

Sheets & Crossfield, PLLC

ATTORNEYS AT LAW

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

Phone 512-738-8725 (D) • fax 512-255-8986

don@scrrlaw.com

November 1, 2022

Leland@enochslawfirm.com

Morris Wayne Krueger and Michael Ray Krueger
c/o Leland Enochs
700 North Main Street
Taylor, Texas 76574

Re: Williamson County—Southeast Loop (Segment 2)
Parcel No.: 91DE

Dear Leland:

Please allow this letter to set out my understanding regarding our Agreement for the acquisition of a drainage easement to Williamson County, Texas (“County”) in and across a portion of the Krueger property (“Owner”) required as part of the County’s proposed improvements to Southeast Loop (Segment 2) and roadway construction (“Project”).

By execution of this letter the parties agree as follows:

1. In return for Owner’s delivery to County of a fully executed and acknowledged Drainage Easement (“Easement”) in and to 0.039 acre (1,710 SF) of land, and in the form as set out in Exhibit “A” attached hereto and incorporated herein, County shall pay Owner the sum of **\$8,000.00** in cash or other good funds.

2. If requested by County, the Closing and completion of this transaction shall take place at Texas National Title (“Title Company”) within thirty (30) days after full execution of this Agreement, or at other date and time agreed to between the parties.

Upon request Owner shall provide reasonable assistance, at no cost to Owner, to cause the Title Company to issue a policy of title insurance, with standard printed exceptions, to Jonah in completion of this transaction. County shall be responsible for all fees and costs associated with this transaction, except that each party shall be responsible for any attorney’s fees they incur. Owner shall assist County and Title Company with any curative measures or mortgage lien consent or subordination required as a condition of the Closing.

If this meets with your understanding, please execute this letter where indicated and return it to me, and we will have this approved and signed by the County and process this for payment and Closing 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,

Don Childs

Don Childs
Sheets & Crossfield, PLLC

AGREED:

Morris Wayne Krueger
Morris Wayne Krueger

Date: 11-3-22

Michael Ray Krueger
Michael Ray Krueger

Date: 10/18/2022

cc: Rick Akins (rakins@akinsnowlin.com)

ACCEPTED AND AGREED:

WILLIAMSON COUNTY, TEXAS

By: *Valerie Covey*
Bill Gravell, Jr.
County Judge

Date: Nov 15, 2022

EXHIBIT “A” FORM OF EASEMENT FOLLOWS

DRAINAGE EASEMENT
Southeast Loop (Segment 2)

THE STATE OF TEXAS

KNOW ALL BY THESE PRESENTS:

COUNTY OF WILLIAMSON

That **MORRIS WAYNE KRUEGER and MICHAEL RAY KRUEGER**, their successors and assigns, 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 0.039 acre (1,710 square foot) tract of land, more or less, being out of the R.S. Neighbors Survey, Section 27, Abstract No. 483, Williamson County, Texas; said tract being more particularly described by metes and bounds in Exhibit "A" attached hereto and incorporated herein (**Parcel 91DE**).

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.

EXECUTED on this the ____ day of _____, 2022.

[signature page follows]

GRANTOR:

Morris Wayne Krueger

ACKNOWLEDGMENT

STATE OF TEXAS

§

§

COUNTY OF WILLIAMSON

§

This instrument was acknowledged before me on this the ____ day of _____, 2022 by Morris Wayne Krueger, in the capacity and for the purposes and consideration recited herein.

Notary Public, State of Texas

GRANTOR:

Michael Ray Krueger

ACKNOWLEDGMENT

STATE OF TEXAS

§

§

COUNTY OF WILLIAMSON

§

This instrument was acknowledged before me on this the ____ day of _____, 2022 by Michael Ray Krueger, in the capacity and for the purposes and consideration recited herein.

Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

Sheets & Crossfield, PLLC
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"

Page 1 of 4
December 17, 2021

County: Williamson
Parcel No.: DE-91
Tax ID: R099934
Highway: Southeast Loop
Limits: From: C.R. 137
To: C.R. 404

PROPERTY DESCRIPTION FOR DRAINAGE EASEMENT 91

DESCRIPTION OF A 0.039 ACRE (1,710 SQ. FT.) EASEMENT OF LOCATED IN THE R.S. NEIGHBORS SURVEY, SECTION NO. 27, ABSTRACT NO. 483, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 150.69 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO MORRIS WAYNE KRUEGER AND MICHAEL RAY KRUEGER, RECORDED AUGUST 31, 1984, IN VOLUME 1066, PAGE 457, OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS (O.R.W.C.TX.); SAID 0.039 ACRE (1,710 SQ. FT.) EASEMENT, AS SHOWN ON A PLAT PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1-inch iron pipe found 1,424.80 feet left of Southeast Loop Engineer's Centerline Station (E.C.S.) 361+42.55, being on the east line of a called 50.00 acre tract of land, described in a deed to James L. Jarvis, recorded in Document Number 2020132186, Official Public Records of Williamson County, Texas (O.P.R.W.C.TX.), also being the northwest corner of a called 461.37 acre tract of land, described in a deed to Jody Boehm-Limmer, recorded in Document Number 2018092464, O.P.R.W.C.TX., same being the southwest corner of said 150.69 acre tract;

THENCE S 82°48'29" E, departing the east line of said 50.00 acre tract, with the common line of said 461.37 tract and said 150.69 acre tract, a distance of 2,132.94 feet to a calculated point (Surface Coordinates: N=10,165,246.38, E=3,190,460.77) 299.00 feet left of Southeast Loop E.C.S 383+01.70, for the west corner and the **POINT OF BEGINNING** of the drainage easement described herein and the beginning of a curve to the left;

1) **THENCE** along said curve to the left, departing the common line of said 461.37 acre tract and said 150.69 acre tract, over and across said 150.69 acre tract, having a radius of 5,001.00 feet, through a central angle of 00°57'08", an arc length of 83.12 feet, and a chord which bears N 53°46'56" E, a distance of 83.12 feet to a calculated point, 299.00 feet left of Southeast Loop E.C.S. 383+89.79, being on the east line of said 150.69 acre tract, same being the west line of a remainder of a called 92.278 acre tract of land described in a deed to Walnut Corner, LLC, recorded in Document Number 2003043723, O.P.R.W.C.TX., for the north corner of the drainage easement described herein;

2) **THENCE** S 07°22'38" W, with the common line of said remainder of a called 92.278 and said 150.69 acre tract, a distance of 57.12 feet to a calculated point being on the north line of said 461.37 acre tract, for the southwest corner of said remainder of a called 92.278 acre tract, the southeast corner of said 150.69 acre tract, and the east corner of the drainage easement described herein;

Page 2 of 4
December 17, 2021

3) **THENCE** N 82°48'29" W, departing the common line of said remainder of a called 92.278 acre tract and said 150.69 acre tract, with the common line of said 461.37 acre tract and said 150.69 acre tract, passing at a distance of 1.03 feet, a 3-inch iron pipe found, and continuing for a total distance of 60.20 feet to the **POINT OF BEGINNING**, and containing 0.039 acres (1,710 sq. ft.) of land, more or less.

Bearing Basis:

Bearing Basis:
All bearings shown are based on NAD83/2011/NADV88 Texas Coordinate System, Central Zone. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00012352. All coordinated shown are in surface and may be converted by dividing by the same factor. Project units are in U.S. Survey Feet.

That I, Scott C. Brashear, 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 under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.

