

TEXAS TRANSPORTATION COMMISSION

LUBBOCK County

MINUTE ORDER

Page 1 of 1

LUBBOCK District

In the city of Lubbock, LUBBOCK COUNTY, on BUSINESS US 87-G and FARM TO MARKET ROAD 835, the State of Texas acquired certain land by various instruments.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended that BU 87-G from US 82 south to US 84 and that FM 835 from BU 87-G to SS 331, shown in Exhibit A, be removed from the state highway system and that control, jurisdiction and maintenance be transferred to the city. The executive director has also recommended the designation of 50th Street from I-27 to SS 331 as FM 835.

The surplus land, described in Exhibits B and C, 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 waive payment for real property transferred to a governmental entity if the estimated cost of future maintenance on the property equals or exceeds the fair value of the property.

The fair value of the surplus land has been determined to be \$2.053 million, and the state's costs for maintenance over the next 25 years is estimated to be \$45.917 million.

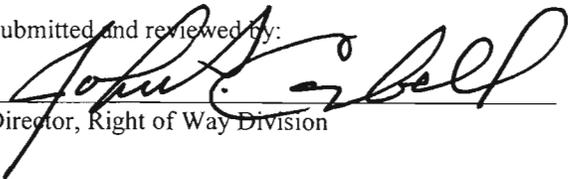
The city has requested that the surplus land be transferred to the city and that control, jurisdiction and maintenance be transferred to the city.

The commission finds \$2.053 million to be a fair and reasonable value of the state's rights, title and interest in the surplus land.

IT IS THEREFORE ORDERED by the commission that BU 87-G from US 82 south to US 84 and that FM 835 from BU 87-G to SS 331 are removed from the state highway system and transferred to the city for control, jurisdiction and maintenance and that 50th Street is designated from I-27 to SS 331 as FM 835.

FURTHER, 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 transferring the state's rights, title and interest in the surplus land to the City of Lubbock, Texas, in consideration of the savings to the state of future maintenance costs; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles and interests, 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 state land.

Submitted and reviewed by:

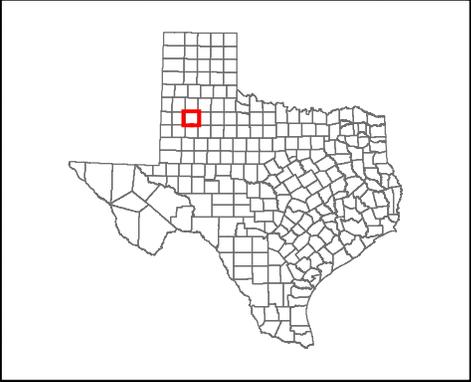
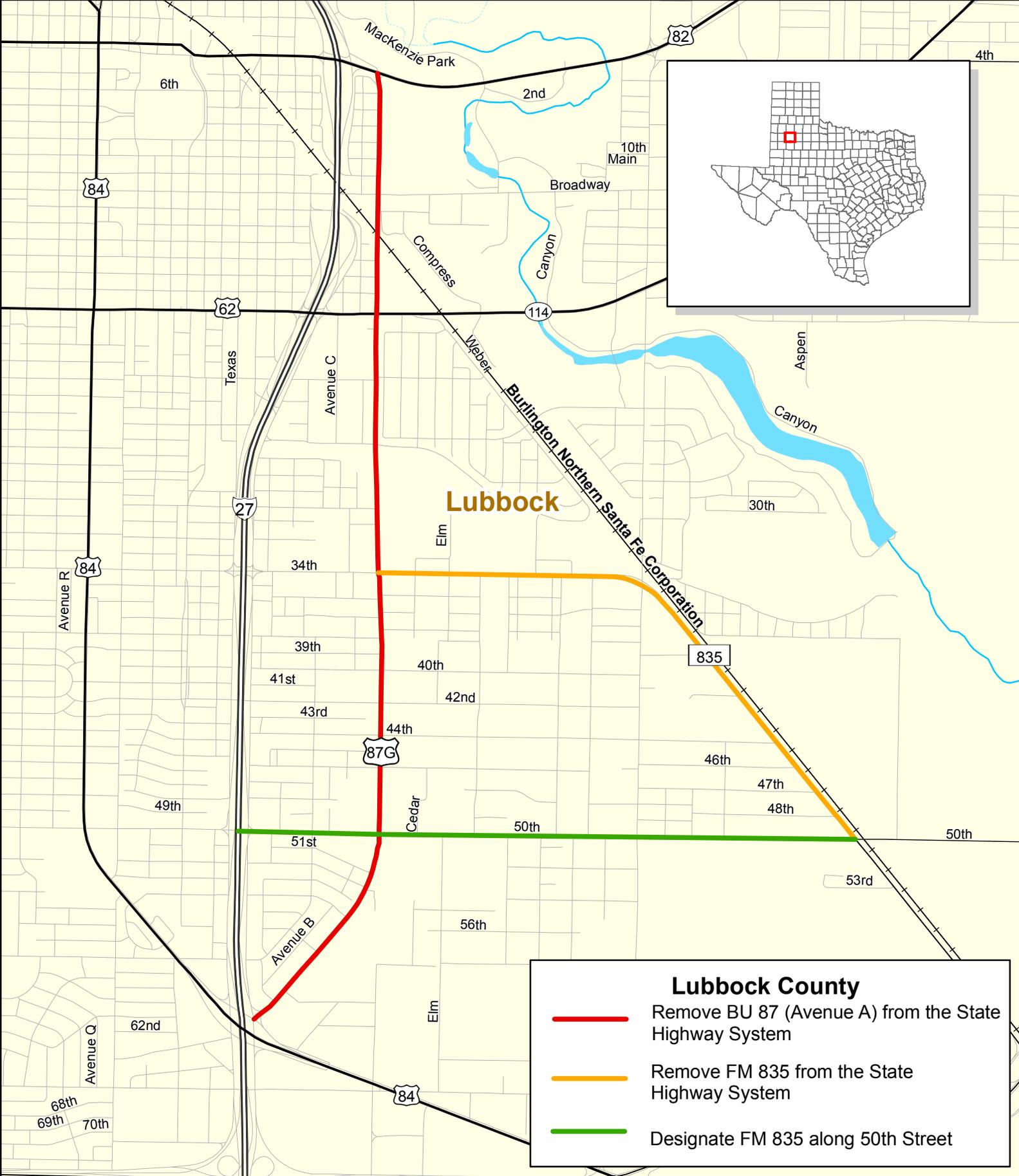

