

AGREEMENT FOR GIFT OF REAL PROPERTY

CR 245 Right of Way

THIS AGREEMENT FOR GIFT OF REAL PROPERTY ("Agreement") is entered into as of the date set forth below by and between **HIGHLAND VILLAGE GEORGETOWN, LP**, a **Texas limited partnership**, hereinafter referred to as "Donor," and the **WILLIAMSON COUNTY, TEXAS**, hereinafter referred to as "County". Donor desires to donate to County, and County desires to accept from Donor, the property which is more thoroughly described by metes and bounds in Exhibit "A" attached hereto (the "Parcel").

IN CONSIDERATION of the mutual covenants set forth herein, Donor and County hereby agree as follows:

Section 1. Transfer & Acceptance.

- a. The Donor dedicates the Parcel to the County. Donor shall convey and grant marketable title in and to the Parcel, free and clear of any monetary liens, to County by deed in the form as shown in Exhibit "B" attached hereto. The deed shall be fully executed, notarized, and delivered to County by Donor within ten (10) days following final approval and execution of this Agreement by County.
- b. The County accepts the public dedication of the Parcel from the Donor. The County shall accept from the Donor title to, and interest in, the Parcel.

Section 2. Consideration. As a condition of Donor's gift and assignment of its interests in the Parcel to County, the County agrees to the following:

- a. Property Valuation. The Parcel is valued at One Hundred Ninety-Nine Thousand Eight Hundred Twenty-Three and 25/100 Dollars (\$199,823.25), for purposes of this Agreement. This value was determined using an appraisal prepared by CenTex Appraisals effective December 1, 2021, and provided by Donor.

Section 3. Representations and Warranties. The County hereby represents and warrants that:

- a. County accepts the Parcel **AS IS, IN ITS PRESENT CONDITION.**

Section 4. Donor's Duties, Representations and Warranties.

- a. Donor is responsible for all property taxes associated with the Parcel up to and including the date of execution of the Deed for the Parcel.
- b. Donor may realize any proper tax benefit or future Road District reimbursement to which it is entitled through this gift of real property, and County shall provide any reasonable assistance requested by Donor to complete any required documentation for same.

- c. Donor understands and acknowledges that Donor has been informed of the entitlement to receive fair market value payment for the Parcel, as set out in Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601-4655), and the legal right to an appraisal, and is waiving those rights.

Section 5. Assigns; Beneficiaries. Neither the County or Donor shall have the right to assign this Agreement to any party. Subject to the foregoing, this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. This Agreement is for the sole benefit of Donor and County.

Section 6. Entire Agreement. This Agreement is the entire agreement between Donor and County concerning the gift of interest in the Parcel, and no modification hereof or subsequent agreement relative to the subject matter hereof shall be binding on either party unless reduced to writing, and signed by the party to be bound.

Section 7. Choice of Law; Venue; Dispute Resolution. This Agreement will be construed under the laws of the State of Texas, without regard to choice-of-law rules of any jurisdiction. Venue for any action brought under or with regard to this Agreement or the breach of this Agreement is in *Williamson County*, Texas, except to the extent otherwise mandated by applicable law. Time permitting, the parties will submit in good faith to an alternative dispute resolution process before filing a suit concerning this Agreement or the breach of same.

EXECUTED BY the County and by Donor as follows:

DONOR:

HIGHLAND VILLAGE GEORGETOWN, LP, a Texas Limited Partnership

By: _____

Name: _____

Its: _____

Date: _____

COUNTY:

WILLIAMSON COUNTY, TEXAS

By: _____
Bill Gravell, Jr., County Judge

Date: _____

EXHIBIT A

County: Williamson
Highway: County Road 245
Project Limits: From RM 2338 to Ronald Reagan Blvd.

