

STATE OF TEXAS

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COUNTY OF COMAL

AGREEMENT FOR LEGAL SERVICES

This AGREEMENT is made and entered into this 29TH day of NOVEMBER, 2018, by the Comal Appraisal Review Board, hereinafter referred to as the "ARB," and Evertson & Sanchez, PC, hereinafter referred to as the "Attorneys." The term "District" as used in this Agreement shall mean the Comal Appraisal District.

SCOPE OF SERVICES

The Attorneys will advise the ARB in the regular conduct of the ARB's business. The Attorneys will advise the ARB by telephone conferences, electronic mail communications ("e-mail") and/or in-person meetings and will render legal opinions incident to such consultation(s).

COMPENSATION

For the services described, the District will pay the Attorneys \$200 per hour plus expenses for legal consultation and/or training. The District will pay \$75 per hour for paralegal fees. For travel to and from the District's offices for in-person consultation or training with the ARB, the District will pay the Attorneys the sum of \$200 per hour plus expenses. Expenses shall include, but are not limited to, mileage at the IRS standard mileage rate, postage, legal research charges (for example, Westlaw or Lexus), airfare, car rental fees and hotel expenses if overnight travel is reasonably necessary to provide legal consultation or training in person, litigation costs including deposition fees, expert witnesses' fees, and exhibit preparation as needed for trial or hearing.

The Attorneys may, in their sole discretion, hire or affiliate with any other attorneys to represent the ARB in any matter described by this Agreement. Such attorneys will be bound by the terms of this Agreement in effect at that time.

Should the ARB require legal representation involving the prosecution or defense of any claim arising outside of the ARB's regular scope of business, this agreement shall not be binding on the parties. Should the ARB require legal representation on matters covered by the scope of Section 42.21 of the Texas Property Tax Code, such services may be provided by the attorney representing the District.

LIMITATIONS ON SERVICES

The Attorneys are **not** providing consultation services or legal advice to the District. The Attorneys will not reveal the confidential communications between the ARB and the Attorneys to any persons without written permission of the Chair of the ARB. However, billing statements shall be sent to the Chief Appraiser of the District with a full copy sent to the Chair of the ARB or person designated by the Chair of the ARB.

If, during the District's fiscal year, the ARB requires legal services that would result in a total payment to the Attorneys that exceeds the amount budgeted by the District for ARB legal services, then the Attorneys will not accept new requests for legal services until the District allocates additional funds for the payment of the ARB's legal representative. Regardless of the availability of additional funds, the Attorneys shall continue to represent the ARB on those issues that are active at the time of the depletion of funds but shall continue to seek payment for those services from the District.

The Attorneys shall only respond to inquiries made by persons designated by the Chair of the ARB. The Attorneys will not be providing personal legal services to individual members of the ARB, nor is the Attorney providing consultation services or legal advice on matters beyond the scope of the ARB's authority.

LIMITATION OF ATTORNEY COMMUNICATION

The Attorneys may communicate with the parties involved in hearings pending before the ARB in order to determine or clarify the legal basis for the parties' contentions. If, during the course of these communications, the Attorneys become aware of a "material fact," or a fact that is essential to the issue, they will convey that

information to the ARB as required by Section 6.43(d) of the Texas Property Tax Code. However, if the Attorneys become aware of a minor fact or an immaterial fact that a party intends to introduce to the ARB during the scope of a hearing, the ARB agrees that the Attorneys will not convey any information to the ARB that would otherwise be a violation of Section 6.411(b) or Section 41.66(f) of the Texas Property Tax Code.

TERMINATION OF SERVICES


This Agreement shall be effective on the 29TH day of NOVEMBER, 2018 and shall continue until it has been terminated by a quorum of the ARB or the Attorney by giving fourteen (14) days written notice to the other party.

SIGNED:



Chair
Comal Appraisal Review Board

NOV 29TH 2018
Date



Karen Evertson
Evertson & Sanchez, PC
Mary Sanchez

Nov. 29, 2018
Date

ACKNOWLEDGED AND RECEIVED:



Chief Appraiser
Comal Appraisal District

Nov 29, 2018
Date



EVERTSON &
SANCHEZ, P.C.
ATTORNEYS AT LAW

KAREN EVERTSON

RELEVANT WORK HISTORY

- Shareholder; Evertson & Sanchez, PC
2014-Present
- Owner; Evertson Law Office
2008-2014
- Associate and Partner; Perdue, Brandon, Fielder, Collins & Mott, LLP
2001-2007
- Associate; Linebarger, Heard, Goggan, Blair, Graham, Peña & Sampson, LLP
1999-2000
- Assistant Attorney General; Office of the Attorney General, Transportation Division
1996-1999

