

TEXAS TRANSPORTATION COMMISSION

WILLIAMSON County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In WILLIAMSON COUNTY, on INTERSTATE 35, a designated controlled access highway, the State of Texas acquired certain land for highway purposes by instrument recorded in Volume 469, Page 257, Deed Records of Williamson County, Texas. The state owns and controls certain access rights to the highway facility to and from the abutting lands.

A portion of the access rights (surplus access rights), shown on Exhibit A, is no longer needed for a state highway purpose.

P.W. Properties, a Texas general partnership (P.W.), owner of a 6.743-acre tract of land conveyed by deed recorded in Volume 2155, Page 904, Deed Records of Williamson County, Texas (P.W. Tract), is the landowner abutting the property line along which access is proposed to be released and has requested that the state sell the surplus access rights to P.W. for \$98,000.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus access rights to the abutting landowner.

The Texas Department of Transportation has determined that the sale of the surplus access rights is not expected to compromise the safety or add traffic volume in an amount to exceed the capacity of the existing highway.

It is the opinion of the commission that it is proper and correct that the state sell the surplus access rights to P.W. for a cash consideration of \$98,000.

NOW, THEREFORE, the commission finds that the surplus access rights are 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 granting the state's interest in the surplus access rights to P.W. Properties, a Texas general partnership, for a cash consideration of \$98,000.

IT IS FURTHER ORDERED that the surplus access rights will be exclusive to the P.W. Tract, and nothing in this order shall be construed to directly or indirectly approve conveyance of access rights to the properties abutting the P.W. Tract.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

Executive Director

111732 FEB 26 09

Minute Number

Date Passed

## EXHIBIT "A"

**County:** Williamson

**Highway:** Interstate Highway 35

**Project Limits:** S.H. 29 to R.M. 2243 – Southbound Frontage Road

**ROW/CSJ:**

### ACCESS DESCRIPTION

**BEING** an Access Line delineating a permitting of access from Lot 4, P.W. Properties subdivision, according to the plat thereof recorded in Cabinet "L", Slides 364-365 of the Plat Records of Williamson County, Texas, to the Interstate Highway 35 service/access roads, being situated in the Clement Stubblefield Survey, Abstract No. 558, in Williamson County, Texas, said Access Line being more particularly described by metes and bounds as follows:

**COMMENCING FOR REFERENCE** at a found TxDOT Type II concrete monument at the intersection of the existing southerly right-of-way line of F.M. Road 2243 (100 foot right-of-way width), with the existing westerly right-of-way line of Interstate Highway 35 (right-of-way width varies), 456.74 feet right of Interstate Highway 35 baseline station 926+03.30, being the most northerly corner of Lot 1, Block "A", Toyah Point Section Two Amended, according to the plat thereof recorded in Cabinet "E", Slide 385 of the Plat Records of Williamson County, Texas, and being the beginning of an Access Denial Line;

- 1) **THENCE** with, in part, the easterly boundary line of Lot 1 and Lot 2, Block "A", of said Toyah Point Section Two Amended, and in part, the easterly boundary line of Lot 3 and Lot 4 of said P.W. Properties subdivision, same being the existing westerly right-of-way line of Interstate Highway 35 and said Access Denial Line, S 23°25'58" E, passing at a distance of 149.67 feet, a found 1/2" iron rod, 434.97 feet right of Interstate Highway 35 baseline station 927+51.38, being the most easterly corner of said Lot 1 and an exterior ell corner in the easterly boundary line of said Lot 2, Block "A" of said Toyah Point Section Two Amended, and continuing for a total distance of 503.00 feet to a set 1/2" iron rod with aluminum cap stamped "COA" in the easterly boundary line of said Lot 4, P.W. Properties subdivision, 383.58 feet right of Interstate Highway 35 baseline station 931+00.95, being the end of said Access Denial Line and the beginning of an Access Permitted Line;
- 2) **THENCE** continuing with the easterly boundary line of said Lot 4, P.W. Properties subdivision and said existing westerly right-of-way line of Interstate Highway 35, along said Access Permitted Line, S 23°25'58" E for a distance of 30.00 feet to a set 1/2" iron rod with aluminum cap stamped "COA", 379.21 feet right of Interstate Highway 35 baseline station 931+30.63, being the end of said Access Permitted Line and the beginning of an Access Denial Line, from which a found 1/2" iron rod, 365.14 feet right of Interstate Highway 35 baseline station 932+26.35, being the most westerly corner of said Lot 4, bears S 23°25'58" E a distance of 96.74 feet, and a found TxDOT Type I concrete monument in said existing westerly right-of-way line of Interstate Highway 35, 310.74 feet right of Interstate Highway 35 baseline station 935+96.34, bears S 23°25'58" E a distance of 470.71 feet;

EXHIBIT "A"

**County:** Williamson

**Highway:** Interstate Highway 35

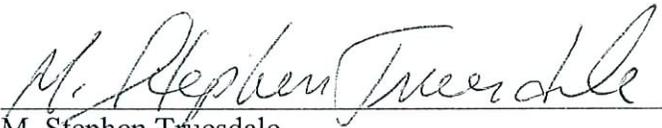
**Project Limits:** S.H. 29 to R.M. 2243 – Southbound Frontage Road

**ROW/CSJ:**

ACCESS IS PERMITTED ACROSS THE "ACCESS PERMITTED LINE" ONLY, BEING COURSE NUMBER 2 ABOVE. ACCESS IS PROHIBITED ACROSS THE "ACCESS DENIAL LINE" TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE ABUTTING PROPERTY.

