

TEXAS TRANSPORTATION COMMISSION

FORT BEND County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In the city of Sugar Land, FORT BEND COUNTY, on US 59, the State of Texas acquired an easement interest in certain land needed for highway drainage purposes by instruments recorded in Volume 460, Page 77, and Volume 503, Page 329, Deed Records of Fort Bend County, Texas.

Portions of the easement (surplus easements), described in Exhibit A, are no longer needed for a state highway purpose.

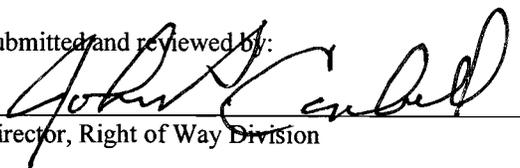
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus easements.

NNP-Telfair LP, a Texas limited partnership f/k/a NNP-Keepsake, L.P., is the fee owner and has requested that the surplus easements be sold for \$60,670.

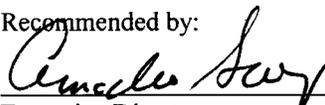
The commission finds \$60,670 to be a fair and reasonable value for the state's rights and interest in the surplus easements.

NOW, THEREFORE, the commission finds that the surplus easements are no longer needed for a state highway purpose and recommends, subject to approval of the attorney general, that the Governor of Texas execute a proper instrument releasing the state's rights and interest in the surplus easements to NNP-Telfair LP, a Texas limited partnership f/k/a NNP-Keepsake, L.P., for \$60,670.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

112540 DEC 16 10

Minute Number	Date Passed
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Exhibit A

County: Fort Bend
Highway: US 59
Project Limits: From the present road west of Rosenberg to the existing facility near Stafford
RCSJ: 0027-12-009

PROPERTY DESCRIPTION FOR TRACT NO. 121A E

Being a 1.213 acres (52,822 square feet) tract of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of that certain called 1.652 acre drainage easement (called 75 feet wide, described as Parcel 121 A (E)) conveyed to the State of Texas by instrument of record in Volume 503, Page 329, of the Fort Bend County Deed Records (F.B.C.D.R.), said drainage easement being situated within the residue of a called 326.826 acre tract conveyed from The State of Texas to NNP-Keepsake, L.P., by instrument of record dated October 23, 2003 and filed for record under File Number 2003149525, of the Fort Bend County Official Public Records (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record under File Number 2006007940, F.B.C.O.P.R., and being a portion of Tract 5, Part 5 as shown on State of Texas, Department of Transportation Partition Plat, by instrument of record in Slide No's. 1655B and 1656A, of the Fort Bend County Plat Records, said 1.213 acres being more particularly described by metes and bounds in two parts as follows;

COMMENCING for reference at a 5/8-inch iron rod with an aluminum TXDOT disc found for the northeast corner of said 326.826 acre tract, same being the northeast corner of that certain called 22.118 acre tract conveyed from NNP-Telfair LP to Fort Bend County Levee Improvement District No. 17, by instrument of record dated November 20, 2009 and filed for record under File Number 2009130558, F.B.C.O.P.R., said point also being the northwest corner of that certain called 64.4542 acre tract conveyed from Sugarland Properties Incorporated to Fort Bend County Levee Improvement District No. 2, by instrument of record dated September 5, 2005 and filed for record under File Number 9574194, F.B.C.O.P.R., said point also being on the existing southerly right-of-way line of State Highway 59 (width varies) as described in Volume 1821, Page 962, F.B.C.D.R.;

Exhibit _____

South 52° 31' 23" West, along said existing southerly right-of-way line of State Highway 59 and the northerly line of said 326.826 acre tract, a distance of 233.77 feet to a point for the northwest corner of that certain called 18.688 acre tract conveyed from NNP-Telfair LP to Fort Bend County Levee Improvement District No. 17, by instrument of record dated September 14, 2007 and filed for record under File Number 2007115781, F.B.C.O.P.R.;

South 01° 50' 41" East, departing said existing southerly right-of-way line of State Highway 59 and along a westerly line of said 18.688 acre tract, a distance of 385.62 feet to the POINT OF BEGINNING of the herein described tract, having surface coordinates of E= 3,036,388.05, N= 13,776,897.10, same being on the northerly line of said 75-foot wide drainage easement;

