

TEXAS TRANSPORTATION COMMISSION

BEXAR County

MINUTE ORDER

Page 1 of 1

SAN ANTONIO District

In the city of San Antonio, BEXAR COUNTY, on INTERSTATE 37, the State of Texas (state) acquired certain land needed for highway purposes (right of way).

La Villita Del Rio Development, Ltd., the abutting landowner, (lessee) has requested to lease a portion of the right of way, described in Exhibit A, for the purpose of additional parking in conjunction with the use of the abutting property.

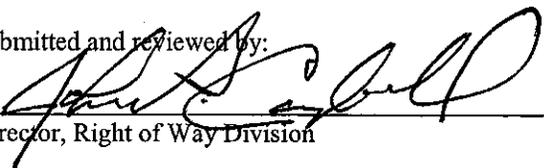
The right of way to be leased will not be needed for a highway purpose during the 20-year term of the lease.

The lease will be economically beneficial to the Texas Department of Transportation (department) in that the department will receive the fair market rental value of \$19,646 per year.

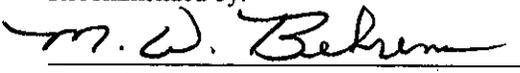
V.T.C.A., Transportation Code, Chapter 202, Subchapter C, authorizes the leasing of highway right of way.

IT IS ORDERED by the commission that the Right of Way Division Director is authorized and directed to enter into an acceptable lease agreement between the department and the lessee.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

110525 APR 27 06

Minute
Number

Date
Passed

CSJ: 0073-08
COUNTY: Bexar
LOCATION: I.H 37 between
Nolan and Dawson St.

PROPERTY DESCRIPTION
FOR
AREA TO BE LEASED

BEING 1.338 acres (58,260 Sq. Ft.) out of the Interstate Highway 37 right-of-way between Dawson and Nolan streets in the City of San Antonio, Bexar County, Texas and being out of right-of way Parcel 267, D. Leon Harp, et ux, Volume 5353, Page 149, recorded May 12, 1965; Parcel 268, Sister Servants of the Holy Ghost and Mary Immaculate, Volume 5935, Page 123, recorded April 2, 1968; Parcel 269, Otielie Fruehauf, Volume 5635, Page 3, recorded September 15, 1966; Parcel 270, Southwell Realty Co., Volume 5153, Page 482, no date available and Parcel 271, John H. White, Executor, et al, Volume 5815, Page 561, recorded August 29, 1967, all in the Deed Records of Bexar County, Texas and also a portion of former Dawson Street and Elm Street right-of-ways (no record of transfer found), said 1.338 acres being more particularly described by metes and bounds as follows:

BEGINNING at a found ½" iron rod at the intersection of the south right-of-way line of Dawson Street and the east right-of-way line of Interstate Highway 37 for the northwest corner of Lot 18, Block 49, New City Block 564 as recorded in Volume 9535, Page 158 of the Deed and Plat Records of Bexar County, Texas and the southeast corner of the herein described tract;

- (1) **THENCE** South 89° 46' 00" West, (basis of bearings is Texas Department of Transportation Right-of-Way Map and said right-of-way parcel deeds) a distance of 25.00 feet, departing said right-of-way to a set mag nail in asphalt for the southwest corner of the herein described tract;
- (2) **THENCE** North 00° 02' 00" West, a distance of 150.34 feet to a set mag nail in asphalt for an interior corner of the herein described tract;
- (3) **THENCE** South 89° 58' 00" West, a distance of 160.70 feet to a set mag nail in asphalt at the face of retaining wall of exit ramp, for the most westerly southwest corner of the herein described tract;
- (4) **THENCE** North 02° 57' 18" East, a distance of 146.73 feet along said retaining wall to a concrete wall corner for an interior corner of the herein described tract;
- (5) **THENCE** North 86° 43' 31" West, a distance of 24.57 feet to the intersection of the face of retaining wall and wrought iron fence below said exit ramp for an exterior corner of the herein described tract;

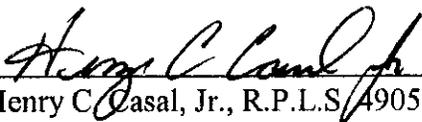
CSJ: 0073-08
COUNTY: Bexar
LOCATION: I.H 37 between
Nolan and Dawson St.

