

Sheets & Crossfield, PLLC

ATTORNEYS AT LAW

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

Phone 512-255-8877 • fax 512-255-8986

May 1, 2019

Jim & Monti Boles
2201 Hairy Man Road
Round Rock, Texas 78681

Re: Williamson County--Hairy Man Road expansion project
R.O.W. Parcels S2/S3

Dear Jim and Monti:

As you are aware, Williamson County ("County") is acquiring additional right of way for construction of improvements to Hairy Man Road, and portions of your ("Owner") property are needed to complete this Project. Please allow this letter to set out the County's understanding regarding our agreement for completion of the property acquisition, and construction issues related to the Project.

1. Owner will execute a donation deed to the County for the 0.015 acre (648 SF) parcel of property ("Property") required for construction of the roadway improvement project. The conveyance deed shall be in the form as shown in Exhibit "A" attached hereto and incorporated herein.
2. The donation and grant described herein is specifically conditioned upon the County's representation that certain trees shall be designated for protection as shown on the plan sheet attached hereto as Exhibit "B", and shall not be removed from the Property or the remainder as part of the proposed roadway expansion Project (the "Protected Trees").

If the Protected Trees as designated on Exhibit "B" are removed from the Property by the County, its agents or contractors as part of the roadway construction Project, then County shall be obligated to pay Owner the fair market value for the Property as of the date of recording of the conveyance deed described herein and pursuant to the requirements of the Texas Property Code, Ch. 21.

3. This letter constitutes the full agreement of the parties regarding the issues as set out herein, and may only be modified by further agreement in writing.

If this meets with your understanding please execute this letter where indicated below, and when returned we will submit it for processing and approval by the Williamson County Commissioners' Court as quickly as possible.

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

Very truly yours,

Charles Crossfield
Sheets & Crossfield, PLLC

AGREED:

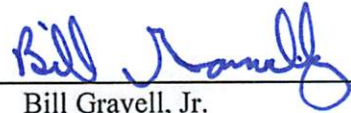
 6.11.19

Jim Boles Date

 6/11/19

Monti Boles Date

WILLIAMSON COUNTY, TEXAS

By:  6/18/19

Bill Gravell, Jr. Date
County Judge

EXHIBIT “A” TO LETTER AGREEMENT FOLLOWS

DONATION DEED
Hairy Man Road Right of Way

THE STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

§

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER LICENSE NUMBER.

NOW, THEREFORE, KNOW ALL BY THESE PRESENTS:

That JIM BOLES a/k/a JIM M. BOLES and MONTI BOLES a/ka MONTI M. BOLES, hereinafter referred to as Grantor, whether one or more, for and in consideration of the sum of One Dollars (\$1.00) and other good and valuable consideration to Grantor in hand paid by Williamson County, Texas, the receipt and sufficiency of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Donated and Sold and by these presents do Grant, Bargain, Donate, Sell and Convey unto WILLIAMSON COUNTY, TEXAS, all that certain tract or parcel of land lying and being situated in the County of Williamson, State of Texas, along with any improvements thereon, being more particularly described as follows:

All of that certain 0.015 acre (648 square feet) tract of land in the David Curry Survey, Abstract No. 130, Williamson County, Texas; said tract being more fully described by metes and bounds in Exhibit "A", attached hereto and incorporated herein (**Parcel S2/S3**)

SAVE AND EXCEPT, HOWEVER, it is expressly understood and agreed that Grantor is retaining title to the following improvements located on the property described in said Exhibit "A" to wit: NONE

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

Visible and apparent easements not appearing of record;

Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show;

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.

Grantor reserves all of the oil, gas and other minerals in and under the land herein conveyed but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling or pumping the same; provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located at a point outside the acquired parcel and upon the condition that none of such operations shall be conducted so near the surface of said land as to interfere with the intended use thereof or in any way interfere with, jeopardize, or endanger the facilities of Williamson County, Texas or create a hazard to the public users thereof; it being intended, however, that nothing in this reservation shall affect the title and the rights of Grantee to take and use without additional compensation any, stone, earth, gravel, caliche, iron ore, gravel or any other road building material upon, in and under said land for the construction and maintenance of Hairy Man Road.

