

Sheets & Crossfield, P.C.

ATTORNEYS AT LAW

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don@scrllaw.com

March 1, 2018

Ollie Caroline Anderson Rydell
James A. Rydell
605 North West St.
Falls Church, Virginia 20046

Re: CR101 expansion project
Parcel 9—drainage easement

Dear Mr. & Mrs. Rydell:

Please allow this letter to set out my understanding regarding our agreement for the purchase of an additional drainage easement area for outflow grading required due to the expansion of the CR 101 roadway area at your property in Williamson County.

In return for granting a drainage easement in and across a 0.057 acre tract, Williamson County will pay the sum of \$600. The form of the easement will be as shown in Exhibit "A" attached.

If this meets with your understanding please execute this letter where indicated below, and when returned we will then get this signed by the County judge and processed for payment as quickly as possible.

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

Very truly yours,



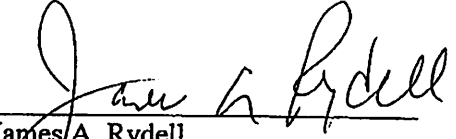
Don Childs
Sheets & Crossfield, P.C.

cc: Deborah Murphy (via e-mail Deborah.murphyhdrinc.com)

AGREED:


Ollie Caroline Anderson Rydell

Date: 2-10-18


James A. Rydell

Date: 3-7-18

WILLIAMSON COUNTY, TEXAS


Dan A. Gattis

County Judge

Date: 03-22-2017

EXHIBIT "A" TO LETTER AGREEMENT

DRAINAGE EASEMENT
County Road 101

THE STATE OF TEXAS ',
 ', KNOW ALL BY THESE PRESENTS:
COUNTY OF WILLIAMSON '

That OLLIE CAROLINE ANDERSON RYDELL and JAMES A. RYDELL, hereinafter referred to as "Grantor" (whether one or more), for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars cash in hand paid and other good and valuable consideration paid to Grantor by WILLIAMSON COUNTY, TEXAS, its agents and assigns, hereinafter referred to as Grantee, receipt of which consideration is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these premises does hereby GRANT, SELL and CONVEY unto Grantee a perpetual easement interest in, on, over, upon, above and across the following property ("Property"):

All of that certain 0.057 (2,502 square feet) of land in the James C. Eaves Survey, Abstract No. 213, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein (**Parcel 9DE**).

The perpetual easement, rights and privileges herein granted shall be used for the purposes of opening, constructing and maintaining a permanent drainage way and/or channel, along with any structures, pipes and grading which may be necessary to facilitate the proper drainage of the adjacent property and roadway facilities, in, along, upon and across said premises described in Exhibit "A" together with the right and privilege at all times of the Grantee herein, its agents, employees and representatives of ingress and egress to and from said premises for the purpose of making any improvements, modifications or repairs which Grantee deems necessary.

The perpetual easement, right-of-way, rights and privileges herein granted shall also encompass the right of Grantee to trim, cut, fell and remove therefrom all trees, underbrush, vegetation, and obstructions, structures or obstacles within the limits of the Property, but only such as necessary to carry out the purposes of the easement; reserving to the landowners and their heirs and assigns, however, all such rights and privileges as may be used without interfering with or abridging the rights and purposes of the Easement herein acquired by Grantee.

To the extent allowed by law, Grantee shall indemnify Grantor against any loss and damage which shall be caused by the exercise of the rights of ingress and egress or by any wrongful or negligent act or omission of Grantee's agents or employees in the course of their employment. Grantee shall be responsible for the correction of, or compensation for, any damage to Grantor's property which is the result of actions outside the granted purposes of this easement.

TO HAVE AND TO HOLD the same, in perpetuity, in and to Grantee, and its successors and assigns, together with all and singular all usual and customary rights thereto in anywise belonging, and together with the right and privilege at any and all times to enter said premises, or any part thereof, for the purpose of constructing or maintaining said drainage way and for making connections therewith.

And Grantor does hereby bind his heirs, executors, administrators and assigns to WARRANT AND FOREVER DEFEND, all and singular, the said premises unto Williamson County, Texas, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

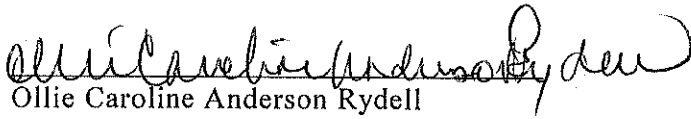
This grant is subject to any easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Williamson County, Texas, that affect the Property, but only to the extent that said items are still valid and in force and effect at this time. The perpetual easement, right-of-way, rights and privileges granted herein are non-exclusive, however Grantor covenants not to convey any other easement or conflicting rights within the premises covered by this grant that interfere with the purpose or function of any improvements or modifications placed thereon, or the maintenance of the surface of the Property for the conveyance of stormwater drainage, without the express written consent of Grantee, which consent shall not be unreasonably withheld.

