

**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 2.787 acres (Parcel 6) described by metes and bounds in Exhibit "A" owned by **C. ERNEST LAWRENCE FAMILY LIMITED PARTNERSHIP** for the purpose of constructing, reconstructing, maintaining, and operating the 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 _____ day of _____, 2022.


Bill Gravell (Apr 13, 2022 08:49 CDT)

Bill Gravell, Jr.
Williamson County Judge

EXHIBIT "A"

County: Williamson
Parcel No.: 6
Highway: C.R. 401/404
Limits: From: FM 973
To: Intersection of US 79

Page 1 of 7
March 25, 2022

PROPERTY DESCRIPTION FOR PARCEL 6

DESCRIPTION OF A 2.787 ACRE (121,416 SQ. FT.) PARCEL OF LAND LOCATED IN THE B.J. TYLER SURVEY, SURVEY NO. 8, ABSTRACT NO. 631, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 79.74 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO ERNEST LAWRENCE, RECORDED OCTOBER 23, 1997 IN DOCUMENT NO. 1997051006, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.), AND A PORTION OF A CALLED 305.22 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO C. ERNEST LAWRENCE, RECORDED JULY 15, 1996 IN DOCUMENT NO. 1996036574, O.P.R.W.C.TX.; SAID 2.787 ACRE (121,416 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 4" steel fence post found 1,363.85 feet left of County Road 401 (C.R. 401) Engineer's Centerline Station (E.C.S.) 130+33.91 on the south line of the remainder of a called 51.4 acre tract of land, described in a deed to Ed Hehman, recorded in Volume 366, Page 282, Deed Records of Williamson County, Texas (D.R.W.C.TX.), for the northwest corner of a called 95.260 acre tract of land, described in a deed to Brandon Roznovak and wife, Abby Roznovak, recorded in Document No. 2014074516, O.P.R.W.C.TX., from which a 5/8-inch iron rod with a plastic cap found, for the southwest corner of said 95.260 acre tract bears S 07°39'14" W, a distance of 3,022.83 feet;

1

THENCE S 82°30'54" E, with the common line of said 95.260 acre tract and said remainder of a called 51.4 acre tract, a distance of 1,382.27 feet to a 4" wood fence post found on the existing west right-of-way line of C.R. 401, a variable width right-of-way, no record information found, for the northeast corner of said 95.260 acre tract, same being the southeast corner of said remainder of a called 51.4 acre tract;

THENCE N 06°43'09" E, departing the common line of said 95.260 acre tract and said remainder of a called 51.4 acre tract, with the existing west right-of-way line of said C.R. 401, a distance of 980.42 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,176,870.11, E=3,203,359.17) set 14.38 feet right of C.R. 401 E.C.S 155+17.38 on the proposed west right-of-way line of C.R. 401, for the northeast corner of called 40.00 acre tract, described in a deed to Harvey Bill Hehman, recorded in Volume 669, Page 935, D.R.W.C.TX., same being the southeast corner of said 79.74 acre tract and the **POINT OF BEGINNING** of the parcel described herein;

1) **THENCE** N 83°16'41" W, departing the existing west right-of-way line of said C.R. 401, with the proposed west right-of-way line of C.R. 401, same being the common line of said 40.00 acre tract and said 79.74 acre tract, a distance of 76.77 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 140+08.65, for the southwest corner of the parcel described herein;

2) **THENCE** N 07°16'57" E, departing the common line of said 40.00 acre tract and said 79.74 acre tract, with the proposed west right-of-way line of said C.R. 401, over and across said 79.74 acre tract and said 305.22 acre tract, a distance of 1,526.48 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 155+35.13 on the common line of said 305.22 acre tract and of a remainder of a called 80.00 acre tract of land, described in a deed to Eugene E. Rozacky of Dallas County, Texas and Norma R. White and Aaron Keith White, recorded in Volume 787, Page 242, D.R.W.C.TX., for the northwest corner of the parcel described herein;

EXHIBIT "A"

County: Williamson
Parcel No.: 6
Highway: C.R. 401/404
Limits: From: FM 973
To: Intersection of US 79

