

Sheets & Crossfield, PLLC

ATTORNEYS AT LAW

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don@scrrlaw.com

November 8, 2021

Leland@enochslawfirm.com

Michael Ray Krueger
c/o Leland Enochs
700 North Main Street
Taylor, Texas 76574

Re: Williamson County—Southeast Loop Ph.3
Flint Hills Resources replacement gas easement
Parcel No.: 71GE

Dear Leland:

Please allow this letter to set out my understanding regarding our Agreement for the acquisition of a pipeline easement to Flint Hills Resources Corpus Christi, LLC (“FHR”) in and across a portion of the Krueger property (“Owner”) as part of Williamson County’s (“County”) proposed improvements to Southeast Loop/Corridor A1 and related utility adjustments (“Project”).

By execution of this letter the parties agree as follows:

1. In return for Owner’s delivery to FHR of a fully executed and acknowledged amendment to pipeline easement right of way grant (“Easement”) in and to 0.480 acre (20,925 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 **\$46,837.50** 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.

If this meets with your understanding, please execute this letter where indicated 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:

Michael Ray Krueger
Michael Ray Krueger

Date: 11/10/2021

ACCEPTED AND AGREED:

WILLIAMSON COUNTY, TEXAS

By: _____
Bill Gravell, Jr.
County Judge

Date: _____

EXHIBIT “A” FORM OF EASEMENT FOLLOWS

DOCUMENT DRAFTED BY:
Flint Hills Resources, LC
3120 117th St. E.
Inver Grove Heights, MN 55077
WHEN RECORDED, MAIL TO:
Same as above
Attn: ROW Department – NAB

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

AMENDMENT TO PIPELINE EASEMENT RIGHT OF WAY GRANT

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

This Amendment to Right of Way Grant (the “***Amendment***”) is dated and effective as of _____, 2021 (the “Effective Date”), by and between MICHAEL RAY KRUEGER (“***Grantor***”), and FLINT HILLS RESOURCES CORPUS CHRISTI, LLC, a Delaware limited liability company (“***Grantee***”).

Existing Easement Recitals (“Easement”):

1. Easement granted by Morris Wayne Krueger and Michael Ray Krueger to the Koch Refining Company by instrument recorded in Volume 1850, Page 74, Document No. 1989035390, Official Records of Williamson County, Texas.
2. Easement granted by Morris Wayne Krueger and Michael Ray Krueger to Koch Refining Company by instrument recorded in Volume 1792, Page 148, Official Records of Williamson County, Texas.
3. Easement granted by Marvin Krueger and wife, Lucia Nell Krueger to Koch Refining Company by instrument recorded in Volume 1850, Page 063, Official Records of Williamson County, Texas.
4. Assignment and Assumption Agreement by and between Flint Hills Resources, LP, a Delaware limited Partnership (“Assignor”) and Flint Hills Resources Corpus Christi, LLC, a Delaware limited liability company (“Assignee”) effective November 1, 2010, recorded in Document 2010078119, Official Records of Williamson County, Texas.

Grantor and Grantee now wish to amend the Easement as set forth herein.

NOW THEREFORE, in consideration of the premises set forth above, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor and Grantee amend the Easement as follows:

1. New Right-of-Way. The Easement is hereby amended to add the 0.480 acre (20,925 square foot) right-of-way and easement described in Exhibit A (the "New Right-of-Way"), which is attached hereto and incorporated herein by reference, as part of the Easement property. As of the Effective Date, the Easement shall apply in full force and effect to the New Right-of-Way, as well as that right-of-way originally set forth in the Easement (**Parcel 71GE**).

2. **Temporary Workspace.** The Easement is further amended to allow Grantee, its employees, agents, contractors, and subcontractors, to use up to fifty feet (50') of property immediately adjacent to the New Right-of-Way and Easement, as temporary workspace during new construction, removal of the pipeline being replaced, and future maintenance, as necessary.

3. **Future Release.** Grantee agrees that upon completion of construction of the replacement pipeline in the New Right-of-Way and removal of the pipeline being replaced, to release the right-of-way no longer needed as a result of the relocation of the pipeline and record the release in the records of Williamson County, Texas.

4. **Parties Bound.** This Amendment shall be binding upon and inure to the benefit of Grantor and Grantee, and their respective permitted successors and assigns, as provided in the Easement. Except as amended by the terms of this Amendment, the Easement and the rights and obligations of the Grantor and Grantee thereunder shall be and remain in full force and effect and are hereby ratified and affirmed.

