

AGENDA ITEM 31

Consider authorizing advertising and setting date for public hearing on the 2002-2003 County Budget.

Moved: **Judge Doerfler**

Seconded: **Commissioner Boatright**

Motion: To authorize advertising and to set the date for a public hearing on the 2002-2003 County Budget for August 27, 2002 at 10:00 a.m. in the Commissioners' Courtroom.

Vote: **5 - 0**

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 10:48 A.M. ON TUESDAY, JULY 30, 2002.

AGENDA ITEM 32

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

No action was taken on this agenda item.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 11:12 A.M. ON TUESDAY, JULY 30, 2002.

AGENDA ITEM 33

Receive briefing from council and consider a resolution authorizing condemnation proceedings and/or take any appropriate action regarding Parmer Lane Extension project, parcel 18. (Michael and Ida Bushkuhl, owners).

Moved: **Commissioner Hays**

Seconded: **Commissioner Boatright**

Motion: To approve a resolution authorizing condemnation proceedings regarding Parmer Lane Extension project, parcel 18.

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 property owned by Michael and Ida Bushkuhl and otherwise known as Parcel 18 (described by metes and bounds in Exhibit "A") for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of County Road 268 (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 268 (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

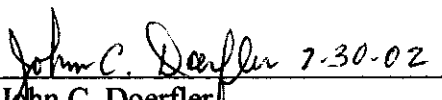
WHEREAS, the Commissioners' Court of Williamson County, Texas, has, through agents employed by the said office, entered into good faith negotiations with the owners of the hereinafter described properties and has failed to agree with the owners on the compensation and damages, if any, due to said owners. 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

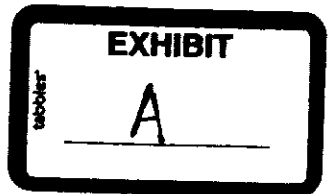
secured by, the following described tracts of land, described in Exhibit A attached hereto, a suit in eminent domain to acquire the property interests for the aforesaid purposes; and

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 JULY, 2002.



John C. Doerfler
Williamson County Judge



METES AND BOUNDS DESCRIPTION

BEING A 1.705-ACRE TRACT OF LAND SITUATED IN THE ELIJAH D. HARMON SURVEY, ABSTRACT NO. 6, BEING A PORTION OF A 8.021-ACRE TRACT OF LAND CONVEYED TO MICHAEL J. BUSHKUHL AND IDA BUSHKUHL BY INSTRUMENT RECORDED IN VOLUME 1414, PAGE 495 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 1.705-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 westerly right-of-way line of County Road 268 (right-of-way width varies), said point being the northeasterly corner of said 8.021-acre Bushkuhl tract, same being the southeasterly corner of that certain 14.49-acre tract of land conveyed to Robert R. Miller and Nancy S. Miller by instrument recorded in Volume 825, Page 566 of the Deed 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 268, same being the easterly boundary line of said 8.021-acre Bushkuhl tract, S20°46'22"E for a distance of 457.33 feet to a 1/2" iron rod found on a point being the southeasterly corner of said 8.021-acre Bushkuhl tract, same being the northeasterly corner of that certain 8.50-acre tract of land conveyed to Geneva Lee Keith by instrument recorded in Document No. 2000068192 of the Official Records of Williamson County, Texas for the southeasterly corner hereof;

THENCE departing the westerly right-of-way line of said County Road 268 with the southerly boundary line of said 8.021-acre Bushkuhl tract, same being the northerly boundary line of said 8.50-acre Keith tract, S69°13'13"W for a distance of 159.15 feet to a capped iron rod set on a point at the beginning of a non-tangent curve to the right, for the southwesterly corner hereof, from which a 1/2" iron rod found on a point being the southwesterly corner of said 8.021-acre Bushkuhl tract, bears S69°13'13"W a distance of 604.81 feet;

THENCE departing the northerly boundary line of said 8.50-acre Keith tract, through the interior of said 8.021-acre Bushkuhl tract, the following two (2) courses and distances:

- 1) Along said curve to the right having a radius of 2974.79 feet, a delta angle of 01°52'24", an arc length of 97.27 feet, and a chord which bears N22°09'42"W for a distance of 97.26 feet to a capped iron rod set on a point of tangency in the westerly boundary line hereof;
- 2) N21°13'30"W for a distance of 360.05 feet to a capped iron rod set on a point in the northerly boundary line of said 8.021-acre Bushkuhl tract, same being the southerly

boundary line of said 14.49-acre Miller tract, for the northwesterly corner hereof, from which a 1/2" iron rod found on a point being the northwesterly corner of said 8.021-acre Bushkuhl tract, bears S69°12'06"W a distance of 599.68 feet;

THENCE with the northerly boundary line of said 8.021-acre Bushkuhl tract, same being the southerly boundary line of said 14.49-acre Miller tract, N69°12'06"E for a distance of 164.35 feet to the POINT OF BEGINNING hereof and containing 1.705 acres of land more or less.

◇ **DIAMOND SURVEYING, INC.**

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

Shane Shafer

4/4/02

SHANE SHAFER, R.P.L.S. NO. 5281
DSI PARCEL NO. 18

DATE



SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION

FOR A 1.705 ACRE TRACT OF LAND SITUATED IN THE ELIJAH D. HARMON SURVEY, ABSTRACT NO. 6, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 8.021 ACRE TRACT OF LAND CONVEYED TO MICHAEL J. BUSHKUHL AND IDA BUSHKUHL BY INSTRUMENT RECORDED IN VOLUME 1414, PAGE 495 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS.



SCALE: 1" = 100'

CURVE DATA

C1
R = 2974.79'
D = 01°52'24"
L = 97.27'
CH = 97.26'
CB = N22°09'42"W

LEGEND

- = CAPPED IRON ROD SET
- = 1/2" IRON ROD FOUND
- ▲ = 60D NAIL FOUND
- E— = OVERHEAD ELECTRIC LINE
- T— = TELEPHONE LINE
- WM = WATER METER
- W— = WATER LINE
- X— = WIRE FENCE
- P.U.E. = PUBLIC UTILITY EASEMENT
- () = RECORD PER VOL. 1414, PG. 495
- [] = RECORD PER VOL. 825, PG. 568

SURVEYOR'S NOTES:

- 1) THIS TRACT IS SUBJECT TO RESTRICTIVE COVENANTS OF RECORD IN VOLUME 803, PAGE 749, DEED RECORDS.
- 2) PUBLIC UTILITY EASEMENT OF RECORD IN VOLUME 1899, PAGE 626, OFFICIAL RECORDS, DOES AFFECT THIS TRACT AS SHOWN HEREON.
- 3) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

RECORDERS MEMORANDUM

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

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 April 3, 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 228535-U (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

