

TEXAS TRANSPORTATION COMMISSION

WILLIAMSON County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In WILLIAMSON COUNTY, on FARM TO MARKET ROAD 1460, the State of Texas (state) acquired certain land needed for highway purposes by instruments recorded in Volume 431, Page 355, and Volume 433, Page 5, Deed Records of Williamson County, Texas.

A portion of the land (surplus land), described in Exhibit A, is no longer needed for a state highway purpose.

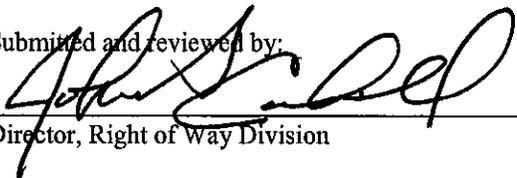
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowner.

HEB Grocery Company, LP is the abutting landowner and has requested that the surplus land be sold to the company for \$243,936.

The commission finds \$243,936 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

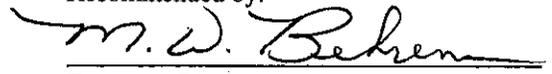
NOW, THEREFORE, in accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission finds that the surplus land is no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to HEB Grocery Company, LP for \$243,936; 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 surplus land.

Submitted and reviewed by:



Director, Right of Way Division

Recommended by:



Executive Director

110374 DEC 15 05

Minute Number Date Passed

EXHIBIT A

County: Williamson
Tract No.: 2 – H.E.B. Tract
Highway: FM 1460

PROPERTY DESCRIPTION FOR TRACT 2 – H.E.B. TRACT

DESCRIPTION OF A 1.400 ACRE TRACT OF LAND LOCATED IN THE P. A. HOLDEN SURVEY, ABSTRACT NO. 297, IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF OLD F. M. 1460, SAID 1.400 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING SKETCH IS MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found 41.57 feet right of old F. M. 1460 centerline station 449+29.29, being on the intersection of the west right-of-way line of said old F. M. 1460 and the south right-of-way line of Plateau Vista Blvd., for the northeast corner of Lot 1, Block 1, H.E.B. #4 Subdivision, a subdivision recorded in Cabinet Z, Slides 83 – 84 of the Plat Records of said county, for the most northerly corner and **POINT OF BEGINNING** hereof, from which a ½" iron rod found on the intersection of the west right-of-way line of new F. M. 1460 and the north right-of-way line of said Plateau Vista Blvd. bears, N 20° 42' 26" E for a distance of 65.37 feet;

1. **THENCE** through the right-of-way of said old F. M. 1460, S 03° 24' 54" E for a distance of 200.02 feet to a type II brass disc found 40.01 feet left of said old F. M. 1460 centerline station 451+11.92, being on the intersection of the east right-of-way line of said old F. M. 1460 and the west right-of-way line of said new F. M. 1460, being the north corner of a called 1.674 acre tract of land as described in that deed to HEB Grocery Company, LP and recorded in Document No. 2003099491 of the Official Public Records of said county, for an angle point hereof, from which a type II brass disc found on the west right-of-way line of said new F. M. 1460 bears, S 02° 24' 16" E for a distance of 3.97 feet;
2. **THENCE** with the east right-of-way of said old F. M. 1460, same being in part with the west line of said 1.674 acre tract, S 20° 38' 55" W for a distance of 634.56 feet to a calculated point 40.08 feet left of said old F. M. 1460 centerline station 457+46.48, being the southwest corner of said 1.674 acre tract, for the southeast corner hereof, from which a ½" iron rod found bears, N 87° 28' 32" E for a distance of 0.26 feet;
3. **THENCE** through the right-of-way of said old F. M. 1460, S 87° 28' 32" W for a distance of 89.66 feet to a ½" iron rod set with "Baker-Aicklen" cap 42.34 feet right of said old

F. M. 1460 centerline station 457+81.77, being on the east line of said Lot 1, same being the west right-of-way line of said old F. M. 1460, for the southwest corner hereof, from which a TxDOT type I concrete monument found on an angle point on the west right-of-way line of said old F. M. 1460, same being the east line of said Lot 1 bears, S 20°42' 26" W for a distance of 290.23 feet;

- 4. THENCE with the west line of said old F. M. 1460, same being the east line of said Lot 1, N 20° 42' 26" E for a distance of 852.48 feet to the POINT OF BEGINNING containing 1.400 Acre of land more or less.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83 (HARN '93).