Page 2 of 7
March 25, 2022

3) **THENCE** S 81°30'15" E, departing the proposed west right-of-way line of said C.R. 401, with the common line of said 305.22 acre tract and said remainder of a called 80.00 acre tract, a distance of 82.46 feet to a 1/2-inch iron rod found on the existing west right-of-way line of said C.R. 401, for the southeast corner of said remainder of a called 80.00 acre tract, same being the most easterly northeast corner of said 305.22 acre tract and the northeast corner of the parcel described herein;

4) **THENCE** S 07°29'45" W, departing the common line of said 305.22 acre tract and said remainder of a called 80.00 acre tract, with the existing west right-of-way line of said C.R. 401, a distance of 1,523.99 feet to the **POINT OF BEGINNING**, and containing 2.787 acres (121,416 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.

**Unable to set at time of survey, 5/8" iron rod with an aluminum cap stamped "Williamson County" may be set upon completion of the road construction project under the supervision of a registered professional land surveyor.


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

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



 03/24/2022

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

EXHIBIT "A"

MATCH SHEET 4 OUT OF 7

P.O.R.
5/8" W/PCAP

S07°39'14"W 3,022.83'
(N07°39'24"E 3,022.99')

P.O.C.
4" STEEL
130+33.91
1363.85' LT

SURVEY NO. 8, ABSTRACT NO. 632
H.Y. & B.R.R. CO

BRANDON ROZNOVAK AND
WIFE, ABBY ROZNOVAK
CALLED 95.260' AC.
DOC. NO. 2014074516
O.P.R. W. C. TX.

ENGINEER'S CENTERLINE
CURVE DATA
PT Sta 128+62.03
N = 10,174.238.01
E = 3,203.008.31
Δ = 00°40'35" (RT)
D = 00°40'00"
L = 118.04'
T = 59.02'
R = 10,000.00'
PC Sta 128+03.01
PT Sta 129+21.06

APPROXIMATE LOCATION
OF SURVEY LINE

S82°30'54"E 1,382.27'
(S82°30'37"E 1,382.27')

ED HEHMAN
REMAINDER OF A
CALLED 51.4 AC.
VOL. 366, PG. 282
D. R. W. C. TX.

SURVEY NO. 8, ABSTRACT NO. 631
B.J. TYLER

N07°57'32"E
2,803.01'

PC 128+03.01

PT 129+21.06

N07°16'57"E 2,874.92'
ENGINEER'S CENTERLINE 135+00

EXISTING ROW N06°43'09"E 980.42'
(N10°E 352.8 VARAS)

C.R. 401
(VARIABLE WIDTH R.O.W.)
(NO RECORD INFORMATION)

4" WOOD



100 0 50 100



GRAPHIC SCALE
SCALE: 1" = 100'
WILLIAMSON COUNTY, TEXAS

PAGE 3 OF 7
REF. FIELD NOTE NO. 48880

FILE: \\saminc\AUS\PROJECTS\1020058261B\100\Survey\03Exhibit\6\PLAT\01NP-6.1.dgn

EXISTING	384.96 AC.	ACQUIRE	2.787 AC.	REMAINING	382.173 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
ERNEST LAWRENCE
PARCEL 6

2.787 AC. (121,416 SQ. FT.)

EXHIBIT "A"

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N83°16'41"W	76.77'
(L1)	(N80°15'W)	(819.18 VARAS)

B.J. TYLER
SURVEY NO. 8, ABSTRACT NO. 631

MATCH SHEET 5 OUT OF 7

ERNEST LAWRENCE
RECORDED OCTOBER 23, 1997
CALLED 79.74 AC.
DOC. NO. 1997051006
O.P.R.W.C. TX.

HARVEY BILL HEHMAN
CALLED 40.00 AC.
VOL. 669, PG. 935
D.R.W.C. TX.

MATCH SHEET 3 OUT OF 7

N07°16'57"E 1,526.48'

PROPOSED ROW

6 (2.787 AC.)

