

TEXAS TRANSPORTATION COMMISSION

BURNET County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In BURNET COUNTY, on US 281 at the Colorado River, the Texas Department of Transportation (department) is acquiring the right of way for a highway improvement project.

V.T.C.A., Transportation Code, §201.206, authorizes the department to accept donations of real property for the purpose of carrying out its functions and duties.

V.T.C.A., Government Code, Chapter 575, requires the Texas Transportation Commission (commission) to accept a gift or donation valued at \$500 or more by majority vote at an open meeting.

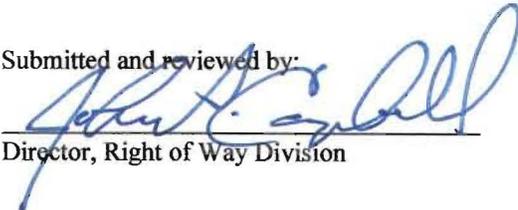
Burnet County (owner) is the owner of the property described in Exhibit A. The owner wants to donate this property, estimated at \$2,140, to the department for construction of a highway improvement project.

The owner is not subject to department regulations or oversight, or interested in or likely to become interested in a contract, purchase, payment, or claim with or against the department.

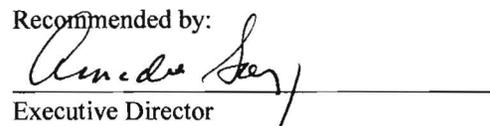
A donation agreement has been executed by the owner and tendered to the department for acceptance under Title 43, Texas Administrative Code, §1.504.

IT IS THEREFORE ORDERED by the commission that (1) the commission has determined that acceptance of this donation would provide a significant public benefit, and would not influence or reasonably appear to influence the department in the performance of its duties, and (2) the executive director is hereby authorized to accept the donation of real property, as described in Exhibit A, and the executive director or the director's designee is authorized and directed to sign and execute a donation agreement with the owner, in accordance with Title 43, TAC, §1.504.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

111869 JUN 25 09

Minute Number Date Passed

County: Burnet
Highway: U.S. 281
Limits: From R.M. 2147 to Second Street in Marble Falls
ROW CSJ: 0252-02-049

Property Description
for Parcel 4

BEING A 0.110 ACRE TRACT OF LAND, OUT OF THE ROBERT D. MOORE SURVEY NO. 603, ABSTRACT NO. 614 AND THE WILLIAM C.M. BAKER SURVEY NO. 201, ABSTRACT NO. 124, IN BURNET COUNTY, TEXAS, SAME BEING "PROPERTY IN CONNECTION WITH BRIDGE" (IRON BRIDGE) CONVEYED TO BURNET COUNTY, AS RECORDED IN VOLUME 31, PAGE 499, DEED RECORDS OF BURNET COUNTY, TEXAS (D.R.B.C.T.), SAID 0.110 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN TWO (2) PARTS AS FOLLOWS:

PART 1

POINT OF COMMENCING at a found washer epoxied on rock stamped "1877" called to be on the 750' contour line, NGVD 29, same being the south line of the remainder of a tract conveyed to Central Texas Hydro-Electric Co. (Lower Colorado River Authority (LCRA), Volume 83, Page 511, D.R.B.C.T.) as described in Section Four, Subdivision B, Second (c), in said Volume 81, Page 1, of the D.R.B.C.T., for an angle point in the northwesterly boundary line of a 3.18 acre tract of land described in a deed to LANDQUEST, LLC as recorded in Volume 1362, Page 699 of the Official Public Records of Burnet County, Texas (O.P.R.B.C.T.);

THENCE South 63 degrees 17 minutes 25 seconds West 20.90 feet, with said 750' foot contour line, the south line of said LCRA-Four-B-Second-c remainder tract, and the north line of said 3.18 acre tract to a Texas Department of Transportation (TxDOT) Type II monument set in the proposed east right-of-way line of U.S. Highway 281 (U.S. 281) for an angle point in the north line of said 3.18 acre tract, same point being 75.00 feet right of Engineer's Baseline Station (E.B.S.) 376+58.93;

THENCE South 20 degrees 56 minutes 17 seconds West 30.02 feet, with said 750' foot contour line, the south line of said LCRA-Four-B-Second-c remainder tract, and the north line of said 3.18 acre tract to a calculated angle point at the common north corner of said 3.18 acre tract and a tract described as Tract No. 1 in a deed to the State of Texas, as recorded in Volume 2, Page 32 of the Miscellaneous Records of Burnet County, Texas, from which a found TxDOT Type I monument bears South 18 degrees 39 minutes 06 seconds East 13.63 feet for reference;

