

TEXAS TRANSPORTATION COMMISSION

HUNT County

MINUTE ORDER

Page 1 of 1

PARIS District

In the city of Floyd, HUNT COUNTY, on US 380, US 380J and FARM TO MARKET ROAD 36, the State of Texas used certain land for highway purposes.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended the designation of US 380 on a new location and that existing US 380J and FM 36 from new US 380 to existing US 380J, shown in Exhibit A, be removed from the state highway system and that control, jurisdiction and maintenance be transferred to the county. The executive director has also recommended the designation of existing US 380 as US 380J.

The surplus land, described in Exhibits B, C, and D, 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 and may recommend the quitclaim to the county 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 \$149,600, and the cost of future maintenance over the next 20 years is estimated to be \$564,000.

The commission finds \$149,600 to be a fair and reasonable value of the state's rights, title and interest in the surplus land.

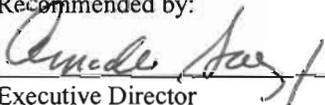
IT IS THEREFORE ORDERED by the commission that: 1) US 380 is designated on a new location; 2) existing US 380 is designated as BU 380J, and 3) existing BU 380J and FM 36 from new US 380 to existing BU 380J are removed from the state highway system and transferred to the county for control, jurisdiction and maintenance.

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 to Hunt County, Texas, in consideration of the savings to the state of future maintenance costs, and a proper instrument quitclaiming the surplus no-title land to Hunt County, 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:

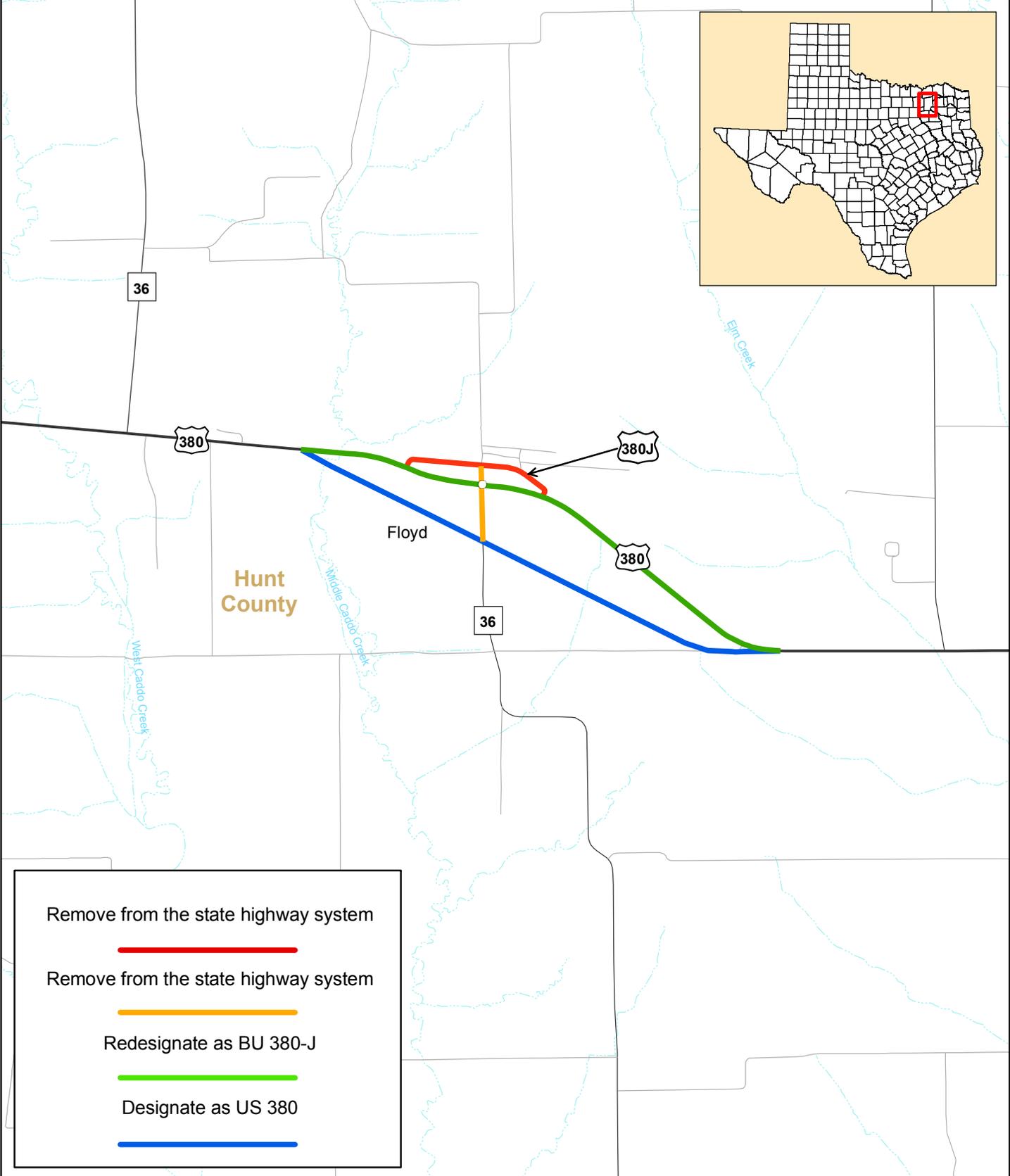
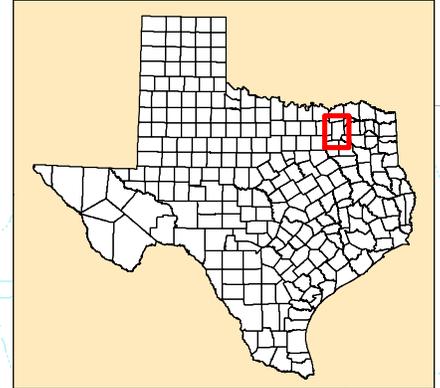
  
