

TEXAS TRANSPORTATION COMMISSION

FORT BEND County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In FORT BEND COUNTY, on FARM TO MARKET ROAD 1463, the State of Texas (state) acquired certain land needed for highway purposes by instruments recorded in Volume 275, Pages 526 and 531, Deed Records of Fort Bend County, Texas.

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

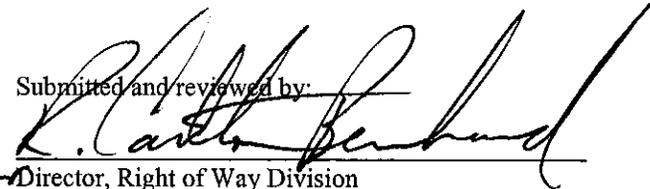
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowner.

JDC/Firethorne, Ltd., a Texas limited partnership, is the abutting landowner and has requested that the surplus land be sold to the partnership for \$75,613.

The commission finds \$75,613 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 JDC/Firethorne, Ltd., a Texas limited partnership, for \$75,613; 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:


for Director, Right of Way Division

Recommended by:


Executive Director

110419 JAN 26 06

Minute Number Date Passed

Exhibit A

County: Fort Bend County
Highway: Farm to Market Road 1463
Control: 188-10-001
Project Limits: US90/Katy to Flewellen

Property Description of Tract 1

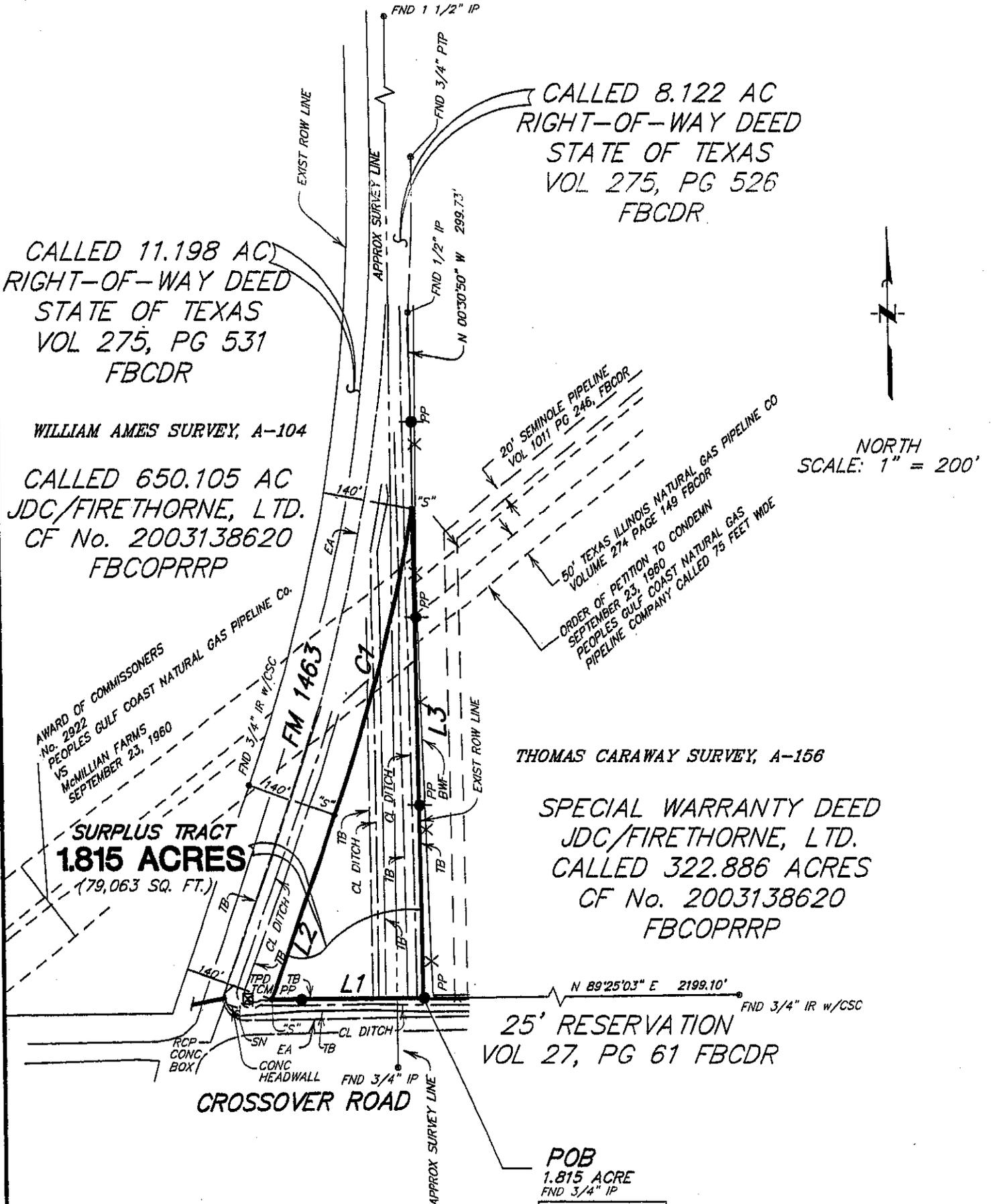
Being a 1.815 acre tract (79,063 square feet, the square footage totals as shown hereon are based on the mathematical closure of the courses and distances reflected in this description) of land in the William Ames Survey, Abstract No. 104 and the Thomas Caraway Survey, Abstract No. 156 in Fort Bend County, Texas; being a portion of 11.198 acre tract as described in Right-of-Way Deed to the State of Texas, recorded in Volume 275, Page 531 of the Fort Bend County Deed Records and a called 8.122 acre tract of land described in Right-of-Way Deed to the State of Texas recorded in Volume 275, Page 526 of the Fort Bend County Deed Records, said 1.815 acre tract of land more particularly described as follows:

BEGINNING at a found 3/4-inch iron pipe having Texas State Plane Coordinates (North American Datum 1983, South Central Zone) of North 13,832,456.37 (Y), East 2,967,479.00 (X) located in the east line of the said 8.122 acre tract of land, being the southwest corner of a called 322.886 acre tract of land (Tract One) as described in Special Warranty Deed to JDC/FIRETHORNE, LTD., recorded in Clerk's File number 2003138620 of the Fort Bend County Official Public Records of Real Property, and being in the occupied north line of Crossover Road, dedication for Crossover Road reserved in Volume 27, Page 61 of the Fort Bend County Deed Records, from said iron pipe, a found 3/4-inch iron pipe with cap stamped "Cotton Surveying" bears North 89°25'03" East, 2,199.10 feet;

THENCE, the following four courses and distances:

1. South 89°25'03" West, at 40.00 feet passing the west line of the 8.122 acre tract of land, being common with the east line of the aforementioned 11.198 acre tract of land, continuing in all a distance of 234.04 feet to a set 3/4-inch iron rod with cap stamped "Cotton Surveying" for corner in the proposed east line F.M. 1463 (proposed 140.00 feet wide);
2. Along the proposed east line of F.M. 1463, parallel to, and 140.00 feet east of the west line of F.M. 1463, North 19°37'39" East, 300.21 feet to a set 3/4-inch iron rod with cap stamped "Cotton Surveying" at the beginning of a curve to the left;
3. Continuing along the said proposed east line of Farm to Market Road 1463, in a northerly direction with said curve to the left having a central angle of 09°34'53", a radius of 2,955.00 feet, an arc length of 494.16 feet, and a long chord bearing North 14°50'13" East, 493.59 feet to a set 3/4-inch iron rod with cap stamped "Cotton Surveying" in the existing east line of F.M. 1463, from said iron rod a found 1/2-inch iron pipe bears North 00°30'50" West, 299.73 feet;
4. South 00°30'50" East, along the existing east line of F.M. 1463, being common with the west line of the aforementioned 322.886 acre tract of land, 1,798.65 feet to the **POINT OF BEGINNING**, and containing 1.815 acres or land in Fort Bend County as shown on drawing number 5321 (s) in the offices of Cotton Surveying.



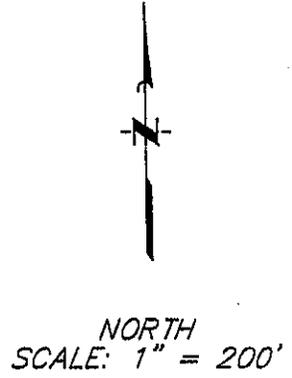


CALLLED 8.122 AC
RIGHT-OF-WAY DEED
STATE OF TEXAS
VOL 275, PG 526
FBCDR.

