

TEXAS TRANSPORTATION COMMISSION

TRAVIS County

MINUTE ORDER

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AUSTIN District

In Austin, TRAVIS COUNTY, on STATE LOOP 360, the state of Texas acquired certain land for highway purposes by instrument recorded in Volume 3263, Page 480, Deed Records of Travis County, Texas.

A portion of the land (Tract 2), RCSJ 0113-13-160, described in Exhibit A, is 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 any interest in real property acquired and no longer needed for a state highway purpose.

LCFRE Austin Brodie Oaks, LLC, is the abutting landowner and has requested to purchase Tract 2 for \$500,000.

The commission finds \$500,000 to be a fair and reasonable value for the state's right, title, and interest in Tract 2.

IT IS THEREFORE ORDERED by the commission that Tract 2 is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in Tract 2 to LCFRE Austin Brodie Oaks, LLC, for \$500,000; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles, and interests, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

Executive Director

114727 SEPT. 29 '16

Minute Number Date Passed

County: Travis
Highway: Loop 360
CSJ: 0113-13-160

EXHIBIT " " "
EXHIBIT A

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TRACT 02

BEING A 2.7856 ACRE (121,341 SQUARE FEET) TRACT SITUATED IN THE CHARLES H. RIDDLE SURVEY, ABSTRACT NUMBER 676, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 52.322 ACRES RIGHT-OF-WAY TRACT CONVEYED FROM FRANCES G. BRODIE, INDIVIDUALLY AND AS INDEPENDENT EXECUTRIX OF THE ESTATE OF H.E. BRODIE, DECEASED TO THE STATE OF TEXAS OF RECORD IN VOLUME 3263, PAGE 480 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND AS SHOWN ON MAP DATED JULY 1966, WITH C.S.J. NUMBER 113-13-10, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Texas Department of Transportation (TxDOT) Type I concrete monument found for an angle point in the north right-of-way line of Loop 360 (right-of-way width varies), same being an angle point in the north line of said 52.322 acres tract, and the south line of Lot 3-A2, Resubdivision of Lot 3-A Brodie Oaks Center Amended, a legal subdivision according to the plat of record in Volume 91, Page 41 of the Plat Records of Travis County, Texas (P.R.T.C.T.), having coordinates of $X=3,097,703.74$ and $Y=10,060,156.07$ for the northwest corner of the tract described herein;

- 1) **THENCE** with said the north right-of-way line of Loop 360, said north line of the 52.322 acres tract, and said south line of said Lot 3-A2, $S42^{\circ}44'05''E$ a distance of 407.35 feet to a TxDOT Type I concrete monument found for an angle point in said north right-of-way line of Loop 360 and said south line of Lot 3-A2;
- 2) **THENCE** with said north right-of-way line of Loop 360, said north line of the 52.322 acres tract, and said south line of Lot 3-A2, $S82^{\circ}26'29''E$, at 265.19 feet passing a 1/2-inch iron rod found for the southeast corner of said Lot 3-A2, same being the southwest corner of Lot 4-A, Brodie Oaks Center Amended, a legal subdivision according to the plat of record in Volume 83, Page 149D of the P.R.T.C.T., continuing with said north right-of-way line of Loop 360 and said north line of the 52.322 acres tract, same being the south line of said Lot 4-A, at 300.19 feet passing a calculated point for the southeast corner of Lot 4-A, same being the southwest corner of Lot 5-A, said Brodie Oaks Center Amended, continuing with said north right-of-way line of Loop 360 and said north line of the 52.322 acres tract, same being the south line of said Lot 5-A, for a total distance of 511.04 feet to a 1/2-inch inside diameter iron pipe found for an angle point in said north right-of-way line of Loop 360, said north line of the 52.322 acres tract, and said south line of Lot 5-A;
- 3) **THENCE** continuing with said north right-of-way line of Loop 360, said north line of the 52.322 acres tract, and said south line of Lot 5-A, $N75^{\circ}41'31''E$ a distance of 250.47 feet to a 1/2-inch iron rod with cap stamped "HALFF" set in said north right-of-way line of Loop 360, said north line of the 52.322 acres tract, and said south line of Lot 5-A for the northeast corner of the tract described herein;
- 4) **THENCE** leaving said north right-of-way line of Loop 360, said north line of the 52.322 acres tract, and said south line of Lot 5-A, crossing said Loop 360 right-of-way and said 52.322 acres tract, $S59^{\circ}14'25''W$ a distance of 485.42 feet to a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the southeast corner of the tract described herein;

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- 5) CONTINUING across said Loop 360 right-of-way and said 52.322 acres tract, N82°33'18"W a distance of 280.00 feet to a 5/8-inch iron rod with aluminum cap stamped "TX DEPT OF TRANSPORTATION PROPERTY CORNER" set for the southwest corner of the tract described herein;
6) CONTINUING across said Loop 360 right-of-way and said 52.322 acres tract N32°39'01"W a distance of 613.45 feet to said POINT OF BEGINNING and containing 2.7856 acres of land (121,341 square feet).

** The monument described and set 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.

Basis of bearings is the Texas Coordinate System of 1983, Central Zone 4203 (NAD83/2011). All distances shown hereon are surface and may be converted to grid by using the surface adjustment factor of 1.00012. Units: U.S. Survey Feet.

This survey was prepared without the benefit of a title commitment. Easements or other matters of record may exist where none are shown.

These property descriptions are accompanied by a parcel plat of even date.

I, Dan H. Clark, Registered Professional Land Surveyor, hereby certify that this legal description and the accompanying parcel plat of even date represent an actual survey made on the ground under my supervision.

[Handwritten signature of Dan H. Clark]

8-25-2016

Dan H. Clark, R.P.L.S.
Texas Registered Professional Land Surveyor No. 6011
Half Associates, Inc.,
TBPLS Firm No. 10029607
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