TEXAS TRANSPORTATION COMMISSION

HAYS County

MINUTE ORDER

AUSTIN District

In HAYS COUNTY, on FARM TO MARKET ROAD 2001, the State of Texas acquired an easement interest in certain land for highway drainage purposes by instrument recorded in Volume 157, Page 425, Deed Records of Hays County, Texas.

The easement (surplus easement), described in Exhibit A, is 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 exchange of a surplus easement as partial or full consideration for other land needed by the state for highway purposes.

Buffington Meadow Park, Ltd., a Texas limited partnership (owner), is the property owner and has granted to the state the easement needed for highway drainage purposes (new easement), described in Exhibit B. Owner is the owner of the fee underlying the surplus easement and has requested that the surplus easement be released to owner. Owner will pay to the state the $7,293 difference in value between the value of the surplus easement and that of the new easement.

It is the opinion of the commission that it is proper and correct that the state release its interest in the surplus easement in exchange and as full consideration for the new easement and the cash payment of $7,293 to the state.

NOW, THEREFORE, the commission finds that the surplus easement 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 partially releasing the state's rights and interest in the surplus easement to Buffington Meadow Park, Ltd., a Texas limited partnership, in exchange and as consideration for the new easement and the cash payment of $7,293 to the state.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

Executive Director

112325 JUN 24 '10

Minute Number | Date Passed

County: Hays
Tract No. 1
Highway: FM 2001

EXHIBIT A

PROPERTY DESCRIPTION FOR TRACT 1

DESCRIPTION FOR A 0.069 ACRE (3,000 SQUARE FOOT) TRACT OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND BEING OUT OF AND A PART OF THE TRINIDAD VARCINAS SURVEY, ABSTRACT NO. 465, AND BEING PARTIALLY OUT OF THE BUFFINGTON MEADOW PARK, LTD. TRACT CONVEYED AS RECORDED IN VOLUME 2554, PAGE 294 OF THE DEED RECORDS OF HAYS COUNTY TEXAS, AND BEING OUT OF AND PART OF LOT 30 AND LOT 31, BLOCK B, OF MEADOW PARK SUBDIVISION, SECTION 2, A SUBDIVISION RECORDED IN VOLUME 13, PAGE 363, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, THE SAME TRACT OF LAND BEING A PART OF A CHANNEL EASEMENT CONVEYED TO THE STATE OF TEXAS FROM ROBERT SCHILLER AND WIFE, VIRGINIA SCHILLER, DATED SEPTEMBER 10, 1953, AND RECORDED IN VOLUME 157, PAGE 425, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for a point of reference at an iron rod found for the Northeast corner of Lot 38, Block B, of Meadow Park Subdivision, Section 1-A, a subdivision recorded in Volume 13, Page 4, of the Plat Records of Hays County, Texas, the same being an angle corner for Lot 37, Block B, of Meadow Park Subdivision, Section 1-A, and the Southeast corner of Lot 31, Block B, and south corner of Lot 32, Block B, of Meadow Park Subdivision, Section 2, a subdivision recorded in Volume 13, Page 363, of the Plat Records of Hays County, Texas;

THENCE with the north line of said Lot No. 38, and the south line of said Lot 30 and Lot 31, South 88°48'55" West, at a distance of 85.31 feet pass a ½ inch iron rod found marking the southeast corner of Lot 30 and southwest corner of Lot 31, and continue a total distance of 105.59 feet to a ½ inch iron rod set in the east line of the said Channel Easement said, iron rod lying North 01°11'05" West, a distance of 71.55 feet from the southeast corner of said Channel Easement lying in the right-of-way of State Highway FM 2001 offset TXDoT Highway Station 52+65.00, for the Southeast corner and POINT OF BEGINNING of the herein described tract;

1) THENCE continuing with the north line of said Lot 38 and with said south line of Lot 30, and through the said Channel Easement, South 88°48'55" West, a distance of 30.00 feet to a ½ inch iron rod set, for the Southwest corner of this tract;