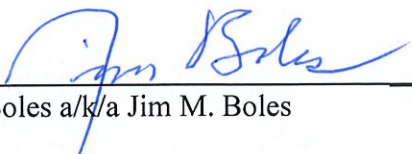
TO HAVE AND TO HOLD the property herein described and herein conveyed together with all and singular the rights and appurtenances thereto in any wise belonging unto Williamson County, Texas and its assigns forever; and Grantor does hereby bind itself, its heirs, executors, administrators, successors and assigns to Warrant and Forever Defend all and singular the said premises herein conveyed unto Williamson County, Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This deed is being delivered in lieu of condemnation.

IN WITNESS WHEREOF, this instrument is executed on this the 11 day of June, 2019.

[signature pages follow]

GRANTOR:

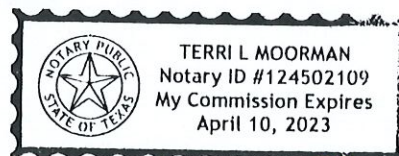

Jim Boles a/k/a Jim M. Boles

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF Williamson

§
§
§



This instrument was acknowledged before me on this the 11 day of June, 2019 by Jim Boles a/k/a Jim M. Boles, in the capacity and for the purposes and consideration recited therein.


Notary Public, State of Texas

GRANTOR:

Monti Boles

Monti Boles a/k/a Monti M. Boles

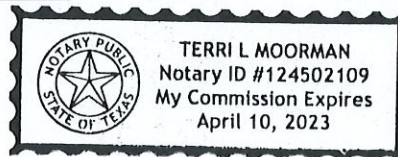
ACKNOWLEDGMENT

STATE OF TEXAS

§
§
§

COUNTY OF

Williamson



This instrument was acknowledged before me on this the 11 day of June, 2019 by Monti Boles a/k/a Monti M. Boles, in the capacity and for the purposes and consideration recited therein.

Terri L. Moorman

Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

Sheets & Crossfield, P.C.
309 East Main
Round Rock, Texas 78664

GRANTEE'S MAILING ADDRESS:

Williamson County, Texas
Attn: County Auditor
710 Main Street, Suite 101
Georgetown, Texas 78626

AFTER RECORDING RETURN TO:

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

ROW PARCEL S2 AND S3

BEING A 0.015 ACRE (648 SQUARE FEET) TRACT OF LAND IN THE DAVID CURRY SURVEY, ABSTRACT NO. 130, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THE CALLED 1.164 ACRE TRACT OF LAND CONVEYED TO JIM M. BOLES AND MONTI M. BOLES AS DESCRIBED IN VOLUME 924, PAGE 95 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF THE CALLED 0.223 ACRE TRACT OF LAND CONVEYED TO JIM BOLES AND MONTI BOLES AS DESCRIBED IN DOCUMENT NO. 2011058674 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. SAID 0.015 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found (Grid Coordinates: N=10164334.27, E=3122206.68) monumenting the northwest corner of said 1.164 acre Boles tract and the northeast corner of the called 2.01 acre tract of land conveyed to Carolyn Kay Gill, recorded in Volume 1070, Page 647 of the Official Records of Williamson County, Texas, same being on the south right-of-way line of Hairy Man Road for the northwest corner and **POINT OF BEGINNING** hereof, from which a 1/2" iron rod found monumenting the northwest corner of said 2.01 acre Gill tract and the northeast corner of the called 2.005 acre tract of land conveyed to Christopher E. Smith, Jr. and Sandra Kay Smith, recorded in Document No. 2005049945 of the Official Public Records of Williamson County, Texas, bears S 49°47'01" W for a distance of 234.96 feet;

THENCE, with said south right-of-way line of Hairy Man Road and the north boundary line of said 1.164 acre Boles tract, the following two (2) courses and distances:

1. **N 49°46'37" E** for a distance of **78.00 feet** to a 1/2" iron rod found, for an angle point;
2. **N 50°01'37" E** for a distance of **72.90 feet** to a 1/2" iron rod found monumenting the northeast corner of said 1.164 acre Boles tract and the northwest corner of said 0.223 acre Boles tract, from which a 1/2" iron rod found monumenting the southeast corner of said 1.164 acre Boles tract and the southwest corner of said 0.223 acre Boles tract, bears S 31°58'46" E for a distance of 324.37 feet;

THENCE, **N 50°18'58" E** with said south right-of-way line of Hairy Man Road and the north boundary line of said 0.223 acre Boles tract for a distance of **31.35 feet** to an iron rod found with cap monumenting the northeast corner of said 0.223 acre Boles tract and the northwest corner of the remnant portion of the called 2.790 acre tract of land conveyed to One Way Baptist Church, Inc., recorded in Document No. 2001077257 of the Official Public Records of Williamson County, Texas, for the northeast corner hereof, from which a PK nail found in asphalt monumenting an angle point on the north boundary line of said

One Way Baptist Church, Inc. tract, same being on said south right-of-way line of Hairy Man Road, bears N 50°02'16" E for a distance of 129.72 feet;

THENCE, departing said south right-of-way line of Hairy Man Road, **S 27°59'40" E** with the east boundary line of said 0.223 acre Boles tract and the west boundary line of said 2.790 acre One Way Baptist Church, Inc. tract for a distance of **2.80 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", for the southeast corner hereof;

THENCE, **S 49°33'23" W** through the interior of said 0.223 acre Boles tract and said 1.164 acre Boles tract for a distance of **182.24 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying", on the west boundary line of said 1.164 acre Boles tract, same being on the east boundary line of said 2.01 acre Gill tract, for the southwest corner hereof, from which a 1/2" iron rod found monumenting the southwest corner of said 1.164 acre Boles tract and the southeast corner of said 2.01 acre Gill tract, bears S 31°58'41" E for a distance of 348.77 feet;

THENCE, **N 31°58'41" W** with the west boundary line of said 1.164 acre Boles tract and the east boundary line of said 2.01 Gill tract for a distance of **4.09 feet** to the **POINT OF BEGINNING** hereof and containing 0.015 acre of land more or less.

Bearing Basis: NAD-83, Texas Central Zone (4203) State Plane System. Distances shown hereon are surface distances based on a combined surface adjustment factor or 1.00011

<> **DIAMOND SURVEYING, INC.**
116 SKYLINE ROAD, GEORGETOWN, TX 78628
(512) 931-3100
T.B.P.L.S. FIRM NO. 100069000

Shane Shafer

July 31, 2018

SHANE SHAFER, R.P.L.S. NO. 5281

DATE



Z:\WILLIAMSON COUNTY PSA PROJECTS\HAIRY MAN ROAD\ATKINS\row parcel Land Title Surveys\S2-S3\ROW PARCEL S2 AND S3.doc

DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION FOR A 0.015 ACRE (648 SQUARE FEET) TRACT OF LAND IN THE DAVID CURRY SURVEY, ABSTRACT NO. 130, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THE CALLED 1.164 ACRE TRACT OF LAND CONVEYED TO JIM M. BOLES AND MONTI M. BOLES AS DESCRIBED IN VOLUME 924, PAGE 95 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 0.223 ACRE TRACT OF LAND CONVEYED TO JIM BOLES AND MONTI BOLES AS DESCRIBED IN DOCUMENT NO. 2011058674 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

LOT 12

LOT 11

PROPERTY ADDRESS: 2201 HAIRY MAN ROAD, ROUND ROCK, TEXAS 78681

GRID COORDINATES:
N=10164334.27
E=3122206.68
P.O.B.

