

May 8, 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 2692 73

ROW CSJ: 3510-01-008
County: Galveston
Federal Project No.: N/A
Final Offer Letter - Easement

Parcel: P00091279 (330E)
Highway: SH 99 Segment B-1
From: IH 45 S
To: Brazoria County Line

Dear Mr. Bavarian:

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 interest referred to above. Inasmuch as negotiations to purchase this property interest 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 \$8,203.00 is offered for the ☒ drainage easement / ☐ highway easement / ☐ temporary construction easement interest, 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.

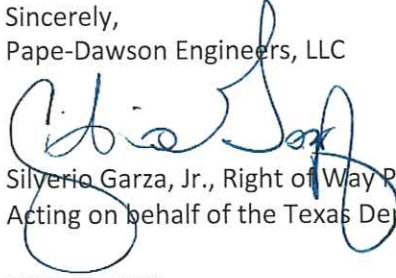
If you desire to accept this offer, please contact Mr. William Gold at (832) 319-8508 or by email at WGold@pape-dawson.com, as soon as possible. If this offer is not accepted within 14 days from the date of delivery of this letter, it must be considered as having been rejected. We enclose herein a draft of the instrument by which the easement 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 freeholders 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 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-FOLE (Rev. 05/12)

City of League City
Parcel ID: P00091279 (330E)
May 8, 2025
Page 2 of 2

Sincerely,
Pape-Dawson Engineers, LLC



Silverio Garza, Jr., Right of Way Project Manager
Acting on behalf of the Texas Department of Transportation

ENCLOSURES:

Draft Memorandum of Agreement
Draft Easement
Legal Description of Property
Draft Possession and Use Agreement

March 20, 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 2690 20

County: Galveston
Federal Project No.: N/A
Highway: SH 99 Seg. B-1
ROW CSJ: 3510-01-008

TxC ROW Project ID: R00011658
TxC Parcel ID: P00091279 (330E)
From: IH 45 S
To: Brazoria County Line

Initial Offer Letter

Dear Mr. Bavarian,

In acquiring property rights for the highway system of Texas, the Texas Department of Transportation (the "Department") follows a definite procedure for appraising property interests needed for highway use and for handling personal negotiations with each fee owner. As explained by the Department's negotiator, Mr. William Gold, R/W-NAC, a ☒ drainage easement / ☐ highway easement / ☐ temporary construction easement is to be acquired across 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, 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 \$8,203.00 for the ☒ drainage easement / ☐ highway easement / ☐ temporary construction easement, which includes \$8,203.00 for the easement and \$0.00 for damages to your remaining property.

This offer to purchase includes the contributory value(s) of the improvement(s) 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 amount(s) 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 proposed easement area, the amount of the above offer must be reduced by the appropriate retention amount(s). This option to retain improvement(s) does NOT apply should it become necessary for the Department to acquire the easement by eminent domain.

Improvement	Amount to be Subtracted if Retained
N/A	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, 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 purchase price for the easement, or the date of deposit in court of funds to satisfy the award of compensation as determined through eminent domain proceedings to acquire the easement interest in the Property, you will be reimbursed by the Department for any fair and reasonable incidental expenses necessarily incurred in transferring the easement interest in the Property for use by the Department. Expenses eligible for reimbursement may include recording fees, transfer taxes, and similar expenses incidental to conveying the easement interest in the Property to the Department. 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 booklet entitled "*Relocation Assistance*", which will inform you of eligibility requirements, payments, and services that are available.

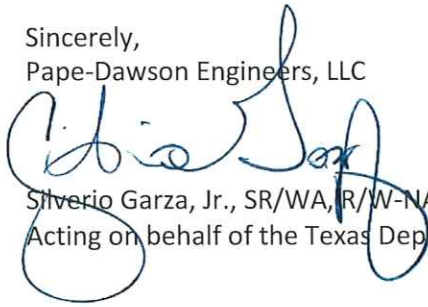
You have the right to discuss with others any offer or agreement regarding the Department's acquisition of the Property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as it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

Please see the enclosed copy of the proposed instrument that will convey the easement 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 otherwise discuss and answer any questions you may have regarding 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, LLC



Silverio Garza, Jr., SR/WA, R/W-NAC, Right of Way Project Manager
Acting on behalf of the Texas Department of Transportation

ENCLOSURES:

Offer Letter
Draft Memorandum of Agreement
Draft Drainage Easement for Highway Purposes
Legal Description and Survey of the Property
Appraisal Report(s)
Acknowledgement of Receipt of Appraisal
"Right of Way Purchase" 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>

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 330 / Parcel ID No. P00091279

Being a 0.0951-acre (4,143 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 0.0951-acre parcel being more particularly described as follows:

COMMENCING at a 5/8 inch iron rod with TXDOT aluminum disk set on the proposed northerly right-of-way and Access Denial Line of SH 99, being an interior corner of a called 1,777.3392 acre tract of land conveyed to Martron LLC., by Special Warranty Deed, executed December 27, 2012, and recorded in Instrument No. 2013000636, of the (O.P.R.G.C.T.), being on the north line 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 the southeast corner of said called 37.61 acre tract, thence as follows:

South 86° 45' 05" West, along the common southerly line of said called 37.61 acre tract, and the north line of said called 57.064 acre tract, and along the said proposed northerly right-of-way and Access Denial Line of SH 99, passing at a distance of 25.69 feet, a 5/8 inch iron rod with TXDOT aluminum disk set, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6518+47.93, continuing along said proposed northerly right-of-way and Access Denial Line of SH 99, a total distance of 110.16 feet to a 5/8 inch iron rod with TXDOT aluminum disk set for the **POINT OF BEGINNING** of the herein described parcel, having coordinates of N=13,736,509.67, and E=3,186,816.52, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6517+63.46. 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;

EXHIBIT A

1. **THENCE**, South 86° 45' 05" West, continuing along the said common southerly line of said called 37.61 acre tract, the northerly line of said called 57.064 acre tract, and the said proposed northerly right-of-way and Access Denial Line of SH 99, a distance of 51.04 to a 5/8 inch iron rod with TXDOT aluminum disk set, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6517+12.42;
2. **THENCE**, North 45° 38' 07" West, departing 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 93.45 feet to a 5/8-inch iron rod with TXDOT aluminum disk set for an angle point, located 269.02 feet left of State Highway (SH) 99 Proposed Baseline Station 6516+49.43;
3. **THENCE**, North 45° 33' 28" East, over and across said called 37.61-acre tract, a distance of 37.50 feet to a 5/8-inch iron rod with TXDOT aluminum disk set for an angle point, located 293.72 feet left of State Highway (SH) 99 Proposed Baseline Station 6516+77.64;
4. **THENCE**, South 45° 43' 38" East, over and across said called 37.61-acre tract, a distance of 127.07 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 0.0951 acres (4,143 square feet) parcel of land.

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 December 2024.

Ruben A. Calderon

December 2, 2024

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



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 (NAV88) (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 MONUMENTS 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 LEVELLED.

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 MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

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

9. ABSTRACTING PERFORMED BY COURTHOUSE SPECIALIST FROM JUNE 2023 TO OCTOBER 2023.

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

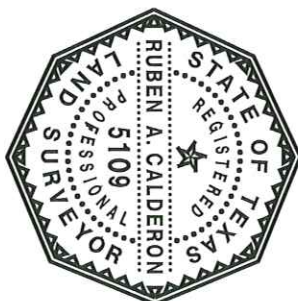
11. ACCESS IS PROHIBITED ACROSS THE ACCESS DENIAL LINE TO THE HIGHWAY FACILITY FROM THE ABUTTING REMAINDER PROPERTY.

A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

RUBEN A. CALDERON, RPLS NO. 5109
RELEASE DATE DECEMBER, 2024

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 2023 THROUGH DECEMBER 2024.

12/2/2024
DATE



Ruben A. Calderon
RUBEN A. CALDERON
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 5109, STATE OF TEXAS

EXISTING	TAKING	REMAINING
CALLED	0.0951 AC	37.61 AC LT
37.61 AC	4,143 SF	0 AC RT

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

PARCEL PLAT

SHOWING
PARCEL P00091279/330

SH 99 GALVESTON COUNTY
RCSJ 3510-01-008

TXC PROJECT ID: R00011658
DECEMBER, 2024

I. & G.N.R.R.
CO. SURVEY
ABSTRACT 596

I. & G.N.R.R.
CO. SURVEY
ABSTRACT 615

PARENT TRACT INSET
PARCEL 330
(N.T.S.)