2) THENCE through said Lot 30 tract and with the west line of the said Channel Easement, North 01°11'05" West, a distance of 62.79 feet to a ½ inch iron rod set, for the Northwest corner of the said Channel Easement and for the Northwest corner of this tract;

3) THENCE continuing through said Lot 30 and Lot 31, and with the north line of the said Channel Easement, North 79°43'55" East, at a distance of 47.86 feet pass the common east line of Lot 30 and west line of Lot 31, and continue a total distance of 62.79 feet to a ½ inch iron rod set, for the Northeast corner of the said Channel Easement, and for the Northeast corner of this tract;

4) THENCE continuing through said Lot 31 and with the east line of the said Channel Easement, South 10°16'05" East, a distance of 30.00 feet to a ½ inch iron rod set, for an angle corner of the said Channel Easement and for an angle corner of this tract;

5) THENCE continuing through said Lot 30 and Lot 31, and with the southeast line of said Channel Easement, South 79°43'55" West, at a distance of 18.42 pass the west line of Lot 31 common with the east line of Lot 30, and continue a total distance of 37.21 feet to a ½ inch iron rod set, for an angle corner of said Channel Easement and for an angle corner of this tract;

6) THENCE continuing through the said Lot 30, and with the east line of the said Channel Easement, South 01°11'05" East, a distance of 37.21 feet to the POINT OF BEGINNING, containing 0.069 acres of land, (3,000 square feet) more or less.

This property description is accompanied by a separate plat.

BEARING BASIS: Texas Plane Coordinate System, South Central Zone, NAD 83

THE STATE OF TEXAS)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF HAYS)

That I, George E. Lucas, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property description herein was determined by a survey made on the ground under my direction and supervision.

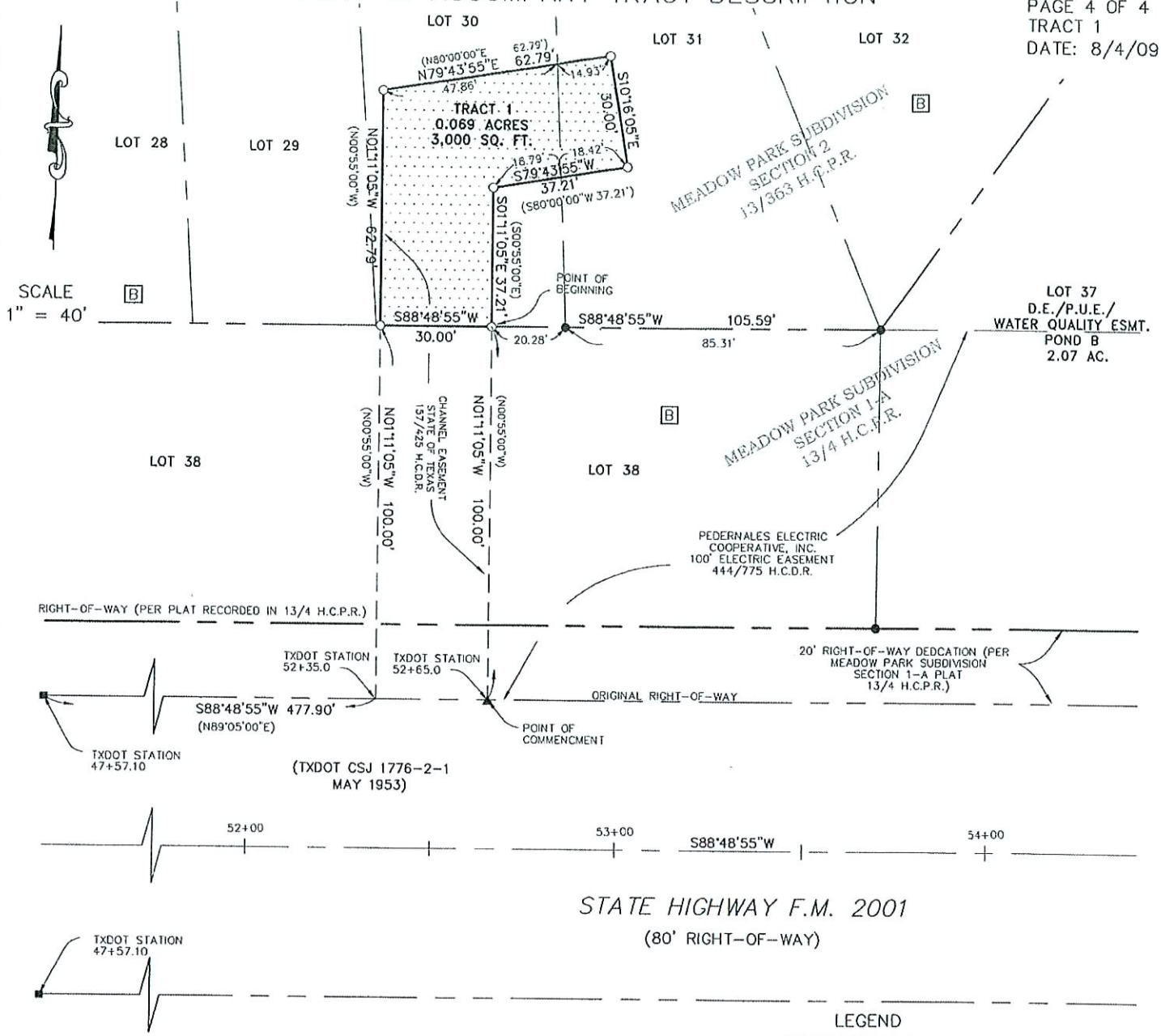
WITNESS MY HAND AND SEAL at Buda, Hays County, Texas, this the 4th day of August 2009.

