

TEXAS TRANSPORTATION COMMISSION

HARRIS County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In HARRIS COUNTY, on INTERSTATE 10, from the Fort Bend County line to east of Peek Road, the Texas Department of Transportation (department) is acquiring the right of way for a highway safety project.

V.T.C.A., Transportation Code, §201.206, authorizes the department to accept donations of real property for the purpose of carrying out its functions and duties.

V.T.C.A., Government Code, Chapter 575, requires the Texas Transportation Commission (commission) to accept a gift or donation valued at \$500 or more by majority vote at an open meeting.

The Memorial Hermann Hospital System (owner) is the owner of the property described in Exhibit A. The owner wants to donate this property, estimated at \$31,101, to the department for construction of a safety turnout.

The owner is not subject to department regulations or oversight, or interested in or likely to become interested in a contract, purchase, payment, or claim with or against the department.

A donation agreement has been executed by the owner and tendered to the department for acceptance under Title 43, Texas Administrative Code, §1.504.

IT IS THEREFORE ORDERED by the commission that (1) the commission has determined that acceptance of this donation would provide a significant public benefit, and would not influence or reasonably appear to influence the department in the performance of its duties, and (2) the executive director is hereby authorized to accept the donation of real property, as described in Exhibit A, and the executive director or the director's designee is authorized and directed to sign and execute a donation agreement with the owner, in accordance with Title 43, TAC, §1.504.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

Executive Director

110803 DEC 14 06

Minute Number

Date Passed

May, 2006  
Parcel 522

County: Harris  
Highway: IH 10  
Project Limits: From Fort Bend/Harris County Line to East of Peek Road  
Account No.: 9112-00-027  
RCSJ: 0271-06-100

PROPERTY DESCRIPTION FOR PARCEL 522

Being 0.2040 acre (8,886 square feet) of land located in the Sue E. Stuart Survey, Abstract No. 1517, Harris County, Texas; said 0.2040 acre of land being part of a called 23.5277 acre tract of land described in deed dated June 3, 2004 from Jay Kaplan, Trustee to Memorial Hermann Hospital System recorded under Harris County Clerk's File No. X667569; said 0.2040 acre of land being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with cap set in the west line of the H.T.& B.R.R. Co. Survey, Abstract No. 421 for the southeast corner of the Henry Huston Survey, Abstract No. 1679 and the northeast corner of said Sue E. Stuart Survey; said point also being the northeast corner of said 23.5277 acre tract, thence as follows:

South 01°42'20" East, along the west line of said H.T.& B.R.R. Co. Survey and the east line of said Sue E. Stuart Survey, at a distance of 302.15 feet passing the northwest corner of the C. P. Collis Survey, Abstract No. 1330 and the southwest corner of said H.T.& B.R.R. Co. Survey, continuing along the east line of said Sue E. Stuart Survey and the west line of said C. P. Collis Survey for a total distance of 781.30 feet to a 5/8 inch iron rod with aluminum cap set in the existing north right-of-way line of Interstate Highway 10 (width varies) for the east corner and the POINT OF BEGINNING of the herein described parcel, said point also being the southeast corner of said 23.5277 acre tract, the northwest corner of a called 6.036 acre tract of land described as "Parcel No. 3" in deed dated December 7, 1992 to State of Texas recorded under Harris County Clerk's File No. P019476, and the northeast corner of a called 3.035 acre tract described as "Parcel 392" in judgment dated July 20, 2005 to State of Texas recorded under Harris County Clerk's File No. Y640610;

- 1) THENCE, South 88°42'35" West, along the existing north right-of-way line of Interstate Highway 10 and the south line of said 23.5277 acre tract, a distance of 1,092.08 feet to a 5/8 inch iron rod with aluminum cap set in the proposed north right-of-way line of Interstate Highway 10 and in an "Access Denial Line" for the west corner of the herein described parcel;
- 2) THENCE, North 87°04'26" East, along the proposed north right-of-way line of Interstate Highway 10 and along said "Access Denial Line", a distance of 350.29 feet to a 5/8 inch iron rod with aluminum cap set for an angle point of the herein described parcel;

