

REGULAR AGENDA

AGENDA ITEM 12

Hear presentation from M.U.D.P.A.C. (Municipal Utility District Political Action Committee) and take any appropriate action.

This item was removed from today's agenda.

AGENDA ITEM 13

Discuss and take appropriate action on road bond program.

Paul Petrich and Richard Ridings addressed the court on the issue of the road bond program.

AGENDA ITEM 14

Discuss and take appropriate action on jail/courthouse annex expansion.

Ed Lee addressed the court regarding the status of the move into the Jail, the current status of the construction on the courthouse annex, and demolition work in the old jail.

AGENDA ITEM 15

Discuss and take appropriate action on Annexation Petition request by the City of Cedar Park for ROW for Brushy Creek Road (CR 174).

Joe England addressed the Court regarding the inter-local agreement between the City of Cedar Park and the County as it pertains to Brushy Creek Road (CR 174).

Moved: **Commissioner Boatright**

Seconded: **Commissioner Heiligenstein**

Motion: To approve Annexation Petition request by the City of Cedar Park for ROW for Brushy Creek Road (CR 174).

Vote: **5 - 0**

< Attachment >

ANNEXATION PETITION

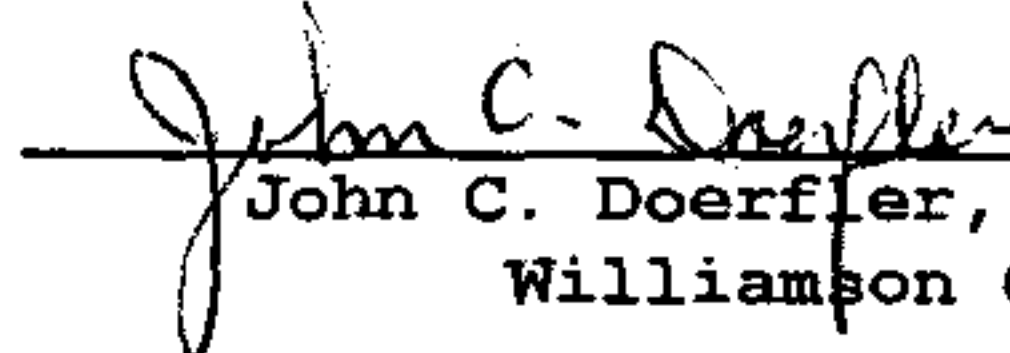
TO THE MAYOR AND GOVERNING BODY OF THE CITY OF CEDAR PARK,
TEXAS

The undersigned owner of the hereinafter-described tract of land, which is vacant and without residents, hereby petitions your Honorable City Council to extend the present city limits so as to include as a part of the City of Cedar Park, Texas the following described territory, to-wit:

Being 23.637 acres of land out of the Samuel Damon Survey, abstract no. 170, and the John H. Dillard Survey, abstract no. 179, same being the current right of way (ROW) of Brushy Creek Road (CR 174) extending from the southeast corner of Cedar Park Ranchettes, Unit Four to the west ROW of Parmer Lane including prescriptive easement, implied dedication, and various acquisitions parcels as recorded in documents # 9838857, 9916394, 9926597, 9926599, 9926601, and 9926603, save and except 3.610 acres dedicated to the City of Cedar Park for ROW in Vol. 2523, Page 573, official deed records, Williamson County, Texas.

I hereby certify, under oath, that:

- (1) WILLIAMSON COUNTY, TEXAS IS THE TRUE AND ONLY OWNER OF THE ABOVE DESCRIBED TRACT OF LAND, and
- (2) the above described tract of land is contiguous and adjacent to the current city limits of the City of Cedar Park, Texas.

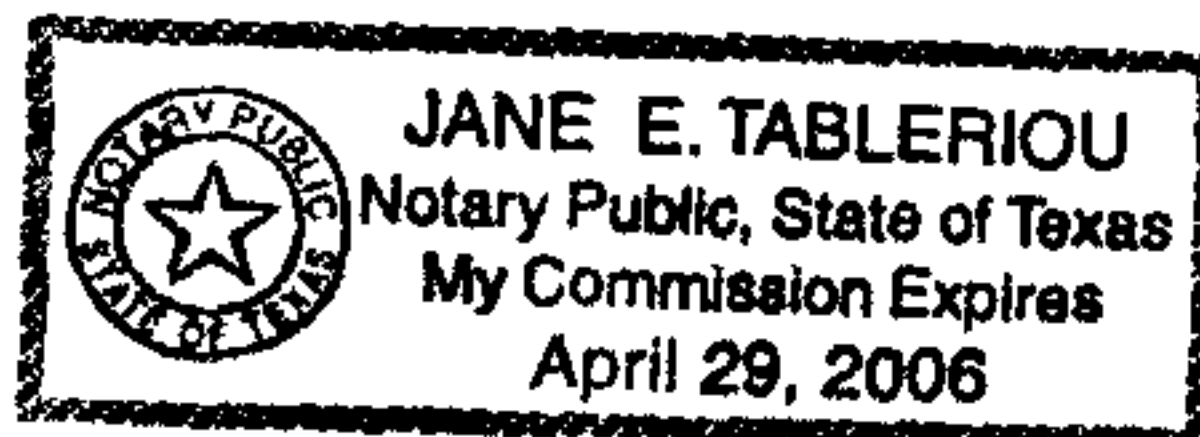

John C. Doerfler, County Judge
Williamson County, Texas

STATE OF TEXAS §
COUNTY OF WILLIAMSON §

SUBSCRIBED AND SWORN TO ME BEFORE, a notary public, by John C. Doerfler

This 2nd day of December, 2003, A.D.


Notary Public, State of Texas



INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT is made and entered into effective this 15th day of May, 2001, by and between WILLIAMSON COUNTY (the "County") and the CITY OF CEDAR PARK, TEXAS (the "City"), political subdivisions of the State of Texas.

