

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.

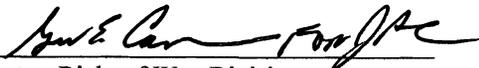
Hill 262 Partners, Ltd. (owner) is the owner of the property described in Exhibit A. The owner wants to donate this property, estimated at \$63,657, to the department for construction of a highway improvement project.

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 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 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 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 donation agreement with the owner, in accordance with Title 43, TAC, §1.504.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Interim Executive Director

112858 SEP 29 11

Minute Date
Number Passed

Parcel 13, Page 1 of 8

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 13

Being 14,978 square feet or 0.344 acres of land acres out of Nellie D. Mundy Survey No. 243, Scrap File 7222, El Paso County, Texas, same out of a 76.8241 acre tract as described in a Special Warranty Deed to Hillview Properties (Exhibit "B") recorded Volume 3903, Page 0086, Real Properties Records, El Paso County, Texas, and being more particularly described in two parts as follows:

Part 1

COMMENCING at 5/8" iron rod with cap marked "RPLS 4178" found for an angle point in the west line of said 76.8241 acre tract same being the east line of a 12.315 acre tract as 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;

THENCE North 04° 49' 54" West [North 08° 02' 22" West], along the common west line said 76.8241 acre tract and the east line said 12.315 acre tract, a distance of 2407.31 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the southwest corner of the herein described parcel on the proposed south right-of-way line Loop 375, at 199.31 feet right of Loop 375 Proposed Baseline Station 242+70.81 and having coordinates of X= 366018.22, Y= 10713202.13 for the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE South 84° 41' 44" East, along said proposed south right-of-way line Loop 375, a distance of 100.80 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" set for an angle point at 187.18 feet right of Loop 375 Proposed Baseline Station 243+69.11;
- 2.) THENCE North 62° 38' 28" East, continuing along said proposed south right-of-way line Loop 375, a distance of 47.04 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW"*** set for the east corner of the herein described parcel also being on the existing south 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,

Parcel 13, Page 2 of 8

Page 625, Deed Records, El Paso County, Texas at 157.44 feet right of Loop 375 Proposed Baseline Station 244+04.98;

- 3.) THENCE North 72° 20' 28" West (North 75° 31' 50" West) [North 75° 33' 37" West], along said existing south right-of-way line Loop 375, a distance of 154.42 feet to an iron rod with cap marked "RPLS 4178" found for the northwest corner of the herein described parcel same being on the east line said 12.315 acre tract from which an iron rod with marked "TX4297 NM10472" found bears South 59° 16' 45" East 0.48 feet;;
- 4.) THENCE South 04° 49' 54" East [South 08° 02' 22" East], the common west line said 76.8241 acre tract and the east line said 12.315 acre tract, a distance of 59.35 feet to the POINT OF BEGINNING and containing 5,514 square feet or 0.127 acres of land.

Part 2

COMMENCING at 5/8" iron rod with cap marked "RPLS 4178" found for an angle point in the west line of said 76.8241 acre tract same being the east line of a 12.315 acre tract as 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;

THENCE North 04° 49' 54" West [North 08° 02' 22" West], along the common west line said 76.8241 acre tract and the east line said remainder 637.6 acre tract, a distance of 2407.31 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set on the proposed south right-of-way line Loop 375, at 199.32 feet right of Loop 375 Proposed Baseline Station 242+70.77;

THENCE South 84° 41' 44" East, along said proposed south right-of-way line Loop 375, a distance of 100.80 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" set for an angle point at 187.18 feet right of Loop 375 Proposed Baseline Station 243+69.11;

THENCE North 62° 38' 28" East, continuing along said proposed south right-of-way line Loop 375, a distance of 47.04 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" set for an angle point also being on the existing south 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 at 157.44 feet right of Loop 375 Proposed Baseline Station 244+04.98;

THENCE South 72° 20' 28" East (South 75° 31' 50" East) [South 75° 33' 37" East], along said existing south right-of-way line Loop 375, a distance of 47.47 feet to point for

