

AGENDA ITEM 17

Consider approving agreement with Pena Swayze for project accounting services for 2000 CO program.

No action was taken on this item, which was postponed until the April 17, 2001 meeting.

AGENDA ITEM 18

Consider approving a resolution determining a public need and necessity for the acquisition of fee simple title to a tract of land consisting of approximately 0.043 and 0.182 acres located on Co. Rd. 272 for public right of way and associated public purposes; authorizing the county attorney or his designee to file proceedings in eminent domain to acquire the needed property; and providing an effective date.

Moved: Commissioner Boatright

Seconded: Commissioner Hays

Motion: To approve a resolution determining a public need and necessity for the acquisition of fee simple title to a tract of land consisting of approximately 0.043 and 0.182 acres located on Co. Rd. 272 for public right of way and associated public purposes; authorizing the county attorney or his designee to file proceedings in eminent domain to acquire the needed property; and providing an effective date.

Vote: 5 - 0

< Attachment >

RESOLUTION

A RESOLUTION DETERMINING A PUBLIC NEED AND NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO A TRACT OF LAND CONSISTING OF APPROXIMATELY 0.143 AND 0.182 ACRES FOR PUBLIC RIGHT OF WAY AND ASSOCIATED PUBLIC PURPOSES; AUTHORIZING THE COUNTY ATTORNEY OR HIS DESIGNEE TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THE NEEDED PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, in accordance with the above, the Commissioners Court 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 are two tracts of land being approximately 0.225 acres of land, one tract being approximately 0.043 acres of land in Williamson County, Texas, being more particularly described in Exhibit "A" attached hereto and incorporated herein; and the other tract being approximately 0.182 acres of land in Williamson County, Texas being more particularly described in Exhibit "B" attached hereto and incorporated herein (collectively referred to as 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 to acquire fee simple title to the Property for public right of way and associated public purposes.

Section 2. The Attorney for the County 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 it is determined that 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, whether known or unknown, 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 required property. 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 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.

John C. Doerfler 4-10-01
JOHN DOERFLER, County Judge

ATTEST:

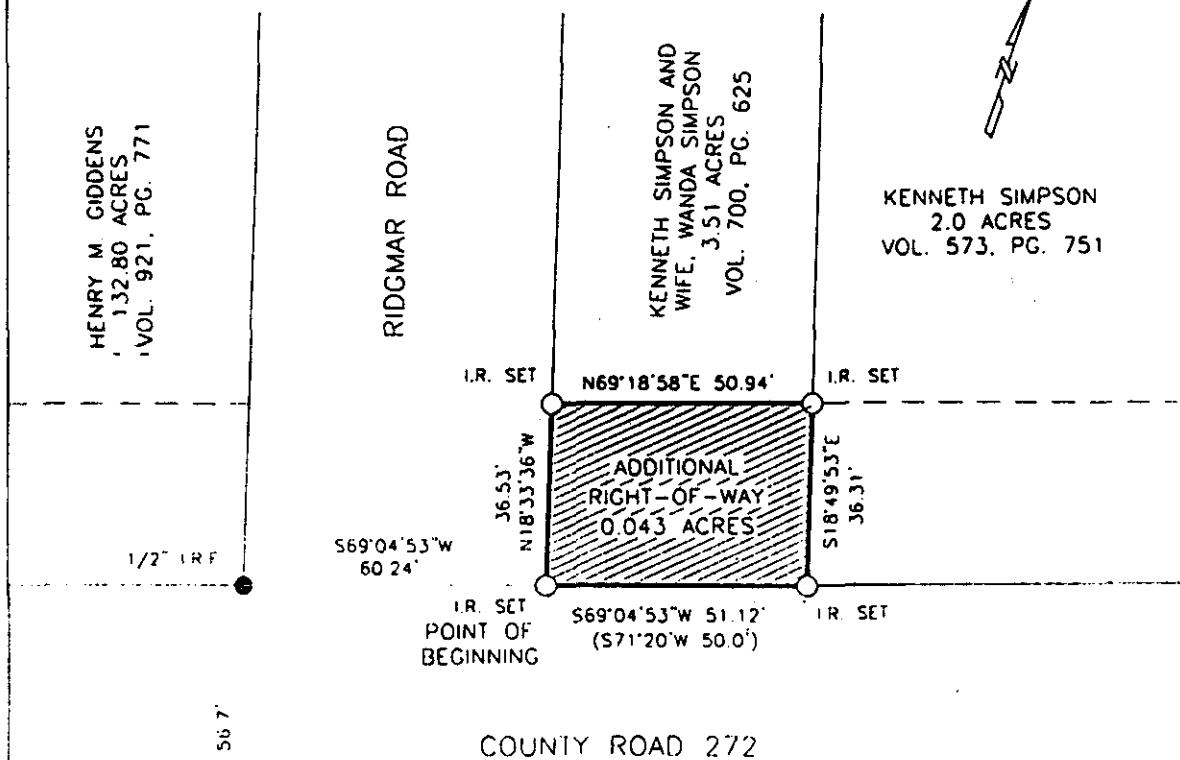
Nancy E. Rister
Nancy Rister, County Clerk



DESCRIPTION TO ACCOMPANY FIELD NOTES FOR PARCEL NO. 5

BEING A 0.043 ACRE TRACT OF LAND OUT OF THE E. D. HARMON SURVEY,
ABSTRACT NO. 6 IN WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THE
3.51 ACRE TRACT CONVEYED TO KENNETH SIMPSON AND WIFE, WANDA SIMPSON
AS DESCRIBED IN VOLUME 700, PAGE 625 OF THE DEED RECORDS
OF WILLIAMSON COUNTY, TEXAS.

