TEXAS TRANSPORTATION COMMISSION

PALO PINTO, SOMERVELL AND TARRANT Counties

MINUTE ORDER

FORT WORTH District

On June 25, 2009, by Minute Order 111860, the Texas Transportation Commission (commission) issued approval to issue a request for proposal to exchange property of the Texas Department of Transportation (department) in exchange for buildings and other facility-support structures to be constructed on department-owned property in the Fort Worth and Dallas districts.

The commission finds it necessary to withdraw the previous minute order and reissue a request for proposal under authorization of this minute order to revise the appraisal of department owned property, located at I-30 and Collins Road, Arlington, Tarrant County, from $17.6 million to $12 million and to reduce the project scope. The property located at I-820 and SH 199, Saginaw, Tarrant County which had an appraised value of $850,000 will not be exchanged, as stated in the prior Minute Order 111860. Reduction of the project scope includes deletion of construction of a laboratory building located at 2501 Southwest Loop 820 in Fort Worth, Tarrant County; deletion of the construction of a new maintenance facility on department owned property located at 508 South Blue Mound Road in Saginaw, Tarrant County and deletion of the construction of a new area engineer office on department owned property located at 1851 SH 66 in Garland, Dallas County.

Transportation Code, Chapter 201, Section 201.1055, authorizes agreements with private entities for the acquisition, design, construction or renovation of buildings for the Texas Department of Transportation (department). This allows exchange of existing department-owned property and improvements with a private entity in return for the construction of a building or other facility required to support department operations on department-owned property.

Under that authority, the department intends to issue a Request for Proposal to select a qualified private entity to design, construct, renovate, and provide other facility-support structures in exchange for the existing property at I-30 and Collins Road, Arlington. If the design and construction cost is less than the appraised value of the property, the private entity will be required to pay the difference in cash upon the exchange. If the costs are more than the value of the exchange, the private entity shall have the option to donate the difference. The construction and renovation of buildings on state-owned property will provide critically needed replacement facilities required to support department operations and mission.

The following department-owned properties that will be exchanged are no longer needed for the purposes for which they were acquired:

Property located at I-30 and Collins Road, Arlington, Tarrant County, more particularly described by metes and bounds in Exhibit A, and having an appraised value of $12 million (Exhibit A).

The following improvements will be procured in exchange for the properties that are no longer needed:

- Construction of a new area engineer and maintenance building and renovation of an existing laboratory building to be completed on department-owned property located at 2501 Southwest Loop 820 in the city of Fort Worth, Tarrant County, Texas, more particularly described by metes and bounds in Exhibit B.

- Construction of a new maintenance facility to be completed on department-owned property located at SH 144 in the city of Glen Rose, Somervell County, Texas, more particularly described by metes and bounds in Exhibit C.

- Construction of a new maintenance facility to be completed on department-owned property located at 2400 US 180 West, Mineral Wells, Palo Pinto County, Texas, more particularly described by metes and bounds in Exhibit D.

The department proposes to negotiate a development and exchange agreement with the top ranked proposer to procure the new buildings and facilities based on whose proposal provides the best value to the department. Best value will be based on cost estimates for the site development, construction, renovation, design and management services and other all associated costs.

IT IS THEREFORE ORDERD by the commission that the previous Minute Order 111860 dated June 25, 2009, is withdrawn (Exhibit E).

IT IS THEREFORE ORDERED by the commission that the department issue a request for proposal and commence negotiations with the top ranked proposer to design, construct, renovate, and provide other facility-support structures, as described, in exchange for the department-owned property located in Arlington.

IT IS FURTHER ORDERED that the department may negotiate with the second ranked proposer or reissue a request for proposal for this project in the event that suitable terms for a development and exchange agreement cannot be accomplished.

Submitted and reviewed by:

Director, Maintenance Division

Recommended by:

Executive Director

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Minute Number | Date Passed

Exhibit A
Arlington, Tarrant County

The Texas Department of Transportation is the owner of certain property with improvements located at I-30 and Collins Road, Arlington, Tarrant County, more particularly described by metes and bounds as follows:

BEING a 18.37 acre tract of land located in the G.W. Ragan Survey, Abstract No. 1288, in the City of Arlington, Tarrant County, Texas, said tract being part of a called 67.78 acre tract described by deed to the State of Texas, as recorded in Volume 2927, Page 199, Deed Records Tarrant County, Texas, (DRTCT) and being more particularly described by metes and bounds as follows (bearing referenced to the State Plane Coordinate System, North Central Zone, NAD 1983, as determined by VRS – GPS observations, distances show are surface values):

