

CAUSE NO. 21-1851-CC2

WILLIAMSON COUNTY, TEXAS	§	IN THE COUNTY COURT
Condemnor	§	
	§	
V.	§	AT LAW NO. TWO
	§	
STEVEN M. COUNTS and KELLY D.	§	
COUNTS	§	
Condemnees	§	WILLIAMSON COUNTY, TEXAS

AGREED FINAL JUDGEMENT

The parties have agreed to compromise and settle the issues in this lawsuit and request entry of this Agreed Final Judgement by the Court. It appears to the Court that it has jurisdiction of this matter, and that the parties have agreed to all provisions contained within this Agreed Final Judgement and desire to resolve this lawsuit upon the terms as follows:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that fee title in and to approximately 0.266 acres 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 (the “Property”), and as further described in Plaintiff’s Original Petition, filed among the papers of this cause on or about November 22, 2021, and any subsequent live pleading amendments thereto; excluding all the oil, gas, and sulphur which can be removed from beneath said real property, without any right whatever remaining to the owner of such oil, gas, and sulphur of ingress or egress from the surface of said real property for the purpose of exploring, developing, or mining of the same, be vested in **WILLIAMSON COUNTY, TEXAS**, and its assigns for the purpose of constructing, reconstructing, realigning, replacing, relocating, installing, widening, building, renewing, upgrading, removing, inspecting, cleaning, changing, modifying, operating and/or maintaining improvements to the Corridor H roadway project and all related drainage,

utilities and appurtenances, driveway access reconnections, and performing associated public uses and purposes (“Project”).

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 the Property to be acquired and damages (if any) to any remaining property of Steven M. Counts and Kelly D. Counts (hereinafter “Condemnees”), that Condemnees shall recover from Condemnor the total sum of **TWO HUNDRED FIFTY THOUSAND and 00/100 DOLLARS (\$250,000.00)** of which total amount the parties agree:

1. ONE HUNDRED EIGHTY THOUSAND and 00/100 DOLLARS (\$180,000.00) was deposited into the Registry of the Court by Condemnor on or about February 22, 2022, pursuant to the Award filed on or about February 15, 2022, among the papers of this cause, which amount shall be credited towards the total compensation, leaving a balance due and owing for satisfaction of this Judgment of SEVENTY THOUSAND and 00/100 DOLLARS (\$70,000.00).

It is further ORDERED that the Condemnor shall pay Condemnee the remaining balance of SEVENTY THOUSAND and 00/100 Dollars (\$70,000.00) as full compensation for the condemnation of the Property. Post-judgment interest is tolled for a period of 60 days after the Court signs this judgment. If Condemnor fails to pay the unpaid balance within 60 days of the Court signing this judgment, Condemnee shall be entitled to post-judgment interest only on the unpaid balance at the statutory rate of 7.5% per annum, compounded annually, from the 61st day after the judgment is signed by the Court until payment is made.

Plaintiff shall make such wire transfer, check, or warrant payable to “Braun & Gresham, PLLC,” and if applicable, deliver such payment to any attorney or employee of Braun & Gresham, PLLC at 14101 Hwy. 290 W., Suite 1100, Austin, Texas 78737 or P.O. Box 1148, Dripping Springs, Texas 78720, and that a representative of Condemnee or its attorneys shall sign a release of judgment within 30 days of a request by the Condemnor, which may be duly recorded in the

deed records of Williamson County, Texas. In the event Condemnee is unable to provide necessary documents or payment information to effectuate payment, or be available to accept payment as directed above, Condemnor may deposit the remaining balance in the registry of the Court to satisfy this Judgment.

It is further ORDERED that upon payment by the Condemnor of the remaining balance, the Condemnor shall stand RELEASED and DISCHARGED of its constitutional obligation to pay adequate compensation for the condemnation for public use of the Property.

It is further ORDERED that this Judgment shall be subject to any of the additional agreements or obligations between the parties contained within that certain Rule 11 Settlement Agreement dated July 29, 2025, and filed on August 25, 2025, among the papers of this Court.

