

TEXAS TRANSPORTATION COMMISSION

MOORE County

MINUTE ORDER

Page 1 of 1

AMARILLO District

In the city of Dumas, MOORE COUNTY, on US 87, the State of Texas (state) needs to acquire a small tract of public parkland (new land), described in Exhibit A, for an improvement project to the highway.

In accordance with Title 23 CFR, Chapter 771, and a determination by the Federal Highway Administration, replacement land is required to mitigate the adverse environmental impact caused by the acquisition of this parkland.

In the city of Dumas, on US 87, the state previously acquired certain land for highway purposes by instruments recorded in Volume 74, Page 14, and in Volume 123, Page 380, Deed Records of Moore County, Texas.

A portion of the land (surplus land), described in Exhibit A, is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the exchange of surplus land as partial or full consideration for other land needed for a state highway purpose.

The City of Dumas is the owner of the new land, described in Exhibit B. The city has requested that the surplus land be conveyed to the city in exchange and as consideration for the new land.

It is the opinion of the commission that it is proper and correct that the state convey the surplus land to the city in exchange and as full consideration for the conveyance of the new land to the state and the environmental mitigation requirements.

NOW, THEREFORE, the commission finds that the surplus land is no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to the City of Dumas, Texas, in exchange and as full consideration for the conveyance of the new land to the state and mitigation of the adverse environmental impact caused by the highway improvement project; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles and interest, if any, in and to all of the oil, gas, sulphur and other minerals, of every kind and character, in, on, under and that may be produced from the surplus land.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

Executive Director

111805 APR 30 09

Minute Number

Date Passed

## Exhibit "A"

Sheet 1 of 3

**County:** Moore  
**Highway:** US 87  
**Limits:** At BNSF Railway in Dumas  
**CSJ:** 04-76-0425-02-030

### Property Description

0.505 Acre

**Being** a 0.505 acre (21,999.9square feet) tract of land out of 2 tracts conveyed to the STATE OF TEXAS as follows: that certain tract conveyed by JAMES M. SHELTON, et al to the STATE OF TEXAS in a warranty deed dated September 13, 1940 and recorded in Volume 74, Page 14 of the Deed Records of Moore County, Texas and that certain tract conveyed by ORVILLE STEWART to the STATE OF TEXAS in a release and waiver dated April 6, 1954 and recorded in Volume 123, Page 377 of the Deed Records of Moore County, Texas; said former STEWART tract being out of Tract 1 of the BLAYLOCK ADDITION, an Addition to the City of Dumas, Moore County, Texas, according to the recorded plat thereof, of record in Volume 90, Page 34 of the Deed Records of Moore County, Texas; both tracts being situated in Section 268, Block 44, H. & T. C. R.R. Co. Survey, Moore County, Texas, and being more particularly described as follows:

**BEGINNING** at a 5/8 inch iron rod with 3-1/4 inch aluminum cap stamped "TEXAS DEPT OF TRANSPORTATION SURVEY MONUMENT" set in the proposed right of way line of US Highway 87, being in the East line of a that certain tract of land conveyed to CITY OF DUMAS in a Deed of Gift of Land recorded in Volume 206, Page 383 of the Deed Records of Moore County, Texas; from which a 3/8 inch iron rod with cap stamped "RPLS 4664", set in the existing right of way line of US Highway 87, and being the Southwest corner of the former SHELTON tract, bears SOUTH 00 degrees 41 minutes 01 second WEST, 50.00 feet, and a railroad spike in pavement, set for the Southwest corner of said Section 268, Block 44, H. & T. C. R.R. Co. Survey, Moore County, Texas bears SOUTH 00 degrees 41 minutes 01 second WEST (*called South 00 degrees 31 minutes West in Volume 74, Page 14, Deed Records of Moore County, Texas*) 78.85 feet and NORTH 89 degrees 17 minutes 43 seconds WEST (*called West in Volume 53, Page 9, Deed Records of Moore County, Texas*) 752.20 feet (*called 752.2 feet in Volume 53, Page 9, Deed Records of Moore County, Texas*); said point of beginning having project coordinates of North: 3960970.10 feet and East: 514370.83 feet;



**EXHIBIT "A"**  
Sheet 3 of 3

**NOTES:**

- 1.) Bearings based on TEXAS STATE PLANE COORDINATE SYSTEM, North Zone, NAD 1983.
- 2.) Distances are surface values.
- 3.) Coordinates are project coordinates and may be converted to grid values by dividing by a surface adjustment factor of 1.00019.
- 4.) Date of Field Survey: December 10, 2003
- 5.) Properly description with same date accompanies this plot.