1. Thence, South 01° 50' 41" East, continuing along the west line of said 18.688 acre tract , a distance of 76.96 feet to a point for corner on the southerly line of said 75-foot wide drainage easement;
2. Thence, North 78° 53' 43" West (called North 80° 07' 50" West), along said southerly line of said 75-foot wide drainage easement, a distance of 21.35 feet to a point for corner;
3. Thence, South 70° 09' 26" West (called South 68° 55' 19" West), continuing along said southerly line of said 75-foot wide drainage easement, a distance of 265.95 feet to a point for corner;
4. Thence, South 76° 56' 40" West (called South 75° 42' 33" West), continuing along said southerly line of said 75-foot wide drainage easement, a distance of 165.08 feet to a point for corner;
5. Thence, North 88° 22' 07" West (called North 89° 36' 14" West), continuing along said southerly line of said 75-foot wide drainage easement, a distance of 152.58 feet to a point for corner;

Exhibit _____

6. Thence, North 83° 15' 36" West (called North 84° 29' 43" West), continuing along said southerly line of said 75-foot wide drainage easement, a distance of 143.19 feet to a point for corner on the aforementioned existing southerly right-of-way line of State Highway 59;
7. Thence, North 52° 31' 25" East, along said existing southerly right-of-way line of State Highway 59, a distance of 107.55 feet to a point for corner on the northerly line of said 75-foot wide drainage easement;
8. Thence, South 83° 15' 36" East (called South 84° 29' 43" East), departing said existing southerly right-of-way line of State Highway 59 and along said northerly line of said 75-foot wide drainage easement, a distance of 62.77 feet to a point for corner;
9. Thence, South 88° 22' 07" East (called South 89° 36' 14" East), continuing along said northerly line of said 75-foot wide drainage easement, a distance of 139.56 feet to a point for corner;
10. Thence, North 76° 56' 40" East (called North 75° 42' 33" East), continuing along said northerly line of said 75-foot wide drainage easement, a distance of 150.96 feet to a point for corner;
11. Thence, North 70° 09' 26" East (called North 68° 55' 19" East), continuing along said northerly line of said 75-foot wide drainage easement, a distance of 282.27 feet to a point for corner;
12. Thence, South 78° 53' 43" East (called South 80° 07' 50" East), continuing along said northerly line of said 75-foot wide drainage easement, a distance of 24.87 feet to the POINT OF BEGINNING and containing 1.213 acres (52,822 square feet) of land.

Exhibit _____

ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN 1983 DATUM (1993 ADJUSTMENT), WITH COORDINATES GIVEN IN FEET. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.

I, GARY D. NUTTER, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE LEGAL DESCRIPTION HEREON AND THE ACCOMPANYING PLAT OF EVEN DATE REPRESENT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

 *19 August 2010*

GARY D. NUTTER, R.P.L.S. DATE
TEXAS REGISTRATION NO. 5659
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE – SUITE 600
HOUSTON, TEXAS 77042-3703
PHONE: 713-953-5200



ALEXANDER HODGE LEAGUE, A-32

LINE TABLE		
Line	Bearing	Distance
L1	S01°50'41"E	76.96'
L2	N78°53'43"W	21.35'
L3	S76°56'40"W	165.08'
L4	N88°22'07"W	152.58'
L5	N83°15'36"W	143.19'
L6	N52°31'25"E	107.55'
L7	S83°15'36"E	62.77'
L8	S88°22'07"E	139.56'
L9	N76°56'40"E	150.96'
L10	S78°53'43"E	24.87'

U.S. HIGHWAY NO. 59
VOL. 1821, PG. 962, F.B.C.D.R.

