

TEXAS TRANSPORTATION COMMISSION

HARRIS County

MINUTE ORDER

Page 1 of 1

MONTGOMERY District

In MONTGOMERY COUNTY, on INTERSTATE 45 from 0.60 miles north of Loop 336 North to 0.043 miles south of Loop 336 South, 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.

Towne Center Venture, L.L.P., a Texas limited liability partnership (owner) is the owner of the property described in Exhibit A. The owner wants to donate this property, estimated at \$23,064, 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

111875 JUN 25 09

Minute Number

Date Passed

Revised June, 2008
April, 2008
Parcel 27
Page 1 of 6

County: Montgomery
Highway: Interstate Highway 45
Project Limits: 0.60 miles North of Loop 336 North to 0.043 miles South of Loop 336 South
ROW CSJ: 0675-08-089

PROPERTY DESCRIPTION FOR PARCEL 27

Being a 0.0662 acre (2,883 square feet) parcel of land out of the Denward James Survey, Abstract No. 289, Montgomery County, Texas, being out of an 11.88 acre tract conveyed to Towne Center Venture, LLP, by deed dated December 27, 1999, as recorded under Montgomery County Clerk's File No. 2000-003267 of the Official Public Records of Real Property of Montgomery County (O.P.R.R.P.M.C.), also being out of Reserves "C" and "D" of Towne Center North, as recorded under Cabinet Q, Sheets 98 and 99 of the Montgomery County Map Records (M.C.M.R.), said 0.0662 acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found at an internal southerly corner of said 11.88 acre tract and said Reserve "C" of Towne Center North, same being the northwest corner of a 1.0645 acre tract conveyed to Exxon Corporation by deed dated December 30, 1987, as recorded under Montgomery County Clerk's File No. 8801934 of the O.P.R.R.P.M.C., thence as follows:

NORTH 75 degrees 11 minutes 02 seconds EAST, along the common line of said 11.88 acre tract and said 1.0645 acre tract, a distance of 124.44 feet to a 5/8-inch iron rod with a Texas Department of Transportation (TxDOT) aluminum cap found in the existing westerly right-of-way line of Interstate Highway 45 (width varies);

NORTH 18 degrees 35 minutes 56 seconds WEST, along the existing westerly right-of-way line of Interstate Highway 45, same being an Access Denial Line, a distance of 37.89 feet to a 5/8-inch iron rod with TxDOT aluminum cap set for corner on the proposed westerly right-of-way line of Interstate Highway 45 (width varies), same being the POINT OF BEGINNING of the herein described parcel, having coordinates of X = 3,829,879.46 and Y = 10,112,660.95 (All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, North American Datum of 1983, 1993 Adjustment; All distances and coordinates shown are surface and may be converted to grid by dividing by a combined scale factor of 1.00003); **

Revised June, 2008
April, 2008
Parcel 27
Page 2 of 6

- 1.) THENCE, NORTH 19 degrees 44 minutes 45 seconds WEST, along said proposed westerly right-of-way line of Interstate Highway 45, same being an Access Denial Line, a distance of 149.73 feet to a 5/8" iron rod with TxDOT aluminum cap set for a westerly corner of the herein described parcel, and being the end of the Access Denial Line; **
- 2.) THENCE, NORTH 18 degrees 35 minutes 56 seconds WEST, along said proposed westerly right-of-way line of Interstate Highway 45, a distance of 117.41 feet to a "X" cut in concrete set for the northwesterly corner of the herein described parcel, and the beginning of an Access Denial Line; **
- 3.) THENCE, NORTH 70 degrees 15 minutes 26 seconds EAST, along said proposed westerly right-of-way line of Interstate Highway 45, same being an Access Denial Line, a distance of 15.00 feet to a "X" cut in concrete set in the existing westerly right-of-way line of Interstate Highway 45, same being the northeasterly corner of the herein described parcel; **
- 4.) THENCE, SOUTH 18 degrees 35 minutes 56 seconds EAST, along said existing westerly right-of-way line of Interstate Highway 45, a distance of 117.41 feet to a 5/8-inch iron rod with TxDOT aluminum cap found for corner;
- 5.) THENCE, SOUTH 14 degrees 01 minutes 30 seconds EAST, along said existing westerly right-of-way line of Interstate Highway 45, a distance of 150.48 feet to the POINT OF BEGINNING, containing 0.0662 acres (2,883 square feet) of land.

