

**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 3.987 acres owned by MARION K. SHIPMAN (parcel 116B), 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

07-21-11

EXHIBIT _____

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 116B

BEING a 3.987 acre (173,674 square feet) tract of land located in the W. Roberts Survey, Abstract No. 524, of Williamson County, Texas, said 3.987 acre tract of land is out of and a part of a 5.0004 acre tract known as Lot 2 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 2 also being part of 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 3.987 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 Public Records of Williamson County, Texas, said rod is a 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 42° 17' 52" East continuing with the common line of Lot 1 and Lot 2 for a distance of 520.61 feet to a calculated point in the existing southwest right of way line of SH 195 for the beginning of a non-tangent curve to the right, from which a 1/2 inch iron rod found for witness bears South 42° 17' 52" West a distance of 0.20 feet;
2. 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 381.16 feet, said curve has a radius of 8135.11 feet, a delta angle of 2° 41' 04", a

EXHIBIT _____

chord bearing of South 52° 44' 49" East, and a chord distance of 381.13 feet to a 1/2 inch iron rod found for the east corner of Lot 2 and for the north corner of Lot 3 of said subdivision;

3. THENCE South 51° 42' 09" West with the common line of Lot 2 and Lot 3 for a distance of 523.17 feet to a 5/8 inch iron rod with TxDOT aluminum cap set in the northeast line of the aforementioned 5.00 acre tract, said rod is located 292.49 feet right of Proposed SH 195 Baseline Station 1693+41.65;
4. THENCE North 55° 03' 31" West with the proposed west Right of Way line of SH 195, at 166.67 feet pass a 5/8" iron rod set with a TxDOT aluminum cap stamped "ADL" for the BEGINNING of an ACCESS DENIAL LINE, then continue on the same bearing with said proposed right of way line and with an ACCESS DENIAL LINE for a distance of 129.84 feet (total distance 296.52 feet) to the POINT OF BEGINNING, said described tract containing 3.987 acres (173,674 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

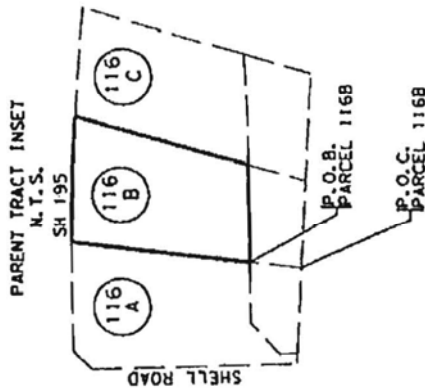
I, Scott Morris, hereby certify that the above description is true and correct and depicts a survey made under my supervision and on the ground and is based on data gathered from February 2001 to October 2006.

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



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
- R.O.W. 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)
- M.T.S. NOT TO SCALE
- P.U.E. PUBLIC UTILITY EASEMENT
- W.C.O.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



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
SCOTT MORRIS, R.P.L.S. # 5076 DATE AS OF 5-29-2009

REVISED MAY 29, 2009



RIGHT OF WAY PLAT
SHOWING PROPERTY OF
MARION K. SHIPMAN
PARCEL 116B

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, 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.

RECORD AREA	ACQUIRED AREA		APPROXIMATE REMAINDER			
	ACRES	SQ. FT.	ACRES	SQ. FT.	LEFT	RIGHT
5.0004	217,817	3,987	173,674	1.0134	44,143	

STATE OF TEXAS
 VOL. 273, PAGE 356, W.C.O.P.R. 1935
 FEBRUARY 9, 1935

SH 195
 CALLED 2.497 ACRES
 R.O.W.

LENGTH=381.10'
 RADIUS=8,135.11'
 DELTA=02°41'04"
 CHB=S-52°44'49" E
 CHD=381.13'

EXISTING R.O.W. LINE
 (380.69')

(STA 225+00.00)
 (50.00' RT.)

PEDERNALES ELECTRIC COOPERATIVE INC.
 10' EASEMENT (EXHIBIT A)
 DOCUMENT 9820841
 W.C.O.P.R.
 APRIL 1, 1998

N 42°17'52" E 320.61'
 (H 44°13'30" E 670.05')

S 54°09'23" E
 PROPOSED BASELINE

S 51°42'09" W 523.17'
 (H 53°35'30" E 695.04')

LOT 1
 CALLED 5.0004 ACRES
 RIVER ROAD SUBD.
 DOCUMENT NO. 2001078995
 CABINET V, SLIDE 123
 W.C.P.R.
 MARION K. SHIPMAN
 DOCUMENT NO. 2002050030
 JULY 2, 2002
 W.C.O.P.R.

LOT 2
 CALLED 5.0004 ACRES
 RIVER ROAD SUBD.
 DOCUMENT NO. 2001078995
 CABINET V, SLIDE 123
 W.C.P.R.
 MARION K. SHIPMAN
 DOCUMENT NO. 2002050030
 JULY 2, 2002
 W.C.O.P.R.

LOT 3
 CALLED 5.0002 ACRES
 RIVER ROAD SUBD.
 DOCUMENT NO. 2001078995
 CABINET V, SLIDE 123
 W.C.P.R.
 MARION K. SHIPMAN
 DOCUMENT NO. 2002050030
 JULY 2, 2002
 W.C.O.P.R.

116
 B

3/4" IRON ROD SET
 WITH ALUMINUM TXDOT
 CAP STAMPED "ADL"
 (END OF PROPOSED
 ACCESS DENIAL LINE)
 STA 1691+75.00
 295.12' RT.
 166.67'

P.O.B.
 PARCEL 1168
 STA 1690+45.17
 297.16' RT.

STA 1693+41.65
 292.49' RT.

N 55°03'31" W 296.52'
 PROPOSED R.O.W. LINE

PROPOSED R.O.W. LINE
 WITH ACCESS DENIAL

W. ROBERTS SURVEY.
 A-524

P.O.C.
 PARCEL 1168
 STA 1690+28.28
 445.68' RT.

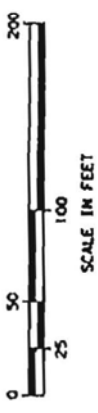
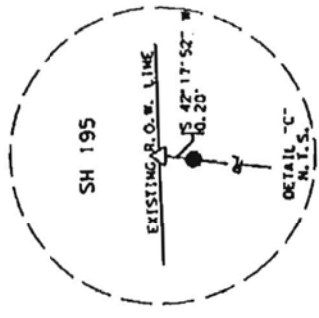
STA 1692+04.67
 457.86' RT.

S 51°32'21" E 266.65'
 (S 49°38'30" E 266.65')

CALLLED 5.00 ACRES
 RICKY SHIPMAN
 DOCUMENT NO. 2003101243
 OCTOBER 16, 2003
 W.C.O.P.R.

(S 49°38'20" E 320.26')
 (S 49°38'30" E 1118.63')

EXHIBIT



REVISED MAY 29, 2009

RIGHT OF WAY PLAT
 SHOWING PROPERTY OF
 MARION K. SHIPMAN
 PARCEL 1168

PAGE 4 OF 4

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