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E. Major Structure Locations - The following lists indicate the general location of major structures on the proposed near-term Facilities:

1. Austin – San Antonio Area, SH 130, Segments 5 and 6.

■ Fully directional interchanges at:

- ◆ 45 Southeast/US 183
- ◆ US 183 North of Lockhart
- ◆ IH 10

■ Diamond interchanges at:

- ◆ Laws Road ◆ SH 80
- ◆ SH 21 ◆ FM 621
- ◆ FM 1185 ◆ FM 20

■ Railroad crossings at:

- ◆ Parallel to SH 80, West of Lockhart
- ◆ Parallel to IH 10, East of Seguin

■ Water crossings at:

- ◆ Plum Creek
- ◆ Clear Fork Plum Creek
- ◆ Big West Fork Plum Creek
- ◆ Little West Fork Plum Creek
- ◆ Dickerson Creek
- ◆ San Marcos River
- ◆ York Creek Tributary
- ◆ York Creek

2. Dallas Area, TTC-35, Dallas Southeast Connector.

■ Fully directional interchanges at:

- ◆ IH 35E ◆ IH 20
- ◆ IH 45 ◆ IH 30

■ Diamond interchanges at:

- ◆ FM 813 ◆ SH 205
- ◆ US 175 ◆ SH 276
- ◆ US 80

■ Railroad crossings at:

- ◆ Parallel to US 80, West of Terrell
- ◆ Parallel to IH 45, North of Ferris
- ◆ Parallel to IH 35E, North of Waxahachie

■ Water crossings at:

- ◆ Bearpen Creek ◆ Trinity River
- ◆ South Fork ◆ Old Tenmile Creek◆
- ◆ Sabine River
- ◆ Little High Point ◆ Bear Creek
- Creek ◆ Red Oak Creek
- ◆ High Point Creek ◆ Grove Creek
- ◆ Big Brushy Creek ◆ Unnamed
- ◆ Unnamed ◆ Red Oak Creek
- ◆ Anthony Branch◆ ◆ Red Oak Creek◆
- East Fork Trinity Grove Creek
- ◆ Parsons Slough

3. Dallas Area, TTC-35 Dallas Northeast Connector.

■ Fully directional interchanges at:

- ◆ US 75
- ◆ IH 30 (included in the Near Term)

■ Three-level Diamond Interchange at:

- US 380

■ Diamond interchanges at:

- ◆ FM 902 ◆ FM 981
- ◆ FM 121 ◆ FM 2194
- ◆ SH 121 ◆ SH 66
- ◆ SH 78

■ Railroad crossings at:

- ◆ Parallel to US 75, South of Sherman
- ◆ Parallel to FM 2194, Northeast of Farmersville
- ◆ Parallel to US 380, East of Farmersville
- ◆ Parallel to SH 66, Southwest of Greenville

■ Water crossings at:

- ◆ Bear Creek ◆ East Prong Sister Grove Creek
- ◆ Delba Creek ◆ West Prong Sister Grove Creek
- ◆ Indian Creek ◆ Cedar Creek
- ◆ Desert Creek ◆ Choctaw Creek
- ◆ Pilot Grove ◆ Creek
- Creek ◆ Wolf Run Creek

4. Austin – Temple Area, TTC-35, Georgetown to Temple

■ Fully directional interchanges at:

