

**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 3.516 acres (Parcel 312) and 0.924 acres for an electric easement (Parcel 312E) described by metes and bounds in Exhibits "A & B", owned by **JAMES G. AND DEBORAH K. VELCHOFF**, for the purpose of constructing, reconstructing, maintaining, and operating the Hero Way/RM 2243 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 Exhibits "A & B" 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 Nov 22, 2023.


Bill Gravell, Jr. (Nov 22, 2023 13:00 CST)

Bill Gravell, Jr.
Williamson County Judge

EXHIBIT A

County: Williamson
Parcel: 312
Highway: FM 2243

METES & BOUNDS DESCRIPTION FOR PARCEL 312

METES & BOUNDS DESCRIPTION FOR A 3.516 ACRE TRACT OF LAND OUT OF THE TALBOT CHAMBERS SURVEY, ABSTRACT NO. 125, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CALLED 10.00 ACRE TRACT OF LAND AS CONVEYED TO JAMES G. VELCHOFF AND WIFE, DEBORAH K. VELCHOFF BY WARRANTY DEED RECORDED IN VOLUME 2583, PAGE 862 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BY CORRECTION WARRANTY DEED RECORDED IN DOCUMENT NUMBER 9550265 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 3.516 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a 1/2-inch iron rod found at the intersection of the north right-of-way line of Hero Way (f/k/a County Road 269) (width varies) (no deed of record found at this point) and the west right-of-way line of County Road 270 (width varies) (no deed of record found), at the southeast corner of the above described Velchoff Tract, for the southeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, with the north right-of-way line of said Hero Way and the south line of said Velchoff Tract, S 66°25'53" W a distance of 28.48 feet to a calculated angle point;

THENCE, continuing with the north right-of-way line of said Hero Way and the south line of said Velchoff Tract, S 68°49'53" W a distance of 372.59 feet to a 1/2-inch iron rod found on the north right-of-way line of Hero Way as dedicated by Document Number 2009087880 of the Official Public Records of Williamson County, Texas, at the southwest corner of said Velchoff Tract, and at the southeast corner of called 1.4665 acre tract of land described as Parcel 6 as dedicated in said Document Number 2009087880 of the Official Public Records of Williamson County, Texas, for the southwest corner of the herein described tract;

THENCE, continuing with the north right-of-way line of said Hero Way and the west line of said Velchoff Tract, N 20°58'21" W a distance of 71.42 feet to a 1/2-inch iron rod found at the northeast corner of said Parcel 6, and at the southeast corner of the remainder of a called 15.783 acre tract of land as conveyed to FM 269 Investors, LLC by Special Warranty Deed with Vendor's Lien recorded in Document Number 2008015124 of the Official Public Records of Williamson County, Texas, for an angle point in the west line of the herein described tract;

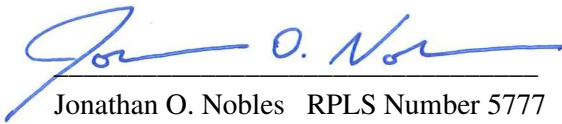
THENCE, with the west line of said Velchoff Tract and the east line of said FM 269 Investors Tract, N 20°47'02" W a distance of 293.33 feet to a 1/2-inch iron rod with a cap stamped "WILCO ROW 5777" (NAD-83, Central Zone Grid Coordinates: N: 10,187,043.44, E: 3,082,704.65) set for the beginning of a non-tangent curve to the right and the northwest corner of the herein described tract, 131.51 feet left of FM 2243 baseline station 114+58.85, from which a 1/2-inch iron rod found at the common north corner of said Velchoff Tract and said FM 269 Investors Tract, bears N 20°47'02" W a distance of 721.90 feet;

