

AGENDA ITEM 17

Discuss and take appropriate action on road bond program.

Mike Weaver addressed the Court. **Commissioner Curlee** addressed the Court noting that Capital Metro had been sent a letter granting thirty days on the McNeil overpass compensation issue.

AGENDA ITEM 18

Consider a resolution authorizing the necessity to condemn property interests required for the construction of the Parmer Lane expansion project, and take other necessary action. (Parcel 27, 27E; King).

Charlie Crossfield addressed the Court.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve a resolution authorizing the necessity to condemn property interests required for the construction of the Parmer Lane expansion project, and take other necessary action. (Parcel 27, 27E; King).

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 27 (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 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 the acquisition of a public utility easement in, upon and across Parcel 27E (described by metes and bounds in Exhibit "B") for the purpose of placing public utility facilities as a part of the right-of-way improvements for County Road 268 (aka Parmer Lane extension); and

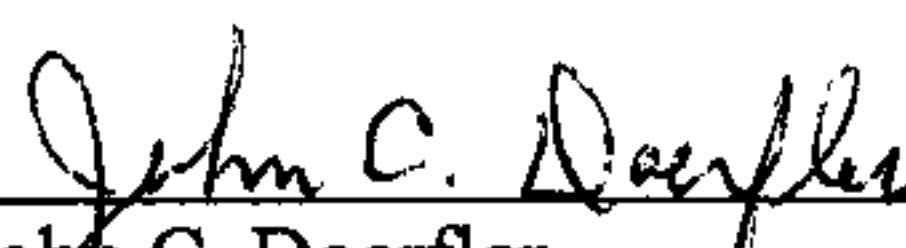
WHEREAS, the Commissioners' Court of Williamson County, Texas, has, through agents employed by the said office, entered into good faith negotiations with the owners of the hereinafter

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 Exhibits A and B 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 3rd day of February, 2004.



John C. Doerfler
Williamson County Judge

Ex. A

METES AND BOUNDS DESCRIPTION

BEING A 0.105-ACRE TRACT OF LAND SITUATED IN THE MILTON HICKS SURVEY, ABSTRACT NO. 287, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 4.11-ACRE TRACT OF LAND CONVEYED TO FRANKLIN L. KING AND BARBARA J. KING BY INSTRUMENT RECORDED IN VOLUME 2142, PAGE 722 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.105-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/2" iron rod found on a point in the easterly right-of-way line of County Road 268 (right-of-way width varies) being the southwesterly corner of said 4.11-acre King tract and the northwesterly corner of Lot 1, "Highmeadow Estates Phase One", according to the plat thereof recorded in Cabinet "K", Slides 297-299 of the Plat Records of Williamson County, Texas, from which a 1/2" iron rod found on a point for the northeasterly corner of said Lot 1 bears N69°04'25"E a distance of 836.29 feet;

THENCE with the westerly boundary line of said 4.11-acre King tract, same being the easterly right-of-way line of said County Road 268, N22°29'41"W for a distance of 23.57 feet to a capped iron rod set on a point for the southeasterly corner and POINT OF BEGINNING hereof;

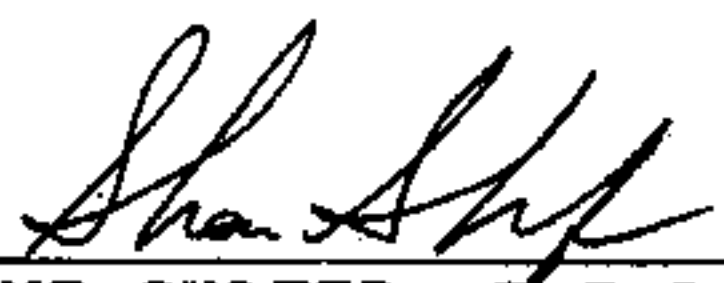
THENCE continuing with the westerly boundary line of said 4.11-acre King tract and the easterly right-of-way line of said County Road 268, the following two (2) courses and distances:

- 1) N53°49'44"W for a distance of 37.71 feet to a capped iron rod set on a point for the southwesterly corner hereof;
- 2) N21°11'44"W for a distance of 187.00 feet to a 1/2" iron rod found on a point for the northwesterly corner of said 4.11-acre King tract and the southwesterly corner of that certain 4.10-acre tract of land conveyed to William S. Albrecht and Paradee Albrecht by instrument recorded in Document No. 9708055 of the Official Records of Williamson County, Texas, said point also being the northwesterly corner hereof;

THENCE departing the easterly right-of-way line of said County Road 268 with the northerly boundary line of said 4.11-acre King tract, same being the southerly boundary line of said 4.10-acre Albrecht tract, N67°00'31"E for a distance of 24.30 feet to a capped iron rod set on a point for the northeasterly corner hereof, from which a 1/2" iron rod found on a point for the northeasterly corner of said 4.11-acre King tract and the southeasterly corner of said 4.10-acre Albrecht tract bears N67°00'31"E a distance of 681.41 feet;

THENCE departing the southerly boundary line of said 4.10-acre Albrecht tract, through the interior of said 4.11-acre King tract, S20°09'50"E for a distance of 219.55 feet to the POINT OF BEGINNING hereof and containing 0.105 acres of land, more or less.

