

**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 a certain tract of land being 0.262 acre (Parcel 10) described by metes and bounds in Exhibit "A" owned by **Ryan David Gallagher and Lori Gallagher**, for the purpose of constructing, reconstructing, maintaining, and operating Seward Junction Southeast/CR 266 ("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, 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 bona fide 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, the Commissioners' Court of Williamson County, Texas is authorizing the use of its power of eminent domain to condemn property.

BE IT RESOLVED BY THE COMMISSIONERS' COURT OF THE COUNTY OF WILLIAMSON, that the County Attorney or his designated agent be and he 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

It is the intent of the Commissioners' Court that this resolution authorizes the condemnation of all property interests required to complete the construction and maintenance of the Project and associated public purposes. If it is later determined that there are any errors in the descriptions contained herein or if later surveys contain more accurate revised descriptions, the County Attorney is authorized to have such errors corrected or revisions made without the necessity of obtaining a new resolution of the Commissioners' Court authorizing the condemnation of the corrected or revised Property.

BE IT FURTHER RESOLVED that the County Attorney or his 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 in the prosecution of such suit in eminent domain, including, but not limited to, appraisers, engineers, and land use planners or other required expert consultants.

Adopted this 24th day of October, 2017.



Dan A. Gattis
Williamson County Judge

EXHIBIT "A"

0.262-Ac.
Noah Smithwick Survey, A-590,
Williamson County, Texas

Job No. 5569-02-001
FN1967
Page 1 of 4

FIELD NOTES DESCRIPTION – ROW PARCEL 10

DESCRIPTION OF 0.262 ACRE (11,409 SQUARE FEET) OF LAND IN THE NOAH SMITHWICK SURVEY, ABSTRACT NO. 590, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 10, TWENTY-NINE RANCH, A SUBDIVISION OF RECORD IN CABINET K, SLIDES 115-116, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.262 ACRE AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found, 54.12 feet right of Williamson County Road 266 Baseline Station 258+59.12, in the existing east right-of-way line of County Road 266, a varying width right-of-way, same being the west line of a 15-foot wide Road Widening Easement shown on the said Twenty-Nine Ranch subdivision plat, at the southwest corner of said Lot 10 and the northwest corner of Lot 11 of the said Twenty-Nine Ranch subdivision, for the southwest corner and **POINT OF BEGINNING** of the tract described herein;

THENCE N 07° 07' 37" W, with the east right-of-way line of County Road 266, with the west line of said Lot 10, and the west line of the said 15-foot wide Road Widening Easement, and with the west line of the tract described herein, a distance of 393.43 feet to a 1/2-inch iron rod found at the northwest corner of said Lot 10 and the southwest corner of Lot 9 of the said Twenty-Nine Ranch subdivision, being 77.31 feet right of County Road 266 Baseline Station 262+65.34, for the northwest corner of the tract described herein;

THENCE N 82° 56' 14" E, with the common line of said Lot 10 and said Lot 9, with the north line of the tract described herein, at a distance of 15.00 crossing the east line of the said 15-foot wide Road Widening Easement, and continuing for a total distance of 29.00 feet to a 1/2-inch iron rod with plastic cap stamped "BCG" set for the northeast corner of the tract described herein, from which a 1/2-inch iron rod found in the west line of Lot 8 of the said Twenty-Nine Ranch subdivision, at the northeast corner of said Lot 10 and the southeast corner of Lot 9 bears N 82°56'14" E, a distance of 543.09 feet;

THENCE S 07° 07' 37" E, crossing said Lot 10 with the east line of the tract described herein, a distance of 393.43 feet to 1/2-inch iron rod with plastic cap stamped "BCG" set in the common line of said Lot 10 and said Lot 11 for the southeast corner of the tract described herein;

THENCE S 82° 57' 16" W, with the common line of said Lot 10 and said Lot 11, with the south line of the tract described herein, at a distance of 14.00 crossing the east line of the said 15-foot wide Road Widening Easement, and continuing for a total distance of 29.00 feet to the **POINT OF BEGINNING** and containing 0.262 acre (11,409 square feet) of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone, NAD83, Grid.

