

**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 1.075 acres (Parcel 1) described by metes and bounds in Exhibit "A" owned by **PREWITT FARMS Ltd., a Texas Limited Partnership and ZIZINIA WILLIAMSON COUNTY, Ltd., a Texas Limited Partnership** for the purpose of constructing, reconstructing, maintaining, and operating County Road 401 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 11 day of January, 2022.

  
Bill Gravell (Jan 11, 2022 14:55 CST)

Bill Gravell, Jr.  
Williamson County Judge

## EXHIBIT "A"

County: Williamson  
Parcel No.: 1  
Highway: C.R. 401/404  
Limits: From: FM 973  
To: Intersection of US 79

Page 1 of 4  
June 25, 2021

### PROPERTY DESCRIPTION FOR PARCEL 1

DESCRIPTION OF A 1.075 ACRE (46,810 SQ. FT.) PARCEL OF LAND LOCATED IN THE W. KINCAID SURVEY, SURVEY NO. 5, ABSTRACT NO. 373, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 290.77 ACRE TRACT OF LAND, DESCRIBED AS TRACT NUMBER TWO, PARCEL A IN A DEED TO PREWITT FARMS, LTD. A TEXAS LIMITED PARTNERSHIP, RECORDED AUGUST 28, 2007 IN DOCUMENT NO. 2007076169, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 1.075 ACRE (46,810 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 3-inch iron pipe found, for an interior ell corner of said remainder of a called 290.77 acre tract, same being the northwest corner of a called 70 acre tract of land, described in a deed to Taylor Texas Holdings, Inc., recorded in Document No. 2008053881, O.P.R.W.C.TX.;

**THENCE** S 21°57'24" E, with the common line of said remainder of a called 290.77 acre tract and said 70 acre tract, a distance of 2,430.64 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,181,801.74, E=3,204,230.70) set 121.72 feet right of County Road 401 (C.R. 401) Engineer's Centerline Station (E.C.S.) 206+16.36 on the proposed east right-of-way line of C.R. 401, for the northeast corner and the **POINT OF BEGINNING** of the parcel described herein;

1) **THENCE** S 21°57'24" E, with the proposed east right-of-way line of said C.R. 401, a distance of 223.67 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 124.77 feet right of C.R. 401 E.C.S 203+83.57 on the existing north right-of-way line of U.S. 79, a 200 foot wide right-of-way, as described to the State of Texas in Volume 372, Page 368, Deed Records of Williamson County, Texas (D.R.W.C.TX.), and as depicted in TXDOT right-of-way strip map CSJ 204-03-12 dated December 1951, for the southwest corner of said 70 acre tract, same being the southeast corner of said remainder of a called 290.77 acre tract and of the parcel described herein, from which a 1/2-inch iron rod with a plastic cap stamped "HOLT & CARSON" found bears N 72°13'24" E, a distance of 23.82 feet;

2) **THENCE** S 66°58'03" W, departing the proposed east right-of-way line of said C.R. 401, with the existing north right-of-way line of said U.S. 79, a distance of 207.81 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 83.00 feet left of C.R. 401 E.C.S 203+79.61 on the proposed west right-of-way line of said C.R. 401, for the southwest corner of the parcel described herein, from which a Type I concrete monument found on the existing north right-of-way line of said U.S. 79 bears S 66°58'03" W, a distance of 2,114.03 feet;

**THENCE** departing the existing north right-of-way line of said U.S. 79, with the proposed west right-of-way line of said C.R. 401, over and across said remainder of a called 290.77 acre tract, the following three (3) courses and distances numbered 3-5:

- 3) N 21°56'18" W, a distance of 147.64 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 83.00 feet left of C.R. 401 E.C.S 205+27.24, said point being the beginning of a curve to the right,
- 4) With said curve to the right, an arc distance of 80.05 feet, through a central angle 03°34'30", having a radius of 1,283.00 feet, and a chord that bears N 20°09'03" W, a distance of 80.04 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 83.00 feet left of C.R. 401 E.C.S 206+02.12, and

## EXHIBIT "A"

County: Williamson  
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Page 2 of 4  
June 25, 2021

- 5) N 68°03'42" E, a distance of 205.20 feet to the **POINT OF BEGINNING**, and containing 1.075 acres (46,810 sq. ft.) of land, more or less.

