

TEXAS TRANSPORTATION COMMISSION

WILSON County

MINUTE ORDER

Page 1 of 1

SAN ANTONIO District

In the city of La Vernia, WILSON COUNTY, on US 87 and FARM TO MARKET ROAD 1346, the State of Texas acquired certain land and easement interests by instruments recorded in Volume 3, Page 387, of the Civil Minutes, and Volume 256, Page 269, and Volume 1041, Page 330, of the Deed Records, Wilson County, Texas, and the state used certain land to which there is no record title.

Portions of the land (surplus land), described in Exhibit A, the easement (surplus easement), described in Exhibit B, and the surplus no-title land, described in Exhibit C, are no longer needed for a state highway purpose.

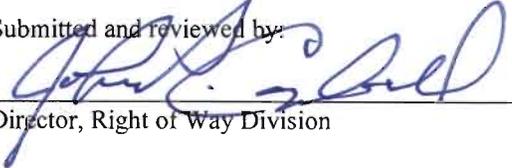
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowner and the sale of surplus easements to the owner of the fee in the property. The commission also may recommend, if there is no record title to the property, the quitclaim of any interest that might have accrued to the state by use of the property to the abutting property owners at the request of the city.

HEB Grocery Company, LP, a Texas limited partnership (HEB), is the abutting landowner to the surplus land and surplus no-title land and is the underlying fee owner of the surplus easement, and has requested that the surplus land and surplus easement be sold to HEB for \$99,388.

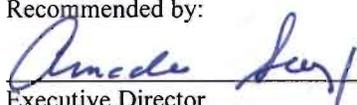
The city has requested that the surplus no-title land be quitclaimed to HEB.

The commission finds \$99,388 to be a fair and reasonable value for the state's rights, title and interest in the surplus land and surplus easement.

NOW, THEREFORE, the commission finds that the surplus land, surplus no-title land and easement are no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute proper instruments conveying the state's rights, title and interest in the surplus land and partially releasing the state's rights and interest in the surplus easement for \$99,388, and quitclaiming the state's rights and interest in the surplus no-title land to HEB Grocery Company, LP, a Texas limited partnership; 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:


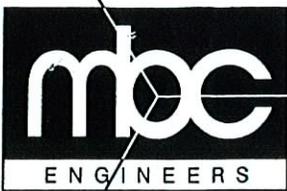
Director, Right of Way Division

Recommended by:


Executive Director

112371 JUL 29 10

Minute Number Date Passed



CONTROL: 1437-02
HIGHWAY: F.M. 1346
COUNTY: WILSON

EXHIBIT A

METES AND BOUNDS
DESCRIPTION OF TRACT 1

A 0.014 OF AN ACRE (587 SQUARE FEET) TRACT OF LAND SITUATED IN THE CITY OF LA VERNIA, WILSON COUNTY, TEXAS AND OUT OF PARCEL (B), A 2.768 ACRE TRACT CONVEYED TO TxDOT BY J.L. SANDERS PER VOLUME 3, PAGE 387 (OF THE CIVIL MINUTES) RECORDED JUNE 6, 1955 AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS:

BEGINNING: At a found 1/2" iron rod on the north right-of-way line of U.S Highway 87 (a public right-of-way varies), found 1/2" iron rod representing the southern corner of the cutback line at the intersection of the southwest right-of-way line of F.M. Highway 1346 (a public right-of-way varies) with the said north right-of-way line of U.S Highway 87;

1. THENCE: N 20°37'21" E, 62.59 feet, along and with the southwest cutback line of said F.M. Highway 1346, to a set 1/2" iron rod and cap "MBC";
2. THENCE: S 02°12'34" W, 59.39 feet, to a point;
3. THENCE: N 87°47'26" W, 19.77 feet, to the **POINT OF BEGINNING** of this tract.

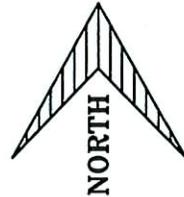
I, Joe Edward Higle, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.


