

AGENDA ITEM # 12July 28, 1998

Consider noting in minutes the existing 30' wide lane off County Road #442 is available for public use for ingress and egress to the land along the lane.

Moved: Commissioner Mehevec

Seconded: Commissioner Boatright

Motion: To note in minutes the existing 30' wide lane off County Road #442 is available for public use for ingress and egress to the land along the lane.

Vote: Motion carried 3 - 0 with Commissioners Heiligenstein and Hays absent from the dais.

July 28, 1998

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TO WHOM IT MAY CONCERN:

Williamson County acknowledges (1) that there is an existing lane approximately 30 feet in width which runs off County Road 442 (the gravel part) north, (2) that this existing lane is described in metes and bounds in Exhibit "A" and designated as "Old County Road" in Exhibit "B" attached hereto and incorporated herein by reference for all purposes, and (3) that this existing lane is a public right of way which belongs to Williamson County, Texas.

Mr. Harvey Smith is the adjacent property owner on the east side and Marcella Janosec on the west side of this lane. While Williamson County has not maintained this lane in over 40 years and has no plans to maintain this lane at present, Williamson County has never abandoned this right of way and this right of way is available for the use of the public to ingress and egress to the land along this lane.

Therefore, it is moved by Jerry Leroy Mehevec and seconded by Commissioner Boatright to note in the minutes.

*approved 7-28-98
John C. Daeylen*

**LAW OFFICE OF
KIRBY C. KING**

Attorney at Law
717 TaylorBanc Plaza Avenue
Rockdale, Texas 76567
(512) 446-2669
FAX (512) 446-3997

July 17, 1998

Mr. Jerry Leroy Mehevec
County Commissioner
Williamson County Precinct #4
P.O. Box 1104
Taylor, Tx 76574

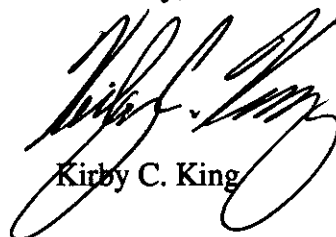
Re: Tommy Beard Problem

Dear Commissioner Mehevec:

At the request of Tommy Beard, I have prepared a letter for you to submit to the Commissioner's Court which acknowledges Williamson County's interest in the lane which Mr. Beard uses for ingress and egress to his property.

If this letter is acceptable to you, Mr. Beard would appreciate same being submitted to the Court for its approval.

Sincerely,



Kirby C. King

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KCK:ck

Job No. 276

25 January, 1998

EXHIBIT A

Field Notes for Tommy R. and Shirley M. Beard:

BEING a 0.426 acre strip of land located in the Harrison Owens Survey, Abstract No. 407, Milam County - Abstract No. 488, Williamson County and the Wiley Harrison Survey, Abstract No. 1198, Milam County - Abstract No. 286, Williamson County, Texas and being a part of an Old County Road extending to the North and East from present County Road No. 412 located in Williamson County, Texas. Surveyed on the ground in the month of January, 1998 under the supervision of R. T. Magness, Jr., Registered Professional Land Surveyor, and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the East line of County Road No. 412 with the North line of County Road No. 412 for the Southeast Corner hereof, said corner also being in the West line of that certain 80.35 acre tract of land conveyed by Deed to H. C. Smith of record in Volume 295, Page 415 of the Deed Records of Williamson County, Texas:

THENCE N 70° 32' 30" W 30.65 feet crossing the South end of said Old County Road to iron pin set in the North line of said County Road No. 412 marking the Southeast Corner of that certain 27.68 acre tract of land conveyed by Deed to Marcelia F. Janecsek of record in Document No. 9721370 of the Official Records of Williamson County, Texas for the Southwest Corner hereof:

THENCE N 18° 35' 30" E 623.58 feet with old fence line marking the East line of said 27.68 acre Janecsek tract, also being the West line of said Old County Road, to iron pin found marking the Southwest Corner of that certain 7.437 acre tract of land conveyed by Deed to Tommy R. Beard and wife, Shirley M. Beard of record in Volume 740, Page 647 of the Deed Records of Milam County, Texas for the Northwest Corner hereof:

THENCE N 69° 54' 45" E 35.58 feet with the South line of said 7.437 acre Beard tract, also now being the North line of said Old County Road, to iron pin set for the Northeast Corner hereof:

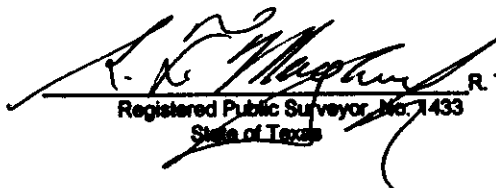
THENCE S 18° 20' W 646.28 feet crossing said Old County Road and continuing with the East line of said Old County Road, also being the said West line of 80.35 acre Smith tract to the place of BEGINNING and containing 0.426 acre of land.

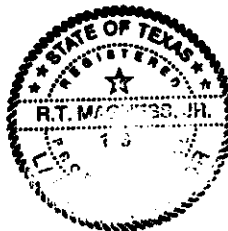
STATE OF TEXAS §
COUNTY OF WILLIAMSON § KNOW ALL MEN BY THESE PRESENTS;

I, R. T. Magness, Jr., Registered Professional Land Surveyor, do hereby certify that the Field Notes shown hereon accurately represents the property as determined by an on-the-ground survey made under my direction and supervision during the month of January, 1998, of the property legally described hereon and is correct, and there are no apparent discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in place, except as shown hereon; and said property has access to and from a dedicated roadway, except as shown hereon.

TO CERTIFY WHICH, WITNESS my hand and seal at Taylor, Williamson County, Texas, this
the 26th day of January, 1998, A. D.

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R. T. Magness, Jr.
Registered Professional Land Surveyor, No. 1433
State of Texas



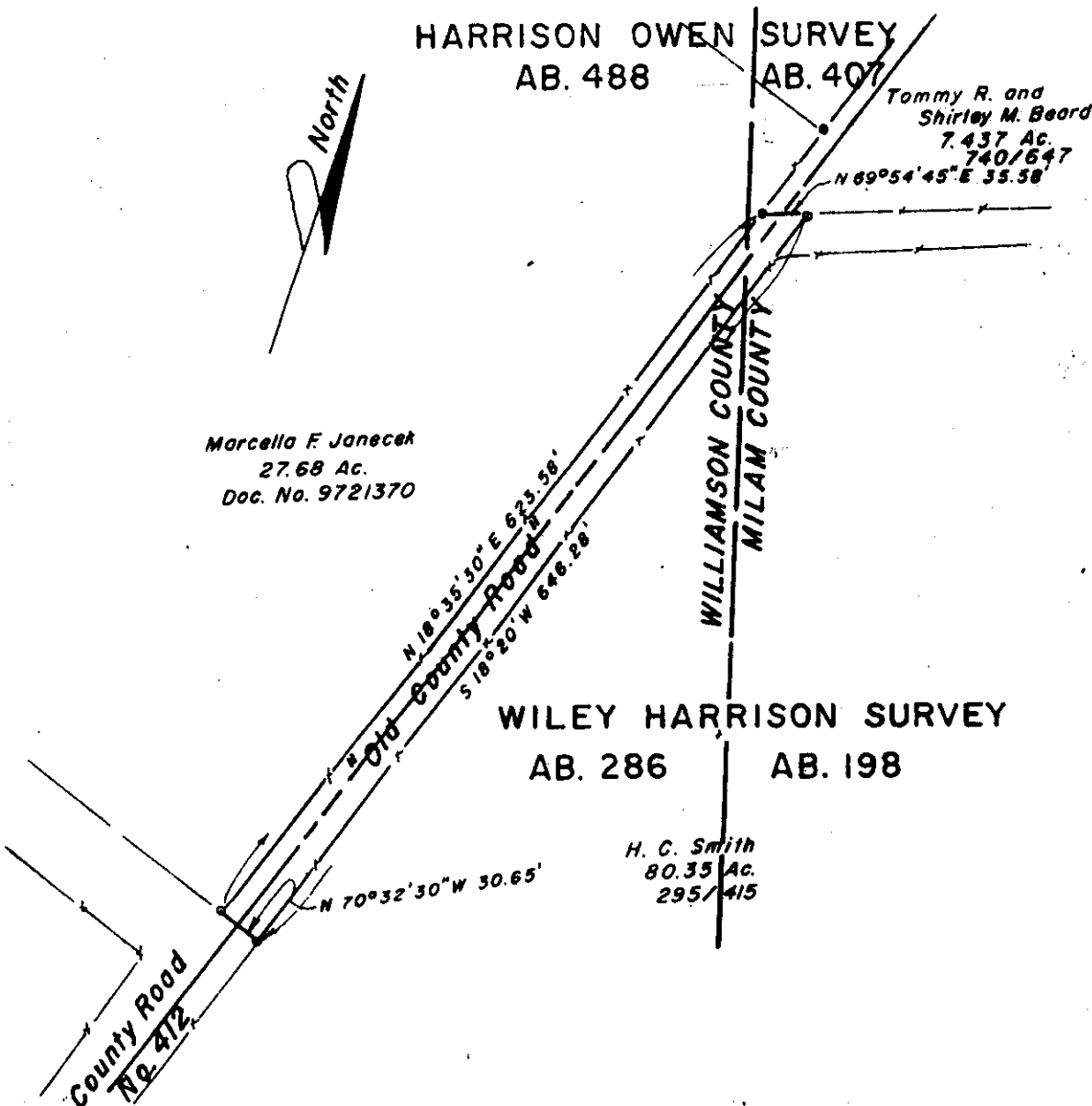
SURVEY PERFORMED FOR TOMMY R. and SHIRLEY M. BEARD JOB NO. 276

EXHIBIT B

SURVEY OF OLD COUNTY ROAD OFF OF COUNTY ROAD NO. 412 LOCATED
IN THE HARRISON OWEN SURVEY, ABSTRACT NO. 407, MILAM CO.-ABSTRACT NO. 488
WILLIAMSON CO. AND THE WILEY HARRISON SURVEY, ABSTRACT NO. 198, MILAM CO.-
ABSTRACT NO. 286, WILLIAMSON COUNTY, TEXAS.

PERIMETER DESCRIPTION: X ATTACHED
NOT REQUIRED

SCALE: 1" = 100'
 LEGEND: IRON PIN FOUND — ●
 IRON PIN SET — ○



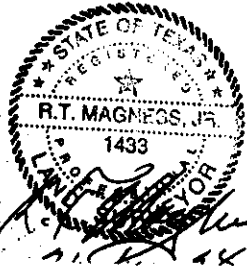
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I, R. T. MAGNESS, JR., REGISTERED
 PROFESSIONAL LAND SURVEYOR, DO HEREBY
 CERTIFY THAT THE ABOVE PLAT CORRECTLY
 REPRESENTS THE PROPERTY AS DETERMINED BY
 AN ON-THE-GROUND SURVEY PERFORMED UNDER
 MY SUPERVISION AND DIRECTION ON THE 17th
 DAY OF JANUARY, 1998; THE
 PROPERTY PLATTED HEREON IS CORRECT AND
 THERE ARE NO APPARENT DISCREPANCIES,
 CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE
 CONFLICTS, ENCROACHMENTS, OVERLAPPING OF

IMPROVEMENTS,
 VISIBLE UTILITY
 LINES OR ROADS IN
 PLACE, EXCEPT AS
 SHOWN HEREON,
 AND SAID PROPERTY
 HAS ACCESS TO AND
 FROM A DEDICATED
 ROADWAY, EXCEPT
 AS SHOWN HEREON.

FLOOD STATEMENT: I HAVE EXAMINED THE FEDERAL INSURANCE
 ADMINISTRATION'S FLOOD HAZARD MAP FOR WILLIAMSON
 COUNTY, TEXAS, COMMUNITY NO. 48491 C EFFECTIVE DATE
 OF SEPT. 27, 1991 AND THAT MAP INDICATES THAT THIS
 PROPERTY IS NOT WITHIN ZONE A (SPECIAL FLOOD HAZARD
 AREA) AS SHOWN ON PANEL 0400 C OF SAID MAP.
 WARNING: IF THIS SITE IS NOT WITHIN AN IDENTIFIED SPECIAL
 FLOOD HAZARD AREA, THIS FLOOD STATEMENT DOES NOT IMPLY
 THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE
 FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS,
 GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY
 BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD
 STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE
 SURVEYOR.

R. T. MAGNESS, JR.
 ENGINEER — SURVEYOR
 P.O. BOX 381
 TAYLOR, TEXAS
 76574



AGENDA ITEM # 13**July 28, 1998****Consider granting release of drainage easement in Lakeline Plaza.****Moved: Commissioner Boatright****Seconded: Judge Doerfler****Motion: To grant release of drainage easement in Lakeline Plaza.****Vote: Motion carried 4 - 0 with Commissioner Hays absent from the dais.**

*** Drainage easement recorded August 20, 1998 Document #9848111
in the Real Property Records of the office of the Williamson County Clerk.

TOTAL RELEASE OF DRAINAGE EASEMENT**THE STATE OF TEXAS §****COUNTY OF WILLIAMSON §**

WHEREAS, a certain drainage easement was provided according to deed recorded in Volume 1577, Page 567, of the deed Records of Williamson County, Texas, said easement affecting Lakeline Plaza, a subdivision in Williamson County, Texas, of record in Cabinet O, Slides 254-256 of the plat records of Williamson County, Texas; and

WHEREAS, the owner of the above-described property, **LAKELINE PLAZA DEVELOPERS** whose address is 115 W. Washington, Indianapolis, IN, 46204, has requested the County of Williamson to release the hereinafter described easement; and

WHEREAS, the County has determined that the hereinafter described easement is not now needed and will not be required in the future, since said easement is surplus and of no value to the County,

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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That the County of Williamson, a governmental entity situated in Williamson County, Texas, acting by and through its Judge or his designee, hereunto duly authorized, has released and by these presents does hereby release the above-described easement, to wit:

All that certain tract, piece or parcel of land, lying and being situated in the County of Williamson, State of Texas, described in deed as recorded in Volume 1577, Pages 567 of the deed records of Williamson County, Texas, attached hereto and made a part hereof for all purposes, to which reference is hereby made for a more particular description of said property.