

May 23, 2025

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

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO. 9589 0710 5270 2176 4301 21

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: P00091281 (332TCE)
From: IH 45 S
To: Brazoria County Line

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, League City, Galveston County, Texas 77573, 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 \$4,247.00 for the ☐ drainage easement / ☐ highway easement / ☒ temporary construction easement, which includes \$4,247.00 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
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 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.

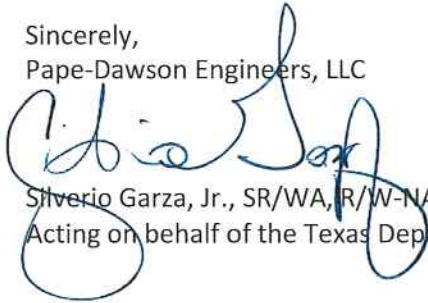
You have the right to discuss with others any offer or agreement regarding the Department's acquisition of the Property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as it 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 Temporary Easement
Legal Description and Survey of the Property
Appraisal Report(s)
Acknowledgement of Receipt of Appraisal
Relocation Assistance Brochure
"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>

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-83
(Rev. 07/11)
Page 1 of 2
P00091281 (332TCE)

TEMPORARY EASEMENT

THE STATE OF TEXAS

§ **ROW CSJ:** 3510-01-008

§

COUNTY OF GALVESTON

§ **KNOW ALL MEN BY THESE PRESENTS:**

That, City of League City of the County of Galveston, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of FOUR THOUSAND TWO HUNDRED FORTY-SEVEN AND NO/100 DOLLARS (\$4,247.00) 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, do by these presents Grant, Bargain, Sell and Convey unto the State of Texas, a temporary easement for the purpose of construction in, along, upon and across the property located in the County of Galveston, State of Texas, more particularly described in Exhibit "A", which is attached hereto and incorporated herein for any and all purposes.

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 on the aforesaid property, to wit: None.

Grantors covenant and agree to remove the above-described improvements from said land by the N/A day of N/A, 20N/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.

This easement shall expire on the 30th day of June, 2031, or on the date of completion of construction of the highway facility, whichever occurs first.

TO HAVE AND TO HOLD unto the said State of Texas as aforesaid, for the purposes and on the conditions set forth hereinabove, the premises described in said Exhibit "A".



IN WITNESS WHEREOF, this instrument is executed on this the _____ day of _____, 2025.

Corporate Acknowledgment

State of Texas
County of Galveston

This instrument was acknowledged before me on _____

by _____,

of _____ City of League City _____, on behalf of said entity.

Notary Public's Signature

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 332 (TCE) / Parcel ID No. P00091281

Being a 0.1016-acre (4,424 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 0.1016-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 certain called 1,777.3392 acre tract, 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.), the north line of a certain 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:

EXHIBIT A

South 86° 45' 05" West, continuing along the common southerly line of said called 37.61 acre tract, 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 set 5/8 inch iron rod with TXDOT aluminum disk, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6518+47.93, continuing along the proposed northerly right-of-way line of SH 99, a passing at a distance of 110.16 feet to a 5/8 inch iron rod with TXDOT aluminum disk stamped "ADL" set for the end of said Access Denial Line, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6517+63.46, and continuing along the said proposed northerly right-of-way line of SH 99, a total distance of 161.20 feet to a 5/8 inch iron rod with TXDOT aluminum disk stamped "ADL" set for the beginning of Access Denial Line and the **POINT OF BEGINNING** of the herein described parcel, having coordinates of N=13,736,506.78, and E=3,186,765.57, located 200.00 feet left of State Highway (SH) 99 Proposed Baseline Station 6517+12.42. 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**, 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 98.26 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 6516+14.16;
2. **THENCE**, North 44° 26' 32" 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 28.71 feet to a 5/8-inch iron rod set for an angle point, located 221.61 feet left of State Highway (SH) 99 Proposed Baseline Station 6515+95.25;
3. **THENCE**, North 45° 33' 28" East, over and across said called 37.61-acre tract, a distance of 71.99 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;
4. **THENCE**, South 45° 38' 07" East, over and across said called 37.61-acre tract, a distance of 93.45 feet, to the **POINT OF BEGINNING** of the herein described parcel and containing 0.1016 acres (4,424 square feet) parcel of land.

EXHIBIT A

Notes:

Access is prohibited across the Access Denial Line to the highway facility from the abutting remainder property.

** 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.

A parcel plat of even date was prepared in conjunction with this property description.

Abstracting performed by Courthouse Specialist from June 2023 to May 2025.

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 May 2025.

Ruben A. Calderon

May 1, 2025

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 MAY 2025.

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 MAY 2025.

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 IN MAY 2025.

05/1/2025
DATE



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

EXISTING	TAKING	REMAINING
CALLED	0.1016 AC	37.61 AC LT
37.61 AC	4,424 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 P00091281/332(TCE)

SH 99 GALVESTON COUNTY

RCSJ 3510-01-008

TXC PROJECT ID: R00011658

MAY, 2025

PAGE 4 OF 7

N.T.S.

