

FARM/CROP LEASE AGREEMENT

CR 119 Right of Way—Parcel 8

THE STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

KNOW ALL MEN BY THESE PRESENTS:

§

That this lease agreement made and entered into this _____ day of _____, 2015, by and between WILLIAMSON COUNTY, TEXAS ("Lessor"), and RICK D. KRUGER and TIMOTHY R. KRUGER ("Lessee").

WITNESSETH

I.

In consideration of the rent and the covenants herein contained on the part of Lessee to be kept and performed, the Lessor does hereby lease, demise and let unto the Lessee, and the Lessee hires and rents the SURFACE ONLY, excluding the minerals, of approximately 7.5972 acres situated in Williamson County, Texas, as described in Exhibit "A" (the "Premises").

II.

The term of his lease shall be for a period of one year, commencing on the date indicated above, and shall automatically renew for successive one year periods unless sooner terminated pursuant to the provisions of this Agreement. The yearly rental shall be one dollar (\$1.00) payable in advance on the annual anniversary of the commencement date.

III.

Lessee shall use the Premises solely for the purpose of growing and farming crops, together with all other purposes and activities usually and customarily associated with a farming operation in Williamson County, Texas. For and during the entire term of this lease, Lessee agrees that Lessee shall: (1) only use the Premises in such a prudent manner so as to preserve and protect the land and soil; (2) surrender the Premises to the Lessor upon termination of this agreement in at least as good a condition as the Premises was in on the date of this lease agreement; (3) obey all laws, ordinances, orders, and rules and regulations applicable to the use, condition, and occupancy of the Premises; and (4) allow Lessor to inspect the Premises and conduct any analysis and testing required by Lessor in connection with its proposed CR 119 construction project. Without the express written consent of the Lessor, Lessee shall not: (1) use the Premises for any purpose other than farming, including hunting and fishing; (2) alter the Premises, including clearing new roads, moving or erecting any fences, or locating on the Premises any type of manufactured housing or mobile home; (3) assign Lessee's rights or obligations under this agreement or sublet the Premises.

III.

LESSEE AGREES TO INDEMNIFY, DEFEND, AND HOLD LESSOR HARMLESS FROM ANY INJURY (AND ANY RESULTING OR RELATED CLAIM, ACTION, LOSS, LIABILITY, OR REASONABLE EXPENSE, INCLUDING ATTORNEY'S FEES AND OTHER FEES AND COURT AND OTHER COSTS) ARISING OUT OF LESSEE'S USE OF THE PREMISES. LESSEE AGREES TO RELEASE LESSOR FROM ALL CLAIMS OR LIABILITIES FOR ANY INJURY TO LESSEE OR TO LESSEE'S PROPERTY LOCATED ON THE PREMISES. THE INDEMNITY AND RELEASE CONTAINED IN THIS PARAGRAPH: (1) ARE INDEPENDENT OF LESSEE'S INSURANCE; (2) WILL NOT BE LIMITED BY COMPARATIVE NEGLIGENCE STATUTES OR DAMAGES PAID UNDER THE WORKERS' COMPENSATION ACT OR SIMILAR EMPLOYEE BENEFIT ACTS; AND (3) WILL SURVIVE THE END OF THE TERM.

IV.

At any time beginning after January 1, 2016, Lessor may terminate this agreement without cause forty five (45) days after giving Lessee written notice of cancellation sent by first class mail to the address of Lessee listed below. Any growing crops or other improvements remaining on the Premises on the date of termination shall automatically become the property of Lessor and are subject to damage or removal without compensation. Notwithstanding any other provision in this lease agreement, any physical additions or improvements to the Premises made by Lessee will become the property of Lessor.

