

RESOLUTION NO. 2-1984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF PROPERTY AND GIVING NOTICE OF AN OFFICIAL DETERMINATION TO ACQUIRE PROPERTY, ESTABLISHING PROCEDURES AND APPROPRIATING FUNDS FOR THE FEDERALLY FUNDED F. M. 3438 PROJECT.

WHEREAS, there is a need for street extension and improvements of F. M. 3438 from Spur 312 to approximately 500 feet South of the center line of Jennings Drive, which is also the approximate City Limits; and,

WHEREAS, Federal aid highway program funds can be utilized for the making of such improvements, if the City of Abilene complies with the Federal aid highway program manual and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Revision of same; and,

WHEREAS, it is necessary to establish procedures for determining the establishment and approval of just compensation for each of the parcels to be acquired for such project; and,

WHEREAS, there may be improvements located on some of the real property acquired for this project and such improvements may be required to be moved prior to the beginning of this project; and,

WHEREAS, the acquisition of the real property acquired for this project may result in the acquisition of some property out of a particular lot or lots that may not be necessary for the final improvements; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City Council of the City of Abilene hereby officially determines that there is a public necessity for, and the public welfare and convenience will be served by, the acquisition of the property described in the attached Exhibit "A" and it is the City of Abilene's intention to acquire the real property as set out and described in Exhibit "A" attached hereto and made a part of this resolution for all purposes as part of the F. M. 3438 Project in Abilene for the purposes of improving and extending F. M. 3438 from Spur 312 to approximately 500 feet South of the center line of Jennings Drive which is also the approximate City Limit.

PART 2: That the City of Abilene further determines that the property described in Exhibit "A" should be acquired pursuant to the guidelines established by the Federal aid highway program.

PART 3: That the City Manager is hereby authorized to contract, on behalf of the City of Abilene, with professional appraisers for appraisal services and with attorneys for preparation of title policies needed by the City from time to time in connection with acquisition of the real property for the F. M. 3438 Extension and Improvement Project.

PART 4: That the City Land Agent, or other staff appraiser, is hereby authorized and directed to examine the independent appraisal reports as they are submitted to said City to determine whether said appraisal reports are supported by sufficient data. Based upon such examination of said appraisal reports, the Land Agent, or other staff appraiser, shall make a recommendation to the City Manager as to establishment and approval of the amount of the just compensation for said parcel.

PART 5: After consideration of said recommendation, the City Manager shall establish and approve the amount determined to be just compensation for acquisition of the parcel.

PART 6: Upon establishment and approval by the City Manager of the amount of just compensation for the acquisition, the Land Agent is authorized to communicate a written offer to the owner of said parcel for acquisition of said parcel at the full amount determined and established to be just compensation therefor, and to negotiate with said owner on behalf of the City of Abilene.

PART 7: That the City Manager be and is hereby authorized to execute all documents necessary to acquire each of the parcels of land needed for said project, on behalf of the City of Abilene.

PART 8: That the City Manager be and is hereby authorized to sell any improvements acquired which are located on the real property acquired in connection with this project and also to sell any additional real property acquired in connection with this project in accordance with the provisions of Tex. Rev. Civ. Stat. Ann. Article 5421C-12.

PART 9: That the amount of Three Hundred and Twenty Thousand and No/100 (\$320,000.00) Dollars, be appropriated from the City of Abilene General Obligation Bond Series 1980 as follows: (\$100,000.00) as funding for acquiring right-of-way; (\$80,000.00) for utility relocation and (\$140,000.00) for curb and gutters.

PART 10: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 26 day of January, A.D., 1984.

ATTEST:

Tracy Haumer
CITY SECRETARY
Asst.

W. Bell
MAYOR

APPROVED:

Gay Landers
CITY ATTORNEY

EXHIBIT "A"

RESOLUTION NO. 2-1984

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 1
Part 1

FIELD NOTES FOR PARCEL 1

Part 1

18.706 acres of land, more or less, same being out of and a part of that certain 2809.31 acre tract out of the Burr and Caswell Survey (A-458), etc. in Taylor County, Texas: which said tract was conveyed to Dyess Air Force Base by Deed dated December 30, 1952 of Record in Volume 453, Page 372, Deed Records of Taylor County, Texas; said 18.706 acres of land, more or less, are more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway No. 3438 and in the north boundary line of said Burr and Caswell Survey (A-458), said point located 100.00 feet east of and measured at right angles to centerline chaining station 0+26.47 of said proposed highway, said point being North 88° 08.45' West a distance of 30.73 feet from the northeast corner of said Burr and Caswell Survey (A-458).

1. Thence South 46° 56.85' West along the east right of way line of said proposed highway a distance of 21.25 feet to a point located 85.00 feet East of and measured at right angles to centerline chaining station 0+41.51 of said highway;
2. Thence South 2° 02.16' West along the east right of way line of said proposed highway a distance of 2147.02 feet to the beginning of a curve to the left, the tangent to said curve at said point bears South 0° 09.94' West, said point located 85.00 feet east of and measured at right angles to centerline chaining station 21+88.53 of said highway;
3. Thence in a southerly direction along a curve to the left having a radius of 5669.58 feet and a central angle of 1° 51.97', a distance of 184.66 feet to the end of said curve, the tangent to said curve at said point bears South 2° 01.91' West, said point located 85.00 feet east of and measured at right angles to centerline chaining station 23+75.97 of said highway;

