

TEXAS TRANSPORTATION COMMISSION

MCCULLOCH County

MINUTE ORDER

Page 1 of 1

BROWNWOOD District

In MCCULLOCH COUNTY, on STATE HIGHWAY 71, the State of Texas (state) acquired certain land needed for highway purposes (right of way).

Unimin Texas Company, LP, the abutting landowner, (lessee) has requested to lease a portion of the right of way, described in Exhibit A, for the purpose of constructing a bridge structure over the highway in order to provide unimpeded movement of heavy vehicles from one side of the highway to the other.

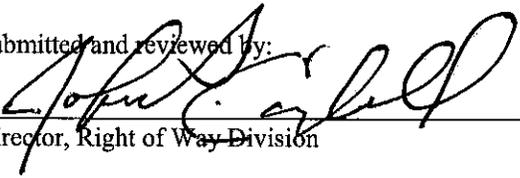
The right of way to be leased will not be needed for a highway purpose during the 20-year term of the lease.

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 \$2,500 per year.

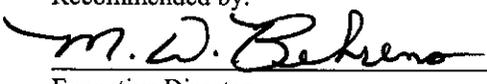
V.T.C.A., Transportation Code, Chapter 202, Subchapter C, authorizes the leasing of highway right of way.

IT IS ORDERED by the Texas Transportation 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

110605 JUN 29 06

Minute
Number

Date
Passed

EXHIBIT A
PROPERTY DESCRIPTION
FOR
0.276 ACRES

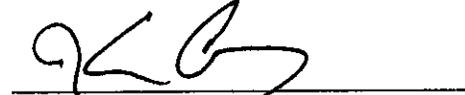
BEING 0.276 acres of land out of State Highway 71 right-of-way near engineers centerline station 237+70, approximately 335 feet south of the intersection with County Road 220 in McCulloch County, Texas, said 0.276 acres being more particularly described by metes and bounds as follows:

BEGINNING at a set 1/2" iron rod with yellow ACES cap on the east right-of-way line of State Highway 71 (a 120 foot wide right-of-way) at engineers station 237+24.46 according to final plans dated January 25, 1965, TXDOT Project No. C 1102-1-11, said point bears South 38° 36' 17" East a distance of 244.02 feet from the fence corner post at the southeast cutback of State Highway 71 and McCulloch County Road 220, said fence corner being at a 60.81 foot offset from engineers centerline station 234+87.76;

- 1) **THENCE** with said east right-of-way of State Highway 71 with a curve to the right having a radial bearing of South 54° 45' 17" West, a central angle of 02° 54' 40", a radius of 1970.08 feet, a chord bearing and distance of South 33° 47' 23" East, 100.09 feet and an arc length of 100.10 feet to a set 1/2" iron rod with yellow ACES cap for the southeast corner of this tract;
- 2) **THENCE** South 58° 37' 56" West, a distance of 120.02 feet crossing said right-of-way to a set 1/2" iron rod with yellow ACES cap on the west right-of-way of State Highway 71 for the southwest corner of this tract;
- 3) **THENCE** with said west right-of-way of State Highway 71 with a curve to the left having a central angle of 03° 06' 02", a radius of 1850.08 feet, a chord bearing and distance of North 33° 56' 49" West, 100.10 feet and an arc length of 100.11 feet to a set 1/2" iron rod with yellow ACES cap for the northwest corner of this tract;
- 4) **THENCE** North 58° 37' 56" East, a distance of 120.29 feet crossing said right-of-way to the **POINT OF BEGINNING** and containing 0.276 acres of land in McCulloch County, Texas.

Plat of survey accompanies this description.

ALAMO CONSULTING ENGINEERING
& SURVEYING, INC.



Kevin Conroy, R.P.L.S. 4198
August 4, 2005
Job File No. 108000



COUNTY ROAD 220

BEING: 0.276 ACRES OF LAND OUT OF THE STATE HIGHWAY 71 RIGHT-OF-WAY NEAR ENGINEERS CENTERLINE STATION 237+70, APPROXIMATELY 335 FEET SOUTH OF THE INTERSECTION WITH COUNTY ROAD 220 IN McCULLOCH COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND BY PEOPLE WORKING UNDER MY DIRECT SUPERVISION AND THIS DRAWING CONFORMS TO THE MINIMUM STANDARDS OF SURVEY PRACTICES AS SET OUT BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING AS OF THIS DATE.

THIS 31ST DAY OF AUGUST, 2005 A.D.

KEVIN CONROY

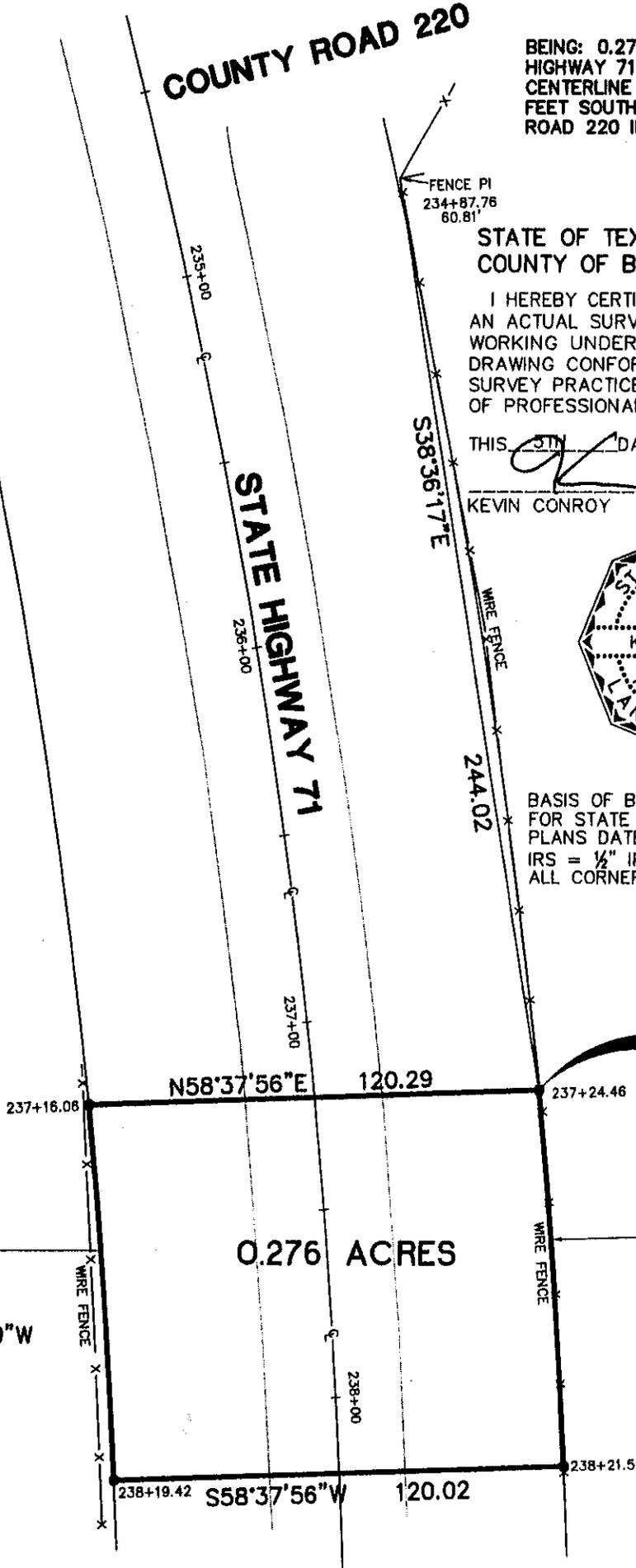
R.P.L.S. NO. 4198

JOB NO. 108000



BASIS OF BEARING IS RIGHT-OF-WAY FOR STATE HIGHWAY 71
PLANS DATED 1-25-65 PROJECT No. C 1102-1-11
IRS = 1/2" IRON ROD WITH "ACES" CAP SET AT ALL CORNERS UNLESS OTHERWISE NOTED

SCALE 1" = 40'



D=3°06'02"
R=1850.08'
L=100.11'
T=50.07'
CB=N33°56'49"W
CD=100.10'

D=2°54'40"
R=1970.08'
L=100.10'
T=50.06'
CB=S33°47'23"E
CD=100.09'

0.276 ACRES

ALAMO CONSULTING
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SURVEYING, INC.



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