

**EXHIBIT****"A"**

Kenney Ft. Blvd.—Parcel 6

CAUSE NO. 18-2068-CC1

CITY OF ROUND ROCK, TEXAS	§	IN THE COUNTY COURT AT LAW
Condemnor	§	
	§	
V.	§	
	§	NUMBER ONE OF
JOHN N. PAUL, SOCA FUNDING, LLC.,	§	
and POPULAR BANK f/k/a QUAKER	§	
CITY BANK	§	
Condemnees	§	WILLIAMSON COUNTY, TEXAS

**AGREED FINAL JUDGMENT**

The parties to this lawsuit have agreed to compromise and settle the issues in this lawsuit and request the entry of this Agreed Final Judgment by the Court. It appears to the Court that it has jurisdiction of this matter, and that the parties executing this document below have agreed to all of the provisions contained within this Judgment and desire to resolve this lawsuit.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that fee title in and to approximately 1.93 acres (Parcel 6) 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 December 19, 2018, and any 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, and a writ of possession for such purposes, be vested in the **CITY OF ROUND ROCK, TEXAS** and its assigns for the purpose of

constructing, reconstructing, realigning, widening and/or maintaining improvements to the Kenney Ft. Blvd. roadway project, and to perform associated public use and purposes; and

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 by and between the parties named herein, including both the property to be acquired and any damages to any remaining property, that Condemnees shall recover from Condemnor the total sum of ONE HUNDRED THIRTY THOUSAND and 00/100 Dollars (\$130,000.00) for acquisition of the R.O.W. Property. The parties agree NINETY-TWO THOUSAND FOUR HUNDRED SEVENTY-EIGHT AND 00/100 (\$92,478.00) was previously deposited within the registry of this Court, leaving a remaining balance due of THIRTY-SEVEN THOUSAND FIVE HUNDRED TWENTY-TWO (\$37,522.00), and the remaining balance must be deposited within the registry of this Court by October 15, 2022 to avoid paying interest.

It is further ORDERED that no interest is due and payable so long as the payments are made in accordance with this Agreed Final Judgement.

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

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

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Presiding Judge

**PREPARED BY AND APPROVED AS TO SUBSTANCE AND FORM:**



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](mailto:Mylan@scrllaw.com)  
Attorneys for Condemnor

**APPROVED AND AGREED:**

CITY OF ROUND ROCK, TEXAS

By: \_\_\_\_\_  
Craig Morgan, Mayor

**AGREED AS TO SUBSTANCE AND FORM:**

/s/ Erik L. Cardinell  
The Law Offices of Erik L. Cardinell  
9600 Great Hills Trail, Suite 150W  
Austin, Texas 78759  
Tel: (512) 231-2233  
Email: [erikcardinelllaw@outlook.com](mailto:erikcardinelllaw@outlook.com)  
Attorney for Condemnee John Paul

**EXHIBIT "A"**  
**PARCEL 6**

**Variable Width Right-of-Way Acquisition**

METES AND BOUNDS DESCRIPTION OF A  
1.93 ACRE TRACT OF LAND OUT OF THE  
JOHN N. PAUL TRACT  
LOCATED IN THE CITY OF ROUND ROCK, WILLIAMSON COUNTY, TEXAS

BEING A 1.93 ACRE TRACT OF LAND SITUATED IN THE P. A. HOLDER SURVEY, ABSTRACT NO. 297, WILLIAMSON COUNTY, TEXAS; BEING A PORTION OF A CALLED 11.12 ACRE TRACT OF LAND AS DESCRIBED IN A DEED TO JOHN N. PAUL AND RECORDED IN DOCUMENT NO. 9867726 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY; SAID 1.93 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2-inch iron rod found for the southwest corner of said 11.12 acre tract, being on the east line of called 41.153 acre tract of land as described in a deed to the State of Texas and recorded as Parcel No. 2, Part 6 in Volume 1970, Page 515 of the Official Records of said County, for the southwest corner and **POINT OF BEGINNING** hereof;

