

TEXAS TRANSPORTATION COMMISSION

BEXAR County

MINUTE ORDER

Page 1 of 1

SAN ANTONIO District

In the city of San Antonio, BEXAR COUNTY, on STATE LOOP 1604, the State of Texas acquired an easement interest in certain land needed for highway purposes by instruments recorded in Volume 5047, Page 599, and Volume 5027, Page 1041, Deed Records of Bexar County, Texas.

The easements (surplus easements), described in Exhibit A, are no longer needed for highway purposes.

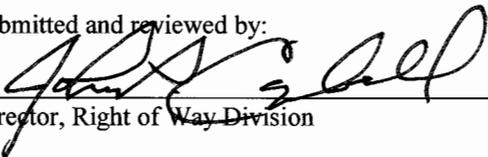
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus easements.

HEB Grocery Company, LP, a Texas limited partnership, is the underlying fee owner and has requested that the surplus easements be sold to the company for \$71,237.

The commission finds \$71,237 to be a fair and reasonable value for the state's rights and interest in the surplus easements.

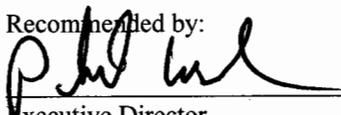
NOW, THEREFORE, the commission finds that the surplus easements are no longer needed for a state highway purpose and recommends, subject to approval of the attorney general, that the governor of Texas execute a proper instrument releasing the state's rights and interest in the surplus easements to HEB Grocery Company, LP, a Texas limited partnership, for \$71,237.

Submitted and reviewed by:



Director, Right of Way Division

Recommended by:



Executive Director

113063 MAR 29 12

Minute
Number

Date
Passed



CONTROL: 0291-10
COUNTY: BEXAR
HIGHWAY: S.L. 1604
MAY 24, 2011

EXHIBIT A

FIELD NOTE DESCRIPTION
TRACT 1

FOR A 0.637 ACRE TRACT OF LAND, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING OUT THE 35.296 ACRE TRACT CONVEYED TO HEB GROCERY COMPANY, LP, BY DEED OF RECORD IN VOLUME 11880, PAGE 1023 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND BEING THE SAME 0.637 ACRE TRACT DRAINAGE EASEMENT FOR HIGHWAY PURPOSES, PARCEL NO. 22(E) CONVEYED BY 39-LOOP 1604, A PARTNERSHIP TO THE STATE OF TEXAS ON JANUARY 15, 1991, AS RECORDED IN VOLUME 5047, PAGE 599 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS; SAID 0.637 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BEING REFERENCED TO THE NORTHEASTERLY LINE OF LOT 1, N.C.B. 14614, HEB-1604 AT BANDERA SUBDIVISION AS RECORDED IN VOLUME 9538, PAGE 84 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, BEING N 48° 12' 51" W:

COMMENCING, AT A FOUND TXDOT CONCRETE MONUMENT LOCATED IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES), MARKING THE NORTHERLY CORNER OF SAID HEB-1604 AT BANDERA SUBDIVISION, AND THE WESTERLY CORNER OF SAID 35.296 ACRE TRACT;

THENCE, N 45° 09' 41" E, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES), A DISTANCE OF 307.94 FEET TO THE **POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT, SAME BEING 265.00 FEET AT RIGHT ANGLE FROM STATE LOOP 1604 CENTER LINE STATION 264+12.10, WITH TEXAS STATE PLANE COORDINATE OF NORTH 13,749,625.13, EASTING 2,075,279.36;

THENCE, DEPARTING THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES), AND CROSSING THE SAID 35.296 ACRE TRACT, THE FOLLOWING COURSES;

-
- 1) S 89° 50' 19" E, A DISTANCE OF 255.00 FEET TO THE MOST SOUTHEASTERLY-EASTERLY CORNER OF HEREIN DESCRIBED TRACT;
 - 2) N 45° 09' 41" E, A DISTANCE OF 120.00 FEET TO THE EASTERLY CORNER OF HEREIN DESCRIBED TRACT;