Parcel No. 1
Part 1

4. Thence South $88^{\circ} 05.65'$ East continue along the east right of way line of said proposed highway a distance of 42.16 feet to a point for the northwest corner of that certain tract conveyed to Nick E. Oates, etux, by Deed dated August 31, 1982, of Record in Volume 1258, Page 200, Deed Records of Taylor County, Texas, said point being in the west boundary line of the Alexander Thompson Survey No. 37 in Taylor County, Texas and in the east boundary line of said Burr and Caswell Survey (A-458) said point located 127.14 feet east of and measured at right angles to centerline chaining station 23+77.28 of said highway;
5. Thence South $2^{\circ} 02.96'$ West along the west boundary line of said Alexander Thompson Survey No. 37 and the east boundary line of said Burr and Caswell Survey (A-458), same being along the west boundary line of said Nick E. Oates, etux, tract and the east boundary line of said tract a distance of 477.10 feet cross the centerline of the proposed location of Hartford Street at centerline chaining station 9+08.19 of said Street and continue along the east boundary line of said tract and the west boundary line of that certain tract conveyed to Lance Trigg, Jr., etux, by Deed dated October 25, 1976 of Record in Volume 1044, Page 267, Deed Records of Taylor County, Texas and the west boundary line of that certain tract conveyed to Letha Baker, etal, by affidavit dated November 12, 1973 of Record in Volume 971, Page 565, Deed Records of Taylor County, Texas, and continue a total distance of 1265.22 feet to a point for the southwest corner of Lot No. 5 and the northwest corner of Lot No. 6 out of said Baker tract, said point located 9.02 feet east of and measured at right angles to centerline chaining station 36+45.01 of said highway;
6. Thence South $2^{\circ} 02.96'$ West continue along the east boundary line of said tract and the west boundary line of said Letha Baker, etal, tract same being along the east boundary line of said Alexander Thompson Survey No. 37 and the west boundary line of said Burr and Caswell Survey (A-458) a distance of 86.14 feet cross the centerline of said proposed highway at centerline chaining station 37+30.68 and continue a total distance of 815.01 feet to the beginning of a curve to the left, the tangent to said curve at said point bears North $3^{\circ} 57.84'$ West, said point located 50.00 feet west of and measured at right angles to centerline chaining station 44+60.45 of said highway;
7. Thence in a northerly direction along a curve to the left having a radius of 7589.44 feet and a central angle of $4^{\circ} 46.59'$ a distance of 632.69 feet to the end of said curve, the tangent to said curve at said point bears North $0^{\circ} 48.75'$ East, said point located 50.00 feet west of and measured at right angles to centerline chaining station 38+23.59 of said highway;

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Part 1

8. Thence North $8^{\circ} 43.25'$ West along the west right of way line of said proposed highway a distance of 585.45 feet to the beginning of a curve to the left, the tangent to said curve at said point bears South $46^{\circ} 24.22'$ West, said point located 98.55 feet west of and measured at right angles to centerline chaining station 32+40.16 of said highway;
9. Thence in a westerly direction along a curve to the left having a radius of 195.00 feet and a central angle of $127^{\circ} 50.77'$, a distance of 435.11 feet to the end of said curve, the tangent to said curve at said point bears North $5^{\circ} 45.01'$ West, said point located 417.84 feet west of and measured at right angles to centerline chaining station 30+96.06 of said highway;
10. Thence South $43^{\circ} 19.46'$ West continue along the west right of way line of said proposed highway a distance of 50.65 feet to a point located 455.06 feet west of and measured at right angles to centerline chaining station 31+30.42 of said highway;
11. Thence North $48^{\circ} 09.86'$ West along the west right of way line of said proposed highway a distance of 80.00 feet, cross the centerline of road to Dyess Air Force Base and continue a total distance of 148.50 feet to the beginning of a curve to the left, the tangent to said curve at said point bears North $20^{\circ} 09.11'$ East, said point located 558.59 feet west of and measured at right angles to centerline chaining station 30+23.96 of said highway;
12. Thence in a northerly direction along a curve to the left having a radius of 1841.35 feet and a central angle of $21^{\circ} 56.59'$, a distance of 705.20 feet to the end of said curve, the tangent to said curve at said point bears North $42^{\circ} 05.70'$ South, said point located 165.39 feet west of and measured at right angles to centerline chaining station 24+59.73 of said highway;
13. Thence North $20^{\circ} 09.51'$ East continue along the west right of way line of said proposed highway a distance of 0.08 feet to the beginning of a curve to the left, the tangent to said curve at said point bears North $2^{\circ} 02.16'$ East, said point located 165.37 feet west of and measured at right angles to centerline chaining station 24+59.66 of said highway;

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Part 1

14. Thence in a northerly direction along a curve to the left having a radius of 1386.39 feet and a central angle of $18^{\circ} 07.34'$, a distance of 438.51 feet to the end of said curve, the tangent to said curve at said point bears North $20^{\circ} 09.51'$ East, said point located 89.99 feet west of and measured at right angles to centerline chaining station 20+36.15 of said highway;
15. Thence North $2^{\circ} 02.16'$ East along the west right of way line of said proposed highway a distance of 1969.09 feet to a point located 90.00 feet west of and measured at right angles to centerline chaining station 0+67.05 of said highway;
16. Thence North $43^{\circ} 03.15'$ West continue along the west right of way line of said proposed highway a distance of 56.48 feet to a point in the north boundary line of said Burr and Caswell Survey (A-458) and in the south boundary line of H. B. Martin Survey in Taylor County, Texas, said point located 130.00 feet west of and measured at right angles to centerline chaining station 0+27.18 of said highway;
17. Thence South $88^{\circ} 08.45'$ East along the north boundary line of said Burr and Caswell Survey (A-458) and the south boundary line of said Alexander Thompson Survey No. 37 a distance of 130.00 feet cross the centerline of said proposed highway at centerline chaining station 0+26.78 and continue a total distance of 230.00 feet to the point of beginning.