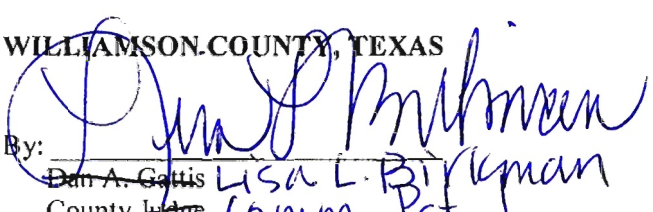
V.

LESSEE IS RELYING ON HIS OWN EXAMINATION OF THE PREMISES AND THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE, OR OF ANY OTHER KIND ARISING OUT OF THIS LEASE, AND THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.

LESSOR:

WILLIAMSON COUNTY, TEXAS

By:


~~Dan A. Gattis~~
County Judge

Lisa L. Birkman
Comm. Pct.

Date:

7-14-15

LESSEE:

Rick D. Kruger
Rick D. Kruger

Date: 7-1-13

Address: Superico
Hutto Tx 78634

Timothy R. Kruger
Timothy R. Kruger

Date: 7/1/2015

Address: 120 Gabriel Mendez Dr
Hutto Tx 78634

EXHIBIT A

County: Williamson
Parcel No.: 8
Highway: C.R. 119
Limits: C.R. 164 (Limmer Loop) to Chandler Road

DESCRIPTION FOR PARCEL 8

DESCRIPTION OF A 7.5972 ACRE (330,934 SQ.FT.) TRACT OF LAND LOCATED IN THE JAMES NIEL SURVEY, ABSTRACT NO. 477 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 100.98 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED TO RICHARD D. KRUGER AND RICHARD H. KRUGER, RECORDED IN DOCUMENT NO. 9838805, OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS (O.R.W.C.TX.), SAID 7.5972 ACRE (330,934 SQ.FT.) TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch Iron rod with a plastic cap stamped "SAM INC" set 60.00 feet left of County Road (C.R.) 119 Engineer's Centerline Station (E.C.S.) 80+60.63, on the north line of a called 57.895 acre tract of land described in a General Warranty Deed to Ventana Hills, Ltd., and recorded in Document No. 2007068155 O.P.R.W.C.TX., and south line of said 100.98 acre tract, said point also being on the proposed west right-of-way line of C.R. 119, and the **POINT OF BEGINNING** and the southwest corner of the tract described herein, from which a 1/2-inch Iron rod found for the southwest corner of said 100.98 acre tract bears S 68°41'13" W, a distance of 21.96 feet;

1) **THENCE**, through the Interior of said 100.98 acre tract, with the proposed curving west right-of-way line of said C.R. 119, being a curve to the right, an arc distance of 335.03 feet, through a central angle of 07°29'54", having a radius of 2,560.00 feet, and a chord that bears N 25°04'23" W, a distance of 334.80 feet to a 1/2-inch Iron rod with a plastic cap stamped "SAM INC" set 60.00 feet left of E.C.S. 83+87.81;

THENCE, with the proposed west right-of-way line of said C.R. 119, and the east line of said 57.895 acre tract and the west line of said 100.98 acre tract the following two (2) courses and distances numbered 2-3:

2) N 21°19'25" W, a distance of 35.76 feet to a 1/2-inch Iron rod with a plastic cap stamped "SAM INC" set 60.00 feet left of E.C.S. 84+23.57, and

3) N 21°18'47" W, a distance of 47.30 feet to a 1/2-inch iron rod found 59.97 feet left of E.C.S. 84+70.87 for the most northerly northeast corner of said 57.895 acre tract and the southeast corner of a called Lot 18, Block F, of the Cottonwood Creek Subdivision, Section 2, Cabinet U, Slide 282, of the Plat Records of Williamson County, Texas (P.R.W.C.TX.) and recorded in Document Number 2001042194, O.P.R.W.C.TX.;

THENCE, with the proposed west right-of-way line of said C.R. 119 and the east line of said Cottonwood Creek Subdivision, passing Lots 1 through 18, the following two (2) courses and distances numbered 4-5:

- 4) N 21°18'47" W, distance of 2,239.53 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 59.58 feet left of E.C.S. 107+10.41, and
- 5) N 21°18'47" W, distance of 50.00 feet to a calculated point for the northeast corner of said Lot 1, on the existing south right-of-way line of County Road (C.R.) 118 (no record information found) from which a 1/2-inch iron rod found for the northwest corner of said Lot 1 bears S 68°38'51" W, a distance of 247.12 feet;

THENCE, with the existing south right-of-way line of said C.R. 118, the following two (2) courses and distances numbered 6-7:

- 6) N 21°18'47" W, a distance of 21.00 feet to a calculated point for the northwest corner of said 100.98 acre tract and the tract described herein, and
- 7) N 68°42'55" E, a distance of 301.19 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 241.63 feet right of E.C.S. 107+81.20, from which a 1/2-inch iron rod found for the northeast corner of said 100.98 acre tract, on the existing south right-of-way line of said C.R. 118, bears N 68°42'55" E, a distance of 1,300.60 feet;

THENCE, with the proposed east right-of-way line of said C.R.119, the following nine (9) courses and distances numbered 8-16:

- 8) N 21°18'28" E, a distance of 10.52 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 241.63 feet right of E.C.S. 107+70.68,
- 9) S 68°41'32" W, a distance of 131.63 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 110.00 feet right of E.C.S. 107+70.72,
- 10) S 23°41'03" W, a distance of 70.70 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet right of E.C.S. 107+20.73,
- 11) S 21°19'25" E, a distance of 970.73 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet right of E.C.S. 97+50.00,
- 12) N 68°40'35" E, a distance of 10.00 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 70.00 feet right of E.C.S. 97+50.00,
- 13) S 21°19'25" E, a distance of 85.00 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 70.00 feet right of E.C.S. 96+65.00,
- 14) S 68°40'35" W, a distance of 10.00 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet right of E.C.S. 96+65.00,
- 15) S 21°19'25" E, a distance of 1,277.19 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet right of E.C.S. 83+87.81 for the beginning of a curve to the left, and
- 16) with the proposed curving east right-of-way line of said C.R. 119, being a curve to the left, an arc distance of 335.15 feet, through a central angle of 07°52'12", having a radius of 2,440.00 feet, and a chord that bears S 25°15'31" E, a distance of 334.89 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet right of E.C.S. 80+44.42, said point being on the north line of said 57.895 acre tract and the south line of said 100.98 acre tract, for the southeast corner of the tract described herein, from which a 1/2-inch iron rod found for the northeast corner of said 57.895 acre tract and the southeast corner of said 100.98 acre tract bears N 68°41'13" E, a distance of 1,476.60 feet;

17) **THENCE** S 68°41'13" W, with the common line of said 100.98 acre tract and said 57.895 acre tract, a distance of 121.09 feet to the proposed west right-of-way line of said C.R. 119 and the **POINT OF BEGINNING**, and containing 7.5972 acres (330,934 sq.ft.) of land, more or less.

This property description is accompanied by a plat of even date.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD83. All distances shown hereon are adjusted to the surface using a combined scale factor of 1.000122465.

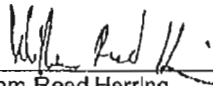
THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, William Reed Herring, a Registered Professional Land Surveyor, do hereby certify 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 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 5th day of August, 2014 A.D.

SURVEYING AND MAPPING
4801 Southwest Parkway
Parkway Two, Suite 100
Austin, Texas 78735
Texas Firm Registration No. 10064300



William Reed Herring
Registered Professional Land Surveyor
No. 6355-State of Texas



LEGEND

- ⊙ 1/2" PIPE FOUND UNLESS NOTED
- 1/2" IRON ROD W/"SAM INC"
- CAP SET UNLESS NOTED
- ⊙ 1/2" IRON ROD FOUND UNLESS NOTED
- FENCE POST FOUND UNLESS NOTED
- ⊕ PK NAIL FOUND UNLESS 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
- P.U.E. PUBLIC UTILITY EASEMENT
- P.R.W.C.TX. PLAT 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)