COMMENCING at point for the most northerly corner of said State of Texas parcel, same being on the west right of way (ROW) for FM 157 variable width ROW as described by deed to the State of Texas recorded in Volume 1860, Page 107, DRTCT, and being a point in the easterly ROW for Ryan Plaza Drive (50' ROW) as dedicated by Parkway Central Addition, an addition to the City of Arlington as recorded in Volume 388-53, Page 96, Plat Records Tarrant County Texas (PRTCT), said point being located South 00°36'32" West, a distance of 373.83 feet from a ½-inch iron rod found for the common easterly corner for Lots 1 and 2, Block 1, Park Central Addition, an addition to the City of Arlington as recorded in Volume 388-57, Page 609 PRTCT;

THENCE South 00°10'05" East, with the west ROW for FM157 and the east line of said 67.78 acre tract, a distance of 261.65 feet to a point;

THENCE South 88° 15'19" West, a distance of 8.83 feet to a set 5/8-inch iron rod with yellow plastic cap marked "SAM INC" (set iron rod) for the POINT OF BEGINNING, said point being located at FM 157 centerline station 614+61.71, 58.8" left;

THENCE southerly, generally 30-feet west of and parallel to or concentric with the proposed west back of curb for FM 157 as follows;

THENCE South 01°44'41" East, a distance of 191.59 feet to a set iron rod for the beginning of a curve;

THENCE southerly along the arc of said curve to the right, having a central angle of 04°00'42", a radius of 1920.00 feet, an arc length of 134.43 feet and a chord of South 00°15'40" West, 134.40 feet to a set iron rod for the end of said curve.;

THENCE South 02°16'01" West, a distance of 200.00 feet to a PK nail set for the beginning of a curve;

THENCE southerly along the arc of said curve to the right, having a central angle of 09°59'57", a radius of 320.00 feet, an arc length of 55.85 feet and a chord of South 07°15'59" West,
55.78 feet to a set iron rod for the end of said curve;

THENCE South 12°15'58" West, a distance of 32.86 feet to a set iron road for corner;

THENCE South 89°44'54" West, leaving said parallel alignment, a distance of 7.44 feet to a point for corner;

THENCE South 00°15'06" East, a distance of 36.27 feet to a set iron rod for corner;

THENCE North 89°44’54” East, a distance of 5.00 feet to a set road for corner;

THENCE South 00°15’06” East, generally along the west face of a series of existing wooden poles for an ONCOR power line, a distance of 310.54 feet to a set iron road for the beginning of a curve;

THENCE southwesterly along the arc of said curve to the right, having a central angle of 89°38’27”, a radius of 20.00 feet, an arc length of 31.29 feet, and a chord of South 44°34’08” West, 28.20 feet to a set iron rod for the end of said curve;

THENCE South 89°25’33” West, being 20-feet north of and parallel to the proposed north edge of pavement for the west bound service road for I-30 (variable width ROW), a distance of 802.77 feet to a set iron rod for corner;

THENCE North 77°22’ 27” West, a distance of 387.98 feet to a PK nail set for corner;

THENCE North 14°56’54” West, a distance of 269.08 feet to a set iron rod for the beginning of a non-tangent curve;

THENCE northeasterly along the arc of said curve to the right, being 20-feet south of and concentric to the existing south curve line for Ryan Plaza Drive (undefined ROW), having a central angle of 54°17’10”, a radius of 68.00 feet, an arc length of 64.43 feet and a chord of North 62°18’02” East, 62.05 feet to a set iron rod for the end of said curve;

THENCE northeasterly, generally 20 feet south of and parallel to or concentric with said south curb line as follows:

THENCE North 89°25’34” East, a distance of 65.91 feet to a set iron rod for the beginning of a curve;

THENCE along the arc of said curve to the left, having a central angle of 45°13’29”, a radius of 695.00 feet, an arc length of 548.58 feet and a chord of North 66°48’50” East, 534.45 feet to a set iron rod for the end of said curve;

THENCE North 44°12’05” East, a distance of 237.18 feet to a set iron road for the beginning of a curve;

THENCE along the arc of said curve to the right, having a central angle of 16°25’32”, a radius of 605.00 feet, an arc length of 173.44 feet and a chord of North 52° 24’51” East, 172.85 feet to a set iron rod for the end of said curve;

THENCE North 60°33’46” East, a distance of 253.76 feet to a set iron rod for the beginning of a non-tangent curve;

THENCE along the arc of said curve to the right, having a central angle of 28°38’30”, a radius of 255.00 feet, an arc length of 127.47 feet and a chord of North 74°55’24” East, 126.15 feet to a set iron road for the end of said curve;

THENCE South 46°15’55” East, a distance of 42.78 feet to the POINT OF BEGINNING and containing 18.37 acres.