It is further ORDERED that all costs of Court are hereby adjudged against the party incurring said costs.

It is, finally, ORDERED that this Agreed Final Judgment fully and finally disposes of all parties and claims raised in this cause and is appealable. All relief not expressly granted is denied.

SIGNED this _____ day of _____, 2025.

Judge Presiding

[signature pages follow]

PREPARED BY AND APPROVED AS TO SUBSTANCE AND FORM:

John L. Kelley

State Bar No. 24089109

john@scrrlaw.com

SHEETS & CROSSFIELD, P.L.L.C.

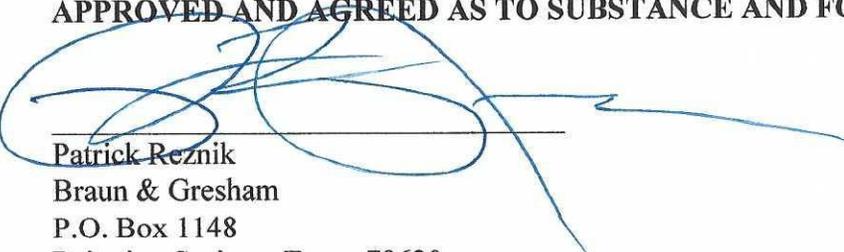
309 East Main Street

Round Rock, Texas 78664

512.255.8877

ATTORNEY FOR CONDEMNOR
WILLIAMSON COUNTY, TEXAS

APPROVED AND AGREED AS TO SUBSTANCE AND FORM:



Patrick Reznik

Braun & Gresham

P.O. Box 1148

Dripping Springs, Texas 78620

ATTORNEY FOR CONDEMNEDS

STEVEN M. COUNTS AND KELLY D. COUNTS

AGREED AND ACCEPTED:

Williamson County, Texas

By: _____

Print/title: _____

Date: _____

AGREED FINAL JUDGMENT

EXHIBIT "A"

EXHIBIT "A"

County: Williamson
Parcel No.: 34
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

Page 1 of 5
March 25, 2021

PROPERTY DESCRIPTION FOR PARCEL 34

DESCRIPTION OF A 0.266 ACRE (11,590 SQ. FT.) PARCEL OF LAND LOCATED IN THE J.H. DILLARD SURVEY, ABSTRACT 179, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF CALLED 1.204 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO STEVEN M. COUNTS AND SPOUSE, KELLY D. COUNTS, RECORDED MAY 8, 2007 IN DOCUMENT NO. 2007038981, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 0.266 ACRE (11,590 SQ. FT.) PARCEL, AS SHOWN ON A PLAT PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found 190.89 feet left of County Road 175 (Sam Bass Road) Engineer's Centerline Station (E.C.S.) 316+50.30 on the east line of a called 1.887 acre tract of land, described in a deed to E.D. Thomas and wife, W.L. Thomas, recorded in Volume 1361, Page 738, Official Records of Williamson County, Texas (O.R.W.C.TX.), for the southwest corner of a called 1.00 acre tract of land, described in a deed to Phyllis C. Beckham, recorded in Document No. 2000056918, O.P.R.W.C.TX., same being the northwest corner of said 1.204 acre tract;

THENCE S 09°57'11" W, with the common line of said 1.887 acre tract and said 1.204 acre tract, a distance of 115.74 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,169,747.02, E=3,111,527.20) set 77.00 feet left of Sam Bass Road E.C.S 316+70.91 on the proposed north right-of-way line of Sam Bass Road, for the northwest corner and **POINT OF BEGINNING** of the parcel described herein;

THENCE departing the common line of said 1.887 acre tract and said 1.204 acre tract, with the proposed north right-of-way line of said Sam Bass Road, over and across said 1.204 acre tract, the following two (2) courses and distances numbered 1-2:

1) S 69°47'20" E, a distance of 226.58 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 77.00 feet left of Sam Bass Road E.C.S. 318+97.48, and

2) N 70°27'11" E, a distance of 44.16 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 105.25 feet left of Sam Bass Road E.C.S. 319+31.43 on the existing west right-of-way line of Deer Trail Circle, a 50 foot wide right-of-way easement, recorded in Volume 624, Page 808, Deed Records of Williamson County, Texas (D.R.W.C.TX.);

3) **THENCE** S 65°10'15" E, departing the existing west right-of-way line of said Deer Trail Circle, continuing with the proposed north right-of-way line of said Sam Bass Road, over and across said Deer Trail Circle, a distance of 25.09 feet to a calculated point 103.23 feet left of Sam Bass Road E.C.S. 319+56.44 on the centerline of said Deer Trail Circle, for the northeast corner of the parcel described herein, said point being the beginning of a curve to the right;

EXHIBIT "A"

County: Williamson
Parcel No.: 34
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

Page 2 of 5
March 25, 2021

THENCE departing the proposed north right-of-way line of said Sam Bass Road, with the centerline of said Deer Trail Circle, the following two (2) courses and distances numbered 4-5:

4) With said curve to the right, an arc distance of 30.34 feet, through a central angle $07^{\circ}19'49''$, having a radius of 237.12 feet, and a chord that bears $S 32^{\circ}57'25'' W$, a distance of 30.32 feet to a calculated point, and

5) $S 36^{\circ}37'20'' W$, a distance of 47.20 feet to a calculated point, for the southeast corner of the parcel described herein;

5) **THENCE** $N 65^{\circ}25'45'' W$, over and across said Deer Trail Circle, passing at a distance of 25.56 feet a calculated point at the intersection of the existing west right-of-way line of said Deer Trail Circle and the existing north right-of-way line of Sam Bass Road, a variable width right-of-way, no record information found, for the southeast corner of said 1.204 acre tract, and continuing with the existing north right-of-way line of said Sam Bass Road for a total distance of 261.05 feet to a 1/2-inch iron rod found, for the southeast corner of said 1.887 acre tract, same being the southwest corner of said 1.204 acre tract and the parcel described herein, from which a 1/2-inch iron rod found, for the southwest corner of said 1.887 acre tract bears $N 65^{\circ}36'43'' W$, a distance of 9.98 feet to a calculated point, and $N 64^{\circ}31'49'' W$, a distance of 144.61 feet;

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EXHIBIT "A"

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	07° 19' 49" RT	237.12'	30.34'	30.32'	S32° 57' 25" W

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N70° 27' 11" E	44.16'
L2	S65° 10' 15" E	25.09'
L3	S36° 37' 20" W	47.20'
L4	N65° 36' 43" W	9.98'
(L4)	(N63° 59' W)	(10.00')
L5	N09° 57' 11" E	29.25'