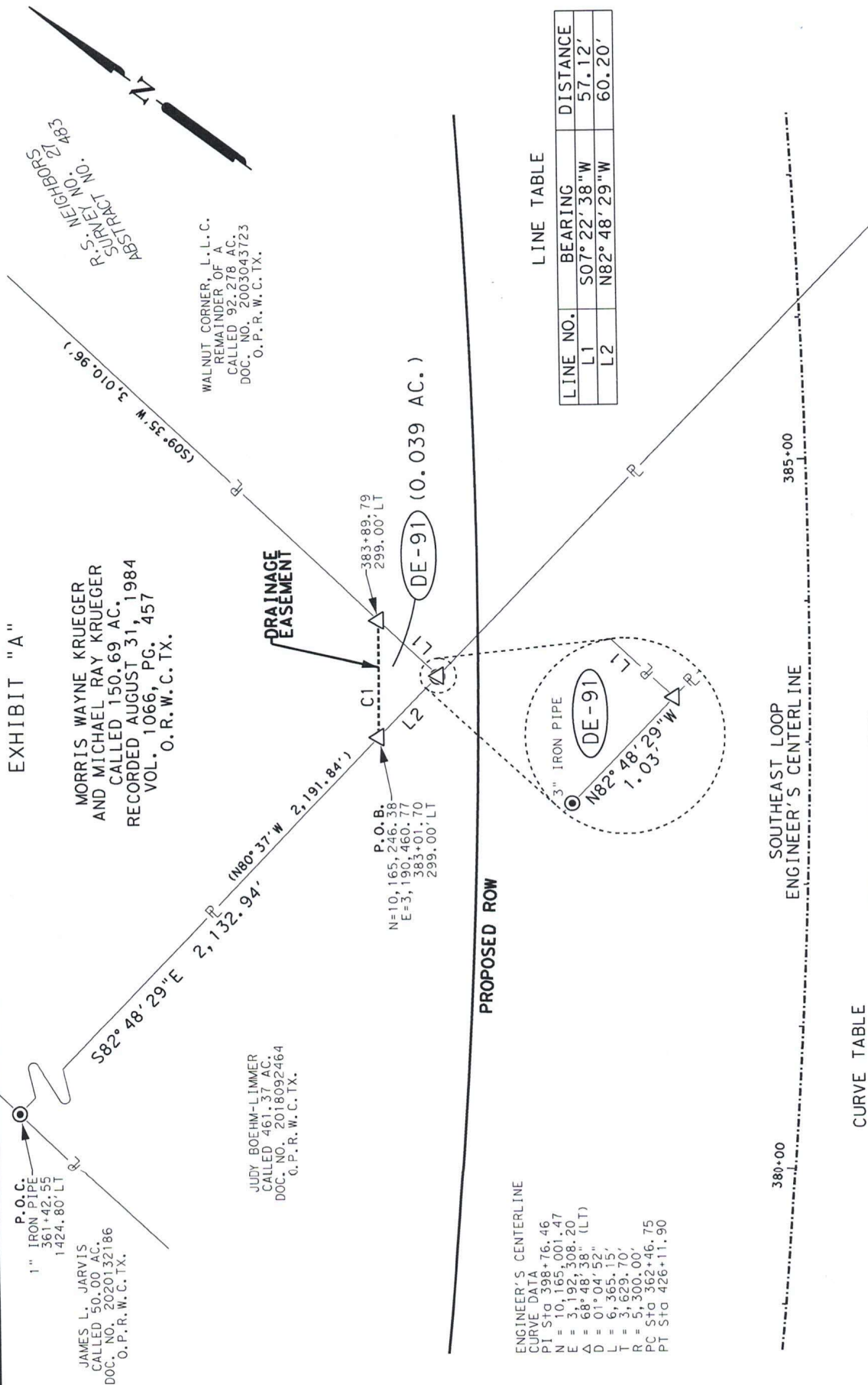
SURVEYING AND MAPPING, LLC
4801 Southwest Pkwy
Building Two, Suite 100
Austin, Texas 78735
TX. Firm No. 10064300

Preliminary

12/16/2021 10:03:29 AM

Scott C. Brashear
Registered Professional Land Surveyor
No. 6660 – State of Texas

