

TEXAS TRANSPORTATION COMMISSION

WILLIAMSON County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In the City of Georgetown, Williamson County, on SH 130, the State of Texas acquired an easement interest in certain land by an instrument recorded in Document No. 2004076752, of the Official Public Records of Williamson County, Texas.

All of the easement, which easement 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.

Titan Gateway III, LLC, a Texas limited liability company, is the owner of the fee interest in the property and has requested to purchase the easement interest for \$64,125.

The commission finds \$64,125 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 Titan Gateway III, LLC, a Texas limited liability company, for \$64,125.

Submitted and reviewed by:

Recommended by:

DocuSigned by: 
BDEF0413AC9E4EC
Director, Right of Way Division

DocuSigned by: 
0E1B35AE191749E...
Executive Director

116443 February 23, 2023

Minute Date
Number Passed

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.



Form ROW-N-15
Rev. 8/2003
Replaces Form D-15-15
GSD-EPC
Page 1 of 2



ESMT
8 PGS

2004076752

**After recording return to:
TEXAS AMERICAN TITLE COMPANY
4201 S. CONGRESS AVE.
SUITE 203
AUSTIN, TX 78745**

RIGHT OF WAY EASEMENT

THE STATE OF TEXAS

§

COUNTY OF WILLIAMSON

§

§

KNOW ALL MEN BY THESE PRESENTS:

That, Paul D. Stipanovic and Thomas D. Stipanovic of the County of Williamson, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Three Thousand Nine Hundred Eighty-Five Dollars (\$3,985.00) to Grantors in hand paid by the State of Texas, acting by and through the Texas Transportation Commission, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Sold and do by these presents Grant, Bargain, Sell and Convey unto the State of Texas an easement for highway purposes of laying out, opening, constructing, operating, maintaining and reconstructing a highway facility thereon, together with necessary incidentals and appurtenances thereto, in, along, upon and across the tract or parcel of land in Williamson County, Texas, more particularly described in Exhibit "A," which is attached hereto and incorporated herein for any and all purposes. The consideration recited herein represents a settlement and compromise by all parties as to the value of the property herein conveyed in order to avoid formal eminent domain proceedings and the added expenses of litigation.

And for the same consideration described above and upon the same conditions, the Grantors have this day granted and conveyed and by these presents do grant and convey unto the State of Texas any and all improvements presently existing upon the property described in said Exhibit "A," SAVE and EXCEPT, HOWEVER, it is expressly understood and agreed that Grantors are retaining title to the following improvements located upon the aforesaid property, to wit: N/A.

Grantors covenant and agree to remove the above-described improvements from said land by the N/A day of N/A, N/A, subject, however, to such extensions of time as may be granted by the State in writing; and if, for any reason, Grantors fail or refuse to remove same within said period of time prescribed, then, without any further consideration, the title to all or any part of such improvements not so removed shall pass to and vest in the State of Texas forever.

It is hereby understood and by the acceptance of this instrument it is recognized that Grantors retain title to all of the oil, gas and sulphur and other mineral interests and water rights in and under said land, but waive any and all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located at a point outside of the property described in said Exhibit "A," and upon the condition that none of such operations shall be conducted so near the surface of said land as to interfere with the intended use thereof or in any way interfere with, jeopardize, or endanger the facilities of the Texas Department

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of Transportation or create a hazard to the public users thereof; it being intended, however, that nothing herein shall affect the rights of the State to take and use without additional compensation any water, stone, earth, gravel, caliche, iron ore gravel or any other road building materials upon, in and under said land for the construction and maintenance of the State Highway System of Texas.

TO HAVE AND TO HOLD the premises described in Exhibit "A" together with all and singular the rights, privileges and appurtenances thereto in any manner belonging, unto the said State of Texas forever; and Grantor hereby binds itself, its heirs, successors or assigns, to Warrant and Forever Defend, all and singular, the said easement described in Exhibit "A" unto the State of Texas, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 3rd day of August, 2004.

