

**AGENDA ITEM 28**

Discuss and take appropriate action on creating slot for Sheriff's Department - data entry- due to racial profiling mandate.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Heiligenstein**

Motion: To authorize the creation of a full-time data entry slot for the Sheriff's Department due to the racial profiling mandate.

Vote: **5 - 0**

**COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 12:20 P.M. ON TUESDAY, APRIL 9, 2002.**

**AGENDA ITEM 29**

Discuss real estate (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

**COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 12:52 P.M. ON TUESDAY, APRIL 9, 2002.**

**AGENDA ITEM 30**

Consider accepting, rejecting, or countering a settlement offer from land owner, and take any appropriate action, including, but not limited to approving a resolution authorizing filing of condemnation proceedings regarding CR 272 (Parmer Lane extension, parcel 13.)

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To approve a resolution authorizing the filing of condemnation proceedings regarding CR 272 (Parmer Lane extension, parcel 13).

Vote: **5 - 0**

< Attachment >

**IN THE COMMISSIONERS' COURT  
OF WILLIAMSON COUNTY, TEXAS**

**RESOLUTION**

WHEREAS, the Commissioners' Court of Williamson County, Texas, has found and determined that in order to promote the public safety, to facilitate the safety and movement of traffic, and to preserve the financial investment of the public in its roadways, public necessity requires acquisition of fee simple title to Parcel 113 (described by metes and bounds in Exhibit "A") for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of County Road 272 (aka Parmer Lane extension), excluding all the oil, gas, and sulphur which can be removed from beneath said real property, without any right whatever remaining to the owner of such oil, gas, and sulphur of ingress to or egress from the surface of said real property for the purpose of exploring, developing, or mining of the same, as a part of the improvements to County Road 272 (aka Parmer Lane extension), at such locations as are necessary and that such constructing, reconstructing, maintaining, widening, straightening, lengthening, and operating shall extend across and upon, and will cross, run through, and be upon the hereinafter described real properties; and

WHEREAS, the Commissioners' Court of Williamson County, Texas, has found and determined that in order to promote the public safety, to facilitate the safety and movement of traffic, and to preserve the financial investment of the public in its roadways, public necessity requires the acquisition of a slope easement in, upon and across Parcel 113SE (described by metes and bounds in Exhibit "B") for the purpose of placing or removing earthen or other stabilizing materials, revegetation and the grading and aligning of said materials as a part of the right-of-way improvements for County Road 272 (aka Parmer Lane extension); and

WHEREAS, the Commissioners' Court of Williamson County, Texas, has, through agents

1.

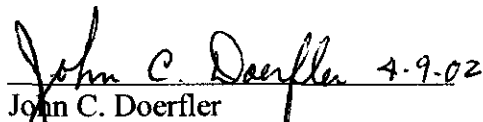
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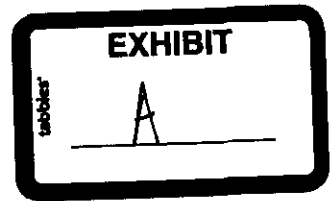
employed by the said office, entered into good faith negotiations with the owners of the hereinafter described properties and has failed to agree with the owners on the compensation and damages, if any, due to said owners. Now, therefore,

BE IT RESOLVED BY THE COMMISSIONERS' COURT OF THE COUNTY OF WILLIAMSON, that the County Attorney or his designated agent be and he is hereby authorized and directed to file or cause to be filed against the owners of any interest in, and the holders of any lien secured by, the following described tracts of land, described in Exhibits A and B attached hereto, a suit in eminent domain to acquire the property interests for the aforesaid purposes; and

BE IT FURTHER RESOLVED that the County Attorney or his designated agent be and he is hereby authorized and directed to incur such expenses and to employ such experts as he shall deem necessary to assist him in the prosecution of such suit in eminent domain, including, but not limited to, appraisers, engineers, and land use planners.

Adopted this 9th day of April, 2002.

