

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

RESOLUTION NO. 11-131

**Authorizing a Contract to Acquire Certain Property in Travis County
for the US 290 East Toll Project (“Manor Expressway”)
(Parcel 47A)**

WHEREAS, pursuant to and under the authority of Subchapter E, Chapter 370, Texas Transportation Code, its Resolution 10-50, and other applicable law, the Central Texas Regional Mobility Authority (“CTRMA”) found and determined 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 to that certain 0.602 acres described by metes and bounds in the Real Estate Contract attached as Exhibit “A” to this Resolution (the “Subject Property”), owned by the Kerry S. Yom, (the “Owner”) for the construction, reconstruction, maintaining, widening, straightening, lengthening, and operating of the US 290 East Toll Project (the “Project”), as a part of the improvements to the Project; and

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

WHEREAS, the Executive Director of the CTRMA, through agents employed or contracted with the CTRMA, 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 Subject Property to acquire the Subject Property; and


WHEREAS, the Executive Director and the Owner have agreed on the amount determined to be just compensation and damages, if any, due to said Owner for the Subject Property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the CTRMA that the Executive Director is specifically authorized and directed to negotiate and execute a contract to purchase the Subject Property together, with all associated documents necessary to acquire the fee simple interest in the Subject Property and settle the pending action brought by CTRMA to acquire the Subject Property by eminent domain, for a total acquisition price of \$1,187,589.00.

[Signatures on next page]

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 28th day of September, 2011.

Submitted and reviewed by:


Andrew Martin, General Counsel
Central Texas Regional Mobility Authority

Approved:



Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number 11-131
Date Passed: 9/28/11

EXHIBIT "A" TO RESOLUTION 11-131

DESCRIPTION OF PARCEL 47A

[on the following 4 pages]

EXHIBIT _____

County: Travis
Parcel No.: 47A
Highway: U.S. Highway 290
Project Limits: From: E of US 183
 To: E of SH 130
Right of Way CSJ: 0114-02-085

PROPERTY DESCRIPTION FOR PARCEL 47A

DESCRIPTION OF 0.602 OF ONE ACRE (26,217 SQUARE FEET) OF LAND OUT OF THE WILLIAM H. SANDERS SURVEY NO. 54, ABSTRACT NO. 690, IN AUSTIN, TRAVIS COUNTY, TEXAS, SAME BEING A PORTION OF LOT 3, BLOCK A, 290 EAST BUSINESS PARK, A SUBDIVISION OF RECORD IN DOCUMENT 200300003, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 3 BEING DESCRIBED IN A DEED TO KERRY S. YOM, OF RECORD IN DOCUMENT 2003010702, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.602 OF ONE ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod set with a TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) aluminum cap, at the beginning of this Access Denial Line, in the proposed south right-of-way (ROW) line of U.S. Highway 290, 250.00 feet right of Engineer's Baseline Station 414+74.13, at the southeast corner of the herein described tract, same being in the east line of said Lot 3, and in the west line of Lot 2, Block A, of said 290 East Business Park subdivision, said Lot 2 being described in a deed to The Yom Family Trust, Kerry S. Yom, Trustee, Sun Y. Yom, Trustee, of record in Document 2007099553, Official Public Records, Travis County, Texas, from which point a 1/2" iron rod found at the south corner of said Lot 3, the west corner of said Lot 2 and said Yom Family Trust tract, and being in a north line of Lot 1, Block A, of said 290 East Business Park Subdivision, said Lot 1 being described in a deed to Sovran Acquisition Limited Partnership, of record in Document 2005125795, Official Public Records, Travis County, Texas, bears S14°17'09"W 797.81 feet;

- 1) THENCE, with said Access Denial Line, with the south line of this tract, and the proposed south ROW line of U.S. Highway 290, crossing said Kerry S. Yom tract and said Lot 3, S71°25'55"W 248.91 feet to a 1/2" iron rod set with a TxDOT aluminum

EXHIBIT ____

cap at the end of said Access Denial Line, 250.00 feet right of Engineer's Baseline Station 412+25.22, at the southwest corner of this tract, same being in the west line of said Kerry S. Yom tract and said Lot 3, and the east line of Lot 1, Crofford Addition No. 2, a subdivision of record in Book 90, Pages 50-51, Plat Records, Travis County, Texas, said Lot 1, Crofford Addition, being described in a deed to Hardy Credit, Co., of record in Document 2003069039, Official Public Records, Travis County, Texas, from which point a 1/2" iron rod found in the west line of said Kerry S. Yom tract and said Lot 3, same being the southeast corner of said Hardy Credit tract and said Lot 1, Crofford Addition, and the northeast corner of that certain tract of land described as 4.03 acres in a deed to Southwestern Motor Transport, Inc., of record in Document 2000027131, Official Public Records, Travis County, Texas, bears S23°37'02"W 618.70 feet, and from which point a 1/2" iron rod found at the southwest corner of said Kerry S. Yom tract and said Lot 3, same being at an exterior ell corner on the north line of said Sovran tract and said Lot 1, 290 East Business Park, and in the east line of said Southwestern Motor Transport tract, bears S23°37'02"W 694.62 feet;