37.61 AC. (1,638,490 SQ. FT.)
OUT OF 838.32 AC. TR.
CITY OF LEAGUE CITY
DOC. NO 2008006479
EX.: JUNE 29, 2007
O.P.R.G.C.I.

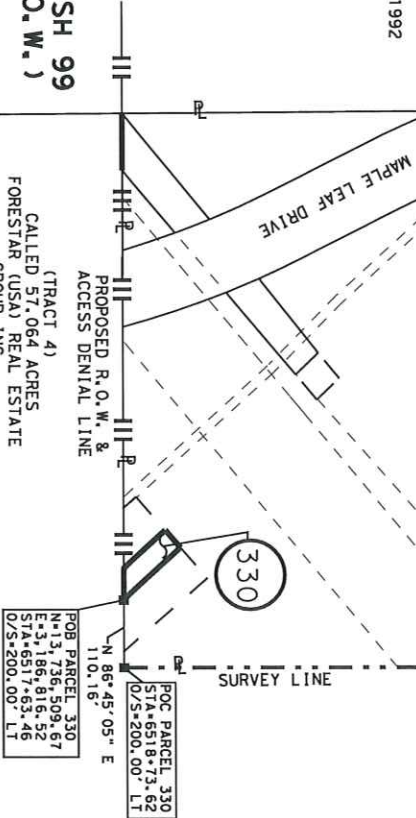
I. & G.N.R.R. CO.
SURVEY, (A-596)
I. & G.N.R.R. CO.
SURVEY, (A-615)



(FIRST TRACT)
CALLED 941.89 ACRES
WEST WEST COMPANY
DOC# 9205621
EXECUTED: JANUARY 1, 1992
O.P.R.R.P.G.C.I.

PROPOSED SH 99
(400' R.O.W.)

(TRACT 4)
CALLED 57.064 ACRES
FORESTAR (USA) REAL ESTATE
GROUP, INC.
DOC# 2022065217
EXECUTED: OCTOBER 14, 2022
O.P.R.G.C.I.



RODS SURVEYING, INC.

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

PARCEL PLAT
SHOWING

PARCEL P00091279/330

SH 99 GALVESTON COUNTY

RCSJ 3510-01-008

TXC PROJECT ID: R00011658

DECEMBER, 2024

PAGE 5 OF 7

N.T.S.

LEGEND

- SET 5/8" IR W/TXDOT ALUM CAP
(UNLESS OTHERWISE NOTED)
- FOUND 5/8" IR W/TXDOT ALUM CAP
- FOUND (MONUMENT) AS INDICATED
- SET (MONUMENT) AS INDICATED
- ▲ CALCULATED POINT
- ③ PARCEL NUMBER
- R PROPERTY LINE SYMBOL
- Z LAND HOOK
- (UTS) UNABLE TO SET
- O.P.R.G.C.T. OFFICIAL PUBLIC RECORDS
GALVESTON COUNTY, TEXAS
- O.P.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 LINE —||—||—

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

PARCEL PLAT
SHOWING
PARCEL P00091279/330
SH 99 GALVESTON COUNTY
RCSJ 3510-01-008
TXC PROJECT ID: R00011658
DECEMBER, 2024
PAGE 6 OF 7
N.T.S.

