

Douglas Kirk  
1850 Old Sattler Road  
Canyon Lake, Texas 78132  
(830) 237-7313  
dougkirk@gvtc.com  
July 18, 2019

Subject: Settlement Offer

Kirk Swinney (State Bar No. 19588400)  
Low Swinney Evans & James, PLLC  
623 S. Baker Cir.  
Leander, Texas 78641

Phone (512) 379 5800

Dear Mr. Swinney:

I am writing with an offer to dismiss CAUSE NO. C2018-1576B. A certified appraiser for the CAD has entered a market value of \$277,340 for my property, the subject of this suit.

As you know, I sued Comal County Appraisal District because I thought the 2018 market value of \$344,340 was too high. I think it would be problematic to prove to a jury that the 2018 value of the property was \$344,340 when the CAD has admitted in 2019 that it is only worth \$277,340.

I would like to dismiss this lawsuit in light of these new facts, and I think this is a good time for me to do so. However, I think it fair that the CAD agree to the following:

1. The CAD lower the 2018 assessment to \$207,493, representing a 10% increase in assessed value from the year before. (2017 was \$188,630.)
2. Compute the amount of tax overpaid in 2018 and have Cathy Talcott refund that amount, plus 9% interest, as allowed.
3. Reimburse me for my costs of court to include \$315 filing fee, \$50 process service, \$100 certified mail and printing cost, \$458.75 transcript costs.
4. Reimburse me for the cost of the architect's site analysis, \$200, plus book preparation and printing costs of \$100.
5. The CAD pay all its own attorney fees, including the two motions to compel inspection, and for sanctions for the amount of \$4,669.60.
6. The CAD forego the site inspection scheduled for July 31, 2019.

This offer expires on July 26, 2019 at 5 pm. I hope the CAD finds this offer acceptable so that we can all move on to more productive activity.

Thank you very much and I look forward to hearing from you.

Sincerely,  
*Douglas Kirk*  
Douglas Kirk

DK/sf