

EXHIBIT**A**

BCRUAPh2—Parcel 77EE

CAUSE NO. C-1-CV-21-001901**CITY OF ROUND ROCK, TEXAS**
CONDEMNOR§
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§**IN THE COUNTY COURT****V.****AT LAW NO. 1****MARK L. ETHERIDGE AND**
LINDA M. ETHERIDGE, Et al.
CONDEMNEE**TRAVIS COUNTY, TEXAS****FINAL JUDGEMENT**

City of Round Rock, Texas (“Condemnor”) and Condemnees Mark L. Etheridge and Linda M. Etheridge have agreed to compromise and settle the issues in this lawsuit and request entry of this Final Judgement by the Court. It appears to the Court that it has jurisdiction of this matter, and that the Condemnor and Condemnees Mark L. Etheridge and Linda M. Etheridge have agreed to all of the provisions contained within this Judgement and desire to resolve this lawsuit upon the terms as follows.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that an electric utility easement interest for aerial purposes only in, over, across, and to approximately 0.158 acres (Parcel 77) of land in Travis County, Texas (the “Property”), said property more particularly described or shown in Exhibit “A”, attached hereto and incorporated herein for all purposes; and as further described in Plaintiff’s Third Amended Original Petition, filed among the papers of this cause on or about March 4, 2022, and any subsequent live pleading amendments thereto; 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 **CITY OF ROUND ROCK TEXAS**, and its assigns for the purpose of constructing, reconstructing, replacing, building, upgrading, renewing, removing, inspecting, cleaning,

changing, modifying, and/or maintaining facilities, utility connections and all other necessary appurtenances to and for electrical services in support of the regional water treatment and distribution system of the Brushy Creek Regional Utility Authority and its participating cities, and to perform associated public use and purposes (the “Project”).

The easement rights acquired and conveyed in and to the Property by this Judgment are described in Plaintiff’s Third Amended Petition filed on or about March 4, 2022, and any subsequent amendments thereto, and described in further detail in the Electric Utility Easement Aerial Purposes Only document in Exhibit “B” attached hereto and incorporated herein, and for no other purpose (the “Easement”).

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 and Easement to be acquired and any damages to any remaining property of Condemnees, that Condemnees shall recover from Condemnor the total sum of **ONE HUNDRED FIFTY-TWO THOUSAND FIVE HUNDRED and 00/100 Dollars (\$152,500.00)**, of which total amount:

1. Pursuant to the Award of Special Commissioners, ONE HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS (\$160,000.00) was previously deposited within the registry of this Court on March 29, 2022, and which amount was withdrawn in full and payable to Condemnees by Order dated June 17, 2022, and filed among the papers of this Cause.
2. Therefore, there is now due and owing from Condemnees Mark L. Etheridge and Linda M. Etheridge to Condemnor, City of Round Rock, a return payment amount of SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$7,500.00), and which amount shall be delivered by check or other good funds payable to CITY OF ROUND ROCK, and delivered by certified mail, return receipt requested or hand delivery to: Sheets & Crossfield, PLLC, ATT: LISA DWORACZYK, 309 East Main Street, Round Rock, Texas, 78664. If the return amount is not paid and delivered on or before the expiration of sixty (60) days following the entry of this Judgment by the Court, then interest shall accrue beginning on the sixty-first (61st) day at the post-judgment statutory rate existing as of the date of entry and filing.

It is further ORDERED that Defendants INTERCONTINENTAL EXCHANGE HOLDINGS INC. f/k/a MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., and PHH MORTGAGE CORPORATION f/k/a OCWEN LOAN SERVICING, LLC have not made an appearance or prosecuted any claims in this case, or have otherwise executed sworn releases of their lien interest in and to the Property, and shall TAKE NOTHING by this Judgment.

It is further ORDERED that all costs of court are hereby adjudged against the party incurring said costs.

It is, finally, ORDERED that this Final Judgment fully and finally disposes of all parties and claims raised in this cause and is appealable. All relief not expressly granted is denied.

SIGNED this _____ day of _____, 2025.

