

TEXAS TRANSPORTATION COMMISSION

EL PASO County

MINUTE ORDER

Page 1 of 1

EL PASO District

In EL PASO COUNTY, on STATE HIGHWAY LOOP 375 from 0.038 miles west of I-10 at SH Loop 375 to 0.479 miles east of Franklin Mountain State Park, 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.

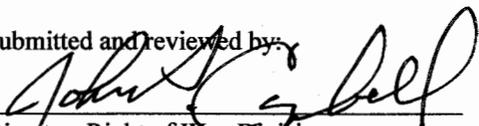
Plexxar North, Ltd. (owner) is the owner of the property described in Exhibit A. The owner wishes to make a partial donation of this property to the department for construction of a highway improvement project. The department has determined the fair market value of this property is \$679,123. The donor desires to accept \$5,000 as full compensation for the property and desires to donate to the department any residual amount over and above said \$5,000.

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.

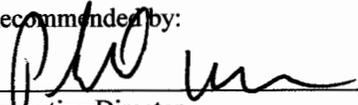
A partial donation agreement has been executed by the owner and tendered to the department for acceptance under Title 43, Texas Administrative Code, §1.504.

IT IS THEREFORE ORDERED by the commission that (1) the commission has determined that acceptance of this partial 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 partial 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 partial 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

112955 DEC 15 11

Minute
Number

Date
Passed

Parcel 10, Page 1 of 12

EXHIBIT "A"

HIGHWAY: Loop 375
LIMITS: From: 0.038 Miles W. Of IH 10 at Loop 375
To: 0.479 Miles E. of Franklin Mountain State Park
COUNTY: El Paso
ROW CSJ: 2552-01-045

Property Description for Parcel 10

Being 208,961 square feet or 4.797 acres of land out of Nellie D. Mundy Survey No. 243, Scrap File 7222, El Paso County, Texas, also being out of a 86.202 acre tract as described in a Special Warranty Deed 1% interest to Plexxar North, Ltd. recorded in Volume 4241, Page 2005 and a Special Warranty Deed 99% interest to Plexxar North, Ltd. recorded in Volume 4241, Page 2009, Real Property Records, El Paso County, Texas said 208,961 square feet or 4.797 acres of land being more particularly described as follows:

COMMENCING at a 5/8" iron with cap marked "RPLS 4178" found for the northwest corner said 86.202 acre tract same being the northeast corner of a 28.510 acre tract as described in a Special Warranty Deed to Hunt El Paso Investment, Ltd. recorded in Volume 4241, Page 1974, Real Property Records, El Paso County, Texas;

THENCE South 03° 13' 52" West [South 00° 02' 44" West], along the common west line said 86.202 acre tract, the east line said 28.510 acre tract, a distance of 858.01 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the northwest corner of the herein described parcel being on the proposed north right-of-way line Loop 375, at 239.56 feet left of Loop 375 Proposed Baseline Station 214+59.92 and having coordinates of X= 363399.68, Y= 10714379.64 for the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE South 77° 15' 58" East, along said proposed north right-of-way line Loop 375, a distance of 182.88 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for an angle point at 236.08 feet left of Proposed Baseline Station 216+38.52;
- 2.) THENCE South 45° 00' 00" East, continuing along said proposed north right-of-way line Loop 375, a distance of 79.08 pa to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for an angle point at 193.41 feet left of Proposed Baseline Station 217+03.70;