WITNESSETH:

WHEREAS, V.T.C.A., Government Code, Chapter 791, the Texas Interlocal Cooperation Act, provides that any one or more public agencies may contract with each other for the performance of governmental functions and for the joint use of facilities or services for the promotion and protection of the health and welfare of the inhabitants of this State and the mutual benefit of the parties; and

WHEREAS, the City is designing and constructing a four-lane divided roadway from US 183 to Brushy Creek Road as an extension of Cypress Creek Road (the "Project") in the approximate location as shown on Exhibit "A," attached hereto and incorporated herein; and

WHEREAS, the initial funding for the Project was approved by the voters of the City in a bond election for that purpose held in 1997; and

WHEREAS, subsequent to the approval of the initial funding by the voters for the Project, an elevated intersection (the "Intersection") is required to be incorporated into the Project in order to accommodate future access points for a proposed interchange with US 183A; and

WHEREAS, the additional costs for design and construction of the Intersection will now exceed the initial funding approved for this Project; and

WHEREAS, the County finds that completion of the Project and the Intersection is consistent with the Williamson County Multi-Corridor Transportation Plan, is an integral connection road between Brushy Creek Road and U.S. 183, and is a crucial element in the transportation network for the City and the County and thus serves a county purpose;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the undersigned parties agree as follows:

I.

Terms and Conditions

1. The City agrees to perform all necessary and appropriate engineering, design and construction of the Project and Intersection, including the acquisition of all necessary right-of-way and related costs.
2. As consideration for the construction of the Project and Intersection by the City, the County will provide, contribute and convey to the City an amount of \$3 million (\$3,000,000.00) to assist with costs of construction of the Project and Intersection. Such funds shall be deposited on or before December 31, 2001 unless another date is mutually agreed upon by the City and the County.
3. Upon completion of the Project and Intersection, and upon dedication and conveyance of the roadway and right-of-way from the County, the City agrees to accept jurisdiction and maintenance for the entire length of Brushy Creek Road from US 183 to Parmer Lane.

II.

Miscellaneous

1. The parties agree that in the event any provision of this Agreement is held by a court of competent jurisdiction to be in contradiction of any laws of the State or the United States, the parties will immediately rectify the offending portions of this Agreement. The remainder of the Agreement shall be in full force and effect.
2. This Agreement constitutes the entire agreement between the parties hereto, and supersedes all their oral and written negotiations, agreements and understandings of every kind. The parties understand, agree and declare that no promise, warranty, statement or representation of any kind whatsoever, which is not expressly stated in this Agreement, has been made by any party hereto or its officers, employees or other agents to induce execution of this Agreement. This Agreement cannot be modified, or any of the terms hereof waived, except by an instrument in writing, referring specifically to this Agreement, executed by the parties.
3. The laws of the State of Texas shall govern the validity, enforcement and interpretation of this Agreement. The obligations of the parties are performable and venue for any legal action arising out of this Agreement shall lie in Williamson County, Texas.

4. This Agreement shall be binding upon and inure to the benefit of the County and the City and their respective heirs, personal representatives, successors and assigns. Except as expressly provided herein, nothing in this Agreement is intended to confer on any person, other than the parties hereto and their respective heirs, personal representatives, successors and assigns, any rights or remedies under or by reason of this Agreement.
5. In addition to the acts recited in this Agreement to be performed by any party, the parties agree to perform, or cause to be performed, any and all such further acts as may be reasonably necessary to consummate the acts or transactions contemplated hereby.
6. The effective date of this Agreement shall be the date stated below.

Dated this 15th day of ~~April~~^{May}, 2001.

John C. Doerfler 5-1-01
JOHN DOERFLER
County Judge
Williamson County, Texas

ATTEST:

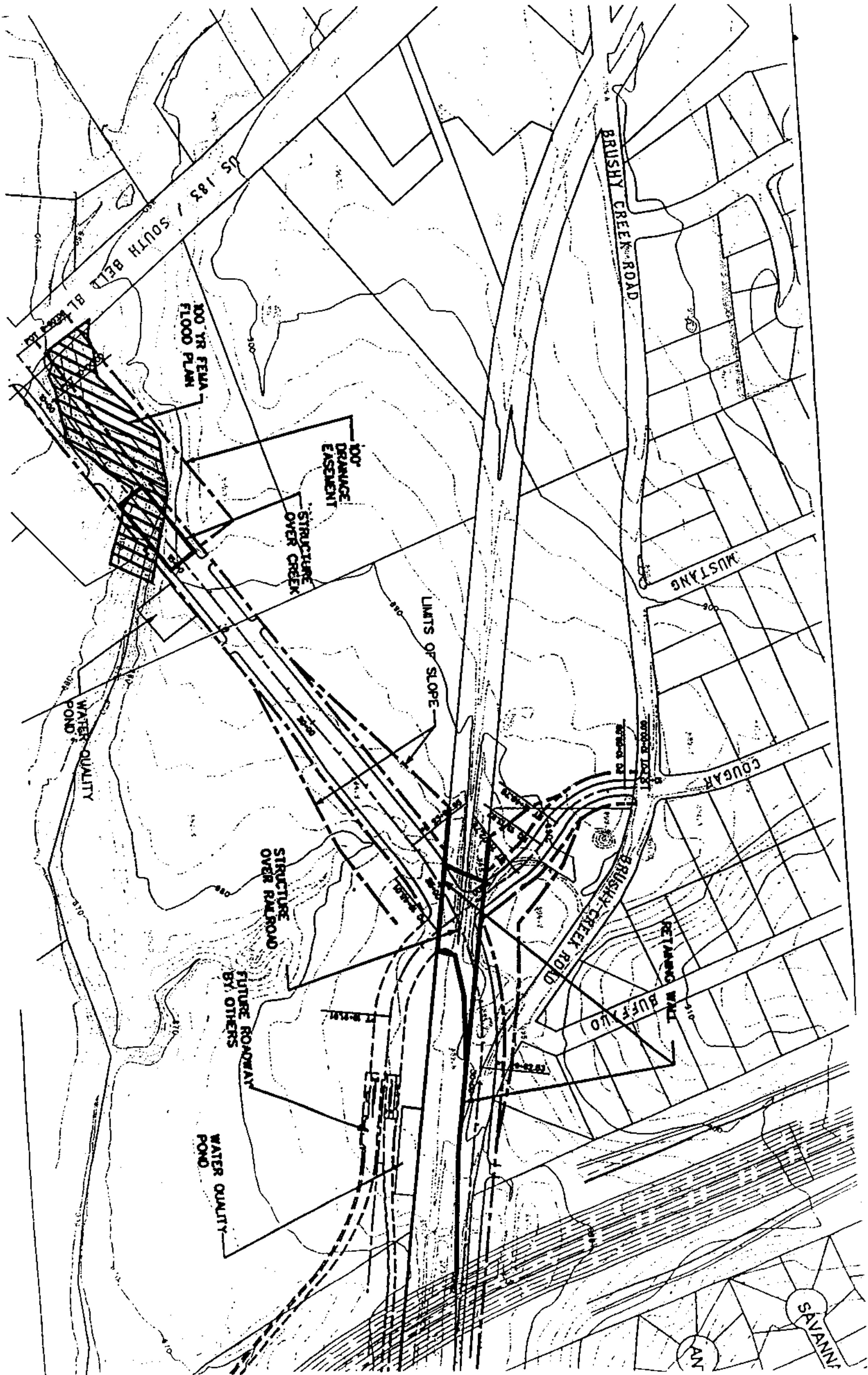
Nancy E. Rister
Nancy Rister, County Clerk