Judge Presiding

PREPARED BY AND APPROVED AS TO SUBSTANCE AND FORM:

John L. Kelley

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309 East Main Street

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ATTORNEYS FOR CONDEMNOR
CITY OF ROUND ROCK, TEXAS

APPROVED AND AGREED AS TO SUBSTANCE AND FORM:



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ATTORNEYS FOR CONDEMNEDS

MARK L. ETHERIDGE AND LINDA M. ETHERIDGE

AGREED AND ACCEPTED:

CITY OF ROUND ROCK, TEXAS

By: _____
Craig Morgan, Mayor

FINAL JUDGMENT

EXHIBIT “A”

BCRUA 077
MARK L. ETHERIDGE



0.158 ACRE
ELECTRIC EASEMENT
LOCATED IN THE S. HAYFORD SURVEY, ABSTRACT 2246,
THE G.W. DRAPER SURVEY, ABSTRACT 229 AND
THE R. BLACKWELL SURVEY, ABSTRACT 83
IN TRAVIS COUNTY, TEXAS

FIELD NOTES FOR A 0.158 ACRE STRIP OF LAND LOCATED IN THE S. HAYFORD SURVEY, ABSTRACT 2246, THE G.W. DRAPER SURVEY, ABSTRACT 229 AND THE R. BLACKWELL SURVEY, ABSTRACT 83, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 49.820 ACRE TRACT DESCRIBED IN A DEED TO MARK L. ETHERIDGE, OF RECORD UNDER TRAVIS COUNTY CLERK'S DOCUMENT (T.C.C.D.) 2003261029, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.). SAID 0.158 ACRE EASEMENT BEING MORE PARTICULARLY SHOWN ON THE ATTACHED EXHIBIT DRAWING, MADE A PART HEREOF AND FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING A 1/2" IRON ROD WITH CAP STAMPED "JACOBS PROP. COR." FOUND IN THE WEST MARGIN OF TRAILS END ROAD (80' WIDE), MARKING THE NORTHEAST CORNER OF SAID MARK L. ETHERIDGE 49.820 ACRE TRACT AND THE HEREIN DESCRIBED EASEMENT, BEING THE SOUTHEAST CORNER OF A CALLED 50.51 ACRE TRACT DESCRIBED IN A DEED TO CARL SKILES AND SUSAN SKILES, OF RECORD UNDER T.C.C.D. 2017165466 OF SAID O.P.R.T.C.T.;

THENCE WITH THE WEST MARGIN OF TRAILS END ROAD, ALONG THE EAST LINE OF SAID 49.820 ACRE TRACT, THE FOLLOWING THREE (3) CALLS:

- 1) S 31°42'42" W – 621.13' TO A 5/8" IRON ROD FOUND AT THE BEGINNING OF A CURVE TO THE LEFT,
- 2) AN ARC LENGTH OF 294.81' WITH SAID CURVE TO THE LEFT, HAVING A RADIUS OF 995.25' AND A CHORD WHICH BEARS S 23°13'45" W – 293.73' TO A POINT AT THE END OF SAID CURVE,
- 3) S 14°28'30" W – 59.87' TO A 1/2" IRON ROD WITH CAP STAMPED "WALKER PARTNERS" FOUND FOR THE SOUTHEAST CORNER OF SAID 49.820 ACRE TRACT AND THE HEREIN DESCRIBED EASEMENT, BEING THE NORTHEAST CORNER OF A CALLED 11.50 ACRE TRACT DESCRIBED IN A DEED TO LEROY S. BERGERON AND BARBARA F. BERGERON, OF RECORD IN VOLUME 13379, PAGE 4839 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.)

THENCE N 67°27'15" W – 4.46' WITH THE COMMON LINE BETWEEN SAID 49.820 ACRE TRACT AND SAID 11.50 ACRE TRACT TO A POINT AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED EASEMENT, FROM WHICH A 1/2" IRON ROD MARKING THE NORTHWEST CORNER OF SAID 11.50 ACRE TRACT BEARS N 67°27'15" W – 1275.75';

THENCE THROUGH THE INTERIOR OF SAID 49.820 ACRE TRACT THE FOLLOWING EIGHT (8) CALLS:

- 1) N 16°24'55" E – 16.77' TO A POINT FOR ANGLE,
- 2) N 15°50'24" E – 136.78' TO A POINT FOR ANGLE,
- 3) N 25°34'21" E – 107.46' TO A POINT FOR ANGLE,
- 4) N 25°38'52" E – 107.07' TO A POINT FOR ANGLE,
- 5) N 31°16'57" E – 145.59' TO A POINT FOR ANGLE,
- 6) N 31°20'27" E – 145.93' TO A POINT FOR ANGLE,
- 7) N 31°42'42" E – 157.91' TO A POINT FOR ANGLE,
- 8) N 32°04'22" E – 156.64' TO A POINT IN THE COMMON LINE BETWEEN SAID 50.51 ACRE TRACT AND SAID 49.820 ACRE TRACT, AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED EASEMENT, FROM WHICH A 1/2" IRON PIPE FOUND MARKING THE NORTHWEST CORNER OF SAID 49.820 ACRE TRACT BEARS N 73°19'57" W – 2726.63';

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THENCE S 73°19'57" E - 9.33' WITH THE COMMON LINE BETWEEN SAID 50.51 ACRE TRACT AND SAID 49.820 ACRE TRACT, RETURNING TO THE POINT OF BEGINNING AND CONTAINING 0.158 ACRE OF LAND.

