

AGENDA ITEM 20

Discuss and consider revised SH 45 Right of Way Funding Agreement.

No action was taken on this agenda item, which will be added to the July 16, 2002 meeting.

AGENDA ITEM 21

Receive briefing from counsel and consider a resolution authorizing the condemnation of property in connection with the Georgetown Inner Loop Extension project, and take any other appropriate action (New America, Ltd., owner).

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve a resolution authorizing the condemnation of property owned by New America, Ltd. in connection with the Georgetown Inner Loop Extension project.

Vote: **4 – 0. Commissioner Heiligenstein was absent from the dais.**

< 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 approximately 12.03 acres of land in Williamson County owned by New America, Ltd. (described by metes and bounds in Exhibit "A") for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of the Georgetown Inner Loop 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 the Georgetown Inner Loop 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 2nd day of July, 2002.


John C. Doerfler
Williamson County Judge

EXHIBIT

tabbier

A

**LEGAL DESCRIPTION FOR WILLIAMSON COUNTY, TEXAS
NEW AMERICA, LTD. TRACT**

BEING 12.03 acres of land, situated in the Antonio Flores Survey, Abstract No. 235, in Williamson County, Texas, said land being a portion of that certain tract of land, called 258.657 acres, as conveyed to New America, Ltd., of record as Document No. 9839081 of the Official Records of Williamson County, Texas. Surveyed on the ground in the month of January, 2001 under the supervision of Don H. Bizzell, Registered Professional Land Surveyor, and being more particularly described as follows;

BEGINNING at an iron pin found on the north line of State Highway No. 29, marking a southwesterly corner of the above-referenced 258.657 acre New America, Ltd. tract, being the Southeast corner of that certain Tract 4, called 2.50 acres, as conveyed to Southwestern University by deed recorded as Document No. 2000068095 of the Official Records of Williamson County, Texas, for the most southerly Southwest corner hereof;

THENCE, along a westerly line of the said 258.657 acre New America, Ltd. tract, being the east line of the said Southwestern University Tract 4, N 19° 51' 00" E, 255.90 feet to an iron pin found and N 1° 31' 15" E, 96.63 feet to an iron pin found marking an interior corner of the said 258.657 acre New America, Ltd. tract, being the Northeast corner of the said Southwestern University Tract 4, for an interior corner hereof;

THENCE, along a southerly line of the said 258.657 New America, Ltd. tract, being the north line of the said Southwestern University Tract 4, S 75° 29' 45" W, 166.94 feet to an iron pin set for the most northerly Southwest corner hereof;

THENCE, N 13° 06' 45" W, 167.20 feet to an iron pin set at the beginning of a curve to the right, (Radius = 2500.00 feet, Long Chord bears N 5° 58' 45" W, 654.35 feet);

Thence, along the said curve for an arc distance of 656.23 feet to an iron pin set;

Thence, N 1° 32' 15" E, 418.85 feet to an iron pin set at the beginning of a curve to the left, (Radius = 1100.00 feet, Long Chord bears N 4° 04' 45" W, 215.36 feet);

Thence, along the said curve for an arc distance of 215.70 feet to an iron pin set;

Thence, N 9° 41' 45" W, 562.18 feet to an iron pin set at the beginning of a curve to the right, (Radius = 677.27 feet, Long Chord bears N 3° 02' 30" E, 328.18 feet);

Thence, along the said curve for an arc distance of 331.48 feet to an iron pin set at the beginning of a curve to the right (Radius = 1100.00 feet, Long Chord bears N 14° 06' 30" E, 113.71 feet);

Thence, along the said curve for an arc distance of 113.76 feet to an iron pin set on the Northeast line of the said 258.657 acre New America, Ltd. tract, being the Southwest line of that certain Tract One, called 110.09 acres, as conveyed to Carolyn B. Sharkey and Sara Elizabeth Sharkey by deed as recorded in Volume 2239, Page 95, of the Official Records of Williamson County, Texas, for the most northerly corner hereof;

THENCE, along the said Northeast line of the 258.657 acre New America, Ltd. tract, being the Southwest line of the said Sharkey Tract One, S 21° 27' 15" E, 413.71 feet to an iron pin found and S 35° 38' 15" E, 224.58 feet to an iron pin set for the Northeast corner hereof;

THENCE, S 1° 32' 30" W, 1,063.89 feet to an iron pin set at the beginning of a curve to the left, (Radius = 2300.00 feet, Long Chord bears S 5° 47' 30" E, 586.92 feet);

Thence, along the said curve for an arc distance of 588.52 feet to an iron pin set;

Thence, S 13° 07' 15" E, 383.16 feet to an iron pin set and S 39° 42' 45" E, 110.40 feet to an iron pin set on the said north line of State Highway No. 29, being the south line of the said 258.657 acre New America, Ltd. tract, for the Southeast corner hereof;

THENCE, along the said north line of State Highway No. 29, S 75° 29' 45" W, 246.26 feet to the

Place of BEGINNING and containing 12.03 acres of land.