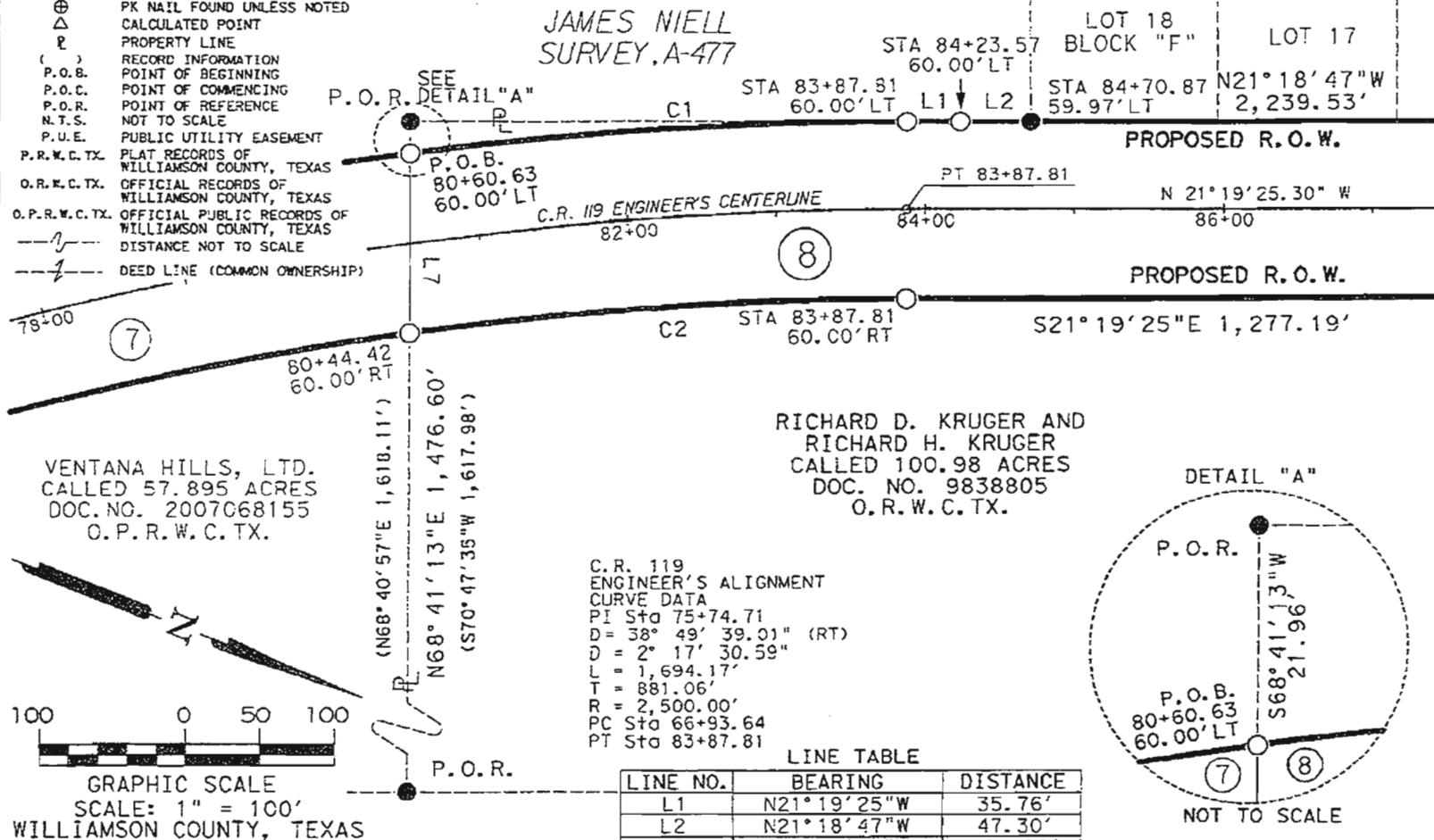
CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	07° 29' 54"	2,560.00'	335.03'	334.80'	N25° 04' 23"W
C2	07° 52' 12"	2,440.00'	335.15'	334.89'	S25° 15' 31"E

COTTONWOOD CREEK
SECTION TWO
CABINET U, SLIDE 282
P.R.W.C.TX.
DOC. NO. 2001042194
O.P.R.W.C.TX.

