

**SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 15-050.5

**RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY RIGHTS BY
AGREEMENT OR CONDEMNATION OF CERTAIN PROPERTY IN TRAVIS
COUNTY FOR THE 183 SOUTH / BERGSTROM EXPRESSWAY PROJECT
(PARCEL 157)**

WHEREAS, pursuant to and under the authority of Subchapter E, Chapter 370, Texas Transportation Code and other applicable law, the Central Texas Regional Mobility Authority ("Mobility Authority") hereby finds and determines that 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 and the roadways of the State of Texas, public convenience and necessity requires acquisition of the fee simple interest and any leasehold interests in real property, excluding any rights to the mineral estate, as that fee simple interest in real property is described by metes and bounds in Exhibit 1 to this Resolution (the "Property"), owned by William E. Selman (the "Owner"), located adjacent to the US Hwy 183S in Travis County, for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of the US 183 South / Bergstrom Expressway Project (the "Project"), as a part of the improvements to the Project; and

WHEREAS, an independent, professional appraisal report of the Property has been submitted to the Mobility Authority, and an amount has been established to be just compensation for the property rights to be acquired; and

WHEREAS, the Executive Director of the Mobility Authority, through agents employed or contracted with the Mobility Authority, has transmitted an official written offer to the Owner, based on the amount determined to be just compensation, and has entered into good faith negotiations with the Owner of the Property to acquire the Property; and

WHEREAS, as of the date of this Resolution, the Executive Director and the Owner have failed to agree on the amount determined to be just compensation due to said Owner for the Property; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors that the Executive Director is specifically authorized to negotiate and execute, if possible, an agreement to acquire the Property for consideration in an amount that does not exceed the official written offer previously transmitted to the Owner; and

BE IT FURTHER RESOLVED that the Executive Director is authorized and directed to negotiate an agreement to acquire the Property and all leasehold interests in the Property by agreement, subject to approval of the agreement and acquisition price by the Board of Directors; and

BE IT FURTHER RESOLVED that at such time as the Executive Director concludes that further negotiations with Owner to acquire the Property by agreement would be futile, the Executive Director or his designee is hereby authorized and directed to file or cause to be filed a suit in eminent domain to acquire the Property for the aforesaid purposes against the Owner and the owners of any interest in, and the holders of any lien secured by the Property described in the attached Exhibit 1; and

BE IT FURTHER RESOLVED that the Executive Director or his designee is hereby authorized and directed to incur such expenses and to employ such experts as he shall deem necessary to assist in the prosecution of such suit in eminent domain, including, but not limited to, appraisers, engineers, and land use planners.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 24th day of August, 2015.

Submitted and reviewed by:

Approved:



Andrew Martin, General Counsel



Ray A. Wilkerson, Chairman

EXHIBIT _____

County: Travis
Highway: US 183
Limits: From: East of U.S. 290 To: S.H.71
RCSJ: 0151-09-039
Station: 547+18.90 to 549+52.32

DESCRIPTION FOR PARCEL 157

DESCRIPTION OF A 0.163 ACRE (7,117 SQ.FT.) PARCEL OF LAND LOCATED IN THE SANTIAGO DE VALLE GRANT, ABSTRACT NO. 24, IN CITY OF AUSTIN, TRAVIS COUNTY, TEXAS BEING A PORTION OF LOT B, EL JAY SUBDIVISION, AND RECORDED IN VOLUME 59, PAGE 61, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.), SAME BEING A PORTION OF LOT B, CONVEYED IN A SPECIAL WARRANTY DEED TO WILLIAM E. SELMAN, AND RECORDED IN VOLUME 11788, PAGE 26, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.TX.), SAID 0.163 ACRE (7,117 SQ.FT.) PARCEL OF LAND, AS SHOWN ON THE ACCOMPANYING SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron pipe found at the south corner of said Selman tract, same being an interior ell corner of Tract 1, as conveyed in a deed to 422 Bastrop Hwy., Ltd, and recorded in Document No. 2006129926 of the Official Public Records of Travis County, Texas (O.P.R.T.C.TX.);

