

# Sheets & Crossfield, PLLC

ATTORNEYS AT LAW

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

Phone 512-738-8725 (D) • fax 512-255-8986

[don@scrllaw.com](mailto:don@scrllaw.com)

September 24, 2021

**Via hand delivery**

Jack & Cynthia Hall  
P.O. Box 788  
Taylor, Texas 78664

Re: Williamson County—CR 366  
Jonah SUD replacement waterline easement  
Parcel No.: 14WE

Dear Mr. & Mrs. Hall:

Please allow this letter to set out my understanding regarding our Agreement for the acquisition of a permanent waterline easement to Jonah Water Special Utility District (“Jonah”) in and across portions of your property (“Owner”) as part of Williamson County’s (“County”) proposed improvements to County Road 366 and related utility adjustments (“Project”).

By execution of this letter the parties agree as follows:

1. In return for Owner’s delivery to Jonah of a fully executed and acknowledged waterline easement (“Easement”) in and to a 0.0659 acre (2,871 SF) of land, and in the form as set out in Exhibit “A” attached hereto and incorporated herein, County shall pay Owner the sum of **\$1,000.00** in cash or other good funds.

2. If requested by County, the Closing and completion of this transaction shall take place at a title company of County’s choice (“Title Company”) within thirty (30) days after full execution of this Agreement, or at other date and time agreed to between the parties.

Upon request Owner shall provide reasonable assistance, at no cost to Owner, to cause the Title Company to issue a policy of title insurance, with standard printed exceptions, to Jonah in completion of this transaction. County shall be responsible for all fees and costs associated with this transaction, except that each party shall be responsible for any attorney’s fees they incur. Owner shall assist County and Title Company with any curative measures or mortgage lien consent or subordination required as a condition of the Closing.

3. This Agreement is being made, and the Easement is being delivered, in lieu of condemnation.

If this meets with your understanding, please execute this letter where indicated below and return it to me, and we will have this approved and signed by the County and process this for payment and Closing as quickly as possible.

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

Very truly yours,

Don Childs  
Sheets & Crossfield, PLLC

**AGREED:**

  
\_\_\_\_\_  
Jack Dale Hall

Date: 9/24/21

  
\_\_\_\_\_  
Cynthia Surles-Hall

Date: 9-24/21

**ACCEPTED AND AGREED:**

WILLIAMSON COUNTY, TEXAS

By: \_\_\_\_\_  
Bill Gravell, Jr.  
County Judge

Date: \_\_\_\_\_

EXHIBIT "A" FORM OF EASEMENT FOLLOWS

## WATERLINE EASEMENT

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

### **GRANT OF EASEMENT:**

JACK DALE HALL and CYNTHIA D. SURLES-HALL ("Grantor", whether one or more), for the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed, does hereby grant, sell and convey unto JONAH WATER SPECIAL UTILITY DISTRICT, whose address is 4050 FM 1660, Hutto, Texas 78634, ("Grantee"), an easement and right-of-way ("Easement") upon and across certain property totaling approximately 0.0659 acre (2,871 SF), being the property of Grantor which is more particularly described by metes and bounds and sketch in Exhibit "A" attached hereto, located in Williamson County, Texas; and incorporated herein by reference. (collectively the "Easement Tract").

TO HAVE AND TO HOLD the same perpetually to Grantee and its successors and assigns, together with the rights and privileges and on the terms and conditions set forth below.

Grantor does hereby covenant and agree to WARRANT AND FOREVER DEFEND title to the Easement herein granted, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

### **CHARACTER OF EASEMENT:**

The Easement is an easement in gross.

### **PURPOSE OF EASEMENT:**

The Easement shall be used for water line purposes, including placement, construction, installation, replacement, repair, inspection, maintenance, relocation, removal, and operation of water distribution and transmission lines and related facilities and appurtenances, or making connections thereto.

The Easement shall also be used for the purpose of providing access for the operation, repair, maintenance, inspection, replacement and expansion of the water distribution and transmission lines and related facilities and appurtenances.