Parcel 10, Page 2 of 12

- 3.) THENCE South 73° 55' 36" East, continuing along said proposed north right-of-way line Loop 375, a distance of 413.89 feet to a 5/8" iron rod with aluminum cap marked "TEXAS DEPT. OF TRANSPORTATION POINT ACCESS DENIAL" set for the beginning of a Denial of Access Line at 176.20 feet left of Proposed Baseline Station 221+09.75;
- 4.) THENCE South 73° 55' 36" East, continuing along said proposed north right-of-way line Loop 375 and said Denial of Access Line, a distance of 216.43 feet to a 5/8" iron rod with aluminum cap marked "TEXAS DEPT. OF TRANSPORTATION POINT ACCESS DENIAL" set for the beginning of a curve to the right at 173.90 feet left of Proposed Baseline Station 223+22.45;
- 5.) THENCE continuing along said proposed north right-of-way line Loop 375 and said Denial of Access Line, southeasterly with said curve to the right having a radius of 10,173.90 feet, an arc length of 491.76 feet, a central angle of 02° 46' 10" and a chord which bears South 72° 32' 31" East, a distance of 491.71 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL"*** set for an angle point at 171.71 feet left of Proposed Baseline Station 228+09.40;
- 6.) THENCE North 64° 06' 14" East, continuing along said proposed north right-of-way line Loop 375 and said Denial of Access Line, a distance of 35.47 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL"*** set for an angle point same being on a curve to the right at 196.15 feet left of Proposed Baseline Station 228+35.11;
- 7.) THENCE continuing along said proposed north right-of-way line Loop 375 and said Denial of Access Line, southeasterly with said curve to the right having a radius of 10,198.90 feet, an arc length of 84.61 feet, a central angle of 00° 28' 31" and a chord which bears South 70° 46' 41" East, a distance of 84.61 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW ACCESS DENIAL"*** set for the end said curve to the right and said Denial of Access Line at 193.83 feet left of Proposed Baseline Station 229+19.69;
- 8.) THENCE South 70° 32' 26" East, continuing along said proposed north right-of-way line Loop 375, a distance of 193.25 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for an angle point at 187.74 feet left of Proposed Baseline Station 231+12.85;
- 9.) THENCE South 25° 32' 26" East, continuing along said proposed north right-of-way line Loop 375, a distance of 35.36 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for an angle point at 161.97 feet left of Proposed Baseline Station 231+37.05;
- 10.) THENCE South 70° 32' 26" East, continuing along said proposed north right-of-way line Loop 375, a distance of 172.35 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for an angle point at 156.53 feet left of Proposed Baseline Station 233+09.45;

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- 11.) THENCE South 73° 58' 18" East, continuing along said proposed north right-of-way line Loop 375, a distance of 269.70 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for an angle point at 160.50 feet left of Proposed Baseline Station 235+83.17;
- 12.) THENCE North 71° 01' 42" East continuing along said proposed north right-of-way line Loop 375, a distance of 70.25 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for an angle point at 200.76 feet left of Proposed Baseline Station 236+41.73;
- 13.) THENCE South 73° 58' 18" East continuing along said proposed north right-of-way line Loop 375, a distance of 282.99 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for an angle point at 195.99 feet left of Proposed Baseline Station 239+30.00;
- 14.) THENCE North 89° 34' 31" East continuing along said proposed north right-of-way line Loop 375, a distance of 100.50 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the northeast corner of the herein described parcel, being in the east line said 86.202 acre tract and the west line of a 12.315 acre tract described as Save and Except Parcel 2: Tract 2 in a Warranty Deed from El Paso Natural Gas Company to El Paso Development Company recorded in Volume 431, Page 617, Deed Records, El Paso County, Texas at 221.07 feet left of Proposed Baseline Station 240+29.24;
- 15.) THENCE South 04° 49' 54" East [South 08° 01' 01" East], along the common east line said 86.202 acre tract and the west line said 12.315 acre tract, a distance of 152.02 feet to a point for the southeast corner of the herein described parcel and the southeast corner said 86.202 acre tract also being on the existing north right-of-way line Loop 375 a called 25.438 acre tract as described in an easement to the County of El Paso recorded in Volume 78, Page 625, Deed Records, El Paso County, Texas from which an iron rod with cap marked "RPLS 4178" found bears North 22° 26' 13" East 0.12 feet;
- 16.) THENCE North 76° 48' 15" West (North 79° 59' 27.50" West) [North 80° 00' 09" West], along said existing north right-of-way line Loop 375, a distance of 59.76 feet [59.68 feet] to an iron rod with cap marked "RPLS 4178" found for an angle point;
- 17.) THENCE North 72° 20' 28" West (North 75° 31' 50" West) [North 75° 31' 28" West], continuing along said existing north right-of-way line Loop 375, at 365.95 feet passing a Texas Department of Transportation Type I Right of Way monument found, at 865.50 passing a Texas Department of Transportation Type I Right of Way monument, at 1365.56 feet passing a Texas Department of Transportation Type I Right of Way monument, at 1766.85 feet passing a Texas Department of Transportation Type I Right of Way monument continuing for a

Parcel 10, Page 4 of 12

total distance of 2248.89 feet (2249.25 feet) [2249.25 feet] to a point for angle from which a Texas Department of Transportation Type II Right of Way monument found bears North 80° 58' 47" West 0.53 feet;

- 18.) THENCE North 81° 48' 35" West (North 84° 59' 50" West) [North 84° 59' 40" West], continuing along said existing north right-of-way line Loop 375, a distance of 300.84 feet [300.37 feet] to a Texas Department of Transportation Type I Right of Way monument found for the southwest corner of the herein described parcel, the southwest corner said 86.202 acre tract and the southeast corner said 28.510 acre tract;
- 19.) THENCE North 03° 13' 52" East [North 00° 02' 44" East], along the common west line said 86.202 acre tract and the east line said 28.510 acre tract, a distance of 126.33 feet to the POINT OF BEGINNING and containing 208,961 square feet or 4.797 acres of land.

