

FARM/CROP LEASE AGREEMENT
CR 119 Right of Way—Parcel 7

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

That this lease agreement made and entered into this _____ day of _____, 2015,
by and between WILLIAMSON COUNTY, TEXAS ("Lessor"), and ADAM 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 3.6872 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

Date: 07-30-2015

LESSEE:

OK / KJ
Adam Kruger

Date: 7/15/15

Address: 108 Anderson St

Hutto TX 78634

EXHIBIT A

County: Williamson
Parcel No.: 7
Highway: C.R. 119
Limits: C.R. 164 (Limmer Loop) to Chandler Road

DESCRIPTION FOR PARCEL 7

DESCRIPTION OF A 3.6872 ACRE (160,615 SQ.FT.) TRACT OF LAND LOCATED IN THE JAMES NIELL SURVEY, ABSTRACT NO. 477 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 57.895 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO VENTANA HILLS, LTD., AND RECORDED IN DOCUMENT NUMBER 2007068155 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.), SAID 3.6872 ACRE (160,615 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.) 67+69.87, being on the south line of said 57.895 acre tract, same being the north line of a called 101.8 acre tract, Tract 2, described in a Deed of Gift to Gary M. Olander, et al, recorded in Document Number 9828013 Official Records Of Williamson County, Texas (O.R.W.C.TX.), said point also being in the proposed curving 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 pipe found for the southwest corner of said 57.895 acre tract and the northwest corner of said 101.8 acre tract bears S 68°21'65" W, a distance of 864.07 feet;

1) **THENCE**, with the said proposed curving west right-of-way line of said C.R. 119, through the interior of said 57.895 acre tract, being a curve to the right, an arc distance of 1,331.98 feet, through a central angle of 29°48'40", having a radius of 2,560.00 feet, and a chord that bears N 43°43'40" W, a distance of 1,317.00 feet, to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 feet left of E.C.S. 80+60.63, being in a north line of said 57.895 acre tract, same being the southeast line 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, O.R.W.C.TX., for the northwest corner of the tract described herein, from which a 1/2-inch iron rod found for an interior ell corner of said 57.895 acre tract and the southwest corner of said 100.98 acre tract bears S 68°41'13" W, a distance of 21.96 feet;

2) **THENCE** N 68°41'13" E, with the common line of said 57.895 acre tract and said 100.98 acre tract, a distance of 121.09 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, being in the proposed curving east right-of-way line of C.R. 119, also being the northeast corner of the tract described herein, from which a 1/2-inch iron 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 1,476.80 feet;

THENCE, with the proposed curving east right-of-way line of said C.R. 119, through the interior of said 67.895 acre tract, the following two (2) courses and distances numbered 3-4:

3) being a curve to the left, an arc distance of 1,318.35 feet, through a central angle of $30^{\circ}57'27''$, having a radius of 2,440.00 feet, and a chord that bears $S 44^{\circ}40'21'' E$, a distance of 1,302.38 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 right of E.C.S. 66+93.64, and

4) $S 60^{\circ}09'04'' E$, a distance of 26.99 feet to a 1/2-inch iron rod with a plastic cap stamped "SAM INC" set 60.00 right of E.C.S. 66+66.66, being in the common line of said 57.895 acre tract and said 101.8 acre tract, for the southeast corner of the tract described herein, from which a 1/2-inch iron rod found for the southeast corner of said 57.895 acre tract and the northeast corner of 101.8 acre tract bears $N 68^{\circ}21'55'' E$, a distance of 939.49 feet;

5) THENCE $S 68^{\circ}21'55'' W$, with the common line of said 57.895 acre tract and said 101.8 acre tract, a distance of 152.22 feet to the **POINT OF BEGINNING**, and containing 3.6872 acres (160,616 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.

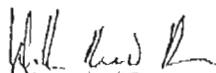
THE STATE OF TEXAS §
§
COUNTY OF TRAVIS §

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.

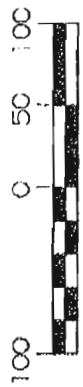
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 6th day of August, 2014 A.D.

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

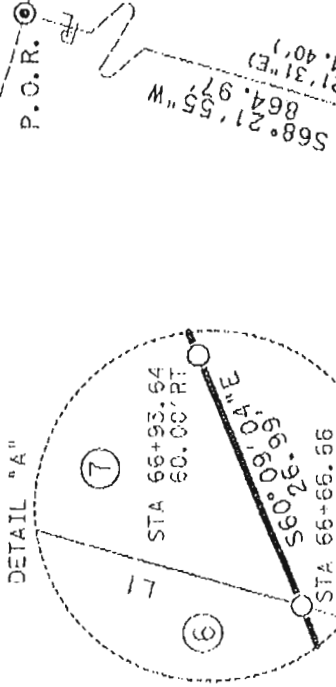


MATCH LINE SHEET 4 OF 4



WILLIAMSON COUNTY, TEXAS

VENTANA HILLS, LTD.
CALLED 57.895 ACRES
DOC. NO. 2007068155
O.P.R.W.C. TX.