Exhibit B
Fort Worth District Headquarters

The Texas Department of Transportation is the owner of certain property with improvements located at 2501 Southwest Loop 82, Fort Worth, Tarrant County, more particularly described by metes and bounds as follows:

Being all of that certain 40.6475 acres of land situated in the M.J. Arocha Survey, Abstract I and the J.B.M. Smith Survey Abstract 1412, City of Fort Worth, Tarrant County, Texas, and being a portion of that certain called 35.312 acre tract of land conveyed to the State of Texas by instrument recorded in Volume 2920, Page 218 of the Deed Records, Tarrant County, Texas; A portion of Lot 4-R, Block I, Wedge Hills Subdivision, an addition to the City of Fort Worth as shown on a plat recorded in Volume 388-111, Page 78, Plat Records, Tarrant County, Texas, and being all of that called 6.154 acre Tract of land conveyed to the State of Texas by instrument recorded in Volume 9277, Page 1989, said Deed Records and further described as follows:

BEGINNING at a 5/8-inch iron rod with cap stamped "SURVCON" set for the northeasterly corner of said 35.312 acre tract being on the southerly line of I-20 (a variable width right of way (ROW)), as conveyed to the State of Texas by instrument recorded in Volume 2724, Page 33, said deed records, same being on the westerly ROW of the Gulf Colorado and Santa Fe Railroad (an apparent 100-foot wide ROW no deed of record found);

THENCE South 01° 25' 24" West along said westerly line, passing a PK nail set at a chain link fence post at 1945.32 feet and continuing for a total distance of 1955.32 feet to the northerly ROW line of Edgecliff Road (a variable width ROW, 50 foot wide at this point) as shown on plat of Wedge Hills Subdivision, an addition to the City of Fort Worth, as shown on plat recorded in Volume 388-10, Page 33, Plat Records, Tarrant County, Texas;

THENCE South 89° 30' 20" West, along said northerly line, 106.23 feet;

THENCE North 01° 35' 40" West, passing a PK nail set in concrete for the southeasterly corner of Lot 5-R, Block 1, Wedge Hill Subdivision, an addition to the City of Fort Worth, as shown on plat recorded in Volume 388-III, Page 78 of said plat records at 10.19 feet and continuing for a total distance of 209.02 feet to a ½-inch iron rod with cap stamped "Landes and Associates" found for the common easterly corner of Lots 4-R and 5-R, said Block 1;

THENCE South 89° 31' 54" West, along the common line of said lots, 200.05 feet to a ½-inch iron rod with cap stamped "Landes and Associates" found for a common corner of said lots;

THENCE South 01° 34' 06" East, along the common line of said lots, 199.11 feet to a 5/8–inch iron rod with cap stamped "SURVCON" set on the aforesaid northerly ROW line of Edgecliff Road;

THENCE, along said northerly line the following three courses:

1) South 89° 30' 20" West, 152.99 feet to a point from which a 5/8-inch smooth iron rod found bears south 00° 05'51" West, 1.0 feet and being the beginning of a curve to the right whose center bears north 00°29'40" West;

2) Westerly 133.81 feet along the arc of said curve to the right, having a central angle of 1° 00' 00" and a radius of 697.00 feet to a point from which a 5/8–inch smooth iron rod found bears south 00°03°37' West, 11 feet;

3) North 79° 29’ 40” West, 91.30 feet to a 5/8-inch iron rod with cap stamped “SURVCON” set for the common southerly corner of said Lot 4-R and Lot 1, Block 1, Wedge Hills Subdivision, an addition to the City of Fort Worth, as shown on map recorded in Volume 388-45, Page 5, said deed records;

THENCE, North 01° 34’ 06” West, along the common line of said Lot 4-R and Lot I, 212.75 feet to a 5/8-inch smooth iron rod found;

THENCE North 89° 29’ 54” East, 15.00 feet to a PK nail set at a chain link fence post;

THENCE North 01° 34’ 06” West, 262.40 feet to a PK nail set at a chain link fence post;

THENCE South 89° 23’ 54”, 15.00 feet to a 5/8-inch iron rod found on the common line of the aforesaid Lot 4-R and Lot 3-R-1, Block 1, Wedge Hills Subdivision, an addition to the city of Fort Worth, Texas, as shown on map recorded in Volume 388-120, Page 86, said deed records;

