

CAUSE NO. 17-1769-CC1

WILLIAMSON COUNTY, TEXAS	§	IN THE COUNTY COURT
Condemnor	§	
	§	
V.	§	
	§	
RYAN DAVID GALLAGHER, LORI L.	§	AT LAW NUMBER ONE OF
GALLAGHER, MORTGAGE ELECTRONIC	§	
REGISTRATION SYSTEMS, INC. (MERS),	§	
and HELLO MORTGAGE, INC., f/k/a	§	
AMERIPRO FUNDING, INC.	§	
Condemnees	§	WILLIAMSON COUNTY, TEXAS

AGREED FINAL JUDGEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Williamson County, Texas, Condemnor in the above-styled proceedings, and respectfully shows the Court:

The parties to this lawsuit have agreed to compromise and settle the issues in this lawsuit and request entry of this Agreed Final Judgement 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 Judgement and desire to resolve this lawsuit;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that fee title in and to approximately 0.262-acres (Parcel 10) 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 (the “R.O.W. Property”), and as further described in Plaintiff’s Original Petition, filed among the papers of this cause on or about November 8, 2017; 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

WILLIAMSON COUNTY, TEXAS, and its assigns for the purpose of constructing, reconstructing, realigning, widening and/or maintaining improvements to the Seward Junction Southeast/CR 266 roadway improvement project, and to perform associated public use and purposes.

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 the Property to be acquired and any damages to any remaining property of Condemnees, that Condemnees shall recover from Condemnor the total sum of TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00). The parties agree TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000.00) was previously deposited within the registry of this Court, leaving a balance due of ZERO AND 00/100 DOLLARS (\$0.00).

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

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

SIGNED this _____ day of _____, 2021.


Judge Presiding

PREPARED AND APPROVED AS TO SUBSTANCE AND FORM BY:

/s/ Mylan W. Shaunfield
Mylan W. Shaunfield
State Bar No. 24090680
SHEETS & CROSSFIELD, P.L.L.C.
309 East Main Street
Round Rock, Texas 78664
512/255-8877
512/255-8986 (fax)
Mylan@scrllaw.com
Attorneys for Condemnor


Cynthia Long (Jul 1, 2022 14:30 CDT)
Bill Gravell Jr.
Williamson County Judge

APPROVED AND AGREED AS TO SUBSTANCE AND FORM:


Lori Gallagher


Ryan David Gallagher

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served on all parties of record by delivering same to the parties' last known address via certified mail, return receipt requested, electronic mail, facsimile or hand delivery, or by other method authorized by the Texas Rules of Civil Procedure on this the ____ day of June, 2022.

/s/ Mylan W. Shaunfield
Mylan W. Shaunfield

EXHIBIT "A"

0.262-Ac.
Noah Smithwick Survey, A-590,
Williamson County, Texas

Job No. 5569-02-001
FN1967
Page 1 of 4

FIELD NOTES DESCRIPTION – ROW PARCEL 10

DESCRIPTION OF 0.262 ACRE (11,409 SQUARE FEET) OF LAND IN THE NOAH SMITHWICK SURVEY, ABSTRACT NO. 590, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF LOT 10, TWENTY-NINE RANCH, A SUBDIVISION OF RECORD IN CABINET K, SLIDES 115-116, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 0.262 ACRE AS SURVEYED BY BOWMAN CONSULTING GROUP, LTD. AND SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found, 54.12 feet right of Williamson County Road 266 Baseline Station 258+59.12, in the existing east right-of-way line of County Road 266, a varying width right-of-way, same being the west line of a 15-foot wide Road Widening Easement shown on the said Twenty-Nine Ranch subdivision plat, at the southwest corner of said Lot 10 and the northwest corner of Lot 11 of the said Twenty-Nine Ranch subdivision, for the southwest corner and **POINT OF BEGINNING** of the tract described herein;

THENCE N 07° 07' 37" W, with the east right-of-way line of County Road 266, with the west line of said Lot 10, and the west line of the said 15-foot wide Road Widening Easement, and with the west line of the tract described herein, a distance of 393.43 feet to a 1/2-inch iron rod found at the northwest corner of said Lot 10 and the southwest corner of Lot 9 of the said Twenty-Nine Ranch subdivision, being 77.31 feet right of County Road 266 Baseline Station 262+65.34, for the northwest corner of the tract described herein;

THENCE N 82° 56' 14" E, with the common line of said Lot 10 and said Lot 9, with the north line of the tract described herein, at a distance of 15.00 crossing the east line of the said 15-foot wide Road Widening Easement, and continuing for a total distance of 29.00 feet to a 1/2-inch iron rod with plastic cap stamped "BCG" set for the northeast corner of the tract described herein, from which a 1/2-inch iron rod found in the west line of Lot 8 of the said Twenty-Nine Ranch subdivision, at the northeast corner of said Lot 10 and the southeast corner of Lot 9 bears N 82°56'14" E, a distance of 543.09 feet;

