

TEXAS TRANSPORTATION COMMISSION

WILLIAMSON County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In the city of Taylor, WILLIAMSON COUNTY, on BUSINESS US 79-B, the State of Texas used certain land for state highway purposes.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended, as shown in Exhibit A, that a segment of BU 79-B be removed from the state highway system and that control, jurisdiction and maintenance be transferred to the city. It is further recommended that a segment of SH 95 along Main Street be concurrently designated as BU 79-B.

Portions of the land (surplus land), described in Exhibits B and 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 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 and may recommend the quitclaim to the city of any interest that might have accrued to the state by use of the property, if there is no record title to the property.

The fair value of the surplus state land has been determined to be \$389,427, and the cost of future maintenance over the next 25 years is estimated to be \$3.22 million.

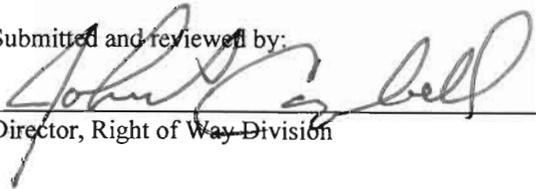
The city has requested that the surplus land be transferred and quitclaimed to the city.

The commission finds \$389,427 to be a fair and reasonable value of the state's rights, title and interest in the surplus state land.

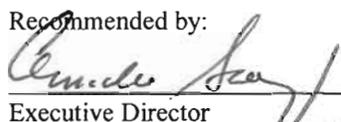
IT IS THEREFORE ORDERED by the commission that: 1) a segment of BU 79-B is removed from the state highway system along Second Street from US 79/FM 397 to SH 95, a distance of approximately 1.5 miles; and 2) a segment of BU 79-B is designated on the state highway system concurrent with SH 95 along Main Street from US 79 to Second Street, a distance of approximately 1.1 miles.

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 state land in consideration of the savings to the state of future maintenance costs, and quitclaiming the surplus no-title land to the City of Taylor, Texas; 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:

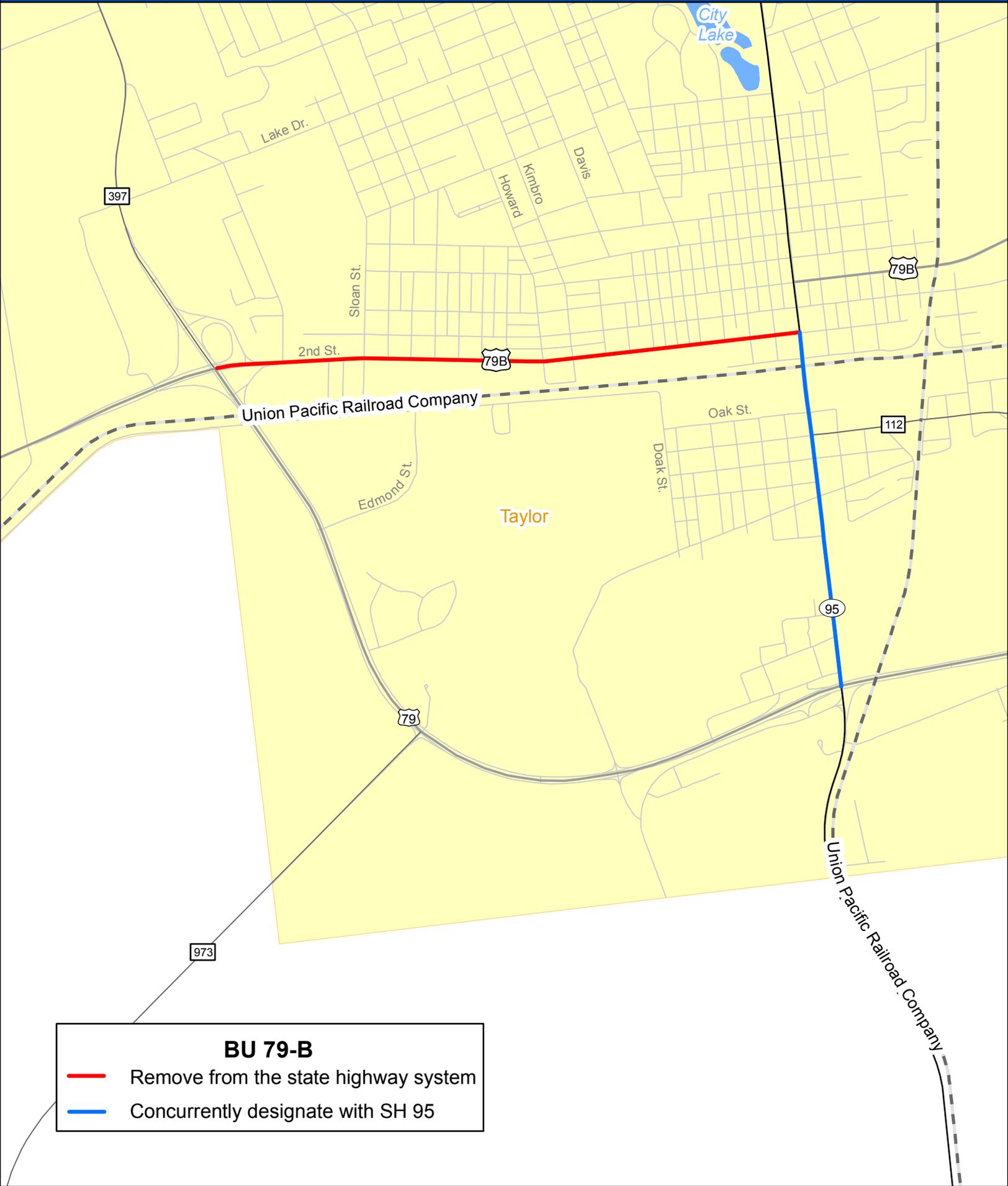

Director, Right of Way Division

Recommended by:


Executive Director

112333 JUN 24 10

Minute Number Date Passed



BU 79-B

- Remove from the state highway system
- Concurrently designate with SH 95



EXHIBIT "B"

County: Williamson
Tract No. 1
Highway: U.S. 79
Limits: From: +/- 1300' West of U.S. 79 & Sloan Street in Taylor
To: The intersection of U.S. 79 & Sloan Street
CSJ: 0204-03-012 & 0204-03-003/004

DESCRIPTION FOR TRACT 1

FIELD NOTES AND ACCOMPANYING PLAT OF A SURVEY OF A 2.980-ACRE TRACT OF LAND, SITUATED IN THE WILLIAM R. WILLIAMS SURVEY, ABSTRACT NO. 665, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 3.79-ACRE TRACT OF LAND CONVEYED FROM M. DENTLER TO THE STATE OF TEXAS AS DESCRIBED IN VOLUME 6, PAGE 147 OF THE CIVIL MINUTES OF THE COUNTY CLERK OF WILLIAMSON COUNTY, AND BEING A PORTION OF A CALLED 0.483-ACRE TRACT OF LAND CONVEYED FROM MARY DANEK, ET. AL. TO THE STATE OF TEXAS AS DESCRIBED IN VOLUME 374, PAGE 153 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 2.980-ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found being 50.00 feet right of Engineer's Baseline Station 169+23.72, same being on a point in the southerly boundary line of said 0.483-acre State of Texas tract, same being on the northeast corner of a called 0.998-acre tract of land conveyed from Charlie Zimmerhanzel and Van Zimmerhanzel to the State of Texas as recorded in Volume 522, Page 502 of the Deed Records of Williamson County, Texas, same being on the northwest corner of a called 6.48-acre tract of land conveyed to Centex Meat Company as recorded in Document No. 2000032838 of the Official Public Records of Williamson County, Texas, same being on a point in the current southerly right-of-way line of U.S. 79, also known as Second Street, monumenting the southwest corner and POINT OF BEGINNING hereof, from which a concrete highway monument bears N43°42'53"E for a distance of 5.06 feet (purpose of this monument is unknown and does not positionally harmonize with other monuments in the area), and also from said Point of Beginning a 1/2" iron rod found in concrete on an angle point in the westerly boundary line of said 6.48-acre Centex Meat Company tract, same being on the southerly corner of said 0.998-acre State of Texas tract, same being on an angle point in the easterly right-of-way line of Loop 427, bears S40°10'58"W for a distance of 366.78 feet;

1) THENCE crossing through the current right-of-way of said US 79, in part through the interior of said 0.483-acre State of Texas tract, and in part through the interior of said 3.79-acre State of Texas tract, **N1°47'00"W** for a distance of **100.68 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying" being 50.67 feet left of Engineer's Baseline Station 169+25.45, same being on a point in the northerly boundary line of said 3.79-acre State of Texas tract, same being on a point in the southerly boundary line of the called 1.4054-acre tract of land conveyed to Christopher L. Hullinger and James F. Goodman as recorded in Document No. 2005088062 of the Official Public Records of Williamson County, Texas, same being on a point in the northerly right-of-way line of said U.S. 79, for the northwest corner hereof;

