

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 11:15 A.M. ON TUESDAY, APRIL 30, 2002.

AGENDA ITEM 50

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

No action was taken in Executive Session.

AGENDA ITEM 51

Discuss personnel matters (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.074 pertaining to personnel.)

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:48 A.M. ON TUESDAY, APRIL 30, 2002.

AGENDA ITEM 52

Consider approving a resolution authorizing filing of condemnation proceedings regarding CR 272 (Parmer Lane extension, parcel 132, Patrick Hardy Dudgeon, owner).

Moved: **Commissioner Hays**

Seconded: **Commissioner Limmer**

Motion: To approve a resolution authorizing filing of condemnation proceedings regarding CR 272 (Parmer Lane extension, parcel 132, Patrick Hardy Dudgeon, owner).

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 132 (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 30TH day of APRIL, 2002.

John C. Doerfler 4-30-02
John C. Doerfler
Williamson County Judge



METES AND BOUNDS DESCRIPTION

BEING A 1.870-ACRE TRACT OF LAND SITUATED IN THE WALTER CAMPBELL SURVEY, ABSTRACT NO. 3, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 28.300-ACRE TRACT OF LAND CONVEYED TO PATRICK HARDY DUDGEON BY INSTRUMENT RECORDED IN VOLUME 2276, PAGE 260 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 1.870-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a capped iron rod set on a point in the westerly right-of-way line of County Road 272 (right-of-way width varies), being the northeasterly corner of said 28.300-acre Dudgeon tract, same being the southeasterly corner of that certain 28.302-acre tract of land conveyed to Michael J. Beck and Reba K. Beck by instrument recorded in Volume 2276, Page 275 of the Official Records of Williamson County, Texas, for the northeasterly corner and POINT OF BEGINNING hereof;

THENCE with the westerly right-of-way line of said County Road 272, same being the easterly boundary line of said 28.300-acre Dudgeon tract, S20°07'39"E for a distance of 509.38 feet to a 1/2" iron rod found on a point being the southeasterly corner of said 28.300-acre Dudgeon tract, same being the northeasterly corner of an 80 foot wide strip of land dedicated for road right-of-way by plat of "Parmer Square Section One", a subdivision according to the plat recorded in Cabinet J, Slides 65-66 of the plat records of Williamson County, Texas, for the southeasterly corner hereof;


THENCE departing the westerly right-of-way line of said County Road 272 with the southerly boundary line of said 28.300-acre Dudgeon tract, same being the northerly boundary line of said 80 foot wide strip of land dedicated for road right-of-way, S69°12'54"W, at a distance of 15.04 feet pass a 1/2" iron rod found, continuing for a total distance of 79.97 feet to a 1/2" iron rod found on a point being the northeasterly corner of Lot 1 of said "Parmer Square Section One", same being the northwesterly corner of said 80 foot wide strip of land dedicated for road right-of-way, for an angle point in the southerly boundary hereof;

THENCE continuing with the southerly boundary line of said 28.300-acre Dudgeon tract and the northerly boundary line of said Lot 1, S69°12'48"W for a distance of 77.03 feet to a capped iron rod set at the beginning of a non-tangent curve to the left for the southeasterly corner hereof, from which a 1/2" iron rod found on a point in the southerly boundary line of said 28.300-acre Dudgeon tract, same being the northwesterly corner of said Lot 1 bears S69°12'48"W a distance of 608.45 feet;

THENCE departing the northerly boundary line of said Lot 1 through the interior of said 28.300-acre Dudgeon tract, along said curve to the left having a radius of 17011.73 feet, a delta angle of $01^{\circ}42'56''$, an arc length of 509.39 feet, and a chord which bears $N21^{\circ}04'40''W$ for a distance of 509.37 feet to a capped iron rod set on a point in the northerly boundary line of said 28.300-acre Dudgeon tract, same being the southerly boundary line of the aforementioned 28.302-acre Beck tract, for the northwesterly corner hereof, from which a $1/2''$ iron rod found for the northwesterly corner of said 28.300-acre Dudgeon tract and the southwesterly corner of said 28.302-acre Beck tract, bears $S69^{\circ}13'04''W$ a distance of 2057.12 feet;

THENCE with the northerly boundary line of said 28.300-acre Dudgeon tract, same being the southerly boundary line of said 28.302-acre Beck tract, $N69^{\circ}13'04''E$, at a distance of 150.59 feet pass a $1/2''$ iron rod found, continuing for a total distance of 165.45 feet to the POINT OF BEGINNING hereof and containing 1.870 acres of land more or less.

