

154422

EASEMENT DEED

CONTROLLED ACCESS HIGHWAY FACILITY

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

WHEREAS, the State Highway and Public Transportation Commission, hereinafter called "Commission", has been authorized under House Bill 179, Acts of the 55th Legislature, Regular Session, 1957 (Article 6674w-1, et seq., Vernon's Annotated Civil Statutes of Texas) to purchase land and such other property rights deemed necessary for the purposes of facilitating the construction, maintenance and operation of Controlled Access Highways; and

WHEREAS, the purchase of the hereinafter described premises has been deemed necessary by the Commission for the purposes of facilitating the construction, maintenance and operation of a Controlled Access Highway facility;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the School Land Board of the State of Texas, hereinafter called "Grantor", acting by and through the Commissioner of the General Land Office hereunto duly authorized, for and in consideration of the sum of Eighty Two Thousand and Fifty Dollars (\$82,050.00), the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey a perpetual easement for highway purposes for opening, constructing, maintaining and reconstructing a highway facility thereon, together with necessary incidentals and appurtenances thereto, in, upon, along and across the property as described in Exhibit "A", attached to this instrument and made a part hereof.

It is hereby understood and by the acceptance of this instrument it is recognized that Grantor retains title to all of the oil, gas, sulphur and other mineral interests in and under said land, but waives any and all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for the 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 above described property, 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 Commission or create a hazard to the public users thereof; it being intended, however, that nothing herein shall affect the rights of the Commission 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.

ACCESS: Grantor hereby acknowledges that its use of and access to the expressway lanes to be constructed in conjunction with the highway facility of which the land hereby conveyed shall become a part, shall be and forever remains subject to the same regulations by legally constituted authority as applies to the public's use

Counter 23671

CONTROLLED ACCESS HIGHWAY FACILITY

THE STATE OF TEXAS
COUNTY OF GALVESTON

Sketch File 62
Galveston County
Deed Easement: Teichman Pt. to Virginia Pt.
Filed March 10 19 80
By Douglas Howard

WHEREAS, the State Highway and "Commission", has been authorized Regular Session, 1957 (Article Texas) to purchase land and easements of facilitating the operation of a Controlled Access Highway; and

WHEREAS, the purchase of the herein described land and easements by the Commission for the purpose of facilitating the operation of a Controlled Access Highway is hereby authorized, and the Commission is hereby authorized to acquire the same by purchase, donation, or otherwise, and to convey the same to the State Highway System of Texas, and to execute and record the necessary instruments and assurances thereto, in, upon, along and across the property as described in Exhibit "A", attached to this instrument and made a part hereof;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the School Land Board of the State of Texas, hereinafter called "Grantor", acting by and through the Commissioner of the General Land Office hereinafter authorized, for and in consideration of the sum of Eighty-two Thousand and Fifty Dollars (\$82,000.00), the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey a perpetual easement for highway purposes for opening, constructing, maintaining and reconstructing a highway facility thereon, together with necessary incidents and appurtenances thereto, in, upon, along and across the property as described in Exhibit "A", attached to this instrument and made a part hereof.

It is hereby understood and by the acceptance of this instrument it is recognized that Grantor retains title to all of the oil, gas, sulphur and other mineral interests in and under said land, but waives any and all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for the 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 above described property, 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 Commission or create a hazard to the public users thereof; it being intended, however, that nothing herein shall affect the rights of the Commission to take and use without additional compensation any water, stone, earth, gravel, cinders, 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.

ACCESS: Grantor hereby acknowledges that its use of and access to the expressway lanes to be constructed in conjunction with the highway facility of which the land hereby conveyed shall become a part, shall be and forever remains subject to the same regulations by legally constituted authority as applies to the public's use

thereof; and Grantor further acknowledges that the design and operation of such highway facility as a Controlled Access Highway requires that access from Grantor's remaining property to said highway facility shall be governed henceforth as indicated in Paragraphs (A) and/or (B) hereinbelow: and all abutter's rights, including rights of ingress and egress and the right of direct access to and from Grantor's remaining property to said Controlled Access Highway facility which have accrued or might otherwise accrue to Grantor, its heirs, successors or assigns are hereby waived, released and relinquished insofar as they appertain to Paragraph (B) hereinbelow:

- (A) Access to and from Grantor's remaining property will be permitted under the proposed highway bridge facility between Grantor's east and west remainders.
- (B) Access will be denied to the highway bridge facility.

