

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@scrrlaw.com

December 27, 2022

Via e-mail 93bluetoo@gmail.com

Sal Caravello

The Worship Place

375 CR 245

Georgetown, Texas 78633

Re: Williamson County—County Road 245
Parcel 4--PEC electric easement

Dear Mr. Caravello:

Please allow this letter to set out my understanding regarding our Agreement for the acquisition of a permanent electric utility easement to Williamson County, Texas and/or Pedernales Electric Cooperative, Inc. (collectively the “County”) in and across portions of the property owned by The Worship Place (Interdenominational) (“Owner”) as part of the County’s proposed improvements to CR 245 (“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 utility easement (“Easement”) in and to approximately 12,059 square feet of land, 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 **\$9,828.00** in cash or other good funds (“Easement Purchase Price”).

2. County shall pay Owner the additional sum of \$350 as compensation for the acquisition, replacement, and/or relocation of the “Sunday Worship” pole sign which is located within the CR 245 right of way the County previously purchased from Owner, the location of which is shown in Exhibit “B” attached hereto (the “Sign Compensation”).

3. If requested by County, the Closing and completion of this transaction and payment of the Easement Purchase Price and Sign Compensation shall take place at Longhorn 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. Owner shall assist County and Title Company with any curative measures or mortgage lien joinder, consent or subordination required as a condition of the Closing.

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.

4. 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:

The Worship Place (Interdenominational),
a Texas nonprofit corporation

By: *Sal Caravello*

Name: *SAL CARAVELLO*

Its: *CHAIRMAN OF THE BOARD OF TRUSTEES*
THE WORSHIP PLACE

Date: *12/28/2022*

ACCEPTED AND AGREED:

WILLIAMSON COUNTY, TEXAS

By: _____
Bill Gravell, Jr.
County Judge

Date: _____

EXHIBIT “A” FORM OF EASEMENT FOLLOWS

ELECTRIC UTILITY EASEMENT

County Road 245

THE STATE OF TEXAS

§

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WILLIAMSON

§

That **THE WORSHIP PLACE (INTERDENOMINATIONAL)**, a Texas nonprofit corporation, 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 0.277 acre (12,059 square foot) tract in the Lewis P. Dyches Survey, Abstract No. 171, Williamson County, Texas; being more fully described by metes and bounds in Exhibit "A", attached hereto and incorporated herein (**Parcel 4EE**)

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.

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 by, through, or under the undersigned Grantor, but not otherwise.

WITNESS my hand this _____ day of _____, 2023.

[signature page follows]

GRANTOR:

The Worship Place (Interdenominational),
a Texas nonprofit corporation

By: _____

Name: _____

Its: _____

THE STATE OF TEXAS

COUNTY OF WILLIAMSON

This instrument was acknowledged before me on this the ____ day of _____, 2023 by _____, the _____ and authorized corporate representative of The Worship Place (Interdenominational), in the capacity and for the purposes and consideration recited therein.

Notary Public in and for The State of Texas

Please Return to:

JOINDER AND CONSENT OF LIENHOLDER TO ELECTRIC EASEMENT

PROSPERITY BANK, as Beneficiary under a Deed of Trust executed by The Worship Place (Interdenominational) to David Zalman, Trustee, recorded in Document No. 2016027258 (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.

PROSPERITY BANK

By: _____

Name: _____

Its: _____

ACKNOWLEDGEMENT

THE STATE OF _____

COUNTY OF _____

This instrument was acknowledged before me on this ____ day of _____, 2022, by _____, 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"

