

**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 1.334 acres owned by MARK SHELTON (parcel 58 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

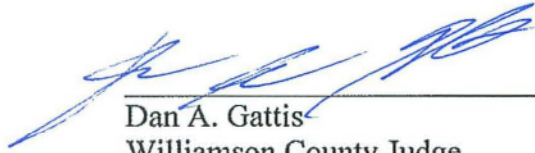
WHEREAS, the Commissioners' Court of Williamson County, Texas, has, through agents employed by the said office, entered into good faith negotiations with the owners of the hereinafter described properties and has failed to agree with the owners on the compensation and damages, if any, due to said owners. 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 58 Part 1

BEING a 0.190 (8,260 square feet) acre parcel of land located in Williamson County, Texas, situated in the M. Wells Survey, Abstract 646, and being part of the two most westerly 0.50 acre tracts 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;

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 a 10.5 acre tract of land 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, and the southwest corner of a tract of land described as 1.00 acre conveyed from Jacky Don Duquette, et ux 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 1/2" iron rod found for the southeast corner of said 1.00 acre tract and for the southwest corner of most westerly 0.50 acre tract of the above referenced 0.50 acre tracts;

THENCE North 20° 55' 01" West a distance of 161.29 feet, to a set 5/8 inch iron rod with a yellow plastic cap marked "RODS SURVEYING, INC.", being 337.64 feet right of Proposed Baseline Station 1053+97.39, for the POINT OF BEGINNING;

- (1) THENCE North 20° 55' 01" West a distance of 47.05 feet, along the east line of said 1.00 acre tract and the west line of said most westerly 0.50 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;

- (2) THENCE North $68^{\circ} 48' 43''$ East a distance of 163.85 feet, along the existing south right-of-way line of said Williamson County Road No. 229 and the north line of the two most westerly 0.50 acre tracts referenced in the aforementioned deed, to a set Texas Department of Transportation Type II concrete monument, being 168.69 feet right of Proposed Baseline Station 1053+73.13;
- (3) THENCE South $33^{\circ} 06' 30''$ East a distance of 51.75 feet, along the proposed west right-of-way line of State Highway 195 and a Control of Access line, crossing a 0.50 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 165.00 feet right of Proposed Baseline Station 1054+24.75;
- (4) THENCE South $69^{\circ} 59' 12''$ West a distance of 174.80 feet, along the proposed south right-of-way line of said Williamson County Road No. 229, crossing said two most westerly 0.50 acre tracts, to the POINT OF BEGINNING and containing 0.190 acres (8,260 square feet) 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

2-17-2009

Scott Morris, Registered Professional Land Surveyor, No. 5076

Date



SCALE IN FEET

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 58 Part 2

BEING a 1.144 acre parcel of land located in Williamson County, Texas, situated in the M. Wells Survey, Abstract 646, and being part of four 0.50 acre tracts of land described 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.

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 referenced above, and 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, 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 and being a Control of Access line;

- (1) THENCE North 25° 30' 50" West a distance of 158.24 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line, crossing said 0.50 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 165.00 feet right of Proposed Baseline Station 1054+24.75;
- (2) THENCE North 33° 06' 30" West a distance of 51.75 feet, along the proposed west right-of-way line of said State Highway 195 and said Control of Access line and crossing said 0.50 acre tract, to a set Texas Department of Transportation Type II concrete monument, being 168.69 feet right of Proposed Baseline Station 1053+73.13;
- (3) THENCE North 68° 48' 43" East a distance of 253.51 feet, along the existing south right-of-way line of said Williamson County Road No. 229 and the north line of said 0.50 acre tracts, to a found 1/2 inch iron rod for the northeast corner of the most easterly 0.50 acre tract of the aforementioned four 0.50 acre tracts;

