

June 17, 2025

City of League City c/o John Baumgartner 300 W Walker Street League City, Texas 77573-3898

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO. 9589 0710 5270 2176 4321 49

County: Galveston

Federal Project No.: N/A

Highway: SH 99 Segment B-1

Final Offer Letter

ROW CSJ: 3510-01-008

Parcel ID: P00090578.001 & P00090578.002 (324)

From:

IH 45 S

To: Brazoria County Line

Dear Mr. Baumgartner:

As you know, it is necessary for the State of Texas, acting through the Texas Department of Transportation, to construct a highway which requires the purchase of the property referred to above. Inasmuch as negotiations to purchase this property have not been successful to date, a final offer is hereby submitted to you. According to authorization by the Texas Transportation Commission, a total sum of \$38,660.00 is offered for the required property rights, save and except oil, gas and sulphur rights with no right of exploration on the above-described property, subject to clear title being secured. Any compensation that may be due to you from this Department's Relocation Assistance Program is not included in this offer because such funds are paid to eligible persons separately.

If you desire to accept this offer, please contact Mr. William Gold at (832) 319-8508 or WGold@pape-dawson.com as soon as possible. If this offer is not accepted within fourteen (14) days from the date of delivery of this letter, it will be considered as having been rejected. We enclose herein a copy of the proposed instrument by which the property or property interest would be conveyed to the State.

If you elect to reject this offer, eminent domain proceedings will be initiated by the State. Thereafter, the Court will appoint three disinterested real property owners who reside in the County to serve as Special Commissioners, a date will be set for a hearing, and you will be notified of the time and place set for the hearing at which the Special Commissioners will hear the evidence presented and arrive at an award which will be filed with the Court. The State may then deposit the amount of the award with the Court, at which time the State will be entitled to take possession of the property involved. After the deposit is made, you may withdraw your share of the award. If the award exceeds the amount of any subsequent judgment, you are required to repay the State the excess amount and any excess amount not repaid to the State may be deducted from eligible payments, if any, due to you as the property owner under the Department's Relocation Assistance Program. If either you or the State is dissatisfied with the amount of the Special Commissioners' award, objections may be filed within the time prescribed by law and the case subsequently tried before the Court as are other civil cases.

Form ROW-N-FOL (Rev. 11/20)

City of League City Parcel ID: P00090578.001 & P00090578.002 (324) June 17, 2025 Page 2 of 2

Sincerely,

Pape-Dawson Engineers LLC

Silverio Garza, Jr., SR/WA, R/W-NAC, Right of Way Project Manager

Acting on behalf of the Texas Department of Transportation

Enclosure:

Draft Memorandum of Agreement

Draft Deed

Legal Description of Property

Draft Possession and Use Agreement



April 30, 2025

City of League City c/o Ron Bavarian 300 W Walker Street League City, Texas 77573-3898

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO.: 9589 0710 5270 0156 2687 19

County: Galveston

Federal Project No.: N/A

Highway: SH 99 Seg. B-1 ROW CSJ: 3510-01-008

Initial Offer Letter

TxC ROW Project ID: R00011658

TxC Parcel ID: P00090578.001 & P00090578.002 (324)

From: IH 45 S

To: Brazoria County Line

Dear Mr. Bavarian:

In acquiring property for the highway system of Texas, the Texas Department of Transportation (the "Department") follows a definite procedure for appraising the land needed and for handling personal negotiations with each owner. As has been or will be explained by the Department's negotiator, Mr. William Gold, R/W-NAC, the Department will acquire a portion of your property for the construction or improvement of the above-referenced highway project. The property is located at the east line of Maple Leaf Drive, north of Muldoon Parkway, League City, Galveston, Texas, as described in the enclosed legal description and survey (the "Property").

The Department believes at this stage of the purchase process it is mutually beneficial to confirm that, based on an appraisal, the Department is authorized to offer you \$38,660.00 for the Property, which includes \$38,660.00 for the Property to be purchased and \$0.00 for damages to your remaining property.

The amount listed above is the total amount of just compensation for all interests in the portion of the property, as determined in accordance with State law, less oil, gas and sulphur, subject to clear title being conveyed to the Department. In accordance with State law, it is the policy of the Department to negotiate with the fee owner(s) of the Property with the understanding that the fee owner(s) will, in turn, negotiate with any lessee or other party who may own any interest in the Property or improvements located within the Property, with the exception of public utility easements, which will be handled separately by the Department.

