PAPE-DAWSON ENGINEERS

October 17, 2024

City of League City
c/o John Baumgartner, City Manager
300 W Walker Street
League City, Texas 77573-3837

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO. 9589 0710 5270 0156 2635 78

County: Galveston
Federal Project No.: N/A
Highway: SH 99 Segment B-1
Initial Offer Letter

ROW CSJ: 3510-01-008
Parcel ID: P00087303 (322)
From: IH 45S
To: Brazoria County Line

Dear John Baumgartner:

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. Wiliam Gold, R/W-NAC, the Department will acquire your property for the construction or improvement of the above-referenced highway project. The property is located at the southwest of Interstate Highway 45 Frontage Road, southeast of FM 646, 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 $281,420.00 for the Property. This compensation does not include any value for damages to a remainder property.

The amount listed above is the total amount of just compensation for all interests in the portion of the Property to be acquired, 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 you 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 will be reduced by the

telephone: **214-420-8494** address: **6105 TENNYSON PARKWAY, SUITE 210 PLANO, TX 75024** website: **PAPE-DAWSON.COM**

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.

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. (PD), an affiliate that is providing acquisition services on behalf of the Department, as soon as possible, at (512) 825-3720 or by email at wgold@pape-dawson.com 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 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 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, 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 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
Draft Possession and Use Agreement
Negotiation Checklist
AP152
W9

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 322 / Parcel ID P00087303

Being a 0.3230-acre (14,071 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 a calculated 0.3230 acre tract of land, 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.), said 0.3230-acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a found 5/8 inch iron rod, being on the northerly line of a 150 feet wide County Drainage Easement (Geisler Gully), conveyed as a right-of-way easement to Galveston County, executed November 14, 1950, and recorded in Volume 521, Page 219, of the Deed Records of Galveston County, Texas, (D.R.G.C.T.), being on the southerly line of a called 9.2527 acre tract of land, conveyed to Timothy R. Young by Special Warranty Deed with Vendor's Lien, filed September 30, 2014 and recorded in instrument No. 2014055548, (O.P.R.G.C.T.), and being a part of The Final Plat Kicks Plaza Place Subdivision, called 9.2582 acre tract of land recorded in Instrument No. 2020009868, filed February 19, 2019, of the Public Records of Galveston County, Texas, (P.R.G.C.T.), thence as follows;

South 61°20'11" West, continuing along the common northerly line of said 150 feet wide County Drainage Easement (Geisler Gully), being the southerly line of said called 9.2527 acre tract, a distance of 122.02 feet, to a 1/2 inch iron rod with cap found for the southeast corner of said calculated 0.3230 acre tract, being on the southerly proposed right-of-way and Access Denial Line of State Highway (SH) 99, (Variable right-of-way width), and the **POINT OF BEGINNING** of the herein described parcel, having coordinates of N=13,738,514.63, and E=3,212,153.17, located 376.37 feet right of State Highway (SH) 99 Proposed Baseline Station 6783+10.77. 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 61°20’11” West, continuing along the said proposed southerly right-of-way and Access Denial Line of SH 99, the common southerly line of said calculated 0.3230 acre tract, and the north line of said 150 feet wide County Drainage Easement (Geisler Gully), a distance of 70.69 feet, to a 5/8 inch iron rod with TXDOT aluminum disk set, being the southwest corner of the herein described parcel of land, and being an interior corner of said called 9.2527 acre tract, located 365.85 feet right of State Highway (SH) 99 Proposed Baseline Station 6782+40.87;

2. **THENCE**, North 37°19’17” West, departing the said proposed southerly right-of-way and Access Denial Line of SH 99, continuing along the common west line of said calculated 0.3230 acre tract, and the easterly line of a said called 9.2527 acre tract, a distance of 196.04 feet to the northwest corner of said calculated 0.3230 acre tract;

3. **THENCE,** North 52°40’43” East, along the common north line of said calculated 0.3230 acre tract, being a southerly line of said called 9.2527 acre tract, a distance of 69.88 feet to a 1/2 inch iron rod with cap found for the northeast corner of said calculated 0.3230 acre tract;

4. **THENCE,** South 37°19’17” East, along the common easterly line of said calculated 0.3230 acre tract, a westerly line of said called 9.2527 acre tract, passing at a distance of 43.43 feet, a 5/8 inch iron rod with TXDOT aluminum disk set, being on the said proposed southerly right-of-way and Access Denial Line of SH 99, located 213.12 feet right of State Highway (SH) 99 Proposed Baseline Station 6783+10.50, continuing on the said proposed southerly right-of-way and Access Denial Line of SH 99, a total distance of 206.68 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 0.3230 acres (14,071 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.

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 February 2025.

February 11, 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 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 MARKER 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" 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 FEBRUARY, 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 SEPTEMBER 2024.

02/11/2025
DATE

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

EXISTING	TAKING	REMAINING
(CALC)	0.3230 AC	0 AC LT
0.3230 AC	14,071 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 P00087303/322
SH 99 GALVESTON COUNTY
RCSJ 3510-01-008
TxC PROJECT ID: R00011658
FEBRUARY, 2025

 N.T.S.

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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

PL 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 P00087303/322

SH 99 GALVESTON COUNTY

RCSJ 3510-01-008

TxC PROJECT ID: R00011658

FEBRUARY, 2025

N.T.S.