Page 1 of 6
September 20, 2021

PROPERTY DESCRIPTION FOR PARCEL 12

DESCRIPTION OF a 15,081 square foot (0.3462 of one acre) parcel of land out of the L.P. Dyches Survey, Abstract No. 171, in Williamson County, Texas, and being out of a called 120.53 acre tract (Tract 2) conveyed to Highland Village Georgetown, LP by Warranty Deed with Vendor's Lien dated May 9, 2018, as recorded in Document No. 2018043854, Official Public Records, Williamson County, Texas (O.P.R.W.C.T.); said 15,081 square foot (0.3462 of one acre) parcel of land being more particularly described by metes and bounds as follows:

COMMENCING at a 60D nail found at the northwest corner of a called 33.006 acre tract conveyed to Continental Homes of Texas, L.P., by Special Warranty Deed dated December 3, 2020, as recorded in Document No. 2020153571, O.P.R.W.C.T.;

THENCE N 61°59'38" E, along the north line of said 33.006 acre Continental Homes of Texas tract, and partially along the south line of said 120.53 acre Highland Village Georgetown tract, a distance of 2,519.63 feet to a 1/2-inch iron rod with "McGray McGray" cap set in the proposed west right-of-way line of CR 245, for the **POINT OF BEGINNING**, being 67.50 feet left of Engineer's Baseline Station 147+47.98 and having Surface Coordinates of North=10,241,099.49, East=3,101,363.54;

- 1) **THENCE**, N 21°11'01" W, along the proposed west right-of-way line of CR 245, crossing said 120.53 acre Highland Village Georgetown tract, a distance of **794.62 feet** to a 1/2-inch iron rod with "McGray McGray" cap set in the north line of said 120.53 acre Highland Village Georgetown tract, being in the south line of a called 15.55 acre tract conveyed to Williamson County, Texas, and recorded in Document No. 2010006962, O.P.R.W.C.T., and in the existing south right-of-way line of Ronald Reagan Boulevard (220 foot width), and being 67.50 feet left of Engineer's Baseline Station 155+42.61, from which a 1/2-inch iron rod found at a corner in the north line of said 120.53 acre Highland Village Georgetown tract, being in the south line of said 15.55 acre Williamson County, Texas tract and the existing south right-of-way line of Ronald Reagan Boulevard bears S 84°01'28" W, a distance of 624.72 feet;

EXHIBIT A

County: Williamson
Highway: County Road 245
Project Limits: From RM 2338 to Ronald Reagan Blvd.

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September 20, 2021

PROPERTY DESCRIPTION FOR PARCEL 12

- 2) **THENCE, N 84°01'28" E**, along the north line of said 120.53 acre Highland Village Georgetown tract, the south line of said 15.55 acre Williamson County, Texas tract and the existing south right-of-way line of Ronald Reagan Boulevard, a distance of **18.93 feet** to a 1/2-inch iron rod with "McKim & Creed" cap found at the northeast corner of said 120.53 acre Highland Village Georgetown tract, being in the west line of a 3.07 acre right-of-way dedication conveyed in Document No. 9553392, Official Records of Williamson County, Texas (O.R.W.C.T.), and being in the existing west right-of-way line of CR 245 (varying width);
- 3) **THENCE, S 21°18'01" E**, along the east line of said 120.53 acre Highland Village Georgetown tract, the west line of said 3.07 acre right-of-way dedication and the existing west right-of-way line of CR 245, a distance of **787.28 feet** to a calculated point at the southeast corner of said 120.53 acre Highland Village Georgetown tract, being at the northeast corner of said 33.006 acre Continental Homes of Texas tract, from which a 1/2-inch iron rod with "Pape Dawson" cap found bears N 61°59'38" E, a distance of 0.39 feet;
- 4) **THENCE, S 61°59'38" W**, along the south line of said 120.53 acre Highland Village Georgetown tract and the north line of said 33.006 acre Continental Homes of Texas tract, a distance of **20.01 feet** to the **POINT OF BEGINNING** and containing 15,081 square feet (0.3462 of one acre) of land, more or less.

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 surface adjustment factor of 1.00012. All measurements are in U.S. Survey Feet.

