

TEXAS TRANSPORTATION COMMISSION

REEVES County

MINUTE ORDER

Page 1 of 2

ODESSA District

In Pecos City, REEVES COUNTY, on INTERSTATE 20, the State of Texas acquired certain land for an area engineer and maintenance facility site by instrument recorded in Volume 611, Page 684, Official Public Records of Reeves County, Texas.

The instrument of conveyance to the state included a reservation to the grantor, the Town of Pecos City (city), of a sanitary sewer easement 30 feet in width on the state's property.

The city has requested that the state transfer to the city an additional easement interest for installation of a water line (additional easement interest) in the existing sewer easement on the state's property, described in Exhibit A, in exchange for the city's partial release of the existing sewer easement (sewer easement) on the property, described in Exhibit B.

V.T.C.A., Transportation Code, Chapter 201, Subchapter D, authorizes the Texas Department of Transportation (department) to accept donations of real property for the purpose of carrying out its functions and duties.

V.T.C.A., Government Code, Chapter 575, requires the Texas Transportation Commission (commission) to accept by majority vote at an open meeting any gift or donation valued at over \$500, and the commission hereby finds that acceptance of the donation will provide a significant public benefit and will not influence or reasonably appear to influence the department in the performance of its duties.

An Agreement Concerning the Donation of Property to the Texas Department of Transportation (donation agreement) has been executed by the city and tendered to the department for acceptance under the provisions of Title 43, Texas Administrative Code, Chapter 1, Subchapter G, since the value of the sewer easement partially released by the city, which is \$2,200, exceeds the value of the additional easement interest transferred by the state, which is \$1,200.

The city has executed and delivered a conveyance document under the terms of the donation agreement to partially release the sewer easement to the state and has requested that the additional easement interest be transferred to the city.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission may recommend the exchange of an interest in real property as whole or partial consideration for another interest in real property needed for a state highway purpose.

It is the opinion of the commission that it is proper and correct that the state transfer an additional easement interest to the Town of Pecos City, Texas, in exchange and as consideration for the partial release of the sewer easement to the state.

TEXAS TRANSPORTATION COMMISSION

REEVES County

MINUTE ORDER

Page 2 of 2

ODESSA District

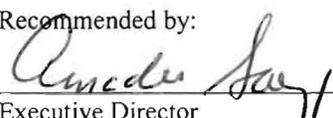
IT IS THEREFORE ORDERED by the commission that the executive director is hereby authorized to accept the donation of the difference in value in the easement exchange, and that the executive director or the director's designee is authorized and directed to sign and execute a donation agreement with the city, in accordance with Title 43, Texas Administrative Code, Chapter 1, Subchapter G.

FURTHER, in consideration of the foregoing premises and in accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission finds that the additional easement interest is no longer needed for a state highway purpose and that the value of the additional easement interest is less than \$10,000, and authorizes the executive director to execute a proper instrument transferring the additional easement interest to the city in exchange and as consideration for the city's partial release of the sewer easement to the state.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

111839 MAY 28 09

Minute Number Date Passed

County: Reeves
 Highway:
 CSJ No.

April 27, 2009

EXHIBIT A

DESCRIPTION OF A PROPOSED TEXAS DEPARTMENT OF TRANSPORTATION
 15.00 FEET WIDE WATER AND SANITARY SEWER LINE EASEMENT

FIELD NOTES DESCRIBING A PROPOSED 15.00 FEET WIDE EASEMENT (0.28 ACRES TRACT) ALONG CANNON STREET, SOUTH OF BLOCK 7, OF THE REVISED WEST AIRPORT ADDITION TO THE TOWN OF PECOS CITY, REEVES COUNTY TEXAS, AS SHOWN IN VOLUME 4, PAGE 30, OF THE REEVES COUNTY TEXAS, PLAT RECORDS, AND ACROSS A 15.57 ACRES TRACT OF LAND OUT SECTION 16, BLOCK 5, H. & G.N. RAIROAD COMPANY SURVEY, REEVES COUNTY TEXAS, DESCRIBED BY DEED RECORDED IN VOLUME 611, PAGE 684, OF THE REEVES COUNTY TEXAS, DEED RECORDS, SAID EASEMENT MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point on the West line of a 15.57 acres tract of land, described by deed recorded in Volume 611, Page 684, of the Reeves County Texas, deed records, whence a 1/2 inch rod with a cap marked "Trujillo RPLS 5358", recovered at the intersection of the North line of Cannon Street, and the West line of said 15.57 acres tract, and on the South line of Block 7, of the Revised West Airport Addition to the Town of Pecos City, Reeves County Texas, as shown on plat recorded in Volume 4, Page 30, of the Reeves County Texas, plat records, bears N 12°51'41" E 18.05 feet, from whence a bent 1/2 inch rod recovered at the Northeast corner of said 15.57 acres tract, bears N 12°51'41" E 280.41 feet, for the Northwest corner of this tract;

