

**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 5.661 acres (Parcel 2) 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 Jan, 2022.

  
Bill Gravell (Jan 11, 2022 14:36 CST)

Bill Gravell, Jr.  
Williamson County Judge

## EXHIBIT "A"

County: Williamson  
Parcel No.: 2  
Highway: C.R. 401/404  
Limits: From: FM 973  
To: Intersection of US 79

Page 1 of 6  
June 25, 2021

### PROPERTY DESCRIPTION FOR PARCEL 2

DESCRIPTION OF A 5.661 ACRE (246,578 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 5.661 ACRE (246,578 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 127.73 feet right of County Road 401 (C.R. 401) Engineer's Centerline Station (E.C.S.) 201+92.28 on the existing south 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.), as depicted in TXDOT right-of-way strip map CSJ 204-03-12 dated December 1951, for the northeast corner of said remainder of a called 290.77 acre tract, same being the northwest corner of a called 0.60 acre tract of land, described in a deed to T W Ford, LP, recorded in Document No. 2019080599, O.P.R.W.C.TX., being further described in Volume 1567, Page 157, D.R.W.C.TX., from which a 3/4-inch iron pipe found on the existing north right-of-way line of C.R. 403, a variable width right-of-way, no record information found, for the southeast corner of said remainder of a called 290.77 acre tract bears S 22°01'18" E, a distance of 1,078.81 feet ;

**THENCE** S 66°58'03" W, with the existing south right-of-way line of said U.S. 79, a distance of 48.34 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,181,389.86, E=3,204,344.64) set 79.59 feet right of C.R. 401 E.C.S. 201+88.32 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;

**THENCE** departing the existing south right-of-way line of said U.S. 79, with the proposed east right-of-way line of said C.R. 401, over and across said remainder of a called 290.77 acre tract, the following five (5) courses and distances numbered 1-5:

- 1) S 21°30'09" E, a distance of 293.09 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 134.08 feet right of C.R. 401 E.C.S 199+25.34,
- 2) S 68°34'53" W, a distance of 56.82 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 80.00 feet right of C.R. 401 E.C.S 199+09.45,
- 3) S 05°40'39" W, a distance of 115.05 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 68.00 feet right of C.R. 401 E.C.S 198+02.26, said point being the beginning of a curve to the right,
- 4) With said curve to the right, an arc distance of 791.99 feet, through a central angle 39°11'11", having a radius of 1,158.00 feet, and a chord that bears S 22°06'30" W, a distance of 776.65 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 68.00 feet right of C.R. 401 E.C.S 190+56.77, said point being the beginning of a curve to the left, and

## EXHIBIT "A"

County: Williamson  
Parcel No.: 2  
Highway: C.R. 401/404  
Limits: From: FM 973  
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June 25, 2021

- 5) With said curve to the left, an arc distance of 535.76 feet, through a central angle  $30^{\circ}02'09''$ , having a radius of 1,022.00 feet, and a chord that bears  $S 26^{\circ}41'01'' W$ , a distance of 529.64 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 68.00 feet right of C.R. 401 E.C.S 184+85.37 on the existing north right-of-way line of said C.R. 403, for the southeast corner of the parcel described herein, from which a 3/4-inch iron pipe found on the south right-of-way line of the Union Pacific Railroad, a 200 foot wide right-of-way, as depicted on a right-of-way and track map dated June 30, 1917, for the northeast corner of the remainder of a called 89.4 acre tract of land, described in a deed to Fred Gola and wife, Angelee M. Gola, recorded in Volume 2194, Page 568, Official Records of Williamson County, Texas (O.R.W.C.TX.), bears  $S 80^{\circ}22'49'' E$ , a distance of 478.64 feet;

**THENCE** departing the proposed east right-of-way line of said C.R. 401, with the existing north right-of-way line of said C.R. 403, the following two (2) courses and distances numbered 6-7:

- 6)  $S 67^{\circ}13'42'' W$ , a distance of 14.13 feet to a calculated point, and
- 7)  $S 71^{\circ}28'42'' W$ , a distance of 140.76 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 68.00 feet left of C.R. 401 E.C.S 184+11.17 on the proposed west right-of-way line of said C.R. 401, for the southwest corner of the parcel described herein, said point being the beginning of a curve to the right,

**THENCE** departing the existing north right-of-way line of said C.R. 403, 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 two (2) courses and distances numbered 8-9:

- 8) With said curve to the right, an arc distance of 685.88 feet, through a central angle  $33^{\circ}56'10''$ , having a radius of 1,158.00 feet, and a chord that bears  $N 24^{\circ}44'01'' E$ , a distance of 675.90 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 68.00 feet left of C.R. 401 E.C.S 190+56.77, said point being the beginning of a curve to the left, and
- 9) With said curve to the left, an arc distance of 1,047.38 feet, through a central angle  $58^{\circ}43'06''$ , having a radius of 1,022.00 feet, and a chord that bears  $N 12^{\circ}20'32'' E$ , a distance of 1,002.14 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 68.00 feet left of C.R. 401 E.C.S 201+73.84 on the existing south right-of-way line of said U.S. 79, for the northwest corner of the parcel described herein;

