

June 4, 2025

City of League City, successor by dissolution of Galveston County Municipal Utility District No. 15
pursuant to City of League City Ordinance No. 2022-45 passed and adopted December 20, 2022
c/o Ron Bavarian
300 West Walker Street
League City, Texas 77573-3898

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO.: 9589 0710 5270 2177 4918 93

County: Galveston
Federal Project No.: N/A
Highway: SH 99 Seg. B-1
ROW CSJ: 3510-01-009

TxC ROW Project ID: R00011661
TxC Parcel ID: P00093060 (340E)
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 southeast line of FM 646, southwest of Interstate Highway 45 Frontage Road, League City, Galveston County, 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 \$9,845.00 for the ☒ drainage easement / ☐ highway easement / ☐ temporary construction easement, which includes \$9,845.00 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.

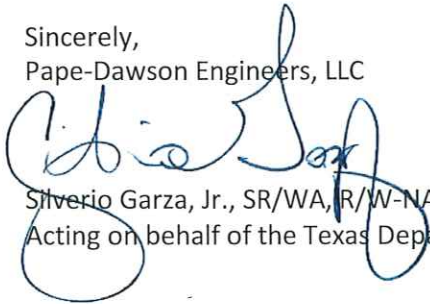
You have the right to discuss with others any offer or agreement regarding the Department's acquisition of the Property, or you may (but are not required to) keep the offer or agreement confidential from others, subject to the provisions of Chapter 552, Government Code (the Public Records Act) as it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

EXHIBIT A

County: Galveston
Highway: SH 99 Segment B1
Limits: I-45 S to Brazoria County Line
RCSJ: 3510-01-009
ROW Project ID R00011661

Property Description Parcel 340E / Parcel ID No. P00093049

Being a 0.0571-acre (2,486 square feet) parcel of land, located in the James F. Perry and Emily M. Austin Survey, Abstract Number 19, Galveston County, Texas, and being out of called 17.61 acre detention drainage Reserve "D" conveyed from Bay Colony Northpointe, L.P., to Galveston County Municipal Utility District No. 15, Filed September 19, 2006 and recorded in Instrument No. 2006066554, of the Official Public Records of Galveston County, Texas, (O.P.R.G.C.T.), and being out of an occupied tract of land, conveyed as drainage easement from Marco Stewart and Louise Bisbey Stewart et al., to Galveston County, executed November 14, 1950, and recorded in Volume 921, Page 219, of the Deed Records of Galveston County, Texas, (D.R.G.C.T.), and a 150 feet wide Drainage Ditch No. 28, Geisler Gully, filed September 13, 1950, and recorded in Volume 7, Page 5, of the Map Records of Galveston County, Texas (M.R.G.C.T.), also being out of the Bay Colony Northpoint Section 2 Amending Plat, a called 41.51 acres, recorded June 14, 2006 and recorded in Instrument No. 2006040069 and Volume 2006A, Page 112, of the Galveston County Map Records, (G.C.M.R.), said 150 foot wide drainage easement recorded in Volume 921, Page 219, (D.R.G.C.T.), the south one-half (1/2) of which is a part of that certain tract of land conveyed to the City of League City, successor by dissolution of Galveston County Municipal Utility District No. 15 under the City of League City ordinance number 2022-45, passed and adopted December 20, 2022, said 0.0571-acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with cap found for an interior corner of a called 9.2527 acre tract of land conveyed by Special Warranty Deed with Vendor's Lien, L.P., to Timothy R. Young, Filed September 30, 2014 and recorded in Instrument No. 2014055548, (O.P.R.G.C.T.), being the southeast corner of called 14,076 square feet, conveyed by City Ordinance Number 2022-45, Section 43.074, to The City of League City, adopted December 20, 2022, Official Public Records of Galveston County, Texas, (O.P.R.G.C.T.), and being the proposed southerly right-of-way and Access Denial Line of State Highway 99, thence as follows;

EXHIBIT A

South 61°20'11" West, continuing along the said proposed southerly right-of-way and Access Denial Line of SH 99, the common south line of said called 14,076 square feet tract, and the north line of said called 150 feet wide County Drainage Easement (Geisler Gully), a distance of 47.16 feet, to a 5/8 inch iron rod with TXDOT aluminum disk stamped "ADL" set for the end of said Access Denial Line, located 369.35 feet right of State Highway (SH) 99 Proposed Baseline Station 6782+64.14;

