

COMMISSIONERS' COURT, POLK COUNTY
STATE OF TEXAS

ORDER

AUTHORIZING THE INITIATION OF CONDEMNATION PROCEEDINGS TO ACQUIRE 0.3275 ACRE (14,265 SQUARE FEET) PARCEL OF LAND LOCATED IN THE J. ALLBRITTON, A-91, POLK COUNTY, TEXAS, FROM JOHN WAYNE MARTIN AND ANY OTHER OWNER OF RECORD; TAKING ANY AND ALL OTHER FURTHER ACTIONS REQUIRED UNDER LAW TO ACQUIRE SAID PROPERTY; AUTHORIZING THE ENGAGEMENT OF JOHN D. STOVER, ATTORNEY, TO REPRESENT THE COUNTY IN THE CONDEMNATION PROCESS AND PROCEEDINGS; AUTHORIZING THE ENGAGEMENT OF A CERTIFIED APPRAISER TO DETERMINE THE VALUE OF THE PROPERTY TO BE ACQUIRED AND THE DAMAGES, IF ANY, THAT SHOULD BE PAID TO THE PROPERTY OWNER; AND FOR ANY AND OTHER ACTIONS REQUIRED BY LAW FOR THE COUNTY TO ACQUIRE SAID PROPERTY

WHEREAS, the Commissioners' Court (the "Court") of Polk County, Texas (the "County") has determined that it is necessary to enlarge, construct, build, and maintain a road and bridge on Dick Skinner Road (the "Project"); and

WHEREAS, the Court has determined that in order to fulfill the public purposes of the Project, it will be necessary to acquire certain interest in real property upon which to construct the Project; and

WHEREAS, the Court has determined that it is reasonable, necessary, and appropriate to acquire the following real estate necessary for the Project (the "Property"): being a 0.3275 of 1 acre (14,265 square feet) parcel of land located in the J. Allbritton Survey, A-91 in Polk County, Texas as more particularly described on the attached Exhibit "A" which is incorporated into this Order by reference for all purposes;

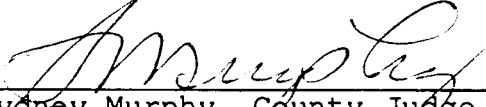
WHEREAS, the Court has determined that all steps should be taken as may be reasonably and necessary to acquire the Property for the Project, including the commencement of eminent domain proceedings, with the title to be held in the name of the County;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The County shall take all steps necessary to acquire the Property as provided by law, whether by eminent domain or by purchase, with title to be held in the name of the County;

2. The Honorable Sydney Murphy, County Judge, and the Honorable Milton Purvis, County Commissioner, are authorized to commence eminent domain proceedings to acquire the Property;
3. John D. Stover, attorney, is engaged to represent the County in the acquisition of the Property, whether by eminent domain or by purchase;
4. The Property shall be appraised by a certified appraiser to establish its fair market value and that any and all actions shall be taken that are required by law in order for the County to acquire the Property.

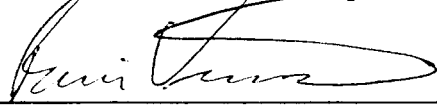
ORDERED this 10th day of May, 2016.



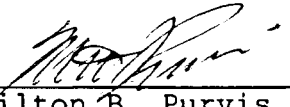
Sydney Murphy, County Judge




Robert Willis, County Commissioner



Ronnie Vincent, County Commissioner



Milton B. Purvis, County Commissioner



Charles Overstreet, County Commissioner

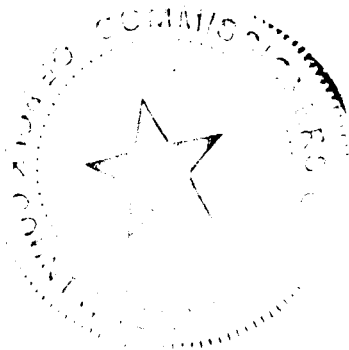


EXHIBIT A

County: Polk County
Highway: Dick Skinner Road
Project Limits: Tributary of Neches River
CSJ No. : 0911-04-059
Parcel Limits from Sta. 102+10.00 to Sta. 106+19.84

