

TEXAS TRANSPORTATION COMMISSION

TRAVIS County

MINUTE ORDER

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AUSTIN District

In the City of Pflugerville, Travis County, on SH 130, the State of Texas acquired certain land for the Central Texas Turnpike System (CTTS) for highway purposes by an instrument recorded in Instrument Number 2004188029 of the Official Public Records of Travis County, Texas.

In accordance with Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of any interest in real property no longer needed for a state highway purpose to a governmental entity with the authority to condemn the property.

The real property described in Exhibit A (Real Property) is no longer needed for a state highway purpose.

Under Section 713 of the Indenture of Trust, dated as of July 15, 2002, between the Texas Transportation Commission and The Bank of New York Mellon Trust Company, National Association, as Trustee (successor in interest to JP Morgan Trust Company as successor to Bank One, National Association), as supplemented and amended (CTTS Indenture of Trust), which secures the Commission's toll revenue obligations issued for the CTTS, in order to sell any CTTS real estate with a value in excess of \$1 million, the commission must determine that the property is no longer used or useful in the operation of the CTTS or in the generation of revenues.

The City of Pflugerville, Texas, is a governmental entity with the authority to condemn the property and has requested to purchase the Real Property for \$5,800,000.

The commission finds \$5,800,000 to be a fair and reasonable value of the state's right, title, and interest in the Real Property.

IT IS THEREFORE ORDERED by the commission that the Real Property, described in Exhibit A, is no longer needed for a state highway purpose and, specifically, is no longer used or useful in the operation of the CTTS or in the generation of revenues, and it may be sold in accordance with Section 713 of the CTTS Indenture of Trust. 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 Real Property to the City of Pflugerville, Texas, for \$5,800,000; SAVE AND EXCEPT, however, there is to be excepted and reserved therefrom all of the state's right, title, and interest, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the land.

IT IS FURTHER ORDERED that all sales proceeds from the sale of the Real Property to the City of Pflugerville, Texas, shall be deposited and used in accordance with the terms of the CTTS Indenture of Trust, and the executive director of the Texas Department of Transportation (department) or the executive director's designee, the Chief Financial Officer of the department, and the Director, Project Finance, Debt and Strategic Contracts Division of the department, are authorized to perform all actions necessary to comply with the terms of the CTTS Indenture of Trust in the management of the sales proceeds.

Submitted and reviewed by:

Recommended by:

DocuSigned by: Kyle Madison
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Director, Right of Way Division

DocuSigned by: Mandi Willis
0E1B35AE191749E...
Executive Director

116441 February 23, 2023

Minute Date
Number Passed

Exhibit A

November, 2021

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County: Travis
Highway: State Highway 130
CSJ No.: 5500-00-054

Tract No. _____

BEING a 17.7034 acre (771,161 square feet) tract of land located in Travis County, Texas, situated in the William Caldwell Survey Number 66, Abstract Number 162 described by Deed executed August 20, 2004 as Parcel 169-MNT, called 17.693 acres of land, more or less, Grantor being Willie Mae Burns, Grantee being State of Texas, recorded in Instrument Number 2004188029, Official Public Records, Travis County, Texas (O.P.R.T.C.T.), said 17.7034 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found in the south line of a tract of land described by Plat submitted December 2, 2013 as Final Plat, Re-Plat of Lot 3C – Renewable Energy Park, lying within the city of Pflugerville, Travis County, Texas, recorded in Instrument Number 201300274, Plat Records, Travis County, Texas (P.R.T.C.T.) and the north line of a tract of land described by General Warranty Deed executed February 26, 1998 as Tract A to Travis County, Texas, recorded in Volume 13131, Page 3751, Real Property Records, Travis County, Texas (R.P.R.T.C.T.), having Texas Coordinate System of 1983, Central Zone (4203) surface coordinates of North 10,126,098.515, East 3,160,873.517, adjusted using a surface adjustment factor of 1.00010;

THENCE South 62° 05' 24" East along the south line of said Plat and the north line of said Tract A, a distance of 956.43 feet to a 5/8 inch iron rod with cap stamped TranSystems set being the northeast corner of said Tract A and the **POINT OF BEGINNING** of said Parcel 169-MNT, having Texas Coordinate System of 1983, Central Zone (4203) surface coordinates of North 10,125,650.826, East 3,161,718.699, adjusted using a surface adjustment factor of 1.00010;