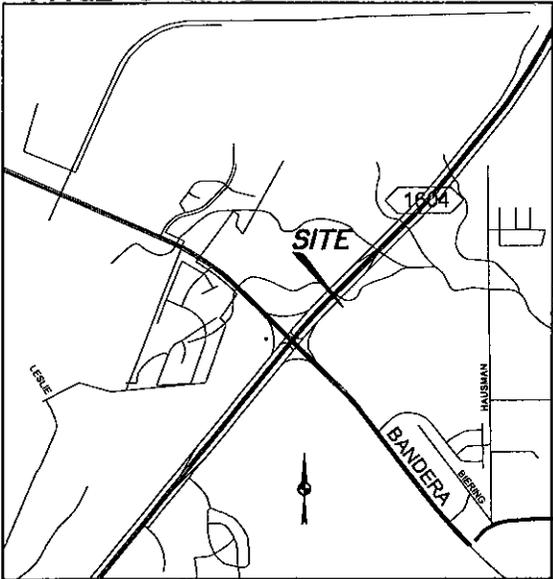
- 3) N 44° 50' 19" W, A DISTANCE OF 38.81 FEET TO THE MOST NORTHEASTERLY-EASTERLY CORNER OF HEREIN DESCRIBED TRACT;
- 4) S 89° 43' 37" W, A DISTANCE OF 201.65 FEET TO A FOUND ½ INCH IRON ROD ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES);
- 5) **THENCE**, S 45° 09' 41" W, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES), A DISTANCE OF 156.65 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 0.637 ACRES, (27,729 SQ. FT.) OF LAND, MORE OR LESS.

NOTE: SURVEY PLAT OF EVEN DATE TO ACCOMPANY THIS LEGAL DESCRIPTION.



HAL B. LANE III
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 4690
BURY+PARTNERS, INC.
922 ISOM ROAD, SUITE 100
SAN ANTONIO, TEXAS 78216
210/525-9090





VICINITY MAP
N.T.S.

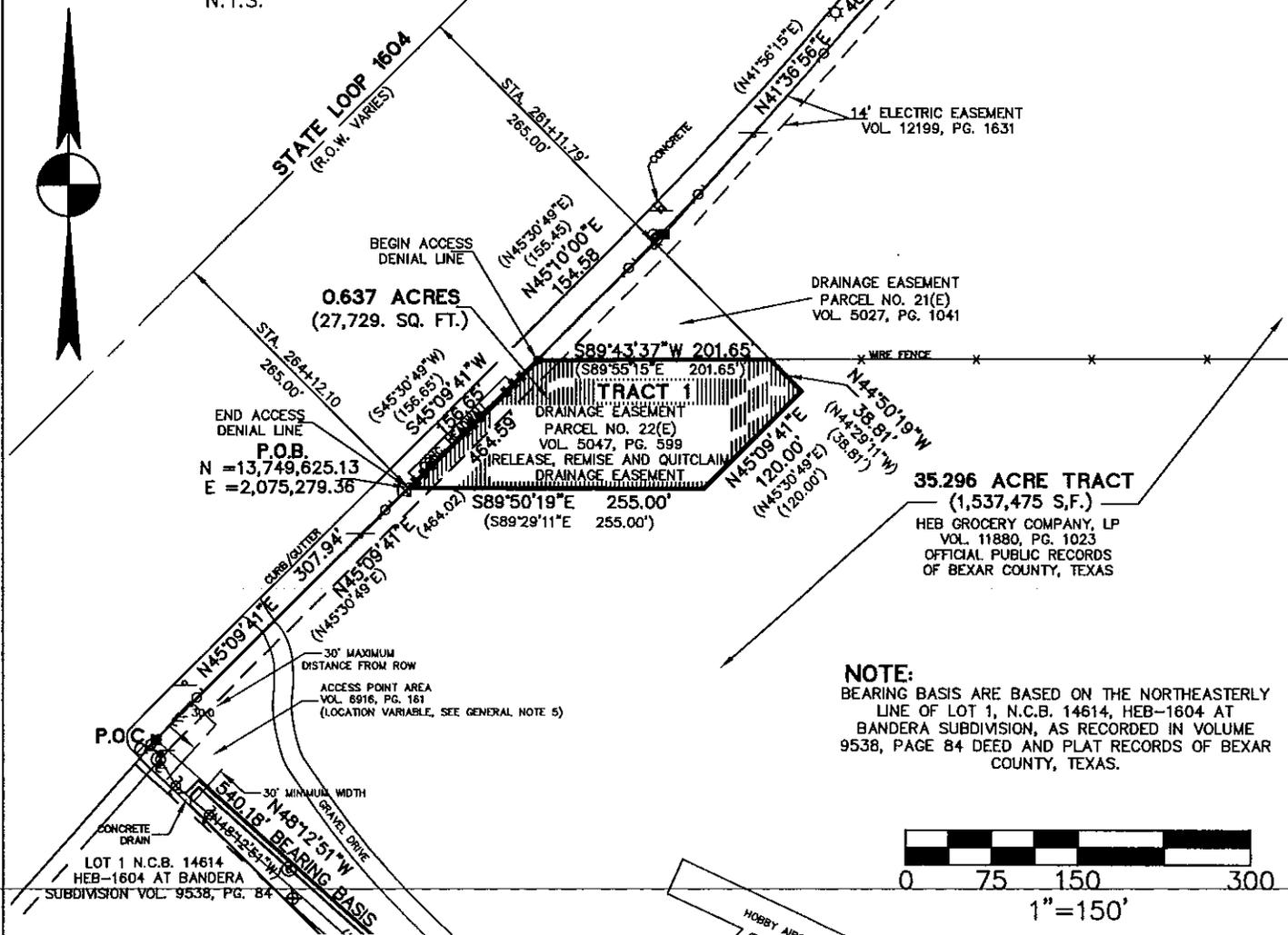
- LEGEND**
- 1/2" IRON ROD FOUND (UNLESS NOTED)
 - 1/2" IRON ROD SET
 - ✕✕✕ WIRE FENCE
 - MONUMENT FOUND
 - ⊕ POWER POLE
 - ⊖ DOWN GUY
 - ⊕ FIRE HYDRANT
 - ⊕ SIGN
 - (XXX) RECORD INFORMATION
 - ||| ACCESS DENIAL LINE