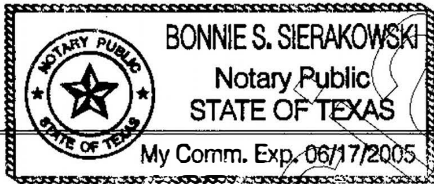
Paul D. Stipanovic
Paul D. Stipanovic

Paul D. Stipanovic
Thomas D. Stipanovic, by and through his agent and attorney-in-fact, Paul D. Stipanovic

Acknowledgement

State of Texas
County of Tom Green

This instrument was acknowledged before me on August 3, 2004
by Paul D. Stipanovic

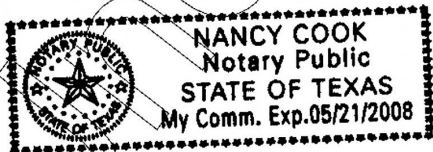


Bonnie S. Sierakowski
Notary Public's Signature

Acknowledgement

State of Texas
County of Tom Green

This instrument was acknowledged before me on August 3, 2004
by Thomas D. Stipanovic, by and through his agent and attorney-in-fact, Paul D. Stipanovic.



Nancy Cook
Notary Public's Signature

EXHIBIT "A"

County: Williamson
Parcel No.: 21-E
Highway: S.H. 130
Limits: From: I.H. 35 and S.H. 195, North of Georgetown
To: I.H. 10 and U.S. 90, East of Seguin

Segment: 1
From: Sta. 0+00
To: Sta. 693+00

Federal Aid
Project No.: HP 1196 (1)
ROW/CSJ: 0440-05-007

DESCRIPTION FOR PARCEL 21-E

DESCRIPTION OF A 10,000 SQUARE FOOT, 0.230 ACRE, TRACT OF LAND OUT OF THE JOHN BERRY SURVEY, ABSTRACT NO. 51, WILLIAMSON COUNTY, TEXAS, ALSO BEING OUT OF A 57.169 ACRE TRACT DESCRIBED IN A WARRANTY DEED DATED NOVEMBER 18, 1998, TO BARBARA MCMURRAY, AN UNDIVIDED 25% INTEREST AS CUSTODIAN FOR KARSEN B. STIPANOVIC, RECORDED IN DOCUMENT NO. 9868194, OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND REFERENCED IN A SPECIAL WARRANTY DEED DATED APRIL 30, 1992, TO THOMAS D. STIPANOVIC AND PAUL D. STIPANOVIC, RECORDED IN VOLUME 2135, PAGE 552, OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 10,000 SQUARE FOOT, 0.230 ACRE TRACT, AS SHOWN ON THE ACCOMPANYING PARCEL PLAT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at a found 1/2-inch iron rod on the existing north right-of-way line of County Road 152 (C.R. 152), a varying width right-of-way, at the southwest corner of said 57.169 acre tract;

THENCE, N 68° 53' 06" E, with the common line between said 57.169 acre tract and said C.R. 152, a distance of 75.89 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II concrete monument after right-of-way acquisition is complete) on the proposed west right-of-way line of S.H. 130;

THENCE, across said 57.169 acre tract, with the proposed west right-of-way line of S.H. 130, the following five (5) courses:

N 21° 34' 43" W, a distance of 48.40 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II concrete monument after right-of-way acquisition is complete);

N 68° 17' 12" E, a distance of 643.96 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II concrete monument after right-of-way acquisition is complete);

N 23° 40' 23" E, a distance of 95.98 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II concrete monument after right-of-way acquisition is complete);

P021-E.DOC

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EXHIBIT "A"

County: Williamson
 Parcel No.: 21-E
 Highway: S.H. 130
 Limits: From: I.H. 35 and S.H. 195, North of Georgetown
 To: I.H. 10 and U.S. 90, East of Seguin

Segment: 1
 From: Sta. 0+00
 To: Sta. 693+00

Federal Aid

Project No.: HP 1196 (1)
 ROW/CSJ: 0440-05-007

N 26° 40' 55" W, a distance of 98.51 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II concrete monument after right-of-way acquisition is complete);

