

COMMISSIONERS COURT OF COLLIN COUNTY, TEXAS AN ORDER AUTHORIZING THE USE OF EMINENT DOMAIN FOR THE ACQUISITION OF A 5.154 ACRE TRACT OF LAND TO FACILITATE CONSTRUCTION OF SEGMENT 2 OF THE COLLIN COUNTY OUTER LOOP FROM FM 6 TO THE ROCKWALL COUNTY LINE

WHEREAS, the Commissioners Court of Collin County, Texas has determined that current County needs necessitate the acquisition of right of way to facilitate the improvement and construction of Segment 2 of the Collin County Outer Loop from FM 6 to the Rockwall County Line in Collin County for public use associated therewith (hereinafter, the "Project"); and

WHEREAS, the following described 5.154 acre tract (the "Property") is purportedly owned by Oncor Electric Delivery, LLC and/or Liberty Tierra LTD (the "Property Owner"):

A 5.154 acre tract of land situated in the William Ward Survey, Abstract No. 949, Collin County, Texas, and being all of a called 5.103 acre tract of land described in deed to Oncor Electric Delivery Company LLC, as recorded in Document Number 2023000136939, Official Public Records, Collin County, Texas (O.P.R.C.C.T.), and all of a called 0.052 acre tract of land described in deed to Oncor Electric Delivery Company LLC, as recorded in Document Number 2024000093174, O.P.R.C.C.T, said 5.154 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8-inch iron rod with yellow cap stamped "DUNAWAY ASSOC" (herein after called 5/8-inch YCIR) for the southeast corner of said 0.052 acre tract and being on the north right-of-way line of County Road 590 (variable width right-of-way), said POINT OF BEGINNING being locatable by NAD83 Grid Coordinates: N: 7,060,469.43', E: 2,626,303.43';

THENCE North 89 degrees 18 minutes 33 seconds West, with the north right-of-way line of said County Road 590 and with the south line of said 0.052 acre tract, a distance of 450.00 feet to a found 5/8-inch YCIR for the southwest corner of said 0.052 acre tract;

THENCE North 02 degrees 40 minutes 39 seconds East, departing the north right-of-way line of said County Road 590 and with the west line of said 0.052 acre tract, passing a found 5/8-inch YCIR for the northwest corner of said 0.052 acre tract and for the southwest corner of said 5.103 acre tract at a distance of 5.00 feet, continuing with the west line of said 5.103 acre tract for a total distance of 499.24 feet to a found 5/8-inch YCIR for the northwest corner of said 5.103 acre tract and being on the south line of that tract of land described in deed to Harry Dwight & James Ray Stewart, as recorded in Document Number 2001-0046105, O.P.R.C.C.T., from which a found mag nail with shiner for the southwest corner of said Stewart tract bears North 89 degrees 18 minutes 36 seconds West, a distance of 310.69 feet;

THENCE South 89 degrees 18 minutes 36 seconds East, with the north line of said 5.103 acre tract and with the south line of said Stewart tract, a distance of 450.00 feet to a found 5/8-inch YCIR, from which a found 1/2-inch iron rod with blue cap stamped "JDS 10194118" for the northwest corner of Lot 1 of Rolling Ridge, an addition to Collin County, according to the plat recorded in Book 2022, Page 915, Plat Records, Collin County, Texas (P.R.C.C.T.), bears South 89 degrees 18 minutes 36 seconds East, a distance of 724.40 feet;

THENCE South 02 degrees 40 minutes 39 seconds West, departing the south line of said Stewart tract and with the east line of said 5.103 acre tract, passing a found 5/8-inch YCIR for the southeast corner of said 5.103 acre tract and for the northeast corner of said 0.052 acre tract at a distance of 494.24 feet, from which a found 1/2-inch iron rod with blue cap stamped "JDS 10194118" for the southwest corner of said Lot 1 of Rolling Ridge bears South 89 degrees 18 minutes 33 seconds East, a distance of 741.53 feet, continuing with the east line of said 0.052 acre tract for a total distance of 499.24 feet to the POINT OF BEGINNING and containing 224,522 square feet or 5.154 acres of land, more or less.

WHEREAS, the County has determined that the Property is necessary for the Project, which constitutes an authorized public use, namely public transportation; and

WHEREAS, the Commissioners Court of Collin County, Texas, has determined that the Property should be acquired through the use of eminent domain, if necessary.

NOW, THEREFORE, BE IT ORDERED that the Commissioners Court of Collin County, Texas hereby authorizes the use of eminent domain to acquire the fee simple interest in the Property for the Project.

IT IS FURTHER ORDERED that the Commissioners Court of Collin County, Texas hereby authorizes the Collin County Director of Engineering to obtain any necessary appraisals and to make any necessary offers to the Property Owner to comply with Chapter 21 of the Texas Property Code including offering the Property Owner the amount of any such appraisals to acquire the Property.

IT IS FURTHER ORDERED that, if the Director of Engineering determines that the County and the Property Owner are unable to agree to the acquisition of the Property by the County, the Commissioners Court of Collin County, Texas hereby authorizes the law firm Banowsky, P.C. to institute eminent domain proceedings in order to acquire the fee simple interest in the Property.