THIS DESCRIPTION IS BASED ON THE ATTACHED EXHIBIT DRAWING MADE BY WARREN L. SIMPSON, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4122.

BEARINGS CITED WITHIN THIS DESCRIPTION ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.

SURVEYED: AUGUST 24, 2017 AND JANUARY 17, 2022

RELEASED: JANUARY 25, 2018

REVISED: AUGUST 23, 2021 (REDUCED EASEMENT SIZE)

REVISED: JANUARY 17, 2022 (REMOVED GUY WIRE PORTION OF THE EASEMENT)


WARREN L. SIMPSON, R.P.L.S.#4122



PROJ NO. 3-00619

PLAT NO. A1-1319

FIELD NOTE NO. 077

MAP CHECKED: 01/17/2022-JBM

BCRUA 077
MARK L. ETHERIDGE

LEGEND

- = IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- () = DEED CALLS
- D.R.T.C.T. = DEED RECORDS TRAVIS COUNTY, TEXAS
- T.C.C.D. = TRAVIS COUNTY CLERKS DOCUMENT
- O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. = REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- [Hatched Box] = EASEMENT AREA
- ⊙ = WASTEWATER MANHOLE
- ⊥ = TRAFFIC SIGN
- ⊕ = POWER POLE
- = GUY WIRE
- T— = OVERHEAD TELEPHONE LINE
- E— = OVERHEAD ELECTRIC LINE

SURVEYOR'S NOTES:

SURVEYED: AUGUST 30, 2017 AND JANUARY 17, 2022

RELEASE DATE: JANUARY 25, 2018
REVISED AUGUST 23, 2021: REDUCED EASEMENT SIZE
REVISED JANUARY 17, 2022: REMOVED GUY WIRE PORTION OF EASEMENT

FIELD NOTES ATTACHED HERETO, MADE A PART HEREOF AND TITLED:

0.168 ACRE ELECTRIC EASEMENT LOCATED IN THE S. HAYFORD SURVEY ABSTRACT 2246, THE G.W. DRAPER SURVEY, ABSTRACT 229 AND THE R. BLACKWELL SURVEY, ABSTRACT 83, IN TRAVIS COUNTY, TEXAS.

THE SURVEYOR DID NOT ABSTRACT THE SUBJECT TRACT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THEREFORE THE SURVEYOR CERTIFIES THAT EASEMENTS THAT HE HAS BEEN ADVISED OF HAVE BEEN ADDRESSED HEREON. HOWEVER, THE SURVEYOR DOES NOT GUARANTEE THAT ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES (EITHER OF RECORD OR NOT OF RECORD) WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN HEREON.

THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE ACQUIRED FROM GLOBAL POSITIONING SYSTEM OBSERVATIONS.

1/2" IRON PIPE FOUND MARKING N.W. CORNER LEROY BERGERON CALLED 11.50 ACRES TRACT
(N 65° 27' 39" W - 1280.21)
N 16° 24' 55" E 16.77'
N 67° 27' 15" W 1275.75'
(N 65° 21' 21" W - 1280.21)
N 67° 27' 15" W 4.46'
LEROY S. BERGERON AND BARBARA F. BERGERON CALLED 11.50 ACRES VOLUME 13379, PAGE 4839 R.P.R.T.C.T.

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1/2" IRON PIPE FOUND
CARL SKILES AND SUSAN SKILES CALLED 50.51 ACRES T.C.C.D. 2017165466 O.P.R.T.C.T.

FIELD NOTE
POINT OF BEGINNING
GRID COORDINATES
N10153736.33 E3066228.67'

MARK L. ETHERIDGE CALLED 49.820 ACRES T.C.C.D. 2003281029 O.P.R.T.C.T.

0.168 ACRE ELECTRIC EASEMENT

CONCRETE DRIVE
KEYPAD

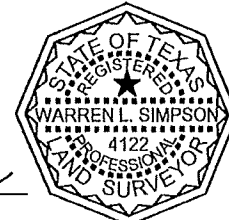
APPROXIMATE LOCATION OF SURVEY LINE
BUILDING AWNING
WIRE FENCE
5/8" IRON ROD FOUND
D=16°58'19" (R=995.25)
R=995.25'
L=294.81' (CH=293.58)
CHD=293.73' (S 25°05'56" W)
S 23°13'45" W

