

TEXAS TRANSPORTATION COMMISSION

TRAVIS County

MINUTE ORDER

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AUSTIN District

Transportation Code, Chapter 203, authorizes the Texas Department of Transportation (department) to acquire rights and interest in real property and interest for any improvement the department considers necessary, useful or beneficial for highway operations.

The Texas Facilities Commission (TFC), successor agency to the General Services Commission, is authorized under Government Code, Chapter 2167, to lease real property for a state agency by a contract which contains an option to purchase such property. In June 1993, the State of Texas, acting by and through the General Services Commission, entered into a lease with option to purchase contract on behalf of the department, to provide facilities needed to house headquarters operations.

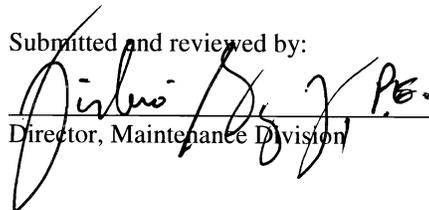
In accordance with the requirements of the lease with option to purchase contract, TFC, on behalf of the department, has elected to exercise its option to purchase the buildings at 150 and 200 East Riverside Drive, Austin, Travis County. In connection with the exercise option to purchase, the department, shall assume all rights and obligations of the ground leases that continue through 2022.

The ground leasehold interest in connection with the conveyed buildings at 150 and 200 East Riverside, together with all improvements of any kind or nature located in, on, or under the land, are collectively referred to and more particularly described by metes and bounds in Exhibits A and B.

The department paid-in-full the obligation for the buildings under the contract terms on September 15, 2011. TFC has agreed to deed all rights, title and interest in the buildings to TxDOT, and to execute any and all documents necessary to assign the ground leases associated with the interest in real property to the department.

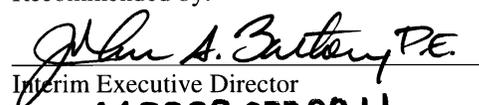
IT IS THEREFORE ORDERED by the commission that the executive director or the director's designee is authorized to accept a deed of the buildings from TFC, and to execute any and all documents necessary to assign all rights and obligations of the ground leases associated with the interest in real property, to the department.

Submitted and reviewed by:



Director, Maintenance Division

Recommended by:



Interim Executive Director
112838 SEP 29 11

Minute Number Date Passed

Exhibit A

The subject real property interest (improvements) consist of an office building located at 150 East Riverside Drive, Austin, Travis County, Texas, situated on 4.9551 acres of land subject to a separated ground lease, more particularly described as follows:

150 East Riverside Drive

Field notes of a survey of 215,845 square feet of land or 4.9551 acres of land, being a portion of Lot A, Mae Crockett Estate Subdivision No. 2, a subdivision of a portion of the Isaac Decker League Survey No. 8, Abstract No. 20, in the city of Austin, Travis county, Texas, of record in Plat Book 77, Page 232, Travis county plat records, said Lot A being also conveyed in a Special Warranty Deed from Shearson-Murray Real Estate Fund, Ltd. to John D. Byram in Volume 11057, Page 1021, Travis County Deed Records, as surveyed for Byram Properties by Metcalfe and Sanders, Inc., Land Surveyors.

BEGINNING at a 5/8" steel pin found in the northeast line of East Riverside Drive at the south corner of Lot A, Mae Crockett Estate Subdivision No. 2, a subdivision of a portion of the Isaac Decker League Survey No. 8, Abstract No. 20, in the city of Austin, Travis county, Texas, of record in Plat Book 77, Page 232, Travis county Plat Records, and the west corner of that 6.951 acre tract, a portion of the said Isaac Decker League Survey No. 20, designated as Tract Three and described in a deed from Dean R. Giles, et al to Garwald Company, Inc., in Volume 10565, Page 321, Travis County Deed Records, for the most southerly south corner of the herein described tract;