Director, Right of Way Division

Recommended by:

  
Executive Director

**112326 JUN 24 10**

Minute Date  
Number Passed



Remove from the state highway system

Remove from the state highway system

Redesignate as BU 380-J

Designate as US 380



## EXHIBIT B

### STRIP A U.S. HIGHWAY 380J HUNT COUNTY, TEXAS

Being a strip of right of way known as U.S. Highway 380J situated in the Enos Murphy Survey, A-647, Hunt County, Texas, being a portion of those certain tracts as described in deeds to the State of Texas and recorded in the Deed Records of Hunt County, Texas as follows: Hunt County, Texas, 8.270 acres, Vol. 342, Page 261, J.A. Howard, 0.077 acres, Vol. 342, Page 259, Floyd Baptist Church, 0.038 acres, Vol. 342, Page 264, C.M. Price 0.050 acres, Vol. 342, Page 247, H.H. Cole, 0.043 acres, Vol. 342, Page 249, Paul V. Greenwade, 0.096 acres, Vol. 342, Page 263, and E. Hise, 0.626 acres, Vol. 342, Page 260, and being more particularly described as follows:

**Beginning** at a point in the east right of way of line of said U.S. Highway 380J, being 40.00' northeast of and at right angles to centerline survey station 365+58.61 based on the Plan and Profile of the Texas Highway Department, dated 1922 and 1923, and also being in the existing north right of way line of existing U.S. Highway 380 based on the right of way map of the Texas Department of Transportation CSJ 0135 06 011, dated November 1958;

**Thence** in a northwesterly direction along the north right of way of said existing U.S. Highway 380 and with a curve to the Left having a Radius of 2924.79', a Chord bearing and distance of N 59° 46' 54" W – 424.41' and an Arc Length of 424.79' to a point in the west right of way of U.S. Highway 380J, being 40' southwest of and at right angles to station 369+75.41;

**Thence** N 48°55' 00" W with said west right of way line of U.S. Highway 380J a distance of 536.49' to a point, being 40' southwest of and at right angles to centerline survey station 375+11.90;

**Thence** in a northwesterly direction with said west right of way line of U.S. Highway 380J and along a curve to the Left having a Radius of 915.00', a Chord bearing and distance of N 58° 38' 15" W – 309.02', and an Arc Length of 310.51' to a point, being 40.00' southwest and at right angles to centerline station 378+35.98 and being in the south right of way line of the Kansas City Southern Railroad as described in deed for 11.2 acres, dated June 15, 1882, recorded in Vol. O-1, Page 2, Deed Records of Hunt County, Texas;

**Thence** S 82° 51' 00" E along the south line of said railroad right of way a distance of 162.40' to a point at the southeast corner of said 11.2 acre tract;

