

NO. 24-0815-CC4

WILLIAMSON COUNTY, TEXAS,
Condemnor,

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§
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§
§

IN THE COUNTY COURT

vs.

AT LAW NO. FOUR

JNK PROPERTIES 1, LTD.,
Condemnee,

WILLIAMSON COUNTY, TEXAS

AGREED FINAL JUDGMENT

The parties to this condemnation lawsuit have agreed to compromise and settle all issues herein 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 title in and to approximately 3.715 acres (Parcel 330) of land in Williamson County, Texas and being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes (the “R.O.W.”), and additional rights or encumbrances as further described in Plaintiff’s Original Petition filed among the papers of this cause on or about May 29, 2024, and any subsequent amendments thereto; be vested to **WILLIAMSON COUNTY, TEXAS**, and its assigns for the construction, reconstruction, realignment, widening, and/or maintaining of improvements to the Hero Way/RM 2243 roadway improvement project and related drainage, utilities and appurtenances, 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 Condemnee, that Condemnee shall recover from Condemnor the total sum of **ONE MILLION SIX HUNDRED SIXTY-SEVEN**

THOUSAND EIGHT HUNDRED NINETY-FOUR AND 00/100 DOLLARS

(\$1,667,894.00), of which total amount the parties agree:

1. The amount of **ONE MILLION SIX HUNDRED ELEVEN THOUSAND FIVE HUNDRED TWENTY-NINE AND 00/100 DOLLARS (\$1,611,529.00)** was previously paid to Condemnee pursuant to the provisions of a Possession and Use Agreement, which was recorded in the Official Public Records of Williamson County as Document No. 2023095136.
2. On or about September 17, 2024, pursuant to the written Award of Special Commissioners filed among the papers of this cause on or about September 10, 2024; Condemnor deposited an additional **FIFTY-SIX THOUSAND THREE HUNDRED SIXTY-FIVE and 00/100 DOLLARS (\$56,365.00)** into the registry of this court.
3. The amount of **ZERO DOLLARS (\$0.00)** is now due and owing from Condemnor to Condemnee in full satisfaction of this Judgment.

This Agreed Final Judgment incorporates by reference and shall be subject to any terms, conditions, and obligations in that certain Rule 11 Settlement Agreement between the parties for the sale of a portion of the remaining property of Condemnee to Condemnor, and which shall survive the completion and entry of this Judgment.

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

PREPARED BY AND APPROVED AS TO SUBSTANCE AND FORM:

/s/ Adam H. Hill

Adam H. Hill

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Erik Cardinell

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Don Childs

State Bar No. 00795056

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512.255.8877

Sheets & Crossfield, P.L.L.C.

309 East Main Street

Round Rock, Texas 78664

Attorneys for Condemnor

WILLIAMSON COUNTY, TEXAS

By: _____
Steven Snell, County Judge

AGREED AND ACCEPTED:
MARRS ELLIS & HODGE LLP
Attorneys for JNK Properties 1, LTD.

By: /s/ Graham Taylor

Justin Hodge

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jhodge@mehlaw.com

Graham Taylor

State Bar No. 24110433

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Telephone: (713) 609-9503

Facsimile: (713) 583-5825

County: Williamson
Parcel: 330
Highway: FM 2243

METES & BOUNDS DESCRIPTION FOR PARCEL 330

METES & BOUNDS DESCRIPTION FOR A 3.715 ACRE TRACT OF LAND OUT OF THE ELIJAH D. HARMON SURVEY, ABSTRACT NO. 6, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CALLED 26.931 ACRE TRACT OF LAND DESCRIBED AS TRACT 5 AS CONVEYED TO JNK PROPERTIES 1, LTD. BY CONTRIBUTION DEED RECORDED IN DOCUMENT NUMBER 2021182868 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING DESCRIBED IN DOCUMENT NUMBER 2004065021 OF THE OFFICIAL PUBLIC RECORD OF WILLIAMSON COUNTY, TEXAS; SAID 3.715 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