  
John C. Doerfler  
Williamson County Judge



## METES AND BOUNDS DESCRIPTION

BEING A 0.813-ACRE TRACT OF LAND SITUATED IN THE JOHN D. ANDERSON SURVEY ABSTRACT NO. 16, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 5.99-ACRE TRACT OF LAND CONVEYED TO PHILLIP BELL BY INSTRUMENT RECORDED IN VOLUME 1114, PAGE 871 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.813-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found on a point in the easterly right-of-way line of County Road 272 (right-of-way width varies), said point being the northwest corner of a 4.998-acre tract of land conveyed to Emelie McDaniel and Stephen Lincoln by instrument recorded in Document No. 199980485 of said Official Records, same being the southwest corner of said 5.99-acre tract of land for the southwest corner and POINT OF BEGINNING hereof;

THENCE with the easterly right-of-way line of said County Road 272, same being the westerly boundary line of said 5.99-acre tract of land, N19°40'15"W for a distance of 341.65 feet to a 1/2" iron rod found on a point being the southwest corner of a 2.991-acre tract of land conveyed to J. Brent Rauhut by instrument recorded in Volume 1946, Page 809 of said Official Records, same being the northwest corner of said 5.99-acre tract of land for the northwest corner hereof;

THENCE departing the easterly right-of-way line of said County Road 272 with the southerly boundary line of said 2.991-acre tract of land, same being the northerly boundary line of said 5.99-acre tract of land, N69°10'12"E for a distance of 119.69 to a capped iron rod set for the northeast corner hereof, from which a 1/2" iron rod found on a point being the northeast corner of said 2.991-acre tract of land bears N69°10'12"E a distance of 318.47 feet;

THENCE departing the southerly boundary line of said 2.991-acre tract of land, through the interior of said 5.99-acre tract of land, S19°28'49"E for a distance of 30.01 feet to a capped iron rod set for an angle point in the easterly boundary line hereof;

THENCE continuing through the interior of said 5.99-acre tract of land, S69°10'12"W for a distance of 17.00 feet to a capped iron rod set for an angle point in the easterly boundary line hereof;



THENCE continuing through the interior of said 5.99-acre tract of land, S19°28'49"E for a distance of 312.41 feet to a capped iron rod set on a point in the northerly boundary line of said 4.998-acre tract of land, same being the southerly boundary line of said 5.99-acre tract of land for the southeast corner hereof,

from which a 1/2" iron pipe found on a point being the southeast corner of said 5.99-acre tract of land bears N69°35'31"E a distance of 662.26 feet;

THENCE with the northerly boundary line of said 4.998-acre tract of land, same being the southerly boundary line of said 5.99-acre tract of land, S69°35'31"W for a distance of 101.53 feet to the POINT OF BEGINNING hereof and containing 0.813 acres of land more or less.