**STRIP A**

**Page 2**

**Thence** N 00° 53' 00" E along the east line of said railroad right of way – 30.51' to a point in the east right of U.S. Highway 380J , being 40.00' northeast of and at right angles to centerline survey station 377+03.00;

**Thence** in a southeasterly direction with the east right of way line of said U.S. Highway 380J and along a curve to the Right a distance having a Radius of 995.00', a Chord bearing and distance of S 54° 24' 26"E – 190.41, and an Arc Length of 190.70' to a point, being 40.00' northeast of and at right angles to centerline survey station 375+11.90;

**Thence** S 48° 55' 00" E with said east right of way line of said U.S. Highway 380J distance of 953.29' to **The Point of Beginning** containing approximately 1.72 acres more or less.

NOTE: This legal description was prepared in the office based on the afore-mentioned right of way maps and deeds and was not actually surveyed on the ground. The intent being to describe all of the right of way known as U.S. 380J located between the north right of way of existing U.S. Highway 380 and the south and east lines of said 11.2 acre right of way tract of the Kansas City Southern Railroad as of this date: March 18, 2010.

## EXHIBIT B

### STRIP B U.S. HIGHWAY 380J HUNT COUNTY, TEXAS

Being a strip of right of way known as U.S. Highway 380J situated in the Myers F. Jones Survey, A-542, Hunt County, Texas, being a portion of those certain tracts as described in deeds to the State of Texas and recorded in the Deed Records of Hunt County, Texas as follows: Hunt County, Texas, 8.270 acres, Vol. 342, Page261, A.J. Eldridge, 0.567 acres, Vol.342, Page266, C.W. Ellis, 0.133 acres, Vol.342, Page265, and being more particularly described as follows:

**Beginning** at a point in the north right of way of line of said U.S. Highway 380J, being 30.00' north of and at right angles to centerline survey station 396+60.76 based on the Plan and Profile of the Texas Highway Department, dated 1922 and 1923, and also being northeast of and at right angles to station 396+00.34 in the north right of way line of existing U.S. Highway 380 based on the right of way map of the Texas Department of Transportation CSJ 0135 06 011, dated November 1958;

**Thence** S 82° 51' 00" E with the north right of way of said existing U.S. Highway 380J and the south right of way of the Kansas City Southern Railroad – 363.72' to a point, being 30' north of and at right angles to centerline station 392+97.04;

**Thence** S 00° 53' 00" W with the west line of the right of way of the Kansas City Southern Railroad ( Vol. O-1, Page 2, D.R.H.C.T.) – 80.48' to a point, being 50' south of and at right angles to centerline station 392+88.25;

**Thence** N 82° 51' 00" W with the south right of way line of existing U.S. Highway 380J – 397.27' to a point, being 50' south of and at right angles to centerline station 396+85.52;

**Thence** N 24° 21' 00" E – 83.74' to **the Point of Beginning** containing approximately 0.70 acres more or less.

NOTE: This legal description was prepared in the office based on the afore-mentioned right of way maps and deeds and was not actually surveyed on the ground. The intent being to describe all of the right of way known as U.S. 380J located between the west line of the Kansas City Southern Railroad right of way as described Vol. O-1, Page 2, of the Deed Records of Hunt County, Texas and a line north of and at right angles to centerline station 396+00.4 of said U.S. Highway 380 as of this date: March 18, 2010.

## EXHIBIT B

### STRIP C F.M. HIGHWAY 36 HUNT COUNTY, TEXAS

Being a strip of right of way known as F.M. Highway 36 situated in the Myers F. Jones Survey, A-542 and the Enos Murphy Survey, A-647, Hunt County, Texas, being a portion of those tracts as described Right of Way Dedication to the State of Texas as recorded in Vol. 479, Page 232, Deed Records of Hunt County, Texas, and being more particularly described as follows:

**Beginning** at a point in the existing west right of way of line of said F.M. Highway 36, being 40.00' west of and at right angles to centerline survey station 10+69.97 based on the right of way map of the Texas Department of Transportation, CSJ 0642-02-001, dated November 24, 1947, and being in the proposed north right of way of U.S. Highway 380 (new location) based on the right of way map of the Texas Department of Transportation, CSJ 0135-06-022, dated December 2001;