2) THENCE with said northerly right-of-way line of U.S. 79, same being with northerly boundary line of said 3.79-acre State of Texas tract, **N88°13'00"E**

passing at a distance of 53.96 feet a calculated point on line being 50.07 feet left of Engineer's Baseline Station 169+78.82 from which a 1/2" iron rod found on the southeast corner of the said 1.4054-acre Christopher L. Hullinger and James F. Goodman tract of land, same being on the southwest corner of a called 0.379-acre tract of land conveyed to Manoj Naik as recorded in Document No. 2007102128 of said Official Public Records, bears N1°47'00"W for a distance of 0.29 feet,

passing at a distance of 163.71 feet a calculated point on line being 50.00 feet left of Engineer's Baseline Station 170+88.30, same being on the southwest corner of Debus Drive (50' right-of-way width) as recorded in Cabinet A, Slide 262 of the Plat Records of Williamson County, Texas, from which a PK NAIL found in concrete on the southeast corner of said 0.379-acre Manoj Naik tract, bears N1°47'00"W for a distance of 0.38 feet,

passing at a distance of 213.04 feet a calculated point on line being 50.00 feet left of Engineer's Baseline Station 171+37.63, same being on the southeast corner of said Debus Drive, from which a 1/2" iron rod found on the southwest corner of a called 0.7423-acre tract of land conveyed to H Properties, Inc. as recorded in Volume 2124, Page 726 of the Official Records of Williamson County, Texas, bears S1°47'00"E for a distance of 0.44 feet, passing at a distance of 393.01 feet a calculated point on line

being 50.00 feet left of Engineer's Baseline Station 173+17.60, from which a 1/2" iron rod found on the southeast corner of said 0.7423-acre H Properties, Inc. tract, same being on the southwest corner of a called 7.55-acre tract of land conveyed to Cythia A. McLaughlin as recorded in Document No. 2009027305 of said Official Public Records, bears S1°47'00"E for a distance of 0.50 feet,

passing at a distance of 403.55 feet a Type I concrete highway monument found leaning to the south being 50.00 feet left of Engineer's Baseline Station 173+28.14,

passing at a distance of 789.74 feet a calculated point on line being 50.00 feet left of Engineer's Baseline Station 177+14.33 from which a iron pipe found on the southeast corner of a called 0.368-acre tract of land conveyed to DLJ Mortgage Capital, Inc. as recorded in Document No. 2009075573 of said Official Public Records, same being on the southwest corner of a called 0.36-acre tract of land conveyed to Milton Schmidt and wife, Irene Schmidt as recorded in Volume 394, Page 404 of the Deed Records of Williamson County, Texas, bears N1°47'00"W for a distance of 1.05 feet,

passing at a distance of 854.50 feet a calculated point on line being 50.00 feet left of Engineer's Baseline Station 177+79.09 from which a 1/2" iron rod found on the southeast corner of said 0.36-acre Milton Schmidt tract, same being on the southwest corner of a called 0.72-acre tract of land conveyed to RCNT, LP as recorded in Document No. 2004072044 of said Official Public Records, bears N1°47'00"W for a distance of 0.40 feet,

passing at a distance of 984.80 feet a calculated point on line being 50.00 feet left of Engineer's Baseline Station 179+09.39 from which a 1/2" iron rod found on the southeast corner of said 0.72-acre RCNT, LP tract, same being on the southwest corner of a called 0.34-acre tract of land conveyed to Ronald E. Hurta and wife, Geraldine A. Hurta as recorded in Volume 1580, Page 469 of said Official Records, bears N1°47'00"W for a distance of 0.86 feet,

passing at a distance of 1050.08 feet a calculated point on line being 50.00' left of Engineer's Baseline Station 179+74.67 from which a 1" iron rod found on the southeast corner of said 0.34-acre HURTA tract, same being on the southwest corner of Lot 1, Final Plat of Raul & Delia Zapata Subdivision as recorded in Cabinet BB, Slide 263 of the Plat Records of Williamson County, Texas, bears N1°47'00"W for a distance of 0.60 feet, continuing for a total distance of **1060.31 feet** to a 1/2" iron rod set with

cap marked "Diamond Surveying" being 50.00 feet left of Engineer's Baseline Station 179+84.90, same being on the beginning of a curve to the right hereof;

3) THENCE continuing with said northerly right-of-way line of U.S. 79, and said northerly boundary line of said 3.79-acre State of Texas tract, **with the arc of said curve to the right** having a radius of **5779.58 feet**, a delta angle of **2°23'36"**,

passing at an arc length of 120.20 feet a calculated point on the arc of said curve being 50.00 feet left of Engineer's Baseline Station 181+04.06, from which a 1/2" iron rod found on the southeast corner of said Lot 1, same being on the southwest corner of a called 0.306-acre tract of land conveyed to Austin Convenience Store as recorded in Document No. 2000043162 of said Public Records, bears S0°35'30"E for a distance of 1.14 feet,

continuing for a total arc length of **241.42 feet**, and a chord which bears **N89°24'48"E** for a distance of **241.40 feet** to a Type I concrete highway monument found being 50.00 feet left of Engineer's Baseline Station 182+24.22, same being on the northeast corner of said 3.79-acre State of Texas tract, same being the southeast corner of said 0.306-acre Austin Convenience Store tract, same being on the northwest intersection of U.S. 79 and Sloan Street (60' right-of-way width) as recorded in Cabinet A, Slide 95 of the Plat Records of Williamson County, Texas, monumenting the northeast corner hereof;