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F.M. 3438
Control 2270-1-7
Parcel No. 1
Part 2

FIELD NOTES FOR PARCEL 1

Part 2

0.019 acre of land, more or less, same being out of and a part of that certain 2809.31 acre tract out of the Joseph H. Beck Survey No. 42, etc., in Taylor County, Texas: which said tract was conveyed to Dyess Air Force Base by Deed dated December 30, 1952, of Record in Volume 453, Page 372, Deed Records of Taylor County, Texas; said 0.019 acre of land, more or less, is more particularly described as follows:

Begin at a point in the west right of way line of the proposed location of F.M. Highway 3438 and in the east boundary line of said tract, said point also being in the west boundary line of that certain tract conveyed to I. S. Gathright, Trustee, by Deed dated May 14, 1975 of Record in Volume 1006, Page 194, Deed Records of Taylor County, Texas said point located 50.00 feet west of and measured at right angles to centerline chaining station 95+03.84 of said highway;

1. Thence South $2^{\circ} 05.45'$ West along the east boundary line of said tract, some being along the west boundary line of said I. S. Gathright, Trustee, tract a distance of 45.00 feet to a point for the southeast corner of said tract and the southwest corner of said Gathright tract, said point being in the south boundary line of said Joseph H. Beck Survey No. 42 and in the north boundary line of the William Bishop Survey No. 43 in Taylor County, Texas, said point located 50.00 feet west of and measured at right angles to centerline chaining station 95+48.84 of said highway, said point also being in the north boundary line of that certain tract conveyed to W. G. Neeb by Deed dated October 10, 1978 of Record in Volume 1105, Page 763, Deed Records of Taylor County, Texas;
2. Thence North $88^{\circ} 32'$ West along the south boundary line of said tract and the north boundary line of said W. G. Neeb tract, same being along the south boundary line of said Joseph H. Beck Survey No. 42 and the north boundary line of said William Bishop Survey No. 43 a distance of 25.00 feet to a point in the west right of way line of said proposed highway, said point being South $88^{\circ} 32'$ East a distance of 527.24 feet from the northwest corner of said William Bishop Survey No. 43, said point located 75.00 feet west of and measured at right angles to centerline chaining station 95+49.12 of said highway;

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Part 2

FIELD NOTES FOR PARCEL 1

Part 2

3. Thence North $2^{\circ} 05.45'$ East along the west right of way line of said proposed highway a distance of 20.00 feet to a point located 75.00 feet west of and measured at right angles to centerline chaining station 95+29.12 of said highway;
4. Thence North $46^{\circ} 46.73'$ East continue along the west right of way line of said proposed highway a distance of 35.55 feet to the point of beginning.

Taylor County
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Control 2270-1-7
Parcel No. 1E
(Temporary) Part 1

FIELD NOTES FOR PARCEL 1E (TEMPORARY)

Part 1

0.585 acre of land, more or less, same being out of and a part of that certain 2809.31 acre tract out of the Burr and Caswell Survey (A-458), etc., in Taylor County, Texas: which said tract was conveyed to Dyess Air Force Base by Deed dated December 30, 1952 of Record in Volume 453, Page 372, Deed Records of Taylor County, Texas; said 0.585 acre of land, more or less, is more particularly described as follows:

Begin at a point in the west right of way line of the proposed location of F.M. Highway No. 3438 and the east boundary line of said tract, said point also being in the east boundary line of said Burr and Caswell Survey (A-458) and in the west boundary line of the Anderson and Berry Subdivision in Taylor County, Texas, said point located 50.00 feet east of and measured at right angles to centerline chaining station 48+98.69 of said highway; said point also being North 2° 05.45' East a distance of 2071.29 feet and South 87° 22.23' East a distance of 3997.00 feet from the northwest corner of the Joseph H. Beck Survey No. 42 in Taylor County, Texas;

1. Thence South 2° 05.45' West along the west right of way line of said proposed highway and the east boundary line of said tract and the east boundary line of said Burr and Caswell Survey (A-458) and in the west boundary line of the Anderson and Berry Subdivision in Taylor County, Texas a distance of 171.46 feet to a point located 50.00 feet west of and measured at right angles to centerline chaining station 50+70.15 of said highway;
2. Thence North 84° 35.45' West a distance of 161.19 feet;
3. Thence North 5° 24.27' East a distance of 170.00 feet;
4. Thence South 84° 35.45' East a distance of 138.81 feet to the point of beginning.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 1E
(Temporary) Part 2

FIELD NOTES FOR PARCEL 1E (TEMPORARY)

Part 2

0.482 acre of land, more or less, same being out of and a part of that certain 2809.31 acre tract out of the Burr and Caswell Survey (A-458), etc., in Taylor County, Texas; which said tract was conveyed to Dyess Air Force Base by deed dated December 30, 1952, of Record in Volume 453, Page 372, Deed Records of Taylor County, Texas; said 0.482 acre of land, more or less, is more particularly described as follows:

Begin at a point in the west right of way line of the proposed location of F.M. Highway No. 3438 and the east boundary line of said tract, said point being in the east boundary line of said Burr and Caswell Survey (A-458) and in the west boundary line of the Anderson and Berry Subdivision in Taylor County, Texas, said point located 50.00 feet west of and measured at right angles to centerline chaining station 57+20.31 of said highway;

1. Thence South $2^{\circ} 05.45'$ West along the west right of way line of said proposed highway and the east boundary line of said tract, same being along the east boundary line of said Burr and Caswell Survey (A-458) and the west boundary line of the Anderson and Berry Subdivision in Taylor County, Texas a distance of 152.82 feet to a point located 50.00 feet west of and measured at right angles to centerline chaining station 58+73.13 of said highway, said point being North $2^{\circ} 05.45'$ East a distance of 1196.85 feet and South $87^{\circ} 22.23'$ East a distance of 3997.00 feet from the northwest corner of the Joseph H. Beck Survey in Taylor County, Texas;
2. Thence South $81^{\circ} 05.45'$ West a distance of 130.29 feet;
3. Thence North $8^{\circ} 54.55'$ West a distance of 150.00 feet;
4. Thence North $81^{\circ} 05.45'$ East a distance of 149.71 feet to the point of beginning.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 2

FIELD NOTES FOR PARCEL 2

0.424 acre of land, more or less, same being out of and a part of that certain 3.0 acre tract out of Lot 5, Anderson and Berry Subdivision and being out of and part of the Alexander Thompson Survey No. 37 in Taylor County, Texas; which said tract was conveyed to Nick E. Oates and wife Cheryl K. Oates by Deed dated August 31, 1982 of Record in Volume 1258 Page 200, Deed Records of Taylor County, Texas; said 0.424 acre of land, more or less, is more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway No. 3438 and the north boundary line of said tract, said point being located 148.70 feet left of and measured at right angles to centerline chaining station 23+77.96 of the proposed location of said highway, said point also being North 88° 05.65' West a distance of 291.49 feet from the northeast corner of said tract;

1. Thence South 3° 57.69' East along the east right of way line of the proposed location of said highway a distance of 394.62 feet to a point located 163.00 feet left of and measured at right angles to centerline chaining station 27+83.43 of said proposed highway;
2. Thence South 46° 01.67' East continue along the east right of way line of said highway a distance of 37.12 feet to a point in the south boundary line of said tract, said point being 187.87 feet east of and measured at right angles to centerline chaining station 28+11.13 of the proposed location of said highway;
3. Thence North 88° 05.65' West along the east right of way line of said proposed highway and the south boundary line of said tract a distance of 90.51 feet to a point in the west boundary line of said Alexander Thompson Survey No. 37 and the east boundary line of the Burr and Caswell Survey (A-458) in Taylor County, Texas, said point located 97.84 feet east of and measured at right angles to centerline chaining station 28+01.88 of the proposed location of said highway;
4. Thence North 2° 02.96' East along the west boundary line of said tract and the west boundary line of said Alexander Thompson Survey No. 37 and the east boundary line of said Burr and Caswell Survey (A-458) a distance of 417.42 feet to a point located 127.14 feet east of and measured at right angles to centerline chaining station 23+77.28 of the proposed location of said highway;

Parcel No. 2

5. Thence South $88^{\circ} 05.65'$ East along the north boundary line of said tract a distance of 21.56 feet to the point of beginning.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 3

FIELD NOTES FOR PARCEL 3

0.375 acre of land, more or less, same being out of and a part of that certain 5.67 acre tract out of Block A of the C. B. Allen Subdivision in the Alexander Thompson Survey No. 37 in Taylor County, Texas: which said tract was conveyed to Lance Trigg, Jr. and wife Martha J. Trigg by Deed dated October 25, 1976 of Record in Volume 1044 Page 267, Deed Records of Taylor County, Texas; said 0.375 acre of land, more or less, is more particularly described as follows:

Begin at a point in the north boundary line of said tract, said point being North 88° 05.65' West a distance of 374.14 feet from the northeast corner of said Block A, said point also being 263.30 feet east of and measured at right angles to centerline chaining station 28+99.31 of proposed F.M. 3438 and also being 40 feet south of and measured at right angles to centerline chaining station 7+32.08 of Hartford Street.

1. Thence South 58° 52.76' West a distance of 186.41 feet to a point 97.45 feet east of and measured at right angles to centerline chaining station 29+84.39 of the proposed location of said highway;
2. Thence South 2° 02.40' West along the east right of way line of said proposed highway a distance of 346.95 feet to a point in the south boundary line of said tract and in the north boundary line of that certain tract conveyed to Letha Baker, etal, by affidavit dated November 12, 1973 of Record in Volume 971, Page 565, Deed Records of Taylor County, Texas, said point being North 88° 05.65' West a distance of 530.05 feet from the southeast corner of said Block A, C. B. Allen Subdivision, said point located 61.16 feet east of and measured at right angles to centerline chaining station 33+29.44 of said highway;
3. Thence North 88° 5.65' West along the south boundary line of said tract and the north boundary line of said Letha Baker, etal, tract a distance of 18.85 feet to a point for the southwest corner of said tract and the northwest corner of said Baker tract, said point located 42.32 feet east of and measured at right angles to centerline chaining station 33+28.96 of said highway;