Bob Young
BOB YOUNG, Mayor
City of Cedar Park, Texas

ATTEST:

LeAnn M. Barnes
LeAnn Barnes, City Secretary

EXHIBIT A



RECORDERS MEMORANDUM

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

Agenda Item	Agenda Caption	Description
O.	8. Facilities Relocation Contract with PEC for FM Lift Station	Approved Facilities Relocation Contract with PEC for \$38,986.20
	9. Appointment of Acting City Manager	In accordance with the City Charter, Article 4.01 City Manager; (e) Acting City Manager, the designation of Sam Roberts as Acting City Manager was made by Interim City Manager Bob Hughey.
	<u>Discussion and Possible Action (Non-Consent):</u>	
	1. Appointments to CAMPO (Mayor Young)	No Action taken
	2. Tourism Budget (Mayor Young)	Councilmember Duprey made the motion amending the Tourism Budget by \$25,000. The revision is to reflect an increase for a grant to the Austin Steam Train Association. Seconded by Mayor Pro-tem Caputo. Approved unanimously.
	3. Interlocal Agreement between Williamson County, LISD & the City of Cedar Park for Motorola Tower	Councilmember Lemon made motion approving an Interlocal agreement between Williamson County, LISD, and the City of Cedar Park regarding a communication tower to be constructed by Motorola. Seconded by Councilmember Bartles. Approved unanimously.
	4. Interlocal Agreement between Williamson County and City of Cedar	Mayor Pro-tem Caputo made motion approving the Interlocal Agreement between Williamson County and the City of Cedar Park for the Cypress Creek Extension. Seconded by Councilmember Duprey. Approved unanimously.

EXHIBIT A

FIELD NOTES

FOR CR 174 (BRUSHY CREEK ROAD) ROW
FOR ANNEXATION TO CITY OF CEDAR PARK

FIELD NOTES FOR 23.637 ACRES OF LAND OUT OF THE SAMUEL DAMON SURVEY, ABSTRACT NO. 170, AND THE JOHN H DILLARD SURVEY, ABSTRACT NO. 179, SAME BEING THE CURRENT RIGHT OF WAY (ROW) OF BRUSHY CREEK ROAD (CR 174) EXTENDING FROM THE SOUTHEAST CORNER OF CEDAR PARK RANCHETTES, UNIT FOUR TO THE WEST ROW OF PARMER LANE INCLUDING PRESCRIPTIVE EASEMENT, IMPLIED DEDICATION, AND VARIOUS ACQUISITIONS PARCELS AS RECORDED IN DOCUMENTS # 9838857, 9916394, 9926597, 9926599, 9926601, AND 9926603, SAVE AND EXCEPT 3.610 ACRES DEDICATED TO THE CITY OF CEDAR PARK FOR ROW IN VOL. 2523, PAGE 573, OFFICIAL DEED RECORDS, WILLIAMSON COUNTY, TEXAS, FOR WHICH A MORE PARTICULAR METES AND BOUNDS DESCRIPTION FOR THE ANNEXATION ROW IS AS FOLLOWS:

BEGINNING FOR REFERENCE at a rebar found on the north R.O.W. of CR 174 at the northwest corner of a 3.610 acre tract conveyed to the City of Cedar Park for ROW purposes in Vol. 2523, Pg. 573, said point being on the west line of a 461.2 acre tract described in Vol. 2197, Pg. 154, and the east line of Cedar Park Ranchettes. Said point bears S 76°48'04"W 3289.78 feet from a rebar found at the northeast corner of the 3.610 acre ROW tract;

THENCE S 21°38'00"E for a distance of 52.17 feet to a rebar set with cap on the centerline of a 90.00 ft ROW for CR 174 at Station -(2+27.77) for the PLACE OF BEGINNING hereof, said point bears N 21°38'00"W 7.20 feet from a rebar found at the southeast corner of Cedar Park Ranchettes, Unit Four and the southwest corner of the 461.2 acre tract;

THENCE with the centerline of CR 174 (Brushy Creek Road) a 90.00 foot ROW extending 45.00 feet either side of the described centerline the following courses with passing calls to property corners:

- 1) S81°14'06"E for a distance of 1411.47 feet to a point at PC Station 11+83.71 at a point of curve to the left (the south ROW of CR 174 and the north ROW of the Austin & Northwestern Railroad Co 100' ROW are 45.00 feet right) (a rebar found at the northeast corner of a 69.12 acre tract described in Vol. 2236, Pg. 960 and the northwest corner of a 591.1465 acre tract described in Doc. # 9556281 bears S 54°11'30" E at a distance of 222.29 ft);
- 2) THENCE 1117.52 feet along said curve to the left (r=1279.71 feet, central angle of 15°21'22", Long Chord bears N73°44'52"E 1082.35 feet), to PT Station 23+01.28;
- 3) THENCE N48°43'50"E for a distance of 901.32 feet to a point at PC Station 32+02.56 at a point of curve to the right (the south ROW of CR 174 and the north ROW of the Austin & Northwestern Railroad Co 100' ROW are 45.00 feet right) (a rebar found at the northwest corner of a 2.9050 acre tract dedicated as ROW as described in Doc. # 9926601 and the northeast corner of a 3.610 acre ROW tract described in Vol. 2523, Pg. 573 and being also the southwest corner of the remainder of a 100.002 ac tract conveyed to Cedar Knob Properties in Doc. # 9750123 and the southeast corner of Forest Oaks Subdivision, Sec Two as recorded in Cab. D, Slides 327-330 Williamson County Plat Records (WCPR) bears N 50°44'29" E at a distance of 131.69 ft);
- 4) THENCE 656.67 feet along said curve to the right (r=1935.00 feet, central angle of 19°26'39", Long Chord bears N58°27'10"E 653.53 feet), to PT Station 38+59.23;