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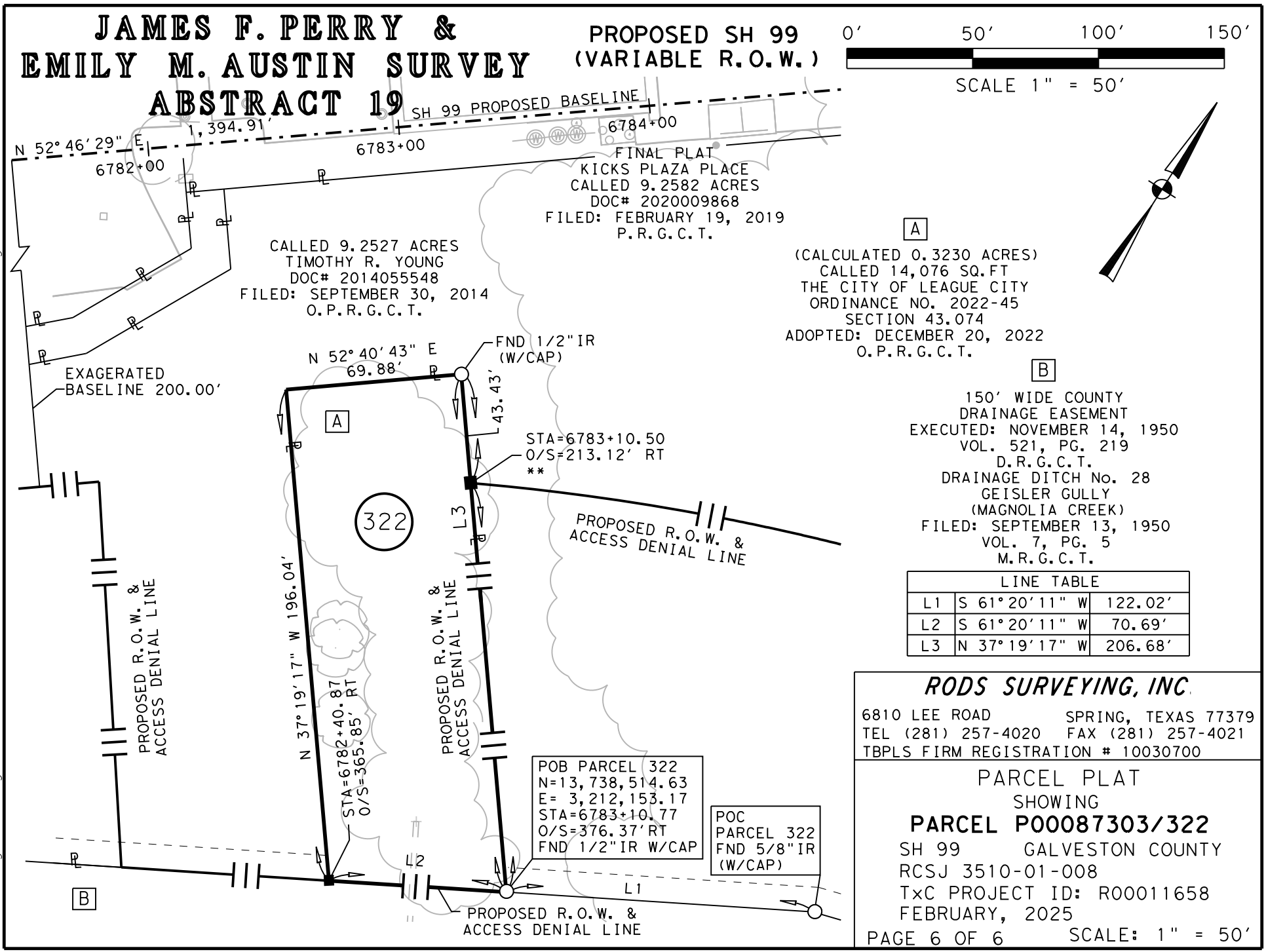

LINE TABLE		
L1	S 61° 20' 11" W	122.02'
L2	S 61° 20' 11" W	70.69'
L3	N 37° 19' 17" W	206.68'

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PARCEL PLAT
SHOWING
PARCEL P00087303/322
SH 99 GALVESTON COUNTY
RCSJ 3510-01-008
TxC PROJECT ID: R00011658
FEBRUARY, 2025

 SCALE: 1" = 50'

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February, 2025
Map Check Report

Project: SH 99-SEG-B1
Parcel: PARCEL 322
Parcel PID#: P00087303
RCSJ#: 3510-01-008
Project ID No. R00011658

Type	Point Name\		Northing	Easting	Elevation
		Direction	Length		
POC TO POB (S61°20’11”W 122.02’ (N=13738514.63 E=3212153.17)					
POT	( )		13738514.63	3212153.17	0.00
		S61°20'11"W	70.69		
PI	( )		13738480.72	3212091.15	0.00
		N37°19'17"W	196.04		
PI	( )		13738636.62	3211972.29	0.00
		N52°40'43"E	69.88		
PI	( )		13738678.99	3212027.86	0.00
		S37°19'17"E	206.68		
POT	( )		13738514.63	3212153.17	0.00

Northing Error: 0.00 ft
Easting Error: 0.00 ft
Closing Direction: N90°00'00"E
Closing Distance: 0.00 ft
Closed Area: 14071 sq ft (0.3230 ac)
Perimeter: 543.29 ft
Precision: 1422440546840 : 1