SCALE: 1" = 30'



Bearing Basis: NAD-83 Texas Central Zone 4203 State Plane Coordinates.

This survey has been prepared without the benefit of title report.

Easements which may affect this tract are not shown or addressed
as a part of this survey.

The undersigned does hereby certify that the plat shown represents the results
of a survey on the ground under my supervision.

Shane Shafer
Shane Shafer, R.P.L.S. # 5281

12-13-99
Date



DIAMOND SURVEYING

103 OAKLAND DRIVE, GEORGETOWN, TX 78628
(512) 931-3100



"EXHIBIT A"
RIGHT-OF-WAY
COUNTY ROAD 272
PARCEL NO. 5

FIELD NOTES FOR A 0.043 ACRE TRACT OUT OF THE E. D. HARMON SURVEY ABSTRACT NO. 6 IN WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF A 3.51 ACRE TRACT CONVEYED TO KENNETH SIMPSON AND WIFE, WANDA SIMPSON AS DESCRIBED IN VOLUME 700 PAGE 625 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" rod set on the north right-of-way line of County Road 272, same being the easterly right-of-way line of Ridgmar Road, also being the southwest corner of said Simpson tract, same being the southwest corner and POINT OF BEGINNING hereof;

THENCE N 18° 33' 36" W with the common line of said Simpson tract, and said Ridgmar Road right-of-way line, 36.53 feet to a 1/2" iron rod set for the northwest corner hereof;

THENCE N 69° 18' 58" E through the interior of said Simpson tract 50.94 feet to a 1/2" iron rod set in the west line of a 2.0 acre tract conveyed to Kenneth Simpson as described in Volume 573, Page 751 of the Official Records of said County, same being the northeast corner hereof;

THENCE S 18° 49' 53" E with the common line of said 3.51 acre Simpson tract and said 2.0 acre Simpson tract, 36.31 feet to a 1/2" iron rod set in the north right-of-way line of County Road 272 for the southeast corner hereof;

THENCE S 69° 04' 53" W with the north right-of-way line of County Road 272, same being the south line of said 3.51 acre Simpson tract 51.12 feet to the POINT OF BEGINNING and containing 0.043 acres more or less.


Shane Shafer, R.P.L.S. #5281

12-13-99
Date

◇ DIAMOND SURVEYING

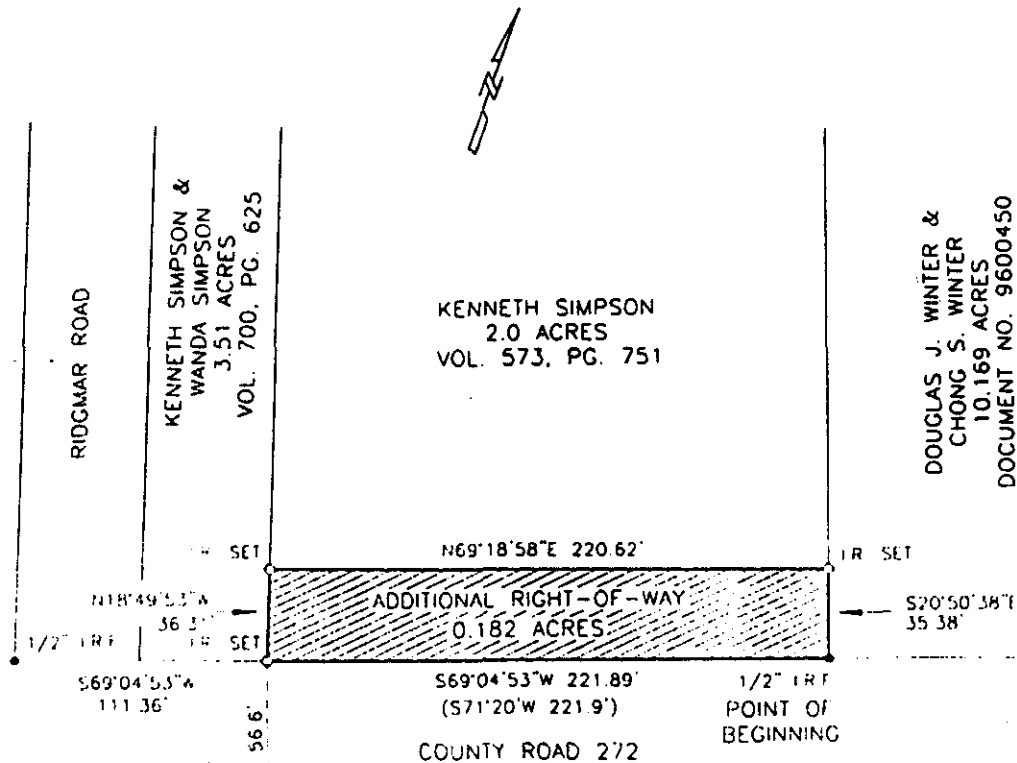
103 OAKLAND DRIVE, GEORGETOWN, TEXAS 78628 (512) 931-3100



