

TEXAS TRANSPORTATION COMMISSION

BRAZOS County

MINUTE ORDER

Page 1 of 1

BRYAN District

In BRAZOS COUNTY, on US 190, the State of Texas acquired certain land for use as a roadside park by instrument recorded in Volume 80, Page 228, of the Deed Records of Brazos County, Texas.

The instrument conveying the land to the state provided that if the land ceases to be used as a roadside park, the land reverts to the grantors.

The land (surplus land), described in Exhibit A, is no longer needed for use as a roadside park.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the quitclaim of the state's interest to comply with a reversionary clause contained in the instrument that originally conveyed the interest to the state.

The commission finds that it is proper and correct that the state quitclaim all of its rights, title and interest in the surplus land to comply with the reversionary clause contained in the instrument of conveyance to the state.

In accordance with Title 43, Texas Administrative Code, §21.105, the commission may determine that a service fee to be charged for the disposal of real property shall not apply if the commission determines the service fee to be unjust or unwarranted.

The commission finds that the service fee is unjust or unwarranted, since the grantors, their heirs or assigns are deceased or unknown.

NOW, THEREFORE, the commission finds that the surplus land is no longer needed for use as a roadside park or for a state highway purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute a proper instrument quitclaiming all of the state's rights, title and interest in the surplus land to J.W. Hall and Marta Hall, their heirs or assigns, and that the service fee be waived.

IT IS FURTHER ORDERED that the surplus land is removed from the state highway system.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

Executive Director

111730 FEB 26 09

Minute Number Date Passed

EXHIBIT A

**County:** Brazos  
**Tract No.:** Roadside Park Tract 1  
**Highway:** State Highway 21  
**Limits:** From: Democrat Road  
 To: the Navasota River  
**RCSJ:** 0117-02-031

## TRACT 1

DESCRIPTION OF A 0.413 ACRE (18,000 SQ. FT.) TRACT OF LAND LOCATED IN THE H.R. CARTMELL SURVEY, ABSTRACT NO. 88, IN BRAZOS COUNTY, TEXAS, BEING ALL OF A CALLED 50 FEET BY 360 FEET STRIP AS DESCRIBED IN A DEED TO THE STATE OF TEXAS AND RECORDED IN VOLUME 80, PAGE 228 OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS (D.R.B.C.TX.), SAID 0.413 ACRE (18,000 SQ. FT.) TRACT OF LAND, AS SHOWN ON A SKETCH PREPARED BY SAM, INC. FOR THIS TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** at a Texas Department of Transportation (TxDOT) Type I concrete monument found on the existing west right-of-way line of SH 21 as conveyed to the State of Texas and recorded in Volume 78, Page 305, D.R.B.C.TX.;

**THENCE**, with the existing west right-of-way line of SH 21, N 27°07'28" E, at a distance of 364.56 feet passing a 5/8-inch iron rod found, continuing for a total distance of 1,391.73 feet to a calculated point, said point being the **POINT OF BEGINNING** and the southeast corner of the tract described herein;

1) **THENCE**, N 62°52'32" W, a distance of 50.00 feet to a calculated point, said point being the southwest corner of the tract described herein;

2) **THENCE**, N 27°07'28" E, a distance of 360.00 feet to a calculated point, being in the east line of a called Tract No. 14, Cedar Oaks Estates, called 4.998 acres recorded in Volume 1239, Page 739 of the Official Public Records of Brazos County, Texas (O.P.R.B.C.TX.), as described in a deed to F. W. Oliver and recorded in Volume 1431, Page 153, O.P.R.B.C.TX., said point being the northwest corner of the tract described herein, from which point a chain link fence post found for angle point in the east line of said Tract No. 14 bears S 76°39'29" W, a distance of 24.94 feet;

3) **THENCE**, S 62°52'32" E, a distance of 50.00 feet to a calculated point, being in the existing west right-of-way line of said SH 21, being the State of Texas tract conveyed in Volume 78, Page 305, D.R.B.C.TX., said point being the northeast corner of the tract described herein;

4) **THENCE**, S 27°07'28" W, with the existing west right-of-way line of SH 21, a distance of 360.00 feet to the **POINT OF BEGINNING**, and containing 0.413 acre (18,000 sq. ft.) of land, more or less, within these metes and bounds.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83(93).

