

# Sheets & Crossfield, PLLC

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July 26, 2023

## GLOBAL RULE 11 CONDEMNATION SETTLEMENT AGREEMENT

Via e-mail [brent@bhlawgroup.com](mailto:brent@bhlawgroup.com)

Brent Hamilton

Brady & Hamilton, LLP

(512) 474-9875

Re: Williamson County—Liberty Hill Bypass Harlow and Helms Settlements

Dear Brent:

Please allow this letter to constitute a Rule 11 Settlement Agreement between Williamson County, Texas ("County") and J. Patrick Harlow, Lisa M. Harlow, The Estate of James W. Forbes, Christina A. Helms, Michael Forbes Harlow, Linda Lunsford Harlow, Jeremiah Forbes Harlow, Crystal Eastham Harlow, Timothy P. Harlow, and Scott Lee Ira Helms ("your clients") in connection with the project identified herein and the fee simple right of way parcel interest being acquired as part of the County's Liberty Hill Bypass road improvement project. The terms of this Agreement and the settlement reached are as follows:

County agrees to pay, and your clients agree to accept, the total sum of Two Million Ninety-Five Thousand Five Hundred Seventy-Five and 01/100 Dollars \$2,095,575.01 in total compensation to your clients as shown in Exhibit A, attached hereto and incorporated herein for all purposes, for fee simple acquisitions, and any alleged damages to the remaining property of your clients not acquired, with such locations and acquisitions as further described in County's current pleadings on file in these cases. All parties acknowledge \$816,621 was previously paid to your clients for possession and use ("PUA") of their property pending litigation, \$905,685 was deposited within the courts' registry pursuant to awards of special commissioners, and a total balance of \$373,269.01 is due to landowners for final settlement of all condemnation cases listed in Exhibit A.

1. Parcel 2 owners agree to accept the total amount of \$448,203.95 for final settlement of the acquisition described in Cause No. 22-1121-CC1, and any alleged damages to the remaining property of Parcel 2 not acquired. All parties acknowledge \$192,062 was previously paid to landowners for a PUA, leaving a final balance due to landowners of \$256,141.95.

2. Parcel 3 owners agree to accept the total amount of \$359,400 for final settlement of the acquisition described in Cause No. 22-1131-CC4, and any alleged damages to the remaining property of Parcel 3 not acquired. All parties acknowledge \$147,002 was previously paid to landowners for a PUA, an additional \$204,672 was deposited within the registry of the court pursuant to an award of special commissioners, leaving a final balance due to landowners of \$7,726.
3. Parcel 4 owners agree to accept the total amount of \$250,240 for final settlement of the acquisition described in Cause No. 22-1123-CC3, and any alleged damages to the remaining property of parcel 4 not acquired. All parties acknowledge \$85,733 was previously paid to landowners for a PUA, an additional \$144,307 was deposited within the registry of the court pursuant to an award of special commissioners, leaving a final balance due to landowners of \$20,200.
4. Parcel 5 owners agree to accept the total amount of \$37,237.53 for final settlement of the acquisition described in Cause No. 22-1124-CC4, and any alleged damages to the remaining property of parcel 5 not acquired. All parties acknowledge \$22,921 was previously paid to landowners for a PUA, leaving a final balance due to landowners of \$14,316.53.
5. Parcel 6 owners agree to accept the total amount of \$9,690 for final settlement of the acquisition described in Cause No. 22-1118-CC3, and any alleged damages to the remaining property of parcel 6 not acquired. All parties acknowledge parcel 6 owners have a final balance due to landowners of \$9,690.09.
6. Parcel 7 owners agree to accept the total amount of \$29,377.41 for final settlement of the acquisition described in Cause No. 22-1127-CC2, and any alleged damages to the remaining property of parcel 7 not acquired. All parties acknowledge \$10,985 was previously paid to landowners for a PUA, leaving a final balance due to landowners of \$18,392.41.
7. Parcel 48 owners agree to accept the total amount of \$820,204 for final settlement of the acquisition described in Cause No. 22-1122-CC2, and any alleged damages to the remaining property of Parcel 48 not acquired. All parties acknowledge \$289,818 was previously paid to landowners for a PUA, an additional \$551,182 was deposited within the registry of the court pursuant to an award of special commissioners, leaving a balance due to Williamson County of \$20,796. As additional consideration, Williamson County agrees to replace Parcel 48's existing driveway with a new driveway 60 (sixty) feet north of its current location. All parties agree the existing driveway will close when the new driveway is constructed up to the new right of way line during construction of the

Liberty Hill Bypass project. Furthermore, landowners agree to apply for a new driveway permit if the existing residential and agricultural use of Parcel 48 is ever changed.