(1). THENCE, S 77°13'49" E 806.51 feet, to a point, on the East line of said 15.57 acres tract, whence a point at the most Western Northeast corner of said 15.57 acres tract, and on the South line of a 3.21 acres tract described by deed recorded in Volume 284, Page 381, of said deed records, bears N 12°51'41" E 16.89 feet, whence NGS Station "Pecosport" N-10482104.117 feet, E-1305340.497 feet, Z-2606.90 feet, bears S 11°26'13"E 3852.91 feet, for the Northeast corner of the above described easement,

(2). THENCE, S 12°51'41" W 15.00 feet, to a point, on the East line of said 15.57 acres tract, to a point, whence a point at Southeast corner of said 15.57 acres tract, bears S 12°51'41" W 656.60 feet, for the Southeast corner of the above described easement;

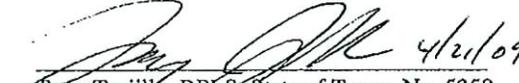
(3). THENCE, N 77°13'49" W 806.51 feet, to a point, on the West line of said 15.57 acres tract, whence a 1/2 inch rod with cap marked "FXS RPLS 2198", recovered at the Southwest corner of said 15.57 acres tract, bears S 12°51'41" W 655.31 feet, for the Southwest corner of the above described easement;

(3). THENCE, N 12°51'41" E 15.00 feet, to the **Point of Beginning** of the above described easement, containing 0.28 acres more or less.

Bearings are Grid, TXSPCS, TXC, NAD 83, to convert to True rotate by a theta of -1°38'11", distances are ground to convert to grid multiply by a combined factor of 0.99978347.

Note: A plat survey plat of even survey date herewith accompanies this description.

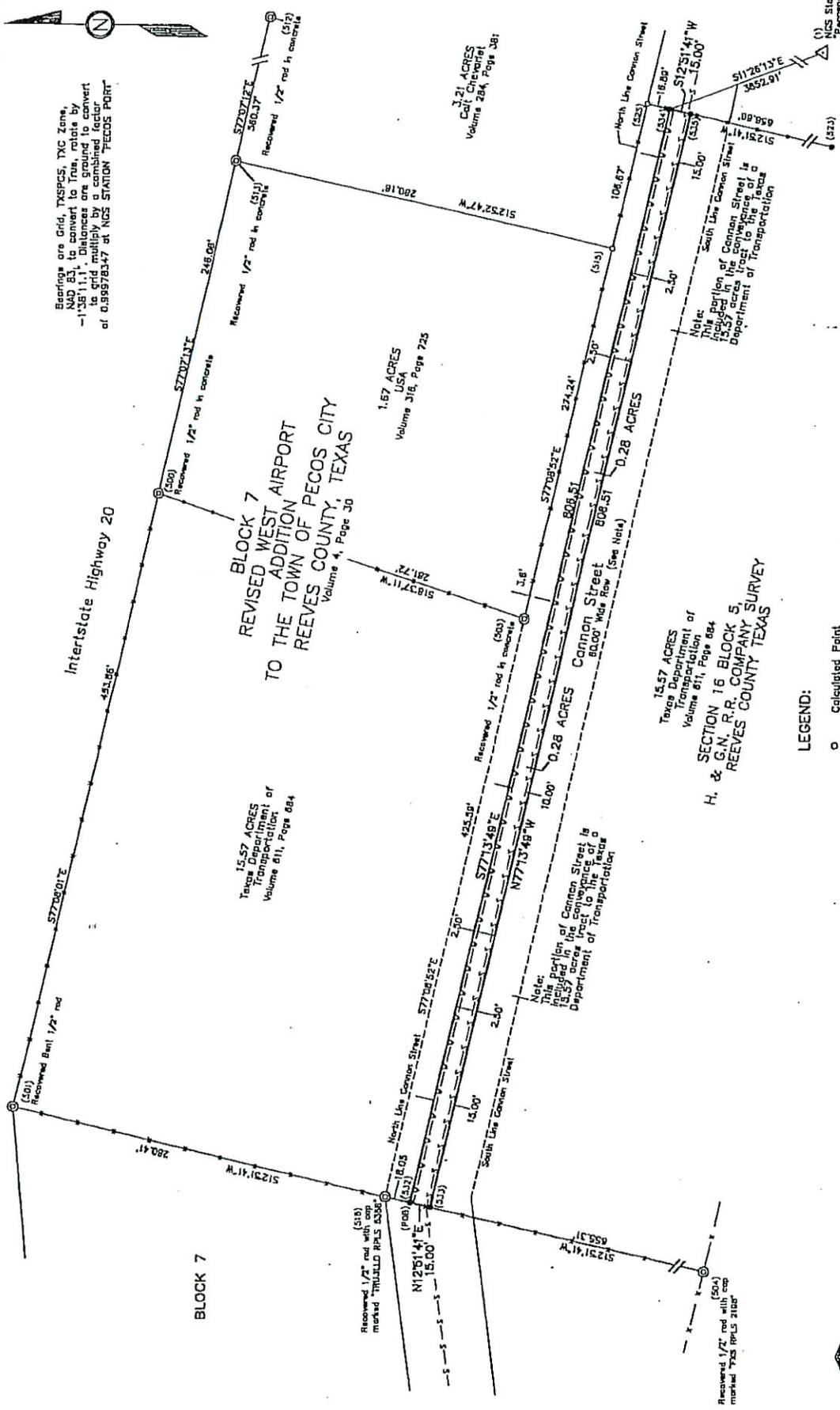
I, Tony Trujillo, a Registered Professional Land Surveyor, Hereby certify that the legal description hereon and the accompanying plat represent an actual survey made on the ground under my supervision.


