

TEXAS TRANSPORTATION COMMISSION

TARRANT County

MINUTE ORDER

Page 1 of 1

FORT WORTH District

In the city of Fort Worth, TARRANT COUNTY, on STATE HIGHWAY 121, a designated controlled access highway, the State of Texas acquired certain land for highway purposes by instrument recorded under County Clerk's File No. D209135936. The state owns and controls certain access rights to the highway facility to and from the abutting lands.

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

Fort Worth Country Day School, Inc., a Texas non-profit corporation (FWCDS), owner of a 26.928-acre tract of land conveyed by deed recorded in Volume 4746, Page 252, Deed Records of Tarrant County, Texas (FWCDS 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 FWCDS for \$423,000.

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.

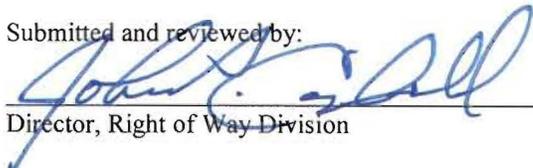
The Texas Department of Transportation has determined that the sale of the surplus access rights is not expected to compromise the safety or add traffic volume in an amount to exceed the capacity of the existing highway.

It is the opinion of the commission that it is proper and correct that the state sell the surplus access rights to FWCDS for a cash consideration of \$423,000.

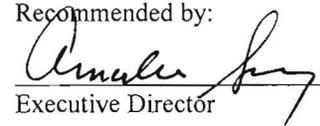
NOW, THEREFORE, the commission finds that the surplus access rights are no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute a proper instrument granting the state's interest in the surplus access rights to Fort Worth Country Day School, Inc., a Texas non-profit corporation, for a cash consideration of \$423,000.

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

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

111877 JUN 25 09

Minute Number Date Passed

Tract No. 09-12AC
ROW CSJ: 0504-02-018
Date: June 10, 2009
Exhibit A, Page 1 of 4 Pages

PART 1

Being a description of a proposed Permitted Access Line to State Highway 121 situated in the west line of the B.B.B. & C. RR Survey, Abstract No. 217 and in the east line of the W. Houston Survey, Abstract No. 745, City of Fort Worth, Tarrant County, Texas, and being an existing Access Denial Line (ADL) delineating a "denial of access" along the existing west right-of-way line of State Highway 121, being deeded to The State of Texas as recorded in County Clerk's File No. D209135936 of the Deed Records of Tarrant County, Texas, and being a common boundary line with a 26.928 acre tract of land (by deed) deeded to Fort Worth Country Day School, Inc. as recorded in Volume 4748, Page 252 of said Deed Records of Tarrant County, Texas, said proposed Permitted Access Line being more particularly described by metes and bounds as follows:

BEGINNING at a point in the existing west right-of-way line of State Highway 121 and in the east line of said 26.928 acre tract of land, said point being the beginning of the proposed Permitted Access Line, said point having grid coordinates of N=6,935,615.92 and E=2,305,026.29, said point being 446.22 feet right of and at right angles to centerline station 619+53.08 of the proposed centerline of State Highway 121, from which a 5/8 inch iron rod with cap stamped "Brittain & Crawford" found for corner in the west right-of-way line of said State Highway 121 and in the east line of said 26.928 acre tract of land bears North 00 degrees 06 minutes 44 seconds East, a distance of 151.05 feet;

THENCE South 00 degrees 06 minutes 44 seconds West, with said proposed Permitted Access Line, with the west right-of-way line of said State Highway 121 and with the east line of said 26.928 acre tract of land, a distance of 168.90 feet to the end of the proposed Permitted Access Line.

Tract No. 09-12AC
ROW CSJ: 0504-02-018
Date: June 10, 2009
Exhibit A, Page 2 of 4 Pages

PART 2

Being a description of a proposed Permitted Access Line to State Highway 121 situated in the west line of the B.B.B. & C. RR Survey, Abstract No. 217 and in the east line of the W. Houston Survey, Abstract No. 745, City of Fort Worth, Tarrant County, Texas, and being an existing Access Denial Line (ADL) delineating a "denial of access" along the existing west right-of-way line of State Highway 121, being deeded to The State of Texas as recorded in County Clerk's File No. D209135936 of the Deed Records of Tarrant County, Texas, and being a common boundary line with a 26.928 acre tract of land (by deed) deeded to Fort Worth Country Day School, Inc. as recorded in Volume 4748, Page 252 of said Deed Records of Tarrant County, Texas, said proposed Permitted Access Line being more particularly described by metes and bounds as follows:

BEGINNING at a point in the west right-of-way line of said State Highway 121 and in the east line of said 26.928 acre tract of land, said point being the beginning of the proposed Permitted Access Line, said point having grid coordinates of N=6,935,172.25 and E=2,305,025.24, said point being 390.50 feet right of and at right angles to centerline station 623+93.29 of the proposed centerline of State Highway 121, from which a 5/8 inch iron rod with cap stamped "Brittain & Crawford" found for corner in the west right-of-way line of said State Highway 121 and in the east line of said 26.928 acre tract of land bears North 00 degrees 06 minutes 44 seconds East, a distance of 594.77 feet;

THENCE South 00 degrees 06 minutes 44 seconds West, with said proposed Permitted Access Line, with the west right-of-way line of said State Highway 121 and with the east line of said 26.928 acre tract of land, a distance of 89.72 feet to the end of the proposed Permitted Access Line, from which a 5/8 inch iron rod found for the southeast corner of said 26.928 acre tract of land bears South 00 degrees 06 minutes 44 seconds West, a distance of 403.72 feet, said 5/8 inch iron rod being in the existing north right-of-way line of State Highway 183 (a 300.0' right-of-way).