STATE OF TEXAS
REGISTERED
GEORGE E. LUCAS
4160
PROFESSIONAL
LAND SURVEYOR

8-04-09

George E. Lucas
Registered Professional
Land Surveyor No. 4160
State of Texas

PLAT TO ACCOMPANY TRACT DESCRIPTION



I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

8-04-09

GEORGE E. LUCAS — DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4160, STATE OF TEXAS.

STATE OF TEXAS
REGISTERED
GEORGE E. LUCAS
4160
PROFESSIONAL
LAND SURVEYOR

LEGEND

- ■ = TXDOT TYPE 1 CONCRETE MONUMENT FOUND
- ● = IRON ROD FOUND
- ○ = IRON ROD SET
- ▲ = CALCULATED POINT
- ( ) = RECORD PER 157/425 H.C.D.R.
- H.C.D.R. = HAYS COUNTY DEED RECORDS
- H.C.O.R. = HAYS COUNTY OFFICIAL RECORDS
- H.C.P.R. = HAYS COUNTY PLAT RECORDS

BEARING BASIS: TEXAS COORDINATE SYSTEM
SOUTH CENTRAL ZONE, NAD 83.

SKETCH TO ACCOMPANY DESCRIPTION OF A 0.069 ACRE (3,000 SQUARE FOOT) TRACT OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND BEING OUT OF AND PART OF THE TRINIDAD VARCINAS SURVEY, ABSTRACT NO. 465, AND BEING PARTIALLY OUT OF THE BUFFINGTON MEADOW PARK, LTD. TRACT CONVEYED AS RECORDED IN VOLUME 2554, PAGE 294 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING OUT OF AND PART OF LOT 30 AND LOT 31, BLOCK B, OF MEADOW PARK SUBDIVISION, SECTION 2, A SUBDIVISION RECORDED IN VOLUME 13, PAGE 363, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, THE SAME TRACT OF LAND BEING A PART OF A CHANNEL EASEMENT CONVEYED TO THE STATE OF TEXAS FROM ROBERT SHILLER AND WIFE, VIRGINIA SCHILLER, DATED SEPTEMBER 10, 1953, AND RECORDED IN VOLUME 157, PAGE 425, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.