C.R. 401
ENGINEER'S CENTERLINE 145+00

N07°16'57"E 2,874.92'

141+00

EXISTING ROW

S07°29'45"W 1,523.99'
(S09°30'W 544.14 VARAS)

C.R. 401

(VARIABLE WIDTH R.O.W.)
(NO RECORD INFORMATION)

S06°43'09"W 980.42'
(N10°E 352.8 VARAS)

P.O.B.
3" METAL
N=10,176,870.11
E=3,203,359.17
155+17.38
14.38' RT



100 0 50 100



GRAPHIC SCALE
SCALE: 1" = 100'
WILLIAMSON COUNTY, TEXAS

PAGE 4 OF 7
REF. FIELD NOTE NO. 48880

FILE: \\saming\AUS\PROJECTS\1020058261B\100\Survey\03Exhibits\6\PLAT\01NP-6.2.dgn

EXISTING	384.96 AC.	ACQUIRE	2.787 AC.	REMAINING	382.173 AC. LEFT
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RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
ERNEST LAWRENCE
PARCEL 6
2.787 AC. (121,416 SQ. FT.)

EXHIBIT "A"

LINE TABLE

LINE NO.	BEARING	DISTANCE
L2	S81° 30' 15" E	82.46'
(L2)	(S79° 10' W)	(1344.8')

C. ERNEST LAWRENCE
RECORDED JULY 15, 1996
CALLED 305.22 AC.
DOC. NO. 1996036574
O.P.R.W.C.TX.

ERNEST LAWRENCE
RECORDED OCTOBER 23, 1997
CALLED 79.74 AC.
DOC. NO. 1997051006
O.P.R.W.C.TX.

B.J. TYLER
SURVEY NO. 8, ABSTRACT NO. 631

A

N07° 16' 57" E 1,526.48'

PROPOSED ROW

6 (2.787 AC.)

N07° 16' 57" E
2,874.92'

C.R. 401
ENGINEER'S CENTERLINE

154+00

EXISTING ROW

S07° 29' 45" W 1,523.99'
(S09° 30' W 544.14 VARAS)

C.R. 401

(VARIABLE WIDTH R.O.W.)
(NO RECORD INFORMATION)



100 0 50 100



GRAPHIC SCALE
SCALE: 1" = 100'
WILLIAMSON COUNTY, TEXAS



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RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
ERNEST LAWRENCE
PARCEL 6
2.787 AC. (121,416 SQ. FT.)

EXISTING	384.96 AC.	ACQUIRE	2.787 AC.	REMAINING	382.173 AC. LEFT
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EXHIBIT "A"

SCHEDULE B:

THIS SURVEY HERON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 21061700, ISSUED BY TEXAS TITLE INSURANCE COMPANY, EFFECTIVE DATE FEBRUARY 02, 2022, AND ISSUED DATE FEBRUARY 11, 2022.

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION.):

A. EASEMENT DATED JUNE 21, 1939, EXECUTED BY HENRY FRITZ TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 298, PAGE 145, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

B. EASEMENT DATED JUNE 21, 1939, EXECUTED BY ANNA FRITZ TO TEXAS POWER & LIGHT COMPANY, RECORDED IN VOLUME 298, PAGE 148, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (PLOTTED PER DESCRIPTION, NO VISIBLE EVIDENCE OF UTILITIES, DOES NOT AFFECT)

C. RIGHT OF WAY EASEMENT DATED AUGUST 17, 1980, EXECUTED BY ERIC V. ANDERSON AND FRIEDA ANDERSON TO JONAH WATER SUPPLY, RECORDED IN VOLUME 806, PAGE 119, DEED RECORDS, WILLIAMSON COUNTY, TEXAS. (UNABLE TO PLOT, MAY AFFECT)

D. TERMS, PROVISIONS AND CONDITIONS OF MEMORANDUM RIGHT OF ENTRY, POSSESSION AND USE AGREEMENT DATED DECEMBER 30, 2019, EXECUTED BY AND BETWEEN C. ERNEST LAWRENCE FAMILY LIMITED PARTNERSHIP, AS GRANTOR AND M2E3, LLC, AS GRANTEE. RECORDED UNDER DOCUMENT NO. 2020027576, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

E. INTENTIONALLY DELETED.

F. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS OR OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERALS THAT ARE NOT LISTED.