CALLLED 11.198 AC
RIGHT-OF-WAY DEED
STATE OF TEXAS
VOL 275, PG 531
FBCDR

WILLIAM AMES SURVEY, A-104

CALLLED 650.105 AC
JDC/FIRETHORNE, LTD.
CF No. 2003138620
FBCOPRRP



AWARD OF COMMISSIONERS
No. 2922
PEOPLES GULF COAST NATURAL GAS PIPELINE CO.
VS
McMILLIAN FARMS
SEPTEMBER 23, 1960

SURPLUS TRACT
1.815 ACRES
(179,063 SQ. FT.)

THOMAS CARAWAY SURVEY, A-156

SPECIAL WARRANTY DEED
JDC/FIRETHORNE, LTD.
CALLLED 322.886 ACRES
CF No. 2003138620
FBCOPRRP

25' RESERVATION
VOL 27, PG 61 FBCDR

CROSSOVER ROAD

POB
1.815 ACRE
FND 3/4" IP
N: 13,832,456.37(Y)
E: 2,967,479.00(X)

LINE	BEARING	DISTANCE
L1	S 89°25'03" W	234.04'
L2	N 19°37'39" E	300.21'
L3	S 00°30'50" E	757.55'

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	08°34'53"	2955.00'	494.16'	247.66'	N 14°50'13" E	493.59'

LEGEND:

IP	IRON PIPE
FND	FOUND
PP	POWER POLE
EA	EDGE OF ASPHALT
CL	CENTERLINE
TB	TOP OF BANK
FM	FARM ROAD
SQ	SQUARE
FT	FEET
RCP	REINFORCED CONCRETE PIPE
CONC	CONCRETE
BWF	BARBED WIRE FENCE
SN	SIGN
POB	POINT OF BEGINNING
Co	COMPANY
TCM	TELEPHONE CABLE MARKER
TPD	TELEPHONE PEDESTAL
AC	ACRE
VOL	VOLUME
PG	PAGE
CF	CLERK'S FILE
No	NUMBER
ROW	RIGHT-OF-WAY
FBCDR	FORT BEND COUNTY DEED RECORD
FBCOPRRP	FORT BEND COUNTY OFFICIAL PUBLIC RECORD OF REAL PROPERTY
"S"	SET 3/4-INCH IRON ROD WITH CAP STAMPED "COTTON SURVEYING"
w/CSC	WITH CAP STAMPED "COTTON SURVEYING"
PTP	PINCH TOP PIPE

General Notes:

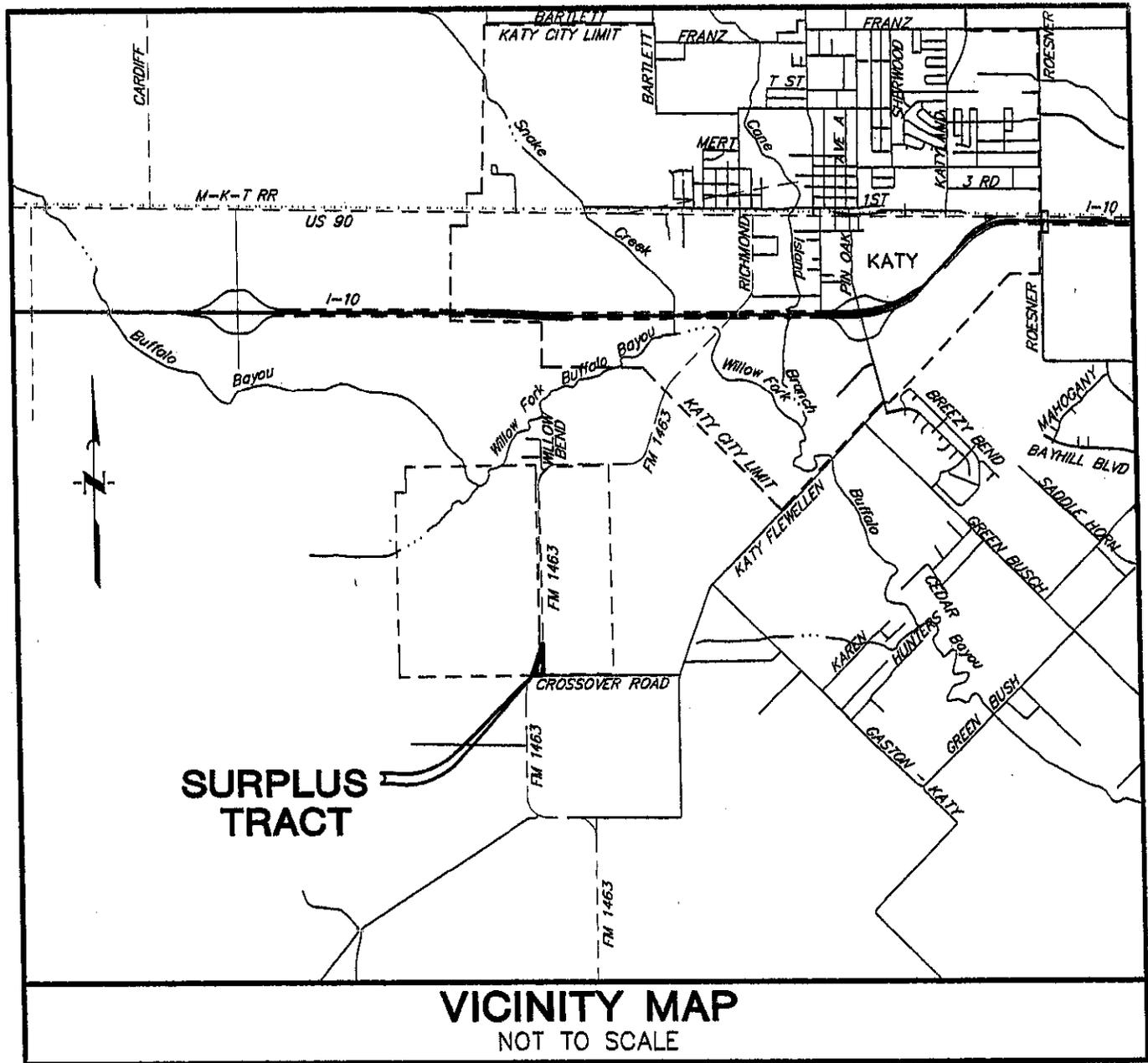
1. Bearings shown hereon are based on north as obtained with Real Time Kinematics Global Positioning Equipment.
2. Fieldwork was performed in May 2004 and in January 2003.
3. The remaining right of way of F.M. 1463 is 140.00 feet wide.
4. The subject 1.815-acre tract is covered with heavy brush and trees.
5. The area of the abandoned roadbed is within an area shown to be an 80 feet wide right of way on document recorded in Volume 227 Page 507 of the Fort Bend County Deed Records.
6. The square footage totals as shown hereon are based on the mathematical closure of the courses and distances reflected on this survey. It does not include the tolerances that may be present due to the positional accuracy of the boundary monuments.
7. This survey does not provide any determination concerning wetland, fault lines, toxic waste or any other environmental issues. The client or prospective purchaser should direct such matters to an expert consultant.
8. This survey was prepared without the benefit of a current Commitment for Title Insurance or Abstractor's Certificate and therefore easements or encumbrances may exist which are not shown hereon. Cotton Surveying Company performed no research of the Public Records of Fort Bend County regarding these easements or encumbrances.

COUNTY: FORT BEND COUNTY
HIGHWAY: FARM TO MARKET ROAD 1463
CONTROL: 188-10-001
PROJECT LIMITS: US 90/KATY to FLEWELLEN

RIGHT-OF-WAY SKETCH
SHOWING
TRACT 1
FM 1463
BEING
1.815 ACRES
OUT OF THE
WILLIAM AMES SURVEY, A-104
AND
THOMAS CARAWAY SURVEY, A-156
FORT BEND COUNTY, TEXAS
MAY 2004



COTTON SURVEYING
COMPANY
8385 Gullett, Suite 109
Houston, Texas 77081
Office (713) 981-0275



FORT BEND COUNTY
FM 1463