May, 2006  
Parcel 522

- 3) THENCE, North 88°42'35" East, continuing along the proposed north right-of-way line of Interstate Highway 10 and along said "Access Denial Line", at a distance of 89.08 feet passing a 5/8 inch iron rod with aluminum cap set at baseline station 840+00, at a distance of 545.04 feet passing a 5/8 inch iron rod with aluminum cap stamped "COA" set for the end of said "Access Denial Line", at a distance of 601.04 feet passing a 5/8 inch iron rod with aluminum cap stamped "COA" set for the beginning of an "Access Denial Line", continuing for a total distance of 685.05 feet to a 5/8 inch iron rod with TxDOT aluminum cap set for an angle point of the herein described parcel;
- 4) THENCE, South 81°19'11" East, continuing along the proposed north right-of-way line of Interstate Highway 10 and along said "Access Denial Line", a distance of 57.76 feet to the POINT OF BEGINNING and containing 0.2040 acre (8,886 square feet) of land.

Notes:

1. The POINT OF BEGINNING of this description has coordinates of X=2,988,516.65 and Y=13,849,162.31. All bearings are based on the Texas State Plane Coordinate System, NAD 83 (1993 Adjustment), South Central Zone. All distances and coordinates shown are surface and may be converted to grid by multiplying by Texas Department of Transportation conversion factor of 0.999870.
2. This property description is prepared in conjunction with a parcel plat of equal date.
3. Access will not be permitted across the "Access Denial Line" to the highway facility from the adjacent property.

I, Edward J. Soukup, II, Registered Professional Land Surveyor, certify that the property described hereon and the accompany plat of even date represent a survey made on the ground under my supervision on May 1, 2006.

Edward J. Soukup II, Date 5-24-2006

Edward J. Soukup, II, R.P.L.S. No. 5455  
Landtech Consultants, Inc.  
2627 North Loop West, Suite 224  
Houston, TX 77008  
Phone 713-861-7068



**JOHN T. JANES SURVEY, A-1513**

REMAINDER OF A CALLED 143.0721 AC.  
GRANTOR: AVEX KATY, L.P.  
GRANTEE: KATY'S PROMISE  
H.C.C.F. NO. W969685  
JULY 1, 2003

**SUE E. STUART SURVEY, A-1517**

GRANTOR: JAY KAPLAN, TRUSTEE  
GRANTEE: MEMORIAL HERMANN HOSPITAL SYSTEM  
H.C.C.F. NO. X667569  
CALLED 23.5277 AC.  
JUNE 3, 2004



60' HARRIS COUNTY FLOOD CONTROL DISTRICT DRAINAGE EASEMENT  
VOL. 1695, PG. 663  
H.C.D.R.

CALLED 9.305 ACRES  
GRANTOR: FORT BEND INVESTORS  
GRANTEE: HARRIS COUNTY FLOOD CONTROL DISTRICT  
H.C.C.F. NO. K832360  
NOV. 12, 1986

130' HARRIS COUNTY FLOOD CONTROL EASEMENT  
H.C.C.F. NO. G872059,  
F.C.NO. 178-92-0470

40' HARRIS COUNTY FLOOD CONTROL DISTRICT STA. 835+60.93  
DRAINAGE EASEMENT 211.70' LT.  
VOL. 1644, PG. 113, H.C.D.R.

ACCESS DENIAL LINE  
N 88° 42' 35" E 229.96'

ACCESS DENIAL LINE ENDS  
STA. 833+30.99  
208.89' LT.

ACCESS DENIAL LINE BEGINS  
STA. 833+69.39  
209.36' LT.