- ◆ IH 35

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- Diamond interchanges at:
 - ◆ FM 935 ◆ FM 2268
 - ◆ FM 438 ◆ FM 487
 - ◆ SH 53 ◆ FM 971
 - ◆ SH 190/SH 36 ◆ FM 972
 - ◆ SH 95 ◆ SH 29
 - Railroad crossings at:
 - ◆ Parallel to US 190, South of Temple
 - ◆ Parallel to SH 95, South of Temple
 - ◆ Parallel to FM 971, Northeast of Georgetown
 - Water crossings at:
 - ◆ San Gabriel ◆ Little Elm Creek
 - ◆ Opossum Creek ◆ Tributary No. 1
 - ◆ Willis Creek ◆ Little Elm Creek
 - ◆ Donahoe Creek ◆ Cottonwood Creek
 - ◆ Little River ◆ Pecan Creek
 - ◆ Boggy Creek ◆ Big Elm Creek
 - ◆ Knob Creek
5. San Antonio Area, TTC-35, San Antonio Southeast Loop.
- Fully directional interchanges at:
 - ◆ IH 10 ◆ IH 37
 - Three-Level Diamond Interchange at:
 - ◆ US 181
 - Diamond interchanges at:
 - ◆ US 87 ◆ FM 1346
 - Railroad crossings at:
 - ◆ Parallel to US 181, Southeast of San Antonio
 - Water crossings at:
 - ◆ Martinez Creek ◆ Calaveras Creek
 - ◆ Dry Hollow Creek ◆ San Antonio
 - ◆ Parita Creek River
6. Temple – Dallas Area, TTC-35, Temple to TTC-35 Dallas Southeast Connector.
- Fully directional interchanges at:
 - ◆ IH 35 ◆ TTC-35 Spur
 - ◆ US 287
- Three-level Interchanges at:
 - ◆ SH 6 ◆ US 77
 - Diamond interchanges at:
 - ◆ SH 22/ ◆ FM 434
 - SH 171 ◆ SH 7
 - ◆ FM 1242 ◆ FM 878
 - ◆ FM 2114 ◆ SH 34
 - ◆ FM 308 ◆ FM 308
 - ◆ SH 31 ◆ SH 22
 - ◆ US 84 ◆ SH 171
 - ◆ FM 2957
 - Railroad crossings at:
 - ◆ Parallel to FM 879, East of Waxahachie
 - ◆ Parallel to US 287, Southeast of Waxahachie
 - ◆ Parallel to SH 6, East of Waco
 - Water crossings at:
 - ◆ Deer Creek ◆ Shaw Creek
 - ◆ Indian Grave ◆ Tradinghouse
 - Creek Creek
 - ◆ Hoolia Creek ◆ Williams Creek
 - ◆ South Cow ◆ Wolf Creek
 - Bayou ◆ Tehucana Creek
 - ◆ North Cow Bayou ◆ Rock Creek
 - ◆ Castleman Creek ◆ Richland Creek
 - ◆ Brazos River ◆ Grove Creek
7. UP Railroad Relocation (MoPac) - Build new and upgraded rail facilities from Georgetown to San Antonio and relocate through freight rail service out of Austin and neighboring communities.
- Grade separations for Red Rock to Bastrop new location at:
 - ◆ SH 71
 - Railroad crossings for Red Rock to Bastrop new location at:
 - ◆ FM 535
 - ◆ Five county roads
 - Railroad crossings for Lockhart to Luling new location at:
 - ◆ FM 20 ◆ FM 86
 - ◆ FM 1322 ◆ Eight county roads

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■ Water crossings at:

- ◆ Colorado River
- ◆ Cedar Creek
- ◆ Lentz Branch
- ◆ Lower Cedar Hollow
- ◆ Upper Cedar Hollow
- ◆ Clear Fork Plum Creek
- ◆ West Fork Plum Creek
- ◆ Rocky Creek
- ◆ Salt Branch

4.3.1.11 Facility Connectivity

The following describes the connectivity of each proposed Facility.

1. Austin – San Antonio Area, SH 130 – Segments 5 and 6.

Segments 5 and 6 of SH 130 will provide for the continuation of the roadway portion of TTC-35 from the intersection of SH 130 Segment 4 and SH 45 Southeast to IH 10 in Seguin.

In Segment 5, a directional interchange will be constructed at SH 45 Southeast. In Segment 6, limited directional interchanges will be constructed where SH 130 leaves the existing US 183 alignment and at IH 10. Diamond interchanges will be constructed at Laws Road, SH 21, and FM 1185 for Segment 5 and at SH 80, FM 621, and FM 20 for Segment 6.