DESCRIPTION TO ACCOMPANY FIELD NOTES FOR PARCEL NO. 6

BEING A 0.182 ACRE TRACT OF LAND OUT OF THE E.D. HARMON SURVEY,
ABSTRACT NO. 6 IN WILLIAMSON COUNTY, TEXAS AND BEING A PORTION
OF THE 2.0 ACRE TRACT CONVEYED TO KENNETH SIMPSON
AS DESCRIBED IN VOLUME 573, PAGE 751 OF THE OFFICIAL RECORDS
OF WILLIAMSON COUNTY, TEXAS.

SCALE: 1" = 60'



Bearing Basis: NAD-83 Texas Central Zone 4203 State Plane Coordinates.

This survey has been prepared without the benefit of title report.

Easements which may affect this tract are not shown or addressed
as a part of this survey.

The undersigned does hereby certify that the plat shown represents the results
of a survey on the ground under my supervision.

Shane Shafer

Shane Shafer, R.P.L.S. # 5281

12-13-99

Date



DIAMOND SURVEYING

183 OAKLAND DRIVE, GEORGETOWN, TX 78628
(512) 931-3100



"EXHIBIT A"
RIGHT-OF-WAY
COUNTY ROAD 272
PARCEL NO. 6

FIELD NOTES FOR A 0.182 ACRE TRACT OUT OF THE E. D. HARMON SURVEY ABSTRACT NO. 6 IN WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF A 2.0 ACRE TRACT CONVEYED TO KENNETH SIMPSON AS DESCRIBED IN VOLUME 573 PAGE 751 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a 1/2" rod found on the north right-of-way line of County Road 272, same being the southeast corner of said Simpson tract, also being the southwest corner of a 10.169 acre tract of land conveyed to Douglas J. Winter and Chong S. Winter as described in Document No. 9600450 of said Official Records, same being the southeast corner and POINT OF BEGINNING hereof;

THENCE S 69° 04' 53" W with the northerly right-of-way line of County Road 272, 221.89 feet to a 1/2" iron rod set on a point being the southeasterly corner of a 3.51 acre tract of land conveyed to Kenneth Simpson and Wanda Simpson as described in Volume 700, Page 625 of said Official Records, for the southwest corner hereof;

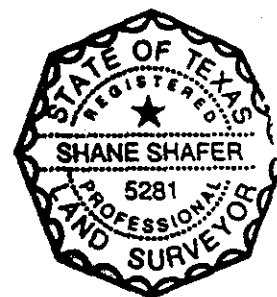
THENCE N 18° 49' 53" W with common line of said 2.0 acre Simpson tract and said 3.51 acre Simpson tract, 36.31 feet to a 1/2" iron rod set for the northwest corner hereof;

THENCE N 69° 18' 58" E through the interior of said 2.0 acre Simpson Tract, 220.62 feet to a 1/2" iron rod set in the common line of said 2.0 acre Simpson tract and said Winter tract for the northeast corner hereof;

THENCE S 20° 50' 38" E with the common line of said 2.0 acre Simpson tract and said Winter tract, 35.38 feet to the POINT OF BEGINNING and containing 0.182 acres more or less.

Shane Shafer 12-13-99
Shane Shafer, R.P.L.S. #5281 Date

◇ DIAMOND SURVEYING
103 OAKLAND DRIVE, GEORGETOWN, TEXAS 78628 (512) 931-3100



AGENDA ITEM 19

Discuss and take any appropriate action on jail/courthouse annex expansion.

No action was taken on this item.

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 12:12 P.M. ON TUESDAY, APRIL 10, 2001, TO DISCUSS AGENDA ITEM 20.

AGENDA ITEM 20

Discuss and take any appropriate action on road bond program issues.

Mike Weaver of Prime Strategies discussed road bond issues and scheduled a work session on road bonds for April 17, 2001, at 1:30 p.m. in the Commissioners' Courtroom.

Dan Wegmiller of First Southwest Company discussed road bond issues and recommended several teams to underwrite and market bonds.

Moved: **Judge Doerfler**

Seconded: **Commissioner Limmer**

Motion: To adopt the recommendations of First Southwest Company on the teams for bond issuance.

Vote: **5 - 0**

Moved: **Commissioner Heiligenstein**

Seconded: **Commissioner Hays**

Motion: To authorize expenditure of \$240,000.00 out of the 1996 Certificates of Obligation for SH 45 utility relocation.

Vote: **5 - 0**

< Attachment >