

Sheets & Crossfield, PLLC

ATTORNEYS AT LAW

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

Phone 512-255-8877 • fax 512-255-8986

John@scrrlaw.com

July 29, 2025

Via e-mail: preznik@braungresham.com

Patrick Reznik

Braun & Gresham

P.O. Box 1148

Dripping Springs, Texas 78620

ATTORNEY FOR CONDEMNNEES

STEVEN M. COUNTS AND KELLY D. COUNTS

RULE 11 SETTLEMENT AGREEMENT

Re: *Williamson County, Texas v. Steven M. Counts and Kelly D. Counts*; Cause No. 21-1851-CC2; filed in the County Court at Law No. Two of Williamson County, Texas; Corridor H project; Parcel 34.

Dear Mr. Reznick:

This letter will serve as a Rule 11 Settlement Agreement (“Agreement”) between Williamson County, Texas (“Condemnor”) and Steven M. Counts and Kelly D. Counts (hereinafter “Condemnees”), (collectively the “Parties”) as to the following:

1. This Rule 11 Settlement Agreement is for the resolution of the above referenced condemnation case brought by the Condemnor.
2. Condemnor agrees to pay the total compensation amount of \$250,000.00 in complete settlement of any and all claims which have been or which could have been made by the parties as a result of the events giving rise to the filing of the live petition in the case under Cause No. 21-1851-CC2, including, but not limited to, compensation for Condemnor’s fee simple acquisition, described in Exhibit “A” (“Parcel 34”) attached hereto, damages to the remainder, if any, and any costs to cure.
3. The Parties agree to settle this condemnation case for the acquisition of Parcel 34 via an agreed or final judgment for the total compensation amount of \$250,000.00.
4. The Parties agree that \$250,000.00 is the final and total compensation amount payable to all parties in this case and is inclusive of any pre-judgment interest. The Condemnor shall receive credit of the funds previously paid pursuant to the Award and/or Possession and Use Agreement in this case.

5. Post-judgment interest, if any, is tolled for a period of 60 days after the Court signs a judgment in this case. If Condemnor fails to pay the remaining balance owed after credits from the award and/or PUA payments within the 60 days of the Court signing a judgment in this case, then Condemnees shall be entitled to post-judgment interest only on the remaining balance that has not been paid at the statutory rate as of the date the judgment is signed by the Court until paid.
6. Plaintiff shall make such payment by wire transfer, check, or warrant payable to "Patrick Reznik, FBO Steven M. Counts and Kelly D. Counts" and if applicable, deliver such payment to Patrick Reznik, or any other attorney or staff member, at 14101 W Hwy 290, Suite 1300, Austin, TX 78737 and that Condemnee or its attorneys shall sign a release of judgment within 30 days of a request by the Condemnor, which may be duly recorded in the deed records of Williamson County, Texas. In the event Condemnee is unable to provide necessary documents to effectuate payment, or be available to accept payment, as directed above, Condemnor may deposit the unpaid balance in the registry of the Court to satisfy payment obligations.
7. Condemnor's sole compensation obligation shall be the total payment of \$250,000.00 for Parcel 34. Any compensation claims made in this case by parties to this lawsuit shall be satisfied from this payment without further recourse to Condemnor.
8. If any party outside of this Agreement contests compensation and/or this settlement at any proceeding after this Agreement is fully executed in either case, Condemnor may terminate this contract, and the Parties may proceed with both lawsuits as if there had never been an agreement.
9. This agreement is contingent on final approval by Condemnor. In the event this Agreement is not approved by Condemnor and executed by an authorized representative, this agreement is null and void and the Parties may continue with both cases as if there had never been an agreement.
10. This Agreement may be filed as a Rule 11 agreement in both cases.
11. The Parties bear their own cost of court as incurred.

If this letter correctly sets forth the terms of our agreement and the settlement reached between Condemnor and Condemnees, please indicate by having the appropriate person execute this letter in the space indicated below and return it to my attention for filing with the Clerk.