2. Dallas Area, TTC-35 Dallas Southeast Connector – Between IH 35E, IH 45, IH 20 and IH 30.

Beginning at IH 30, East of Dallas, this facility will provide a route around the Dallas area mainly for traffic going west to south and north to east. For the near term, a spur will be constructed to connect to the southern part of IH 35E. This will provide access to major existing facilities on both ends of the facility.

Fully directional interchanges will be constructed at IH 35E, IH 45, IH 20 and IH 30. Diamond interchanges will be provided for SH 276, SH 205, US 80, US 175, and FM 813.

3. Dallas Area, TTC-35 Dallas Northeast Connector – Between IH 30 and US 75.

Beginning at IH 30, East of Dallas, and continuing North to US 75, this facility will provide a route around the Northeast Dallas area mainly for traffic going west to north and south to east. This will provide access to major existing facilities on both ends of the facility.

Fully directional interchanges will be constructed at US 75, and expanded at IH 30. Diamond interchanges will be provided for FM 902, FM 121, SH 121, SH 78, FM 981, FM 2194 and SH 66.

4. Austin – Temple Area, TTC-35 Georgetown to Temple – Between SH 130, Segment 1 and IH 35 North of Temple.

This facility will provide a route around the Temple-Belton area and connect into and provide a continuation of SH 130 going south. A spur will be constructed from IH 35 north of Temple to connect to the TTC-35 alignment. A second spur will be constructed from the TTC-35 alignment to SH 130, Segment 1 north of US 79.

A fully directional interchange will be constructed at IH 35. Diamond interchanges will be constructed at FM 935, FM 438, SH 53, SH 190, SH 95, FM 2268, FM 487, FM 971, and SH 29.

TTC-35 will be expanded north during the Mid Term

5. San Antonio Area, TTC-35 San Antonio Southeast Loop – Between IH 10 and IH 37.

This facility will provide a route around the San Antonio area to facilitate movement of people and goods from/to the east along IH 10, and from/to the Rio Grande Valley along IH 37. IH 10 and IH 37 will be connected by this facility.

Fully directional interchanges will be constructed at IH 10 and IH 37. A three-level diamond interchange will be constructed at US 181 and diamond interchanges will be constructed at US 87 and FM 1346.

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- 6. Temple – Dallas Area, TTC-35 – Temple to TTC-35 Dallas Southeast Connector.

This facility will provide a route around the Waco - Hillsboro area and connect into and provide a continuation of TTC-35 between the Temple and South Dallas area. A spur will be constructed from IH 35 north of Hillsboro to connect to the TTC-35 alignment.

Fully directional interchanges will be constructed at IH 35, US 287 and TTC-35 Spur. Three-level interchanges will be provided at SH 6 and US 77. Diamond interchanges will be constructed at SH 22/SH 171, FM 1242, FM 2114, FM 308, SH 31, US 84, FM 2957, FM 434, SH 7, FM 878, SH 34, FM 308, SH 22 and SH 171.

- 7. UP Railroad Relocation (MoPac) - Build new and upgraded rail facilities from Georgetown to San Antonio and relocate through freight rail service out of Austin and neighboring communities.

This Facility will be connected to the appropriate existing and planned rail lines.

4.3.1.12 Conceptual Cost Estimates

Costs will vary considerably between Facilities, however, as a percentage of construction, the costs of preparing the following items will remain approximately the same.

The Appendix contains the cost estimates for all of the facilities identified in Section 4.3.1.6. Detailed cost estimates were developed for SH 130 - Segments 5 and 6 and for TTC-35 Southeast Connector. Using these as a basis and approach, the cost estimates for the other facilities were developed.

A. Pre-development and Facility Feasibility - Costs to prepare a Facility for Close of Finance include \$3,500,000 for development and 2% of the construction cost for sponsor fees.