This property description is accompanied by a parcel plat of even date.

() Denotes record calls of existing Loop 375 ROW acquisition deeds.

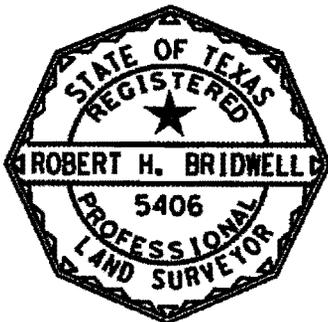
[] Denotes record calls of existing property deeds.

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

Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X=370223.070, Y=10712625.861) and 093-203 (X=358000.334, Y=10714873.742) as provided by TxDOT El Paso District and Jacobs Engineering Group. All coordinates and distances shown are surface values and may be converted to State Plane by dividing by the Surface Adjustment Factor of 1.000231.

Access is prohibited across the "Denial of Access Line" to the transportation facility from the adjacent property.

I, Robert H. Bridwell, Registered Professional Land Surveyor, do hereby certify that this Property Description is a true and correct representation of a survey made on the ground, under my direction and supervision.

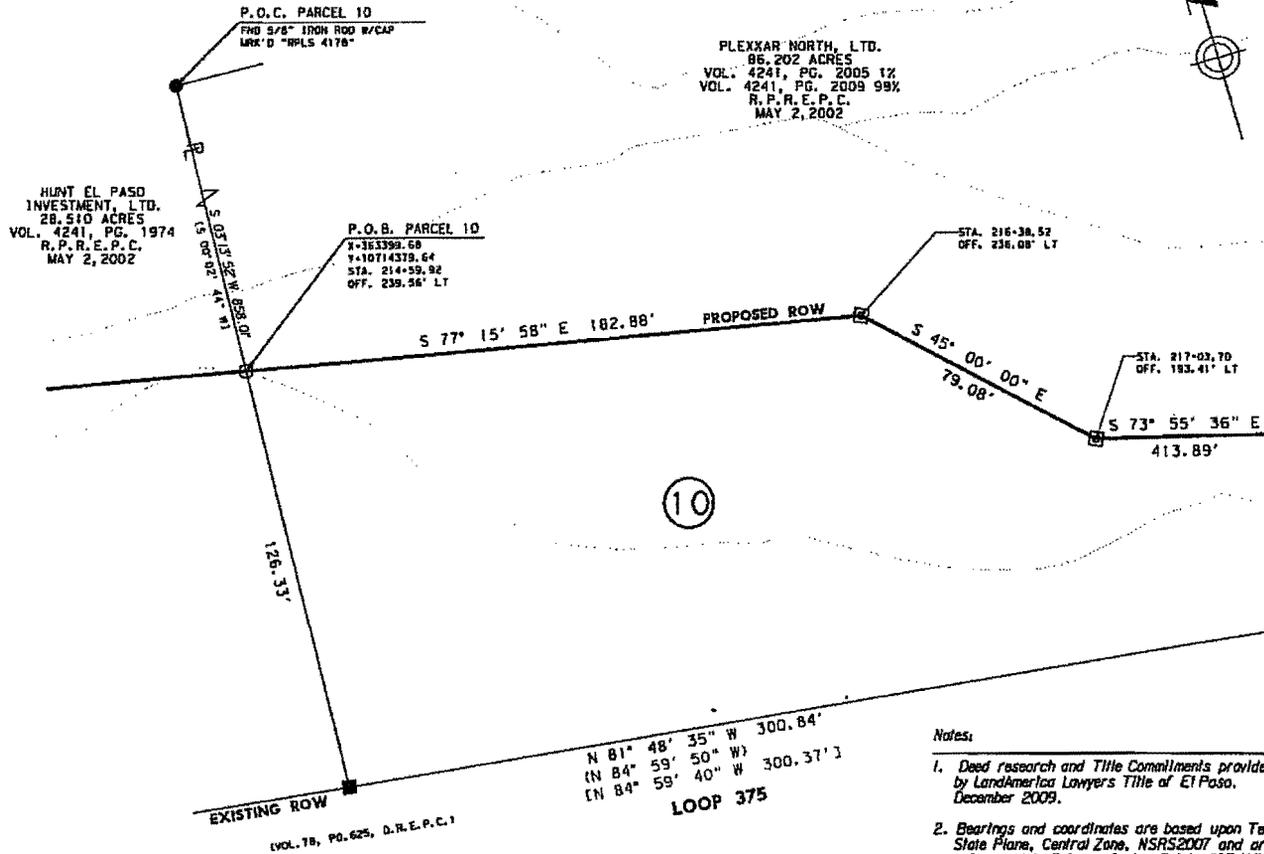


Date: May 19, 2010

Robert H. Bridwell 5/19/10

Robert H. Bridwell
Registered Professional Land Surveyor
No. 5406

NELLIE D. MUNDY SURVEY 243
S.F. 7222



MATCHLINE STA. 217+53.59

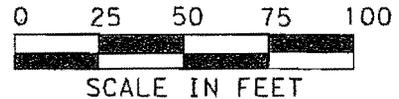
LEGEND

- ▲ CALCULATED POINT (NOTHING FOUND)
- ⊙ FND 2" I.P. (UNLESS NOTED)
- ⊠ SET 1/2" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW ACCESS DENIAL"
- ⊙ SET 3/4" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION POINT ACCESS DENIAL"
- FND I.R.
- ⊙ SET 1/2" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION PROPERTY CORNER"
- ⊠ FND TXDOT TYPE II ROW MONUMENT
- ⊙ SET 1/2" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW"
- ⊠ FND TXDOT TYPE I ROW MONUMENT
- ⊠ FND X IN CONCRETE
- PROPERTY LINE
- - - SURVEY LINE
- PROPOSED ROW LINE
- EXISTING ROW LINE
- - - PROPOSED ACCESS DENIAL LINE
- - - EXISTING WATER LINE
- - - UNDERGROUND FIBER OPTIC LINE
- - - EXISTING SANITARY SEWER LINE
- - - EXISTING GAS PIPELINE