ENGINEER'S CENTERLINE

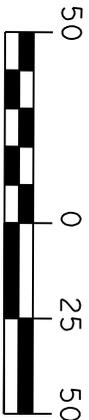
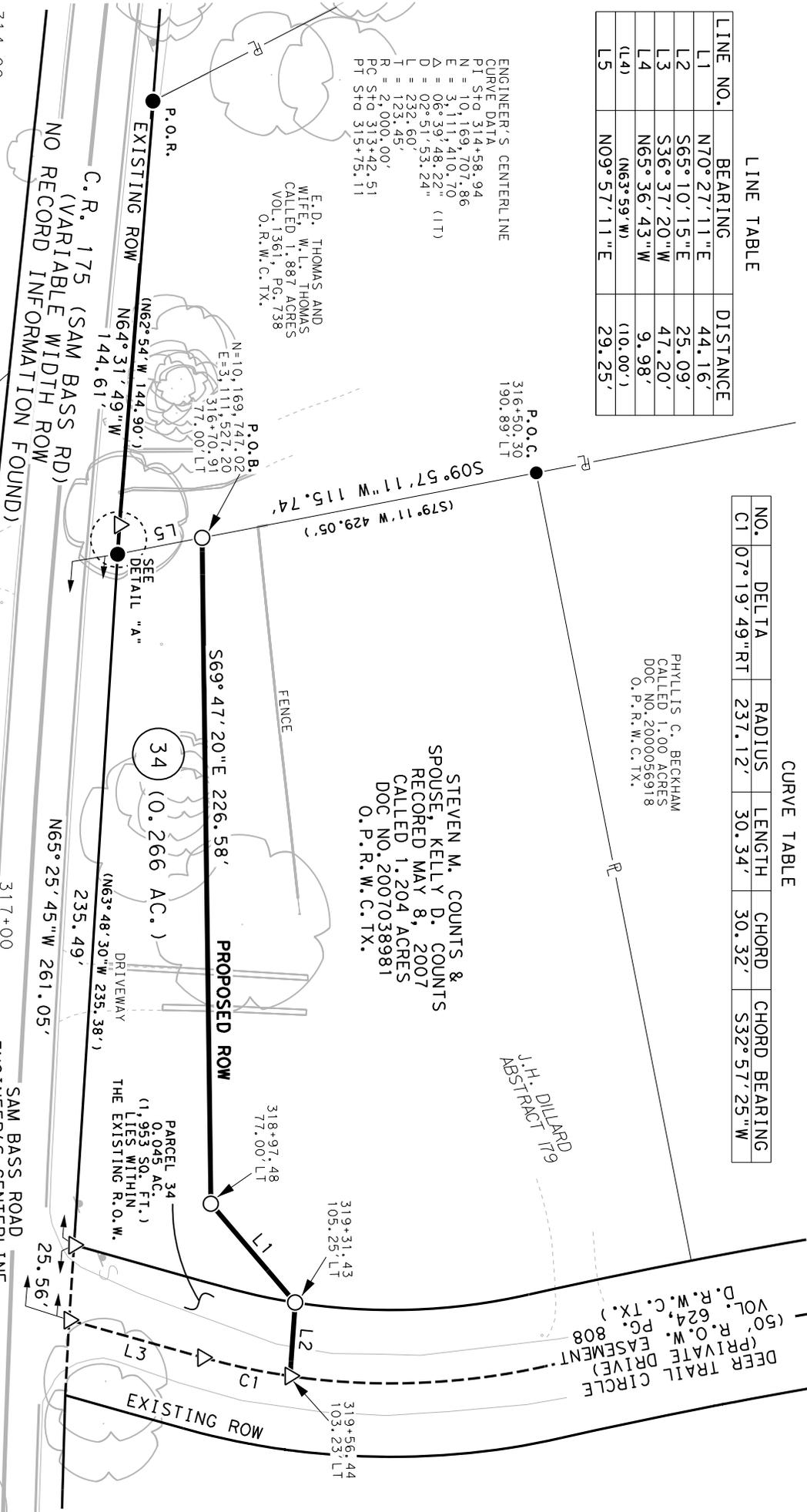
CURVE DATA
 P1 Stg 314+58.94
 N = 10,169,107.86
 E = 3,111,410.70
 Δ = 06° 39' 48.22" (LT)
 D = 02° 51' 53.24"
 L = 232.60'
 T = 123.45'
 R = 2,000.00'
 PC Stg 313+42.51
 PT Stg 315+75.11

E.D. THOMAS AND WIFE, W.L. THOMAS CALLED 1.887 ACRES VOL. 1361, PG. 738 O.R.W.C. TX.

PHYLLIS C. BECKHAM CALLED 1.00 ACRES DOC NO. 2000056918 O.P.R.W.C. TX.

STEVEN M. COUNTS & SPOUSE, KELLY D. COUNTS RECORDED MAY 8, 2007 CALLED 1.204 ACRES DOC NO. 2007038981 O.P.R.W.C. TX.

