

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

RESOLUTION NO. 20-040

**AUTHORIZING ACQUISITION OF PROPERTY RIGHTS BY AGREEMENT OR
CONDEMNATION OF CERTAIN PROPERTY IN WILLIAMSON COUNTY FOR
THE 183A PHASE III PROJECT
(Parcel 4)**

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 0.1638 acre of property located in Williamson County, Texas, more particularly described by metes and bounds in Exhibit A to this Resolution (the "Property"), owned by LEANDER DEVELOPERS 4, LTD. (the "Owner"), located at 450 N. Hwy 183, 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

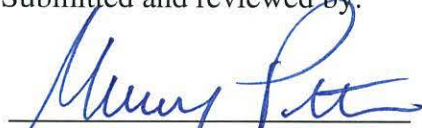
BE IT FURTHER RESOLVED that the Executive Director is authorized and directed to negotiate an agreement to acquire the Property and all leasehold interests in the Property by agreement, subject to approval of the agreement and acquisition price by the Board of Directors; and

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 24th day of June 2020.

Submitted and reviewed by:



Geoff Petrov, General Counsel

Approved:



Robert W. Jenkins, Jr.
Chairman, Board of Directors

Exhibit A

Description of Parcel 4



is not detrimental to the subject's future Highest and Best Use. As such, it is concluded that the Highest and Best Use of the remainder after the proposed acquisition is the same as that of the whole property.

Please see the following image for an aerial of the subject property which shows the outline of the part to be acquired in red.