THENCE, N34°01'40"E, with the west line of said Tract 1, same being the east line of said Selman tract, a distance of 36.48 feet to a ½-inch iron rod with a Texas Department of Transportation (TxDOT) aluminum cap set 231.75 feet right of Engineer's Centerline Station (E.C.S.) 549+52.32, said point being on the proposed west right-of-way line of U.S. Highway 183, for the **POINT OF BEGINNING**, and the southwest corner of the parcel described herein;

THENCE, with the proposed west right-of-way line of said U.S. Highway 183, over and across said Selman tract, the following two (2) courses and distances numbered 1-2;

- 1) N 36°13'14" W, a distance of 168.86 feet to a 5/8-inch iron rod with a TxDOT aluminum cap set 252.47 feet right of E.C.S. 547+84.73**, and
- 2) N 09°25'02" W, a distance of 69.96 feet to a 5/8-inch iron rod with a TxDOT aluminum cap set 228.82 feet right of E.C.S. 547+18.90**, said point being on the west line of said Selman tract, same being the east right of way line of Valdez Street (50 foot width right-of-way)(no record information found), for the northwest corner of the parcel described herein;
- 3) **THENCE** N 35°00'45" E, with the common line of said Selman tract, and said Valdez Street, a distance of 8.61 feet to a ½-inch iron rod with a TxDOT aluminum cap found 221.07 feet right of E.C.S. 547+15.15 on the existing west right of way line of said U.S. Highway 183, as conveyed to the State of Texas, and recorded in Document No. 2006099915 of the O.P.R.T.C.TX., said point being a point of intersection with the east right of way line of said Valdez Street, for the northeast corner of the parcel described herein;

CURVE TABLE

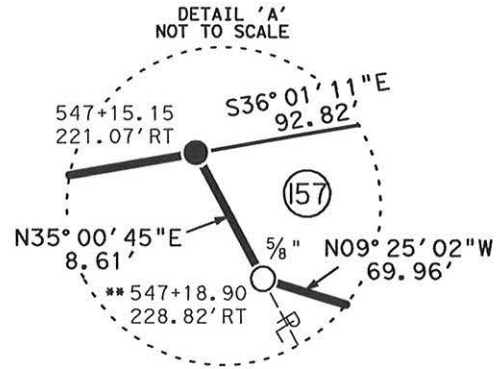
NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	02° 38' 02" RT	2, 879.79'	132.38'	132.37'	S30° 37' 49" E

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N34° 01' 40" E	36.48'
L2	S34° 01' 40" W	28.13'

LEGEND

- TYPE I CONCRETE MONUMENT FOUND
- ▣ TxDOT TYPE II CONCRETE MONUMENT FOUND (UNLESS NOTED)
- ◻ TYPE II CONCRETE MONUMENT SET
- 1/2" IRON ROD SET WITH TxDOT ALUMINUM CAP SET UNLESS NOTED
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- ◎ IRON PIPE FOUND
- COTTON SPINDLE FOUND
- △ CALCULATED POINT
- ◇ FENCE POST
- ⌒ PROPERTY LINE
- ⊥ CENTER LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.T. POINT OF TERMINATION
- P.C. POINT OF CURVATURE
- P.C.C. POINT OF COMPOUND CURVATURE
- P.T. POINT OF TANGENCY
- P.O.R. POINT OF REFERENCE
- D.R.T.C.TX. DEED RECORDS TRAVIS COUNTY, TX.
- P.R.T.C.TX. PLAT RECORDS TRAVIS COUNTY, TX.
- R.P.R.T.C.TX. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- +— ACCESS DENIAL LINE (C. OF A. LINE) ["C.O.A."], ["A.D.L."]



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

William Reed Herring

1/8/2015

WILLIAM REED HERRING
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6355, STATE OF TEXAS

DATE

1/8/2015
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RIGHT-OF-WAY SKETCH SHOWING
PARCEL 157
0.163 AC. (7,117 SQ. FT.)
RCSJ NO. 0151-09-039