G. ALL VISIBLE AND APPARENT EASEMENTS AND ALL UNDERGROUND EASEMENTS, THE EXISTENCE OF WHICH MAY ARISE BY UNRECORDED GRANT OR BY USE. (OWNER'S TITLE POLICY ONLY)

H. RIGHTS OF PARTIES IN POSSESSION. (OWNER'S TITLE POLICY ONLY)

I. "ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE SURVEY OF THE LAND." (NOTE: UPON RECEIPT OF A SURVEY ACCEPTABLE TO COMPANY, THIS EXCEPTION WILL BE DELETED. COMPANY RESERVES THE RIGHT TO ADD ADDITIONAL EXCEPTIONS PER ITS EXAMINATION OF SAID SURVEY)

J. MEMORANDUM OF PERMANENT EASEMENT AGREEMENT DATED NOVEMBER 9, 2021, EXECUTED BY AND BETWEEN THE C. ERNEST LAWRENCE FAMILY LIMITED PARTNERSHIP, AS GRANTOR AND M2E3 LLC, A TEXAS LIMITED LIABILITY COMPANY, AS GRANTEE. RECORDED UNDER DOCUMENT NO. 2021178611, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS. (DOES NOT AFFECT)

EXISTING	384.96 AC.	ACQUIRE	2.787 AC.	REMAINING	382.173 AC.	LEFT
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4801 Southwest Parkway
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Fax: (512) 326-3029
Texas Firm Registration No. 10064300

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
ERNEST LAWRENCE
PARCEL 6

2.787 AC. (121,416 SQ. FT.)

LEGEND

EXHIBIT "A"

- 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
- 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
- O.P.R. W. C. TX.

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NOTES:

1. 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.
2. THIS SURVEY WAS COMPLETED WITH THE BENEFIT OF TITLE REPORT, PROVIDED BY TEXAS TITLE INSURANCE COMPANY, GF NO. 21061700, EFFECTIVE DATE FEBRUARY 2, 2022, AND ISSUED DATE FEBRUARY 11, 2022. THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
3. C.R. 401 ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM HNTB. SCHEMATIC RECEIVED BY SAM, LLC. IN MAY, 2021.
4. THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
- * AREA CALCULATED BY SAM, LLC.
- **UNABLE TO SET AT TIME OF SURVEY, 5/8" IRON ROD WITH AN ALUMINUM CAP STAMPED "WILLIAMSON COUNTY" MAY BE SET UPON COMPLETION OF THE ROAD CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR.
- 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
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6660, STATE OF TEXAS

03/24/2022

DATE

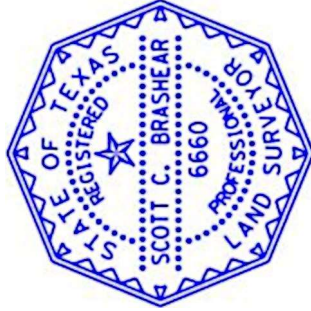
EUGENE E. ROZACKY OF DALLAS COUNTY, TEXAS AND NORMA R. WHITE AND AARON KEITH WHITE, REMAINDER OF A CALLED 80.00 AC. VOL. 787, PG. 242 D.R.W.C.TX.

A

C. ERNEST LAWRENCE
RECORDED JULY 15, 1996
CALLED 305.22 AC.
DOC. NO. 1996036574
O.P.R.W.C.TX.

PARENT TRACTS
NOT TO SCALE

ERNEST LAWRENCE
RECORDED
OCTOBER 23, 1997
CALLED 79.74 AC.
DOC. NO.
1997051006
O.P.R.W.C.TX.



6
(2.787 AC.)

C.R. 401

FILE: \\saminc\AUS\PROJECTS\1020058261B\100\Survey\03Exhibit\6\PLAT\01NP-6.2.dgn REF. FIELD NOTE NO. 48880 PAGE 7 OF 7

EXISTING 384.96 AC. ACQUIRE 2.787 AC. REMAINING 382.173 AC. LEFT

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SAM

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
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PARCEL 6
2.787 AC. (121,416 SQ. FT.)