

# Sheets & Crossfield, P.C.

ATTORNEYS AT LAW

309 East Main Street • Round Rock, TX 78664-5246

Phone 512-255-8877 • fax 512-255-8986

July 6, 2011

Lawrence Irvine  
3500 CR 234  
Georgetown, Texas 78633

Re: SH195 expansion project  
Parcel 118EE—PEC electric easement

Dear Mr. Irvine:

Please allow this letter to set out my understanding regarding our agreement for the purchase of an additional electric easement for Pedernales Electric Cooperative, Inc. (PEC) in connection with the State's SH195 expansion and realignment project in Williamson County.

In return for granting an electric easement in and to approximately 0.5308 acre (parcel 118EE), Williamson County will pay the owners of this property the sum of \$23,121 (23,121SF x \$4.00/SF x 25% of rights). The form of the easement will be as shown in Exhibit "A" attached.

If this meets with your understanding and discussions with Sam Nassour please execute this letter where indicated below and we will have this executed by the judge and process this for payment as quickly as possible.

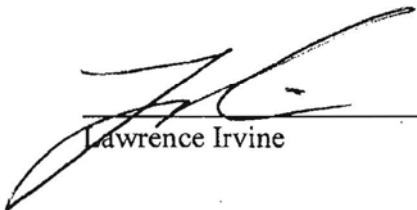
Please feel free to contact Sam or myself at any time if you have any questions or concerns about these issues.

Very truly yours,

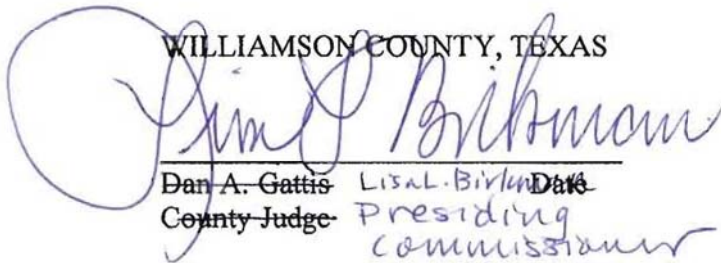


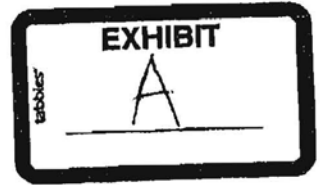
Don Childs  
Sheets & Crossfield, P.C.

AGREED:

 7/6/2011  
Lawrence Irvine Date

WILLIAMSON COUNTY, TEXAS

 7-12-11  
Dan A. Gattis Lisa L. Birlen Date  
County Judge Presiding  
Commissioner



ELECTRIC UTILITY EASEMENT  
State Highway 195

THE STATE OF TEXAS                   §  
   §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF WILLIAMSON           §

THAT YVONNE DENISE NEWMAN AND LAWRENCE MARK IRVINE, AS CO-TRUSTEES OF THE IRVINE FAMILY TRUST, A TESTAMENTARY TRUST CREATED IN THE WILL OF DONALD PATTERSON IRVINE, JR., ANNE LOUISE IRVINE BRADFORD, AGNES LINDA IRVINE STRONG, AND ANGELA IRVINE, Grantor, for and in consideration of ONE DOLLAR (\$1.00) in hand paid by PEDERNALES ELECTRIC COOPERATIVE, INC., of Johnson City, Texas, have granted, sold, and conveyed and by these presents do grant, sell, and convey unto Pedernales Electric Cooperative, Inc., an easement and right-of-way as hereinafter described for an electric distribution line consisting of variable number of wires, guy wires and/or down wires, and all necessary or desirable appurtenances (including poles made of wood, metal or other materials, telephone and telegraph wire, props and guys), over, across and upon the following described lands located in Williamson County County, Texas, to-wit:

All of that certain 0.5308 acre of land, more or less, out of the W. Roberts Survey, Abstract No. 524, and being more particularly described by metes and bounds and sketch attached hereto as Exhibit A, said exhibit being incorporated herein by reference for all purposes (Parcel 118EE).