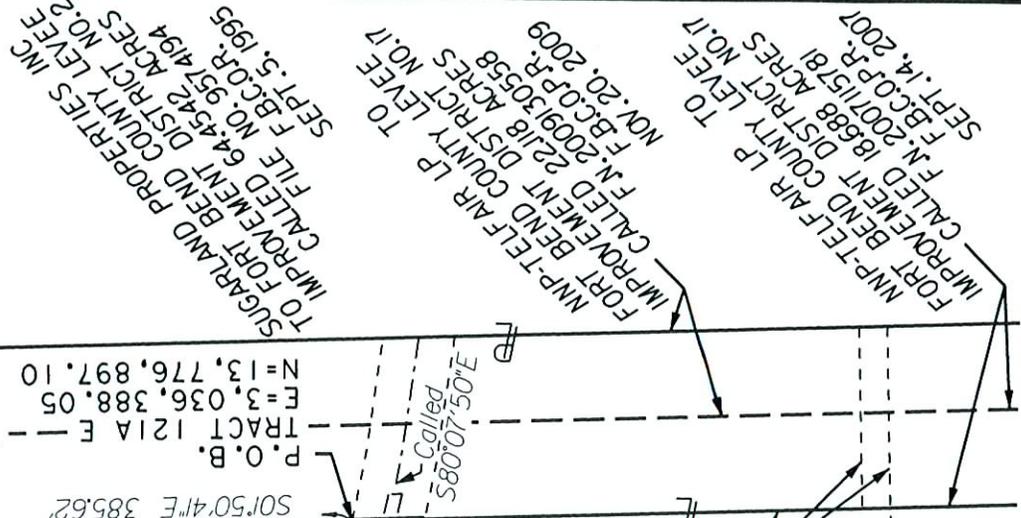
State of Texas
75' Drainage Easement
Called 121A E
(Parcel 121 AE)
Vol. 503, Page 329
F.B.C.D.R.
MOY 24, 1968

STATE OF TEXAS TO
MNP-KEEPSAKE, L.P.
RESIDUE OF A
CALLED 326826 ACRE TRACT
F.N. 2003149525, F.B.C.O.P.R.
NOW KNOWN AS MNP-TELFAR LP
F.N. 2006007940, F.B.C.O.P.R.
OCT. 23, 2003

TRACT 5
PART 5

STATE OF TEXAS DEPARTMENT OF
TRANSPORTATION PARTITION PLAT
SLIDE NO'S. 1655B & 1656A
F.B.C.P.R.

- EXISTING MONUMENT AS NOTED
- UNABLE TO SET (UNLESS OTHERWISE NOTED)
- SET 3/8" IRON ROD W/TXDOT ALUMINUM DISC



PARCEL PLAT
SHOWING TRACT 121A E
SH 59 FORT BEND COUNTY, TX
RCSJ 0027-12-009, AUGUST, 2010
LJA ENGINEERING & SURVEYING, INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS, 77042-3703
PHONE : 713-953-5200
SCALE: 1" = 200'

Exhibit A

County: Fort Bend
Highway: US 59
Project Limits: From the present road west of Rosenberg to the existing facility near Stafford
RCSJ: 0027-12-009

PROPERTY DESCRIPTION FOR TRACT NO. 121D E

Being a 5.751 acres (250,525 square feet) tract of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of that certain called 18.338 acre drainage easement (called 200 feet wide, described as Parcel 12121D E, Part 2) conveyed to the State of Texas by instrument of record in Volume 460, Page 77, of the Fort Bend County Deed Records (F.B.C.D.R.), said drainage easement being situated within the residue of a called 326.826 acre tract conveyed from The State of Texas to NNP-Keepsake, L.P., by instrument of record dated October 23, 2003 and filed for record under File Number 2003149525, of the Fort Bend County Official Public Records (F.B.C.O.P.R.), said NNP-Keepsake, L.P. now known as NNP-Telfair LP, by instrument of record under File Number 2006007940, F.B.C.O.P.R., and being a portion of Tract 5, Part 5 as shown on State of Texas, Department of Transportation Partition Plat, by instrument of record in Slide No's. 1655B and 1656A, of the Fort Bend County Plat Records, said 5.751 acres being more particularly described by metes and bounds in two parts as follows;

PART ONE

COMMENCING for reference at a 5/8-inch iron rod with cap stamped "LJA ENG" set for the most northerly northeast corner of that certain called 118.142 acre tract conveyed from NNP-Telfair LP to Taylor Morrison of Texas, Inc., by instrument of record dated December 30, 2009 and filed for record under File Number 2009135535, F.B.C.O.P.R., same being on the west line of that certain called 18.688 acre tract conveyed from NNP-Telfair LP to Fort Bend County Levee Improvement District No. 17, by instrument of record dated September 14, 2007 and filed for record under File Number 2007115781, F.B.C.O.P.R., and being the southeast corner of that certain called 3.000 acre tract (described as Drill Site No. 4), by instrument of record under File Number 2009060620, F.B.C.O.P.R.;