TO HAVE AND TO HOLD said easement together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said Commission forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this 10th day of March, 19 88.

THE STATE OF TEXAS

BY: Jack Giberson
 Commissioner of the General Land Office
acting

STATE OF TEXAS §
 COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared Garry Mauro, Commissioner of the General Land Office and Chairman of the School Land Board of the State of Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 10th day of March, 19 88.

APPROVED

ASSET MGMT SW

LEGAL SW

INVENTORY _____

CHIEF CLERK _____

Marie G. Rea
 Notary Public in and for Travis County, Texas

My Commission Expires:
July 2, 1989



County: Galveston
Highway: I.H.-45
Project Limits: From the Present Grade Crossing of
T.C.T.R.R. North of Alvin "Y" to 61st.
Street in Galveston
C.S.J. No.: 0500-01-099

Field Notes for Parcel 1, Part 1 and Part 2

Being 133.26 acres of land, more or less, in two parts, further being in existing right of way for Interstate Highway 45; Part 1 being a 600 foot wide strip of land lying in the submerged lands of Galveston Bay East of the Samuel Bundick Survey, Abstract No. 7; Part 2 being a 500 foot wide strip of land lying on Galveston Island, Galveston County, Texas, located between the present East shoreline of Galveston Bay as occupied by Galveston Island Causeway (I.H. 45) and the previous East shoreline location as shown on Texas Highway Department right of way map dated July, 1936; Said Part 1 and Part 2 being more particularly described by metes and bounds as follows:

Part 1:

COMMENCING at the most northwesterly corner of said 600 foot right of way strip of land; said corner lying North of and opposite Highway Engineer's Baseline station 1011 + 56.85;

THENCE SOUTH 60°50' East along North line of said 600 foot strip, a distance of 247.0 feet to a point on the West shoreline of Galveston Bay and the POINT OF BEGINNING;

- (1) THENCE SOUTH 60°50' East along said north line of the 600 foot strip and across Galveston Bay a distance of 8,303.40 feet to a point on the East shoreline of Galveston Bay for the northeast corner of this description;
- (2) THENCE SOUTH 29°10' West along the East line of said 600 foot strip of land a distance of 600 feet to the southeast corner of this description;
- (3) THENCE NORTH 60°50' West along the South of said 600 foot strip of land a distance of 8520.40 feet to a point on the West shoreline of Galveston Bay and the southwest corner of this description;
- (4) THENCE NORTH 49°10' East along the West shoreline of Galveston Bay a distance of 625.0 feet to the POINT OF BEGINNING, containing 115.87 acres of land, more or less.

Part 2:

COMMENCING at the most northwesterly corner of said 600 foot right of way strip of land; said corner lying North and opposite of Highway Engineer's Baseline station 1011 + 56.85;

THENCE SOUTH $60^{\circ}50'$ East along the North line of said 600 foot strip, a distance of 8,550.40 feet to a point for corner on the East shoreline of Galveston Bay;