N 32° 46' 43" W, a distance of 1839.09 feet to a set 1/2-inch iron rod with TxDOT aluminum cap, 283.67 feet right of proposed S.H. 130 baseline station 110+36.09, for the southeast corner and **POINT OF BEGINNING** of this tract;

THENCE across said 57.169 acre tract the following three (3) courses:

- 1) S 69° 23' 58" W, a distance of 100.00 feet to a set 1/2-inch iron rod with TxDOT aluminum cap, for the southwest corner of this tract;
- 2) N 32° 46' 43" W, a distance of 102.30 feet to a set 1/2-inch iron rod with TxDOT aluminum cap, for the northwest corner of this tract;
- 3) N 69° 23' 58" E, a distance of 100.00 feet to a set 1/2-inch iron rod with TxDOT aluminum cap on the proposed west right-of-way line of S.H. 130, 278.30 feet right of proposed S.H. 130 baseline station 109+33.92, for the northeast corner of this tract;
- 4) **THENCE**, S 32° 46' 43" E, with the proposed west right-of-way line of S.H. 130, continuing across said 57.169 acre tract, a distance of 102.30 feet to the **POINT OF BEGINNING**, and containing 10,000 square feet, 0.230 acres of land, more or less.

All bearings shown hereon are based upon the Texas State Plane Coordinate System, NAD83 (1986), Central Zone. All distances shown hereon are surface distances. The T.T.A. SH-130 Segment "1" State Plane Grid to Project Surface Adjustment Scale Factor is 1.00011.

PLAT TO ACCOMPANY PARCEL DESCRIPTION

AMELIA WITTERA AND
HUSBAND, BOHOUS WITTERA
(102-1/2 AC.)
V. 472, P. 131,
D.R.W.C.

PROPOSED θ CURVE DATA
PI STA. = 118+71.60
PC STA. = 105+82.67
PT STA. = 131+57.81
D.O.C. = 0°15'00"
DELTA = 6°26'16"
RADIUS = 22918.31'
T = 1288.92'
L = 2575.14'
CB = S33°34'36"E
CD = 2573.78'

STA. 109+33.92
278.30' RT.

P.O.B.
STA. 110+36.09
283.67' RT.

0.230 AC.
10,000 SQ. FT.

THOMAS D. STIPANOVIC,
PAUL D. STIPANOVIC
V.2135, P.552, O.R.W.C.
AND BARBARA MCMURRAY
AS CUSTODIAN FOR
KARSEN B. STIPANOVIC
UNDIVIDED 25% INTEREST
(57.169 AC.)
DOC. NO. 9868194,
O.R.W.C.

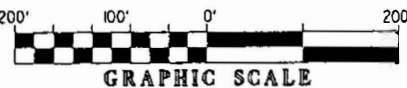
LINE TABLE

NUMBER	BEARING	DISTANCE
L1	N68°53'06"E	75.80'
(L1)	(N71°00'00"E)	-
L2	N21°34'43"W	48.40'
L3	N23°40'23"E	95.98'
L4	N26°40'55"W	98.51'
L5	S69°23'58"W	100.00'
L6	N32°46'43"W	102.30'
L7	N69°23'58"E	100.00'
L8	S32°46'43"E	102.30'

N68°17'12"E 643.95'
PROPOSED R.O.W. LINE
(N71°00'00"E)

EXISTING R.O.W. LINE

N68°53'06"E 765.87'
C.R. 152 (R.O.W. VARIES)
NO DEDICATION FOUND
EXISTING R.O.W. LINE



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Texas Department of Transportation
Texas Turnpike Authority Division
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DAVID WRIGHT SURVEY
ABSTRACT NO. 13

BORDERS MEMORANDUM

any or parts of the text on this page was not
legible for satisfactory reproduction.