This offer to purchase includes the contributory value(s) of the improvement(s) owned by you as listed below, which are considered to be part of the Property. Since the improvement(s) must be removed, it is the policy of the Department to permit the owner(s) who convey voluntarily to the Department to thereafter retain the improvement(s), if they wish to do so. The retention value(s) are estimated amounts the improvement(s) would bring if sold on public bids. If you wish to retain title to any of the following improvement(s) and remove it (them) from the Property, the above offer must be reduced by the appropriate retention amount(s). This option to retain the improvement(s) does NOT apply should it become necessary for the Department to acquire the Property by eminent domain.

Form ROW-N-IOLPT (Rev. 11/24) Page 1 of 3

City of League City Parcel ID: P00090578.001 & P00090578.002 (324) April 30, 2025 Page 2 of 3

Improvement N/A

Amount to be Subtracted if Retained N/A

If you wish to accept the offer based upon this appraisal, please contact Mr. William Gold, who is an employee of Pape-Dawson Engineers, LLC (PD), an affiliate that is providing acquisition services on behalf of the Department, as soon as possible, at (832) 319-8508 or by email at wgold@pape-dawson.com so that the process of issuing your payment may be started. If you are not willing to accept this offer, you may submit a written request for administrative settlement/counteroffer, setting forth a counteroffer amount and the basis for such amount, provided such settlement request is received in writing within 30 days from the date of this letter. Please note that your opportunity to submit an administrative settlement shall be forfeited if such a settlement request is not received by the Department within the 30-day time deadline.

In the event the condition of the Property changes for any reason, the Department shall have the right to withdraw or modify this offer.

After the date of payment of the purchase price, or the date of deposit in court of funds to satisfy the award of compensation as determined through eminent domain proceedings to acquire the Property, you will be reimbursed by the Department for any fair and reasonable incidental expenses necessarily incurred in transferring title to the Property to the Department. Expenses eligible for reimbursement may include (1) recording fees, transfer taxes, and similar expenses incidental to conveying the Property to the Department, and (2) penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the Property. Voluntary unnecessary expenses or expenses incurred in clearing questionable title will not be eligible for reimbursement. Eligible incidental expenses will be reimbursed upon submission of a claim supported by receipted bills or other evidence of actual expenses incurred. You may file a written request for review if you believe that the Department failed to properly determine the eligibility for, or the amount of, incidental expenses to be reimbursed. There is no standard form to request a review of a claim; however, the claim must be filed with this office within six months after you are notified of the Department's determination on any claim for reimbursement.

You may be entitled to additional payments and services under the Department's Relocation Assistance Program. It is emphasized, however, that any benefits that you may be entitled under this program will be handled entirely separate from and in addition to this transaction. You will receive a brochure entitled "Relocation Assistance", which will inform you of eligibility requirements, payments, and services that are available.

You have the right to discuss with others any offer or agreement regarding the Department's acquisition of the Property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as it may apply to the Department.

Please see the enclosed copy of the proposed instrument that will convey the Property and any improvement owned by you on the Property to the Department. Additionally, please see the enclosed copy of the Texas Landowner Bill of Rights.

Also enclosed is a copy of the Department brochure entitled "Right of Way Purchase", which the Department trusts will give you a better understanding of the procedures followed by the Department in purchasing property interests for highway purposes. The Department respectfully requests the opportunity to meet with you or to

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City of League City Parcel ID: P00090578.001 & P00090578.002 (324) April 30, 2025 Page 3 of 3

otherwise discuss and answer any questions you may have regarding the details of the type of facility to be built or concerning the Department's offer or proposed purchase transaction. Also, please do not hesitate to contact Mr. Gold at the telephone number provided above regarding any question you may have.

Finally, enclosed are copies of all appraisal reports relating to the Property being acquired, which were prepared in the ten (10) years preceding the date of this offer and produced or acquired by the Department, including the appraisal that determined this offer. These appraisals were prepared by a certified appraiser certified to practice as a certified general appraiser under Chapter 1103, Occupations Code.

Sincerely,

Pape-Dawson Engineers,

Silverio Garza, Jr., SR/WA, R/W-WAC, Right of Way Project Manager

Acting on behalf of the Texas Department of Transportation

ENCLOSURES: Offer Letter

Draft Memorandum of Agreement

Draft Deed

Legal Description and Survey of the Property

Appraisal Report(s)

Acknowledgement of Receipt of Appraisal

"Right of Way Purchase" Brochure

"Relocation Assistance" Brochure

Landowner Bill of Rights

Acknowledgment of Receipt of LBOR

TREC Information about Brokerage Services

Title Commitment

Draft Possession and Use Agreement

Negotiation Checklist

AP152

W9



How are we doing? Take a short survey. https://www.surveymonkey.com/r/DZKQHYF

Form ROW-N-IOLPT (Rev.11/24) Page 3 of 3



November 2024 Parcel ID P00090578.001 & P00090578.002 Parcel 324 Parts 1 & 2 Page 1 of 10