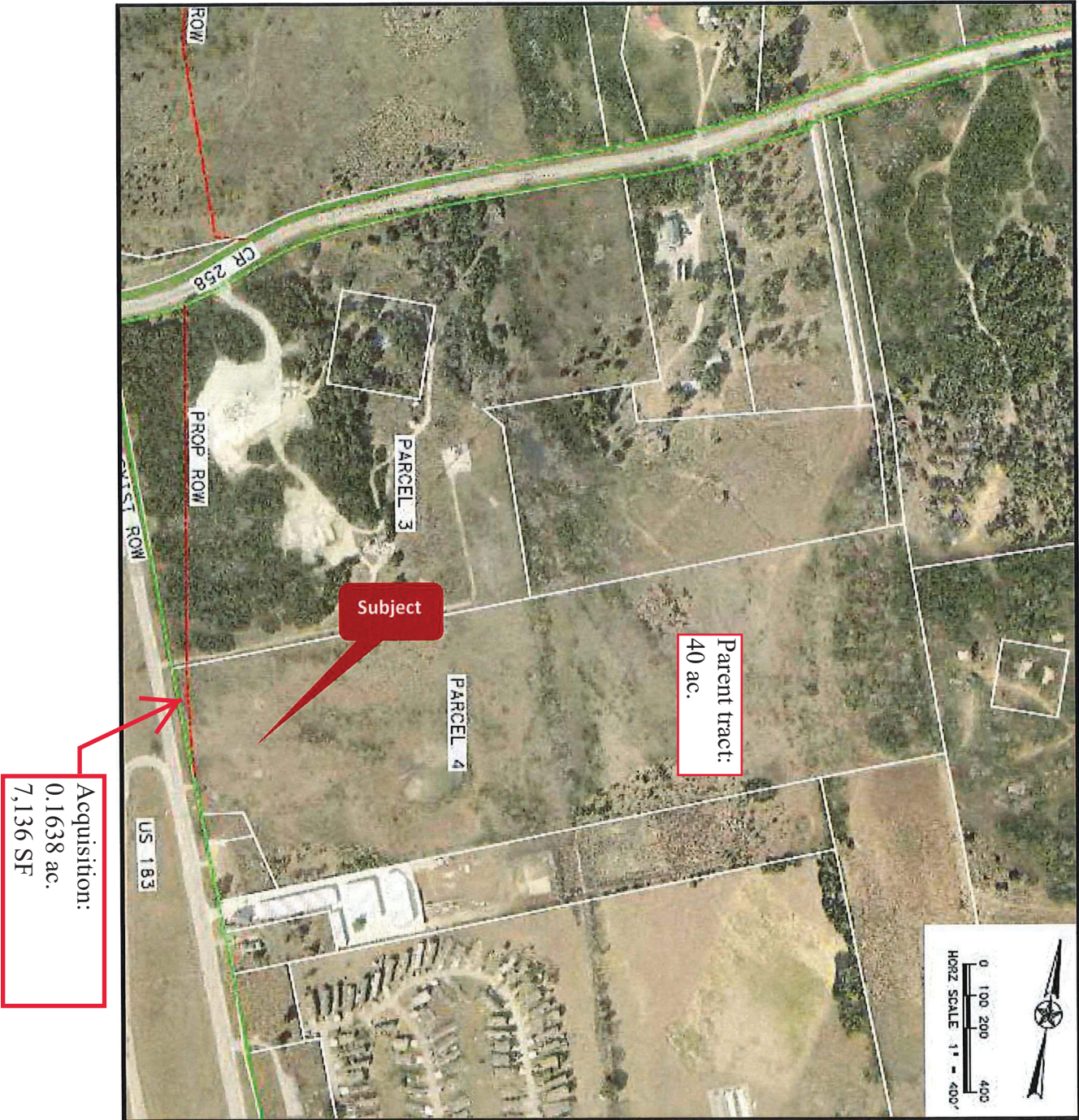


EXHIBIT A

County: Williamson
Highway: U.S. Highway 183
Project Limits: From County Road 258/213 to Hero Way
ROW CSJ: 0914-05-192

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September 20, 2019

PROPERTY DESCRIPTION FOR PARCEL 4

Description of 0.1638 of one acre (7,136 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 37.549 acres (Tract One) conveyed to Leander Developers 4, LTD. by deed, as recorded in Document No. 2006003648, Official Public Records, Williamson County, Texas; said 0.1638 of one acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron pipe found in the north line of said 37.549 acre Leander Developers 4 tract, being at the southwest corner of that tract described as 12.73 acres conveyed to David Stanton Morgan by deed, as recorded in Document No. 2007057967, Official Public Records, Williamson County, Texas, and the southeast corner of that tract described as 38.7425 acres conveyed to Klatt Properties, LP by deed, as recorded in Document No. 2006003648, Official Public Records, Williamson County, Texas;

THENCE, with the north line of said 37.549 acre Leander Developers 4 tract and the south line of said 38.7425 acre Klatt Properties tract, S69°13'51"W 687.49 feet to a 1/2" iron rod found at an angle point;

THENCE, continuing with the north line of said 37.549 acre Leander Developers 4 tract and the south line of said 38.7425 acre Klatt Properties tract, S69°10'18"W 330.82 feet to a 5/8" iron rod with TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) aluminum cap set** in the proposed east right-of-way line of U.S. Highway 183 at the beginning of an Access Denial Line, 203.62 feet left of Engineer's Baseline Station 57+03.74, at the northeast corner of this parcel, for the POINT OF BEGINNING having coordinates of N=10,213,775.98 E=3,068,811.79;

- 1) THENCE, with the east line of this parcel and the proposed east right-of-way line of U.S. Highway 183, along this Access Denial Line, crossing said 37.549 acre Leander Developers 4 tract, with a curve to the left, whose intersection angle is **04°21'53"**, radius is **4,800.00 feet**, an arc distance of **365.67 feet**, the chord of which bears **S13°38'04"E 365.58 feet** to a 5/8" iron rod with TxDOT aluminum cap stamped "ADL set** at the end of this Access Denial Line, at the south corner of this parcel, being in the west line of said 37.549 acre Leander Developers 4 tract and the existing east right-of-way line of U.S. Highway 183 (varying width), 197.73 feet left of Engineer's Baseline Station 60+81.15;

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PROPERTY DESCRIPTION FOR PARCEL 4

- 2) THENCE, with the west line of this parcel and said 37.549 acre Leander Developers 4 tract and the existing east right-of-way line of U.S. Highway 183, **N20°33'07"W 362.70 feet** to a 1/2" iron pipe found at the northwest corner of this parcel and said 37.549 acre Leander Developers 4 tract and the southwest corner of said 38.7425 acre Klatt Properties tract;
- 3) THENCE, with the north line of this parcel and said 37.549 acre Leander Developers tract and the south line of said 38.7425 acre Klatt Properties tract, **N69°10'18"E 44.03 feet** to the POINT OF BEGINNING and containing 0.1638 of one acre, or 7,136 square feet within these metes and bounds, more or less.;

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 this high construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Access is prohibited across the Access Denial Line to the highway facility from the abutting property.