FIELD NOTES (continued)

FOR CR 174 (BRUSHY CREEK ROAD) ROW

FOR ANNEXATION TO CITY OF CEDAR PARK

- 5) THENCE N68°10'30"E for a distance of 728.51 feet to a point at PC Station 45+87.74 at a point of curve to the left (the south ROW of CR 174 and the north ROW of the Austin & Northwestern Railroad Co 100' ROW are 45.00 feet right) (a rebar with alum cap found on the north ROW of CR 174 at the PC bears N21°49'35"W at a distance of 45.00 feet) (a rebar found on the north ROW of the Austin & Northwestern Railroad and at the west corner of a 6.178 acre tract described in Vol. 2669, Page 73, WCDR bears N78°13'18"E at 267.64 feet)
- 6) THENCE 523.97 feet along said curve to the left ($r=1955.00$ feet, central angle of 15°21'22", Long Chord bears N60°29'47"E 522.39 feet), to PT Station 51+11.71;
- 7) THENCE N52°49'08"E for a distance of 627.43 feet to a point at PC Station 57+39.14 at a point of curve to the right from which a rebar found with alum cap on the north ROW of CR 174 bears N37°10'52"W at 45.00 feet and a rebar found with alum cap at the northwest corner of Lot 1, Mary Ann Joseph Addition (Cab K, Slide 202-204, WCPR) bears N69°09'36"E at a distance of 279.23 feet;
- 8) THENCE 788.71 feet along said curve to the right ($r = 1100.00$ feet, central angle of 41°04'54", Long Chord bears N73°21'35"E 771.92 feet), to PT Station 65+27.85 from which a rebar found at the southeast corner of the Cedar Knob 5.447 acre tract (Doc # 9750123) and the Southwest corner of the Terry Lamar Robinson 3.52 acre remainder (Vol. 583, Pg. 133) bears N14°30'49"E at 45.78 feet. A rebar found with alum cap at the common north corner of lots 1 and 2, Mary Ann Joseph Addition bears S58°48'05"E at 98.12 feet from the centerline PT point;
- 9) THENCE S86°05'58"E for a distance of 872.29 feet to a point at PC Station 74+00.14 at a point of curve to the left from which a rebar found with alum cap at the northwest corner of the Ball, Summerlin 24.67 acre remainder (Vol. 1680, Pg. 690, WCDR) bears S83°45'15"W at 255.44 feet;
- 10) THENCE 346.80 feet along said curve to the right ($r = 1895.00$ feet, central angle of 10°29'08", Long Chord bears S80°51'24"E at 346.32 feet), to PT Station 77+46.94 from which a rebar found at the southwest corner of Lot 1-B, The Kenilworth Addition (Cab F, Slide 261-2, WCPR) bears N59°57'35"E at 81.39 feet. A rebar found at the northeast corner of the remainder of the Ball, Summerlin 24.67 acre tract (Vol. 1689, Pg. 690) and the northwest corner of the Wilson Land & Cattle Co 8.938 acre tract (Document 2000069727, WCDR) bears S72°21'07"E at 790.86 feet;
- 11) THENCE S75°36'50"E for a distance of 2022.46 feet to a point at PC Station 97+69.40 at a point of curve to the left;
- 12) THENCE 461.53 feet along said curve to the left ($r = 1155.00$ feet, central angle of 22°53'42", Long Chord bears S87°03'41"E at 458.47 feet), to PT Station 102+30.93;
- 13) THENCE N81°29'28"E for a distance of 376.84 feet to a point at PC Station 106+07.77 at a point of curve to the left from which a rebar found with alum cap on the approximate common east line of the Samuel Damon Survey and west line of the John H Dillard Survey for the northeast corner of the Wilson Land & Cattle Co 8.938 acre tract (Document 2000069727) and the northwest corner of the remainder of the 201.5 acre Will Wilson tract (Vol. 406, Pg. 504, WCDR) bears N86°32'30"E at 260.97 feet;

FIELD NOTES (continued)
FOR CR 174 (BRUSHY CREEK ROAD) ROW
FOR ANNEXATION TO CITY OF CEDAR PARK

14) THENCE 495.88 feet along said curve to the left ($r = 1500.00$ feet, central angle of $18^{\circ}56'29''$, Long Chord bears $N72^{\circ}01'14''E$ at 493.63 feet), to PT Station 111+03.66;

15) THENCE $N62^{\circ}32'59''E$ for a distance of 73.23 feet to a point of intersection with the west Parmer Lane ROW at Station 111+76.89 from which a conc. monument with brass cap on the west Parmer Lane ROW and at the northeast corner of the remainder of the 201.5 acre Will Wilson tract (Vol. 406, Pg. 504) bears $S15^{\circ}25'48''W$ at 123.38 feet and from which a rebar found on the west Parmer Lane ROW and at the most southerly southeast corner of the remainder of the 23.09 acre Ann Seaman tract (Doc. # 9709749, WCDR) bears $N15^{\circ}25'30''E$ at 94.67 feet and from which the place of beginning bears $S80^{\circ}34'56''W$ at 10,719.69 feet and containing 23.637 acres of land, save and except the 3.610 acres dedicated to Cedar Park (Vol. 2523, Pg. 573) for a total area to be annexed of 20.027 acres.

