

CAUSE NO. 22-0590-CC2

WILLIAMSON COUNTY, TEXAS

Condemnor

V.

MARY SIMKINS LUZIUS

Condemnees

§ IN THE COUNTY COURT

§

§

§ AT LAW NUMBER TWO OF

§

§

§ WILLIAMSON COUNTY, TEXAS

AGREED FINAL JUDGMENT

As the use of the property sought has been completed, the parties to this lawsuit have agreed to compromise and settle the issues in this lawsuit and request the entry of this Agreed Final Judgment by the Court. It appears to the Court that it has jurisdiction of this matter, the parties have agreed to all provisions contained within this Agreed Final Judgment, and the parties desire to resolve this lawsuit,

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that fee simple interest in and across to approximately 1.279 acre (Parcel 5 Parts 1-2) of land in Williamson County, Texas, said property being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes, and additional rights or encumbrances as further described in Plaintiff's Original Petition, filed among the papers of this cause on or about May 10, 2022; be vested to **WILLIAMSON COUNTY, TEXAS**, and its assigns which has completed the construction, reconstruction, realignment, widening, and/or maintaining of improvements to the CR 245 roadway improvement project, and to perform associated public use and purposes.

It is further ORDERED that in complete satisfaction of any and all claims which have been made, or which could have been made in this litigation, including both the property to be acquired and damages (if any) to any remaining property of MARY SIMKINS LUZIUS

(“CONDEMNEE”), that Condemnee shall recover from Condemnor the total sum of TWO HUNDRED SIXTY-FIVE THOUSAND AND 00/100 DOLLARS (\$265,000.00). The parties agree ONE HUNDRED FORTY-EIGHT THOUSAND FOUR HUNDRED EIGHTY-SEVEN AND 00/100 DOLLARS (\$148,487.00) was previously deposited with the court pursuant to the written Award of Special Commissioners, leaving a balance due of **ONE HUNDRED SIXTEEN THOUSAND FIVE HUNDRED THIRTEEN AND 00/100 DOLLARS (\$116,513.00)**, and the remaining balance to be paid by check or warrant to Mary Simkins Luzius c/o Gattis Law Firm, PC., 213-B West 8th Street, Georgetown, Texas 78626 within (45) days of court approval to avoid paying interest. If the remaining balance is not paid within (45) days of court approval of this Agreed Final Judgment, then the statutory interest will accrue on the unpaid balance until paid.


It is further ORDERED that all costs be assessed against Condemnor.

This Agreed Final Judgment is intended by the parties to fully and finally dispose of all claims, parties, and issues in this lawsuit.

SIGNED this _____ day of _____, 2025.

Judge Presiding

/s/ Erik Cardinell
Erik Cardinell
State Bar No. 00796304
erik@scrllaw.com
(512) 255-8877
(512) 255-8986 (fax)
Sheets & Crossfield, P.L.L.C.
309 East Main Street
Round Rock, Texas 78664
Attorneys for Condemnor



Dan M. Gattis
Texas State Bar No. 00790754
dgattis@gattislaw.com
213-B West 8th Street
Georgetown, TX 78626
Gattis Law Firm, P.C.
Attorney for Condemnees

Bill Gravell Jr.
County Judge

EXHIBIT A

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

Page 1 of 7
July 23, 2021

PROPERTY DESCRIPTION FOR PARCEL 5

DESCRIPTION OF a 55,704 square foot (1.279 acre) parcel of land consisting of two parts out of the L.P Dyches Survey, Abstract No. 171, in Williamson County, Texas, and being out of a called 20 acre remainder of 91.29 acres described in Volume 1083, Page 101, Deed Records, Williamson County, Texas (D.R.W.C.T.), said 20 acres conveyed to Mary Simkins Luzius by Affidavit of Heirship dated February 19, 2007, as recorded in Document No. 2007019684, Official Public Records, Williamson County, Texas (O.P.R.W.C.T.), being further described in Volume 1083, Page 101, Deed Records, Williamson County, Texas (D.R.W.C.T.); said 55,704 square foot (1.279 acre) parcel of land 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 west corner of said 20 acre Luzius tract, being at the northwest corner of a called 19.98 acre tract conveyed to The Worship Place (Interdenominational) by Warranty Deed with Vendor's Lien dated March 31, 2016, as recorded in Document No. 2016027257, O.P.R.W.C.T., and being in the south line of a called 10.538 acre tract conveyed to Plazo Tierra, LLC by Special Warranty Deed dated August 30, 2019, as recorded in Document No. 2019110959, O.P.R.W.C.T.;