- ⊙ PARCEL NUMBER
- D.R.E.P.C. DEED RECORDS, EL PASO COUNTY
- R.P.R.E.P.C. REAL PROPERTY RECORDS, EL PASO COUNTY
- P.R.E.P.C. PLAT RECORDS, EL PASO COUNTY
- () DENOTES RECORD CALLS OF EXISTING LOOP 375 ROW ACQUISITION DEEDS
- () DENOTES RECORD CALLS OF PROPERTY DEEDS

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

Notes:

1. Deed research and Title Commitments provided by LandAmerica Lawyers Title of El Paso, December 2009.
2. Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X-370223.070, Y-10712625.861) and 093-203 (X-358000.334, Y-10714873.742), as provided by TXDOT El Paso District and Jacobs Engineering Group. All coordinates and distances shown are surface values and may be converted to State Plane by dividing by the Surface Adjustment Factor of 1.000231.
3. Field work for this project was performed in December 2009 thru May 2010.
4. Topography shown provided by TXDOT El Paso District.
5. Partially Controlled Access Facility.
6. This Plat is accompanied by a property description of an even date.



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF SURVEY.
SURVEY DATE: DECEMBER 2009 THRU MAY 2010

Robert H. Bridwell
ROBERT H. BRIDWELL
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5406



Texas Department of Transportation © 2010 TXDOT			
PARCEL PLAT OF PARCEL 10			
SCALE 1" = 50'			
SHEET 5 OF 12			
FFU. NO. 010. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
COHT.	SECT.	JOB	HIGHWAY NO.

NELLIE D. MUNDY SURVEY 243
S.F. 7222



PLEXAR NORTH, LTD.
86.202 ACRES
VOL. 4241, PG. 2005 1X
VOL. 4241, PG. 2009 99X
R.P.R.E.P.C.
MAY 2, 2002

MATCHLINE STA. 217+53.59

MATCHLINE STA. 221+09.22

S 73° 55' 36" E 413.89'

PROPOSED ROW

10

482.04'

EXISTING ROW

(VOL. 78, PG. 625, D.R.E.P.C.)

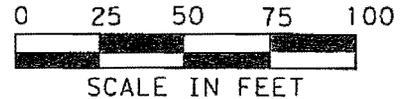
N 72° 20' 28" W 2248.89'
[N 75° 31' 50" W 2249.25']
[N 75° 31' 28" W 2249.25']

LOOP 375

N 81° 48' 35" W 300.84'
[N 84° 59' 50" W]
[N 84° 59' 40" W 300.37']



DETAIL A
N.T.S.