MACIAS & ASSOC. LAND SURVEYORS 4410 SOUTH 1ST STREET AUSTIN, TEXAS 78745 PH. (512)442-7875 FAX (512)442-7876 EMAIL: MACIASURVEY@EARTHLINK.NET		PARCEL PLAT SHOWING PROPERTY OF THOMAS D. STIPANOVIC, PAUL D. STIPANOVIC AND BARBARA MCMURRAY			PARCEL NUMBER 21-E
FILE P021-E	T.T.A. PROJECT STATE HIGHWAY 130	DISTRICT T.T.A.	ACQUISITION	0.230	10,000
SCALE 1" = 200'	FEDERAL AID PROJECT NO. HP 1196 (1)	R.O.W.-C. S. J. NO. 0440-05-007	DEED AREA	57.169	2,490,282
		COUNTY WILLIAMSON	REMAINDER AREA	N/A	N/A

PLAT TO ACCOMPANY PARCEL DESCRIPTION

NOTES:

- 1) ALL BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 (1986), CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. THE T.T.A. SH-130 SEGMENT T STATE PLANE GRID TO PROJECT SURFACE ADJUSTMENT SCALE FACTOR IS 1.0001.
- 2) IMPROVEMENTS SHOWN HEREON ARE FROM DIGITAL PHOTOGRAMMETRY FILES AND/OR THE ADDITIONAL DELINEATION OF IMPROVEMENTS WHICH HAVE BEEN BUILT (OR REMOVED) AFTER THE PHOTOGRAMMETRY WAS DEVELOPED.
- 3) THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY TITLE RESOURCES GUARANTY COMPANY, OF NO.201-02-7087, EFFECTIVE DATE: DECEMBER 3, 2002.
- 4) THE FOLLOWING EASEMENTS LISTED IN SCHEDULE B OF THE TITLE COMMITMENT DO NOT APPLY TO THIS PARCEL: ITEMS 9C, 9E AND 9H.
- 5) THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.

LEGEND	
■	TxDOT TYPE I CONCRETE MONUMENT FOUND
□	TxDOT TYPE II MONUMENT FOUND
○	1/2" IRON PIPE FOUND (UNLESS NOTED)
◐	1/2" IRON ROD FOUND (UNLESS NOTED), TO BE REPLACED WITH TYPE II MONUMENT
●	1/2" IRON ROD FOUND (UNLESS NOTED)
○	1/2" IRON ROD W/TX DOT ALUMINUM CAP SET (UNLESS NOTED)
◑	SET 1/2" IRON ROD WITH ALUMINUM CAP (UNLESS NOTED), TO BE REPLACED WITH TYPE II MONUMENT
△	CALCULATED POINT
▲	60D NAIL FOUND UNLESS NOTED
P	PROPERTY LINE
B	S.H. 130 BASELINE
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
ESMT.	EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
D.R.W.C.	DEED RECORDS OF WILLIAMSON COUNTY
P.R.W.C.	PLAT RECORDS OF WILLIAMSON COUNTY
O.R.W.C.	OFFICIAL RECORDS OF WILLIAMSON COUNTY
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY
	CONTROL OF ACCESS
N.T.S.	NOT TO SCALE
)	RECORD INFORMATION
—	DISTANCE SHOWN NOT TO SCALE
- - -	APPROXIMATE SURVEY LINE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

Carmelo L. Macias Sept. 15, '03
DATE:

CARMELO L. MACIAS
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4333 - STATE OF TEXAS



OK
Texas Department of Transportation
Texas Turnpike Authority Division
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MACIAS & ASSOC. LAND SURVEYORS ★ ★ ★ ★ 5410 SOUTH 1ST STREET AUSTIN, TEXAS 78745 PH. (512)442-7875 FAX (512)442-7876 EMAIL: MACIASURVEY@EARTHLINK.NET		PARCEL PLAT SHOWING PROPERTY OF THOMAS D. STIPANOVIC, PAUL D. STIPANOVIC, AND BARBARA McMURRAY		PARCEL NUMBER 21-E	
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	COUNTY WILLIAMSON		REMAINDER AREA	N/A	N/A

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS 2004076752

Nancy E. Rister

09/30/2004 03:23 PM

JACKIE \$28.00

NANCY E. RISTER, COUNTY CLERK

WILLIAMSON COUNTY, TEXAS

Unofficial Document