BEGINNING at a 1/2-inch iron rod found on the south right-of-way line of Hero Way (f/k/a County Road 269) (width varies) (no deed of record found), at the northwest corner of the above described JNK Tract 5, and at the northeast corner of a called 27.868 acre tract of land as conveyed to Heroway Crossing LLC by Special Warranty Deed with Vendor's Lien recorded in Document Number 2020158793 of the Official Public Records of Williamson County, Texas, for the northwest corner of the herein described tract, from which a 3/8-inch iron rod found on the south right-of-way line of said Hero Way, at the northwest corner of said Heroway Tract, and at the northeast corner of a called 19.95 acre tract of land described as Tract 7 to JNK Properties 1, LTD. by Contribution Deed recorded in Document Number 2021182868 of the Official Public Records of Williamson County, Texas, and being described in Document Number 2004073628 of the Official Public Records of Williamson County, Texas, bears S 68°37'36" W a distance of 576.26 feet;

THENCE, with the south right-of-way line of said Hero Way and the north line of said JNK Tract 5, N 69°02'16" E a distance of 557.23 feet to a calculated point at the northeast corner of said JNK Tract 5, and at the northwest corner of a called 4.377 acre tract described as Tract 2 as conveyed to The Park at Cypress Creek, LLC by Warranty Deed with Vendor's Lien recorded in Document Number 2021145415 of the Official Public Records of Williamson County, Texas, for the northeast corner of the herein described tract, from which a 1/2-inch iron rod found on the south right-of-way line of said Hero Way, at the northeast corner of said Park Tract, and at the northwest corner of a called 34.834 acre tract of land described as Tract 1 as conveyed to JNK Properties 1, LTD. by Contribution Deed recorded in Document Number 2021182868 of the Official Public Records of Williamson County, Texas, and described in Document Number 2004028572 of the Official Public Records of Williamson County, Texas, bears N 69°02'16" E a distance of 546.53 feet;

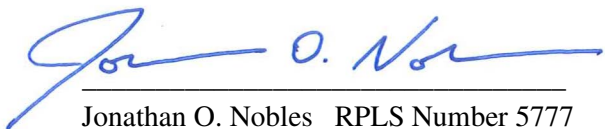
THENCE, departing the south right-of-way line of said Hero Way, with the east line of said JNK Tract 5 and the west line of said Park Tract 2, S 21°12'14" E a distance of 321.33 feet to a 1/2-inch iron rod with cap stamped "WILCO ROW 5777" (NAD-83, Central Zone Grid Coordinates: N: 10,187,737.06, E: 3,086,495.27) set at the southwest corner of said Park Tract 2 and at the northwest corner of a called 1.988 acre tract of land described as Tract 1 as conveyed to The Park at Cypress Creek, LLC by Warranty Deed with Vendor's Lien recorded in Document Number 2021145415 of the Official Public Records of Williamson County, Texas, for the southeast corner of the herein described tract, 201.03 feet right of FM 2243 baseline station 152+92.43, from which a 1/2-inch iron rod found at the southeast corner of said JNK Tract 5, bears S 21°12'14" E a distance of 1,783.94 feet;

THENCE, over and across said JNK Tract 5, S 75°22'22" W a distance of 560.94 feet to a 1/2-inch iron rod with cap stamped "WILCO ROW 5777" on the west line of said JNK Tract 5 and the east line of said Heroway Tract, for the southwest corner of the herein described tract, 201.00 feet right of FM 2243 baseline station 147+31.92, from which a 1/2-inch iron rod found at the southwest corner of said JNK Tract 5 and the southeast corner of said Heroway Tract, bears S 21°12'00" E a distance of 1,846.49 feet;

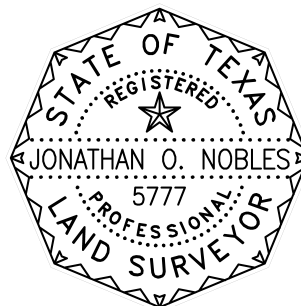
THENCE, with the west line of said JNK Tract 5 and the east line of said Heroway Tract, N 21°12'00" W a distance of 259.44 feet to the **POINT OF BEGINNING** and containing 3.715 acres of land, more or less.

Bearing orientation is based on the Texas State Plane Coordinate System NAD-83, Central Zone 4203. All distances are surface and may be converted to grid by dividing by a scale factor of 1.00012.

I hereby certify that these notes were prepared by BGE from a survey made on the ground under my supervision on October 12, 2021 and are true and correct to the best of my knowledge. A sketch accompanies this description.