EXHIBIT A

County:

Galveston

Highway:

SH 99 Segment B1

Limits:

I-45 S to Brazoria County Line

RCSJ:

3510-01-008

ROW Project ID R00011658

Property Description Parcel 324 Parts 1&2/ Parcel ID No. P00090578.001, P00090578.002

Being a 0.4438-acre (19,330 square feet) parcel of land, located in the I. & G.N.R.R. Co. Survey, Abstract Number 596, Galveston County, Texas, and being out of a called 37.61-acre tract of land, conveyed by Special Warranty Deed from Land Funds two & three, Joint Venture to City of League City, executed June 29, 2007, and recorded in Instrument No. 2008006479, of the Official Public Records of Galveston County, Texas (O.P.R.G.C.T.), said 0.4438-acre parcel being more particularly described in two parts as follows:

Parcel 324 Part 1 (P00090578.001), (0.2403 acres, 10,468 square feet)

COMMENCING at the, interior corner of a certain called 1,777.3392 acre tract, conveyed to Martron LLC., by Special Warranty Deed, executed October 18, 2006, and recorded in Instrument No. 2006084760, of the (O.P.R.G.C.T.), being on the north line of a called 941.89 acre tract, conveyed to West West Cattle Company by deed, executed January 1, 1992, and recorded in Instrument No. 9205621, Official Public Records of Real Property, Galveston County, Texas, (O.P.R.R.P.G.C.T.), from which a found 1/2 inch iron pipe, bears South 42°10'42" East – 0.88 feet, thence as follows:

North 85° 42' 20" East, along the south line of said called 1,777.3392 acre tract, being the north line of said called 941.89 acre tract, a distance of 950.34 feet to the northeast corner of said called 941.89 acre tract, being the northwest corner of said called 37.61 acre tract;

November 2024 Parcel ID P00090578.001 & P00090578.002 Parcel 324 Parts 1 & 2 Page 2 of 10

EXHIBIT A

South 03° 38' 24" East, along the east line of said called 941.89 acre tract, and the west line of said called 37.61 acre tract, a distance of 1,803.36 feet, to a 1/2 inch iron rod found for the southwest corner of said called 37.61 acre tract, being the northwest corner of a called 57.064 acre tract of land, conveyed by Special Warranty Deed to Forestar (USA) Real Estate Group Inc., executed October 14, 2022, and recorded in Instrument No. 2022065217, of the (O.P.R.G.C.T.), and being on the proposed northerly right-of-way and Access Denial Line of State Highway (SH) 99, and the **POINT OF BEGINNING** of the herein described parcel, having coordinates of N=13,736,464.77, and E=3,186,025.50, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6509+71.16. All bearings and distances shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum of 1983 (NAD83), (2011) (Epoch 2010.00), all elevations shown hereon are referenced to the North American Vertical Datum of 1988 (GEOID 18). Coordinates and distances are U.S. Survey feet displayed in surface values and may be converted to grid values by dividing by a combined surface adjustment factor of 1.00013;

- 1. **THENCE**, North 47° 12' 05" East, along the said proposed northerly right-of-way and Access Denial Line of SH 99, a distance of 224.18 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set for the beginning of a curve to the right, located 342.74 feet left of State Highway (SH) 99 Proposed Baseline Station 6511+44.01, and being on the existing west right-of-way line of Maple Leave Drive Extension Phase Two (100 feet right-of-way), recorded in Instrument No. 2022058458, and filed September 9, 2022 of the Map Records of Galveston County, Texas, (M.R.G.C.T.);**
- 2. **THENCE**, in a southeasterly direction, along the existing right-of-way line of said Maple Leaf Drive, with said curve to the right, having a central angle of 02°24'34", an arc length of 60.56 feet, a radius of 1,440.00 feet, a chord bearing of South 24°28'59" East, a chord distance of 60.55 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set for the end of said curve to the right, located 286.30 feet left of State Highway (SH) 99 Proposed Baseline Station 6511+65.94;**
- 3. **THENCE**, South 46° 27' 39" West, along the said proposed northerly right-of-way and Access Denial Line of SH 99, a distance of 133.46 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set for an angle point, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6510+64.14;

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EXHIBIT A

4. **THENCE**, South 86° 45' 05" West, departing the said proposed northerly right-of-way and Access Denial Line of SH 99, along the southerly line of said called 37.61 acre tract and northerly line of said called 57.064 acre tract, a distance of 92.98 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 0.2403 acres (10,468 square feet) parcel of land.