Exhibit _____

South 87° 12' 01" West, along the south line of said 3.000 acre drill site and the north line of said 118.142 acre tract, a distance of 562.61 feet to a point for the southwest corner of said 3.000 acre tract and an angle point on the north line of said 118.142 acre tract;

South 25° 15' 36" West, along a northerly line of said 118.142 acre tract, a distance of 292.16 feet to the POINT OF BEGINNING of the herein described tract, having surface coordinates of E= 3,036,361.48, N= 13,773,586.66, same being on the northerly line of said 200-foot wide drainage easement;

1. Thence, South 25° 15' 36" West, continuing along a northerly line of said 118.142 acre tract, a distance of 234.86 feet to a point for corner on the southerly line of said 200-foot wide drainage easement;
2. Thence, South 83° 38' 40" West (called South 78° 28' 15" West), along the southerly line of said 200-foot wide drainage easement, a distance of 327.94 feet to a point for corner;
3. Thence, North 76° 16' 40" West (called North 81° 27' 05" West), continuing along on the southerly line of said 200-foot wide drainage easement, a distance of 549.48 feet to a point for corner;
4. Thence, North 62° 50' 41" West (called North 68° 01' 06" West), continuing along the southerly line of said 200-foot wide drainage easement, a distance of 183.43 feet to a point for corner on the westerly line of that certain called 225-foot wide temporary drainage easement conveyed to Fort Bend County Levee Improvement District No. 17 of record under File Number 2007154223, F.B.C.O.P.R.;
5. Thence, North 00° 00' 00" East, along the westerly line of said 225-foot wide drainage easement, a distance of 267.34 feet to a point for corner on the northerly line of said 200-foot wide drainage easement;
6. Thence, South 41° 25' 58" East (called South 46° 36' 25" East), along the northerly line of said 200-foot wide drainage easement, a distance of 103.74 feet to a point for corner;

Exhibit _____

7. Thence, South 62° 50' 41" East (called South 68° 01' 06" East), continuing along the northerly line of said 200-foot wide drainage easement, a distance of 185.32 feet to a point for corner;
8. Thence, South 76° 16' 40" East (called South 81° 27' 05" East), continuing along the northerly line of said 200-foot wide drainage easement, a distance of 490.52 feet to a point for corner;
9. Thence, North 83° 38' 40" East (called North 78° 28' 15" East), continuing along the northerly line of said 200-foot wide drainage easement, a distance of 415.65 feet to the POINT OF BEGINNING and containing 5.152 acres (224,411 square feet) of land.

PART TWO

COMMENCING for reference at a 5/8-inch iron rod with cap stamped "LJA ENG" previously set for the most northerly northeast corner of that certain called 118.142 acre tract conveyed from NNP-Telfair LP to Taylor Morrison of Texas, Inc., by instrument of record dated December 30, 2009 and filed for record under File Number 2009135535, F.B.C.O.P.R., same being on the west line of that certain called 18.688 acre tract conveyed from NNP-Telfair LP to Fort Bend County Levee Improvement District No. 17, by instrument of record dated September 14, 2007 and filed for record under File Number 2007115781, F.B.C.O.P.R., and being the southeast corner of that certain called 3.000 acre tract (described as Drill Site No. 4), by instrument of record under File Number 2009060620, F.B.C.O.P.R.;

South 87° 12' 01" West, along the south line of said 3.000 acre drill site and the north line of said 118.142 acre tract, a distance of 15.47 feet to the POINT OF BEGINNING of the herein described tract, having surface coordinates of E= 3,037,032.64, N= 13,773,877.61, same being on the southerly line of the aforementioned 200-foot wide drainage easement;