**LEGEND**

- △ SET RAILROAD SPIKE IN PAVEMENT
- SET 5/8" IRON ROD WITH TxDOT 3-1/4" ALUMINUM CAP
- SET 3/8" IRON ROD WITH PLASTIC CAP STAMPED "RPLS 4664"
- [ ] RECORD INFORMATION
- D.R. DEED RECORDS OF MOORE COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF MOORE COUNTY, TEXAS



Owner: City of Dumas  
D. R. Volume 206, Page 383

**POINT OF BEGINNING**  
N: 3960970.10  
E: 514370.83

SW Cor. Section 268  
Block 44,  
H. & T.C. RR Co. Survey

[West, 752.2' - D.R. Vol. 53, Page 9]  
N 89°17'43" W - 752.20'

STATE OF TEXAS  
D. R. Vol. 53, Pg. 9

Owner: L. A. Rollo  
Warranty Deed  
Volume 396, Page 956

S 89°19'00" E - 40.00'  
260.00'  
[East, 300' - D.R. Vol. 123, Pg. 377]

Owner: John Jesse Moes  
O.P.R. Volume 495, Page

Owner: Walter G. Turner

Owner: James M. Owens  
O.P.R. Volume 385, Page 296

Section 268, Block 44  
H. & T.C. RR Co. Survey

Owner: State of Texas  
Release and Waiver  
2.066 Acres Calculated  
Orville Stewart to State of Texas  
D. R. Volume 123, Page 377

BLAYLOCK ADDITION

Tract 1

D. R. Volume 90, Page 34

Owner: Teddy Joe Stewart  
O.P.R. Volume 524, Page 842

[West, 300' - D.R. Vol. 123, Pg. 377]  
[S89°29' E, 300.0' - D.R. Vol. 74, Pg. 14]

Owner: State of Texas  
Warranty Deed  
[2.066 Acres]  
James M. Shelton, et al to State of Texas  
D. R. Volume 74, Page 14

[South - O.P.R. Vol. 515, Pg. 784]  
O.P.R. Volume 515, Page 784

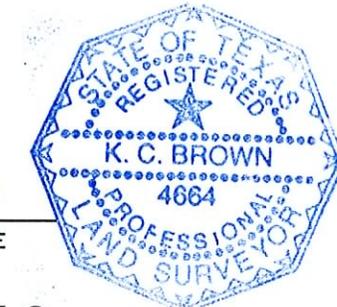
PROPOSED ROW LINE 260.00'

N 89°19'19" W - 40.00'

300.00'  
STATE OF TEXAS EXISTING ROW LINE  
D. R. Vol. 56, Pg. 81

Section Line  
**U S HIGHWAY 87**

0.3' Mi. To Dumas, Tx.



0 50' 100' 200'

Scale: 1" = 100'

**EXHIBIT "A"**

0.505 Acres (21,999.9 sq. ft.)  
U.S. HIGHWAY 87 MOORE COUNTY  
ROW CSJ: 04-76-0425-02-030  
TEXAS DEPARTMENT OF TRANSPORTATION  
P.O. BOX 2708  
AMARILLO, TX 79105  
PHONE: (806)356-3317

SHEET 3 OF 3

SCALE: 1"=100'

*K. C. Brown* 2-13-09  
K. C. BROWN  
Registered Professional Land Surveyor  
No. 4664 State of Texas

DATE

**HAGAR, BROWN & DORSEY, LLC**  
LAND SURVEYORS

P.O. BOX 1245 HEREFORD, TX 79045 506-364-6055 FAX 506-364-6055

Moore\_Parcel4.dwg

**Exhibit "B"**  
Sheet 1 of 3

**County:** Moore  
**Highway:** US 87  
**ROW CSJ:** 0425-02-030

**Property Description for Parcel 8**

**Being** a 0.346 acre (15,069.7 square feet) tract of land out of the remaining portion of that certain tract of land conveyed to CITY OF DUMAS in a Deed of Gift of Land recorded in Volume 206, Page 383, Deed Records of Moore County, Texas, being situated in Section 268, Block 44, H. & T. C. R.R. Co. Survey, Moore County, Texas, and being more particularly described as follows:

**BEGINNING** at a 5/8 inch iron rod with 3-1/4 inch aluminum cap stamped "TEXAS DEPT OF TRANSPORTATION SURVEY MONUMENT", set in the proposed right of way line of US Highway 87, being in the West line of the remaining portion of said CITY OF DUMAS tract and the East line of that certain tract conveyed to NORMA JOYCE HOULETTE in Volume 536, Page 698 in the Official Public Records of Moore County, Texas, from which a railroad spike in pavement, set for the Southwest corner of Section 268, Block 44, H. & T. C. R.R. Co. Survey, Moore County, Texas bears SOUTH 00 degrees 40 minutes 15 seconds WEST, a distance of 50.00 feet, SOUTH 00 degrees 42 minutes 17 seconds WEST, a distance of 28.71 feet and NORTH 89 degrees 17 minutes 43 seconds WEST (*called West in Volume 206, Page 383 and Volume 53, Page 9, Deed Records of Moore County, Texas*) 450.80 feet; said point of beginning having project coordinates of North: 3960973.64 feet and East: 514069.03 feet;

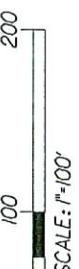
(1) **THENCE** SOUTH 89 degrees 19 minutes 19 seconds EAST along the proposed right of way line of US Highway 87, a distance of 301.40 feet to a 5/8 inch iron rod with 3-1/4 inch aluminum cap stamped "TEXAS DEPT OF TRANSPORTATION SURVEY MONUMENT", set in the East line of said CITY OF DUMAS tract, being the West line of that certain tract of land conveyed to the STATE OF TEXAS in a Warranty Deed recorded in Volume 74, Page 14, Deed Records of Moore County, Texas;

(2) **THENCE** SOUTH 00 degrees 41 minutes 01 second WEST (*called South in Volume 206, Page 383—called South 00 degrees 31 minutes West in Volume 74, Page 14, Deed Records of Moore County, Texas*), along the East line of said CITY OF DUMAS tract and the West line of said STATE OF TEXAS tract, a distance of 50.00 feet to a 3/8 inch iron rod with cap marked "RPLS 4664" in the existing right of way line of US Highway 87 as conveyed to the STATE OF TEXAS by Quitclaim Deed recorded in Volume 53, Page 9, Deed Records of Moore County, Texas;