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 1.00012352. 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.

# Preliminary

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

06/25/2021 3:19:26 PM  
 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	03° 34' 30" RT	1,283.00'	80.05'	80.04'	N20° 09' 03" W

U.S. 79  
CSJ: 204-03-12  
DECEMBER 1951  
STATE OF TEXAS  
VOL. 372, PG. 368  
D.R.W.C. TX.

PREWITT FARMS, LTD., A  
TEXAS LIMITED PARTNERSHIP  
RECORDED AUGUST 28, 2007  
TRACT NUMBER TWO  
PARCEL A  
REMAINDER OF A CALLED 290.77 AC.  
DOC. NO. 2007076169  
O.P.R.W.C. TX.

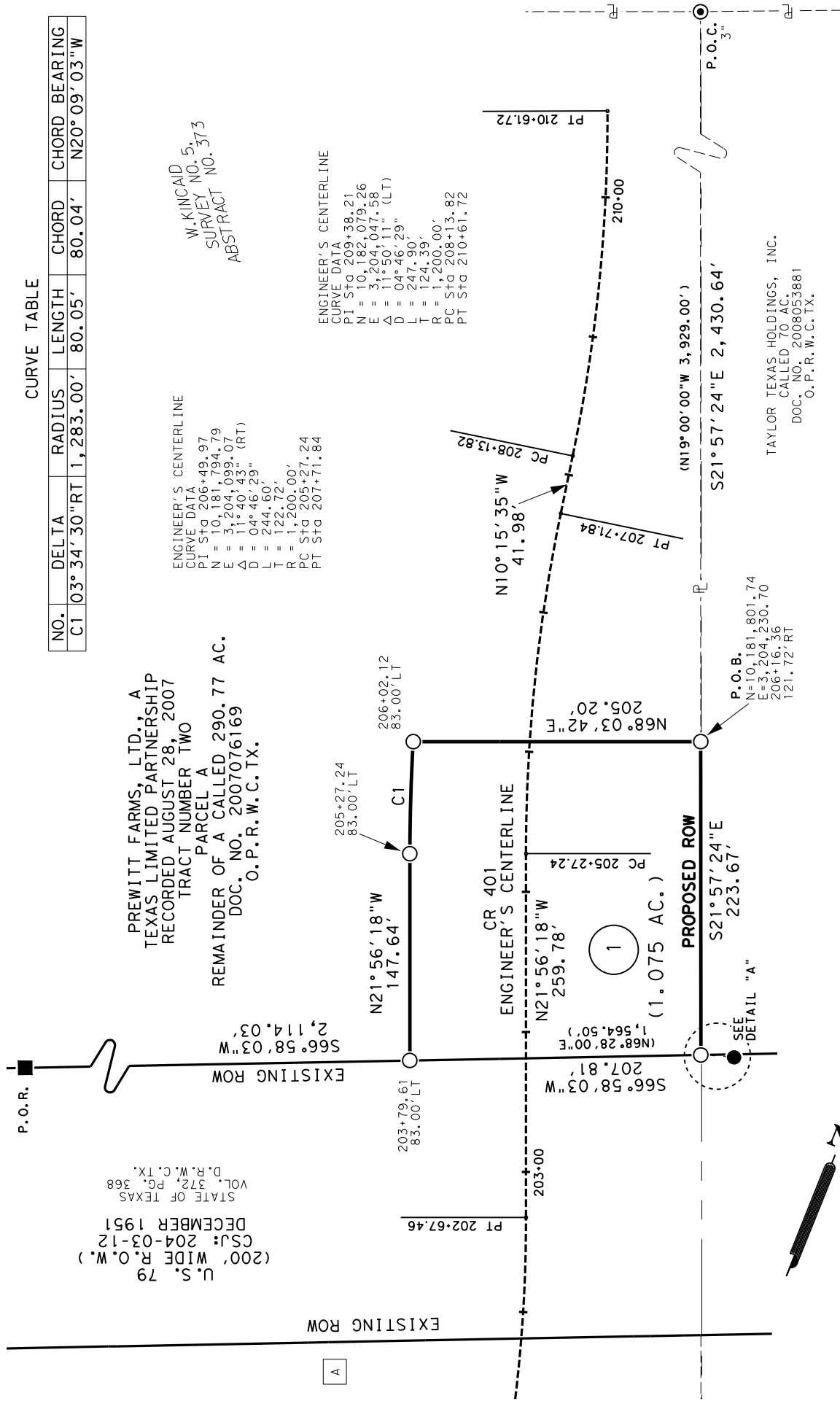
### ENGINEER'S CENTERLINE

CURVE DATA  
PI STA 206+49.97  
N = 10,181,794.79  
E = 3,204,099.07  
Δ = 11° 40' 43" (RT)  
D = 04° 46' 29"  
L = 244.60'  
T = 122.72'  
R = 1,200.00'  
PC STA 205+27.24  
PT STA 207+71.84

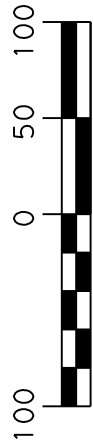
W. KINCAID  
SURVEY NO. 5  
ABSTRACT NO. 373

### ENGINEER'S CENTERLINE

CURVE DATA  
PI STA 209+38.21  
N = 10,182,079.26  
E = 3,204,047.58  
Δ = 11° 50' 11" (LT)  
D = 04° 46' 29"  
L = 247.90'  
T = 124.39'  
R = 1,200.00'  
PC STA 208+13.82  
PT STA 210+61.72



TAYLOR TEXAS HOLDINGS, INC.  
CALLED TO AC.  
DOC. NO. 2008053881  
O.P.R.W.C. TX.



WILLIAMSON COUNTY, TEXAS