METES AND BOUNDS DESCRIPTION

FOR A 0.277 ACRE (12,059 SQ. FT.) TRACT OF LAND SITUATED IN THE LEWIS P. DYCHES SURVEY, ABSTRACT NO. 171, WILLIAMSON COUNTY, TEXAS AND BEING OUT OF THE REMNANT PORTION OF THE CALLED 19.98 ACRE TRACT OF LAND CONVEYED TO THE WORSHIP PLACE, RECORDED IN DOCUMENT NO. 2016027257 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 0.277 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2" iron rod found monumenting the northeast corner of the called 0.1398 acre tract of land (Parcel 4), conveyed to Williamson County, Texas, recorded in Document No. 2022061806 of the Official Public Records of Williamson County, Texas and the southeast corner of the called 0.0114 acre tract of land (Parcel 5 - Part 1), described in Cause No. 22-0590-CC2, Notice of Lis Pendens, Williamson County, Texas (Condemnor) and Mary Simkins Luzius (Condmnee), recorded in Document No. 2022059018 of the Official Public Records of Williamson County, Texas, same being on the southeast corner of the called 20 acre tract of land conveyed to Mary Simkins Luzius, recorded in Document No. 2007019684 of the Official Public Records of Williamson County, Texas, said 20 acre tract of land being a portion of the called 91.929 acre tract of land described in Volume 1083, Page 101 of the Official Records of Williamson County, Texas, same being on an angle point in the existing west right-of-way line of County Road 245, from which an iron rod found with cap marked "MCGRAY" monumenting the north corner of said 0.0114 acre Williamson County, Texas (Condemnor) tract, same being on the east boundary line of said 20 acre Luzius tract, same being on said west right-of-way line of County Road 245, bears N 17°19'33" E for a distance of 115.76 feet;

THENCE, N 61°46'29" W with the north boundary line of said 0.1398 acre Williamson County, Texas tract, same being with the south boundary line of said 0.0114 acre Williamson County, Texas (Condemnor) tract, same being with the south boundary line of said 20 acre Luzius tract, same being with said existing west right-of-way line of County Road 245, for a distance of 8.96 feet to an iron rod found with cap marked "MCGRAY" monumenting the northwest corner of said 0.1398 acre Williamson County, Texas tract, the southwest corner of said 0.0114 acre Williamson County, Texas (Condemnor) tract, and the northeast corner of said remnant portion of the 19.98 acre The Worship Place tract, same being on angle point in said existing west right-of-way line of County Road 245 for the northeast corner and **POINT OF BEGINNING** hereof, from which an iron rod found with cap marked "MCGRAY" monumenting a point of curvature on the west boundary line of said 0.0114 acre Williamson County, Texas (Condemnor) tract, bears N 21°54'29" E for a distance of 82.89 feet;

THENCE, **S 21°52'35" W** with the east boundary line of said remnant portion of the 19.98 acre The Worship Place tract, the west boundary line of said 0.1398 acre Williamson County, Texas tract and said west right-of-way line of County Road 245, for a distance of **603.05 feet** to an iron rod found with cap marked "MCGRAY" monumenting the southwest corner of said 0.1398 acre Williamson County, Texas tract, the northwest corner of the called 0.3155 acre tract of land (Parcel 1), conveyed to Williamson County, Texas,

recorded in Document No. 2022064092 of the Official Public Records of Williamson County, Texas, the southeast corner of said remnant portion of the 19.98 acre The Worship Place tract and the northeast corner of the remnant portion of the called 91.929 acre tract of land conveyed to The B. Kinney Trust, B. Kinney, Trustee or her Successor in Trust, recorded in Document No. 2011069273 of the Official Public Records of Williamson County, Texas, for the southeast corner hereof, from which an iron rod found with cap marked "TLS" monumenting the southeast corner of said 0.1398 acre Williamson County, Texas tract and the northeast corner of said 0.3155 acre Williamson County, Texas tract, bears S 61°46'34" E for a distance of 11.11 feet;


THENCE, **N 61°46'34" W** with the south boundary line of said remnant portion of the 19.98 acre The Worship Place tract and the north boundary line of said remnant portion of the 91.929 acre Kinney tract, for a distance of **20.12 feet** to a calculated point for the southwest corner hereof;

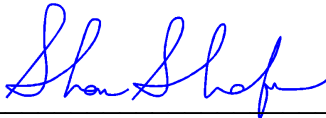
THENCE, **N 21°52'35" E** through the interior of said remnant portion of the 19.98 acre The Worship Place tract, for a distance of **603.05 feet** to a calculated point on the north boundary line of said remnant portion of the 19.98 acre The Worship Place tract and said south boundary line of the 20 acre Luzius tract, for the northwest corner hereof;

THENCE, **S 61°46'29" E** with said north boundary line of the remnant portion of the 19.98 acre The Worship Place tract and said south boundary line of the 20 acre Luzius tract, for a distance of **20.12 feet** to the **POINT OF BEGINNING** hereof and containing 0.277 acre of land more or less.