THENCE S 61°46'29" E, along the south line of said 20 acre Luzius tract and the north line of said 19.98 acre The Worship Place tract, a distance of 1,255.17 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 121+01.03 and having Surface Coordinates of North=10,238,621.54, East=3,101,762.71;

THENCE, along the proposed west right-of-way line of CR 245, crossing said 20 acre Luzius tract, the following two (2) courses, numbered 1 and 2:

- 1) **N 21°52'35" E**, a distance of **82.85 feet** to a 1/2-inch iron rod with "McGray McGray" cap set at the beginning of a curve to the left, being 67.50 feet left of Engineer's Baseline Station 121+83.88, and

EXHIBIT A

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

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July 23, 2021

PROPERTY DESCRIPTION FOR PARCEL 5

- 2) **31.47 feet** along the arc of said curve to the left, having a radius of **1,732.50 feet**, a delta angle of **01°02'27"**, a chord bearing of **N 21°21'21" E**, and a chord distance of **31.47 feet** to a 1/2-inch iron rod with "McGray McGray" cap set in the east line of said 20 acre Luzius tract, being in the west line of a called 0.545 of one acre tract conveyed to Williamson County by Special Warranty Deed dated August 21, 2003, as recorded in Document No. 2003082496, O.P.R.W.C.T., and being in the existing west right-of-way line of CR 245 (varying width), and being 67.50 feet left of Engineer's Baseline Station 122+16.58;
- 3) **THENCE, S 17°18'28" W**, along the east line of said 20 acre Luzius tract, the west line of said 0.545 of one acre Williamson County tract and the existing west right-of-way line of CR 245, a distance of **115.68 feet** to a 1/2-inch iron rod found at the southeast corner of said 20 acre Luzius tract, being at the northeast corner of said 19.98 acre The Worship Place tract, and at the south corner of said 0.545 of one acre Williamson County tract;
- 4) **THENCE, N 61°46'29" W**, along the south line of said 20 acre Luzius tract and the north line of said 19.98 acre The Worship Place tract, a distance of **8.98 feet** to the **POINT OF BEGINNING** and containing 497 square feet (0.0114 of one acre) of land, more or less.

PART 2

COMMENCING at a 1/2-inch iron rod found at the west corner of said 20 acre Luzius tract, being at the northwest corner of said 19.98 acre The Worship Place tract, and being in the south line of said 10.538 acre Plazo Tierra tract;

THENCE N 61°58'38" E, along the north line of said 20 acre Luzius tract, partially along the south line of said 10.538 acre Plazo Tierra tract, and partially along the south line of a called 37.617 acre tract conveyed to Gracia Tierra, LLC by Special Warranty Deed dated August 30, 2019, as recorded in Document No. 2019110960, O.P.R.W.C.T., a distance of 1,344.59 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 134+01.29 and having Surface Coordinates of North=10,239,846.88, East=3,101,843.73;

EXHIBIT A

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

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PROPERTY DESCRIPTION FOR PARCEL 5

1) **THENCE, N 61°58'38" E**, continuing along the north line of said 20 acre Luzius tract, passing at a distance of 27.69 feet along the south line of said 37.617 acre Gracia Tierra tract, a calculated point at the southeast corner of said 37.617 acre Gracia Tierra tract, being at the southwest corner of a 3.07 acre right-of-way dedication recorded in Document No. 9553392, Official Records, Williamson County, Texas (O.R.W.C.T.), and being in the existing west right-of-way line of CR 245 (varying width), from which a 1/2-inch iron rod with "McKim Creed" cap found bears S 21°18'01" E, a distance of 0.27 feet, continuing an additional distance of 4.28 feet along the south line of said 3.07 acre right-of-way dedication and the existing west right-of-way line of CR 245, for a total distance of **31.97 feet** to a 1/2-inch iron rod with "Williamson County" cap found at the northeast corner of said 20 acre Luzius tract, being at the northwest corner of said 0.545 of one acre Williamson County tract;

