

**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 1.617 acres owned by JOHN D. AUSTIN and RACHEL D. AUSTIN (Parcel 2), described by metes and bounds in Exhibit "A" for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of US 183 Extension ("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 27 day of May, 2010.



Dan A. Gattis
Williamson County Judge

EXHIBIT A

County: Williamson
Parcel No.: 2
Highway: U.S. 183
Limits: From: Riva Ridge Drive
To: State Highway 29

PROPERTY DESCRIPTION FOR PARCEL 2

DESCRIPTION OF A 1.617 ACRE TRACT OF LAND LOCATED IN THE JOHN B. ROBINSON SURVEY, ABSTRACT NO. 521, IN WILLIAMSON COUNTY, TEXAS, BEING ALL OF THAT CALLED 70,100 SQ. FT. TRACT OF LAND, TRACT 2, DESCRIBED IN THE DEED TO JOHN D. AUSTIN AND WIFE, RACHEL D. AUSTIN, AS RECORDED IN DOCUMENT NO. 2001085493, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 1.617 ACRE TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point, 105.75 feet left of U.S. Highway 183 Engineer's Centerline Station 79+58.32, in the existing west right-of-way line of U.S. Highway 183, a varying width right-of-way, being the northeast corner of said Tract 2, also being the south corner of the residue of a called 136.444 acre tract of land described in the deed to Richard P. Steyer, Trustee, as recorded in Doc. No. 2007104684, of the Official Public Records of Williamson County, Texas, being the northeast corner and the **POINT OF BEGINNING** of the tract described herein, from which a Texas Department of Transportation (TxDOT) Type I monument found for the northeast corner of said residue tract bears, N 20° 34' 47" W, a distance of 3330.71 feet;

THENCE with said existing west right-of-way line, the following two (2) course and distances:

1. S 20° 34' 47" E, a distance of 151.30 feet to a calculated point, and
2. with the arc of a curve to the right a distance of 284.70 feet, through a central angle of 111° 43' 31", having a radius of 146.00 feet, and whose chord bears S 35° 11' 56" W, a distance of 241.69 feet to a TxDOT Type I monument found for the intersection of said existing west right-of-way and the existing north right-of-way line of State Highway 29, a varying width right-of-way;

THENCE with said existing north right-of-way line, N 67° 53' 55" W, a distance of 172.80 feet to a calculated point, 222.48 feet right of U.S. Highway 183 Engineer's Centerline Station 81+25.75, for the west common corner of said Tract 2 and said residue tract from, which a TxDOT Type I monument found bears, S 42° 31' 37" E, a distance of 14.24 feet;

THENCE leaving said existing north right-of-way line, with the north line of said Tract 2 and the south line of said residue tract, the following two (2) courses and distances:

1. N 22° 04' 43" E, a distance of 231.75 feet to a 1/2-Inch Iron rod found, and

2. N 69° 32' 17" E, passing at a distance of 169.39 feet a 1/2-inch iron rod found and continuing a total distance of 169.83 feet to **POINT OF BEGINNING** and containing 1.617 acre acres of land, more or less.

This property description is accompanied by a separate sketch of even date.

All coordinates shown hereon are NAD 83/93 (HARN) Texas State Plane Coordinates, Central Zone, adjusted to the surface using a combined scale factor of 1.00012.

THE STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

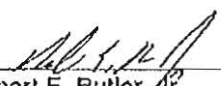
COUNTY OF TRAVIS

That I, Robert E. Butler, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 4th day of March 2009.

SURVEYING AND MAPPING, Inc.
5508 West Highway 290
Building B
Austin, Texas 78735




Robert E. Butler, Jr.
Registered Professional Land Surveyor
No. 5618 – State of Texas