THENCE, over and across said Velchoff Tract, along said curve to the right, an arc distance of 402.55 feet, having a radius of 4,347.00 feet, a central angle of 05°18'21" and a chord which bears N 64°52'57" E a distance of 402.40 feet to a 1/2-inch iron rod with a cap stamped "WILCO ROW 5777" set on the west right-of-way line of said County Road 270 and the east line of said Velchoff Tract, for the northeast corner of the herein described tract, 178.23 feet left of FM 2243 baseline station 118+54.20, from which a leaning 1/2-inch iron rod found at the northeast corner of said Velchoff Tract, bears N 20°47'11" W a distance of 693.59 feet;

THENCE, with the west right-of-way line of said County Road 270 and the east line of said Velchoff Tract, S 20°47'11" E a distance of 391.27 feet to the **POINT OF BEGINNING** and containing 3.516 acres (153,144 square feet) of land, more or less.

Bearing orientation is based on the Texas State Plane Coordinate System NAD-83, Central Zone 4203. All distances are surface and may be converted to grid by dividing by a scale factor of 1.00012.

I hereby certify that these notes were prepared by BGE from a survey made on the ground under my supervision on May 12, 2022 and are true and correct to the best of my knowledge. A sketch accompanies this description.


Jonathan O. Nobles RPLS Number 5777

BGE, Inc.