5. **Counterparts.** This Amendment may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any of the parties hereto may execute this Amendment by signing any such counterpart.

6. **Governing Law.** This Amendment shall be governed by and construed in accordance with the internal laws of the State of Texas.

Signatures on following page

IN WITNESS WHEREOF, the parties have caused this Amendment to be effective on the Effective Date.

GRANTOR:

MICHAEL RAY KRUEGER

STATE OF TEXAS

§

§

COUNTY OF _____

§

Subscribed and sworn to before me this _____ day of _____, 2021, by Michael Ray Krueger, in the capacity and for the purposes and consideration recited herein.

Notary Public, State of Texas

Printed Name: _____

My Commission Expires: _____

ACCEPTED:

**FLINT HILLS RESOURCES
CORPUS CHRISTI, LLC**

By: _____
Printed Name: Phil Gaarder
Title: Executive Vice President-Operations

STATE OF _____ §
COUNTY OF _____ §

Subscribed and sworn to before me this _____ day of _____, 2021, by Phil Gaarder, the Executive Vice President-Operations of Flint Hills Resources Corpus Christi, LLC, a Delaware limited liability company, on behalf of said limited liability company.

Notary Public, State of _____
Printed Name: _____
My Commission Expires: _____

County: Williamson
Parcel: 71 - G.E.
Project: FM 3349

EXHIBIT A
PROPERTY DESCRIPTION FOR PARCEL 71 - G.E.

DESCRIPTION OF A 0.480 ACRE (20,925 SQUARE FOOT), PARCEL OF LAND SITUATED IN THE THOMAS B. LEE SURVEY, ABSTRACT NO. 740 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 60.87 ACRE TRACT OF LAND DESCRIBED IN GIFT DEED TO MICHAEL RAY KRUEGER RECORDED IN DOCUMENT NO. 2012042162 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 0.480 ACRE (20,925 SQUARE FOOT) PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point (Grid Coordinates determined as N=10,170,110.30, E=3,192,512.97 TxSPC Zone 4203) in the northerly boundary line of said 60.87 acre tract, same being in the southerly boundary line of the remainder of that called 75 acre tract of land (Parcel Number One, Third Tract) described in Executor's Deed to Cynthia D. Krueger recorded in Document No. 2015046325 of the Official Public Records of Williamson County, Texas, same being the northwesterly corner of a proposed 20 foot wide waterline easement, for the northeasterly corner and **POINT OF BEGINNING** of the herein described parcel, and from which, an iron rod with aluminum cap stamped "ROW 4933" set in the proposed westerly Right-of-Way (ROW) line of F. M. 3349 (variable width ROW), bears with said common boundary line, S 82°41'01" E, at a distance of 20.00 feet;

- 1) **THENCE**, departing said remainder of the 75 acre tract, through the interior of said 60.87 acre tract, with the westerly line of said proposed 20 foot wide waterline easement, S 07°39'47" W, for a distance of 837.02 feet to a calculated point in the southerly boundary line of said 60.87 acre tract, same being the existing northerly ROW line of County Road (C.R.) 132 (50' ROW width per Volume 347, Pg. 145, Tract 1), also being the southwesterly corner of said proposed 20 foot wide waterline easement, for the southeasterly corner of the herein described parcel, and from which, an iron rod with aluminum cap stamped "ROW 4933" set in said proposed westerly ROW line of F. M. 3349 bears, with said common boundary/ROW line, S 82°41'16" E, at a distance of 20.00 feet;
- 2) **THENCE**, departing said proposed waterline easement, with said southerly boundary line of the 60.87 acre tract, same being said existing northerly ROW line of C.R. 132, N 82°41'16" W, for a distance of 25.00 feet to the calculated southwesterly corner of the herein described parcel;
- 3) **THENCE**, departing said existing northerly ROW line, through the interior of said 60.87 acre tract, N 07°39'47" E, for a distance of 837.02 feet to a calculated point in said northerly boundary line of the 60.87 acre tract, same being the southerly boundary line of said remainder of the 75 acre tract, for the northwesterly corner of the herein described parcel;
- 4) **THENCE**, with said common boundary line, S 82°41'01" E, for a distance of 25.00 feet to the **POINT OF BEGINNING**, containing 0.480 acres, (20,925 square feet) of land, more or less.