NOTES FOR CLARIFICATION:

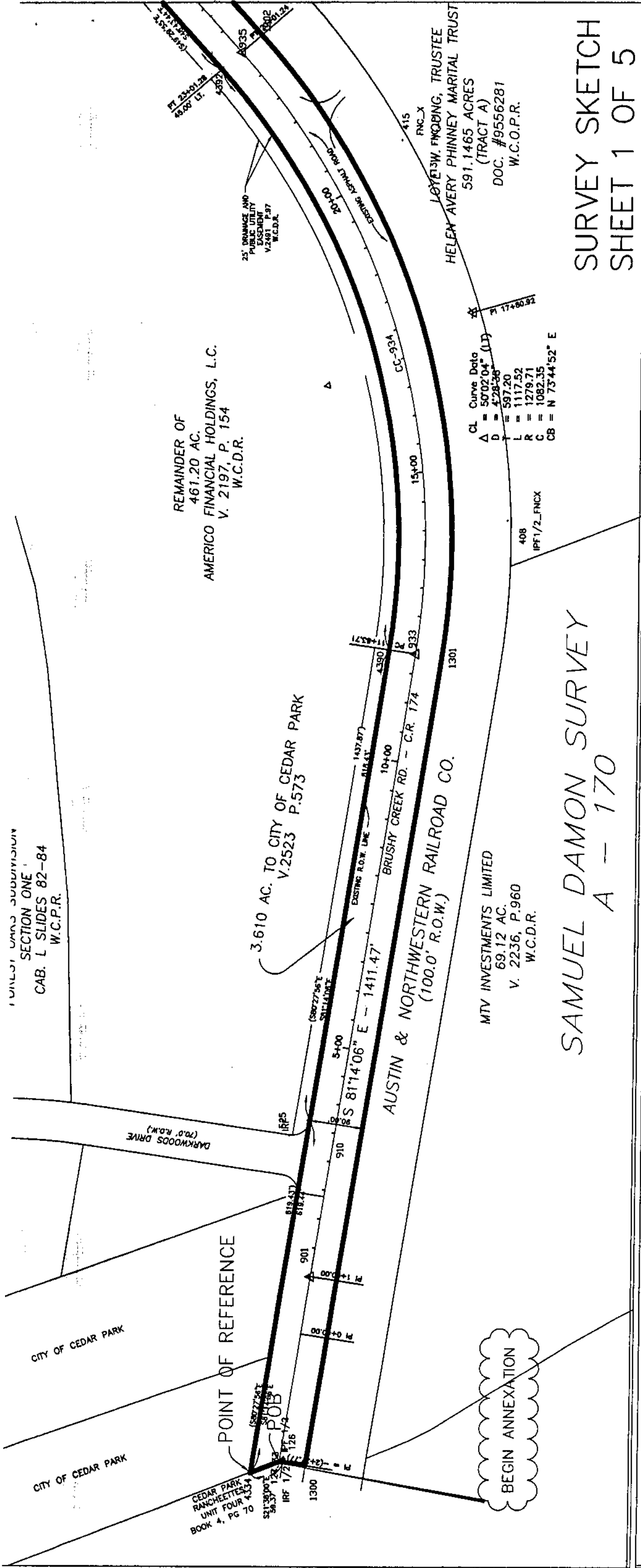
- 1) All $\frac{1}{2}$ " rebars set have caps labeled WILLIAMSON CNTY.
- 2) See attached Survey Sketch for further orientation.
- 3) Bearing basis is based on Grid Bearings, State Plane Coordinate System, Central Zone

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge on this the 18th day of October, 2002.



Dwight L. Pittman, R.P.L.S. 2442
Williamson County Unified Road System
3151 SE Inner Loop, Suite B
Georgetown, Texas 78626