THENCE, along the east line of said 20 acre Luzius tract, the west line of said 0.545 of one acre Williamson County tract and the existing west right-of-way line of CR 245, the following seven (7) courses, numbered 2 through 8:

- 2) **S 21°35'01" E**, a distance of **272.25 feet** to a 1/2-inch iron rod with "Williamson County" cap found,
- 3) **S 21°08'03" E**, a distance of **197.19 feet** to a calculated point,
- 4) **S 17°08'50" W**, a distance of **85.68 feet** to a calculated point,
- 5) **S 22°35'17" W**, a distance of **164.19 feet** to a 1/2-inch iron rod with "Williamson County" cap found,
- 6) **S 17°42'07" W**, a distance of **110.69 feet** to a calculated point,
- 7) **S 22°01'48" W**, a distance of **53.09 feet** to a 1/2-inch iron rod found, and
- 8) **S 17°18'28" W**, a distance of **110.39 feet** to a 1/2-inch iron rod with "McGray McGray" cap set in the proposed west right-of-way line of CR 245, at the beginning of a curve to the left, and being 67.50 feet left of Engineer's Baseline Station 124+38.24;

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PROPERTY DESCRIPTION FOR PARCEL 5

- 9) **THENCE, 926.94 feet** along the arc of said curve to the left, having a radius of **1,732.50 feet**, a delta angle of **30°39'18"**, and a chord bearing of **N 01°32'51" W**, along the proposed west right-of-way line of CR 245, crossing said 20 acre Luzius tract, a chord distance of **915.92 feet** to the **POINT OF BEGINNING** and containing 55,207 square feet (1.267 acres) of land, more or less.

PART 1 497 Sq. Ft. (0.0114 Ac.)

PART 2 55,207 Sq. Ft. (1.267 Ac.)

TOTAL 55,704 Sq. Ft. (1.279 Ac.)

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.

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.

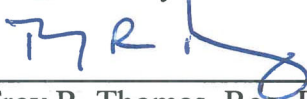
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 23rd day of July, 2021 A.D.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.

3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591

TBPELS Survey Firm# 10095500



7/23/2021

Troy R. Thomas, Reg. Professional Land Surveyor No. 6130

2021/Descriptions/CR 245 Williamson County/Parcel 5



LEGEND

- 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
—P— PROPERTY LINE (OWNERSHIP DIVISION)
—S— APPROXIMATE SURVEY LINE
—D— DEED LINE (OWNERSHIP IN COMMON)
—D— DISTANCE NOT TO SCALE (N.T.S.)
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
R.O.W. RIGHT-OF-WAY
N.T.S. NOT TO SCALE
B.L. BUILDING SETBACK LINE
D.R.W.C.T. DEED RECORDS WILLIAMSON COUNTY, TEXAS
O.R.W.C.T. OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
PARCEL NUMBER FOR R.O.W. ACQUISITION

1

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.

