

AGENDA ITEM 30

Receive briefing from counsel and consider a resolution authorizing condemnation proceedings and/or take any appropriate action on the Parmer Lane extension project, parcel 123 (Nella Easley, owner).

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve a resolution authorizing condemnation proceedings on the Parmer Lane extension project, parcel 123, owned by Nella Easley.

Vote: **4 - 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 property owned by Nella Easley and otherwise known as Parcel 123 (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, through agents 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 Exhibit A 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 9 day of July, 2002.



John C. Doerfler
Williamson County Judge



METES AND BOUNDS DESCRIPTION

BEING A 2.454-ACRE TRACT OF LAND SITUATED IN THE JOHN D. ANDERSON SURVEY, ABSTRACT NO. 16, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 18.019 ACRE TRACT OF LAND CONVEYED TO HARRY S. EASLEY AND NELLA R. EASLEY BY INSTRUMENT RECORDED IN VOLUME 1742, PAGE 266 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 2.454-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), same being the southwesterly corner of said 18.019-acre Easley tract same being northwesterly corner of that certain 20.60-acre tract of land conveyed to Vernon M. Bonnet and Betty Bonnet by instrument recorded in Volume 1597, page 747 of the Official Records of Williamson County, Texas, for the southwest corner and POINT OF BEGINNING hereof, from which a 1/2" iron rod found on the southwesterly corner of said 20.60-acre Bonnet tract, bears S19°53'50"E a distance of 318.59 feet;

THENCE with the easterly right-of-way line of said County Road 272, same being the westerly boundary line of said 18.019-acre Easley tract, the following three (3) courses and distances:

- 1) N21°27'37"W for a distance of 317.53 feet to a capped iron rod set for a corner hereof;
- 2) N21°35'37"W for a distance of 81.87 feet to a 1/2" iron rod found for a corner hereof;
- 3) N20°12'30"W for a distance of 359.85 feet to a 1/2" iron rod found on a point being the southwesterly corner of that certain 6.12-acre tract of land conveyed to Merle V. Davis, et al, by instrument recorded in Document No. 9842277 of the Official Records of Williamson County, Texas, same being the northwesterly corner of said 18.019-acre Easley tract for the northwesterly corner hereof;

THENCE departing the easterly right-of-way line of said County Road 272 with the northerly boundary line of said 18.019-acre Easley tract, same being the southerly boundary line of said 6.12-acre Davis tract, N68°36'45"E for a distance of 133.79 feet to a capped iron rod set for the northeasterly corner hereof, from which a 1/2" iron rod found in the northerly boundary line of said 18.019-acre Easley tract, same being the southerly boundary line of said 16.12-acre Davis tract bears N68°36'45"E a distance of 424.69 feet;

THENCE departing the southerly boundary line of said 6.12-acre Davis tract, through the interior of said 18.019-acre Easley tract, the following two (2) courses and distances;

- 1) S22°08'37"E for a distance of 107.34 feet to a capped iron rod set on a point of curvature hereof;
- 2) Along a curve to the right having a radius of 17323.73 feet, a delta angle of 02°09'37", an arc length of 653.16 feet, and a chord which bears S21°03'48"E for a distance of 653.12 feet to a capped iron rod set on a point in the southerly boundary line of

said 18.019-acre Easley tract, same being the northerly boundary line of said 20.60-acre Bonnet tract, for the southeasterly corner hereof;

THENCE with the southerly boundary line of said 18.019-acre Easley tract, same being the northerly boundary line of said 20.60-acre Bonnet tract, S69°08'13W for a distance of 138.22 feet to the POINT OF BEGINNING hereof and containing 2.454 acres of land more or less.

◇ **DIAMOND SURVEYING, INC.**
1915 S. AUSTIN AVE., SUITE 111, GEORGETOWN, TX 78626
(512) 931-3100

Shane Shafer 2/27/02
SHANE SHAFER, R.P.L.S. NO. 5281 DATE
DSI PARCEL NO. 123



FOR A 2.454 ACRE TRACT OF LAND SITUATED IN THE JOHN D. ANDERSON SURVEY, ABSTRACT NO. 16, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 18.019 ACRE TRACT OF LAND CONVEYED TO HARRY S. EASLEY AND NELLA R. EASLEY BY INSTRUMENT RECORDED IN VOLUME 1742, PAGE 266 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS.

LINE TABLE		
L1	N21°35'37"W	81.87'
(L1	N20°12'50"W	81.87')
L2	N19°57'45"W	158.96'
[[L2	N18°28'54"W	159.32']]

LEGEND

- O = CAPPED IRON ROD SET
 ● = 1/2" IRON ROD FOUND
 Δ = CALCULATED POINT
 PP = POWER POLE
 —E— = OVERHEAD UTILITY LINE
 —X— = WIRE FENCE
 —□— = METAL FENCE
 () = RECORD PER VOL. 1742, PG. 266
 [] = RECORD PER VOL. 1064, PG. 819
 [[]] = RECORD PER DOC. NO. 9842277

SURVEYOR'S NOTES:

- 1) THIS TRACT IS SUBJECT TO
RESTRICTIVE COVENANTS OF
RECORD IN VOLUME 1064, PAGE
819, OFFICIAL RECORDS.
- 2) ALL DOCUMENTS LISTED
HEREON ARE RECORDED IN THE
OFFICE OF THE COUNTY CLERK OF
WILLIAMSON COUNTY, TEXAS.



I, Shane Shafer, Registered Professional Land Surveyor in the State of Texas, hereby certify that this plot represents a survey made on the ground under my direct supervision, completed on February 27, 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 228947-S (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, R.P.L.S. NO. 5281

2/27/02

D.S.I. PARCEL #123

DIAMOND SURVEYING, INC.

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

AGENDA ITEM 31**Comments from Commissioners.**

Commissioner Boatright talked about the CAMPO meeting he attended last night. He said that it appears that Hays and Williamson Counties will be entirely encompassed within the CAMPO boundaries. He also noted that Commissioner Heiligenstein is absent due to another procedure on his eye, and that he hopes that all goes well and that he will be back soon. Commissioner Boatright commended Judge Doerfler and Commissioner Limmer on their dealings with Landmark on the jail/courthouse annex project meeting.

Judge Doerfler stated that he visited with Governor Perry yesterday concerning Regional Mobility Authorities. Commissioner Boatright said that the State agreed to put \$10,000,000 into the seed money for RMAs. He said that Austin/Travis County will be one of the first RMAs, and that the county will be able to draw from that money to get the RMA organized and to help get its projects off the ground.

COMMISSIONERS' COURT ADJOURNED AT 11:15 A.M. ON TUESDAY, JULY 9, 2002.