

CAUSE NO. 10-1647-CC3

THE STATE OF TEXAS	§	IN THE COUNTY COURT AT LAW
Condemnor	§	
	§	
V.	§	NUMBER THREE OF
	§	
LYNN A. PARRISH AND	§	
ELSIE M. PARRISH	§	
Condemnees	§	WILLIAMSON COUNTY, TEXAS

AGREED JUDGMENT

The parties to this lawsuit have agreed to compromise and settle the issues in this lawsuit and request the entry of this Agreed Judgment by the Court. It appears to the Court that it has jurisdiction of this matter, and that the parties have agreed to all of the provisions contained within this Judgment and desire to resolve this lawsuit,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that fee title in and to approximately 1.124 acres (Parcel 215) of land in Williamson County, Texas, said property being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes, and as further described in Plaintiff's Original Petition, filed among the papers of this cause on or about November 12, 2010, and any amendments thereto; excluding all the oil, gas, and sulphur which can be removed from beneath said real property, without any right whatever remaining to the owner of such oil, gas and sulphur, of ingress or egress from the surface of said real property for the purpose of exploring, developing, or mining of the same, be vested in THE STATE OF TEXAS, acting by and through the Texas Transportation Commission, and its assigns for the purpose of constructing, reconstructing,

realigning, widening and/or maintaining improvements to State Highway 195, and to perform associated public use and purposes; and

It is further ORDERED that in complete satisfaction of any and all claims which have been made or which could have been made in this litigation, including both the property to be acquired and any damages to any remaining property of Condmnee, that LYNN A. PARRISH and ELSIE M. PARRISH (“PARRISH”) shall recover from Condemnor the total sum of SIXTY NINE THOUSAND and 00/100 Dollars (\$69,000.00), of which total amount:

1. FORTY NINE THOUSAND EIGHT HUNDRED SIXTY NINE AND 00/100 Dollars (\$49,869.00) has previously been deposited in the registry of the Court by Condemnor and withdrawn by PARRISH, and for which sum Condemnor is hereby given full credit and for which no execution shall issue; and
1. NINETEEN THOUSAND ONE HUNDRED THIRTY ONE AND 00/100 Dollars (\$19,131.00) is now due and owing from Condemnor in satisfaction of this Agreed Judgment, and shall be delivered by check or warrant payable to Barron & Adler, LLP as Trustee for LYNN A. PARRISH and ELSIE M. PARRISH, with delivery to Barron & Adler, LLP, 808 Nueces Street, Austin, TX 78701. Post judgment interest on this sum shall accrue at the statutory rate if not paid within 30 days after entry of this Judgment.

It is further ORDERED that all costs be assessed against the Condemnor.

This Judgment is intended by the parties to fully and finally dispose of all claims, parties and issues in this lawsuit.

SIGNED this _____ day of _____, 2016.

Judge Presiding

PREPARED BY AND APPROVED AS TO SUBSTANCE AND FORM:



Don Childs
State Bar No. 00795056
Sheets & Crossfield, P.C.
309 East Main Street
Round Rock, Texas 78664
512/255-8877
512/255-8986 (fax)
Attorneys for Condemnor

AGREED AS TO SUBSTANCE AND FORM:



Sejin C. Brooks
State Bar No. 24050046
Barron & Adler, LLP
808 Nueces Street
Austin, Texas 78701
512/478-4995
512/478-6022 (fax)
Attorneys for Condemnees

APPROVED AND AGREED:

THE STATE OF TEXAS,
acting by and through Williamson County, Texas

By: 

Dan A. Gattis, County Judge

03-07-2010

May 9, 2007
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EXHIBIT A

County: Williamson
Highway: SH 195
Limits: From 3.4 Miles South of S. H. 138 to 8.105 Miles S. of 138
ROW CSJ: 0440-01-036

Legal Description Parcel 215

BEING a 1.124 acre (48,966 square feet) tract of land located in the John Hamilton Survey, Abstract No. 282, of Williamson County, Texas, said 1.124 acre tract of land is out of and a part of a 4.98 acre tract conveyed by Gus A. Steenken and Edwin G. Schneider to Lynn A. Parrish and wife, Elsie M. Parrish, by deed recorded March 3, 1977 in Volume 661, Page 529, of the Deed Records of Williamson County, Texas, said 1.124 acre tract of land is further described by metes and bounds as follows:

COMMENCING at a point in the existing west right of way line of State Highway 195 (SH 195), said point being calculated for the southeast corner of the said 4.98 acre tract and for the northeast corner of a 10.109 acre tract conveyed by Loyd Gustave Reiss to Lynn Parrish and Spouse, Elsie Parrish by deed recorded June 6, 2005 in Document No. 200547130, in the Official Public Records of Williamson County, a found 1/2" iron rod bears North 53° 23' 55" East a distance of 0.85 feet from said point, said point is located 1166.53 feet left of Proposed SH 195 Baseline Station 1338+30.87;

THENCE South 53° 23' 55" West along the common line of the 4.98 acre tract and the 10.109 acre tract for a distance of 1087.59 feet to a Texas Department of Transportation (TxDOT) Type II concrete monument set in the proposed east right of way line of SH 195 for the POINT OF BEGINNING of the herein described parcel, said rod is located 119.92 feet left of Proposed SH 195 Baseline Station 1341+26.60;

1. THENCE South 53° 23' 55" West continuing with said common line for a distance of 308.98 feet to a point calculated in the proposed west right of way line of SH 195 and in the east boundary of a 238.28 acre tract of land conveyed by C. Dean Davis and wife, Mollie V. Davis, to D & M Davis Land & Cattle, L. P. by deed recorded February 20, 2002 as Document No. 2002013809 of the Official Public Records of Williamson County, Texas, said point being the southwest corner of the said 4.98 acre tract, a found 1/2" iron rod bears North 53° 23' 55" East a distance of 1.25 feet and said point is located 177.42 feet right of Proposed SH 195 Baseline Station 1342+10.62;
2. THENCE North 21° 06' 00" West along the proposed west right of way line of

Parcel 215
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May 9, 2007

EXHIBIT A

SH 195 for a distance of 163.70 feet to a point calculated for the northwest corner of the 4.98 acre tract and for the southwest corner of a 10.13 acre tract of land conveyed by William Clyde Snow to Lee W. Snow and wife, Betty J. Snow by deed recorded July 9, 1990 in Volume 1917, Page 954, of said Official Records, a found 1/2" iron rod bears North 53° 23' 55" East a distance of 0.98 feet and said point is located 178.21 feet right of Proposed SH 195 Baseline Station 1340+46.92;

3. THENCE North 53° 23' 55" East along the common line of the 4.98 acre tract and the 10.13 acre tract for a distance of 311.84 feet to a 5/8" iron rod with a TxDOT aluminum cap set in the proposed east right of way line of SH 195, said rod is located 121.88 feet left of Proposed SH 195 Baseline Station 1339+62.12;
4. THENCE South 20° 08' 27" East along the proposed east right of way line of SH 195 for a distance of 164.49 feet to the POINT OF BEGINNING, said described tract containing 48,966 square feet or 1.124 acres of land, more or less.

This survey is referenced to the National Spatial Reference System. The projection and datum are the Texas State Plane Coordinate System, Central Zone, North American Datum of 1983. All bearings are relative to National Geodetic Survey, 1993 Adjustment, monuments T27 A (PID AB2837), Austin RRP (PID AF9537) and, Georgeport (PID BM1093). All distances are surface values expressed in U. S. Survey feet and may be converted to grid by dividing by the TxDOT surface adjustment factor of 1.000120.

Access will be permitted to the highway facility for the remainder of the property lying adjacent to SH 195.

This description was prepared in conjunction with, and is accompanied by a plat of an even date herewith.

Surveyed by:
RODS Surveying, Inc.
6810 Lee Road, Spring Texas 77379
Phone (281) 379-6388

I, Scott Morris, hereby certify that the above description is true and correct and depicts a survey made under my supervision and on the ground and is based on data gathered from February 2001 to February 2007.

Scott Morris, Registered Professional Land Surveyor No. 5076
Date as of: 5-9-2007