Additionally, Grantor hereby grants and conveys to Grantee a non-exclusive right of ingress and egress over Grantor's adjacent lands for the purpose of which this Easement is granted. However, such right shall only be exercised and allowed if access to the Easement Tract is not otherwise reasonably available from an adjacent public right of way.

**DURATION OF EASEMENT:**

The Easement shall be perpetual.

**EXCLUSIVENESS OF EASEMENT:**

The Easement shall be exclusive, and Grantor covenants that Grantor will not convey any other easement or conflicting rights within the Easement Tract. Grantor may alter or otherwise use the surface of the Easement Tract for such purposes that do not interfere with the exercise by Grantee of the rights herein granted provided that the plans for all improvements to be placed in the Easement Tract by Grantor must be approved by Grantee before the improvements are constructed, with such approval not to be unreasonably withheld. Grantee has the right to trim and cut down trees and shrubbery and to remove other improvements and structures to the extent reasonably necessary to prevent interference with the operation or repairs to Grantee's facilities in the Easement Tract, and Grantee will be held harmless by Grantor from any and all claims of Grantor if Grantee exercises such right.

**DAMAGES:**

The consideration given for this Easement constitutes payment in full for all damage sustained by Grantor by reason of the installation of the improvements referred to herein.

**ENCUMBRANCES AND LIENS:**

Grantor warrants that no person or business entity owns a present possessory interest in the fee title in the Easement Tract other than Grantor, and that there are no parties in possession of any portion of the Easement Tract as lessees. Furthermore, Grantor warrants that the Easement Tract is free and clear of all encumbrances and liens except the following:           -0-          

**WATER SERVICE:**

Grantee and Grantor hereby acknowledge and agree that, effective immediately upon execution of this Easement, Grantee will be deemed to be providing and will be obligated to provide Grantor water service to Grantor's property across which the Easement is located. Grantor acknowledges and agrees that Grantor's ability to receive water from Grantee is subject to payment of all fees and charges due to Grantee under its tariff for such service.

**ENTIRE AGREEMENT:**

This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representation or modification concerning this instrument shall be of no force and effect except for any subsequent modification in writing, signed by the party to be charged.

**BINDING EFFECT:**

This Agreement shall bind and inure to the benefit of the respective parties hereto, their heirs, legal representatives, successors and assigns.

**ASSIGNABILITY:**

This Easement and the rights of Grantee hereunder may be assigned in whole or in part by Grantee.

In witness whereof, this instrument is executed this 24<sup>th</sup> day of Sept, 2021.

*[signature page follows]*

**GRANTOR:**

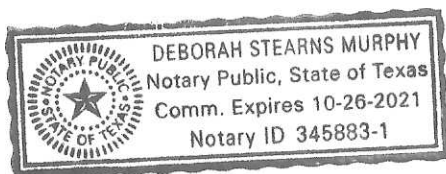
Cynthia D. Surles-Hall  
Cynthia D. Surles-Hall

**Acknowledgment**

STATE OF TEXAS


COUNTY OF Williamson

This instrument is acknowledged before me on the 24<sup>th</sup> day of September 2021,  
by Cynthia D. Surles Hall, in the capacity and for the purposes and consideration recited herein.



Deborah Stearns Murphy  
Notary Public, State of Texas  
Printed Name: DEBORAH STEARNS MURPHY  
My Commission Expires: 10-26-2021

**GRANTOR:**

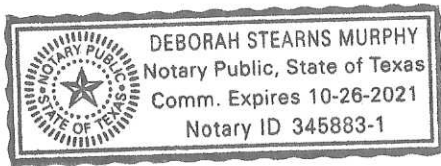
  
\_\_\_\_\_  
Jack Dale Hall

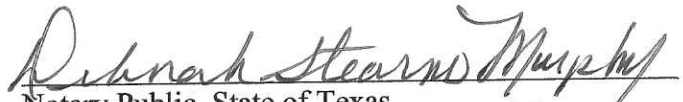
**Acknowledgment**

STATE OF TEXAS

COUNTY OF Williamson

This instrument is acknowledged before me on the 24<sup>th</sup> day of September, 2021,  
by Jack Dale Hall, in the capacity and for the purposes and consideration recited herein.