P.O.B.
SAT 67+59.87
60.00' LT

NOT TO SCALE

GARY V. OLANDER, ET AL
CALLED 101.8 ACRES
(TRACT 2)
DOC. NO. 9928013
O.R.W.C. TX.

PROPOSED R.O.W.
C1
C2
C.R. 119 ENGINEER'S CENTERLINE

C.R. 119
ENGINEER'S ALIGNMENT
CURVE DATA
PI STA 75+74.71
D = 38° 45' 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+67.81

JAMES NIELL
SURVEY, A-471

LINE NO.	BEARING	DISTANCE
L1	S68°21'55"W	152.22'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	129°48'40"	2,560.00	11331.98'	11317.00'	N43°43'40"W
C2	130°57'27"	2,440.00	11318.35'	11302.38'	S44°40'21"E

PROPOSED DRAINAGE EASEMENT

SEE DETAIL "A"
N68°21'49.5"E
(N71°E 708 VARAS)
939.1495'E
PC STA 66+93.64

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
- PROPERTY LINE
- RECORD INFORMATION
- POINT OF BEGINNING
- POINT OF COMMENCING
- POINT OF REFERENCE
- NOT TO SCALE
- PUBLIC UTILITY EASEMENT
- PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
- OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)

FILE X: \Bury Partners\CR 119\Survey\dm\Sketches\Parcel 7-1.dgn

PAGE 3 OF 4
REF. FIELD NOTE NO. 12863



4801 Southwest Parkway
Austin, Texas 78735
(512) 447-0575
Fax: (512) 326-3029
Texas PLS Registration No. 0065820

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
VENTANA HILLS, LTD.
PARCEL 7
3.6872 AC. (160,615 SQ. FT.)

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	29° 48' 40"	12,560.00'	1331.98'	11,317.00'	N43° 43' 40" W
C2	30° 57' 27"	12,440.00'	1316.35'	11,302.38'	S44° 40' 21" E

100 0 50 100



GRAPHIC SCALE
SCALE: 1" = 100'

WILLIAMSON COUNTY, TEXAS

PROPOSED R.O.W. C1

C.R. 119 ENGINEER'S CENTERLINE

PROPOSED R.O.W. C2

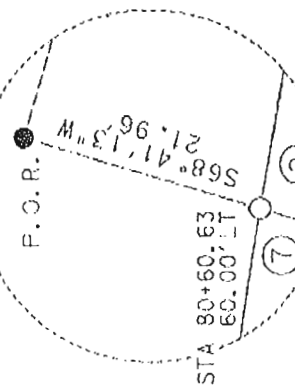
VENTANA HILLS, LTD.
CALLED 57.895 ACRES
DOC. NO. 2007068155
O.P.R.W.C. TX.

JAMES NIELSEN
SURVEYOR

C.R. 119
ENGINEER'S ALIGNMENT
CURVE DATA

P.C. STA 75+74.71
D = 38° 49' 39.01" (RT)
D = 2° 17' 30.59"
L = 1,694.17'
R = 88,060'
P.C. STA 80+60.63
P.T. STA 83+87.81

DETAIL "B"



NOT TO SCALE



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



4801 Southwest Parkway
P.O. Box 100
Austin, Texas 78765
(512) 447-0575
Fax (512) 526-3029
Texas File Registration No. 1006000

FILE: \\Bury Partners\CR 119\Survey\dom\Sketches\Parcel 7-2.dgn

PAGE 4 OF 4
REF. FIELD NOTE NO. 12863

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
VENTANA HILLS, LTD.

PARCEL 7
3.6872 AC. (160,615 SQ. FT.)

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

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
- PROPERTY LINE
- RECORD INFORMATION
- POINT OF BEGINNING
- P.O.B.
- POINT OF COMMENCING
- P.O.C.
- POINT OF REFERENCE
- P.O.R.
- NOT TO SCALE
- P.U.E.
- PUBLIC UTILITY EASEMENT
- PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
- OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
- OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C. TX.
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)

LINE NO.	BEARING	DISTANCE
L2	N68° 41' 13" E	121.09'

MATCH LINE SHEET 3 OF 2