Director, Right of Way Division

Recommended by:


Executive Director

112184 FEB 25 10

Minute Number Date Passed



- Lubbock County**
- Remove BU 87 (Avenue A) from the State Highway System
 - Remove FM 835 from the State Highway System
 - Designate FM 835 along 50th Street



Exhibit B

All of the right of way for Business US 87-G (Avenue A) in the City of Lubbock, Lubbock County, Texas, owned or possessed by the State of Texas lying between the intersection of BU 87-G (Avenue A) with US 82 (Parkway Drive), south to the intersection of BU 87-G (Avenue A) with US 84, including by reference all or part of all those certain tracts or parcels of land acquired by the State of Texas by conveyance or eminent domain as set out on the schedule attached hereto as Exhibit B-1; TOGETHER WITH any and all other interests held by the State of Texas for the BU 87-G (Avenue A) right of way, as defined above, held by plat dedications, prescriptive easements, easements appurtenant or any other right in and to the BU 87-G (Avenue A) right of way, it being the intent of the State of Texas to convey any and all interest it currently holds or which might inure to it.

**Exhibit B-1
Conveyance Information
Business US 87 (Avenue A)
Lubbock County, Texas**

GRANTOR	Type of Instrument	Volume	Page	TOTAL ACREAGE
D. C. Rumph Estate	Deed	345	214	14.542
D. C. Rumph Estate	Deed	357	494	7.832
V. R. Brady and B. R. Brady	Deed	352	228	1.020
Hiram Parks	Deed	352	504	1.975
Luther E. Guillot	Deed	353	344	0.684
Mrs. Bessie Cone	Deed	370	41	0.800
Mrs. Truey L. Sanders	Deed	342	118	1.995
Annie Laura Butler	Deed	345	311	2.424
Monty B. Graves	Deed	384	1	0.073
Elmer Grace	Deed	342	116	0.0093
R. E. Gunn	Deed	343	609	0.023
W. W. Parker	Deed	342	120	0.0397
J. H. Bentley	Deed	347	54	0.024
Harvey G. Van Landingham	Deed	353	36	0.024
Leonard W. Fristoe	Deed	344	610	0.024
Mrs. Sarah Beatrice Lee	Deed	347	51	0.024
R. S. Hensley	Deed	345	452	0.024
M. L. Young	Deed	353	29	0.024
Jasper C. Sanders	Condemnation	10	599	0.455
Ed Putty	Deed	343	478	1.553
Clyde Foster	Deed	343	481	1.379
H.R. Curry, Sr. & H.R. Curry, Jr.	Deed	333	587	0.158
C. H. Brown	Deed	384	23	0.073
S. J. Jones	Deed	345	316	0.0723
M. O. Sinclair	Deed	347	63	0.0715
James Albert Nipp	Deed	384	22	0.071
J. W. Butcher	Deed	343	480	0.281
Ed Putty	Deed	343	476	0.704
M. F. McMaster	Deed	341	255	0.353
Clovis L. Vaughn	Deed	346	267	1.072
C. B. Berry	Deed	352	24	1.403
Mrs. C. W. Booher	Condemnation	10	604	2.7401
Mrs. Bertha Brown	Deed	384	25	0.909
Mrs. Ada Dillard	Deed	384	2	1.644
A. M. Leftwich (Channel)	Deed	364	361	

Exhibit C

All of the right of way for FM 835 in the City of Lubbock, Lubbock County, Texas, owned or possessed by the State of Texas lying between the intersection of FM 835 with BU 87-G (Avenue A) and the intersection of FM 835 with State Spur 331, including by reference all or part of all those certain tracts or parcels of land acquired by the State of Texas by conveyance or eminent domain as set out on the schedule attached hereto as Exhibit C-1; TOGETHER WITH any and all other interests held by the State of Texas for the FM 835 right of way, as defined above, held by plat dedications, prescriptive easements, easements appurtenant or any other right in and to the FM 835 right of way, it being the intent of the State of Texas to convey any and all interest it currently holds or which might inure to it.

**Exhibit C-1
Conveyance Information
FM 835
Lubbock County, Texas**

GRANTOR	Type of Instrument	Volume	Page	TOTAL ACREAGE
Sterling J. Parrish	Easement	162	124	0.40
J. M. Mullins	Easement	160	121	1.87
Mrs. A. H. Hussey	Easement	161	422	0.78
Mrs. Mary Putty	Easement	162	405	1.13
Mrs. Edna Richardson	Easement	160	117	1.78
W. D. Wilkins	Deed	428	190	0.12
Davis & Humphries, Inc.	Deed	448	151	1.03
W. C. Wood	Deed	448	150	0.07
J. A. Nunley	Easement	160	127	1.39
J. A. Nunley	Deed	384	148	0.913
R. A. Heath	Easement	160	120	1.17
B. C. Clutter	Easement	160	125	1.22