**Thence** N 00° 53' 00" E with said existing west right of way line a distance of 561.78' to a point, being 40' west of and at right angles to centerline survey station 5+08.19 and also being in the existing south right of way line of existing U.S. Highway 380 based on the right of way map of the Texas Department of Transportation CSJ 0135 06 011, dated November 1958,

**Thence** S 62° 12' 55" E a distance of 89.71' to a point in the east right of way line of said F.M. Highway 36, being 40' east of and at right angles to centerline survey station 5+48.69, same being in the existing south right of way line of said U.S. Highway 380;

**Thence** S 00° 53' 00" W with said existing east right of way line of F.M. Highway 36 a distance of 695.76' to a point, being 40.00' east of and at right angles to centerline survey station 12+44.45 and being in the proposed north right of way line of U.S. Highway 380;

**Thence** N 23° 44' 14" W a distance of 192.03' to the **Point of Beginning** and containing approximately 1.15 acres more or less.

NOTE: This legal description was prepared in the office based on the afore-mentioned right of way maps and deeds and was not actually surveyed on the ground. The intent being to describe all of the right of way known as F.M. Highway 36 located between the existing U.S. Highway 380 and the Proposed (new location) of U.S. Highway as of this date: March 18, 2010.

**EXHIBIT B**  
**STRIP D**  
**F.M. HIGHWAY 36**  
**HUNT COUNTY, TEXAS**

Being a strip of right of way known as F.M. Highway 36 situated in the Myers F. Jones Survey, A-542 and the Enos Murphy Survey, A-647, Hunt County, Texas, being a portion of those tracts as described Right of Way Dedication to the State of Texas as recorded in Vol. 479, Page 232, Deed Records of Hunt County, Texas, and being more particularly described as follows:

**Beginning** at a point in the existing west right of way of line of said F.M. Highway 36, being 40.00' west of and at right angles to centerline survey station 2+37.28 based on the right of way map of the Texas Department of Transportation, CSJ 0642-02-001, dated November 24, 1947, and being in the existing north right of way line of existing U.S. Highway 380 based on the right of way map of the Texas Department of Transportation CSJ 0135 06 011, dated November 1958,

**Thence** N 00° 53' 00" E with said existing west right of way line of F.M. Highway 36 a distance of 101.38' to a point, being 40' west of and at right angles to centerline survey station 1+35.90;

**Thence** N 40° 59' 00" W with said existing west right of way line of F.M. Highway 36 a distance of 105.33' to a point, being 110.30' west of and at right angles to centerline station 0+57.46 and being in the south right of way line of the Kansas City Southern Railroad as described in deed recorded in Vol. O-1, Page 2, of the Deed Records of Hunt County, Texas, dated June 15, 1882;

**Thence** S 82° 51' 00" E along the south line of said railroad right of way a distance of 221.92' to a point in the east right of way line of said F.M. Highway 36, being 110.30' east of and at right angles to centerline survey station 0+81.69;

**Thence** S 49° 00' 58" W with the existing east right of way line of said F.M. Highway 36 a distance of 94.40' to a point, being 40.00' east of and at right angles to centerline survey station 1+44.60';

**Thence** S 00° 53' 00" W with said existing east right of way line of F.M. Highway 36 a distance of 125.60' to a point, being 40.00' east of and at right angles to centerline survey station 2+70.20 and being in the existing north right of way line of said U.S. Highway 380;

**Thence** N 66° 41' 43" W a distance of 86.54' to the **Point of Beginning** and containing approximately 0.45 acres more or less.

**STRIP D**

**Page 2**

NOTE: This legal description was prepared in the office based on the afore-mentioned right of way maps and deeds and was not actually surveyed on the ground. The intent being to describe all of the right of way known as F.M. Highway 36 located between the north right of way of existing U.S. Highway 380 and the south right of way of the Kansas City Southern Railroad as of this date: March 18, 2010.

