

TEXAS TRANSPORTATION COMMISSION

HAYS County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In the city of San Marcos, HAYS 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 170, Page 581, Deed Records of Hays County, Texas.

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

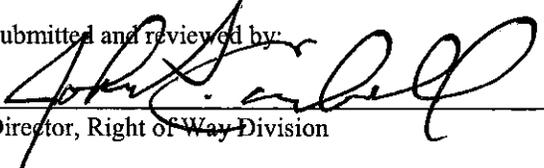
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus easements.

Prime Outlets At San Marcos II, L.L.C., a Delaware limited liability company, now known as Prime Outlets at San Marcos II Limited Partnership, owner of the fee underlying the surplus easement, has requested that the surplus easement be sold for \$26,475.

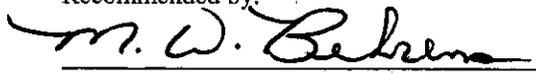
The commission finds \$26,475 to be a fair and reasonable value of the state's rights and interest in the surplus easement.

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 releasing the state's rights and interest in the surplus easement to Prime Outlets At San Marcos II, L.L.C., a Delaware limited liability company, now known as Prime Outlets at San Marcos II Limited Partnership, for \$26,475.

Submitted and reviewed by:

  
Director, Right of Way Division

Recommended by:

  
Executive Director

**110603 JUN 29 06**

Minute  
Number

Date  
Passed

Metes and Bounds Description  
for a partial Abandonment  
of a TxDOT Channel Easement  
0.3070 of one Acre (13,371 square feet)  
Nathaniel Hubbard Survey No. 35  
Hays County, Texas.

BEING a tract containing 0.3070 of one acre (13,371 square feet) of land situated in the Nathaniel Hubbard Survey No. 35, Hays County, Texas and being out of and a part of a channel easement as conveyed to the State of Texas by a document recorded in Volume 170, Page 581 of the Hays County Deed Records (H.C.D.R.), and also being out of and a part of Lot 1 of Prime Outlet I, as recorded in Book 9, Pages 9 through 11 of the Plat Records of Hays County, Texas (P.R.H.C.T.). Said 0.3070 of one acre (13,371 square feet) tract being more particularly described by metes and bounds as follows with all bearings referenced to the southwest line of said Prime Outlet I:

**COMMENCING** for point of reference at a TxDOT type I concrete monument found in the northeasterly right-of-way line of Interstate Highway No. 35 (IH 35), same being the southwest corner of said Lot 1 of Prime Outlet and marking the most northerly corner of Lot 1B of the amended plat of Lots 1A and 5 Factory Shops as recorded in Book 11, Pages 100 through 102, P.R.H.C.T.; thence as follows:

North 45°12'23" East, with the northeast line of said IH 35 and the southwest line of said Lot 1 of Prime Outlet, a distance of 451.26 feet to a point;

South 44°48'01" East, crossing said Lot 1 of Prime Outlet, a distance of 171.59 feet to the **POINT OF BEGINNING** of the herein described tract, being located 321.59 feet left of and perpendicular to engineer station 1122+50 for IH 35;

THENCE, North 89°38'02" East, continuing across said Lot 1 of Prime Outlet, a distance of 26.30 feet to an angle point for corner;

THENCE, North 45°11'58" East, continuing across said Lot 1 of Prime Outlet, a distance of 41.22 feet to a point for corner;

THENCE, South 44°47'57" East, continuing across said Lot 1 of Prime Outlet, a distance of 249.99 feet to a point for corner;

THENCE, North 89°48'01" West, continuing across Lot 1 of Prime Outlet, a distance of 84.84 feet to a point for corner;

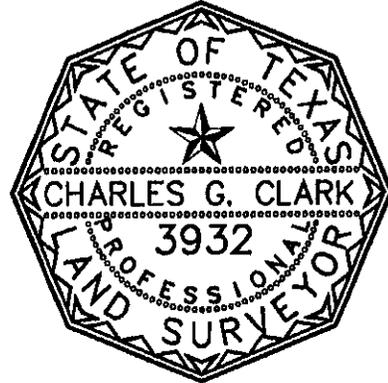
THENCE, North 44°48'01" West, continuing across said Lot 1 of Prime Outlet, a distance of 208.41 feet to the **POINT OF BEGINNING** and containing a computed area of 0.3070 of one acre (13,371 square feet) of land, more or less.

This metes and bounds description is accompanied by a boundary plat of the same date.

