

RESOLUTION NO. 3492

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH BRAZOS COUNTY AND DEDICATION OF LOUIS MIKULIN ROAD TO THE PUBLIC FOR THE BENEFIT OF THE TEXAS TRIANGLE PARK; PROVIDING EFFECTIVE DATE AND COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT.**

WHEREAS, the City of Bryan, Texas ("City") is a home rule municipality which is duly incorporated and chartered under the constitution and laws of Texas; and

WHEREAS, the City has been coordinating with Brazos County and with the City of Bryan Brazos County Economic Development Foundation, Inc. ("Foundation") in the development of an industrial park in the City's extraterritorial jurisdiction, namely the Texas Triangle Park ("Park"); and

WHEREAS, Axis Pipe and Tube, Inc. is purchasing approximately 182 acres in or near the Park and requires access to public right of way that will lead to Texas State Highway 6 as a condition of closing; and

WHEREAS, as a condition for granting a railroad crossing, Union Pacific requires an agreement with the entity responsible for construction and maintenance of the road, and the County is willing to temporarily accept responsibility for maintenance of the portion of Louis Mikulin Road being dedicated to the public; and

WHEREAS, the City Council determines that it is in the best interests of the citizens of the City to dedicate a portion of the private driveway known as Louis Mikulin Road for the use and benefit of the public; and

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

1.

The recitals are incorporated into the text of this resolution as if fully set forth herein for all purposes.

2.

The City Council hereby dedicates a portion of Louis Mikulin Road, more particularly described by metes and bounds in Exhibit A, for the use and benefit of the general public. The City Council authorizes the Mayor to execute a letter to the County requesting that the County accept the road as a County road. The City Council further authorizes the Mayor to execute an interlocal agreement with the County regarding the maintenance and future annexation of the road.

3.

This resolution shall be effective immediately upon its passage and adoption, but shall in no way effect the validity of prior acts or agreements of the City.

4.

This document was passed and approved at a public meeting in compliance with the Texas Open Meetings Act.

APPROVED AND ADOPTED at a regular meeting on this 25<sup>th</sup> day of June, 2013.

**CITY OF BRYAN**

  
\_\_\_\_\_  
Jason P. Bienski, Mayor

**ATTEST**

  
\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Janis K. Hampton, City Attorney

STATE OF TEXAS §

COUNTY OF BRAZOS §

**INTERLOCAL AGREEMENT**

This Interlocal Agreement (“Agreement”) is entered into by and between the City of Bryan (“City”), a Texas home rule municipal corporation and Brazos County (“County”), a political subdivision of the State of Texas.

WHEREAS, the respective participating governments (the “Parties”) are authorized by the Interlocal Cooperation Act, Texas Government Code, Chapter 791, to enter into a joint agreement for the performance of governmental functions; and

WHEREAS, the Parties both maintain and operate streets, easements, and other public rights of way within their respective jurisdictions; and

WHEREAS, the Parties are cooperating with the management of the City of Bryan Brazos County Economic Development Foundation, Inc., specifically with regards to the marketing, sale, and management of land in the Texas Triangle Park and Inland Port (“Park”); and

WHEREAS, as a condition of a sale of property within the Park, the City is agreeing to dedicate land that is currently used as a private drive for a public street (“Mikulin Road”), which is more particularly described in **Exhibit A**; and

WHEREAS, the County is agreeing to temporarily take over responsibility for maintenance of Mikulin Road in exchange for the City’s promise to take such maintenance responsibility back by annexing Mikulin Road along with the adjacent property which is subject to a 10 year non-annexation agreement effective July, 2013; and

WHEREAS, the Parties have determined that it is in the best interests of their citizens that Mikulin Road become public and serve the Park as well as the surrounding area; and

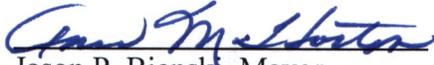
NOW, THEREFORE, the Parties, in consideration of the mutual covenants and conditions contained herein, agree as follows:

1. The recitals and exhibits are incorporated by reference as if fully set forth herein.
2. The City has dedicated Mikulin Road, which is more particularly described in **Exhibit A**, for the use and benefit of the general public through **Resolution No. 3492** which, is adopted contemporaneously with this Agreement.
3. The County agrees to accept Mikulin Road into the County Road System and agrees to be responsible for maintenance of Mikulin Road in accordance with the terms of this Agreement.