EXISTING R.O.W. (522)

50' WIDE STRIP  
GRANTEE: HARRIS COUNTY FLOOD CONTROL DISTRICT PER STRIPS AND GORES DOCTRINE(FEE)

GRANTOR: MEMORIAL HERMANN HOSPITAL SYSTEM  
GRANTEE: STATE OF TEXAS  
H.C.C.F. NO. Y640610  
CALLED 3.035 AC.  
JULY 20, 2005

50' WIDE STRIP  
GRANTEE: STATE OF TEXAS PER STRIPS AND GORES DOCTRINE(FEE)

N 89° 24' 32" E 835+00

NORTH LINE OF OLD R.O.W.  
(VOL. H, PG. 558, H.C.C.C.M.) (EASEMENT)

PROPOSED BASELINE-INTERSTATE HIGHWAY 10  
INTERSTATE HIGHWAY 10  
(VARIABLE WIDTH)

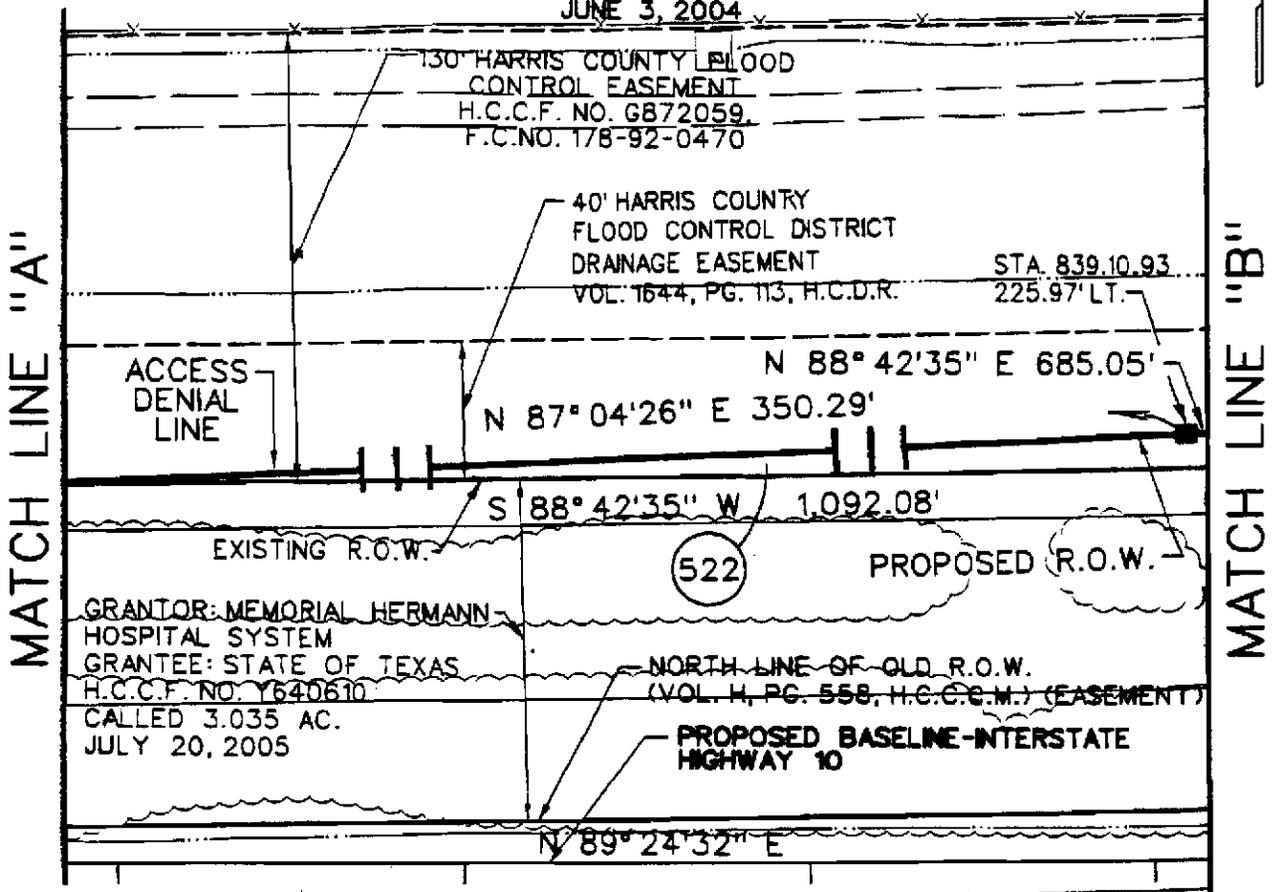
| LINE DATA |                 |           |
|-----------|-----------------|-----------|
| LINE      | BEARING         | LENGTH    |
| L1        | N 88° 42' 35" E | 38.40'    |
| L2        | N 87° 04' 26" E | 350.29'   |
| L3        | S 88° 42' 35" W | 1,092.08' |
| L4        | S 81° 19' 11" E | 57.76'    |