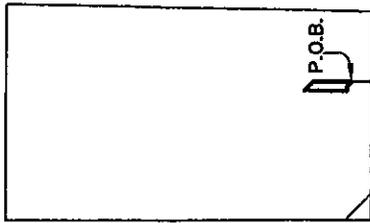
*Charles G. Clark 5/12/05*

Charles G. Clark                      Date  
Registered Professional Land Surveyor  
Texas Registration No. 3932

SURVCON INC.  
400 West 15<sup>th</sup> Street, Suite 1030  
Austin, Texas 78701  
(512) 457-7870  
May 2005



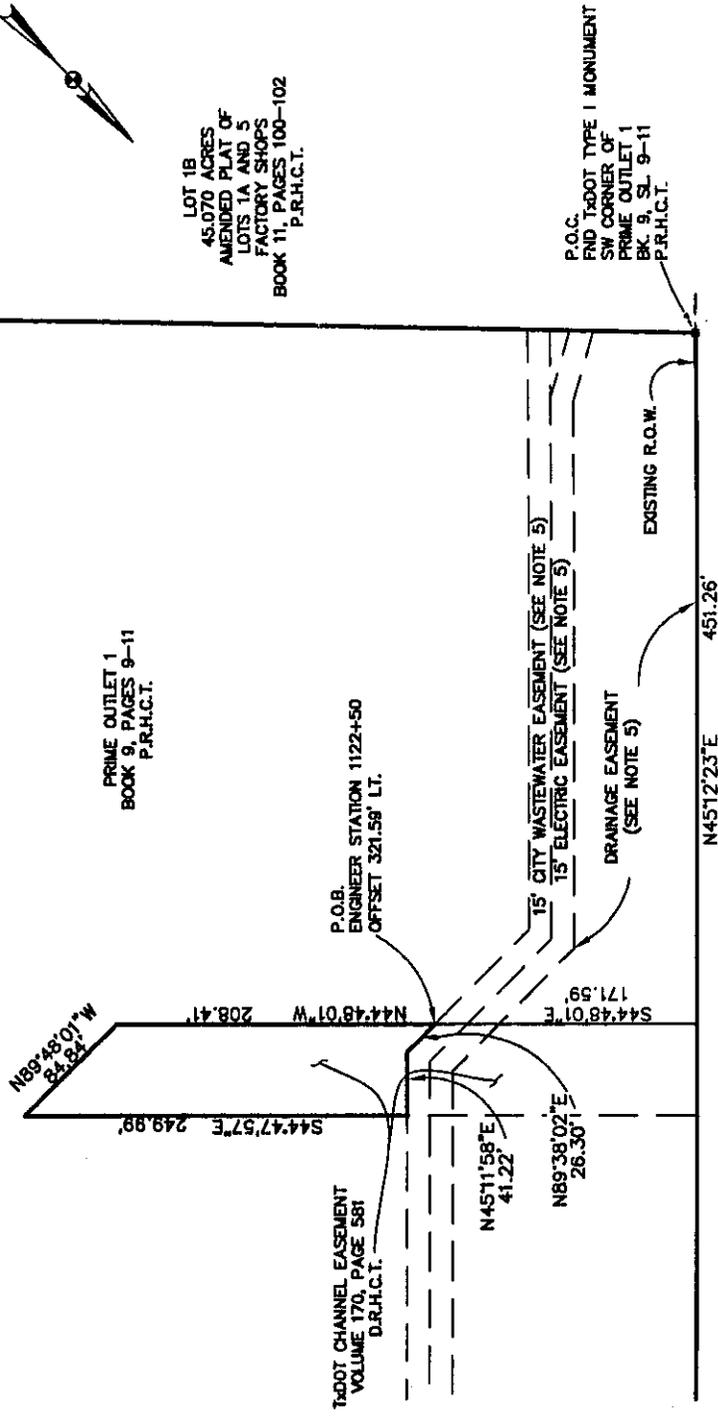
NATHANIEL HUBBARD  
SURVEY NO. 35



PARENT TRACT INSET  
INSET SCALE: 1" = 1000'

NOTES:

1. BEARING BASIS: PRIME OUTLET 1, BOOK 9, SLIDES 9-11, P.R.H.C.T.
2. THIS BOUNDARY MAP PLAT IS ACCOMPANIED BY A NARRATIVE METES AND BOUNDS DESCRIPTION.
3. P.R.H.C.T. = PLAT RECORDS OF HAYS COUNTY, TEXAS.
4. D.R.H.C.T. = DEED RECORDS OF HAYS COUNTY, TEXAS.
5. UNLESS OTHERWISE NOTED, ALL EASEMENTS SHOWN ARE AS PER SUBDIVISION PLAT RECORDED IN BOOK 9, SLIDES 9-11, P.R.H.C.T.