Parcel 13, Page 3 of 8

the west corner of the herein described parcel from which a Texas Department of Transportation Type II Right of Way monument found bears South 57° 51' 32" East 0.20 feet and being 162.42 feet right of Loop 375 Proposed Baseline Station 244+51.50 and having coordinates of X= 366205.60, Y= 10713200.03 for the POINT OF BEGINNING of the herein described parcel;

- 1.) THENCE South 79° 35' 55" East, along said proposed south right-of-way line Loop 375, a distance of 668.15 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" set for an angle point at 169.01 feet right of Loop 375 Proposed Baseline Station 251+11.68;
- 2.) THENCE South 34° 36' 15" East, continuing along said proposed south right-of-way line Loop 375, a distance of 35.38 feet to a 5/8" iron rod with aluminum cap marked "TXDOT ROW" set for an angle point at 194.75 feet right of Loop 375 Proposed Baseline Station 251+35.96;
- 3.) THENCE South 79° 36' 15" East, continuing along said proposed south right-of-way line Loop 375, a distance of 35.38 feet to a 5/8" iron rod with aluminum cap marked "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the southeast corner of the herein described parcel being in the east line said 76.8241 acre tract, the east line said Nellie D. Mundy Survey No. 243, the west line of 637.5 acre tract as described in a Patent Deed to the City of El Paso dated February 4, 1956 and recorded in Volume 1273, Page 349, Deed Records, El Paso County, Texas and the west line of the Nellie D. Mundy Survey No. 246, Scrap File 7225, at 196.20 feet right of Loop 375 Proposed Baseline Station 251+85.94;
- 4.) THENCE North 03° 14' 27" East [North 00° 01' 19" East], along the common east line said 76.8241 acre tract, the east line said Nellie D. Mundy Survey No. 243, the west line said 637.5 acre tract and the west line said Nellie D. Mundy Survey No. 246, a distance of 46.83.63 feet to an iron rod with cap marked "RPLS 4178" found for the Northeast corner of the herein described parcel also being on the said existing south right-of-way line Loop 375 from which a Texas Department of Transportation Type II Right of Way monument found bears South 58° 00' 17" East 0.64 feet;
- 5.) THENCE North 81° 15' 55" West (North 84° 27' 05" West) [North 84° 28' 52" West], along said existing south right-of-way line Loop 375, a distance of 737.65 to the POINT OF BEGINNING and containing 9,464 square feet or 0.217 acres of land.

Summary

Part 1 = 0.127 acres (5,514 square feet)

Part 2 = 0.217 acres (9,464 square feet)

Total = 0.344 acres (14,978 square feet)

Parcel 13, Page 4 of 8

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

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

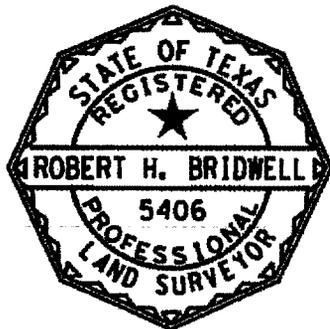
[] Denotes record calls of existing property deeds.

** 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.

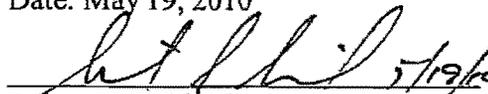
Bearings and coordinates are based upon Texas State Plane, Central Zone, NSRS2007 and are referenced to Primary Control Points 093-103 (X=370223.070, Y=10712625.861) and 093-203 (X=358000.334, Y=10714873.742) as provided by TxDOT El Paso District and Jacobs Engineering Group. All coordinates and distances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