 Tony Trujillo, RPLS, State of Texas, No. 5358.
 D:\TT SURVEY\2009\TTS0953\TTS0953FN.doc





Bearings are Grid, TXSPCS, TXC Zone, NAD 83. To convert to True, rotate by -1.361° . Distances are ground to convert to grid multiply by 0.99978347 at NICE STATION PECOS POINT.



**BLOCK 7
REVISED WEST AIRPORT
TO THE TOWN OF PECOS CITY
REEVES COUNTY, TEXAS**
Volume 4, Page 38

1.67 ACRES
USA
Volume 318, Page 725

3.21 ACRES
Cal. Chevrolet
Volume 284, Page 381

15.57 ACRES
Texas Department of Transportation
Volume 811, Page 884

15.57 ACRES
Texas Department of Transportation
Volume 811, Page 884

**H. & G.N. R.R. COMPANY SURVEY
SECTION 16 BLOCK 5,
REEVES COUNTY TEXAS**

**SURVEY PLAT OF A
PROPOSED 15.00 FEET WIDE SANITARY
SEWER AND WATER LINE EASEMENT (0.28 ACRES TRACT)
ALONG CANNON STREET SOUTH OF BLOCK 7,
TO THE REVISED WEST AIRPORT ADDITION
TO THE TOWN OF PECOS CITY,
REEVES COUNTY, TEXAS**

- LEGEND:**
- Calculated Point
 - ⊙ Recovered monuments as noted (40.00')
 - (1) For office use only
 - △ Pecos Point
 - X- Fence Line
 - W- Proposed Water Line
 - S- Existing Sanitary Sewer Line

I HEREBY CERTIFY THAT THIS PLAT WAS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
 TONY TRUJILLO, REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 5338 - STATE OF TEXAS



TONY TRUJILLO LAND SURVEYING
 310 S. WILLOW
 P.O. BOX 107772
 (409) 442-7415

Drawn by: D. Laverio
 SCALE: 1" = 60'
 T50034J0W

EXHIBIT "B"

County: Reeves
Highway: IH 20
Pecos Area Office Site
Site #069051
Project #BC 06-101-2502

Property Description of the Release of a Part of a Sanitary Sewer Easement

Being that 0.28 acres out of a 30 feet wide Easement for Sanitary Sewer reserved in a deed for 15.57 acres from the Town of Pecos City to the State of Texas situated in Block 7, Revised West Airport Addition to the Town of Pecos City, Reeves County, Texas, recorded in Volume 611, Page 684, Official Records of Reeves County, Texas, and being more particularly described by metes and bounds as follows:

PART 1

COMMENCING at a bent ½ -inch diameter iron rod found in the south ROW of Interstate Highway 20 at the northwest corner of said State of Texas 15.57 acres;

THENCE South 12°51'41" West with the west line of said 15.57 acres a distance of 295.41 feet to a point at the northwest corner of this parcel in the west line of said 15.57 acres;

- 1) THENCE South 77°08'52" East with the north line of said existing sanitary sewer easement a distance of 806.51 feet to a point at the northeast corner of said existing sanitary sewer easement in the easternmost line of said 15.57 acres;
- 2) THENCE South 12°51'41" West a distance of 1.89 feet to a point at the northeast corner of this parcel in the east line of said 15.57 acres and the northeast corner of a proposed water line easement;
- 3) THENCE North 77°13'49" West with the north line of a proposed water line easement a distance of 806.51 feet to a point at the southwest corner of this parcel and the northwest corner of said proposed water line easement in the west line of said 15.57 acres;
- 4) THENCE North 12°51'41" East with the west line of said 15.57 acres a distance of 3.05 feet to the POINT OF BEGINNING, containing 0.05 acres.

