

FIRST AMENDMENT TO REAL ESTATE CONTRACT

Corridor C/SH29 Bypass Right of Way—Parcel 1

THIS FIRST AMENDMENT TO REAL ESTATE CONTRACT (the “First Amendment”), is entered into by and among WILLIAMSON COUNTY, TEXAS, (the “Purchaser”) and EMMA L. LAWHON FAMILY LAND PARTNERSHIP (referred to in this contract as “Seller”, whether one or more). The Seller and the Purchaser are individually referred to as “Party” and collectively referred to as the “Parties”. Each of the Parties confirms that it has the authority to enter into this First Amendment and the ability to perform its obligations under this First Amendment, without the further approval or consent of any other person or entity.

Recitals

WHEREAS, on or about the 3rd day of March, 2020, the Parties entered into that one certain Real Estate Contract (“Contract”) for the purchase of 19.179 acres of real property for construction of proposed Corridor C/SH 29 Bypass roadway improvements, and additional portions of the remaining property of Seller (the “Contract”); and

WHEREAS, subsequent to the full execution of the Contract, Seller desired to modify the description of the additional remainder portions of the Property to be conveyed, and Purchaser desires to agree to the requested modification; and

WHEREAS, the Parties desire to amend and correct the description of the Property and the amount of the Purchase Price to reflect the agreed modifications; and

WHEREAS, the revised metes and bounds description of the Property as 18.867 acres (821,860 SF) has been prepared by Purchaser, a copy of which is attached hereto as Exhibit “A”;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the sufficiency of which are hereby conclusively acknowledged, and subject to the terms and conditions hereinafter set forth, the County and the Purchaser mutually agree as follows:

Section 1. Definitions

All terms used herein shall have the meanings assigned to them in the Contract unless the context clearly requires otherwise.

Section 2. Amendment

- (a) Article I, Purchase and Sale, of the Contract is amended as follows:

**ARTICLE I
PURCHASE AND SALE**

By this Contract, Seller sells and agrees to convey, and Purchaser purchases and agrees to pay for, the tract(s) of land described as follows:

All of that certain 18.867 acre (821,860 Sq. Ft.) tract of land in the Woodruff Stubblefield Survey, Abstract No.556, Williamson County, Texas; being more fully described by metes and bounds in Exhibit "A", attached hereto and incorporated herein (**Parcel 1**);

together with all and singular the rights and appurtenances pertaining to the property, including any right, title and interest of Seller in and to adjacent streets, alleys or rights-of-way (all of such real property, rights, and appurtenances being referred to in this Contract as the "Property"), and any improvements situated on and attached to the Property described in Exhibits "A" not otherwise agreed herein to be retained by Seller, for the consideration and upon and subject to the terms, provisions, and conditions set forth below.

- (b) Article II, Purchase Price, Section 2.01. of the Contract is amended as follows:

**ARTICLE II
PURCHASE PRICE**

Purchase Price

2.01. The Purchase Price for the Property described in Exhibit "A", any improvements on the Property, and any damage to and/or cost to cure for the remaining property of Seller shall be the sum of SEVEN HUNDRED TWELVE THOUSAND FOUR HUNDRED FORTY-NINE and 00/100 Dollars (\$712,449.00).

Section 3. Miscellaneous

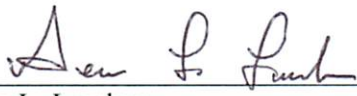
(a) To the extent necessary to affect the terms and provisions of this First Amendment, the Contract is hereby amended and modified. In all other respects, the aforesaid Contract is hereby ratified and confirmed.

(b) This First Amendment may be executed in counterparts, each of which shall be an original and all of which together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Parties hereto have caused this First Amendment to be duly effective as of the last date executed by the parties below.