THENCE with the northeast line of East Riverside Drive and the most southerly southwest line of said Lot A, Mae Crockett Estate Subdivision No. 2, north 37°13'00" west 46.13 feet to a 1/2" iron pipe set in the southeast line of a lease tract by and between John D. Byram and Stop N Go Markets of Texas, Inc., whose address is 160 East Riverside Drive, for the most southerly west corner of the herein described tract;

THENCE with the southeast line of the said Stop N Go Markets of Texas, Inc. lease tract, north 40°04'50" east 123.01 feet to a 1/2" iron pipe set for the east corner of the said Stop N Go Markets of Texas, Inc. lease tract, for an interior corner of the herein described tract;

THENCE with the northeast line of the said Stop N Go Markets of Texas, Inc. lease tract, north 37°13'00" west 96.62 feet to a 1/2" iron pipe set for the north corner of said Stop N Go Markets of Texas, Inc. lease tract, for an interior corner of the herein described tract;

THENCE with the northwest line of the said Stop N Go Markets of Texas, Inc. lease tract, south 52°47'00" west 120.00 feet to a 1/2" iron pipe set in the northeast line of East Riverside Drive and the most southerly southwest line of said Lot A, Mae Crockett Estate Subdivision No. 2, for a south corner of the herein described tract;

THENCE with the northeast line of East Riverside Drive and the most southerly southwest line of said Lot A, Mae Crockett Estate Subdivision No. 2, north 37°13'00" west 188.63 feet to a 1/2" steel pin found at the most southerly west corner of said Lot A, Mae Crockett Estate Subdivision No. 2, and the most southerly corner of Lot 1, Mae Crockett Estate Subdivision No. 2, a subdivision of a apportion of the said Isaac Decker League Survey No. 20, of record in Plat Book 75, Page 123, Travis County Plat Records, for the most westerly west corner of the herein described tract;

THENCE with the most southerly northwest line of said Lot A, Mae Crockett Estate Subdivision No. 2, and the most southerly southeast line of said Lot 1, Mae Crockett Estate Subdivision No. 2, courses numbered 6 through 7 inclusive as follows:

North 52°47'00" east 145.00 feet to a ½" iron pipe found;
North 40°01'40" east 381.78 feet to a ½" iron pipe found at an interior corner of said Lot A, Mae Crockett Estate Subdivision No. 2, and the most southerly east corner of Lot 1, Mae Crockett Estate Subdivision No.2, for an interior corner of the herein described tract;

THENCE with most northerly southwest line of said Lot A, Mae Crockett Estate Subdivision No. 2, and the most southerly northeast line of said Lot 1, Mae Crockett Estate Subdivision, north 53°37'10" west 127.33 feet to a ½" iron pipe found at the most northerly west corner of said Lot A, Mae Crockett Estate Subdivision No. 2, and a south corner of

Lot 1, Miller Subdivision, a subdivision of a portion of the said Isaac Decker League Survey No. 20, of record in Plat Book 77, Page 284, Travis County Plat Records, for the most northerly west corner of the herein described tract;

THENCE with the most northerly northwest, the most northerly northeast and the east line of said Lot A, Mae Crockett Estate Subdivision No. 2, and a southeast, southwest and west line of said Lot 1, Miller Subdivision, courses numbered 9 through 13 inclusive as follows:

North 36°23'20" east 129.94 feet to a ½" iron pipe set for the most northerly corner of said Lot A, Mae Crockett Estate Subdivision No.2, and an interior corner of said Lot 1, Miller Subdivision, for the most northerly corner of the herein described tract;

South 53°32'50" east 289.99 feet to a ½" steel pin found at the northeast corner of said Lot A, Mae Crockett Estate Subdivision No. 2, and an interior corner of said Lot 1, Miller Subdivision, for the northeast corner of the herein described tract:

South 7°51'00" east 140.31 feet to a ½" iron pipe set;

South 40°04'50" west 40.00 feet to a ½" iron pipe set;

