

Sheets & Crossfield, P.C.

ATTORNEYS AT LAW

309 East Main Street • Round Rock, TX 78664-5246

Phone 512-255-8877 • fax 512-255-8986

January 9, 2013

John Wakefield
7981 Hwy 195
Florence, Texas 76527

Re: SH195 expansion project
PEC electric easement

Dear Mr. Wakefield:

As you are aware, it has been determined that we need to purchase an additional easement interest in your property in order to accommodate the proposed SH195 widening project. Please allow this letter to set out my understanding regarding our agreement for Williamson County's purchase of an electric utility easement area for Pedernales Electric Cooperative (PEC) due to the conflict with the current location of their facilities caused by the proposed widening/realignment of SH195 in Williamson County.

In return for granting an electric utility easement in and to that certain property containing 0.225 acre, Williamson County will pay the sum of \$3,715.00. The form of the easement will be as shown in Exhibit "A" attached hereto.

It is not anticipated that any existing fencing on your property will need to be disturbed in order for PEC to complete the relocation of its facilities. However, if any of the existing fencing on your property is required to be removed in order to complete this work, it shall be the responsibility of PEC and its contractors to either replace the fencing as closely as possible to the condition which existed prior to the work, or to pay you the fair market cost to have the fencing replaced.

If this meets with your understanding then please sign where indicated below, and we will have this executed by the County Judge and process this for payment as quickly as possible.

Please feel free to contact Sam Nassour or myself at any time if you have any questions or concerns about these issues.

Very truly yours,

Don Childs

Don Childs
Sheets & Crossfield, P.C.

AGREED:

John E. Wakefield
John E. Wakefield
Date: 11/9/13

WILLIAMSON COUNTY, TEXAS

Dan A. Gattis
County Judge

Date: _____

EXHIBIT “A” TO LETTER AGREEMENT

ELECTRIC UTILITY EASEMENT
PEC—SH195

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WILLIAMSON §

THAT JOHN E. WAKEFIELD, Individually and as Trustee of the John E. Wakefield and Lottie M. Wakefield Revocable Living Trust dated April 7, 2005, Grantor, for and in consideration of ONE DOLLAR (\$1.00) in hand paid by PEDERNALES ELECTRIC COOPERATIVE, INC., of Johnson City, Texas, have granted, sold, and conveyed and by these presents do grant, sell, and convey unto Pedernales Electric Cooperative, Inc., an easement and right-of-way as hereinafter described for an electric distribution line consisting of variable number of wires, guy wires and/or down wires, and all necessary or desirable appurtenances (including poles made of wood, metal or other materials, telephone and telegraph wire, props and guys), over, across and upon the following described lands located in Williamson County County, Texas, to-wit:

All of that certain 0.225 acre of land, more or less, out of the John Hamilton Survey, Abstract No. 282, more particularly described by metes and bounds and sketch attached hereto as Exhibit A, said exhibit being incorporated herein by reference for all purposes.

Together with the right of ingress and egress over our adjacent lands if necessary to or from said right-of-way, but only to the extent that ingress or egress is not available or adequate from a public right of way, for the purpose of constructing, reconstructing, inspecting, patrolling, pulling new wire on, maintaining and removing said lines and appurtenances; the right to relocate within the limits of said right-of-way; the right to relocate said facilities in the same relative position to any adjacent road if any such road is widened in the future; the right to remove from said lands all trees and parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or their appurtenances.

TO HAVE AND TO HOLD the above described easement and rights unto Pedernales Electric Cooperative, Inc. and their successors and assigns, until said line shall be abandoned.

And we do hereby bind ourselves, our heirs and legal representatives to warrant and forever defend all and singular the above described easement and rights unto Pedernales Electric Cooperative, Inc., their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

[signature page follows]

WITNESS our hands this _____ day of _____, 2013.

GRANTOR:

John E. Wakefield, Individually and as Trustee
of the John E. Wakefield and Lottie M. Wakefield
Revocable Living Trust dated April 7, 2005

ACKNOWLEDGMENT

STATE OF TEXAS

§

§

COUNTY OF _____

§

This instrument was acknowledged before me on this the ____ day of _____, 2013 by John E. Wakefield, in the capacity and for the purposes and consideration recited therein.