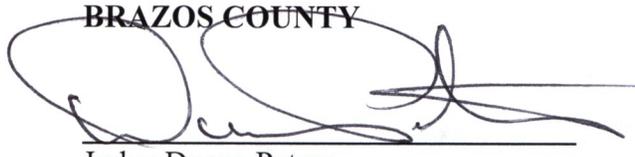
4. The City agrees that Mikulin Road will be annexed into the City's jurisdictional limits at the conclusion of the 10-year non-annexation agreement, effective July 2013, between the City and Axis Pipe and Tube, Inc., the purchaser of the property adjacent to Mikulin Road.
5. Successors and Assigns. This Agreement shall be binding on and inure to the benefit of the Parties to it and their respective heirs, executors, administrators, legal representatives, successors, and permitted assigns. Neither Party may assign this Agreement without prior written authorization of the other Party.
6. Severability. If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws effective while this Agreement is in effect, such provision shall be automatically deleted from this Agreement and the legality, validity and enforceability of the remaining provisions of this Agreement shall not be affected thereby, and in lieu of such deleted provision, there shall be added as part of this Agreement a provision that is legal, valid and enforceable and that is as similar as possible in terms and substance as possible to the deleted provision.
7. Texas law to apply. This Agreement shall be construed under and in accordance with the laws of the State of Texas and the obligations of the parties created hereunder are performable by the parties in the City of Bryan, Texas. Venue for any litigation arising under this Agreement shall be in a court of appropriate jurisdiction in Brazos County, Texas.
8. Sole Agreement. This Agreement constitutes the sole and only Agreement of the Parties hereto respecting the subject matter covered by this Agreement, and supersedes any prior understandings or written or oral agreements between the parties.
9. Amendments. No amendment, modification or alteration of the terms hereof shall be binding unless the same shall be in writing and dated subsequent to the date hereof and duly executed by the parties hereto.
10. Rights and Remedies Cumulative. The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by either Party shall not preclude or waive its right to use any and all other legal remedies. Said rights and remedies are provided in addition to any other rights the parties may have by law, statute, ordinance or otherwise.
11. No Waiver. A Party's failure to take action to enforce this Agreement in the event of default or breach of any covenant, condition, or stipulation herein on one occasion shall not be treated as a waiver and shall not prevent the party from taking action to enforce this Agreement on subsequent occasions.

Executed and effective on this the 9<sup>th</sup> day of July, 2013

**CITY OF BRYAN**

  
Jason P. Bienski, Mayor

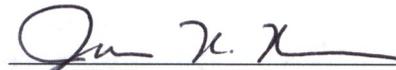
**BRAZOS COUNTY**

  
Judge Duane Peters

ATTEST

  
Mary Lynne Stratta, City Secretary

APPROVED AS TO FORM

  
Janis K. Hampton, City Attorney

APPROVED AS TO FORM

  
Bill Ballard, Assistant County Attorney

**Exhibit A – Metes and Bounds Descriptions**

#

June 21, 2013

**TRACT NORTH**  
**(70 Foot Right-of-Way)**  
**3.104 Acres**

Being 3.104 acres, more or less, out of and a part of the following tract lying and being situated in the L. McLaughlin Survey, Abstract No. 38, Brazos County, Texas:

20.391 acres as described in deed to The City of Bryan, recorded in Volume 312, Page 66, Deed Records of Brazos County, Texas.