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


SHANE SHAFER, K.P.L.S. NO. 5281 12/4/02
DSI PARCEL NO. 27 DATE

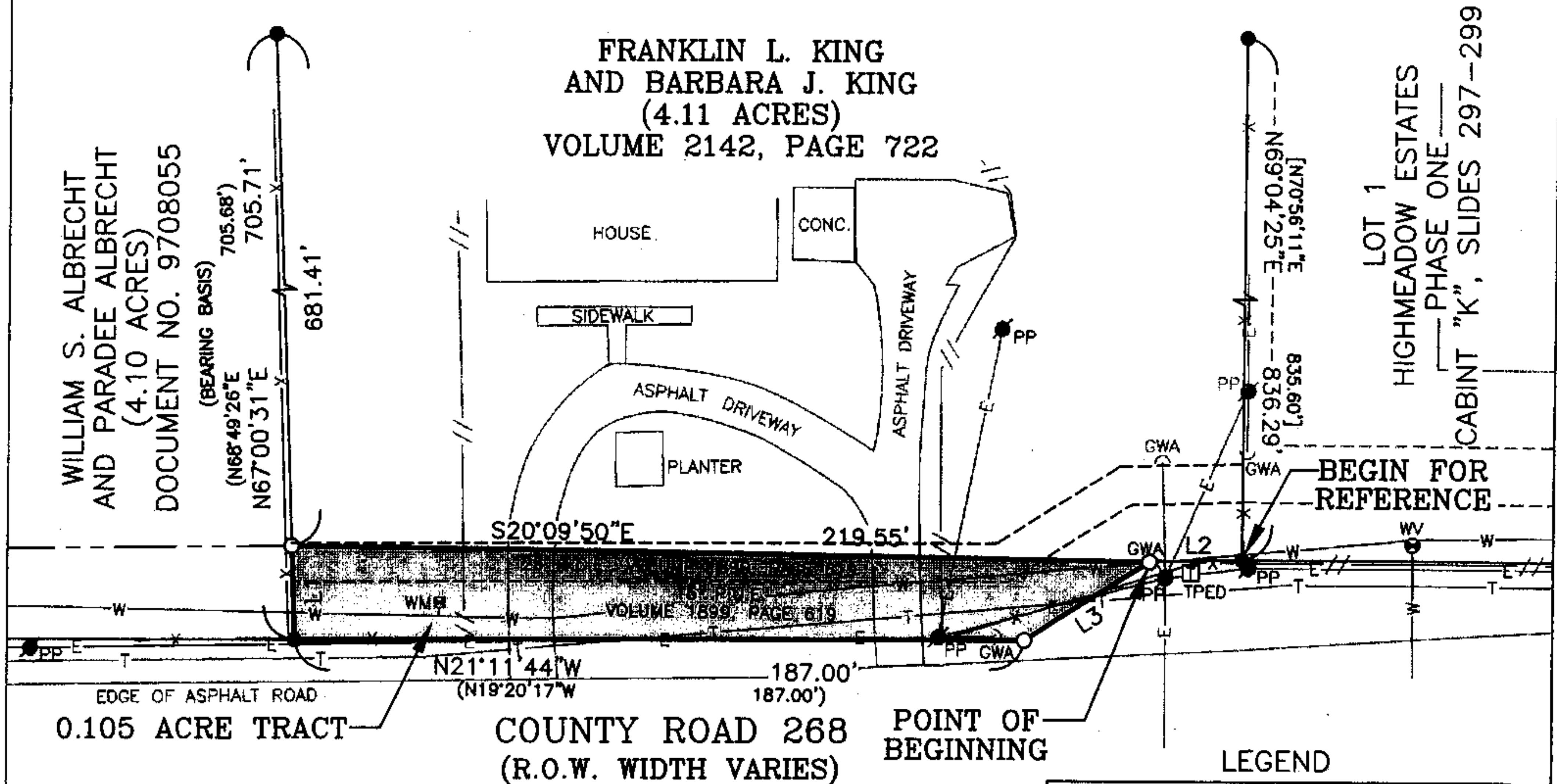


SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION

FOR A 0.105 ACRE TRACT OF LAND SITUATED IN THE MILTON HICKS SURVEY, ABSTRACT NO. 287, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 4.11 ACRE TRACT OF LAND CONVEYED TO FRANKLIN L. KING AND BARBARA J. KING BY INSTRUMENT RECORDED IN VOLUME 2142, PAGE 722 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS.

FRANKLIN L. KING
AND BARBARA J. KING
(4.11 ACRES)
VOLUME 2142, PAGE 722

WILLIAM S. ALBRECHT
AND PARADEE ALBRECHT
(4.10 ACRES)
DOCUMENT NO. 9708055



SURVEYOR'S NOTES:

- 1) THIS TRACT IS SUBJECT TO RESTRICTIVE COVENANTS OF RECORD IN VOLUME 703, PAGE 200, VOLUME 709, PAGE 702 AND VOLUME 714, PAGE 690, DEED RECORDS, AND VOLUME 2378, PAGE 823, OFFICIAL RECORDS.
- 2) UNDERGROUND TELECOMMUNICATIONS EASEMENT OF RECORD IN VOLUME 570, PAGE 702, DEED RECORDS, DOES NOT AFFECT THIS TRACT.
- 3) THIS TRACT IS LOCATED WITHIN BRUSHY CREEK WATER CONTROL AND IMPROVEMENT DISTRICT #1 AND IS SUBJECT TO ALL RIGHTS UNDER THE LAW ACCORDED TO SUCH A DISTRICT.
- 4) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.

SCALE: 1" = 50'

LINE TABLE

NO.	BEARING	DISTANCE
L1	N67°00'31"E	24.30'
L2	N22°29'41"W	23.57'
(L2)	(N20°39'17"W)	(23.57')
L3	N53°49'44"W	37.71'
(L3)	(N51°53'17"W)	(37.79')

I, Shane Shofer, 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 December 4, 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. 2002 RR 242143-K (00384) of Austin Title Company. USE OF THIS SURVEY FOR ANY PURPOSE 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



D.S.I. PARCEL #27

DIAMOND SURVEYING, INC

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

Ex. B

METES AND BOUNDS DESCRIPTION
FOR UTILITY EASEMENT

BEING A 0.017-ACRE TRACT OF LAND SITUATED IN THE MILTON HICKS SURVEY, ABSTRACT NO. 287, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 4.11-ACRE TRACT OF LAND CONVEYED TO FRANKLIN L. KING AND BARBARA J. KING BY INSTRUMENT RECORDED IN VOLUME 2142, PAGE 722 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.017-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/2" iron rod found on a point in the easterly right-of-way line of County Road 268 (right-of-way width varies) being the southwesterly corner of said 4.11-acre King tract and the northwesterly corner of Lot 1, "Highmeadow Estates Phase One", according to the plat thereof recorded in Cabinet "K", Slides 297-299 of the Plat Records of Williamson County, Texas, from which point a 1/2" iron rod found on a point for the northeasterly corner of said Lot 1 bears N69°04'25"E a distance of 836.29 feet;