DATE

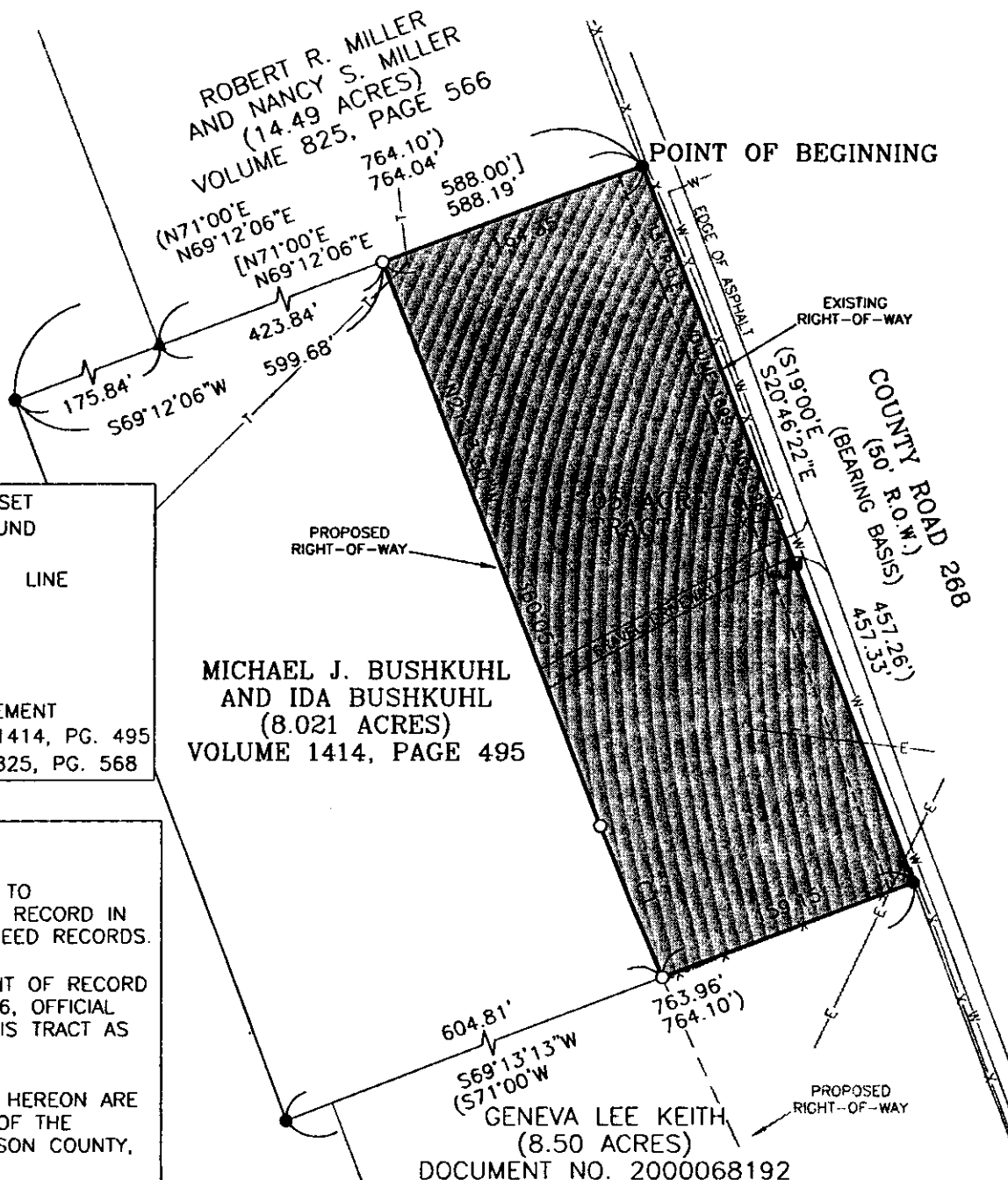
4/4/02



D.S.I. PARCEL #18

DIAMOND SURVEYING, INC

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



AGENDA ITEM 34

Receive briefing from council and consider accepting, rejecting, or making a counteroffer to an offer for the sale of property necessary for the construction of the Georgetown Inner Loop roadway project, and/or take any other appropriate action. (New America, Ltd., owners.)

Moved: **Commissioner Hays**

Seconded: **Commissioner Boatright**

Motion: To authorize Charlie Crossfield to continue to negotiate with the property owner.

Vote: 5 - 0

AGENDA ITEM 35

Comments from Commissioners.

Commissioner Heiligenstein asked the Judge for an update on the 2002/2003 County Budget. The Judge stated that the total tax rate should be approximately \$0.45. He said that he will recommend a 1.5% cost of living raise for county employees with no merit raises. He said that he recommended in the budget another \$50 per employee for health benefits, and stated that the Health Benefits Committee will recommend a 10% increase on the employee contribution.

Emergency Addition to the Agenda**Agenda Item 36**

Hold public hearing for creation of Emergency Services District No. 6 (Weir).

Judge Doerfler announced the public hearing open at 10:35 a.m. on Tuesday, July 30, 2002.

Don Richmond of Weir addressed the court concerning the need to form an emergency services district for the Weir Fire Department.

Judge Doerfler announced the public hearing closed at 10:38 a.m. on Tuesday, July 30, 2002.

No action was taken on this agenda item.

Agenda Item 37

Consider approving order of election for creation of Emergency Services District No. 6 (Weir).

Moved: **Commissioner Heiligenstein**

Seconded: **Commissioner Hays**

Motion: To approve order of election for creation of Emergency Services District No. 6, to be held on September 14, 2002 at the Weir Fire Hall on FM 1105.

Vote: 5 - 0

< Attachment >