4) THENCE with the easterly boundary line of said 3.79-acre State of Texas tract, same being across the right-of-way of U.S. 79, **S2°50'03"W**

passing at a distance of 99.72 feet a 3/4" iron rod found on the northeast corner a called 0.377-acre tract of land conveyed to Abass F. Sayogh as recorded in Document No. 2005031324 of said Official Public Records,

continuing for a total distance of **100.08 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying" being 50.00 feet right of Engineer's Baseline Station 182+20.32, same being on the southeast corner of said 3.79-acre State of Texas tract, same being on a point in the curving southerly right-of-way line of said U.S. 79, same being on the southwest intersection of U.S. 79 and said Sloan Street, for the southeast corner hereof;

5) THENCE with said southerly right-of-way line of U.S. 79, same being with the southerly boundary line of said 3.79-acre State of Texas tract, **with the arc of said curve to the left** having a radius of **5679.58 feet**, a delta angle of **2°21'14"**, an arc length of **233.36 feet**, and a chord which bears

S89°23'37"W for a distance of **233.34 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying" being 50.00 feet right of Engineer's Baseline Station 179+84.90, for the end of said curve;

6) THENCE continuing with said southerly right-of-way line of U.S. 79 and with said southerly boundary line of said 3.79-acre State of Texas tract, **S88°13'00"W**

passing at a distance of 9.66 feet a calculated point on line being 50.00 feet right of Engineer's Baseline Station 179+75.24, same being on the northeast corner of Franklin Street (40' right-of-width) per Carlow Addition To City of Taylor, a subdivision recorded in Cabinet A, Slide 200 of the Plat Records of Williamson County, Texas, from which a 1/2" iron rod found on the northwest corner of a tract of land conveyed to RCNT, LP as recorded in Document No. 2007038245 of said Official Public Records, bears **N1°47'00"W** for a distance of 0.23 feet,

passing at a distance of 344.26 feet a calculated point on line being 50.00 feet right of Engineer's Baseline Station 176+40.64, from which an iron pipe found on the northwest corner of a tract of land conveyed to Richard Phillip Pfeil and wife, Faye Pfeil as recorded in Volume 450, Page 328 of said Deed Records, same being on the northeast corner of a called 1.894-acre tract of land conveyed to Tapimata, LLC as recorded in Document No. 2007077552 of said Official Public Records, bears **S1°47'00"E** for a distance of 0.21 feet,

passing at a distance of 606.88 feet a calculated point on line being 50.00 feet right of Engineer's Baseline Station 173+78.02, from which a railroad rail found on the northwest corner of said 1.894-acre Tapimata, LLC tract, same being on the northeast corner of a called 2.25-acre tract of land conveyed to Josh Richards as recorded in Document No. 2000041250 of said Official Public Records, bears **N1°47'00"W** for a distance of 0.88 feet,

passing at a distance of 795.13 feet a calculated point on line being 50.00 feet right of Engineer's Baseline Station 171+89.77, from which a 1/2" iron rod found on the northwest corner of said 2.25-acre Josh Richards tract, same being on the northeast corner of aforementioned 6.48-acre Centex Meat Company tract, bears **S1°47'00"E** for a distance of 2.11 feet, continuing for a total distance of **981.60 feet** to a 1/2"