**DIAMOND SURVEYING, INC.**

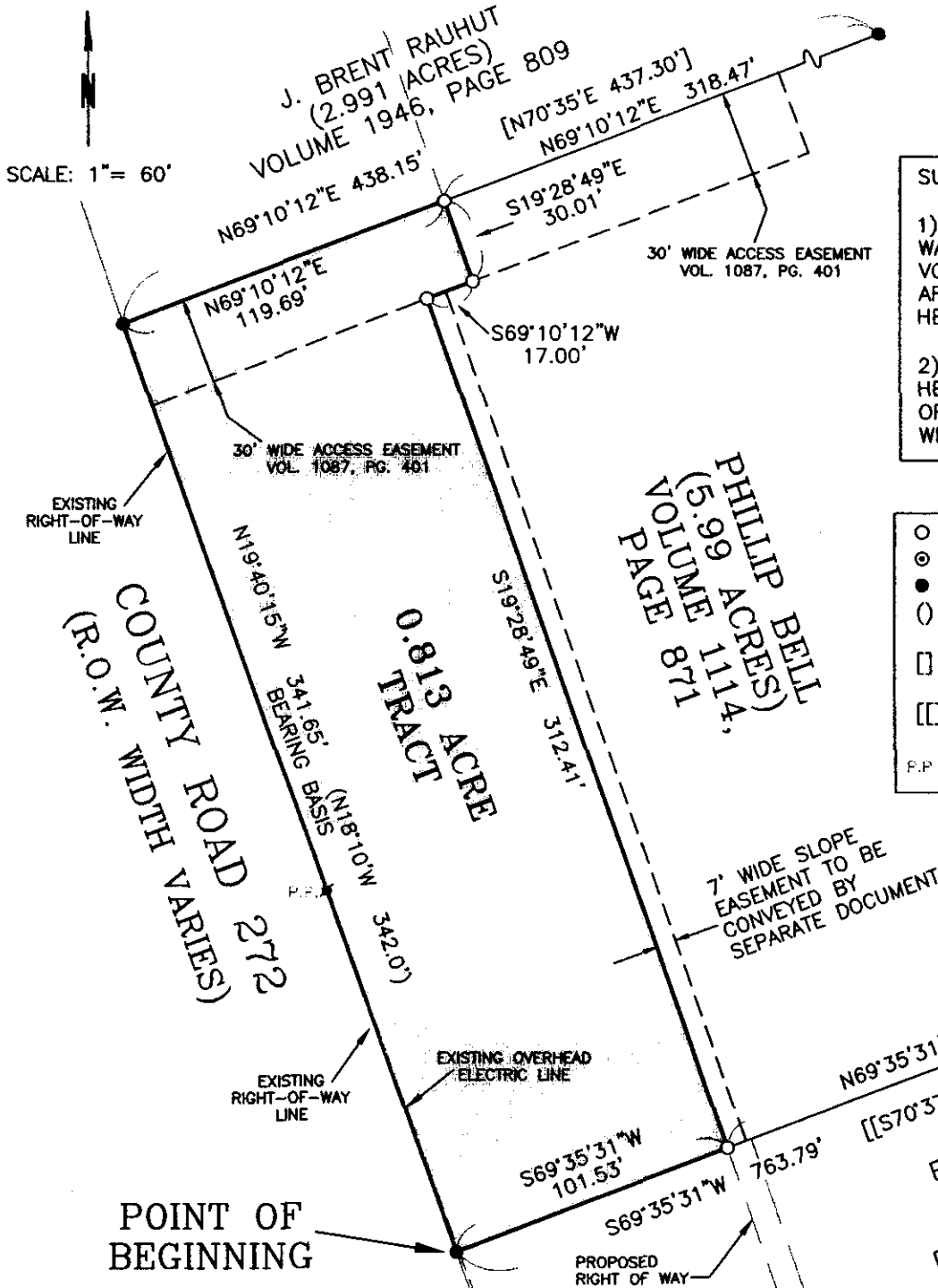
1915 S. AUSTIN AVE., SUITE 111, GEORGETOWN, TX 78626  
(512) 931-3100

   
SHANE SHAFER, R.P.L.S. NO. 5281      DATE  
DSI PARCEL NO. 113



SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION

OR A 0.813 ACRE TRACT OF LAND SITUATED IN THE JOHN D. ANDERSON SURVEY, ABSTRACT NO. 16, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 5.99 ACRE TRACT OF LAND CONVEYED TO PHILLIP BELL BY INSTRUMENT RECORDED IN VOLUME 1114, PAGE 871 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS.



**SURVEYOR'S NOTES:**

1) AN EASEMENT AS SET OUT IN WARRANTY DEED RECORDED IN VOLUME 1087, PAGE 401 DOES AFFECT THIS TRACT, AS SHOWN HEREON.

2) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

**LEGEND**

- = CAPPED IRON ROD SET
- ⊙ = 1/2" IRON PIPE FOUND
- = 1/2" IRON ROD FOUND
- () = RECORD INFO PER VOLUME 1114, PAGE 871
- [] = RECORD INFO PER VOLUME 1378, PAGE 930
- [[ ]] = RECORD INFO PER DOCUMENT NO. 199980485
- P.P. = POWER POLE

I, Shane Shafer, Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat represents a survey made on the ground under my direct supervision, completed on February 4, 2002. at the time of this survey there were no encroachments, conflicts, or protrusions apparent on the ground, EXCEPT AS SHOWN. This survey was performed in connection with the Title Report described in Case No. 2001 RR 226517-A (00199) of Austin Title Company. USE OF THIS SURVEY FOR ANY PURPOSE OR BY OTHER PARTIES SHALL BE AT THEIR OWN RISK AND UNDERSIGNED SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS RESULTING THEREFROM.