## EXHIBIT C

### STRIP E U.S. HIGHWAY 380J HUNT COUNTY, TEXAS

Being a strip of right of way known as U.S. Highway 380J situated in the Enos Murphy Survey, A-647, and the Myers F. Jones Survey, A-542, Hunt County, Texas, being a portion of that certain 11.2 acre railroad right of way of the Kansas City Southern Railroad, dated June 15, 1882, recorded in Vol. O-1, Page 2, Deed Records of Hunt County, Texas and also being in the City of Floyd as shown by plat recorded in Vol. 93, Page 327, of said deed records and being more particularly described as follows:

**Commencing** at a point in the east right of way of line of said U.S. Highway 380J, being 40.00' northeast of and at right angles to centerline survey station 365+58.61 based on the Plan and Profile of the Texas Highway Department, dated 1922 and 1923, and also being in the existing north right of way line of existing U.S. Highway 380 based on the right of way map of the Texas Department of Transportation CSJ 0135 06 011, dated November 1958;

**Thence** in a N 48° 55' 00" W along the east right of way of said existing U.S. Highway 380J a distance of 953.29' to a point, being 40.00' northeast of and at right angles to centerline survey station 375+11.90;

**Thence** in a northwesterly direction with said east right of way line of U.S. Highway 380J and along a curve to the Left having a Radius of 995.00', a Chord bearing and distance of N 54° 24' 26" W – 190.41', and an Arc Length of 190.70' to a point, being 40.00' northeast of and at right angles to centerline survey station 377+03.00 and being in the east line of said 11.2 acre Kansas City Southern Railroad right of way tract and also being **The Point of Beginning** of this description;

**Thence** S 00° 53' 00" W – 30.51' to a point at the southeast corner of said 11.2 acre railroad right of way tract;

**Thence** N 82° 51' 00" W along the south line of said railroad right of way a distance of 1600.00 to a point at the southwest corner of said 11.2 acre tract;

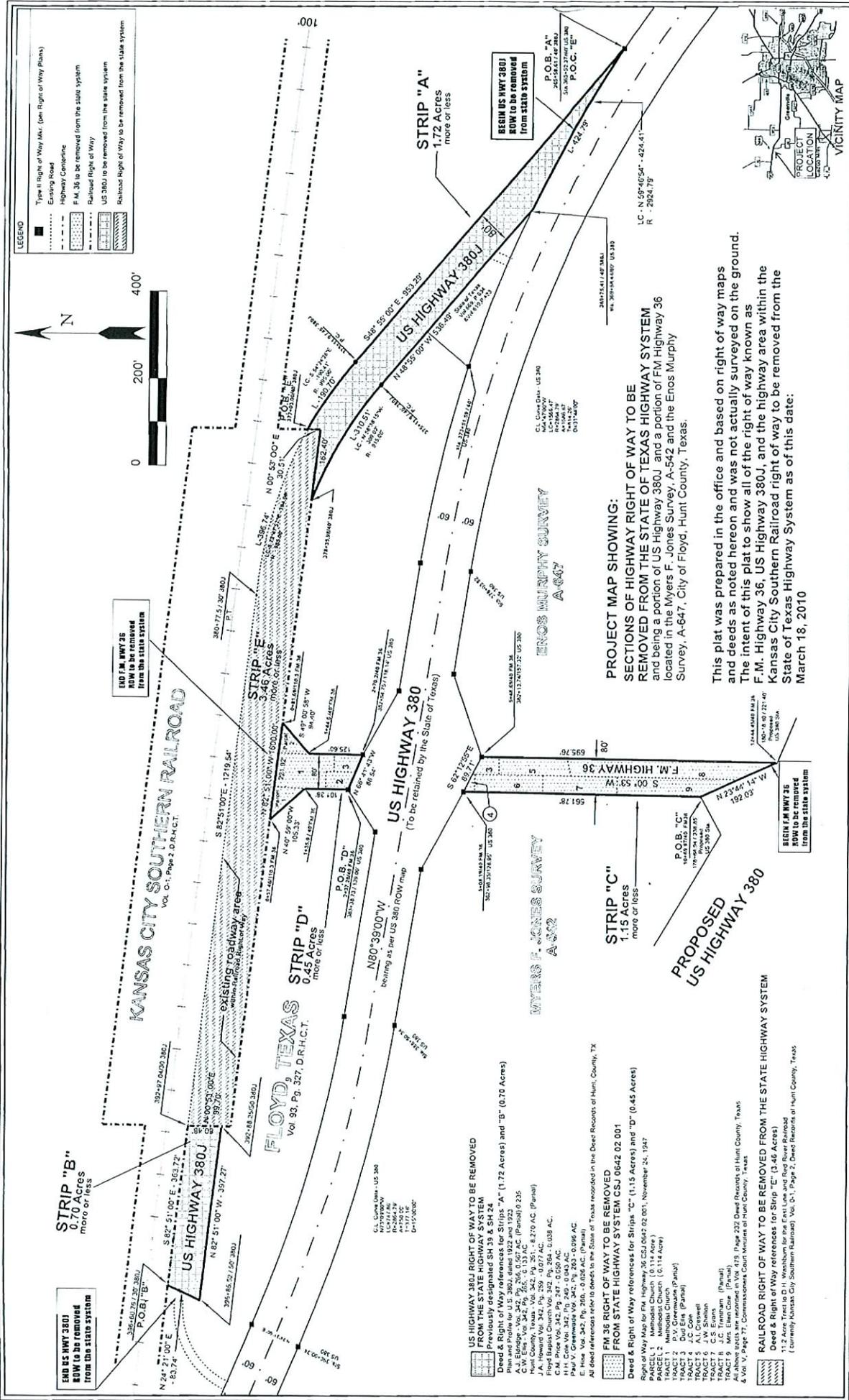
**Thence** N 00° 53' 00" E with the west line of said 11.2 acre railroad right of way tract 99.70' to a point, being 30' north of and at right angles to centerline station 392+97.04 of U.S. Highway 380J;