STATE OF TEXAS }

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WILLIAMSON }

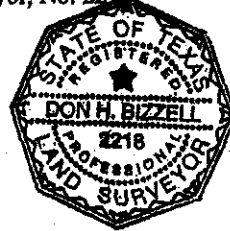
I, Don H. Bizzell, Registered Professional Land Surveyor, do hereby certify that this survey was made on the ground of the property legally described hereon and is correct, and that there are no apparent discrepancies, conflicts, overlapping of improvements, visible utility lines or roads in place, except as shown on the accompanying plat, and that said property has access to and from a dedicated roadway, to the best of my knowledge and belief.

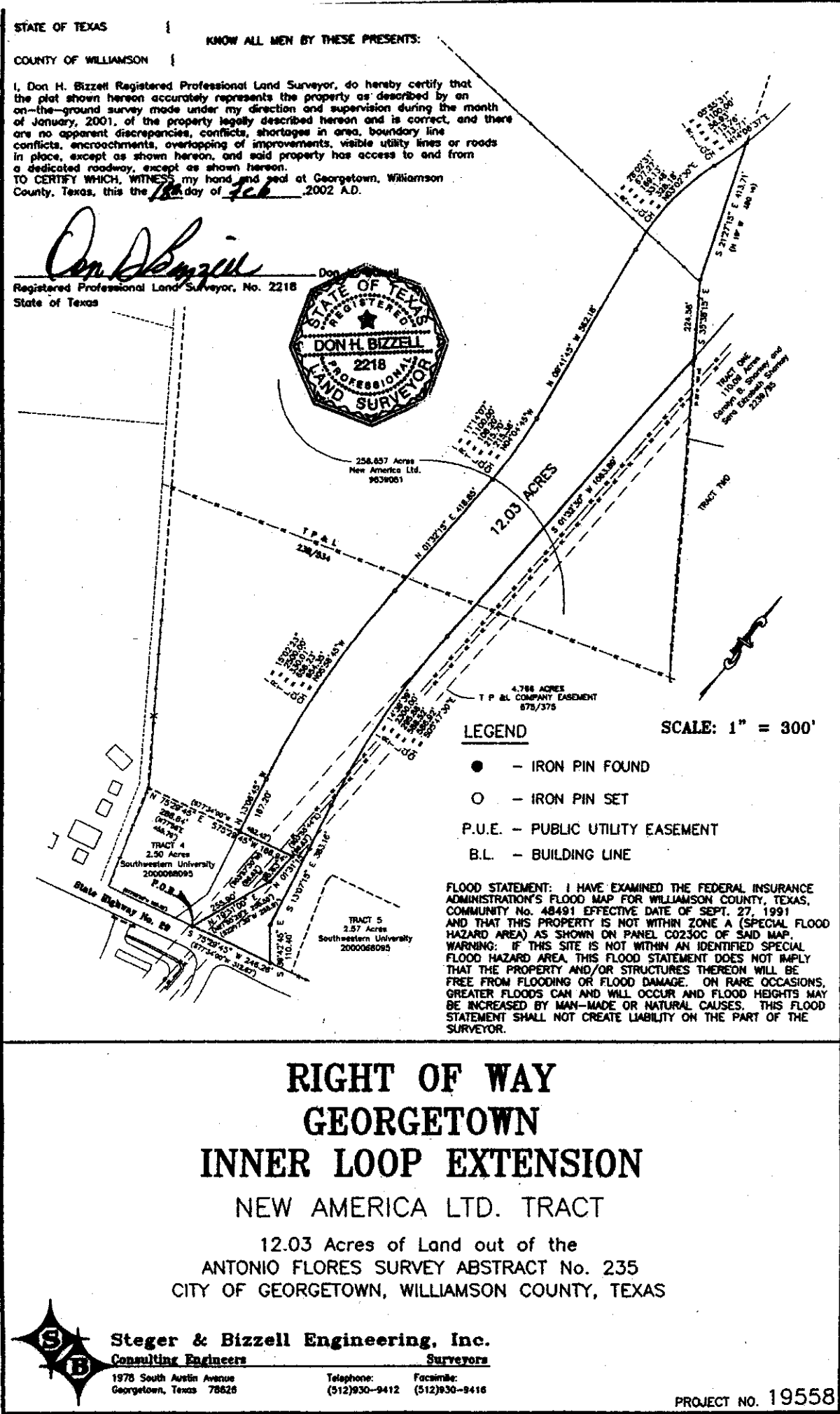
To certify which witness my hand and seal at Georgetown, Williamson County, Texas, this the 31st day of January, 2002, A.D.


Don H. Bizzell
Registered Professional Land Surveyor, No. 2218
State of Texas

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AGENDA ITEM 22

Discuss and take appropriate action concerning interlocal agreement with the City of Leander concerning water lines along Parmer Lane route.

This item concerns upgrading some water lines to 12-inch lines from 6-inch and 4-inch lines.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Limmer**

Motion: To approve an interlocal agreement with the City of Leander concerning water lines along Parmer Lane.

Vote: **3 – 0. Commissioners Hays and Heiligenstein were absent from the dais.**

< Attachment >