

**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 4.229 acres owned by MARION K. SHIPMAN (parcel 116A), 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 22nd day of March, 2011.



Dan A. Gattis
Williamson County Judge

EXHIBIT A

County: Williamson
Highway: SH 195
Limits: From 8.105 Miles South of S. H. 138 to I.H. 35
ROW CSJ: 0440-02-012

Legal Description Parcel 116A

BEING a 4.229 acre (184,213 square feet) tract of land located in the W. Roberts Survey, Abstract No. 524, of Williamson County, Texas, said 4.229 acre tract of land is out of and a part of a 5.0004 acre tract known as Lot 1 of River Road Subdivision, a plat of which is recorded in Cabinet V, Slide 123-124 of the Plat Records of Williamson County, Texas, the said Lot 1 also being the same land conveyed by M. S. Properties to Marion K. Shipman by deed recorded July 2, 2002 as Document No. 2002050030 of the Official Public Records of Williamson County, Texas, said 4.229 acre tract of land is further described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod with a plastic yellow cap stamped "RODS SURVEYING, INC." set in the northeast line of a 5.00 acre tract conveyed by Mark A. Shelton and wife, Jamie L. Shelton to Ricky Shipman, by deed recorded October 16, 2003 as Document No. 2003101243 of the Official Records of Williamson County, Texas, said point is the common corner of Lot 1 and Lot 2 of the above referenced River Road Subdivision and is located 445.68 feet right of Proposed State Highway 195 (SH 195) Baseline Station 1690+28.28;

THENCE North 42° 17' 52" East with the common line of said Lot 1 and Lot 2 for a distance of 149.55 feet to a 5/8 inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap set, said rod being in the proposed southwest right of way line of SH 195 for the POINT OF BEGINNING of the herein described tract, said rod is located 297.16 feet right of Proposed SH 195 Baseline Station 1690+45.17;

1. THENCE North 55° 03' 31" West with the proposed southwest right of way line of SH 195 and with an ACCESS DENIAL LINE for a distance of 180.11 feet to a TxDOT Type II concrete monument set for an angle point, said monument is located 300.00 feet right of Proposed SH 195 Baseline Station 1688+65.00;

EXHIBIT _____

2. THENCE South $84^{\circ} 17' 09''$ West continuing with the proposed southwest right of way line of SH 195 and said ACCESS DENIAL LINE for a distance of 123.69 feet to a TxDOT Type II concrete monument set for an angle point, and for the POINT OF ENDING of the ACCESS DENIAL LINE, said monument is located 382.05 feet right of Proposed SH 195 Baseline Station 1687+72.44;
3. THENCE South $34^{\circ} 14' 34''$ West continuing with the proposed southwest right of way line of SH 195 for a distance of 52.02 feet to a 5/8 inch iron rod with TxDOT aluminum cap set in the southwest line of the said Lot 1 and in the northeast line of the aforementioned 5.00 acre tract, said rod is located 69.33 feet right of Proposed Shell Road Baseline Station 9+42.53 and 434.05 feet right of Proposed SH 195 Baseline Station 1687+73.90;
4. THENCE North $51^{\circ} 32' 21''$ West with the common line of Lot 1 and the 5.00 acre tract for a distance of 31.66 feet to a calculated point in the existing southeast right of way line of Shell Road, a 1/2 inch iron rod found bears North $51^{\circ} 32' 21''$ West a distance of 0.60 feet;
5. THENCE North $34^{\circ} 09' 05''$ East with the existing southeast right of way line of Shell Road for a distance of 594.23 feet to an angle point;
6. THENCE North $78^{\circ} 50' 09''$ East continuing with the existing southeast right of way line for a distance of 71.73 feet to a calculated point at the intersection of the existing southeast right of way line of Shell Road and the existing southwest right of way line of SH 195, said point being the beginning of a non-tangent curve to the right, from which a 1/2 inch iron rod found bears South $78^{\circ} 50' 09''$ West a distance of 0.18 feet;
7. THENCE with the existing southwest right of way line of SH 195 in a southeasterly direction and with a curve turning to the right for an arc distance of 330.05 feet, said curve has a radius of 8135.11 feet, a delta angle of $2^{\circ} 19' 28''$, a chord bearing of South $55^{\circ} 15' 06''$ East, and a chord distance of 330.03 feet, to a calculated point for the east corner of Lot 1 and the north corner of Lot 2, from which a 1/2 inch iron rod found for witness bears South $42^{\circ} 17' 52''$ West a distance of 0.20 feet;

EXHIBIT _____

8. THENCE South $42^{\circ} 17' 52''$ West with the common line of Lot 1 and Lot 2 for a distance of 520.61 feet to the POINT OF BEGINNING, said described tract containing 4.229 acres (184,213 square feet) of land, more or less.

