

TEXAS TRANSPORTATION COMMISSION

HOOD County

MINUTE ORDER

Page 1 of 1

FORT WORTH District

In HOOD COUNTY, on FARM TO MARKET ROAD 4, the State of Texas acquired certain land for highway purposes by instrument recorded in Volume 1720, Page 501, Deed Records of Hood County, Texas.

A portion of the land (surplus land), described in Exhibit A, is no longer needed for a state highway purpose.

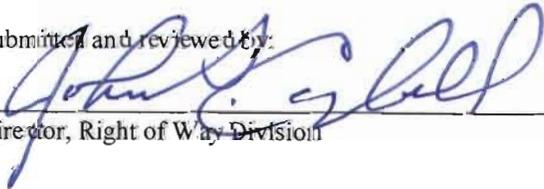
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowner.

John Henry Luton, Trustee, or his successor, of the Doris Z. Luton Grantor Trust dated June 19, 2001, is the abutting landowner and has requested that the surplus land be sold to the trustee for \$17,227.

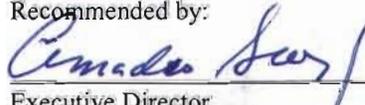
The commission finds \$17,227 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

NOW, THEREFORE, the commission finds that the surplus land is no longer needed for a department purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to John Henry Luton, Trustee, or his successor, of the Doris Z. Luton Grantor Trust dated June 19, 2001, for \$17,277; 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 land.

Submitted and reviewed by:

  
Director, Right of Way Division

Recommended by:

  
Executive Director

112365 JUL 29 10

Minute  
Number

Date  
Passed

**EXHIBIT A  
LEGAL DESCRIPTION  
RIGHT-OF-WAY ACQUISITION  
TRACT 09-28  
0.073 ACRES  
HOOD COUNTY, TEXAS**

**BEING** 0.073 acres of land and being a part of a called 1.411 acre tract of land described in a deed to State of Texas, recorded in Volume 1720, Page 501, Deed Records, Hood County, Texas, said 0.073 acre tract being more particularly described by metes and bounds as follows:

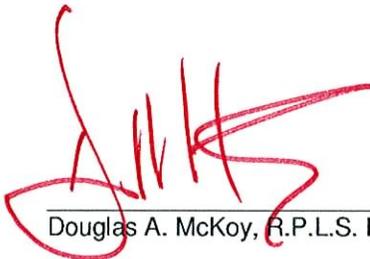
**BEGINNING** at a 3 1/4-inch aluminum TxDOT right-of-way monument with a punch mark found at the Easterly end of a right-of-way corner clip at the Southeast right-of-way line of Intersection of U.S. Highway No. 377 (a variable width right-of-way line) and the Southwest right-of-way line of F.M. Highway No. 4 (a variable width right-of-way);

**THENCE** North 77°28'23" West, with said corner clip, a distance of 121.82 feet to a 3 1/4-inch aluminum TxDOT right-of-way monument with a punch mark found at the Westerly end of said corner clip, from which a 4-inch brass TxDOT right-of-way monument with a punch mark found bears North 77°28'23" West, a distance of 16.44 feet;

**THENCE** North 55°53'43" East, with future Southeast right-of-way line of U.S. Highway 377, a distance of 49.52 feet to a 5/8-inch capped iron rod (stamped "BHB INC") set for corner;

**THENCE** South 77°28'23" East, a distance of 53.81 feet to a 5/8-inch capped iron rod (stamped "BHB INC") set for corner in the said Southwest right-of-way line of F.M. Highway 4;

**THENCE** South 30°50'18" East, with said Southwest right-of-way line, a distance of 49.52 feet to the **POINT OF BEGINNING** and **CONTAINING** 0.073 acres, or 3,161 square feet of land, more or less.