101 West Louis Henna Blvd., Suite 400

Austin, TX 78728

Telephone: 512-879-0400

TBPELS Licensed Surveying Firm Number 10106502



11/06/2023

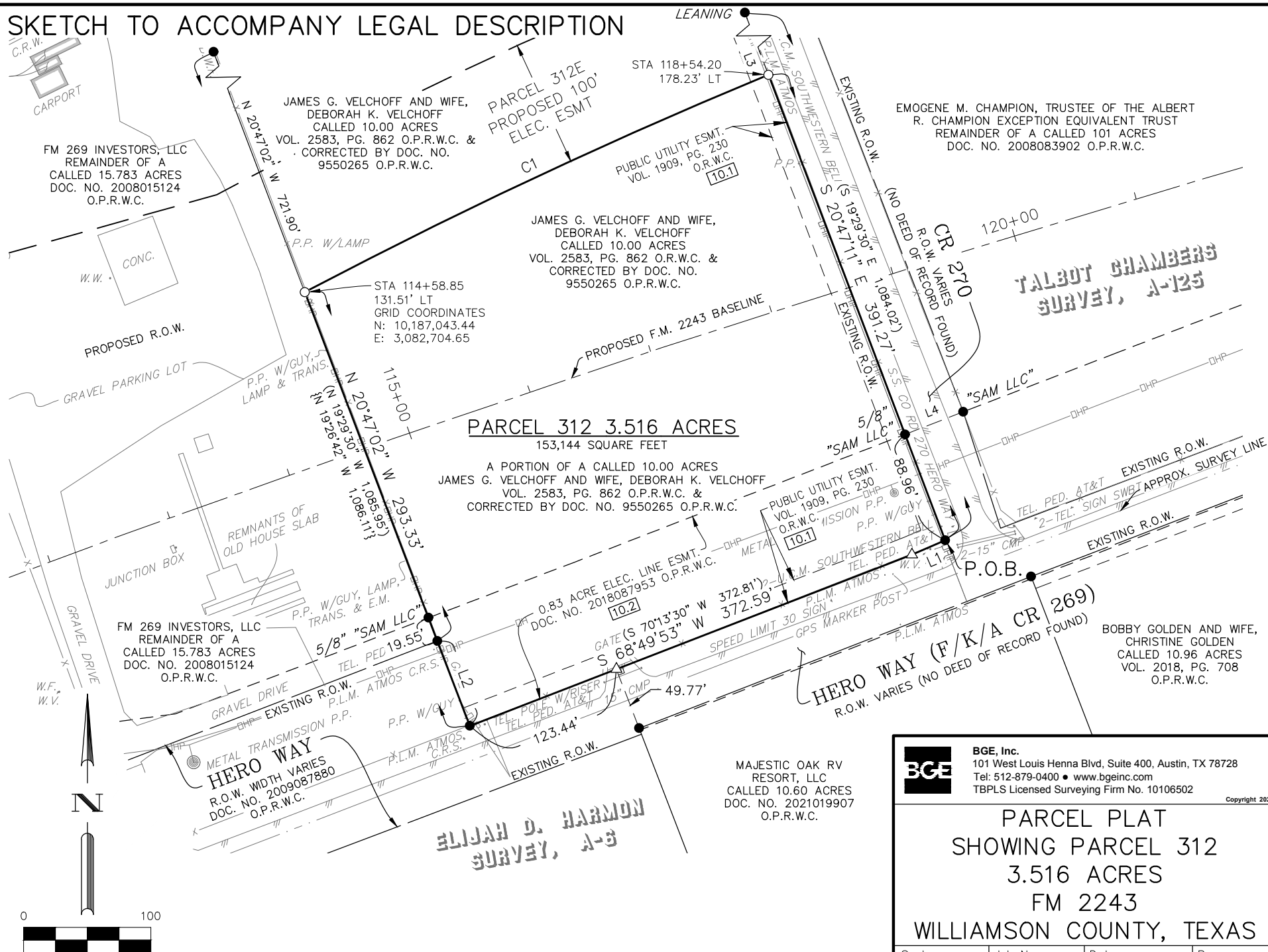
Date

Client: Williamson County

Date: November 6, 2023

Project Number: 7473-00

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



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PARCEL PLAT
SHOWING PARCEL 312
3.516 ACRES
FM 2243
WILLIAMSON COUNTY, TEXAS

Scale:	Job No.:	Date:	Page:
1"=100'	7473-00	11/06/2023	3 of 5

LEGEND

CMP	CORRUGATED METAL PIPE
C.R.S.	CATHODIC READING STATION
DOC.	DOCUMENT
E.M.	ELECTRIC METER
ESMT.	EASEMENT
NO.	NUMBER
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
O.R.W.C.	OFFICIAL RECORDS OF WILLIAMSON COUNTY
PED.	PEDESTAL
P.L.M.	PIPELINE MARKER
P.O.B.	POINT OF BEGINNING
P.P.	POWER POLE
RCP	REINFORCED CONCRETE PIPE
R.P.	REFLECTOR POST
S.S.	STOP SIGN
TEL.	TELEPHONE
TRANS.	TRANSFORMER
U.C.M.	UNDERGROUND CABLE MARKER
W.F.	WATER FAUCET
W.M.	WATER METER
W.V.	WATER VALVE
()	RECORD INFO FOR DOC. NO. 9550265 O.P.R.W.C.
[]	RECORD INFO FOR DOC. NO. 2009087880 O.P.R.W.C.
{ }	RECORD INFO FOR DOC. NO. 2008015124 O.P.R.W.C.
●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
○	SET 1/2" IRON ROD W/CAP "WILCO ROW 5777"
▲	FOUND 60D NAIL
△	CALCULATED POINT
—X—	WIRE FENCE
—DHT—	OVERHEAD TELEPHONE
—DHP—	OVERHEAD POWER
///	EDGE OF ASPHALT
10.2	SCHEDULE B ITEM

LINE TABLE

NUMBER	BEARING	DISTANCE
L1	S 66°25'53" W	28.48'
L2	N 20°58'21" W	71.42'
L3	N 20°47'11" W	693.59'
L4	S 68°49'36" W	49.12'

RECORD LINE TABLE

NUMBER	BEARING	DISTANCE
L1	(S 67°49'30" W)	(28.50')
L2	[N 20°42'50" W]	[70.66']

CURVE TABLE

NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	402.55'	4,347.00'	5°18'21"	N 64°52'57" E	402.40'



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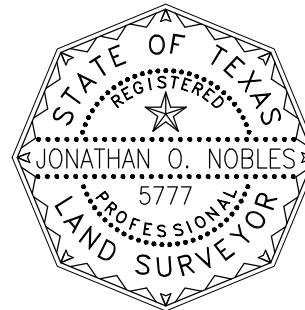
GENERAL NOTES:

1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. DISTANCES SHOWN HEREON ARE IN SURFACE AND CAN BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED SCALE FACTOR = 1.00012
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS SKETCH.
3. THIS PARCEL PLAT WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE GUARANTY COMPANY AND TEXAS NATIONAL TITLE, INC. UNDER G.F. NO. T-158428, DATED EFFECTIVE OCTOBER 5, 2022 AND ISSUED ON OCTOBER 13, 2022.

RESTRICTIVE COVENANT AND EASEMENT NOTES:

1. THE RESTRICTIVE COVENANTS OF RECORD ITEMIZED IN VOLUME 2142, PAGE 942 AND VOLUME 2147, PAGE 836, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT.
- 10.1 A SEWER, WATER AND OTHER UTILITIES LINES EASEMENT GRANTED TO CITY OF LEANDER AS DESCRIBED IN VOLUME 1909, PAGE 230 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.2 AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE AND/OR SYSTEM EASEMENT GRANTED TO LCRA TRANSMISSION SERVICES CORPORATION AS DESCRIBED IN DOCUMENT NO. 2018087953 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.4 ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT OF RECORD IN DOCUMENT NO. 2010083093 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT.
- 10.5 ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT OF RECORD IN DOCUMENT NO. 2016058229 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT TRACT.

I hereby certify that this survey was made on the ground by BGE, Inc. under my supervision on May 12, 2022 and is true and correct to the best of my knowledge. The property has access to a public roadway and there are no visible encroachments, except as shown hereon.



11/06/2023

Jonathan O. Nobles
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WILLIAMSON COUNTY, TEXAS

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EXHIBIT B

County: Williamson
Parcel: 312E
Highway: FM 2243

METES & BOUNDS DESCRIPTION FOR PARCEL 312E

METES & BOUNDS DESCRIPTION FOR A 0.924 ACRE TRACT OF LAND OUT OF THE TALBOT CHAMBERS SURVEY, ABSTRACT NO. 125, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CALLED 10.00 ACRE TRACT OF LAND AS CONVEYED TO JAMES G. VELCHOFF AND WIFE, DEBORAH K. VELCHOFF BY WARRANTY DEED RECORDED IN VOLUME 2583, PAGE 862 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BY CORRECTION WARRANTY DEED RECORDED IN DOCUMENT NUMBER 9550265 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.924 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

COMMENCING for POINT OF REFERENCE at a 1/2-inch iron rod found on the north right-of-way line of Hero Way (width varies) as dedicated by Document Number 2009087880 of the Official Public Records of Williamson County, Texas, at the southwest corner of the above described Velchoff Tract, and at the southeast corner of called 1.4665 acre tract of land described as Parcel 6 as dedicated in said Document Number 2009087880 of the Official Public Records of Williamson County, Texas; Thence, with the north right-of-way line of said Hero Way and the west line of said Velchoff Tract, N 20°58'21" W a distance of 71.42 feet to a 1/2-inch iron rod found at the northeast corner of said Parcel 6, and at the southeast corner of the remainder of a called 15.783 acre tract of land as conveyed to FM 269 Investors, LLC by Special Warranty Deed with Vendor's Lien recorded in Document Number 2008015124 of the Official Public Records of Williamson County, Texas; Thence, with the west line of said Velchoff Tract and the east line of said FM 269 Investors Tract, N 20°47'02" W a distance of 293.33 feet to a 1/2-inch iron rod with a cap stamped "WILCO ROW 5777" (NAD-83, Central Zone Grid Coordinates: N: 10,187,043.44, E: 3,082,704.65) set for the southwest corner and **POINT OF BEGINNING** of the herein described tract, 131.51 feet left of FM 2243 baseline station 114+58.85;