SURVEY SKETCH
SHEET 1 OF 5

SAMUEL DAMON SURVEY
A - 170

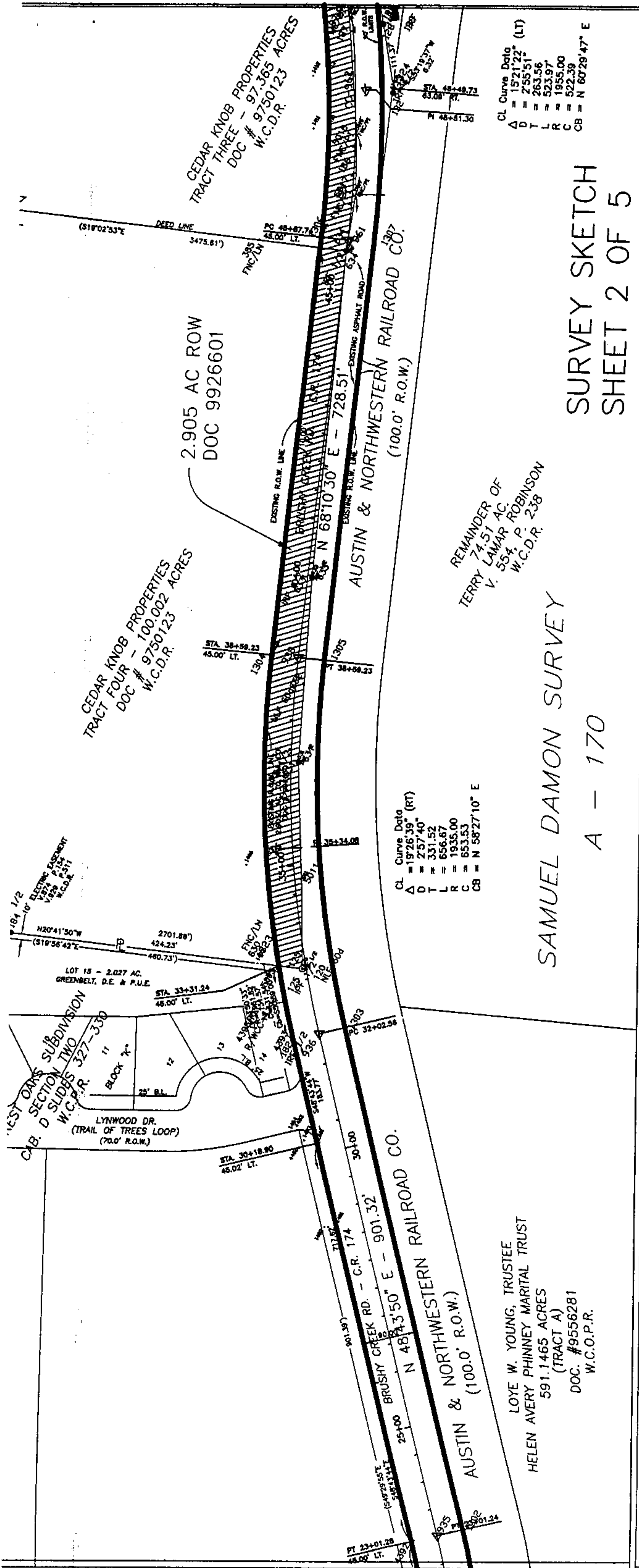
BEARING BASIS: GRID BEARING
STATE PLANE COORDINATE SYSTEM
CENTRAL ZONE



- LEGEND:
- REBAR FOUND
 - 1/2" REBAR SET W/CAP (WILLIAMSON CNTY)
 - IRON PIPE FOUND
 - () RECORD SHOWN WHERE DIFFERENT
 - x- RANCH FENCE
 - △ ANGLE POINT
 - WCPR - WILLIAMSON COUNTY PLAT RECORDS
 - WCOR - WILLIAMSON COUNTY DEED RECORDS

WILLIAMSON COUNTY
UNIFIED ROAD SYSTEM
3151 S.E. INNER LOOP, SUITE B
GEORGETOWN, TEXAS 78626
930-3330

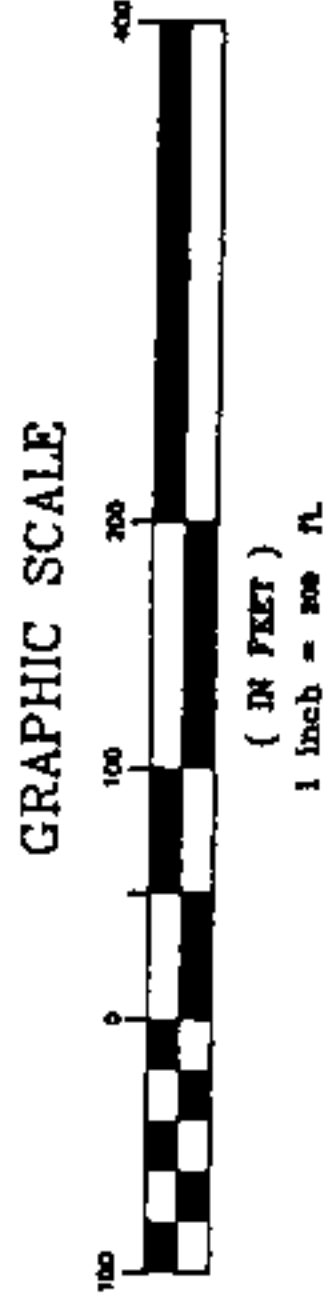
OCTOBER, 2002



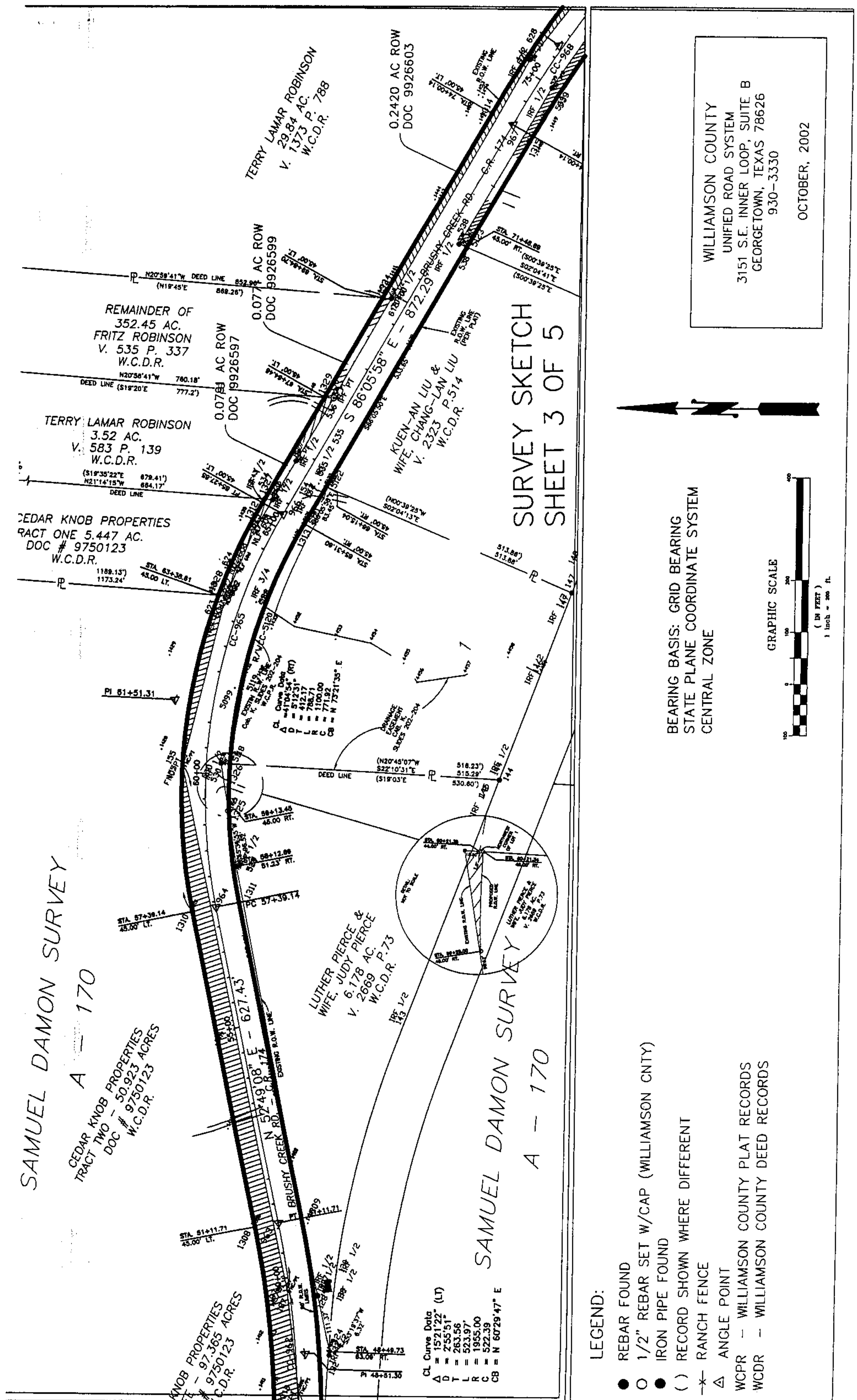
SAMUEL DAMON SURVEY
A - 170
SURVEY SKETCH
SHEET 2 OF 5

