

FARM/CROP LEASE AGREEMENT

CR 119 Right of Way—Parcel 11

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

That this lease agreement made and entered into this _____ day of _____, 2015, by and between WILLIAMSON COUNTY, TEXAS ("Lessor"), and RICK D. KRUGER and TIMOTHY R. KRUGER ("Lessee").

WITNESSETH

I.

In consideration of the rent and the covenants herein contained on the part of Lessee to be kept and performed, the Lessor does hereby lease, demise and let unto the Lessee, and the Lessee hires and rents the SURFACE ONLY, excluding the minerals, of approximately 3.4408 acres situated in Williamson County, Texas, as described in Exhibit "A" (the "Premises").

II.

The term of his lease shall be for a period of one year, commencing on the date indicated above, and shall automatically renew for successive one year periods unless sooner terminated pursuant to the provisions of this Agreement. The yearly rental shall be one dollar (\$1.00) payable in advance on the annual anniversary of the commencement date.

III.

Lessee shall use the Premises solely for the purpose of growing and farming crops, together with all other purposes and activities usually and customarily associated with a farming operation in Williamson County, Texas. For and during the entire term of this lease, Lessee agrees that Lessee shall: (1) only use the Premises in such a prudent manner so as to preserve and protect the land and soil; (2) surrender the Premises to the Lessor upon termination of this agreement in at least as good a condition as the Premises was in on the date of this lease agreement; (3) obey all laws, ordinances, orders, and rules and regulations applicable to the use, condition, and occupancy of the Premises; and (4) allow Lessor to inspect the Premises and conduct any analysis and testing required by Lessor in connection with its proposed CR 119 construction project. Without the express written consent of the Lessor, Lessee shall not: (1) use the Premises for any purpose other than farming, including hunting and fishing; (2) alter the Premises, including clearing new roads, moving or erecting any fences, or locating on the Premises any type of manufactured housing or mobile home; (3) assign Lessee's rights or obligations under this agreement or sublet the Premises.

III.

LESSEE AGREES TO INDEMNIFY, DEFEND, AND HOLD LESSOR HARMLESS FROM ANY INJURY (AND ANY RESULTING OR RELATED CLAIM, ACTION, LOSS, LIABILITY, OR REASONABLE EXPENSE, INCLUDING ATTORNEY'S FEES AND OTHER FEES AND COURT AND OTHER COSTS) ARISING OUT OF LESSEE'S USE OF THE PREMISES. LESSEE AGREES TO RELEASE LESSOR FROM ALL CLAIMS OR LIABILITIES FOR ANY INJURY TO LESSEE OR TO LESSEE'S PROPERTY LOCATED ON THE PREMISES. THE INDEMNITY AND RELEASE CONTAINED IN THIS PARAGRAPH: (1) ARE INDEPENDENT OF LESSEE'S INSURANCE; (2) WILL NOT BE LIMITED BY COMPARATIVE NEGLIGENCE STATUTES OR DAMAGES PAID UNDER THE WORKERS' COMPENSATION ACT OR SIMILAR EMPLOYEE BENEFIT ACTS; AND (3) WILL SURVIVE THE END OF THE TERM.

IV.

At any time beginning after January 1, 2016, Lessor may terminate this agreement without cause forty five (45) days after giving Lessee written notice of cancellation sent by first class mail to the address of Lessee listed below. Any growing crops or other improvements remaining on the Premises on the date of termination shall automatically become the property of Lessor and are subject to damage or removal without compensation. Notwithstanding any other provision in this lease agreement, any physical additions or improvements to the Premises made by Lessee will become the property of Lessor.

V.

LESSEE IS RELYING ON HIS OWN EXAMINATION OF THE PREMISES AND THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE, OR OF ANY OTHER KIND ARISING OUT OF THIS LEASE, AND THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.