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

 2/27/02
SHANE SHAFER, R.P.L.S. NO. 5281 DATE
DSI PARCEL NO. 132



SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION

FOR A 1.870 ACRE TRACT OF LAND SITUATED IN THE WALTER CAMPBELL SURVEY, ABSTRACT NO. 3, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 28.300 ACRE TRACT OF LAND CONVEYED TO PATRICK HARDY DUDGEON BY INSTRUMENT RECORDED IN VOLUME 2276, PAGE 260 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS.

MICHAEL J. BECK
AND REBA K. BECK
(28.302 ACRES)
VOLUME 2276, PAGE 275

SCALE: 1" = 100'

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

SURVEYOR'S NOTES:

1) PUBLIC UTILITY EASEMENT RECORDED IN VOLUME 1909, PAGE 238, DOES AFFECT THIS TRACT AS SHOWN HEREON.

2) THIS PROPERTY IS LOCATED WITHIN BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 AND IS SUBJECT TO ALL RIGHTS UNDER THE LAW ACCORDED TO SUCH A DISTRICT.

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

R = 17011.73'
D = 01°42'56"
L = 509.39'
CH = 509.37'
CB = N21°04'40"W

PATRICK HARDY DUDGEON
(28.300 ACRES)
VOLUME 2276, PAGE 260

LINE TABLE

L1	S69°12'54"W	79.97'
L1	S71°00'28"W	80.00'
L2	S20°07'34"E	188.93'
L3	S69°12'48"W	77.03'

LEGEND

- = CAPPED IRON ROD SET
- = 1/2" IRON ROD FOUND
- TPED = TELEPHONE PEDISTAL
- T- = UNDERGROUND TELEPHONE LINE
- X- = WIRE FENCE
- B.L. = BUILDING SETBACK LINE
- P.U.E. = PUBLIC UTILITY EASEMENT
- () = RECORD PER VOL. 2276, PG. 260
- [] = RECORD PER CAB. J. SL. 65-66

LOT 6
PARMER SQUARE
SECTION ONE
CABINET J, SLIDES 65-66

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 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 227333-M (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

DATE

<>

D.S.I. PARCEL #132
DIAMOND SURVEYING, INC
1915 S. AUSTIN, SUITE 111, GEORGETOWN, TX 78626
(512) 931-1100

AGENDA ITEM 53

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 the filing of condemnation proceedings regarding State Highway 45, parcels 415 and 415 M (Jeff Prewitt, owner).

No action was taken on this agenda item.

AGENDA ITEM 54

Consider accepting, rejecting, or countering a settlement offer from landowner, and take any appropriate action, including, but not limited to approving a resolution authorizing the filing of condemnation proceedings regarding State Highway 45, parcels 422 and 422 M (Sherrod N. Prewitt, owner).

No action was taken on this agenda item.

AGENDA ITEM 55

Discuss and take appropriate action on contract with Michael and Reba Beck for the purchase of right-of-way on Parmer Lane.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To authorize Judge Doerfler to sign a contract with Michael and Reba Beck for the purchase of right-of-way on Parmer Lane.

Vote: 5 - 0

AGENDA ITEM 56

Comments from commissioners.

Commissioner Hays discussed the county landfill and the need for a way to deal with hazardous waste.

Commissioner Heiligenstein reminded everyone that the City of Round Rock is honoring Robert Stluka, Earl Palmer and Joanne Land at the Old Settlers Pavilion at 6:30 p.m., for 56 combined years of service with the city.

Judge Doerfler asked that the Commissioners have paperwork for agenda items turned in to his office by 2:00 p.m. on the Friday before the item is scheduled to be addressed.

COMMISSIONERS' COURT ADJOURNED AT 11:59 A.M. ON TUESDAY, APRIL 30, 2002.

THE FOREGOING MINUTES recorded on Minutes Pages 1 through 224, inclusive had at a Special Session of Commissioners' Court of Williamson County, Texas, having been read are hereby approved this 7th day of May, 2002.


John C. Doerfler, County Judge

ATTEST: Nancy E. Rister, Clerk County Court & Ex-officio Clerk,
Commissioners' Court, Williamson County, Texas

By: 
Deputy Clerk