That I, M. Stephen Truesdale, 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 description herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Round Rock, Williamson County, Texas, this the 15<sup>TH</sup> day of FEBRUARY, 2006 A.D.



M. Stephen Truesdale

Registered Professional Land Surveyor No. 4933 – State of Texas

Licensed State Land Surveyor – State of Texas

Inland Geodetics, L.P.

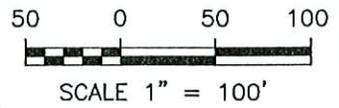
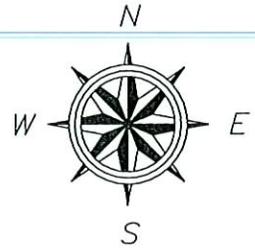
1504 Chisholm Trail Road, Suite 103

Round Rock, Tx. 78681



F. M. ROAD 2243  
(100' R.O.W.)

P.O.R.  
456.74' RT.  
I.H. 35 BASELINE  
STA. 926+03.30



CLEMENT STUBBLEFIELD SURVEY  
ABSTRACT NO. 558

LOT 1

434.97' RT.  
I.H. 35 BASELINE  
STA. 927+51.38

INTERSTATE HIGHWAY NO. 35  
(R.O.W WIDTH VARIES)

BLOCK "A"

LOT 1

LOT 2

TOYAH POINT  
SECTION TWO AMENDED  
CABINET E, SLIDE 385  
P.R.W.C.T.

P.W. PROPERTIES  
CABINET L, SLIDES 364-365  
P.R.W.C.T.

LOT 2

LOT 3

P.W. PROPERTIES  
CABINET L, SLIDES 364-365  
P.R.W.C.T.

383.58' RT.  
I.H. 35 BASELINE  
STA. 931+00.95

ACCESS PERMITTED  
S 23°25'58" E 30.00'

379.21' RT.  
I.H. 35 BASELINE  
STA. 931+30.63

LOT 4

365.14' RT.  
I.H. 35 BASELINE  
STA. 932+26.35

LEGEND	
●	1/2" IRON ROD FOUND (UNLESS SIZE OTHERWISE NOTED)
▲	80D NAIL FOUND
■	TXDOT TYPE I MONUMENT FOUND
□	TXDOT TYPE II MONUMENT FOUND
○	1/2" IRON ROD WITH ALUMINUM CAP SET -STAMPED COA
— III —	CONTROL OF ACCESS LINE (ACCESS DENIED)
P.O.R.	POINT OF REFERENCE
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS TRAVIS COUNTY, TEXAS

NOTES:  
ALL BEARINGS ARE BASED ON GRID BEARINGS. DISTANCES ARE SURFACE DISTANCES.  
COORDINATES ARE SURFACE VALUES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM,  
NAD 83, CENTRAL ZONE, USING A COMBINED SURFACE ADJUSTMENT FACTOR OF 1.00012.

THIS SURVEY IS FOR CONTROL OF ACCESS PURPOSES ONLY AND WAS PERFORMED WITHOUT  
THE BENEFIT OF A TITLE REPORT. THERE MAY BE EASEMENTS OR OTHER INSTRUMENTS  
PERTAINING TO THIS PROPERTY THAT ARE NOT SHOWN HEREON.

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.

*M. Stephen Truesdale 15 FEB '06*

M. STEPHEN TRUESDALE  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4933  
LICENSED STATE LAND SURVEYOR



310.74' RT.  
I.H. 35 BASELINE  
STA. 935+96.34

**INLAND GEODETICS**  
PROFESSIONAL LAND SURVEYORS  
1504 CHISHOLM TRAIL RD. STE. 103  
ROUND ROCK, TX. 78681  
PH. (512) 238-1200, FAX (512) 238-1251

PLAT OF CONTROL OF ACCESS FOR INTERSTATE HIGHWAY  
NO. 35 FRONTAGE ROAD AT TOYAH POINT SECTION TWO  
AMENDED SUBDIVISION AND P.W. PROPERTIES SUBDIVISION  
IN THE CLEMENT STUBBLEFIELD SURVEY, ABSTRACT NO. 558,  
WILLIAMSON COUNTY, TEXAS.