  
\_\_\_\_\_  
Notary Public, State of Texas  
Printed Name: DEBORAH STEARNS MURPHY  
My Commission Expires: 10-26-2021

## EXHIBIT A

County: Williamson  
Highway: County Road 366  
Project Limits: From Carlos G. Parker Blvd. to Chandler Rd.

Page 1 of 7  
September 13, 2021

### PROPERTY DESCRIPTION FOR EASEMENT 14E

**DESCRIPTION OF** a 2,871 square foot (0.0659 of one acre) water line easement consisting of two parts out of the W.J. Baker Survey, Abstract No. 65, in Williamson County, Texas, and being a portion of the remainder of that tract described as 5.76 acres conveyed to Jack Dale Hall and wife, Cynthia D. Surles-Hall by Warranty Deed with Vendor's Lien dated August 7, 2003, as recorded in Document No. 2003077883, Official Public Records, Williamson County, Texas (O.P.R.W.C.T.); said 2,871 square foot (0.0659 of one acre) water line easement being more particularly described in two parts by metes and bounds as follows:

#### PART 1

**COMMENCING** at a 1/2-inch iron rod found at the southeast corner of said remainder of 5.76 acre tract, being in the north line of the remainder of that tract described as 10 acres conveyed to Ronnie C. Zett by Warranty Deed dated September 10, 1991, as recorded in Volume 2055, Page 308, Official Records, Williamson County, Texas (O.R.W.C.T.), from which a 1/2-inch iron rod found at the northeast corner of said remainder of 5.76 acre tract, being in the south margin of County Road 367 (CR 367, varying width), bears N 21°30'06" W, a distance of 559.54 feet;

**THENCE**, S 68°02'29" W, along the south line of said remainder of 5.76 acre tract, with the north line of said remainder of 10 acre tract, a distance of 391.17 feet to a point, being the southeast corner of this easement, for the **POINT OF BEGINNING**, 122.42 feet right of Engineer's Baseline Station 56+73.68, and having Surface Coordinates of North=10,193,252.72, East=3,205,321.66;

- 1) **THENCE**, S 68°02'29" W, continuing along the south line of said remainder of 5.76 acre tract and the north line of said remainder of 10 acre tract, a distance of **15.00 feet** to a point (unable to set; under water at time of survey) in the east margin of County Road 366 (CR366, varying width), being the southeast corner of a called 0.0567 acre tract conveyed to Williamson County, Texas by Deed dated February 27, 2021 and recorded in Document No. 2021037990, O.P.R.W.C.T, 107.42 feet right of Engineer's Baseline Station 56+73.55, being the southwest corner of this easement, from which a 1/2-inch iron rod found at the southwest corner of said 0.0567 acre Williamson County, Texas tract, bears S 68°02'29" W, a distance of 44.15 feet;

**EXHIBIT A**

County: Williamson  
Highway: County Road 366  
Project Limits: From Carlos G. Parker Blvd. to Chandler Rd.

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September 13, 2021

**PROPERTY DESCRIPTION FOR EASEMENT 14E**

- 2) **THENCE, N 21°34'16" W**, along the west line of said remainder of 5.76 acre tract and the east line of said 0.0567 acre Williamson County, Texas tract, with the east margin of CR 366, a distance of **34.45 feet** to a 1/2-inch iron rod with a "McGray & McGray" cap set, 107.36 feet right of Engineer's Baseline Station 57+08.00, being a west corner of this easement;
- 3) **THENCE, N 66°27'49" W**, continuing along the west line of said remainder of 5.76 acre tract and the east line of said 0.0567 acre Williamson County, Texas tract, with the east margin of CR 366, a distance of **61.31 feet** to a 1/2-inch iron rod with a "McGray & McGray" cap set at a corner in the west line of said remainder of 5.76 acre tract, being the northwest corner of said 0.0567 acre Williamson County, Texas tract, 64.00 feet right of Engineer's Baseline Station 57+51.35, being a west corner of this easement;
- 4) **THENCE, N 20°55'47" W**, continuing along the west line of said remainder of 5.76 acre tract and the east margin of CR 366, a distance of **21.02 feet** to a point, 64.20 feet right of Engineer's Baseline Station 57+72.37, being the northwest corner of this easement;
- 5) **THENCE, S 66°27'49" E**, crossing said remainder of 5.76 acre tract, a distance of **82.23 feet** to a point, 122.34 feet right of Engineer's Baseline Station 57+14.22, being an east corner of this easement;
- 6) **THENCE, S 21°34'16" E**, crossing said remainder of 5.76 acre tract, a distance of **40.55 feet** to the **POINT OF BEGINNING** and containing 1,639 square feet (0.0376 acres), more or less.