Access is permitted 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

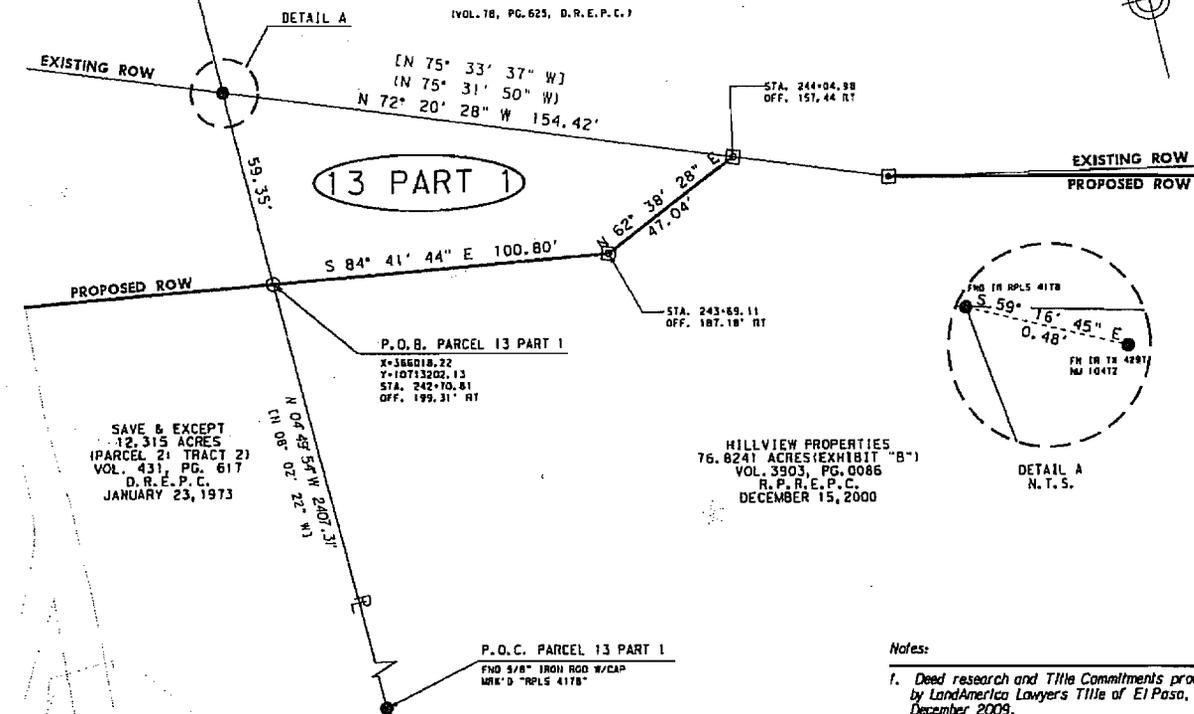

Robert H. Bridwell

Registered Professional Land Surveyor
No. 5406

NELLIE D. MUNDY SURVEY 243
S.F. 7222

LOOP 375

MATCHLINE STA. 245+52.97



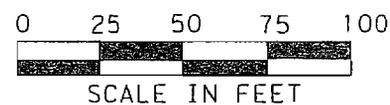
LEGEND

- ▲ CALCULATED POINT (NOTHING FOUND)
- ⊙ FND 2" I.P. (UNLESS NOTED)
- ⊗ SET 3/8" I.R. W/ALUMINUM CAP MARKED "TXDOT ROW ACCESS DENIAL" **
- ⊗ SET 3/8" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION POINT ACCESS DENIAL"
- FND I.R.
- ⊗ SET 3/8" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION PROPERTY CORNER"
- ⊗ FND TXDOT TYPE II ROW MONUMENT
- ⊗ SET 3/8" 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

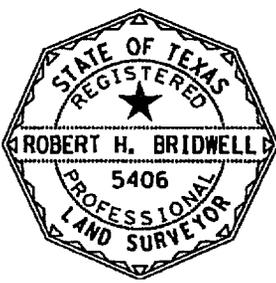
** THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