**THIS SPACE IS INTENTIONALLY LEFT BLANK**

## EXHIBIT "A"

County: Williamson  
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Limits: From: FM 973  
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June 25, 2021

10) **THENCE** N 66°58'03" E, departing the proposed west right-of-way line of said C.R. 401, with the existing south right-of-way line of said U.S. 79, a distance of 148.30 feet to the **POINT OF BEGINNING**, and containing 5.661 acres (246,578 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

06/25/2021 3:24:59 PM

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

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

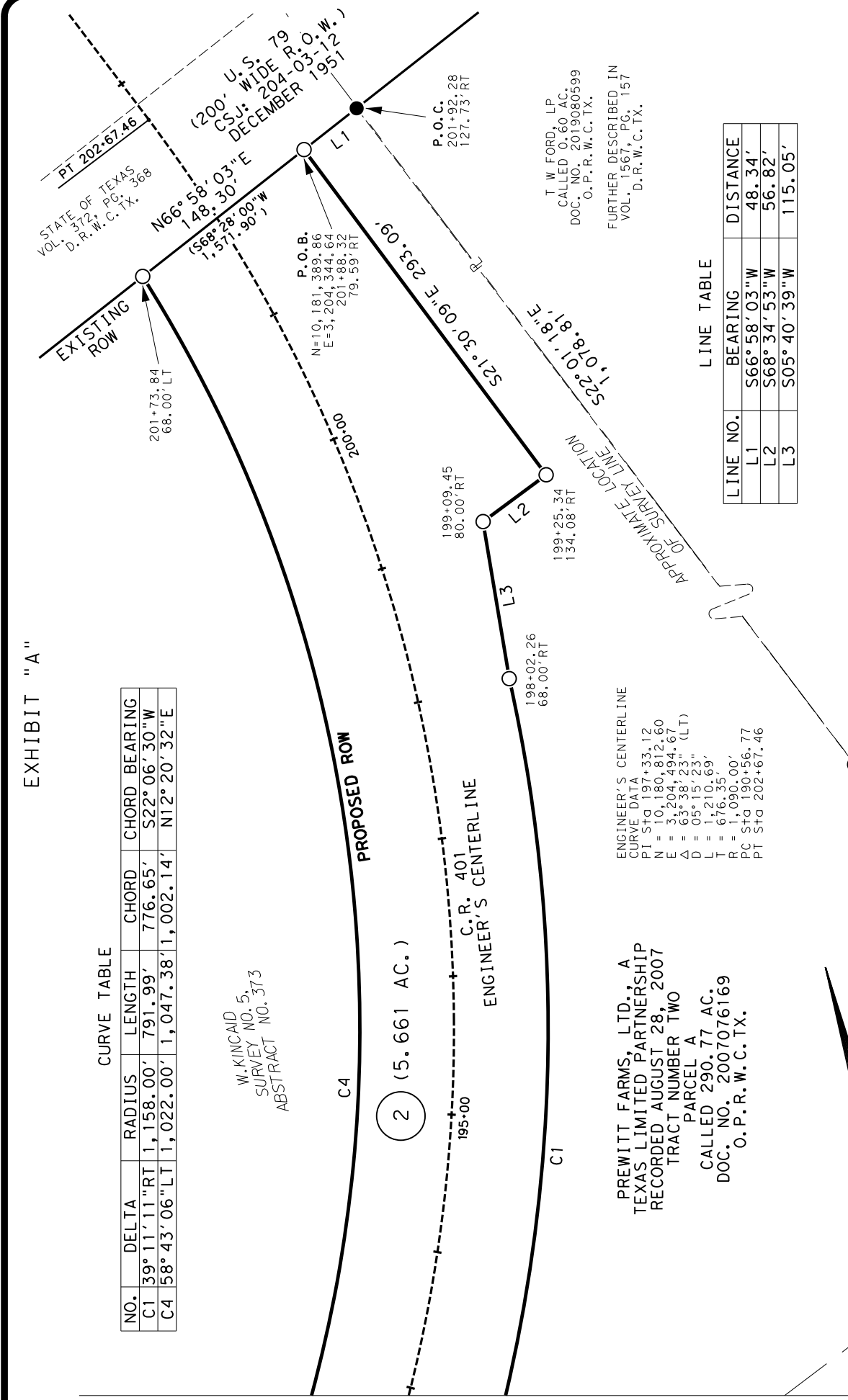
EXHIBIT "A"

