

**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 0.138 acres owned by RICKY SHIPMAN (parcel 115), 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 26th day of July, 2011.


Dan A. Gattis
Williamson County Judge

07-27-11

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 115

BEING a 0.138 acre (6,015 square feet) tract of land located in the W. Roberts Survey, Abstract No. 524, of Williamson County, Texas, said 0.138 acre tract of land is out of and a part 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 0.138 acre tract of land is further described by metes and bounds as follows:

COMMENCING at a ½ inch iron rod found for the east or southeast corner of the above referenced 5.00 acre tract and for the south or southwest corner of Lot 4 of River Road Subdivision as recorded in Cabinet V, Slide 123-124, of the Plat Records of Williamson County, Texas, said rod is located 482.30 feet right of Proposed State Highway 195 (SH 195) Baseline Station 1699+35.45;

THENCE North 51° 32' 21" West with the northeast line of the said 5.00 acre tract for a distance of 1146.40 feet to a 5/8 inch iron rod with a Texas Department of Transportation (TxDOT) aluminum cap set in the proposed south right of way line of SH 195, said rod being the POINT OF BEGINNING of the herein described tract, said rod is located 69.33 feet right of Proposed Shell Road Baseline Station 9+42.53 and 434.05 feet right of the Proposed SH 195 Baseline Station 1687+73.90;

1. THENCE South 34° 14' 34" West along the proposed south right of way line of SH 195, at 61.16 feet pass a TxDOT Type II concrete monument, then continuing along said proposed right of way line, continue along same bearing 130.26 feet, for a total distance of 191.42 feet to a 5/8 inch iron rod with Texas Department of Transportation aluminum cap set in the south line of the said 5.00 acre tract and in the north line of a called 5.00 acre tract conveyed to Micky Shipman by deed dated October 16, 2003 and recoded as Document No. 2003101242 of said Official Public Records, said rod is located 70.00 feet right of Proposed Baseline Station 7+49.58 and 625.40 feet right Proposed SH 195 Baseline Station 1687+79.25
2. THENCE North 51° 32' 22" West with the common line of the two 5.00 acre tract s for a distance of 31.35 feet to a calculated point in the existing south right of way line of Shell Road (80 feet ROW) for the northwest corner of the said 5.00 acre tract;

EXHIBIT _____

3. THENCE North 34° 09' 05" East with the existing south right of way line of Shell Road for a distance of 191.45 feet to a calculated point for the northeast corner of the said 5.00 acre tract and for the northwest corner of Lot 1 of the aforementioned subdivision, from which a 1/2 inch iron rod found bears North 51° 32' 21" West a distance of 0.60 feet;
4. THENCE South 51° 32' 21" East with the common line of Lot 1 and the 5.00 acre tract for a distance of 31.66 feet to the POINT OF BEGINNING, said described tract containing 0.138 acres (6,015 square feet) of land, more or less.

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. Access will be permitted to the highway facility for the remainder of the property lying adjacent to SH 195.

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

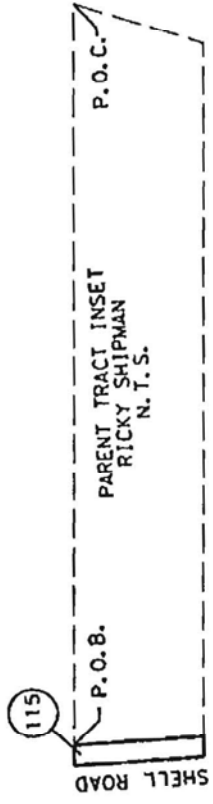
I, Scott Morris, hereby certify that the above description is true and correct and depicts a survey made under my supervision and on the ground and is based on data gathered from February 2001 to October 2006.



Scott Morris, Registered Professional Land Surveyor No. 5076
Date as of: 5-29-2009



EXHIBIT



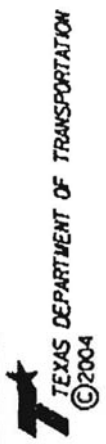
- LEGEND**
- FOUND CONCRETE MONUMENT (TXDOT TYPE I)
 - FOUND CONCRETE MONUMENT (TXDOT TYPE II)
 - FOUND CONCRETE MONUMENT SET (TXDOT TYPE II)
 - FOUND 1/2" IRON ROD UNLESS NOTED
 - 5/8" IRON ROD SET WITH TXDOT ALUMINUM CAP (UNLESS NOTED)
 - CALCULATED POINT
 - △ FOUND CORNER (AS DESCRIBED)
 - 5/8" IRON ROD SET WITH YELLOW CAP - RODS SURVEYING INC. PROPERTY LINE
 - R RECORD INFORMATION
 - SURVEY LINE
 - - - PROPOSED DRAINAGE EASEMENT
 - - - ACCESS DENIAL LINE
 - EXISTING R.O.W. LINE
 - PARCEL BOUNDARY
 - RIGHT OF WAY
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - PC POINT OF CURVATURE
 - PT POINT OF TANGENCY
 - CHB CHORD BEARING
 - CHD CHORD DISTANCE
 - B.L. BUILDING SETBACK LINE (PER PLAT)
 - N.T.S. NOT TO SCALE
 - P.U.E. PUBLIC UTILITY EASEMENT
 - W.C.D.R. WILLIAMSON COUNTY DEED RECORDS
 - W.C.O.R. WILLIAMSON COUNTY OFFICIAL RECORDS
 - W.C.O.P.R. WILLIAMSON COUNTY OFFICIAL PUBLIC RECORDS
 - W.C.P.R. WILLIAMSON COUNTY PLAT RECORDS
 - O.S.S.F.S. ON SITE SEWERAGE FACILITY SETBACK