Exhibit _____

1. Thence, South 87° 12' 01" West, continuing along the south line of said 3.000 acre drill site and the north line of said 118.142 acre tract, a distance of 293.41 feet to a point for corner on the northerly line of said 200-foot wide drainage easement;
2. Thence, North 44° 13' 42" East (called North 39° 03' 17" East), departing the south line of said 3.000 acre drill site and the north line of said 118.142 acre tract and along the northerly line of said 200-foot wide drainage easement, a distance of 248.68 feet to a point for the most northerly northeast corner of said 200-foot wide drainage easement on the easterly line of said 3.000 acre tract and the westerly line of said 18.688 acre tract;
3. Thence, South 39° 37' 31" East, along the easterly line of said 3.000 acre tract and the westerly line of said 18.688 acre tract, a distance of 201.16 feet to a point for the east corner of said 200-foot wide drainage easement;
4. Thence, South 44° 13' 42" West (called South 39° 03' 17" West), along the southerly line of said 200-foot wide drainage easement, a distance of 12.46 feet to the POINT OF BEGINNING and containing 0.599 acres (26,114 square feet) of land.

PART 1	5.152 acres (224,411 square feet)
PART 2	0.599 acres (26,114 square feet)
Total Acreage:	5.751 acres (250,525 square feet)

ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN 1983 DATUM (1993 ADJUSTMENT), WITH COORDINATES GIVEN IN FEET. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.

Exhibit _____

I, GARY D. NUTTER, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE LEGAL DESCRIPTION HEREON AND THE ACCOMPANYING PLAT OF EVEN DATE REPRESENT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

 19 August 2010

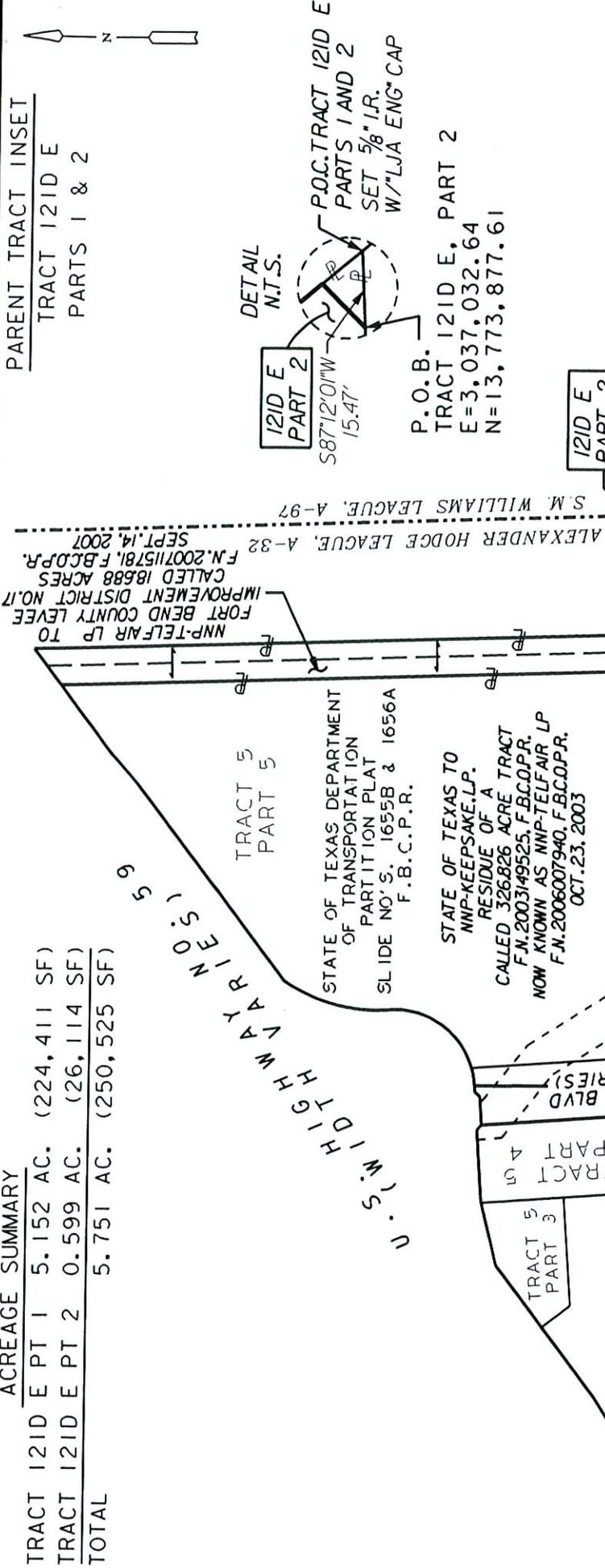
GARY D. NUTTER, R.P.L.S. DATE
TEXAS REGISTRATION NO. 5659
LJA ENGINEERING & SURVEYING INC.
2929 BRIARPARK DRIVE – SUITE 600
HOUSTON, TEXAS 77042-3703
PHONE: 713-953-5200