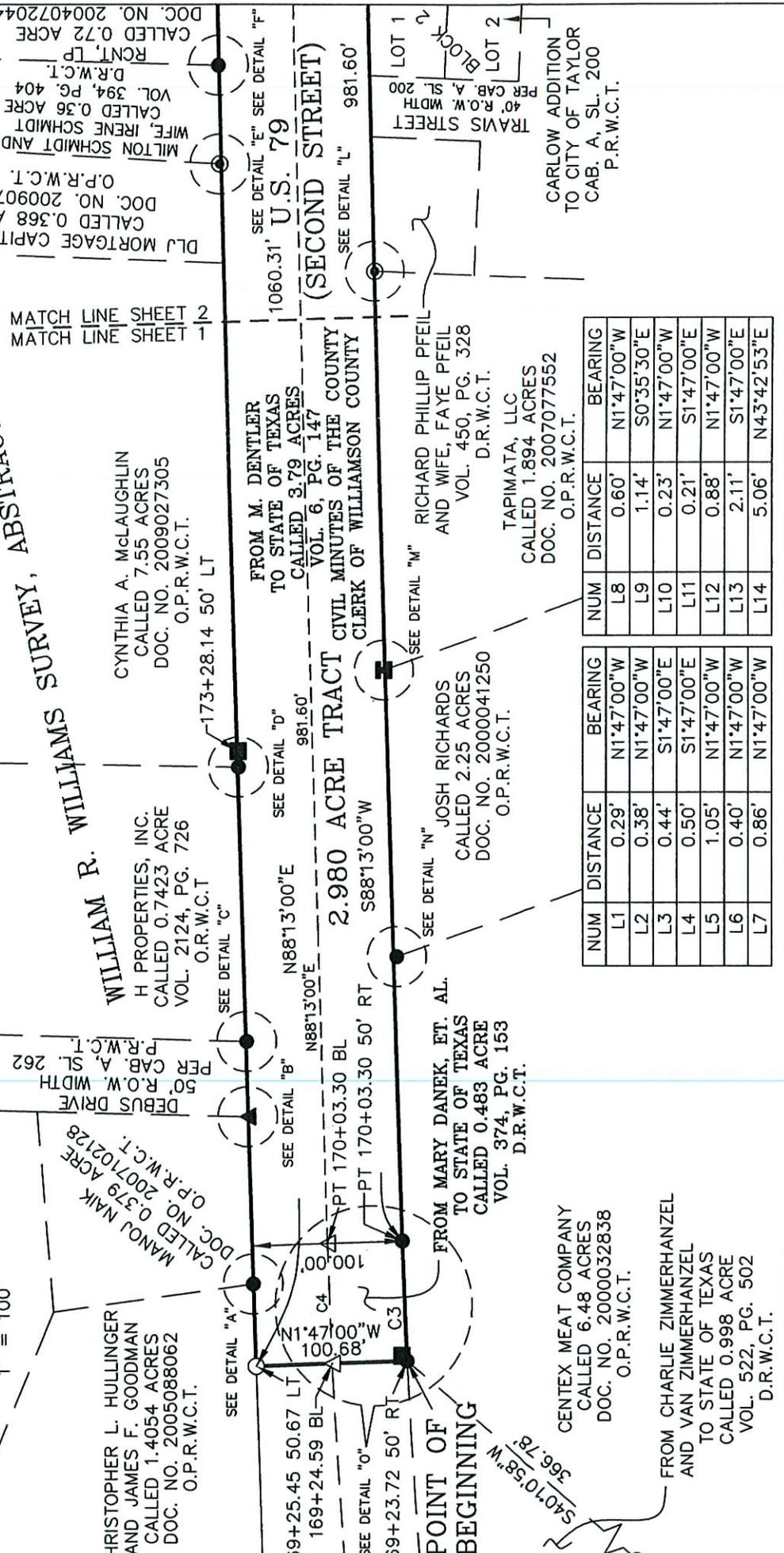
PLAT TO ACCOMPANY TRACT DESCRIPTION

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	2'23.36"	241.42'	5779.58'	N89°24'48"E	241.40'
C2	2'21.14"	233.36'	5679.58'	S89°23'37"W	233.34'
C3	0'59.41"	78.71'	4533.66'	S87°43'09"W	78.71'
C4 AND C5 ARE CENTERLINE CURVE DATA					
C4	0'59.02"	78.71'	4583.66'	S87°43'29"W	78.71'
C5	02'22.26"	237.39'	5729.58'	N89°24'13"E	237.38'

4/14/10
PAGE 7 OF 10



WILLIAM R. WILLIAMS SURVEY, ABSTRACT NO. 665



NUM	DISTANCE	BEARING	NUM	DISTANCE	BEARING
L1	0.29'	N1°47'00"W	L8	0.60'	N1°47'00"W
L2	0.38'	N1°47'00"W	L9	1.14'	S0°35'30"E
L3	0.44'	S1°47'00"E	L10	0.23'	N1°47'00"W
L4	0.50'	S1°47'00"E	L11	0.21'	S1°47'00"E
L5	1.05'	N1°47'00"W	L12	0.88'	N1°47'00"W
L6	0.40'	N1°47'00"W	L13	2.11'	S1°47'00"E
L7	0.86'	N1°47'00"W	L14	5.06'	N43°42'53"E

<> DIAMOND SURVEYING, INC.
P.O. BOX 1937, GEORGETOWN, TX 78627
(512) 931-3100

PARCEL PLAT SHOWING PROPERTY OF STATE OF TEXAS
BEING A PORTION OF A CALLED 3.79-ACRE TRACT OF LAND DESCRIBED IN VOL. 6, PG. 147 OF THE CIVIL MINUTES OF THE COUNTY CLERK OF WILLIAMSON COUNTY, AND A PORTION OF A CALLED 0.483-ACRE TRACT OF LAND DESCRIBED IN VOL. 374, PG. 153.