FILE: \\saminc\AUS\PROJECTS\1020058261B\100\Survey\03Exhibit\1\PLAT\00NP-1.dgn  
REF. FIELD NOTE NO. 48892  
PAGE 3 OF 4

EXISTING	*236.017 AC.	ACQUIRE	1.075 AC.	REMAINING	234.942 AC.	LEFT
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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  
PREWITT FARMS, LTD., A  
TEXAS LIMITED PARTNERSHIP  
PARCEL 1  
1.075 AC. (46,810 SQ. FT.)

# LEGEND

- 5/8" IRON ROD SET WITH ALUMINUM CAP  
STAMPED "WILLIAMSON COUNTY"
- 1/2" IRON ROD FOUND UNLESS NOTED
- ◊ FENCE POST (TYPE NOTED)
- TYPE I CONCRETE MONUMENT FOUND
- ◼ TXDOT TYPE II BRONZE DISK IN CONCRETE FOUND
- ⊙ 1/2" IRON PIPE FOUND UNLESS NOTED
- ▲ 80D NAIL FOUND
- ⊕ MAGNAIL FOUND
- ⊗ SPINDLE FOUND
- ✕ RAILROAD TIE
- △ CALCULATED POINT
- ℙ PROPERTY LINE
- ( ) RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- 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/NAVD88 TEXAS COORDINATE SYSTEM, CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00012352. 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 WITHOUT THE BENEFIT OF TITLE REPORT, THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
- C.R. 401 ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM HNTB. SCHEMATIC RECEIVED BY SAM, LLC. IN MAY, 2021.
- THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

\* AREA CALCULATED BY SAM, LLC.