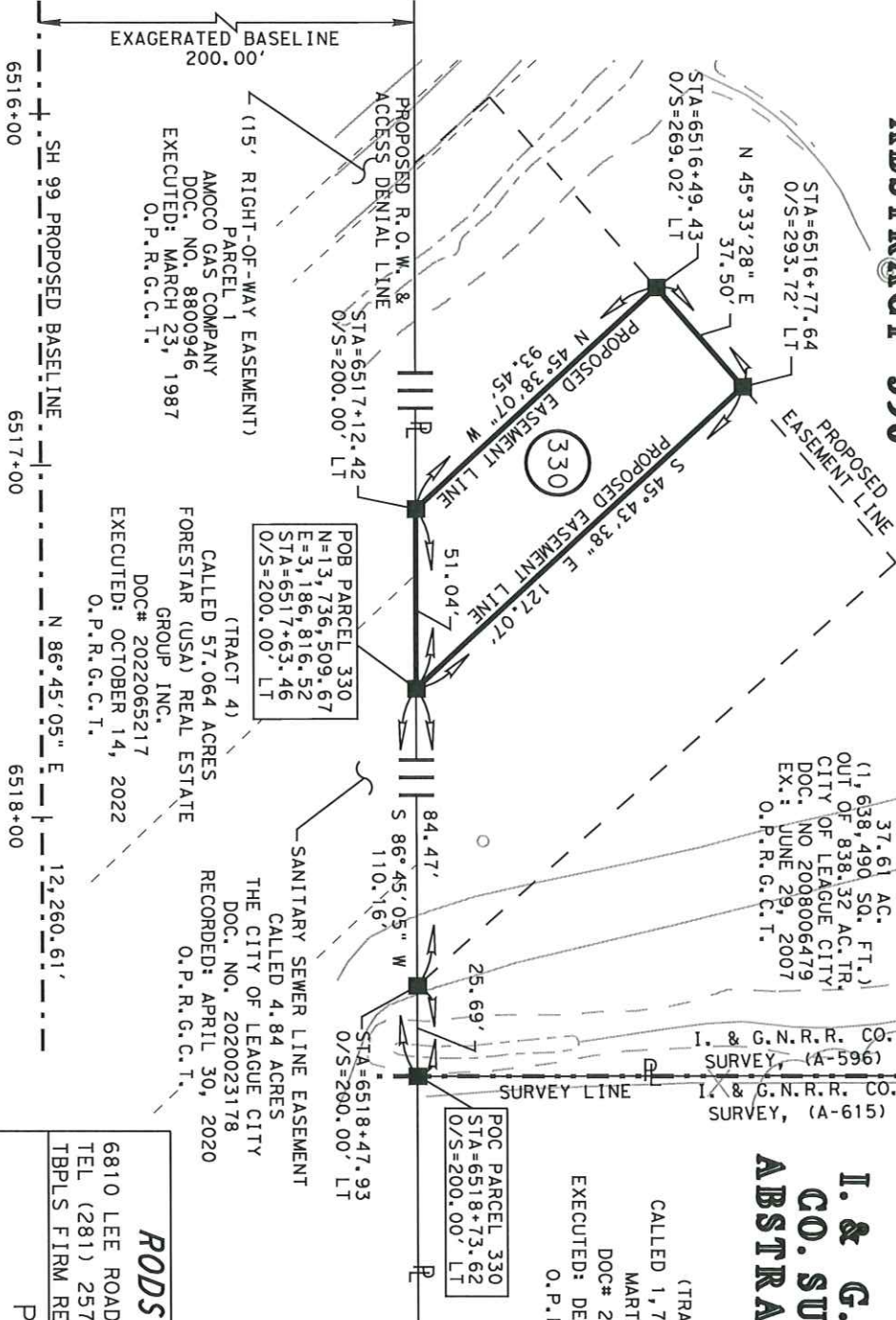
I. & G.N.R.R. CO. SURVEY ABSTRACT 596

(1, 638, 490 SQ. FT.)
OUT OF 838,132 AC. TR.
CITY OF LEAGUE CITY
DOC. NO. 2008006479
EX.: JUNE 29, 2007
O.P.R.G.C.T.

I. & G.N.R.R. CO.
SURVEY, (A-596)
I. & G.N.R.R. CO.
SURVEY, (A-615)

I. & G.N.R.R. CO. SURVEY ABSTRACT 615

(TRACT 111)
CALLED 1,777,3392 ACRES
MARTRON LLC
DOC# 2013000636
EXECUTED: DECEMBER 27, 2012
O.P.R.G.C.T.



(15' RIGHT-OF-WAY EASEMENT)
AMOCO GAS COMPANY
DOC. NO. 8800946
EXECUTED: MARCH 23, 1987
O.P.R.G.C.T.

(TRACT 4)
CALLED 57,064 ACRES
FORESTAR (USA) REAL ESTATE
GROUP INC.
DOC# 2022065217
EXECUTED: OCTOBER 14, 2022
O.P.R.G.C.T.

SANITARY SEWER LINE EASEMENT
CALLED 4.84 ACRES
THE CITY OF LEAGUE CITY
DOC. NO. 2020023178
RECORDED: APRIL 30, 2020
O.P.R.G.C.T.

PROPOSED SH 99 (VARIABLE R.O.W.)



RODS SURVEYING, INC.

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

PARCEL PLAT

PARCEL P00091279/330

SH 99 GALVESTON COUNTY
RCSJ 3510-01-008
TXC PROJECT ID: R00011658
DECEMBER, 2024