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 5-19-2009
 SCOTT MORRIS, R.P.L.S. # 5076 DATE AS OF

REVISED MAY 29, 2009



RIGHT OF WAY PLAT

SHOWING PROPERTY OF
 RICKY SHIPMAN
 PARCEL 115
 PAGE 3 OF 4

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

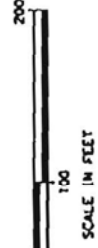
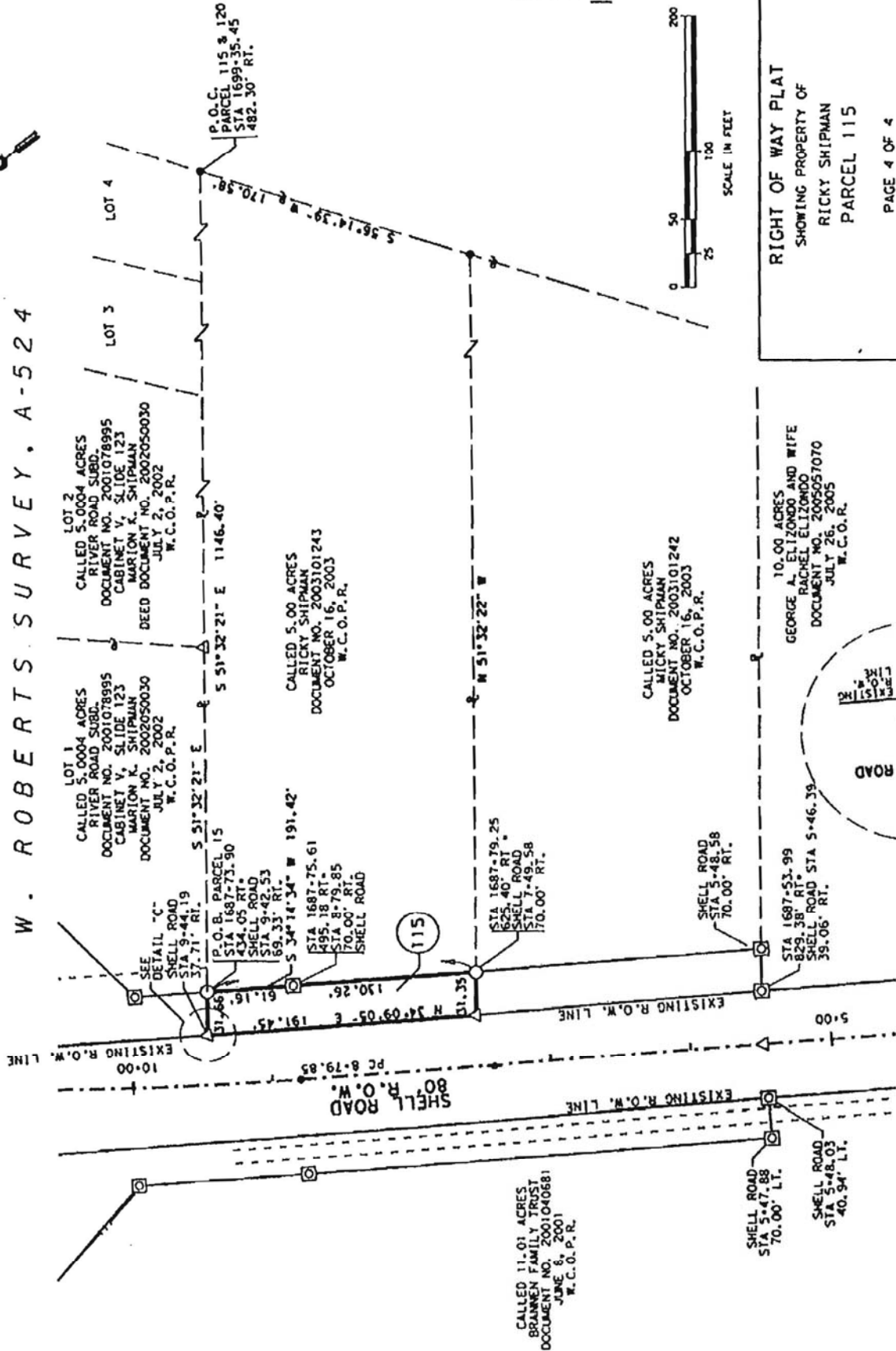
NOTES:
 1. IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY; DIGITAL FILES DATED FEBRUARY, 2001 AND MAY, 2002 UPDATED BY ON THE GROUND SURVEYS MADE IN FEBRUARY, 2006.

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, 1983 ADJUSTMENT, MONUMENTS T27 A (PID AB2837), AUSTIN RRP (PID AF9537) AND, GEORGETOWN (PID BM7093). 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.

RECORD AREA	ACQUIRED AREA		APPROXIMATE REMAINDER	
	ACRES	SO. FT.	LEFT	RIGHT
5-00	217,800	0.138	6,015	211,785
			---	---
			4.862	211,785

W. ROBERTS SURVEY, A-524

EXHIBIT

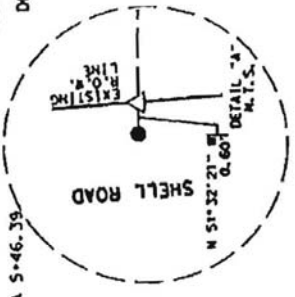


RIGHT OF WAY PLAT
SHOWING PROPERTY OF
RICKY SHIPMAN
PARCEL 115

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