Jonathan O. Nobles RPLS Number 5777

BGE, Inc.
101 West Louis Henna Blvd., Suite 400
Austin, TX 78728
Telephone: 512-879-0400
TBPELS Licensed Surveying Firm Number 10106502



08/16/2022
Date

Client: Williamson County
Date: August 16, 2022
Project Number: 7473-00

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

TALBOT CHAMBERS SURVEY, A-125

CHARLES HOSKINS AND PATRICIA HOSKINS, HUSBAND AND WIFE
REMAINDER OF A CALLED 13.371 ACRES
DOC. NO. 2002036263 O.P.R.W.C.

CHARLES TODD HOSKINS AND WIFE, TERRY HOSKINS
CALLED 6.481 ACRES
DOC. NO. 2004000861 O.P.R.W.C.

0.96 ACRE LCRA ESMT.
DOC. NO. 2018055341 O.P.R.W.C.

HERO WAY (F/K/A CR 269)
R.O.W. VARIES

METAL FENCE PROPOSED R.O.W. AROUND SOLAR PANEL
BRIAN OLSON AND CHARITY M. OLSON, (1/2 INTEREST)
AND HATTIE E. OLSON, (1/2 INTEREST)
CALLED 13.320 ACRES
GREGORY OLSON
DOC. NO. 2001071867 O.P.R.W.C.

THE PARK AT CYPRESS CREEK, LLC
CALLED 4.377 ACRES (TRACT 2)
DOC. NO. 2021145415 O.P.R.W.C.
PC: 152+70.05'

10.3
15' P.U.E.
VOL. 1899, PG. 588
O.R.W.C.

10.1
APPROXIMATE LOCATION OF ELEC. ESMT.
VOL. 799, PG. 631
D.R.W.C.

PARCEL 330 3.715 ACRES

161,814 SQUARE FEET

A PORTION OF
A CALLED 26.931 ACRES (TRACT 5)
JNK PROPERTIES 1, LTD.
DOC. NO. 2021182868 O.P.R.W.C.
AS DESCRIBED IN
DOC. NO. 2004065021 O.P.R.W.C.

10.1
APPROXIMATE LOCATION OF ELEC. ESMT.
VOL. 799, PG. 631
D.R.W.C.

STA 152+92.43
201.03' RT
GRID COORDINATES
N: 10,187,737.06
E: 3,086,495.27

HEROWAY CROSSING LLC
CALLED 27.868 ACRES
DOC. NO. 2020158793 O.P.R.W.C.

JNK PROPERTIES 1, LTD.
CALLED 26.931 ACRES (TRACT 5)
DOC. NO. 2021182868 O.P.R.W.C.
AS DESCRIBED IN
DOC. NO. 2004065021 O.P.R.W.C.

ELIJAH D. HARMON SURVEY, A-3

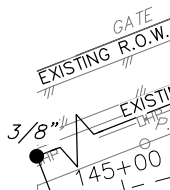
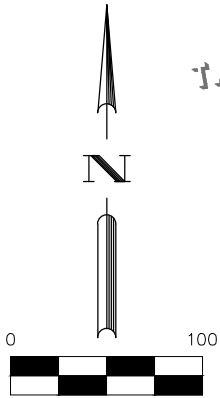


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TBPLS Licensed Surveying Firm No. 10106502

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**PARCEL PLAT
SHOWING PARCEL 330
3.715 ACRES
FM 2243
WILLIAMSON COUNTY, TEXAS**

Scale: 1"=100'	Job No.: 7473-00	Date: 08/16/2022	Page: 3 of 5
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HEROWAY CROSSING LLC
CALLED 27.868 ACRES
DOC. NO. 2020158793 O.P.R.W.C.

10.1
APPROXIMATE LOCATION OF ELEC. ESMT.
VOL. 799, PG. 631
D.R.W.C.

JNK PROPERTIES 1, LTD.
CALLED 26.931 ACRES (TRACT 5)
DOC. NO. 2021182868 O.P.R.W.C.
AS DESCRIBED IN
DOC. NO. 2004065021 O.P.R.W.C.