MATCH LINE SHEET 6 OF 8

JAMES NIELL
SURVEY, A-477

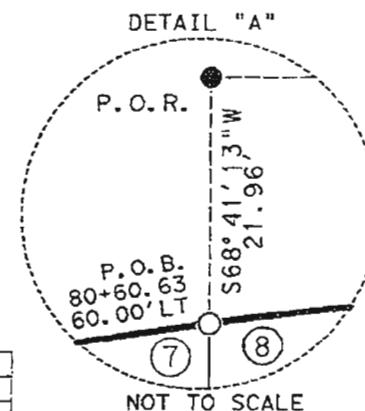


RICHARD D. KRUGER AND
RICHARD H. KRUGER
CALLED 100.98 ACRES
DOC. NO. 9838805
O.R.W.C.TX.

C.R. 119
ENGINEER'S ALIGNMENT
CURVE DATA
PI Sta 75+74.71
D = 38° 49' 39.01" (RT)
D = 2° 17' 30.59"
L = 1,694.17'
T = 881.06'
R = 2,500.00'
PC Sta 66+93.64
PT Sta 83+87.81

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N21° 19' 25"W	35.76'
L2	N21° 18' 47"W	47.30'
L7	S68° 41' 13"W	121.09'



NOTES:

- ALL BEARINGS SHOWN ARE BASED ON NAD 83 (1993) TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.000122465.
- THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN.
- C.R. 119 ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM BURY AND PARTNERS SCHEMATIC AND RECEIVED BY SAM, INC. ON OCTOBER 11, 2012.



4801 Southwest Parkway
Parkway Two, Suite 100
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Fax: (512) 326-3029
Texas Real Estate License No. 10064000

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
RICHARD D. KRUGER AND
RICHARD H. KRUGER
PARCEL 8
7.5972 AC. (330,934 SQ. FT.)

PAGE 5 OF 8
REF. FIELD NOTE NO. 14910

LEGEND

- ⊙ 1/2" PIPE FOUND UNLESS NOTED
- 1/2" IRON ROD W/"SAM INC"
- CAP SET UNLESS NOTED
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- O.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- ?--- DISTANCE NOT TO SCALE
- 1--- DEED LINE (COMMON OWNERSHIP)

MATCH LINE SHEET 5 OF 8

MATCH LINE SHEET 7 OF 8

COTTONWOOD CREEK
SECTION TWO
CABINET U, SLIDE 282
P.R.W.C.TX.
DOC. NO. 2001042194
O.P.R.W.C.TX.

LOT 16 LOT 15 LOT 14 LOT 13 LOT 12 LOT 11

N21°18'47"W 2,239.53'

PROPOSED R.O.W.

N 21°19'25.30" W

C.R. 119 ENGINEER'S CENTERLINE

88+00

90+00

92+00

94+00

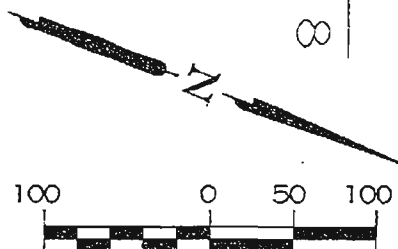
(8)

S21°19'25"E 1,277.19'

PROPOSED R.O.W.

RICHARD D. KRUGER AND
RICHARD H. KRUGER
CALLED 100.98 ACRES
DOC. NO. 9838805
O.R.W.C.TX.