THENCE with the westerly boundary line of said 4.11-acre King tract, same being the easterly right-of-way line of said County Road 268, N22°29'41"W for a distance of 11.99 feet to a capped iron rod set on a point for the southeasterly corner and POINT OF BEGINNING hereof;

THENCE continuing with the westerly boundary line of said 4.11-acre King tract and the easterly right-of-way line of said County Road 268, N22°29'41"W for a distance of 11.58 feet to a capped iron rod set on a point being an angle point in the westerly line of the said 4.11-King tract and an angle point hereof;

THENCE through the interior of the said 4.11-acre King tract N20°09'50"W for a distance of 3.43 feet to a capped iron rod set on a point being the northwesterly corner hereof;


THENCE N69°40'34"E for a distance of 50.16 feet to a capped iron rod set on a point being the northeasterly corner hereof;

THENCE S20°19'26"E for a distance of 15.00 feet to a capped iron rod set on a point being the southeasterly corner hereof;

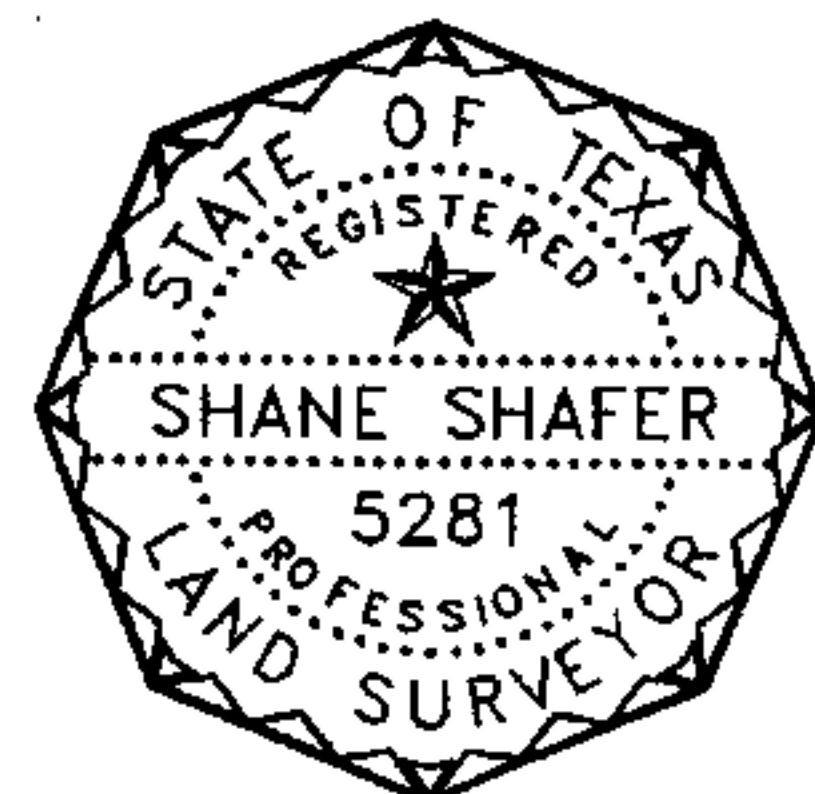
THENCE S69°40'34"W for a distance of 49.73 feet to the POINT OF BEGINNING hereof and containing 0.017 acres of land, more or less.

◇ DIAMOND SURVEYING, INC.