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

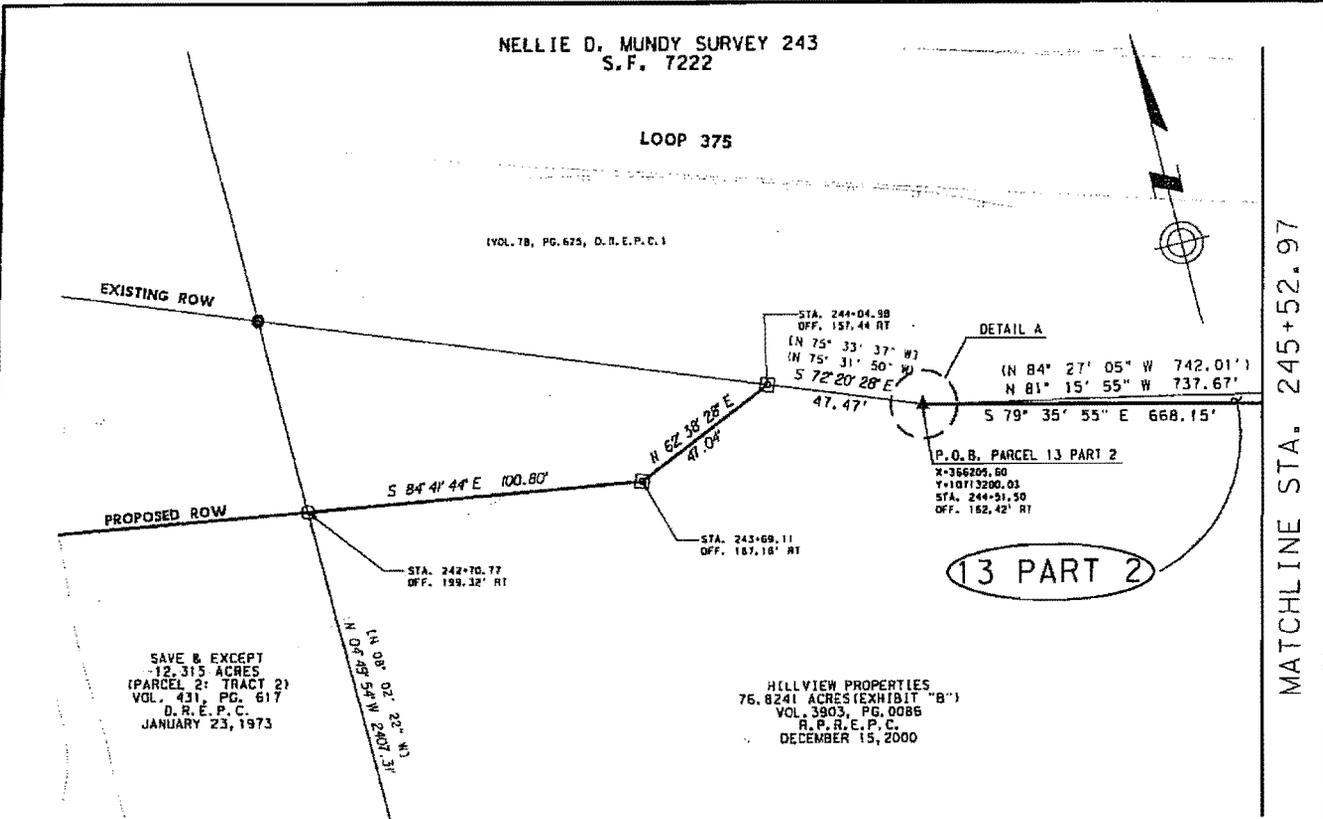


Texas Department of Transportation
© 2010 TXDOT

**PARCEL PLAT OF
PARCEL 13 PART 1**

SCALE 1" = 50'
SHEET 5 OF 8

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



SAVE & EXCEPT
12.315 ACRES
(PARCEL 2; TRACT 2)
VOL. 431, PG. 617
D. R. E. P. C.
JANUARY 23, 1973

HILLVIEW PROPERTIES
76.8241 ACRES (EXHIBIT "B")
VOL. 3803, PG. 0086
R. P. R. E. P. C.
DECEMBER 15, 2000

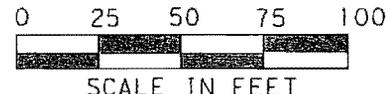
P.O.C. PARCEL 13 PART 2
FND 5/8" IRON ROD W/CAP
MARK'D "RPLS 4178"

P.O.B. PARCEL 13 PART 2
X-366295.60
Y-10113200.03
STA. 244+51.50
OFF. 182.42' RT

13 PART 2

MATCHLINE STA. 245+52.97

- Notes:
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 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.
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 5. Partially Controlled Access Facility.
 6. This Plat is accompanied by a property description of an even date.