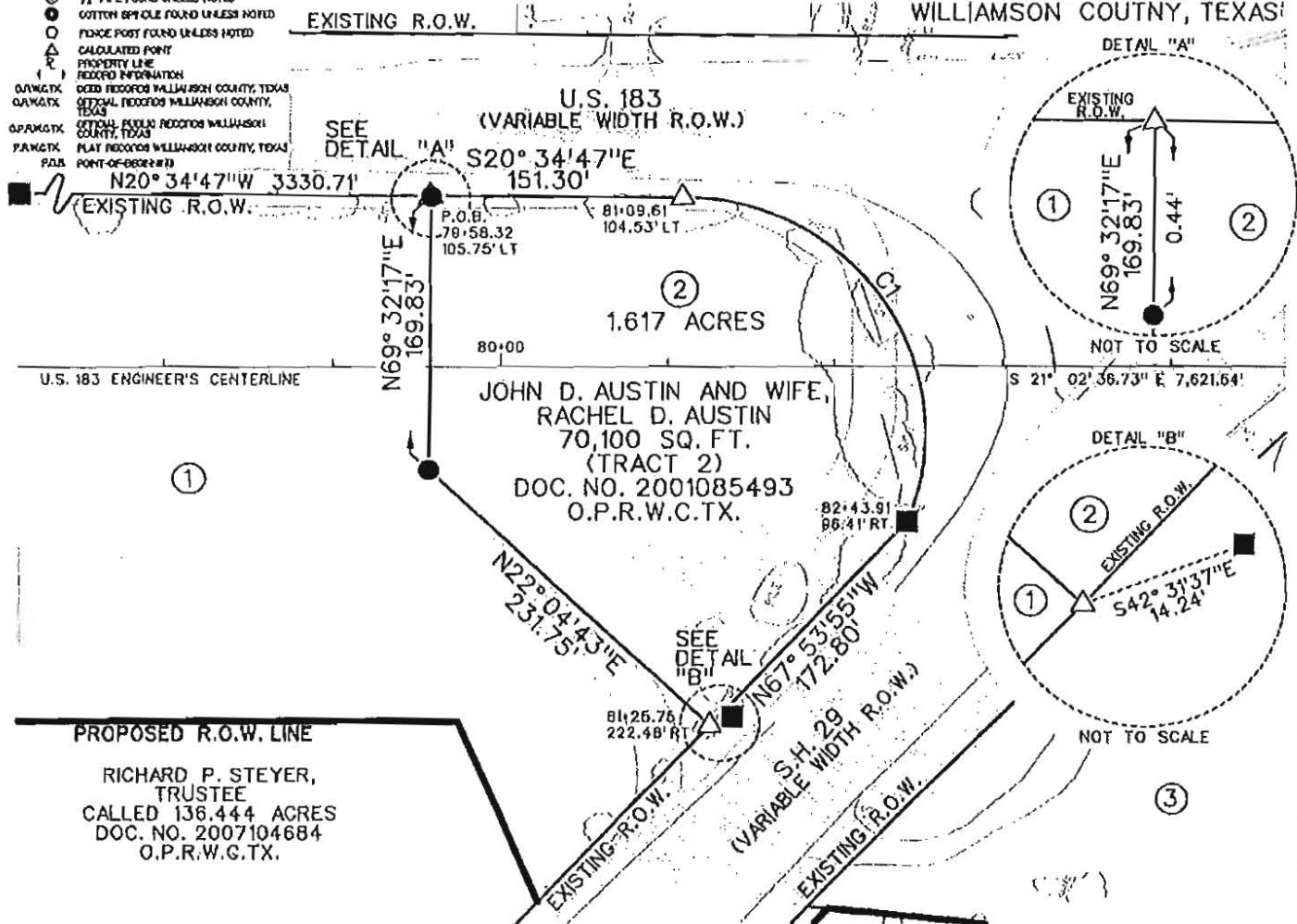
LEGEND

- TYPE 1 CONCRETE MONUMENT FOUND
- TYPE 1 CONCRETE MONUMENT FOUND UNLESS NOTED
- 1/2" IRON ROD W/ GALV. PLG. ALUMINUM CAP SET IN CONCRETE
- 1/2" IRON ROD W/ GALV. PLG. PLASTIC CAP SET
- 1/2" IRON ROD FOUND UNLESS NOTED
- 1/2" PIPE FOUND UNLESS NOTED
- COTTON BOLL FOUND UNLESS NOTED
- POSSIBLE POST FOUND UNLESS NOTED
- CALCULATED POINT
- PROPERTY LINE
- RECORD INFORMATION
- DEED RECORDS WILLIAMSON COUNTY, TEXAS
- OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- OPTIONAL RECORDS WILLIAMSON COUNTY, TEXAS
- PLAT RECORDS WILLIAMSON COUNTY, TEXAS
- POINT-OF-OBSERVATION

JOHN B. ROBINSON SURVEY ABSTRACT NO. 521



GRAPHIC SCALE
SCALE: 1" = 100'
WILLIAMSON COUNTY, TEXAS



CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	111° 43' 31"	146.00'	284.70'	241.69'	S35° 11' 56" W

NOTES:

1. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
2. ALL COORDINATES AND BEARINGS ARE BASED UPON 11/03/93 (HARRIS) TEXAS STATE PLANE COORDINATES, CENTRAL ZONE, ADJUSTED TO THE SURFACE USING A COMPOUND SCALE FACTOR OF 1.00012.
3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON SAM, INC. AERIAL SURVEY DIGITAL FILES SUPPLEMENTED BY ON-THE-GROUND SURVEY BY SAM, INC. THERE MAY BE ADDITIONAL IMPROVEMENTS THAT ARE NOT SHOWN.
4. VISIBLE UTILITIES SHOWN HEREON ARE BASED UPON VISIBLE EVIDENCE FOUND ON THE GROUND. THERE MAY BE ADDITIONAL UNDERGROUND UTILITIES THAT ARE NOT SHOWN.
5. PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SKETCH.
6. I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT E. BUTLER, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5618, STATE OF TEXAS

03/04/09
DATE



HARVEY EVANS AND
WIFE, GLORIA EVANS
245,230 SQ. FT.
VOL. 1060, PG. 297
O.R.W.C.TX.

PAGE 3 OF 3
REF. FIELD NOTE NO. 4800



5508 West Highway 290, Building B
Austin, Texas 78735
(512) 447-0576
Fax: (512) 320-3029

RIGHT-OF-WAY SKETCH
PARCEL
2
WILLIAMSON COUNTY, TEXAS