

**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 that certain tract of land being 3.225 acre (Parcel 72) described by metes and bounds in Exhibit "A" owned by **RAYMOND EUGENE NAIVAR and DIANE MIKULENCAK NAIVAR, TRUSTEES OF THE R and D TRUST DATED December 10, 2020** for the purpose of constructing, reconstructing, maintaining, and operating Corridor A-1 (Southeast Loop) roadway improvements ("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 to acquire the

property voluntarily. 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 he 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 16 day of June, 2021.


Bill Gravell Jr. (Jun 16, 2021 06:36 CDT)

Bill Gravell, Jr.
Williamson County Judge

EXHIBIT A
PROPERTY DESCRIPTION FOR PARCEL 72

DESCRIPTION OF A 3.225 ACRE (140,500 SQUARE FOOT), PARCEL OF LAND SITUATED IN THE WATKINS NOBLES SURVEY, ABSTRACT NO. 484 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 58.001 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED TO RAYMOND E. NAIVAR AND WIFE, DIANE E. NAIVAR RECORDED IN VOLUME 713, PAGE 723 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 3.225 ACRE (140,500 SQUARE FOOT) PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod with aluminum cap stamped "ROW 4933" (Grid Coordinates determined as N=10,169,562.23 E=3,192,948.11 TxSPC Zone 4203) set in the proposed easterly Right-of-Way (ROW) line of F. M. 3349 (variable width ROW), being in the southerly boundary line of said 58.001 acre tract, same being the northerly boundary line of the remainder of that called 15.00 acre tract of land described in Warranty Deed to Charles Barr and wife, Rosa Barr recorded in Volume 832, Page 303 of the Deed Records of Williamson County, Texas, for the southeasterly corner and **POINT OF BEGINNING** of the herein described parcel, and from which, a 1/2" iron rod found, being an angle point in said common boundary line bears S 79°25'42" E, at a distance of 61.08 feet, pass a calculated angle point in said common line and continuing S 73°46'41" E, at a distance of 481.17 feet;

- 1) **THENCE**, departing said proposed westerly ROW line, with the southerly boundary line of said 58.001 acre tract, same being the northerly boundary line of said remainder of the 15.00 acre tract, **N 79°25'42" W**, at a distance of 169.63 feet, pass a 1/2" iron rod found, and continuing for a total distance of **170.57** feet to the calculated northwesterly corner of said remainder of the 15.00 acre tract, same being the southwest corner of said 58.001 acre tract, in the existing easterly ROW line of said F. M. 3349 (100' ROW width), same being the easterly line of that called 4.1049 acre ROW tract of land described in Deed to the State of Texas recorded in Volume 669, Pg. 340 of the Deed Records of Williamson County, Texas, for the southwest corner of the herein described parcel, and from which, a TxDOT Type 1 concrete monument found, being an angle point in the existing easterly ROW line, same being the westerly boundary line of said remainder of the 15.00 acre tract and the easterly line of said 4.1049 acre ROW tract, bears S 07°39'54" W, at a distance of 357.52 feet;
- 2) **THENCE**, with said existing easterly ROW line, same being the easterly line of said 4.1049 acre ROW tract, also being the westerly boundary line of said 58.001 acre tract, **N 07°39'54" E**, at a distance of 784.02 feet, pass a TxDOT Type 1 monument found and continuing for a total distance of **923.49** feet to the calculated northwesterly corner of said 58.001 acre tract, same being the northeasterly corner of said 4.1049 acre ROW tract, also being the southeasterly corner of that 2.8485 acre ROW tract of land described in Deed to the State of Texas recorded in Volume 673, Pg. 213 of the Deed Records of Williamson County, Texas, and also being the southwest corner of the remainder of that called 194.559 acre tract of land described in Special Warranty Deed to RCR Taylor Land, L.P. recorded in Document No. 2018058746 of the Official Public Records of Williamson County, Texas, for the northwesterly corner of the herein described parcel;

- 3) **THENCE**, departing said existing easterly ROW line, same being said 4.1049 acre ROW tract, with the southerly boundary line of said remainder of the 194.559 acre tract, same being the northerly boundary line of said 58.001 acre tract, **S 82°27'25" E**, for a distance of **102.49** feet to an iron rod with aluminum cap stamped "ROW 4933" set in said proposed easterly ROW line of F. M. 3349, for the northeasterly corner of the herein described parcel, and from which, the calculated northeasterly corner of said 58.001 acre tract, same being an ell corner in the southerly boundary line of said remainder of the 194.559 acre tract bears **S 82°27'26" E**, at a distance of 2,370.27 feet;

THENCE, departing said remainder of the 194.559 acre boundary line, with said proposed easterly ROW line, through the interior of said 58.001 acre tract, the following two (2) courses:

- 4) **S 00°51'11" W**, for a distance of **650.63** feet to an iron rod with aluminum cap stamped "ROW 4933" set, for an angle point;
- 5) **S 09°31'39" W**, for a distance of **286.47** feet to the **POINT OF BEGINNING**, containing 3.225 acre, (140,500 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

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

That I, M Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct and that the property described herein was determined by a survey made on the ground under my direct supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

5 MAY 2021

M Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LLC
Firm Registration No: 100591-00
1504 Chisholm Trail Road, Suite 103
Round Rock, TX 78681

Date



EXHIBIT

PLAT TO ACCOMPANY DESCRIPTION

RCR TAYLOR LAND, L.P.
REMAINDER OF 194.559 ACRES
DOC. No. 2018058746
O.P.R.W.C.T.