PARCEL PLAT SHOWING  
PARCEL 522

H 10 HARRIS COUNTY  
R.O.W. CSJ 0271-06-100  
LANDTECH CONSULTANTS, INC. MAY, 2006

# SUE E. STUART SURVY A-1517

GRANTOR: JAY KAPLAN, TRUSTEE  
GRANTEE: MEMORIAL HERMANN HOSPITAL SYSTEM  
H.C.C.F. NO. X667569  
CALLED 23.5277 AC.  
JUNE 3, 2004



## INTERSTATE HIGHWAY 10 (VARIABLE WIDTH)

**NOTES:**

- 1.) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN 1983 DATUM, 1993 ADJUSTMENT; ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.999870.
- 2.) PROPERTY DESCRIPTION WITH EVEN SURVEY DATE ACCOMPANIES THIS PLAT.
- 3.) OFFSETS TO PROPOSED BASELINE H 10 SHOWN HEREON ARE NOT TO SCALE.
- 4.) ACCESS WILL NOT BE PERMITTED ACROSS THE "ACCESS DENIAL LINE" TO THE HIGHWAY FACILITY FROM THE ADJACENT PROPERTY.
- 5.) H.C.C.C.M. DENOTES HARRIS COUNTY COMMISSIONER'S COURT MINUTES.
- 6.) ERNSTES ROAD WAS ABANDONED BY THE COMMISSIONERS COURT OF HARRIS COUNTY, TEXAS PER H.C.C.F. NOS. X873898 AND X873899.

- SET 3/8" IRON ROD WITH T&DOT ALUMINUM CAP.
- COA-SET 3/8" IRON ROD WITH T&DOT ALUMINUM CAP STAMPED "COA"

HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.  
SURVEY DATE: MAY 1, 2006



*Edward J. Soukup II*  
EDWARD J. SOUKUP II  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5455, STATE OF TEXAS

