

TEXAS TRANSPORTATION COMMISSION

COMAL County

MINUTE ORDER

Page 1 of 1

SAN ANTONIO District

In the city of New Braunfels, COMAL COUNTY, on INTERSTATE 35, the State of Texas (state) acquired an easement interest in certain land for highway drainage purposes by instrument recorded in Volume 108, Page 612, Deed Records of Comal County, Texas.

The easement (surplus easement), described in Exhibit A, is no longer needed for a state highway purpose.

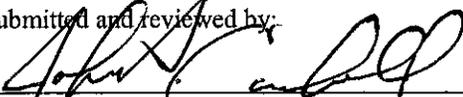
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus easements.

SCC NB Partners, Ltd., a Texas limited partnership, owner of the fee underlying the surplus easement, has requested that the surplus easement be sold to the partnership for \$56,058.

The commission finds \$56,058 to be a fair and reasonable value of the state's rights and interest in the surplus easement.

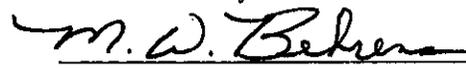
NOW, THEREFORE, the commission finds that the surplus easement is no longer needed for a state highway purpose and recommends, subject to approval of the attorney general, that the Governor of Texas execute a proper instrument conveying the state's rights and interest in the surplus easement to SCC NB Partners, Ltd., a Texas limited partnership, for \$56,058.

Submitted and reviewed by:



Director, Right of Way Division

Recommended by:



Executive Director

110459 FEB 23 06

Minute Number Date Passed

CSJ:0016-04
COUNTY: COMAL
HIGHWAY: IH 35

EXHIBIT A

**PROPERTY DESCRIPTION FOR TRACT 1
0.271 ACRES**

FOR A 0.271 ACRE TRACT (11,800Sq.ft.) OF LAND OUT OF SUBDIVISION NO. 117 OF THE A.M. ESNAURIZAR ELEVEN LEAGUE GRANT, COMAL COUNTY, TEXAS, AND BEING THE SAME 0.271 ACRE TRACT CONVEYED TO THE STATE OF TEXAS FOR A CHANNEL EASEMENT, DATED: AUGUST 6, 1956, AS DESCRIBED IN VOLUME 108, PAGE 612, DEED RECORDS OF COMAL COUNTY, TEXAS; SAID 0.271 ACRE TRACT (11,800Sq.ft.) OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ½ INCH IRON ROD FOUND ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 35, (R.O.W. VARIES), SAID POINT BEING THE WESTERLY CORNER OF LOT 4, BLOCK 1, INDUSTRY SUBDIVISION LOT 1R, 2, 3 AND 4, AS DESCRIBED IN BOOK VOLUME 15, PAGE 23 MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS AND FURTHER BEING S44°39'15"E, 256.2' FEET FROM ENGINEER'S STATION 837+65.0;

1) THENCE N25°33'59"E, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 35, (R.O.W. VARIES), A DISTANCE OF 100.00 FEET TO A POINT FOR THE NORTHERLY CORNER OF THAT CERTAIN 0.271 ACRE TRACT CONVEYED TO THE STATE OF TEXAS; SAID POINT BEARS S 25° 33' 59" W, A DISTANCE OF 100.18 FEET FROM A FOUND PK NAIL MARKING THE NORTHWESTERLY CORNER OF SAID LOT 4, BLOCK 1, INDUSTRY SUBDIVISION LOT 1R, 2, 3 AND 4;

THENCE, CROSSING THE SAID LOT 4, BLOCK 1, THE FOLLOWING COURSES:

2) S64°26'01"E, A DISTANCE OF 100.00 FEET, TO A POINT FOR THE EASTERLY CORNER OF THAT CERTAIN 0.271 ACRE TRACT CONVEYED TO THE STATE OF TEXAS;

3) S25°33'59"W, A DISTANCE OF 136.00 FEET, TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 4, BLOCK 1, FOR THE SOUTHERLY CORNER OF THAT CERTAIN 0.271 ACRE TRACT CONVEYED TO THE STATE OF TEXAS;

4) **THENCE**, N44°38'01"W, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 4, BLOCK 1, A DISTANCE OF 106.30 FEET, TO **THE POINT OF BEGINNING** AND CONTAINING 0.271 ACRES (11,800Sq.ft.) OF LAND, MORE OR LESS.

NOTE:

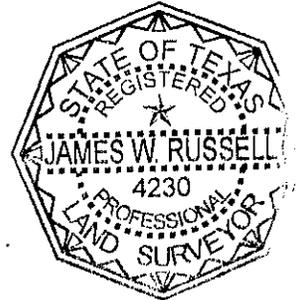
- 1) THE BASIS OF BEARINGS IS THE NORTHEASTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 35 AS SHOWN ON THE PLAT OF INDUSTRY SUBDIVISION, LOT 1R, 2, 3 AND 4, BLOCK 1, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 15, PAGE 23, MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS.
- 2) A PLAT OF SURVEY OF EVEN DATE ACCOMPANIES THIS DESCRIPTION.
- 3) ACCESS IS PERMITTED TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE ABUTTING PROPERTY.