LESSOR:

WILLIAMSON COUNTY, TEXAS

By: _____

Dan A. Gattis
County Judge

Date: _____

LESSEE:

Rick D. Kruger
Rick D. Kruger

Date: 7-1-15

Address: 5090 CR 100

Hutto, TX 78634

Timothy R. Kruger
Timothy R. Kruger

Date: 7/1/2015

Address: 120 Gabriel Henderson Dr

Hutto TX 78634

EXHIBIT A

County: Williamson
Parcel No.: 11
Highway: C.R. 119
Limits: C.R. 164 (Limmer Loop) to Chandler Road

DESCRIPTION FOR PARCEL 11

DESCRIPTION OF A 3.4408 ACRE (149,883 SQ.FT.) TRACT OF LAND LOCATED IN THE GEORGE KIETH SURVEY, A-370 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 65.528 ACRE TRACT OF LAND, DESCRIBED IN DEED TO WILLIAMSON BROWN HOLDINGS, LP. RECORDED IN DOCUMENT NUMBER 2007096997 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.), SAID 3.4408 ACRE (149,883 SQ.FT.) TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 70.00 feet left of County Road (C.R.) 119 Engineer's Centerline Station (E.C.S.) 123+02.81, on the southeast line of said 65.528 acre tract, the northwest line of a called 51 acre tract (First Tract) of land described in deed to Katherine J. Strand Revocable Trust (1/3) Interest, as recorded in Document No. 2010024929 O.P.R.W.C.TX., and on the proposed west right-of-way line of C.R. 119, for the **POINT OF BEGINNING** and the southeast corner of the tract described herein;

THENCE, with the proposed west right-of-way line of said C.R. 119, through the interior of said 65.528 acre tract, the following seven (7) courses and distances numbered 1-7:

- 1) N 07°12'20" W, a distance of 134.04 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 70.00 feet left of E.C.S. 124+35.00,
- 2) N 83°33'07"E, a distance of 10.00 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet left of E.C.S. 124+35.00, for the beginning of a curve to the right,
- 3) with the proposed curving west right-of-way line of said C.R. 119, being a curve to the right, an arc distance of 521.18 feet, through a central angle of 05°54'05", having a radius of 5,060.00 feet, and a chord that bears N 03°29'51" W, a distance of 520.95 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet left of E.C.S. 129+50.00,
- 4) S 89°27'12" W, a distance of 5.00 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 65.00 feet left of E.C.S. 129+50.00, for the beginning of a curve to the right,
- 5) with the proposed curving west right-of-way line of said C.R. 119, being a curve to the right, an arc distance of 376.47 feet, through a central angle of 04°15'31", having a radius of 5,065.00 feet, and a chord that bears N 01°34'57" E, a distance of 376.38 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 65.00 feet left of E.C.S. 133+21.64,
- 6) N 03°42'43" E, a distance of 133.26 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 65.00 feet left of E.C.S. 134+54.89, and
- 7) N 44°09'09" W, a distance of 67.43 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 115.00 feet left of E.C.S. 135+00.13, said point being on the existing south right-of-way line of Chandler Road, a variable width right-of-way, being a called 14.50 acre tract of land as dedicated to Williamson County, Texas, recorded in Document No. 2006018077 O.P.R.W.C.TX., for the southwest corner of the tract described herein;

8) **THENCE**, with the existing curving south right-of-way line of said Chandler Road, being a curve to the left, an arc distance of 230.08 feet, through a central angle of $05^{\circ}07'02''$, having a radius of 2,576.15 feet, and a chord that bears $S\ 86^{\circ}02'47''\ E$, a distance of 230.00 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 115.00 feet right of E.C.S. 134+99.16 said point being on the proposed east right-of-way line of said C.R. 119, from which a 5/8-inch iron rod stamped "JSCO" found for an angle point on the existing south right-of-way line of said Chandler Road bears $S\ 88^{\circ}42'16''\ E$, a distance of 8.94 feet;

THENCE, with the proposed east right-of-way line of said C.R. 119, through the interior of said 65.528 acre tract, the following five (5) courses and distances numbered 9-13:

9) $S\ 47^{\circ}50'19''\ W$, a distance of 71.81 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 65.00 feet right of E.C.S. 134+47.61,

10) $S\ 03^{\circ}42'43''\ W$, a distance of 125.97 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 65.00 feet right of E.C.S. 133+21.64, for the beginning of a curve to the left,

11) with the proposed curving east right-of-way line of said C.R. 119, being a curve to the left, an arc distance of 268.11 feet, through a central angle of $03^{\circ}06'46''$, having a radius of 4,935.00 feet, and a chord that bears $S\ 02^{\circ}09'20''\ W$, a distance of 268.07 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 65.00 feet right of E.C.S. 130+50.00,

12) $N\ 89^{\circ}24'03''\ W$, a distance of 5.00 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet right of E.C.S. 130+50.00, for the beginning of a curve to the left, and