THENCE North 01° 34’ 06” West, 40.00 feet to a PK nail set in concrete at a chain link fence post for the common northerly corner of said lots and being on the westerly most south line of the aforesaid 35.312 acre tract;

THENCE South 89° 26’ 24” West, along a common line between said southerly line and the northerly line of said Lot 3-R-I, passing a 5/8-inch iron rod with TxDOT aluminum cap found for the northwesterly corner of said Lot 3-R-I at 185.42 feet and continuing for a total distance of 204.13 feet to the westerly most southwest corner of said 35.312 acre tract and being in McCart Street (A variable width ROW, no deed of record found);

THENCE North 00° 32’ 13” West, along the westerly line of said 35.312 acre tract, 1330.50 feet to a point in McCart Street;

THENCE North 89° 27’ 58” East, 21.15 feet to a 5/8-inch iron rod with cap stamped “SURVCON” set on the aforesaid southerly ROW line of I-20;

THENCE along said southerly line the following six (6) courses;

1) NORTH 08° 13’ 45” East, 272.93 feet to a 5/8-inch smooth iron rod found;

2) NORTH 56° 00’ 45” East, 67.19 feet to a 5/8-inch smooth iron rod found;

3) SOUTH 76° 40’ 15” East, 544.58 feet to a 5/8-inch smooth iron rod found;

4) SOUTH 74° 58’ 15” East, 83.02 feet to a 5/8-inch smooth iron rod found;

5) SOUTH 71° 53’ 15” East, 93.23 feet to a 5/8-inch smooth iron rod found;

6) SOUTH 69° 33’ 52” East, 157.00 feet to the POINT OF BEGINNING and containing 40.6475 acres of land which 0.6333 acres are situated in the apparent right-of- way of McCart Street and Edgecliff Road leaving a net computed area of 40.0142 acres of land.

Exhibit C
Glen Rose Maintenance Facility

The Texas Department of Transportation is the owner of certain property with improvements located on SH 144, Glen Rose, Somervell County, more particularly described by metes and bounds as follows:

Being 15.714 acres of land, more or less, situated in the counties of Hood and Somervell, State of Texas, and being out of the Galveston County School Land Survey, Abstract No. 36 and being a part of a tract of land conveyed by Alberta H. Lunger and Harold L. Lunger to Brite Divinity School by deed dated May 24, 1990 and recorded in Volume 10, Page 820 of the Real Records, Somervell County, Texas, which 15.714 acres of land, more or less, more particularly described as follows:

BEGINNING at a found 5/8-inch iron pin with an aluminum cap marked 1807 in the existing west right of way (ROW) line of SH 144 said point being South 31°02’00” East, a distance of 833.95 feet from a found ½ inch iron pin with a red cap marked Clark Survey at the northeast corner of said school tract; said point also being 50.00 feet west of and at right angle to centerline survey station 500+79.21 of said highway;

THENCE South 58°58’02” West, along the north line of a tract of land described in Volume 37, Page 607, said Real Records a distance of 1,581.87 feet to a found 5/8-inch iron pin with an aluminum cap marked 1807;

THENCE North 28°50’08” West, along the east line of a tract of land described in Volume 63, page 297, Deed Records, Somervell County, same being the southwest line of said school tract, and generally along a fence line, a distance of 435.32 feet to a set 5/8-inch iron pin with an aluminum cap marked Texas Department of Transportation;

THENCE North 58°58’02” East, along the North line of the herein described tract a distance of 1,565.18 feet to a set row marker in the existing west ROW of SH 144; from which a found concrete monument with a brass cap marked R.P.S. No. 314 in Hood, Somervell County line bears South 31°26’43” east, a distance of 98.36 feet;

THENCE South 31°02’00” East, along said existing west ROW line, a distance of 435.00 feet to the POINT OF BEGINNING.

Directional control was based on the existing west ROW line SH 144.

Exhibit D
Mineral Wells Maintenance Facility

The Texas Department of Transportation is the owner of certain property with improvements located at 2400 US 180, Mineral Wells, Palo Pinto County, more particularly described by metes and bounds as follows:

Being a parcel or tract of land out of a 36.667 acre tract, more or less, in the northeast ¼ of Section 46, Block "A", east of the Brazos River, T.& P.R.R. Company Survey, Abstract 1577 in Palo Pinto County, conveyed to George Lee Martin, Jr., by Dallas A. Treadway and wife Donna Mae Treadway by deed dated June 28, 1957, which deed is of record in Volume 265, Page 312, of the Deed Records of Palo Pinto County, Texas.