 JOE EDWARD HIGLE REG. NO. 4788
 REGISTERED PROFESSIONAL LAND SURVEYOR

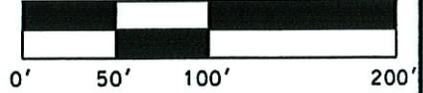


30133-Wilson
March 15, 2010
Revised: March 24, 2010
JEH/lk

Joe Edward Higl
JOE EDWARD HIGL REG. NO. 4088
 REGISTERED PROFESSIONAL LAND SURVEYOR



SCALE: 1"=100'



BEARINGS ARE BASED ON THE SOUTH RIGHT OF WAY LINE OF F.M. 1346 AS BEING N52°10'20"W

FND 1/2" IRON ROD

SET 1/2" IRON ROD CAP "MBC"

F.M. HIGHWAY 1346
(R.O.W. VARIES)

OWNER:
 DANIEL J. HUGHES
 & MARY HUGHES
 (VOLUME 859, PAGE 97)

HEB GROCERY COMPANY, LP
 A TEXAS LIMITED PARTNERSHIP
 15.107 ACRE TRACT
 (VOLUME 1528, PAGE 316)

PROPOSED 20' UTILITY EASEMENT

PROPOSED RIGHT OF WAY LINE

RIGHT OF WAY CENTERLINE

TRACT 3
 0.163 OF AN ACRE
 (7,093 SQ. FT.) OUT OF
 VOL. 1041, PG. 330

TRACT 4
 0.783 OF AN ACRE
 (34,115 SQ. FT.)
 DEED NOT FOUND

EXISTING RIGHT OF WAY LINE

SET 1/2" IRON ROD CAP "MBC"

EXISTING RIGHT OF WAY LINE

PROPOSED 15' UTILITY EASEMENT

EXISTING RIGHT OF WAY LINE
 N 20°37'21" E
 62.59'

TRACT 1
 0.014 OF AN ACRE
 (587 SQ. FT.) OUT OF
 VOL. 3, PG. 387 AND
 VOL. 256, PG. 269

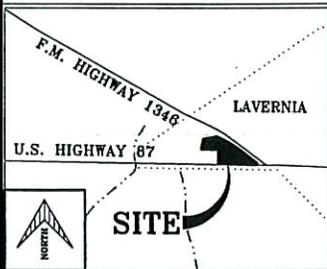
POINT OF BEGINNING

FND 1/2" IRON ROD
 N 87°47'26" W
 19.77'

S 02°12'34" W
 59.39'

U.S. HIGHWAY 87
(R.O.W. VARIES)

RIGHT OF WAY CENTERLINE



LOCATION MAP
NOT TO SCALE

OWNER:
 F4 CATTLE COMPANY
 INCORPORATED
 (VOL. 439, PG. 47)

OWNER:
 DONALD LEE CHESSHER AND
 WIFE BONNIE FERN CHESSHER
 (VOL. 985, PG. 745)

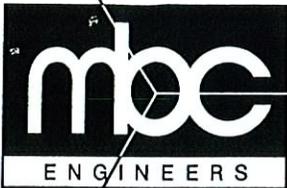


1035 Central Parkway North
 San Antonio, Texas 78232
 (210) 545-1122 FAX (210) 545-9302
 TEXAS REGISTERED ENGINEERING FIRM F-784

EXHIBIT OF TRACT 1

A 0.014 OF AN ACRE (587 SQUARE FEET) TRACT OF LAND SITUATED IN THE CITY OF LA VERNIA, WILSON COUNTY, TEXAS AND OUT OF PARCEL (B), A 2.768 ACRE TRACT CONVEYED TO TxDOT BY J.L. SANDERS PER VOLUME 3, PAGE 387 (OF THE CIVIL MINUTES) RECORDED JUNE 6, 1955.