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE MOST NORTHEASTERLY CORNER OF THE SAID 20.391 ACRE TRACT RECORDED IN VOLUME 312, PAGE 66 O.R.B.C.T.;

**THENCE:** NORTH 61 DEGREES 33 MINUTES 16 SECONDS WEST, WITH THE NORTHEAST LINE OF THE SAID 20.391 ACRE TRACT, A DISTANCE OF 69.37 FEET TO THE **POINT OF BEGINNING**;

**THENCE:** SOUTH 42 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 1461.19 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE RIGHT;

**THENCE:** AROUND SAID CURVE TO THE RIGHT TO A POINT ON SAID CURVE HAVING A RADIUS OF 185.00 FEET, ARC DISTANCE OF 88.32 FEET, CHORD DISTANCE OF 87.49 FEET AND CHORD BEARING OF SOUTH 56 DEGREES 02 MINUTES 06 SECONDS WEST TO THE END OF CURVE;

**THENCE:** SOUTH 69 DEGREES 42 MINUTES 44 SECONDS WEST, A DISTANCE OF 284.83 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE LEFT;

**THENCE:** AROUND SAID CURVE TO THE LEFT TO A POINT ON SAID CURVE HAVING A RADIUS OF 115.00 FEET, ARC DISTANCE OF 91.37 FEET, CHORD DISTANCE OF 88.98 FEET AND CHORD BEARING OF SOUTH 46 DEGREES 57 MINUTES 05 SECONDS WEST TO THE END OF CURVE;

**THENCE:** SOUTH 24 DEGREES 11 MINUTES 25 SECONDS WEST, A DISTANCE OF 3.50 FEET TO A POINT FOR CORNER IN THE SOUTHWEST LINE OF THE SAID 20.391 ACRE TRACT;

**THENCE:** NORTH 65 DEGREES 41 MINUTES 36 SECONDS WEST, A DISTANCE OF 70.00 FEET ALONG THE SOUTHWEST LINE OF THE SAID 20.391 ACRE TRACT, BEING THE ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD) TO A POINT FOR CORNER;

**THENCE:** NORTH 24 DEGREES 11 MINUTES 25 SECONDS EAST, A DISTANCE OF 3.36 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE RIGHT;

**THENCE:** AROUND SAID CURVE TO THE RIGHT TO A POINT ON SAID CURVE HAVING A RADIUS OF 185.00 FEET, ARC DISTANCE OF 146.98 FEET, CHORD DISTANCE OF 143.15 FEET AND CHORD BEARING OF NORTH 46 DEGREES 57 MINUTES 05 SECONDS EAST TO THE END OF CURVE;

**THENCE:** NORTH 69 DEGREES 42 MINUTES 44 SECONDS EAST, A DISTANCE OF 284.83 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE LEFT;

**THENCE:** AROUND SAID CURVE TO THE LEFT TO A POINT ON SAID CURVE HAVING A RADIUS OF 115.00 FEET, ARC DISTANCE OF 54.90 FEET, CHORD DISTANCE OF 54.38 FEET AND CHORD BEARING OF NORTH 56 DEGREES 02 MINUTES 06 SECONDS EAST TO THE END OF CURVE;

**THENCE:** NORTH 42 DEGREES 21 MINUTES 27 SECONDS EAST, A DISTANCE OF 1443.85 FEET TO A POINT FOR CORNER IN THE NORTHEAST LINE OF THE SAID 20.391 ACRE TRACT, BEING IN THE SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY No. 6;

**THENCE:** SOUTH 61 DEGREES 33 MINUTES 16 SECONDS EAST, A DISTANCE OF 72.12 FEET ALONG THE NORTHEAST LINE OF THE SAID 20.391 ACRE TRACT AND THE SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY No. 6, TO THE **POINT OF BEGINNING** AND CONTAINING 135,210 SQUARE FEET OR 3.104 ACRES OF LAND.

