

TEXAS TRANSPORTATION COMMISSION

FORT BEND County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In FORT BEND COUNTY, on INTERSTATE 10 from the Waller-Fort Bend County line to the Fort Bend-Harris County line, 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.

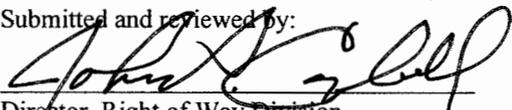
Landmark Industries, a Texas general partnership (owner), is the owner of the property described in Exhibit A and wants to donate this property, estimated at \$174,852, to the department for construction of a highway improvement project.

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.

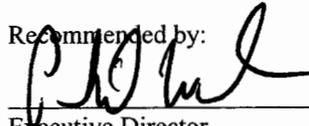
A donation agreement has been executed by the owner and tendered to the department for acceptance under Title 43, Texas Administrative Code, §1.504.

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:


Executive Director

113065 MAR 29 12

Minute Number Date Passed

(Revised: April 2, 2011)
November 10, 2010
Parcel 385
Page 1 of 7

County: Fort Bend
Highway: I.H. 10
Limits: Waller/Fort Bend County Line to Fort Bend/Harris County Line
RCSJ: 0271-05-028

Property Description for Parcel 385

Being a 0.3032 of one acre (13,208 square feet) parcel of land located in the D.A. Conner Survey, Abstract No. 159, Fort Bend County, Texas and being out of and a part of that tract described as 2.138 acres in a conveyance to Richmond 359, L.P. recorded under Fort Bend County Clerk's File (F.B.C.C.F.) No. 2006030272, and dated March 15, 2006, said 0.3032 acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at an 80d nail found in a tree in the existing Southeast right-of-way line of F.M. 1463 (100 feet wide) as recorded in Volume 275, Page 542 of the Fort Bend County Deed Records (F.B.C.D.R.) marking the North corner of said called 2.138 acre tract, same being the West corner of a cemetery on the remainder of a tract described as 45 acres in a conveyance to A. Stockdick recorded in Volume 75, Page 620 F.B.C.D.R., and dated November 30, 1917, also lying in the Southwest line of the Jesse Thompson Survey, Abstract No. 393, same being the Northeast line of said D.A. Conner Survey, thence as follows:

South 47° 18' 11" East (called South 47° 11' 12" East), along and with the common Southwest line of said Jesse Thompson survey and said cemetery, same partially being the Southwest line of a tract described as 3.545 acres in a conveyance to The William Carlross Morris, III, Sharon Kay Morris and Morris Children Charitable Remainder Unitrust recorded under F.B.C.C.F. No. 9717535, and dated March 1, 1988, same also being the common Northeast line of said D.A. Conner Survey and said 2.138 acre tract, at a distance of 297.58 feet, pass a 5/8-inch iron rod found marking the most Northerly Southwest corner of said 3.545 acre tract, continuing for a total distance of 383.41 feet to a 5/8-inch iron rod with TxDOT aluminum cap set, 194.00 feet left of baseline station 695+61.43 in the proposed North right-of-way line of I.H. 10 marking the Northeast corner and the **POINT OF BEGINNING** of the herein described parcel and having surface coordinates of N=13,845,830.46, E=2,974,500.34; **

1. **THENCE**, South 47° 18' 11" East (called South 47° 11' 12" East), continuing along and with the the common Southwest line of said Jesse Thompson Survey and said 3.545 acre tract, a distance of 12.79 feet to a 1/2-inch iron rod found lying in the existing North right-of-way line of said I.H. 10 (370 feet wide) as recorded in Volume 453, Page 251 F.B.C.D.R. marking the common Southeast corner of said 2.138 acre tract and the herein described parcel;