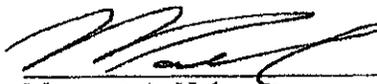
THE STATE OF TEXAS }
COUNTY OF WILLIAMSON }

KNOW ALL MEN BY THESE PRESENTS:

That I, Margaret A. Nolen, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL, at Round Rock, Williamson County, Texas this the 28th day of July, 2005 A.D.

BAKER-AICKLEN & ASSOC., INC.
405 Brushy Creek Road
Cedar Park, Texas 78613


Margaret A. Nolen
Registered Professional Land Surveyor
No. 5589 - State of Texas



SEE PAGE 4 OF 4

MATCHLINE

LEGEND

- TYPE I CONCRETE MONUMENT FOUND
 - 1/2" IRON ROD FOUND
 - ⊠ TYPE II BRASS DISC FOUND
 - △ CALCULATED POINT
 - ▲ 60D NAIL FOUND
 - 1/2" IRON ROD SET WITH "BAKER-AICKLEN" CAP
- R.O.W. RIGHT-OF-WAY
 TXDOT TEXAS DEPARTMENT OF TRANSPORTATION
 O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
 P.R.W.C.T. PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
 P.O.B. POINT OF BEGINNING

NOTES:

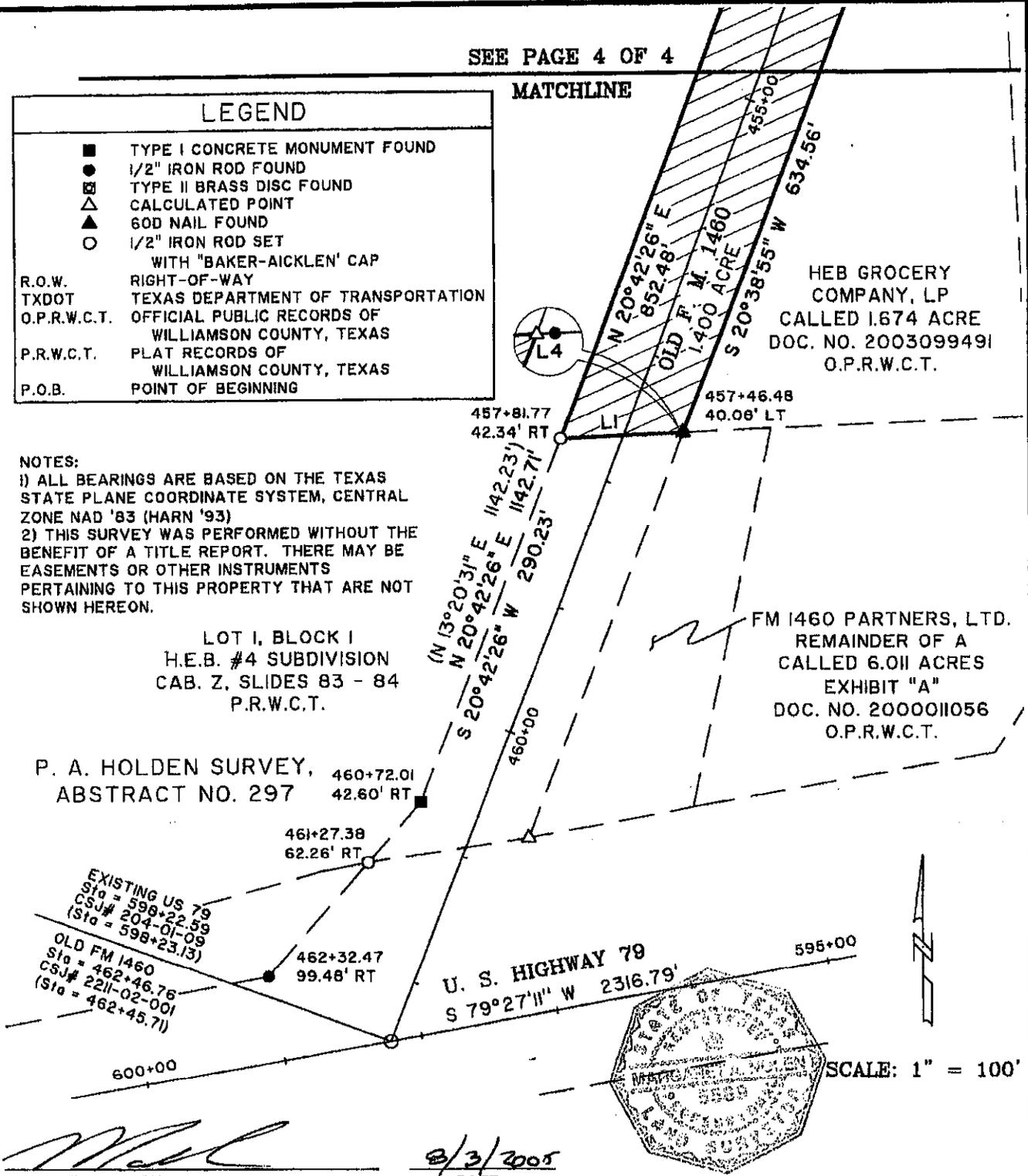
1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE NAD '83 (HARN '93)
 2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT. THERE MAY BE EASEMENTS OR OTHER INSTRUMENTS PERTAINING TO THIS PROPERTY THAT ARE NOT SHOWN HEREON.