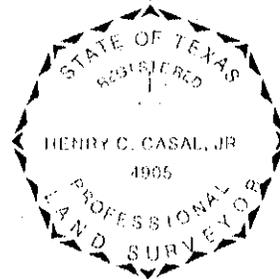
PROPERTY DESCRIPTION
FOR
AREA TO BE LEASED

- (6) **THENCE** North 03° 05' 58" East, a distance of 138.65 feet with said wrought iron fence, to a fence corner near the south right-of-way of Nolan Street for the northwest corner of the herein described tract;
- (7) **THENCE** North 89° 46' 21" East, a distance of 195.00 feet, along and with said wrought iron fence to the intersection with the east right-of way line of Interstate Highway 37, for the northeast corner of the herein described tract;
- (8) **THENCE** South 00° 02' 00" East, a distance of 437.30 feet on the east right-of-way line of Interstate Highway 37, to the **POINT OF BEGINNING** and containing 1.338 acres of land (58,260 Sq. Ft.), more or less, in the City of San Antonio, Bexar County, Texas.

This property description is accompanied by a survey plat of even date herewith.

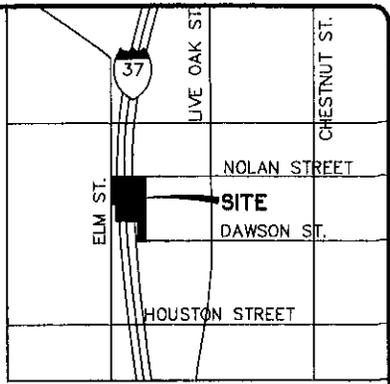
ALAMO CONSULTING ENGINEERING
& SURVEYING, INC.


Henry C. Casal, Jr., R.P.L.S. 4905
January 23, 2006
Job File No. 12358

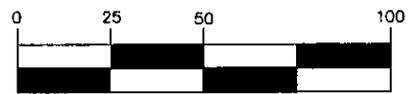
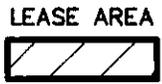


NOLAN ST.

IH 37 ACCESS (ELM STREET)



LOCATION MAP
NOT TO SCALE



1 inch = 50 ft.