THENCE S 07° 07' 37" E, crossing said Lot 10 with the east line of the tract described herein, a distance of 393.43 feet to 1/2-inch iron rod with plastic cap stamped "BCG" set in the common line of said Lot 10 and said Lot 11 for the southeast corner of the tract described herein;

THENCE S 82° 57' 16" W, with the common line of said Lot 10 and said Lot 11, with the south line of the tract described herein, at a distance of 14.00 crossing the east line of the said 15-foot wide Road Widening Easement, and continuing for a total distance of 29.00 feet to the **POINT OF BEGINNING** and containing 0.262 acre (11,409 square feet) of land, more or less.

BEARING BASIS: Texas Coordinate System, Central Zone, NAD83, Grid.

BOWMAN WORD FILE: FN1967

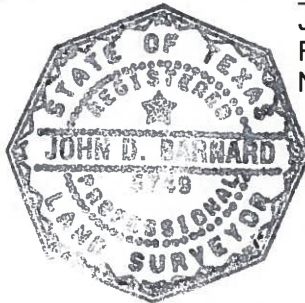
THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS

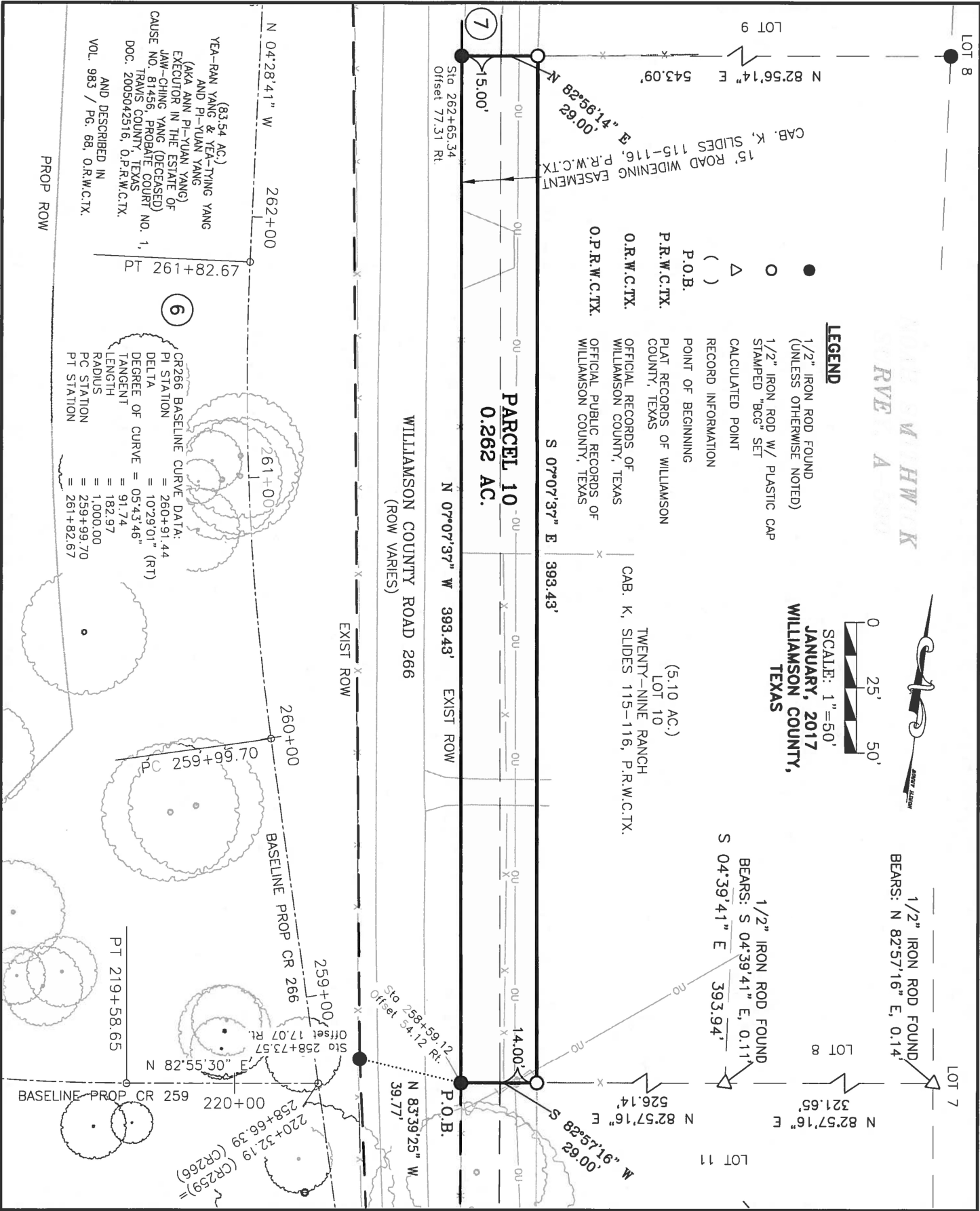
That I, John D. Barnard, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during the months of January through June 2015 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on this 11th of January, 2017 A.D.

