

Sheets & Crossfield, PLLC

ATTORNEYS AT LAW

309 East Main Street • Round Rock, TX 78664-246

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

don@scrrlaw.com

July 28, 2022

Suvi Capital LLC
1001 Cypress Creek Rd. Ste
203 Cedar Park, TX 78613

Re: Williamson County—CR258 PEC Easement

Dear Sirs:

Please allow this letter to set out my understanding regarding our Agreement for the acquisition of a permanent electric easement to Williamson County (“County”) in and across portions of the property owned by Suvi Capital LLC (“Owner”) as part of the County’s proposed CR 258 @ US 183 project.

By execution of this letter the parties agree as follows:

1. In return for Owner’s delivery to County of a fully executed and acknowledged electric easement (“Easement”) in and to 0.033 acre of land, with such rights to be granted in the form as set out in Exhibit “A” attached hereto and incorporated herein, County shall pay Owner the sum of **\$4,500.00** in cash or other good funds (“Purchase Price”).

2. If requested by County, the Closing and completion of this transaction shall take place at Texas National Title Company (“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 County 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. As an obligation of this Agreement and condition of Closing Owner shall provide and assist County and Title Company with any title curative measures or mortgage lien joinder, consent or subordination.

Upon completion of (1) the full execution of this Agreement by all parties, and (2) acknowledgment by the Title Company of delivery by County of the full Purchase Price to the Title Company, Purchaser, its agents and contractors shall be permitted at any time

after July 15, 2022 to enter and possess the Property prior to Closing for the purpose of completing any and all necessary construction activities associated with the proposed electric facility improvement construction project of County.

To the extent allowed by law County, its agents and contractors agree to release, indemnify and otherwise hold Owner harmless from any damages or other losses to owner or any third party resulting from any acts or omissions performed under the limited right of possession herein. The parties further agree to continue to use diligence in assisting with any title curative or lienholder consent measures required by the Contract to expeditiously complete the Closing of the purchase transaction.

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 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

Don Childs
Sheets & Crossfield, PLLC

[signature pages follow]

AGREED:

Suvi Capital, LLC

By: CS Ry

Name: Surej Reddy

Its: Manager

Date: 07/28/2022

ACCEPTED AND AGREED:

WILLIAMSON COUNTY, TEXAS

By: _____
Bill Gravell, Jr.
County Judge

Address: 710 Main Street, Suite 101
Georgetown, Texas 78626

Date: _____

EXHIBIT “A” FORM OF EASEMENT FOLLOWS

ELECTRIC UTILITY EASEMENT

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

That SUVI CAPITAL, LLC, for and in consideration of ONE DOLLAR (\$1.00) in hand paid by PEDERNALES ELECTRIC COOPERATIVE, INC. of Johnson City, Texas, has granted, sold, and conveyed and by these presents does grant, sell, and convey unto Pedernales Electric Cooperative, Inc. an easement and right-of-way as hereinafter described for the purpose of an electric distribution line consisting of variable number of wires, and all necessary or desirable appurtenances (including poles made of wood, metal or other materials, telephone and cable television wires, props, guys, and anchors) over, across and upon the following described lands located in Williamson County, Texas, to-wit:

All of that certain 0.033-acre (1,444 square foot) tract in the J.B. Robinson Survey, Abstract No. 521, Williamson County, Texas; being more fully described by metes and bounds in Exhibit "A", attached hereto and incorporated herein (**Parcel EE**)

With guying easements as needed, together with the right of ingress and egress over Grantor's adjacent lands to or from said right-of-way for the purpose of constructing, reconstructing, inspecting, patrolling, hanging new wire on, maintaining and removing said lines and appurtenances; the right to relocate within the limits of said right-of-way; the right to remove from said lands all trees and parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or their appurtenances.

Grantor warrants that Grantor is the owner of said property and has the right to execute this easement.

TO HAVE AND TO HOLD the above-described easement and rights unto Pedernales Electric Cooperative, Inc. and their successors and assigns, until said easement and rights shall be relinquished.