EXHIBIT A

County: Williamson
Highway: County Road 245
Project Limits: From RM 2338 to Ronald Reagan Blvd.

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September 20, 2021

PROPERTY DESCRIPTION FOR PARCEL 12

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 20th 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

Troy R. Thomas, Reg. Professional Land Surveyor No. 6130
2021/Descriptions/CR 245 Williamson County/Parcel 12



CONTINUED

- 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)
 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
 PARCEL NUMBER FOR
 R.O.W. ACQUISITION
- (XXX)
 —
 —
 —
 P.O.B.
 P.O.C.
 R.O.W.
 N.T.S.
 B.L.
 D.R.W.C.T.
 O.R.W.C.T.
 O.P.R.W.C.T.
 1

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 SURFACE ADJUSTMENT FACTOR OF 1.00012. UNITS: U. S. SURVEY FEET.

2. ABSTRACTING AND FIELD SURVEYING
WERE PERFORMED FROM MAY 2020 THROUGH
JULY 2021.

3. THIS PARCEL PLAT IS ACCOMPANIED BY
A PROPERTY DESCRIPTION OF EVEN DATE.

A. STATE OF TEXAS RIGHT-OF-WAY AS DESCRIBED IN VOLUME 416, PAGE 60. DEED RECORDS, WILLIAMSON COUNTY, TEXAS - DOES NOT AFFECT

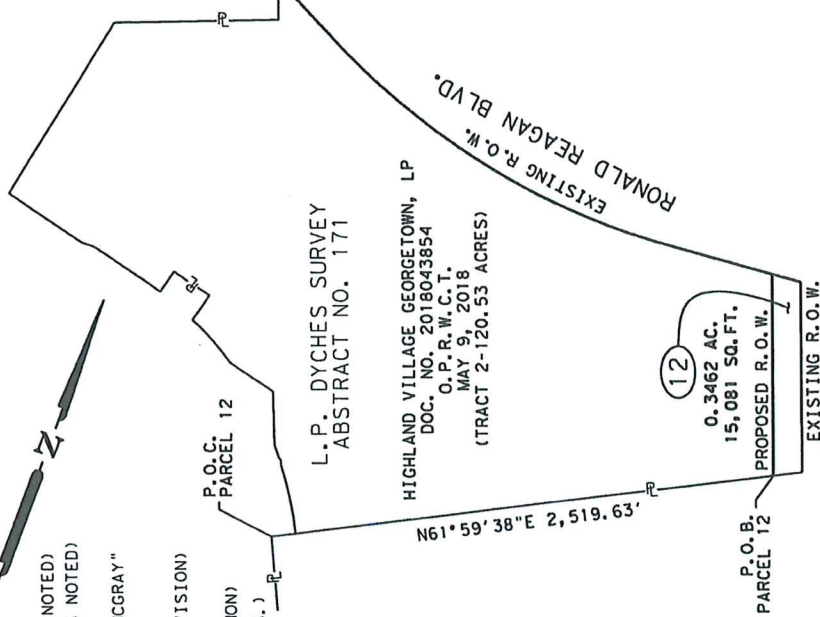
CONTINUED ABOVE

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.

9/20/2021

TROY R. THOMAS, REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6130

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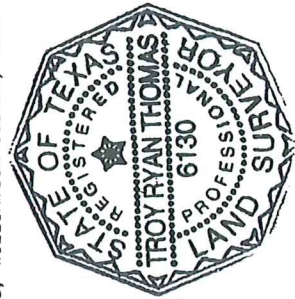


THE SURVEY SHOWN WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 2129191-KFO ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE: JUNE 16, 2021. ISSUED DATE: JUNE 30, 2021.