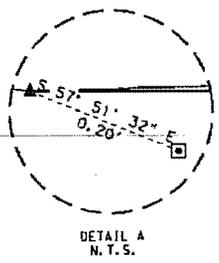
Texas Department of Transportation
© 2010 TxDOT

PARCEL PLAT OF
PARCEL 13 PART 2

SCALE 1" = 50'
SHEET 6 OF 8

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

- LEGEND
- ▲ CALCULATED POINT (NOTHING FOUND)
 - ⊙ FND 2" I.P. (UNLESS NOTED)
 - ⊙ SET 3/4" 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 3/4" I.R. W/ALUMINUM CAP MARKED "TX DEPT. OF TRANSPORTATION PROPERTY CORNER"
 - ⊙ FND TXDOT TYPE II ROW MONUMENT
 - ⊙ SET 3/4" 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 315 ROW ACQUISITION DEEDS
 - () DENOTES RECORD CALLS OF PROPERTY DEEDS



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SURVEY DATE: DECEMBER 2009 THRU MAY 2010
Robert H. Bridwell 5/19/10
ROBERT H. BRIDWELL
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5406

NELLIE D. MUNDY SURVEY 243
S.F. 7222



LOOP 375

VOL. 76, PG. 625, D.R.E.P.C. 1

{N 84° 28' 52" W 737.55'}
{N 84° 27' 05" W 742.01'}
N 81° 15' 55" W 737.67'

EXISTING ROW

PROPOSED ROW

S 79° 35' 55" E 668.15'

13 PART 2

HILLVIEW PROPERTIES
76.8241 ACRES (EXHIBIT "B")
VOL. 3903, PG. 0086
R.P.R.E.P.C.
DECEMBER 15, 2000

MATCHLINE STA. 245+52.97

MATCHLINE STA. 249+09.87

0 25 50 75 100



SCALE IN FEET



**PARCEL PLAT OF
PARCEL 13 PART 2**

SCALE 1" = 50'

SHEET 7 OF 8

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

MATCHLINE STA. 249+09.87

NELLIE D. MUNDY SURVEY 243
S.F. 7222

LOOP 375

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

(N 84° 28' 52" W 737.55')
(N 84° 27' 05" W 742.01')
N 81° 15' 55" W 737.67'

EXISTING ROW

PROPOSED ROW

13 PART 2

S 79° 35' 55" E 668.15'

S 34° 36' 15" E 35.38'

S 79° 36' 15" E 50.02'

STA. 251+35.96
OFF. 194.75 RT

STA. 251+11.88
OFF. 189.01 RT

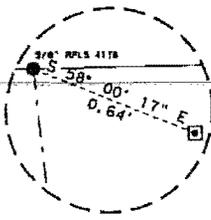
STA. 251+85.94
OFF. 196.20' RT

HILLVIEW PROPERTIES
76.8241 ACRES (EXHIBIT "B")
VOL. 3903, PG. 0086
R.P.R.E.P.C.
DECEMBER 15, 2000

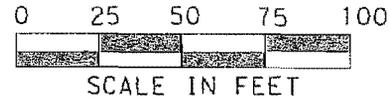
CITY OF EL PASO
637.5 ACRES
VOL. 1273, PG. 349
R.P.R.E.P.C.
FEBRUARY 4, 1956

SURVEY 246
SURVEY 243

EVIDENCE OF PARALLEL LONGITUDINAL ALIGNMENT



DETAIL A
N.T.S.



**PARCEL PLAT OF
PARCEL 13 PART 2**

SCALE 1" = 50'

SHEET 8 OF 8

FD. NO. 217-101	PROJECT NO.	SHEET NO.
5		
STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO
CONT.	SECT.	JOB
		HIGHWAY NO.