13) with the proposed curving east right-of-way line of said C.R. 119, being a curve to the left, an arc distance of 706.41 feet, through a central angle of $08^{\circ}11'35''$, having a radius of 4,940.00 feet, and a chord that bears $S\ 03^{\circ}29'51''\ E$, a distance of 705.80 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet right of E.C.S. 123+35.01, said point being on the northwest line of said 51 acre tract and the southeast line of said 65.528 acre tract, for the northeast corner of the tract described herein;

14) **THENCE** S 68°17'39" W, with the northwest line of said 51 acre tract and the southeast line of said 65.528 acre tract, a distance of 133.94 feet to the **POINT OF BEGINNING**, and containing 3.4408 acres (149,883 sq.ft.) of land, more or less.

This property description is accompanied by a plat of even date.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD83. All distances shown hereon are adjusted to the surface using a combined scale factor of 1.000122465.

THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, William Reed Herring, 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 Austin, Travis County, Texas this the 27th day of August, 2014 A.D.

SURVEYING AND MAPPING
4801 Southwest Parkway
Parkway Two, Suite 100
Austin, Texas 78735
Texas Firm Registration No. 10064300

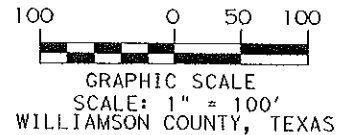

William Reed Herring
Registered Professional Land Surveyor
No. 6355-State of Texas