**PART 2**

**COMMENCING** at a 1/2-inch iron rod found at the northeast corner of said remainder of 5.76 acre tract, being in the south margin of said CR 367, from which a 1/2-inch iron rod found at the southeast corner of said remainder of 5.76 acre tract, being in the north line of said remainder of 10 acre tract, bears S 21°30'06" E, a distance of 559.54 feet;

**EXHIBIT A**

County: Williamson  
Highway: County Road 366  
Project Limits: From Carlos G. Parker Blvd. to Chandler Rd.

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September 13, 2021

**PROPERTY DESCRIPTION FOR EASEMENT 14E**

**THENCE**, S 68°29'54" W, along the north line of said remainder of 5.76 acre tract, with the south margin of said CR 367, a distance of 376.32 feet to a point, being the northeast corner of this easement, for the **POINT OF BEGINNING**, 135.83 feet right of Engineer's Baseline Station 62+38.58, and having Surface Coordinates of North=10,193,781.66, East=3,205,129.23;

- 1) **THENCE**, S 23°42'58" W, crossing said remainder of 5.76 acre tract, a distance of **97.27 feet** to a point in the west line of said remainder of 5.76 acre tract and the east margin of CR 366, 67.66 feet right of Engineer's Baseline Station 61+68.30, being the southwest corner of this easement;
- 2) **THENCE**, N 20°55'47" W, along the west line of said remainder of 5.76 acre tract, with the east margin of CR 366, a distance of **21.35 feet** to a 1/2-inch iron rod with a "Mcgray & Mcgray" cap set, 67.66 feet right of Engineer's Baseline Station 61+89.82, being the southwest corner of a called 0.0255 acre tract conveyed to Williamson County, Texas by said Deed recorded in Document No. 2021037990, O.P.R.W.C.T., being a west corner of this easement;
- 3) **THENCE**, N 23°42'58" E, along the west line of said remainder of 5.76 acre tract and the east line of said 0.0255 acre Williamson County, Texas tract, with the east margin of CR 366, a distance of **66.97 feet** to a 1/2-inch iron rod with a "Mcgray & Mcgray" cap set in the north line of said remainder of 5.76 acre tract and the south margin of CR 367, being the northeast corner of said 0.0255 acre William County, Texas tract, 114.54 feet right of Engineer's Baseline Station 62+38.21, being the northwest corner of this easement;
- 4) **THENCE**, N 68°29'54" E, along the north line of said remainder of 5.76 acre tract, with the south margin of said CR 367, a distance of **21.29 feet** to the **POINT OF BEGINNING** and containing 1,232 square feet (0.0283 of one acre) of land, more or less.

Part 1	1,639 square feet (0.0376 of one acre)
Part 2	1,232 square feet (0.0283 of one acre)
<b>Total</b>	<b>2,871 square feet (0.0659 of one acre)</b>

**EXHIBIT A**

County: Williamson  
Highway: County Road 366  
Project Limits: From Carlos G. Parker Blvd. to Chandler Rd.

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September 13, 2021

**PROPERTY DESCRIPTION FOR EASEMENT 14E**

All bearings and coordinates shown are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum 1983 (NAD 83) 2011 Adjustment, Epoch 2010.00. All distances and coordinates shown are surface and may be converted to grid by dividing by a combined scale factor of 1.00011. All measurements are in U.S. Survey Feet.