THENCE, continuing with the west line of said Velchoff Tract and the east line of said FM 269 Investors Tract, N 20°47'02" W a distance of 100.73 feet to a 1/2-inch iron rod with a cap stamped "BGE Inc" set for the beginning of a non-tangent curve to the right and the northwest corner of the herein described tract, 232.21 feet left of FM 2243 baseline station 114+56.20, from which a 1/2-inch iron rod found at the common north corner of said Velchoff Tract and said FM 269 Investors Tract, bears N 20°47'02" W a distance of 621.17 feet;

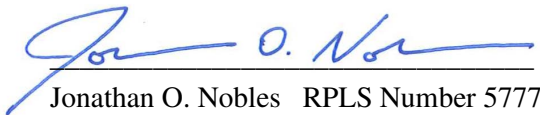
THENCE, over and across said Velchoff Tract, along said curve to the right, an arc distance of 402.48 feet, having a radius of 4,447.00 feet, a central angle of $05^{\circ}11'08''$ and a chord which bears $N 64^{\circ}58'50'' E$ a distance of 402.35 feet to a 1/2-inch iron rod with a cap stamped "BGE Inc" set on the west right-of-way line of County Road 270 (width varies) (no deed of record found) and the east line of said Velchoff Tract, for the northeast corner of the herein described tract, 278.12 feet left of FM 2243 baseline station 118+48.83, from which a leaning 1/2-inch iron rod found at the northeast corner of said Velchoff Tract, bears $N 20^{\circ}47'11'' W$ a distance of 593.55 feet;

THENCE, with the west right-of-way line of said County Road 270 and the east line of said Velchoff Tract, $S 20^{\circ}47'11'' E$ a distance of 100.04 feet to a 1/2-inch iron rod with a cap stamped "WILCO ROW 5777" set for the beginning of a non-tangent curve to the left and for the southeast corner of the herein described tract, 178.23 feet left of FM 2243 baseline station 118+54.20, from which a 1/2-inch iron rod found at the intersection of the west right-of-way line of said County Road 270 and north right-of-way line of Hero Way (f/k/a County Road 269) (no deed of record found at the point), at the southeast corner of the said Velchoff Tract, bears $S 20^{\circ}47'11'' E$ a distance of 391.27 feet;

THENCE, over and across said Velchoff Tract, along said curve to the left, an arc distance of 402.55 feet, having a radius of 4,347.00 feet, a central angle of $05^{\circ}18'21''$ and a chord which bears $S 64^{\circ}52'57'' W$ a distance of 402.40 feet to the **POINT OF BEGINNING** and containing 0.924 acre (40,251 square feet) of land, more or less.

Bearing orientation is based on the Texas State Plane Coordinate System NAD-83, Central Zone 4203. All distances are surface and may be converted to grid by dividing by a scale factor of 1.00012.

I hereby certify that these notes were prepared by BGE from a survey made on the ground under my supervision on May 12, 2022 and are true and correct to the best of my knowledge. A sketch accompanies this description.


Jonathan O. Nobles RPLS Number 5777

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TBPELS Licensed Surveying Firm Number 10106502