BOWMAN WORD FILE: FN1967

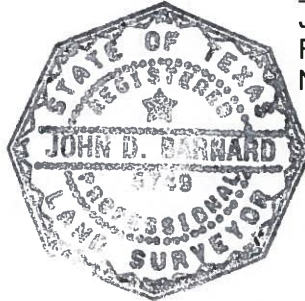
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS

That I, John D. Barnard, 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 during the months of January through June 2015 under my direction and supervision.

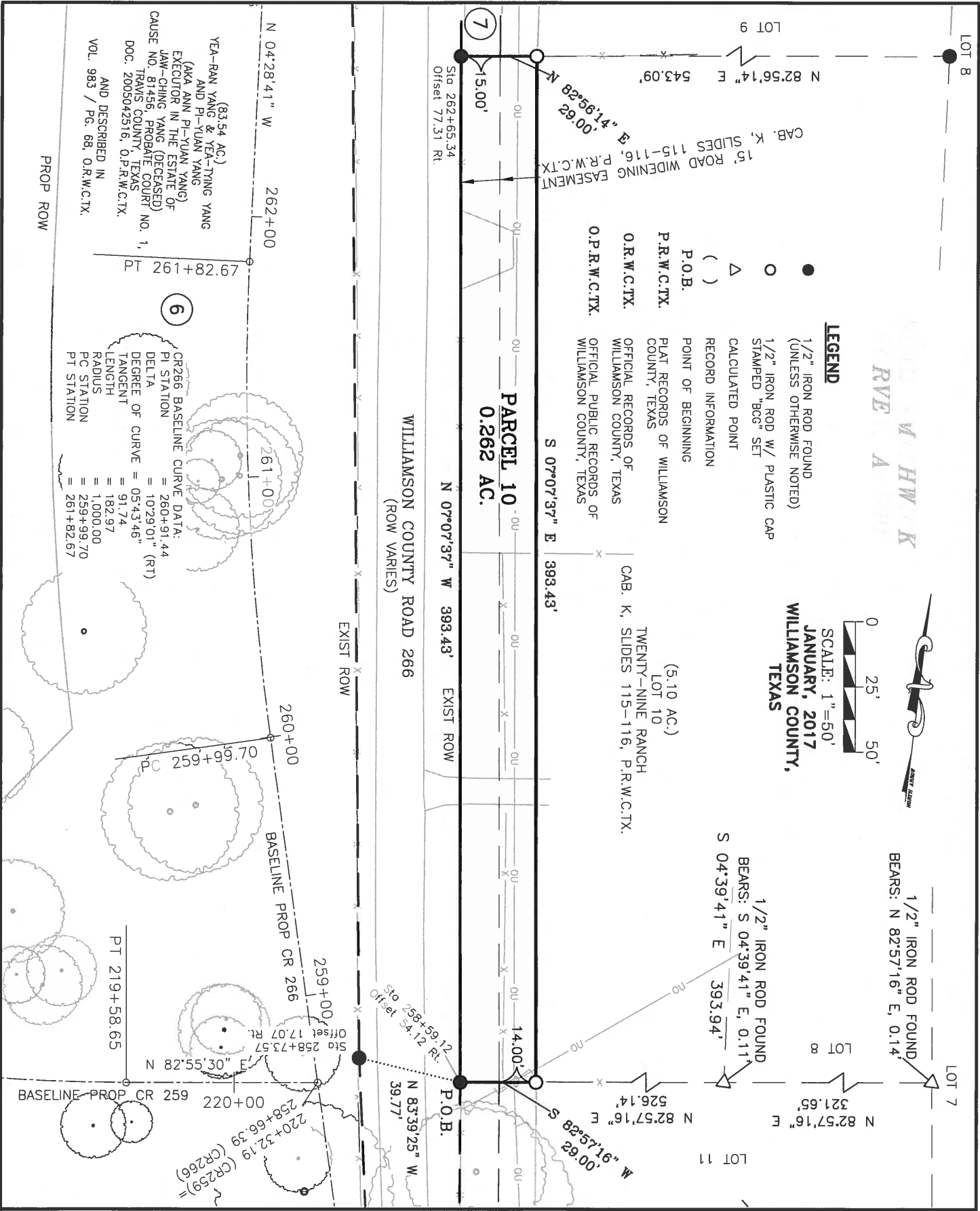
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on this 11th of January, 2017 A.D.

