

TEXAS TRANSPORTATION COMMISSION

HARRIS County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In the city of Spring Valley, in HARRIS COUNTY, ON INTERSTATE HIGHWAY 10 (I-10), a designated controlled-access highway, access onto the westbound frontage road was permitted to the abutting property owner at a location as described by metes and bounds pursuant to Deed from West Memorial Park Office Limited Partnership to the State of Texas, recorded under File Number Y691426 of the Official Public Records of Real Property of Harris County, Texas.

Ten-Voss, Ltd., the current owner of the abutting property, has requested a redesignation of the control of access along their property line. The original access point is described in Exhibit A, attached hereto, and was located at the east end of a 9.760 acre tract as shown on Page/Sheet 6 of 6 of Exhibit A (original access point) and will become controlled whereby access is denied. Access will be permitted at the new access point as described in Exhibit A on Page/Sheet 2 of 6 and as shown on Page/Sheet 5 of 6 (new access point).

Transportation Code, §201.103 empowers the Texas Transportation Commission (commission) to plan and make policies for the location, construction, and maintenance of a comprehensive system of state highways and public roads.

Transportation Code, §203.002 authorizes the commission to lay out, construct, maintain, and operate a modern state highway system, with an emphasis on the construction of controlled access highways.

Transportation Code, §203.031 authorizes the commission to designate locations on a controlled access highway at which access to or from the highway is permitted and determine the type and extent of access permitted at each location.

NOW THEREFORE, the commission finds that the new access point is necessary for the mobility, safety and operation of the state highway facility and authorizes redesignation of permitted access along 45.00 linear feet of the I-10 westbound frontage road from its original access point to the location described in Exhibit A on Page/Sheet 2 of 6 and as shown on Page/Sheet 5 of 6.

IT IS FURTHER ORDERED by the commission that the executive director or his designee is hereby authorized to enter into any necessary agreements with Ten-Voss, Ltd., containing terms consistent with the provisions of this order.

Submitted and reviewed by:

mark a. marek
Director, Design Division

Recommended by:

Amadeo J. [Signature]
Executive Director

112620 FEB 24 11

Minute Number Date Passed

Exhibit A

County: Harris
Highway: I.H.10
Project Limits: Bingle Road to 0.41 miles West of Washington Avenue.
RCSJ: 0271-07-261

TRACT 201 AC
ACCESS LINE DESCRIPTION

Being an "Access Line" delineating a permitting of access to the transportation facility from the adjacent property along Interstate Highway 10 (IH-10), located in the A.H. Osborne Survey, Abstract 610, Harris County, Texas, said line being the southerly line of that certain tract called 9.760 acres (referred to as tract 2), conveyed from West Memorial Park Office Limited Partnership to Ten-Voss, Ltd. by instrument dated December 28, 2005 and recorded under File Number Z001445, of the Official Public Records of Real Property of said Harris County, Texas (O.P.R.R.P.H.C.T.), same being the existing north right-of-way line of IH-10 (width varies) as described in File Number Y691426, O.P.R.R.P.H.C.T., said "Access Line" being more particularly described by metes and bounds as follows, (Stations and Bearings herein described are based upon the revised right-of-way drawings dated April, 2010 provided by the Texas Department of Transportation;

COMMENCING FOR REFERENCE at the southern most northwest corner of said 9.760 acre tract, same being the southwest corner of that certain tract called 7.119 acres (referred to as tract 1), conveyed from West Memorial Park Office Limited Partnership to Ten-Voss, Ltd. by instrument dated December 28, 2005 and recorded under File Number Z001445, O.P.R.R.P.H.C.T., said point being on the east line of that certain called 3.297 acre tract conveyed to the City of Spring Valley by instrument of record in File Numbers L945366 and L945365, O.P.R.R.P.H.C.T., from which a found 5/8-inch iron rod bears South 45° 47' 46" East, 1.23 feet;

South 01° 58' 37" East, along the west line of said 9.760 acre tract and the east line of said 3.297 acre tract, 114.06 feet to a 5/8-inch iron rod with TxDOT aluminum disc found for the southwest corner of said 9.760 acre tract at baseline station 1756+44.52, 249.37 feet left (1756+44.36, 249.37 feet left), said point being on the existing north right-of-way line of said IH-10, same being an Access-Denial Line;