Together with the right of ingress and egress over our adjacent lands if necessary to or from said right-of-way, but only to the extent that ingress or egress is not available or adequate from a public right of way, for the purpose of constructing, reconstructing, inspecting, patrolling, pulling new wire on, maintaining and removing said lines and appurtenances; the right to relocate within the limits of said right-of-way; the right to remove from said lands all trees and parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or their appurtenances.

TO HAVE AND TO HOLD the above described easement and rights unto Pedernales Electric Cooperative, Inc. and their successors and assigns, until said line shall be abandoned.

And we do hereby bind ourselves, our heirs and legal representatives to warrant and forever defend all and singular the above described easement and rights unto Pedernales Electric Cooperative, Inc., their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS our hands this 23 day of June, 2011.

[signature page follows]

**GRANTOR:**

Yvonne Newman

Yvonne Denise Newman, Co-Trustee of the  
Irvine Family Trust, a Testamentary Trust created  
in the will of Donald Patterson Irvine, Jr.

Lawrence Mark Irvine

Lawrence Mark Irvine, Co-Trustee of the  
Irvine Family Trust, a Testamentary Trust created  
in the will of Donald Patterson Irvine, Jr.

Anne Louise Irvine Bradford

Anne Louise Irvine Bradford

Agnes Linda Irvine Strong

Agnes Linda Irvine Strong

Angela E. Irvine

Angela Irvine

ACKNOWLEDGMENT

STATE OF Texas  
COUNTY OF Smith

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This instrument was acknowledged before me on this the 28<sup>th</sup> day of June, 2011 by Yvonne Denise Newman, in the capacity and for the purposes and consideration recited herein.

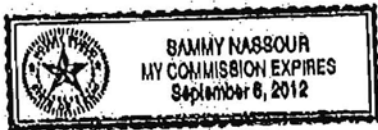


Jane C. Horlander  
Notary Public, State of Texas

STATE OF Texas  
COUNTY OF Williamson

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This instrument was acknowledged before me on this the 1<sup>st</sup> day of July, 2011 by Lawrence Mark Irvine, in the capacity and for the purposes and consideration recited herein.

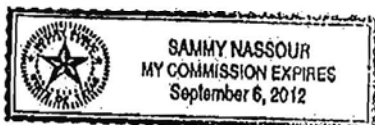


[Signature]  
Notary Public, State of Texas

STATE OF Texas  
COUNTY OF Williamson

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This instrument was acknowledged before me on this the 23<sup>rd</sup> day of June, 2011 by Anne Louise Irvine Bradford, in the capacity and for the purposes and consideration recited herein.

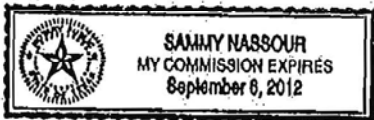


[Signature]  
Notary Public, State of Texas

STATE OF Texas  
COUNTY OF Williamson

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This instrument was acknowledged before me on this the 23<sup>rd</sup> day of June, 2011 by Agnes Linda Irvine Strong, in the capacity and for the purposes and consideration recited herein.

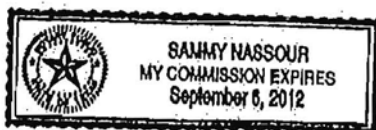


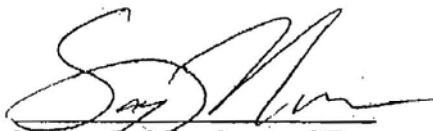
  
Notary Public, State of Texas

STATE OF Texas  
COUNTY OF Williamson

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This instrument was acknowledged before me on this the 24<sup>th</sup> day of June, 2011 by Angela Irvine, in the capacity and for the purposes and consideration recited herein.