4CUATRO Consultants, LTD.
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Kyle, Texas 78640
Phone: (512) 312-5040 Fax: (512) 312-5399
e-mail: cuatro@cuatroconsultants.com

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County: Hays
Parcel No: 1
Highway: FM 2001

EXHIBIT B

PROPERTY DESCRIPTION FOR PARCEL 1

DESCRIPTION FOR A 0.069 ACRE (3,000 SQUARE FOOT) TRACT OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND BEING OUT OF THE BUFFINGTON MEADOW PARK, LTD. TRACT CONVEYED AS RECORDED IN VOLUME 2554, PAGE 294 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, AND BEING OUT OF AND PART OF LOT 38, BLOCK B, OF MEADOW PARK SUBDIVISON, SECTION 1-A, A SUBDIVISION RECORDED IN VOLUME 13, PAGE 4, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at an iron rod found for the Northeast corner of Lot 38, Block B of Meadow Park Subdivision, Section 1-A, a subdivision recorded in Volume 13, Page 4, of the Plat Records of Hays County, Texas, the same being an angle corner in the west line of Lot 37, Block B of Meadow Park Subdivision, Section 1-A, and the Southeast corner of Lot 31, Block B, and south corner of Lot 32, Block B, of Meadow Park Subdivision Section 2, a subdivision recorded in Volume 13, Page 363, of the Plat Records of Hays County, Texas, for the Northeast corner and POINT OF BEGINNING of the herein described tract;

1) THENCE with the east line of said Lot 38, the same being the west line of Lot 37, Block B of said Meadow Park Subdivision, Section 1-A, South 00°34'47" East, a distance of 28.45 feet to a ½ inch iron rod set, for the Southeast corner of this tract;

2) THENCE through said Lot 38, South 88°48'55" West, a distance of 105.29 feet to a ½ inch iron rod set in the east line of a Channel Easement conveyed to the State of Texas from Robert Schiller and wife Virginia Schiller, dated September 10, 1953, and recorded in Volume 157, Page 425, of the Deed Records of Hays County, Texas, said iron rod lying North 01°11'05" West, a distance of 71.55 feet from the southeast corner of said Channel Easement lying in the right-of-way of State Highway FM 2001 offset TxDOT Highway Station 52+65.00, for the Southwest corner of this tract;

3) THENCE continuing through said Lot 38 and with the east line of the said Channel Easement North 01°11'05" West, a distance of 28.45 feet to a ½ inch iron rod set in the south line of Lot

30, Block B of Meadow Park Subdivision, Section 2, and the north line of said Lot 38, for the Northwest corner of this tract;

4) THENCE with the south line of Lot 30 and Lot 31, Block B of Meadow Park Subdivision, Section 2, and the north line of said Lot 38, North 88°48'55" East, at a distance of 20.28 feet pass a ½ inch iron rod found marking the southeast corner of Lot 30 and southwest corner of Lot 31, and continue a total distance of 105.59 feet to the POINT OF BEGINNING, containing 0.069 acres of land, (3,000 square feet) more or less.

This property description is accompanied by a separate parcel plat.

BEARING BASIS: Texas Plane Coordinate System, South Central Zone, NAD 83

THE STATE OF TEXAS)
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HAYS)

That I, George E. Lucas, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property description herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Buda, Hays County, Texas, this the 4th day of August 2009.