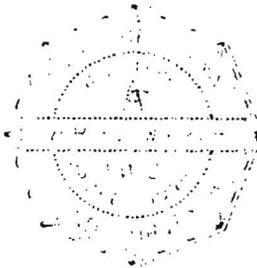
A parcel plat of even date was prepared in conjunction with this property description.

Access is prohibited across the Access Denial Line to the highway facility from the abutting remainder property.

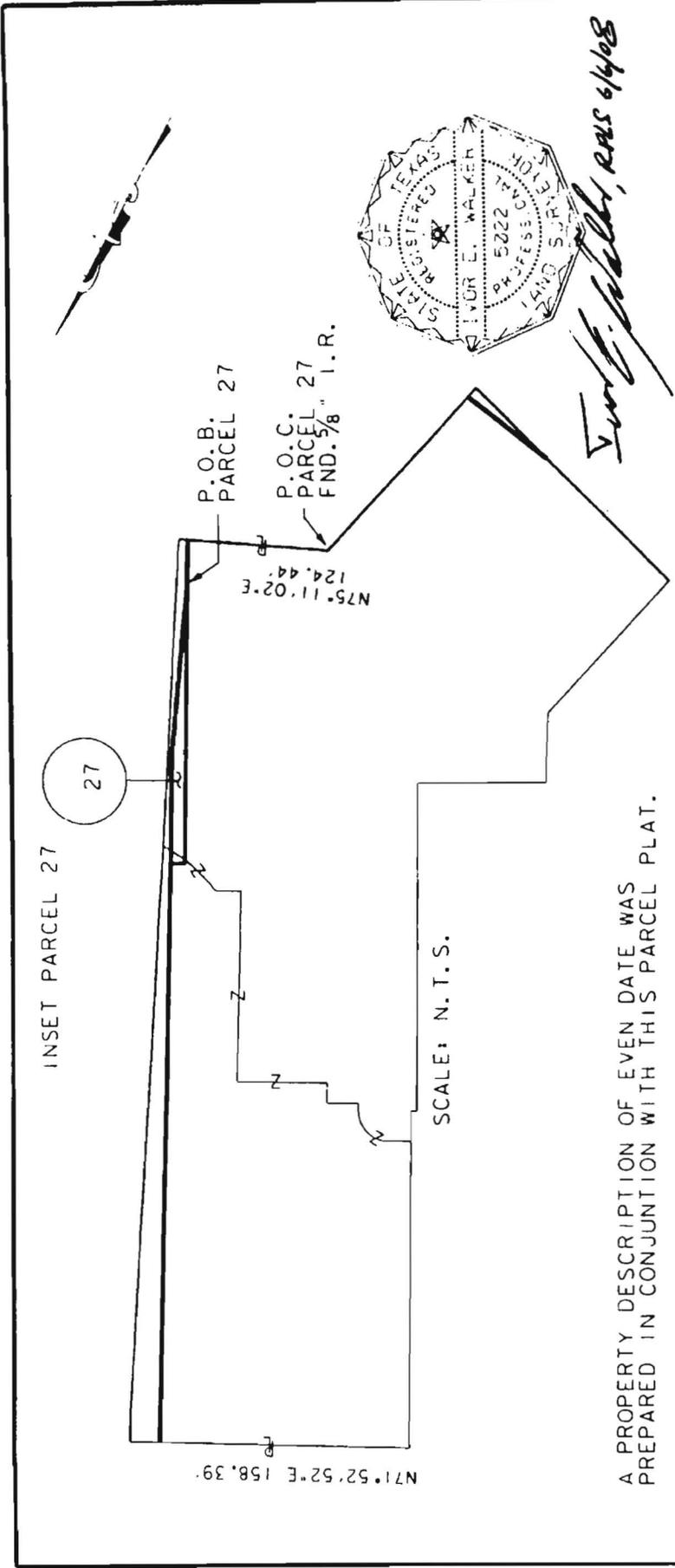
** The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Revised June, 2008
April, 2008
Parcel 27
Page 3 of 6