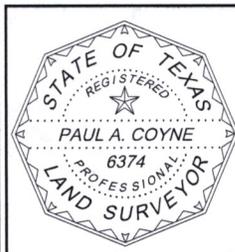
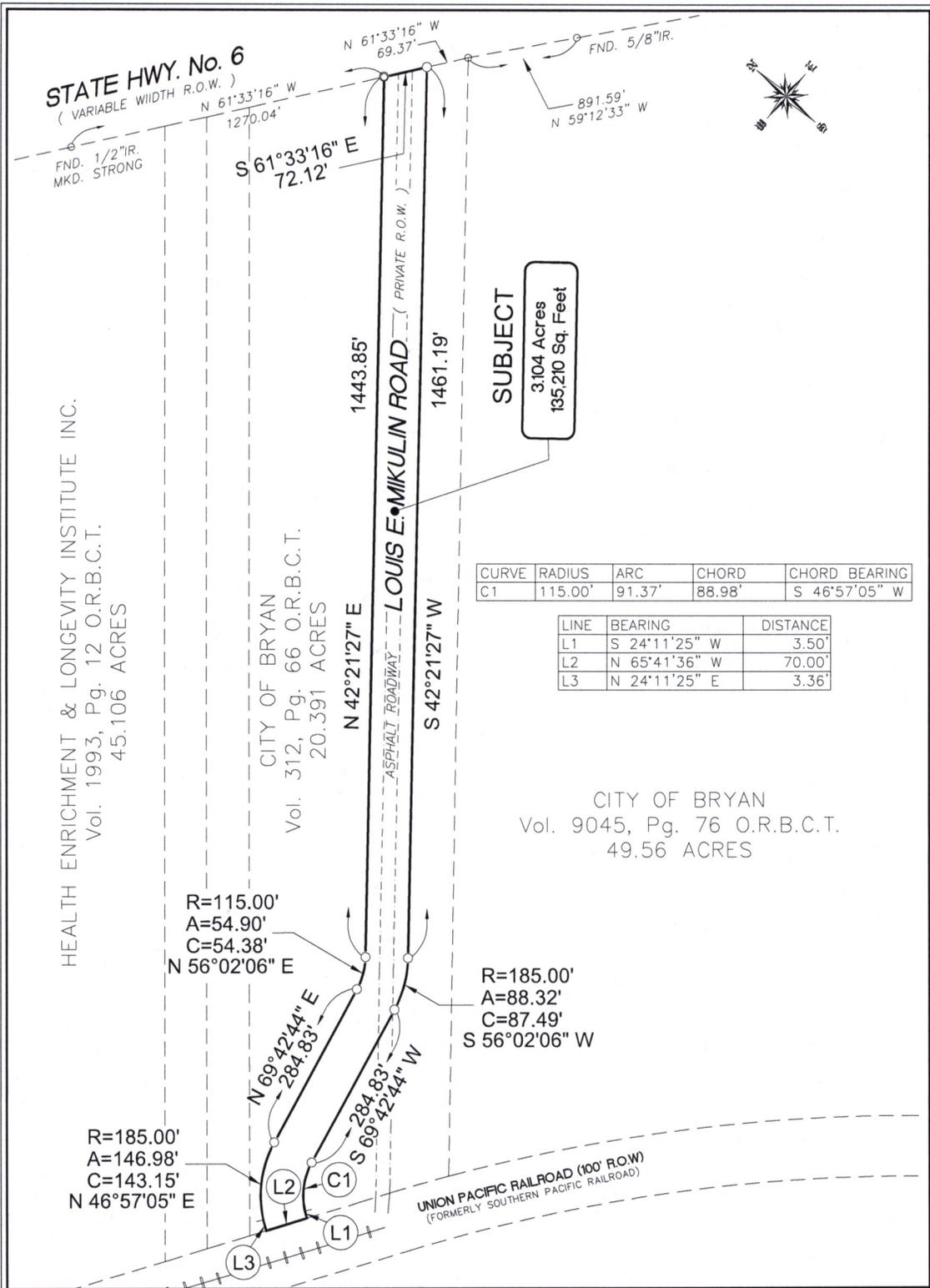
*Paul Coyne*  
Paul A. Coyne  
Registered Professional Land Surveyor  
Texas Registration No. 6374



[www.TSATX.com](http://www.TSATX.com)