SELLER:

EMMA L. LAWHON FAMILY LAND PARTNERSHIP

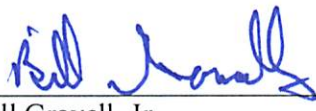
By: 
Gene L. Lawhon
General Managing Partner

Address: 2200 Patriot Way
Georgetown, Texas 78626

Date: 3-19-2020

PURCHASER:

WILLIAMSON COUNTY, TEXAS

By: 
Bill Gravell, Jr.
County Judge

Address: 710 Main Street, Suite 101
Georgetown, Texas 78626

Date: 3/31/20

EXHIBIT **A**
PROPERTY DESCRIPTION FOR PARCEL 1

DESCRIPTION OF A 18.867 ACRE (821,860 SQUARE FOOT), TRACT OF LAND SITUATED IN THE WOODRUFF STUBBLEFIELD SURVEY, ABSTRACT NO. 556 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THE EASTERLY REMAINDER OF THAT CALLED 228.90 ACRE TRACT OF LAND DESCRIBED IN WARRANTY DEED TO EMMA L. LAWHON FAMILY LAND PARTNERSHIP RECORDED IN DOCUMENT NO. 2006095405 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 18.867 ACRE (821,860 SQUARE FOOT) TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod with aluminum cap stamped "Texas Dept. of Trans." found in the existing southeasterly Right-of-Way (ROW) line of Patriot Way (C.R. 104) (variable width ROW), being the northerly corner of said easterly remainder of the 228.90 acre tract of land, same being the northwesterly corner of that called 52.65 acre (West Tract) described in Warranty Deed to River City Partners, Ltd. recorded in Document No. 2016005898 of the Official Public Records of Williamson County, Texas;

THENCE, departing said existing southeasterly ROW line, with the common boundary line of said easterly remainder tract and said 52.65 acre tract, S 36°17'28" E for a distance of 806.46 feet to an iron rod with aluminum cap stamped "ROW 4933" (Grid Coordinates determined as N=10198814.18, E=3151439.18 TxSPC Zone 4203) set 719.80 feet left of proposed Corridor C baseline station 115+22.57, in the northerly proposed ROW line of Corridor C (variable width ROW), for the northeasterly corner and **POINT OF BEGINNING** of the herein described tract;

- 1) **THENCE**, departing said proposed ROW line, continuing with the common boundary line of said easterly remainder tract and said 52.65 acre tract, S 36°17'28" E, for a distance of 930.53 feet to a 1" iron rod found in the ostensible survey line of said Woodruff Stubblefield Survey and the John McQueen Survey, Abstract No. 426, same being the southeasterly corner of said easterly remainder tract, being in the northerly boundary line of that called 36.63 acre tract of land described in General Warranty Deed With Vendor's Lien to Richard A. Sliva, Et Ux Karen L. Thompson-Sliva recorded in Document No. 9724044 of the Official Records of Williamson County, Texas, also being the southwesterly boundary corner of said 52.65 acre tract, for the southeasterly corner of the herein described tract;
- 2) **THENCE**, departing said 52.65 acre tract, with said ostensible survey line, being the southerly boundary line of said easterly remainder tract, same being in part the northerly boundary line of said 36.63 acre tract, the northerly boundary line of that called 30.00 acre tract described in Special Warranty Deed With Vendor's Lien to Larry James Reid and Wife, Rhonda G. Reid recorded in Volume 2330, Page 211 of the Official Records of Williamson County, Texas and the northerly boundary line of Valley Vista, a subdivision of record in Cabinet P, Slide 18-20 of the Plat Records of Williamson County, Texas, S 68°31'00" W, 771.10 feet pass an iron rod found with plastic cap stamped "TLS INC" being the common corner of said 30.00 acre tract and said Valley Vista subdivision, also being in the proposed southerly ROW line of said Corridor C, continuing with said proposed ROW line for a total distance of 1542.30 feet to an iron rod with plastic cap stamped "ALL COUNTY" found, in the existing ROW line of Patriot Way (variable width ROW), for the southwesterly corner of said easterly remainder tract and the herein described tract;
- 3) **THENCE**, departing said Valley Vista subdivision, with the common boundary line of said easterly remainder tract and said existing ROW line, N 21°06'48" W for a distance of 372.87 feet to an iron rod with plastic cap stamped "ALL COUNTY" found 190.55 feet left of proposed Corridor C baseline station 102+21.51, for an ell corner;