Bearing Basis: NAD-83, Texas Central Zone (4203) State Plane System. Distances shown hereon are surface distances based on a combined surface adjustment factor of 1.00012.

A drawing has been prepared to accompany this metes and bounds description.

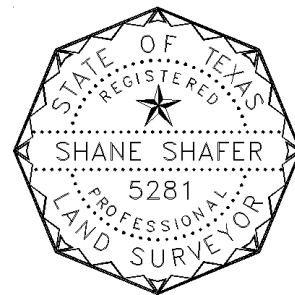
 **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NUMBER 10006900



November 14, 2022

SHANE SHAFER, R.P.L.S. NO. 5281

DATE



Z:\WILLIAMSON COUNTY PSA PROJECTS\2020 WA#4 ROW STAKING THROUGHOUT WILCO\CR 245 ROW STAKING 2022-53\PEC ESMTS\CR 245 WORSHIP PLACE PEC ESMT M&B 20221114.doc

DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION FOR A 0.277 ACRE (12,059 SQ. FT.) TRACT OF LAND SITUATED IN THE LEWIS P. DYCHES SURVEY, ABSTRACT NO. 171, WILLIAMSON COUNTY, TEXAS AND BEING OUT OF THE REMNANT PORTION OF THE CALLED 19.98 ACRE TRACT OF LAND CONVEYED TO THE WORSHIP PLACE, RECORDED IN DOCUMENT NO. 2016027257 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. PROPERTY ADDRESS: 375 CR 245, GEORGETOWN, TX 78633

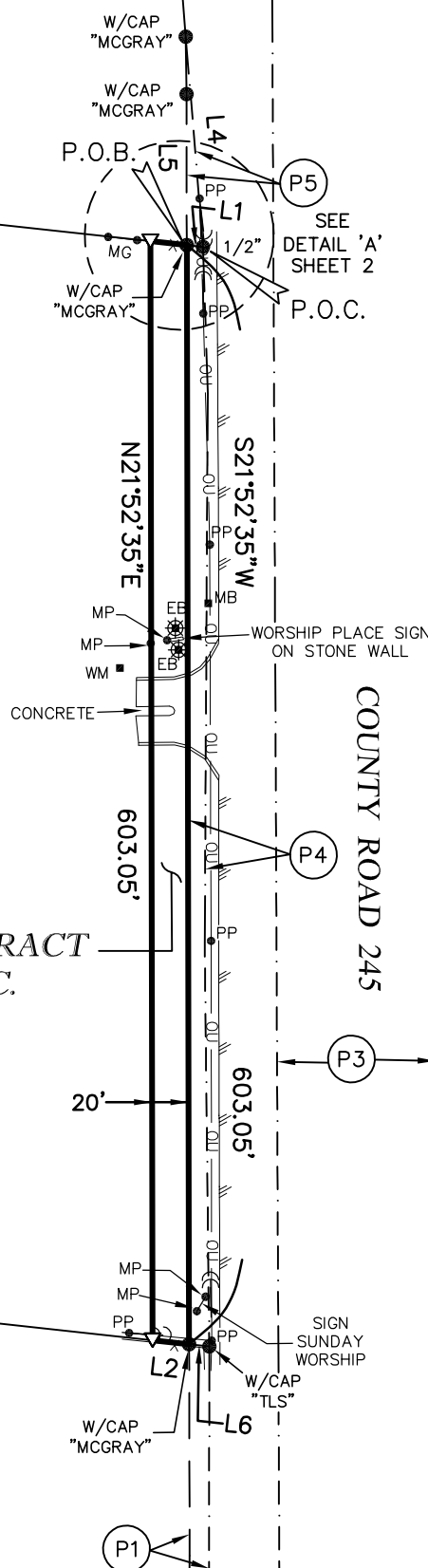
MARY SIMKINS LUZIUS
CALLED 20 AC.
DOC. NO. 2007019684
REMNANT PORTION OF
CALLED 91.929 AC.
VOL. 1083, PG. 101

LEWIS P. DYCHES SURVEY
ABSTRACT NO. 171

THE WORSHIP PLACE
REMNANT PORTION OF
CALLED 19.98 AC.
DOC. NO. 2016027257

SUBJECT TRACT
0.277 AC.