**PARCEL PLAT OF
PARCEL 10**

SCALE 1" = 50'

SHEET 6 OF 12

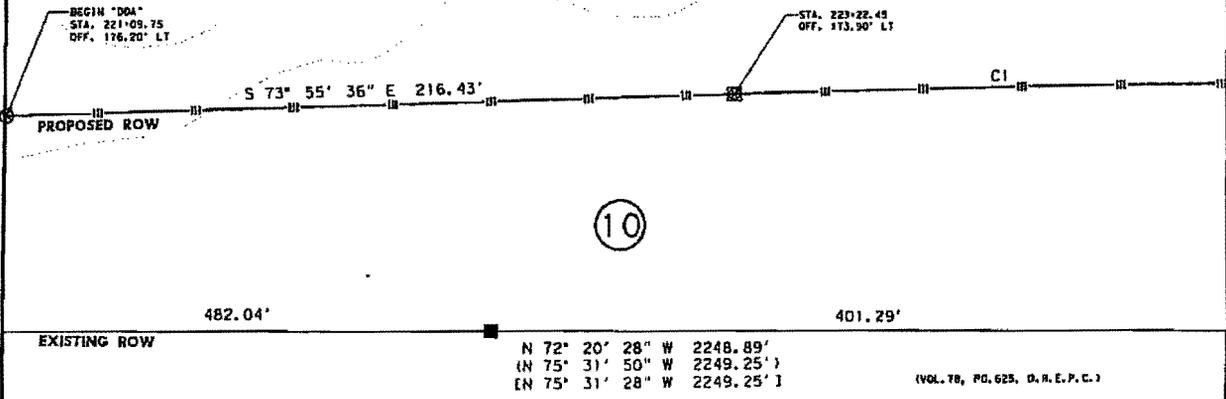
FED. HD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.

NELLIE D. MUNDY SURVEY 243
S.F. 7222

PLEXKAR NORTH, LTD.
86.202 ACRES
VOL. 4241, PG. 2005 1X
VOL. 4241, PG. 2009 99X
R.P.R.E.P.C.
MAY 2, 2002

MATCHLINE STA. 221+09.22

MATCHLINE STA. 224+65.38



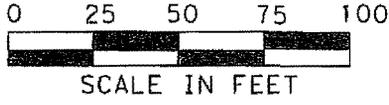
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N 72° 20' 28\" W 2248.89'
 IN 75° 31' 50\" W 2249.25'
 EN 75° 31' 28\" W 2249.25' 1

(VOL. 78, PG. 625, D.R.E.P.C.)

