

## SETTLEMENT AGREEMENT

**WILLIAMSON COUNTY** ("County") and **F.T. WOODS CONSTRUCTION SERVICES, INC.** ("F.T. Woods") hereby agree as follows with respect to the bid award for construction of RM 2238, Phase II, Ronald Reagan Blvd. to FM 3405 awarded by the Commissioners Court of Williamson County, Texas on October 27, 2009 (Bid Award No. 09WC722, hereafter, the "Bid Award") and the Bid Bond submitted for this bid (hereafter, the "Bond") and Williamson County's claim(s) for recovery on the Bond:

1. F.T. Woods has informed County and F.T. Woods acknowledges that it will not be entering into a contract with County on the Bid Award.
2. Upon F.T. Woods' signature and return of this Agreement to County, F.T. Woods shall cause to be paid to County the amount of One Hundred Thousand Dollars (\$100,000.00) (the "Payment") by certified or cashier's check in settlement of all claims and amounts claimed by County on the above referenced Bid Bond.
3. County will accept the Payment in full satisfaction of all claims or potential claims and damages of County on the above referenced Bid Bond and those claims or potential claims arising from F.T. Woods' failure to proceed to enter into a contract in accordance with the Bid Award.
4. In consideration of the Payment by F.T. Woods, County releases and forever discharges F.T. Woods, its legal representatives, directors, officers, partners, shareholders, employees, agents, successors and assigns from all liability for any and all claims or actions or any other damages arising out of or in connection with the Bid Bond and those claims or potential claims arising from F.T. Woods' failure to proceed to enter into a contract in accordance with the Bid Award. This release becomes operative upon County's receipt of the above-referenced Payment and the County Judge's signing of the Agreement following County's Commissioners Court approval.
5. This Settlement Agreement is executed by Williamson County, Texas by and through the undersigned County Judge of Williamson County, Texas, acting pursuant to Commissioners Court Order of the Commissioners Court of Williamson County, Texas.

**EXECUTED** by the undersigned on behalf of the parties on the signature dates indicated.

**WILLIAMSON COUNTY**

By: 

County Judge Dan Gattis  
~~Brazoria County, Texas~~

comm. Lisa Binkman

Date signed: 11-17-09

**F.T. WOODS CONSTRUCTION SERVICES, INC.**

By: 

Name (Printed): PATRICK BAKER  
Title: CHIEF OPERATING OFFICER

Date signed: 10 NOV. 2009