SCALE
1" = 100'

CSJ #
0204-03-012
0204-03-003/004

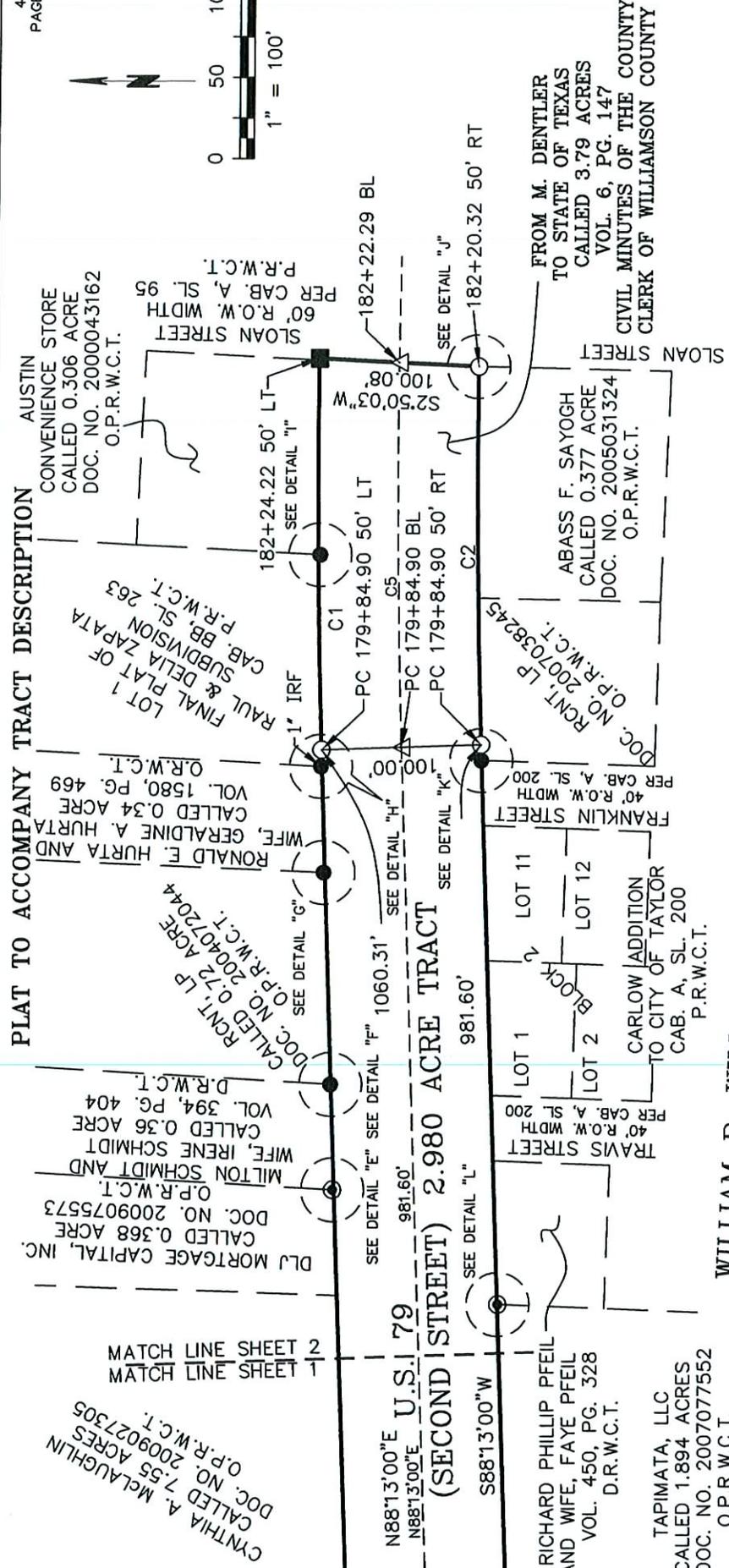
PROJECT
U.S. 79, TAYLOR

COUNTY
WILLIAMSON

Texas Department of Transportation
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TRACT 1
U.S. 79, TAYLOR

PLAT TO ACCOMPANY TRACT DESCRIPTION



WILLIAM R. WILLIAMS SURVEY, ABSTRACT NO. 665

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	2'23'36"	241.42'	5779.58'	N89°24'48"E	241.40'
C2	2'21'14"	233.36'	5679.58'	S89°23'37"W	233.34'
C3	0'59'41"	78.71'	4533.66'	S87°43'09"W	78.71'
C4 AND C5 ARE CENTERLINE CURVE DATA					
C4	0'59'02"	78.71'	4583.66'	S87°43'29"W	78.71'
C5	02'22'26"	237.39'	5729.58'	N89°24'13"E	237.38'

NUM	DISTANCE	BEARING
L1	0.29'	N1°47'00"W
L2	0.38'	N1°47'00"W
L3	0.44'	S1°47'00"E
L4	0.50'	S1°47'00"E
L5	1.05'	N1°47'00"W
L6	0.40'	N1°47'00"W
L7	0.86'	N1°47'00"W

NUM	DISTANCE	BEARING
L8	0.60'	N1°47'00"W
L9	1.14'	S0°55'30"E
L10	0.23'	N1°47'00"W
L11	0.21'	S1°47'00"E
L12	0.88'	N1°47'00"W
L13	2.11'	S1°47'00"E
L14	5.06'	N43°42'53"E