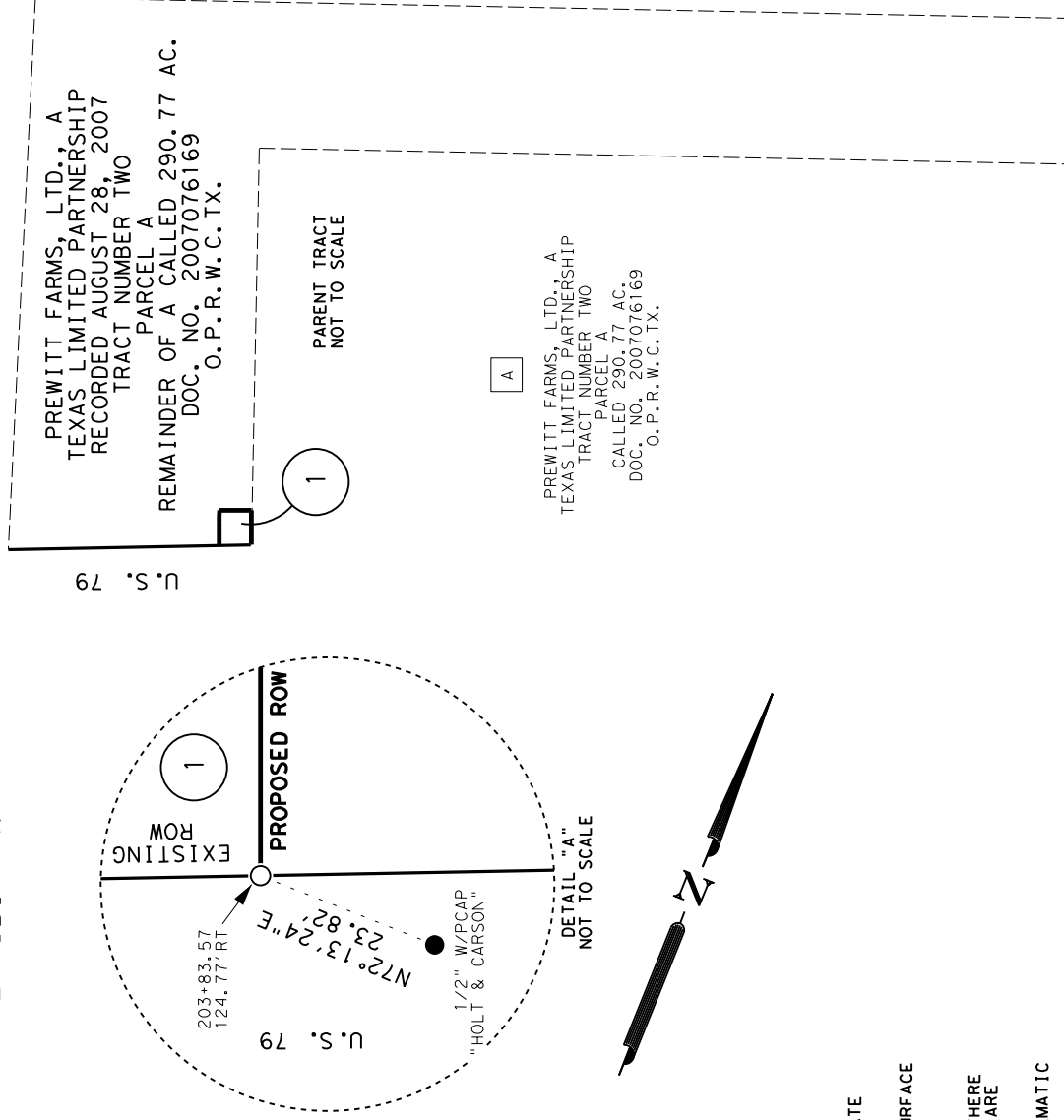
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

**Preliminary**  
06/25/2021 3:19:34 PM

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

DATE

## EXHIBIT "A"



FILE: \\saminc\AUS\PROJECTS\1020058261B\100\Survey\03Exhibit+sl\PLAT\00NP-1.dgn  
PAGE 4 OF 4  
REF. FIELD NOTE NO. 48892

EXISTING \*236.017 AC. ACQUIRE 1.075 AC. REMAINING 234.942 AC. LEFT

4801 Southwest Parkway  
Building Two, Suite 100  
Austin, Texas 78735  
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Fax: (512) 326-3029  
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**SAM**

RIGHT-OF-WAY SKETCH  
SHOWING PROPERTY OF  
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1.075 AC. (46,810 SQ. FT.)