JAMES NIELL
SURVEY, A-477



GRAPHIC SCALE
SCALE: 1" = 100'
WILLIAMSON COUNTY, TEXAS

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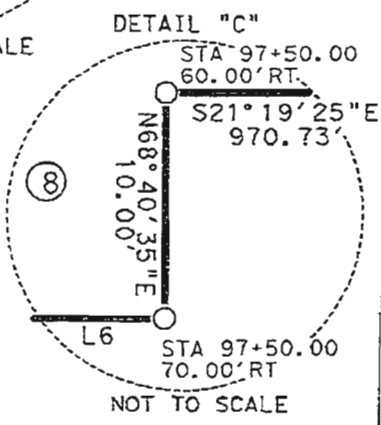
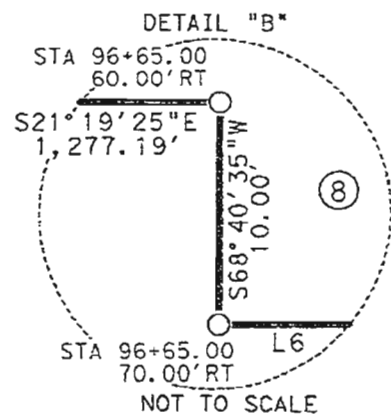


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(512) 447-0575
Fax: (512) 326-3029
Texas Firm Registration No. 10064300

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
RICHARD D. KRUGER AND
RICHARD H. KRUGER
PARCEL 8
7.5972 AC. (330,934 SQ. FT.)

PAGE 6 OF 8
REF. FIELD NOTE NO. 14910

- LEGEND**
- ⊙ 1/2" PIPE FOUND UNLESS NOTED
 - 1/2" IRON ROD W/"SAM INC" CAP SET UNLESS NOTED
 - 1/2" IRON ROD FOUND UNLESS NOTED
 - ⊙ FENCE POST FOUND UNLESS NOTED
 - ⊙ PK NAIL FOUND UNLESS NOTED
 - △ CALCULATED POINT
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 - D.P.R.W.C.TX. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
 - 1/4 --- DISTANCE NOT TO SCALE
 - 1 --- DEED LINE (COMMON OWNERSHIP)



MATCH LINE SHEET 6 OF 8

JAMES NIELL
SURVEY, A-477

COTTONWOOD CREEK
SECTION TWO
CABINET U, SLIDE 282
P.R.W.C.TX.
DOC. NO. 2001042194
O.P.R.W.C.TX.

LOT 10

LOT 9
BLOCK "F"

LOT 8

LOT 7

LOT 6

N21°18'47"W 2,239.53'

PROPOSED R.O.W.

N 21°19'25.30" W

C.R. 119 ENGINEER'S CENTERLINE

SEE
DETAIL "B"

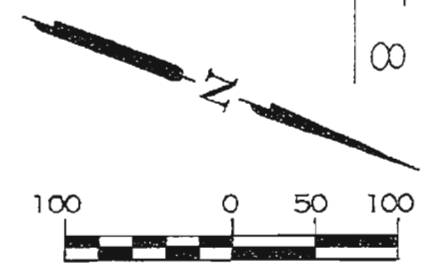
SEE
DETAIL "C"

PROPOSED R.O.W.

S21°19'25"E
1,277.19'

S21°19'25"E 970.73'

RICHARD D. KRUGER AND
RICHARD H. KRUGER
CALLED 100.98 ACRES
DOC. NO. 9838805
O.R.W.C.TX.



