

TEXAS TRANSPORTATION COMMISSION

COMAL County

MINUTE ORDER

Page 1 of 1

SAN ANTONIO District

In the city of New Braunfels, COMAL COUNTY, on INTERSTATE 35, the State of Texas (state) acquired certain land for a maintenance site by instruments recorded in Volume 93, Page 564; Volume 99, Page 538; Volume 134, Page 307; and Volume 135, Page 610, Deed Records of Comal County, Texas.

The land and the improvements (surplus land), described in Exhibit A, are no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of real property which is no longer needed for a state highway purpose.

The City of New Braunfels has requested that the state sell the surplus land to the city for \$1,039,683.

The commission finds \$1,039,683 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

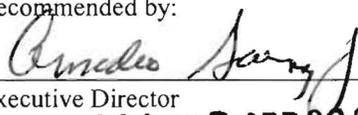
NOW, THEREFORE, the commission finds that the surplus land is no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to the City of New Braunfels, Texas, for \$1,039,683; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles and interests, if any, in and to all of the oil, gas, sulphur and other minerals, of every kind and character, in, on, under and that may be produced from the surplus land.

Submitted and reviewed by:



Director, Right of Way Division

Recommended by:



Executive Director

111802 APR 30 09

Minute Number Date Passed

County: Comal
Highway I-H 35
C.S.J.: 15-70-0650

EXHIBIT A

NEW BRAUNFELS MAINTENANCE OFFICE

PROPERTY DESCRIPTION

A 7.142 acre, or 311,096 square feet more or less, tract of land being comprised of a 2.158 acre tract described in conveyance to the State of Texas on the 15th day of July, 1953 in Warranty Deed recorded in Volume 134, Pages 307-308, a 2.00 acre tract described in conveyance to Texas State Highway Department on the 16th day of June, 1952 in Warranty Deed recorded in Volume 99, Pages 538-539, a 2.00 acre tract described in conveyance to Texas State Highway Department on the 6th day of June, 1950 in Warranty Deed recorded in Volume 93, Pages 564-565 and a 1.00 acre tract described in conveyance to the State of Texas on the 29th day of October, 1962 in Volume 135, Pages 610-611 of the Deed Records of Comal County, Texas, out of the Juan Martin de Veramendi Survey No. 2, now all in the City of New Braunfels, Comal County, Texas. Said 7.142 acre tract being more fully described as follows with bearings being based on North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone.

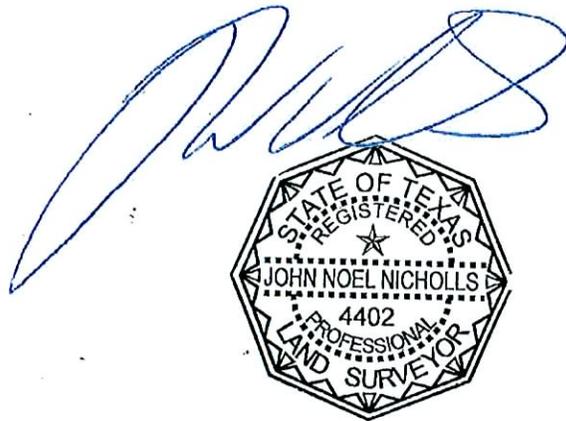
BEGINNING: At a set ½" iron rod with a yellow cap marked "Pape-Dawson", at the intersection of the northwest right-of-way line of Interstate Highway 35, and the northeast right-of-way line of Water Lane, a 60-foot right-of-way, the south corner of said 1.00 acre tract, from which a found ½" iron rod, at the intersection of the northwest right-of-way line of said Interstate Highway 35, and the southwest right-of-way line of said Water Lane bears S 50°50'27"W, 60.1 feet;

