

CAUSE NO. _____

_____ §

V. §

_____ § WILLIAMSON COUNTY, TEXAS

ORDER APPOINTING SPECIAL COMMISSIONERS

Whereas, Plaintiff having filed its Petition for Condemnation with the Court, it appears that the matter should proceed according to Chapter 21 of the Texas Property Code effective as of September 1, 2011. Under §21.014, TEX.PROP.CODE:

a. *The judge of a court in which condemnation petition is filed or to which an eminent domain case is assigned shall appoint three disinterested real property owners who reside in the county as special commissioners to assess the damages of the owner of the property being condemned. The judge appointing the special commissioners shall give preference to persons agreed on by the parties. The judge shall provide each party a reasonable period to strike one of the three commissioners appointed by the judge. If a person fails to serve as a commissioner or is struck by a party to the suit, the judge shall appoint a replacement.*

Correspondingly, the Court hereby appoints the following three persons to serve as Special Commissioners in this matter:

Special Commissioner 1

Name

Address

Telephone

Special Commissioner 2

Name

Address

Telephone

Special Commissioner 3

Name

Address

Telephone

The Court further appoints the following three persons to serve as alternate Special Commissioners should one of these persons fail to serve as a commissioner or be struck by a party to the suit:

Alternate Special Commissioner 1

Name

Address

Telephone

Alternate Special Commissioner 2

Name

Address

Telephone

In accordance with the statutory requirement that each party be provided a reasonable period of time for exercising Special Commissioner strikes, the Court hereby finds that ten (10) days is reasonable. Either or both Condemnor and Condemnees may exercise one strike of any of the three first-named Special Commissioners by filing written notice of same with the Clerk of the Court on or before 5:00 p.m. on the 10th calendar day following the date of this order. The Court further ORDERS that in the event any such strike is timely exercised, said stricken Special Commissioner is hereby automatically and immediately replaced, effective the date said strike is filed with the clerk of the Court, by the first available alternate special commissioner, in the

order in which each is listed herein above. It is further ORDERED by the Court that should any of the final alternate Special Commissioners be ineligible, unwilling, or unable to serve due to conflict of interest, scheduling conflict, or otherwise, that next available alternate Special commissioner is hereby automatically appointed to take said Special Commissioner's place without further order of the Court, in the order of which is listed above.

The Special Commissioners shall have the powers, responsibilities and duties provided in Chapter 21 of the Texas Property Code as in effect on September 1, 2011, and shall, forthwith convene a hearing in accordance with the Code to make their award in this case.

SO ORDERED on this the ____ day of _____, 2012.

JUDGE PRESIDING