PROPERTY DESCRIPTION FOR PARCEL NO. 1

BEING a 0.3275 of one acre (14,265 square feet) parcel of land located in the J. Allbritton Survey, A-91 in Polk County, Texas, and being out of a 7.06-acre tract (calculated) (called 7.62-acres) as conveyed from Willie Frank Martin and Dennis Clint Martin to John Wayne Martin by deed dated September 7, 2003 and recorded in Volume 1485, Page 107 of the Official Public Records of Polk County, Texas, said 0.3275-acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a set 5/8-inch iron rod with yellow cap stamped "Cobb Fendley & Associates" located in the west line of a 7.162-acre tract (calculated) (called 8.000-acres) as conveyed unto Joseph F. Martino and wife, Virginia E. Martino by deed recorded in Volume 1179, Page 261 of the Official Public Records of Polk County, Texas, for the northeast corner of said 7.06-acre tract, thence as follows;

THENCE, South 18° 14' 35" West, with the east line of said 7.06-acre tract and the west line of said 7.162-acre tract, a distance of 61.00 feet to an angle point;

THENCE, South 14° 15' 25" East, continuing with the east line of said 7.06-acre tract and the west line of said 7.162-acre tract, a distance of 170.47 feet to a set 5/8-inch iron rod with TxDOT aluminum cap located in the proposed north right-of-way line of Dick Skinner Road (width varies) for the northeast corner of said parcel herein described and for the **POINT OF BEGINNING** having surface coordinates of N = 10,406,618.25 and E = 4,042,392.97;

- 1) THENCE, South 14° 15' 25" East, continuing with the east line of said 7.06-acre tract and the west line of said 7.162-acre tract, a distance of 17.53 feet to an angle point;
- 2) THENCE, South 01° 45' 25" East, continuing with the east line of said 7.06-acre tract and the west line of said 7.162-acre tract, a distance of 25.91 feet to a point located in the existing north right-of-way line of Dick Skinner Road (40 foot wide) for the southeast corner of said 7.06-acre tract, for the southwest corner of said 7.162-acre tract, for the southeast corner of said parcel herein described and for the beginning of a curve to the left;

EXHIBIT _____

- 3) THENCE, in a southwesterly direction with said existing north right-of-way line of Dick Skinner Road, the south line of said 7.06-acre tract and with said curve to the left whose radius is 577.00 feet and whose central angle is $16^{\circ} 17' 39''$ (chord bears South $78^{\circ} 05' 04''$ West, a distance of 163.54 feet) a curve length of 164.09 feet to the point of tangency;
- 4) THENCE, South $69^{\circ} 56' 15''$ West, continuing with said existing north right-of-way line of Dick Skinner Road and the south line of said 7.06-acre tract, a distance of 56.61 feet to a point for the beginning of a curve to the right;
- 5) THENCE, in a southwesterly direction continuing with said existing north right-of-way line of Dick Skinner Road, the south line of said 7.06-acre tract and with said curve to the right whose radius is 550.00 feet and whose central angle is $17^{\circ} 13' 48''$ (chord bears South $78^{\circ} 33' 09''$ West, a distance of 164.77 feet) a curve length of 165.40 feet to the point of tangency;
- 6) THENCE, South $87^{\circ} 10' 03''$ West, continuing with said existing north right-of-way line of Dick Skinner Road and the south line of said 7.06-acre tract, a distance of 19.69 feet to a set 5/8-inch iron rod with TxDOT aluminum cap located in said proposed north right-of-way line of Dick Skinner Road for the west corner of said parcel herein described;
- 7) THENCE, North $67^{\circ} 41' 53''$ East, with said proposed north right-of-way line of Dick Skinner Road, a distance of 338.00 feet to a set 5/8-inch iron rod with TxDOT aluminum cap for an angle point in the north line of said parcel herein described;

Revised: July, 2015
May, 2015
Parcel No. 1
Page 3 of 7

EXHIBIT _____

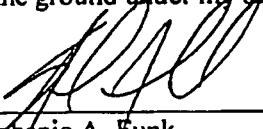
- 8) THENCE, North 88° 53' 45" East, continuing with said proposed north right-of-way line of Dick Skinner Road, a distance of 76.53 feet to the POINT OF BEGINNING and containing 0.3275 acre (14,265 square feet) of land.

