

**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 0.266 acres (Parcel 34) described by metes and bounds in Exhibit "A" owned by **STTEVEN M. COUNTS and KELLY D. COUNTS** for the purpose of constructing, reconstructing, maintaining, and operating Corridor H (Sam Bass Rd) 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. 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 _____ day of _____, 2021.


Bill Gravell (Nov 9, 2021 15:04 CST)

Bill Gravell, Jr.
Williamson County Judge

EXHIBIT "A"

County: Williamson
Parcel No.: 34
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

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March 25, 2021

PROPERTY DESCRIPTION FOR PARCEL 34

DESCRIPTION OF A 0.266 ACRE (11,590 SQ. FT.) PARCEL OF LAND LOCATED IN THE J.H. DILLARD SURVEY, ABSTRACT 179, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF CALLED 1.204 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO STEVEN M. COUNTS AND SPOUSE, KELLY D. COUNTS, RECORDED MAY 8, 2007 IN DOCUMENT NO. 2007038981, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 0.266 ACRE (11,590 SQ. FT.) PARCEL, AS SHOWN ON A PLAT PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found 190.89 feet left of County Road 175 (Sam Bass Road) Engineer's Centerline Station (E.C.S.) 316+50.30 on the east line of a called 1.887 acre tract of land, described in a deed to E.D. Thomas and wife, W.L. Thomas, recorded in Volume 1361, Page 738, Official Records of Williamson County, Texas (O.R.W.C.TX.), for the southwest corner of a called 1.00 acre tract of land, described in a deed to Phyllis C. Beckham, recorded in Document No. 2000056918, O.P.R.W.C.TX., same being the northwest corner of said 1.204 acre tract;

THENCE S 09°57'11" W, with the common line of said 1.887 acre tract and said 1.204 acre tract, a distance of 115.74 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,169,747.02, E=3,111,527.20) set 77.00 feet left of Sam Bass Road E.C.S 316+70.91 on the proposed north right-of-way line of Sam Bass Road, for the northwest corner and **POINT OF BEGINNING** of the parcel described herein;

THENCE departing the common line of said 1.887 acre tract and said 1.204 acre tract, with the proposed north right-of-way line of said Sam Bass Road, over and across said 1.204 acre tract, the following two (2) courses and distances numbered 1-2:

1) S 69°47'20" E, a distance of 226.58 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 77.00 feet left of Sam Bass Road E.C.S. 318+97.48, and

2) N 70°27'11" E, a distance of 44.16 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 105.25 feet left of Sam Bass Road E.C.S. 319+31.43 on the existing west right-of-way line of Deer Trail Circle, a 50 foot wide right-of-way easement, recorded in Volume 624, Page 808, Deed Records of Williamson County, Texas (D.R.W.C.TX.);

3) **THENCE** S 65°10'15" E, departing the existing west right-of-way line of said Deer Trail Circle, continuing with the proposed north right-of-way line of said Sam Bass Road, over and across said Deer Trail Circle, a distance of 25.09 feet to a calculated point 103.23 feet left of Sam Bass Road E.C.S. 319+56.44 on the centerline of said Deer Trail Circle, for the northeast corner of the parcel described herein, said point being the beginning of a curve to the right;

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Parcel No.: 34
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

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March 25, 2021

THENCE departing the proposed north right-of-way line of said Sam Bass Road, with the centerline of said Deer Trail Circle, the following two (2) courses and distances numbered 4-5:

4) With said curve to the right, an arc distance of 30.34 feet, through a central angle $07^{\circ}19'49''$, having a radius of 237.12 feet, and a chord that bears $S\ 32^{\circ}57'25''\ W$, a distance of 30.32 feet to a calculated point, and

5) $S\ 36^{\circ}37'20''\ W$, a distance of 47.20 feet to a calculated point, for the southeast corner of the parcel described herein;