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.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

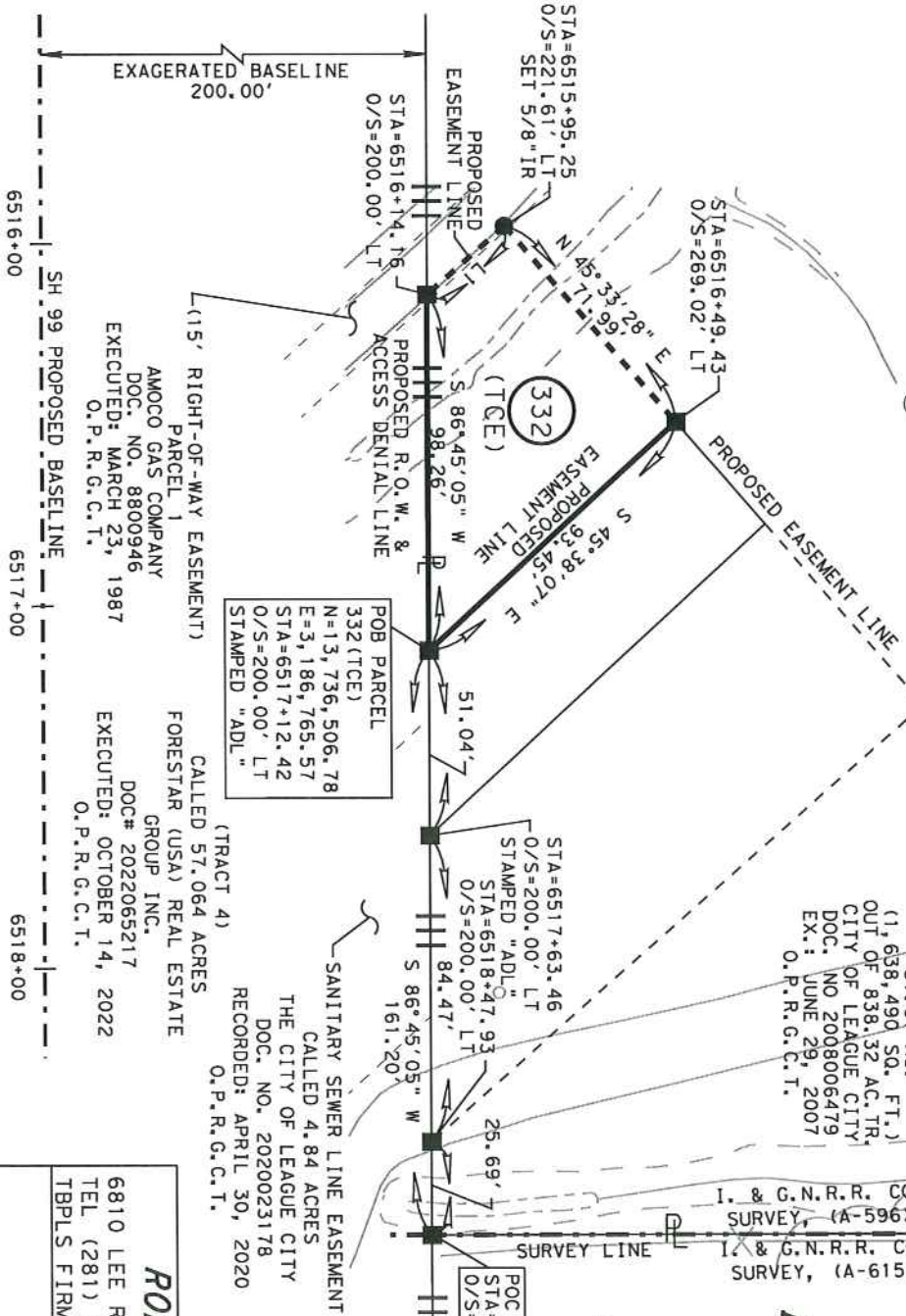
PARCEL P00091281/332 (TCE)

SH 99 GALVESTON COUNTY
RCSJ 3510-01-008
TXC PROJECT ID: R00011658
MAY, 2025

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

(1, 638, 490 SQ. FT.)
OUT OF 838, 332 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 ABSTRACT 615



(TRACT 111)
CALLED 1, 777.3392 ACRES
MARTIN LLC
DOC# 2013000636
EXECUTED: DECEMBER 27, 2012
O.P.R.G.C.T.

LINE TABLE		
NO.	BEARING	DIST.
LI 1	N 44° 26' 32" W	28.71'

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

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

PARCEL PLAT
SHOWING
PARCEL P00091281/332 (TCE)
SH 99 GALVESTON COUNTY
RCSJ 3510-01-008
TXC PROJECT ID: R00011658
MAY, 2025

EXHIBIT A

The property described above relates to a “whole” property acquisition, so that there is no remainder or remaining property owned by the Grantors that was originally out of or a part of the property described above. Therefore, there are no access rights retained or remaining in Grantors, their successors and assigns, out of or relating to the property described above.