# GENERAL MEETING OF THE BOARD OF DIRECTORS OF THE CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY 

RESOLUTION NO. 20-038

## AUTHORIZING ACQUISITION OF PROPERTY RIGHTS BY AGREEMENT OR CONDEMNATION OF CERTAIN PROPERTY IN WILLIAMSON COUNTY FOR THE 183A PHASE III PROJECT

(Parcel 1)
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 fee simple title in and to 14.824 acres of property located in Williamson County, Texas, more particularly described by metes and bounds in Exhibit A to this Resolution (the "Property"), owned by Kang Lee, Yuh-Jaan Way, and Zennie Lien-Fang Wey (the "Owner"), located at NEC of Hwy 183/CR 258, Liberty Hill, Texas, 78642, for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of the US 183A Phase III Project (the "Project"), as a part of the improvements to the Project; and

WHEREAS, an independent, certified professional appraisal report of the Property to be acquired, and any damages to the remaining property of Owner, 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 after completion of all of the requirements for a bona fide offer as required by the Texas Property Code, 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 A; 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 $24^{\text {th }}$ day of June 2020.

Submitted and reviewed by:


## Exhibit A

## Description of Parcel 1




Page 1.3

## EXHIBIT A

County: Williamson
Page 1 of 7
Highway: U.S. Highway 183
September 3, 2019
Project Limits: From County Road 258/213 to Hero Way
ROW CSJ: 0914-05-192

## PROPERTY DESCRIPTION FOR PARCEL 1

Description of 14.824 acres ( 645,712 square feet) of land out of the John B. Robinson Survey, Abstract No. 521, in Williamson County, Texas, same being a portion of that tract of land described as 94.081 acres (Tracts 1 and 2) conveyed to Kang Lee and YuhJaan Wey by deed, as recorded in Document No. 2004010968, Official Public Records, Williamson County, Texas, and to Zenni Lien-Fang Wey ( $50 \%$ of Yuh-Jaan Wey's Interest) by deed, as recorded in Document No. 2012098011, Official Public Records, Williamson County, Texas; said 14.824 acres of land being more particularly described by metes and bounds as follows:

COMMENCING at a $1 / 2$ " iron rod with "HAYNIE CONSULTANTS" cap found in the south line of said 94.081 acre Lee et al tract and the existing north right-of-way line of County Road 258 (varying width), being at the west corner of a 1.061 acre tract conveyed to Williamson County, Texas by deed, as recorded in Document No. 2003092381, Official Public Records, Williamson County, Texas;

THENCE, with the south line of said 94.081 acre Lee et al tract and the existing north right-of-way line of County Road 258, $550^{\circ} 07$ ' $22^{\prime \prime} \mathrm{W} 0.50$ feet to a $5 / 8^{\prime \prime}$ iron rod with TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) aluminum cap set** in the proposed east right-of-way line of U.S. Highway 183, 412.79 feet left of Engineer's Baseline Station 43+71.73, and being the southeast corner of this parcel, for the POINT OF BEGINNING having coordinates of $\mathrm{N}=10,215,111.86, \mathrm{E}=3,068,785.91$;

THENCE, with the south line of this parcel, continuing with the south line of said 94.081 acre Lee et al tract and the existing north right-of-way line of County Road 258, the following three (3) courses, numbered 1 through 3 :

1) $\mathbf{S 5 0} 0^{\circ} 07^{\prime} 22^{\prime \prime} \mathrm{W} \mathbf{1 4 9 . 7 0}$ feet to a $1 / 2^{\prime \prime}$ iron rod found;
2) with a curve to the right, whose intersection angle is $19^{\circ} 23^{\prime} 37^{\prime \prime}$, radius is 838.06 feet, an arc distance of 283.67 feet, the chord of which bears $\mathbf{S 5 9} 46^{\prime} 52^{\prime \prime} \mathrm{W}$ 282.32 feet to a $1 / 2^{\prime \prime}$ iron rod found; and
3) $\mathbf{S} 69^{\circ} 28^{\prime} 31 " \mathrm{~W} \mathbf{6 8 . 8 6}$ feet to a point at the southwest corner of this parcel and said 94.081 acre Lee et al tract, being in the existing east right-of-way line of U.S. Highway 183 (varying width);

## EXHIBIT A

County: Williamson
Page 2 of 7
Highway: U.S. Highway 183
September 3, 2019
Project Limits: From County Road 258/213 to Hero Way
ROW CSJ: 0914-05-192

## PROPERTY DESCRIPTION FOR PARCEL 1

THENCE, with the west line of this parcel and said 94.081 acre Lee et al tract and the existing east right-of-way line of U.S. Highway 183, the following two (2) courses, numbered 4 and 5:
4) with a curve to the right, whose intersection angle is $24^{\circ} 46^{\prime} 03^{\prime \prime}$, radius is $\mathbf{3 , 7 6 9 . 4 8}$ feet, an arc distance of $\mathbf{1 , 6 2 9 . 4 5}$ feet, the chord of which bears $\mathrm{N} 07^{\circ} 42^{\prime} 15^{\prime \prime} \mathrm{W}$ 1,616.79 feet to a TxDOT Type I monument found; and
5) N $04^{\circ} 40^{\prime} 03^{\prime \prime} \mathrm{E} 368.28$ feet to a $5 / 8^{\prime \prime}$ iron rod with TxDOT aluminum cap set** in the proposed east right-of-way line of U.S. Highway 183, at the northwest corner of this parcel, 113.75 feet right of Engineer's Baseline Station 25+95.21, from which a TxDOT Type I monument found bears $\mathrm{N} 04^{\circ} 40^{\prime} 30^{\prime \prime} \mathrm{E} 456.27$ feet;
6) THENCE, with the north line of this parcel and the proposed east right-of-way line of U.S. Highway 183, crossing said 94.081 acre Lee et al tract, $\mathbf{S 8 5}^{\circ} 05^{\prime} \mathbf{0 6}{ }^{\prime \prime} \mathrm{E} 320.17$ feet to a $5 / 8^{\prime \prime}$ iron rod with TxDOT aluminum cap set** at the northeast corner of this parcel, 206.42 feet left of Engineer's Baseline Station 25+96.57;