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2. **THENCE**, South 87° 57' 38" West (called South 87° 56' 37" West) along and with the existing North right-of-way line of said I.H. 10, same being the South line of said 2.138 acre tract, a distance of 625.10 feet (called 625.46 feet) to a point for the intersection of the existing North right-of-way line of said I.H. 10 with the existing Southeast line of said F.M. 1463, same being the common Southwest corner of said 2.138 acre tract and the herein described parcel from which a PK nail found in asphalt bears South 21° 40' West, 1.15 feet;
3. **THENCE**, North 42° 37' 26" East (called North 42° 25' 30" East), along and with the existing Southeast right-of-way line of said F.M. 1463, same being the Northwest line of said 2.138 acre tract, a distance of 229.42 feet (called 230.11 feet) to a 1/2-inch iron pipe found marking a corner;
4. **THENCE**, North 55° 34' 26" East (called North 55° 52' 37" East), continuing along and with the existing Southeast right-of-way line of said F.M. 1463, same being the Northwest line of said 2.138 acre tract, a distance of 66.93 feet to a 5/8-inch iron rod with TxDOT aluminum cap set, 384.03 feet left of baseline station 691+63.20 in the proposed Southeast right-of-way line of said F.M. 1463 marking the North corner of the herein described parcel;**
5. **THENCE**, South 42° 37' 26" West, along and with the proposed Southeast right-of-way line of said F.M. 1463, a distance of 189.30 feet to a 5/8-inch iron rod with TxDOT aluminum cap stamped "ADL" set for the beginning of an Access Denial Line, 249.39 feet left of baseline station 690+30.13 in the Northerly cut-back corner of the intersection of the proposed Southeast right-of-way line of said F.M. 1463 with the proposed North right-of-way line of said I.H. 10, same being an interior corner of the herein described parcel;**
6. **THENCE**, South 26° 32' 59" East, along and with said cut-back line, same being an Access Denial Line, a distance of 53.18 feet to a 5/8-inch iron rod with TxDOT aluminum cap set, 201.00 feet left of baseline station 690+52.19 in the proposed North right-of-way line of said I.H. 10 marking an interior corner of the herein described parcel;**
7. **THENCE**, North 87° 57' 38" East, along and with the proposed North right-of-way line of said I.H. 10, same being an Access Denial Line, a distance of 217.51 feet to a 5/8-inch iron rod with TxDOT aluminum cap set, 201.00 feet left of baseline station 692+69.71 marking a corner;**

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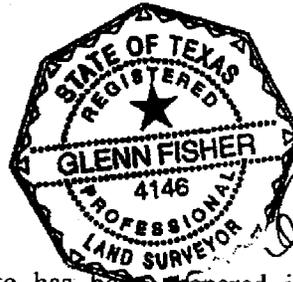
8. **THENCE**, South 87° 28' 39" East, continuing along and with the proposed North right-of-way line of said I.H. 10, same being an Access Denial Line, a distance of 88.01 feet to a 5/8-inch iron rod with TxDOT aluminum cap set, 194.00 feet left of baseline station 693+57.44 marking a corner;**

9. **THENCE**, North 87° 57' 38" East, continuing along and with the proposed North right-of-way line of said I.H. 10, same being an Access Denial Line, at a distance of 88.74 feet pass a 5/8-inch iron rod with TxDOT aluminum cap stamped "ADL" set for the end of an Access Denial Line, 194.00 feet left of baseline station 694+46.18, at a distance of 133.74 feet pass a 5/8-inch iron rod with TxDOT aluminum cap stamped "ADL" set for the beginning of an Access Denial Line, 194.00 feet left of baseline station 694+91.18, continuing for a total distance of 203.99 feet to the **POINT OF BEGINNING** and containing 0.3032 of one acre (13,208 square feet) of land.

All bearings are grid and are based on the Texas State Plane Coordinate System, South Central Zone, (NAD '83, '93 Adj.). All coordinates and distances are surface and may be converted to grid by dividing by a scale factor of 1.00013.

Access is permitted from the remainder across the Southeast right-of-way line of F.M.1463 and across the North right-of-way line of I.H. 10 from station 694+91.18 to station 694+46.18. Access is prohibited from the remainder across the access denial line to I.H. 10 from station 695+70.51 to station 694+91.18 and from station 694+46.18 to station 690+30.13 as shown on the attached parcel map.

Compiled by:
Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400
Houston, Texas 77042
(281) 558-8700



A-2-11

A handwritten signature in black ink, appearing to read "Glenn Fisher".

Note: A parcel plat of even date has been prepared in conjunction with this property description.