Notes:

1. All bearings and coordinates are based on the Texas Coordinate System, Central Zone No. 4203, NAD83 (2011); all distances and coordinates shown are surface and may be converted to grid by dividing by a combined adjustment factor of 1.00012.
2. Access will be permitted to the remainder property abutting the highway facility.
3. A parcel plat of even date was prepared in conjunction with this property description.

Revised: July, 2015, adjoiner ownership change.

I, Stephanie A. Funk, a Registered Professional Land Surveyor, hereby certify that this legal description hereon and the accompanying plat of even survey date represent an actual survey made on the ground under my supervision.

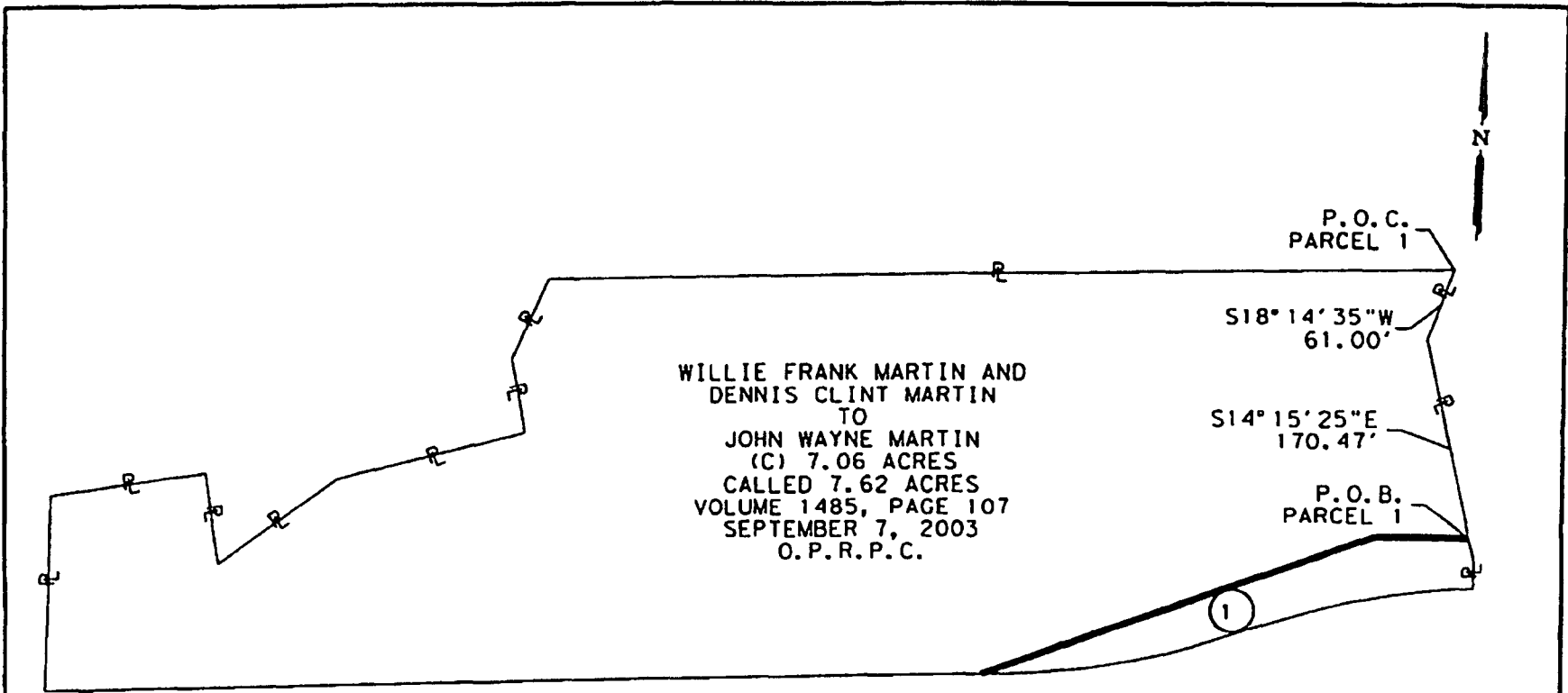


Stephanie A. Funk
Registered Professional Land Surveyor
Texas Registration No. 5375
TBPLS Firm Registration No. 100467
Cobb, Fendley & Associates, Inc.
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040
(713) 462-3242

07-07-2015

Date





WILLIE FRANK MARTIN AND
DENNIS CLINT MARTIN
TO
JOHN WAYNE MARTIN
(C) 7.06 ACRES
CALLED 7.62 ACRES
VOLUME 1485, PAGE 107
SEPTEMBER 7, 2003
O. P. R. P. C.

