

**AGENDA ITEM 47**

Discuss and take appropriate action on condemnation proceedings on CR 137 project, (Marilyn Lee Riley, owner).

Moved: **Judge Doerfler**

Seconded: **Commissioner Limmer**

Motion: To enact condemnation proceedings on CR 137 project, (Marilyn Lee Riley, owner).

Vote: **3 – 0. Commissioner Boatright and Commissioner Heiligenstein** were 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 certain property in Williamson County owned by Marilyn Lee Riley (described by metes and bounds in Exhibit "A") for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of County Road 137, 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 137, 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

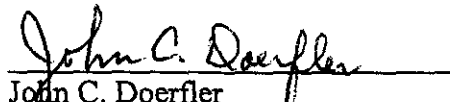
WHEREAS, the Commissioners' Court of Williamson County, Texas, has, through agents employed by the said office, entered into good faith negotiations with the owners of the hereinafter described properties and has failed to agree with the owners on the compensation and damages, if any, due to said owners. 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 14<sup>TH</sup> day of October, 2003.

  
John C. Doerfler  
Williamson County Judge

## METES AND BOUNDS DESCRIPTION

## EXHIBIT

"A"

BEING A 0.308-ACRE TRACT OF LAND SITUATED IN THE JOHN CARUTHERS SURVEY, ABSTRACT NO. 127, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 5.027 ACRE TRACT OF LAND CONVEYED TO RONALD PARKER AND MARILYN L. PARKER BY INSTRUMENT RECORDED IN VOLUME 2067, PAGE 891 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.308-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron rod found on a point in the westerly right-of-way line of County Road 137 (right-of-way width varies), same being the southeast corner of said 5.027-acre Parker tract, same being the northeast corner of that certain 8.000-acre tract of land conveyed to Billy Joe Gibson and Maxine Y. Gibson by instrument recorded in Volume 838, Page 767 of the Deed Records of Williamson County, Texas, for the southeast corner and POINT OF BEGINNING hereof;

THENCE departing the westerly right-of-way line of said County Road 137, with the north boundary line of said 8.000-acre Gibson tract, same being the south boundary line of said 5.027-acre Parker tract, N87°11'26"W for a distance of 23.29 feet to a capped iron rod set for the southwest corner hereof, from which an iron pipe found on a point being the southwest corner of said 5.027-acre Parker tract, bears N87°11'26"W a distance of 302.08 feet;

THENCE departing the north boundary line of said 8.000-acre Gibson tract, through the interior of said 5.027-acre Parker tract, the following six (6) courses and distances:

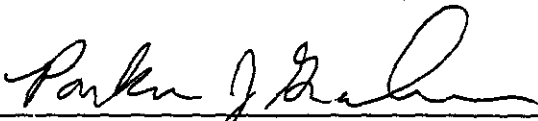
- 1) N08°16'17"E for a distance of 253.49 feet to a capped iron rod set on a point at the beginning of a curve to the left in the west boundary line hereof;
- 2) Along said curve to left having a radius of 4960.00 feet, a delta angle of 00°08'56", an arc length of 12.90 feet, and a chord which bears N08°11'49"E for a distance of 12.90 feet to a capped iron rod set on a point in the west boundary line hereof;
- 3) N08°07'21"E for a distance of 298.51 feet to a capped iron rod set on a point at the beginning of a curve to the left in the west boundary line hereof;
- 4) Along said curve to the left having a radius of 1960.00 feet, a delta angle of 00°33'11", an arc length of 18.92 feet, and a chord which bears N07°50'45"E for a distance of 18.92 feet to a capped iron rod set on a point in the west boundary line hereof;
- 5) N07°34'09"E for a distance of 39.44 feet to a capped iron rod set for an angle point in the west boundary line hereof;
- 6) N37°15'20"W for a distance of 28.37 feet to a capped iron rod set on a point in the north boundary line of said 5.027-acre Parker tract same being the southerly right-of-way line of

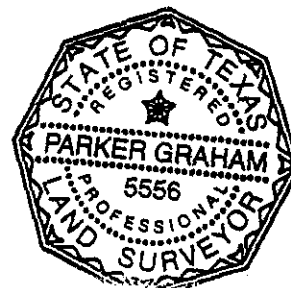
County Road 138 (right-of-way width varies) for the northwest corner hereof;

THENCE with the north boundary line of said 5.027-acre Parker tract, same being the southerly right-of-way line of said County Road 138, S82°04'50"E for a distance of 38.96 feet to a railroad spike found in asphalt at the intersection of said southerly right-of-way line of County Road 138 with the westerly right-of-way line of the aforementioned County Road 137 for the northeast corner hereof;

THENCE with the westerly right-of-way line of County Road 137, same being the east boundary line of said 5.027-acre Parker tract, S07°44'43"W (Bearing Basis) for a distance of 641.19 feet to the POINT OF BEGINNING hereof and containing 0.308 acres of land more or less.