Access will be prohibited across the ACCESS DENIAL LINE as herein described to the highway facility from the remainder of the property lying adjacent to SH 195.

This survey is referenced to the National Spatial Reference System. The projection and datum are the Texas State Plane Coordinate System, Central Zone, North American Datum of 1983. All bearings are relative to National Geodetic Survey, 1993 Adjustment, monuments T27 A (PID AB2837), Austin RRP (PID AF9537) and, Georgeport (PID BM1093). All distances are surface values expressed in U. S. Survey feet and may be converted to grid by dividing by the TxDOT surface adjustment factor of 1.000120.

This description was prepared in conjunction with, and is accompanied by a plat of an even date herewith.

Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring Texas 77379
Phone (281) 379-6388

I, Scott Morris, hereby certify that the above description is true and correct and depicts a survey made under my supervision and on the ground and is based on data gathered from February 2001 to October 2006.

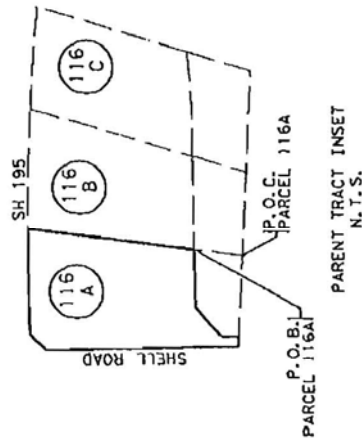
Scott Morris
Scott Morris, Registered Professional Land Surveyor No. 5076
Date as of: March 7, 2007



LEGEND

- FOUND CONCRETE MONUMENT (TXDOT TYPE 1)
- FOUND CONCRETE MONUMENT (TXDOT TYPE 11)
- CONCRETE MONUMENT SET (TXDOT TYPE 11)
- FOUND 1/2" IRON ROD UNLESS NOTED
- 5/8" IRON ROD SET WITH TXDOT ALUMINUM CAP (UNLESS NOTED)
- CALCULATED POINT
- FOUND CORNER (AS DESCRIBED)
- 5/8" IRON ROD SET WITH YELLOW CAP "RODS SURVEYING INC."
- PROPERTY LINE
- RECORD INFORMATION

- SURVEY LINE
- PROPOSED DRAINAGE EASEMENT
- ACCESS DENIAL LINE
- EXISTING R.O.W. LINE
- PARCEL BOUNDARY
- RIGHT OF WAY
- POINT OF BEGINNING
- POINT OF COMMENCEMENT
- POINT OF CURVATURE
- POINT OF TANGENCY
- CHB
- CHD
- B.L.
- N.T.S.
- P.O.B.
- P.O.C.
- W.C.D.R.
- W.C.O.P.R.
- W.C.P.R.
- O.S.S.F.S.



EXHIBIT

I, SCOTT MORRIS, HEREBY CERTIFY THAT THE HEREON MAP OR PLAT IS TRUE AND CORRECT AND DEPICTS A SURVEY MADE UNDER MY SUPERVISION AND ON THE GROUND AND IS BASED ON DATA GATHERED FROM FEBRUARY 2001 TO OCTOBER 2006

SCOTT MORRIS, R.P.L.S. # 5076 DATE AS OF

NOTES:

1. IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY; DIGITAL FILES DATED FEBRUARY, 2001 AND MAY, 2002 UPDATED BY ON THE GROUND SURVEYS MADE IN FEBRUARY, 2006.

2. THIS SURVEY IS REFERENCED TO THE NATIONAL SPATIAL REFERENCE SYSTEM. THE PROJECTION AND DATUM ARE THE TEXAS STATE PLANE COORDINATE SYSTEM. CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983. ALL BEARINGS ARE RELATIVE TO NATIONAL GEODETIC SURVEY, 1993 ADJUSTMENT, MONUMENTS T27 A (PID AB2837), AUSTIN RRP (PID AF9537) AND, GEORGETOWN (PID BM1093). ALL DISTANCES ARE SURFACE VALUES EXPRESSED IN U. S. SURVEY FEET AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TXDOT SURFACE ADJUSTMENT FACTOR OF 1.000120.



TEXAS DEPARTMENT OF TRANSPORTATION
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RIGHT OF WAY PLAT
SHOWING PROPERTY OF
MARION K. SHIPMAN
PARCEL 116A

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ROW CSJ NO. 0440-02-012
STATE HIGHWAY 195 WILLIAMSON COUNTY, TEXAS
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379-6388
SCALE: 1"=100' MARCH 7, 2007

RECORD AREA		ACQUIRED AREA		APPROXIMATE REMAINDER			
				LEFT		RIGHT	
ACRES	SQ. FT.	ACRES	SQ. FT.	ACRES	SQ. FT.	ACRES	SQ. FT.
5.0004	217,817	4.229	184,213			0.7714	33,604