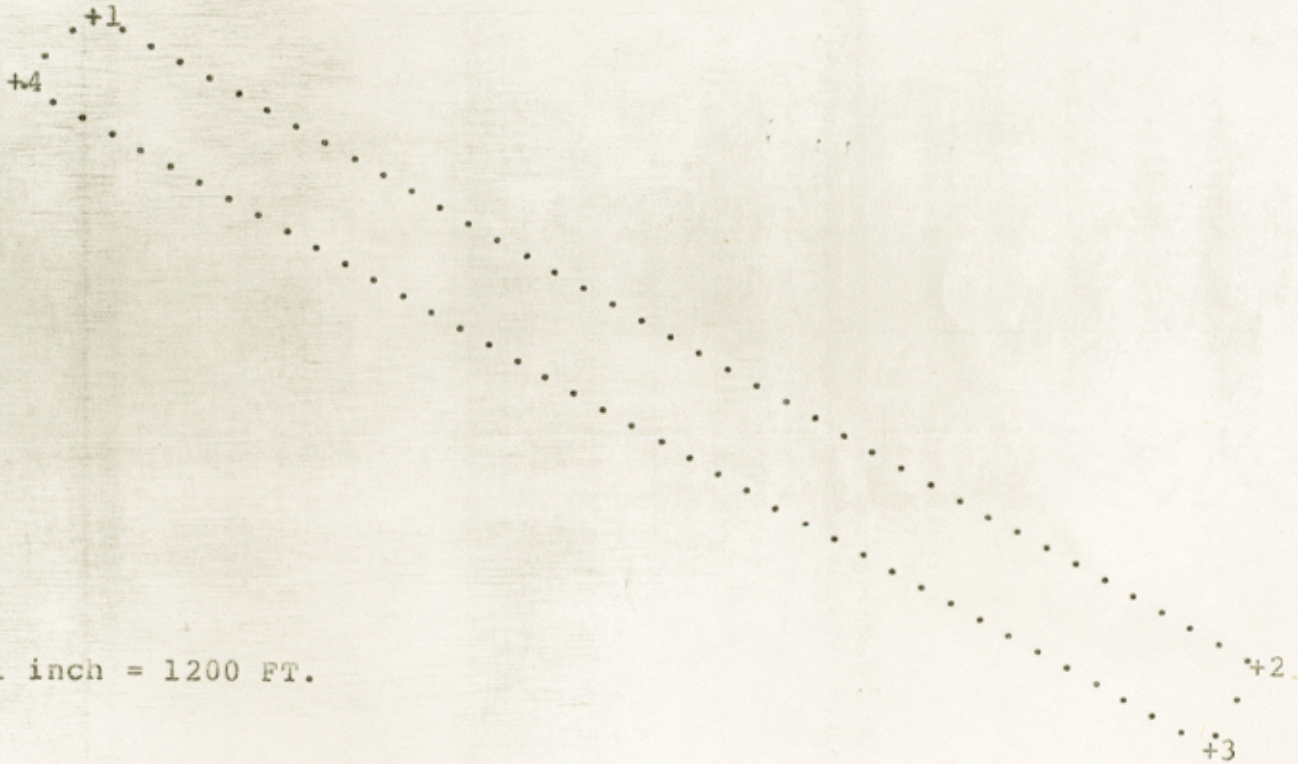
THENCE SOUTH $29^{\circ}10'$ West along said shoreline a distance of 50.38 feet to the northwest corner of the said 500 foot strip of land and the POINT OF BEGINNING;

- (1) THENCE SOUTH $60^{\circ}50'$ East along the North line of said 500 foot strip a distance of 1460.0 feet to a point marking the said previous location of Galveston Bay East shoreline, 282.50 feet North of Highway Department Engineer's Baseline station 1111 + 65 for the northeast corner of this description;
- (2) THENCE SOUTH $16^{\circ}55'$ West along said previous location of the East shoreline a distance of 512.0 feet to a point for the southeast corner of this description;
- (3) THENCE NORTH $60^{\circ}50'$ West along the South line of the said 500 foot strip, a distance of 1570.00 feet to a point on the East shoreline of Galveston Bay as presently occupied by the Galveston Island Causeway (I.H. 45);
- (4) THENCE NORTH $29^{\circ}10'$ East along the said East shoreline a distance of 500.00 feet to the POINT OF BEGINNING and containing 17.39 acres of land, more or less.

MAP CHECK & PLOT

	BEARING	DISTANCE	NORTHING	EASTING
			10000.000	10000.000
SE	60 49	60.0 8303.400	5953.324	17250.577
SW	29 10	0.0 600.000	5429.400	16958.166
NW	60 49	60.0 8520.400	9581.832	9518.103
NE	49 10	0.0 625.000	9990.495	9990.988
NE	43 28	34.1 13.098	10000.000	10000.000
			18048.800	DIST TRAVERSED
			1378	PRECISION
AREA	5046734 SF		115.8571	ACRES

LHA 12/15/87
FILE C + A OK



SCALE 1 inch = 1200 FT.

Division of Survey & Mapping

MAP CHECK & PLOT

	BEARING	DISTANCE	NORTHING	EASTING
			10000.000	10000.000
SE	60 49 60.0	1460.000	9288.466	11274.880
SW	16 55 0.0	512.000	8798.621	11125.898
NW	60 49 60.0	1570.000	9563.763	9754.965
NE	29 9 60.0	500.000	10000.366	9998.641
SE	74 54 42.4	1.407	10000.000	10000.000
		4042.000	DIST TRAVERSED	
		2872	PRECISION	
AREA	758360 SF		17.4095 ACRES	

