

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE COUNTY JUDGE TO
ISSUE AN ORDER CLOSING, ABANDONING, AND
VACATING A PORTION OF COUNTY ROAD 268
PURSUANT TO SECTION 251.058, TRANSPORTATION
CODE, V.A. T. S.; AND PROVIDING A SAVINGS CLAUSE
AND REPEALING CONFLICTING RESOLUTIONS**

WHEREAS, Section 251.058, Transportation Code, V.A.T.S., allows a county judge to issue an order to close, abandon, and vacate a portion of a public road; and

WHEREAS, upon execution of said order by the county judge, title to that portion of the public road vests in the adjacent property owner; and

WHEREAS, a portion of County Road 268, described in Exhibit A attached hereto, is no longer used as a public road due to realignment; and

WHEREAS, Virginia C. and Ronald C. Dipprey (WCAD Owner ID No. 0474768) are adjacent property owners to that portion of County Road 268 described in Exhibit A; and

WHEREAS, Virginia C. and Ronald C. Dipprey agree to accept title to and place under fence that portion of County Road 268 described in Exhibit A.

**NOW THEREFORE, BE IT RESOLVED BY THE BY THE COMMISSIONERS
COURT OF WILLIAMSON COUNTY, TEXAS THAT THE COUNTY JUDGE
OF WILLIAMSON COUNTY, TEXAS IS HEREBY AUTHORIZED AND
INSTRUCTED TO ISSUE AN ORDER TO CLOSE, ABANDON, AND VACATE
THAT PORTION OF COUNTY ROAD 268 DESCRIBED IN EXHIBIT A,
ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL
PURPOSES:**

SECTION 1. The recitals contained in the preamble of this Resolution are determined to be true and correct and are hereby adopted as a part of this Resolution.

SECTION 2. It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Resolution are severable and, if any phrase, clause, sentence, paragraph, or section of this Resolution shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution, because the same would have been enacted by the Commissioners Court without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 3. All resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION 4. The Commissioners Court of Williamson County, Texas hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was

adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION 5. This Resolution shall take effect immediately after passage hereof.

READ, PASSED, and ADOPTED on this 15th day of June, 2010.

ATTEST:

Nancy E. Rister
County Clerk

[Signature]
County Judge

ORDER NO. _____

AN ORDER OF THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS AUTHORIZING ABANDONING, AND VACATING A PORTION OF COUNTY ROAD 268 PURSUANT TO SECTION 251.058, TRANSPORTATION CODE, V.A. T. S.; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a portion of County Road 268, described in Exhibit A attached hereto, is no longer used as a public road due to realignment; and

WHEREAS, upon execution of this Order by the county judge, title to that portion of CR 268 described in Exhibit A vests in the adjacent property owner; and

WHEREAS, Virginia C. and Ronald C. Dipprey (WCAD Owner ID No. 0474768) are adjacent property owners to that portion of County Road 268 described in Exhibit A; and

WHEREAS, Virginia C. and Ronald C. Dipprey agree to accept title to and place under fence that portion of County Road 268 described in Exhibit A.

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY THAT:

SECTION 1. The recitals contained in the preamble of this Order are determined to be true and correct and are hereby adopted as a part of this Order.

SECTION 2. The Commissioners Court of Williamson County, Texas hereby approves the closing, abandoning, and vacating that portion of County Road 268 described in Exhibit A and it is hereby so ordered.

SECTION 3. It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Order are severable and, if any phrase, clause, sentence, paragraph, or section of this Order shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Order, because the same would have been enacted by the Commissioners Court without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4. All Orders and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION 5. This Order shall take effect immediately after upon execution.

Signed this 15th day of June, 2010.



COUNTY JUDGE

ATTEST:



COUNTY CLERK

FOREST SURVEYING AND MAPPING CO.
1002 Ash St.
Georgetown, Tx. 78626

DESCRIPTION FOR VIRGINIA CAROL KAUFFMAN DIPPREY ET. VIR.

BEING 0.12 ac. (5291 sq. feet area), situated in the Greenlief Fisk Survey, Abstract No. 5, in Williamson County, Texas. This parcel exists adjacent to the South boundary of a property called 30.3 ac. which was described in a deed from Mildred Kauffman, et. al., to Virginia Carol Kauffman Dipprey of record in Doc. 9612227, of the Official Records of Williamson County, Texas (ORWCT); the same property that is described in a deed to Ronald C. Dipprey (partial interest) of record in Doc. 9874063 (ORWCT). This tract was surveyed on the ground in March of 2010, under the supervision of William F. Forest, Jr., Registered Professional Land Surveyor No. 1847. Survey note: The bearing basis for this survey is the Texas Coordinate System of 1983, Grid North, Texas Central Zone. Line codes herein relate to the survey drawing prepared this date.

BEGINNING at an iron pin which was set in the South boundary of the 24.91 acre tract (remainder parcel of the above referenced Dipprey property) that was described as a part of a survey for Virginia and Ron Dipprey as prepared this date. An iron pin which was set South of a fence corner for the Southeast corner of the said 24.91 acre Dipprey tract, stands S 87°14'28"E 38.71 feet. This corner exists in the North line of County Road 268, where the existing roadway has been reconfigured and is now known as Kauffman Loop.

THENCE with the North line of the relocation of County Road 268 that is now known as Kauffman Loop, (C10) 240.51 feet with the arc of a curve to the left having a radius of 1250.0 feet, the chord bears S 81°02'16"W 240.14 feet to an iron pin which was set for the Southwest corner of this parcel. An iron pin which was found at the end of the curve stands (C11) S 75°05'20"W 19.06 feet.

THENCE (L2) N 19°24'51"W 52.62 feet with the East line of the property that was conveyed to Edna Knauth as Independent Executrix of the Estate of Nora Wedemeyer, deceased (various heirs set out) see Probate Cause No. 14,100 (Co. Court at Law No. 2), and the property of Howard B. Wedemeyer (Quit Claim Deed for 973 ac. as described in Vol. 342, pg. 514, prior 240/146 First Tract called 296 ac., to an iron pin which was set.

THENCE with the South boundary of the said Dipprey 24.91 acre tract, with a line that departs from the existing fence, S 87°15'11"E 293.73 feet to the POINT OF BEGINNING.

STATE OF TEXAS :
: KNOW ALL MEN BY THESE PRESENTS;
COUNTY OF WILLIAMSON :

I, WM. F. FOREST, JR., do hereby certify that this survey was made on the ground of the property legally described hereon, under my supervision. This description is true and correct to the best of my knowledge and belief. The attached plat identifies any significant boundary line conflicts, shortages in area, apparent protrusions, intrusions or overlapping of improvements. This property abuts a public roadway, except as shown. Ownership and easement information for this tract has not been researched except as shown on the attached plat.

TO CERTIFY WHICH, WITNESS my hand and seal at Georgetown, Texas, this the 28th day of March of 2010, A.D. File: Word: dipprey12.doc


WM. F. FOREST JR.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1847