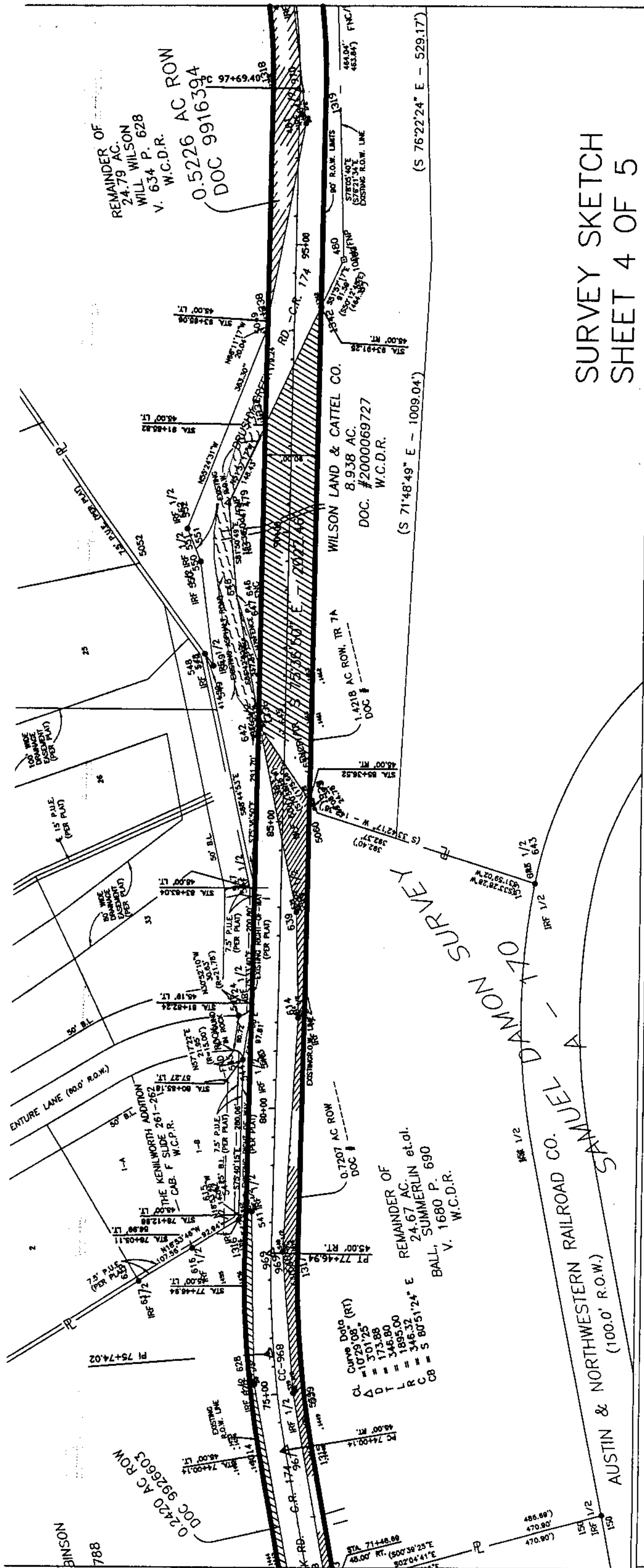
- LEGEND:
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 - 1/2" REBAR SET W/CAP (WILLIAMSON CNTY)
 - IRON PIPE FOUND
 - () RECORD SHOWN WHERE DIFFERENT
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 - Δ ANGLE POINT
 - WCPR - WILLIAMSON COUNTY PLAT RECORDS
 - WCDR - WILLIAMSON COUNTY DEED RECORDS

BEARING BASIS: GRID BEARING
STATE PLANE COORDINATE SYSTEM
CENTRAL ZONE



WILLIAMSON COUNTY
UNIFIED ROAD SYSTEM
3151 S.E. INNER LOOP, SUITE B
GEORGETOWN, TEXAS 78626
930-3330
OCTOBER, 2002



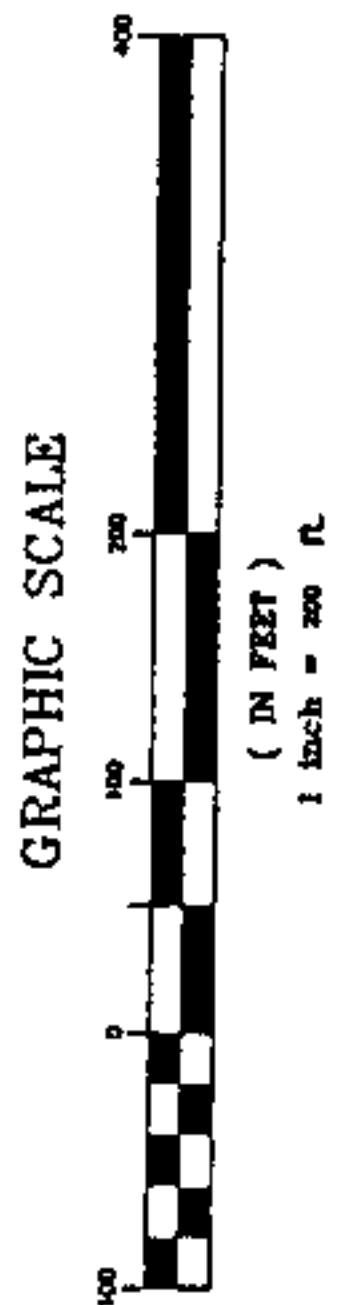


SURVEY SKETCH
SHEET 4 OF 5

LEGEND:

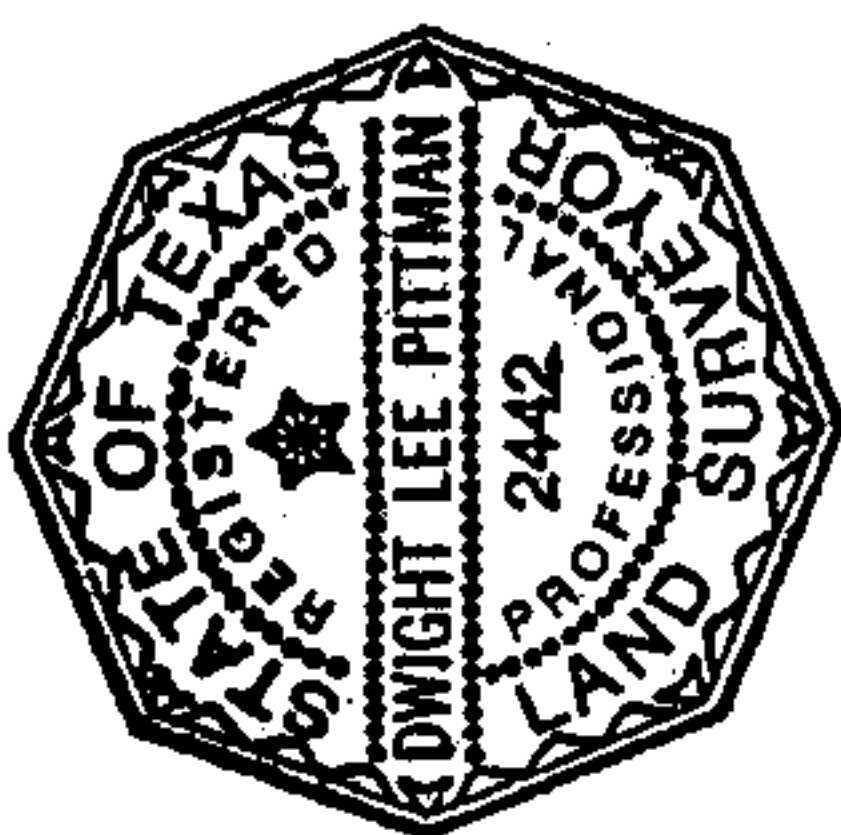
- REBAR FOUND
- 1/2" REBAR SET W/CAP (WILLIAMSON CNTY)
- IRON PIPE FOUND
- () RECORD SHOWN WHERE DIFFERENT
- ✱ RANCH FENCE
- Δ ANGLE POINT
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BEARING BASIS: GRID BEARING
STATE PLANE COORDINATE SYSTEM
CENTRAL ZONE



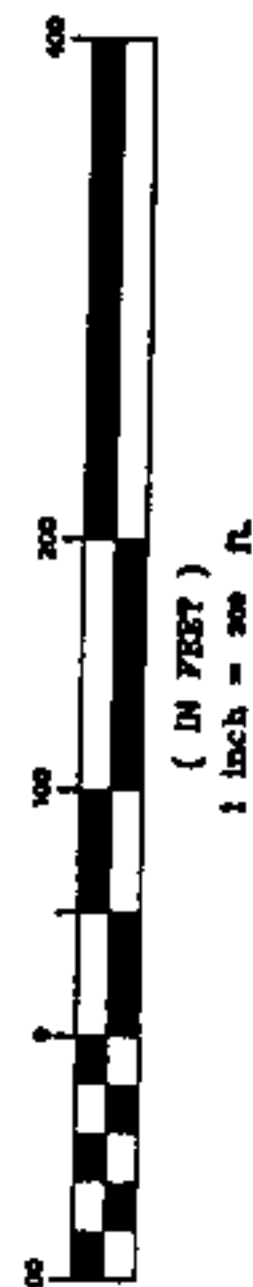
WILLIAMSON COUNTY
UNIFIED ROAD SYSTEM
3151 S.E. INNER LOOP, SUITE B
GEORGETOWN, TEXAS 78626
930-3330

OCTOBER, 2002



SURVEY SKETCH
SHEET 5 OF 5

GRAPHIC SCALE



WILLIAMSON COUNTY
UNIFIED ROAD SYSTEM
3151 S.E. INNER LOOP, SUITE B
GEORGETOWN, TEXAS 78626
930-3330

OCTOBER, 2002

LEGAL DESCRIPTION:

SKETCH TO ACCOMPANY FIELD NOTES FOR 23.637 ACRES OF LAND FOR ANNEXATION OF CR 174 TO THE CITY OF CEDAR PARK OUT OF THE SAMUEL DAMON SURVEY, ABSTRACT # 170 AND THE JOHN H DILLARD SURVEY, ABSTRACT # 179 IN WILLIAMSON COUNTY, TEXAS, SAME BEING THE CURRENT ROW OF CR 174 INCLUDING PRESCRIPTIVE EASEMENT, IMPLIED DEDICATION, AND VARIOUS ACQUISITION PARCELS AS RECORDED IN DOCUMENTS # 0838857, 9916394, 9926597, 9926599, 9926601, AND 9926603, SAVE AND EXCEPT 3.610 ACRES DEDICATED TO THE CITY OF CEDAR PARK FOR ROW IN VOL 2523, PG 573, OFFICIAL RECORDS, WILLIAMSON COUNTY TEXAS.

LEGEND:

- REBAR FOUND
 ○ 1/2" REBAR SET W/CAP (WILLIAMSON CNTY)
 ● IRON PIPE FOUND
 () RECORD SHOWN WHERE DIFFERENT
 *-- RANCH FENCE
 △ ANGLE POINT

WCPR WILLIAMSON COUNTY PLAT RECORDS
WCPR WILLIAMSON COUNTY DEED RECORDS

BEARING BASIS: GRID BEARING
STATE PLANE COORDINATE SYSTEM
CENTRAL ZONE

I, DWIGHT L. PITTMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING, DO HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED FROM AN ACTUAL ON-THE-GROUND SURVEY UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE ON THIS THE 18th DAY OF OCTOBER, 2002.

October, 2002.

DWIGHT L PITTMAN, RPLS 2442