

Discuss and take any appropriate action concerning fencing of boundary between 558.26-acre county park tract and 331.979 acre Nelson tract.

Moved: **Commissioner Limmer**

Seconded: **Judge Doerfler**

Motion: To approve paying the cost for dozing and fencing not to exceed ½ of \$2.25 per linear foot.

Vote: 5 - 0

<Clerk Copy Here>

TOM E. NELSON, JR.
3404 GLENVIEW AVENUE
AUSTIN, TEXAS 78703

COPY

(512) 467-9686
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April 7, 2000

Honorable David S. Hays
Williamson County Commissioner
Precinct 3
1900 Georgetown Inner Loop, Suite C
Georgetown, Texas 78626-6339

RE: Fencing of Boundary Between 558.26 Acre Williamson County Park Tract
331.979 Acre Nelson Tract

Dear David,

I am enclosing the following items relating to the boundary between the Williamson County park tract and my 331.979 acres adjoining to the south:

- 1) Survey plat and field notes of my 331.979 acres from a survey by William H. Ramsey on January 15, 1999.
- 2) Field notes marked "Exhibit A" which are a result of the survey of the 558.26 acres by Castleberry Surveying Company and are the metes and bounds description used in the deed from the Mayfield Estates to Williamson County.
- 3) An aerial photograph showing the approximate location of the boundary between these two properties.

Yesterday, you and I located this boundary on the property which is visible in the cut through the brush made by the surveyors. As you can see on the plat and accompanying field notes, the boundary between these properties is a single straight call – 6,209.28 feet - from CR 175 (Sam Bass Road) to the western edge of the properties. We discussed the immediate need for a fence between these properties so that the continued grazing of my tract by the Davidson Brothers will not interfere with the County's development of the park site. I met with A. D. Wallace, the fencing contractor that built the fence for the Milburn Company on the Stone Oak tract to the west, who said he could begin building a fence to separate these properties within thirty (30) days and estimated the project would take approximately three weeks due to the very rocky terrain.

I need guidance from the County as to whether the fence should be located on the surveyed boundary between these properties or slightly inside my property. As we discussed, I intend to have a large bulldozer clear a 15 foot lane on my side of the boundary for access. If clearing the area for construction of the fence by bulldozer is acceptable to the County, I would recommend that Rocky Castleberry, who did the

Honorable David S. Hays
April 7, 2000
Page 2


survey for the county tract, mark the boundary on the ground prior to construction of a fence.

I am sending a copy of this letter and its enclosures to Judge John Doerfler and Buster Davidson who has been grazing livestock on the property. The Davidsons would like to continue grazing the property until a fence can be completed, but understand that this is dependent on the county's scheduling for the park project. Since this fence would serve as a boundary between the two properties, I would think that a sharing of the cost of clearing for and construction of the fence would be in order.

Thank you for meeting with me at the property yesterday to go over these issues. I will appreciate your visiting with John and your fellow commissioners so that I may have some guidance from the Court as to how to proceed with this project.

With best regards, I am,

Sincerely,


Tom E. Nelson, Jr.

Enclosures

CC: Honorable John Doerfler, County Judge
Williamson County Courthouse
Georgetown, Texas 78626

Mr. Buster Davidson
981 County Road 106
Georgetown, Texas 78626

AGENDA 35

Discuss potential litigation: (EXECUTIVE SESSION REQUESTED as per VTCA Govt Code sec. 551.071 consultation with attorney)

Judge Doerfler requested this item be tabled.

AGENDA 36

Comments from commissioners.

The commissioners made no comments.