Exhibit A

THENCE, South 88° 19' 34" East, along the existing north right-of-way line of said IH-10, and the south line of said 9.760 acre tract, and along said Access Denial Line, 185.02 feet to a TxDOT bronze disc (Type II ROW marker) found for an angle point at baseline station 1758+29.54, 249.37 feet left;

THENCE, South 83° 45' 25" East, continuing along the existing north right-of-way line of said IH-10, said Access Denial Line, and the south line of said 9.760 acre tract, 150.44 feet to a TxDOT bronze disc (Type II ROW marker) found for an angle point at baseline station 1759+79.76, 237.38 feet left;

THENCE, South 89° 02' 15" East, continuing along the existing north right-of-way line of said IH-10, and the south line of said 9.760 acre tract, and along said Access Denial Line, passing at 20.04 feet a TxDOT bronze disc (Type II ROW marker) found at baseline station 1760+00.00, 239.59 feet left, in all 85.26 feet to a 5/8-inch iron rod with TxDOT aluminum disc stamped "ADL" for the End of the "Access Denial Line" and the POINT OF BEGINNING of an "Access Line" at baseline station 1760+65.91, 238.23 feet left;

- 1.) THENCE, South 89° 02' 15" East, continuing along the existing north right-of-way line of said IH-10 and the south line of said 9.760 acre tract, and along this described "Access Line", 45.00 feet to a 5/8-inch iron rod with TxDOT aluminum disc stamped "ADL" for the beginning of an "Access Denial Line" at baseline station 1761+11.38, 238.55 feet left;

THENCE, South 89° 02' 15" East, continuing along the existing north right-of-way line of said IH-10, and the south line of said 9.760 acre tract, and along said Access Denial Line, 397.61 feet to a TxDOT bronze disc (Type II ROW marker) found for an angle point and the POINT OF BEGINNING of an "Access Denial Line" at baseline station 1765+13.17, 237.22 feet left;

Exhibit A

- 2.) THENCE, North 89° 59' 35" East, continuing along the existing north right-of-way line of said IH-10, and the south line of said 9.760 acre tract, and said Access Denial Line, 25.00 feet to a 5/8-inch iron rod found for the southeast corner of said 9.760 acre tract at baseline station 1765+38.44, 237.33 feet left, and the point of terminus of said Access Denial Line;

A plat of even date accompanies this property description

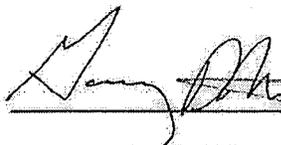
Access is prohibited across the Access Denial Line to the highway facility from the abutting remainder property.

This property description is for re-designation of access, closing a 25 foot access break and giving a 45 foot access break.

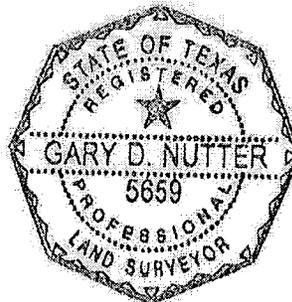
FIELD SURVEYING WAS COMPLETED IN NOVEMBER, 2010

ALL BEARINGS AND DISTANCES 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 MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.99987.

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 NOV 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