THE B. KINNEY TRUST
B. KINNEY, TRUSTEE OR HER
SUCCESSOR IN TRUST
REMNANT PORTION OF
CALLED 91.929 AC.
DOC. NO. 2011069273



SCALE: 1" = 100'

WILLIAMSON COUNTY, TEXAS
COUNTY ROAD 245 R.O.W.
RIGHT-OF-WAY
DEED INFORMATION

- (P1) WILLIAMSON COUNTY, TEXAS
COUNTY ROAD 245 R.O.W.
PARCEL 1
CALLED 0.3155 AC.
DOC. NO. 2022064092
- (P3) WILLIAMSON COUNTY, TEXAS
COUNTY ROAD 245 R.O.W.
PARCEL 3
CALLED 3.003 AC.
DOC. NO. 2021168118
- (P4) WILLIAMSON COUNTY, TEXAS
COUNTY ROAD 245 R.O.W.
PARCEL 4
CALLED 0.1398 AC.
DOC. NO. 2022061806
- (P5) CAUSE NO. 22-0590-CC2
NOTICE OF LIS PENDENS
PARCEL 5 - PART 1
CALLED 0.0114 AC.
DOC. NO. 2022059018

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N61°46'29"W	8.96'
L2	N61°46'34"W	20.12'
L3	S61°46'29"E	20.12'
L4	N17°19'33"E	115.76'
L5	N21°54'29"E	82.89'
L6	S61°46'34"E	11.11'

SHEET 1 OF 2

<> DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

MARY SIMKINS LUZIUS
CALLED 20 AC.
DOC. NO. 2007019684

EXISTING R.O.W.
PROPOSED R.O.W.

L4
L5

P.O.B.

L3

1 1/2"

P.O.C.

P5

P4

W/CAP
"MCGRAY"

S21°52'35"W
603.05'

EXISTING R.O.W.

SUBJECT
TRACT
0.277 AC.

N21°52'35"E 603.05'

THE WORSHIP PLACE
REMNANT PORTION OF
CALLED 19.98 AC.
DOC. NO. 2016027257

DETAIL 'A'
(NOT TO SCALE)

●	IRON ROD FOUND
▽	CALCULATED POINT
■ ^{EB}	ELECTRIC BOX
● ^{PP}	POWER POLE
⌒—	DOWN GUY
⊙	FLOOD LIGHT
■ ^{WM}	WATER METER
■ ^{MB}	MAIL BOX
● ^{MP}	2" METAL POLE
— · — · — · —	RIGHT-OF-WAY DEED LINE
— X — X — X —	WIRE FENCE
— // — // — //	EDGE OF PAVEMENT
— OU ——— OU —	OVERHEAD UTILITY LINE
MG	METAL GATE
R.O.W.	RIGHT-OF-WAY
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING

3) THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A TITLE COMMITMENT OR POLICY. THERE MAY BE EASEMENTS AND/OR RESTRICTIONS NOT SHOWN HEREON WHICH MAY AFFECT THE SUBJECT TRACT.

STATE OF TEXAS
REGISTERED
SHANE SHAFER
5281
PROFESSIONAL
LAND SURVEYOR

<> DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900

DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION FOR A 0.277 ACRE (12,059 SQ. FT.) TRACT OF LAND
SITUATED IN THE LEWIS P. DYCHES SURVEY, ABSTRACT NO. 171, WILLIAMSON COUNTY, TEXAS AND BEING OUT OF
THE REMNANT PORTION OF THE CALLED 19.98 ACRE TRACT OF LAND CONVEYED TO THE WORSHIP PLACE,
RECORDED IN DOCUMENT NO. 2016027257 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.
PROPERTY ADDRESS: 375 CR 245, GEORGETOWN, TX 78633

