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As of April 14, 2010

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Walker Texas Surveyors, Inc.
Cedar Park, TX

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c/o Parks and Recreation
350 Discovery Blvd
Ste 207
Cedar Park, TX 78613

February 3, 2011

Ms. Katy Whitis
3310 N. Capital of Texas Highway
Austin, TX 78746

Also by fax to 713-739-1015 c/o
Keith Lapeze, attorney

Re: Testamentary Trust of Marvin August Andres for Richard Lee (hereinafter the "Trust"), Katy Whitis as Trustee in fact; WCCF application # 20110202

Dear Ms. Whitis:

The review of the referenced application has been completed in accordance with the Williamson County Regional Habitat Conservation Plan (RHCP). Based on the supporting documents provided, the Williamson County Conservation Foundation makes the following determination as to your application:

- 1. The mitigation fee for the referenced property will be \$30,900.00 (Thirty thousand Nine hundred and no hundredths Dollars). This amount ("Participation Fee") will be reflected in Paragraph 2 of the Participation Agreement with adjustment as follows:**

Land in lieu of karst mitigation – The Trust agrees to convey a 39.40 acre tract of land under a Deed of Conservation Easement ("DEED") under the terms substantially as the attached example Easement and incorporating by reference a "Coffin Cave Preserve Operation, Management, and Monitoring Plan." DEED shall provide for a right of first refusal for acquisition of all fee simple rights at such time as sale of remaining rights is contemplated.

- 2. Please sign below and notify this office as soon as possible – by email scan to wccf@wilco.org or by fax to 512-260-4231 – of your agreement to the mitigation terms. An agenda item will be presented to the Williamson County Commissioner's Court for acceptance.**
- 3. Following acceptance by the Commissioner's Court we will provide you with further instructions for recording the DEED as outlined in Section 1 above.**
- 4. Upon acceptance of the DEED by the Williamson County Commissioners Court a Participation Agreement will be prepared and sent to you. The cover documents for the Agreement will include instructions for filing the Participation Agreement in Williamson County deed records.**

These actions will complete your participation in the RHCP for the referenced project/tract. When we receive confirmation of filing under number 4 above, this office will subsequently prepare and mail a participation certificate to you. Although the certificate is not an official document, it may be posted at the project/tract site as notification of participation in the Williamson County RHCP.

Should you have any questions about this letter, please contact WCCF.

Sincerely,

Gary D. Boyd
Environmental Program Coordinator
Williamson County Conservation Foundation

Attachments: Sample Deed of Conservation Easement
Plat of Tract of Land in Williamson County (39.40 acre proposed
conservation easement)

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Agreed as to both form and substance:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_