Grantor, Grantor's heirs and legal representatives do hereby bind themselves to warrant and forever defend all and singular the above-described easement and rights unto Pedernales Electric Cooperative, Inc. their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS my hand this _____ day of _____, 2022.

[signature page follows]

GRANTOR:

SUVI CAPITAL, LLC

By: _____

Name: _____

Its: _____

THE STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared Suraj Reddy, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of
_____, 2022.

Notary Public in and for
The State of Texas

Please Return to:

JOINDER AND CONSENT OF LIENHOLDER TO ELECTRIC EASEMENT

WILLIE J. KOPECKY, JR., as Beneficiary under a Deed of Trust executed by Suraj Reddy to Robert J. Wilson, Trustee, recorded in Document No. 2021132842 (the "Grantor Security Document") of the Official Records of Williamson County, Texas that creates liens, security interests and other rights and powers that encumber all or parts of the property described in Exhibit "A" ("Grantor Liens"), executes this electric utility easement ("Easement") for the limited purpose of (i) consenting to the terms and conditions of the foregoing Easement and (ii) agreeing that the Grantor Security Documents and the Grantor Liens are and shall be subordinate and inferior to all of the easements, restrictions, terms and provisions of the Easement, so that no enforcement of the terms of the Grantor Security Documents shall amend, impair or otherwise affect the easements, restrictions, terms or provisions of said Easement.

Willie J. Kopecky, Jr.

ACKNOWLEDGEMENT

THE STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me on this _____ day of _____, 2022, by Willie J. Kopecky, Jr., known to me to be the person whose name is subscribed to the preceding instrument, and acknowledged to me that he/she executed the same for the purposes and consideration recited herein.

Notary Public in and for the State of _____

EXHIBIT "A"

County: Williamson
Parcel No.: EE
Highway: U.S. 183
Limits: From: 300 feet North of El Dorado Pass
To: 1,500 feet South of proposed C.R. 258 alignment

Page 1 of 5
July 8, 2022

PROPERTY DESCRIPTION FOR ELECTRIC EASEMENT

DESCRIPTION OF A 0.033 ACRE (1,444 SQ. FT.) EASEMENT OF LAND LOCATED IN THE J.B. ROBINSON SURVEY, ABSTRACT NO. 521, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 7.625 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO SUVI CAPITAL, LLC, RECORDED DECEMBER 22, 2021 IN DOCUMENT NO. 2021194153, OFFICAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 0.033 ACRE (1,444 SQ. FT.) EASEMENT, AS SHOWN ON A PLAT PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8-inch iron rod found 50.09 feet right of U.S Highway 183 (U.S. 183) Engineer's Centerline Station (E.C.S.) 636+53.45 on the existing west right-of-way line of U.S. Highway 183 (U.S. 183), a variable width right-of-way, described to the State of Texas in Volume 272, Page 38, Deed Records of Williamson County, Texas (D.R.W.C.TX.), and as depicted in TXDOT right-of-way strip map CSJ No. 273-4-2 dated May 1934, for the southeast corner of said 7.625 acre tract, same being the northeast corner of a called 5.609 acre tract of land, described in a deed to 1481 Highway 183, LLC, recorded in Document No. 2015050763, O.P.R.W.C.TX.;

THENCE N 04°40'32" E, with the existing west right-of-way line of said U.S. 183, a distance of 490.79 feet to a calculated point (Surface Coordinates: N=10,218,569.09, E=3,068,217.70) 50.10 feet right of U.S. 183 E.C.S 631+62.66, for the southeast corner and **POINT OF BEGINNING** of the easement described herein;

THENCE departing the existing west right-of-way line of said U.S. 183, over and across said 7.625 acre tract, the following two (2) courses and distances numbered 1-2:

- 1) N 83°27'21" W, a distance of 39.32 feet to a calculated point 89.40 feet right of U.S. 183 E.C.S. 631+61.38, for the southwest corner of the easement described herein, and
- 2) N 06°32'39" E, a distance of 27.42 feet to a calculated point 88.51 feet right of U.S. 183 E.C.S. 631+33.97 on the existing south right-of-way line of Long Run, a variable width right-of-way, no record information found, for the northwest corner of the easement described herein;

3) **THENCE** N 69°03'31" E, with the existing south right-of-way line of said Long Run, a distance of 42.59 feet to a 80D nail found on the existing west right-of-way line of said U.S. 183, for the northeast corner of said 7.625 acre tract and the easement described herein;

EXHIBIT "A"

County: Williamson
Parcel No.: EE
Highway: U.S. 183
Limits: From: 300 feet North of El Dorado Pass
To: 1,500 feet South of proposed C.R. 258 alignment

Page 2 of 5
July 8, 2022

4) **THENCE** S 04°40'32" W, departing the existing south right-of-way line of said Long Run, with the existing west right-of-way line of said U.S. 183, a distance of 47.11 feet to the **POINT OF BEGINNING**, and containing 0.033 acres (1,444 sq. ft.) of land.

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

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00012. Units: U.S. Survey Feet.

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

That I, Scott C. Brashear, 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, on the date shown below.

SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

Scott C. Brashear Date
Registered Professional Land Surveyor
No. 6660 – State of Texas



EXHIBIT "A"

EXISTING ROW

OVERHEAD
ELECTRIC

631+00

U.S. 183
ENGINEER'S CENTERLINE

S04° 40' 36" W 3,404.77'

635+00

P.O.B.
N=10,218,569.09
E=3,068,217.70
631+62.66
50.10' RT

U.S. HIGHWAY 183
(VARIABLE WIDTH R.O.W.)
CSJ NO. 273-4-2
MAY 1934

N04° 40' 32" E 490.79'

(N05° 58" E)

EXISTING ROW

STATE OF TEXAS
VOL. 272, PG. 38
D.R.W.C. TX.

P.O.C.
5/8"
636+53.45
50.09' RT

1481 HIGHWAY 183, LLC
CALLED 5.609 AC.
DOC. NO. 2015050763
O.P.R.W.C. TX.

PROPOSED ELECTRIC
EASEMENT
EE (0.033 AC.)

631+61.38
89.40' RT

J.B. ROBINSON
ABSTRACT 521

631+33.97
88.51' RT

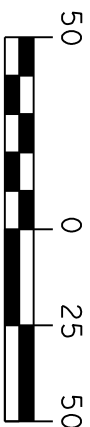
OVERHEAD ELECTRIC

EXISTING ROW
(VARIABLE WIDTH R.O.W.)
NO RECORD INFORMATION FOUND
FENCE
EXISTING ROW

SUVI CAPITAL, LLC
RECORDED DECEMBER 22, 2021
CALLED 7.625 AC.
DOC NO. 2021194153
O.P.R.W.C. TX.

LINE TABLE

| LINE NO. | BEARING | DISTANCE |
|----------|------------------|-----------|
| L1 | N83° 27' 21" W | 39.32' |
| L2 | N06° 32' 39" E | 27.42' |
| L3 | N69° 03' 31" E | 42.59' |
| (L3) | (N70° 59' 27" E) | (647.77') |
| L4 | S04° 40' 32" W | 47.11' |



GRAPHIC SCALE
SCALE: 1" = 50'
WILLIAMSON COUNTY, TEXAS

FILE: \\scominc\AUS\PROJECTS\1019049922\100\Survey\03Exhibits\PEC\PEC-R2.dgn REF. FIELD NOTE NO. 49049
EXISTING 7.625 AC. ACQUIRE 0.000 AC. REMAINING 7.625 AC. RIGHT

SAM

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

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
SUVI CAPITAL, LLC
ELECTRIC EASEMENT
0.033 AC. (1, 444 SQ. FT.)