DESIGN	JRS
DRAWN	ADG
CHECKED	GCS
DATE	10-19-09
JOB NO.	30133/WILSON
PAGE	2 of 2



1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
www.mbcengineers.com

CONTROL: 1437-02
HIGHWAY: F.M. 1346
COUNTY: WILSON

EXHIBIT A

METES AND BOUNDS
DESCRIPTION OF TRACT 3

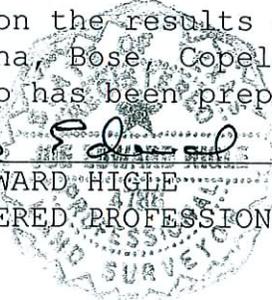
A 0.163 OF AN ACRE (7,093 SQUARE FEET) TRACT OF LAND SITUATED IN THE CITY OF LA VERNIA, WILSON COUNTY, TEXAS AND OUT OF A 2.492 ACRE TRACT CONVEYED TO T&DOT BY DANIEL J. HUGHS AND MARY HUGHS PER VOLUME 1041, PAGE 330 ON AUGUST 21, 2000, AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS:

COMMENCING: At a found 1/2" iron rod on the north right-of-way line of U.S Highway 87 (a public right-of-way varies), found 1/2" iron rod representing the southern corner of the cutback line at the intersection of the southwest right-of-way line of F.M. Highway 1346 (a public right-of-way varies) with the said north right-of-way line of U.S Highway 87;

- 1. THENCE: N 20°37'21" E, 62.59 feet, along and with the southwest cutback line of said F.M. Highway 1346, to a set 1/2" iron rod and cap "MBC";
- 2. THENCE: N 02°12'34" E, 82.14 feet, to a point at the **POINT OF BEGINNING** of this tract;
- 3. THENCE: N 51°37'42" W , 287.05 feet, to a point;
- 4. THENCE: S 62°46'13" E, 255.75 feet, to a point;
- 5. THENCE: S 02°12'34" W, 61.21 feet, to the **POINT OF BEGINNING** of this tract.

I, Joe Edward Higle, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.


 JOE EDWARD HIGLE REG. NO. 4788
 REGISTERED PROFESSIONAL LAND SURVEYOR

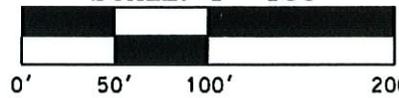


30133-Wilson
March 15, 2010
Revised: March 24, 2010
JEH/lk

Joe Edward Higl
JOE EDWARD HIGLE REG. NO. 4788
 REGISTERED PROFESSIONAL LAND SURVEYOR



SCALE: 1"=100'



BEARINGS ARE BASED ON THE SOUTH RIGHT OF WAY LINE OF F.M. 1346 AS BEING N52°10'20"W

FND 1/2" IRON ROD

SET 1/2" IRON ROD CAP "MBC"

F.M. HIGHWAY 1346
 (R.O.W. VARIES)

OWNER:
DANIEL J. HUGHES & MARY HUGHES
 (VOLUME 859, PAGE 97)

HEB GROCERY COMPANY, LP
 A TEXAS LIMITED PARTNERSHIP
 15.107 ACRE TRACT
 (VOLUME 1528, PAGE 316)

PROPOSED 20' UTILITY EASEMENT

PROPOSED RIGHT OF WAY LINE
 RIGHT OF WAY CENTERLINE

TRACT 3
 0.163 OF AN ACRE (7,093 SQ. FT.) OUT OF
 VOL. 1041, PG. 330
 S 62°46'13" E 255.75'

N 51°37'42" W 287.05'
 0.783 OF AN ACRE (34,113.50 SQ. FT.) DEED NOT FOUND

S 02°12'34" W 61.21'

POINT OF BEGINNING

SET 1/2" IRON ROD CAP "MBC"

TRACT 1
 0.014 OF AN ACRE (587 SQ. FT.) OUT OF
 VOL. 3, PG. 387 AND
 VOL. 256, PG. 269

EXISTING RIGHT OF WAY LINE

POINT OF COMMENCING

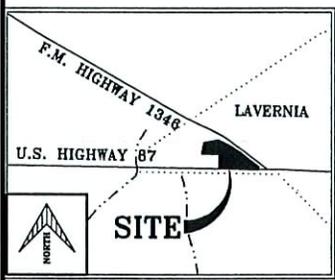
FND 1/2" IRON ROD
 S 87°47'26" E 19.77'