Ivor E. Walker, R.P.L.S. 06-06-2008
Ivor E. Walker, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 5022



Prepared by: Texas Department of Transportation, 7600 Washington Ave., Houston, TX 77007



6/ 08 Rev. Access Denial Line to Parcel 27

EXIST AC.	TAKING AC./SQ. FT.	REMAINING AC.
11.88	0.0662/2.883	11.81 RT

PARCEL PLAT SHOWING
PARCEL 27
RCSJ: 0675-08-089
INTERSTATE HIGHWAY 45
MONTGOMERY COUNTY, TEXAS

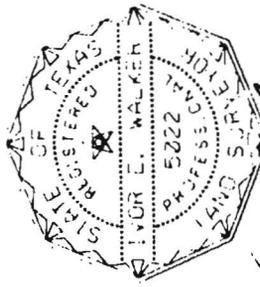
TEXAS DEPARTMENT OF TRANSPORTATION
7600 WASHINGTON AVENUE, HOUSTON, TX 77007
Date: APRIL 2008 Scale: N.T.S.
Job No.: 0675-08-089 SHEET No. 4 OF 6

A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

- ACCESS DENIAL LINE
- INDICATES FOUND MONUMENT AS NOTED.
- INDICATES SET 5/8" I.R. WITH TXDOT ALUMINUM CAP.
- INDICATES FOUND 5/8" I.R. WITH TXDOT ALUMINUM CAP.

ALL COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83 (1993 ADJ.) ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED SCALE FACTOR OF 1.00003.

** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE 11 RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.



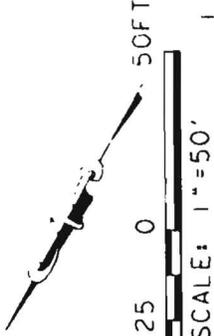
David E. Walker, RAS 6/4/08

**INTERSTATE HIGHWAY 45
(WIDTH VARIES)**

PI STATION = 735+83.32
 DELTA = 01° 31' 21" (LT)
 DEGREE OF CURVE = 00° 15' 00"
 TANGENT = 304.52'
 LENGTH = 609.00'
 RADIUS = 22,918.31'
 PC STATION = 732+78.80
 PRC STATION = 738+87.80

735+00

PL - C - PROPOSED BASELINE IH-45



MATCH LINE STA. 738+10

S 16° 12' 28" E 746.71'
 EXISTING R.O.W.

398.82'
 N 18° 35' 56" W 586.43'
 PROPOSED R.O.W.

**SURVEY A-289
JAMES
DENWYD**

TOWNE CENTER NORTH
 RESERVE "D"
 CAB. Q. SHEETS 98 & 99
 M.C.M.R.

TOWNE CENTER VENTURE, LLP
 11.88 ACRES
 C.F. NO. 2000-003267 CAB, Q, SHEETS 98 & 99
 O.P.R.R.P.M.C.
 DATED DECEMBER 27, 1999

LINE TABLE	
LINE No.	BEARING DISTANCE
L56	N70° 15' 26" E 15.00'
L57	S18° 35' 56" E 117.41'

