

October 23, 2025

Item No. 9.3.

Victoria Avenue Roundabout and Sidewalk Project Condemnation Resolution

Sponsor: Jennifer Cain, Director Capital Projects

Reviewed By CBC: City Council

Agenda Caption: Presentation, discussion, and possible action on a resolution of the City Council of the City of College Station, Texas, determining that fee simple interests and right of way interests are needed and needs to be acquired from the landowners, for the Victoria Avenue Roundabout and Sidewalk project for the City of College Station, Texas; and authorizing the institution of eminent domain proceedings.

Relationship to Strategic Goals:

Recommendation(s):

Summary: The project will install a single lane roundabout at Creek Meadows Blvd and Victoria Ave. The work will include some drainage work and Welborn SUD waterline relocation. The project will also install a shared use path from Creek Meadows Blvd, along Victoria Ave, to Woodlake Drive.

Budget & Financial Summary: There are four tracts that will need to be condemned as part of the attached resolution.

- The Van Noord ROW tract was appraised at \$9,660 by S.T. Lovett & Associates. The City and the landowner have not been able to settle upon the cash fair market value and damages for the right of way.
- The Ling ROW tract was appraised at \$9,557 by S.T. Lovett & Associates. The City and the landowner have not been able to settle upon the cash fair market value and damages for the right of way.
- The Creek Meadows Partners tracts are two Right of Way areas associated with an adjacent residential development that are necessary for the roundabout. The City and the landowner have not been able to settle upon the cash fair market value and damages for the right of way.

A budget of \$4,300,000 is available in the Street Capital Improvement Projects Fund. A total of \$601,991 has been expended or encumbered to date, leaving a balance of \$3,698,009 for this item and future expenses.

Attachments:

1. Resolution Eminent Domain Victoria Roundabout w Exhibits
2. Victoria Project Map

RESOLUTION NO. XX-XX-XX-X.X

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, DETERMINING THAT THE INTERESTS LISTED BELOW NEED TO BE ACQUIRED FOR THE RIGHT-OF-WAY CONSTRUCTION, OPERATION, AND MAINTENANCE OF VICTORIA AVENUE ROUNDABOUT AND SIDEWALK, THE “PROJECT”, AND AUTHORIZING THE INSTITUTION OF EMINENT DOMAIN PROCEEDINGS.

WHEREAS, the City Council of the City of College Station now finds and determines that public convenience and necessity requires the City of College Station to acquire:

1. A fee simple interest in a tract of land totaling approximately 0.137 acre for the public purpose of the Right-of-Way construction, operation, and maintenance of the Victoria Avenue Roundabout and Sidewalk Project. A more specific description of said right-of-way parcel is attached as “**Exhibit A**”; and

2. A fee simple interest in a tract of land totaling approximately 0.138 acre for the public purpose of the Right-of-Way construction, operation, and maintenance of the Victoria Avenue Roundabout and Sidewalk Project. A more specific description of said right-of-way is attached as “**Exhibit B**”; and

3. A fee simple interest in a tract of land totaling approximately 0.107 acre for the public purpose of the Right-of-Way construction, operation, and maintenance of the Victoria Avenue Roundabout and Sidewalk Project. A more specific description of said right-of-way is attached as “**Exhibit C**”; and

4. A fee simple interest in a tract of land totaling approximately 0.049 acre for the public purpose of the Right-of-Way construction, operation, and maintenance of the Victoria Avenue Roundabout and Sidewalk Project. A more specific description of said right-of-way is attached as “**Exhibit D**”; and

WHEREAS, All tracts are collectively described as the “Land”; and

WHEREAS, the City of College Station, through its duly authorized representatives, have negotiated with the owners of the Land for the purchase of the Land for the purposes stated herein and are unable to agree with such owners as to the fair market value and damages of the land, if any, to obtain the necessary property rights required by the City of College Station for the Project; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

Section 1. The facts and recitals set forth in the preamble of this resolution are found to be true and correct.

Section 2. The City Council of the City of College Station authorizes the City Attorney, or his designee, in compliance with Chapter 21 of the Texas Property Code, to send Initial and Final Offer Letters to the owners of the Land.

Section 3. The City Council finds and determines that a public use and necessity exists for the City of College Station to construct, operate, and maintain the Project and to acquire the necessary property rights in the Land as allowed by law, together with all necessary appurtenances, additions and improvements on, over, under, and through those certain lots, tracts or parcels of land.

Section 4. Should the Initial and Final offers be rejected by the owners of the Land, the City Council finds that the only way for the City of College Station to acquire the necessary interests in the Land is through the filing of eminent domain proceedings and the City Council hereby authorizes the City Attorney, or his designee, to bring eminent domain

proceedings on behalf of the City of College Station under applicable provisions of law, whether provided by §251.001 of the Texas Local Government Code, Chapter 21 of the Texas Property Code, or by any other provision of law or as amended, against the owner or owners of the Land.

PASSED, APPROVED, AND RESOLVED this _____ day of _____, 202__.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

City of College Station
Edward J. Ling
Right-of-way Parcel

Jesse Bledsoe Survey
Abstract No. 71

STATE OF TEXAS §
COUNTY OF BRAZOS §

A METES AND BOUNDS description of a certain 0.137 acre (5,968 square feet) out of the Jesse Bledsoe Survey, Abstract No. 71, Brazos County, Texas, being a portion of a Lot 7, of Wellborn Oaks Subdivision, recorded in Volume 345, Page 635 of the Deed Records of Brazos County, Texas (DRBC), conveyed by Warranty Deed with Vendor's Lien to Edward J. Ling, recorded in Volume 9580, Page 80 of the Official Public Records of Brazos County (OPRBC), said 0.137 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, Central Zone, 4203;

BEGINNING at a found bent 1/2-inch iron rod marking the west corner of said Lot 7, Wellborn Oaks, also being the north corner of Lot 8, Wellborn Oaks and lying in the southeast right-of-way line of Victoria Avenue (variable width right-of-way), from which College Station GPS Base No. 134 bears: South 69°25'00" West, 2643.67 feet;

THENCE along the northwest line of said Lot 7 and the southeast right-of-way line of Victoria Avenue the following three (3) courses and distances:

- 1. North 42°35'49" East, 181.60 feet to a found 1/2-inch iron rod (with cap stamped "KERR");
- 2. North 44°25'49" East, 258.80 feet to a set 5/8-inch iron rod (with cap stamped "Quiddity");
- 3. North 54°08'49" East, 35.96 feet to a set 5/8-inch iron rod (with cap stamped "Quiddity");

THENCE over and across said Lot 7, the following three (3) courses and distances:

- 1. South 39°40'45" West, 19.84 feet to a set 5/8-inch iron rod (with cap stamped "Quiddity");
- 2. South 42°44'22" West, 148.41 feet to a set 5/8-inch iron rod (with cap stamped "Quiddity");
- 3. South 42°50'43" West, 303.47 feet to a set 5/8-inch iron rod (with cap stamped "Quiddity"), lying in the common line of said Lot 7 and said Lot 8;

THENCE North 61°49'09" West, 15.29 feet along said common line to the POINT OF BEGINNING, CONTAINING 0.137 acre, 5,968 square feet of land in Brazos County, Texas, as shown on Drawing No. 19970 filed in the office of Quiddity, in College Station, Texas.

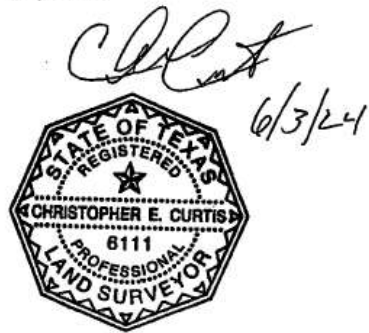


EXHIBIT A

EXHIBIT A

TITLE COMMITMENT NOTES:

Reference Commitment for Title Insurance issued by Texon Title Insurance Company, countersigned by South Land Title, LLC, GP No. BC2413224, having an effective date of May 24, 2024 and an issue date of May 29, 2024. No further research for easements or encumbrances was performed by Quidity.

h. Easements and building lines as shown of record on plat of Wellborn Oaks, recorded in Volume 345, Page 525 of the Deed Records of Brazos County, Texas and in restrictions, recorded in Volume 309, page 58, Volume 358, page 813, Deed Records of Brazos County, Texas, Volume 2550, Page 111, Official Records of Brazos County. Easements and building lines do affect the subject tract. Easements are shown hereon.

i. Easement from James E. Frierson to Wellborn Water Supply Corporation, dated December 3, 1988, recorded in Volume 275, page 153, Deed Records of Brazos County, Texas. This easement does affect the subject tract as a blanket easement, being 20' wide with the center being the pipeline as installed.

j. Easement from Lenton O. Rowland to City of Bryan, dated July 8, 1982, recorded in Volume 527, page 248, Deed Records of Brazos County, Texas. This easement does affect the subject tract as a blanket easement of unknown width.

10(e), 10(f), 10(k), 10(l), 10(m), 10(n), 10(o), 10(p), 10(q), 10(r), 10(s), 10(t), 10(u), 10(v), 10(w), 10(x), 10(y), 10(z), 10(aa), 10(bb). These items mention oil, gas and mineral leases and mineral and/or royalty reservations. Mineral and/or royalty reservations and oil, gas, and mineral leases are outside the scope of services and therefore these items were not reviewed (See General Note 3).

GENERAL NOTES:

1. Bearings shown hereon are based on the Texas Coordinate System of 1983, Central Zone (4203).
2. A separate legal description of equal date was written in conjunction with this survey.
3. This survey does not provide a determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
4. According to Map No. 4804-C0325E of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Brazos County, dated May 16, 2012, the subject tract is situated within: Unshaded Zone "X", defined as areas determined to be outside the 500-year flood plain.
This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
5. The surveyor has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
6. Visible improvements were located with this survey; no subsurface probing, excavation or exploration was performed for this survey; improvements may exist which are not shown hereon.

Page 2 of 2

K:\2024\03\03-03-03-00 Victoria Avenue Roundabouts\Surveying Plans\2024 Plans\Title Plat\Victoria Square\Title Plat 7 Wellborn Oaks V3.dwg Feb 26, 2025 - 10:42am WRT CEC/mwe JOB No. 00008-0039 DWG. No. 19970 V3

Subject to the General Notes shown:

To: City of College Station, Texon Title Insurance Company & South Land Title, LLC

We, Quidity, acting by and through Christopher E. Curtis, a Registered Professional Land Surveyor, hereby certify this survey substantially complies with the current Texas Society of Professional Surveyors' Standards and Specifications for a Category 1A, Condition II Land Title Survey.

Surveyed: April 9, 2024

Dated: 2/26/25
 Christopher E. Curtis
 Registered Professional Land Surveyor
 No. 8111
 ccurtis@quidity.com



ROW PARCEL
 OF
LOT 7, WELLBORN OAKS
 SUBDIVISION
 BEING
0.137 ACRE
5,968 SQUARE FEET
 OUT OF THE
JESSE BLEDSOE SURVEY, A-71
 BRAZOS COUNTY, TEXAS
 FEBRUARY 2025



Texas Board of Professional Engineers and Land Surveyors Reg. No. 10046100
 Texas Board of Professional Engineers and Land Surveyors Reg. No. 1-23290
 1802 Rock Prairie Road, Suite 200 • College Station, TX 77845 • 979.751.8000

EXHIBIT B

City of College Station
Nathan Paul & Sara Marie Van Noord
Right-of-way Parcel

Jesse Bledsoe Survey
Abstract No. 71

STATE OF TEXAS §
COUNTY OF BRAZOS §

A METES AND BOUNDS description of a certain 0.138 acre (6,031 square feet) out of the Jesse Bledsoe Survey, Abstract No. 71, Brazos County, Texas, being a portion of a Lot 8, of Wellborn Oaks Subdivision, recorded in Volume 345, Page 635 of the Deed Records of Brazos County, Texas (DRBC), conveyed by General Warranty Deed to Nathan Paul and Sara Marie Van Noord, recorded in Volume 12899, Page 200 of the Official Public Records of Brazos County (OPRBC), said 0.138 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, Central Zone, 4203;

BEGINNING at a found 3/8-inch iron rod marking the west corner of said Lot 8, Wellborn Oaks, and lying in the southeast right-of-way line of Victoria Avenue (variable width right-of-way), from which College Station GPS Base No. 134 bears: South 74°21'32" West, 2265.87 feet;

THENCE North 42°36'14" East, 432.75 feet along the northwest line of said Lot 8 being common with southeast right-of-way line of Victoria Avenue, to a found bent 1/2-inch iron rod marking the north corner of said Lot 8 being common with the west corner of Lot 7, Wellborn Oaks;

THENCE South 61°49'09" East, 15.29 feet along the common line of Lot 7 and Lot 8 to a set 5/8-inch iron rod (with cap stamped "Quiddity");

THENCE South 42°50'43" West, 436.15 feet across said Lot 7 to a set 5/8-inch iron rod (with cap stamped "Quiddity") marking the north corner of Common Area "E", Creek Meadows Subdivision, Section 1A, Phase 2, recorded in Volume 8028, Page 248 of the OPRBC and lying in the southeast right-of-way line of Victoria Avenue;

THENCE North 49°11'52" West, 12.97 feet along the right-of-way line of Victoria Avenue to the **POINT OF BEGINNING**, CONTAINING 0.138 acre, 6,031 square feet of land in Brazos County, Texas, as shown on Drawing No. 19971 filed in the office of Quiddity, in College Station, Texas.


Christopher E. Curtis
6/3/24


EXHIBIT B

EXHIBIT B

TITLE COMMITMENT NOTES:

Reference Commitment for Title Insurance issued by Texon Title Insurance Company, countersigned by South Land Title, LLC, GF No. BC2413223, having an effective date of May 24, 2024 and an issue date of May 29, 2024. No further research for easements or encumbrances was performed by Quiditty.

h. Easements and building lines as shown of record on plat of Wellborn Oaks, recorded in Volume 345, Page 635 of the Deed Records of Brazos County, Texas and in restrictions, recorded in Volume 309, page 58, Volume 358, page 813, Deed Records of Brazos County, Texas, Volume 2550, Page 111, Official Records of Brazos County. Easements and building lines do affect the subject tract. Easements are shown hereon.

i. Easement from James E. Frieson to Wellborn Water Supply Corporation, dated December 3, 1968, recorded in Volume 275, page 153, Deed Records of Brazos County, Texas. This easement does affect the subject tract as a blanket easement, being 20' wide with the center being the pipeline as installed.

j. Easement from Jack C. Parker et al to City of Bryan, dated January 19, 1981, recorded in Volume 474, page 24, Deed Records of Brazos County, Texas. This easement does affect the subject tract as a blanket easement of unknown width.

10(e), 10(f), 10(g), 10(h), 10(i), 10(j), 10(k), 10(l), 10(m), 10(n), 10(o), 10(p), 10(q), 10(r), 10(s), 10(t), 10(u), 10(v), 10(w), 10(x), 10(y), 10(z), 10(aa), 10(bb), 10(cc), 10(dd). These items mention oil, gas and mineral leases and mineral and/or royalty reservations. Mineral and/or royalty reservations and oil, gas, and mineral leases are outside the scope of services and therefore these items were not reviewed (See General Note 3).

GENERAL NOTES:

1. Bearings shown hereon are based on the Texas Coordinate System of 1983, Central Zone (4203).
2. A separate legal description of equal date was written in conjunction with this survey.
3. This survey does not provide a determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
4. According to Map No. 48041C032SE of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Brazos County, dated May 19, 2012, the subject tract is situated within: Unshaded Zone 'X', defined as areas determined to be outside the 500-year flood plain.

This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
5. The surveyor has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
6. Visible improvements were located with this survey, no subsurface probing, excavation or exploration was performed for this survey. Improvements may exist which are not shown hereon.

Page 2 of 2

15 \3008\30008-0039-00 Victoria Avenue Foundation\Survey\Plats\CAD Files\Final Draw\Victoria Stwark, taking lot 8 Wellborn Oaks VADWG File 25.2.2025 - 10:44am WRL CEC/mre

JOB No. C0008-0039 DWG. No. 19971 V3

Subject to the General Notes shown:

To: City of College Station, Texon Title Insurance Company & South Land Title, LLC

We, Quiditty, acting by and through Christopher E. Curtis, a Registered Professional Land Surveyor, hereby certify this survey substantially complies with the current Texas Society of Professional Surveyors' Standards and Specifications for a Category 1A, Condition II Land Title Survey.

Surveyed: April 9, 2024



2/26/25

Dated:

Christopher E. Curtis
Registered Professional Land Surveyor
No. 6111
courtesy@quiditty.com



ROW PARCEL
OF
LOT 8, WELLBORN OAKS
SUBDIVISION

BEING
0.138 ACRE
6,031 SQUARE FEET

OUT OF THE
JESSE BLEDSOE SURVEY, A-71
BRAZOS COUNTY, TEXAS
FEBRUARY 2025



Texas Board of Professional Engineers and Land Surveyors Reg. No. 10045100
Texas Board of Professional Engineers and Land Surveyors Reg. No. T-23330
1802 Rock Prairie Road, Suite 200 • College Station, TX 77845 • 979.731.8000

EXHIBIT C

LEGEND

OPRBC OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY
 PAE PUBLIC ACCESS EASEMENT
 PFC POINT FOR CORNER
 PG PAGE
 POB POINT OF BEGINNING
 POC POINT OF COMMENCEMENT
 VOL VOLUME

○ POINT FOR CORNER UNLESS OTHERWISE NOTED

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	10.00'	31.44'	20.00'	N 43°09'56" E	180°07'51"
C2	870.00'	123.86'	123.78'	S 42°45'21" E	8°09'26"
C3	5.00'	7.88'	7.09'	S 06°29'18" W	90°19'52"
C4	5.00'	7.64'	6.92'	N 84°35'30" W	87°30'32"
C5	930.00'	97.34'	97.30'	N 43°50'09" W	5°59'50"

----- ADJOINER

===== BOUNDARY

----- EASEMENTS

Subject to the General Notes shown:

To: City of College Station, Texan Title Insurance Company & South Land Title, LLC

We, Quiddity, acting by and through Christopher E. Curtis, a Registered Professional Land Surveyor, hereby certify this survey substantially complies with the current Texas Society of Professional Surveyor's Standards and Specifications for a Category 1A, Condition II Land Title Survey.

Surveyed: April 9, 2024

_____ Dated: 2/26/25

Christopher E. Curtis
 Registered Professional Land Surveyor
 No. 6111
 ccurtis@quiddity.com

ROW PARCEL
 OF
CREEK MEADOWS
SECTION 1A, PHASE 2
COMMON AREA A'
 BEING
0.107 ACRE
4,668 SQUARE FEET
 OUT OF THE
SAMUEL DAVIDSON LEAGUE, A-13
 BRAZOS COUNTY, TEXAS
 FEBRUARY 2025

QUIDDITY

Texas Board of Professional Engineers and Land Surveyors Reg. No. 10046100
 Texas Board of Professional Engineers and Land Surveyors Reg. No. F-23290
 1862 Rock Prairie Road, Suite 200 • College Station, TX 77845 • 979-731-8808

K:\CC0008\CC0008-0039-00_Victoria Avenue Roundabouts\1_Surveying_Phase\CAD_Files\Final_Dwg_Victoria Roundabout Common Area A_V6.dwg Feb 26, 2025 - 10:40am WRE

EXHIBIT C

TITLE COMMITMENT NOTES:

Reference Commitment for Title Insurance issued by Texan Title Insurance Company, countersigned by South Land Title, LLC, GF No. BC2312728, having an effective date of June 17, 2024 and an issue date of June 26, 2024. No further research for easements or encumbrances was performed by Quiddity.

10(h) Easements as shown of record on plat of Creek Meadows, Section 1A, Phases 1-2 and Section 1B, Phases 1-4, recorded in Volume 8028, page 248, Official Records of Brazos County, Texas. The entirety of the subject tract is designated as a Public Access Easement, no other easements on said plat affect the subject tract.

10(i) Easement from B. F. Vance to Lone Star Gas Company, dated March 20, 1951, recorded in Volume 148, page 491, Deed Records of Brazos County, Texas. This easement does affect the subject tract as a blanket easement.

10(e) Easement from Mrs. Vonnie Ray Vance to Wellborn Water Supply Corporation, dated September 30, 1968, recorded in Volume 273, page 180, Deed Records of Brazos County, Texas. This easement does affect the subject tract as a blanket easement.

10(w) Easement from VRV Partners to Wellborn Special Utility District, dated October 8, 1999, recorded in Volume 3645, page 276, Official Records of Brazos County, Texas. This easement does not affect the subject tract and is shown hereon.

10(y) Easement from Creek Meadows Partners, LP to the City of College Station, dated March 13, 2007, recorded in Volume 7863, page 72, Official Records of Brazos County, Texas. This Temporary Blanket Easement does affect the subject tract.

10(e), 10(f), 10(ii), 10(mm), 10(nn), 10(oo), 10(pp), 10(qq), 10(rr), 10(ss), 10(tt), 10(uu). These items mention oil, gas and mineral leases and mineral and/or royalty reservations. Mineral and/or royalty reservations and oil, gas, and mineral leases are outside the scope of services and therefore these items were not reviewed (See General Note 3).

K:\C0008\CO008-0039-00_Victoria Avenue Roundabouts\1_Surveying_Phase\CAD_Plans\Final_Draw\Victoria Roundabout Common Area A_V8.dwg Feb 28, 2025 - 10:41am WRE

GENERAL NOTES:

1. Bearings shown hereon are based on the Texas Coordinate System of 1983, Central Zone (4203).
2. A separate legal description of equal date was written in conjunction with this survey.
3. This survey does not provide a determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
4. According to Map No. 48041C0325E of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Brazos County, dated May 16, 2012, the subject tract is situated within: Unshaded Zone "X"; defined as areas determined to be outside the 500-year flood plain.

This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

5. The surveyor has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
6. Visible improvements were located with this survey; no subsurface probing, excavation or exploration was performed for this survey. Improvements may exist which are not shown hereon.

**ROW PARCEL
OF
CREEK MEADOWS
SECTION 1A, PHASE 2
COMMON AREA A'
BEING
0.107 ACRE
4,668 SQUARE FEET
OUT OF THE
SAMUEL DAVIDSON LEAGUE, A-13
BRAZOS COUNTY, TEXAS
FEBRUARY 2025**



Texas Board of Professional Engineers and Land Surveyors Reg. No. 10046100
Texas Board of Professional Engineers and Land Surveyors Reg. No. F-23290
1862 Rock Prairie Road, Suite 200 • College Station, TX 77845 • 979.731.8000

EXHIBIT C

City of College Station
Creek Meadows. Common Area A'
Right-of-Way Parcel

Samuel Davidson League
Abstract No. 13

STATE OF TEXAS §

COUNTY OF BRAZOS §

A METES AND BOUNDS description of a certain 0.107 acre (4,668 square feet) out of the Samuel Davidson League, Abstract No. 13, College Station, Brazos County, Texas, being all of Common Area A' of Creek Meadows, Section 1A, Phase 2, recorded in Volume 8028, Page 248, of the Official Public Records of Brazos County (OPRBC), said 0.107 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, Central Zone, 4203;

COMMENCING at a found 1/2-inch iron rod (with cap stamped "Kerr 4502") marking the west corner of Common Area K, of said Creek Meadows Section 1A, Phase 2, also marking the north corner of Lot 40, Block 2, Creek Meadows, Section 1A, Phase 4, plat recorded in Volume 17105, Page 8 of the OPRBC and lying in the southeast right-of-way line of Victoria Avenue (variable width right-of-way), from which a found "X" in concrete marking an angle point in Common Area "K" and said Lot 40, Block 2, bears South 46°49'52" East, 19.89 feet;

THENCE, North 69°24'57" East, 67.46 feet across said Common Area K and Creek Meadows Blvd. North (variable width right-of-way), to a point for corner marking the **POINT OF BEGINNING** of the herein described subject tract and the beginning of a curve to the right, from which College Station GPS Base No. 134 bears: South 84°37'09" West, 1836.92 feet;

THENCE along the common line of said Creek Meadows Blvd. North and Common Area A' the following eight (8) courses and distances:

1. Along said curve to the right, having a radius of 10.00 feet, an arc length of 31.44 feet, a delta angle of 180°07'51" and a chord bearing of North 43°09'56" East, 20.00 feet to a point for corner;
2. South 46°50'04" East, 108.77 feet to a point-for-corner, marking the beginning at a tangent curve to the right;
3. Along said tangent curve to the right, having a radius of 870.00 feet, an arc length of 123.86 feet, a delta angle of 8°09'26" and a chord bearing of South 42°45'21" East, 123.76 feet to a point for corner marking the beginning of a compound curve to the right;
4. Along said compound curve to the right, having a radius of 5.00 feet, an arc length of 7.88 feet, a delta angle of 90°19'52" and a chord bearing of South 06°29'18" West, 7.09 feet to a point for corner;
5. South 51°39'15" West, 6.44 feet to a point-for-corner, marking the beginning of a tangent curve to the right;
6. Along said tangent curve to the right, having a radius of 5.00 feet, an arc length of 7.64 feet, a delta angle of 87°30'32" and a chord bearing of North 84°35'30" West, 6.92 feet to a point for corner marking the beginning of a compound curve to the left;
7. Along said compound curve to the left, having a radius of 930.00 feet, an arc length of 97.34 feet, a delta angle of 5°59'50" and a chord bearing of North 43°50'09" West, 97.30 feet to a point for corner;

EXHIBIT C

City of College Station
Creek Meadows. Common Area A'
Right-of-Way Parcel

Samuel Davidson League
Abstract No. 13

- 8. North 46°50'04" West, 132.86 feet to the **POINT OF BEGINNING, CONTAINING** 0.107 acres, 4,668 square feet of land in College Station, Brazos County, Texas, as shown on Drawing No. 18909 v3 filed in the office of Quiddity, in College Station, Texas.

8/22/24



EXHIBIT D

TITLE COMMITMENT NOTES:

Reference Commitment for Title Insurance issued by Texan Title Insurance Company, countersigned by South Land Title, LLC, GF No. BC2312728, having an effective date of June 17, 2024 and an issue date of June 26, 2024. No further research for easements or encumbrances was performed by Quiddity.

10(j) Easements and building lines as shown of record on plat of Creek Meadows, recorded in Volume 14422, page 225, Official Records of Brazos County, Texas. The entirety of the subject tract is designated as a Private Access Easement, no other easements on said plat affect the subject tract.

10(j) Easement from J.W. McCulloch, et ux to Lone Star Gas Company, dated December 19, 1950, recorded in Volume 148, page 478 Deed Records of Brazos County, Texas, and partially released in Volume 86, Page 441, Release Records of Brazos County, Texas., noted as a blanket easement on survey prepared September 29, 2006, by Brad Kerr, Registered Professional Land Surveyor, State of Texas, No. 4502. This easement does affect the subject tract as a blanket easement, the partial release mentioned does not affect the subject tract.

10(m) Easement from J.W. McCulloch, et ux to Lone Star Gas Company, dated May 25, 1950, recorded in Volume 198, page 59, Deed Records of Brazos County, Texas, and partially released in Volume 86, Page 441, Release Records of Brazos County, Texas., This easement does affect the subject tract as a blanket easement, the partial release mentioned does not affect the subject tract.

10(q) Easement from John W. Holick, et ux to The City of Bryan, dated October 5, 1972, recorded in Volume 310, page 314, Deed Records of Brazos County, Texas. This easement does affect the subject tract as a blanket easement.

10(r) Easement from John W. Holick to The City of Bryan, dated June 9, 1977, recorded in Volume 378, page 194, Deed Records of Brazos County, Texas. This easement does affect the subject tract as a blanket easement.

10(s) Easement and Right-of-Way from John W. Holick, et ux to General Telephone Company of the Southwest, dated September 7, 1984, recorded in Volume 735, page 202, Official Records of Brazos County, Texas. This easement does not affect the subject tract.

10(t) Easement and Right-of-Way from John W. Holick, et ux to GTE Southwest, Incorporated, dated March 5, 1990, recorded in Volume 1188, page 185, Official Records of Brazos County, Texas. This easement does not affect the subject tract.

10(u) Easement Grant from John W. Holick, et ux to Brazos County, dated August 1, 1990, recorded in Volume 1201, page 336, Official Records of Brazos County, Texas. This easement does not affect the subject tract.

10(v) Easement from John W. Holick, et ux to Wellborn Special Utility District, dated September 8, 1999, recorded in Volume 3645, page 274, Official Records of Brazos County, Texas. Said Right-of-Way Easement contains a blanket description of a 15-foot wide easement on the pipeline as installed and therefore cannot be located due to vague description.

10(z) Easement executed by Creek Meadows Partners, et al to City of College Station, dated July 17, 2007, recorded in Volume 8127, Page 260, Official Records of Brazos County, Texas. This easement does affect the subject tract as a temporary blanket easement.

10(cc) Easement granted to City of College Station, Texas by Creek Meadows Partners, L.P. as set out in instrument dated October 22, 2008, recorded Volume 8860, Page 76 of the Official Public Records of Brazos County, Texas. This easement does affect the subject tract and is shown hereon.

10(e), 10(f), 10(i), 10(mm), 10(nn), 10(oo), 10(pp), 10(qq), 10(rr), 10(ss), 10(tt), 10(uu). These items mention oil, gas and mineral leases and mineral and/or royalty reservations. Mineral and/or royalty reservations and oil, gas, and mineral leases are outside the scope of services and therefore these items were not reviewed (See General Note 3).

○ POINT FOR CORNER UNLESS OTHERWISE NOTED

LEGEND

OPRBC	OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY
PAE	PUBLIC ACCESS EASEMENT
PG	PAGE
Pr.DE	PRIVATE DRAINAGE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
VOL	VOLUME

SURVEYOR NOTE:

From POB to College Station GPS Base No. 134
Bears: South 81°34'02" West, 1755.85 feet

GENERAL NOTES:

- Bearings shown hereon are based on the Texas Coordinate System of 1983, Central Zone (4203).
- A separate legal description of equal date was written in conjunction with this survey.
- This survey does not provide a determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed by the client or prospective purchaser to an expert consultant.
- According to Map No. 48041C0325E of the Federal Emergency Management Agency's Flood Insurance Rate Maps for Brazos County, dated May 16, 2012, the subject tract is situated within: Unshaded Zone "X"; defined as areas determined to be outside the 500-year flood plain.

This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.
- The surveyor has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
- Visible improvements were located with this survey; no subsurface probing, excavation or exploration was performed for this survey. Improvements may exist which are not shown hereon.

**ROW PARCEL
OF
CREEK MEADOWS
SECTION 1C, PHASE 2
COMMON AREA H'
BEING
0.049 ACRE
2,113 SQUARE FEET
OUT OF THE
A. McMAHON SURVEY, A-167
BRAZOS COUNTY, TEXAS
FEBRUARY 2025**



QUIDDITY

Texas Board of Professional Engineers and Land Surveyors Reg. No. 10046100
Texas Board of Professional Engineers and Land Surveyors Reg. No. F-213290
1862 Rock Prairie Road, Suite 200 • College Station, TX 77845 • 979.731.8000

K:\C0008\0008-0039-00_Victoria Avenue Roundabouts\1_Surveying Phase\CAD Files\Final Desk\Victoria Roundabouts Common Area H V7.dwg Feb 26, 2025 - 10:47am WRE

EXHIBIT D

City of College Station
Creek Meadows Partners, L.P., Common Area H'
Right-of-Way Parcel

A. McMahon League
Abstract No. 167

STATE OF TEXAS §

COUNTY OF BRAZOS §

A METES AND BOUNDS description of a certain 0.049 acre (2,113 square feet) out of the A. McMahon Survey, Abstract No. 167, College Station, Brazos County, Texas, being all of Common Area H' of Creek Meadows, Section 1C, Phase 2, owned by Creek Meadows Partners, L.P., plat recorded in Volume 14422, Page 225 of the Official Public Records of Brazos County (OPRBC), said 0.048 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, Central Zone, 4203;

COMMENCING at a found 1/2-inch iron rod (with cap stamped "Kerr") marking the southeast corner Common Area N' owned by Creek Meadows Homeowners Association, recorded in Volume 14422, Page 225 of the OPRBC and lying in the northwest right-of-way line of Victoria Avenue (variable width right-of-way), from which a found 1/2-inch iron rod (with cap stamped "Kerr") marking the south corner of Common Area N' bears South 42°55'41" West, 20.64 feet, and from which a found 1/2-inch iron rod (with cap stamped "Kerr") marking a west corner of Common Area N' and lying in the southwest right-of-way line of Creek Meadows Blvd. North (80-foot wide right-of-way), bears North 02°17'03" West, 35.38 feet;

THENCE, North 25°18'42" East, 57.66 feet across said Creek Meadows Blvd. North, to a point for corner marking the **POINT OF BEGINNING** of the herein described subject tract, from which College Station GPS Base No. 134 bears: South 81°34'02" West, 1755.85 feet;

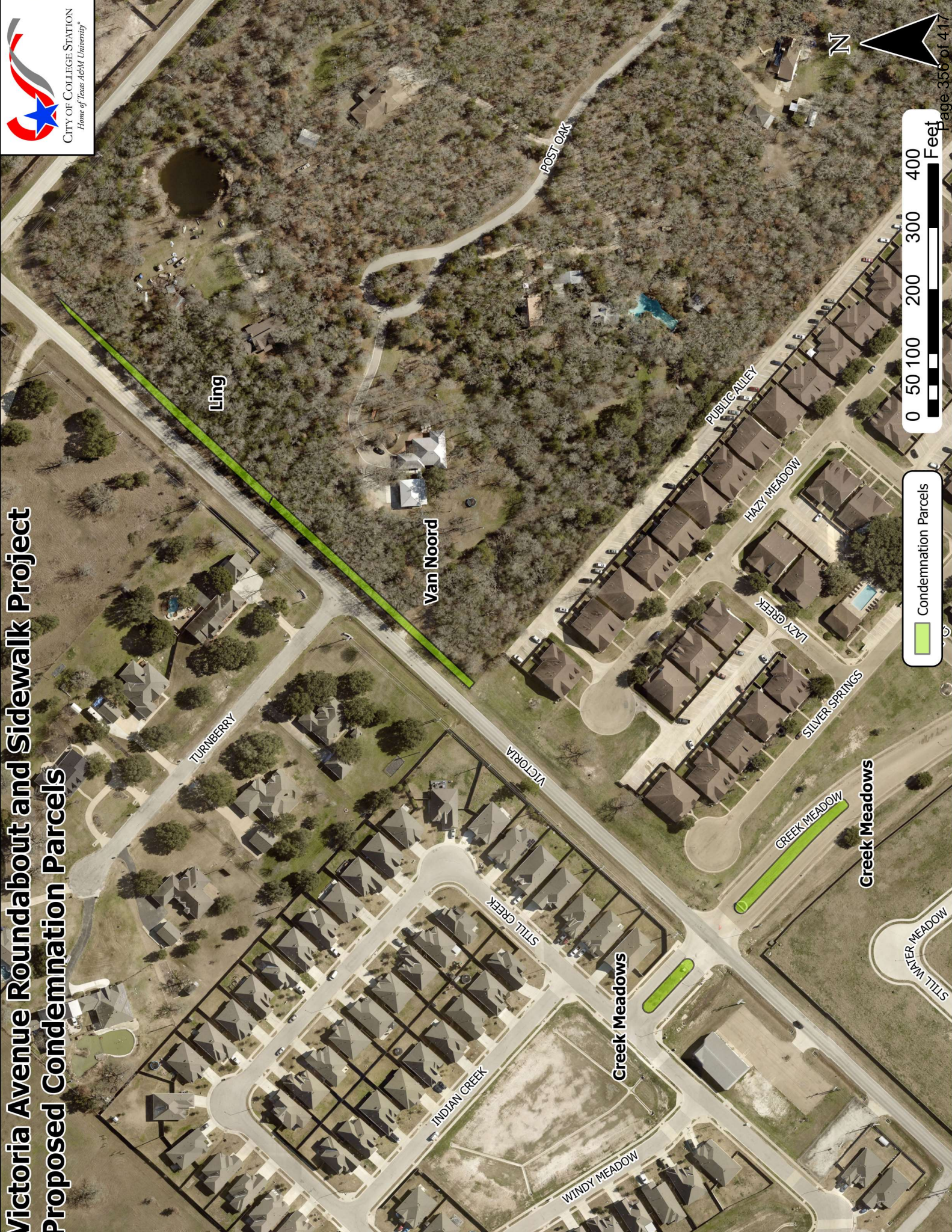
THENCE along the common line of said Creek Meadows Blvd. North and said Common Area H' the following four (4) courses and distances:

1. North 47°03'24" West, 89.92 feet to a point-for-corner, marking the beginning at a tangent curve to the right;
2. Along said tangent curve to the right, having a radius of 10.00 feet, an arc length of 31.42 feet, a delta angle of 180°00'00" and a chord bearing of North 42°56'36" East, 20.00 feet to a point for corner;
3. South 47°03'24" East, 89.92 feet to a point-for-corner, marking the beginning at a tangent curve to the right;
4. Along said tangent curve to the right, having a radius of 10.00 feet, an arc length of 31.42 feet, a delta angle of 180°00'00" and a chord bearing of South 42°56'36" West, 20.00 feet to the **POINT OF BEGINNING, CONTAINING** 0.049 acres, 2,113 square feet of land in College Station, Brazos County, Texas, as shown on Drawing No. 18910 filed in the office of Quiddity, in College Station, Texas.

Christopher E. Curtis 8/22/24



Victoria Avenue Roundabout and Sidewalk Project Proposed Condemnation Parcels



Condemnation Parcels