

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

< Clerk copy here >

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 0.017 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

C:\TEXT\WILLCTY\Anderson\COMMISSIONER\diamond resolution.upd/clb

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 0.017 acres of land located along the south 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 Boatright, 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 3-2-66
JOHN C. DOERFLER, County Judge

ATTEST:

Nancy E. Rister
NANCY RISTER, County Clerk

CS. condemn4

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

EXHIBIT A

County: Williamson
Parcel No.: 27
Highway: Anderson Mill Road
Limits: From: U.S. Highway 183
To: Parmer Lane [F. M. 734]
CSJ: 0914-05-072

FIELD NOTE DESCRIPTION FOR PARCEL 27

DESCRIPTION OF A 0.0070 HECTARE (0.017 ACRE) TRACT OF LAND LOCATED IN THE HENRY RHODES SURVEY ABSTRACT NO. 522 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT ONE, THE CARLSON ADDITION, A SUBDIVISION RECORDED IN CABINET 'D' SLIDE 215 IN THE PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID LOT BEING CONVEYED TO DIAMOND SHAMROCK STATIONS, INC. IN VOLUME 2025, PAGE 189 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.0070 HECTARE (0.017 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 ½-inch iron rod found for the southwest corner of said Lot 1, Carlson Addition, being an interior corner of that called Lot 1, Block 'A', Deer Park/Live Oak/Dominique Section Two, a subdivision recorded in Cabinet 'J', Slides 398-400 in the Plat Records of Williamson County, Texas;

THENCE with the west line of said Lot 1, Carlson Addition and the east line of Lot 1, Block 'A', Deer Park/Live Oak/Dominique, N 48° 49' 26" W, at a distance of 48.172 meters (158.04 feet) passing an 'X' chiseled in concrete for the northeast corner Lot 1, Block 'A', Deer Park/Live Oak/Dominique, being an interior angle point in the existing southerly right-of-way line of Anderson Mill Road, being 22.974 meters (75.37 feet) right of Survey Baseline 'G' station 2+509.305 and continuing for a total distance of 56.199 meters (184.38 feet) to a ½-inch iron found for the northwest corner of said Lot 1, Carlson Addition for the **POINT OF BEGINNING** and the northwest corner of the tract described herein, being 15.916 meters (52.22 feet) right of Survey Baseline 'G' station 2+505.436;

- 1) **THENCE** N 62° 28' 35" E, a distance of 14.910 meters (48.92 feet) to a nail found for an angle point in the north line of said Lot 1, Carlson Addition and the existing southerly line of Anderson Mill Road,
- 2) **THENCE** N 66° 07' 11" E, a distance of 23.673 meters (77.67 feet) to a ½-inch iron rod found for the northeast corner of said Lot 1, Carlson Addition and the tract described herein, being an angle point in the existing southerly right-of-way line of Anderson Mill Road,
- 3) **THENCE** S 46° 47' 50" E, a distance of 3.271 meters (10.73 feet) with the east line of said Lot 1, Carlson Addition and the existing west line of Turtle Rock Road (right-of-way varies), for the southeast corner of the tract described herein, also being 15.240 meters (50.00 feet) right of Survey Baseline 'G' station 2+545.703, from which point a ½-inch iron rod found for the southeast corner of said Lot 1, Carlson Addition bears S 46° 47' 50" E, a distance of 37.499 meters (123.03 feet);
- 4) **THENCE** crossing said Lot 1, Carlson Addition, along the proposed south right-of-way line of Anderson Mill Road, S 69° 05' 16" W, a distance of 39.880 meters (130.84 feet) to the **POINT OF**

BEGINNING and containing 0.0070 hectare (0.017 acre) of land, more or less.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83.

Note: English units, shown in parenthesis herein, are provided for information only.

