TEXAS TRANSPORTATION COMMISSION

ROCKWALL County

MINUTE ORDER

DALLAS District

Transportation Code, Section 201.1055, authorizes agreements with private entities for the acquisition, design, construction, or renovation of buildings for the Texas Department of Transportation (department) by various methods. The methods include the exchange of existing department owned property and improvements with a private entity in return for the design and construction of a building or other facility required to support department operations on department owned property.

Pursuant to this authority, Minute Order 110592, authorized the department to select a qualified private entity to design, develop, and construct a department area engineer and maintenance facility in exchange for the existing Rockwall maintenance facility. Any difference in value between the proposed new facility and department property to be exchanged will be provided from the Maintenance Division's budget to the extent funds are available (partial capital funding). The construction of a new facility to the latest standards of the department will benefit the traveling public and the department.

Upon completion of the new facility, the department's existing facility, located at 901 East I-30, Rockwall, Rockwall County, with an appraised value of $1,304,350, will no longer be needed for the purposes for which it was acquired. A metes and bounds description of the property is attached as Exhibit A.

The new area engineer and maintenance facility will be constructed on department property located at 1851 SH 66 in the city of Garland, Dallas County, Texas, more particularly described by metes and bounds in Exhibit B.

The department proposes to negotiate and finalize a Development and Exchange Agreement with the top selected private entity, Preston Engineering and Construction, Inc. The cost for the new facility is based on the best value to the department, at a total not to exceed guaranteed maximum price of $3.8 million, for site development, professional design services, construction cost, and all associated costs for the new facility.

IT IS THEREFORE ORDERED by the commission that the determination that the proposal submitted by Preston Engineering and Construction, Inc., provided the apparent best value to the department is approved, and the department is authorized and directed to commence and complete discussions necessary to finalize the terms and documents concerning the Development and Exchange Agreement. This allows the exchange of the existing Rockwall maintenance facility valued at $1,304,350, with partial capital funding estimated at $2,495,650, for a total not to exceed guaranteed maximum price of $3.8 million.

Submitted and reviewed by:

Director, Maintenance Division

Recommended by:

M. W. Behrens

Executive Director

110791 DEC 14 06

Minute Number — Date Passed

Exhibit A
Rockwall Maintenance Site

The Texas Department of Transportation (TxDOT) is the owner of 4.791 acres located at 901 East I-30, Rockwall, Rockwall County, Texas, more particularly described by metes and bounds as follows:

BEING a tract of land situated in the J.D. McFarland Survey, abstract no. 145, City of Rockwall, Rockwall County, Texas, and being a part of that tract as conveyed to TxDOT as recorded in Volume 65, page 591 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found at the most northern corner of said TxDOT tract and being on the southwest line of Lot 4, Block A of Rockwall Crossing, an addition to the city of Rockwall as recorded in Cabinet F, Slide 145 of the Plat Records of Rockwall County, Texas;

(1) THENCE South 46°19'47" East, along the common line of said TxDOT tract and said Rockwall Crossing, a distance of 645.10 feet to a ½" iron rod found on the existing northwest ROW line of Ralph Hall Parkway;

(2) THENCE South 43°33'47" West, along the northwest ROW line of Ralph Hall Parkway, a distance of 325.94 feet to a ½" iron rod found at the intersection of the northwest ROW line of Ralph Hall Parkway and the northeast ROW line of Mims Road;

(3) THENCE North 45°52'59" West, along the northeast ROW line of Mims Road, a distance of 595.51 feet to a ½" iron rod set at the beginning of a curve to the left;

(4) THENCE around a curve to the left having a central angle of 08°36'39", a radius of 330.00 feet, a chord distance of 49.55 feet that bears North 50°11'18" West, around said curve an arc distance of 49.59 feet to a ½" iron rod set at the most western corner of said TxDOT tract;

(5) THENCE North 43°31'58" East, leaving the existing northeast ROW line of Mims Road, a distance of 324.64 feet to the POINT OF BEGINNING and containing 4.791 acres of land, more or less.

Exhibit B
New Garland Area Engineer/Maintenance Site

The Texas Department of Transportation (TxDOT) is the owner of 10.00 acres located at 1851 SH 66, Garland, Dallas County, Texas, more particularly described by metes and bounds as follows:

BEING a tract or parcel of land situated in the John L. Anderson Survey, abstract no. 26 in the city of Garland, Dallas County, Texas, and being part of a tract of land described in deed to Robert A. Beer, Trustee, recorded in Volume 76052, page 323, D.R.D.C.T., and being more particularly described as follows:

BEGINNING at a ½" iron pin set for corner in the north ROW line of SH 66 and being the most southerly southwest corner of a 62.500 acre tract of land conveyed to the city of Garland, recorded in Volume 96134, page 03796, D.R.D.C.T.;

(1) THENCE, North 89°30'58" West, along the said north ROW line of SH 66, a distance of 826.39 feet to a ½" iron pin set for corner;

(2) THENCE, North 00°17'59" West, leaving said north ROW line of SH 66, a distance of 527.39 feet to a ½" iron pin set for corner, in the northerly south line of said city of Garland 62.50 acre tract of land;

(3) THENCE, South 89°31'00" East, along said northerly south line of the city of Garland 62.50 acre tract, a distance of 826.03 feet to a ½" iron pin set for corner, at the ell corner of said city of Garland 62.50 acre tract;

(4) THENCE, South 00°17'59" East, along the southern most west line of the city of Garland 62.50 acre tract, a distance of 527.39 feet to the POINT OF BEGINNING and containing 10.000 acres of land, more or less (435,600 square feet).