THENCE South 48 degrees 01 minutes 54 seconds West 60.46 feet, continuing with said 750' contour line, the south line of said LCRA-Four-B-Second-c remainder tract, and the

north line of said TxDOT Tract No. 1 to an angle point being the **POINT OF BEGINNING** and calculated southeast corner of said "property in connection with bridge" (south iron bridge tract);

1. **THENCE** South 61 degrees 32 minutes 22 seconds West 50.70 feet, continuing with said 750' contour line, the north line of said TxDOT Tract No. 1, and the south line of said "property in connection with bridge" (south iron bridge tract), to an angle point being the southwest corner hereof and the calculated southwest corner of said "property in connection with bridge" (south iron bridge tract), and in the south line of the remainder of said tract conveyed to Central Texas Hydro-Electric Co. (LCRA, Volume 83, Page 511, D.R.B.C.T.) as described in Section Four, Subdivision B, Second (d), in said Volume 81, Page 1, of the D.R.B.C.T.;
2. **THENCE** North 18 degrees 56 minutes 19 seconds West approximately 81.05 feet, departing from said 750' contour line and said TxDOT Tract No. 1, with the calculated common line of said LCRA-Four-B-Second-d remainder tract and said "property in connection bridge" (south iron bridge tract), to a calculated point for the northwest corner hereof and the northwest corner of said "property in connection bridge" (south iron bridge tract), on the south line of the State of Texas' interest in the Colorado River, the north line of the Robert D. Moore Survey No. 603, Abstract No. 614, and the north line of said LCRA-Four-B-Second-d remainder tract;
3. **THENCE** North 54 degrees 46 minutes 19 seconds East 52.09 feet, along said south line of the Colorado River, said north line of the Robert D. Moore Survey No. 603, Abstract No. 614, and the north line of said "property in connection bridge" (south iron bridge tract) to a calculated point for the northeast corner hereof and the northeast corner of said "property in connection bridge" (iron bridge);
4. **THENCE** South 18 degrees 56 minutes 19 seconds East approximately 87.28 feet, departing said south line of the Colorado River and the north line of the Robert D. Moore Survey No. 603, Abstract No. 614, with the calculated common line of said LCRA-Four-B-Second-c remainder tract and said "property in connection bridge" (south iron bridge tract) to the **POINT OF BEGINNING** and containing 0.097 acres or 4,208 square feet of land, more or less.

PART 2

POINT OF COMMENCING at a ½-inch iron rod with SURVTEX cap set at an angle point in the existing west right-of-way line of U.S. 281, described as Tract No. 2 in a deed to the State of Texas, recorded in Volume 2, Page 32 of the M.R.B.C.T., same being an angle point in the east line of Lot 1, Amended Plat of Village at Lake Marble Falls, as recorded in Cabinet 2, Slide 129D of the P.R.B.C.T.;

THENCE South 19 degrees 07 minutes 04 seconds East 71.49 feet with the west line of said TxDOT Tract No. 2 and the east line of said Lot 1 to a set TxDOT Type II monument

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Parcel 4
2/5/2009

being the southwest corner of said TxDOT Tract No. 2 and lying on the 750' contour line, NGVD 29, same being the north line of the remainder of a tract conveyed to Central Texas Hydro-Electric Co. (LCRA, Volume 83, Page 511, D.R.B.C.T.) as described in Section Four, Subdivision A, Third, in said Volume 81, Page 1, of the D.R.B.C.T., same point being 93.57 feet left of E.B.S. 383+29.51, from which the calculated south east corner of said Lot 1 bears South 19 degrees 07 minutes 04 seconds East 2.17 feet;

THENCE North 57 degrees 06 minutes 56 seconds East 46.27 feet, with said 750' contour line, the north line of said LCRA-Four-A-Third remainder tract, and with the south line of said TxDOT Tract No. 2 to a calculated point being the **POINT OF BEGINNING** and northwest corner hereof at the calculated northwest corner of said "property in connection with bridge" (north iron bridge tract);