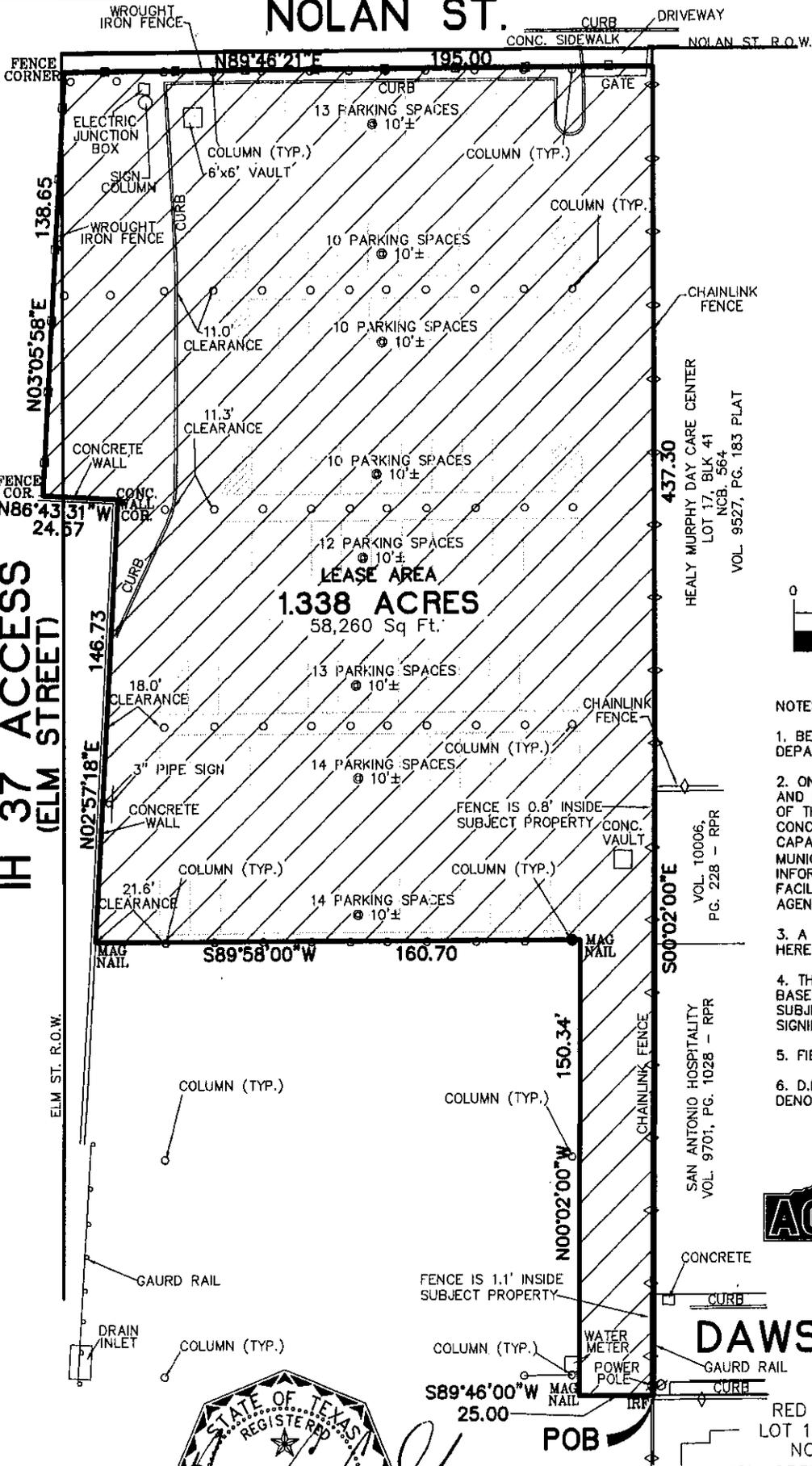
NOTES:

1. BEARING REFERENCE SOURCE IS THE TEXAS DEPARTMENT OF TRANSPORTATION R.O.W. MAP.
2. ONLY APPARENT UTILITIES WERE LOCATED AND NO ATTEMPT HAS BEEN MADE AS A PART OF THIS SURVEY TO OBTAIN OR SHOW DATA CONCERNING EXISTANCE SIZE, CONDITION, CAPACITY OR LOCATION OF ANY UTILITY OR MUNICIPAL/PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITY, PLEASE CONTACT THE APPROPRIATE AGENCIES.
3. A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.
4. THE SQUARE FOOTAGE RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND IS SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
5. FIELD SURVEY COMPLETED JANUARY 23, 2006
6. D.R. DENOTES DEED RECORDS AND R.P.R. DENOTES REAL PROPERTY RECORDS.

ALAMO CONSULTING
ENGINEERING &
SURVEYING, INC.



140 HEIMER RD. SUITE 617
SAN ANTONIO, TX. 78232
(210) 828-0691



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|---------------------------|--|----------------------------|
| DIST. NAME SAN ANTONIO | SURVEY OF LEASE AREA 1.338 ACRES 58,260 Sq Ft. | COUNTY BEXAR |
| JOB No. 12358 | INTERSTATE HIGHWAY 37 | DATE OF SURVEY 01-23-06 |