516 LEANDER ROAD, GEORGETOWN, TX 78626
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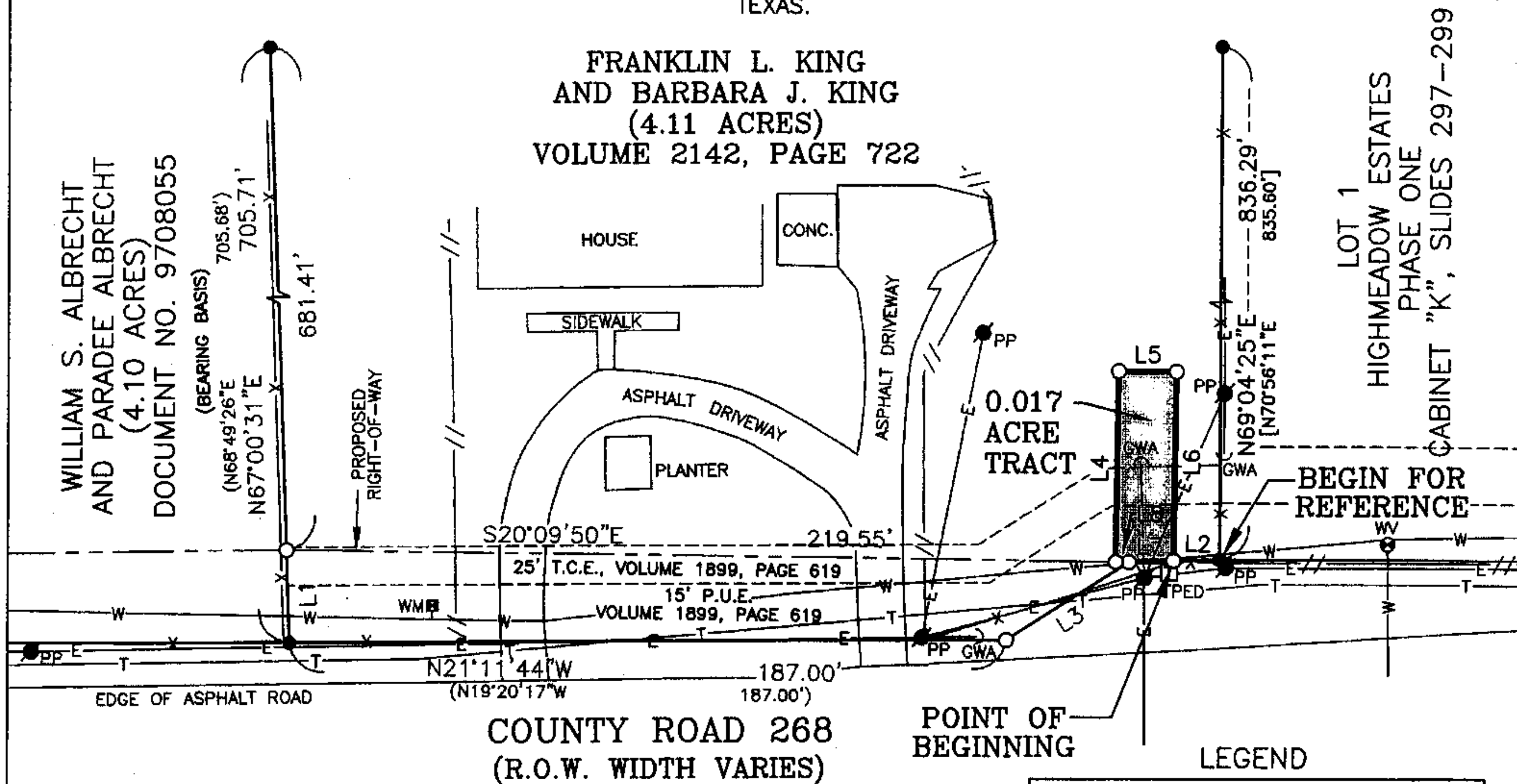

SHANE SHAFER, R.P.L.S. NO. 5281
DSI UE PARCEL NO. 27

8/27/03
DATE



SKETCH TO ACCOMPANY METES AND BOUNDS DESCRIPTION FOR UTILITY EASEMENT

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(L3)	(N51°53'17"W)	(37.79')
L4	N69°40'34"E	50.16'
L5	S20°19'26"E	15.00'
L6	S69°40'34"W	49.73'
L7	N22°29'41"W	11.58'
L8	N20°09'50"W	3.43'

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 August 26, 2003. 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. 2002 RR 242143-K (00384) of Austin Title Company. USE OF THIS SURVEY FOR ANY PURPOSE 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

8/27/03

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