NOTE: There is also a 50 foot wide Temporary Construction Easement (T.C.E.) parallel and westerly of Call 3 of the above description, as depicted on the accompanying Parcel Plat.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

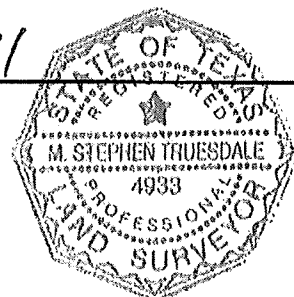
THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WILLIAMSON §

That I, M Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct and that the property described herein was determined by a survey made on the ground under my direct supervision.

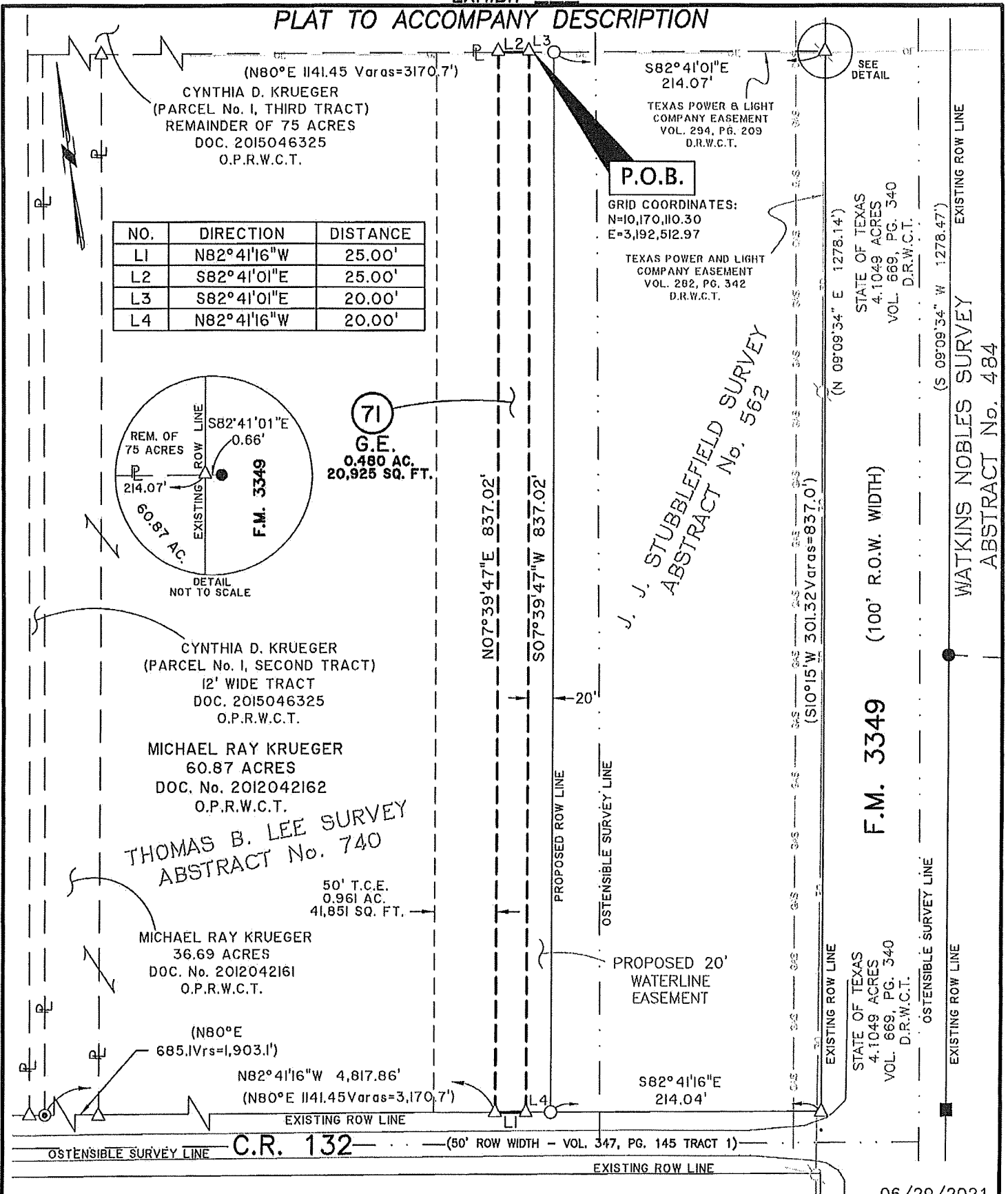
WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale
M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LLC
Firm Registration No: 100591-00
1504 Chisholm Trail Road, Suite 103
Round Rock, TX 78681

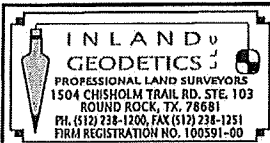
9 July 2021
Date



PLAT TO ACCOMPANY DESCRIPTION



06/29/2021



PARCEL PLAT SHOWING PROPERTY OF
MICHAEL RAY KRUEGER

WILLIAMSON COUNTY

PROJECT
FM 3349

PARCEL 71
G.E.