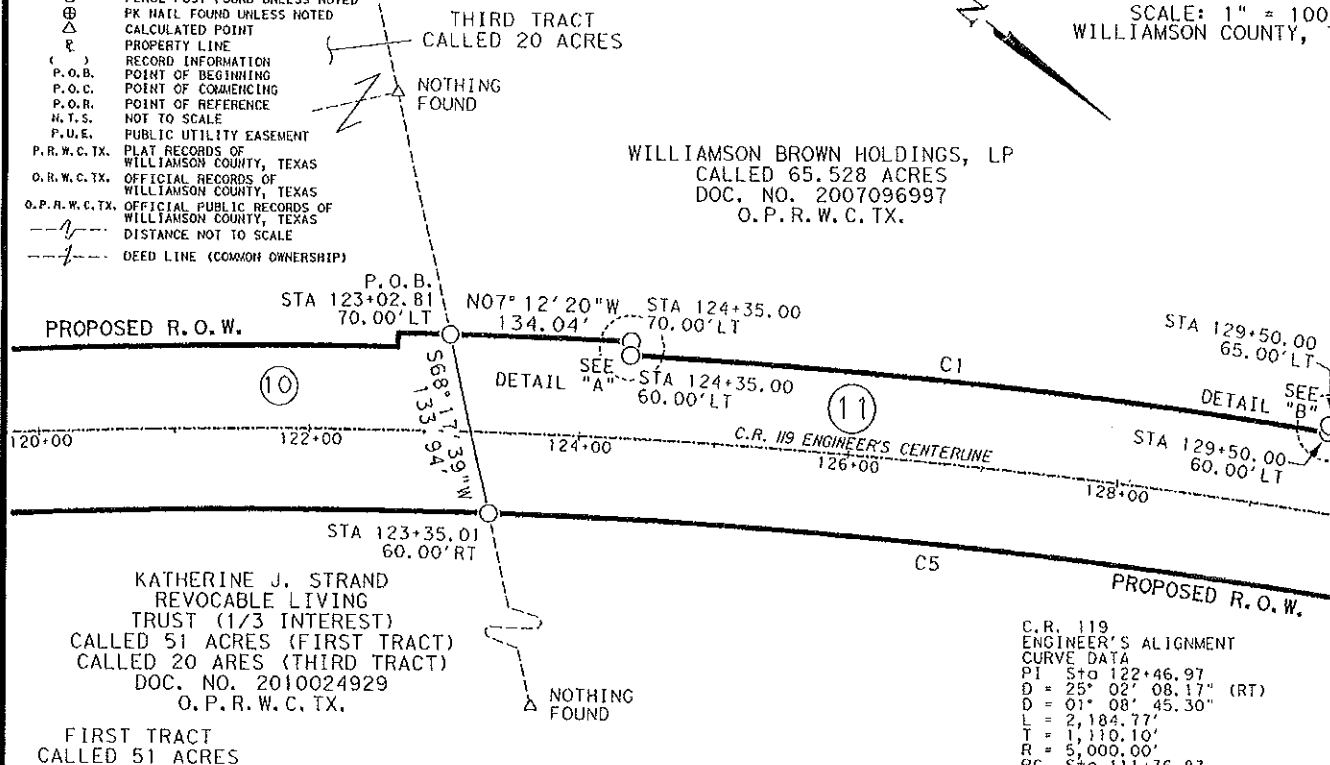
LEGEND

- ⊙ 1/2" PIPE FOUND UNLESS NOTED
- 1/2" IRON ROD W/ "SAM INC"
- CAP SET UNLESS NOTED
- 1/2" IRON ROD FOUND UNLESS NOTED
- ⊙ FENCE POST FOUND UNLESS NOTED
- ⊕ PK NAIL FOUND UNLESS NOTED
- △ CALCULATED POINT
- PROPERTY LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.O.R. POINT OF REFERENCE
- N.T.S. NOT TO SCALE
- P.U.E. PUBLIC UTILITY EASEMENT
- P.R.W.C.TX. PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.R.W.C.TX. OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)

GEORGE KIETH SURVEY, A-370



MATCH LINE SHEET 5 OF 6



C.R. 119
ENGINEER'S ALIGNMENT
CURVE DATA
PI Sta 122+46.97
D = 25' 02' 08.17" (RT)
D = 01' 08' 45.30"
L = 2,184.77'
T = 1,110.10'
R = 5,000.00'
PC Sta 111+36.87
PT Sta 133+21.64

NOTES:

1. ALL BEARINGS SHOWN ARE BASED ON NAD 83 (1993) TEXAS STATE PLANE FILE: \\Bury Partners\CR 119\Survey\sketches\Parcel 11-1.dgn
2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN.
3. C.R. 119 ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM BURY AND PARTNERS SCHEMATIC AND RECEIVED BY SAM, INC. ON OCTOBER 11, 2012.

PAGE 4 OF 6
REF. FIELD NOTE NO. 14946



4801 Southwest Parkway
Parkway Two, Suite 100
Austin, Texas 78735
(512) 447-0575
Fax: (512) 326-3029
Total Firm Registration No. 10064300

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
WILLIAMSON BROWN HOLDINGS, LP
PARCEL 11
3.4408 AC. (149,883 SQ. FT.)

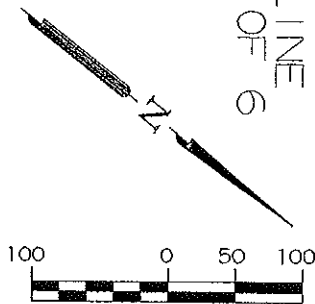
LEGEND

- ⊙ 1/2" PIPE FOUND UNLESS NOTED
- 1/2" IRON ROD W/"SAM INC"
- CAP SET UNLESS NOTED
- ⊙ 1/2" IRON ROD FOUND UNLESS NOTED
- ⊕ FENCE POST FOUND UNLESS NOTED
- ⊕ PK NAIL FOUND UNLESS NOTED
- △ CALCULATED POINT
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- O.R.W.C.TX. OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)

