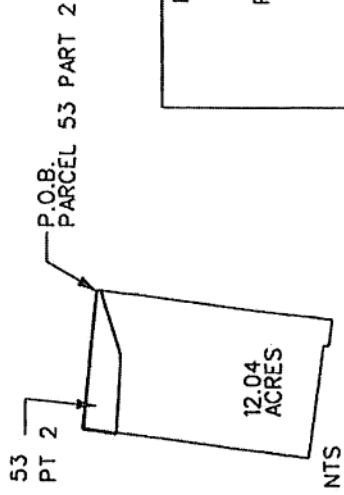
THOMAS DEAN BRIZENDINE
CALLED 14.17 ACRES EXHIBIT A
DOC. 2000072138
W.C.D.R.
OCTOBER 09, 2000

PAUL RAY WARD AND
SPOUSE JANICE KAY WARD
CALLED 44.00 ACRES
EXHIBIT A
DOC. 2002024622
W.C.D.R.
MARCH 29, 2002

EXISTING ACREAGE	TAKING ACRES	APPROX. REMAINDER ACREAGE	
		LEFT	RIGHT
12.04	PARCEL 53 PART 1 TOOK 6.250 AC	1.578	4.2

PARCEL	LINE NO.	BEARING	DISTANCE
53 PART 2	53PT2L1	S 68° 32' 54" W	19.64
	53PT2L2	N 45° 43' 08" W	289.88
	53PT2L3	N 25° 43' 40" W	354.48
	53PT2L4	N 68° 50' 54" E	146.20
	53PT2L5	S 23° 13' 00" E	617.29

NOTE:
ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS
STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE MADS,
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 53 PART II

SHEET 3 OF 3

STATE HIGHWAY 195 WILLIAMSON COUNTY
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
SCALE: 1"=100' OCTOBER 4, 2007