BEGINNING at a point in the West boundary line of the said 36.667 acre tract South 1°36'00" West, along the said West boundary line a distance of 2,610 feet, more or less, from the northwest corner of the same. Said point being in the common east boundary line of the L.O. Waters tract and is in the proposed North right of way (ROW) line of US 180, 50 feet opposite proposed centerline station 1816+88.00. Said point is the southwest corner of the tract herein conveyed;

THENCE North 01° 36'00" West, along and with aforesaid Waters-Martin common boundary line, a distance of 819.01 feet to the northwest corner of the tract herein conveyed;

THENCE North 79° 03'00" East, a distance of 292.70 feet to the most northerly corner of the tract herein conveyed;

THENCE South 34°08'00" East, a distance of 230.98 feet to a point being a northeast corner;

THENCE South 03°57'00" East, along the east line of the tract herein conveyed, a distance of 673.85 feet to a point in the proposed north ROW line of US 180.

THENCE South 88°36'00" West, along the proposed north ROW line of US 180, a distance of 440.59 feet to the POINT OF BEGINNING and containing 8.00 acres of land, more or less.

TEXAS TRANSPORTATION COMMISSION

VARIOUS Counties

MINUTE ORDER

DALLAS AND FORT WORTH Districts

Transportation Code, Chapter 201, Section 201.1055, authorizes agreements with private entities for the acquisition, design, construction or renovation of buildings for the Texas Department of Transportation (department) by various methods. The methods include the exchange of existing department-owned property and improvements with a private entity in return for the construction of a building or other facility required to support department operations on department-owned property.

Under that authority, the department intends to issue a request for proposal to select a qualified private entity to design, construct, renovate, and provide other facility-support structures in exchange for the existing property at I-820 and SH 199 in Saginaw, and I-30 and Collins Road in Arlington. If the design and construction cost is less than the appraised value of the property, the private entity will be required to pay the difference in cash upon the exchange. If the costs are more than the value of the exchange, the private entity shall have the option to donate the difference. The construction and renovation of buildings on state-owned property will provide critically needed replacement facilities required to support department operations and mission.

The following department-owned properties to be exchanged are no longer needed for the purposes for which they were acquired:

Property located at I-30 and Collins Road, Arlington, Tarrant County, having an appraised value of $17.6 million, more particularly described by metes and bounds in Exhibit A; and

Property located at I-820 and SH 199, Saginaw, Tarrant County, having an appraised value of $850,000, more particularly described by metes and bounds in Exhibit B.

The following improvements will be procured in exchange for the properties that are no longer needed:

Construction of a new area engineer, maintenance and laboratory building, and renovation of an existing building on department property located at 2501 Southwest Loop 820 in the city of Fort Worth, Tarrant County, Texas, more particularly described by metes and bounds in Exhibit C;

Construction of a new maintenance facility to be completed on department-owned property located at SH 144 in the city of Glen Rose, Somervell County, Texas, more particularly described by metes and bounds in Exhibit D;

Construction of a new maintenance facility to be completed on department-owned property located at 2400 US 180 West, in the city of Mineral Wells, Palo Pinto County, Texas, more particularly described by metes and bounds in Exhibit E;

WITHDRAWN

Construction of a new maintenance facility to be completed on department-owned property located at 508 South Blue Mound Road in the city of Saginaw, Tarrant County, more particularly described by metes and bounds in Exhibit F; and

Construction of a new area engineer office to be completed on department-owned property located at 1851 SH 66, in the city of Garland, Dallas County, more particularly described by metes and bounds in Exhibit G. This project is the only improvement that will be subject to negotiation in the procurement; however, responsive proposals must include all projects.

The department proposes to negotiate a development and exchange agreement with the top-ranked proposer to procure the new buildings and facilities based on whose proposal provides the best value to the department. Best value will be based on cost estimates for the site development, design, construction, renovation, management services and all other associated costs.

IT IS THEREFORE ORDERED by the commission that the department issue a request for proposal and commence negotiations with the top-ranked proposer to design, construct, renovate, and provide other facility-support structures, as described, in exchange for the department-owned properties located in Saginaw and Arlington.

IT IS FURTHER ORDERED that the department may negotiate with the second-ranked proposer or reissue a request for proposal for this project in the event that suitable terms for a development and exchange agreement cannot be accomplished.

WITHDRAWN

Submitted and reviewed by:

Director, Maintenance Division

Recommended by:

Executive Director

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Minute Number Date Passed