County: Williamson
Parcel: 1
Project: Corridor C

Rev: March 11, 2020
November 20, 2019
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THENCE, departing said existing ROW line, through the interior of said easterly remainder tract, with the proposed northwesterly ROW line of said Corridor C, the following ten (10) courses:

- 4) N 68°37'35" E for a distance of 588.67 feet to an iron rod with aluminum cap stamped "ROW 4933" set 190.55 feet left of proposed Corridor C baseline station 108+10.18, for an angle point;
- 5) N 27°51'01" E for a distance of 152.95 feet to an iron rod with aluminum cap stamped "ROW 4933" set 290.44 feet left of proposed Corridor C baseline station 109+26.00, for an angle point;
- 6) N 20°11'19" E for a distance of 245.19 feet to an iron rod with aluminum cap stamped "ROW 4933" set 473.90 feet left of proposed Corridor C baseline station 110+88.66, for an angle point;
- 7) N 35°12'50" W for a distance of 67.03 feet to an iron rod with aluminum cap stamped "ROW 4933" set 538.98 feet left of proposed Corridor C baseline station 110+72.63, for an angle point;
- 8) N 45°08'11" E for a distance of 325.55 feet to an iron rod with aluminum cap stamped "ROW 4933" set 668.74 feet left of proposed Corridor C baseline station 113+71.20, for an angle point;
- 9) N 64°32'27" E for a distance of 61.85 feet to an iron rod with aluminum cap stamped "ROW 4933" set 673.15 feet left of proposed Corridor C baseline station 114+32.89, for an angle point;
- 10) N 41°08'28" E for a distance of 101.09 feet to the POINT OF BEGINNING, containing 18.867 acres, (821,860 square feet) of land, more or less.

This property description is accompanied by a separate parcel plat.

All bearings recited herein are based on the Texas State Plane Coordinate System, Central Zone No. 4203, NAD 83.

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

That I, M. Stephen Truesdale, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct and that the property described herein was determined by a survey made on the ground under my direct supervision.

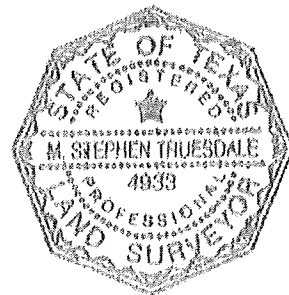
WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas.

M. Stephen Truesdale

16 MAR 2020

M. Stephen Truesdale
Registered Professional Land Surveyor No. 4933
Licensed State Land Surveyor
Inland Geodetics, LLC
Firm Registration No: 100591-00
1504 Chisholm Trail Road, Suite 103
Round Rock, TX 78681

Date



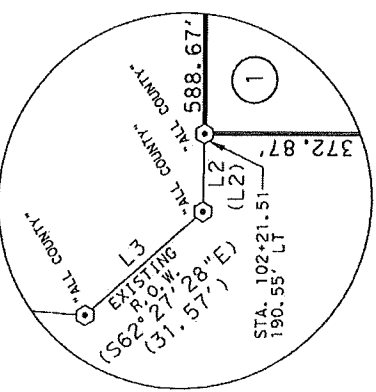
S:_ ATKINS\CORRIDOR C\PARCELS\LAWHORN FAMILY-PARCEL 1-HIGHBANK.doc

NO.	DIRECTION	DISTANCE
L1	S36°17'28"E	806.46'
L2	S69°10'05"W	22.98'
(L2)	(N68°55'12"E)	(22.93')
L3	N62°38'03"W	31.67'
L4	N27°51'01"E	152.95'
L5	N20°11'19"E	245.19'
L6	N35°12'50"W	67.03'
L7	N64°32'27"E	61.85'
L8	N41°08'28"E	101.09'

PLAT TO ACCOMPANY PARCEL DESCRIPTION

DETAIL "A"
N.T.S.