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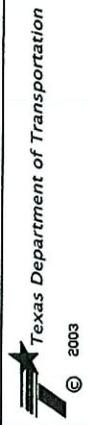
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PARCEL PLAT SHOWING PROPERTY OF STATE OF TEXAS
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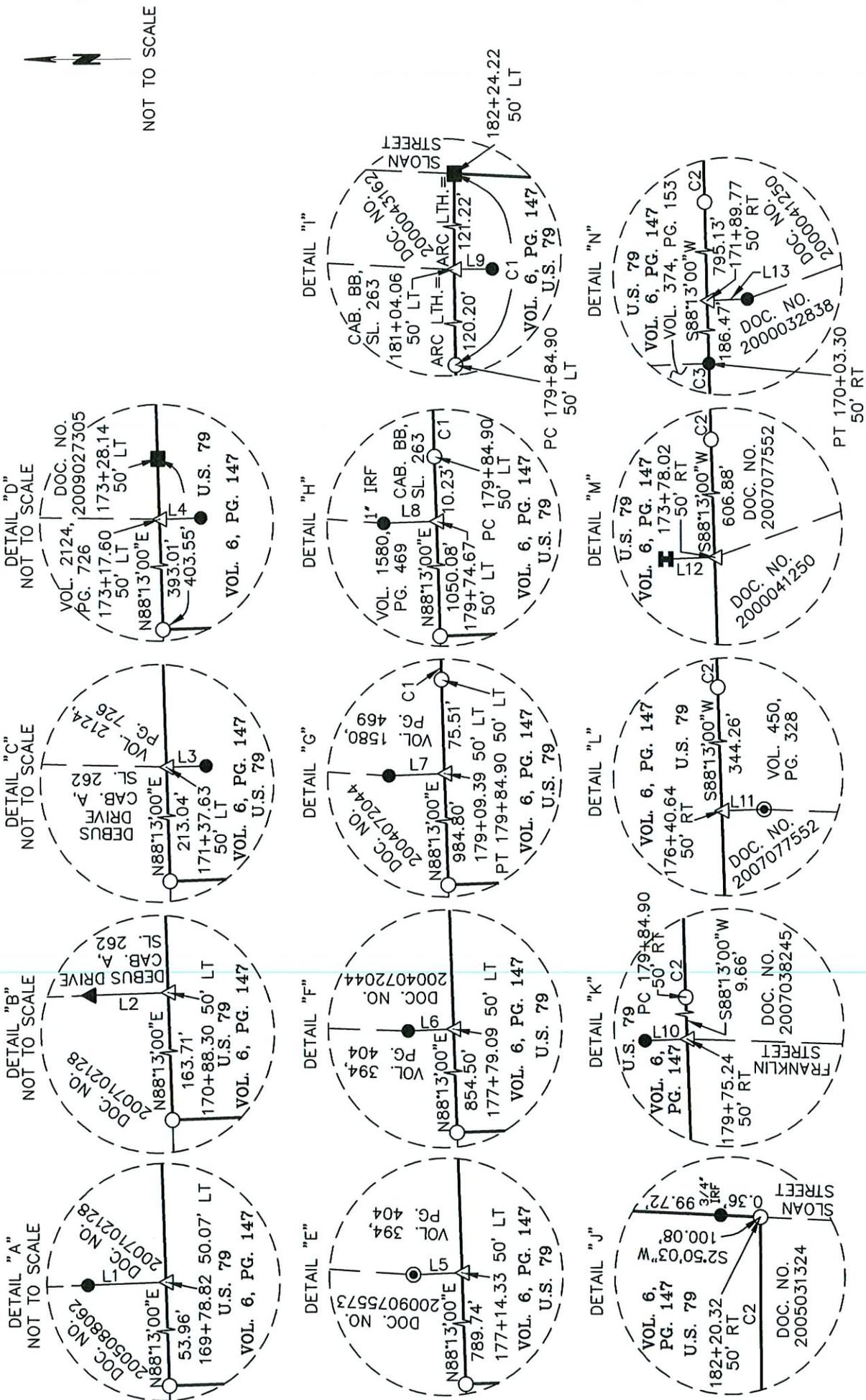
PROJECT
U.S. 79, TAYLOR