1. **THENCE** South 80 degrees 47 minutes 51 seconds East 28.35 feet continuing along said 750' contour line and the north line of said "property in connection with bridge" (north iron bridge tract), and with the south line of said TxDOT Tract No. 2 to a calculated angle point;
2. **THENCE** North 71 degrees 48 minutes 10 seconds East 25.00 feet continuing along said 750' contour line and the north line of said "property in connection with bridge" (north iron bridge tract), and with the south line of said TxDOT Tract No. 2 to a calculated angle point being the northeast corner hereof, the northeast corner of said "property in connection with bridge" (north iron bridge tract), and in the north line of the remainder of a tract conveyed to Central Texas Hydro-Electric Co. (LCRA, Volume 83, Page 511, D.R.B.C.T.) as described in Section Four, Subdivision A, Second (c), in said Volume 81, Page 1, of the D.R.B.C.T.;
3. **THENCE** South 18 degrees 56 minutes 19 seconds East approximately 8.39 feet, departing from said 750' contour line and said TxDOT Tract No. 2, with the calculated common line of said LCRA-Four-A-Second-c remainder tract and said "property in connection bridge" (north iron bridge tract), to a calculated point for the southeast corner hereof and the southeast corner of said "property in connection bridge" (north iron bridge tract), on the north line of the State of Texas' interest in the Colorado River, the south line of the William C.M. Baker Survey No. 201, Abstract No. 124, and the south line of said LCRA-Four-A-Second-c remainder tract;
4. **THENCE** South 73 degrees 22 minutes 22 seconds West 50.04 feet, along said north line of the Colorado River, said south line of the William C.M. Baker Survey No. 201, Abstract No. 124, the south line of said "property in connection with bridge" (iron bridge), to a calculated point for the southwest corner hereof and the southwest corner of said "property in connection bridge" (north iron bridge tract), said calculated point lying in the south line of the remainder of said LCRA-Four-A-Third remainder tract;
5. **THENCE** North 18 degrees 56 minutes 19 seconds West approximately 20.07 feet, departing said north line of the Colorado River and said south line of the William C.M. Baker Survey No. 201, Abstract No. 124, with the calculated common line of said

Page 4 of 6
Parcel 4
2/5/2009

LCRA-Four-A-Third remainder tract and said "property in connection bridge" (north iron bridge tract) tract to the **POINT OF BEGINNING** and containing 0.013 acres or 548 square feet of land, more or less.

Summary

Part 1 = 0.097 Acres (4,208 ± square feet)

Part 2 = 0.013 Acres (548 ± square feet)

Total = 0.110 Acres (4,756 ± square feet)

All bearings are based on the Texas State Plane Coordinate System, Central Zone, with all distances and coordinates being NAD 83(93) Datum and adjusted to surface with a surface adjustment factor of 1.00013.

Note that an easement for various recreational activities was created "between the 750 foot M.S.L. contour line and the water's edge" in a deed from John C. Bird to Emory, Peck & Rockwood Development Company, as recorded in Volume 77, Page 296 of the D.R.B.C.T.

Access is permitted to highway facility from the remainder of the abutting property.

A plat of even survey date herewith accompanies this description.

I hereby certify that this survey was made on the ground under my direction and supervision.