IH 35 (300 FOOT WIDE)

PLAT OF  
**PROPOSED ABANDONED EASEMENT**  
BEING 0.3070 ACRES OF LAND OUT OF PRIME  
OUTLET 1, BK. 9, SL. 9-11,  
PLAT RECORDS OF HAYS COUNTY, TEXAS

I, CHARLES G. CLARK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT AND THE ACCOMPANYING LEGAL DESCRIPTION REPRESENT AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

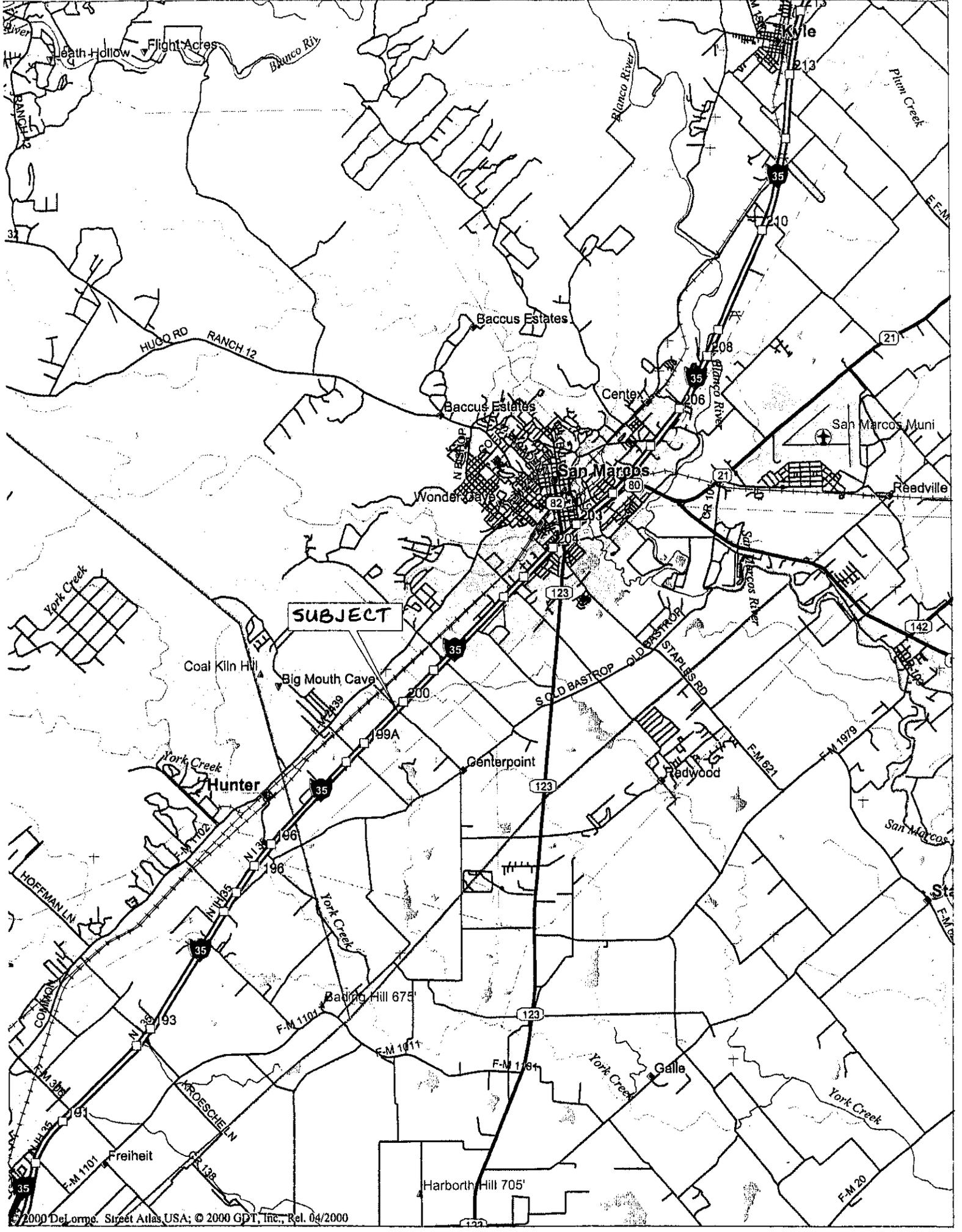
*Charles G. Clark*  
CHARLES G. CLARK DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3932



**SURVCON INC.**  
PROFESSIONAL SURVEYORS  
400 WEST 15TH STREET, SUITE 1080  
AUSTIN, TEXAS 78701  
TEL. (512) 457-7870  
WWW.SURVCON.COM

SCALE:	1"=100'	JOB NO.	630447.0001
DATE:	05/06/05	F.B. NO.	FB_NO
DRAWN BY:	B. Macgregor	PROJECT:	S.M. OUTLET MALL

REVISED: 05/12/05 REDUCED SIZE OF PARCEL



SUBJECT