I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERS AND SURVEYORS
10000 SAN PEDRO, SUITE #100
SAN ANTONIO, TEXAS 78216

James W. Russell 8/25/05

JAMES W. RUSSELL DATE
R.P.L.S #4230
STATE OF TEXAS

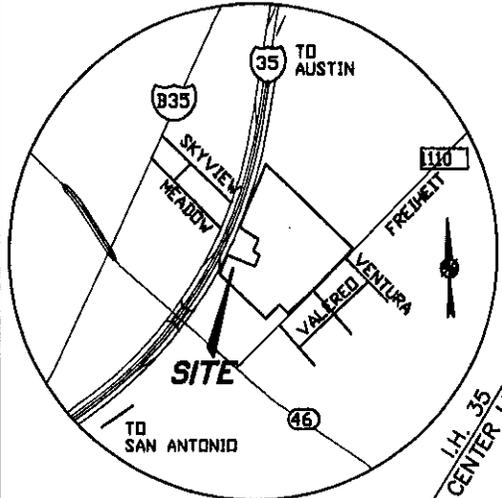


0.271 ACRES
(11,800Sq.Ft.)

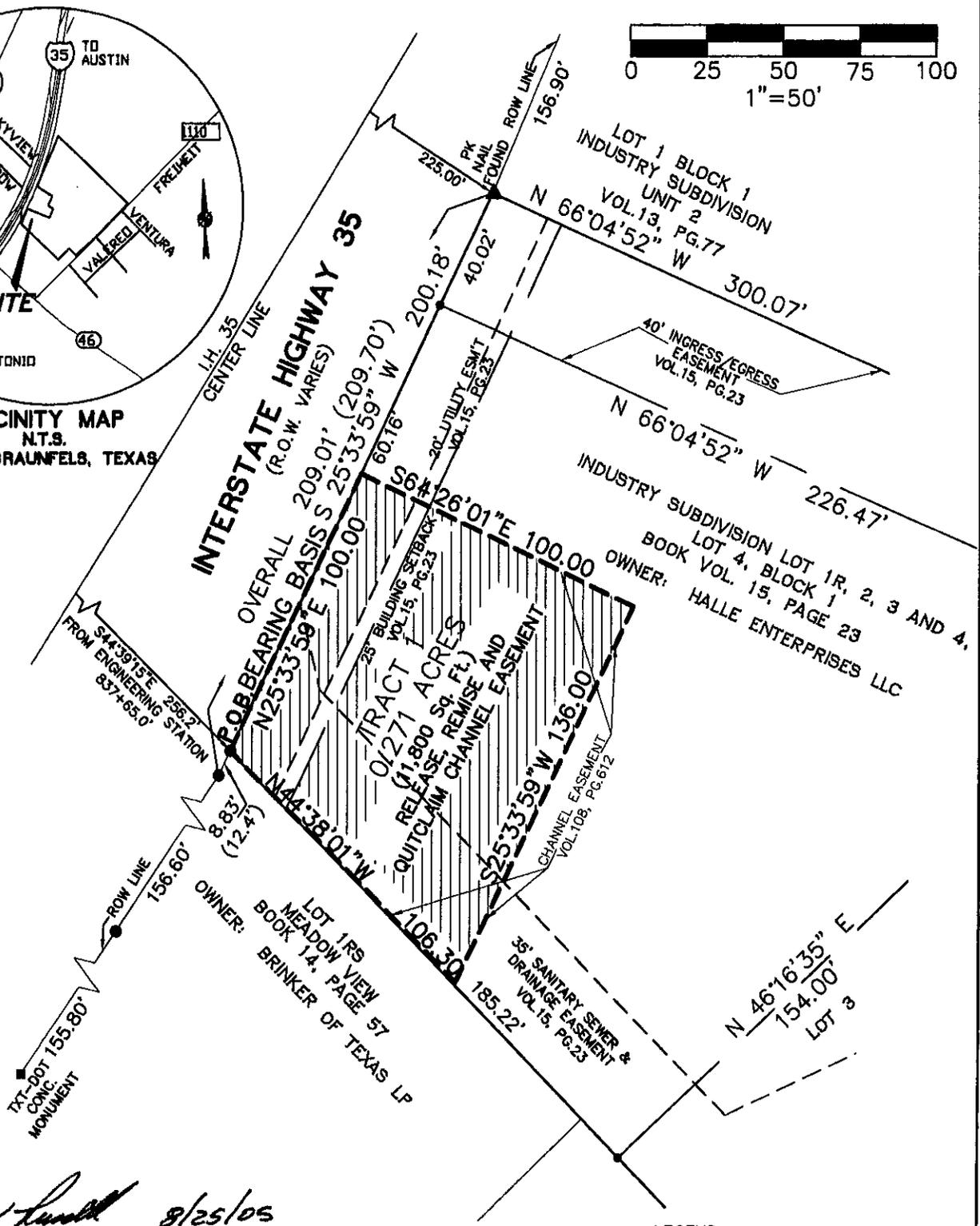
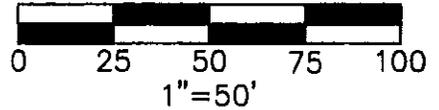
FN. NO. 50048-51-1R
MAY 19, 2005

50048-51EXHI-1.DWG

JOB NO. 50048-51.92



VICINITY MAP
N.T.S.
NEW BRAUNFELS, TEXAS



James W. Russell 8/25/05
 JAMES W. RUSSELL DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4230
 BURY & PARTNERS, INC.
 10000 SAN PEDRO AVENUE, SUITE 100
 SAN ANTONIO, TEXAS 78216

- LEGEND
- 1/2" IRON ROD FOUND (UNLESS NOTED)
 - ▲ NAIL FOUND
 - (REC) RECORD INFORMATION
 - MONUMENT FOUND

Bury+Partners
 ENGINEERING SOLUTIONS
 10000 San Pedro Avenue, Suite 100
 San Antonio, TX 78216
 Tel. (210)625-9090 Fax (210)625-0620
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SKETCH TO ACCOMPANY DESCRIPTION
 OF 0.271 ACRE TRACT (11,800sq.ft)
 FOR RELEASE, REMISE AND QUITCLAIM
 CHANNEL EASEMENT
 TRACT 1

INDUSTRY
 SUBDIVISION