EXHIBIT "A"



ENGINEER'S CENTERLINE
 CURVE DATA
 PI STG 398+76.46
 N = 10,165,001.47
 E = 3,192,308.20
 Δ = 68°48'38" (LT)
 D = 01°04'52"
 L = 6,365.15'
 T = 3,629.70'
 R = 5,300.00'
 PC STG 362+46.75
 PT STG 426+11.90

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	S07°22'38"W	57.12'
L2	N82°48'29"W	60.20'

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	00°57'08" (LT)	5,001.00'	83.12'	83.12'	N53°46'56"E



WILLIAMSON COUNTY, TEXAS

EXISTING	150.69 AC.	ACQUIRE	0.000 AC.	REMAINING	150.69 AC. LEFT
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4801 Southwest Parkway
 Building Two, Suite 100
 Austin, Texas 78735
 (512) 447-0575
 Fax: (512) 326-3029
 Texas Firm Registration No. 10064300



DRAINAGE EASEMENT SKETCH
 SHOWING PROPERTY OF
 MORRIS WAYNE KRUEGER
 AND MICHAEL RAY KRUEGER
 TAX ID: R099934
 DE-91
 0.039 AC. (1,710 SQ. FT.)

LEGEND

EXHIBIT "A"

- 5/8" IRON ROD SET WITH ALUMINUM CAP
STAMPED "WILLIAMSON COUNTY"
- 1/2" IRON ROD FOUND UNLESS NOTED
- FENCE POST (TYPE NOTED)
- TYPE 1 CONCRETE MONUMENT FOUND
- TXDOT TYPE II BRONZE DISK IN CONCRETE FOUND
- 1/2" IRON PIPE FOUND UNLESS NOTED
- 80D NAIL FOUND
- MAGNAIL FOUND
- SPINDLE FOUND
- RAILROAD TIE
- CALCULATED POINT
- PROPERTY LINE
- RECORD INFORMATION
- P.O.B.
- P.O.C.
- P.O.R.
- N.T.S.
- D.R.W.C.TX.
- O.R.W.C.TX.
- O.P.R.W.C.TX.
- DISTANCE NOT TO SCALE
- DEED LINE (COMMON OWNERSHIP)

NOTES:

- ALL BEARINGS SHOWN ARE BASED ON NAD83/2011/NAVD88 TEXAS COORDINATE SYSTEM, CENTRAL ZONE. ALL DISTANCES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00012352. ALL COORDINATES SHOWN ARE IN SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SAME FACTOR. PROJECT UNITS ARE IN U.S. SURVEY FEET.
 - THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF TITLE REPORT, THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
 - SOUTHEAST LOOP ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM JOHNSON, MIRIMIRAN & THOMPSON, INC. SCHEMATIC RECEIVED BY SAM, LLC. IN OCTOBER, 2021.
 - THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
- * AREA CALCULATED BY SAM, LLC.