**TETRA**  
SURVEYS & APPRAISALS  
1601 WELCH STREET  
HOUSTON, TEXAS 77006  
(P) 713-462-6100 (F) 713-432-1003  
E-MAIL: SURVEY@TSATX.COM

T:\Surveying\2013 PROJECTS\13-0018 BRYAN SURVEY\001\DOCS\Sent\NORTH-OF-TRACKS-70-Foot-ROW-Description.docx



**TETRA** A division of Tetra Land Services  
**SURVEYS, LLC.**

1601 Welch Street (P) 713 462-6100  
Houston, Texas 77006 (F) 713 432-1003  
www.TSATX.com e-mail: survey@tsatx.com

**EXHIBIT:**  
70 Foot Wide  
Right-of-Way

CLIENT: PROJECT COSMOS

ADDRESS: LOUIS E. MIKULIN ROAD, BRYAN, TEXAS

SURVEY & ABSTRACT		
L. McLAUGHLIN Survey - Abstract #38		
CITY	COUNTY	STATE
Bryan	Brazos	Texas

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS PLOT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

SCALE: 1" = 200'

DATE: 06-21-2013

DRAWN: JP

SIGNED: Paul Coyne  
PAUL A. COYNE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO 6374

JOB NO.  
13-0018-001

#

June 21, 2013

**UNION PACIFIC TRACT  
(70 Foot Right-of-Way)  
0.1607 Acres**

Being 0.1607 acres, more or less, out of and a part of the L. McLaughlin Survey, Abstract No. 38, Brazos County, Texas:

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A FOUND 1/2" IRON ROD MARKING THE MOST NORTHWESTERLY CORNER OF A 29.726 ACRE TRACT RECORDED IN VOLUME 307, PAGE 204 O.R.B.C.T.;

**THENCE:** SOUTH 61 DEGREES 41 MINUTES 36 SECONDS EAST, WITH THE NORTHEAST LINE OF THE SAID 29.726 ACRE TRACT, BEING THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD), A DISTANCE OF 204.43 FEET TO THE **POINT OF BEGINNING**;

**THENCE:** SOUTH 61 DEGREES 41 MINUTES 36 SECONDS EAST, WITH THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD), A DISTANCE OF 70.00 FEET TO A SET 1/2" IRON ROD WITH CAP FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE:** NORTH 24 DEGREES 11 MINUTES 25 SECONDS EAST, A DISTANCE OF 100.00 FEET TO A POINT FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, BEING IN THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD);

**THENCE:** NORTH 61 DEGREES 41 MINUTES 36 SECONDS WEST, WITH THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD), A DISTANCE OF 70.00 FEET TO A POINT FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE:** SOUTH 24 DEGREES 11 MINUTES 25 SECONDS WEST, A DISTANCE OF 100.00 FEET, TO THE **POINT OF BEGINNING** AND CONTAINING 7,000 SQUARE FEET OR 0.1607 ACRES OF LAND.

*Paul Coyne*  
Paul A. Coyne  
Registered Professional Land Surveyor  
Texas Registration No. 6374



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**TETRA**  
SURVEYS & APPRAISALS  
1601 WELCH STREET  
HOUSTON, TEXAS 77006  
(P) 713-462-6100 (F) 713-432-1003  
E-MAIL: SURVEY@TSATX.COM

LINE	BEARING	DISTANCE
L1	S 65°41'36" E	70.00'
L2	N 24°11'25" E	100.00'
L3	N 65°41'36" W	70.00'
L4	S 24°11'25" W	100.00'

BRAZOS COUNTY, TEXAS  
L. McLAUGHLIN SURVEY - ABSTRACT #38

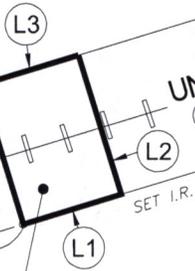


CITY OF BRYAN  
Vol. 312, Pg. 66 O.R.B.C.T.  
20.391 ACRES

CITY OF BRYAN  
Vol. 9045, Pg. 76 O.R.B.C.T.  
49.56 ACRES

ASPHALT ROADWAY

UNION PACIFIC RAILROAD (100' R.O.W)  
(FORMERLY SOUTHERN PACIFIC RAILROAD)



**SUBJECT**

0.1607 Acres  
7,000 Sq. Feet

CITY OF BRYAN  
Vol. 307, Pg. 204 O.R.B.C.T.  
29.726 ACRES

FND. 5/8"IR.