5) **THENCE** $N\ 65^{\circ}25'45''\ W$, over and across said Deer Trail Circle, passing at a distance of 25.56 feet a calculated point at the intersection of the existing west right-of-way line of said Deer Trail Circle and the existing north right-of-way line of Sam Bass Road, a variable width right-of-way, no record information found, for the southeast corner of said 1.204 acre tract, and continuing with the existing north right-of-way line of said Sam Bass Road for a total distance of 261.05 feet to a 1/2-inch iron rod found, for the southeast corner of said 1.887 acre tract, same being the southwest corner of said 1.204 acre tract and the parcel described herein, from which a 1/2-inch iron rod found, for the southwest corner of said 1.887 acre tract bears $N\ 65^{\circ}36'43''\ W$, a distance of 9.98 feet to a calculated point, and $N\ 64^{\circ}31'49''\ W$, a distance of 144.61 feet;

THIS SPACE INTENTIONALLY LEFT BLANK

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6) **THENCE** N 09°57'11" E, departing the existing north right-of-way line of said Sam Bass Road, with the common line of said 1.887 acre tract and said 1.204 acre tract, a distance of 29.25 feet to the **POINT OF BEGINNING**, and containing 0.266 acre (11,590 sq. ft.) of land, more or less of which 0.045 acre (1,953 sq. ft.) lies within the existing right-of-way of Deer Trail Circle.

This property description is accompanied by a separate plat of even date.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00012. Units: U.S. Survey Feet.


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

That I, Scott C. Brashear, 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 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.

SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300




3/25/21

Scott C. Brashear Date
 Registered Professional Land Surveyor
 No. 6660 – State of Texas

EXHIBIT "A"

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	07°19'49"RT	237.12'	30.34'	30.32'	S32°57'25"W

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N70°27'11"E	44.16'
L2	S65°10'15"E	25.09'
L3	S36°37'20"W	47.20'
L4	N65°36'43"W	9.98'
(L4)	(N63°59'W)	(10.00')
L5	N09°57'11"E	29.25'

ENGINEER'S CENTERLINE
CURVE DATA
PI STA 314+58.94
N = 10,169, 707.86
E = 3,111, 410.70
Δ = 06°39'48.22" (LT)
D = 02°51'53.24"
L = 232.60'
T = 123.45'
R = 2,000.00'
PC STA 313+42.51
PT STA 315+75.11

E.D. THOMAS AND
WIFE, W.L. THOMAS
CALLED 1.887 ACRES
VOL. 1361, PG. 738
O.R.W.C. TX.

P.O.B.
N=10,169, 747.02
E=3,111, 527.20
316+70.91
77.00' LT

P.O.R.

(N62°54'W 144.90')
N64°31'49"W
144.61'

C.R. 175 (SAM BASS RD)
(VARIABLE WIDTH ROW)
NO RECORD INFORMATION FOUND

314+00

PT 315+75.11

STEVEN M. COUNTS &
SPOUSE, KELLY D. COUNTS
RECORDED MAY 8, 2007
CALLED 1.204 ACRES
DOC NO. 2007038981
O.P.R.W.C. TX.

PHYLLIS C. BECKHAM
CALLED 1.00 ACRES
DOC NO. 2000056918
O.P.R.W.C. TX.

J.H. DILLARD
ABSTRACT 179

PROPOSED ROW

34 (0.266 AC.)

S69°47'20"E 226.58'
DRIVEWAY
(N63°48'30"W 235.38')
235.49'

N65°25'45"W 261.05'

317+00

SAM BASS ROAD
ENGINEER'S CENTERLINE

S69°47'20"E 508.31'

EXISTING ROW



GRAPHIC SCALE,
SCALE: 1" = 50',
WILLIAMSON COUNTY, TEXAS



4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
(512) 447-0575
FAX: (512) 326-3029
Texas Firm Registration No. 10064300

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
STEVEN M. COUNTS &
SPOUSE, KELLY D. COUNTS
PARCEL 34
0.266 AC. (11,590 SQ. FT.)

