

# Sheets & Crossfield, P.C.

ATTORNEYS AT LAW

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

Phone 512-255-8877 • fax 512-255-8986

April 11, 2018

## RULE 11 CONDEMNATION SETTLEMENT AGREEMENT

Via e-mail [dfuchs33@outlook.com](mailto:dfuchs33@outlook.com)

David Fuchs

904 Red Bud Lane

Round Rock, Texas 78664

Re: Williamson County—CR 101  
Cause No. 18-0279-CC1  
Parcel No.: 35

Dear David:

Please allow this letter to constitute a Rule 11 Settlement and Condemnation Agreement (“Agreement”) between Williamson County (“County”) and Doris M. Fuchs, William G. Fuchs, David B. Fuchs, Karla G. Fuchs, and Cheryl Fuchs (“Owner”) in connection with the project identified herein and the property to be acquired as part of the CR 101 construction project. The terms of this Agreement and the settlement reached are follows:

1. County agrees to pay, and Owner agrees to accept, the total sum of \$72,500, for the 3.863 acre right of way property (Parcel 35) sought to be acquired in the current condemnation suit, any improvements contained within the right of way, and any damages to or costs for reconfiguration of the remaining property of Owner. The property to be acquired are further described in Plaintiff’s Original Petition for Condemnation on file in this Cause.

The parties agree that an Agreed Special Commissioners Award in this amount shall be entered by the appointed commissioners at the hearing currently scheduled for May 11, 2018, and for which Owner has received notice.

2. As additional consideration for this Agreement the County further agrees that it shall cause one (1) field drive connection to be constructed at the County’s expense between the proposed CR 101 roadway improvements and the remaining property of Owner. The drive shall be constructed as

part of the County's CR 101 improvement project for which the Property is to be used. The drive shall have a width of fourteen feet (14'), with radii of twenty-five feet (25'), and shall be constructed with road base material. The County will install a twenty-four inch (24") corrugated metal pipe culvert under the driveway, and the culvert shall be a minimum of forty feet (40') in length at the top line and exclusive of any safety end treatments (SET's). The drive shall be located at a roadway station alignment which shall be agreed to between County and Owner in advance of construction, which location must otherwise comply with the spacing or development rules of any applicable jurisdiction regulating the Property.

3. County agrees to deposit the sum of \$72,500 in the registry of the court within 14 days after the entry of the Agreed Special Commissioners Award as set out herein.
4. It is agreed that neither County nor Owner shall file objections to the Award of Special Commissioners in this cause as long as County deposits the amount of the Award pursuant to the terms as stated herein.

If this letter correctly sets forth the terms of our Rule 11 agreement and the condemnation settlement reached between the County and Owner, please so indicate by having the appropriate persons execute this letter in the spaces indicated below.

Very truly yours,



Don Childs  
Sheets & Crossfield, P.C.  
Attorneys for Williamson County, Texas

**AGREED AND ACCEPTED:**

\_\_\_\_\_  
David B. Fuchs, Individually and as  
Attorney in Fact for Doris M. Fuchs  
and William G. Fuchs

\_\_\_\_\_  
Karla G. Fuchs


*Cheryl Fuchs*  
\_\_\_\_\_  
Cheryl Fuchs

**AGREED AND ACCEPTED:**

WILLIAMSON COUNTY, TEXAS

By: \_\_\_\_\_  
Dan A. Gattis, County Judge

**AGREED AND ACCEPTED:**



\_\_\_\_\_  
David B. Fuchs, Individually and as  
Attorney in Fact for Doris M. Fuchs  
and William G. Fuchs



\_\_\_\_\_  
Karla G. Fuchs

\_\_\_\_\_  
Cheryl Fuchs

**AGREED AND ACCEPTED:**

WILLIAMSON COUNTY, TEXAS

By: \_\_\_\_\_  
Dan A. Gattis, County Judge