Notary Public, State of Texas

After recording return to:

EXHIBIT A

PROPERTY DESCRIPTION

DESCRIPTION OF A 0.225 ACRE (9,808 SQUARE FOOT), TRACT OF LAND SITUATED IN THE JOHN HAMILTON SURVEY, ABSTRACT NO. 282, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT 12.29 ACRE TRACT OF LAND CONVEYED TO JOHN E. WAKEFIELD, BY INSTRUMENT RECORDED IN VOLUME 1815 PAGE 711 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.225 ACRE (9,808 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point, in the existing easterly boundary line of that called 28.34 acre tract of land conveyed to Tommy W. Morrow and spouse Ann M. Morrow by instrument recorded in Document No. 9551716 of the Official Records of Williamson County, Texas, same being the easterly boundary line of a 30 foot wide ingress, egress easement (Tract I) conveyed to John C. Henderson and wife Martha Henderson, James M. Colbert and wife Dorothy Colbert by instrument recorded in Volume 652, Page 837 of the Deed Records of Williamson County, Texas, same being the westerly boundary line of said 12.29 acre tract, the grid coordinates of said point for this description being determined as Northing=10253644.30, Easting=3105897.09, TXSPC Zone 4203, for the southwesterly corner and the **POINT OF BEGINNING** of the herein described tract, and from which a ½" iron rod found being an ell corner in the easterly boundary line of said 28.34 acre tract, same being the northerly boundary line of that called 75.47 acre tract of land (Tract 3) conveyed to D&M Davis Land & Cattle, LP by instrument recorded in Document No. 2002013809 of the Official Public Records of Williamson County, Texas, same being the northerly boundary line of a 30 foot wide ingress egress easement (Tract II) per said Volume 652, Page 837 also known as Beaver Lane, same being the most southerly corner of said 12.29 acre tract bears S 21°35'36" E at a distance of 31.91 feet;

1) **THENCE**, with the easterly boundary line of said 28.34 acre tract, same being the easterly boundary line of said 30' easement (Tract I), same being the westerly boundary line of said 12.29 acre tract, **N 21°35'36" W** for a distance of **23.12** feet to a calculated point, for the most northwesterly corner of the herein described tract;

THENCE, departing the easterly boundary line of said 28.34 acre tract, same being said 30' easement, and through the interior of said 12.29 acre tract, the following three (3) courses:

- 2) **S 81°28'36" E** for a distance of **46.94** feet to a calculated point, for an angle point in the northerly boundary line of the herein described tract;
- 3) **N 53°31'24" E** for a distance of **443.88** feet to a calculated point for the northeasterly corner of the herein described tract;
- 4) **S 20°42'16" E** for a distance of **20.78** feet to a calculated point in the northerly boundary line of said 75.47 acre tract, same being the northerly boundary line of said 30' wide easement (Tract II), being the southerly boundary line of said 12.29 acre tract for the southeasterly corner of the herein described tract and from which a 1/2 " iron rod found being the northeasterly corner of said 75.47 acre tract same being the northeasterly corner of said 30' wide easement (Tract II), same being the existing westerly right-of-way line of State Highway No. 195, same being the southeasterly corner of said 12.29 acre tract bears **N 53°31'24" E** at a distance of 504.51 feet;
- 5) **THENCE**, with the northerly boundary line of said 75.47 acre tract, same being the northerly boundary line of said 30' easement (Tract II), same being the southerly boundary line of said 12.29 acre tract, **S 53°31'24" W** for a distance of **446.51** feet to a calculated point for an angle point in the southerly boundary line of the herein described tract;
- 6) **THENCE**, departing the northerly boundary line of said 75.47 acre tract, same being the northerly boundary line of said 30' easement (Tract II), through the interior of said 12.29 acre tract, **N 81°28'36" W** for a distance of **43.62** feet to the **POINT OF BEGINNING**, containing 0.225 acre (9,808 square feet) of land, more or less.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.
This property description is accompanied by a separate plat.