South 39°15'47" East, along the proposed southerly easement line of SH 99, over and across said called 150 feet wide County Drainage Easement (Geisler Gully), a distance of 76.30 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set on the centerline of said called 150 feet wide County Drainage Easement (Geisler Gully), the northerly line of said called 17.61 acre detention drainage Reserve "D", the northerly line of said Bay Colony Northpoint Section 2 Amending Plat and the **POINT OF BEGINNING** of the herein described parcel, and having coordinates of N=13,738,432.93, and E=3,212,160.08, located 445.60 feet right of State Highway (SH) 99 Proposed Baseline Station 6782+66.85. 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 39°15'47" East, departing the centerline of said called 150 feet wide County Drainage Easement (Geisler Gully), over and across said called 17.61 acre detention drainage Reserve "D", a distance of 60.06 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set for an angle point located 505.63 feet right of State Highway (SH) 99 Proposed Baseline Station 6782+68.99;**
2. **THENCE**, South 55°31'00" West, over and across said called 17.61 acre detention drainage Reserve "D", a distance of 40.14 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set for an angle point, located 503.71 feet right of State Highway (SH) 99 Proposed Baseline Station 6782+28.89;**
3. **THENCE**, North 39°15'47" West, over and across said called 17.61 acre detention drainage Reserve "D", a distance of 64.20 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set on the northerly line of said called 17.61 acre detention drainage Reserve "D" and the centerline of said called 150 feet wide County Drainage Easement (Geisler Gully), located 439.55 feet right of State Highway (SH) 99 Proposed Baseline Station 6782+26.61;

EXHIBIT A

4. **THENCE**, North 61°20'11 East, along the centerline of said called 150 feet wide County Drainage Easement (Geisler Gully) and the northerly line of said called 17.61 acre detention drainage Reserve "D", a distance of 40.70 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 0.0571 acres (2,486 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 March 2025.

Ruben A. Calderon

March 19, 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 (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 MONUMENTS AND THE PUBLISHED ELEVATION OF NATIONAL GEODETIC SURVEY BENCHMARK AWS683. 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 MARCH 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 DURING THE MONTHS OF JUNE 2023 THROUGH MARCH 2025.

03/19/2025
DATE



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

EXISTING	TAKING	REMAINING
(CALLED) 17.61 AC	0.0571 AC	0 AC LT
	2,486 SF	17.55 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