5-24-2006

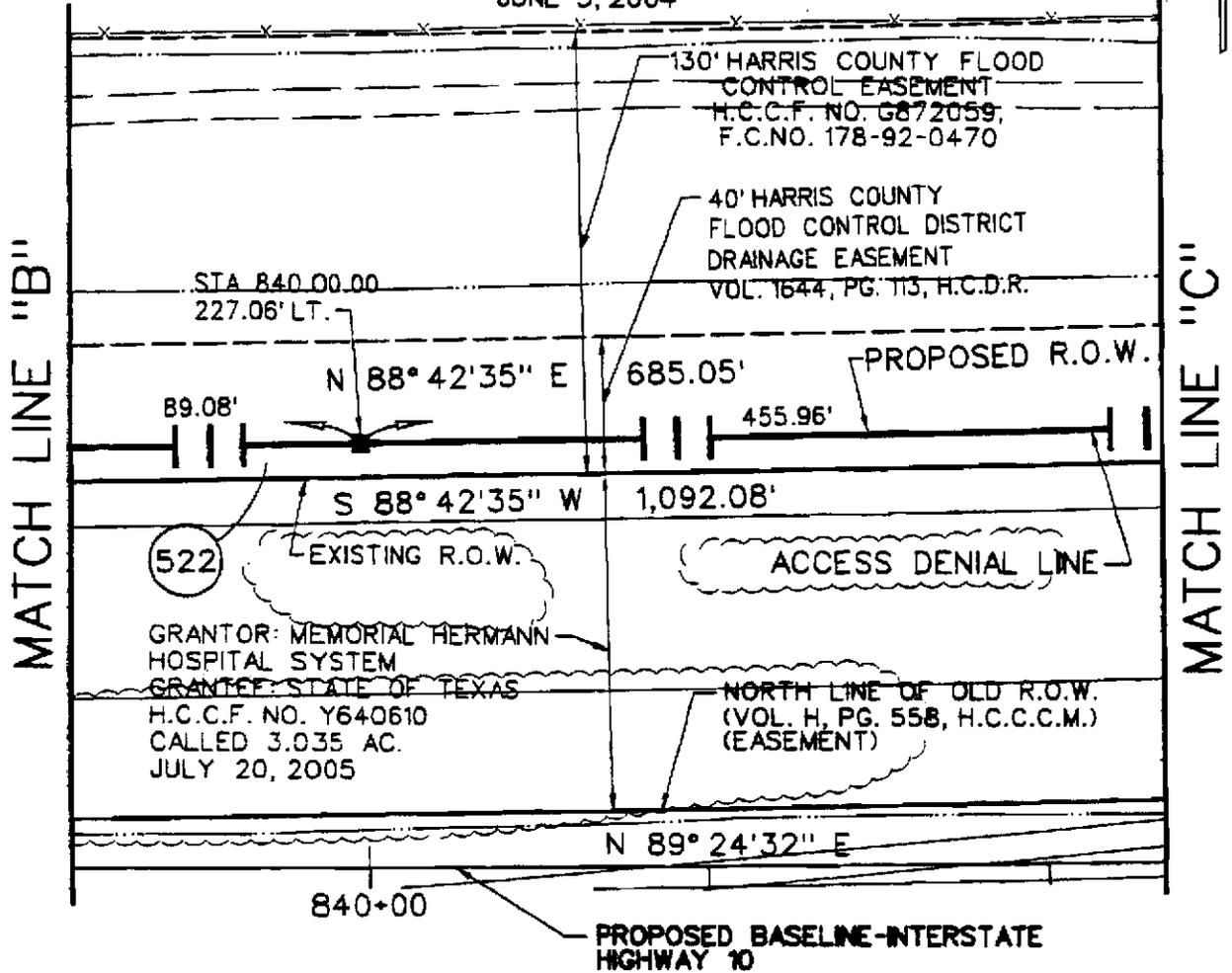
PARCEL PLAT SHOWING

PARCEL 522

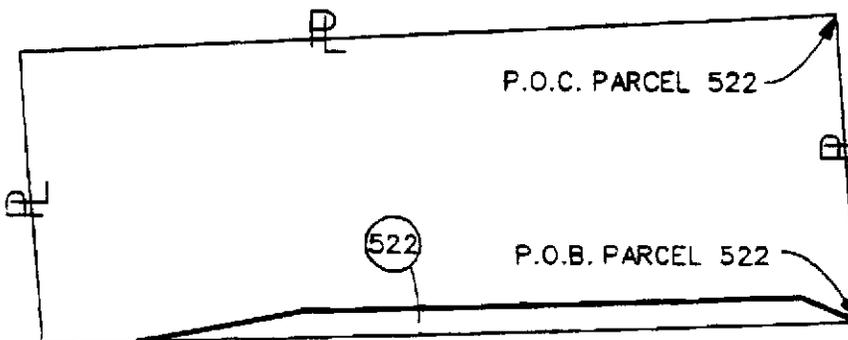
H 10 HARRIS COUNTY  
R.O.W. CSJ 0271-08-100  
LANDTECH CONSULTANTS, INC. MAY, 2006

# SUE E. STUART SURVY A-1517

GRANTOR: JAY KAPLAN, TRUSTEE  
GRANTEE: MEMORIAL HERMANN HOSPITAL SYSTEM  
H.C.C.F. NO. X667569  
CALLED 23.5277 AC.  
JUNE 3, 2004



INTERSTATE HIGHWAY 10 (VARIABLE WIDTH)