P. O. C.
PARCEL 1

S18° 14' 35" W
61.00'

S14° 15' 25" E
170.47'

P. O. B.
PARCEL 1

DICK SKINNER ROAD

PARENT TRACT INSET
PARCEL 1
N. T. S.

REVISION	DESCRIPTION	DATE
1	ADJOINER OWNERSHIP CHANGE	07-2015

CobbFendley

TBPLS Firm Registration No. 100467
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040
713.482.3242 | fax 713.482.3282 | www.cobbfindley.com

PARCEL PLAT
SHOWING
PARCEL 1
DICK SKINNER ROAD AT
TRIBUTARY OF NECHES RIVER
POLK COUNTY

R. O. W. CSJ: 0911-04-059
DATED : MAY, 2015

PAGE 4 OF 7 SCALE: N. T. S.

EXISTING ACRES	TAKING AC. (S. F.)	REMAINDER ACRES	
		LEFT	RIGHT
7.06 AC (CALC)	0.3275 AC (14,265 SQ FT)	6.73 AC	

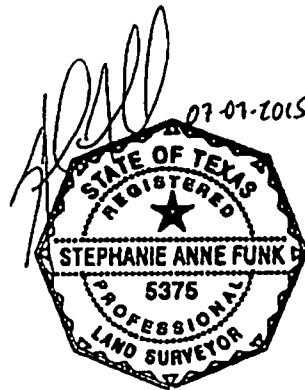
NOTES:

1. ALL COORDINATES AND DISTANCES SHOWN HEREIN ARE U.S. SURVEY FEET. ALL COORDINATES ARE SURFACE VALUES AND CAN BE CONVERTED TO GRID VALUES BY DIVIDING BY A COMBINED SCALE FACTOR OF 1.00012.
2. ALL VERTICAL CONTROL WAS ESTABLISHED USING CONVENTIONAL LOOP METHODS. ALL VERTICAL DATA SHOWN STATIONS WITH VERTICAL DATUM NAVD 88, GEOID 12A.

TXCK CROCKETT CORS ARP
TXLV LIVINGSTON CORS ARP
TXSI SAN AUGUSTINE CORS ARP
3. ALL HORIZONTAL CONTROL WAS ESTABLISHED USING GPS STATIC OBSERVATIONS AND CONVENTIONAL TRAVERSES. ALL HORIZONTAL SHOWN HEREIN ARE NAD83 (CORS), (2011) REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203).
4. STATIONS ALONG CENTERLINE OF ROAD WERE SET WITH 5/8-INCH IRON ROD UNLESS NOTED OTHERWISE.
5. ABSTRACT INFORMATION SHOWN HEREON WAS PERFORMED BY COBB, FENDLEY & ASSOCIATES, INC. IN JUNE, 2014 AND FEBRUARY, 2015.
6. FIELD INFORMATION SHOWN HEREON BASED ON AN "ON THE GROUND" SURVEY PERFORMED BY COBB, FENDLEY & ASSOCIATES, INC. IN MAY, 2014 AND JUNE 2014.

LEGEND

- Ⓡ PROPERTY LINE
- O.P.R.P.C. OFFICIAL PUBLIC RECORDS POLK COUNTY
- D.R.P.C. DEED RECORDS POLK COUNTY
- FOUND MONUMENT AS DESCRIBED
- SET 5/8" IR W/TxDOT ALUMINUM DISK
- SET 5/8" IR WITH CAP STAMPED COBB FENDLEY & ASSOCIATES.
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY
- PRC POINT OF REVERSE CURVATURE
- (c) INDICATES CALCULATED ACREAGE



REVISION	DESCRIPTION	DATE
1	ADJOINER OWNERSHIP CHANGE	07-2015

CobbFendley

TBPLS Firm Registration No. 100487
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040