**THENCE** with the common west line of said 11.12 acre tract and the east line of said 41.153 acre tract, with the arc of a curve to the **left**, having a radius of **2,982.29 feet**, an arc length of **336.78 feet**, a central angle of **006° 28' 13"**, and a chord which bears, **North 28° 11' 28" West**, a distance of **336.60 feet** to a 1/2-inch iron rod found for the south corner of a called 147.076 acre tract of land as described in a deed to Round Rock Real Estate Investments, Ltd. and recorded as Tract 3 in Volume 2418, Page 51 of the Official Records of said County, for an angle point hereof;

**THENCE** with the common west line said 11.12 acre tract and the east line of said 147.076 acre tract, the following two (2) courses and distances:

- 1) **North 30° 10' 24" East**, a distance of **5.10 feet** to a 1/2-inch iron rod found for an angle point hereof, and
- 2) **North 01° 41' 52" West**, a distance of **145.55 feet** to a 1/2-inch iron rod found for the common northwest corner of said 11.12 acre tract and the southwest corner of a called 10.785 acre tract of land as described in a deed to Brian James Graver and Sheila Joy Offutt and recorded in Document No. 2004060159 of the Official Public Records of said County, for the northwest corner hereof;

**THENCE** with the common north line said 11.12 acre tract and the south line of said 10.785 acre tract, **North 87° 49' 23" East**, a distance of **151.23 feet** to a 1/2-inch iron rod with aluminum cap stamped "C.O.R.R. R.O.W." set for the northeast corner hereof;

**THENCE** through the interior of said 11.12 acre tract, the following two (2) courses and distances:

- 1) with the arc of a curve to the **left**, having a radius of **2,922.00 feet**, an arc length of **348.41 feet**, a central angle of **006° 49' 54"**, and a chord which bears, **South 20° 19' 18" East**, a distance of **348.20 feet** to a calculated point for a point of tangency hereof, and
- 2) **South 23° 57' 12" East**, a distance of **179.93 feet** to a 1/2-inch iron rod found on the south line of said 11.12 acre tract, for the common northwest corners of Lot 48 and Lot 49, Block A, Rolling Ridge Section 1-B, a subdivision recorded in Cabinet L, Slides 394 – 395 of the Plat Records of said County, for the southeast corner hereof;


**THENCE** with the south line of said 11.12 acre tract, the following three (3) courses and distances:

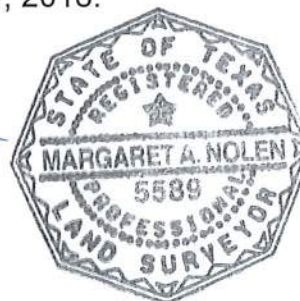
- 1) **South 88° 03' 28" West**, a distance of **33.99 feet** to a calculated point for an angle point hereof,
- 2) **North 89° 22' 01" West**, a distance of **16.91 feet** to a calculated point for an angle point hereof,
- 3) **North 73° 28' 07" West**, a distance of **139.21 feet** to the **POINT OF BEGINNING** and containing 1.93 acres of land and based on the survey and exhibit drawing made by CP&Y, Inc.

This metes and bounds description is accompanied by an exhibit drawing.

**Basis of Bearings:** Bearings are based on the Texas Central State Plane Coordinate System NAD '83 (HARN '83), which is based on Leica's Central Texas GPS Cooperative CORS RTK Network.

Surveyed in the field during January and February, 2018.

  
Margaret A. Nolen, R.P.L.S. No. 5589  
CP&Y, Inc.  
One Chisholm Trail, Suite 130  
Round Rock, Texas 78681  
Ph. (512) 248-0065  
TBPLS Firm No. 10194125  
Project No. 1500603

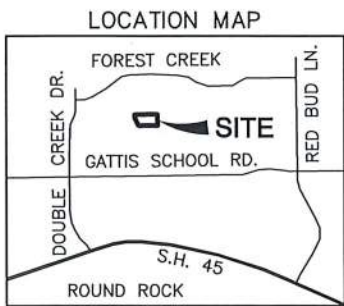


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# EXHIBIT "A" PARCEL 6

(VARIABLE WIDTH RIGHT-OF-WAY ACQUISITION)  
DRAWING TO ACCOMPANY METES AND BOUNDS DESCRIPTION  
OF A 1.93 ACRE TRACT OF LAND  
IN THE CITY OF ROUND ROCK, WILLIAMSON COUNTY, TEXAS



CALLLED 147.076 ACRES  
ROUND ROCK  
REAL ESTATE  
INVESTMENTS, LTD.  
TRACT 3  
VOL. 2418, PAGE 51  
O.R.W.C.T.