2-5-09
Date

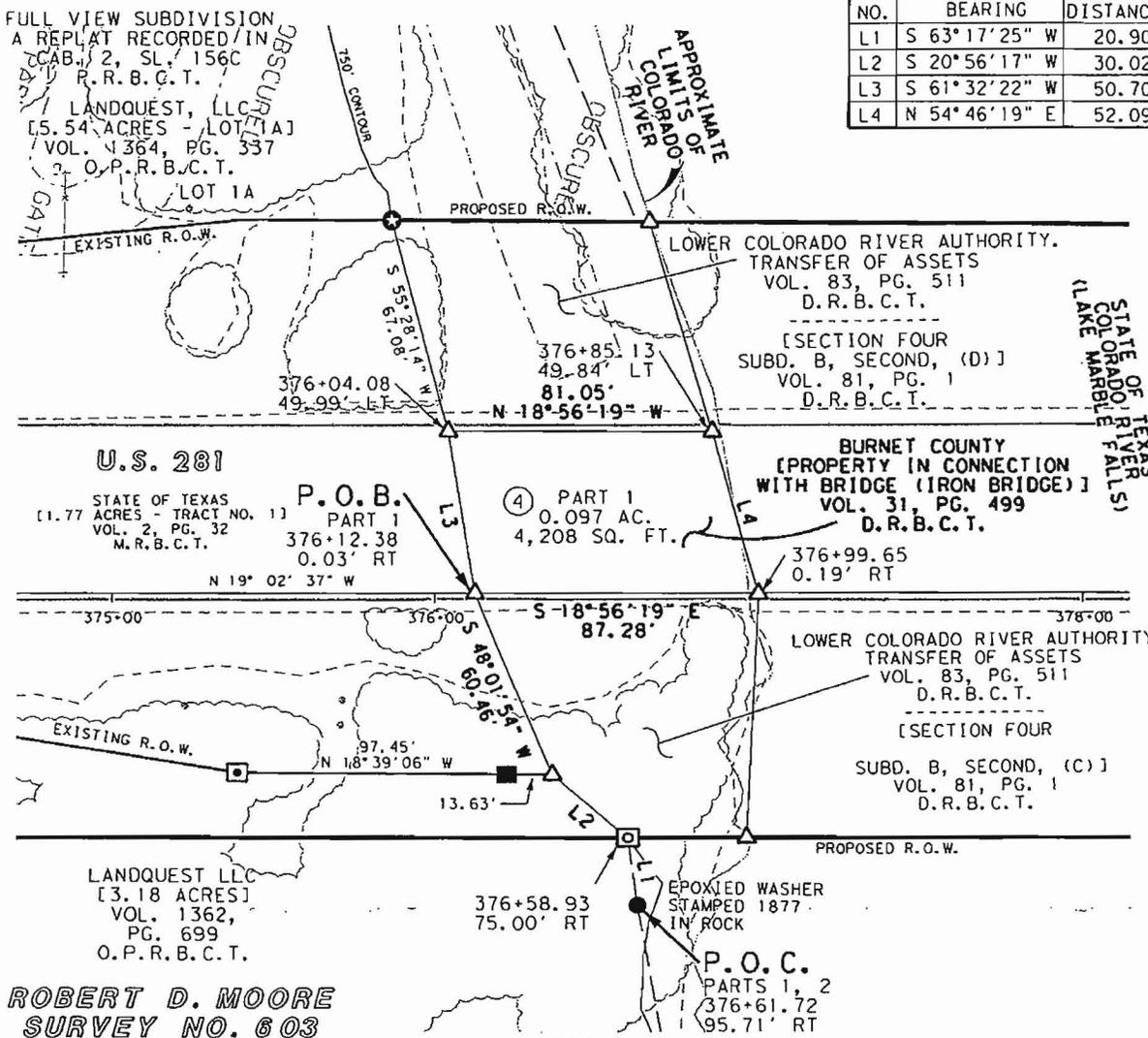

John W. McCown
Registered Professional Land Surveyor
State of Texas No. 5135

SURVTEX, LLC
600 W. Whitestone Blvd.
Cedar Park, TX 78613
(512) 249-8875 Fax (512) 249-5040



LINE TABLE		
NO.	BEARING	DISTANCE
L1	S 63° 17' 25" W	20.90'
L2	S 20° 56' 17" W	30.02'
L3	S 61° 32' 22" W	50.70'
L4	N 54° 46' 19" E	52.09'

FULL VIEW SUBDIVISION
A REPLAT RECORDED IN
CAB. 2, SL. 156C
P.R.B.C.T.
LANDQUEST, LLC
[5.54 ACRES - LOT 1A]
VOL. 1364, PG. 337
O.P.R.B.C.T.



U.S. 281
STATE OF TEXAS
[1.77 ACRES - TRACT NO. 1]
VOL. 2, PG. 32
M.R.B.C.T.

P.O.B.
PART 1
376+12.38
0.03' RT

④ PART 1
0.097 AC.
4,208 SQ. FT.

BURNET COUNTY
[PROPERTY IN CONNECTION
WITH BRIDGE (IRON BRIDGE)]
VOL. 31, PG. 499
D.R.B.C.T.

LOWER COLORADO RIVER AUTHORITY
TRANSFER OF ASSETS
VOL. 83, PG. 511
D.R.B.C.T.
[SECTION FOUR
SUBD. B, SECOND, (C)]
VOL. 81, PG. 1
D.R.B.C.T.

LANDQUEST LLC
[3.18 ACRES]
VOL. 1362,
PG. 699
O.P.R.B.C.T.