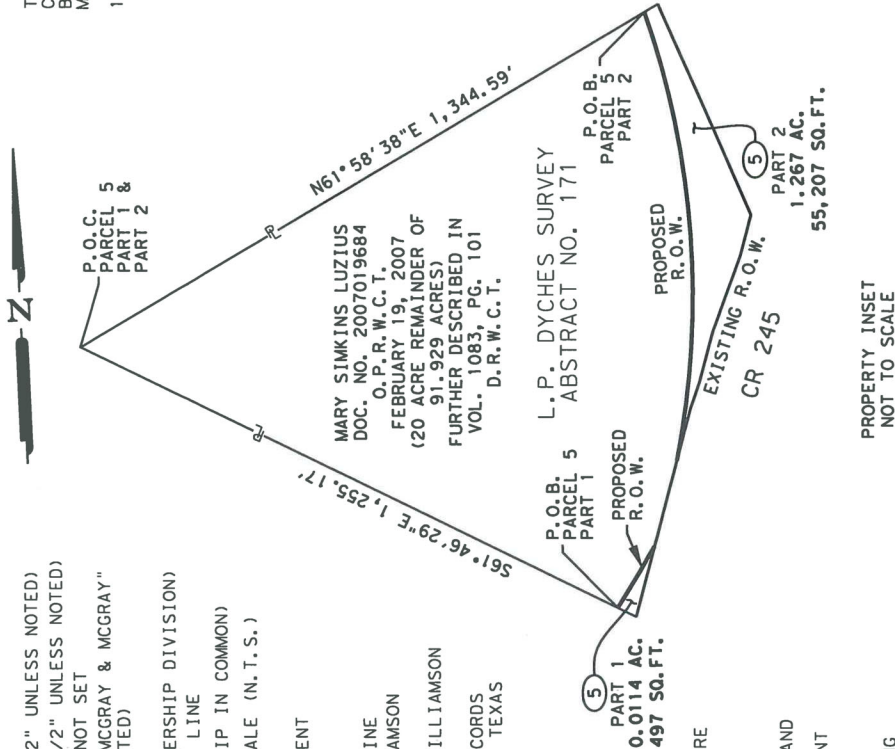
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

Troy R. Thomas

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

7/23/2021

DATE



- THE SURVEY SHOWN WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 2129118-KFO ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE MAY 27, 2021, ISSUED DATE JUNE 10, 2021.
10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:
- A. PEDERNALES ELECTRIC COOPERATIVE, INC. ELECTRIC AND/OR TELEPHONE TRANSMISSION OR DISTRIBUTION LINE OR SYSTEM AS DESCRIBED IN VOLUME 643, PAGE 222, DEED RECORDS, WILLIAMSON COUNTY, TEXAS - DOES NOT AFFECT
- B. STATE OF TEXAS RIGHT-OF-WAY AS DESCRIBED IN VOLUME 416, PAGE 60, DEED RECORDS, WILLIAMSON COUNTY, TEXAS - DOES NOT AFFECT
- C. CHISHOLM TRAIL WATER SUPPLY CORP. PIPELINE AS DESCRIBED IN VOLUME 1107, PAGE 425, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS AND ASSIGNED TO CHISHOLM TRAIL SPECIAL UTILITY DISTRICT AS DESCRIBED IN VOLUME 2188, PAGE 44, OFFICIAL RECORDS, PLOT) WILLIAMSON COUNTY, TEXAS - BLANKET EASEMENT (UNABLE TO PLOT)
- D. TEMPORARY CONSTRUCTION EASEMENT AS DESCRIBED IN DOCUMENT NO. 2012025999, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS - DOES NOT AFFECT

REVISIONS

RECORD	ACQUISITION	REMAINING LT
20 AC. (871,200 SQ. FT.)	TOTAL 1,279 AC. (55,704 SQ. FT.)	18.7 AC. (815,496 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 5
CR 245 - FROM R.M. 2338
TO RONALD REAGAN BLVD.
WILLIAMSON COUNTY, TEXAS

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

P.O.C.
PARCEL 5
PART 1 &
PART 2
DOC. NO.
2019110959
O.P.R.W.C.T.
AUGUST 30, 2019
(10.538 ACRES)

THE WORSHIP PLACE
(INTERDENOMINATIONAL)
DOC. NO.
2016027257
O.P.R.W.C.T.
MARCH 31, 2016
(19.98 ACRES)

L.P. DYCHES SURVEY
ABSTRACT NO. 171

MARY SIMKINS LUZIOUS
DOC. NO. 2007019684
O.P.R.W.C.T.
FEBRUARY 19, 2007
(20 ACRE REMAINDER OF 91.929 ACRES)
FURTHER DESCRIBED IN
VOL. 1083, PG. 101
D.R.W.C.T.