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:

A. STATE OF TEXAS RIGHT-OF-WAY AS DESCRIBED IN VOLUME 416, PAGE 60. DEED RECORDS, WILLIAMSON COUNTY, TEXAS - DOES NOT AFFECT

CONTINUED ABOVE



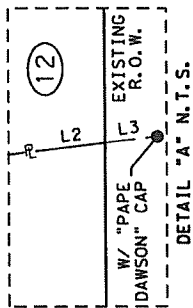
WILLIAMSON COUNTY, TEXAS	
DATE: SEPTEMBER 2021	SCALE: N.T.S.

REVISIONS

RECORD	ACQUISITION	REMAINING LT
120.53 AC. (5,250,287 SQ. FT.)	0.3462 AC. (15,081 SQ. FT.)	120.18 AC. (5,235,206 SQ. FT.)

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

PARCEL PLAT SHOWING
PROPOSED R.O.W. AT
PARCEL 12
CR 245 - FROM R.M. 2338
TO RONALD REAGAN BLVD.
WILLIAMSON COUNTY, TEXAS



P.O.C. PARCEL 12
60D NAIL

CONTINENTAL HOMES OF TEXAS, L.P.
DOC. NO. 2020153571
O.P.R.W.C.T.
DECEMBER 3, 2020
(33.006 ACRES)

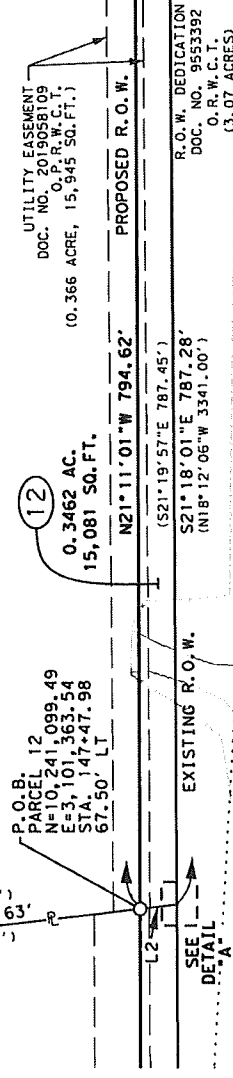
HIGHLAND VILLAGE GEORGETOWN, LP
DOC. NO. 2018043854
O.P.R.W.C.T.
MAY 9, 2018
(TRACT 2-120.53 ACRES)



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 SURFACE ADJUSTMENT FACTOR OF 1.00012. UNITS: U.S. SURVEY FEET.
2. ABSTRACTING AND FIELD SURVEYING WERE PERFORMED FROM MAY 2020 THROUGH JULY 2021.
3. THIS PARCEL PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

MATCHLINE PG. 6 OF 6



APPROXIMATE A-171
SURVEY LINE A-229

CR 245
(R.O.W. WIDTH VARIES)

EXISTING R.O.W.