PAGE 2 OF 3

EXHIBIT A

PLAT TO ACCOMPANY DESCRIPTION

LEGEND

○	IRON ROD WITH ALUMINUM CAP STAMPED "ROW 4933" SET	P.O.B.	POINT OF BEGINNING
⊗	IRON ROD WITH PLASTIC CAP FOUND - AS NOTED	P.O.R.	POINT OF REFERENCE
●	1/2" IRON ROD FOUND	()	RECORD INFORMATION
■	TxDOT TYPE I CONCRETE MONUMENT FOUND	P.R.W.C.T.	PLAT RECORDS WILLIAMSON COUNTY, TEXAS
⊙	BOLT FOUND	D.R.W.C.T.	DEED RECORDS WILLIAMSON COUNTY, TEXAS
△	CALCULATED POINT	O.R.W.C.T.	OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
ℙ	PROPERTY LINE	O.P.R.W.C.T.	OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
—/—	LINE BREAK		
↔	DENOTES COMMON OWNERSHIP		

I) All bearings shown hereon are based on grid bearing. All distances are surface distances. Coordinates are surface values based on the Texas State Plane Coordinate System, NAD 83, Central Zone.

THE SURVEY SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 2056194-KFO. ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE OCTOBER 5, 2020, ISSUE DATE OCTOBER 13, 2020.

IOA. ELECTRIC EASEMENT TO TEXAS POWER & LIGHT COMPANY RECORDED IN VOLUME 282, PAGE 342, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.

B. ELECTRIC EASEMENT TO TEXAS POWER & LIGHT COMPANY RECORDED IN VOLUME 294, PAGE 209, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

C. WATER LINES EASEMENT TO JONAH WATER SUPPLY CORPORATION RECORDED IN VOLUME 599, PAGE 607, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.

D. WATER LINES EASEMENT TO JONAH WATER SUPPLY CORPORATION RECORDED IN VOLUME 1430, PAGE 303, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.

E. PIPE LINE EASEMENT TO KOCH REFINING COMPANY RECORDED IN VOLUME 1850, PAGE 63, OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY TEXAS, DOES NOT AFFECT.

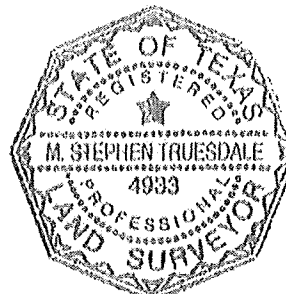
F. COMMUNICATIONS SYSTEMS EASEMENT TO CENTRAL TELEPHONE COMPANY OF TEXAS RECORDED IN DOCUMENT NO. 2005004323, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY TEXAS, DOES NOT AFFECT.

G. NOTICE REGARDING RESOLUTION NO. R-19-09-05-9H RECORDED IN DOCUMENT NO. 2019085043, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SUBJECT TO.

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 9 Nov 2021

M. STEPHEN TRUESDALE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4933
LICENSED STATE LAND SURVEYOR
INLAND GEODETICS, LLC
FIRM REGISTRATION NO. 100591-00
1504 CHISHOLM TRAIL ROAD, SUITE 103
ROUND ROCK, TEXAS 78681



06/29/2021

<p>INLAND GEODETICS PROFESSIONAL LAND SURVEYORS 1504 CHISHOLM TRAIL RD, STE. 103 ROUND ROCK, TX 78681 PH (512) 238-1200, FAX (512) 238-1251 FIRM REGISTRATION NO. 100591-00</p>	<p>PARCEL PLAT SHOWING PROPERTY OF MICHAEL RAY KRUEGER</p>		<p>PARCEL 71 G.E. PAGE 3 OF 3</p>
	<p>SCALE 1" = 100'</p>	<p>WILLIAMSON COUNTY</p>	