P.O.B.
PARCEL 5 PART 1
N=10,238.621.54
E=3,101.762.71
STA. 121+01.03
67.50' LT
PROPOSED
R.O.W.
L1

STA. 121+83.88
67.50' LT
L2

STA. 122+16.58
67.50' LT
L3

STA. 124+38.24
67.50' LT
L4

STA. 127+18.28
110.39' LT
L5

STA. 127+42.07
110.69' LT
L6

STA. 127+42.07
110.69' LT
L7

STA. 127+42.07
110.69' LT
L8

STA. 127+42.07
110.69' LT
L9

STA. 127+42.07
110.69' LT
L10

STA. 127+42.07
110.69' LT
L11

STA. 127+42.07
110.69' LT
L12

STA. 127+42.07
110.69' LT
L13

STA. 127+42.07
110.69' LT
L14

STA. 127+42.07
110.69' LT
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STA. 127+42.07
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STA. 127+42.07
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STA. 127+42.07
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STA. 127+42.07
110.69' LT
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STA. 127+42.07
110.69' LT
L23

STA. 127+42.07
110.69' LT
L24

STA. 127+42.07
110.69' LT
L25

STA. 127+42.07
110.69' LT
L26

STA. 127+42.07
110.69' LT
L27

STA. 127+42.07
110.69' LT
L28

STA. 127+42.07
110.69' LT
L29

ENGINEER'S BASELINE CURVE DATA
PI NORTHING = 10,239,332.27
PI EASTING = 3,102,120.82
PI STATION = 128+94.01
DELTA OF CURVE = 43° 03' 36" (LT)
DEGREE OF CURVE = 3° 10' 59"
TANGENT LENGTH = 710.13'
RADIUS = 1,352.77'
CHORD BEARING = N 0° 20' 47" E
CHORD = 1,321.16'
PC STATION = 121+83.88
PT STATION = 135+36.65

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	31.47'	1,732.50'	01°02'27"LT	N21°21'21"E	31.47'
C2	926.94'	1,732.50'	30°39'18"LT	N01°32'51"W	915.92'

LINE	BEARING	DISTANCE
L1	N21°52'35"E	82.85'
L2	S17°18'28"W	115.68'
L3	N61°46'29"W	8.98'
L8	S22°01'48"W	53.09'

PULTE HOMES OF TEXAS, L.P.
DOC. NO. 2015003147
O.P.R.W.C.T.
JANUARY 14, 2015
(161.7551 ACRES)
SAVE & EXCEPT 0.413 ACRES)

AMENDING PLAT SUN CITY
NEIGHBORHOOD
SIXTY-FOUR
DOC. NO. 2016007743
O.P.R.W.C.T.
(37.46 ACRES)

FUTURE COUNTY ROAD 245 R.O.W.
AS PER DOC. NO. 2016007743
O.P.R.W.C.T.

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

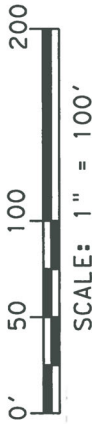
WILLIAMSON COUNTY
DOC. NO. 2003082496
O.P.R.W.C.T.
AUGUST 24, 2003
(0.545 ACRES)

DONALD H. KYLBERG
VOL. 752, PG. 22
D.R.W.C.T.
MARCH 29, 1979
(31.32 ACRES)

MATCHLINE PAGE 7 OF 7

PROPOSED R.O.W.
W/ WILLIAMSON
COUNTY "CAP"