PART 2

COMMENCING at a bent ½ -inch diameter iron rod found at the northwest corner of said State of Texas 15.57 acres;

THENCE South 12°51'41" West with the west line of said State of Texas 15.57 acres a distance of 313.46 feet to a point at the northwest corner of this parcel in the west line of said 15.57 acres;

- 1) THENCE South 77°13'49" East with the south line of a proposed water line easement a distance of 806.51 feet to a point at the southeast corner of said

proposed water line easement in the easternmost line of said 15.57 acres at the northeast corner of this parcel;

- 2) THENCE South 12°51'41" West a distance of 13.11 feet to a point at the southeast corner of a said existing sanitary sewer easement and the southeast corner of this parcel in the east line of said 15.57 acres;
- 3) THENCE North 77°08'52" West with the south line of said existing sanitary sewer easement a distance of 806.51 feet to a point at the southwest corner of this parcel and the southwest corner of said existing sanitary sewer easement in the west line of said 15.57 acres;
- 4) THENCE North 12°51'41" East with the west line of said 15.57 acres a distance of 11.95 feet to the POINT OF BEGINNING, containing 0.23 acres.

Summary

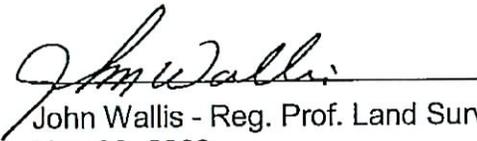
Part 1 = 0.05 acres

Part 2 = 0.23 acres

Total = 0.28 acres

This property description is accompanied by a separate plat.

All bearings are grid, being based on the Texas Coordinate System of 1983 (1993 Adj.), Central Zone, through NGS Station "PECOSPORT". Theta angle = -1°38'11".



John Wallis - Reg. Prof. Land Surveyor No. 2522 - State of Texas
May 20, 2009

Texas Dept. of Transportation
3901 E. Hwy. 80, Odessa, TX 79761
(432) 498-4764

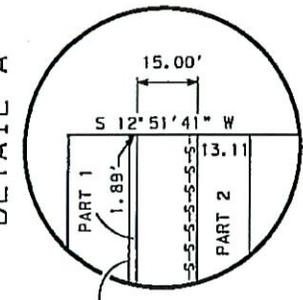


INTERSTATE HWY. 20

Edge of Pavement

Bent 1/2" Rod

DETAIL A



North Line of Sanitary Sewer Easement DR 611/684

1.67 ACRES
USA
VOLUME 316, PAGE 725

BLOCK 7
REVISED WEST AIRPORT ADDITION
TO THE TOWN OF PECOS CITY
REEVES COUNTY, TEXAS

15.57 ACRES
TEXAS DEPARTMENT OF
TRANSPORTATION
VOLUME 611, PAGE 684

SEE DETAIL A

PART 1
0.05 ACRES

806.51'

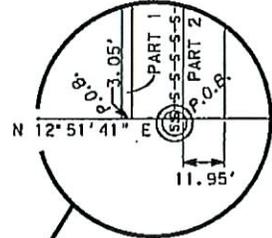
806.51'

806.51'

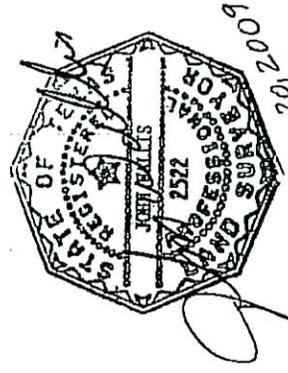
EXISTING SANITARY SEWER

South Line of Sanitary Sewer Easement DR 611/684

SEE DETAIL B



DETAIL B

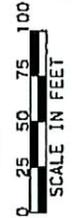


MAY 20 2009

EXHIBIT 'B'



GRID



Sanitary Sewer Manhole

Found 1/2" Rod in Concrete

Sanitary Sewer Easement Reserved to City of Pecos in DR Vol. 611, Pg 684

Fence

Texas Department of Transportation © TxDOT 2009

STATE	DISTRICT	PAGE
TEXAS	ODA	3 of 3
HIGHWAY NO.		
CCSU:		COUNTY
RCSU:		REEVES

SURVEY PLAT OF
PARTS 1&2, CITY OF
PECOS SANITARY
SEWER ESMNT. RELEASE