LOOP 375

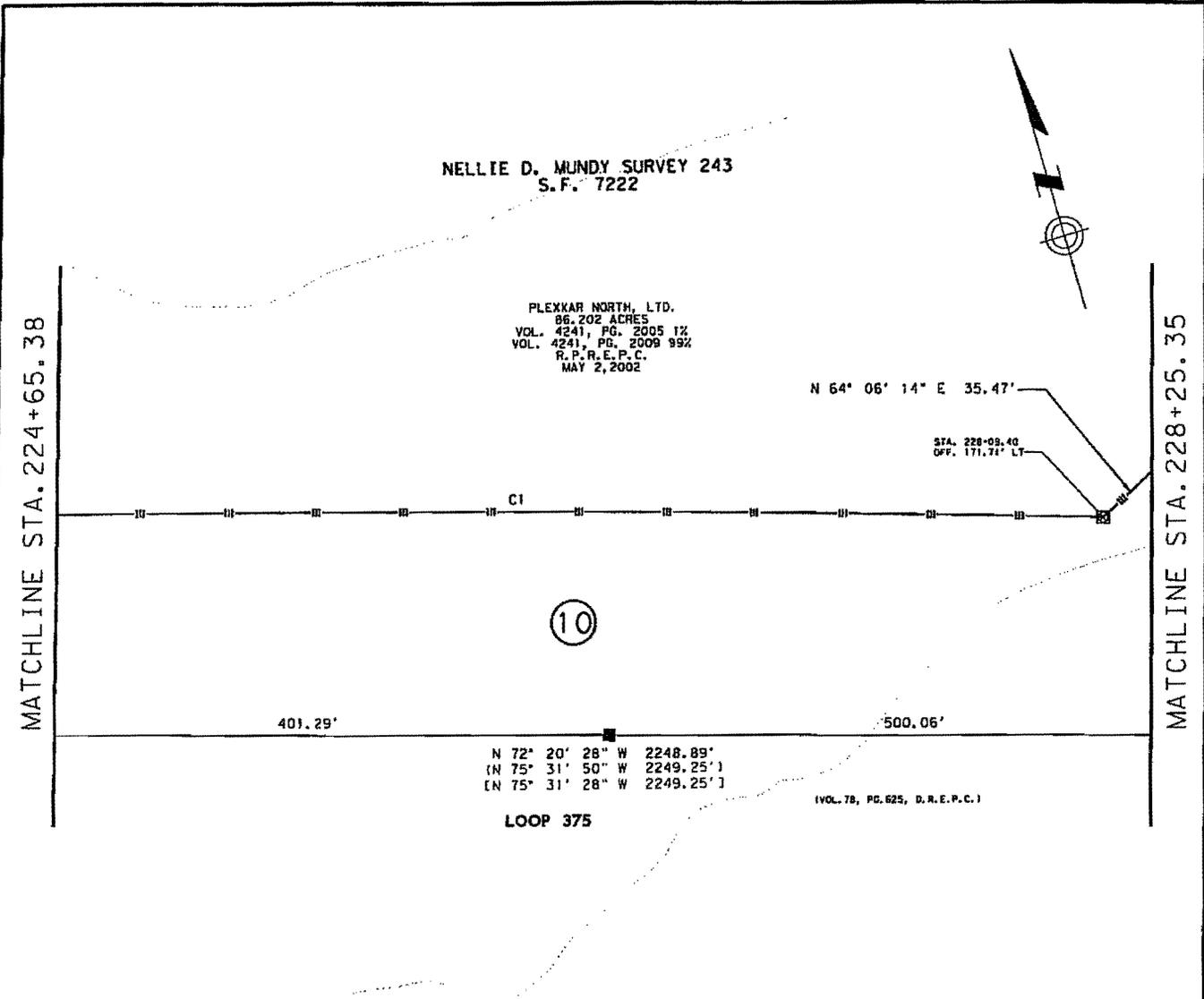
CURVE DATA				
CURVE	Δ	RADIUS	LENGTH	CHORD
C1	02° 46' 10"	10173.90'	491.76'	S 72° 32' 31\" E 491.71'



**PARCEL PLAT OF
PARCEL 10**

SCALE 1" = 50'
SHEET 7 OF 12

FED. RD. DIV. NO. 6	PROJECT NO.		SHEET NO.
STATE TEXAS	DIST. ELP	COUNTY EL PASO	
CONTR.	SECT.	JOB	HIGHWAY NO.



NELLIE D. MUNDY SURVEY 243
S.F. 7222

PLEXKAR NORTH, LTD.
86.202 ACRES
VOL. 4241, PG. 2005 1/2
VOL. 4241, PG. 2009 99%
R.P.R.E.P.C.
MAY 2, 2002

N 64° 06' 14" E 35.47'

STA. 228+09.40
OFF. 171.74' LT

10

401.29'

500.06'

N 72° 20' 28" W 2248.89'
(N 75° 31' 50" W 2249.25')
(N 75° 31' 28" W 2249.25')

(VOL. 78, PG. 625, D.R.E.P.C.)

LOOP 375

CURVE DATA				
CURVE	Δ	RADIUS	LENGTH	CHORD
C1	02° 46' 10"	10173.90'	491.76'	S 72° 32' 31" E 491.71'

0 25 50 75 100



SCALE IN FEET



**PARCEL PLAT OF
PARCEL 10**

SCALE 1" = 50'