MARY SIMKINS LUZIUS
CALLED 20 AC.
DOC. NO. 2007019684
REMNANT PORTION OF
CALLED 91.929 AC.
VOL. 1083, PG. 101

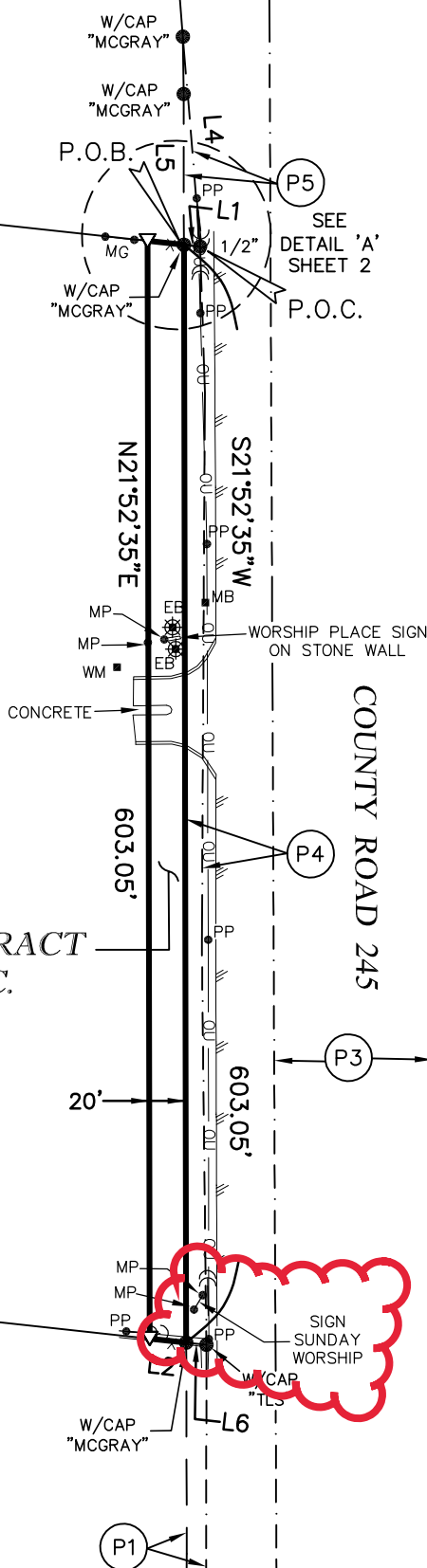
EXHIBIT "B"

LEWIS P. DYCHES SURVEY
ABSTRACT NO. 171

THE WORSHIP PLACE
REMNANT PORTION OF
CALLED 19.98 AC.
DOC. NO. 2016027257

SUBJECT TRACT
0.277 AC.

THE B. KINNEY TRUST
B. KINNEY, TRUSTEE OR HER
SUCCESSOR IN TRUST
REMNANT PORTION OF
CALLED 91.929 AC.
DOC. NO. 2011069273



SCALE: 1" = 100'

WILLIAMSON COUNTY, TEXAS
COUNTY ROAD 245 R.O.W.
RIGHT-OF-WAY
DEED INFORMATION

- (P1) WILLIAMSON COUNTY, TEXAS
COUNTY ROAD 245 R.O.W.
PARCEL 1
CALLED 0.3155 AC.
DOC. NO. 2022064092
- (P3) WILLIAMSON COUNTY, TEXAS
COUNTY ROAD 245 R.O.W.
PARCEL 3
CALLED 3.003 AC.
DOC. NO. 2021168118
- (P4) WILLIAMSON COUNTY, TEXAS
COUNTY ROAD 245 R.O.W.
PARCEL 4
CALLED 0.1398 AC.
DOC. NO. 2022061806
- (P5) CAUSE NO. 22-0590-CC2
NOTICE OF LIS PENDENS
PARCEL 5 - PART 1
CALLED 0.0114 AC.
DOC. NO. 2022059018

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N61°46'29"W	8.96'
L2	N61°46'34"W	20.12'
L3	S61°46'29"E	20.12'
L4	N17°19'33"E	115.76'
L5	N21°54'29"E	82.89'
L6	S61°46'34"E	11.11'

SHEET 1 OF 2

<> DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.E.L.S. FIRM NO. 10006900