B. Design and Engineering - Costs included in designing Facilities will be divided into several stages.

When a Facility appears feasible, and there is general consensus that the Facility can be developed, preliminary engineering will be required to establish a preliminary construction cost. This preliminary engineering will be to approximately the 30% level of completion, and will cost approximately 2% of the construction cost.

When the Facility has been finalized and approved, final detailed engineering plans can be developed. This will include all plans required by TxDOT for review and approval for letting, or self performed by the Team. Preparation of the Plans, Specifications and Estimates (PS&E) will cost approximately 3% to 4% of the construction cost.

C. Right-of-way - Cost included in acquiring real property for the TTC-35 Corridor include professional services provider fees for ROW and Surveying. ROW fees include monthly project administrative fees and the following services: title, initial appraisal and appraisal updates, initial appraisal review and appraisal review updates, negotiation, residential and business relocation, closing, condemnation support and disposal of property.

ROW acquisition provider fees could be in the range of \$16,500 per parcel, depending on its location. Another variable would be the type of appraisal as to land, residential, small or large commercial, vacant or improved, damages to the improvements or remainders, land locked parcels, and purchase of access rights.

The last factor to consider would be the percentage of condemnations in a specific Facility with the associated costs of obtaining updated appraisals and appraisal updates and updating title.

Additional services in preparing for and testifying at condemnation would be \$175.00/hour for appraisers, \$150.00/hour for land planners and \$100.00/hour for negotiators.

Additional services for specific project cost estimates by a project manager would be @ \$100.00/hour.

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Surveying services to produce the ROW documents required for acquisition will cost approximately \$3,000 to \$5,000 per parcel.

All combined, ROW acquisition will cost approximately 15% to 20% of the construction cost.

■ Georgetown to Temple:	\$666,000,000
■ San Antonio Southeast Loop:	\$343,500,000
■ Temple to Dallas:	\$1,146,804,000
■ Mopac Rail Relocation:	\$600,000,000
<hr/>	
Total:	\$4,481,323,000

D. Environmental Mitigation and Re-evaluation - Environmental documents prepared for each Facility will identify certain resources that will require mitigation for prior to, or during construction. These include, stream and wetland impacts, protected species relocations, archaeological site investigations, historic structure evaluation and mitigation, park or recreation areas, wildlife crossings, hazardous waste site cleanup, cemetery relocation, noise walls, and other context sensitive design commitments.

The costs associated with environmental mitigation will vary widely depending upon the type and location of the Facility. For the purposes of this Proposal estimated costs were developed for three types of roadway Facilities:

- a. widening of existing urban road, \$366,000 per mile;
- b. widening of existing rural road, \$326,000 per mile;
- c. and new location rural road, \$286,000 per mile.

Depending on how much time passes from the date of the Finding of No Significant Impact (FONSI) or Record of Decision (ROD), it is possible that the environmental document will need to be re-visited, and updated. It is anticipated that TxDOT, or their consultants will perform this work, to avoid any conflict of interest. These costs will be fairly minor, generally less than \$75,000 to ensure the document is still valid, or to bring it up to date.

E. Construction - Construction costs will be the largest cost of developing any Facility. The following summarizes the estimated construction costs for each of the suggested near-term Facilities listed in Section 4.3.1.6 including 10% contingency for SH 130, Segments 5 & 6 and 20% contingency for all other facilities:

- SH 130 – Segments 5 and 6: \$495,804,000
- Dallas Southeast Connector: \$680,851,000
- Dallas Northeast Connector: \$548,364,000

F. Annual Operations - Annual Operations for each Facility will cost approximately 2.5% of the initial construction cost of the Facility. (Based on \$3m/yr for a \$300M Facility + 1.5% for toll collection) This includes administrative and toll revenue collection expenses.

G. Maintenance - Maintenance costs will be approximately \$300,000 per centerline mile per year for each Facility for the initial construction, an additional \$150,000 per centerline mile per year for the first expansion of the Facility and an additional \$75,000 per centerline mile per year for the second expansion.

H. Expansion of Capacity - None of the suggested near-term Facilities are expected to require expansion within the near-term. The traffic studies performed identified the anticipated future years when the Facilities will need to be expanded to keep traffic operations at a Level-of-service (LOS) C or better. For the roadway Facilities, generally the construction costs for the expansion projects will be approximately 80% of the original construction costs. This is due to the fact that the ultimate truck lanes (four lanes) will be constructed first, and then when traffic operations are projected to be worse than a LOS C, four lanes of automobile toll lanes will be constructed.

I. Major Systems - The suggested near-term Facilities will not contain unusual major systems or equipment other than the ETC tolling hardware (as opposed to future Facilities that will contain unique items such as high speed rail vehicles). The ETC equipment generally is approximately 1% of the other construction costs for the Facility.

J. Financing Costs - Typically the financing costs for bond financing will be approximately 0.7% of the value of the bond and 1% bond insurance fee on the total debt service. Bank debt financing will be approximately 1%

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of the debt drawn and 0.6% commitment fee on the outstanding balance, and a margin over the base rate of 1.35% per annum.

4.3.1.13 Right of Way Approach

A. Right-of-Way Acquisition Approach - The right-of-way (ROW) process is one of the most critical elements in the development of facilities. There can be significant delays to facility implementation if it is not handled properly. The approach of the Proposer will be to institute an experienced team to perform all aspects of the right-of-way acquisition process up to and including the actual purchase. The team includes the ROW acquisition in the financial models, and plans to acquire the real property to transfer to the state.

The right-of-way acquisition process will also require early coordination and integration with TxDOT and the Team will facilitate this communication. The Team will follow the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (The Uniform Act), and other applicable Federal and State laws, will use standard TxDOT approved forms and follow TxDOT policies and procedures.

The success of the acquisition process begins with the development of right of way maps, identification of the land to be acquired for the project, and correct ownership identification.

A survey of each parcel of land needed for the project will be completed with a metes and bounds description (field note description). The Team will begin owner contact during the survey phase to secure rights of entry to permit access for surveys, environmental reviews, soil testing, appraisals, and other necessary activities. After surveys and field notes are completed a title examination will be ordered from a State-approved title insurance company, which will identify the owner and provides further details of each parcel. This information will be provided to the appraiser.

After this initial contact, upon the Team's receipt of parcel descriptions including field notes, parcel sketches and the TxDOT approved Right of Way map, the Team

will secure a Title Commitment on each parcel of land to be acquired from a State approved Title Company at the Proposer's or TxDOT's expense.

The Team will then secure the services of a State approved certified Appraiser(s) to evaluate the properties to be acquired. The Appraiser will offer property owners the opportunity to accompany appraisers during inspection of properties and will use TxDOT forms for appraisals. Appraisals will be reviewed by an Appraisal Reviewer and submitted to TxDOT for concurrence prior to offers being made to landowners.

The Team will present initial offers and conduct "good faith" negotiations, document owner contacts on negotiators reports, advise property owners of the administrative settlement procedure, and transmit written counteroffers for review and approval or rejection by TxDOT.

The Team will schedule and attend closings and prepare final offer letters and if required, in the event that the owner does not accept the final offer, submit ROW-E-49 documentation as part of Condemnation Support Services. Furthermore, the Team will continue to assist TxDOT in the condemnation process by providing all documents and personnel to bring the property into TxDOT's possession.

The Team's Relocation Agent will also notify all property owners or representatives, tenants and potential displacees of eligibility for Relocation Assistance in accordance with the Uniform Act. The Relocation Agent will provide advisory services including making personal contact with displacees and businesses to determine special needs, if any. The Relocation Agent will provide housing market information and assist residential displacees in relocating to decent, safe and sanitary replacement housing. Displaced businesses will be assisted in finding suitable relocation locations. The Relocation Agent will distribute Relocation Assistance information through brochures and other written materials to each displaced person or by other means. The Relocation Agent will attend closing and deliver all relocation and incidental expense payments to the displacee in accordance with the separation of duties.