- (4) THENCE South 20° 55' 27" East a distance of 208.52 feet, along the east line of the most easterly 0.50 acre tract, to a found 1/2" iron rod for the southeast corner of said most easterly 0.50 acre tract;
- (5) THENCE South 68° 50' 11" West a distance of 229.93 feet, along the south line of said 0.50 acre tracts, to the POINT OF BEGINNING and containing 1.144 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

2-17-2009

Scott Morris, Registered Professional Land Surveyor, No. 5076

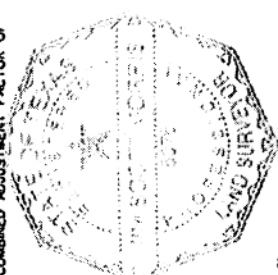
Date



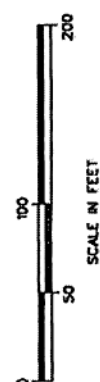
- LEGEND:
- FOUND CORNER (AS DESCRIBED)
 - 3/4" IRON ROD W/ ALUMINUM CAP SET
 - 3/4" IRON ROD W/ PLASTIC CAP SET
 - "WOOD SURVEYING"
 - CONCRETE MONUMENT SET (TYPE #)
 - FOUND CONCRETE MONUMENT (TYPE #)
 - CONTROL POINT
 - CALCULATED POINT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - BASE LINE / CENTERLINE
 - SURVEY LINE
 - PROPERTY LINE
 - EXIST ROW
 - PROP ROW
 - CONST EASEMENT (TEMPORARY)
 - DRAINAGE EASEMENT (PERMANENT)
 - CONTROL OF ACCESS
 - LINE OR CURVE NUMBER
 - L-LINE (C-CURVE)
 - S-TRACT (DE-SEGMENT OF TRACT #)

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

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.



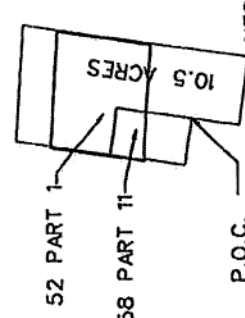
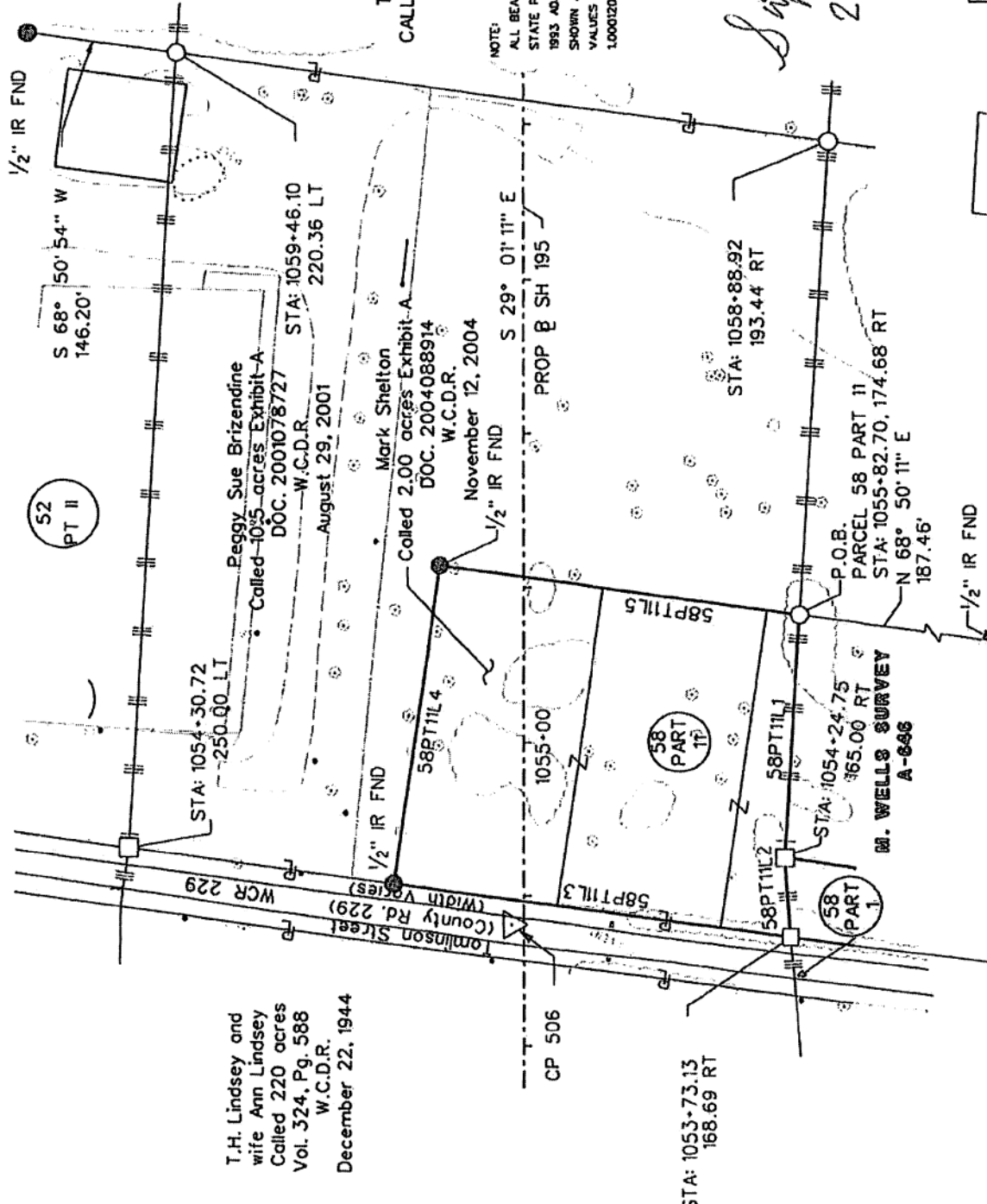
Signature
2-17-2009