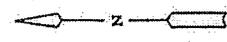
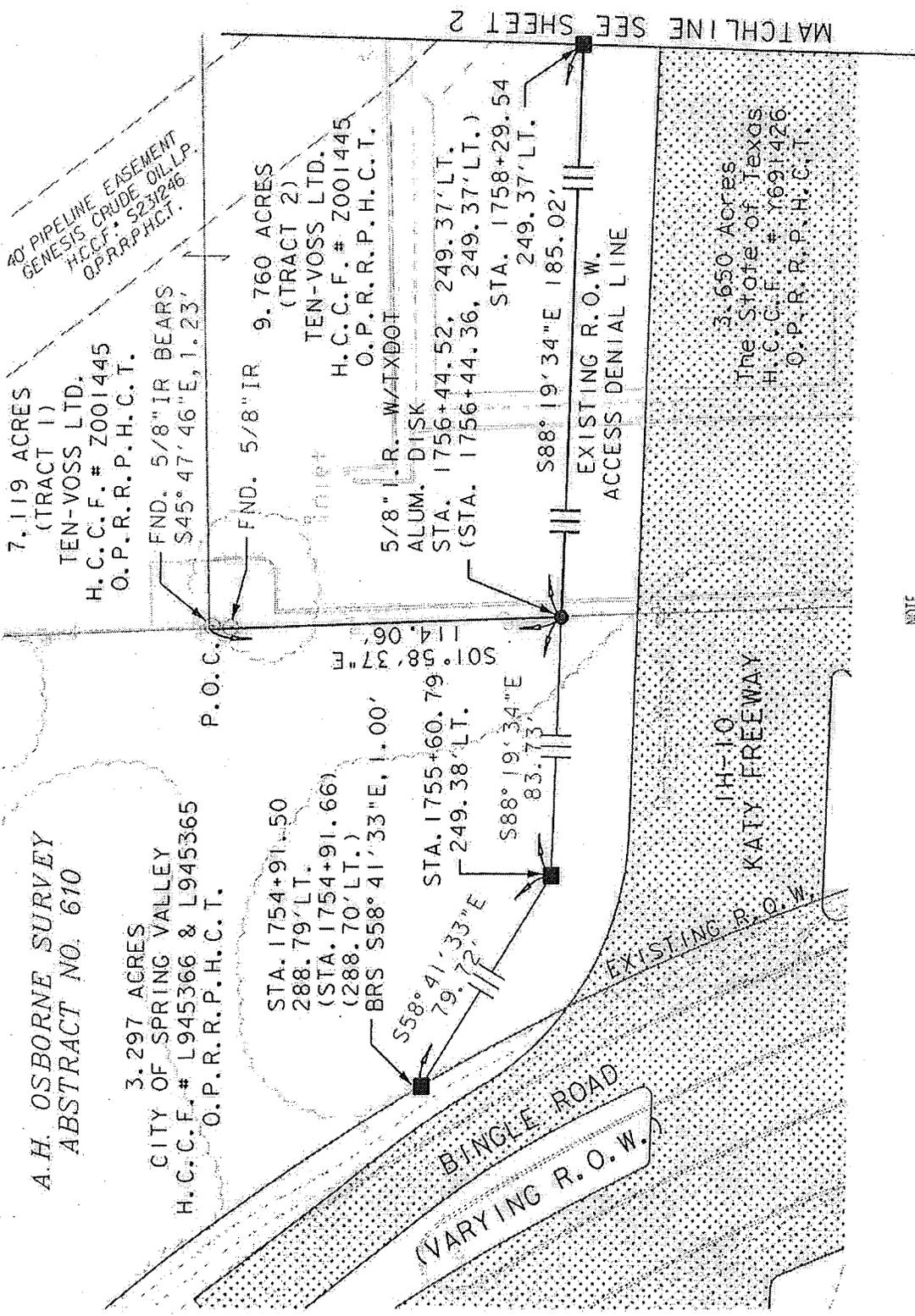


Exhibit A

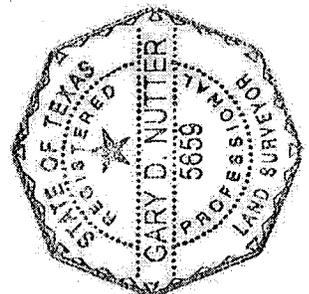


MATCHLINE SEE SHEET 2

NOTE

ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (1993 ADJUSTMENT). ALL COORDINATES AND DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.999870.

- FOUND TXDOT BRONZE DISC (TYPE 11 ROW MARKER)
- CONTROL OF ACCESS LINE (ACCESS DENIED)
- ACCESS IS PERMITTED ACROSS THIS ACCESS LINE



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

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

NOTE

RE-DESIGNATION OF ACCESS, CLOSING A 25 FOOT ACCESS BREAK AND GIVING A 45 FOOT ACCESS BREAK.