LOT I, BLOCK I
 H.E.B. #4 SUBDIVISION
 CAB. Z, SLIDES 83 - 84
 P.R.W.C.T.

P. A. HOLDEN SURVEY,
 ABSTRACT NO. 297

HEB GROCERY COMPANY, LP
 CALLED 1.674 ACRE
 DOC. NO. 2003099491
 O.P.R.W.C.T.

FM 1460 PARTNERS, LTD.
 REMAINDER OF A
 CALLED 6.011 ACRES
 EXHIBIT "A"
 DOC. NO. 2000011056
 O.P.R.W.C.T.



EXISTING US 79
 Sta = 598+22.59
 CSJ# 204-01-09
 (Sta = 598+23.13)

OLD FM 1460
 Sta = 462+46.76
 CSJ# 221-02-001
 (Sta = 462+45.71)

U. S. HIGHWAY 79
 S 79°27'11" W 2316.79'



SCALE: 1" = 100'

M. A. Nolen

8/3/2005
 DATE

AS PREPARED BY:
 MARGARET A. NOLEN, R.P.L.S. NO. 5589

PAGE 3 OF 4

<p>Baker-Aicklen & Associates, Inc. Engineers/Surveyors 403 BRUSHY CREEK ROAD CEDAR PARK, TX 78613</p>	SKETCH TO ACCOMPANY FIELD NOTE DESCRIPTION		RIGHT-OF-WAY SKETCH SHOWING PROPERTY FOR H. E. B.		TRACT NO. # 2
	DATE OF SURVEY JULY, 2005	PROJECT F. M. 1460	DISTRICT 14	COUNTY WILLIAMSON	R.O.W. SURPLUS: 2.034 ACRES

LEGEND

- TYPE I CONCRETE MONUMENT FOUND
 - 1/2" IRON ROD FOUND
 - ⊠ TYPE II BRASS DISC FOUND
 - △ CALCULATED POINT
 - ▲ 60D NAIL FOUND
 - 1/2" IRON ROD SET WITH "BAKER-AICKLEN" CAP
- R.O.W. RIGHT-OF-WAY
 TXDOT TEXAS DEPARTMENT OF TRANSPORTATION
 O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS
 P.R.W.C.T. PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS
 P.O.B. POINT OF BEGINNING