- 2) THENCE, with the west line of this tract, said Kerry S. Yom tract, and said Lot 3, and the east line of said Hardy Credit tract and said Lot 1, Crofford Addition, N23°37'02"E 150.89 feet to a TxDOT Type I concrete monument found at the northwest corner of this tract, said Kerry S. Yom tract, and said Lot 3, same being the northeast corner of said Hardy Credit tract and said Lot 1, Crofford Addition, and being in the existing south ROW line of U.S. Highway 290, and the south line of that certain tract of land described as 1.733 acres in a deed to the State of Texas, of record in Volume 843, Page 595, Deed Records, Travis County, Texas, from which point a 1/2" iron rod found bears N14°25'52"E 0.82 feet;
- 3) THENCE, with the north line of this tract, said Kerry S. Yom tract, and said Lot 3, the existing south ROW line of U.S Highway 290, and the south line of said 1.733 acre State of Texas tract, N71°23'48"E 219.88 feet to a calculated point at the northeast corner of this tract and said Lot 3, and the northwest corner of said Lot 2 and said Yom Family Trust tract;

EXHIBIT ____

- 4) THENCE, with the east line of this tract and said Lot 3, and the west line of said Lot 2 and said Yom Family Trust tract, **S14°17'09"W** at 0.17 feet passing a 1/2" iron rod found, in all a total distance of **133.26 feet** to the POINT OF BEGINNING and containing 0.602 of one acre within these metes and bounds, more or less.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD83(93) HARN. All distances and coordinates were adjusted to surface using a combined scale factor of 1.00011.

ACCESS WILL BE DENIED TO AND FROM THE TRANSPORTATION FACILITY ACROSS THE EXISTING RIGHT-OF-WAY LINE WITHIN THE LIMITS OF THE PROPOSED "ACCESS DENIAL LINE" AS DESCRIBED HEREIN, BEING A PORTION OF THE COMMON BOUNDARY LINE BETWEEN THE PROPOSED U.S. 290 HIGHWAY FACILITY AND THE ABUTTING PROPERTY.

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 17th day of September, 2010 A.D.

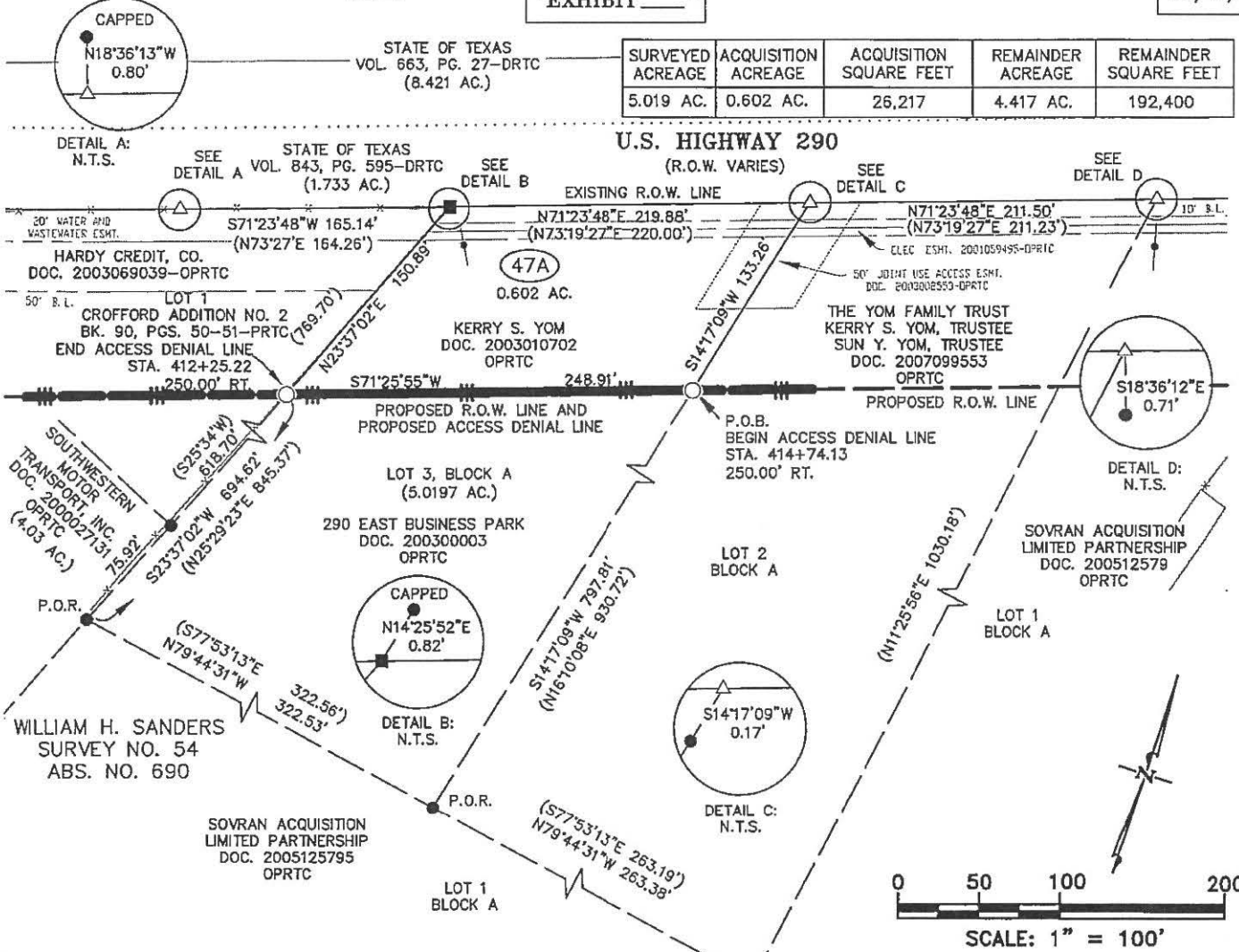
SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591