This property description is accompanied by a separate plat.

THE STATE OF TEXAS       §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF BRAZOS       §

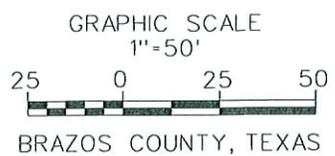
That I, Robert J. Roy, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 14<sup>th</sup> day of July, 2008 A.D.

SURVEYING AND MAPPING, Inc.  
5508 West Highway 290  
Building B  
Austin, Texas 78735

  
\_\_\_\_\_  
Robert J. Roy  
Registered Professional Land Surveyor  
No. 5159 - State of Texas





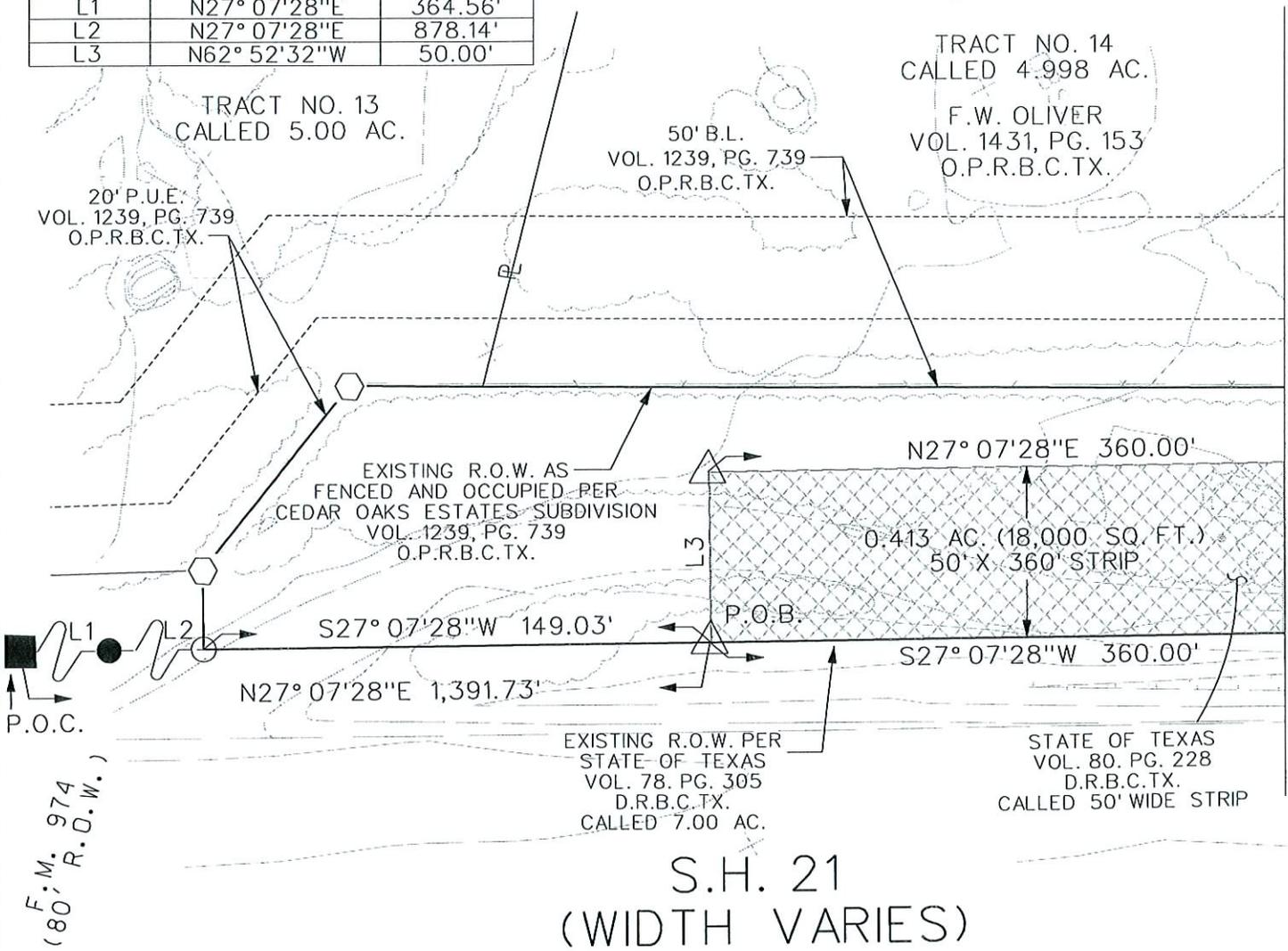
H.R. CARTMELL  
SURVEY, A-88

- LEGEND
- TxDOT TYPE I CONCRETE MON. FOUND
  - 5/8" IR W/TxDOT ALUM. CAP SET
  - 5/8" IR FOUND
  - CHAIN LINK FENCE POST FOUND
  - CALCULATED POINT
  - D.R.B.C.TX. DEED RECORDS OF BRAZOS COUNTY, TEXAS
  - O.P.R.B.C.TX. OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS
  - PROPERTY LINE