P.O.B. TRACT
 NORTHING: 10163364.29'
 EASTING: 3139524.29'
 449+29.29
 41.57' RT

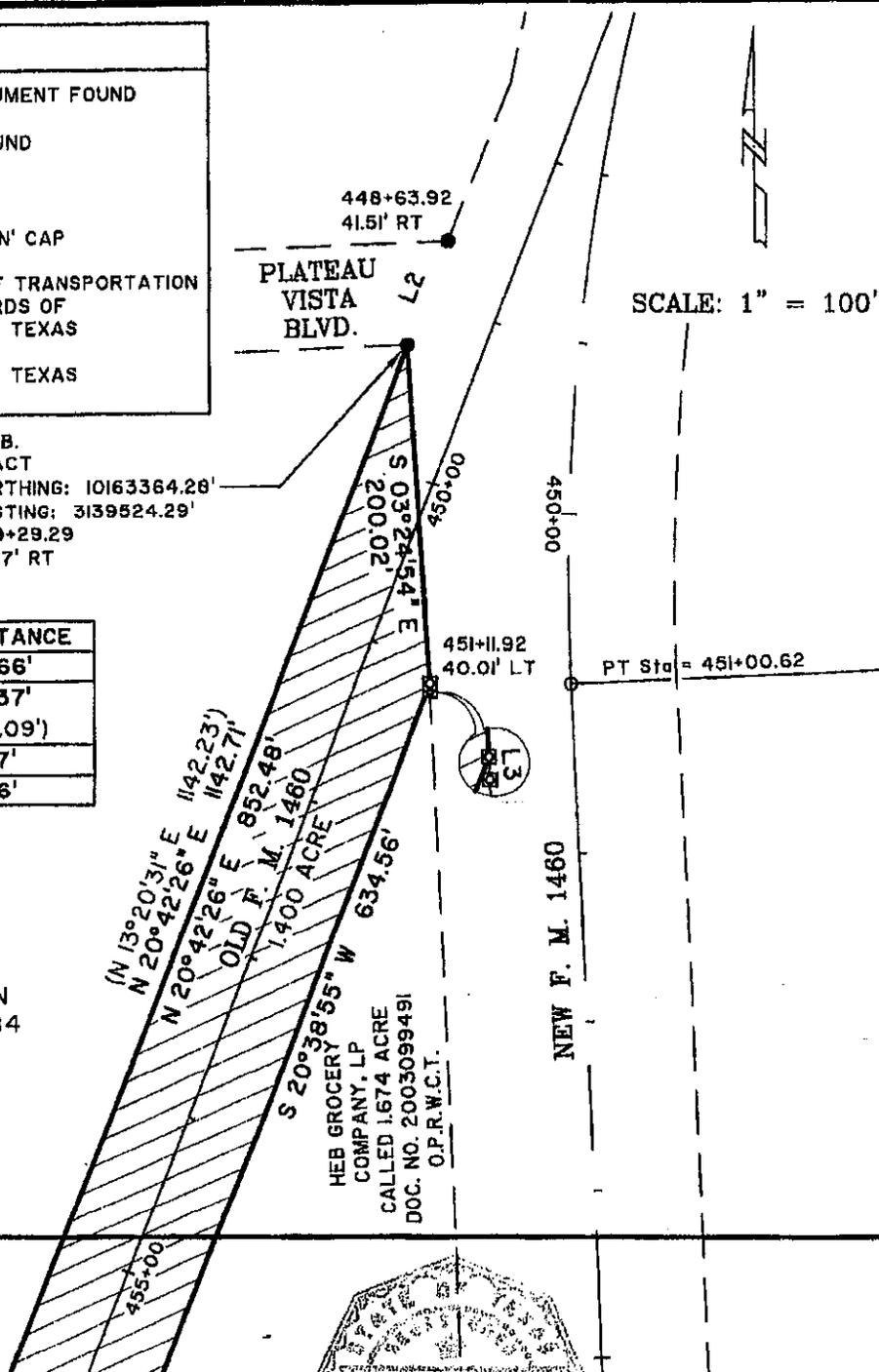
NUMBER	BEARING	DISTANCE
L1	S 87°28'32" W	89.66'
L2	N 20°42'26" E (N 13°20'31" E)	65.37' (65.09')
L3	S 02°24'16" E	3.97'
L4	N 87°28'32" E	0.26'

