TEXAS TRANSPORTATION COMMISSION

HAYS County **MINUTE ORDER**

AUSTIN District

In the City of Kyle, Hays County, on I-35, the State of Texas acquired an easement interest in certain land by instruments recorded in Volume 178, at Page 98, and in Volume 177, at Page 589, of the Deed Records of Hays County, Texas.

A portion of the easement, which portion encumbers the real property described in Exhibit A (tract), 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 release an easement interest no longer needed for a state highway purpose to the owner of the fee in the property.

I35 Kyle Crossing Lot 9, Ltd., a Texas limited partnership, is the owner of the fee interest in the property and has requested to purchase the easement interest for $69,241.50.

The commission finds $69,241.50 to be a fair and reasonable value of the state's right, title, and interest in the easement interest.

IT IS THEREFORE ORDERED by the commission that the easement interest encumbering the tract, described in Exhibit A, is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the easement interest to I35 Kyle Crossing Lot 9, Ltd., a Texas limited partnership, for $69,241.50.

Submitted and reviewed by:

DocuSigned by:
BDEF0413AC9E4EC...
Director, Right of Way Division

Recommended by:

DocuSigned by:
0E1B35AE191749E...
Executive Director

116115 September 30, 2021

Minute Number — Date Passed

Cunningham | Allen

Exhibit " A "
Drainage Easement Release
Lot 9

FIELD NOTE DESCRIPTION

BEING A 0.3686 ACRE (16,056 SQUARE FEET) TRACT OF LAND LOCATED IN LOT 9, KYLE TOWNE CENTER, REPLAT OF LOT 1-A, BLOCK A, KYLE TOWN CENTER, SECOND REPLAT OF LOT 1, BLOCK A (KYLE TOWNE CENTER), A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO. 20015578, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, AND BEING A PART OF THAT 0.601 ACRE CHANNEL EASEMENT CONVEYED BY LAURA B. NEGLEY, ET AL, TO THE STATE OF TEXAS IN A DOCUMENT RECORDED IN VOLUME 178, PAGE 98, DEED RECORDS OF HAYS COUNTY, TEXAS, AND A PART OF THAT 1.863 ACRES CHANNEL EASEMENT CONVEYED BY O. H. CULLEN ET UX, IN A DOCUMENT RECORDED IN VOLUME 177, PAGE 589, OF SAID DEED RECORDS, SAID LOT 9 BEING CONVEYED TO I35 KYLE CROSSING LOT 9, LTD. IN A DEED RECORDED IN DOCUMENT NO. 20030764, OF SAID OFFICIAL PUBLIC RECORDS; SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap stamped "CUNNINGHAM-ALLEN INC" found for the common east corner of said Lot 9 and Lot 8, KYLE TOWNE CENTER, in the west right-of-way line of Interstate Highway Number 35 (IH35);

THENCE, North 62°57'11" West, departing said west right-of-way line with the common line of said Lot 9 and Lot 8, a distance of 165.22 feet to the POINT OF BEGINNING (N:13924702.73, E:2332847.18) of the herein described tract being in the easterly line of said Channel Easement;

THENCE, South 28°14'11" West, departing said common line and over and across said Lot 9 with the easterly line of said Chanel Easement, a distance of 233.51 feet to the common line of said Lot 9 and said Lot 10, KYLE TOWNE CENTER, from which a 1/2 inch iron rod with cap stamped "CUNNINGHAM-ALLEN INC" found in said west right-of-way line of IH35 for the common east corner of said Lot 9 and Lot 10, bears South 60°17'45" East, a distance of 167.54 feet;

THENCE, North 60°17'45" West, departing said easterly line with the common line of said Lot 9 and Lot 10 and over and across said Channel Easement, a distance of 69.39 feet to a 1/2 inch iron rod with cap stamped "CUNNINGHAM-ALLEN INC" found for the common west corner of said Lot 9 and Lot 10, in the easterly line of Lot 6, KYLE TOWNE CENTER;

THENCE, North 28°18'09" East, with the common line of said Lot 9 and Lot 6 and continuing over and across said Channel Easement, a distance of 230.30 feet to a 1/2 inch iron rod with cap stamped "CUNNINGHAM-ALLEN INC" found for the common west corner of said Lot 9 and Lot 8;

THENCE, South 62°57'11" East, departing said easterly line with the common line of said Lot 9 and Lot 8 and continuing over and across said Channel Easement, a distance of 69.12 feet to the **POINT OF BEGINNING** containing 0.3686 acre (16,056 square feet) of land within these metes and bounds.

Bearing Basis: Common line of Lot 9 and Lot 8, KYLE TOWN CENTER.(North 62°57'11" West)

THE STATE OF TEXAS §
§ KNOWN ALL MEN BY THESE PRESENT
COUNTY OF TRAVIS §

That I, Tommy P. Watkins, a Registered Professional Land Surveyor, do hereby certify that the above description and the accompanying sketch is true and correct to the best of my knowledge and belief and the property described herein was determined by a survey made on the ground during the month of March, 2021, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 20th of July, 2021, A.D.

CUNNINGHAM-ALLEN, INC.

Tommy P. Watkins, R.P.L.S.
Texas Registration No. 4549

Revised: 8/17/21

EXHIBIT "A"

LEGEND

▲	COTTON SPINDLE SET
■	TxDOT TYPE I MONUMENT FOUND
●	1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
⊗	"X" OR PUNCH MARK SET/FOUND
R.O.W.	RIGHT OF WAY
VOL.	VOLUME
PG.	PAGE
PR	PLAT RECORDS, HAYS CO., TX
DR	DEED RECORDS, HAYS CO., TX
OPR	OFFICIAL PUBLIC RECORDS, HAYS CO., TX
DA	CAP STAMPED "DOUCET & ASSOCIATES"
AC.	ACRE(S)
S.F.	SQUARE FEET
━━━━	BOUNDARY LINE
———	ADJOINER BOUNDARY LINE
— — —	EASEMENT LINE

BEARING BASIS: COMMON LINE OF LOT 12 AND LOT 13, KYLE TOWNE CENTER. (SOUTH 60°27'21" EAST)

ALL COORDINATES NOTED HEREON ARE SURFACE COORDINATES.

Cunningham|Allen
Engineers • Surveyors
TBPELS REG # F-284 FIRM # 10000900
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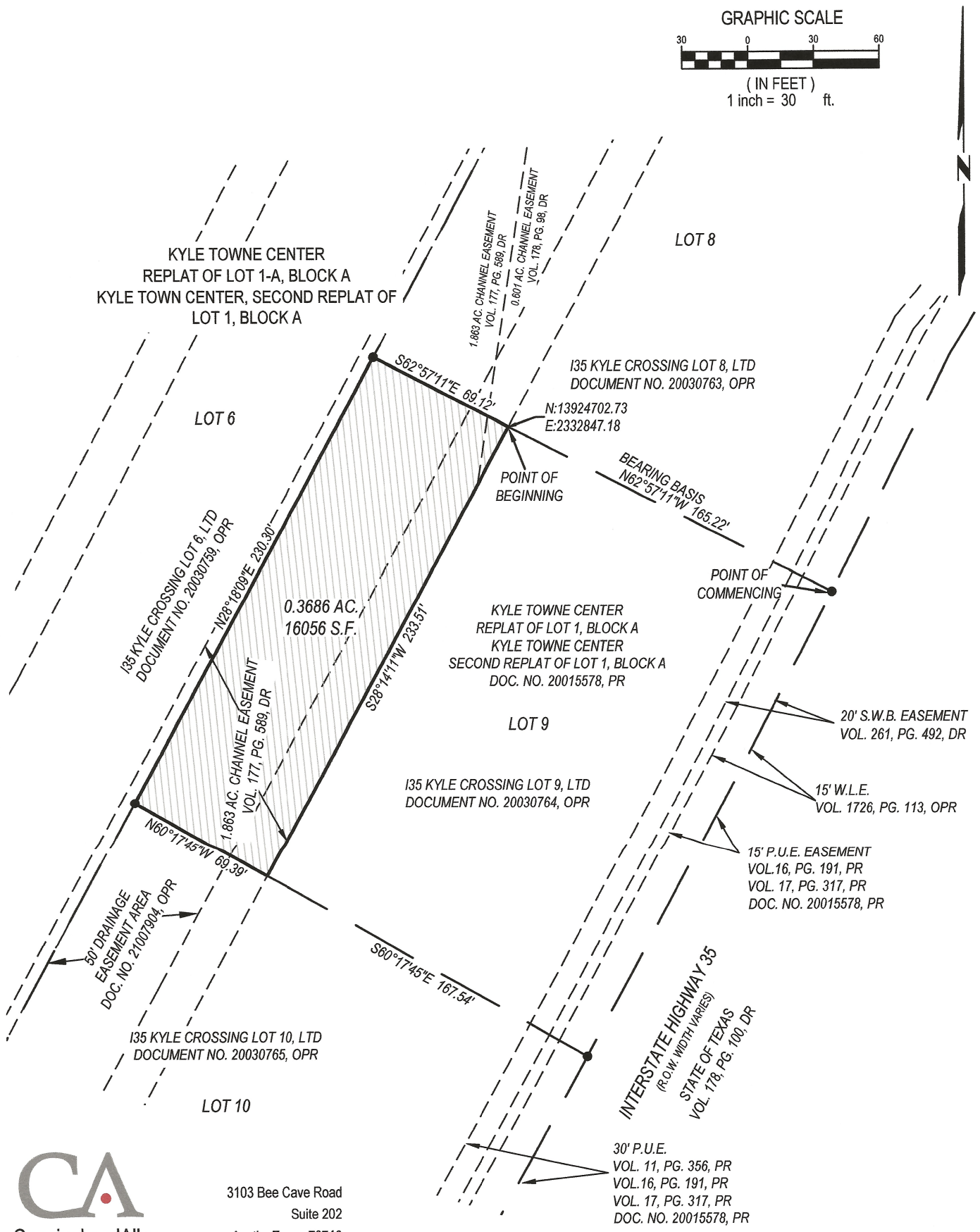
TECH: DK

Drawing Path: S:\2773702_Kyle Town Center_Drawings\2773702_ESMT_DE-REL-LOT-9.dwg Plotted By: Tom Watkins Date: 7/20/2021 1:33:26 PM Layout: sheet 1 DE Page Size: ANSI full bleed A (8.50 x 11.00 Inches), 1:1

EXHIBIT "A"



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