PART 2
0.3155 AC.
13,744 SQ.FT. C2



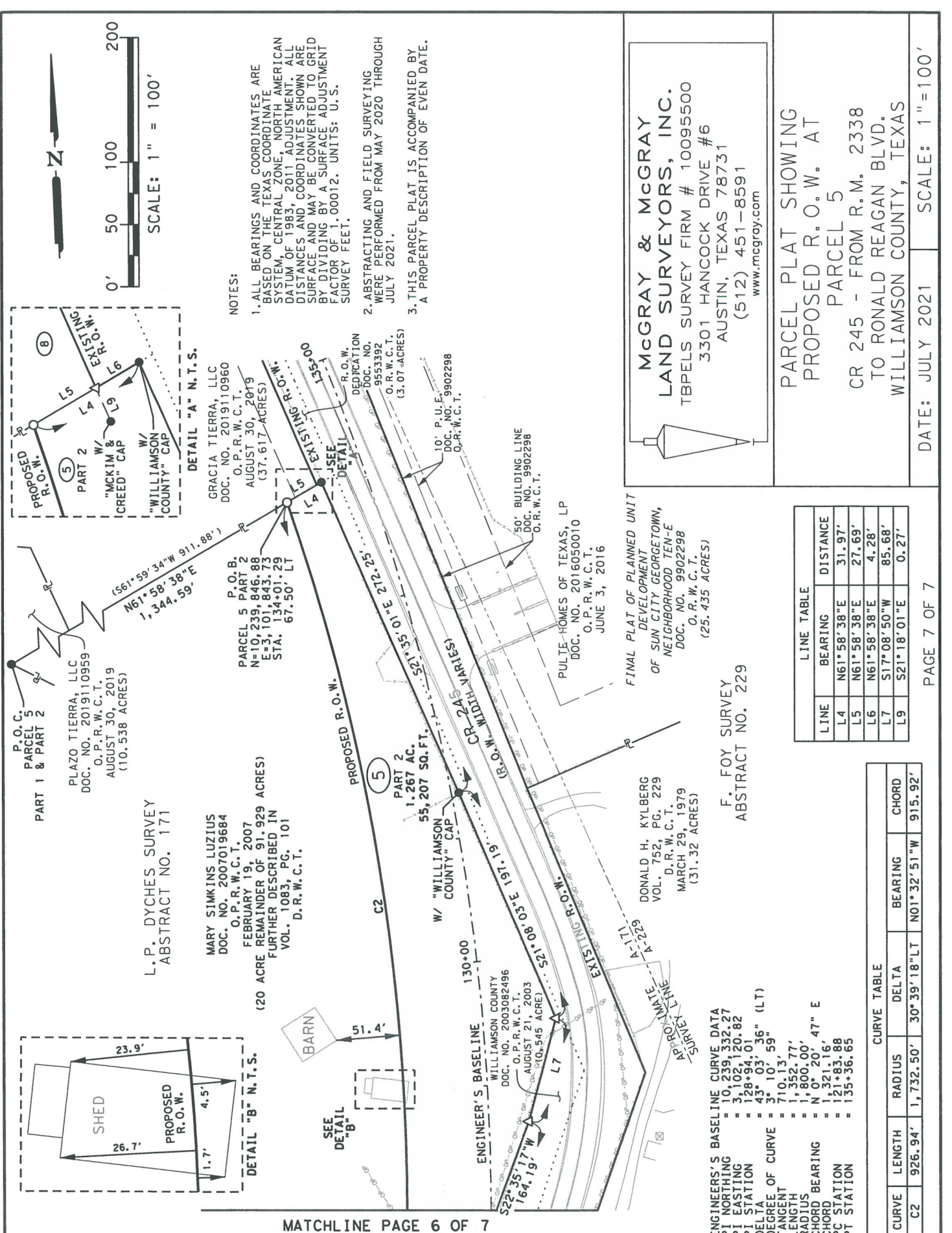
NOTES:

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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.

McGRAY & McGRAY
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PARCEL PLAT SHOWING
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PARCEL 5
CR 245 - FROM R.M. 2338
TO RONALD REAGAN BLVD.
WILLIAMSON COUNTY, TEXAS

DATE: JULY 2021 SCALE: 1"=100'



NOTES:

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WILLIAMSON COUNTY, TEXAS

DATE: JULY 2021 SCALE: 1"=100'

LINE TABLE		
LINE	BEARING	DISTANCE
L4	N61°58'38"E	31.97'
L5	N61°58'38"E	27.69'
L6	N61°58'38"E	4.28'
L7	S17°08'50"W	85.68'
L9	S21°18'01"E	0.27'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C2	926.94'	1,732.50'	30°39'18"LT

ENGINEER'S BASELINE CURVE DATA
PI NORTHING = 10,239,332.27
PI EASTING = 3,102,120.82
PI STATION = 128+94.01
DELTA = 43°03'36" (LT)
DEGREE OF CURVE = 3°10'59"
TANGENT = 710.13'
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