376+58.93
75.00' RT

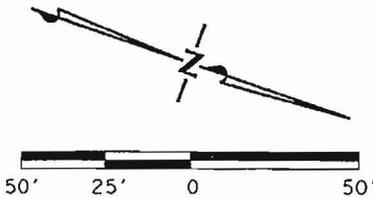
EPOXIED WASHER
STAMPED 1877
IN ROCK

P.O.C.
PARTS 1, 2
376+61.72
95.71' RT

ROBERT D. MOORE
SURVEY NO. 603
ABSTRACT NO. 614

LEGEND

- ☐ TxDOT TYPE II MONUMENT SET (UNLESS NOTED)
- ◻ TxDOT TYPE II MONUMENT FOUND
- ◼ TxDOT TYPE I MONUMENT FOUND
- ★ 1/2" IRON ROD SET WITH SURVTEX CAP
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- ▲ CALCULATED POINT
- ▲ 60D NAIL FOUND (UNLESS NOTED)
- ⊙ 1/2" IRON ROD SET W/TxDOT ALUMINUM CAP
- FENCE CORNER POST
- [] RECORD INFORMATION
- NT NON-TANGENT
- X- WIRE FENCE



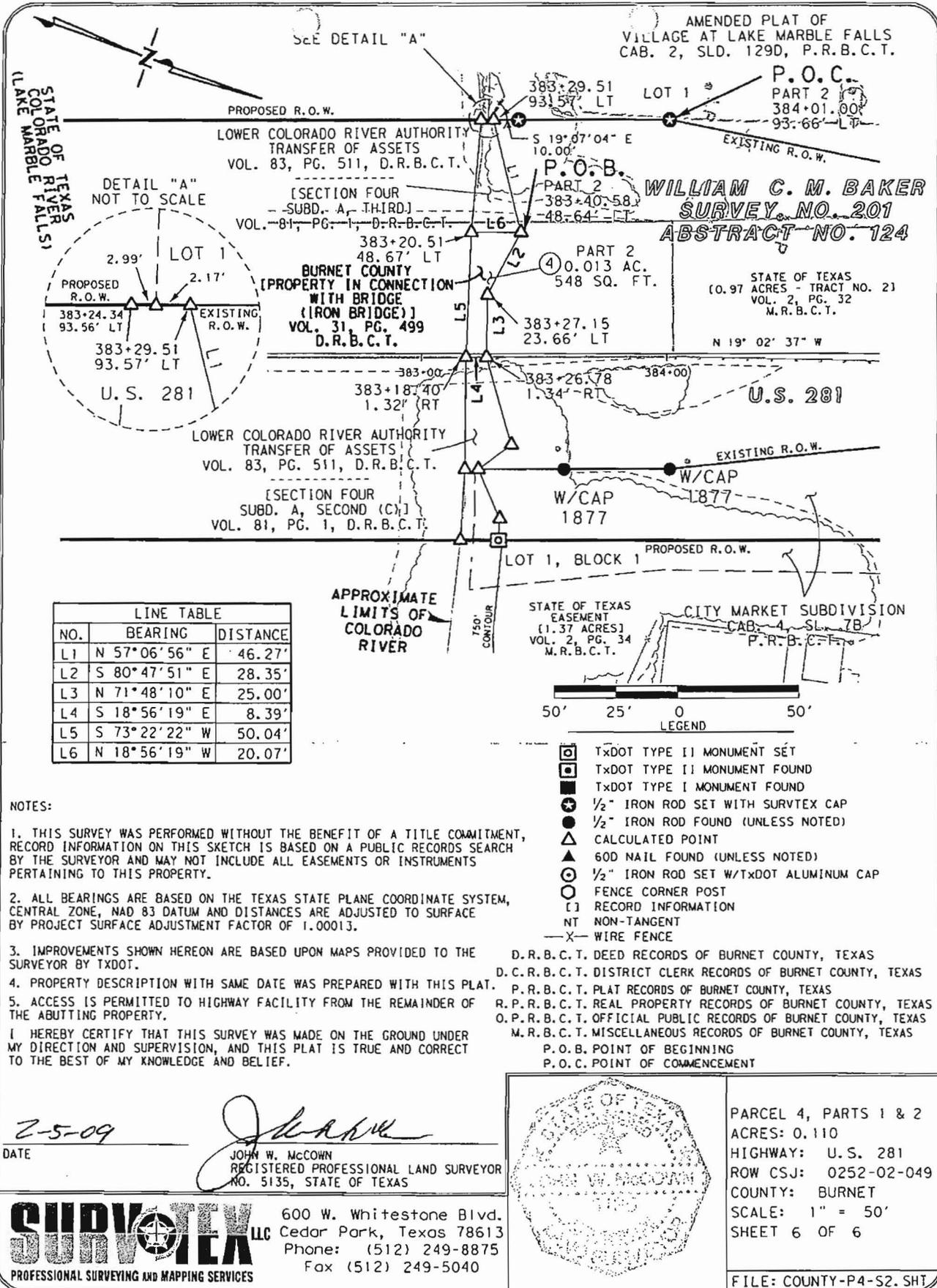
D.R.B.C.T. DEED RECORDS OF BURNET COUNTY, TEXAS
D.C.R.B.C.T. DISTRICT CLERK RECORDS OF BURNET COUNTY, TEXAS
P.R.B.C.T. PLAT RECORDS OF BURNET COUNTY, TEXAS
R.P.R.B.C.T. REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS
O.P.R.B.C.T. OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS
M.R.B.C.T. MISCELLANEOUS RECORDS OF BURNET COUNTY, TEXAS
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