RIGHT OF WAY PLAT
SHOWING PROPERTY OF

PARCEL 58 PART 11
SHEET 3 OF 3

STATE HIGHWAY 195 WILLIAMSON COUNTY
ROOS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
SCALE: 1"=100' REV. FEBRUARY 17, 2009



LINE TABLE

PARCEL	LINE NO.	BEARING	DISTANCE
58 PART 11.1	11.1	N 25° 30' 50" W	158.24
	11.2	N 33° 06' 30" W	51.75
	11.3	N 68° 48' 43" E	253.51
58 PART 11.4	11.4	S 20° 55' 27" E	208.52
	11.5	S 68° 50' 11" W	229.93

EXISTING ACREAGE	TAKING ACRES	APPROX. REMAINDER ACREAGE	
		LEFT	RIGHT
2.00	PARCEL 58 PART 11 TOOK 0.190 & PARCEL 22 TOOK 1.853 AC	1.144	0.67

T.H. Lindsey and
wife Ann Lindsey
Called 220 acres
Vol. 324, Pg. 588
W.C.D.R.
December 22, 1944

Mark Shelton
Called 2.00 acres Exhibit A
DOC. 2004088914
W.C.D.R.
November 12, 2004

STA: 1053+73.13
168.69 RT

STA: 1058+88.92
193.44 RT

STA: 1054+24.75
165.00 RT
M. WELLS SURVEY
A-646

STA: 1055+82.70, 174.68 RT
N 68° 50' 11" E
187.46'

STA: 1054+30.72
250.00 LT

Peggy Sue Brizendine
Called 10.5 acres Exhibit A
DOC. 2001078727
W.C.D.R.
August 29, 2001

STA: 1059+46.10
220.36 LT

1/2" IR FND
S 68° 50' 54" W
146.20'

52
PT II

58PT11L3
1055+00

58PT11L4

58
PART
11

58
PART
11

1/2" IR FND

P.O.C.
PARCEL 58 PART 11

NTS
P.O.C.
PARCEL 52 PART 1
PARCEL 58 PART 11