EXHIBIT

OF A 0.168 ACRE ELECTRIC EASEMENT LOCATED IN THE S. HAYFORD SURVEY, ABSTRACT 2246, THE G.W. DRAPER SURVEY, ABSTRACT 229 AND THE R. BLACKWELL SURVEY, ABSTRACT 83 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF A CALLED 49.820 ACRE TRACT DESCRIBED IN A DEED TO MARK L. ETHERIDGE OF RECORD UNDER TRAVIS COUNTY CLERK'S DOCUMENT 2003281029 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

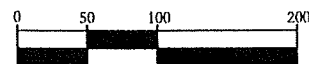
1/2" IRON ROD FOUND WITH CAP STAMPED "WALKER PARTNERS"
S 14° 28' 30" W 59.87' (S 16° 30' 43" W 59.87')
S. BLACKWELL SURVEY ABSTRACT 83 TRAVIS COUNTY, TEXAS

Warren L. Simpson
WARREN L. SIMPSON, R.P.L.S. 4122
lsimpson@walkerpartners.com



Walker Partners
engineers ★ surveyors

804 Las Cimas Pkwy., Suite 150 • Austin, Texas 78746
Phone: 1-512-382-0021 • T.O.P.E. Registration No. 6053
T.B.P.L.S. Registration No. 10194317



GRAPHIC SCALE IN FEET

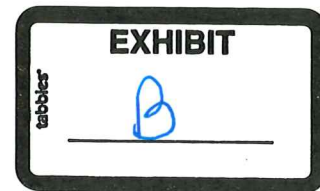
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TAB NA T/N NO. 077 FB/PG 3-3/58 DRAWN BY IBM
DWG. NAME 3-00619ESMT-PARCEL MAP CHK'D 08/20/21
077-ETHERIDGE.DWG

G:\PROJECTS\3-00619\3 PHASE 2 LAND RIGHTS\1.0 CAD\1-00619ESMT-PARCEL 077-ETHERIDGE.DWG, 8.5X11.4-NO CERT-077, 1/17/2022 10:51:57 AM, JMontemayor, 1:1

FINAL JUDGMENT

EXHIBIT “B”

ELECTRIC UTILITY EASEMENT
AERIAL PURPOSES ONLY



THE STATE OF TEXAS

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§
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

THAT **MARK L. ETHERIDGE AND LINDA M. ETHERIDGE**, of Travis County, Texas, for good and valuable consideration the receipt of which is hereby acknowledged, from the **CITY OF ROUND ROCK, TEXAS**, have granted, sold, and conveyed and by these presents do grant, sell, and convey unto the **CITY OF ROUND ROCK, TEXAS** and its successors and assigns, a permanent non-exclusive easement and right-of-way as hereinafter described for an aerial electric distribution, and/or communication lines consisting of variable number and sizes of wires, and all necessary or desirable appurtenances including insulators, telephone and telegraph wire, cable and fiber optic communication systems; as related to the distribution of electricity, energy, power, light, heat, or energy services; or broadband or any other services provided by the **CITY OF ROUND ROCK, TEXAS** and its successors and assigns, over, across and upon the following described lands located in Travis County, Texas, to wit:

Being all of that certain 0.158 acre tract in the S. Hayford Survey, Abstract No. 2246 and the G.W. Draper Survey, Abstract 229 and the R. Blackwell Survey, Abstract 83, in Travis County, Texas; being more fully described by metes and bounds in Exhibit "A," attached hereto and incorporated herein.

Together with the right of ingress and egress over my (our) adjacent lands to or from said right-of-way for the purpose of constructing, reconstructing, inspecting, patrolling, upgrading, hanging new wire on, maintaining, repairing, operating, replacing and removing said aerial lines; the right to relocate within the limits of said right-of-way; the right to remove from said lands all trees and parts thereof, or other obstructions which endanger or may interfere with the efficiency of said aerial lines. However, said right of ingress and egress over adjacent lands will only be used in the event access to the easement area is not available from the right-of-way. Grantor warrants that Grantor is the owner of said property and has the right to execute this easement.

TO HAVE AND TO HOLD the above described easement and rights unto the **CITY OF ROUND ROCK, TEXAS** and its successors and assigns, until said easement is released by written instrument executed by the **CITY OF ROUND ROCK, TEXAS** or its successors and assigns and recorded in the Official Real Property Records of Travis County, Texas.

And I (we) do hereby bind myself (ourselves), my (our) heirs and legal representatives to warrant and forever defend all and singular the above described easement and rights unto the **CITY OF ROUND ROCK, TEXAS** its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS my hand this ____ day of _____, 20____.

Grantor Signatures:

(Signature)

Mark L. Etheridge

(Signature)

Linda M. Etheridge

THE STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

Notary Public in and for
The State of Texas

THE STATE OF TEXAS

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 20____.

Notary Public in and for
The State of Texas