COUNTY
WILLIAMSON



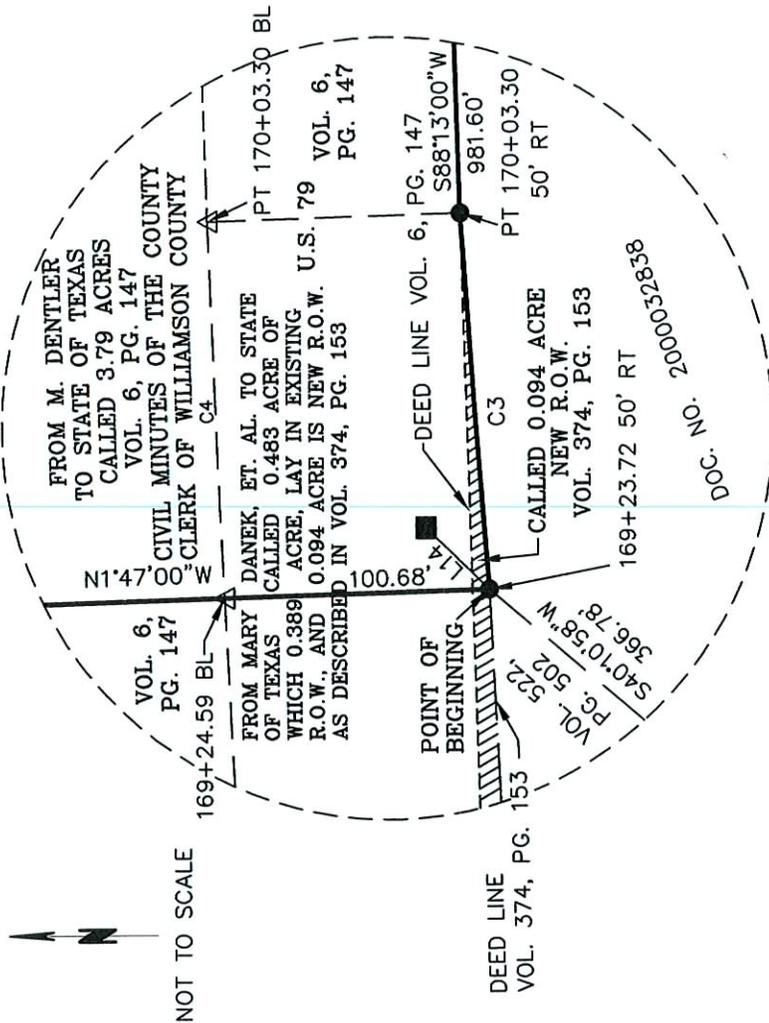
TRACT 1
U.S. 79, TAYLOR

PLAT TO ACCOMPANY TRACT DESCRIPTION



<p><> DIAMOND SURVEYING, INC. P.O. BOX 1937, GEORGETOWN, TX 78627 (512) 931-3100</p>		<p>PARCEL PLAT SHOWING PROPERTY OF STATE OF TEXAS BEING A PORTION OF A CALLED 3.79-ACRE TRACT OF LAND DESCRIBED IN VOL. 6, PG. 147 OF THE CIVIL MINUTES OF THE COUNTY CLERK OF WILLIAMSON COUNTY, AND A PORTION OF A CALLED 0.483-ACRE TRACT OF LAND DESCRIBED IN VOL. 374, PG. 153.</p>	
<p>SCALE NOT TO SCALE</p>		<p>PROJECT U.S. 79, TAYLOR</p>	
<p>CSJ # 0204-03-012 0204-03-003/004</p>		<p>COUNTY WILLIAMSON</p>	
<p>TRACT 1 U.S. 79, TAYLOR</p>			

PLAT TO ACCOMPANY TRACT DESCRIPTION
DETAIL "O"



LEGEND

- = BOUNDARY MONUMENT FOUND (1/2" IRON ROD UNLESS OTHERWISE NOTED)
- = 1/2" IRON ROD SET WITH CAP MARKED "DIAMOND SURVEYING"
- ⊙ = IRON PIPE FOUND
- = TYPE I CONCRETE HIGHWAY MONUMENT FOUND
- ▲ = PK NAIL FOUND IN CONCRETE
- ⊢ = RAILROAD RAIL FOUND
- △ = CALCULATED POINT
- ℙ = ENGINEER'S BASELINE
- R.O.W. = RIGHT-OF-WAY
- O.P.R.W.C.T. = OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- O.R.W.C.T. = OFFICIAL RECORDS WILLIAMSON COUNTY, TEXAS
- D.R.W.C.T. = DEED RECORDS WILLIAMSON COUNTY, TEXAS
- P.R.W.C.T. = PLAT RECORDS WILLIAMSON COUNTY, TEXAS
- = DISTANCE NOT SHOWN TO SCALE

NOTES:

- 1) BEARING BASIS: N88°13'E per Texas State Highway Department, Williamson County, Right of Way Map, U.S. Highway No. 79 Control 204 - Section 3 - Job - 12, dated 11-29-1951. Stationing for this project is per said Right of Way Map.
- 2) This survey was performed without the benefit of a Title Report.
- 3) All documents listed hereon are recorded in the office of the County Clerk of Williamson County, Texas.



SHANE SHAFER

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5281-STATE OF TEXAS

DATE:

APRIL 14, 2010

<> **DIAMOND SURVEYING, INC.**

P.O. BOX 1937, GEORGETOWN, TX 78627
(512) 931-3100

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SCALE NOT TO SCALE
CSJ # 0204-03-012
0204-03-003/004

PROJECT U.S. 79, TAYLOR

COUNTY WILLIAMSON

TRACT NO.	ACQUISITION AREA (ACRES)	DEED ACREAGE	REMAINDER AREA
1	2.980		



TRACT 1
U.S. 79, TAYLOR