TEXAS MUNICIPAL POWER AGENCY

70' WIDE EASEMENT  
VOL. 465, PG. 145 O.R.B.C.T.

S 65°41'36" E  
204.43'

RAILROAD SPUR  
NOT IN USE

GRAVEL ROAD - 10' WIDE



**TETRA** *A division of*  
**SURVEYS, LLC.** *Tetra Land Services*

1601 Welch Street  
Houston, Texas 77006  
www.TSATX.com

(P) 713 462-6100  
(F) 713 432-1003  
e-mail: survey@tsatx.com

**EXHIBIT:**  
**70 Foot Wide**  
**RIGHT-OF-WAY**

CLIENT:

PROJECT COSMOS

ADDRESS:

LOUIS E. MIKULIN ROAD, BRYAN, TEXAS

SURVEY & ABSTRACT

L. McLAUGHLIN Survey - Abstract #38

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS PLOT REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

SIGNED: Paul A. Coyne  
PAUL A. COYNE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO 6374

SCALE:

1" = 100'

DATE:

06-21-2013

DRAWN:

JP

JOB NO.

13-0018-001

CITY

Bryan

COUNTY

Brazos

STATE

Texas

#

June 21, 2013

**TRACT SOUTH**  
**(70 Foot Right-of-Way)**  
**4.723 Acres**

Being 4.723 acres, more or less, out of and a part of the following tracts lying and being situated in the L. McLaughlin Survey, Abstract No. 38, Brazos County, Texas:

- 1.) 100.805 acres as described in deed to The City of Bryan, recorded in Volume 296, Page 216, Deed Records of Brazos County, Texas.
- 2.) 29.726 acres as described in deed to The City of Bryan, recorded in Volume 307, Page 200, Deed Records of Brazos County, Texas.
- 3.) 29.726 acres as described in deed to The City of Bryan, recorded in Volume 307, Page 204, Deed Records of Brazos County, Texas.

AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT A FOUND 1/2" IRON ROD MARKING THE MOST NORTHWESTERLY CORNER OF THE SAID (3.) 29.726 ACRE TRACT RECORDED IN VOLUME 307, PAGE 204 O.R.B.C.T.;

**THENCE:** SOUTH 61 DEGREES 41 MINUTES 36 SECONDS EAST, WITH THE NORTHEAST LINE OF THE SAID (3.) 29.726 ACRE TRACT, BEING THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD), A DISTANCE OF 204.43 FEET TO THE **POINT OF BEGINNING**;

**THENCE:** SOUTH 24 DEGREES 11 MINUTES 25 SECONDS WEST, A DISTANCE OF 99.63 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE LEFT;

**THENCE:** AROUND SAID CURVE TO THE LEFT TO A POINT ON SAID CURVE HAVING A RADIUS OF 185.00 FEET, ARC DISTANCE OF 152.81 FEET, CHORD DISTANCE OF 148.50 FEET AND CHORD BEARING OF SOUTH 00 DEGREES 31 MINUTES 40 SECONDS WEST TO THE END OF CURVE;

**THENCE:** SOUTH 23 DEGREES 08 MINUTES 04 SECONDS EAST, A DISTANCE OF 181.96 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE RIGHT;

**THENCE:** AROUND SAID CURVE TO THE RIGHT TO A POINT ON SAID CURVE HAVING A RADIUS OF 115.00 FEET, ARC DISTANCE OF 46.75 FEET, CHORD DISTANCE OF 46.43 FEET AND CHORD BEARING OF SOUTH 11 DEGREES 29 MINUTES 16 SECONDS EAST TO THE END OF CURVE;