TEXAS DEPARTMENT OF TRANSPORTATION
PARCEL NO. 21A
VOL. 6330, PG. 816

CITY OF SAN ANTONIO

N40°57'22"E
54.27

S59°4
42



NOTE:
BEARING BASIS ARE BASED ON THE NORTHEASTERLY
LINE OF LOT 1, N.C.B. 14614, HEB-1604 AT
BANDERA SUBDIVISION, AS RECORDED IN VOLUME
9538, PAGE 84 DEED AND PLAT RECORDS OF BEXAR
COUNTY, TEXAS.

Bury+Partners
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TRFX Registration Number F-1048

SURVEY PLAT OF TRACT 1
A 0.637 ACRE TRACT OF LAND, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING OUT THE 35.296 ACRE TRACT CONVEYED TO HEB GROCERY COMPANY, LP, BY DEED OF RECORD IN VOLUME 11880, PAGE 1023 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND BEING THE SAME 0.637 ACRE TRACT DRAINAGE EASEMENT FOR HIGHWAY PURPOSES, PARCEL NO. 22(E) CONVEYED BY 39-LOOP 1604, A PARTNERSHIP TO THE STATE OF TEXAS ON JANUARY 15, 1991, AS RECORDED IN VOLUME 5047, PAGE 599 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS.

HEB GROCERY COMPANY, LP

CONTROL: 0291-10
COUNTY: BEXAR
HIGHWAY: S.L. 1604
MAY 24, 2011

EXHIBIT A

PROPERTY DESCRIPTION
TRACT 2

FOR A 0.233 ACRE TRACT OF LAND, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING OUT THE 35.296 ACRE TRACT CONVEYED TO HEB GROCERY COMPANY, LP, BY DEED OF RECORD IN VOLUME 11880, PAGE 1023 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND BEING THE SAME 0.233 ACRE TRACT DRAINAGE EASEMENT FOR HIGHWAY PURPOSES, PARCEL NO. 21(E) PART II, CONVEYED BY MARVIN M. KLINE, ET AL TO THE STATE OF TEXAS ON JANUARY 15, 1991, AS RECORDED IN VOLUME 5027, PAGE 1041 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS; SAID 0.233 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BEING REFERENCED TO THE NORTHEASTERLY LINE OF LOT 1, N.C.B. 14614, HEB-1604 AT BANDERA SUBDIVISION AS RECORDED IN VOLUME 9538, PAGE 84 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, BEING N 48° 12' 51" W:

COMMENCING, AT A FOUND TXDOT CONCRETE MONUMENT LOCATED IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES), MARKING THE NORTHERLY CORNER OF SAID HEB-1604 AT BANDERA SUBDIVISION, AND THE WESTERLY CORNER OF SAID 35.296 ACRE TRACT;