EXHIBIT A

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PROPERTY DESCRIPTION FOR PARCEL 4

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 §

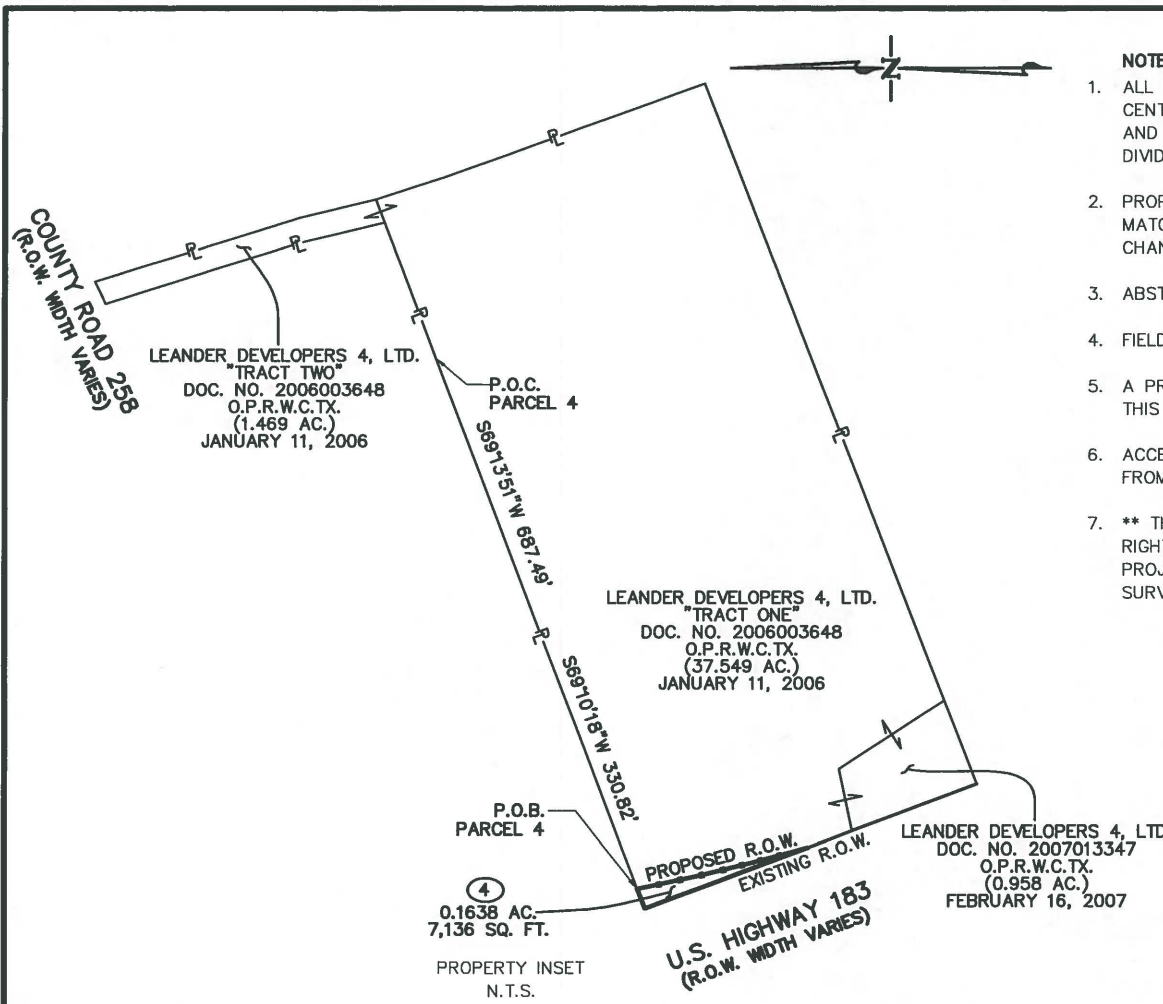
That I, Chris Conrad, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 20th 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
RTGF~19-041~US 183A/Descriptions/Parcel 4
Issued 08/23/19



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 DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00012.
2. PROPOSED ENGINEER'S BASELINE PROVIDED 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 WITH THIS PARCEL PLAT.
6. ACCESS IS PROHIBITED ACROSS THE ACCESS DENIAL LINE TO THE HIGHWAY FACILITY FROM THE ABUTTING REMAINDER PROPERTY.
7. ** THE MONUMENTS DESCRIBED AND SET 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.

REVISIONS:

RECORD	ACQUISITION	REMAINING LT
39.976 AC. 1,741,355 SQ.FT.	0.1638 AC. 7,136 SQ.FT.	39.8122 AC. 1,734,219 SQ. FT.