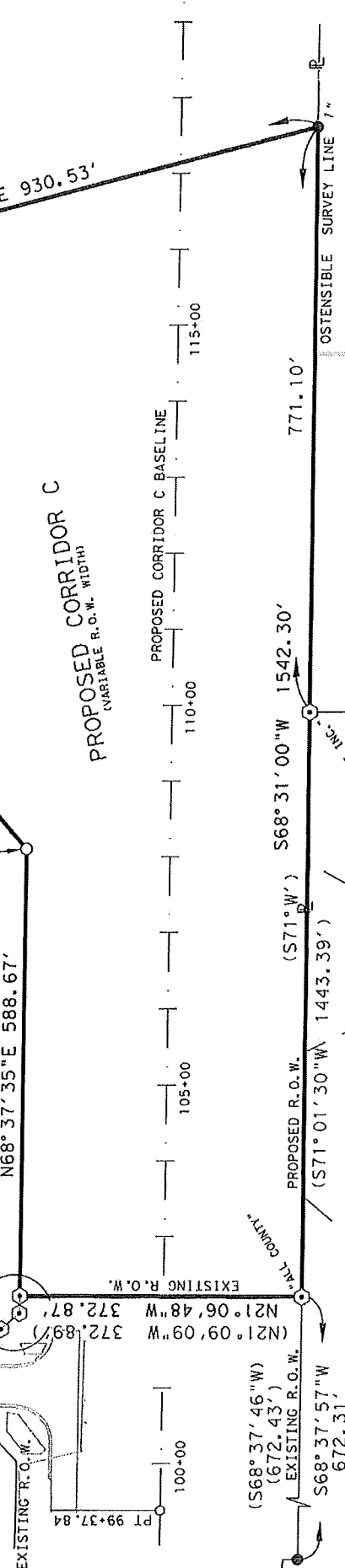
WOODRUFF
STUBBLEFIELD SURVEY
ABSTRACT NO. 556



PATRIOT WAY
EXISTING R.O.W.
S.O.W. WIDTH VARIES
EXHIBIT A
201008689
O.P.R.W.C.T.
15 AC.
EMMA L. LAWHON FAMILY
LAND PARTNERSHIP
(EASTERLY REMAINDER
OF 228.90 AC.)
DOC. NO. 2006095405
O.P.R.W.C.T.
VOL. 433, PG. 369
D.R.W.C.T.

EMMA L. LAWHON FAMILY
LAND PARTNERSHIP
(EASTERLY REMAINDER
OF 228.90 AC.)
DOC. NO. 2006095405
O.P.R.W.C.T.
VOL. 433, PG. 369
D.R.W.C.T.

SEE DETAIL "A"



PROPOSED CORRIDOR C
(VARIABLE R.O.W. WIDTH)

PROPOSED CORRIDOR C BASELINE

JOHN McQUEEN SURVEY
ABSTRACT NO. 426

VALLEY VISTA
CAB. P, SLIDE 18-20
P.R.W.C.T.

LARRY JAMES REID
& RHONDA G. REID
(30.00 AC.)
VOL. 2330, PG. 211
O.R.W.C.T.

RICHARD A. SLIVA
ET UX, KAREN L.
THOMPSON-SLIVA
(36.63 AC.)
DOC. NO. 9724044
O.R.W.C.T.