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

 4/25/02  
Parker J. Graham, R.P.L.S. No. 5556 Date  
DSI PARCEL NO. 137-25



# SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION

FOR A 0.308 ACRE TRACT OF LAND SITUATED IN THE JOHN CARUTHERS SURVEY ABSTRACT NO. 127, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 5.027 ACRE TRACT OF LAND CONVEYED TO RONALD PARKER AND MARILYN L. PARKER BY INSTRUMENT RECORDED IN VOLUME 2067, PAGE 891 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS.

## SURVEYOR'S NOTES:

- 1) RESTRICTIONS PER VOL. 576, PG. 447, DO AFFECT THIS TRACT.
- 2) EASEMENT DATED DECEMBER 6, 1937, TO TEXAS POWER AND LIGHT COMPANY, RECORDED IN VOLUME 289, PAGE 422, MAY AFFECT THIS TRACT, BUT DUE TO THE NATURE OF THE DESCRIPTION THE LOCATION OF SAID EASEMENT CANNOT BE MADE WITH CERTAINTY.
- 3) EASEMENT DATED SEPTEMBER 8, 1976, TO SOUTHWESTERN BELL TELEPHONE COMPANY, RECORDED IN VOLUME 649, PAGE 485, MAY AFFECT THIS TRACT, BUT DUE TO THE NATURE OF THE DESCRIPTION THE LOCATION OF SAID EASEMENT CANNOT BE MADE WITH CERTAINTY.
- 4) EASEMENT DATED AUGUST 21, 1979, TO MANVILLE WATER SUPPLY CORPORATION, RECORDED IN VOLUME 774, PAGE 917, DOES NOT AFFECT THIS TRACT. IT IS VACATED BY DOC. NO. 9722160.
- 5) THE RIGHTS OF BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 TO LEVY TAXES AND ISSUE BONDS, DO AFFECT THIS TRACT.
- 6) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

## LEGEND

- = CAPPED IRON ROD SET
- = 5/8" IRON ROD FOUND
- ⊙ = IRON PIPE FOUND
- RR = RAILROAD SPIKE FOUND
- △ = CALCULATED POINT
- ( ) = RECORD PER VOL. 2067, PG. 891

BILLY JOE GIBSON  
AND MAXINE Y. GIBSON  
(8.000 ACRES)  
VOLUME 838, PAGE 767

RONALD PARKER  
AND MARILYN L. PARKER  
(5.027 ACRES)  
VOLUME 2067, PAGE 891

## CURVE DATA

C-1  
R = 4960.00'  
D = 00°08'56"  
A = 12.90'  
CD = 12.90'  
CB = N08°11'49"E

C-2  
R = 1960.00'  
D = 00°33'11"  
A = 18.92'  
CD = 18.92'  
CB = N07°50'45"E

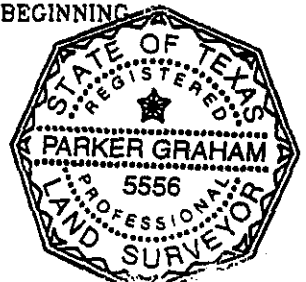
## LINE TABLE

L-1	N87°11'26"W	23.29'
L-2	N07°34'09"E	39.44'
L-3	N37°15'20"W	28.37'
L-4	S82°04'50"E	38.96'

N87°11'26"W  
(N85°14'20"W)  
325.36'  
325.32'  
7.5' UTILITY  
EASEMENT PER  
VOL. 576, PG. 447

WIRE FENCE  
EXISTING  
RIGHT-OF-WAY  
LINE

POINT OF  
BEGINNING



I, Parker J. Graham, 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 25, 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 G.F. No. 01028471 of Longhorn 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.

Parker J. Graham, R.P.L.S. No. 5556

4/25/02

DATE

D.S.I. PARCEL #137-25

DIAMOND SURVEYING, INC

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

**AGENDA ITEM 48**

Discuss and take appropriate action on condemnation proceedings on CR 137 project, (William O. Nelson and Bettye Dixon Nelson, owners).

Moved: **Judge Doerfler**

Seconded: **Commissioner Limmer**

Motion: To enact condemnation proceedings on CR 137 project, (William O. Nelson and Bettye Dixon Nelson, owners).

Vote: 3 – 0. **Commissioner Boatright** and **Commissioner Heiligenstein** were absent from the dais.

< Attachment >

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

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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