*Shane Shafer*  
SHANE SHAFER, R.P.L.S. NO. 5281

2/4/02

DATE

EMELIE MCDANIEL &  
STEPHEN LINCOLN  
(4.998 ACRES)  
DOCUMENT #199980485



D.S.I. PARCEL #113

**DIAMOND SURVEYING, INC**

1915 S. AUSTIN, SUITE 111, GEORGETOWN, TX 78626  
(512) 931-3100

EXHIBIT

B

## METES AND BOUNDS DESCRIPTION

BEING A 0.050-ACRE TRACT OF LAND SITUATED IN THE JOHN D. ANDERSON SURVEY, ABSTRACT NO. 16, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 5.99-ACRE TRACT OF LAND CONVEYED TO PHILLIP BELL BY INSTRUMENT RECORDED IN VOLUME 1114, PAGE 871 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.050-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGIN FOR REFERENCE at a 1/2" iron rod found on a point in the easterly right-of-way line of County Road 272 (right-of-way width varies), said point being the northwest corner of a 4.998-acre tract of land conveyed to Emelie McDaniel and Stephen Lincoln by instrument recorded in Document No. 199980485 of said Official Records, same being the southwest corner of said 5.99-acre tract of land, from which a 1/2" iron rod found on a point being the northwest corner of said 5.99-acre tract of land bears N19°40'15"E a distance of 341.65 feet;

THENCE departing the easterly right-of-way line of said County Road 272, with the northerly boundary line of said 4.998-acre tract of land, same being the southerly boundary line of said 5.99-acre tract of land, N69°35'31"E for a distance of 101.53 feet to a capped iron rod set for the southwest corner and POINT OF BEGINNING hereof;

THENCE departing the northerly boundary line of said 4.998-acre tract of land through the interior of said 5.99-acre tract of land the following three (3) courses and distances:


- 1) N19°28'49"W for a distance of 312.41 feet to a capped iron rod set for the northwest corner hereof;
- 2) N69°10'12"E for a distance of 7.00 feet to a capped iron rod set for the northeast corner hereof;
- 3) S19°28'49"E for a distance of 312.46 feet to a capped iron rod set on a point in the northerly boundary line of said 4.998-acre tract of land, same

being the southerly boundary line of said 5.99-acre tract of land, for the southeast corner hereof, from which a 1/2" iron pipe found on a point being the northeast corner of said 4.998-acre tract of land bears N69°35'31"E a distance of 655.26 feet;

THENCE with the northerly boundary line of said 4.998-acre tract of land, same being the southerly boundary line of said 5.99-acre tract of land, S69°35'31"W for a distance of 7.00 feet to the POINT OF BEGINNING hereof and containing 0.050 acres of land more or less.