A parcel plat of even date was prepared in conjunction with this property description.

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

That I, Troy R. Thomas, 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.

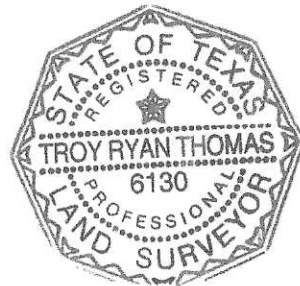
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 13th day of September, 2021 A.D.

SURVEYED BY:

**McGRAY & McGRAY LAND SURVEYORS, INC.**  
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591  
TBPELS Survey Firm# 10095500



9/13/2021

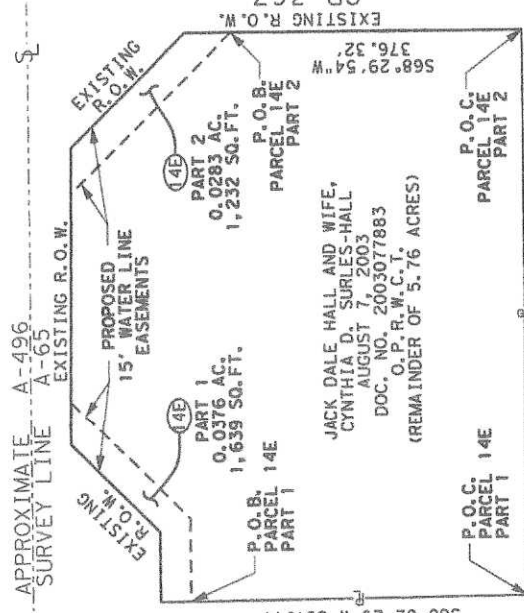


Troy R. Thomas, Reg. Professional Land Surveyor No. 6130  
2020/Descriptions/CR 366 Williamson County/Parcel 14E

**LEGEND**

- FOUND TxDOT TYPE I MONUMENT
- FOUND IRON ROD (1/2" UNLESS NOTED)
- FOUND IRON PIPE (1/2" UNLESS NOTED)
- △ CALCULATED POINT, NOT SET
- 1/2" IRON ROD W/ "MCGRAY & MCGRAY"
- CAP SET (UNLESS NOTED)
- (XXX) RECORD INFORMATION
- PROPERTY LINE (OWNERSHIP DIVISION)
- APPROXIMATE SURVEY LINE
- DEED LINE (OWNERSHIP IN COMMON)
- DISTANCE NOT TO SCALE (N.T.S.)
- POINT OF BEGINNING
- POINT OF COMMENCEMENT
- RIGHT-OF-WAY
- NOT TO SCALE
- BUILDING SETBACK LINE
- DEED RECORDS WILLIAMSON COUNTY, TEXAS
- OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- PLAT RECORDS WILLIAMSON COUNTY, TEXAS
- P.R.W.C.T. PARCEL NUMBER FOR R.O.W. ACQUISITION

**SAMUEL PHARASS SURVEY  
ABSTRACT NO. 496  
(R.O.W. WIDTH VARIES)**



JACK DALE HALL AND WIFE,  
CYNTHIA D. SURLS-HALL  
AUGUST 7, 2003  
DOC. NO. 2003077883  
O.P.R.W.C.T.  
(REMAINDER OF 5.76 ACRES)

**NOTES:**

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00011. UNITS: U.S. SURVEY FEET.
2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY TEXAS NATIONAL TITLE, INC. IN SEPTEMBER 2021.
3. ABSTRACTING AND FIELD SURVEYING WERE PERFORMED FROM JANUARY 2020 THROUGH JUNE 2021.
4. PLANIMETRICS SHOWN HEREON WERE COLLECTED BETWEEN SEPTEMBER 2017 AND DECEMBER 2017.
5. THIS PARCEL PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

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

*Troy R. Thomas*  
TROY R. THOMAS, REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 6130

9/13/2021

DATE

PAGE 5 OF 7

THE SURVEY SHOWN WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE OF NO. T-149308 ISSUED BY TEXAS NATIONAL TITLE, INC. EFFECTIVE DATE JUNE 7, 2021, ISSUED DATE JUNE 21, 2021.