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The Team will perform Property Management functions for the disposal of property in accordance with TxDOT guidelines and regulations for clearance of right-of-way. The Team will coordinate with property owners for the removal and clearance of personal property, notify the Developer of vacant dwellings and buildings after displacees have moved and provide TxDOT with notices regarding the remaining improvements.

The above information describes the administrative process the team will utilize to acquire right-of-way. It is the intent of the Proposer to actually acquire the right-of-way for self-performed facilities and to transfer titles to the State.

B. Corridor Preservation Techniques - There are several techniques that are available for preserving corridors. As part of a study to assess the techniques for corridor preservation in South Dakota¹, the South Dakota Department of Transportation reviewed what other states were doing. A portion of their findings is presented below.

Corridor Identification and Planning Approaches	
Corridors identified and designated through long range planning	Many states identify and designate protection corridors through long range planning efforts, in many cases linked to the federal requirement to produce a statewide long range transportation plan.
Corridors selected on an individual project basis	Some states that do not have a program to identify and designate corridors for protection instead select corridors on an individual project basis.
Corridors adopted under a Map Act	A transportation corridor Official Map Act allows local governments and the state to file a corridor for protection in order to preserve future right of way for priority highway projects.
Techniques for Early Property Acquisition	
Protective Purchase	Advance acquisition of one or a limited number of properties to prevent imminent development or increased cost.
Hardship Acquisition	Advance acquisition of one or a limited number of properties to relieve distress circumstances relating to health, safety, financial hardship or inability to sell because of public knowledge of the pending project.
Early Acquisition	Property acquisition before federal approval of project. State DOT may apply value of early acquired property to state share of project cost after federal project agreement.
Early Acquisition of Total Takes	Design division identifies definite acquisitions early, such as properties that are on all alignments which will be considered in planning and environmental studies. Right of Way focuses on acquiring rights on targeted parcels.
Donations	Donations of real estate property rights are used by many states in varying degrees to purchase right of way. The limiting factors on federal projects are that owners must be advised of their right to have property appraised and to be paid fair market value. Also, coercive tactics are prohibited in requesting donations.

¹South Dakota Department of Transportation. *Assessment of Techniques for Corridor Preservation in South Dakota, Study SD2001-11-F, Final Report*. Bellevue, Washington: Dye Management Group, March 2002. (page iii, Technical Report Standard Title Page).

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Techniques to Acquire Less Than Fee Simple Property Rights	
Options	Options are generally contracts that give the agency the right to purchase the property at a later date. "Right of first refusal" gives the public agency the first chance to purchase the property if and when the landowner decides to sell.
Purchase of Development Rights (Easements)	Easements are a method through which the state or other government agency can purchase a landowner's development rights to a parcel. Under this agreement, the landowner retains title to the land, but is not allowed to develop it or make significant improvements.
Techniques to Acquire Less Than Fee Simple Property Rights (continued)	
Property Exchange	Highway agencies control rights to real estate which are not needed for transportation use. These rights might be used to exchange with owners to maximize total property value and utility, or the value of other property, while protecting transportation corridors from incompatible use.
Access Management Regulation	The DOT negotiates access alternatives that will satisfy access management and corridor protection objectives, and optimize after value and utility of remaining property.
Land Use Regulation Techniques	
Setback Regulations	Setback regulations prohibit construction of any building or large structure within a certain distance of a landowner's property line, and are designed to promote aesthetic qualities and public safety.
Site Plan Review and Subdivision Controls	As part of their land use regulation powers, local governments are allowed to oversee the subdivision and development process so that growth occurs in a manner that assures adequate infrastructure and access.
Conditional Use Permits and Interim Uses	In most counties and municipalities, procedures exist for landowners to apply for variances and exceptions to local land use regulations. One particular type of variance with applications to corridor preservation programs is the conditional use permit, which allows a particular land use as an exception to existing zoning regulations.
Dedications and Exactions	Requires dedication of property rights that will protect corridor in return for access that will optimize property value (and comply with access management rules).
Transfer of Development Rights and Density Transfers	Government entities can provide incentives for developers and landowners to participate in corridor preservation programs using the transfer of development rights and density transfers.
Zoning Ordinances	In terms of corridor preservation, zoning ordinances are not corridor preservation tools, but do allow local government agencies to regulate intensity of land use. While land cannot be "zoned" for a highway, zoning ordinances allow local agencies to preserve land in an undeveloped state for later construction of new or expansion of existing transportation corridors.