McGRAY & McGRAY
LAND SURVEYORS, INC.
 TBPLS FIRM # 10095500
 3301 HANCOCK DRIVE #6
 AUSTIN, TEXAS 78731
 (512) 451-8591

PARCEL PLAT SHOWING
 PARCEL 4
 US HWY 183
 WILLIAMSON COUNTY, TEXAS
 R.O.W. C.S.J.: 0914-05-192

DATE: SEPTEMBER 20, 2019 | SCALE: N.T.S.

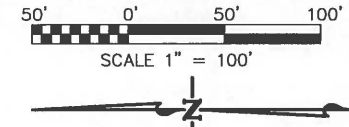
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.



CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE 09/20/2019

DAVID STANTON MORGAN
 DOC. NO. 2007057967
 O.P.R.W.C.TX.
 (12.73 AC.)
 JUNE 5, 2007

JOHN B. ROBINSON SURVEY ABSTRACT NO. 521



LEANDER DEVELOPERS 4, LTD.
 DOC. NO. 2007013347
 O.P.R.W.C.TX.
 (0.958 AC.)
 FEBRUARY 16, 2007

LEANDER DEVELOPERS 4, LTD.
 "TRACT ONE"
 DOC. NO. 2006003648
 O.P.R.W.C.TX.
 (37.549 AC.)
 JANUARY 11, 2006

KLATT PROPERTIES, LP
 DOC. NO. 2007009843
 O.P.R.W.C.TX.
 (38.7425 AC.)
 JANUARY 31, 2007

P.O.B.
 PARCEL 4
 BEGIN ACCESS DENIAL LINE
 STA. 57+03.74
 203.62' LT
 N = 10,213,775.98
 E = 3,068,811.79

END ACCESS DENIAL LINE
 STA. 60+81.15
 197.73' LT

ENGINEER'S BASELINE US183 CURVE DATA
 PI NORTHING = 10,213,442.81
 PI EASTING = 3,068,653.78
 PI STATION = 59+94.32
 DELTA = 11° 17' 47" (LT)
 DEGREE OF CURVE = 0° 53' 43"
 TANGENT = 632.96'
 LENGTH = 1,261.82'
 RADIUS = 6,400.00'
 CHORD BEARING = S 15° 23' 43" E
 CHORD = 1,259.78'
 PC STATION = 53+61.35
 PT STATION = 66+23.18

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N69°10'18"E	44.03'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	365.67'	4800.00'	04°21'53"	182.92'	S13°38'04"E	365.58'
C2	21.49'	4800.00'	0°15'23"	10.75'	S15°41'19"E	21.49'
C3	344.18'	4800.00'	04°06'30"	172.16'	S13°30'23"E	344.10'

- LEGEND**
- FOUND TXDOT TYPE I MONUMENT, CONCRETE POST
 - ◼ FOUND TXDOT TYPE II MONUMENT, DISC IN CONCRETE
 - FOUND IRON ROD WITH CAP (1/2" UNLESS NOTED)
 - FOUND IRON ROD (1/2" UNLESS NOTED)
 - ⊙ FOUND IRON PIPE (1/2" I.D. UNLESS NOTED)
 - △ CALCULATED POINT, NOT SET
 - ▲ MAG NAIL FOUND
 - 1/2" IRON ROD FOUND W/ TXDOT ALUMINUM CAP
 - 5/8" IRON ROD SET W/ TXDOT ALUMINUM CAP
 - △ SURVEY PRIMARY CONTROL POINT
 - (XXX) RECORD INFORMATION
 - |— PROPERTY LINE (OWNERSHIP DIVISION)
 - |— DEED LINE (OWNERSHIP IN COMMON)

- ||— ACCESS DENIAL LINE (ADL)
- |— DISTANCE NOT TO SCALE
- ④ PARCEL NUMBER FOR R.O.W. ACQUISITION
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- N.T.S. NOT TO SCALE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.R.W.C.TX. DEED RECORDS WILLIAMSON COUNTY, TEXAS
- O.R.W.C.TX. OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- P.R.W.C.TX. PLAT RECORDS WILLIAMSON COUNTY, TEXAS

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PARCEL PLAT SHOWING
 PARCEL 4
 US HWY 183
 WILLIAMSON COUNTY, TEXAS
 R.O.W. C.S.J.: 0914-05-192

DATE: SEPTEMBER 20, 2019 | SCALE: 1"=100'