FILE: \\saminc\aus\PROJECTS\1017038216\100\Survey\03Exhibits\34\PLAT\01NP-34.dgn

REF. FIELD NOTE NO. 46725

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EXHIBIT "A"

LEGEND

- 5/8" IRON ROD SET WITH ALUMINUM CAP
STAMPED "WILLIAMSON COUNTY"
- 1/2" IRON ROD FOUND UNLESS NOTED
- ◊ FENCE POST (TYPE NOTED)
- △ CALCULATED POINT
- ℙ PROPERTY LINE
- ℙ RECORD INFORMATION
- () POINT OF BEGINNING
- P.O.B. POINT OF COMMENCING
- P.O.C. POINT OF REFERENCE
- P.O.R.
- N.T.S. NOT TO SCALE
- D.R.W.C.TX. DEED RECORDS OF
WILLIAMSON COUNTY, TEXAS
- O.R.W.C.TX. OFFICIAL RECORDS OF
WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS OF
WILLIAMSON COUNTY, TEXAS
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)

NOTES:

- ALL BEARINGS SHOWN ARE BASED ON NAD83/2011/NAV088 TEXAS COORDINATE SYSTEM. CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00012. ALL COORDINATES SHOWN ARE IN SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SAME FACTOR. PROJECT UNITS ARE IN U.S. SURVEY FEET.
 - THIS SURVEY WAS COMPLETED WITH THE BENEFIT OF TITLE REPORT, PROVIDED BY TITLE RESOURCES GUARANTY COMPANY, GF NO. 2006593, EFFECTIVE DATE FEBRUARY 7, 2020, AND ISSUED DATE FEBRUARY 20, 2020. THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
 - SAM BASS ROAD ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM KFRIESE. SCHEMATIC RECEIVED BY SAM, LLC. IN APRIL, 2019.
 - THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
- * AREA CALCULATED BY SAM, LLC.

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.

Scott C. Brashear

SCOTT C. BRASHEAR
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6660, STATE OF TEXAS

3/25/21

DATE

SCHEDULE B:

THIS SURVEY HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 2006593, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE FEBRUARY 7, 2020, AND ISSUED DATE FEBRUARY 20, 2020.

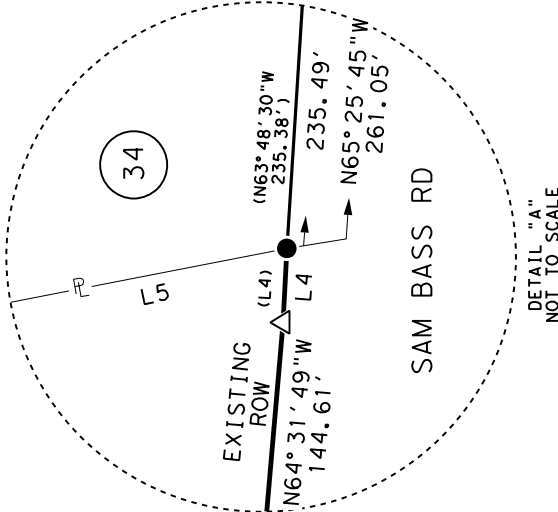
1. RESTRICTIVE COVENANTS: VOLUME 554, PG. 135, SUBJECT TO.

10F. INCLUSION WITHIN THE UPPER BRUSHY CREEK WCID, SUBJECT TO IF APPLICABLE.

G. EASEMENT FOR INGRESS AND AGRESS AND A PRIVATE RIGHT OF WAY AS SET FORTH IN VOLUME 624, PG. 808, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

H. EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY FOR THE PURPOSE OF A COMMUNICATIONS EQUIPMENT STATION, RECORDED IN VOLUME 671, PG. 907, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.

I. TERMS, CONDITIONS, AND STIPULATIONS AS SET FORTH IN THE AGREEMENT BETWEEN THE HOWARD CORPORATION AND RAY YATES, DATED AUGUST 16, 1972, RECORDED IN VOLUME 554, PAGE 135, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SUBJECT TO.



EXISTING	1.204 AC.	ACQUIRE	0.266 AC.	REMAINING	0.982 AC.	LEFT
RIGHT-OF-WAY SKETCH SHOWING PROPERTY OF STEVEN M. COUNTS & SPOUSE, KELLY D. COUNTS PARCEL 34 0.266 AC. (11,590 SQ. FT.)						

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