- 1) THENCE: N 35°35'17"W, (N 35°15'00"W by deed) along and with the northeast right-of-way line of said Water Lane, the southwest line of said 1.00 acre tract, at a distance of 441.1 feet (441.7 feet by deed) passing through a south corner of said 2.00 acre tract of 1952, continuing along and with the northeast right-of-way line of said Water Lane, a southwest line of said 2.00 acre tract of 1952, at a distance of 588.7 feet passing through the south corner of said 2.158 acre tract and continuing a called deed distance of 366.4 feet along and with the northeast right-of-way line of said Water Lane, the southwest line of said 2.158 acre tract for a total distance of 955.07 feet to a set ½" iron rod with a yellow cap marked "Pape-Dawson", for the west corner of said 2.158 acre tract, at the south corner of Lot 1 of a 1.42 acre tract recorded in Volume 108, Pages 325-326 of the Deed Records of Comal County, Texas;
- 2) THENCE: N 54°35'00"E, (N 54°37'00"E by deed) departing the northeast right-of-way line of said Water Lane, along and with the southeast line of Lots 1-5 of the said 1.42 acre tract, the northwest line of said 2.158 acre tract, a distance of 262.78 feet (262.8 feet by deed) to a set ½" iron rod with a yellow cap marked "Pape-Dawson", for the north corner of said 2.158 acre tract, the west corner of a 0.573 acre tract recorded in Document No. 2005-06041253-4 of the Official Records of Comal County, Texas, from which a found 1" iron pipe bears N 12°34'29"W, 1.9 feet and a found ½" iron rod with a cap marked "MDS" bears S 70°03'40"E, 1.0 feet;

- 3) THENCE: S 35°35'19"E, (S 35°15'00"E by deed) departing the southeast line of said Lot 5, along and with the northeast line of said 2.158 acre tract, the southwest line of said 0.573 acre tract, at a distance of 147.5 feet (147.39 feet by deed) for said 0.573 acre tract passing through the west corner of a 0.945 acre tract recorded in document 2004-06019675 of the Official Records of Comal County, Texas, from which a found 1" iron pipe is 0.9 feet left of line and continuing along and with the northeast line of said 2.158 acre tract, the southwest line of said 0.945 acre tract for a total called deed distance of 349.40 feet to a set "PK" nail at chain link fence post, said point being on the northwest line of the aforementioned 2.00 acre tract of 1952, the south corner of said 0.945 acre tract, the east corner of said 2.158 acre tract;
- 4) THENCE: N 51°13'52"E, (N 51°36'24"E by deed) along and with the northwest line of said 2.00 acre tract of 1952, the southeast line of said 0.945 acre tract, a distance of 104.80 feet (106.53 feet by deed of adjoining 0.945 acre tract) to a fence post on the southwest line of a certain tract or parcel of land described in conveyance to Roger Lee Brinkkoeter on the 4th day of October, 1966 in Warranty Deed recorded in Volume 152, Pages 100-101 of the Deed Records of Comal County, Texas, a west corner of that 4.2 acre R & K Subdivision recorded in Volume 107, Pages 376-379 of the Deed Records of Comal County, Texas, a west corner of said 0.945 acre tract;
- 5) THENCE: S 35°52'01"E, (S 35°15'00"E by deed) along and with the northeast line of said 2.00 acre tract of 1952, the common southwest line of said 4.2 acre tract and said certain tract or parcel of land, at a distance of 56.4 feet passing through the south corner of said certain tract or parcel of land, continuing along and with the northeast line of said 2.00 acre tract of 1952, the southwest line of said 4.2 acre tract at a distance of 367.6 feet (368.45 feet by deed) passing through the west corner of a 1.123 acre tract recorded in Document No. 2000-06010975 of the Official Records of Comal County, Texas from which a found ½" iron rod with a cap marked "RPLS 4069" is 0.9 feet left of line and continuing along and with the northeast line of said 2.00 acre tract, the southwest line of said 1.123 acre tract for a total distance of 587.60 feet (589.30 feet by deed) to a set ½" iron rod with a yellow cap marked "Pape-Dawson", said point being on the northwest right-of-way line of the aforementioned Interstate Highway 35, the south corner of said 1.123 acre tract, the east corner of said 2.00 acre tract of 1952 from which a found ½" iron rod with a cap marked "RPLS 4069", on said northwest line of Interstate Highway 35 bears N 50°50'27"E, 2.3 feet;