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4. Thence North $2^{\circ} 02.96'$ East along the east boundary line of said Burr and Caswell Survey No. 1 (A-458) and the west boundary line of said Alexander Thompson Survey No. 37 and along the west boundary line of said tract a distance of 450.00 feet to a point 89.46 feet east of and measured at right angles to centerline chaining station 28+81.44 of the proposed location of said highway;
5. Thence South $88^{\circ} 05.65'$ East along the north boundary line of said tract a distance of 174.76 feet to the point of beginning.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 4

FIELD NOTES FOR PARCEL 4

7.768 acres of land, more or less, same being out of and a part of Lots No. 5 and No. 6 out of the Anderson and Berry Subdivision and out of the Alexander Thompson Survey No. 37 in Taylor County, Texas: which said tract was conveyed to Letha Baker, etal, by Affidavit dated December 12, 1973 of Record in Volume 971, Page 565, Deed Records of Taylor County, Texas; said 7.768 acres of land, more or less, are more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway No. 3438 and the south boundary line of that certain tract conveyed to Lance Trigg, Jr. etux, by Deed dated October 25, 1976 of Record in Volume 1044, Page 267, Deed Records of Taylor County, Texas, said point located 61.16 feet east of and measured at right angles to centerline chaining station 33+29.44 of said highway, said point also being North 88° 05.65' West a distance of 530.05 feet from the southeast corner of Block A, C. B. Allen Subdivision in the Alexander Thompson Survey No. 37 in Taylor County, Texas;

1. Thence South 2° 40.24' East along the east right of way line of said proposed highway a distance of 320.27 feet cross the south boundary line of said Lot No. 5 and the north boundary line of said Lot No. 6 at 53.93 feet east of and measured at right angles to centerline chaining station 36+49.63 and continue a total distance of 494.27 feet to a point for the beginning of a curve to the right, the tangent to said curve at said point bears South 3° 57.84' East, said point located 50.00 feet east of and measured at right angles to centerline chaining station 38+23.59 of said highway;
2. Thence in a southerly direction along a curve to the right having a radius of 7689.44 feet and a central angle of 6° 3.29' a distance of 812.59 feet to the end of said curve, the tangent to said curve at said point bears South 2° 5.45' West, said point located 50.00 feet east of and measured at right angles to centerline chaining station 46+30.90 of said highway;
3. Thence South 2° 05.45' West continue along the east right of way line of said proposed highway a distance of 2355.52 feet to a point located 50.00 feet east of and measured at right angles to centerline chaining station 69+86.42 of said highway;
4. Thence South 42° 38.39' East along the east right of way line of said highway a distance of 35.52 feet to a point located 75.00 feet east of and measured right angles to centerline chaining station 70+11.65 of said highway;

Parcel No. 4

5. Thence South $2^{\circ} 05.39'$ West continue along the east right of way line of said proposed highway a distance of 59.50 feet to a point in the south boundary line of said tract said point being in the south boundary line of said Alexander Thompson Survey No. 37 and in the north boundary line of the Joseph H. Beck Survey No. 42 in Taylor County, Texas, said point located 75.00 feet east of and measured at right angles to centerline chaining station 70+71.16 of said highway;
6. Thence North $87^{\circ} 22.23'$ West along the south boundary line of said tract and the south boundary line of said Alexander Thompson Survey No. 37 and the north boundary line of said Joseph H. Beck Survey No. 42 a distance of 75.00 feet, cross the centerline of said proposed highway at centerline chaining station 70+70.45 and continue a total distance of 125.00 feet to a point for the southwest corner of said tract and the southeast corner of that certain tract, conveyed to Dyess Air Force Base by Deed dated December 30, 1952, of Record in Volume 453, Page 372, Deed Records of Taylor County, Texas, same being the southwest corner of said Alexander Thompson Survey No. 37 and the southeast corner of the Burr and Caswell Survey (A-458) in Taylor County, Texas, said point being South $87^{\circ} 22.23'$ East a distance of 3997.00 feet from the northwest corner of said Joseph H. Beck Survey No. 42, said point located 50.00 feet west of and measured at right angles to centerline chaining station 70+69.98 of said highway;
7. Thence North $2^{\circ} 02.96'$ East along the west boundary line of said tract and the east boundary line of said Dyess Air Force Base tract, same being along the west boundary line of said Alexander Thompson Survey No. 37 and the east boundary line of said Burr and Caswell Survey (A-458) a distance of 3423.42 feet, cross the northwest corner of said Lot No. 6 and the southwest corner of said Lot No. 5 at 9.02 feet east of and measured at right angles to centerline chaining station 36+45.01 and continue a total distance of 3741.22 feet to a point for the northwest corner of said tract and the southwest corner of that certain tract conveyed to Lance Trigg, Jr., et ux, by Deed dated October 25, 1976 of Record in Volume 1044, Page 267, Deed Records of Taylor County, Texas, said point located 42.32 feet east of and measured at right angles to centerline chaining station 33+28.96 of said highway;
8. Thence South $88^{\circ} 05.65'$ East along the north boundary line of said tract and the south boundary line of said Trigg tract a distance of 18.85 feet to the point of beginning.
Of the above described 7.768 acres of land, more or less, 2.521 acres of land, more or less, lie within the present county road.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 4E
(Temporary) Part 1

FIELD NOTES FOR PARCEL 4E (TEMPORARY)

