

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

RESOLUTION NO. 15-050.6

**RESOLUTION AUTHORIZING ACQUISITION OF PROPERTY RIGHTS BY
AGREEMENT OR CONDEMNATION OF CERTAIN PROPERTY IN TRAVIS
COUNTY FOR THE 183 SOUTH / BERGSTROM EXPRESSWAY PROJECT
(PARCEL 158)**

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 422 Bastrop Hwy., Ltd. (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: 549+52.32 to 550+25.46

DESCRIPTION FOR PARCEL 158

DESCRIPTION OF A 0.035 ACRE (1,523 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 TRACT 1 AND TRACT 2 CONVEYED TO 422 BASTROP HWY. LTD, RECORDED IN DOCUMENT NO. 2006129926, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.TX.) SAME TRACT BEING PART OF LOT 1 OF THE JOE PEARSON SUBDIVISION, RECORDED IN VOLUME 76, PAGE 136, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.TX.), SAID 0.035 ACRE (1,523 SQ.FT.) PARCEL OF LAND, AS SHOWN ON THE ACCOMPANYING SKETCH PREPARED BY SAM, LLC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron pipe found at south corner of a tract of land conveyed to William E. Selman, recorded in Volume 11788, Page 26 of the Real Property Records of Travis County, Texas (R.P.R.T.C.TX.), same being described as Lot B, in El Jay Subdivision, recorded in Volume 59, Page 61 P.R.T.C.TX., also being and interior ell corner of said Tract 1;

THENCE N 34°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 TxDOT aluminum cap set 231.75 feet left of Engineer's Centerline Station (E.C.S.) 549+52.32, same being on the proposed west right-of-way line of U.S. Highway 183, for the **POINT OF BEGINNING**, and the northwest corner of the parcel described herein;

- 1) **THENCE** N 34°01'40" E, continuing with the west line of said Tract 1, and the east line of said Selman Tract, a distance of 28.13 feet to a ½-inch iron rod with a TxDOT aluminum cap found 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. 2001092573, O.P.R.T.C.TX., for the northeast corner of the parcel described herein, same being the beginning of a curve to the left, from which a TxDOT Type II concrete monument found on the existing west right-of-way line of said U.S. Highway 183, bears, N 30°37'48" W, a chord distance of 132.37 feet;
- 2) **THENCE** southeasterly, with a said curve to the left, same being the existing west right-of-way line of said U.S. Highway 183, passing an arc distance of 54.16 feet to a ½-inch iron rod with a TxDOT aluminum cap found on the common line of said Tract 1 and said Tract 2, and continuing for a total arc distance of 90.11 feet, through a central angle 01°47'34", having a radius of 2,879.79 feet, and a chord that bears S 32°50'36" E, a distance of 90.10 feet to a ⅝-inch iron rod with a TxDOT aluminum cap set 201.50 feet right of E.C.S. 550+25.46**, from which a ½-inch iron rod with a TxDOT aluminum cap set 197.76 feet right of E.C.S. 550+83.60, at a west line of a called 12.358 acre tract of land (Tract 1), as described in a deed to Chase Equities, Inc., and recorded in Document No. 2013010305, of the O.P.R.T.C.TX., said point being on a curve to the left bears, S 34°21'34" E, a chord distance of 62.30 feet;

EXHIBIT _____

County: Travis
Highway: US 183
Limits: From: East of U.S. 290 To: S.H. 71
RCSJ: 0151-09-039
Station: 549+52.32 to 550+25.46

DESCRIPTION FOR PARCEL 158

THENCE over and across said Tract 1 and Tract 2, and with the proposed west right-of-way line of said U.S. Highway 183 the following two (2) courses and distances numbered 3-4;

- 3) N 61°35'48" W a distance of 49.40 feet to a 5/8-inch iron rod with a TxDOT aluminum cap set 227.42 feet right of E.C.S. 549+86.34**;
- 4) N 36°13'14" W a distance of 35.81 feet to the **POINT OF BEGINNING** and containing a 0.035 acre (1,523 sq. ft.) tract of land, more or less.

** This monument may be replaced by a TxDOT Type II right-of-way upon the completion of the highway construction project under the supervision of a RPLS either employed or retained by TxDOT.

This property description is accompanied by a plat of even date.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83(NonHARN).

THE STATE OF TEXAS }
 } KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF TRAVIS }

That I, William Reed Herring, 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 08th of January, 2015 A.D.

SURVEYING AND MAPPING, Inc.
4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
Texas Firm Registration No. 10064300



 William Reed Herring
 Registered Professional Land Surveyor
 No. 6355 - State of Texas



