

STATE OF TEXAS

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COUNTY OF FORT BEND

**ORDER AUTHORIZING SETTLEMENT OF
EMINENT DOMAIN PROCEEDING**

On this 10th day of July, 2024, the Commissioners Court of Fort Bend County, Texas, being convened at a regular meeting of the Court, sitting as the governing body of Fort Bend County, Texas, upon motion of Commissioner Probst, seconded by Commissioner Meyers, duly put and carried, IT IS HEREBY ORDERED that:

The County Attorney be authorized to settle Case No. 24-CCV-074561 styled *Fort Bend County, Texas v. Nelson Marquez, et, al.*, pending in the Fort Bend County Court at Law No. 3, pursuant to the terms set forth in the attached Rule 11 Agreement.

The County Judge is hereby authorized to execute and deliver the settlement agreement recommended for approval by the County Attorney in the above-referenced cause and to approve such terms and provisions for the full and final settlement of all matters set forth therein such settlement and that MOBILITY BONDS/BOND REFERENDUM be designated as the funding source.

ATTEST:

Laura Richard
Laura Richard, County Clerk

FORT BEND COUNTY:

K.P. George
K.P. George, County Judge



Attachment

Rule 11 Agreement



COUNTY ATTORNEY
Fort Bend County, Texas

BRIDGETTE SMITH-LAWSON
County Attorney

(281) 341-4555
Fax (281) 341-4557

June 6, 2024

By E-Mail

David Showalter
Showalter, Colgin & Davis PLLC
1117 FM 359, Suite 200
Richmond, Texas 77406
propertyrights@scdlawpllc.com

Re: Case No. 24-CCV-074561; *Fort Bend County, Texas v. Nelson Marquez, et. al.*;
Eminent Domain Proceeding Assigned to the Judge of the County Court at Law
No. 3 in Fort Bend County, Texas.
Rule 11 Settlement Agreement

Mr. Showalter:

Subject to, and contingent upon, Fort Bend County Commissioners Court approval, this will confirm the agreement between my client, Fort Bend County, Texas (the "County"), and your clients Nelson Marquez and Martha C. Romero (collectively, "Defendants") to settle the above-referenced condemnation on the following terms:

1. The parties agree to stipulate in the above-referenced condemnation that total just compensation owed for the County's acquisition of the property rights described in its Petition and Statement in Condemnation on file herein (the "Petition") is FIVE HUNDRED AND SEVENTY FIVE THOUSAND AND NO/100 DOLLARS (\$575,000.00).
2. The parties agree that final judgment entered in this proceeding shall be made in the names of all Defendants included in the Petition.
3. Each party shall bear its own attorneys' fees and costs of court.
4. After the hearing of Special Commissioners wherein the parties stipulate that total just compensation owed for the County's acquisition of the property rights described in its Petition is \$575,000, the County will promptly deposit said funds into the registry of the Court. The County will use reasonable diligence and strive to have the funds deposited into the registry of the Court within 90-days from the date of the hearing of Special Commissioners.

If this accurately states the parties' agreement with respect to the above-referenced matters, please sign and return this letter to my attention by e-mail.

Mr. David Showalter
June 6, 2024
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Sincerely,

/s/ Rolf F. Krueger

Rolf F. Krueger
Counsel for Fort Bend County, Texas

AGREED:

/s/David W. Showalter

Mr. David Showalter
Counsel for Nelson Marquez and Martha C. Romero