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	39°11'11"RT	1,158.00'	791.99'	776.65'	S22°06'30"W
C4	58°43'06"LT	1,022.00'	1,047.38'	1,002.14'	N12°20'32"E

W. KINCAID  
SURVEY NO. 5,  
ABSTRACT NO. 373

MATCH SHEET 5 OUT OF 6

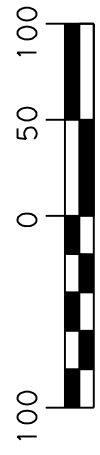
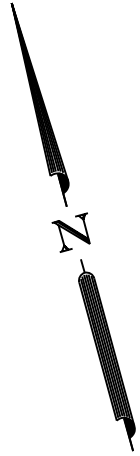


PREWITT FARMS, LTD., A  
TEXAS LIMITED PARTNERSHIP  
RECORDED AUGUST 28, 2007  
TRACT NUMBER TWO  
PARCEL A  
CALLED 290.77 AC.  
DOC. NO. 2007076169  
O.P.R.W.C. TX.

ENGINEER'S CENTERLINE  
CURVE DATA  
PT STA 197+33.12  
N = 10,180,812.60  
E = 3,204,494.67  
Δ = 63°38'23" (LT)  
D = 05°15'23"  
L = 1,210.69'  
T = 676.35'  
R = 1,090.00'  
PC STA 190+56.77  
PT STA 202+67.46

LINE TABLE


LINE NO.	BEARING	DISTANCE
L1	S66°58'03"W	48.34'
L2	S68°34'53"W	56.82'
L3	S05°40'39"W	115.05'



WILLIAMSON COUNTY, TEXAS

FILE: \\saming\AUS\PROJECTS\1020058261B\100\Survey\03Exhibit\2\PLAT\00NP-2-2.dgn

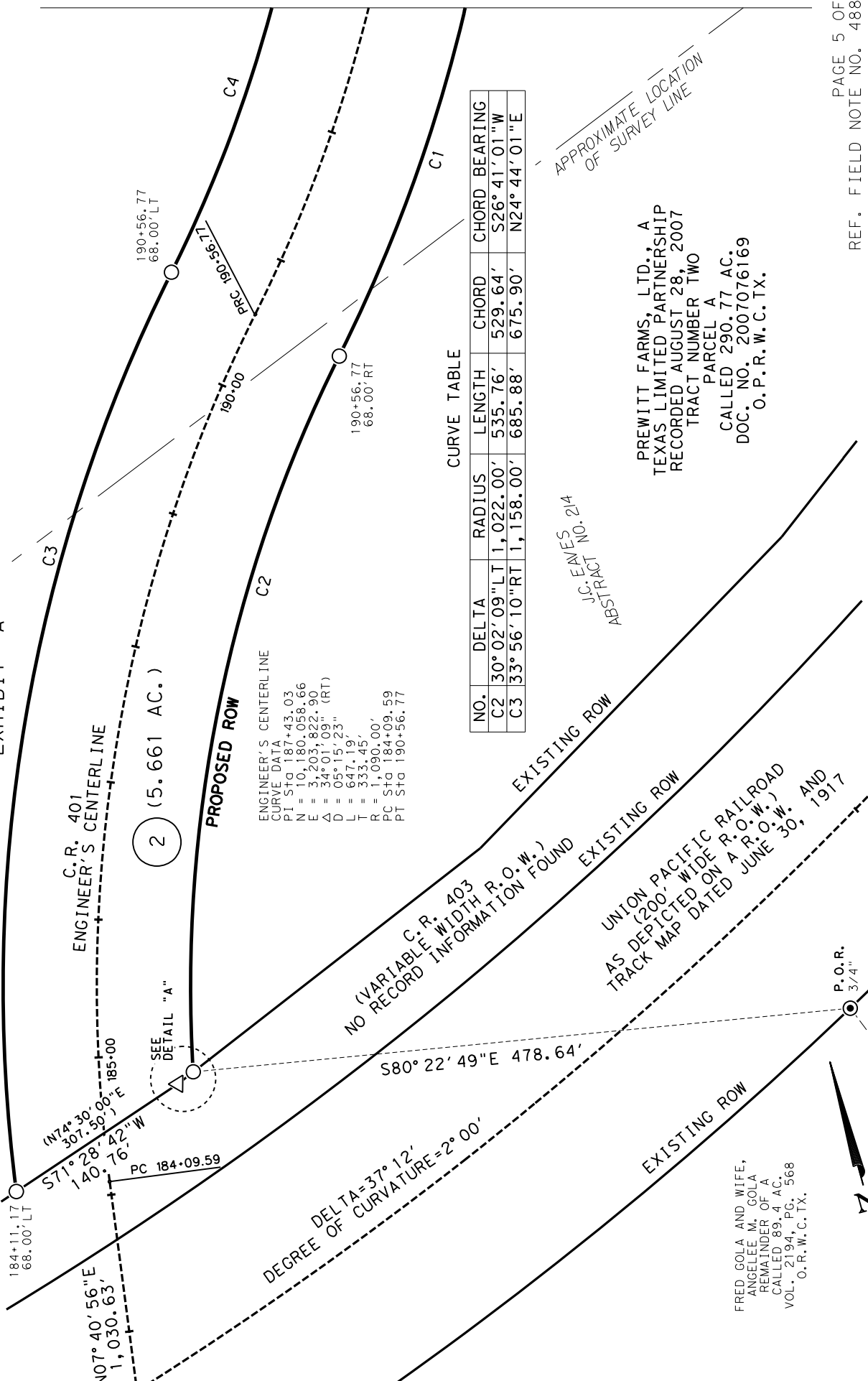
EXISTING	*45.082 AC.	ACQUIRE	5.661 AC.	REMAINING	28.309 AC.	LEFT
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4801 Southwest Parkway  
Building Two, Suite 100  
Austin, Texas 78735  
(512) 447-0575  
FAX: (512) 326-3029  
Texas Firm Registration No. 10064300