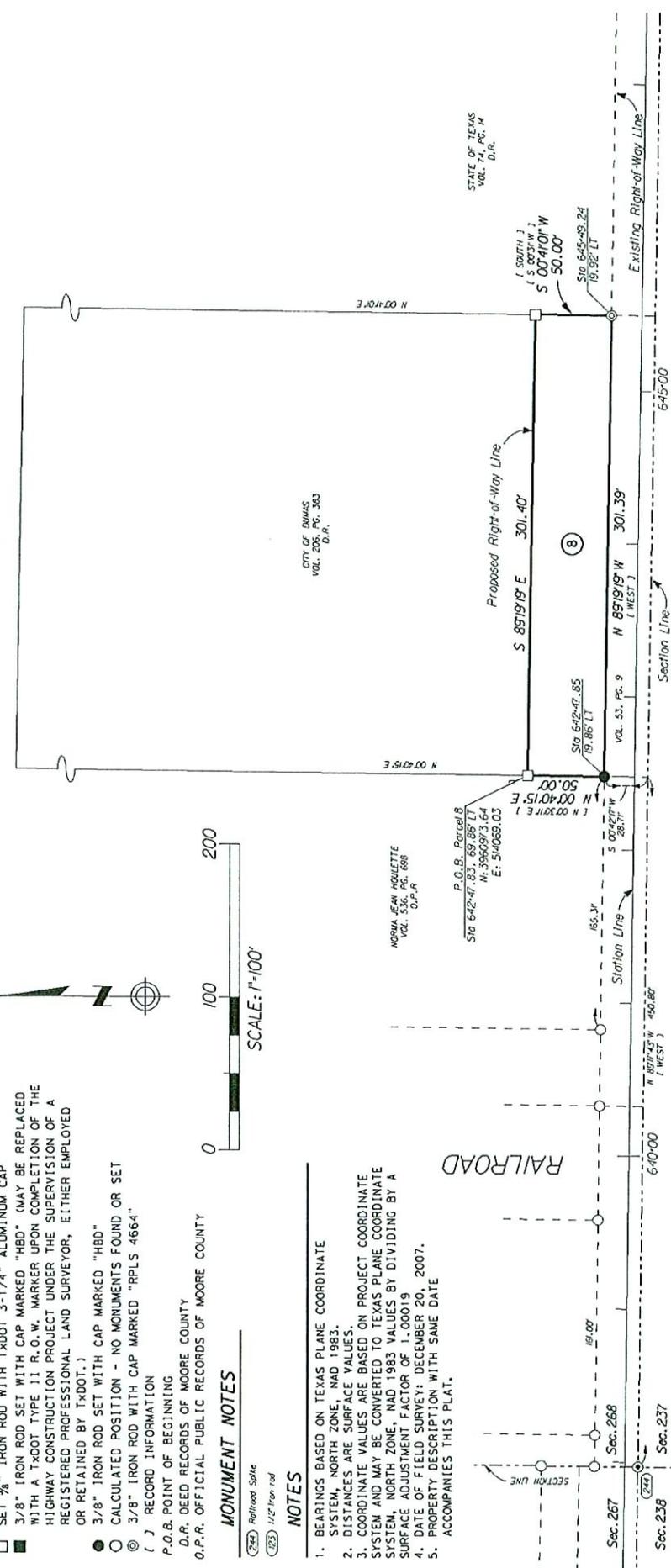


# H. SECTION 268. BLOCK 44 CO. SURVEY

- LEGEND**
- FOUND TYPE I R.O.W. MONUMENT (4" X 4" CONCRETE MONUMENT)
  - FOUND MONUMENT - SEE MONUMENT NOTES
  - SET 3/8" IRON ROD WITH TXDOT 3-1/4" ALUMINUM CAP WITH A TXDOT TYPE II R.O.W. MARKER UPON COMPLETION OF A HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.)
  - 3/8" IRON ROD SET WITH CAP MARKED "HBD"
  - CALCULATED POSITION - NO MONUMENTS FOUND OR SET
  - ⊙ 3/8" IRON ROD WITH CAP MARKED "RPLS 4664"
  - ( J ) RECORD INFORMATION
- P.O.B. POINT OF BEGINNING  
D.R. DEED RECORDS OF MOORE COUNTY  
O.P.R. OFFICIAL PUBLIC RECORDS OF MOORE COUNTY



- MONUMENT NOTES**
- (242) Railroad Spike
  - (23) 1/2" Iron Nail
- NOTES**
1. BEARINGS BASED ON TEXAS PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 1983.
  2. DISTANCES ARE SURFACE VALUES.
  3. COORDINATE VALUES ARE BASED ON PROJECT COORDINATE SYSTEM AND MAY BE CONVERTED TO TEXAS PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 1983 VALUES BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00019
  4. DATE OF FIELD SURVEY: DECEMBER 20, 2007.
  5. PROPERTY DESCRIPTION WITH SAME DATE ACCOMPANIES THIS PLAT.



**U.S. 87**

RAILROAD

WILSON AVE.

TWICHELL AVE.

BLOCK 2 OF DUMAS ORIGINAL TOWN SUEVE CABINET RECORDS

STATE OF TEXAS VOL. 74, PG. 14 D.R.

CITY OF DUMAS VOL. 206, PG. 383 D.P.

NORMA JEAN ROULETTE VOL. 50, PG. 686 D.P.R.

P.O.B. Parcel B Sta 642+47.85 19.86 LT N 00°40'15\"/>

**U.S. 87**

MILLER AVE.

STATE OF TEXAS VOL. 74, PG. 14 D.P.

Sta 645+48.24 19.32 LT N 00°40'15\"/>

*K.C. Brown* 1-27-09

K. C. BROWN DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 4664, STATE OF TEXAS

**Hagar, Brown & Dorsey, LLC.**  
LAND SURVEYORS

P.O. BOX 1248 HEREFIELD, TX 79045 806-364-6085 FAX 806-364-6088

**PARCEL 8**  
0.346 ACRE

U.S. 87 MOORE COUNTY  
ROW CSJ: 0425-02-030  
TEXAS DEPARTMENT OF TRANSPORTATION  
P.O. BOX 2708  
AMARILLO, TX 79105  
PHONE: (806) 356-3317

**SHEET 3 OF 3**

**SHEET 3 OF 3**

SCALE: 1"=100'

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