Part 1

1.176 acres of land, more or less, same being out of and a part of Lots No. 5 and No. 6 out of the Anderson and Berry Subdivision and out of the Alexander Thompson Survey No. 37 in Taylor County, Texas: which said tract was conveyed to Letha Baker, etal, by Affidavit dated December 12, 1973 of Record in Volume 971, Page 565, Deed Records of Taylor County, Texas; said 1.171 acres of land, more or less, are more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway No. 3438, said point located 50.00 feet east of and measured at right angles to centerline chaining station 49+11.85 of said highway:

1. Thence South $84^{\circ} 35.45'$ East a distance of 311.19 feet;
2. Thence South $5^{\circ} 24.27'$ West a distance of 170.00 feet;
3. Thence North $84^{\circ} 35.45'$ West a distance of 288.81 feet to a point in the east right of way line of said proposed highway, said point located 50.00 feet east of and measured at right angles to centerline chaining station 50+83.31 of said highway, said point being North $2^{\circ} 05.45'$ East a distance of 1903.11 feet and North $42^{\circ} 38.39'$ West a distance of 35.52 feet and North $2^{\circ} 05.39'$ East a distance of 59.50 feet and South $87^{\circ} 22.23'$ East a distance of 4122.00 feet from the northwest corner of the Joseph H. Beck Survey No. 42 in Taylor County, Texas;
4. Thence North $2^{\circ} 05.45'$ East along the east right of way line of said proposed highway a distance of 171.46 feet to the point of beginning.

Of the above described 1.171 acres of land, more or less, 0.379 acre of land, more or less, lie within permanent easement.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 4E
(Temporary) Part 2

FIELD NOTES FOR PARCEL 4E (TEMPORARY)

Part 2

1.205 acres of land, more or less, same being out of and a part of Lots No. 5 and No. 6 out of the Anderson and Berry Subdivision and out of the Alexander Thompson Survey No. 37 in Taylor County, Texas: which said tract was conveyed to Letha Baker, etal, by Affidavit dated December 12, 1973, of Record in Volume 971, Page 565, Deed Records of Taylor County, Texas; said 1.205 acres of land, more or less, are more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway No. 3438, said point located 50.00 feet east of and measured at right angles to centerline chaining station 55+90.00 of said highway;

1. Thence South $87^{\circ} 54.55'$ East a distance of 210.00 feet;
 2. Thence South $2^{\circ} 05.45'$ West a distance of 250.00 feet;
 3. Thence North $87^{\circ} 54.55'$ West a distance of 210.00 feet to a point in the east right of way line of said proposed highway, said point being North $2^{\circ} 05.45'$ East a distance of 1146.42 feet and North $42^{\circ} 38.39'$ West a distance of 35.52 feet and North $2^{\circ} 05.39'$ East a distance of 59.50 feet and South $87^{\circ} 22.23'$ East a distance of 4122.00 feet from the northwest corner of the Joseph H. Beck Survey No. 42 in Taylor County, Texas;
 4. Thence North $2^{\circ} 05.45'$ East along the east right of way line of said proposed highway a distance of 250.00 feet to the point of beginning.
- Of the above described 1.205 acres of land, more or less, 0.193 acre of land, more or less, lie within permanent easement.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 4E (Part 1)

FIELD NOTES FOR PARCEL 4E

Part 1

0.379 acre of land, more or less, same being out of and a part of Lot No. 6 out of the Anderson and Berry Subdivision and out of the Alexander Thompson Survey No. 37 in Taylor County, Texas: which said tract was conveyed to Letha Baker, etal by Affidavit dated December 12, 1973 of Record in Volume 971, Page 565, Deed Records of Taylor County, Texas; said 0.379 acre of land, more or less, is more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway 3438, said point being located 50.00 feet east of and measured at right angles to centerline chaining station 49+45.00 of said highway;

1. Thence South 87° 54.55' East a distance of 150.00 feet;
2. Thence South 2° 05.45' West a distance of 110.00 feet;
3. Thence North 87° 54.55' West a distance of 150.00 feet to a point in the east right of way line of said proposed highway, said point located 50.00 feet, east of and measured at right angles to centerline chaining station 50+55.00 of said highway, said point also located North 2° 05.45' East a distance of 1931.42 feet and North 42° 38.39' West a distance of 35.52 feet and North 2° 05.39' East a distance of 59.50 feet and South 87° 22.23' East a distance of 4122.00 feet from the northwest corner of the Joseph H. Beck Survey No. 42 in Taylor County, Texas;
4. Thence North 2° 05.45' East along the proposed east right of way line of said proposed highway a distance of 110.00 feet to the point of beginning.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 4E (Part 2)

FIELD NOTES FOR PARCEL 4E

Part 2

0.193 acre of land, more or less, same being out of and a part of Lot No. 6 out of the Anderson and Berry Subdivision and out of the Alexander Thompson Survey No. 37 in Taylor County, Texas: which said tract was conveyed to Letha Baker, etal, by Affidavit dated December 12, 1973 of Record in Volume 971, Page 565, Deed Records of Taylor County, Texas; said 0.193 acre of land, more or less, is more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway 3438, said point located 50.00 feet east of and measured at right angles to centerline chaining station 57+46.72 of said highway;