Sincerely,

John L. Kelley
Sheets & Crossfield, PLLC
Attorney for Williamson County, Texas

[Signature pages follow]

AGREED AND ACCEPTED:



Patrick Reznik

Braun & Gresham

P.O. Box 1148

Dripping Springs, Texas 78620

ATTORNEY FOR CONDEMNEDS

STEVEN M. COUNTS AND KELLY D. COUNTS

AGREED AND ACCEPTED:

Williamson County, Texas

By:


Steve Snell (Aug 5, 2025 21:32:21 CDT)

Steven Snell County Judge

Date:

Aug 5, 2025

EXHIBIT "A"

County: Williamson
Parcel No.: 34
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

Page 1 of 5
March 25, 2021

PROPERTY DESCRIPTION FOR PARCEL 34

DESCRIPTION OF A 0.266 ACRE (11,590 SQ. FT.) PARCEL OF LAND LOCATED IN THE J.H. DILLARD SURVEY, ABSTRACT 179, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF CALLED 1.204 ACRE TRACT OF LAND, DESCRIBED IN A DEED TO STEVEN M. COUNTS AND SPOUSE, KELLY D. COUNTS, RECORDED MAY 8, 2007 IN DOCUMENT NO. 2007038981, OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 0.266 ACRE (11,590 SQ. FT.) PARCEL, AS SHOWN ON A PLAT PREPARED BY SAM, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod found 190.89 feet left of County Road 175 (Sam Bass Road) Engineer's Centerline Station (E.C.S.) 316+50.30 on the east line of a called 1.887 acre tract of land, described in a deed to E.D. Thomas and wife, W.L. Thomas, recorded in Volume 1361, Page 738, Official Records of Williamson County, Texas (O.R.W.C.TX.), for the southwest corner of a called 1.00 acre tract of land, described in a deed to Phyllis C. Beckham, recorded in Document No. 2000056918, O.P.R.W.C.TX., same being the northwest corner of said 1.204 acre tract;

THENCE S 09°57'11" W, with the common line of said 1.887 acre tract and said 1.204 acre tract, a distance of 115.74 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" (Surface Coordinates: N=10,169,747.02, E=3,111,527.20) set 77.00 feet left of Sam Bass Road E.C.S 316+70.91 on the proposed north right-of-way line of Sam Bass Road, for the northwest corner and **POINT OF BEGINNING** of the parcel described herein;

THENCE departing the common line of said 1.887 acre tract and said 1.204 acre tract, with the proposed north right-of-way line of said Sam Bass Road, over and across said 1.204 acre tract, the following two (2) courses and distances numbered 1-2:

1) S 69°47'20" E, a distance of 226.58 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 77.00 feet left of Sam Bass Road E.C.S. 318+97.48, and

2) N 70°27'11" E, a distance of 44.16 feet to a 5/8-inch iron rod with an aluminum cap stamped "WILLIAMSON COUNTY" set 105.25 feet left of Sam Bass Road E.C.S. 319+31.43 on the existing west right-of-way line of Deer Trail Circle, a 50 foot wide right-of-way easement, recorded in Volume 624, Page 808, Deed Records of Williamson County, Texas (D.R.W.C.TX.);

3) **THENCE** S 65°10'15" E, departing the existing west right-of-way line of said Deer Trail Circle, continuing with the proposed north right-of-way line of said Sam Bass Road, over and across said Deer Trail Circle, a distance of 25.09 feet to a calculated point 103.23 feet left of Sam Bass Road E.C.S. 319+56.44 on the centerline of said Deer Trail Circle, for the northeast corner of the parcel described herein, said point being the beginning of a curve to the right;

EXHIBIT "A"

County: Williamson
Parcel No.: 34
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

Page 2 of 5
March 25, 2021

THENCE departing the proposed north right-of-way line of said Sam Bass Road, with the centerline of said Deer Trail Circle, the following two (2) courses and distances numbered 4-5:

4) With said curve to the right, an arc distance of 30.34 feet, through a central angle $07^{\circ}19'49''$, having a radius of 237.12 feet, and a chord that bears $S\ 32^{\circ}57'25''\ W$, a distance of 30.32 feet to a calculated point, and

5) $S\ 36^{\circ}37'20''\ W$, a distance of 47.20 feet to a calculated point, for the southeast corner of the parcel described herein;

5) **THENCE** $N\ 65^{\circ}25'45''\ W$, over and across said Deer Trail Circle, passing at a distance of 25.56 feet a calculated point at the intersection of the existing west right-of-way line of said Deer Trail Circle and the existing north right-of-way line of Sam Bass Road, a variable width right-of-way, no record information found, for the southeast corner of said 1.204 acre tract, and continuing with the existing north right-of-way line of said Sam Bass Road for a total distance of 261.05 feet to a 1/2-inch iron rod found, for the southeast corner of said 1.887 acre tract, same being the southwest corner of said 1.204 acre tract and the parcel described herein, from which a 1/2-inch iron rod found, for the southwest corner of said 1.887 acre tract bears $N\ 65^{\circ}36'43''\ W$, a distance of 9.98 feet to a calculated point, and $N\ 64^{\circ}31'49''\ W$, a distance of 144.61 feet;

THIS SPACE INTENTIONALLY LEFT BLANK

EXHIBIT "A"

County: Williamson
Parcel No.: 34
Highway: C.R. 175 (Sam Bass Road)
Limits: From: F.M. 1431
To: 1,000' East of Wyoming Springs Drive

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March 25, 2021

6) **THENCE** N 09°57'11" E, departing the existing north right-of-way line of said Sam Bass Road, with the common line of said 1.887 acre tract and said 1.204 acre tract, a distance of 29.25 feet to the **POINT OF BEGINNING**, and containing 0.266 acre (11,590 sq. ft.) of land, more or less of which 0.045 acre (1,953 sq. ft.) lies within the existing right-of-way of Deer Trail Circle.

This property description is accompanied by a separate plat of even date.

Bearing Basis:

All bearings shown are based on the Texas Coordinate System, Central Zone, NAD 83/2011. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.00012. Units: U.S. Survey Feet.

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

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




3/25/21

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

EXHIBIT "A"

CURVE TABLE

NO.	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
C1	07° 19' 49" RT	237.12'	30.34'	30.32'	S32° 57' 25" W

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N70° 27' 11" E	44.16'
L2	S65° 10' 15" E	25.09'
L3	S36° 37' 20" W	47.20'
L4	N65° 36' 43" W	9.98'
(L4)	(N63° 59' W)	(10.00')
L5	N09° 57' 11" E	29.25'

PHYLLIS C. BECKHAM
CALLED 1.00 ACRES
DOC NO. 2000056918
O.P.R.W.C. TX.