THENCE, N 45° 09' 41" E, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES), A DISTANCE OF 464.59 FEET TO A FOUND ½ INCH IRON ROD FOR THE **POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT WITH TEXAS STATE PLANE COORDINATE OF NORTH 13,749,735.59, EASTING 2,075,390.44;

THENCE, DEPARTING THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES), AND CROSSING THE SAID 35.296 ACRE TRACT, THE FOLLOWING COURSES:

- 1) N 89° 43' 37" E, A DISTANCE OF 201.65 FEET TO THE EASTERLY CORNER OF HEREIN DESCRIBED TRACT;

- 2) N 44° 50' 19" W, A DISTANCE OF 141.49 FEET TO THE NORTHERLY CORNER OF HEREIN DESCRIBED TRACT, AND THE BEGINNING OF AN ACCESS DENIAL LINE ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES), SAME BEING 265.00 FEET AT

RIGHT ANGLE FROM STATE LOOP 1604 CENTER LINE STATION
261+11.79;

- 3) **THENCE**, S 45° 10' 00" W, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE LOOP 1604 (ROW VARIES) AND THE SAID ACCESS DENIAL LINE, A DISTANCE OF 143.66 FEET TO THE **POINT OF BEGINNING**, AND END OF ACCESS DENIAL LINE FOR THIS TRACT, CONTAINING AN AREA OF 0.233 ACRES, (10,163 SQ. FT.) OF LAND, MORE OR LESS.

NOTE: SURVEY PLAT OF EVEN DATE TO ACCOMPANY THIS LEGAL DESCRIPTION, AND ACCESS TO THE HIGHWAY FACILITY IS PROHIBITED.



6/2/11
HAL B. LANE III
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 4690
BURY+PARTNERS, INC.
922 ISOM ROAD, SUITE 100
SAN ANTONIO, TEXAS 78216
210/525-9090





VICINITY MAP

N.T.S.



LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET
- ✕ ✕ ✕ WIRE FENCE
- MONUMENT FOUND
- ⊕ POWER POLE
- ⊖ DOWN GUY
- ⊕ FIRE HYDRANT
- ⊕ SIGN
- (XXX) RECORD INFORMATION
- ||| ACCESS DENIAL LINE

TEXAS DEPARTMENT OF TRANSPORTATION
PARCEL NO. 21A
VOL. 6330, PG. 816

CITY OF SAN ANTONIO

N40°57'22"E
54.27

S59°4
42

STATE LOOP 1604
(R.O.W. VARIES)

BEGIN ACCESS DENIAL LINE

0.233 ACRES
(10,163. SQ. FT.)

P.O.B.
N = 13,749,735.59
E = 2,075,390.44

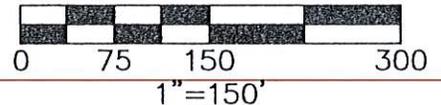
DRAINAGE EASEMENT
PARCEL NO. 22(E)
VOL. 5047, PG. 599

35.296 ACRE TRACT
(1,537,475 S.F.)

HEB GROCERY COMPANY, LP
VOL. 11880, PG. 1023
OFFICIAL PUBLIC RECORDS
OF BEXAR COUNTY, TEXAS

NOTE:

BEARING BASIS ARE BASED ON THE NORTHEASTERLY
LINE OF LOT 1, N.C.B. 14614, HEB-1604 AT
BANDERA SUBDIVISION, AS RECORDED IN VOLUME
9538, PAGE 84 DEED AND PLAT RECORDS OF BEXAR
COUNTY, TEXAS.



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TRPE Registration Number P-1048

SURVEY PLAT OF TRACT 2
A 0.233 ACRE TRACT OF LAND, SITUATED IN THE CITY OF SAN ANTONIO,
BEXAR COUNTY, TEXAS, BEING OUT THE 35.296 ACRE TRACT CONVEYED TO
HEB GROCERY COMPANY, LP, BY DEED OF RECORD IN VOLUME 11880, PAGE
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THE SAME 0.233 ACRE TRACT DRAINAGE EASEMENT FOR HIGHWAY PURPOSES,
PARCEL NO. 21(E) PART II, CONVEYED BY MARVIN M. KLINE, ET AL TO THE
STATE OF TEXAS ON JANUARY 15, 1991, AS RECORDED IN VOLUME 5027, PAGE
1041 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS.

**HEB
GROCERY
COMPANY, LP**