  
\_\_\_\_\_  
Douglas A. McKoy, R.P.L.S. No. 5799                      Date

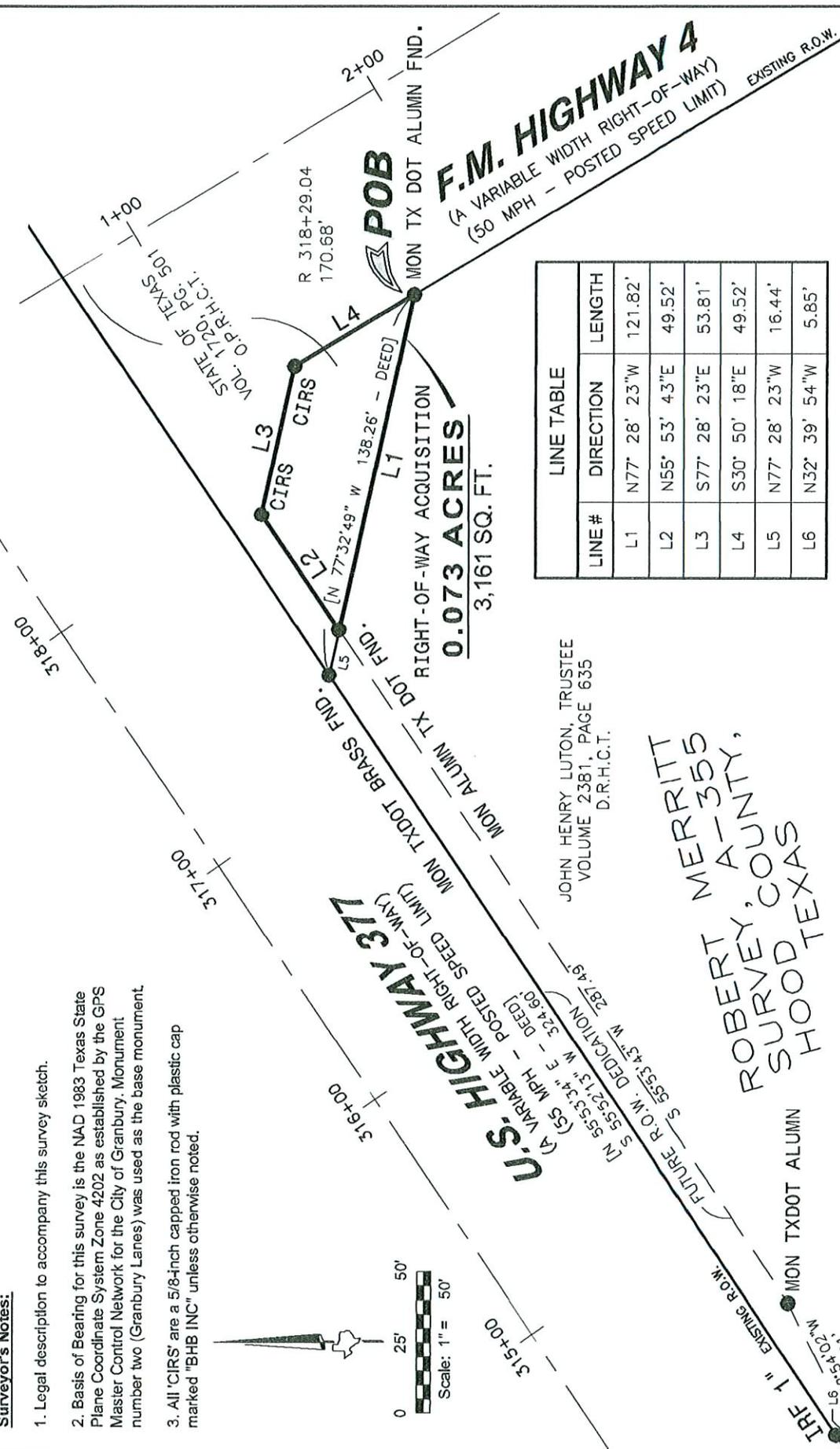
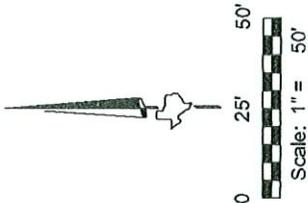
03.30.10



- Survey sketch to accompany this legal description

**Surveyor's Notes:**

1. Legal description to accompany this survey sketch.
2. Basis of Bearing for this survey is the NAD 1983 Texas State Plane Coordinate System Zone 4202 as established by the GPS Master Control Network for the City of Granbury. Monument number two (Granbury Lanes) was used as the base monument.
3. All 'CIRS' are a 5/8-inch capped iron rod with plastic cap marked "BHB INC" unless otherwise noted.



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N77° 28' 23"W	121.82'
L2	N55° 53' 43"E	49.52'
L3	S77° 28' 23"E	53.81'
L4	S30° 50' 18"E	49.52'
L5	N77° 28' 23"W	16.44'
L6	N32° 39' 54"W	5.85'

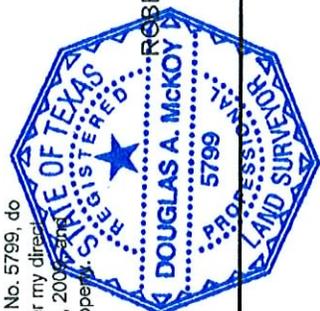
JOHN HENRY LUTON, TRUSTEE  
VOLUME 2381, PAGE 635  
D.R.H.C.T.