**DIAMOND SURVEYING, INC.**

1915 S. AUSTIN AVE., SUITE 111, GEORGETOWN, TX 78626  
(512) 931-3100

  
SHANE SHAFER, R.P.L.S. NO. 5281  
DSI PARCEL NO. 113-SE

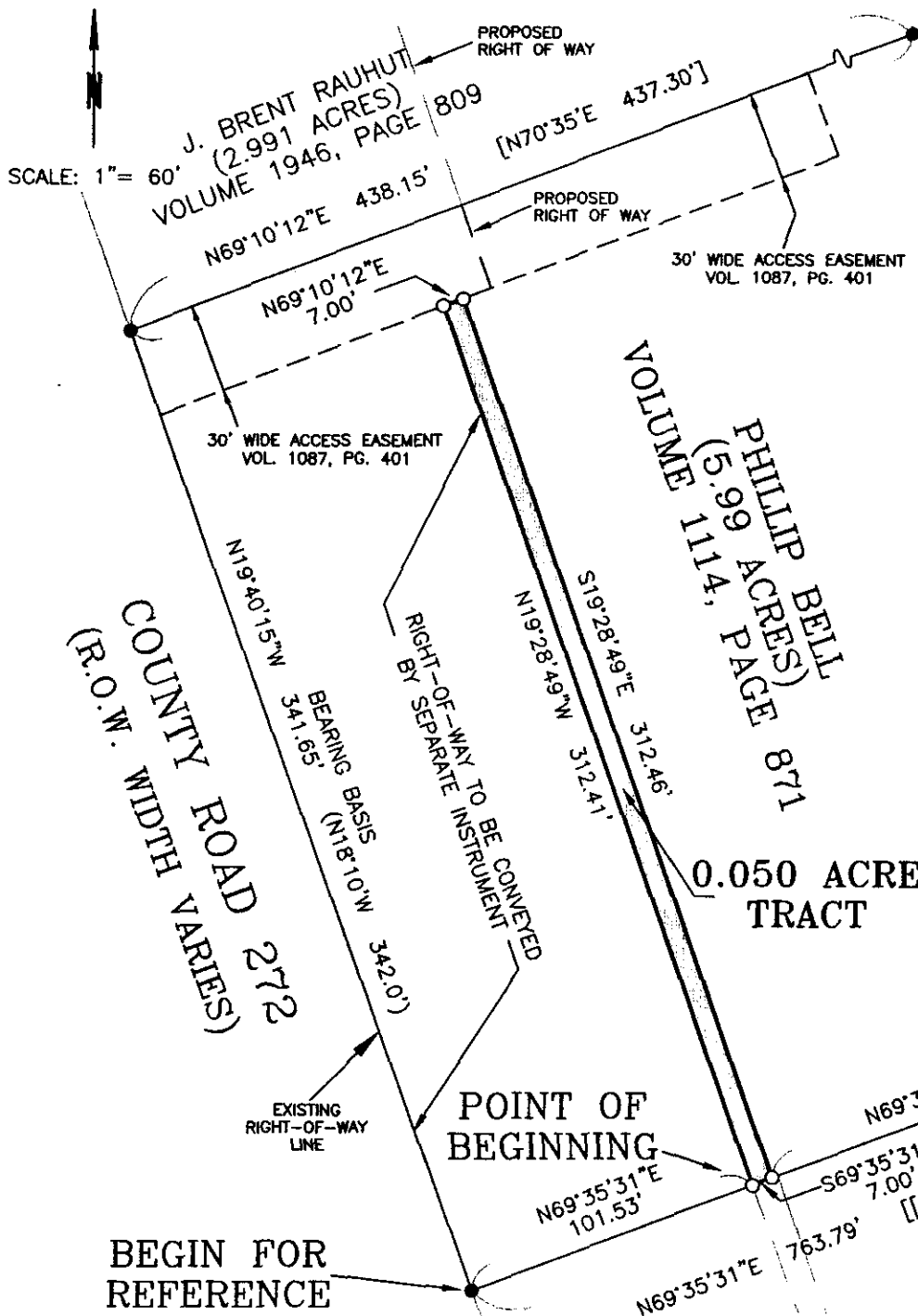
2/4/02  
DATE





# SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION

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## LEGEND

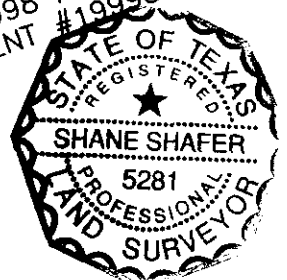
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*Shane Shafer*  
SHANE SHAFER, R.P.L.S. NO. 5281

*2/4/02*  
DATE

EMELIE MCDANIEL &  
STEPHEN LINCOLN  
(4.998 ACRES)  
DOCUMENT #199980485



D.S.I. PARCEL #113-SE  
DIAMOND SURVEYING, INC  
1915 S. AUSTIN, SUITE 111, GEORGETOWN, TX 78626  
(512) 931-3100

**AGENDA ITEM 31**

Consider accepting, rejecting, or countering a settlement offer from landowner, and take any appropriate action, including, but not limited to approving a resolution authorizing filing of condemnation proceedings regarding CR 272 (Parmer Lane extension, parcels 124, 125, 127, 128, 129, and 131.)

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To approve a resolution authorizing the filing of condemnation proceedings regarding CR 272 (Parmer Lane extension, parcels 124, 125, 127, 128, 129, and 131).

Vote: **5 - 0**

< Attachment >