Parcel 324 Part 2 (P00090578.002), (0.2035 acres, 8,862 square feet)

COMMENCING at a 5/8 inch iron rod with TXDOT aluminum disk set for a curve to the left, being on the said proposed northerly right-of-way line of SH 99, the existing easterly right-of-way line of said Maple Leaf Drive, the southerly line of said called 37.61 acre tract, and being the northerly line of said called 57.064 acre tract, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6513+19.04, thence as follows:

In a northwesterly direction along the said existing easterly right-of-way line of Maple Leaf Drive, having a central angle of 06°31'43", a radius of 1,560.00 feet, an arc length of 177.75 feet, a chord bearing of North 21°37'58" West, a chord distance of 177.66 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set for the end of said curve to the left, and being the **POINT OF BEGINNING** of the herein described parcel, and the beginning of a curve to the left, having coordinates of N=13,736,649.63, and E=3,186,307.32, located 368.59 feet left of State Highway (SH) 99 Proposed Baseline Station 6512+63.01. All bearings and distances shown hereon are based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum of 1983 (NAD83), (2011) (Epoch 2010.00), all elevations shown hereon are referenced to the North American Vertical Datum of 1988 (GEOID 18). Coordinates and distances are U.S. Survey feet displayed in surface values and may be converted to grid values by dividing by a combined surface adjustment factor of 1.00013;

1. **THENCE**, in a northwesterly direction, departing the said proposed northerly right-of-way and Access Denial Line of SH 99, along the said existing easterly right-of-way line of Maple Leaf Drive, with said curve to the left, having a central angle of 02°08'34", a radius of 1,560.00 feet, an arc length of 58.34 feet, a chord bearing of North 25°58'07" West, a chord distance of 58.34 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set, located 422.40 feet left of State Highway (SH) 99 Proposed Baseline Station 6512+40.47;***

November 2024 Parcel ID P00090578.001 & P00090578.002 Parcel 324 Parts 1 & 2 Page 4 of 10

EXHIBIT A

- 2. **THENCE**, North 47° 12' 05" East, along the said proposed northerly right-of-way and Access Denial Line of SH 99, over and across said called 37.61 acre tract, a distance of 152.08 feet, to a 5/8 inch iron rod with TXDOT aluminum disk stamped "ADL" set for the end of an Access Denial Line, located 519.24 feet left of State Highway (SH) 99 Proposed Baseline Station 6513+57.74;
- 3. **THENCE**, South 46° 33' 07" East, along the said proposed northerly right-of-way line of SH 99, over and across the said called 37.61 acre tract, a distance of 53.72 feet, to a 5/8 inch iron rod with TXDOT aluminum disk stamped "ADL" set for the beginning of an Access Denial Line, located 480.14 feet left of State Highway (SH) 99 Proposed Baseline Station 6513+94.58;
- 4. **THENCE**, South 46° 27' 39" West, along the said proposed northerly right-of-way and Access Denial Line of SH 99, over and across the said called 37.61 acre tract, a distance of 172.50 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 0.2035 acres (8,862 square feet) parcel of land.

324 Part 1 = 0.2403 acres, 10,468 square feet 324 Part 2 = 0.2035 acres, 8,862 square feet Total = 0.4438 acres, 19,330 square feet

November 2024 Parcel ID P00090578.001 & P00090578.002 Parcel 324 Parts 1 & 2 Page 5 of 10

EXHIBIT A

Notes:

Access will be permitted to the remainder property abutting the highway facility.

** The monument described and set in this call may be replaced with a Texas Department of Transportation Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by the Texas Department of Transportation.

This description was prepared in conjunction with and accompanied by a plat of even date herewith.

Abstracting performed by Courthouse Specialist from June 2023 to October 2023.

I, Ruben A. Calderon, hereby certify that the above description is true and correct and depicts a survey made on the ground under my supervision in November 2024.

Kun O. Cream

Ruben A. Calderon, RPLS
Texas Registration Number 5109
TBPELS Surveying Firm Reg. No. 10030700
RODS Surveying Inc.
6810 Lee Road Spring, Texas 77379
Phone (281) 257-4020

November 26, 2024



NOTES:
1. ALL BEARINGS AND COORDINATES SHOWN
HEREON ARE BASED ON THE TEXAS COORDINATE
SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH
AMERICAN DATUM OF 1983 (NAD83) (2011 ADJ.;
EPOCH 2010.00).