LHA 12/15/87
FILE C + A OK



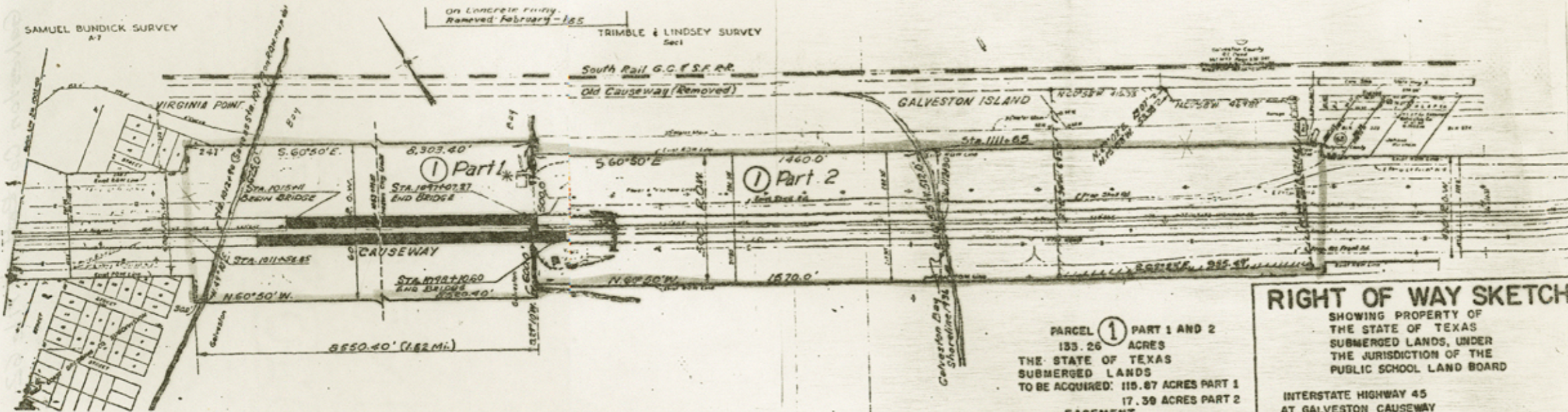
SCALE 1 inch = 1200 FT.

SAMUEL BUNDICK SURVEY
A-7

On Concrete Pier
Removed February - 1955

TRIMBLE & LINDSEY SURVEY
Sect

South Rail G.C. & S.F. R.R.
Old Causeway (Removed)



PARCEL ① PART 1 AND 2
 135.26 ACRES
 THE STATE OF TEXAS
 SUBMERGED LANDS
 TO BE ACQUIRED: 115.87 ACRES PART 1
 17.39 ACRES PART 2
 EASEMENT
 VOL. _____ PAGE: _____

RIGHT OF WAY SKETCH

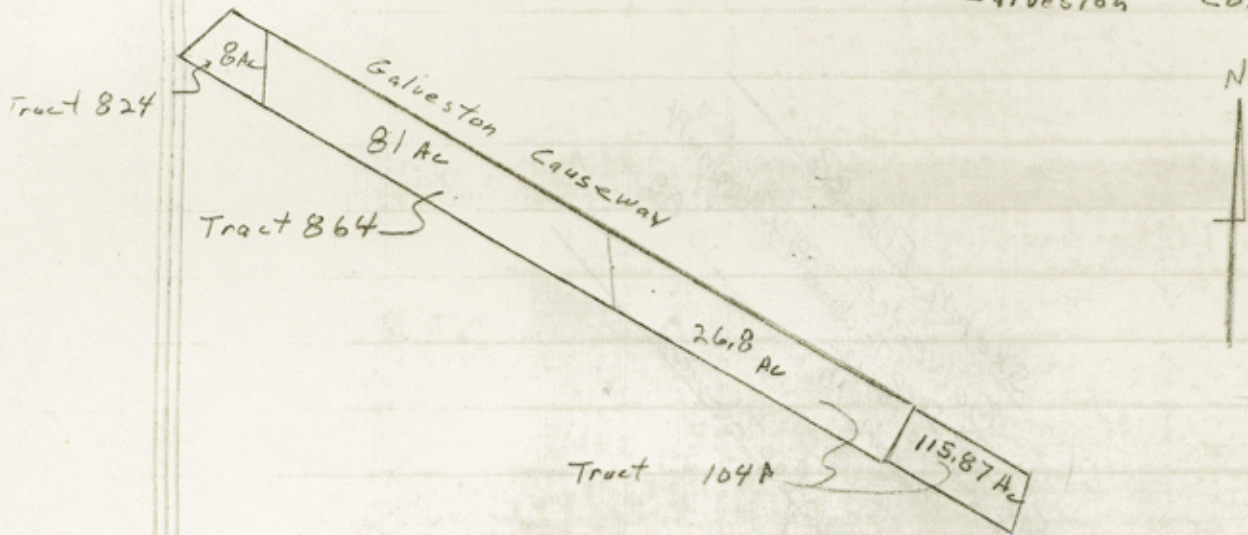
SHOWING PROPERTY OF
 THE STATE OF TEXAS
 SUBMERGED LANDS, UNDER
 THE JURISDICTION OF THE
 PUBLIC SCHOOL LAND BOARD