DEER TRAIL CIRCLE (PRIVATE DRIVE) (50' R.O.W. EASEMENT) VOL. 624, PG. 808 D.R.W.C. TX.)



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

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 REF. FIELD NOTE NO. 46725
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SAMI

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

RIGHT-OF-WAY SKETCH
 SHOWING PROPERTY OF
 STEVEN M. COUNTS &
 SPOUSE, KELLY D. COUNTS
 PARCEL 34
 0.266 AC. (11, 590 SQ. FT.)

LEGEND

- 5/8" IRON ROD SET WITH ALUMINUM CAP STAMPED "WILLIAMSON COUNTY"
- 1/2" IRON ROD FOUND UNLESS NOTED
- ◇ FENCE POST (TYPE NOTED)
- △ CALCULATED POINT
- ℙ 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)

NOTES:

1. ALL BEARINGS SHOWN ARE BASED ON NAD83/2011/NAVVD88 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, GF NO. 2006593, EFFECTIVE DATE FEBRUARY 7, 2020, AND ISSUED DATE FEBRUARY 20, 2020. THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
 3. SAM BASS ROAD ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM KFRIESE. SCHEMATIC RECEIVED BY SAM, LLC. IN APRIL, 2019.
 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

Scott C. Brashear

3/25/21

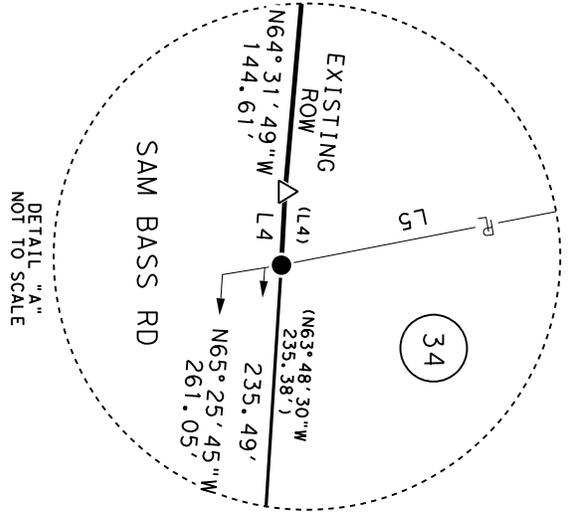
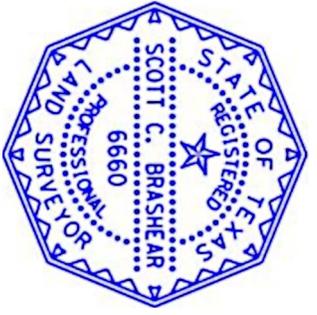
DATE

EXHIBIT "A"

SCHEDULE B:

THIS SURVEY HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE OF NO. 2006593, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE FEBRUARY 7, 2020, AND ISSUED DATE FEBRUARY 20, 2020.

1. RESTRICTIVE COVENANTS: VOLUME 554, PG. 135, SUBJECT TO.
 - 10F. INCLUSION WITHIN THE UPPER BRUSHY CREEK WCID, SUBJECT TO IF APPLICABLE.
 - G. EASEMENT FOR INGRESS AND EGRESS AND A PRIVATE RIGHT OF WAY AS SET FORTH IN VOLUME 624, PG. 808, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.
 - H. EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY FOR THE PURPOSE OF A COMMUNICATIONS EQUIPMENT STATION, RECORDED IN VOLUME 671, PG. 907, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.
 - I. TERMS, CONDITIONS, AND STIPULATIONS AS SET FORTH IN THE AGREEMENT BETWEEN THE HOWARD CORPORATION AND RAY YATES, DATED AUGUST 16, 1972, RECORDED IN VOLUME 554, PAGE 135, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SUBJECT TO.



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EXISTING	1.204 AC.	ACQUIRE	0.266 AC.	REMAINING	0.982 AC.
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REF. FIELD NOTE NO. 46725



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RIGHT-OF-WAY SKETCH
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