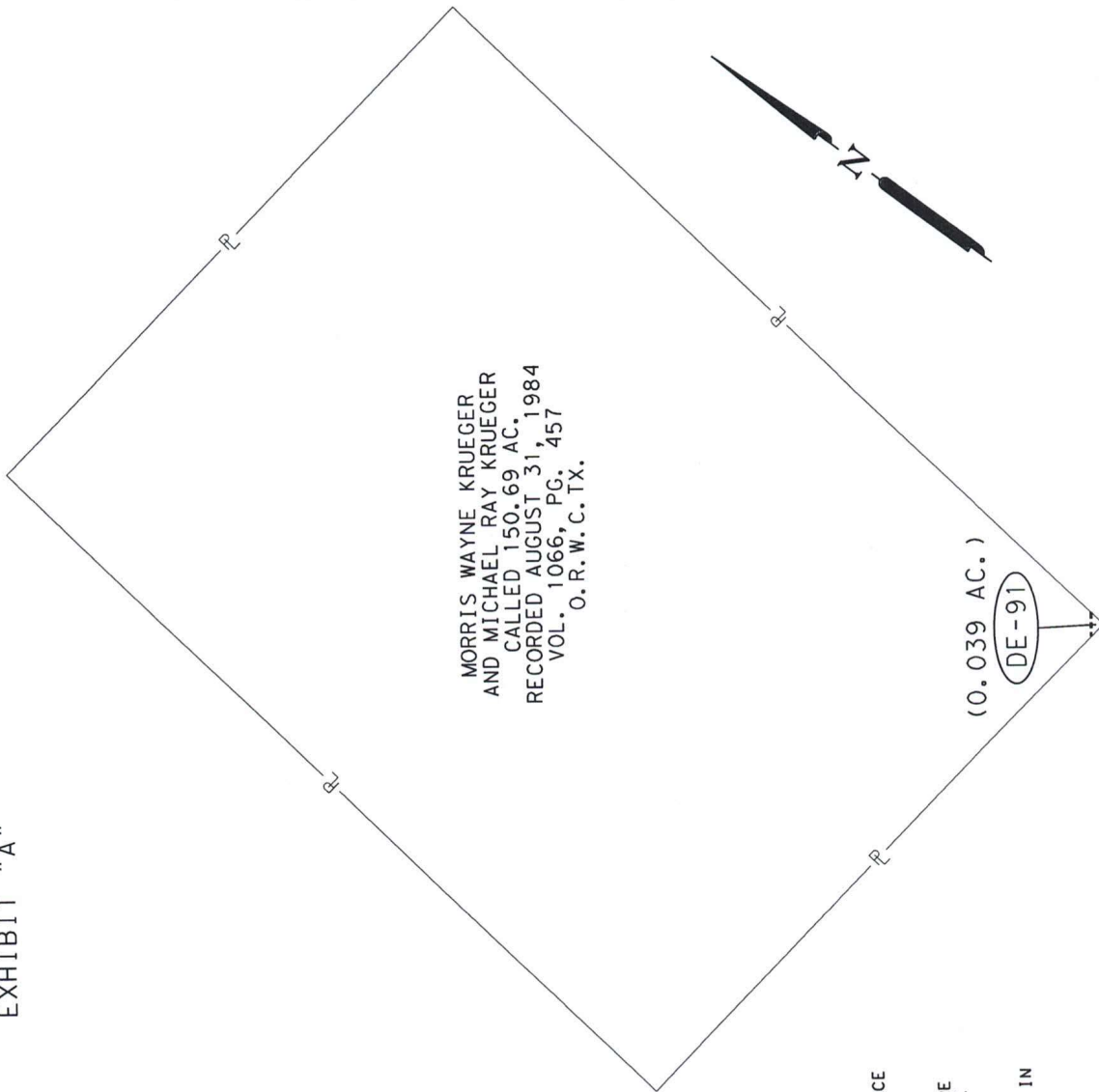
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Preliminary

12/16/2021 10:03:46 AM

SCOTT C. BRASHEAR
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6660, STATE OF TEXAS

DATE



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REF. FIELD NOTE NO. 49136
FILE: \\saminc\AUS\PROJECTS\1021061125\100\Survey\03Exhibits\91\PLAT\00\DE-91-1.dgn

EXISTING 150.69 AC.	ACQUIRE 0.000 AC.	REMAINING 150.69 AC. LEFT
DRAINAGE EASEMENT SKETCH SHOWING PROPERTY OF MORRIS WAYNE KRUEGER AND MICHAEL RAY KRUEGER TAX ID: R099934 DE-91 0.039 AC. (1,710 SQ. FT.)		
4801 Southwest Parkway Building Two, Suite 100 Austin, Texas 78735 (512) 447-0575 Fax: (512) 326-3029 Texas Firm Registration No. 10064300		