- 6) THENCE: S 50°50'27"W, (S 51°19'00"W by deed) along and with the northwest right-of-way line of said Interstate Highway 35, the southeast line of said 2.00 acre tract of 1952, at a called deed distance of 74.0 feet passing through the east corner of the aforementioned 2.00 acre tract of 1950, continuing along and with the northwest right-of-way line of said Interstate Highway 35, the southeast line of said 2.00 acre tract of 1950 a called deed distance of 197.20 feet, at a distance of 271.2 feet passing through a found Texas Department of Transportation monument, at the east corner of the aforementioned 1.00 acre tract, and continuing along and with the northwest right-of-way line of said Interstate Highway 35, the southeast line of said 1.00 acre tract, at a distance of 368.2 feet passing through a found Texas Department of Transportation monument and continuing for a total distance of 371.00 feet by a cumulative deed distance of 370.0 feet to the POINT OF BEGINNING and containing 7.142 acres in the City of New Braunfels, Comal County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by Pape-Dawson Engineers, Inc.

This 25th day of April, 2006
Revised: May 16, 2006
John Noel Nicholls
R.P.L.S. 4402
PAPE-DAWSON ENGINEERS INC.
555 East Ramsey
San Antonio, Texas, 78216
210-375-9000





LOCATION MAP
NOT TO SCALE



- SYMBOLS**
- 1. 1" = 10' (Scale)
 - 2. 1" = 20' (Scale)
 - 3. 1" = 40' (Scale)
 - 4. 1" = 80' (Scale)
 - 5. 1" = 160' (Scale)
 - 6. 1" = 320' (Scale)
 - 7. 1" = 640' (Scale)
 - 8. 1" = 1280' (Scale)
 - 9. 1" = 2560' (Scale)
 - 10. 1" = 5120' (Scale)
 - 11. 1" = 10240' (Scale)
 - 12. 1" = 20480' (Scale)
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 - 212. 1" = 3291009111987417652309941852239133006156405625232329955553280' (Scale)
 - 213. 1" = 6582018223974835304619883704478266012312812110464659911106560' (Scale)
 - 214. 1" = 13164036447949670609239767408956532024625624221329319822213120' (Scale)
 - 215. 1" = 26328072895899341218479534817913064049251248442658639644426240' (Scale)
 - 216. 1" = 52656145791798682436959069635826120994502496885317279288852480' (Scale)
 - 217. 1" = 10531229158359736487391813927165224198900499377063455856570480' (Scale)
 - 218. 1" = 21062458316719472974783627854330448397800998754126911713140960' (Scale)
 - 219. 1" = 42124916633438945949567255708660896795601997508253823426281920' (Scale)
 - 220. 1" = 84249833266877891899134511417321793591203995016507646852563840' (Scale)
 - 221. 1" = 168499666533755783798269022834643587182407990033015293705127680' (Scale)
 - 222. 1" = 336999333067511567596538045669287174364815980066030587410255360' (Scale)
 - 223. 1" = 673998666135023135193076091338574348729631960132061174820510720' (Scale)
 - 224. 1" = 1347997332270046270386152182677148759459263920264122349641021440' (Scale)
 - 225. 1" = 2695994664540092540772304365354297518918527840528244698282042880' (Scale)
 - 226. 1" = 5391989329080185081544608730708595037837055681056489396564085760' (Scale)
 - 227. 1" = 10783978658160370163089217461417190075674111362112978793128171520' (Scale)
 - 228. 1" = 21567957316320740326178434922834380151348222264225957586256343040' (Scale)
 - 229. 1" = 43135914632641480652356869845668760302696445288451915172512686080' (Scale)
 - 230. 1" = 86271829265282961304713739691337520605392890576903830345025372160' (Scale)
 - 231. 1" = 17254365853056592260942747938267504121078578115380766069