GRAPHIC SCALE
SCALE: 1" = 100'
WILLIAMSON COUNTY, TEXAS

LINE TABLE

LINE NO.	BEARING	DISTANCE
L6	S21°19'25"E	85.00'

PAGE 7 OF 8
REF. FIELD NOTE NO. 14910

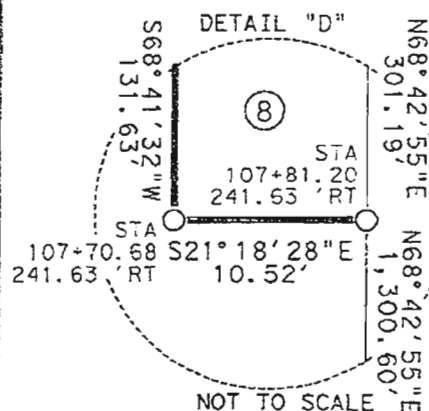
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SHOWING PROPERTY OF
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PARCEL 8
7.5972 AC. (330,934 SQ. FT.)

○ 1/2" PIPE FOUND UNLESS NOTED
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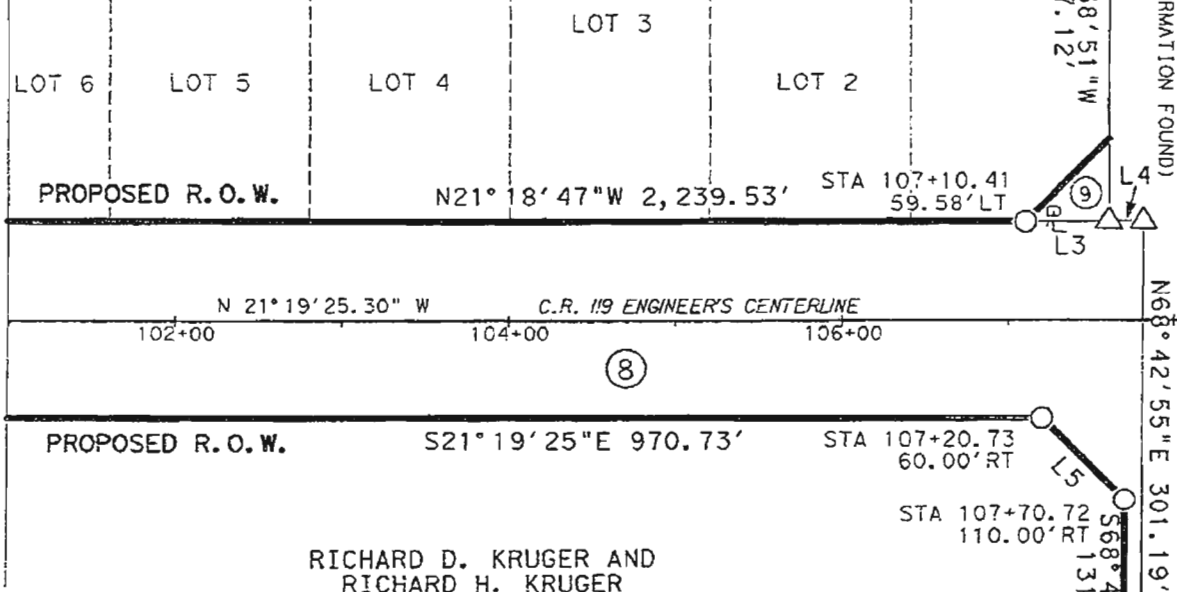
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WILLIAM REED HERRING
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6355, STATE OF TEXAS

8/5/2014
DATE



GRAPHIC SCALE
SCALE: 1" = 100'
WILLIAMSON COUNTY, TEXAS



RICHARD D. KRUGER AND
RICHARD H. KRUGER
CALLED 100.98 ACRES
DOC. NO. 9838805
O.B.W.C. TX.

JAMES NIELL
SURVEY. A-477

LINE NO.	BEARING	DISTANCE
L3	N21° 18' 47" W	50.00'
L4	N21° 18' 47" W	21.00'
L5	S23° 41' 03" W	70.70'

N68° 42' 55" E
1,300.60'

PAGE 8 OF 8
REF. FIELD NOTE NO. 14910

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
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5972 AC. (330,934 SQ. FT.)



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