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

5/12/2011

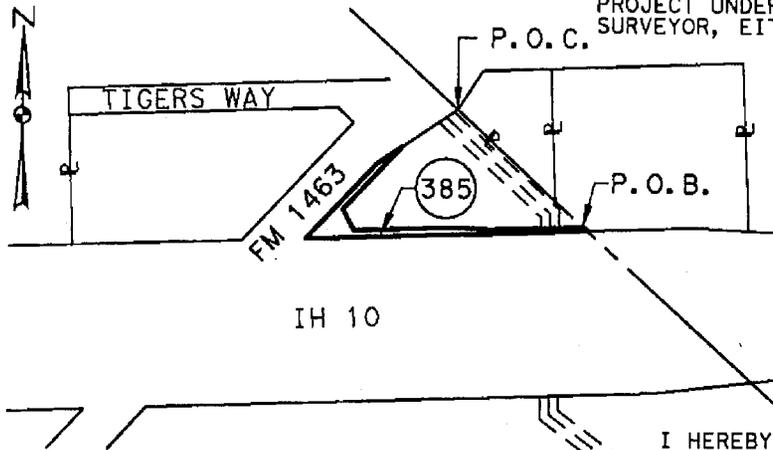
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ABBREVIATION LEGEND

FND. FOUND
 F.B.C.C.F. FORT BEND COUNTY CLERK'S FILE
 F.B.C.D.R. FORT BEND COUNTY DEED RECORDS
 F.B.C.P.R. FORT BEND COUNTY PLAT RECORDS
 I. IRON
 NO. NUMBER
 P.L.V. PIPELINE VENT
 P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCING
 R.O.W. RIGHT-OF-WAY

NOTES:

1. ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 1983 (1993 ADJ.) ALL COORDINATES AND DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.
 2. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
 3. ACCESS IS PERMITTED FROM THE REMAINDER ACROSS THE SOUTHEAST RIGHT-OF-WAY LINE OF F.M. 1463 AND ACROSS THE NORTH RIGHT-OF-WAY LINE OF I.H. 10 FROM STATION 1260+79.50 TO STATION 1261+24.50. ACCESS IS PROHIBITED FROM THE REMAINDER ACROSS THE ACCESS DENIAL LINE TO I.H. 10 FROM STATION 1260+00.16 TO STATION 1260+79.50 AND FROM STATION 1261+24.50 TO STATION 1265+40.54 AS SHOWN HEREON.
 4. PROPERTY IS SUBJECT TO AN UNLOCATED PIPELINE EASEMENT AS SET OUT IN A CONVEYANCE TO SHELL PIPE LINE COMPANY RECORDED IN VOLUME 124, PAGE 466 F.B.C.D.R., AND AN UNLOCATED PIPELINE EASEMENT AS SET OUT IN A CONVEYANCE TO HOUSTON PIPE LINE COMPANY RECORDED IN VOLUME 204, PAGE 473 F.B.C.D.R..
- ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.



AREA TABLE (ACRES)			
EXISTING ACREAGE	TAKING S.F./AC.	REMAINDER	
		LEFT	RIGHT
2.138	13,208 0.3032	1.835	N/A

PARENT TRACT INSET
N. T. S.

SYMBOL LEGEND

- SET 5/8 INCH IRON ROD WITH ALUMINUM TXDOT CAP (UNLESS OTHERWISE NOTED)
- SET 5/8 INCH IRON ROD WITH ALUMINUM ADL TXDOT CAP STAMPED ADL
- EXISTING MONUMENT AS NOTED
- FOUND (AS INDICATED)

I HEREBY CERTIFY THAT THIS PLAT AND ACCOMPANYING LEGAL DESCRIPTIONS IS BASED ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.



4-2-2011

Glenn Fisher
 GLENN FISHER RPLS NO. 4146
 BROWN & GAY ENGINEERS, INC.
 10777 WESTHEIMER, SUITE 400
 HOUSTON, TEXAS 77042
 TELEPHONE: (281) 558-8700