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:  
TEXAS POWER & LIGHT COMPANY ELECTRIC EASEMENT AS DESCRIBED IN VOLUME 286, PAGE 398, DEED RECORDS, WILLIAMSON COUNTY, TEXAS- UNABLE TO PLOT
2. TEXAS POWER & LIGHT COMPANY ELECTRIC EASEMENT AS DESCRIBED IN VOLUME 299, PAGE 636, DEED RECORDS, WILLIAMSON COUNTY, TEXAS- UNABLE TO PLOT
3. JONAH WATER SUPPLY CORP. WATER LINE EASEMENT AS DESCRIBED IN VOLUME 564, PAGE 62, DEED RECORDS, WILLIAMSON COUNTY, TEXAS- UNABLE TO PLOT
5. RIGHT OF WAY GRANTED TO WILLIAMSON COUNTY, TEXAS AS DESCRIBED IN DOCUMENT NO. 2021037990, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS- AFFECTS AS SHOWN

**REVISIONS**

TOTAL OF PART 1 AND PART 2	
CALCULATED	ACQUISITION
5.68 AC. 247,325 SQ.FT.	N/A
5.68 AC. 247,325 SQ.FT.	REMAINING RT

**MCGRAY & MCGRAY  
LAND SURVEYORS, INC.**  
TBPELS SURVEY FIRM # 10095500  
3301 HANCOCK DRIVE #6  
AUSTIN, TEXAS 78731  
(512) 451-8591

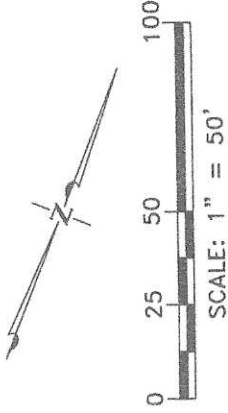
**PARCEL PLAT SHOWING  
PROPOSED EASEMENT AT  
PARCEL 14E  
CR 366 - CARLOS G. PARKER BLVD.  
TO CHANDLER RD.  
WILLIAMSON COUNTY, TEXAS**

DATE: SEPTEMBER 2021 SCALE: N.T.S.