Bowman Consulting Group, Ltd.
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas

FILE: P:\005569\Survey Working\FN-Parcels\ROW_2015\SK1967-CR266-Parcel 10_29 Ranch-Lot 10.dwg



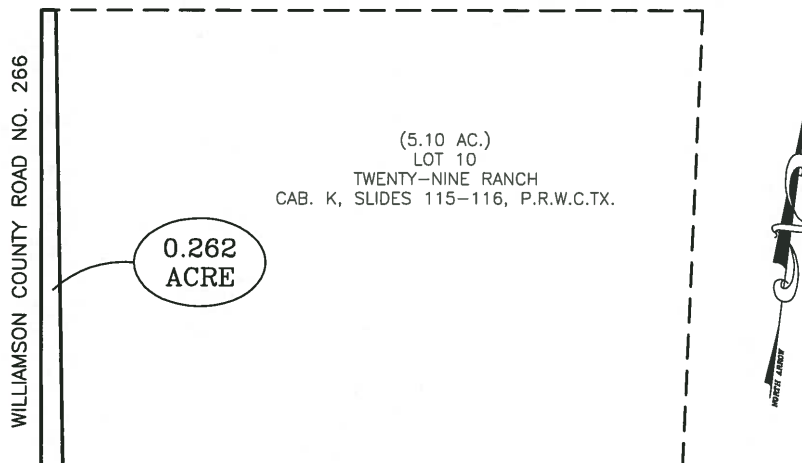
Bowman Consulting Group, Ltd.
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Phone: (512) 327-1180 Fax: (512) 327-4082
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.

EXHIBIT TO ACCOMPANY
FIELD NOTES DESCRIPTION
FN1967

TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

NOTES:

1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4204), NAD83, GRID, BASED ON SURVEY TIES MADE TO CONTROL MONUMENTS SAM3, SAM4, SAM5 & SAM6 AS SHOWN ON CONTROL SHEETS FOR THE US 183: CR213 TO RIVA RIDGE DRIVE PROJECT (CSJ: 0151-04-063/064); LOWER COLORADO RIVER AUTHORITY (LCRA) CONTROL MONUMENTS AZF9 AND X622; AND TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) CONTROL MONUMENT N2463018.
2. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS, TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 1.000115 (GRID TO SURFACE).
4. IMPROVEMENTS SHOWN HEREON ARE BASED ON AN ENGINEERING DESIGN SURVEY PERFORMED BY BOWMAN CONSULTING, DURING THE MONTHS OF JANUARY THROUGH JUNE, 2015.
5. COUNTY ROAD 259 STATIONS AND OFFSETS SHOWN HEREON ARE BASED ON THE THE PROJECT BASELINES (269011AL01.DGN), AS PROVIDED BY AGUIRRE & FIELDS, LP ON 08-26-2015; PROPOSED DRAINAGE EASEMENT LINEWORK PROVIDED ON 05-03-2016.
6. THE ACREAGE CALCULATED AND SHOWN HEREON IS DERIVED FROM RECORD INFORMATION, AND IS FOR INFORMATIONAL PURPOSES ONLY.
THIS DOES NOT IN ANY WAY REPRESENT A BOUNDARY SURVEY OF THE PARENT TRACT.
7. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN.



WHOLE PROPERTY INSET
(NOT TO SCALE)

PROPOSED PARCEL ACQUISITION TABLE
RECORD PROPERTY AREA = 5.10 ACRES

PROPOSED ACQUISITION AREA = 0.262 ACRE

REMAINDER AREA = 4.84 ACRES

SURVEYOR CERTIFICATION

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.



JOHN D. BARNARD
REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 5749,
STATE OF TEXAS

DATE

1/11/2017

Bowman
CONSULTING

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