CEDAR OAKS ESTATES SUBDIVISION  
VOL. 1239, PG. 739  
O.P.R.B.C.TX.

LINE TABLE

LINE NO.	BEARING	DISTANCE
L1	N27° 07' 28" E	364.56'
L2	N27° 07' 28" E	878.14'
L3	N62° 52' 32" W	50.00'



MATCHLINE PAGE 4

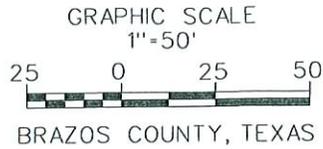
NOTES:

1. ALL COORDINATES AND BEARINGS SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983. ALL DISTANCES AND COORDINATES SHOWN HEREON ARE SURFACE FEET AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SURFACE ADJUSTMENT FACTOR OF 1.000120.
- 2) THIS PARCEL PLAT IS ACCOMPANIED BY A PARCEL DESCRIPTION OF EVEN DATE.



5508 West Highway 290,  
Building B  
Austin, Texas 78735  
(512) 447-0575  
Fax: (512) 326-3029

S.H. 21 ROADSIDE PARK  
TRACT 1  
0.413 AC. (18,000 SQ. FT.)  
STATE OF TEXAS TRACT  
VOLUME 80, PAGE 228, D.R.B.C.TX.



H.R. CARTMELL  
SURVEY, A-88

CEDAR OAKS ESTATES SUBDIVISION  
VOL. 1239, PG. 739  
O.P.R.B.C.TX.