C. Innovative Financing Arrangements - The Proposer proposes to include ROW acquisition in the financing plan, for self-performed facilities. After NTP3, the Team plans to acquire required ROW on an accelerated schedule and transfer titles to the State. The Team will strive to acquire as many properties as possible through this methodology, but because the Team will not have condemnation authority, "problematic" parcels may go through TxDOT's condemnation process, funded by the Developer/Sponsor.

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Utilities - Utilities located within the TTC-35 Corridor will likely be constructed in partnership with existing Texas utility providers and will be funded by the utility concession holder. For example, the cost of constructing an electric transmission line is expected to be borne by the transmission service provider.

To provide utility services to the Corridor facilities, it may be necessary to provide local utility providers with initial Contributions in Aid of Construction, as this user provided funding avoids the potential for intra-customer subsidization of utility service. Some of this cost may need to be provided by the Corridor for items such as electricity for lights and rest stops while other costs may be borne by service franchise holders (e.g. restaurants, service centers).

Easements - TxDOT has standard legal forms for use in acquiring several types of easements. These are listed below under "TxDOT - Standard Conveyance Forms". It is anticipated that the TTC 35 project will use these standard forms.

TxDOT - Standard Conveyance Forms

1. **Form Number ROW-N-13:** Release and Relinquishment of Access Rights, Controlled Access Highway Facility (No land taking, access to and from abutting property waived, released and relinquished)
2. **Form Number ROW-N-14:** Deed (This form is to be used for all State system highways, both controlled and non-controlled access, for donations, and for Special Warranty Deeds.)
3. **Form Number ROW-N-15:** Right of Way Easement (for right of way)
4. **Form Number ROW-N-16:** Right of Way Lien Release (All lien release situations)
5. **Form Number ROW-N-17:** Release of Easement (Use to acquire utility or any other existing easement interest)

6. **Form Number ROW-N-21:** Release of Mineral Surface Rights (All existing surface rights released)
7. **Form Number ROW-N-30:** Quitclaim Deed (For release of advertising sign interest(s) and other interests where quitclaim is needed to clear title)
8. **Form Number ROW-N-31:** Drainage Easement for Highway Purposes
9. **Form Number ROW-N-83:** Temporary Easement (For detour and other construction easement purposes)
10. **Form Number ROW-N-85:** Subordination of Mineral Lease (Non-Controlled Access Highway Facility)
11. **Form Number ROW-N-88:** Subordination of Mineral Lease (Joint use)
12. **Form Number ROW-N-147:** For information on use of Correction Deed, see Use of Form ROW-N-147. (Partial takings, access control to remainder fully stated in all cases on either new or old location).
13. **Form Number ROW-N-271:** Easement for Purpose of Producing and Hauling Materials (Borrow and base material pits)

Easements can be purchased from adjacent landowners where local grading extends beyond the TTC 35 ROW. Form ROW-N-83 can be used for temporary easements needed for slope grading or minor channel grading outside the ROW. This grading is typically unknown prior to detailed design, therefore these easements will be acquired after the ROW is obtained. Based on the significant width of the proposed TTC 35 ROW, it is anticipated that the number of temporary easements will be low because of the ample width of ROW located outside the edge of pavement or rail. No concrete or fixed structures are allowed within a temporary easement; this is used strictly for earthwork grading.