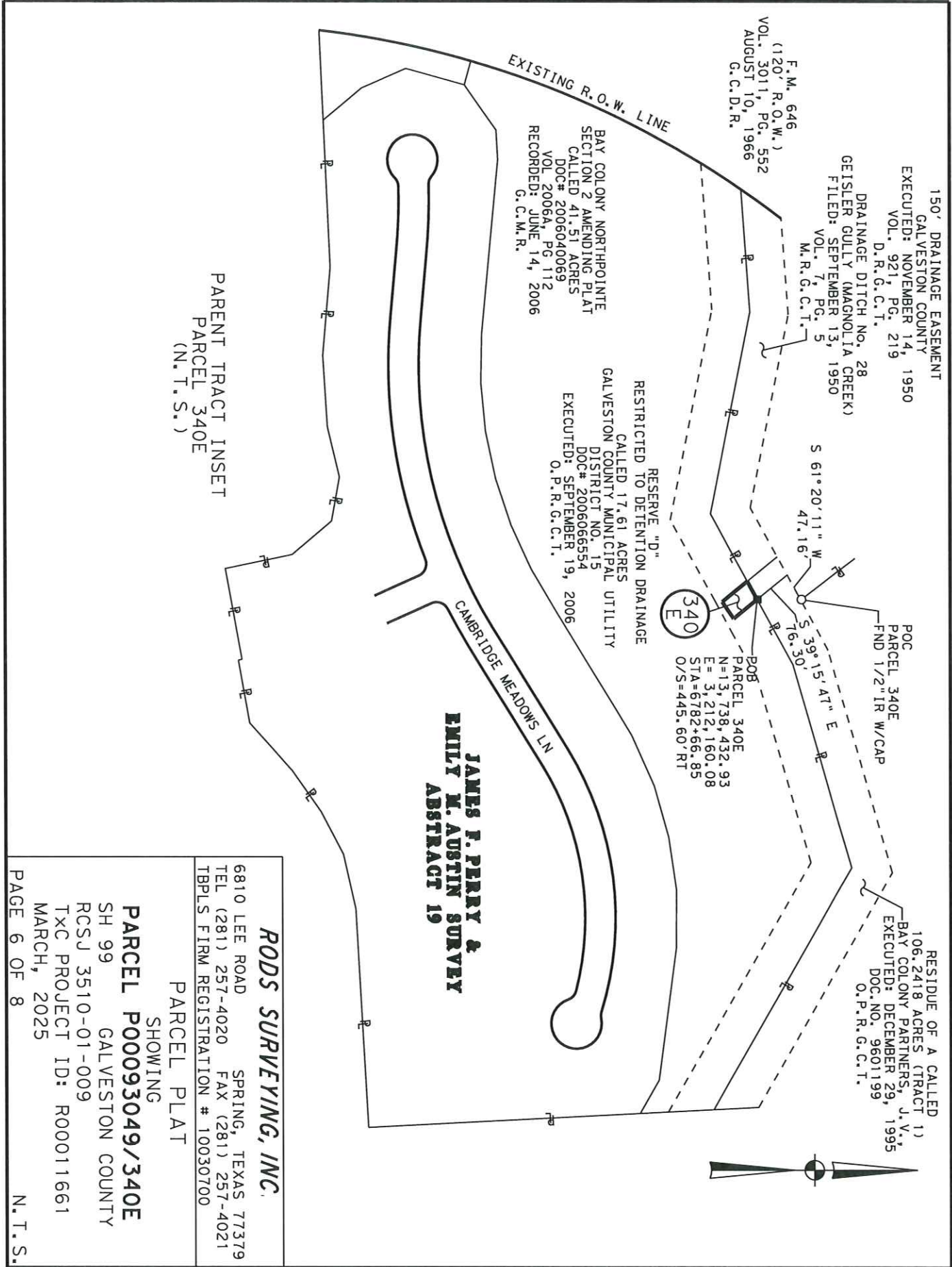
SHOWING

PARCEL P00093049/340E

SH 99 GALVESTON COUNTY

RCSJ 3510-01-009

TXC PROJECT ID: R00011661
MARCH, 2025



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 —II—II—
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 P00093049/340E

SH 99 GALVESTON COUNTY
RCSJ 3510-01-009
TxC PROJECT ID: R00011661
MARCH, 2025

JAMES F. PERRY & EMILY M. AUSTIN SURVEY ABSTRACT 19

PROPOSED SH 99
(VARIABLE R.O.W.)
SH 99 PROPOSED BASELINE
6783+00 6784+00

CALLLED 14,076 SQ. FT.
GALVESTON COUNTY MUNICIPAL
DISTRICT NO. 15
DOC# 2003083346
EXECUTED: NOVEMBER 18, 2003
O.P.R.R.P.G.C.T.

CALLLED 9,2527 ACRES
TIMOTHY R. YOUNG
DOC# 2014055548
FILED: SEPTEMBER 30, 2014
O.P.R.G.C.T.

PRELIMINARY FINAL PLAT
KICKS PLAZA PLACE
CALLED 9,2582 ACRES
DOC# 202009868
FILED: FEBRUARY 19, 2019
P.R.G.C.T.



150 FOOT WIDE DRAINAGE EASEMENT
RECORDED IN VOLUME 921, PAGE 219,
(D.R.G.C.T.), THE SOUTH ONE-HALF
(1/2) OF WHICH IS A PART OF THAT
CERTAIN TRACT OF LAND CONVEYED
TO THE CITY OF LEAGUE CITY,
SUCCESSOR BY DISSOLUTION OF
GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 15
UNDER THE CITY OF LEAGUE CITY
ORDINANCE NUMBER 2022-45,
PASSED AND ADOPTED DECEMBER 20, 2022,

RESERVE "D"
RESTRICTED TO DETENTION DRAINAGE
CALLED 17.61 ACRES
GALVESTON COUNTY MUNICIPAL UTILITY
DISTRICT NO. 15
DOC# 200606554
EXECUTED: SEPTEMBER 19, 2006
O.P.R.G.C.T.

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 P00093049/340E

SH 99 GALVESTON COUNTY
RCSJ 3510-01-009
TXC PROJECT ID: R00011661
MARCH, 2025

PAGE 8 OF 8 SCALE: 1"=50'

DRAINAGE DITCH No. 28
GEISLER CREEK
(MAGNOLIA CREEK)
FILED: SEPTEMBER 5
VOL. 7, PG. 5
M.R.G.C.T.

BAY COLONY NORTHPOINTE
SECTION 2 AMENDING PLAT
CALLED 41.51 ACRES
DOC# 2006040069
VOL 2006A, PG. 112
RECORDED: JUNE 14, 2006
G.C.M.R.