LITIGATION EXPERIENCE

- First and second chair trial experience in ad valorem tax disputes, including apartment facilities, office buildings, oil and gas well property, exemption issues and business personal property accounts
- First and second chair appellate experience, including Quorum International v. Tarrant Appraisal District and Tarrant Appraisal Review Board (02-02-00216-CV & 03-0898), North Park Terrace Apartments v. Tarrant Appraisal District and Tarrant Appraisal Review Board (02-04-00119-CV), CIT Leasing Corporation v. Tarrant Appraisal District and Tarrant Appraisal Review Board (02-02-00294-CV), and State of Texas v. Magnolia Associates (01-0186)
- First chair in more than 100 administrative hearings, including Special Commissioner hearings and Appraisal Review Board hearings

SPEAKING/TRAINING EXPERIENCE

- Speaker, Property Tax Institute; "ARB Procedures 2.0" December 2014
- Consultant, State Comptroller of Public Accounts; provided the Continuing Legal Education course mandated for all returning Appraisal Review Board members in 2011, 2012 and 2013.
- Appraisal Review Board training on an individual basis to governmental entities including the appraisal review boards in Harris County, Lubbock County, and Smith County, Texas
- Speaker, 27th Annual Legal Seminar on Ad Valorem Taxation; "Tip Toe through the Tulips...er, Minefield"
- Speaker, 18th Annual Legal Seminar on Ad Valorem Taxation; 'Equal and Uniform,' presentation, co-presenter Melinda Blackwell
- Moderator, State Bar of Texas Taxation Division; 2006

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Mary Sanchez

Attorney at Law

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Austin, Texas 78757

(512) 323-0797
mary@texESlaw.com

LEGAL EXPERIENCE / EMPLOYMENT

Evertson & Sanchez, P.C., Austin, TX

8/2014-Present

Partner/Owner – Attorney at Law

Full responsibility for managing a law practice in representing governmental entities involved in ad valorem or local property tax disputes. Handle cases in areas of the law – property tax, condemnation, employment, personal injury, and real estate law. Responsible for interviewing and screening potential clients, analyzing potential cases, meeting with clients and expert witnesses, negotiating cases, attending mediations, filing lawsuits and preparing for jury and bench trials. Represents Bexar Appraisal District and Appraisal Review Boards in counties throughout the State of Texas. Focuses mainly on real estate issues specifically involving appraisal value and methodology. Advise appraisal district and appraisal review boards on implementation interpretation of the Texas Property Tax Code.

Office of The Attorney General of Texas, Austin, TX

9/2011-7/2014

Assistant Attorney General, Senior Attorney - Transportation Division

Supervise, manage, train and mentor 12 attorneys on my team for the Dallas/Fort Worth Region of Texas. Manage 15 attorneys as project manager for the North Tarrant Expressway Project for TxDOT. Review, assign and prepare and handle lawsuits involving eminent domain. Handle cases in tort claims, employment discrimination, and property damage claims, in both State and Federal Court for TxDOT. Prepare cases for trial; perform all duties of lead counsel; conduct or lead administrative law hearings. Provide legal advice and assistance to state agency with regard to the above actions. Conduct investigations, perform research, and draft petitions, motions, pleadings, orders, briefs, memoranda, and other legal documents. Analyze complex factual and legal issues and develop evidence through witness interviews, depositions, and other discovery. Perform all necessary appellate work, including research, brief writing and oral argument before State and Federal Appellate Courts. Provide technical guidance and training to less tenured staff. Comply with all agency policies and procedures, including but not limited to applicable security and safety rules regulations and standards. Extensive knowledge of laws and legal principles and practices relevant to the Transportation Division. Direct, plan, coordinate and monitor legal activities. Oversee the preparation of legal documents, oversee the preparation of cases for trial and oversee administrative and evidentiary hearings. Oversee the analysis of factual and legal issues and develop evidence through witness interviews, depositions, and other discovery. Represents the Texas Department of Transportation before state and federal district and appellate courts. Provides legal advice, counsel, and assistance to TxDOT. Extensive knowledge of professional legal ethical standards, knowledge of contract negotiation and project management. Experience overseeing and coordinating projects and program activities. Collaborate and cooperate with others and build effective working relationships with internal and external members to accomplish organizational goals.

Office of The Attorney General of Texas, Austin, TX

03/2009-8/2011

Assistant Attorney General VI, - Transportation Division

Review, prepare and handle lawsuits involving eminent domain. Handle cases in tort claims, employment discrimination, and property damage claims, in both State and Federal Court for TxDOT. Prepare cases for trial; perform all duties of lead counsel; conduct or lead administrative law hearings. Provide legal advice and assistance to state agencies with regard to the above actions. Conduct investigations, perform research, and draft petitions, motions, pleadings, orders, briefs, memoranda, and other legal documents. Analyze complex factual and legal issues and develop evidence through witness interviews, depositions, and other discovery. Perform all necessary appellate work, including research, brief writing and oral argument before State and Federal Appellate Courts. Provide technical guidance and training to less tenured staff. Comply with all agency policies and procedures, including but not limited to applicable security and safety rules regulations and standards. Extensive knowledge of laws and legal principles and practices relevant to the Transportation Division. Direct, plan, coordinate and monitor legal activities. Oversee the preparation of legal documents, oversee the preparation of cases for trial and oversee administrative and