

402-01-0820

REAL PROPERTY RECORDS

8620020

Donation DEED
CONTROLLED ACCESS HIGHWAY FACILITY

THE STATE OF TEXAS

COUNTY OF Montgomery

WHEREAS, the State Highway and Public Transportation Commission has been authorized under House Bill 179, Acts of the 55th Legislature, Regular Session, 1957 (Article 6674w-1, et seq., Vernon's Annotated Civil Statutes of Texas) to purchase land and such other property rights deemed necessary for the purposes of facilitating the construction, maintenance and operation of Controlled Access Highways; and,

WHEREAS, the purchase of the hereinafter described premises has been deemed necessary by the State Highway and Public Transportation Commission for the purposes of facilitating the construction, maintenance and operation of a Controlled Access Highway facility;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, The Woodlands Corporation, a Delaware Corporation

of the County of Montgomery, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of One and 00/100 (\$ 1.00) Dollars, to Grantors in hand paid by the State of Texas, acting by and through the State Highway and Public Transportation Commission, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day and by these presents do Grant, Bargain, Donate and Convey unto the State of Texas, all that certain tract or parcel of land lying and being situated in the County of Montgomery, State of Texas, more particularly described as follows, to wit:

As described in Exhibit "A" following page 2 of this instrument, attached hereto and made a part hereof.

402-01-0821

DATE: January 17, 1986
Page 1 of 2 Pages

EXHIBIT A

Page 1 of 2 Pages

County MONTGOMERY
Highway INTERSTATE HIGHWAY 45
Project Limits at LAKE WOODLANDS DRIVE
C.S.J.NO. 0110-04-118

Field Notes for Parcel 51A

Being 5.3393 acres of land, more or less, out of and a part of 2 tracts of land in the Walker County School Land Survey, A-599, in Montgomery County, Texas; Said 2 tracts being the same land described in the following deeds, one-half interest in 200.00 acres from Sutton & Co. to Woodlands Development Corporation, dated September 1, 1972, recorded in Volume 785, Page 675, Deed Records of Montgomery County, Texas, one-half interest in 200.00 acres from R. A. Mann to Woodlands Development Corporation, dated December 6, 1972, recorded in Volume 801, Page 28, Deed Records of Montgomery County, Texas, 3.74 acres from Frank J. Winslow, Wayne L Creekmore and H. C. Jacobs to Woodlands Commercial Development Company, dated June 21, 1979, recorded in Volume 1139, Page 853, Deed Records of Montgomery County, Texas; Said 5.3393 acres of land, more or less, being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of that certain 2.0311 acre tract of land deeded from Hall-Montgomery to Mitchell Development Corporation of the Southwest and The Woodlands Corporation, dated December 13, 1984, recorded in File No. 8461077, Real Property Records of Montgomery County, Texas common to the northeast corner of said 3.74 acre tract of land being on the west right-of-way line of Interstate Highway No. 45. Said POINT OF BEGINNING being S 76° 46' 24" E, 5,015.70 feet from the northwest corner of said Walker County School Land Survey, A-599;

- (1) THENCE along the west right-of-way line of said Interstate Highway No. 45 S 06° 37' 09"E, 662.44 feet to an angle point;
- (2) THENCE S 06° 47' 16" E, 337.68 feet to a point for corner;
- (3) THENCE S 06° 39' 37" E, 103.32 feet to a point for corner;
- (4) THENCE leaving said right-of-way line N 09° 13' 01" W, 301.27 feet to a point for corner;

EXHIBIT A CONTDPage 2 of 2 Pages

- (5) THENCE N 15° 53' 17" W, 102.23 feet to a point for corner;
- (6) THENCE N 31° 32' 32" W, 122.39 feet to a point for corner;
- (7) THENCE N 54° 54' 48" W, 132.00 feet to a point for corner;
- (8) THENCE N 68° 46' 15" W, 195.63 feet to a point for corner;
- (9) THENCE N 73° 23' 37" W, 120.15 feet to a point for corner;
- (10) THENCE N 82° 11' 28" W, 276.69 feet to a point for corner;
- (11) THENCE N 03° 08' 53" E, 160.00 feet to a point for corner;
- (12) THENCE N 88° 56' 08" E, 280.32 feet to a point for corner;
- (13) THENCE N 68° 49' 45" E, 282.25 feet to a point for corner;
- (14) THENCE N 47° 28' 57" E, 162.01 feet to a point for corner
in the south line of said 2.0311 acre tract common to the
north line of said 3.74 acre tract;
- (15) THENCE N 87° 22' 38" E, 20.00 feet to the POINT OF
BEGINNING and containing 5.3393 acres of land, more or
less.

402-01-0823

Form D-15-12 (Partial Taking)
Page 3 of 6
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SAVE and EXCEPT, HOWEVER, it is expressly understood and agreed that Grantors are retaining title to the following improvements located on the above described property, to wit:

N/A

Grantors covenant and agree to remove the above described improvements from said land by N/A, 19 , 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.

Grantors hereby acknowledge that their use of and access to the expressway lanes to be constructed in conjunction with the highway facility of which the land hereby conveyed shall become a part shall be and forever remain subject to the same regulation by legally constituted authority as applies to the public's use thereof; and Grantors further acknowledge that the design and operation of such highway facility as a Controlled Access Highway require that access from Grantor's remaining property to said highway facility shall be governed henceforth as indicated in Paragraphs (A) and/or (B) hereinbelow; and all abutter's rights, including rights of ingress and egress and the right of direct access to and from Grantor's remaining property to said Controlled Access Highway facility, which have accrued or might otherwise accrue to Grantors, their heirs, successors or assigns are hereby waived, released and relinquished insofar as they appertain to Paragraph (B) hereinbelow:

(A) Access to and from Grantor's remaining property will be permitted:

Access will not be permitted to Grantor's remaining property adjacent to the proposed highway facility.

(B) Access to and from Grantor's remaining property will be denied:

to Grantor's remaining property adjacent to the proposed highway facility.

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the State to take and use all other minerals and materials thereon, therein and thereunder.

402-01-0825

TO HAVE AND TO HOLD the above described premises herein conveyed together with all and singular the rights and appurtenances thereto in anywise belonging, unto the State of Texas and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns, to Warrant and Forever Defend all and singular the said premises herein conveyed unto the State of Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 20 day of January, 19 86.

THE WOODLANDS CORPORATION
By: [Signature]
Plato Pappas
Senior Vice President [Initials]

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS }
County of _____ }

Before me, _____, a notary public in and for said County and State, on this day personally appeared _____

_____, known to me (or proved to me on the oath of _____, a credible witness) to be the person whose name _____ subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the _____ day of _____ 19 _____

Notary Public in and for _____ County, Texas.

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS }
County of _____ }

Before me, _____, a notary public in and for said County and State, on this day personally appeared _____

_____, known to me (or proved to me on the oath of _____, a credible witness) to be the person whose name _____ subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

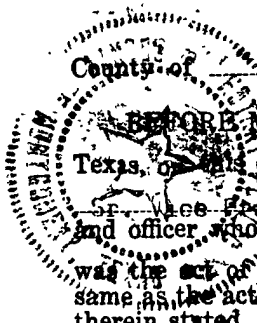
Given under my hand and seal of office, this the _____ day of _____ 19 _____

Notary Public in and for _____ County, Texas.

CORPORATION ACKNOWLEDGMENT

STATE OF TEXAS

County of MONTGOMERY



BEFORE ME, the undersigned authority, a notary public in and for Montgomery County, Texas, on this day personally appeared Plato Pappas

of Vice President of THE WOODLANDS CORPORATION, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said THE WOODLANDS CORPORATION, a corporation and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

I hereby certify that this instrument was filed in File Number 51A and was duly recorded in the official Public Records of Real Property of Montgomery County, Texas.

MAY 15 1986

Nancy Robinson
NANCY ROBINSON

Notary Public in and for Montgomery County, Texas. My Commission Expires 01-01-1991



Roy Harris
COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

Parcel No. 51A

County Montgomery

Highway No. I.H. 45 North

Control 110 Sec. 4 Job 118

Account or Federal No.

~~Return~~ I.H. 45 North at Lake

Woodlands Drive

DEED

CONTROLLED ACCESS HIGHWAY FACILITY

THE WOODLANDS CORPORATION

Grantors

TO

THE STATE OF TEXAS

Filed for Record

This day of M.

A. D. 19, at o'clock

Recorded

This day of

A. D. 19, in

County, Texas, Records of Deeds,

Book Page

County Clerk

Deputy. RUSH

RETURN TO: STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

P. O. BOX 1386

HOUSTON, TEXAS 77251-1386

8620020

ENDORSEMENTS

1986 MAY 15 AM 11:29

THE STATE OF TEXAS,

County of _____

Roy Harris
COUNTY CLERK

I, _____, Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing, dated the _____ day of _____ A. D. 19 _____ with its authentication, was filed for record in my office on the _____ day of _____, A. D. 19 _____ at _____ o'clock _____ M., and duly recorded this the _____ day of _____, A. D. 19 _____ at _____ o'clock _____ M., in the Deed Records of said County, in Volume _____ on Page _____.

Witness my hand and the seal of the County Court of said County, at office in _____, Texas, the day and year last above written.

Clerk of Court, _____ County, Texas.
By _____ Deputy.