STATE OF TEXAS
2.8485 ACRES
VOL. 673, PG. 213
D.R.W.C.T.

KOCH REFINING COMPANY
GATE VALVE EASEMENT
VOL. 1850, PG. 69
D.R.W.C.T.

KOCH REFINING COMPANY
25' WIDE EASEMENT
VOL. 1804, PG. 958
D.R.W.C.T.

STATE OF TEXAS
4.1049 ACRES
VOL. 669, PG. 340
D.R.W.C.T.

TEXAS POWER & LIGHT COMPANY
VOL. 282, PG. 341
D.R.W.C.T.

72
3.225 AC.
140,500 SQ. FT.

RAYMOND E. NAIVAR & Wife,
DIANE E. NAIVAR
58.001 AC.
VOL. 713, PG. 723
D.R.W.C.T.

TEXAS POWER & LIGHT COMPANY
VOL. 294, PG. 208
D.R.W.C.T.

STATE OF TEXAS
CHANNEL EASEMENT
0.4591 ACRES
VOL. 669, PG. 344
D.R.W.C.T.

THOMAS B. LEE SURVEY
ABSTRACT No. 740

J. J. STUBBLEFIELD SURVEY
ABSTRACT No. 562

WATKINS NOBLES SURVEY
ABSTRACT No. 484

F.M. 3349
(100' R.O.W. WIDTH)

COUNTY ROAD 132

P.O.B.
GRID COORDINATES:
N=10,169,562.23
E=3,192,948.11

CHARLES & ROSA BARR
REMAINDER OF 15.00 AC.
VOL. 832, PG. 303
D.R.W.C.T.

NO.	DIRECTION	DISTANCE
L1	N79°25'42"W	170.57'
L2	S82°27'25"E	102.49'
L3	S79°25'42"E	61.08'

04/22/2021

PARCEL PLAT SHOWING PROPERTY OF
RAYMOND E. NAIVAR
and Wife, **DIANE E. NAIVAR**

PARCEL 72

WILLIAMSON COUNTY

PROJECT
FM 3349

PAGE 3 OF 4

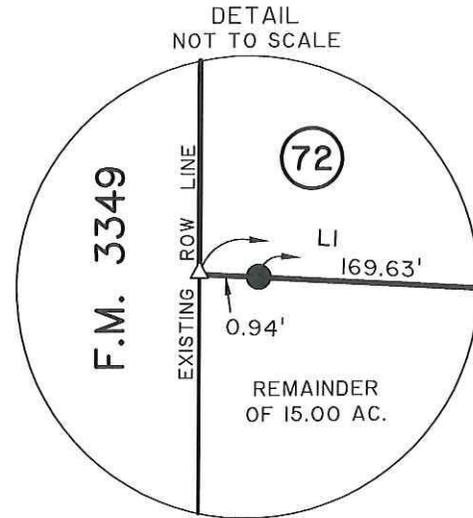


SCALE
1" = 200'

PLAT TO ACCOMPANY DESCRIPTION

LEGEND

○	IRON ROD WITH ALUMINUM CAP STAMPED "ROW 4933" SET
⊙	IRON ROD WITH PLASTIC CAP FOUND - AS NOTED
●	1/2" IRON ROD FOUND
■	TxDOT TYPE I CONCRETE MONUMENT FOUND
△	CALCULATED POINT
ℙ	PROPERTY LINE
↯	LINE BREAK
↔	DENOTES COMMON OWNERSHIP
P.O.B.	POINT OF BEGINNING
P.O.R.	POINT OF REFERENCE
()	RECORD INFORMATION
P.R.W.C.T.	PLAT RECORDS WILLIAMSON COUNTY, TEXAS
D.R.W.C.T.	DEED RECORDS WILLIAMSON COUNTY, TEXAS
O.R.W.C.T.	OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS



1) All bearings shown hereon are based on grid bearing. All distances are surface distances. Coordinates are surface values based on the Texas State Plane Coordinate System, NAD 83, Central Zone.

THE SURVEY SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 2059032-KFO, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE NOVEMBER 5, 2020, ISSUE DATE NOVEMBER 15, 2020.

10A. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT TO TEXAS POWER & LIGHT COMPANY RECORDED IN VOLUME 282, PAGE 341, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.

B. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT TO TEXAS POWER & LIGHT COMPANY RECORDED IN VOLUME 294, PAGE 208, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

C. ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT TO TEXAS POWER & LIGHT COMPANY RECORDED IN VOLUME 361, PAGE 121, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.

D. CHANNEL EASEMENT TO STATE OF TEXAS RECORDED IN VOLUME 669, PAGE 344, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE PROPERTY SHOWN HEREON WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

M. Stephen Truesdale 5 MAY 2021

M. STEPHEN TRUESDALE DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4933
LICENSED STATE LAND SURVEYOR
INLAND GEODETICS, LLC
FIRM REGISTRATION NO. 100591-00
1504 CHISHOLM TRAIL ROAD, SUITE 103
ROUND ROCK, TEXAS 78681



04/22/2021

PARCEL PLAT SHOWING PROPERTY OF
RAYMOND E. NAIVAR
and Wife, **DIANE E. NAIVAR**

PARCEL 72

WILLIAMSON COUNTY

PROJECT
FM 3349

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SCALE
1" = 200'