THENCE, with the east line of this parcel, continuing with the proposed east right-ofway line of U.S. Highway 183, crossing said 94.081 acre Lee et al tract, the following four (4) courses, numbered 7 through 10 :
7) $\mathrm{S} 04^{\circ} 40^{\prime}{ }^{19}{ }^{\prime \prime} \mathrm{W} \mathbf{3 6 7 . 7 8}$ feet to a $5 / 8^{\prime \prime}$ iron rod with TxDOT aluminum cap set**, 201.46 feet left of Engineer's Baseline Station 29+73.06;
8) with a curve to the left, whose intersection angle is $12^{\circ} 43^{\prime} 54^{\prime \prime}$, radius is $\mathbf{3 , 4 4 9 . 7 1}$ feet, an arc distance of 766.56 feet, the chord of which bears $\mathbf{S} 01^{\circ} 41^{\prime} 38^{\prime \prime} \mathrm{E} 764.98$ feet to $5 / 8^{\prime \prime}$ iron rod with TxDOT aluminum cap set**, 199.39 feet left of Engineer's Baseline Station 37+67.10;
9) $\mathrm{S} 19^{\circ} 11^{\prime} 56^{\prime \prime} \mathrm{E} 589.30$ feet to a $5 / 8^{\prime \prime}$ iron rod with TxDOT aluminum cap set**, 308.27 feet left of Engineer's Baseline Station 43+62.02;
10) $\mathbf{N} 85^{\circ} 33^{\prime} 50$ " E 104.98 feet to the POINT OF BEGINNING and containing 14.824 acres, or 645,712 square feet within these metes and bounds, more or less.

EXHIBIT A
County: Williamson
Page 3 of 7
Highway: U.S. Highway 183
September 3, 2019
Project Limits: From County Road 258/213 to Hero Way
ROW CSJ: 0914-05-192

## PROPERTY DESCRIPTION FOR PARCEL 1

All bearings are based on the Texas Coordinate System, Central Zone, North American Datum of 1983 (1983) HARN. All distances and coordinates were adjusted to surface using a combined scale factor of 1.00012 .
**The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Access is permitted to the highway facility from the remainder of the abutting property.
A parcel plat of even date was prepared in conjunction with this property description.

## STATE OF TEXAS

§
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS
§
That I, Chris Conrad, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 3rd day of September, 2019 A.D.

SURVEYED BY:
McGRAY \& McGRAY LAND SURVEYORS, INC. 3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591 TBPLS Firm\# 10095500


Chris Conrad, Reg. Professional Land Surveyor No. 5623

I HEREGY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOMLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVSION.

## NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM. CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, (1993) HARN. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVDING BY A COMEINED ADJUSTMENT FACTOR OF 1.00012 .
2. PROPOSED ENGINEER'S BASELINE PROUDED BY RTG AS OF JUNE 16, 2019 MAY NOT MATCH PROPOSED CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.
3. ABSTRACTING WAS PERFORMED FROM JUNE 2019 THROUGH JULY 2019.
4. FIELD SURVEYING WAS PERFORMED FROM JUNE 2019 THROUGH JULY 2019.
5. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WTH THIS PARCEL PLAT.
6. ACCESS IS PERMITTED TO THE HIGHWAY FACILITY FROM THE ABUTTING REMAINDER PROPERTY
7.     * THE MONUMENTS DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE ॥ RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PRONECT UNDER THE SUPERVIION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

| REVSIONS: |  |  |
| :---: | :---: | :---: |
| * |  |  |
| RECORD | ACQUISITION | REMANING RT |
| $\begin{gathered} 94.081 \mathrm{AC} . \\ 4,098,168 \mathrm{SQ} . \mathrm{FT} . \end{gathered}$ | $\begin{gathered} 14.824 \mathrm{AC} . \\ 645,712 \mathrm{SQ} . \mathrm{FT} . \end{gathered}$ | $\begin{gathered} 79.257 \mathrm{AC.} \\ 3,452,456 \mathrm{SQ} . \end{gathered}$ |
| MCGRAY \& MCGRAY LAND SURVEYORS, INC. <br> TBPLS FIRM \# 10095500 3301 HANCOCK DRIVE \#6 AUSTIN, TEXAS 78731 <br> (512) 451-8591 |  |  |

PARCEL PLAT SHOWING
PARCEL 1
US HWY 183
WLLLIAMSON COUNTY, TEXAS
R.O.W. C.S.J.: 0914-05-192

DATE: SEPTEMBER, 2019
SCALE: N.T.S.


09/03/2019
CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE
PAGE 4 OF 7