RIGHT-OF-WAY SKETCH  
SHOWING PROPERTY OF  
PREWITT FARMS, LTD., A  
TEXAS LIMITED PARTNERSHIP  
PARCEL 2  
5.661 AC. (246,578 SQ. FT.)

# EXHIBIT "A"



ENGINEER'S CENTERLINE  
 CURVE DATA  
 P1 Stg 187+43.03  
 N = 10,180.058,66  
 E = 3,203,822.90  
 Δ = 34°01'09" (RT)  
 D = 05°15'23"  
 L = 647.19'  
 T = 333.45'  
 R = 1,090.00'  
 PC Stg 184+09.59  
 PT Stg 190+56.77

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C2	30°02'09"LT	1,022.00'	535.76'	529.64'	S26°41'01"W
C3	33°56'10"RT	1,158.00'	685.88'	675.90'	N24°44'01"E

J.C. EVES NO. 214  
 ABSTRACT

APPROXIMATE LOCATION  
 OF SURVEY LINE

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

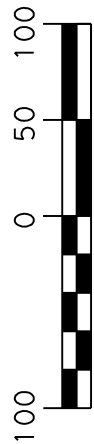
FRED GOLA AND WIFE,  
 ANGELEE M. GOLA  
 REMAINDER OF A  
 CALLED 89.4 AC.  
 VOL. 2194, PG. 568  
 O.P.R.W.C.TX.

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EXISTING	*45.082 AC.	ACQUIRE	5.661 AC.	REMAINING	28.309 AC. LEFT
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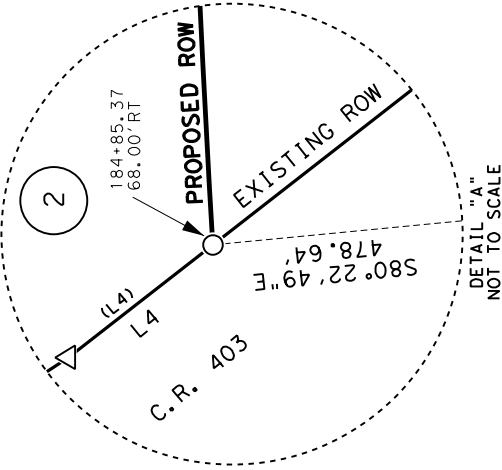
GRAPHIC SCALE  
 SCALE: 1" = 100'  
 WILLIAMSON COUNTY, TEXAS

RIGHT-OF-WAY SKETCH  
 SHOWING PROPERTY OF  
 PREWITT FARMS, LTD., A  
 TEXAS LIMITED PARTNERSHIP  
 PARCEL 2  
 5.661 AC. (246,578 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 1 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
- PROPERTY LINE
- RECORD INFORMATION
- POINT OF BEGINNING
- POINT OF COMMENCING
- POINT OF REFERENCE
- NOT TO SCALE
- DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
- OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)

EXHIBIT "A"



LINE TABLE

LINE NO.	BEARING	DISTANCE
L4	S67°13'42"W	14.13'
(L4)	(N70°15'00"E)	(278.00')

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 3:25:05 PM

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

DATE

**SAM**

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 2  
5.661 AC. (246,578 SQ. FT.)

PAGE 6 OF 6  
REF. FIELD NOTE NO. 48893

EXISTING	*45.082 AC.	ACQUIRE	5.661 AC.	REMAINING	28.309 AC.	LEFT
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REMAINING 11.112 AC. RIGHT

PARENT TRACT  
NOT TO SCALE

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

2 (5.661 AC.)

C.R. 403

U.S. 79