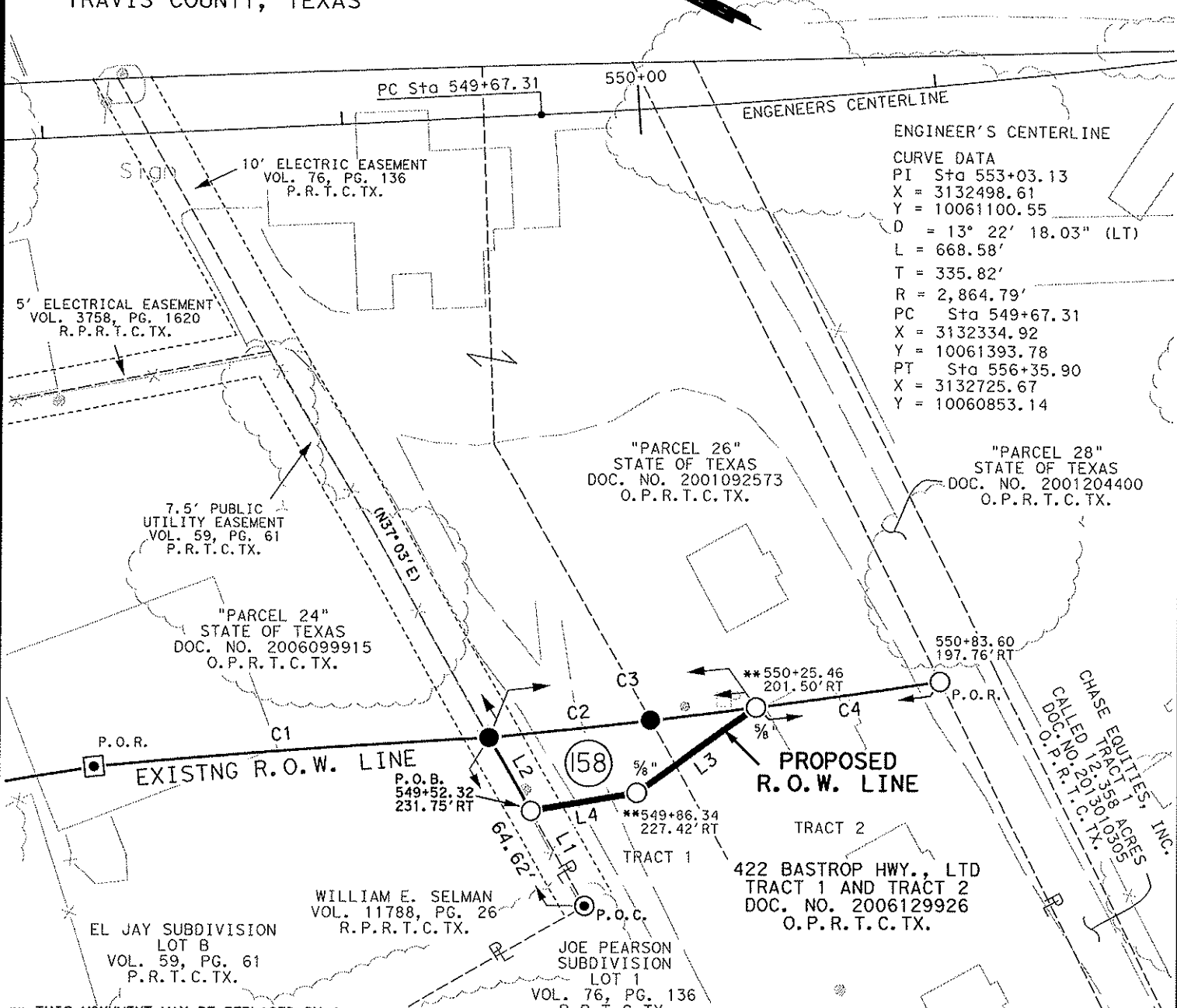
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GRAPHIC SCALE
SCALE: 1" = 50'
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

SANTIAGO DEL VALLE GRANT
ABSTRACT NO. 24

U.S. HIGHWAY 183
(VARIABLE WIDTH R.O.W.)



ENGINEER'S CENTERLINE
 CURVE DATA
 PI Sta 553+03.13
 X = 3132498.61
 Y = 10061100.55
 D = 13° 22' 18.03" (LT)
 L = 668.58'
 T = 335.82'
 R = 2,864.79'
 PC Sta 549+67.31
 X = 3132334.92
 Y = 10061393.78
 PT Sta 556+35.90
 X = 3132725.67
 Y = 10060853.14

** THIS MONUMENT MAY BE REPLACED BY A
 TXDOT TYPE II RIGHT-OF-WAY UPON THE
 COMPLETION OF THE HIGHWAY CONSTRUCTION
 PROJECT UNDER THE SUPERVISION OF A RPLS
 EITHER EMPLOYED OR RETAINED BY TXDOT.

- NOTES:
1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. RECORD INFORMATION ON THIS DRAWING IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
 2. ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(NonHARN), ALL DISTANCES AND COORDINATES ARE ADJUSTED TO SURFACE USING THE PROJECT SURFACE ADJUSTMENT FACTOR OF 1.00011.
 3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON TXDOT AERIAL SURVEY DIGITAL FILES.
 4. ALL VOLUME NUMBERS REFER TO THE DEED RECORDS OF TRAVIS COUNTY, TEXAS UNLESS OTHERWISE NOTED.

1/8/2015
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4801 Southwest Parkway
 Building Two, Suite 100
 Austin, Texas 78735
 (512) 447-0575
 Fax: (512) 326-3029
 Texas Firm Registration No. 10064300

RIGHT-OF-WAY SKETCH SHOWING
 PARCEL 158
 0.035 AC. (1,523 SQ. FT.)
 RCSJ NO. 0151-09-039

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	02° 38' 02"LT	2,879.79'	132.38'	132.37'	N30° 37' 48"W
C2	01° 04' 39"LT	2,879.79'	54.16'	54.16'	S32° 29' 09"E
C3	01° 47' 34"LT	2,879.79'	90.11'	90.10'	S32° 50' 36"E
C4	01° 14' 22"LT	2,879.79'	62.30'	62.30'	S34° 21' 34"E

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N34° 01' 40"E	36.48'
L2	N34° 01' 40"E	28.13'
L3	N61° 35' 48"W	49.40'
L4	N36° 13' 14"W	35.81'

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

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

1/8/2015

 DATE

1/8/2015
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