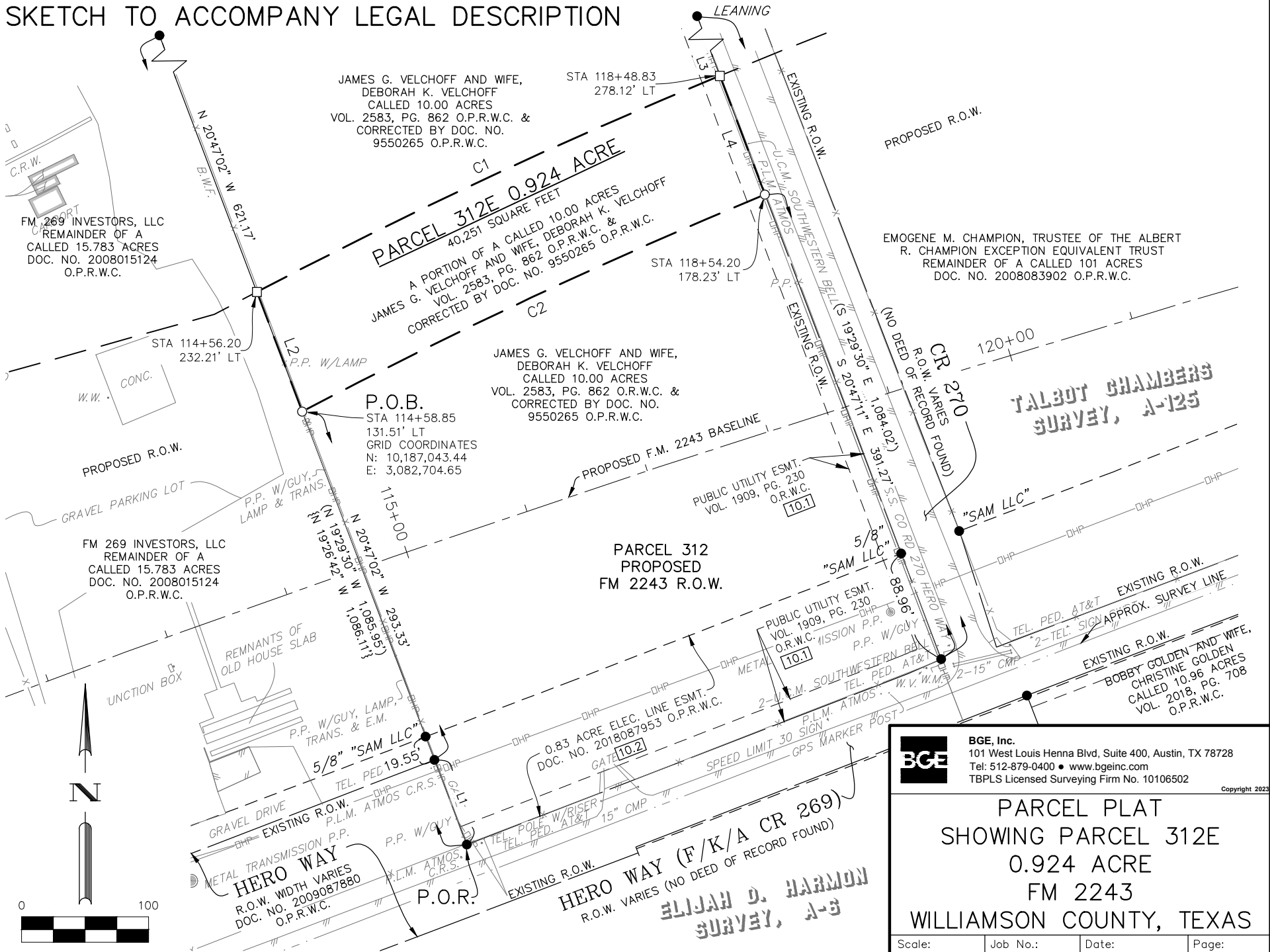


11/06/2023

Date

Client: Williamson County
Date: May 27, 2022
Revised: November 6, 2023
Project Number: 7473-00

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



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PARCEL PLAT
SHOWING PARCEL 312E
0.924 ACRE
FM 2243
WILLIAMSON COUNTY, TEXAS