1. Thence North $81^{\circ} 05.45'$ East a distance of 134.17 feet;
2. Thence South $8^{\circ} 54.55'$ East a distance of 60.00 feet;
3. Thence South $81^{\circ} 05.45'$ West a distance of 145.83 feet to a point in the east right of way line of said proposed highway said point located 50.00 feet east of and measured at right angles to centerline chaining station 58+07.84 of said highway, said point also located North $2^{\circ} 05.45'$ East a distance of 1178.58 feet and North $42^{\circ} 38.39'$ West a distance of 35.52 feet and North $2^{\circ} 05.39'$ East a distance of 59.50 feet and South $87^{\circ} 22.23'$ East a distance of 4122.00 feet from the northwest corner of the Joseph H. Beck Survey No. 42 in Taylor County, Texas;
4. Thence North $2^{\circ} 05.45'$ East along the proposed east right of way line of said proposed highway a distance of 61.12 feet to the point of beginning.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 5

FIELD NOTES FOR PARCEL 5

2.823 acres of land, more or less, same being out of and a part of that certain 44.48 acre tract out of The Joseph H. Beck No. 42 Survey in Taylor County, Texas: which said tract was conveyed to Paul M. Washburn, Trustee and Paul Washburn, Jr., Trustee by Deeds dated July 22, 1980 of Record in Volume 1160, Pages 198 and 201 respectively, Deed Records of Taylor County, Texas; said 2.823 acres of land, more or less, are more particularly described as follows:

Begin at a point in the west right of way line of the proposed location of F.M. Highway 3438 and the north boundary line of said tract, said point being 50.00 feet west of and measured at right angles to centerline chaining station 70+90.14 of said proposed highway, said point also being South 2° 05.45' West a distance of 20.5 feet to a point in the north boundary line of said Joseph H. Beck No. 42 Survey and North 87° 22.23' West a distance of 3997 feet from the northwest corner of said Joseph H. Beck No. 42;

1. Thence South 87° 22.23' East along the north boundary line of said tract a distance of 50.00 feet, cross centerline of said proposed highway at centerline chaining station 70+90.95 and continuing a total distance of 50.998 feet to the beginning of a curve to the right, the tangent to said curve at said point bears South 85° 15.23' East;
2. Thence in a easterly direction along the north boundary line of said tract and a curve to the right having a radius of 2004.70 feet and a central angle of 2° 06.92', a distance of 74.02 feet to a point located 74.98 feet east of and measured at right angles to centerline chaining station 70+93.02 of said proposed highway;
3. Thence South 48° 14.38' West along the east right of way line of the proposed location of said highway a distance of 34.64 feet to a point located 50.00 feet east of and measured at right angles to centerline chaining station 71+17.02 of said proposed highway;
4. Thence South 2° 05.45' West continue along the east right of way line of the proposed said highway a distance of 1201.00 feet to a point in the south boundary line of said tract and the north boundary line of that certain tract conveyed to I. S. Gathright, Trustee by deed dated July 3, 1982 of Record in Volume 1255, Page 508, Deed Records in Taylor County, Texas, said point located 50.00 feet east of and measured at right angles to centerline chaining station 83+18.02 of said proposed highway;

Parcel No. 5

5. Thence North $87^{\circ} 22.23'$ West along the south boundary line of said tract and the north boundary line of said I. S. Gathright tract a distance of 50.00 feet, cross the centerline of the proposed location of said highway at centerline chaining station 83+17.55 and continue a total distance of 100.00 feet to a point in the west boundary line of said tract and the west boundary line of said I. S. Gathright tract, said point located 50.00 feet west of and measured at right angles to centerline chaining station 83+17.08 of the proposed location of said highway;
6. Thence North $2^{\circ} 05.45'$ East along the west right of way line of the proposed location of said highway and the west boundary line of said tract a distance of 1226.60 feet to the point of beginning.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 6

FIELD NOTES FOR PARCEL 6

2.844 acres of land, more or less, same being out of and a part of that certain 21.57 acre tract out of The Joseph H. Beck Survey No. 42 in Taylor County, Texas: which said tract was conveyed to I. S. Gathright, Trustee by Deed dated May 14, 1975 of Record in Volume 1006, Page 194, Deed Records of Taylor County, Texas; said 2.844 acres of land, more or less, are more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway No. 3438 and the north boundary line of said tract and the south boundary line of that certain tract conveyed to Paul M. Washburn, et al, by Deed dated July 22, 1980, of record in Volume 1160, Pages 198 and 201, respectively, Deed Records in Taylor County, Texas, said point located 50.00 feet east of and measured at right angles to centerline chaining station 83+18.02 of the proposed location of said highway;

1. Thence South $2^{\circ} 05.45'$ West along the east right of way line of said proposed highway a distance of 1184.73 feet to a point located 50.00 feet east of and measured at right angles to centerline chaining station 95+02.75 of said highway;
2. Thence South $43^{\circ} 13.27'$ East continue along the east right of way line of said proposed highway a distance of 35.16 feet to a point located 75.00 feet east of and measured at right angles to centerline chaining station 95+27.48 of said highway;
3. Thence South $2^{\circ} 05.45'$ West along the east right of way line of said proposed highway a distance of 20.00 feet to a point in the south boundary line of said tract and the north boundary line of that certain tract conveyed to W. G. Neeb by Deed dated October 31, 1978 of Record in Volume 1105, Page 763 Deed Records of Taylor County, Texas, said point also being in the south boundary line of said Joseph H. Beck Survey No. 42 and in the north boundary line of the William Bishop Survey No. 43 in Taylor County, Texas;