PLAT OF

TRACT 201 AC

Bingle Road to 0.41 Miles West of Washington Ave.
 RCSJ 0271-07-261
 LJA ENGINEERING & SURVEYING, INC. NOVEMBER 2010
 PROJECT NO. 1031-0001
 SCALE: 1" = 50'

7.119 ACRES
(TRACT 1)
TEN-VOSS LTD.
H.C.C.F. # Z001445
O.P.R.R.P.H.C.

A.H. OSBORNE SURVEY
ABSTRACT NO. 610

WEST MEMORIAL
PARK DRIVE
(PRIVATE ROAD)

FND. 5/8" IR BEARS
S86° 08' 25" E, 6.90'

P.O.B
SET 5/8" I.R.
W/TXDOT ALUMINUM DISC
STAMPED "ADL"
STA. 1760+65.91
238.23' LT.

9.760 ACRES
(TRACT 2)
TEN-VOSS LTD.
H.C.C.F. # Z001445
O.P.R.R.P.H.C.

STA. 1759+79.76
237.38' LT.
STA. 1760+00.00
237.59' LT.

SET 5/8" I.R.
W/TXDOT ALUMINUM DISC
STAMPED "ADL"
STA. 1761+11.38
238.55' LT.

EXISTING R.O.W.
ACCESS DENIAL LINE

20.04'
85.26'

S89° 02' 15" E, 527.87'
397.61'

ALHLOW-H-513N

3.650 Acres
The State of Texas
H.C.C.F. # Y691426
O.P.R.R.P.H.C.

KATY FREEWAY

EXISTING R.O.W.
ACCESS DENIAL LINE

MATCHLINE SEE SHEET 1

MATCHLINE SEE SHEET 3

NOTE

ALL BEARINGS AND DISTANCES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (1993 ADJUSTMENT). ALL COORDINATES AND DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.999870.

FOUND TXDOT BRONZE DISC (TYPE 11 ROW MARKER)

CONTROL OF ACCESS LINE (ACCESS DENIED)

ACCESS IS PERMITTED ACROSS THIS ACCESS LINE

NOTE

RE-DESIGNATION OF ACCESS, CLOSING A 25 FOOT ACCESS BREAK AND GIVING A 45 FOOT ACCESS BREAK.

PLAT OF

TRACT 201 AC

Bingle Road to 0.41 Miles West of Washington Ave.
RCSJ 0211-07-261
LJA ENGINEERING & SURVEYING, INC. NOVEMBER 2010
PROJECT NO. 1831-0001
SCALE: 1" = 50'

SHEET 5 OF 6

A.H. OSBORNE SURVEY
ABSTRACT NO. 610

FND. 5/8" IR BEARS
N88° 14' 00" E, 1.41'

9.760 ACRES
(TRACT 2)

TEN-VOSS LTD.

H.C.C.F. # Z001445
O.P.R.R.P.H.C.T.

FND. 5/8" I.R.
STA. 1765+38.44

237.33' LT.

N89° 59' 35" E

25.00'

STA. 1765+13.17

237.22' LT.

S89° 02' 15" E, 527.87'

EXISTING R.O.W. III 397.61'

ACCESS DENIAL LINE

3.650 Acres

The State of Texas

H.C.C.F. # Y691426

O.P.R.R.P.H.C.T.

IH-10
KATY FREEWAY

CENTRAL MEMORIAL
PARKWAY

MATCHLINE SEE SHEET 2

Exhibit A

NOTE

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FOUND TXDOT BRONZE DISC
(TYPE II ROW MARKER)

CONTROL OF ACCESS LINE
(ACCESS DENIED)

ACCESS IS PERMITTED
ACROSS THIS ACCESS LINE

NOTE

RE-DESIGNATION OF ACCESS, CLOSING A 25 FOOT ACCESS BREAK AND GIVING A 45 FOOT ACCESS BREAK.

PLAT OF

TRACT 201 AC

Bingle Road to 0.41 Miles West of Washington Ave.

RCSJ 0271-07-261

LJA ENGINEERING & SURVEYING, INC. NOVEMBER 2010

PROJECT NO. 1831-0001

SCALE: 1" = 50'

SHEET 6 OF 6