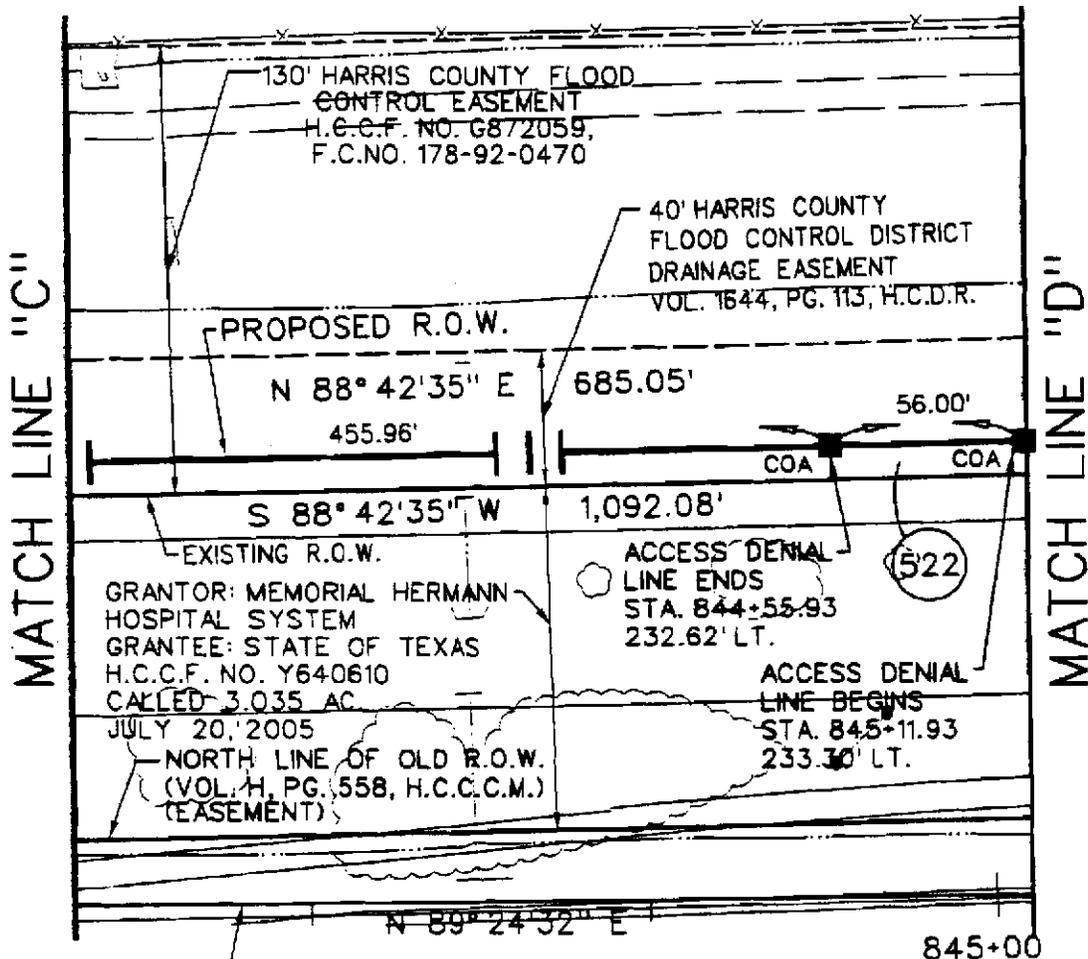
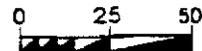


IH 10  
INSET PARCEL 522  
N.T.S.

PARCEL PLAT SHOWING  
PARCEL 522  
IH 10 HARRIS COUNTY  
R.O.W. CSJ 0271-08-100  
LANDTECH CONSULTANTS, INC. MAY, 2006

# SUE E. STUART SURVLY A-1517

GRANTOR: JAY KAPLAN, TRUSTEE  
GRANTEE: MEMORIAL HERMANN HOSPITAL SYSTEM  
H.C.C.F. NO. X667569  
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JUNE 3, 2004