2. ALL ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) (GEOID 18).

3. COORDINATES AND DISTANCES ARE U.S. SURVEY FEET, DISPLAYED IN SURFACE VALUES, AND MAY BE CONVERTED TO GRID VALUES BY DIVIDING BY THE SURFACE ADJUSTMENT FACTOR OF 1.00013.

4. HORIZONTAL COORDINATES ARE BASED ON REDUNDANT GPS RTN OBSERVATIONS MEASURED FROM TXDOT CORS TXLM DURING JANUARY, FEBRUARY, MAY & JUNE 2023.

5. ELEVATIONS ARE BASED ON REDUNDANT GPS
RTN OBSERVATIONS, ADJUSTED WITH DIGITAL
LEVELING CONSTRAINED TO THE STATIC GPS
DERIVED ELEVATIONS OF THE PRIMARY
NANDUMENTS AND THE PUBLISHED ELEVATION OF
NATIONAL GEODETIC SURVEY BENCHMARK AW5683.
OFF-SITE AGENCY BENCHMARKS AND LEGACY
CONTROL RECOVERED EAST OF IH 45 FOR
REFERENCE WERE NOT LEVELED.

6. ALL SET PRIMARY AND SECONDARY CONTROL DISKS ARE STAMPED WITH THE POINT NAMES.

7. **=THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT OF WAY MARKED UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BT TXDOT.

8. ■ = SET 5/8
ALUMINUM CAP. ■= SET 5/8" IRON ROD WITH TXDOT

9. ABSTRACTING PERFORMED B BY COURTHOUSE SPE-

MONTHS OF SURVEYS PERFORMED JUNE 2023 THROUGH DURING THE OCTOBER 2023.

11. ACCESS IS PROHIBITED ACROSS THE ACCESS DENIAL LINE TO THE HIGHWAY FACILITY FROM THE ABUTTING REMAINDER PROPERTY.

11/26/2024

DATE

RUBEN A. CALDERON B AR SE OF T Ś AKG\STER A STATE OF THE STA n S

I, RUBEN A. CALDERON, HEREBY CERTIFY THAT THE HEREON MAP OR PLAT IS TRUE AND CORRECT AND DEPICTS A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION DURING THE MONTHS OF JUNE, 202 THROUGH NOVEMBER, 2024.

9R

2023

A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNC-TION WITH THIS PARCEL PLAT.

RUBEN A. CALDERON, RPLS NO. RELEASE DATE NOVEMBER, 2024

5109

RUBEN A. CALDERON
REGISTERED PROFESSIONAL LAND
NO. 5109, STATE OF TEXAS EXISTING SURVEYOR 0.2403 0,468

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PART

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862

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AC SF

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AC

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TOTAL

0

4438

AC SF

9

330

SF

RODS SURVEYING, INC

TEL (281) 257-4020 6810 BPLS FIRM LEE ROAD REGISTRATION # SPRING, TEXAS 7737 FAX (281) 257-4021 10030700 77379

PARCEL SHOWING U D

PARCELS P00090578,001 P00090578,002/324 PARTS QΟ 8°2

NOVEMBER, TxC PROJECT ID: R00011658 RCSJ 3510-01-008 99 HS GALVESTON COUNTY

2024

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LEGEND

■ SET 5/8"IR W/TXDOT ALUM CAP (UNLESS OTHERWISE NOTED)

O FOUND (MONUMENT) AS INDICATED

SET (MONUMENT) AS INDICATED
 CALCULATED POINT

PROPERTY LINE

W

PROPERTY LINE SYMBOL LAND HOOK

N

(UTS) UNABLE TO SET

O.P.R.G.C.T. OFFICIAL PUBLIC RECORDS

TEXAS

O.P.R.R.P.G.C.T. OFFICIAL PUBLIC RECORDS REAL PROPERTY GALVESTON COUNTY, TEXAS

P.R.G.C.T. PLAT RECORDS GALVESTON COUNTY, TEXAS G.C.M.R. GALVESTON COUNTY MAP RECORDS

ACCESS DENIAL

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RODS SURVEYING, INC.

6810 LEE ROAD SPRING, TEXAS 77379
TEL (281) 257-4020 FAX (281) 257-4021
TBPLS FIRM REGISTRATION # 10030700

PARCEL PLAT

SHOWING
PARCELS P00090578,001 &
P00090578,002/324 PARTS 1&;

RCSJ 3510-01-008
TxC PROJECT ID:RO0011658
NOVEMBER, 2024
N.T.S.

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SH 99

GALVESTON COUNTY