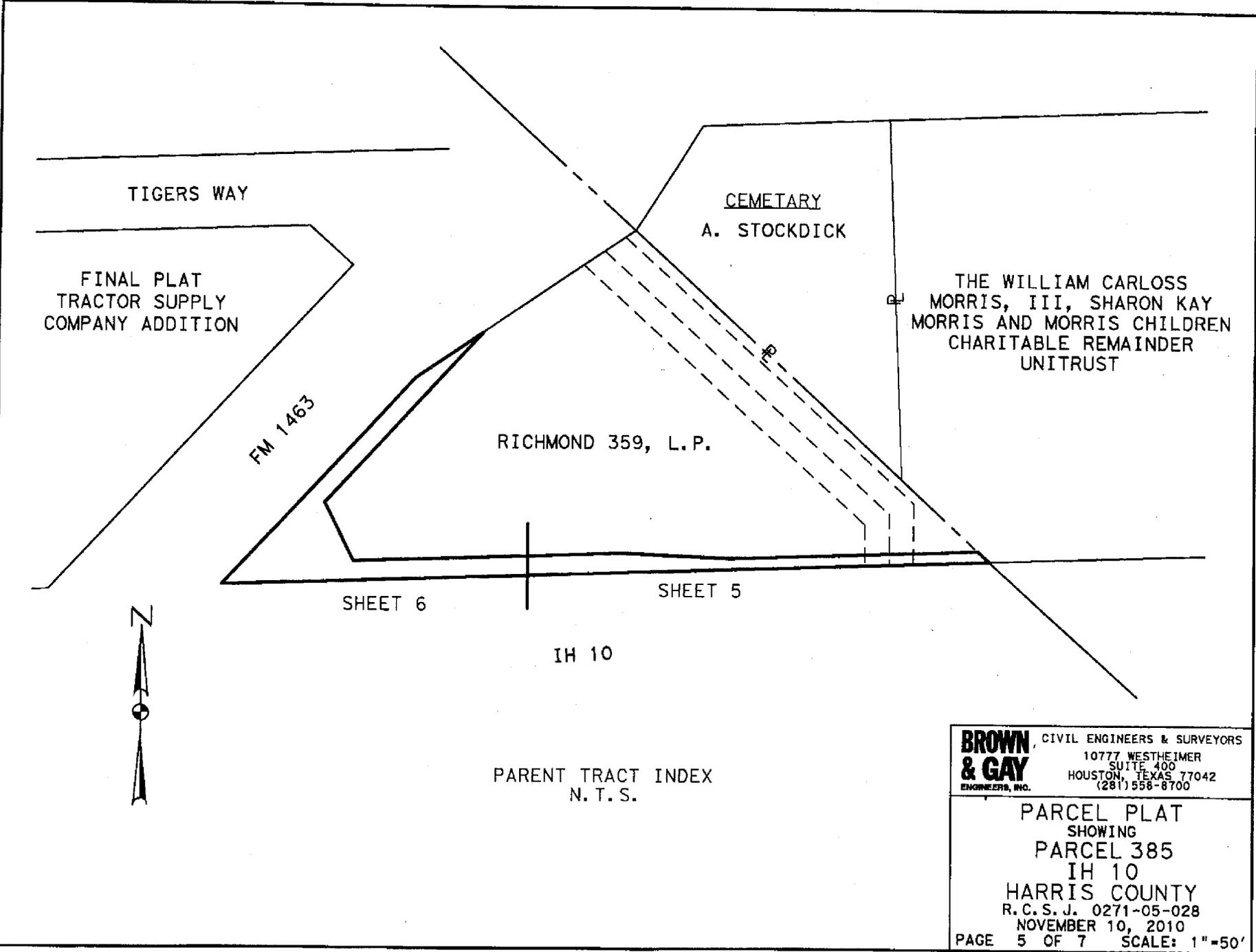
DATE	REVISION
4-2011	INCREASED TAKING

BROWN & GAY ENGINEERS, INC.
 CIVIL ENGINEERS & SURVEYORS
 10777 WESTHEIMER SUITE 400
 HOUSTON, TEXAS 77042
 (281) 558-8700

PARCEL PLAT
 SHOWING
 PARCEL 385
 IH 10
 HARRIS COUNTY
 R. C. S. J. 0271-05-028
 NOVEMBER 10, 2010
 PAGE 4 OF 7 SCALE: 1"=50'

5/12/2011

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PARENT TRACT INDEX
N. T. S.

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PARCEL PLAT
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 PAGE 5 OF 7 SCALE: 1"=50'

5/12/2010
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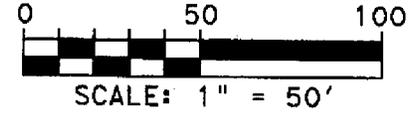
SEE SHEET 7 OF 7

D. A. CONNER SURVEY, A-159

JESSE THOMPSON SURVEY, A-393

F.M. 1463
 100' R.O.W.
 AUGUST 1, 1950
 VOL. 275, PG. 542, F.B.C.D.R.
 EXISTING R.O.W.

P.O.C.
 FND. 80D NAIL
 CEMETERY
 A. STOCKDICK
 REMAINDER OF 45 ACRES
 NOVEMBER 30, 1917
 VOL. 75, PG. 620
 F.B.C.D.R.