EXHIBIT "A"

SCHEDULE B:

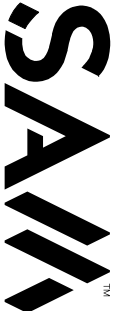
THIS SURVEY HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE OF NO. T-156827 ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE JUNE 13, 2022, AND ISSUED DATE JUNE 24, 2022.

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS. (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION.):
- 1. POTABLE WATER PIPELINE EASEMENT GRANTED TO CHISHOLM TRAIL WATER SUPPLY CORPORATION, AS DESCRIBED IN VOLUME 998, PAGE 403, DEED RECORDS, AS AFFECTED BY ASSIGNMENT IN DOCUMENT NO. 2014076202, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. (AS-BUILT EASEMENT, UNABLE TO PLOT MAY AFFECT).
 - 2. POTABLE WATER PIPELINE EASEMENT GRANTED TO CHISHOLM TRAIL WATER SUPPLY CORPORATION, AS DESCRIBED IN VOLUME 998, PAGE 403, DEED RECORDS, AS AFFECTED BY ASSIGNMENT IN VOLUME 1454, PAGE 26, OFFICIAL RECORDS, AS AFFECTED BY ASSIGNMENT IN DOCUMENT NO. 2014076202, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. (AS-BUILT EASEMENT, UNABLE TO PLOT MAY AFFECT).
 - 3. ANY VISIBLE AND APPARENT EASEMENT, EITHER PUBLIC OR PRIVATE, LOCATED ON OR ACROSS THE LAND, THE EXISTENCE OF WHICH IS NOT DISCLOSED BY THE PUBLIC RECORDS AS HEREIN DEFINED.
 - 4. ANY VISIBLE AND APPARENT ROADWAY OR EASEMENT OVER, UNDER OR ACROSS THE PROPERTY, THE EXISTENCE OF WHICH DOES NOT APPEAR OF RECORD. THIS EXCEPTION WILL BE LIMITED TO THOSE MATTERS SHOWN ON AN ACCEPTABLE SURVEY UPON THE COMPANY BEING FURNISHED WITH SUCH SURVEY.
 - 5. RIGHTS OF PARTIES IN POSSESSION (OWNERS POLICY ONLY)
 - 6. RIGHTS OF TENANTS, AS TENANTS ONLY, UNDER ANY AND ALL UNRECORDED LEASES OR RENTAL AGREEMENTS. (NOTE: THIS ITEM CAN BE DELETED UPON RECEIPT OF AN AFFIDAVIT EXECUTED BY THE SELLER EVIDENCING THERE ARE NOT ANY OUTSTANDING LEASES OR RENTAL AGREEMENTS. IF THE AFFIDAVIT REVEALS UNRECORDED OUTSTANDING LEASES OR RENTAL AGREEMENTS THE EXCEPTION MAY BE MODIFIED TO MAKE SPECIFIC EXCEPTION TO THOSE MATTERS.)
 - 7. ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES, AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS, WHETHER LISTED IN SCHEDULE B OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED.
 - 8. ASSESSMENT OF ROLLEBACK OR SUPPLEMENTAL TAXES AGAINST THE LAND, AND ALL INTEREST AND PENALTIES WHICH MAY ACCRUE.
 - 9. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE, INCLUDING BUT NOT LIMITED TO FENCES NOT FOLLOWING THE PROPERTY BOUNDARIES, THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE SUBJECT PROPERTY. (OWNER'S POLICY ONLY)

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PAGE 4 OF 5
REF. FIELD NOTE NO. 49049

| | | | | | | |
|----------|-----------|---------|-----------|-----------|-----------|-------|
| EXISTING | 7.625 AC. | ACQUIRE | 0.000 AC. | REMAINING | 7.625 AC. | RIGHT |
|----------|-----------|---------|-----------|-----------|-----------|-------|



4801 Southwest Parkway
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RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
SUVI CAPITAL, LLC
ELECTRIC EASEMENT
0.033 AC. (1, 444 SQ. FT.)