  
Notary Public, State of Texas

After recording return to:

STATE OF TEXAS  
COUNTY OF WILLIAMSON

EASEMENT

0.5308 ACRE OF LAND SITUATED IN  
W. ROBERTS SURVEY  
ABSTRACT 524  
WILLIAMSON COUNTY, TEXAS

LEGAL DESCRIPTION

DESCRIPTION OF A 0.5308 ACRE (23,121 SQUARE FEET) TRACT SITUATED IN THE W. ROBERTS SURVEY, ABSTRACT 524, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF A CALLED 284.03 ACRES TRACT AS DESCRIBED IN A WARRANTY DEED TO ANNE LOUISE IRVINE BRADFORD, AGNES LINDA IRVINE STRONG AND DONALD PATTERSON IRVINE, JR. AND RECORDED IN VOLUME 656, PAGE 620 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an angle point in the southeast right-of-way line of County Road No. 143, a varying width right-of-way, for the apparent northwest corner of said 284.03 acres tract;

THENCE with said southeast right-of-way line of CR143, same being the northwest line of said 284.03 acres tract, N68°42'51"E a distance of 1089.85 feet to a Texas Department of Transportation (TxDOT) Type II Concrete Monument with brass disk found set in concrete for a proposed angle point in said southeast right-of-way line of CR143, and being the POINT OF BEGINNING of the tract described herein;

CONTINUING with said southeast right-of-way line of CR143 and said northwest line of the 284.03 acres tract, N68°42'51"E a distance of 59.96 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ESMT" set;

THENCE leaving said southeast right-of-way line of CR143 and said northwest line of the 284.03 acres tract, crossing said 284.03 acres tract the following four (4) courses and distances:

1. S23°35'54"W a distance of 78.94 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ESMT" set for an angle point,
2. S68°35'54"W a distance of 231.49 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ESMT" set for a point of curvature to the left,
3. with the arc of said curve to the left a distance of 658.13 feet, said curve having a radius of 2774.79 feet, a central angle of 13°35'22", and a chord bearing S61°48'13"W a distance of 656.59 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ESMT" set for an angle point, and
4. S34°56'29"W a distance of 174.97 feet to a 1/2-inch iron rod with plastic cap stamped "HALFF ESMT" set in the curving northeast right-of-way line of State Highway No. 195, a 100-foot wide right-of-way, same being the southwest line of said 284.03 acres tract;

THENCE with said curving northeast right-of-way line of SH195 and said southwest line of the 284.03 acres tract, with the arc of said curve to the left 20.00 feet, said curve having a radius of 8235.16 feet, a central angle of 0°08'21", and a chord bearing N55°13'15"W a distance of 20.00 feet;



THENCE leaving said curving northeast right-of-way line of SH195 and said southwest line of the 284.03 acres tract, crossing said 284.03 acres tract, N34°56'29"E a distance of 178.56 feet to a point in the proposed curving southeast right-of-way line of CR143, a varying width right-of-way;

CONTINUING across said 284.03 acres tract, with said proposed southeast right-of-way line of CR143 the following three (3) courses and distances:

1. with the arc of said curve to the right a distance of 666.42 feet, said curve having a radius of 2794.79 feet, a central angle of 13°39'44", and a chord bearing N61°46'02"E a distance of 664.84 feet to a TxDOT Type II concrete monument found for a point of tangency,
2. N68°35'54"E a distance of 227.34 feet to a TxDOT Type II concrete monument found for an angle point, and
3. N21°24'06"W a distance of 35.94 feet to said POINT OF BEGINNING and containing 0.5308 acre.

THE STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:


COUNTY OF TRAVIS

That I, Dan H. Clark, a Registered Professional Land Surveyor, do hereby state 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 during the month of June 2010.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 14th day of September 2010, A.D.

Halff Associates, Inc.  
4030 West Braker Lane  
Suite 450  
Austin, Texas 78759



 9/14/2010  
Dan H. Clark  
Registered Professional Land Surveyor  
No. 6011 - State of Texas

ADDITIONAL NOTES:

1. Bearings shown hereon are based on the Texas State Plane Coordinates System, NAD 83, Central Zone, using a combined surface adjustment factor of 1.000120. Distances shown hereon are surface distances.
2. This description has been prepared as a result of a survey completed in February of 2010 and is submitted in connection with a survey drawing prepared by Halff Associates, Inc. titled VEXH-118-26903.dgn, dated September 14, 2010, AVO No. 26903.
3. See Texas Department of Transportation Right-of-Way map CSJ No. 0440-01-036 & 0440-02-012 for detailed information regarding State Highway 195.