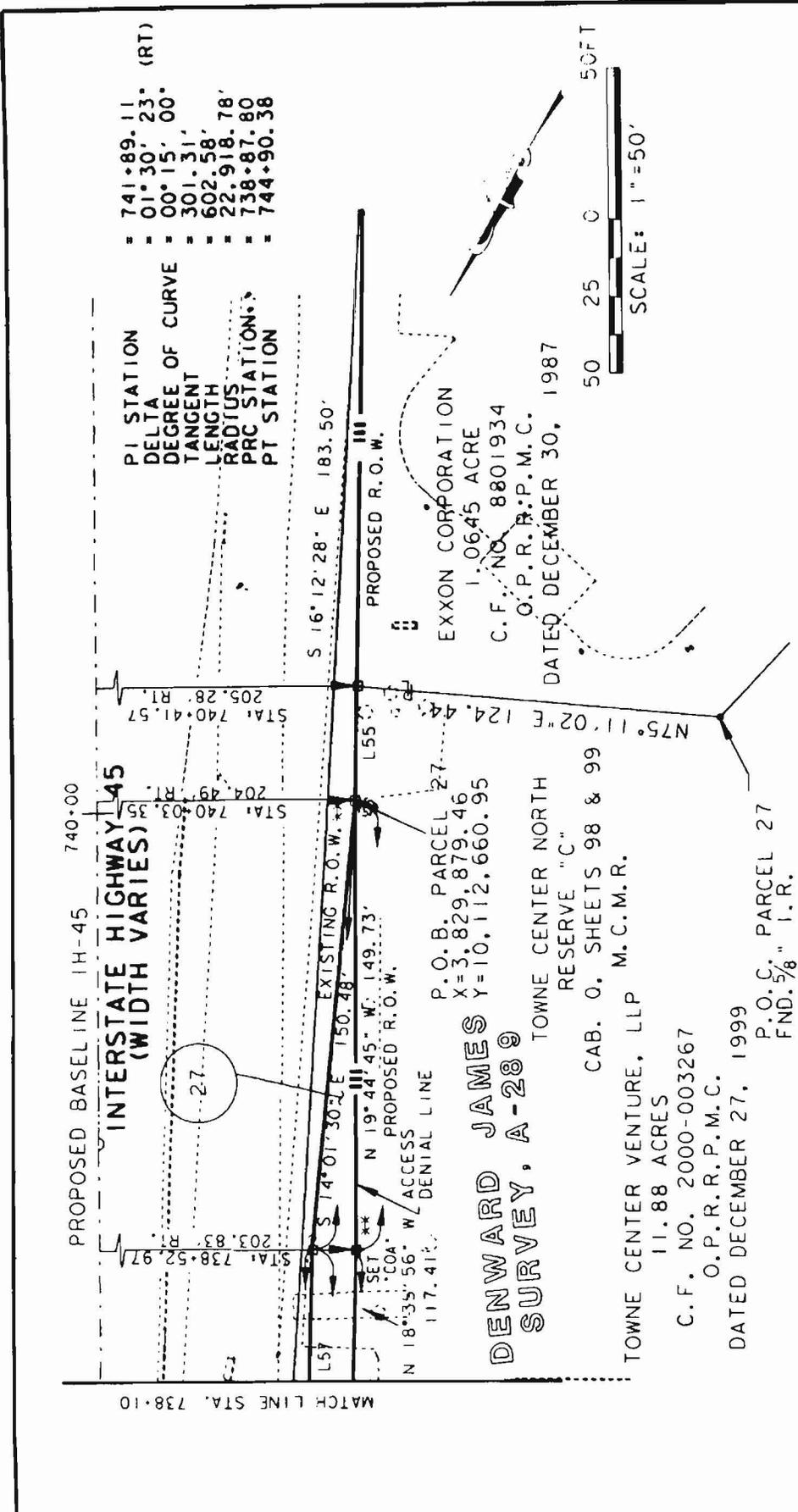
PARCEL PLAT SHOWING
 PARCEL 27

RCSJ: 0675-08-089
 INTERSTATE HIGHWAY 45
 MONTGOMERY COUNTY, TEXAS

TEXAS DEPARTMENT OF TRANSPORTATION

7600 WASHINGTON AVENUE, HOUSTON, TX 77007

Date: APRIL, 2008 Scale: 1" = 50'
 JOB No.: 0675-08-089 SHEET NO. 5 OF 6



PARCEL PLAT SHOWING
PARCEL 27
RCSJ: 0675-08-089
INTERSTATE HIGHWAY 45
MONTGOMERY COUNTY, TEXAS

TEXAS DEPARTMENT OF TRANSPORTATION
7600 WASHINGTON AVENUE, HOUSTON, TX 77007

Date: APRIL 2008
Job No.: 0675-08-089

Scale: 1" = 50'
SHEET No. 6 OF 6

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L55	N18° 35' 56" W	37.89'
L57	S18° 35' 56" E	117.41'