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LEGEND

CMP	CORRUGATED METAL PIPE
C.R.S.	CATHODIC READING STATION
DOC.	DOCUMENT
E.M.	ELECTRIC METER
NO.	NUMBER
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
O.R.W.C.	OFFICIAL RECORDS OF WILLIAMSON COUNTY
PED.	PEDESTAL
P.L.M.	PIPELINE MARKER
P.O.B.	POINT OF BEGINNING
P.P.	POWER POLE
RCP	REINFORCED CONCRETE PIPE
R.P.	REFLECTOR POST
S.S.	STOP SIGN
TEL.	TELEPHONE
TRANS.	TRANSFORMER
U.C.M.	UNDERGROUND CABLE MARKER
W.F.	WATER FAUCET
W.M.	WATER METER
W.V.	WATER VALVE
()	RECORD INFO FOR DOC. NO. 9550265 O.P.R.W.C.
[]	RECORD INFO FOR DOC. NO. 2009087880 O.P.R.W.C.
{ }	RECORD INFO FOR DOC. NO. 2008015124 O.P.R.W.C.
●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
○	SET 1/2" IRON ROD W/CAP "WILCO ROW 5777"
▲	FOUND 60D NAIL
△	CALCULATED POINT
—X—	WIRE FENCE
—OHT—	OVERHEAD TELEPHONE
—OHP—	OVERHEAD POWER
—//—	EDGE OF ASPHALT
10.2	SCHEDULE B ITEM

LINE TABLE

NUMBER	BEARING	DISTANCE
L1	N 20°58'21" W	71.42'
L2	N 20°47'02" W	100.73'
L3	N 20°47'11" W	593.55'
L4	S 20°47'11" E	100.04'

RECORD LINE TABLE

NUMBER	BEARING	DISTANCE
[L1]	[N 20°42'50" W]	[70.66']

CURVE TABLE

NUMBER	ARC LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
C1	402.48'	4,447.00'	5°11'08"	N 64°58'50" E	402.35'
C2	402.55'	4,347.00'	5°18'21"	S 64°52'57" W	402.40'



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PARCEL PLAT
 SHOWING PARCEL 312E
 0.924 ACRE
 FM 2243
 WILLIAMSON COUNTY, TEXAS

Scale: 1"=100'	Job No.: 7473-00	Date: 05/27/2022	Page: 4 of 5
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REVISED 11/06/2023: UPDATED TITLE COMMITMENT

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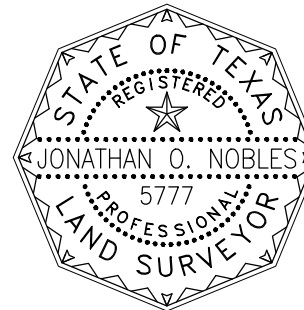
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3. THIS PARCEL PLAT WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY TITLE RESOURCES GUARANTY COMPANY AND TEXAS NATIONAL TITLE, INC. UNDER G.F. NO. T-158428, DATED EFFECTIVE OCTOBER 5, 2022 AND ISSUED ON OCTOBER 13, 2022.

RESTRICTIVE COVENANT AND EASEMENT NOTES:

1. THE RESTRICTIVE COVENANTS OF RECORD ITEMIZED IN VOLUME 2142, PAGE 942 AND VOLUME 2147, PAGE 836, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT.
- 10.1 A SEWER, WATER AND OTHER UTILITIES LINES EASEMENT GRANTED TO CITY OF LEANDER AS DESCRIBED IN VOLUME 1909, PAGE 230 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.2 AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE AND/OR SYSTEM EASEMENT GRANTED TO LCRA TRANSMISSION SERVICES CORPORATION AS DESCRIBED IN DOCUMENT NO. 2018087953 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.4 ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT OF RECORD IN DOCUMENT NO. 2010083093 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT.
- 10.5 ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT OF RECORD IN DOCUMENT NO. 2016058229 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT.

I hereby certify that this survey was made on the ground by BGE, Inc. under my supervision on May 12, 2022 and is true and correct to the best of my knowledge. The property has access to a public roadway and there are no visible encroachments, except as shown hereon.



Jonathan O. Nobles 11/06/2023
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PARCEL PLAT
SHOWING PARCEL 312E
0.924 ACRE
FM 2243
WILLIAMSON COUNTY, TEXAS

REVISED 11/06/2023: UPDATED TITLE COMMITMENT

Scale:	Job No.:	Date:	Page:
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