INLAND
GEODETICS
PROFESSIONAL LAND SURVEYORS
1504 CHISHOLM TRAIL RD. STE. 103
ROUND ROCK, TX. 78681
PH. (512) 238-1200, FAX (512) 238-1251

PARCEL PLAT SHOWING PROPERTY OF

EMMA L. LAWHON FAMILY LAND PARTNERSHIP

PROJECT
CORRIDOR C

WILLIAMSON COUNTY

SCALE
1" = 200'

PARCEL 1

REV: 03/11/20
11/20/19
PAGE 3 OF 4

S:\WATKINS\CORRIDOR C\PARCEL\PARCEL 1-LAWHON-HIGHBANK.dwg

PLAT TO ACCOMPANY PARCEL DESCRIPTION

LEGEND

TXDOT TYPE I CONCRETE MONUMENT FOUND	⊕	CENTER LINE
IRON ROD FOUND W/TXDOT ALUMINUM CAP	⊖	PROPERTY LINE
1/2" IRON ROD FOUND UNLESS NOTED	●	() RECORD INFORMATION
1/2" IRON ROD FOUND W/PLASTIC CAP, AS NOTED	⊙	LINE BREAK
FENCE POST FOUND	⊗	LAND HOOK
CALCULATED POINT	⊕	POINT OF BEGINNING
IRON ROD W/ ALUMINUM CAP	⊖	POINT OF COMMENCEMENT
STAMPED "ROW-4933" SET (UNLESS NOTED OTHERWISE)	⊙	NOT TO SCALE
IRON PIPE FOUND	⊗	DEED RECORDS
AXLE FOUND	⊕	WILLIAMSON COUNTY, TEXAS
		OFFICIAL RECORDS
		WILLIAMSON COUNTY, TEXAS
		OFFICIAL PUBLIC RECORDS
		WILLIAMSON COUNTY, TEXAS
		PLAT RECORDS
		WILLIAMSON COUNTY, TEXAS

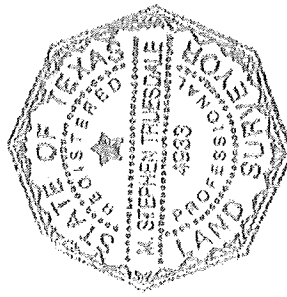
- 1) ALL bearings shown hereon are based on grid bearing. All distances are surface distances. Coordinates are surface values based on the Texas State Plane Coordinate System, NAD 83, Central Zone.
- THE SURVEY SHOWN HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE OF NO.1933220-KFO, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE AUGUST 23, 2019, ISSUE DATE SEPTEMBER 4, 2019.
- 10G. EASEMENT GRANTED TO JONAH WATER SUPPLY CORP. RECORDED IN VOLUME 563, PAGE 589, OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.
- H. EASEMENT GRANTED TO TEXAS POWER & LIGHT COMPANY RECORDED IN VOLUME 887, PAGE 173, OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, FROM ITS DESCRIPTION CAN NOT BE LOCATED.
- I. EASEMENT GRANTED TO JONAH WATER SUPPLY CORP. RECORDED IN DOCUMENT NO. 2004018510 AND 2004018511, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, DO NOT AFFECT.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION.

M. Stephen Truesdale DATE: 16 MAR 2020

M. STEPHEN TRUESDALE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4933
LICENSED STATE LAND SURVEYOR
INLAND GEODETICS, LLC
FIRM REGISTRATION NO. 100591-00
1504 CHISHOLM TRAIL ROAD, SUITE 103
ROUND ROCK, TX 78681

INLAND U
GEODETICS
PROFESSIONAL LAND SURVEYORS
1504 CHISHOLM TRAIL RD. STE. 103
ROUND ROCK, TX. 78681
PH. (512) 238-1200, FAX (512) 238-1251



PARCEL PLAT SHOWING PROPERTY OF
EMMA L. LAWHON FAMILY LAND PARTNERSHIP

SCALE 1" = 200'

WILLIAMSON COUNTY

PROJECT CORRIDOR C

ACQUISITION	AGRES	SQUARE FEET
18.876	18.876	821,860
CALC/DEED AREA	37.361	1,627,453
REMAINDER AREA	18.485	805,593

PARCEL 1