EXISTING RIGHT OF WAY LINE

PROPOSED 15' UTILITY EASEMENT

U.S. HIGHWAY 87
 (R.O.W. VARIES)

RIGHT OF WAY CENTERLINE



LOCATION MAP
 NOT TO SCALE

OWNER:
F4 CATTLE COMPANY INCORPORATED
 (VOL. 439, PG. 47)

OWNER:
DONALD LEE CHESSHER AND WIFE BONNIE FERN CHESSHER
 (VOL. 985, PG. 745)

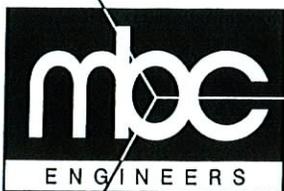


1035 Central Parkway North
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 (210) 545-1122 FAX (210) 545-9302
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EXHIBIT OF TRACT 3

A 0.163 OF AN ACRE (7,093 SQUARE FEET) TRACT OF LAND SITUATED IN THE CITY OF LA VERNIA, WILSON COUNTY, TEXAS AND OUT OF A 2.492 ACRE TRACT CONVEYED TO TXDOT BY DANIEL J. HUGHES AND MARY HUGHES PER VOLUME 1041, PAGE 330 ON AUGUST 21, 2000.

DESIGN	JRS
DRAWN	ADG
CHECKED	GCS
DATE	10-19-09
JOB NO.	30133/WILSON
PAGE	2 of 2



1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
www.mbcengineers.com

CONTROL: 0143-03
HIGHWAY: US-87
COUNTY: WILSON

EXHIBIT B

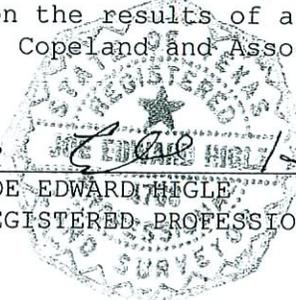
METES AND BOUNDS
DESCRIPTION OF
TRACT 2
CHANNEL EASEMENT

A 0.517 OF AN ACRE (22,500 SQUARE FEET) TRACT OF LAND SITUATED IN THE CITY OF LA VERNIA, WILSON COUNTY, TEXAS, CONVEYED TO TX-DOT BY J.L. SANDERS AS RECORDED IN VOLUME 3, PAGE 387 (OF THE CIVIL MINUTES) RECORDED ON JUNE 5, 1955 AND OUT OF A 15.107 ACRES TRACT, IN THE CITY OF LA VERNIA, DESCRIBED IN THE WARRANTY DEED RECORDED IN VOLUME 1528, PAGE 316 OF THE OFFICIAL PUBLIC RECORDS OF WILSON COUNTY, TEXAS:

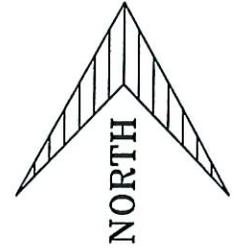
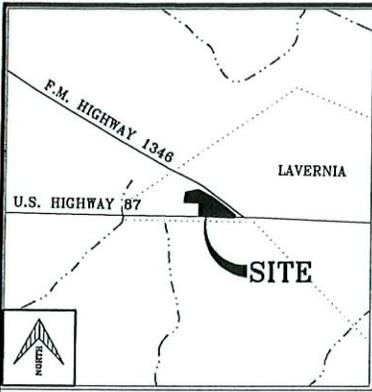
COMMENCING: At a found ½" iron rod on the north right-of-way line of U.S Highway 87 (a public right-of-way varies), found ½" iron rod representing the southern corner of the cutback line at the intersection of the southwest right-of-way line of F.M. Highway 1346 (a public right-of-way varies) with the said north right-of-way line of U.S Highway 87;

- 1. THENCE: N 87°47'26" W, 941.00 feet, along and with said north right-of-way line of U.S. Highway 87, to a point, said point representing the southeast corner of the herein described tract, as recorded in (Volume 3, Page 317);
- 2. THENCE: N 87°47'26" W, 62.74 feet, along and with said north right-of-way line of U.S. Highway 87, to a point;
- 3. THENCE: N 14°47'28" W, 365.83 feet, leaving the north right-of-way line of said U.S. Highway 87, to a point;
- 4. THENCE: N 75°12'32" E, 60.00 feet, to a point;
- 5. THENCE: S 14°47'28" E, 384.18 feet, to the **POINT OF BEGINNING** of this tract.

I, Joe Edward Higle, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.



 JOE EDWARD HIGLE REG. NO. 4788
 REGISTERED PROFESSIONAL LAND SURVEYOR

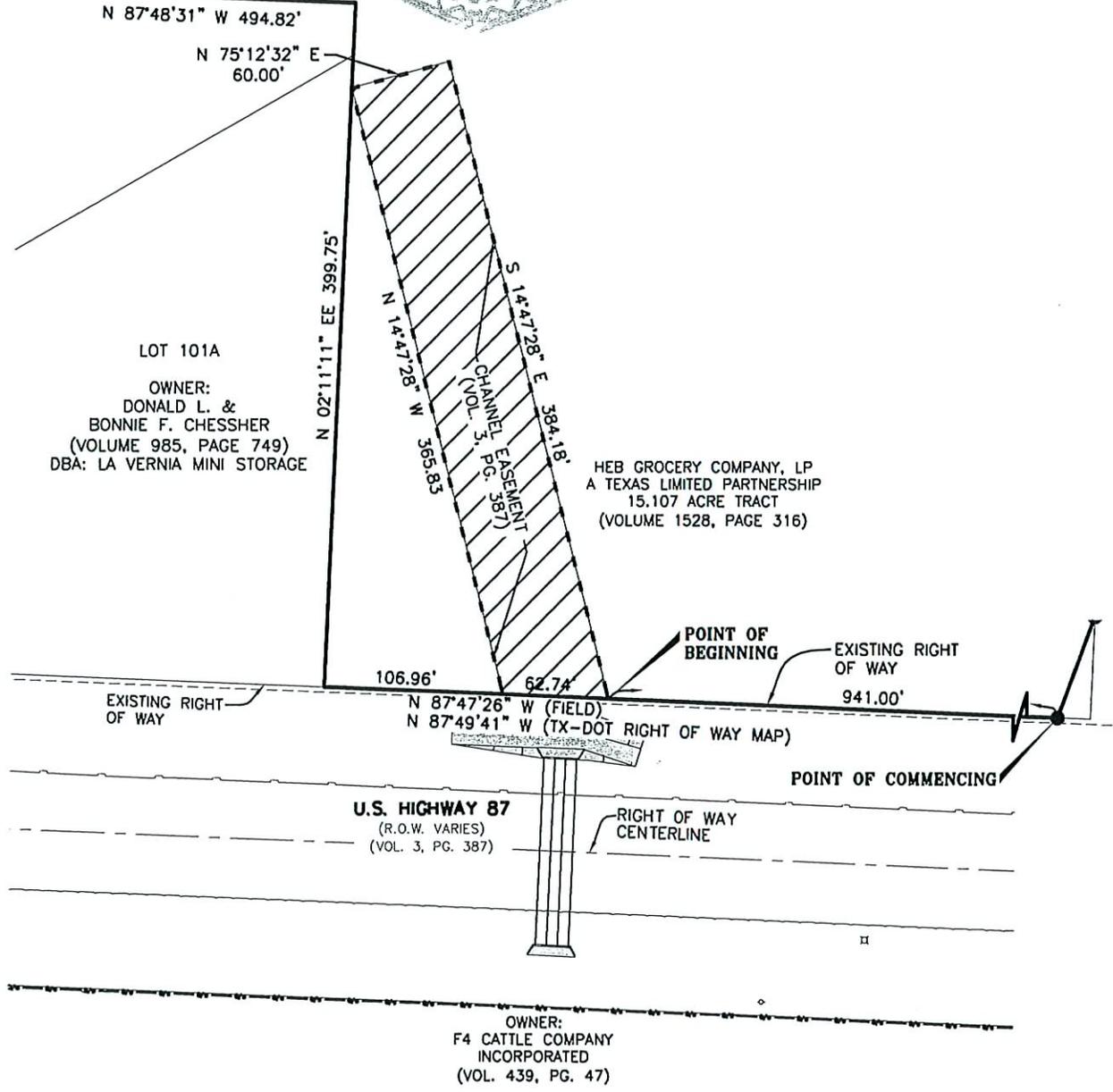
30133-Wilson
December 23, 2009 JEH/yyd



SCALE: 1"=100'