SHEET 8 OF 12

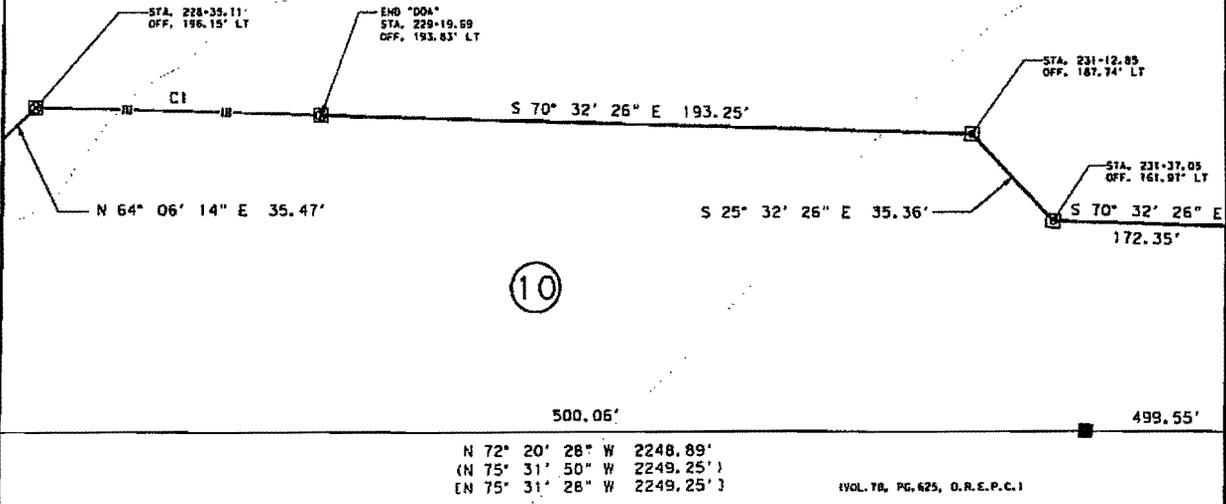
FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONTR.	SECT.	JOB	HIGHWAY NO.

NELLIE D. MUNDY SURVEY 243
S.F. 7222

PLEXAR NORTH, LTD.
86.202 ACRES
VOL. 4241, PG. 2005 1/2
VOL. 4241, PG. 2009 992
R.P.R.E.P.C.
MAY 2, 2002

MATCHLINE STA. 228+25.35

MATCHLINE STA. 231+87.62



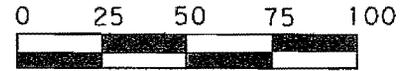
10

500.06'
N 72° 20' 28" W 2248.89'
(N 75° 31' 50" W 2249.25')
(N 75° 31' 28" W 2249.25')
499.55'

VOL. 78, PG. 625, O.R.E.P.C.1

LOOP 375

CURVE DATA				
CURVE	Δ	RADIUS	LENGTH	CHORD
C1	00° 28' 31"	10198.90'	84.61'	S 70° 46' 41" E 84.61'



SCALE IN FEET



**PARCEL PLAT OF
PARCEL 10**

SCALE 1" = 50'

SHEET 9 OF 12

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.

NELLIE D. MUNDY SURVEY 243
S.F. 7222

PLEXAR NORTH, LTD.
86.202 ACRES
VOL. 4241, PG. 2005 1/2
VOL. 4241, PG. 2009 99%
R.P., R.E., P.C.
MAY 2, 2002



MATCHLINE STA. 231+87.62

MATCHLINE STA. 235+53.71

S 70° 32' 26" E 172.35' STA. 233+00.45
OFF. 126.53' LT S 73° 58' 18" E 269.70' PROPOSED ROW

10

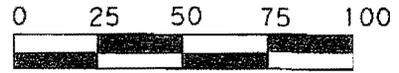
499.55'

EXISTING ROW

N 72° 20' 28" W 2248.89'
(N 75° 31' 50" W 2249.25')
(N 75° 31' 28" W 2249.25')

(VOL. 18, PG. 625, D.R.E.P.C.)

LOOP 375



SCALE IN FEET



**PARCEL PLAT OF
PARCEL 10**

SCALE 1" = 50'
SHEET 10 OF 12

FED. RD. DIV. NO.	PROJECT NO.		SHEET No.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.

NELLIE D. MUNDY SURVEY 243
S.F. 7222

PLEXAR NORTH, LTD.
86.202 ACRES
VOL. 4241, PG. 2005 1/2
VOL. 4241, PG. 2009 99%
R.P.R.E.P.C.
MAY 2, 2002



MATCHLINE STA. 235+53.71

MATCHLINE STA. 239+23.91

STA. 238+41.73
OFF. 200.76' LT

N 71° 01' 42" E 70.25'

STA. 235+83.11
OFF. 160.50' LT

S 73° 58' 18" E 269.70'

S 73° 58' 18" E 282.99'

PROPOSED ROW

10

499.55'

365.95'

N 72° 20' 28" W 2248.89'
(N 75° 31' 50" W 2249.25')
(N 75° 31' 28" W 2249.25')

EXISTING ROW

LOOP 375

(VOL. 78, PG. 625, D.R.E.P.C.)