CREEK BEND SECTION I
CAB. E, SL. 238

LOT 30

CHRISTOPHER E. SMITH, JR.
AND SANDRA KAY SMITH
CALLED 2.005 AC.
DOC. NO. 2005049945

ELISHA MCDANIEL SURVEY
ABSTRACT NO. 441

DAVID CURRY SURVEY
ABSTRACT NO. 130

CAROLYN KAY GILL
CALLED 2.01 AC.
VOL. 1070, PG. 647

JIM M. BOLES AND
MONTI M. BOLES
CALLED 1.164 AC.
VOL. 924, PG. 95

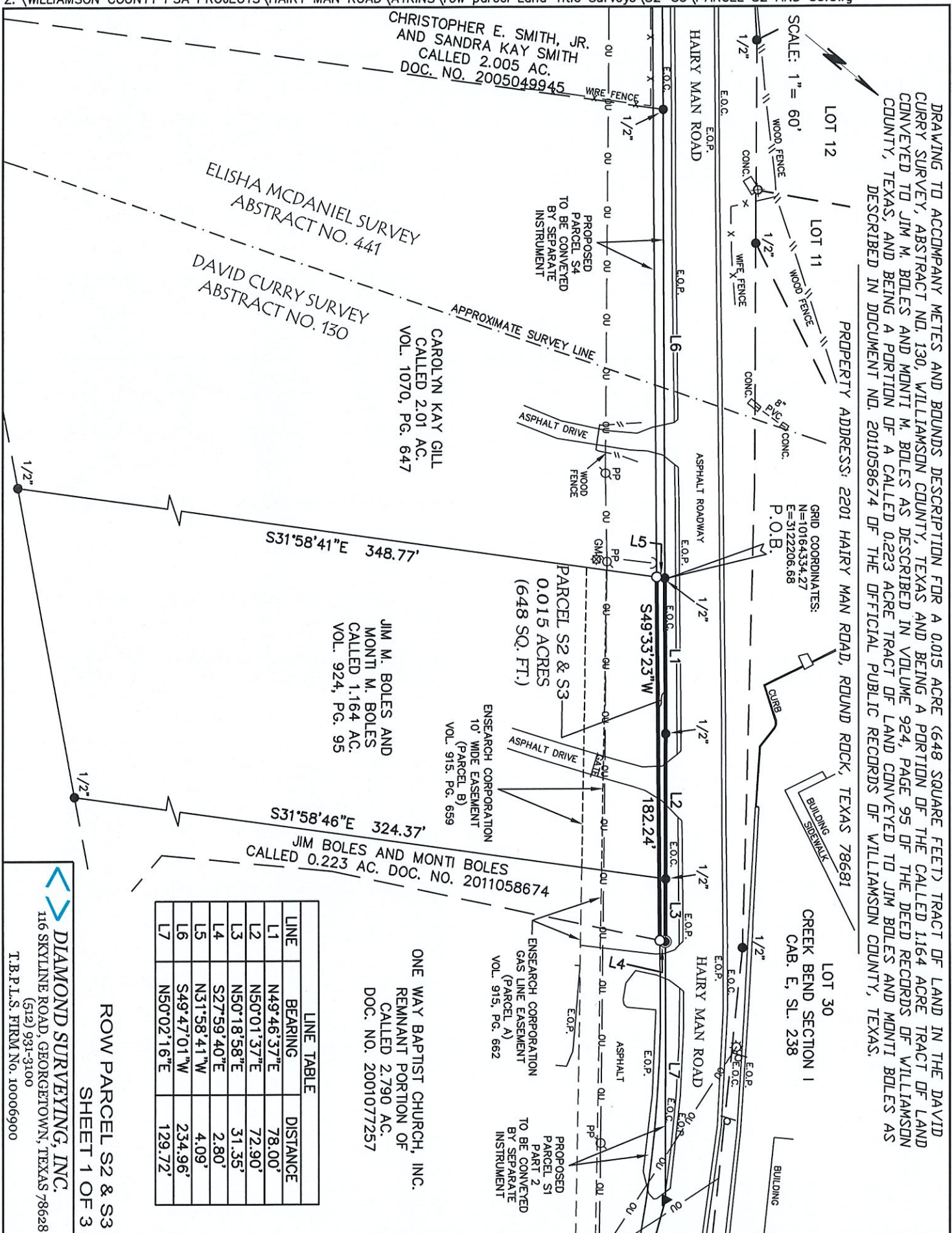
JIM BOLES AND MONTI BOLES
CALLED 0.223 AC. DOC. NO. 2011058674