This easement is being delivered in lieu of condemnation.

EXECUTED on this the 7 day of March, 2018.

[signature pages follow]

GRANTOR:


Ollie Caroline Anderson Rydell

ACKNOWLEDGMENT

STATE OF VIRGINIA

§

COUNTY OF Fairfax

§

§

This instrument was acknowledged before me on this the 10 day of March, 2018 by Ollie Caroline Anderson Rydell, in the capacity and for the purposes and consideration recited therein.



FARZANA BARJOR MANEKSHA
Commonwealth of Virginia
Notary Public
Commission No. 7744219
My Commission Expires January 31/2021



Notary Public, State of Virginia


James A. Rydell

[illegible]

 **FARZANA BARJOR MANEKSHA**
Commonwealth of Virginia
Notary Public
Commission No. 7744219
My Commission Expires January 31/2021

4.

EXHIBIT A

Page 1 of 4

County: Williamson
Parcel: 9DE
Highway: County Road 101

METES & BOUNDS DESCRIPTION FOR PARCEL 9DE

METES & BOUNDS DESCRIPTION FOR A 0.057 ACRE (2,502 SQUARE FOOT) TRACT OF LAND SITUATED IN THE JAMES C. EAVES SURVEY, ABSTRACT NO. 213, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF A CALLED 58.978 ACRE TRACT OF LAND DESCRIBED AS TRACT TWO AS CONVEYED TO OLLIE CAROLINE ANDERSON RYDELL BY SPECIAL WARRANTY GIFT DEED RECORDED IN DOCUMENT NUMBER 2015063729 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.057 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS AND SHOWN ON THE ATTACHED SKETCH:

COMMENCING FOR POINT OF REFERENCE at a 5/8-inch iron rod found at the northeast corner of the above described Rydell tract; Thence, with the north line of said Rydell tract, S 68°39'30" W, pass a 1-inch iron pipe found at a distance of 1,376.54 feet at the southeast corner of a called 0.97 acre tract as conveyed to RCNT, LP by warranty deed with vendor's lien as recorded in Document Number 2004072044 of the Official Public Records of Williamson County, Texas, and continuing on for a total distance of 1,467.51 feet to a 1/2-inch iron rod with cap stamped "WILCO ROW 5777" set on the proposed east right-of-way line of County Road 101 at the northeast corner of proposed Parcel 9; Thence, with the proposed east right-of-way line of said County Road 101 and over and across said Rydell tract, S 21°56'01" E a distance of 41.22 feet to a calculated point (NAD-83, Central Zone Grid Coordinates: N: 10,182,211.93, E: 3,191,042.48) for the northwest corner and **POINT OF BEGINNING** of the herein described tract, 60.00 feet right of County Road 101 baseline station 70+59.94;

THENCE, continuing over and across said Rydell tract, N 67°27'37" E a distance of 50.00 feet to a calculated point for the northeast corner of the herein described tract;

THENCE, continuing over and across said Rydell tract, S 22°08'31" E a distance of 50.00 feet to a calculated point for the southeast corner of the herein described tract;

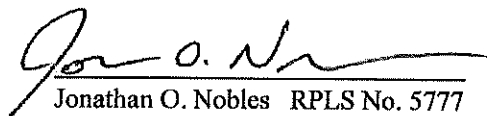
THENCE, continuing over and across said Rydell tract, S 67°27'37" W a distance of 50.00 feet to a calculated point on the proposed curving east right-of-way line of said County Road 101 for the southwest corner of the herein described tract, 60.00 feet right of County Road 101 baseline station 70+09.48;

THENCE, with the proposed east right-of-way line of said County Road 101 and over and across said Rydell tract, along a curve to the right, an arc distance of **48.70** feet, having a radius of **6,420.00** feet, a central angle of **00°26'05"** and a chord which bears **N 22°09'03" W** a distance of **48.70** feet to a 1/2-inch iron rod with aluminum cap stamped "WILCO ROW 5777" set for a point of tangency, 60.00 feet right of County Road baseline station 70+58.64;

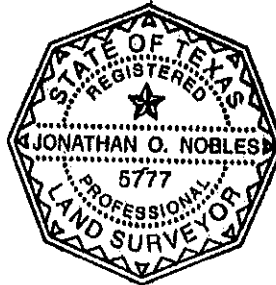
THENCE, continuing with the proposed east right-of-way line of said County Road 101 and over and across said Rydell tract, **N 21°56'01" W** a distance of **1.30** feet to the **POINT OF BEGINNING**, and containing 0.057 acres (2,502 square feet) of land, more or less.

Bearing orientation is based on the Texas State Plane Coordinate System NAD-83, Central Zone 4203. All distances are surface and may be converted to grid by dividing by a scale factor of 1.00012352.