ACREAGE SUMMARY

TRACT 121D E PT 1	5.152 AC.	(224,411 SF)
TRACT 121D E PT 2	0.599 AC.	(26,114 SF)
TOTAL	5.751 AC.	(250,525 SF)

PARENT TRACT INSET
TRACT 121D E
PARTS 1 & 2



NOTES

1. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
 2. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM SOUTH CENTRAL ZONE, NORTH AMERICAN 1983 DATUM (1993 ADJUSTMENT.), WITH COORDINATES GIVEN IN FEET. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MUST BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.
- EXISTING MONUMENT AS NOTED
 - UNABLE TO SET (UNLESS OTHERWISE NOTED)
 - SET 5/8" IRON ROD W/TXDOT ALUMINUM DISC



I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.

GARY D. NUTTER, R.P.L.S. TEXAS NO. 5659
19 AUGUST 2010

NNP-TELFAR LP TO
FORT BEND COUNTY LEVEE
IMPROVEMENT DISTRICT NO.11
CALLED 2218 ACRES
F.N.2009130558, F.B.C.O.P.R.
DEC.15, 2009

EXIST. ACRES	TOTAL TAKING AREA	REMAINDER ACRES
18.338	5.751 AC. (250,525 SF)	12.587

PARCEL PLAT

SHOWING TRACT 121D E PARTS 1 & 2
SH 59 FORT BEND COUNTY, TX
RCSJ 0027-12-009, AUGUST, 2010
LJA ENGINEERING & SURVEYING, INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS, 77042-3703
PHONE : 713-953-5200
SCALE: 1" = 800'

LINE TABLE

Line	Bearing	Distance
L1	S25° 15' 36" W	234.86'
L2	S83° 38' 40" W	327.94'
L3	N62° 50' 41" W	183.43'
L4	N00° 00' 00" E	267.34'
L5	S41° 25' 58" E	103.74'
L6	S62° 50' 41" E	185.32'
L7	S87° 12' 01" W	293.41'
L8	N44° 13' 42" E	248.68'
L9	S39° 37' 31" E	201.16'
L10	S44° 13' 42" W	12.46'

DETAIL

N.T.S.

P.O.B.
TRACT 121D E, PART 2
E=3,037,032.64
N=13,773,877.61

NNP-TELFAR LP TO
FORT BEND COUNTY LEVEE
IMPROVEMENT DISTRICT NO.17
CALLED 18,688 ACRES
F.N.2007115781
F.B.C.O.P.R.
SEPT.14, 2007

TRACT 5
PART 5

STATE OF TEXAS TO
NMP-KEEPSAKE, L.P.
RESIDUE OF A

CALLLED 326,826 ACRE TRACT
F.N.2003149525, F.B.C.O.P.R.
NOW KNOWN AS NNP-TELFAR LP
F.N.2006007940, F.B.C.O.P.R.
OCT.23, 2003

P.O.B.
TRACT 121D E, PART 1
E=3,036,361.48
N=13,773,586.66

FOR BEND COUNTY LEVEE
IMPROVEMENT DISTRICT NO.17
CALLED 2218 ACRES
F.N.2009130558, F.B.C.O.P.R.
DEC.15, 2009

PARCEL PLAT
SHOWING TRACT 121D E PARTS 1 & 2
SH 59 FORT BEND COUNTY, TX
RCSJ 0027-12-009, AUGUST, 2010
LJA ENGINEERING & SURVEYING, INC.
2929 BRIARPARK DRIVE - SUITE 600
HOUSTON, TEXAS, 77042-3703
PHONE : 713-953-5200
SCALE: 1" = 300'

STATE OF TEXAS DEPARTMENT OF
TRANSPORTATION PARTITION PLAT
SLIDE NO' S. 1655B & 1656A
F.B.C.C.P.R.

EXISTING MONUMENT AS NOTED
UNABLE TO SET (UNLESS OTHERWISE NOTED)
SET 3/8" IRON ROD W/TXDOT ALUMINUM DISC