Tract No. 09-12AC
ROW CSJ: 0504-02-018
Date: June 10, 2009
Exhibit A, Page 3 of 4 Pages

Notes:

- (1) A plat of even survey date herewith accompanies this legal description.
- (2) All bearings are referenced to the project control for State Highway 121. All bearings and distances are surface.
- (3) The coordinates shown are grid coordinates, based on the Texas Coordinate System, NAD-83, North Central Zone, utilizing a TxDOT surface factor of 1.00012 for this project.
- (4) Right-of-Way Markers are 5/8 inch iron rods with blue caps stamped "Gorronдона & Assoc Inc Fort Worth Texas", unless otherwise noted.
- (5) Access is prohibited across the "Control of Access Line" to the transportation facility from the adjacent property.

I HEREBY CERTIFY TO THE NORTH TEXAS TOLLWAY AUTHORITY THAT THIS SURVEY PREPARED BY ME WAS ACTUALLY MADE UPON THE GROUND AND THAT IT AND THE INFORMATION, COURSES, AND DISTANCES SHOWN THEREON ARE CORRECT AND THAT THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME.

SURVEYED ON THE GROUND JUNE 18, 2004


Richard Kennedy
Registered Professional Land Surveyor 5527
No. 5527



NOTES:

- (1) A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.
- (2) BEARINGS ARE REFERENCED TO THE PROJECT CONTROL FOR STATE HIGHWAY 121. BEARINGS AND DISTANCES SHOWN ARE SURFACE.
- (3) THE COORDINATES SHOWN ARE GRID COORDINATES, BASED ON THE TEXAS COORDINATE SYSTEM, NAD-83, NORTH CENTRAL ZONE, UTILIZING A TXDOT SURFACE FACTOR OF 1.00012 FOR THIS PROJECT.
- (4) RIGHT-OF-WAY MARKERS ARE 5/8" IRON RODS WITH BLUE CAPS STAMPED "GORRONDONA & ASSOC INC FORT WORTH TEXAS", UNLESS NOTED OTHERWISE.
- (5) ACCESS IS PROHIBITED ACROSS THE "CONTROL OF ACCESS LINE" TO THE TRANSPORTATION FACILITY FROM THE ADJACENT PROPERTY.

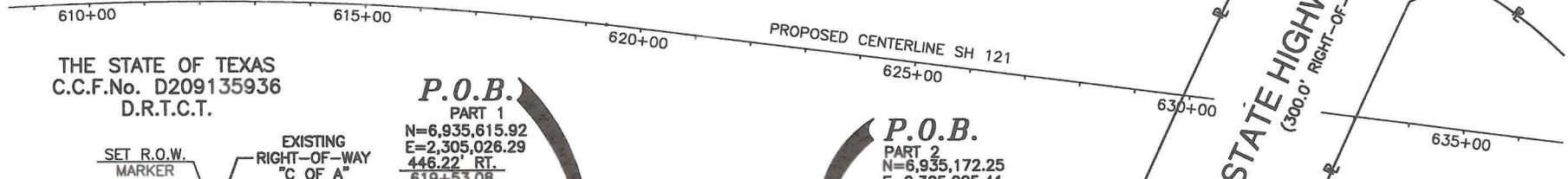
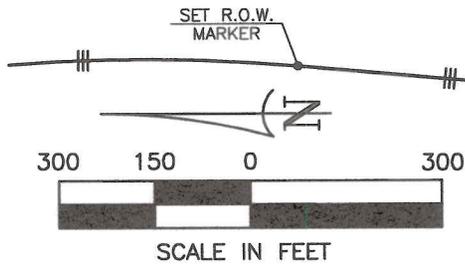
B.B.B & C. RR SURVEY
ABSTRACT NO. 217

LOT 1-A, BLOCK C
OVERTON WEST ADDITION
VOLUME 388-121, PAGE 88
P.R.T.C.T.

LOT 12, BLOCK C
OVERTON WEST ADDITION
CABINET A, SLIDE 3319
P.R.T.C.T.

LINE	BEARING	DISTANCE
L-1	S 00°06'44"W	168.90'
L-2	S 00°06'44"W	89.72'

INGRESS AND
EGRESS EASEMENT
VOLUME 6137, PAGE 93
D.R.T.C.T.



THE STATE OF TEXAS
C.C.F.No. D209135936
D.R.T.C.T.

P.O.B.
PART 1
N=6,935,615.92
E=2,305,026.29
446.22' RT.
619+53.08

P.O.B.
PART 2
N=6,935,172.25
E=2,305,025.41
390.50' RT.
623+93.29

LEGEND

PROPOSED R.O.W. LINE	
PROPERTY LINE	
SURVEY LINE	
EXIST. EASEMENT LINE	
CNTL. OF ACCESS LINE "C OF A"	
PARCEL NUMBER	
RECONSTRUCTED CORNER	RCC
SURVEYED ON THE GROUND JUNE 18, 2004	

BLOCK AR-1R
COUNTRY DAY PARK
CABINET A, SLIDE 8424
P.R.T.C.T.



26.928 ACRES (BY DEED)
FORT WORTH COUNTRY DAY SCHOOL, INC.
VOLUME 4746, PAGE 252
D.R.T.C.T.

W. HOUSTON SURVEY
ABSTRACT NO. 745

PAGE 4 OF 4 PAGES

NORTH TEXAS TOLLWAY AUTHORITY

**STATE HIGHWAY 121
RIGHT-OF-WAY PLAT**

TRACT NO. 09-12AC	PERMITTED ACCESS LINE
OWNER: FORT WORTH COUNTY DAY SCHOOL, INC.	
JUNE 10, 2009	SCALE: 1" = 300'

RICHARD KENNEDY, RPLS No. 5527