Bowman Consulting Group, Ltd.
Austin, Texas 78746




John D. Barnard
Registered Professional Land Surveyor
No. 5749 – State of Texas

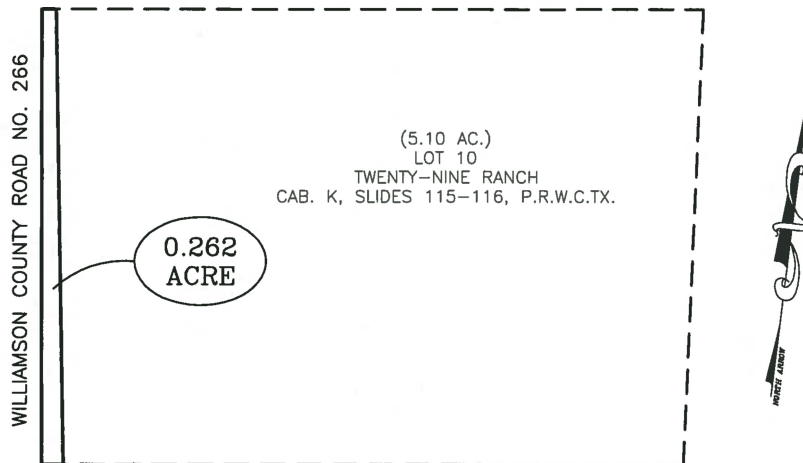


Bowman Consulting Group, Ltd.
1120 South Capital of Texas Hwy, Building 3, Suite 220, Austin, Texas 78746
Phone: (512) 327-1180 Fax: (512) 327-4082
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**EXHIBIT TO ACCOMPANY
FIELD NOTES DESCRIPTION
FN1967**

NOTES:

1. BEARING BASIS IS TEXAS COORDINATE SYSTEM, CENTRAL ZONE (4204), NAD83, GRID, BASED ON SURVEY TIES MADE TO CONTROL MONUMENTS SAM3, SAM4, SAM5 & SAM6 AS SHOWN ON CONTROL SHEETS FOR THE US 183: CR213 TO RIVA RIDGE DRIVE PROJECT (CSJ: 0151-04-063/064); LOWER COLORADO RIVER AUTHORITY (LCRA) CONTROL MONUMENTS AZF9 AND X622; AND TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) CONTROL MONUMENT N2463018.
2. DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS, TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE COMBINED SCALE FACTOR.
3. THE COMBINED SCALE FACTOR FOR THIS PROJECT IS 1.000115 (GRID TO SURFACE).
4. IMPROVEMENTS SHOWN HEREON ARE BASED ON AN ENGINEERING DESIGN SURVEY PERFORMED BY BOWMAN CONSULTING, DURING THE MONTHS OF JANUARY THROUGH JUNE, 2015.
5. COUNTY ROAD 259 STATIONS AND OFFSETS SHOWN HEREON ARE BASED ON THE THE PROJECT BASELINES (269011AL01.DGN), AS PROVIDED BY AGUIRRE & FIELDS, LP ON 08-26-2015; PROPOSED DRAINAGE EASEMENT LINEWORK PROVIDED ON 05-03-2016.
6. THE ACREAGE CALCULATED AND SHOWN HEREON IS DERIVED FROM RECORD INFORMATION, AND IS FOR INFORMATIONAL PURPOSES ONLY.
THIS DOES NOT IN ANY WAY REPRESENT A BOUNDARY SURVEY OF THE PARENT TRACT.
7. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN.



WHOLE PROPERTY INSET
(NOT TO SCALE)

PROPOSED PARCEL ACQUISITION TABLE
RECORD PROPERTY AREA = 5.10 ACRES

PROPOSED ACQUISITION AREA = 0.262 ACRE

REMAINDER AREA = 4.84 ACRES

SURVEYOR CERTIFICATION

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.



JOHN D. BARNARD
REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 5749,
STATE OF TEXAS

1/11/2017
DATE

Bowman
CONSULTING

Bowman Consulting Group, Ltd.
1120 South Capital of Texas Hwy, Building 3, Suite 220, Austin, Texas 78748
Phone: (512) 327-1180 Fax: (512) 327-4062
www.bowmanconsulting.com © Bowman Consulting Group, Ltd.

TBPE Firm No. F-14309 | TBPLS Firm No. 101206-00

**EXHIBIT TO ACCOMPANY
FIELD NOTES DESCRIPTION
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