I hereby certify that these notes were prepared by BGE from a survey made on the ground under my supervision on February 26, 2016 and are true and correct to the best of my knowledge. A sketch accompanies this description.

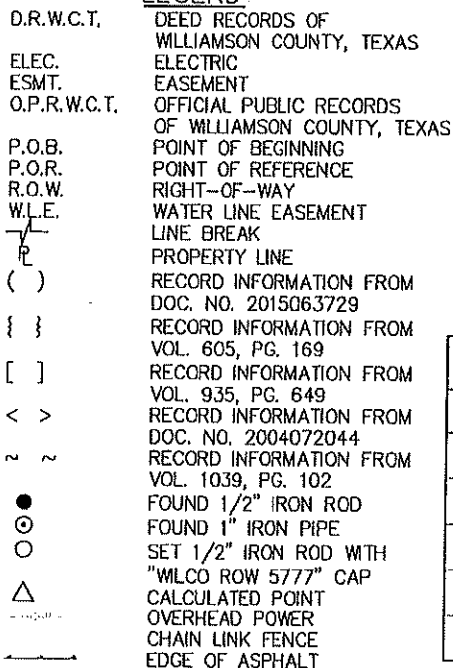


Jonathan O. Nobles RPLS No. 5777
Brown & Gay Engineers, Inc.
7000 North Mopac, Suite 330
Austin, Texas 78731
Telephone: (512) 879-0400
TBPLS Licensed Surveying Firm No. 10106502



12/7/2017
Date

Client: Williamson County
Date: December 5, 2017
Job No: 2792-02



LINE TABLE		
NO.	BEARING	DIST.
L1	S 21°56'01" E	41.22'
L2	N 67°27'37" E	50.00'
L3	S 22°08'31" E	50.00'
L4	S 67°27'37" W	50.00'
L5	N 21°56'01" W	1.30'

DRAINAGE EASEMENT PLAT
SHOWING PARCEL 9DE
0.057 ACRES (2,502 S.F.)
COUNTY ROAD 101
WILLIAMSON COUNTY

Scale: 1"=100'	Job No.: 2792-02	Date: 12/05/2017	Page: 3 of 4
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RESTRICTIVE COVENANT AND EASEMENT NOTES:

THIS SURVEY WAS MADE IN RELIANCE UPON THAT CERTAIN COMMITMENT FOR TITLE INSURANCE ISSUED BY TITLE RESOURCES GUARANTY COMPANY AND COUNTERSIGNED BY INDEPENDENCE TITLE UNDER G.F. NUMBER 1622177-GTN, DATED EFFECTIVE JUNE 13, 2016 AND ISSUED ON JUNE 22, 2016.

- 10a. ELECTRIC EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 286, PAGE 177, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10b. ELECTRIC EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 328, PAGE 60, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, MAY AFFECT THE SUBJECT TRACT, BUT CANNOT BE DETERMINED FROM INFORMATION CURRENTLY AVAILABLE.
- 10c. ELECTRIC EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 342, PAGE 70, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, MAY AFFECT THE SUBJECT TRACT, BUT CANNOT BE DETERMINED FROM INFORMATION CURRENTLY AVAILABLE.
- 10d. ELECTRIC EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY BY INSTRUMENT RECORDED IN VOLUME 477, PAGE 367, DEED RECORDS, WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT TRACT, AS SHOWN HEREON.
- 10e. WATER LINE EASEMENT GRANTED TO JONAH WATER SPECIAL UTILITY DISTRICT BY INSTRUMENT RECORDED IN DOCUMENT NO. 9802036, OFFICIAL RECORDS, WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT THE SUBJECT TRACT.
- 10f. TERMS, CONDITIONS, AND STIPULATIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT, RECORDED IN DOCUMENT NO. 2009092476, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, NOT PLOTTABLE.
- 10g. TERMS, CONDITIONS, AND STIPULATIONS OF THAT CERTAIN ORDINANCE 2009-34, RECORDED IN DOCUMENT NO. 2009093627, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS, DOES AFFECT THE SUBJECT TRACT, NOT PLOTTABLE.

GENERAL NOTES:

- 1. BEARING ORIENTATION IS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD-83, CENTRAL ZONE 4203. SCALE FACTOR = 1.00012352
- 2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS SKETCH.
- 3. FENCES ROADS & UTILITIES SHOWN WERE LOCATED ON THE GROUND. AERIAL IMAGERY WAS USED TO APPROXIMATE LOCATIONS OF OTHER IMPROVEMENTS SHOWN HEREON.



Jonathan O. Nobles
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DRAINAGE EASEMENT PLAT
SHOWING PARCEL 9DE
0.057 ACRES (2,502 S.F.)
COUNTY ROAD 101
WILLIAMSON COUNTY

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