LOT I, BLOCK I
 H.E.B. #4 SUBDIVISION
 CAB. Z, SLIDES 83 - 84

P. A. HOLDEN SURVEY,
 ABSTRACT NO. 297

MATCHLINE

SEE PAGE 3 OF 4



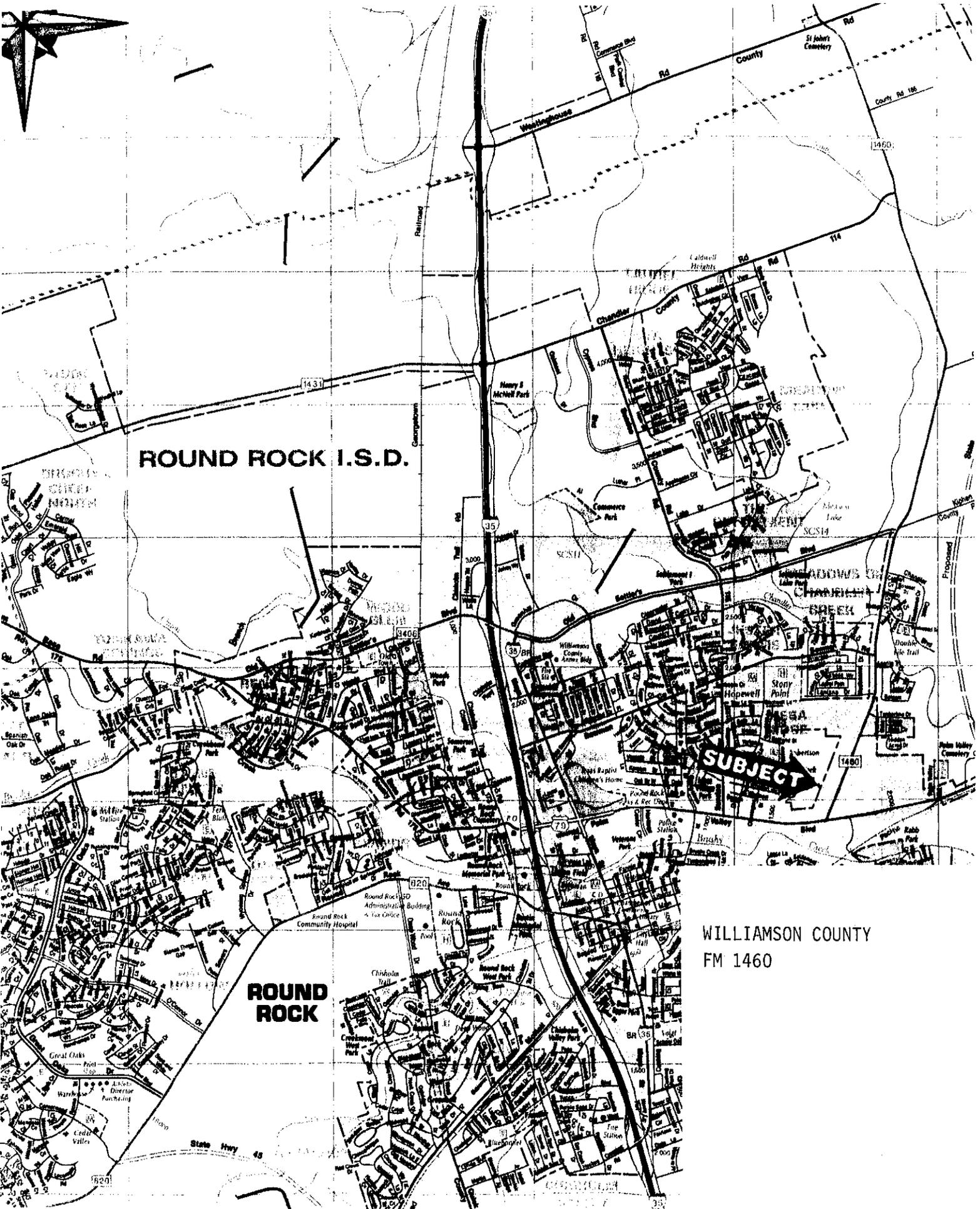
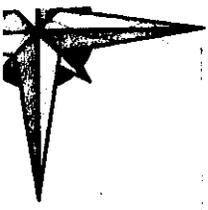
Margaret A. Nolen

8/3/2005
 DATE

PAGE 4 OF 4

AS PREPARED BY:
 MARGARET A. NOLEN, R.P.L.S. NO. 5589

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	DATE OF SURVEY JULY, 2005	PROJECT F. M. 1460		DISTRICT 14	
	SCALE: 1" = 100'	R.O.W. SURPLUS: 2.034 ACRES		COUNTY WILLIAMSON	



WILLIAMSON COUNTY
FM 1460