THE STATE OF TEXAS


COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

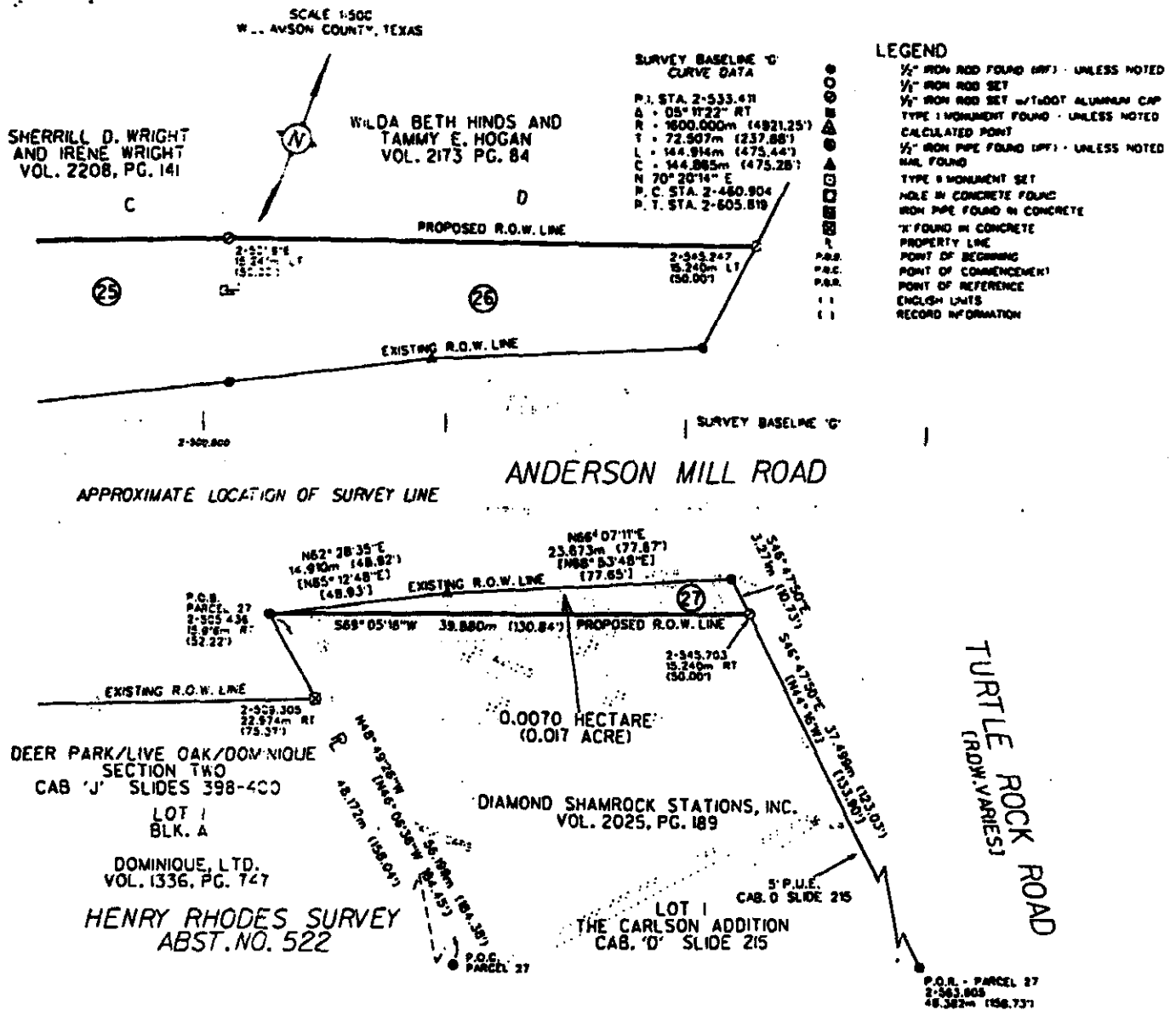
That I, Michael R. Hatcher, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 24th day of November, 1997 A.D.

SURVEYING AND MAPPING, Inc.
4029 Capital Of Texas Hwy., So. Suite 125
Austin, Texas 78704


Michael R. Hatcher
Registered Professional Land Surveyor
No. 4259 - State of Texas



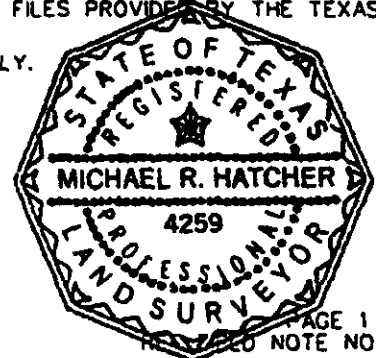


NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
2. ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83.
3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON AERIAL SURVEY DIGITAL FILES PROVIDED BY THE TEXAS DEPARTMENT OF TRANSPORTATION.
4. ENGLISH UNITS SHOWN IN BRACKETS ARE PROVIDED FOR INFORMATION ONLY.

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.

Michael R. Hatcher 11/24/97
MICHAEL R. HATCHER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4259, STATE OF TEXAS



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REVIEWED NOTE NO. 0608

SAM INC
SURVEYING AND MAPPING INC

4029 Capital of Texas Highway, So.
Brooks Oaks Professional Plaza, Suite 125
Austin, Texas 78704
(512) 447-0575
Fax: (512) 328-3029

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
DIAMOND SHAMROCK STATIONS, INC
CSJ NO. 0914-05-072

LAT & DEP		0.00034	-0.00024	
5	HCLOSE N 34 47 23 W 0.000	5000.00000	5000.00000	1
PREC = 1 TO 197359 Area = 69.90 sq m				
CALC 0.0070 HECTARE 0.017 ACRE				

R.O.W. MAP-PARCEL 27

LAT & DEP		0.00034	-0.00024	
5	HCLOSE N 34 47 23 W	0.000	5000.00000	5000.00000 1
PREC = 1 TO 197359		Area = 69.90 sq m		
CALC 0.0070 HECTARE		0.017 ACRE		

CHAS 0.00
SKETCH-PARCEL 27

	LAT & DEP	0.00034	-0.00024	
5	HCLOSE N 34 47 23 W 0.000	5000.00000'	5000.00000	1
	PREC = 1 TO 197359 Area = 69.90 sq m			
	CALC 0.0070 HECTARE 0.017 ACRE			

AGENDA ITEM #53

1311

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 0.213 acres from Merner Land Company. 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 of fee simple title to approximately 0.213 acres from Merner Land Company. 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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