713.462.3242 | fax 713.462.3282 | www.cobbfendley.com

PARCEL PLAT
SHOWING
PARCEL 1
DICK SKINNER ROAD AT
TRIBUTARY OF NECHES RIVER
POLK COUNTY

R.O.W. CSJ: 0911-04-059

DATED : MAY, 2015

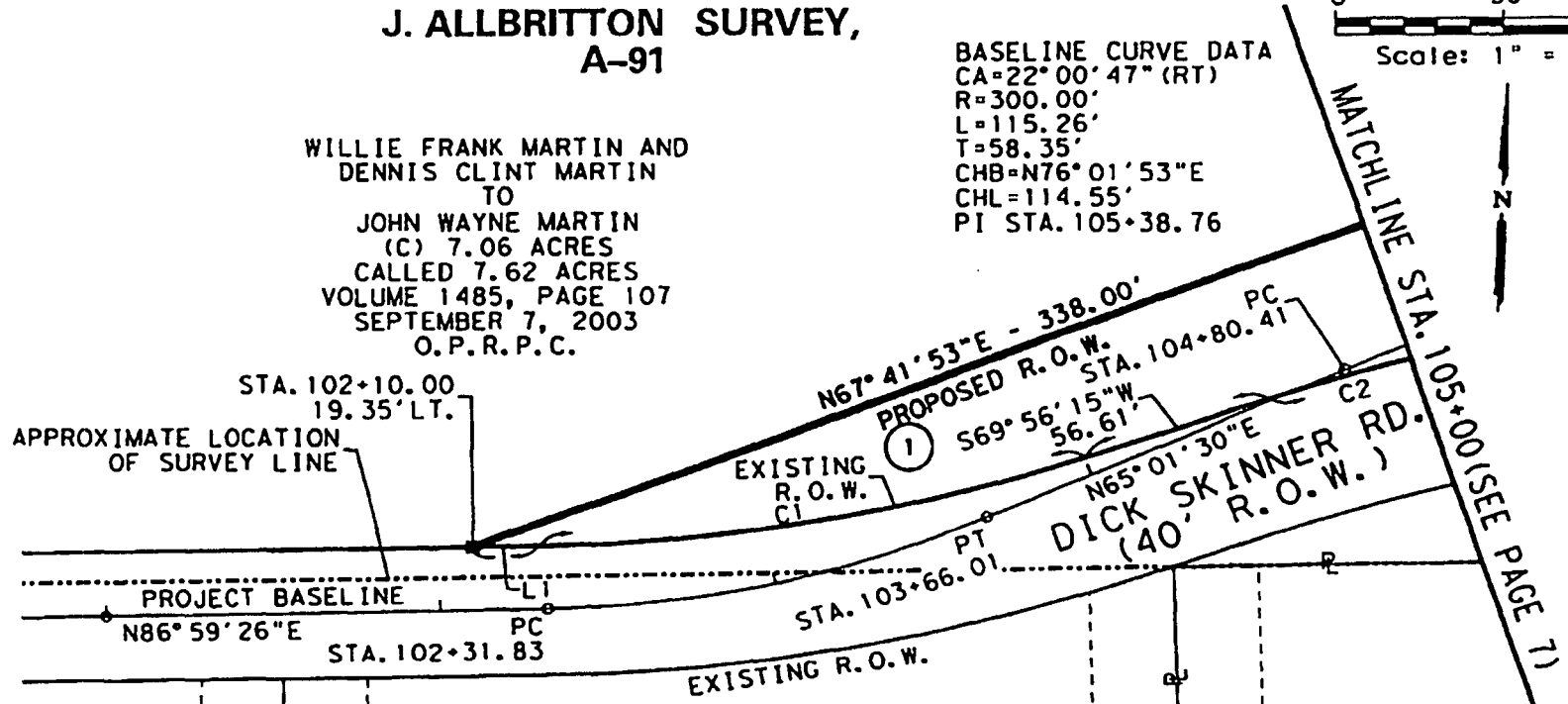
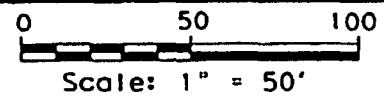
PAGE 5 OF 7

SCALE: N.T.S.