PARCEL 4, PARTS 1 & 2
ACRES: 0.110
HIGHWAY: U.S. 281
ROW CSJ: 0252-02-049
COUNTY: BURNET
SCALE: 1" = 50'
SHEET 5 OF 6

SURVOTEX LLC
PROFESSIONAL SURVEYING AND MAPPING SERVICES

600 W. Whitestone Blvd.
Cedar Park, Texas 78613
Phone: (512) 249-8875
Fax (512) 249-5040

FILE: COUNTY-P4-S1.SHT



LINE TABLE

NO.	BEARING	DISTANCE
L1	N 57°06'56" E	46.27'
L2	S 80°47'51" E	28.35'
L3	N 71°48'10" E	25.00'
L4	S 18°56'19" E	8.39'
L5	S 73°22'22" W	50.04'
L6	N 18°56'19" W	20.07'

NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, RECORD INFORMATION ON THIS SKETCH IS BASED ON A PUBLIC RECORDS SEARCH BY THE SURVEYOR AND MAY NOT INCLUDE ALL EASEMENTS OR INSTRUMENTS PERTAINING TO THIS PROPERTY.
 2. ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 DATUM AND DISTANCES ARE ADJUSTED TO SURFACE BY PROJECT SURFACE ADJUSTMENT FACTOR OF 1.00013.
 3. IMPROVEMENTS SHOWN HEREON ARE BASED UPON MAPS PROVIDED TO THE SURVEYOR BY TXDOT.
 4. PROPERTY DESCRIPTION WITH SAME DATE WAS PREPARED WITH THIS PLAT.
 5. ACCESS IS PERMITTED TO HIGHWAY FACILITY FROM THE REMAINDER OF THE ADJUTING PROPERTY.
- I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION, AND THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

- LEGEND
- ☐ TXDOT TYPE II MONUMENT SET
 - ◻ TXDOT TYPE II MONUMENT FOUND
 - ◼ TXDOT TYPE I MONUMENT FOUND
 - ★ 1/2" IRON ROD SET WITH SURVTX CAP
 - 1/2" IRON ROD FOUND (UNLESS NOTED)
 - ▲ CALCULATED POINT
 - ▲ 60D NAIL FOUND (UNLESS NOTED)
 - ⊙ 1/2" IRON ROD SET W/TXDOT ALUMINUM CAP
 - FENCE CORNER POST
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- D.R.B.C.T. DEED RECORDS OF BURNET COUNTY, TEXAS
D.C.R.B.C.T. DISTRICT CLERK RECORDS OF BURNET COUNTY, TEXAS
P.R.B.C.T. PLAT RECORDS OF BURNET COUNTY, TEXAS
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M.R.B.C.T. MISCELLANEOUS RECORDS OF BURNET COUNTY, TEXAS
- P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

2-5-09
DATE

John W. McCown
JOHN W. MCCOWN
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5135, STATE OF TEXAS



PARCEL 4, PARTS 1 & 2
ACRES: 0.110
HIGHWAY: U.S. 281
ROW CSJ: 0252-02-049
COUNTY: BURNET
SCALE: 1" = 50'
SHEET 6 OF 6

SURVIVEX LLC
PROFESSIONAL SURVEYING AND MAPPING SERVICES

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Cedar Park, Texas 78613
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FILE: COUNTY-P4-S2.SHT