Where a significant length of stream channel realignment must occur or a concrete headwall or drop inlet is needed outside the standard ROW, then the preferred option is to acquire additional ROW. Additional ROW

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rather than a drainage easement is preferred because the cost is roughly the same and the length of channel realignment will need to be maintained by TxDOT for the life of the facility and the landowner cannot use or fill this area. If it is determined that a channel-realignment is required after ROW is purchased, then Form ROW-N-31, Drainage Easement for Highway Purposes can be used. In this case a permanent drainage easement would be purchased from the landowner. This option will be employed when the standard corridor ROW has been purchased years before irrespective of the additional ROW needs for major channel grading or realignment at stream crossings.

4.3.1.14 Approach to Environmental Management

The Team is committed to making sure that the TTC-35 is developed in an environmentally safe manner and in accordance with all applicable laws and regulations. A key component to environmental management for the TTC-35 will be the establishment of an Environmental Manager. It will be the responsibility of the Environmental Manager to track and monitor environmental permit requirements and environmental commitments. The following identifies the major environmental and governmental permits, approvals, and authorizations to be obtained for various parts of the project as well as procedures to be put in place to insure that environmental commitments are met and the necessary permits are obtained.

A. Applicable laws, rules, and regulations - The Team will identify all probable permit types that will be required for the TTC-35 Facility. A wide variety of permits, approvals, or certifications will be necessary to construct various portions of the project. The following is a list of major permits that will need to be considered and/or obtained:

- 404 Wetland Permit - US Army Corps of Engineers
- Section 9 Bridge Permit - US Coast Guard
- 401 Water Quality Certification - Texas Department of Natural Resources
- CAMA Permit - Texas Coastal Management Program

- Water Rights Permit – Texas Commission on Environmental Quality
- Wastewater Permit – Texas Commission on Environmental Quality
- Building and Occupancy Permits for Service Centers – Various local and county governments
- Soil and Erosion (Land Disturbance) Permits – Texas Commission on Environmental Quality
- Storm Water Pollution Prevention Plan - Texas Commission on Environmental Quality
- FAA Airway-Highway Clearance Permit

The different utilities proposed for the corridor will each require their own permits and/or approvals. These include the following:

- Permit to Operate a Pipeline – Railroad Commission of Texas
- Pipeline approval – Federal Energy Regulatory Commission
- Fiber-optic Line approval– Federal Telecommunications Commission

Construction activities located in the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the contributing zone, must meet the additional requirements of the Edwards Aquifer Rule. These facilities will need to be coordinated with the TCEQ regional office that serves the county where the project is located. These counties include Comal, Bexar, Medina, Williamson, Travis, and Hays.

B. Construction Monitoring - It is assumed that a variety of environmental commitments will be made that will require monitoring during construction. Construction monitors will be hired to oversee various aspects of construction to ensure that various commitments are fulfilled. The construction monitors will be trained in special areas such as wetlands, endangered species, or soil and erosion control, as appropriate. Construction monitors will report to the Environmental Manager.

C. Environmental Commitments and Mitigation - Mitigation will be required for impacts from construction of the Project. Proposed mitigation will be coordinated

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with the appropriate state or federal agency and will be completed in a timely manner as to not affect construction of the Facility. Mitigation for impacts to the following resources may be required:

- Wetlands
- Streams
- Endangered or rare species
- Noise
- Archaeological and historic resources
- Cemeteries
- Hazardous waste sites
- Community resources
- Parks and recreation areas

The Environmental Manager will be responsible for tracking environmental commitments and ensuring that the appropriate mitigation is performed or obtained as required by the environmental documents, permits, or other agreements.

D. Ensuring Planning Commitments are Integrated into Design, Construction, and Operation - During the EIS process a variety of environmental commitments are likely to be made to mitigate impacts and obtain approval from state and federal agencies. Another role of the Environmental Manager will be to ensure that these commitments are integrated into the design, construction, and operation of the Project.

4.3.1.15 Preliminary Development Schedule

The Team has identified and has provided a detailed description of the suggested list of near-term Facilities in Section 4.3.1.6. The following table represents the anticipated schedule for each Facility.