THE WILLIAM CARLOSS
 MORRIS, III, SHARON KAY
 MORRIS AND MORRIS CHILDREN
 CHARITABLE REMAINDER
 UNITRUST
 3.545 ACRES
 TRACT 1
 MARCH 1, 1988
 F.B.C.C.F. NO. 9717535

AMOCO GAS COMPANY
 20' PIPELINE ESMT.
 FEBRUARY 15, 1973
 VOL. 611, PG. 217
 F.B.C.D.R.
 RICHMOND 359, L.P.
 2.138 ACRES
 MARCH 15, 2006
 F.B.C.C.F. NO. 2006030272

PAN AMERICAN GAS COMPANY
 20' PIPELINE ESMT.
 JULY 24, 1967
 VOL. 490, PG. 495
 F.B.C.D.R.

FND. 5/8" I. ROD W/CAP
 "COSTELLO INC. RPLS 1416"
 @ 297.58'

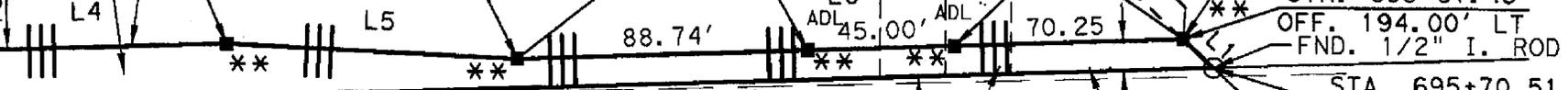
PROPOSED R.O.W. &
 ACCESS DENIAL LINE
 STA. 692+69.71
 OFF. 201.00' LT

STA. 694+91.18
 OFF. 194.00' LT

STA. 693+57.44
 OFF. 194.00' LT

STA. 694+46.18
 OFF. 194.00' LT

P.O.B.
 N=13,845,830.46
 E=2,974,500.34
 STA. 695+61.43
 OFF. 194.00' LT



EXISTING R.O.W.
 S 87°57'38" W, 625.10'
 (CALLED S 87°56'37" W, 625.46')

INTERSTATE HIGHWAY 10
 370' R.O.W.
 APRIL 9, 1964
 VOL. 453, PG. 251, F.B.C.D.R.

BASELINE S 87°57'38" W

LINE DATA			
NUMBER	DIRECTION	DISTANCE	CALLED DIRECTION
L1	S 47°18'11" E	12.79'	S 47°11'12" E
L4	N 87°57'38" E	217.51'	
L5	S 87°28'39" E	88.01'	
L6	N 87°57'38" E	203.99'	

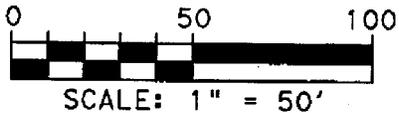
BROWN & GAY
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PARCEL PLAT
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 PAGE 6 OF 7 SCALE: 1"=50'

Minute Order Exhibit A
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FINAL PLAT TRACTOR SUPPLY
 COMPANY ADDITION
 MARCH 17, 2005
 PLAT NO. 20050142
 F. B. C. P. R.

D. A. CONNER SURVEY, A-159

STA. 691+63.20 **
 OFF. 384.03' LT

FND. 1/2" I. PIPE

F. M. 1463
 100' R.O.W.
 AUGUST 1, 1950
 VOL. 275, PG. 542,
 F. B. C. D. R.

RICHMOND 359, L.P.
 2.138 ACRES
 MARCH 15, 2006
 F. B. C. C. F. NO.
 2006030272

PIPELINE MARKER
 (HOUSTON
 PIPE LINE COMPANY)
 SEE NOTE 4

STA. 690+30.13
 OFF. 249.39' LT

STA. 690+52.19
 OFF. 201.00' LT

PROPOSED R.O.W. &
 ACCESS DENIAL LINE
 N 87° 57' 38" E
 217.51'

EXISTING R.O.W.

EXISTING R.O.W.

FND. PK NAIL
 BRS. S 21° 40' W
 1.15'

EXISTING R.O.W.

FND. 4X4 CONC. MON.

EXISTING R.O.W.

385

S 87° 57' 38" W, 625.10'
 (CALLED S 87° 56' 37" W, 625.46')

INTERSTATE HIGHWAY 10

370' R.O.W.
 APRIL 9, 1964
 VOL. 453, PG. 251,
 F. B. C. D. R.

SEE SHEET 6 OF 7

LINE DATA			
NUMBER	DIRECTION	DISTANCE	CALLED DIRECTION
L2	N 55° 34' 26" E	66.93'	N 55° 52' 37" E
L3	S 26° 32' 59" E	53.18'	

185.00'

690+00

BASELINE S 87° 57' 38" W

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