ONE WAY BAPTIST CHURCH, INC.
REMNANT PORTION OF
CALLED 2.790 AC.
DOC. NO. 2001077257

LINE	BEARING	DISTANCE
L1	N49°46'37"E	78.00'
L2	N50°01'37"E	72.90'
L3	N50°18'58"E	31.35'
L4	S27°59'40"E	2.80'
L5	N31°58'41"W	4.09'
L6	S49°47'01"W	234.96'
L7	N50°02'16"E	129.72'

ROW PARCEL S2 & S3
SHEET 1 OF 3

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM No. 10006900



DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION FOR A 0.015 ACRE (648 SQUARE FEET) TRACT OF LAND IN THE DAVID CURRY SURVEY, ABSTRACT NO. 130, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THE CALLED 1.164 ACRE TRACT OF LAND CONVEYED TO JIM M. BOLES AND MONTE M. BOLES AS DESCRIBED IN VOLUME 924, PAGE 95 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 0.223 ACRE TRACT OF LAND CONVEYED TO JIM BOLES AND MONTE BOLES AS DESCRIBED IN DOCUMENT NO. 2011058674 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

PROPERTY ADDRESS: 2201 HAIRY MAN ROAD, ROUND ROCK, TEXAS 78681

TITLE COMMITMENT NOTES:

Only those easements and restrictions listed in Schedule B of Title Resources Guaranty Company, Commitment for Title Insurance GF No. 1825232-KFD, which bears an effective date of June 12, 2018 and an issued date of June 20, 2018 were reviewed by the Surveyor. No other easement record research was performed by Diamond Surveying, Inc.

10a) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 233, Page 441, Deed Records, Williamson County, Texas. Not a part of subject tract.

10b) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 233, Page 463, Deed Records, Williamson County, Texas. Not a part of subject tract.

10c) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 235, Page 98, Deed Records, Williamson County, Texas. Not a part of subject tract.

10d) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 239, Page 55, Deed Records, Williamson County, Texas. Not a part of subject tract.

10e) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 239, Page 63, Deed Records, Williamson County, Texas. Not a part of subject tract.

10f) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 281, Page 580, Deed Records, Williamson County, Texas. Not a part of subject tract.

10g) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 282, Page 398, Deed Records, Williamson County, Texas. Not a part of subject tract.

10h) Easement Granted to Lower Colorado River Authority by instrument recorded in Volume 334, Page 439, Deed Records, Williamson County, Texas. Not a part of survey.

10i) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 335, Page 539, Deed Records, Williamson County, Texas. Unable to determine location of said easement, due to a vague description contained in said instrument.

10j) Easement granted to Lone Star Gas Company, recorded in Volume 427, Page 234, Deed Records, Williamson County, Texas. Unable to determine exact location of said easement. The subject tract is a part of the 209.92 acre tract stated in said instrument.

10k) Easement granted to Lone Star Gas Company, recorded in Volume 428, Page 672, Deed Records, Williamson County, Texas. Unable to determine exact location of said easement. The subject tract is a part of the 209.92 acre tract stated in said instrument.

10l) Easement granted to the Texas Power & Light Company by instrument recorded in Volume 466, Page 126, Deed Records, Williamson County, Texas. Not a part of subject tract.

10m) Easement granted to Ensearch Corporation, recorded in Volume 915, Page 659, Deed Records, Williamson County, Texas. Not a part of the subject tract, however is plotted hereon.

10n) Easement granted to Ensearch Corporation, recorded in Volume 915, Page 662, Deed Records, Williamson County, Texas. Not a part of the subject tract, however is plotted hereon.

10o) Terms, conditions and stipulations in the Agreement (Joint Use Easement), recorded in Document No. 2001087278, Official Public Records, Williamson County, Texas. The subject tract is a part of the 2.79 acre tract described in said instrument.