PRELIMINARY

Chris Conrad, Reg. Professional Land Surveyor No. 5623
Note: There is a plat to accompany this description. US 290 P47A REV2
Issued 02/02/07, Rev 03/20/07, 04/01/09, 09/17/10

SURVEYED ACREAGE	ACQUISITION ACREAGE	ACQUISITION SQUARE FEET	REMAINDER ACREAGE	REMAINDER SQUARE FEET
5.019 AC.	0.602 AC.	26,217	4.417 AC.	192,400



- NOTES:**
- BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83(93) HARN. ALL DISTANCES AND COORDINATES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.00011.
 - SEE PAGES 1, 2, AND 3 OF 4 FOR A DESCRIPTION OF THIS PARCEL.
 - IMPROVEMENTS SHOWN ARE TAKEN FROM TXDOT AERIAL SURVEY DIGITAL FILES.
 - THIS SURVEY WAS DONE WITHOUT A TITLE REPORT OR EASEMENT SEARCH.
 - ENGINEER'S BASELINE IS NOT THE SAME AS THE ORIGINAL SURVEY "CENTERLINE".
 - ACCESS WILL BE DENIED TO AND FROM THE TRANSPORTATION FACILITY ACROSS THE PROPOSED RIGHT-OF-WAY LINE AND PROPOSED "ACCESS DENIAL LINE" AS SHOWN HEREON, BEING THE ENTIRE COMMON BOUNDARY LINE BETWEEN THE PROPOSED U.S. 290 HIGHWAY FACILITY AND THE REMAINDER OF THE ADJUTING PROPERTY.

SURVEYED BY: MCGRAY & MCGRAY LAND SURVEYORS, INC.
 3301 HANCOCK DR., STE 6, AUSTIN, TX 78731 512/451-8591

LEGEND

- TXDOT TYPE I CONCRETE MONUMENT FOUND
- TXDOT TYPE II CONCRETE MONUMENT FOUND
- ⊗ 1/2" IRON ROD SET WITH TXDOT ALUM. CAP TO BE REPLACED WITH A TXDOT TYPE II CONCRETE MONUMENT AFTER ACQUISITION
- 1/2" IRON ROD SET WITH TXDOT ALUM. CAP
- ⊙ IRON PIPE FOUND (SIZE NOTED)
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- ▲ 60D NAIL FOUND
- △ CALCULATED POINT
- FENCE POST
- N.T.S. NOT TO SCALE
- (XXX) RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- ACCESS DENIAL LINE
- PRTC PLAT RECORDS OF TRAVIS COUNTY
- DRTC DEED RECORDS OF TRAVIS COUNTY
- RPRTC REAL PROPERTY RECORDS OF TRAVIS COUNTY
- OPRTC OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY

PRELIMINARY

09/17/10

CHRIS CONRAD, REG. PROP. LAND SURVEYOR NO. 5623 DATE
 SURVEYED ON GROUND UNDER MY DIRECT SUPERVISION

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

PLAT OF 0.602 AC. OF LAND OUT OF THE WILLIAM H. SANDERS SURVEY NO. 54, ABSTRACT NO. 690, SAME BEING A PORTION OF LOT 3, BLOCK A, 290 EAST BUSINESS PARK, A SUBDIVISION OF RECORD IN DOCUMENT 200300003, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 3 DESCRIBED IN A DEED TO KERRY S. YOM, OF RECORD IN DOCUMENT 2003010702, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

TRAVIS COUNTY
 U.S. 290
 CSJ 0114-02-085
 PARCEL 47A
 PAGE 4 OF 4