J.H. DILLARD
ABSTRACT 179

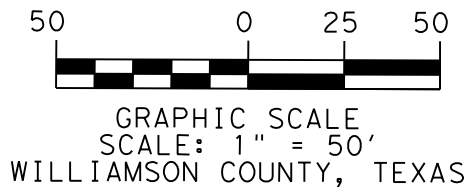
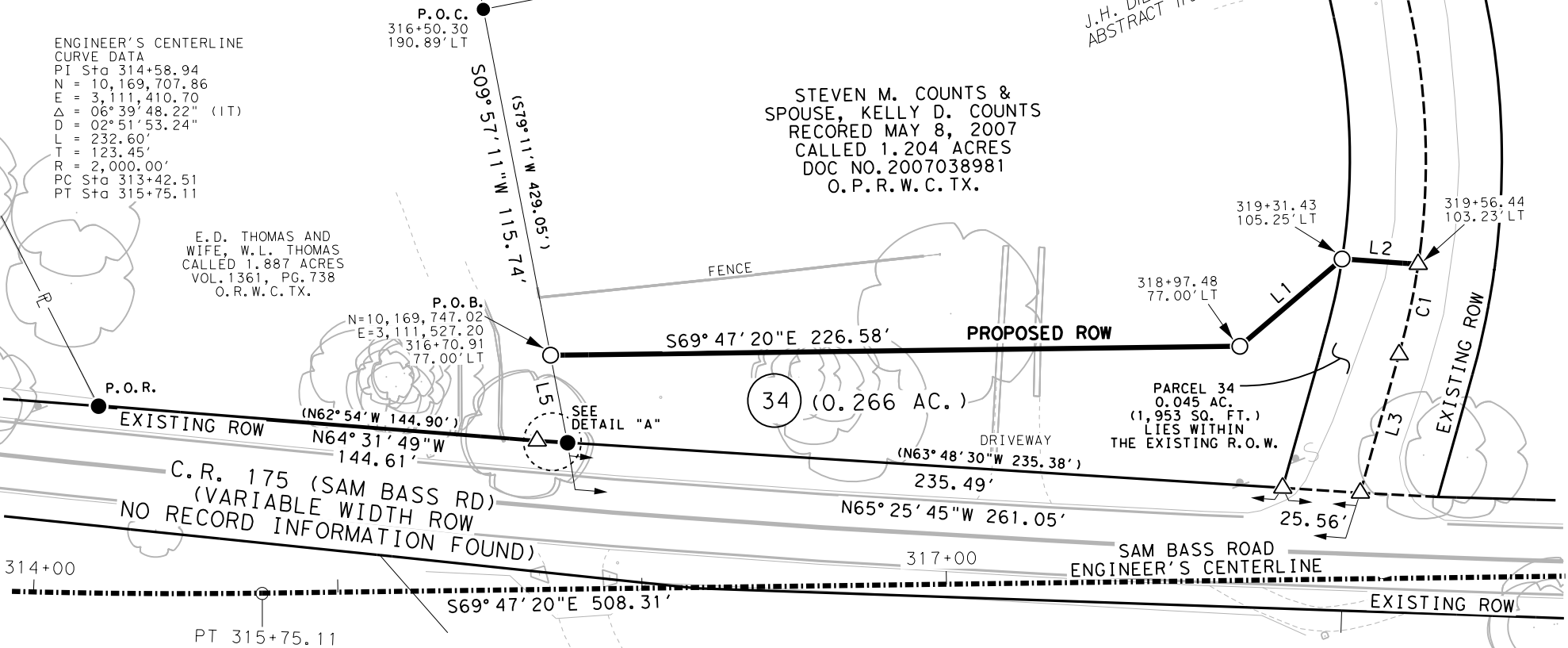
STEVEN M. COUNTS &
SPOUSE, KELLY D. COUNTS
RECORDED MAY 8, 2007
CALLED 1.204 ACRES
DOC NO. 2007038981
O.P.R.W.C. TX.

ENGINEER'S CENTERLINE CURVE DATA

PI Sta 314+58.94
N = 10,169,747.86
E = 3,111,410.70
Δ = 06° 39' 48.22" (LT)
D = 02° 51' 53.24"
L = 232.60'
T = 123.45'
R = 2,000.00'
PC Sta 313+42.51
PT Sta 315+75.11

E.D. THOMAS AND
WIFE, W.L. THOMAS
CALLED 1.887 ACRES
VOL. 1361, PG. 738
O.R.W.C. TX.

P.O.B.
N=10,169,747.02
E=3,111,527.20
316+70.91
77.00' LT



FILE: \\saminc\aus\PROJECTS\1017038216\100\Survey\03Exhibits\34\PLAT\01\P-34.dgn

EXISTING	1.204 AC.	ACQUIRE	0.266 AC.	REMAINING	0.982 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

RIGHT-OF-WAY SKETCH
SHOWING PROPERTY OF
STEVEN M. COUNTS &
SPOUSE, KELLY D. COUNTS
PARCEL 34
0.266 AC. (11,590 SQ. FT.)