- 1) **THENCE** South 62° 05' 24" East along the north line of said Parcel 169-MNT and the south line of said Plat, passing at a distance of 1,002.53 feet to a point being the southeast corner of said Plat and the southwest corner of a tract of land described by Deed executed on November 3, 2003 as Parcel 167A to State of Texas, recorded in Instrument Number 2004044316, O.P.R.T.C.T., in the existing west right-of-way line of State Highway (SH) 130, a variable width right-of-way, from which a 5/8 inch iron rod with TxDOT aluminum cap found bears North 26° 59' 48" East, a distance of 0.28 feet, in all a distance of 1,030.59 feet to a 1/2 inch iron rod found being the southeast corner of said Parcel 167A and the northwest corner of a tract of land described by Deed executed August 20, 2004 as Parcel 169 to State of Texas, recorded in Instrument Number 2004188028, O.P.R.T.C.T.;
- 2) **THENCE** South 62° 57' 38" East along the north line of said Parcel 169-MNT, the south line of said Parcel 169 and the existing west right-of-way line of said SH 130, a distance of 222.90 feet to a point for a corner being the northeast corner of said Parcel 169-MNT and an entrant corner of said Parcel 169, from which a bent 5/8 inch iron rod with TxDOT aluminum cap found bears South 16° 15' 03" West, a distance of 0.55 feet;

Exhibit A

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- 3) **THENCE** South 19° 40' 06" East along the east line of said Parcel 169-MNT, the west line of said Parcel 169 and the existing west right-of-way line of said SH130, a distance of 70.30 feet to a 5/8 inch iron rod with cap stamped TranSystems set;
- 4) **THENCE** South 13° 55' 01" East continuing along the east line of said Parcel 169-MNT, the west line of said Parcel 169 and the existing west right-of-way line of said SH 130, a distance of 634.51 feet to a 5/8 inch iron rod with TxDOT aluminum cap found being the southeast corner of said Parcel 169-MNT, the southwest corner of said Parcel 169, the northwest corner of a tract of land described by Judgement Cause No. 2496 signed on August 15, 2011 as Parcel 171 to State of Texas as condemnor, recorded in Instrument Number 2011120383, O.P.R.T.C.T. and the northeast corner of a tract of land described by Special Warranty Deed executed August 17, 2013 to 15218 Cameron, L.L.C., recorded in Instrument Number 2013156498, O.P.R.T.C.T., from which a 5/8 inch iron rod with TxDOT aluminum cap found bears South 13° 55' 41" East, a distance of 890.10 feet;
- 5) **THENCE** North 61° 59' 33" West along the south line of said Parcel 169-MNT and the north line of said 15218 Cameron tract, a distance of 1727.65 feet to a 4 inch galvanized steel fence post being the southwest corner of said Parcel 169-MNT and the northwest corner of said 15218 Cameron tract in the east line of said Tract A;
- 6) **THENCE** North 27° 49' 19" East along the west line of said Parcel 169-MNT and the east line of said Tract A, a distance of 513.84 feet to the **POINT OF BEGINNING**, containing 17.7034 acres (771,161 square feet) of land, more or less.

Notes:

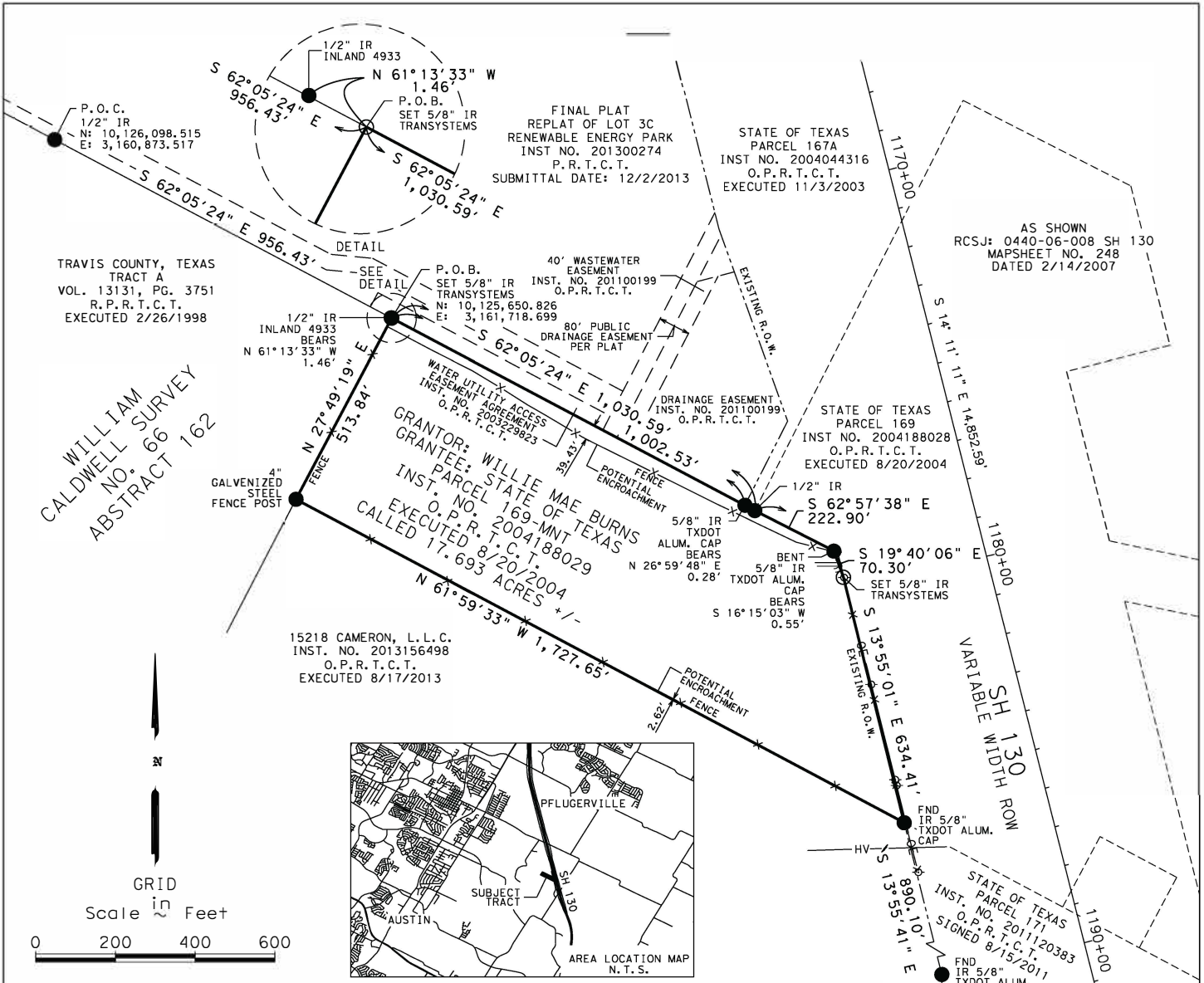
Basis of bearing is the Texas Coordinate System of 1983 (NA 2011), Central Zone (4203), with all coordinates and distances shown being in U.S. Survey Feet and adjusted to surface by TxDOT Travis County surface adjustment factor of 1.00010, Origin of 0,0 (Grid x 1.00010 = Surface).

This property description was prepared in conjunction with a parcel plat of even date.

This property description is accompanied by a separate plat.

Surveyed on the ground in October 2021.

Exhibit A



LEGAL DESCRIPTION TO ACCOMPANY THIS SURVEY SKETCH

BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM OF 1983 (NA 2011), CENTRAL ZONE (4203), WITH ALL COORDINATES AND DISTANCES SHOWN BEING IN U.S. SURVEY FEET AND ADJUSTED TO SURFACE USING THE TXDOT TRAVIS COUNTY SURFACE ADJUSTMENT FACTOR OF 1.00010, ORIGIN OF 0,0. (GRID X 1.00010 = SURFACE) VALUES WERE DERIVED FROM THE STATE REAL TIME NETWORK (TXDOT VRS) IN OCTOBER OF 2021.



I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PARCEL PLAT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Daniel M. Putman 12-3-2021
 DANIEL M. PUTMAN DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 6729

LEGEND

- = 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED TRANSYSTEMS SET, PK NAIL SET, OR X-CUT SET
- = MARKER FOUND AS NOTED
- O.P.R.T.C.T. = OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. = REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
- P.R.T.C.T. = PLAT RECORDS, TRAVIS COUNTY, TEXAS
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING
- ⊙ = POWER POINT
- = GUY WIRE

Texas Department of Transportation

TranSystems

500 WEST SEVENTH STREET
 SUITE 1100
 FORT WORTH, TX 76102
 PHONE: 817-339-8950
 TBPELS FIRM REG. NO. 10038300

TRACT NO. _____
 STATE OF TEXAS
 TRAVIS COUNTY, TEXAS

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