Joe Edward Hagle
 JOE EDWARD HAGLE 798 REG. NO. 4788
 REGISTERED PROFESSIONAL LAND SURVEYOR

LOCATION MAP
NOT TO SCALE



LOT 101A
OWNER:
DONALD L. &
BONNIE F. CHESSHER
(VOLUME 985, PAGE 749)
DBA: LA VERNIA MINI STORAGE

HEB GROCERY COMPANY, LP
A TEXAS LIMITED PARTNERSHIP
15.107 ACRE TRACT
(VOLUME 1528, PAGE 316)

OWNER:
F4 CATTLE COMPANY
INCORPORATED
(VOL. 439, PG. 47)

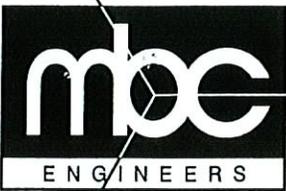


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San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
TEXAS REGISTERED ENGINEERING FIRM F-784

TRACT 2
CHANNEL EASEMENT

A 0.517 OF AN ACRE (22,500 SQUARE FEET) TRACT OF LAND SITUATED IN THE CITY OF LA VERNIA, WILSON COUNTY, TEXAS, CONVEYED TO TX-DOT BY J.L. SANDERS AS RECORDED IN VOLUME 3, PAGE 387 (OF THE CIVIL MINUTES) RECORDED ON JUNE 6, 1955 AND OUT OF A 15.107 ACRES TRACT, IN THE CITY OF LA VERNIA, DESCRIBED IN THE WARRANTY DEED RECORDED IN VOLUME 1528, PAGE 316 OF THE OFFICIAL PUBLIC RECORDS OF WILSON COUNTY, TEXAS.

DESIGN	JRS
DRAWN	ADG
CHECKED	GCS
DATE	10-19-09
JOB NO.	30133/WILSON
PAGE	2 of 2



CONTROL: 1437-02
HIGHWAY: F.M. 1346
COUNTY: WILSON

EXHIBIT C

METES AND BOUNDS
DESCRIPTION OF TRACT 4

A 0.783 OF AN ACRE (34,113 SQUARE FEET) TRACT OF LAND SITUATED IN THE CITY OF LA VERNIA, (NO DEED FOUND) WILSON COUNTY, TEXAS AND OUT OF TxDOT RIGHT-OF-WAY AS SHOWN IN RIGHT-OF-WAY MAP WILSON COUNTY NO. F.M. 1346 R-1437-2-1 DATED JANUARY 1950, AND BEING MORE PARTICULARLY DESCRIBED IN A CLOCKWISE MANNER AS FOLLOWS:

COMMENCING: At a found ½" iron rod on the north right-of-way line of U.S Highway 87 (a public right-of-way varies), found ½" iron rod representing the southern corner of the cutback line at the intersection of the southwest right-of-way line of F.M. Highway 1346 (a public right-of-way varies) with the said north right-of-way line of U.S Highway 87;

1. THENCE: N 20°37'21" E, 62.59 feet, along and with the southwest cutback line of said F.M. Highway 1346, to a set ½" iron rod and cap "MBC" at the **POINT OF BEGINNING** of this tract;
2. THENCE: N 52°10'20" W, 675.74 feet, along and with the southwest right-of-way line of said F.M. Highway 1346, to a set ½" iron rod and cap "MBC";
3. THENCE: N 56°04'23" W, 48.22 feet, along and with the southwest right-of-way line of said F.M. Highway 1346, to a found ½" iron rod;
4. THENCE: S 62°46'13" E, 395.73 feet, leaving the southwest right-of-way line of said F.M. Highway 1346, to a point;

5. THENCE: S 51°37'42" E, 287.05 feet, to a point;
6. THENCE: S 02°12'34" W, 82.14 feet, to the **POINT OF BEGINNING** of this tract.