ROW PARCEL S2 & S3
SHEET 2 OF 3

DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION FOR A 0.015 ACRE (648 SQUARE FEET) TRACT OF LAND IN THE DAVID CURRY SURVEY, ABSTRACT NO. 130, WILLIAMSON COUNTY, TEXAS AND BEING A PORTION OF THE CALLED 1.164 ACRE TRACT OF LAND CONVEYED TO JIM M. BOLES AND MONTI M. BOLES AS DESCRIBED IN VOLUME 924, PAGE 95 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 0.223 ACRE TRACT OF LAND CONVEYED TO JIM BOLES AND MONTI BOLES AS DESCRIBED IN DOCUMENT NO. 2011058674 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

PROPERTY ADDRESS: 2201 HAIRY MAN ROAD, ROUND ROCK, TEXAS 78681

LEGEND

●	1/2" IRON ROD FOUND
●	IRON ROD FOUND WITH CAP
▲	PK NAIL FOUND
⊕	PUNCH HOLE FOUND
○	1/2" IRON ROD W/CAP SET MARKED "DIAMOND SURVEYING"
GM	GAS METER
—	GUY ANCHOR
⊕	POWER POLE
⊕	LIGHT POLE
⊕	SIGN
—	OVERHEAD UTILITIES
—	WOOD FENCE
—	WIRE FENCE
—	EDGE OF CONCRETE
—	EDGE OF PAVEMENT
—	POLYVINYL CHLORIDE PIPE
—	POINT OF BEGINNING

GENERAL NOTES:

- 1) ALL DOCUMENTS LISTED HEREON ARE RECORDED IN THE OFFICE OF THE COUNTY CLERK OF WILLIAMSON COUNTY, TEXAS.
- 2) BEARING BASIS: NAD-83, TEXAS CENTRAL (4203) STATE PLANE SYSTEM. DISTANCES SHOWN HEREON ARE SURFACE DISTANCES BASED ON A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00011.
- 3) THE TRACT SHOWN HEREON LIES WITHIN A ZONE "X" UNSHADED (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN), ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP FOR WILLIAMSON COUNTY, TEXAS, MAP NO. 48491C0490E, DATED SEPTEMBER 26, 2008.

To: Williamson County, Texas and Title Resources Guaranty Company, exclusively.

I, Shane Shafer, Registered Professional Land Surveyor in the State of Texas, hereby certify that this drawing represents a survey made on the ground under my direct supervision completed on July 24, 2018. At the time of this survey there were no encroachments, conflicts or protrusions apparent on the ground, EXCEPT AS SHOWN. This survey substantially complies with the standards for a Category 1A, Condition III Land Title Survey per the current Manual of Practice for Land Surveying in the State of Texas, issued by the Texas Society of Professional Surveyors. USE OF THIS SURVEY BY OTHER PARTIES SHALL BE AT THEIR OWN RISK AND UNDERSIGNED SURVEYOR IS NOT RESPONSIBLE FOR ANY LOSS RESULTING THEREFROM.



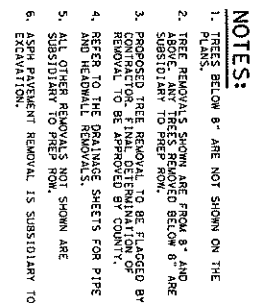
ROW PARCEL S2 & S3
SHEET 3 OF 3

Shane Shafer
SHANE SHAFER, R.P.L.S. NO. 5281

JULY 31, 2018
DATE

DIAMOND SURVEYING, INC.
116 SKYLINE ROAD, GEORGETOWN, TEXAS 78628
(512) 931-3100
T.B.P.L.S. FIRM No. 10006900

EXHIBIT “B” TO LETTER AGREEMENT FOLLOWS

[illegible]

MATCH LINE STA 281+00

TREES TO BE PROTECTED
DURING CONSTRUCTION

REMOVING STAB BASE
AND ASPH PAV (2'-8")
37 SY

TREE NO. 5483
TREE REMOVAL (4'-12")

REMOVING CONC
(CURB OR CURB
& GUTTER) 145 LF

REMOVING CONC
(CURB OR CURB
& GUTTER) 64 LF

TREE NO. 5472
TREE REMOVAL (12'-18")

REMOVING CONC
(CURB OR CURB
& GUTTER) 102 LF

REMOVING CONC
(CURB OR CURB
& GUTTER) 120 LF

REMOVING CONC
(CURB OR CURB
& GUTTER) 844 LF

TRE
TR