0 25 50 75 100



SCALE IN FEET

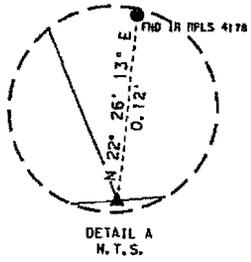
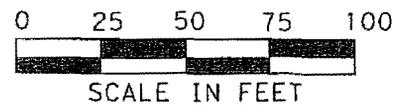
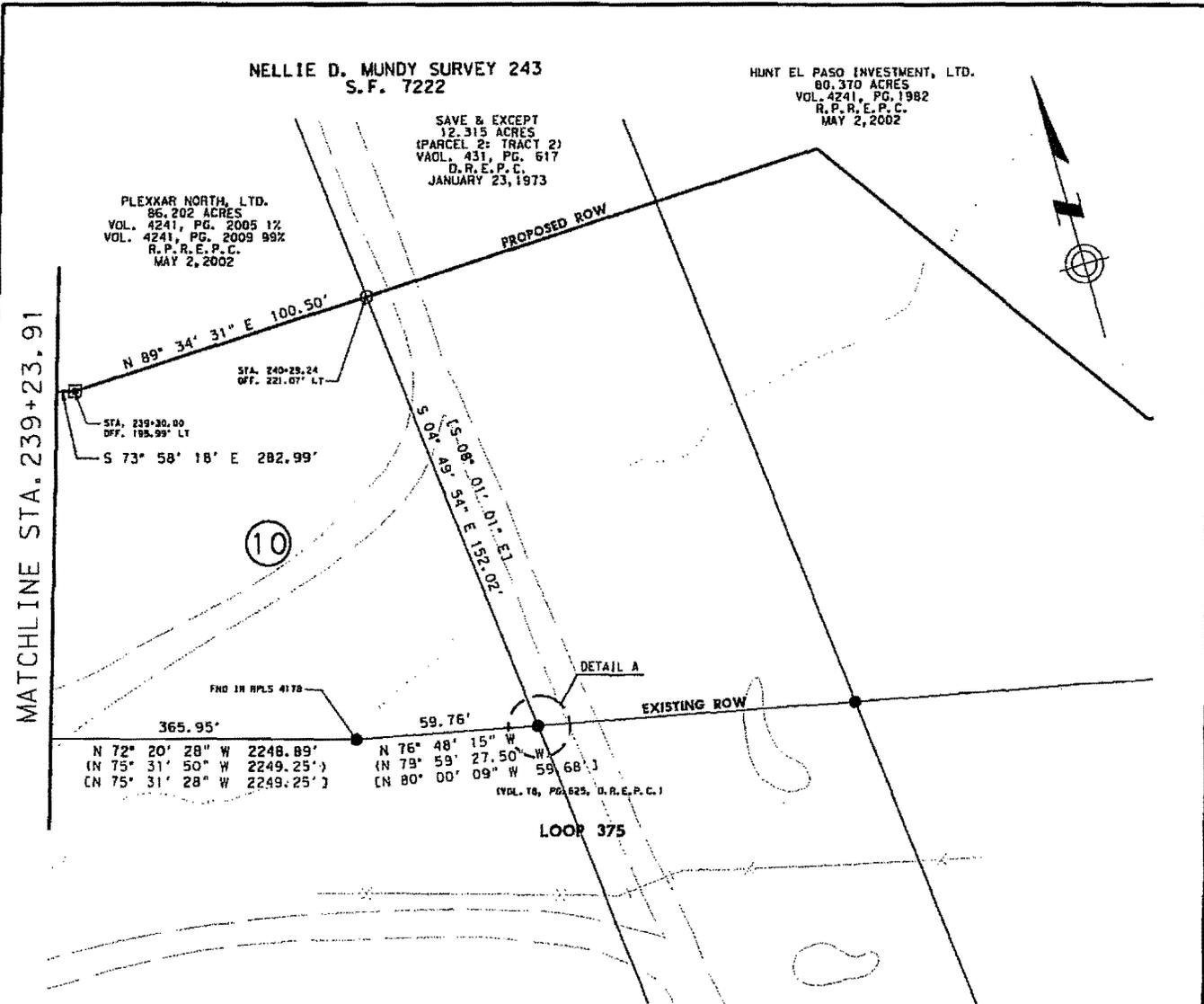


**PARCEL PLAT OF
PARCEL 10**

SCALE 1" = 50'

SHEET 11 OF 12

FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.



Texas Department of Transportation © 2010 TxDOT			
PARCEL PLAT OF PARCEL 10			
SCALE 1" = 50' SHEET 12 OF 12			
FED. RD. DIV. NO.	PROJECT NO.		SHEET NO.
6			
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONT.	SECT.	JOB	HIGHWAY NO.