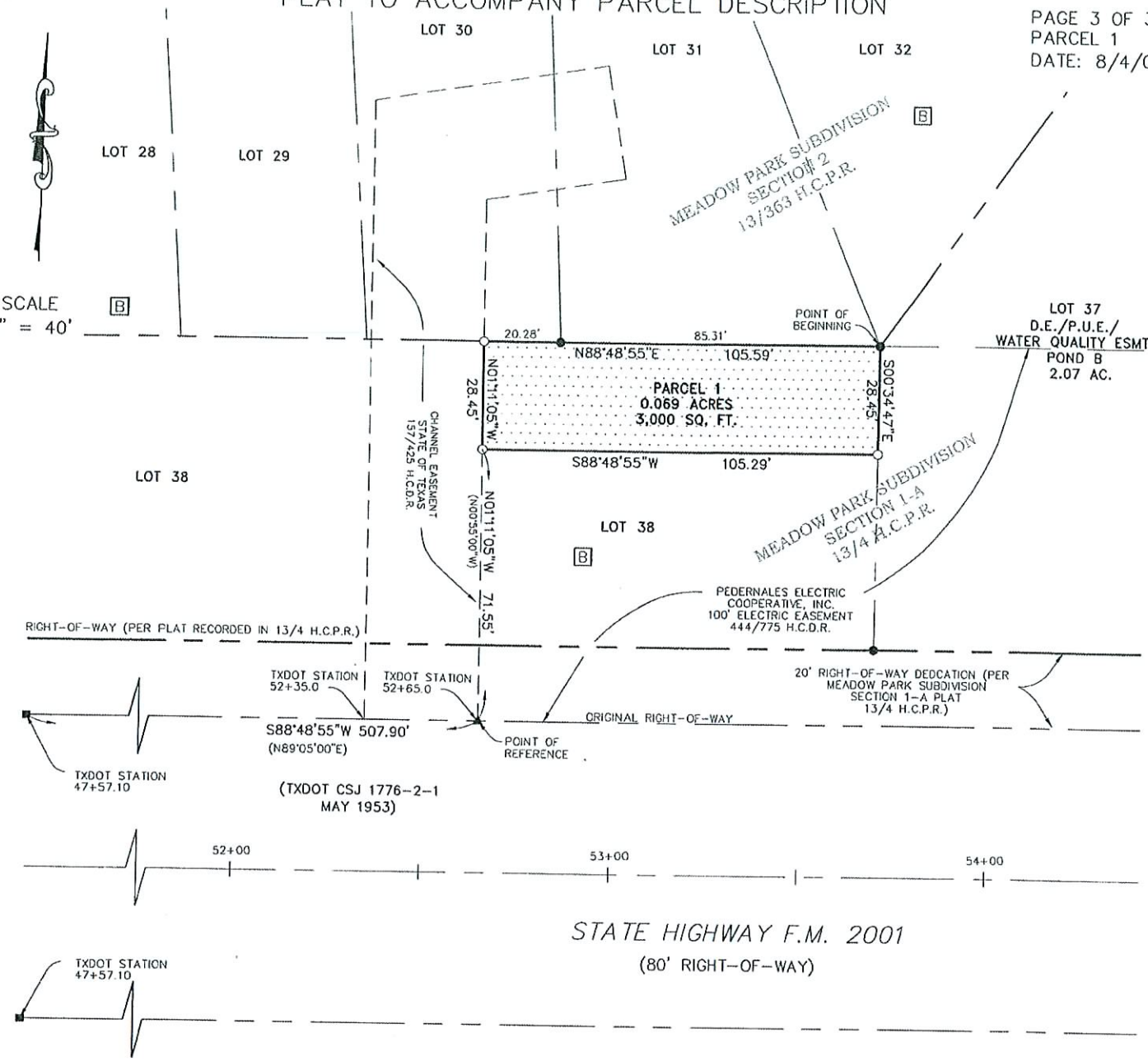
STATE OF TEXAS REGISTERED GEORGE E. LUCAS 4160 PROFESSIONAL LAND SURVEYOR

8-04-09

George E. Lucas
Registered Professional
Land Surveyor No. 4160
State of Texas

PLAT TO ACCOMPANY PARCEL DESCRIPTION

PARCEL 1
DATE: 8/4/09



I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

8-04-09

GEORGE E. LUCAS — DATE
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4160, STATE OF TEXAS.

STATE OF TEXAS REGISTERED GEORGE E. LUCAS 4160 PROFESSIONAL LAND SURVEYOR

LEGEND

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