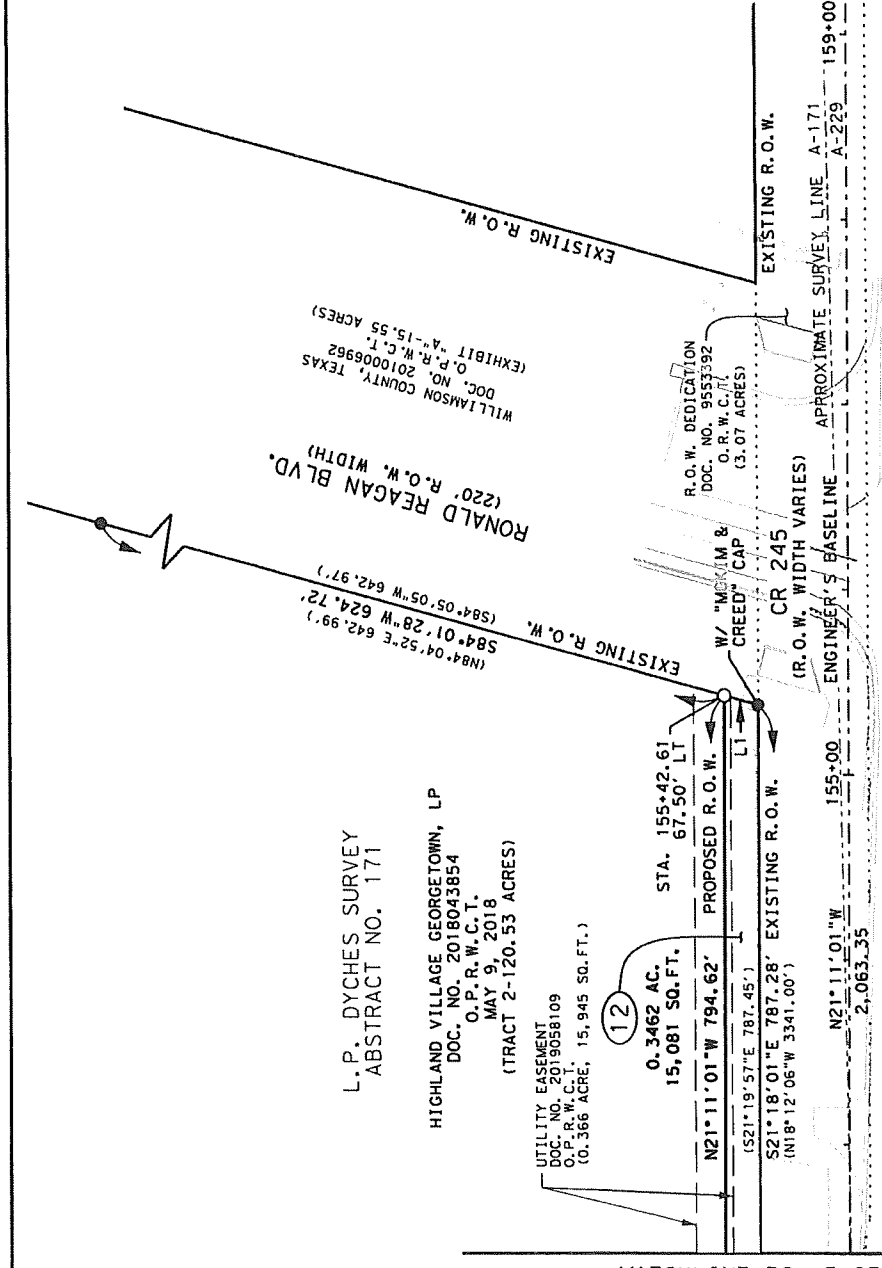
PLAZO TIERRA, LLC
DOC. NO. 2019110962
O.P.R.W.C.T.
AUGUST 30, 2019
(32.169 ACRES)

F. FOY SURVEY
ABSTRACT NO. 229

LINE TABLE	
LINE	DISTANCE
L2	S61°59'38"W 20.01'
L3	N61°59'38"E 0.39'

McGRAY & McGRAY
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PARCEL 12
CR 245 - FROM R.M. 2338
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WILLIAMSON COUNTY, TEXAS



L.P. DYCHES SURVEY
ABSTRACT NO. 171

HIGHLAND VILLAGE GEORGETOWN, LP
DOC. NO. 2018043854
O.P.R.W.C.T.
MAY 9, 2018
(TRACT 2-120.53 ACRES)

UTILITY EASEMENT
DOC. NO. 2019058109
O.P.R.W.C.T.
(0.366 ACRE, 15,945 SQ.FT.)

0.3462 AC.
15,081 SQ.FT.
STA. 155+42.61
67.50' LT

N21°11'01"W 794.62'
PROPOSED R.O.W.
N21°19'57"E 787.45'
S21°18'01"E 787.28'
EXISTING R.O.W.
(N18°12'06"W 3341.00')

CR 245
(R.O.W. WIDTH VARIES)
ENGINEER'S BASELINE
APPROXIMATE SURVEY LINE A-171
A-229

EXISTING R.O.W.

PLAZO TIERRA, LLC
DOC. NO. 2019110962
O.P.R.W.C.T.
AUGUST 30, 2019
(32.169 ACRES)

F. FOY SURVEY
ABSTRACT NO. 229

EXISTING R.O.W.