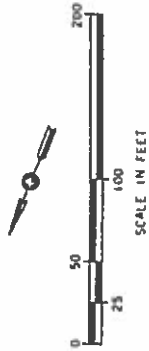
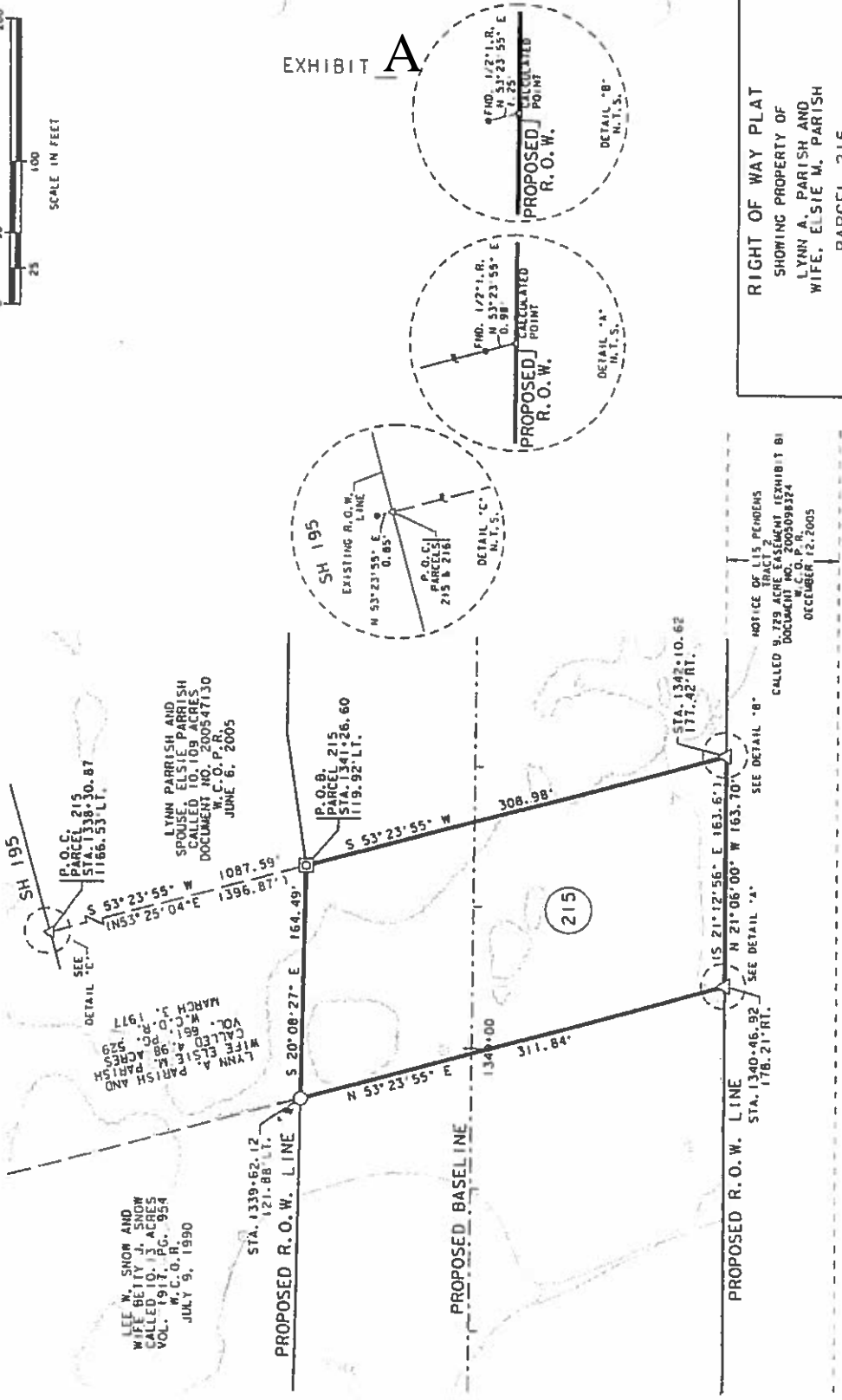


EXHIBIT A

JOHN HAMILTON SURVEY A-282



RIGHT OF WAY PLAT
SHOWING PROPERTY OF
LYNN A. PARRISH AND
WIFE, ELSIE M. PARRISH
PARCEL 215

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ROW CSJ NO. 0440-01-036
STATE HIGHWAY 195 WILLIAMSON COUNTY, TEXAS
RODS SURVEYING INC.
6810 LEE ROAD SPRING, TX 77379
(281) 379 6388
SCALE: 1"=100' MAY 9, 2007

D & M DAVIS LAND & CATTLE, L.P.
236.28 ACRES (TRACT 6)
DOC. 2002013809
W.C.O.P.R. 2002
FEBRUARY 20, 2002

NOTICE OF LIS PENDENS
CALLED 0.729 ACRE EASEMENT EXHIBIT B
DOCUMENT NO. 2005098324
W.C.O.P.R.
DECEMBER 12, 2005