PAGE 4 OF 5
REF. FIELD NOTE NO. 46725

EXHIBIT "A"

LEGEND

○	5/8" IRON ROD SET WITH ALUMINUM CAP STAMPED "WILLIAMSON COUNTY"
●	1/2" IRON ROD FOUND UNLESS NOTED
⬡	FENCE POST (TYPE NOTED)
△	CALCULATED POINT
ℙ	PROPERTY LINE
()	RECORD INFORMATION
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING
P.O.R.	POINT OF REFERENCE
N.T.S.	NOT TO SCALE
D.R.W.C.TX.	DEED RECORDS OF WILLIAMSON COUNTY, TEXAS
O.R.W.C.TX.	OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS
O.P.R.W.C.TX.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
---	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 1.00012. 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 WITH THE BENEFIT OF TITLE REPORT, PROVIDED BY TITLE RESOURCES GUARANTY COMPANY, GF NO. 2006593, EFFECTIVE DATE FEBRUARY 7, 2020, AND ISSUED DATE FEBRUARY 20, 2020. THERE MAY BE EASEMENTS OR OTHER MATTERS, RECORDED OR UNRECORDED, THAT ARE NOT SHOWN.
 - SAM BASS ROAD ENGINEER'S CENTERLINE ALIGNMENT DERIVED FROM KFRIESE. SCHEMATIC RECEIVED BY SAM, LLC. IN APRIL, 2019.
 - 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.

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

DATE

3/25/21

SCHEDULE B:

THIS SURVEY HEREON WAS PREPARED IN CONJUNCTION WITH THAT COMMITMENT FOR TITLE INSURANCE GF NO. 2006593, ISSUED BY TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE FEBRUARY 7, 2020, AND ISSUED DATE FEBRUARY 20, 2020.

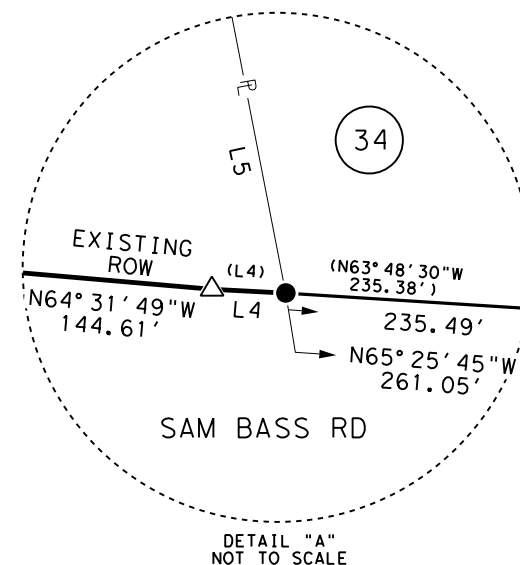
1. RESTRICTIVE COVENANTS: VOLUME 554, PG. 135, SUBJECT TO.

10F. INCLUSION WITHIN THE UPPER BRUSHY CREEK WCID, SUBJECT TO IF APPLICABLE.

G. EASEMENT FOR INGRESS AND AGRESS AND A PRIVATE RIGHT OF WAY AS SET FORTH IN VOLUME 624, PG. 808, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, AFFECTS AS SHOWN.

H. EASEMENT GRANTED TO SOUTHWESTERN BELL TELEPHONE COMPANY FOR THE PURPOSE OF A COMMUNICATIONS EQUIPMENT STATION, RECORDED IN VOLUME 671, PG. 907, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, DOES NOT AFFECT.

I. TERMS, CONITIONS, AND STIPULATIONS AS SET FORTH IN THE AGREEMENT BETWEEN THE HOWARD CORPORATION AND RAY YATES, DATED AUGUST 16, 1972, RECORDED IN VOLUME 554, PAGE 135, DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SUBJECT TO.



PAGE 5 OF 5
REF. FIELD NOTE NO. 46725

FILE: \\saminc\aus\PROJECTS\1017038216\100\Survey\03Exhibits\34\PLAT\01\P-34.dgn

EXISTING	1.204 AC.	ACQUIRE	0.266 AC.	REMAINING	0.982 AC. LEFT
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0.266 AC. (11,590 SQ. FT.)