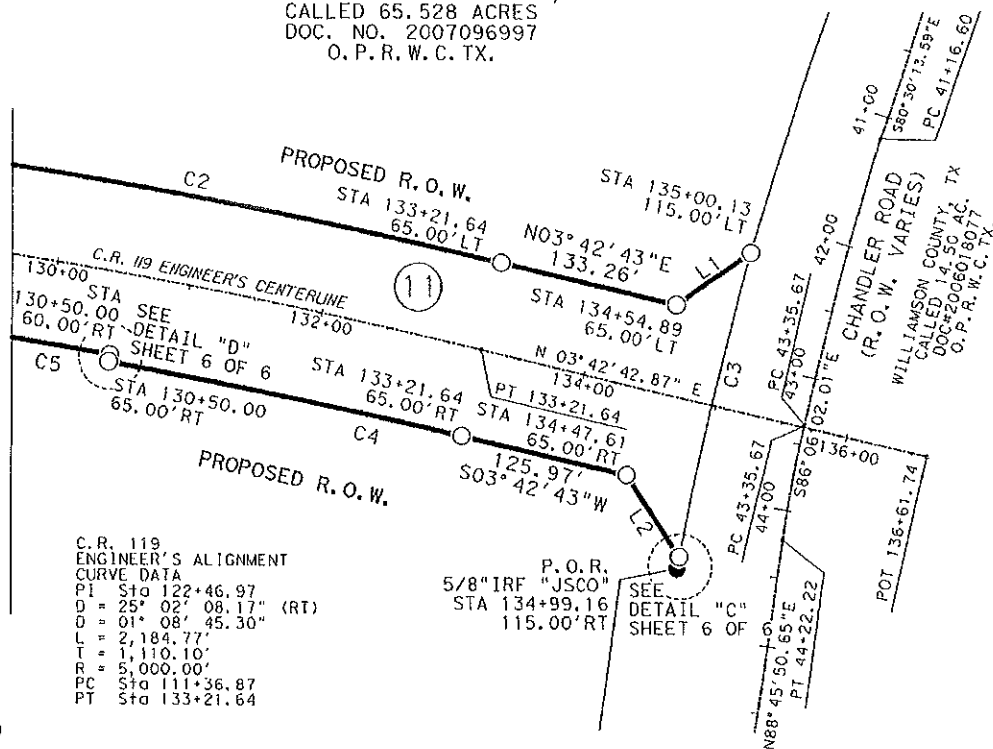
GEORGE KIETH
SURVEY, A-370

WILLIAMSON BROWN HOLDINGS, LP
CALLED 65.528 ACRES
DOC. NO. 2007096997
O.P.R.W.C.TX.

MATCH LINE
SHEET 4 OF 6



GRAPHIC SCALE
SCALE: 1" = 100'
WILLIAMSON COUNTY, TEXAS



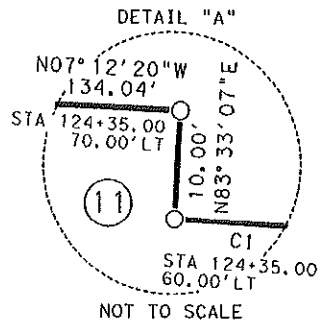
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PAGE 5 OF 6
REF. FIELD NOTE NO. 14946

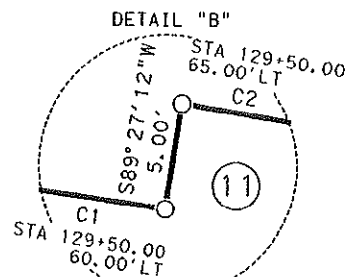


4801 Southwest Parkway
Parkway Two, Suite 100
Austin, Texas 78735
(512) 447-0575
Fax: (512) 326-3029
Texas Firm Registration No. 10084500

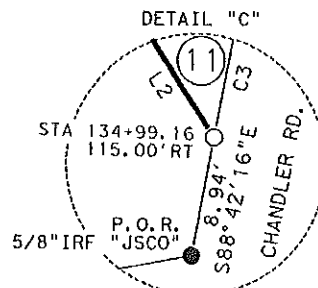
RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
WILLIAMSON BROWN HOLDINGS, LP
PARCEL 11
3.4408 AC. (149,883 SQ. FT.)



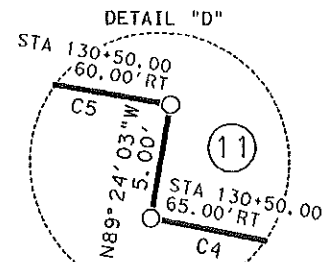
NOT TO SCALE



NOT TO SCALE



NOT TO SCALE



NOT TO SCALE

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	05°54'05"	5,060.00	521.18'	520.95'	N03°29'51"W
C2	04°15'31"	5,065.00	376.47'	376.38'	N01°34'57"E
C3	05°07'02"	2,576.15	230.08'	230.00'	S86°02'47"E
C4	03°06'46"	4,935.00	268.11'	268.07'	S02°09'20"W
C5	08°11'35"	4,940.00	706.41'	705.80'	S03°29'51"E

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N44°09'09"W	67.43'
L2	S47°50'19"W	71.81'

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

William Reed Herring
WILLIAM REED HERRING
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6355, STATE OF TEXAS

8/27/2014
DATE



FILE:\Bury Partners\CR 119\Survey\sketches\Parcel 11-1.dgn



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Fax: (512) 326-3029
Texas Film Registration No. 10054300

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SHOWING PROPERTY OF
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