Parcel No. 6

4. Thence North 88° 32' West along the south boundary line of said tract and the north boundary line of said W. G. Neeb tract, same being along the south boundary line of said Joseph H. Beck Survey No. 42 and the north boundary line of said William Bishop Survey No. 43 a distance of 75.00 feet, cross centerline of said proposed highway at centerline chaining station 95+48.30 and continue a total distance of 125.00 feet to a point for the southwest corner of said tract, said point being South 88° 32' East a distance of 527.24 feet from the northwest corner of said William Bishop Survey No. 43;
5. Thence North 2° 05.45' East along the west right of way line of the proposed location of said highway, same being the west boundary line of said tract, and the east boundary line of that certain tract conveyed to Dyess Air Force Base by Deed dated December 30, 1952 of Record in Volume 453, Page 372, Deed Records of Taylor County, Texas a distance of 1231.76 feet to a point located 50.00 feet west of and measured at right angles to centerline chaining station 83+17.08 of said highway, said point also being the northwest corner of said tract and the southwest corner of said Paul M. Washburn tract;
6. Thence South 87° 22.23' East along the north boundary line of said tract and south boundary line of said Paul M. Washburn tract a distance of 50.00 feet cross the centerline of said proposed highway at centerline chaining station 83+17.55 and continue a total distance of 100.00 feet to the point of beginning.
Of the above described 2.844 acres of land, more or less, 0.057 acre, more or less, lie within the present county road.

Taylor County
F.M. 3438
Control 2270-1-7
Parcel No. 7

FIELD NOTES FOR PARCEL 7

1.186 acres of land, more or less, same being out of and a part of that certain 8.93 acre tract out of the William Bishop Survey No. 43 in Taylor County, Texas; which said tract was conveyed to W. G. Neeb by Deed dated October 31, 1978 of Record in Volume 1105 Page 763, Deed Records of Taylor County, Texas; said 1.186 acres of land, more or less, are more particularly described as follows:

Begin at a point in the east right of way line of the proposed location of F.M. Highway 3438, said point being in the north boundary line of said William Bishop Survey No. 43 and in the south boundary line of the Joseph H. Beck Survey No. 42 in Taylor County, Texas, said point also being in the north boundary line of said tract and the south boundary line of that certain tract conveyed to I. S. Gathright by deed dated July 3, 1982 of record in Volume 1255, Page 508, Deed Records of Taylor County, Texas, said point also being South 88° 32' East a distance of 75.0 feet from centerline chaining station 95+48.30 of said proposed highway;

1. Thence South 2° 05.45' West along the proposed east right of way line of said highway a distance of 20.0 feet to a point being 75.0 feet easterly from and measured at right angles to centerline chaining station 95+67.48 of the proposed location of said highway;
2. Thence South 46° 46.73' West along the proposed east right of way line of said highway a distance of 35.55 feet to a point being 50.0 feet easterly from and measured at right angles to centerline chaining station 95+92.76 of the proposed location of said highway;
3. Thence South 2° 05.45' West continue along the proposed east right of way line of said highway a distance of 455.44 feet to a point in the south boundary line of said tract and the north boundary line of that certain tract conveyed to Frank W. Meyers, Jr., Trustee, by deed's dated May 4 and 11, 1956, Volumes 527 and 522, pages 402 and 454, respectively, Deed Records of Taylor County, Texas, said point also being South 88° 33.88' East a distance of 50.0 feet from centerline chaining station 100+48.77 of the proposed location of said highway;
4. Thence North 88° 33.88' West along the south boundary line of said tract and the north boundary line of said Frank W. Meyers, Jr., Trustee tract, a distance of 50.0 feet, cross the centerline of the proposed location of said highway at centerline chaining station 100+48.77 and continue a total distance of 100.00 feet to a point in the proposed west right of way line of said highway;

Parcel No. 7

5. Thence North $2^{\circ} 05.45'$ East along the proposed west right of way line of said proposed highway a distance of 455.50 feet to a point being 50.0 feet westerly from and measured at right angles to centerline chaining station 95+93.85 of the proposed location of said highway;
6. Thence North $43^{\circ} 13.27'$ West along the proposed west right of way line of said proposed highway a distance of 35.16 feet to a point being 75.0 feet westerly of and measured at right angles to centerline chaining station 95+69.12 of the proposed location of said highway;
7. Thence North $2^{\circ} 05.45'$ East continue along the proposed west right of way line of said proposed highway a distance of 20.0 feet to a point in the north boundary line of said tract and the south boundary line of that certain tract conveyed to Dyess Air Force Base by deed dated December 30, 1952 in Volume 453, Page 372, Deed Records of Taylor County, Texas, said point being in the north boundary line of said William Bishop Survey No. 43 and in the south boundary line of the Joseph H. Beck Survey No. 42 in Taylor County, Texas, said point also being South $88^{\circ} 32'$ East a distance of 502.24 feet from the northwest corner of the said William Bishop Survey No. 43;
8. Thence South $88^{\circ} 32'$ East along the north boundary line of said tract and the south boundary line of said Joseph H. Beck Survey No. 42 a distance of 75.0 feet cross the centerline of the proposed highway at centerline chaining station 95+48.30 and continue a total distance of 150.0 feet to the point of beginning.

Of the above described 1.186 acres of land more or less, 0.069 acres of land, more or less, lie within the present county road.