ROBERT MERRITT  
SURVEY, COUNTY,  
HOOD TEXAS

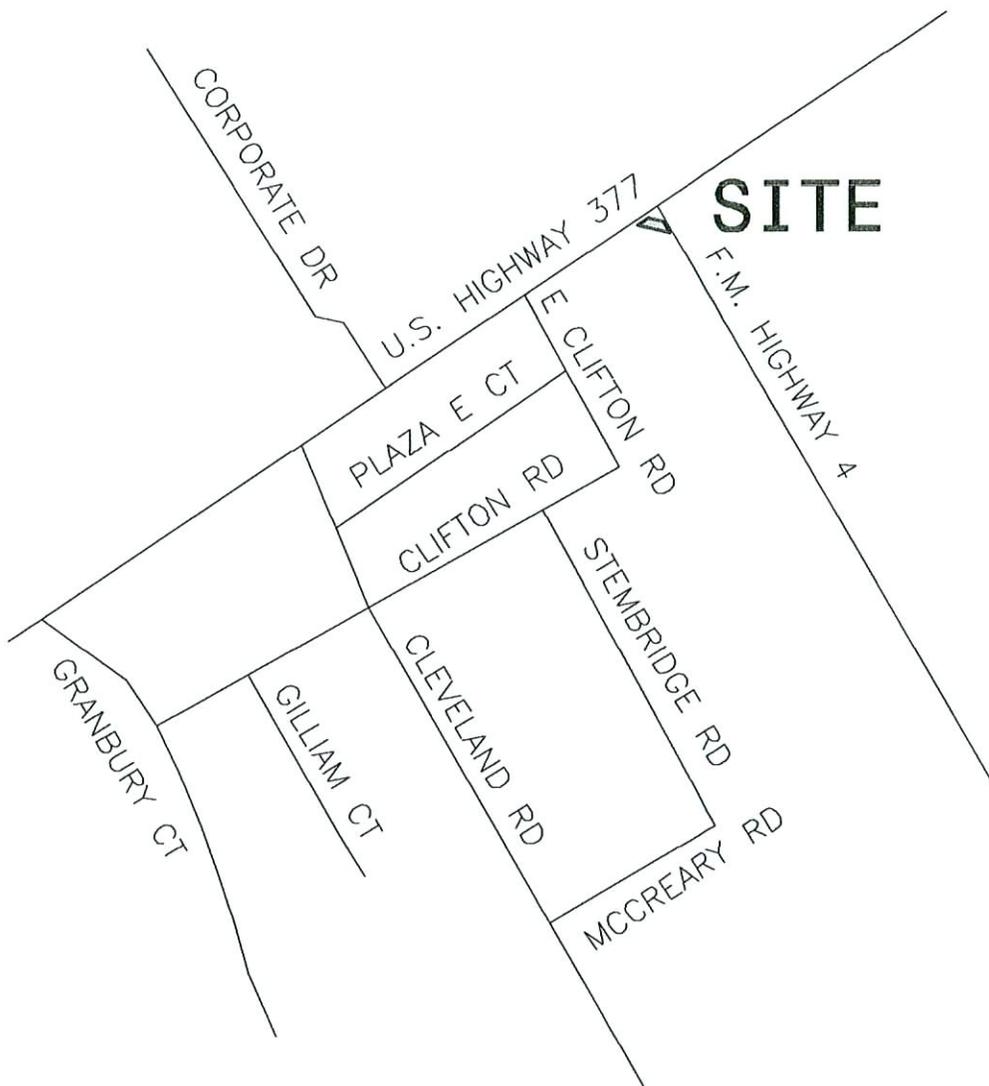
I, Douglas A. McKoy, Registered Professional Land Surveyor No. 5799, do hereby certify that the map shown hereon was prepared under my direct supervision from a survey made on the ground on August 6th, 2009, and that such map is an accurate representation of the subject property.

*[Signature]*  
Douglas A. McKoy, R.P.L.S. No. 5799 Date

**EXHIBIT A**  
RIGHT-OF-WAY ACQUISITION  
TRACT 09-28  
0.073 AC IN THE  
ROBERT MERRITT SURVEY, A-355  
HOOD COUNTY, TEXAS  
PAGE 2 OF 3



**BHB** Baird, Hampton & Brown, Inc.  
Engineering & Surveying  
4550 S.H. 360 Suite 180, Grapevine, Texas 76051  
Tel: 817.251.8550 Fax: 817.251.8810 Email: mail@bhbinc.com



VICITNITY MAP  
NOT TO SCALE

**EXHIBIT A**

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0.073 AC IN THE

ROBERT MERRITT SURVEY, A-355

HOOD COUNTY, TEXAS

PAGE 3 OF 3



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Mar 30, 2010 - 9:42am

DRAWING FILE: E:\Survey09\400\020 RT 916 - Granbury @ 377 & FM 4\Dwg\EXHB R.O.W..dwg