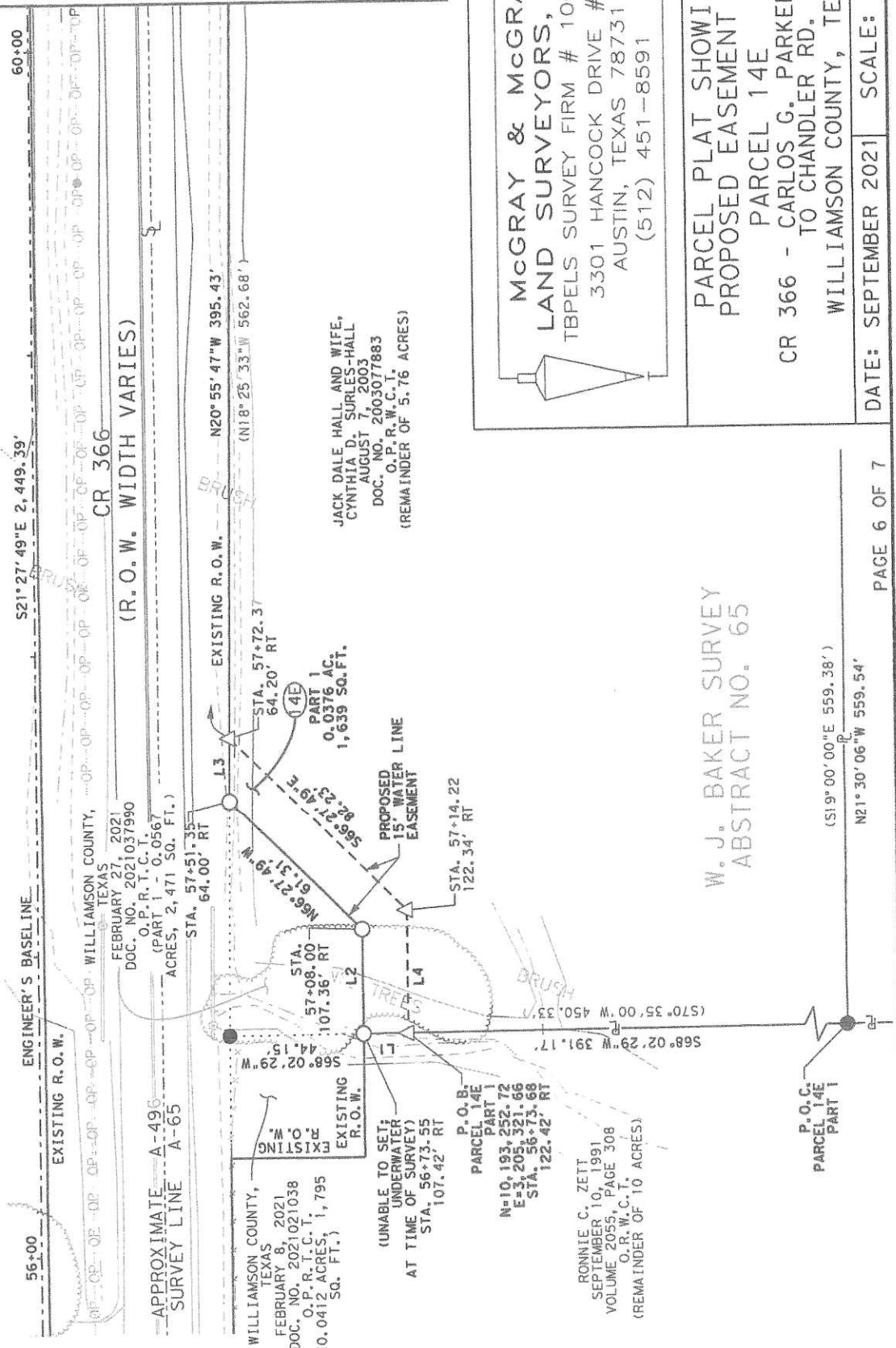
SAMUEL PHARASS SURVEY  
ABSTRACT NO. 496

EVELYN M. VITTEK  
SEPTEMBER 12, 2007  
DOC. NO. 2007087053  
O.P.R.W.C.T.  
(TRACT TWO-41.88 ACRES)

LINE	BEARING	DISTANCE
L1	S68°02'29"W	15.00'
L2	N21°34'16"W	34.45'
L3	N20°55'47"W	21.02'
L4	S21°34'16"E	40.55'



MATCHLINE PAGE 7 OF 7



JACK DALE HALL AND WIFE,  
CYNTHIA D. SURLS-HALL  
AUGUST 7, 2003  
DOC. NO. 2003077883  
O.P.R.W.C.T.  
(REMAINDER OF 5.76 ACRES)

**McGRAY & McGRAY**  
**LAND SURVEYORS, INC.**  
TBPELS SURVEY FIRM # 10095500  
3301 HANCOCK DRIVE #6  
AUSTIN, TEXAS 78731  
(512) 451-8591

PARCEL PLAT SHOWING  
PROPOSED EASEMENT AT  
PARCEL 14E  
CR 366 - CARLOS G. PARKER BLVD.  
TO CHANDLER RD.  
WILLIAMSON COUNTY, TEXAS

W. J. BAKER SURVEY  
ABSTRACT NO. 65

(S19°00'00"E 559.38')  
N21°30'06"W 559.54'

P.O.C.  
PART 1

RONNIE C. ZETT  
SEPTEMBER 10, 1991  
VOLUME 2055, PAGE 308  
O.P.R.W.C.T.  
(REMAINDER OF 10 ACRES)

DATE: SEPTEMBER 2021 | SCALE: 1" = 50'