**THENCE:** SOUTH 00 DEGREES 09 MINUTES 31 SECONDS WEST, A DISTANCE OF 61.88 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE RIGHT;

**THENCE:** AROUND SAID CURVE TO THE RIGHT TO A POINT ON SAID CURVE HAVING A RADIUS OF 400.87 FEET, ARC DISTANCE OF 286.71 FEET, CHORD DISTANCE OF 280.64 FEET AND CHORD BEARING OF SOUTH 20 DEGREES 38 MINUTES 54 SECONDS WEST TO THE END OF CURVE;

**THENCE:** SOUTH 41 DEGREES 08 MINUTES 17 SECONDS WEST, A DISTANCE OF 2099.24 FEET TO A POINT FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE:** SOUTH 48 DEGREES 23 MINUTES 43 SECONDS EAST, A DISTANCE OF 70.00 FEET TO A SET 1/2" IRON ROD WITH CAP FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE:** NORTH 41 DEGREES 08 MINUTES 17 SECONDS EAST, A DISTANCE OF 2099.24 FEET TO A SET ½" IRON ROD WITH CAP FOR THE BEGINNING OF A CURVE TO THE LEFT;

**THENCE:** AROUND SAID CURVE TO THE LEFT TO A SET ½" IRON ROD WITH CAP ON SAID CURVE HAVING A RADIUS OF 470.87 FEET, ARC DISTANCE OF 336.78 FEET, CHORD DISTANCE OF 329.64 FEET AND CHORD BEARING OF NORTH 20 DEGREES 38 MINUTES 54 SECONDS EAST TO THE END OF CURVE;

**THENCE:** NORTH 00 DEGREES 09 MINUTES 31 SECONDS EAST, A DISTANCE OF 61.88 FEET TO A SET ½" IRON ROD WITH CAP FOR THE BEGINNING OF A CURVE TO THE LEFT;

**THENCE:** AROUND SAID CURVE TO THE LEFT TO A POINT ON SAID CURVE HAVING A RADIUS OF 185.00 FEET, ARC DISTANCE OF 75.21 FEET, CHORD DISTANCE OF 74.69 FEET AND CHORD BEARING OF NORTH 11 DEGREES 29 MINUTES 16 SECONDS WEST TO A SET ½" IRON ROD WITH CAP FOR THE END OF CURVE;

**THENCE:** NORTH 23 DEGREES 08 MINUTES 04 SECONDS WEST, A DISTANCE OF 181.96 FEET TO A SET ½" IRON ROD WITH CAP FOR THE BEGINNING OF A CURVE TO THE RIGHT;

**THENCE:** AROUND SAID CURVE TO THE RIGHT TO A POINT ON SAID CURVE HAVING A RADIUS OF 115.00 FEET, ARC DISTANCE OF 94.99 FEET, CHORD DISTANCE OF 92.31 FEET AND CHORD BEARING OF NORTH 00 DEGREES 31 MINUTES 40 SECONDS EAST TO A SET ½" IRON ROD WITH CAP FOR THE END OF CURVE;

**THENCE:** NORTH 24 DEGREES 11 MINUTES 25 SECONDS EAST, A DISTANCE OF 99.48 FEET TO A SET ½" IRON ROD WITH CAP FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT IN THE NORTHEAST LINE OF THE SAID (3.) 29.726 ACRE TRACT, BEING THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD);

**THENCE:** NORTH 65 DEGREES 41 MINUTES 36 SECONDS WEST, A DISTANCE OF 70.00 FEET ALONG THE NORTHEAST LINE OF THE SAID (3.) 29.726 ACRE TRACT AND THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD), TO THE **POINT OF BEGINNING** AND CONTAINING 205,728 SQUARE FEET OR 4.723 ACRES OF LAND.

*Paul Coyne*  
Paul A. Coyne  
Registered Professional Land Surveyor  
Texas Registration No. 6374



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