ELIJAH D. HARMON SURVEY, A-3



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**PARCEL PLAT
SHOWING PARCEL 330
3.715 ACRES
FM 2243
WILLIAMSON COUNTY, TEXAS**

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LEGEND

B.F.	BOARD FENCE
B.W.F.	BARBED WIRE FENCE
C.L.F.	CHAIN LINK FENCE
CMP	CORRUGATED METAL PIPE
C.R.S.	CATHODIC READING STATION
DOC.	DOCUMENT
D.R.W.C.	DEED RECORDS OF WILLIAMSON COUNTY
ELEC.	ELECTRIC
ESMT.	EASEMENT
F.P.	FENCE POST
G.C.B.	GATE CONTROL BOX
G.P.	GATE POST
NO.	NUMBER
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
O.R.W.C.	OFFICIAL RECORDS OF WILLIAMSON COUNTY
PED.	PEDESTAL
PG.	PAGE
P.L.M.	PIPELINE MARKER
P.O.B.	POINT OF BEGINNING
P.P.	POWER POLE
P.U.E.	PUBLIC UTILITY EASEMENT
R.O.W.	RIGHT-OF-WAY
TEL.	TELEPHONE
TRANS.	TRANSFORMER
U.C.M.	UNDERGROUND CABLE MARKER
VOL.	VOLUME
W.M.	WATER METER
W.V.	WATER VALVE
()	RECORD INFO FOR DOC. NO. 2004065021 O.P.R.W.C.
[]	RECORD INFO FOR DOC. NO. 2020158793 O.P.R.W.C.
{ }	RECORD INFO FOR DOC. NO. 2021145415 O.P.R.W.C.
●	FOUND 1/2" IRON ROD (UNLESS OTHERWISE NOTED)
○	SET 1/2" IRON ROD W/CAP "WILCO ROW 577"
△	CALCULATED POINT
—x—	WIRE FENCE
—○—	METAL FENCE
—DHT—	OVERHEAD TELEPHONE
—DHP—	OVERHEAD POWER
—//—	EDGE OF ASPHALT
10.2	SCHEDULE B ITEM

LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S 21°12'14" E	1,783.94'
L2	S 21°12'00" E	1,846.49'
L3	N 43°32'37" W	44.78'

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<p>PARCEL PLAT SHOWING PARCEL 330 3.715 ACRES FM 2243 WILLIAMSON COUNTY, TEXAS</p>			
Scale:	Job No.:	Date:	Page:
1"=100'	7473-00	08/16/2022	4 of 5

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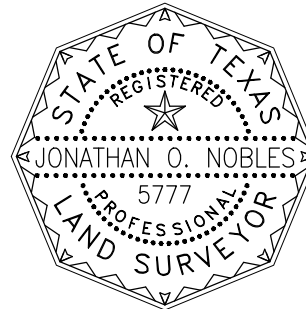
GENERAL NOTES:

1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD83. DISTANCES SHOWN HEREON ARE IN SURFACE AND CAN BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED SCALE FACTOR = 1.00012
2. A METES AND BOUNDS DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS SKETCH.
3. THIS PARCEL PLAT WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY TITLE RESOURCES GUARANTY COMPANY AND TEXAS NATIONAL TITLE, INC. UNDER G.F. NO. T-160868, DATED EFFECTIVE MARCH 22, 2022 AND ISSUED ON MARCH 31, 2022.

RESTRICTIVE COVENANT AND EASEMENT NOTES:

1. RESTRICTIVE COVENANTS OF RECORD ITEMIZED IN VOLUME 621, PAGE 17, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, DO AFFECT THE SUBJECT TRACT.
- 10.1 AN ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE AND/OR SYSTEM EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE INC. AS DESCRIBED IN VOLUME 799, PAGE 631 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.2 A PUBLIC UTILITY EASEMENT GRANTED TO CITY OF LEANDER, TEXAS AS DESCRIBED IN VOLUME 1899, PAGE 588 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10.3 ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT OF RECORD IN DOCUMENT NO. 2013051965 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO NOT AFFECT THE SUBJECT TRACT.
- 10.4 ALL TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN CITY OF LEANDER ORDINANCE NO. 18-026-00 OF RECORD IN DOCUMENT NO. 2018041030 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO NOT AFFECT THE SUBJECT TRACT.

I hereby certify that this survey was made on the ground by BGE, Inc. under my supervision on May 12, 2022 and is true and correct to the best of my knowledge. The property has access to a public roadway and there are no visible encroachments, except as shown hereon.



Jonathan O. Nobles 08/16/2022
 JONATHAN O. NOBLES RPLS NO. 5777
 BGE, INC.
 101 WEST LOUIS HENNA BLVD., SUITE 400
 AUSTIN, TEXAS 78728
 TELEPHONE: (512) 879-0400

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