CALLLED 41.153 ACRE  
STATE OF TEXAS  
PARCEL NO. 2 PART 6  
VOL. 1970, PG. 515 O.R.W.C.T.

P. A. HOLDER SURVEY  
ABSTRACT NO. 297

CALLLED 10.785 ACRES  
BRIAN JAMES GRAVER AND  
SHEILA JOY OFFUTT  
DOC. NO. 2004060159  
O.P.R.W.C.T.

SCALE: 1" = 150'

LINE TABLE		
LINE	BEARING	LENGTH
L-1	N 30°10'24" E	5.10'
L-2	N 01°41'52" W	145.55'
(L-1)	(N 33°12'47" E)	(5.04')
(L-2)	(N 00°44'23" E)	(145.74')

## LEGEND

- = 1/2" IRON ROD FOUND
- = 1/2" IRON ROD WITH ALUMINUM  
CAP STAMPED "C.O.R.R. R.O.W." SET
- △ = CALCULATED POINT
- P.R.W.C.T. = PLAT RECORDS WILLIAMSON  
COUNTY, TEXAS
- O.R.W.C.T. = OFFICIAL RECORDS  
WILLIAMSON COUNTY, TEXAS
- O.P.R.W.C.T. = OFFICIAL PUBLIC RECORDS,  
WILLIAMSON COUNTY, TEXAS

## GENERAL NOTES:

- 1) ALL PROPERTY CORNERS FOUND ARE CONTROL MONUMENTS.
- 2) SUBJECT TO ANY AND ALL COVENANTS, RESTRICTIONS, EASEMENTS  
AND CONDITIONS THAT MAY BE APPLICABLE.
- 3) THIS DRAWING IS ACCOMPANIED BY A METES AND BOUNDS DESCRIPTION.
- 4) BEARINGS ARE BASED ON THE TEXAS CENTRAL STATE PLANE  
COORDINATE SYSTEM NAD '83 (HARN '93), WHICH IS BASED ON LEICA'S  
CENTRAL TEXAS GPS COOPERATIVE CORS RTK NETWORK.

SEE DETAIL  
UPPER LEFT

R=2,982.29'  
L=336.78'  
Δ=006°28'13"  
CD=336.60'  
CB=N 28°11'28" W  
(N 25°53'23"W - 337.40')

FIELD NOTE  
POINT OF  
BEGINNING

N 73°28'07" W - 139.21'  
(N 71°14'18"W - 138.72')  
N 89°22'01" W - 16.91'  
(N 87°08'12" W - 16.91')  
S 88°03'28" W - 33.99'  
(N 89°43' W)

R=2,922.00'  
L=348.41'  
Δ=006°49'54"  
CD=348.20'  
CB=S 20°19'18" E

CALLLED 11.12 ACRES  
JOHN N. PAUL  
DOCUMENT NO. 9867726  
O.P.R.W.C.T.

BLOCK A  
ROLLING RIDGE  
SECTION 1-B  
CAB. L,  
SLIDES 394-395  
P.R.W.C.T.

LOT 49  
LOT 48



1 Chisholm Trail, Suite 130, Round Rock, Texas 78681 512.248.0065  
TEXAS REGISTERED ENGINEERING FIRM F-1741  
TBPLS 10194125

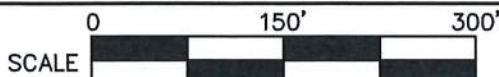
I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THAT  
THIS PLAT AND THE SURVEY UPON WHICH IT IS BASED MEETS THE REQUIREMENTS FOR  
LAND SURVEYS IN THE STATE OF TEXAS.

SURVEYED DURING:  
JANUARY AND FEBRUARY, 2018

MARGARET A. NOLEN, R.P.L.S. NO. 5589



3 OF 3



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PLAT NO. A-5127 DRAFT DATE 03/09/2018 DRAWN BY MAN  
WORK ORDER NO. 1500603 FIELDBOOK 303 TAB # A-5127  
DIGITAL FILE 1500603R PARCEL 6 F/N # 1500603R PARCEL 6