8. Parcel 49 owners agree to accept the total amount of \$10,614 for final settlement of the acquisition described in Cause No. 22-1126-CC1, and any alleged damages to the remaining property of parcel 49 not acquired. All parties acknowledge \$4,703 was previously paid to landowners for a PUA, an additional \$5,524 was deposited within the registry of the court pursuant to an award of special commissioners, leaving a final balance due to landowners of \$387.
9. Parcel 50 owners agree to accept the total amount of \$130,608.03 for final settlement of the acquisition described in Cause No. 22-1128-CC3, and any alleged damages to the remaining property of Parcel 50 not acquired. All parties acknowledge \$63,397 was previously paid to landowners for a PUA, leaving a final balance due to landowners of \$67,211.03.
10. It is agreed that neither County nor your clients will file objections to the Award of Special Commissioners for Parcel 2 in Cause No. 22-1121-CC1 so long as the Williamson County Commissioners Court approves this total Global Rule 11 settlement of Two Million Ninety-Five Thousand Five Hundred Seventy-Five and 01/100 Dollars \$2,095,575.01 on or before August 8, 2023. After prior payment offsets, and subject to Williamson County Commissioner Court approval of this agreement, County agrees to pay Brady & Hamilton, LLP the total amount of Three Hundred Seventy-Three Thousand Two Hundred Sixty-Nine and 01/100 \$373,269.01 within thirty days after entry of all final judgments.
11. All parties agree to file agreed final judgments in accordance with this Global Rule 11 settlement agreement not later than August 31, 2023.

If this letter correctly sets forth the terms of our Global Rule 11 settlement agreement reached between the County and your clients, please so indicate by having the appropriate person execute this letter in the space indicated below on behalf of the property owners.

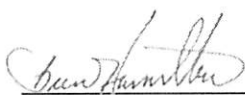
Very truly yours,

Mylan W. Shaunfield  
Sheets & Crossfield, PLLC  
Attorneys for County

## Exhibit A

Parcel	Cause No.	Total Settlement Amount	PUA Funded	Recorded PUA Document	Award Net Deposit	Total Amount Due
2	22-1121-CC1	\$ 448,203.95	\$ 192,062.00	2022142185	N/A	\$256,141.95
3	22-1131-CC4	\$ 359,400.00	\$ 147,002.00	2022137990	\$204,672.00	\$ 7,726.00
4	22-1123-CC3	\$ 250,240.00	\$ 85,733.00	2022137989	\$144,307.00	\$ 20,200.00
5	22-1124-CC4	\$ 37,237.53	\$ 22,921.00	2023038561	N/A	\$ 14,316.53
6	22-1118-CC3	\$ 9,690.09	N/A	N/A	N/A	\$ 9,690.09
7	22-1127-CC2	\$ 29,377.41	\$ 10,985.00	2023001164	N/A	\$ 18,392.41
48	22-1122-CC2	\$ 820,204.00	\$ 289,818.00	2022137991	\$551,182.00	\$ (20,796.00)
49	22-1126-CC1	\$ 10,614.00	\$ 4,703.00	2022142189	\$ 5,524.00	\$ 387.00
50	22-1128-CC3	\$ 130,608.03	\$ 63,397.00	2023001169	N/A	\$ 67,211.03
\$2,095,575.01						<u>\$373,269.01</u>

**AGREED AND ACCEPTED:**



Brent Hamilton  
Brady & Hamilton, LLP  
(512) 474-9875

Attorney J. Patrick Harlow, Lisa M. Harlow, The Estate of James W. Forbes, Christina A. Helms, Michael Forbes Harlow, Linda Lunsford Harlow, Jeremiah Forbes Harlow, Crystal Eastham Harlow, Timothy P. Harlow, and Scott Lee Ira Helms

Date: 7.26.2023

**AGREED AND ACCEPTED:**

WILLIAMSON COUNTY, TEXAS

By: Bill Gravell Jr.  
Bill Gravell Jr. (Aug 1, 2023 16:29 CDT)  
Bill Gravell, Jr.  
County Judge

Date: Aug 1, 2023