I, M. Stephen Truesdale, 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 Round Rock, Williamson County, Texas.

M. Stephen Truesdale 7 Jan 2013
M. Stephen Truesdale Date
Registered Professional Land Surveyor No. 4933

Licensed State Land Surveyor
Inland Geodetics, L.P.
1504 Chisholm Trail Road Suite 103
Round Rock, TX 78681
512-238-1200



EXHIBIT A PLAT TO ACCOMPANY DESCRIPTION

TOMMY W. MORROW
ANN M. MORROW
(28.34 AC.)
DOC. #9551716
O.R.W.C.T.

TRACT I
30' INGRESS/EGRESS
EASEMENT
VOL. 652, PAGE 837
D.R.W.C.T.

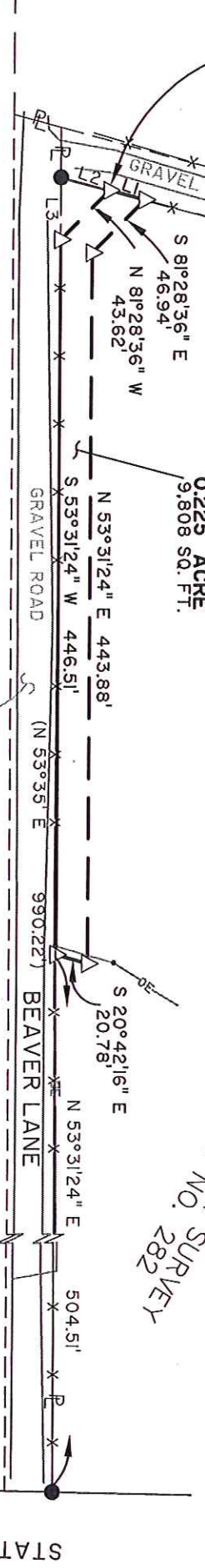
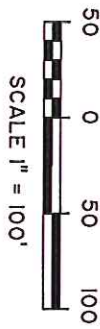
P.O.B.
GRID COORDINATES
N=10253644.30
E=3105897.09

EASEMENT
0.225 ACRE
9,808 SQ. FT.

JOHN E. WAKEFIELD
(12.29 AC.)
VOL. 1815, PAGE 711
O.R.W.C.T.

NO.	BEARING	DISTANCE
L1	N 21°35'36" W	23.12'
L2	S 21°35'36" E	31.91'
L3	S 53°31'24" W	39.04'

JOHN HAMILTON SURVEY
ABSTRACT NO. 282



NOTES:
1) BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE. DISTANCES ARE SURFACE DISTANCES.
2) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE ABSTRACT. THERE MAY BE OTHER INSTRUMENTS OF RECORD THAT AFFECT THIS TRACT NOT DEPICTED HEREON.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND THAT THE PROPERTY SHOWN HEREON WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

M. Stephen Truesdale
M. STEPHEN TRUESDALE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 49333

DATE
INLAND GEODETICS, LP
FIRM REGISTRATION NO. 100591-00
1504 CHISHOLM TRAIL ROAD, SUITE 103
ROUND ROCK, TX 78681



TRACT II
30' INGRESS/EGRESS
EASEMENT
VOL. 652, PAGE 837
D.R.W.C.T.

D&M DAVIS
LAND AND CATTLE, L.P.
TRACT 3
(75.47 AC.)
DOC. # 2002013809
O.P.R.W.C.T.

LEGEND

- △ CALCULATED POINT
- IRON ROD WITH CAP FOUND
- BREAK LINE
- OE— OVERHEAD ELECTRIC
- LP PROPERTY LINE
- D.R.W.C.T. DEED RECORDS
- WILLIAMSON COUNTY, TEXAS
- O.R.W.C.T. OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- () RECORD INFORMATION

INLAND GEODETICS
PROFESSIONAL LAND SURVEYORS
1504 CHISHOLM TRAIL RD. STE. 103
ROUND ROCK, TX. 78681
PH. (512) 238-1200, FAX (512) 238-1251

JOHN E. WAKEFIELD
0.225 ACRE
9,808 SQUARE FEET