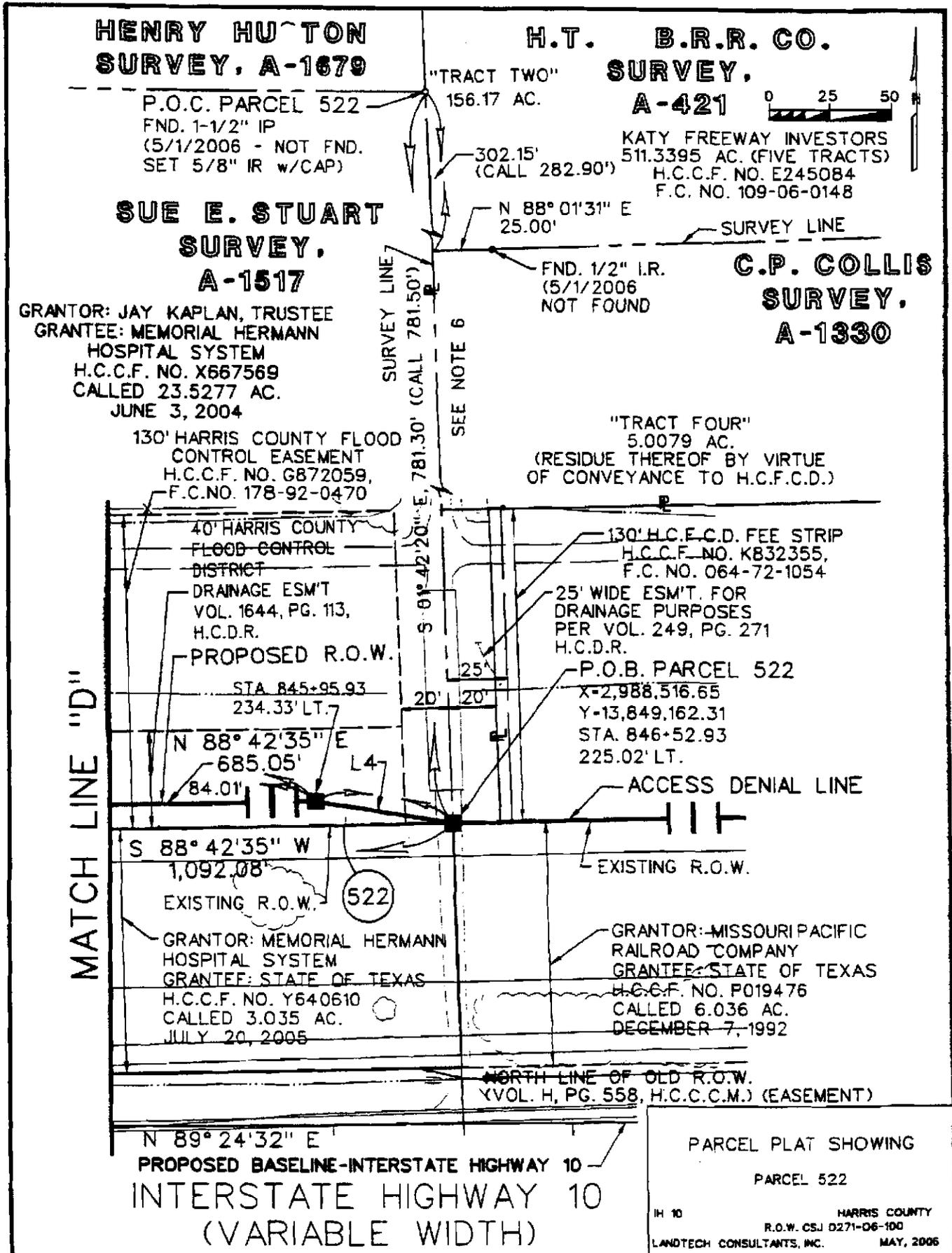


PROPOSED BASELINE-INTERSTATE HIGHWAY 10  
INTERSTATE HIGHWAY 10  
(VARIABLE WIDTH)

| AREA TABLE (ACRES) |                    |           |       |
|--------------------|--------------------|-----------|-------|
| EXISTING           | TAKING<br>S.F./AC. | REMAINDER |       |
|                    |                    | LEFT      | RIGHT |
| 23.5277            | 8,886<br>0.2040    | 23.3237   |       |

PARCEL PLAT SHOWING  
PARCEL 522

# 10 HARRIS COUNTY  
R.O.W. CSJ 0271-06-100  
LANDTECH CONSULTANTS, INC. MAY, 2005



PARCEL PLAT SHOWING  
PARCEL 522  
IH 10 HARRIS COUNTY  
R.O.W. CSJ 0271-06-100  
LANDTECH CONSULTANTS, INC. MAY, 2006