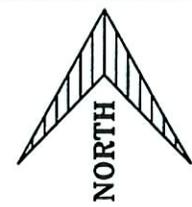
I, Joe Edward Higle, Registered Professional Land Surveyor do hereby affirm that this description is based on the results of a survey made on the ground by the firm of Macina, Bose, Copeland and Associates, Inc., of which a survey map has been prepared.



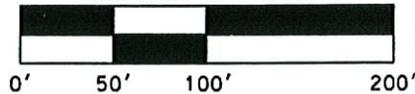
JOE EDWARD HIGLE REG. NO. 4788
REGISTERED PROFESSIONAL LAND SURVEYOR

30133-Wilson
March 15, 2010
Revised: March 24, 2010
JEH/lk

JOE EDWARD HIGLEY REG. NO. 4788
 REGISTERED PROFESSIONAL LAND SURVEYOR



SCALE: 1"=100'



BEARINGS ARE BASED ON THE
 SOUTH RIGHT OF WAY LINE OF
 F.M. 1346 AS BEING N52°10'20"W

FND 1/2" IRON ROD
 N 56°04'23" W 48.22'
 SET 1/2" IRON ROD CAP "MBC"

F.M. HIGHWAY 1346
 (R.O.W. VARIES)

OWNER:
 DANIEL J. HUGHES
 & MARY HUGHES
 (VOLUME 859, PAGE 97)

HEB GROCERY COMPANY, LP
 A TEXAS LIMITED PARTNERSHIP
 15.107 ACRE TRACT
 (VOLUME 1528, PAGE 316)

PROPOSED 20' UTILITY EASEMENT

TRACT 3
 0.163 OF AN ACRE
 (7,093 SQ. FT.) OUT OF
 VOL. 1041, PG. 330

TRACT 4
 0.783 OF AN ACRE
 (34,113 SQ. FT.)
 DEED NOT FOUND

TRACT 1
 0.014 OF AN ACRE
 (587 SQ. FT.) OUT OF
 VOL. 3, PG. 387 AND
 VOL. 256, PG. 269

EXISTING RIGHT OF WAY LINE

PROPOSED 15' UTILITY EASEMENT

POINT OF BEGINNING
 EXISTING RIGHT OF WAY LINE

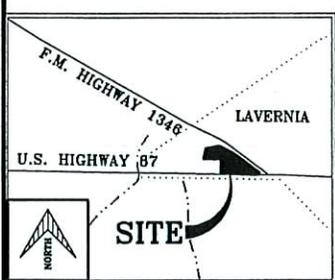
POINT OF COMMENCING

FND 1/2" IRON ROD
 S 87°47'26" E 19.77'

N 02°12'34" E 59.39'

U.S. HIGHWAY 87
 (R.O.W. VARIES)

RIGHT OF WAY CENTERLINE



LOCATION MAP
 NOT TO SCALE

OWNER:
 F4 CATTLE COMPANY
 INCORPORATED
 (VOL. 439, PG. 47)

OWNER:
 DONALD LEE CRESSHER AND
 WIFE BONNIE FERN CRESSHER
 (VOL. 985, PG. 745)



1035 Central Parkway North
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 (210) 545-1122 FAX (210) 545-9302
 TEXAS REGISTERED ENGINEERING FIRM F-784

EXHIBIT OF TRACT 4

A 0.783 OF AN ACRE (34,113 SQUARE FEET) TRACT OF
 LAND SITUATED IN THE CITY OF LA VERNIA, (NO DEED
 FOUND) WILSON COUNTY, TEXAS AND OUT OF TxDOT
 RIGHT-OF-WAY AS SHOWN IN RIGHT-OF-WAY MAP WILSON
 COUNTY NO. F.M. 1346 R-1437-2-1 DATED JANUARY 1950.

DESIGN	JRS
DRAWN	ADG
CHECKED	GCS
DATE	10-19-09
JOB NO.	30133/WILSON
PAGE	3 of 3