South 16°46'00" east 71.67 feet to a ½ iron pipe found at the southeast corner of said Lot A, Mae Crockett Estate Subdivision No. 2, and the most southerly south corner of said Lot 1, Miller Subdivision, said ½" iron pipe found being also in the northwest line of the said Garwald Company, Inc. Tract Three of 6.951 acres, for the east corner of the herein described tract;

THENCE with the southeast line of said Lot A, Mae Crockett Estate Subdivision No. 2, and the northwest line of said Garwald Company, Inc. Tract Three of 6.951 acres, south 40°04'50" west 568.64 feet to the place of the BEGINNING, containing 215,845 square feet of land or 4.9551 acres of land.

Exhibit B

The subject real property interest (improvements) consist of an office building located at 200 East Riverside Drive, Austin, Travis County, Texas, situated on 3.9552 acres of land subject to a separated ground lease, more particularly described as follows:

200 East Riverside Drive

Field Notes of a survey of 172,290 square feet of land or 3.9552 acres of land, being a portion of that 6.951 acre tract, a portion of the Isaac Decker League Survey No. 8, Abstract No. 20, in the city of Austin, Travis county, Texas, designated as Tract Three and described in a deed from Dean R. Giles, et al to Garwald Company, Inc. in Volume 10565, Page 321, Travis County Deed Records, said Tract Three of 6.951 acres being also described in an assignment of leasehold estate from John D. Byram to Riverside Square, Ltd. in Volume 5692, Page 1763, Travis County Deed Records, as surveyed for Byram Properties by Metcalfe & Sanders, Inc., land surveyors.

BEGINNING at a 5/8" steel pin found in the northeast line of East Riverside Drive at the west corner of that 6.951 acre tract, a portion of the Isaac Decker League Survey No. 8, Abstract No. 20, in the city of Austin, Travis county, Texas, designated as Tract Three and described in a deed from Dean R. Giles, et al to Garwald Company, Inc. in Volume 10565, Page 321, Travis County Deed Records, and at the south corner of Lot A, Mae Crockett Estate Subdivision No. 2, a subdivision of a portion of the said Isaac Decker League Survey No. 20, of record in Plat Book 77, Page 232, Travis County Plat Records, for the west corner of the herein described tract;

THENCE with the northwest line of the said Garwald Company, Inc. Tract Three of 6.951 acres and the southeast line of said Lot A, Mae Crockett Estate Subdivision No. 2, north 40°04'50" east 463.58 feet to a 1/2" iron pipe set, for the north corner of the herein described tract;

THENCE south 33°42'10" east 457.15 feet to a 1/2" iron pipe set in the southeast line of the said Garwald Company, Inc. Tract Three of 6.951 acres and the northwest line of that 3.888 acre tract, a portion of the said Isaac Decker League Survey No. 20, as described in a Special Warranty Deed from TSB-South Shore Corporation to SSNA Properties Corporation in Volume 11411, Page 1062, Travis County Deed Records, for the east corner of the herein described tract;

THENCE with the southeast line of the said Garwald Company, Inc. Tract Three of 6.951 acres and the northwest line of the said SSNA Properties Corporation 3.888 acre tract, south 56°14'30" west 441.82 feet to a 1/2" iron pipe set at an angle point in the northeast line of East Riverside Drive for the south corner of the said Garwald Company, Inc. Tract Three of 6.951 acres, for the south corner of the herein described tract;

THENCE with the northeast line of East Riverside Drive and the southwest line of the said Garwald Company, Inc. Tract Three of 6.951 acres, courses numbered 4 through 6 inclusive as followings:

North 24°01'50" west 0.11 feet to a 1/2 iron pipe set at point of curve;

With a curve to the left an arc distance of 146.38 feet, said curve having a radius of 636.21 feet, a central angle of 13°10'59" and a chord of which bears north 30°37'20" west 146.06 feet to a 1/2" steel pin found at point of tangency;

North 37°13'00" west 182.51 feet to the place of the beginning, containing 172,290 square feet of land or 3.9552 acres of land.