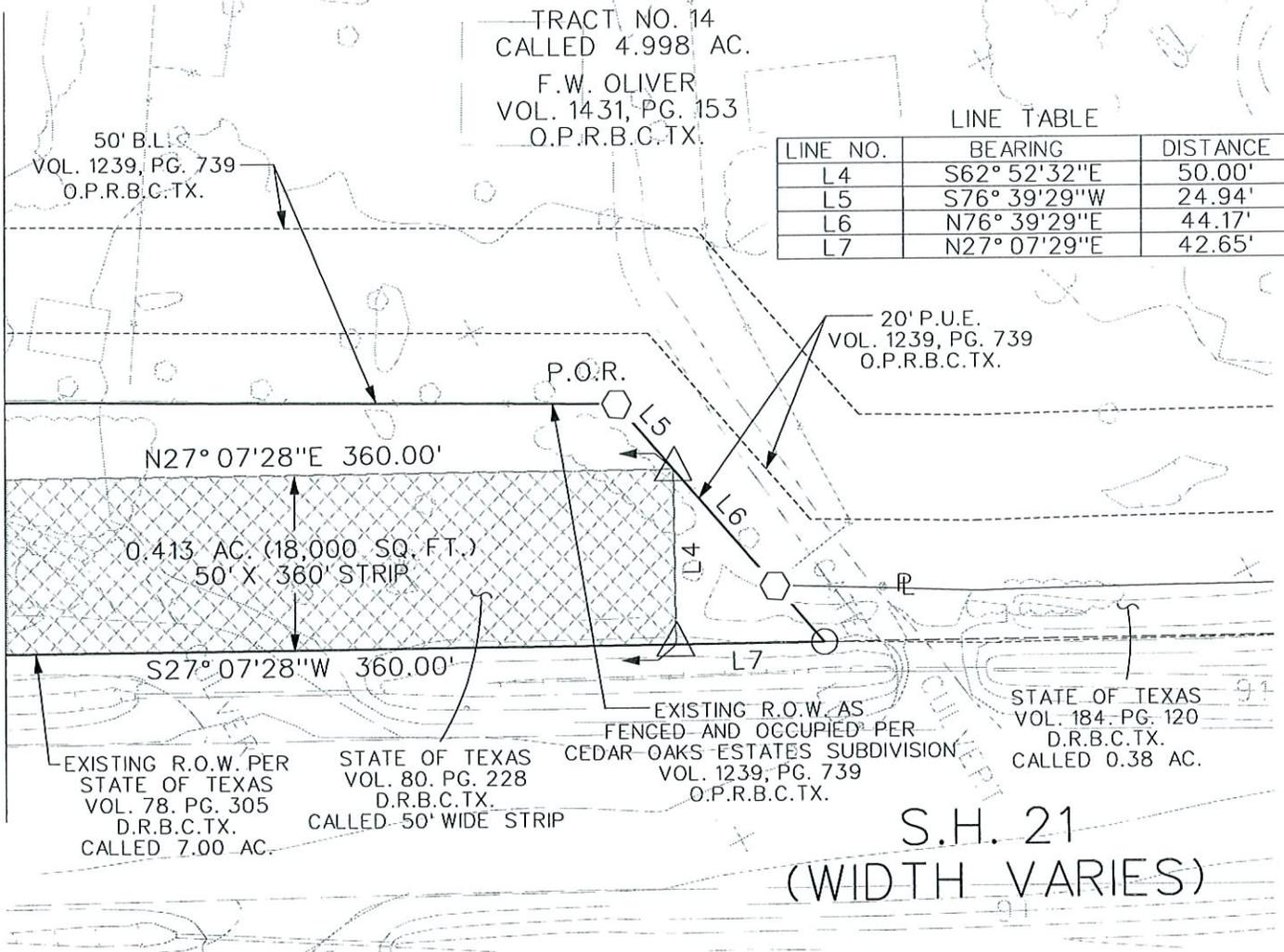
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  - ℙ PROPERTY LINE

MATCHLINE PAGE 3

TRACT, NO. 14  
CALLED 4.998 AC.  
F.W. OLIVER  
VOL. 1431, PG. 153  
O.P.R.B.C.TX.

LINE TABLE

LINE NO.	BEARING	DISTANCE
L4	S62° 52' 32"E	50.00'
L5	S76° 39' 29"W	24.94'
L6	N76° 39' 29"E	44.17'
L7	N27° 07' 29"E	42.65'

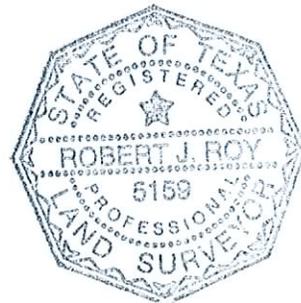


S.H. 21  
(WIDTH VARIES)

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION, AND THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ROBERT J. ROY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 5159, STATE OF TEXAS

JULY 14, 2008  
DATE



PAGE 4 OF 4  
REF. FIELD NOTE NO. 4759R2



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Austin, Texas 78735  
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Fax: (512) 326-3029

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