LEGEND

EXHIBIT "A"

- 5/8" IRON ROD SET WITH ALUMINUM CAP
STAMPED "WILLIAMSON COUNTY"
- 1/2" IRON ROD FOUND UNLESS NOTED
- ◻ FENCE POST (TYPE NOTED)
- TYPE I CONCRETE MONUMENT FOUND
- ◻ TxDOT TYPE II BRONZE DISK IN CONCRETE FOUND
- 1/2" IRON PIPE FOUND UNLESS NOTED
- 80D NAIL FOUND
- MAGNAIL FOUND
- SPINDLE FOUND
- RAILROAD TIE
- △ 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
- D.R.W.C.TX. DEED 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)
- PROPOSED TEMPORARY EASEMENT LINE

NOTES:

1. ALL BEARINGS SHOWN ARE BASED ON NAD83/2011/NAV88 TEXAS COORDINATE SYSTEM. CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00012. ALL COORDINATES SHOWN ARE IN SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SAME FACTOR. PROJECT UNITS ARE IN U.S. SURVEY FEET.
2. THIS SURVEY WAS COMPLETED WITH THE BENEFIT OF TITLE REPORT, PROVIDED BY TITLE RESOURCES GUARANTY COMPANY, OF NO. T-156821, EFFECTIVE DATE JUNE 13, 2022, AND ISSUED DATE JUNE 24, 2022. THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
3. U.S. 183 ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM AMERICAN STRUCTURE, INC. SCHEMATIC RECEIVED BY SAM, LLC. IN AUGUST, 2020.
4. THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

* AREA CALCULATED BY SAM, LLC.

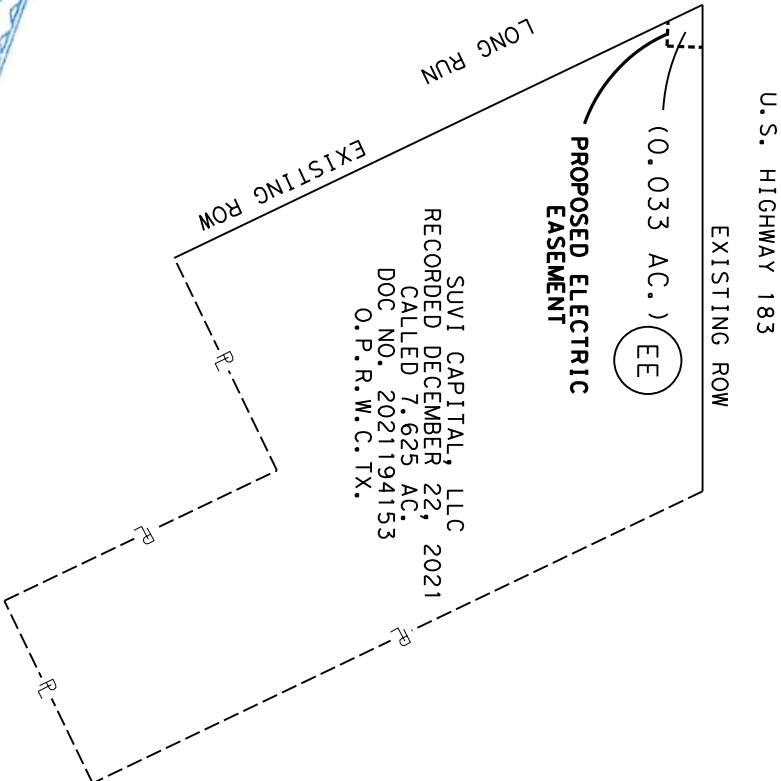
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SCOTT C. BRASHEAR
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6660, STATE OF TEXAS

DATE

7/5/22

FILE: \\saminc\AUS\PROJECTS\1019049922\100\Survey\03Exhibits\PEC\PEC.R2.dgn REF. FIELD NOTE NO. 49049



EXISTING 7.625 AC. ACQUIRE 0.000 AC. REMAINING 7.625 AC. RIGHT

SAM

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