INTERSTATE HIGHWAY 45
 AT GALVESTON CAUSEWAY
 C.S. J. 0500-01-099

Counter 23478

15442

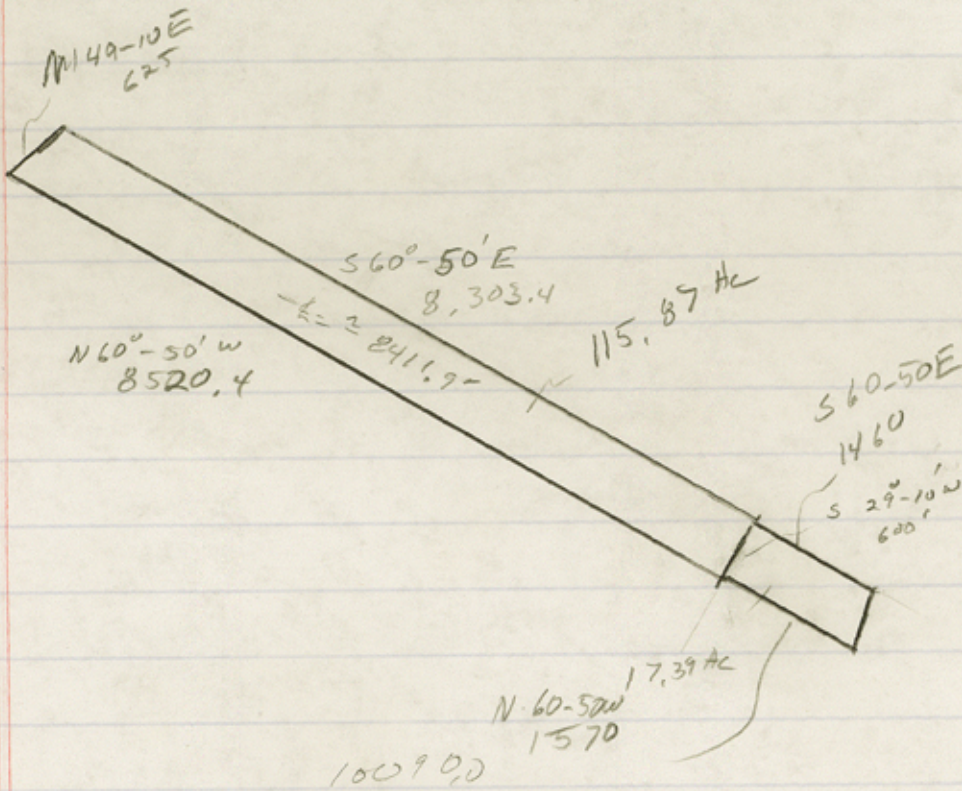
Galveston Causeway
Galveston Bay
Galveston Co.



Tract 824	$587.33' \times 600' = 352,400.4 \text{ sqft} = 8.09 \text{ Ac}$	use	8 Ac
Tract 864	$5887.86' \times 600' = 3,532,716.00 \text{ sqft} = 81.10 \text{ Ac}$	use	81 Ac
Tract 104A	$1937.69' \times 600' = 1,162,616.4 \text{ sqft}$	use	26.8 Ac
			115.87
# "2	104A	See Exhibit A pg. 2 of 2	17.39 Ac
			17.39 Ac

By Mark Mathison

SD 177 22.0 notations
 10 974 07.27
 10 124 90



			40 scale	10.1	824 ≈ 600'
				Ac 13	864 - 5900'
				13-19.8	104 3500
Tract	824	600' x 600'		8.26 Ac [±] -0.17	8.09 Ac 1950-600'
Tract	864	5900 x 600		81.27 -0.17	81.
Tract	104A	1950' x 600 + 17.39 Ac		^{-0.17} 26.86	44.25
				116.39	
				-115.87	
				0.52	