**J. ALLBRITTON SURVEY,
A-91**

WILLIE FRANK MARTIN AND
DENNIS CLINT MARTIN
TO
JOHN WAYNE MARTIN
(C) 7.06 ACRES
CALLED 7.62 ACRES
VOLUME 1485, PAGE 107
SEPTEMBER 7, 2003
O. P. R. P. C.

BASELINE CURVE DATA
CA=22° 00' 47" (RT)
R=300.00'
L=115.26'
T=58.35'
CHB=N76° 01' 53"E
CHL=114.55'
PI STA. 105+38.76



**GEORGE ALLBRITTON SURVEY,
A-92**

BASELINE CURVE DATA
CA=21° 57' 56" (LT)
R=350.00'
L=134.18'
T=67.92'
CHB=N76° 00' 28"E
CHL=133.36'
PI STA. 102+99.76

LINE TABLE		
L1	S87° 10' 03" W	19.69'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	17° 13' 48"	550.00'	165.40'	S78° 33' 09" W	164.77'
C2	16° 17' 39"	577.00'	164.09'	S78° 05' 04" W	163.54'

REVISION	DESCRIPTION	DATE
1	ADJOINER OWNERSHIP CHANGE	07-2015

CobbFendley
TBPLS Firm Registration No. 100467
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040
713.482.3242 | fax 713.482.3262 | www.cobbfendley.com

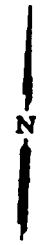
PARCEL PLAT
SHOWING
PARCEL 1
DICK SKINNER ROAD AT
TRIBUTARY OF NECHES RIVER
POLK COUNTY

R.O.W. CSJ: 0911-04-059
DATED : MAY, 2015
PAGE 6 OF 7 SCALE: 1" = 50'

J. ALLBRITTON SURVEY, A-91

0 50 100

Scale: 1" = 50'



MATCHLINE STA. 105+00 (SEE PAGE 6)

WILLIE FRANK MARTIN AND
DENNIS CLINT MARTIN
TO
JOHN WAYNE MARTIN
(C) 7.06 ACRES
CALLED 7.62 ACRES
VOLUME 1485, PAGE 107
SEPTEMBER 7, 2003
O.P.R.P.C.

P.O.C.
PARCEL 1
SET 5/8" IR W/CAP STAMPED
"COBB FENDLEY & ASSOCIATES"

PERRY A. TANNER JR.
TO
JOSEPH F. MARTINO AND WIFE,
VIRGINIA E. MARTINO
(C) 7.162 ACRES
CALLED 8.000 ACRES
VOLUME 1179, PAGE 261
JUNE 5, 2000
O.P.R.P.C.

P.O.B.
PARCEL 1
N=10,406.618.25
E=4,042,392.97
STA. 106+19.84
38.53' LT.

STA. 105+50.00
45.00' LT.

N67°41'53"E 338.00'
N88°53'45"E 76.53'

PROJECT BASELINE

C2 PT
STA. 105+95.67

PROPOSED R.O.W.

N87°02'17"E PC STA. 106+94.32

EXISTING R.O.W.
DICK SKINNER
RD. (40' R.O.W.)
EXISTING R.O.W.

BASELINE CURVE DATA
CA=30°16'60" (RT)
R=300.00'
L=158.56'
T=81.18'
CHB=S77°49'13"E
CHL=156.72'
PI STA. 107+75.50

BASELINE CURVE DATA
CA=22°00'47" (RT)
R=300.00'
L=115.26'
T=58.35'
CHB=N76°01'53"E
CHL=114.55'
PI STA. 105+38.76

LINE TABLE

L2	S14°15'25"E	17.53'
L3	S01°45'25"E	25.91'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C2	16°17'39"	577.00'	164.09'	S78°05'04"W	163.54'

REVISION	DESCRIPTION	DATE
1	ADJOINER OWNERSHIP CHANGE	07-2015

CobbFendley

TBPLS Firm Registration No. 100487
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040

713.462.3242 | fax 713.462.3262 | www.cobbfendley.com

PARCEL PLAT
SHOWING
PARCEL 1
DICK SKINNER ROAD AT
TRIBUTARY OF NECHES RIVER
POLK COUNTY

R.O.W. CSJ: 0911-04-059

DATED: MAY, 2015

PAGE 7 OF 7 SCALE: 1" = 50'