WILLIAMSON COUNTY, TEXAS
DOC. NO. 2010006962
O.P.R.W.C.T.
(EXHIBIT "B"-51.41 ACRES)

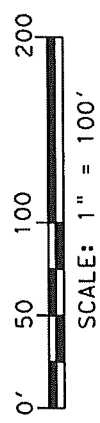
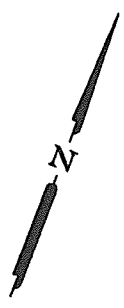
EXISTING R.O.W.

WILLIAMSON COUNTY, TEXAS
DOC. NO. 2010006962
O.P.R.W.C.T.
(EXHIBIT "A"-15.55 ACRES)

RONALD REAGAN BLVD.
(220' R.O.W. WIDTH)
N84°04'52"E 642.99'
S84°01'28"W 624.72'
(S84°05'05"W 642.97')

EXISTING R.O.W.

EXISTING R.O.W.



NOTES:

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3. THIS PARCEL PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

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PARCEL PLAT SHOWING
PROPOSED R.O.W. AT
PARCEL 12
CR 245 - FROM R.M. 2338
TO RONALD REAGAN BLVD.
WILLIAMSON COUNTY, TEXAS

DATE: SEPTEMBER 2021 SCALE: 1"=100'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N84°01'28"E	18.93'

EXHIBIT "B"

Parcel 12

DONATION DEED

County Road 245 Right of Way

THE STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

§

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 IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS:

That the **HIGHLAND VILLAGE GEORGETOWN, LP**, a Texas limited partnership, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to Grantor in hand paid by Williamson County, Texas, the receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Sold and by these presents do Grant, Bargain, Donate, Sell and Convey unto **WILLIAMSON COUNTY, TEXAS**, all that certain tract or parcel of land lying and being situated in the County of Williamson, State of Texas, along with any improvements thereon, being more particularly described as follows (the "Property"):

Being a 15.081 square foot (0.3462 acre) parcel of land out of the L.P. Dyches Survey, Abstract No. 171, in Williamson County, Texas; said parcel of land being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof. (Parcel 12)

SAVE AND EXCEPT, HOWEVER, it is expressly understood and agreed that Grantor is retaining title to the following improvements located on the Property, to wit: NONE

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Visible and apparent easements not appearing of record:

Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show;

Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Williamson County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas and other minerals in and under the land herein conveyed but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling or pumping the same; provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located at a point outside the acquired parcel and upon the condition that none of such operations shall be conducted so near the surface of said land as to interfere with the intended use thereof or in any way interfere with, jeopardize, or endanger the facilities of Williamson County, Texas or create a hazard to the public users thereof; it being intended, however, that nothing in this reservation shall affect the title and the rights of Grantee to take and use without additional compensation any, stone, earth, gravel, caliche, iron ore, gravel or any other road building material upon, in and under said land for the construction and maintenance of CR 245.

TO HAVE AND TO HOLD the property herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto Williamson County, Texas and its assigns forever; and Grantor does hereby bind itself, its heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto Williamson County, Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This deed is being delivered in lieu of condemnation.

IN WITNESS WHEREOF, this instrument is executed on this the ____ day of _____, 202____.

[signature on following page]

GRANTOR:

HIGHLAND VILLAGE GEORGETOWN, LP,
a Texas limited partnership

By: 

Name: V.W. Barge

Its: President

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Bell

§
§
§

This instrument was acknowledged before me on this the 4th day of January, 2022 by V.W. Barge, in the capacity and for the purposes and consideration recited therein.



Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

Sheets & Crossfield, PLLC
309 East Main
Round Rock, Texas 78664



GRANTEE'S MAILING ADDRESS:

Williamson County, Texas
Attn: County Auditor
710 Main Street, Suite 101
Georgetown, Texas 78626

AFTER RECORDING RETURN TO: