

AGENDA ITEM #51

1270

Consider a resolution of the Commissioners Court of Williamson County, Texas, determining a public need and necessity for the acquisition of fee simple title to approximately 0.100 acres from Wilda Beth Hinds and Tammy E. Hogan along the north side of Anderson Mill Road for right-of-way and associated public purposes; authorizing an attorney designated by the county to file proceedings in eminent domain to acquire the needed property.

Moved: Commissioner Heiligenstein

Seconded: Commissioner Limmer

Motion: To approve a resolution of the Commissioners Court of Williamson County, Texas, determining a public need and necessity for the acquisition of fee simple title to approximately 0.100 acres from Wilda Beth Hinds and Tammy E. Hogan along the north side of Anderson Mill Road for right-of-way and associated public purposes; authorizing an attorney designated by the county to file proceedings in eminent domain to acquire the needed property.

Vote: Motion carried 5 -0

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

That on this, the 21st day of March, A.D. 2000, the Commissioners Court of Williamson County, Texas, met in duly called Regular Meeting at the Courthouse in Georgetown, Texas, with the following members present:

John C. Doerfler, County Judge,
 Mike Heiligenstein, Commissioner Precinct One,
 Greg Boatright, Commissioner Precinct Two,
 David Hays, Commissioner Precinct Three, and
 Frankie Limmer, Commissioner Precinct Four;

and at said meeting, among other business, the Court considered the following:

RESOLUTION

A RESOLUTION OF THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS, DETERMINING A PUBLIC NEED AND NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO APPROXIMATELY 0.100 ACRES FOR RIGHT-OF-WAY AND ASSOCIATED PUBLIC PURPOSES; AUTHORIZING AN ATTORNEY FOR THE COUNTY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THE NEEDED PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Commissioners Court of Williamson County, Texas, upon consideration of the matter, has determined that there is a public necessity for the welfare of the County of Williamson and the public-at-large, to acquire certain real property for right-of-way and associated public purposes; and

WHEREAS, in accordance with the above, the Commissioners Court of Williamson County, Texas, hereby finds that it is in the public interest

to acquire fee simple title to certain real property for the above stated public purposes; and

WHEREAS, the real property to be acquired for such purposes is an approximate 0.100 acres of land located along the north line of Anderson Mill Road, and is more particularly described in Exhibit "A", attached hereto and incorporated herein by reference (the "Property");

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF WILLIAMSON COUNTY, TEXAS:

Section 1. The Commissioners Court hereby finds and determines that it is necessary for the welfare of Williamson County and its citizens and is in the public interest to acquire fee simple title to the Property for right-of-way and associated public purposes.

Section 2. The attorney for the County in this matter, or its designated attorney, is hereby authorized on behalf of the County to attempt to agree on damages and compensation to be paid to owners of the Property. If an agreement as to damages and compensation cannot be reached, then the attorney for the County is hereby authorized to file or cause to be filed, against the owners and interested parties of the Property, proceedings in eminent domain to acquire fee simple title to the Property.

Section 3. It is the intent of the Commissioners Court that this resolution authorizes the condemnation of all property required to construct, expand, and maintain a right-of-way for Anderson Mill Road. 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 attorney for the County is authorized to have such errors corrected or revisions made without the necessity of obtaining a new resolution of the Commissioners Court of Williamson County, Texas, authorizing the condemnation of the corrected or revised Property.

Section 4. The findings of fact, recitations of provisions set in the preamble of this Resolution are adopted and made a part of the body of this resolution, as fully as if the same were set forth herein.

Section 5. This Resolution shall become effective immediately from and after its approval.

The foregoing Resolution was duly moved by Commissioner Heiligenstein and seconded by Commissioner Linner, and was then adopted by a vote of 5 voting for and 0 voting against. County Judge John C. Doerfler was duly authorized to sign said Resolution as the act and deed of Commissioner's Court of Williamson County and of said County.

John C. Doerfler
JOHN C. DOERFLER, County Judge

ATTEST:

Nancy E. Rister
NANCY RISTER, County Clerk

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RECORDERS MEMORANDUM
All or parts of the text on this page was not
clearly legible for satisfactory recordation.

EXHIBIT "A"

Hinds

FIELD NOTE DESCRIPTION FOR PARCEL 28

DESCRIPTION OF A 0.0406 HECTARE (0.100 ACRE) TRACT OF LAND LOCATED IN THE ELISHA ALLEN SURVEY ABSTRACT NO. 18 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 'D', FOREST NORTH ESTATES PHASE ONE, A SUBDIVISION RECORDED IN CABINET B SLIDES 240-241 OF THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID LOT BEING CONVEYED TO WILDA BETH HINDS AND TAMMY E. HOGAN IN VOLUME 2173, PAGE 84 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.0406 HECTARE (0.100 ACRE) TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found marking the northerly common corner of said Lot 'D' and Lot 'C' of said Forest North Estates, Phase One;

THENCE with the common line of said Lot 'C' and said Lot 'D', S 21° 38' 38" E, a distance of 55.770 meters (182.97 feet) to a 1/2-inch iron rod with a Texas Department of Transportation (TxDOT) aluminum cap set for the POINT OF BEGINNING at the intersection of said common line with the proposed northerly right-of-way line of Anderson Mill Road, and being 15.241 meters (50.00 feet) left of Survey Baseline 'G' Station 2+501.916;

- 1) THENCE with said proposed right-of-way line, N 69° 59' 13" E, a distance of 43.773 meters (143.61 feet) to a 1/2-inch iron rod with TxDOT aluminum cap set at the intersection of said proposed right-of-way line with the southerly portion of the common line of said Lot 'D' and the existing right-of-way of Broadmeade Avenue, and being 15.240 meters (50.00 feet) left of Survey Baseline 'G' Station 2+545.247, from which a 1/2-inch iron rod found at an angle point in said common line bears, N 6° 21' 28" E, a distance of 10.402 meters (34.13 feet);
- 2) THENCE with said common line, S 6° 21' 28" W, a distance of 9.417 meters (30.90 feet) to a 1/2-inch iron rod found at an angle point in said Lot 'D' and being the intersection of the westerly right-of-way of said Broadmeade Avenue and the existing northerly right-of-way of Anderson Mill Road;

THENCE with the southerly line of said Lot 'D' and said existing northerly right-of-way line for the following two (2) calls numbered 3 and 4:

- 3) S 66° 39' 17" W, a distance of 22.586 meters (74.10 feet) to an 80d nail found marking an angle point in said lines, and
- 4) S 62° 34' 23" W, a distance of 16.843 meters (55.26 feet) to a 1/2-inch iron rod found marking the intersection of said existing northerly right-of-way line with the aforesaid common line of said Lot 'D' and said Lot 'C';
- 5) THENCE with said common line, N 21° 38' 38" W, a distance of 11.928 meters (39.13 feet) to the POINT OF BEGINNING and containing 0.0406 hectare (0.100 acre) of land, more or less.

AGENDA ITEM #52

1293

Consider a resolution of the Commissioners Court of Williamson County, Texas, determining a public need and necessity for the acquisition o fee simple title to approximately 0.017 acres from Diamond Shamrock Stations, Inc. along the south side of Anderson Mill Road for right-of-way and associated public purposes; authorizing an attorney designated by the county to file proceedings in eminent domain to acquire the needed property.

Moved: Commissioner Heiligenstein

Seconded: Commissioner Boatright

Motion: To approve a resolution of the Commissioners Court of Williamson County, Texas, determining a public need and necessity for the acquisition o fee simple title to approximately 0.017 acres from Diamond shamrock Stations, Inc. along the south side of Anderson Mill Road for right-of-way and associated public purposes; authorizing an attorney designated by the county to file proceedings in eminent domain to acquire the needed property.

Vote: Motion carried 5 - 0

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