**Thence** S 82° 51' 00" E with the north line of U.S. Highway 380J – 1219.54 to a point, being 30' north of and at right angles to centerline station 380+77.5;

**STRIP E**  
**Page 2**

**Thence** in a southeasterly direction continuing along the north line of U.S. Highway 380J and with a curve to the Right having a Radius of 985.00', a Chord bearing and distance of S 72° 47' 57" E – 394.06', and an Arc Length of 396.74' to **The Point of Beginning** containing approximately 3.46 acres more or less.

NOTE: This legal description was prepared in the office based on the afore-mentioned right of way maps and deeds and was not actually surveyed on the ground. The intent being to describe all of the right of way known as U.S. 380J located in the said 11.2 acre right of way tract of the Kansas City Southern Railroad as of this date: March 18, 2010.



**LEGEND**

- Type II Right of Way Mkt. (See Right of Way Plans)
- Existing Road
- Highway Centerline
- F.M. 36 to be removed from the state system
- Railroad Right of Way
- US 380J to be removed from the state system
- Railroad Right of Way to be removed from the state system



**END US HWY 380J ROW to be removed from the state system**

**END F.M. HWY 36 ROW to be removed from the state system**

**STRIP "B" 0.70 Acres more or less**

**STRIP "D" 0.45 Acres more or less**

**STRIP "C" 1.15 Acres more or less**

**STRIP "A" 1.72 Acres more or less**

**END US HWY 380 ROW to be removed from the state system**

**END US HWY 36 ROW to be removed from the state system**

**END US HWY 380 ROW to be removed from the state system**

**END US HWY 36 ROW to be removed from the state system**

**KANSAS CITY SOUTHERN RAILROAD**  
Vol. 0-1, Page 2, D.R.H.C.T.

**FLOYD TEXAS**  
Vol. 93, Pg. 327, D.R.H.C.T.

**US HIGHWAY 380**  
(To be retained by the State of Texas)

**US HIGHWAY 380J**

**US HIGHWAY 36**

**US HIGHWAY 380**

**US HIGHWAY 380**

**US HIGHWAY 380**

**US HIGHWAY 380**

**MYERS F. JONES SURVEY A-302**

**ENOS MURPHY SURVEY A-647**

**P.O.B. "A"**

**P.O.B. "B"**

**P.O.B. "C"**

**P.O.B. "D"**

**P.O.B. "E"**

**P.O.B. "A"**

**P.O.B. "A"**

**PROJECT MAP SHOWING:  
SECTIONS OF HIGHWAY RIGHT OF WAY TO BE REMOVED FROM THE STATE OF TEXAS HIGHWAY SYSTEM**  
and being a portion of US Highway 380J, and a portion of FM Highway 36 located in the Myers F. Jones Survey, A-542 and the Enos Murphy Survey, A-647, City of Floyd, Hunt County, Texas.

This plat was prepared in the office and based on right of way maps and deeds as noted hereon and was not actually surveyed on the ground. The intent of this plat is to show all of the right of way known as F.M. Highway 36, US Highway 380J, and the highway area within the Kansas City Southern Railroad right of way to be removed from the State of Texas Highway System as of this date:  
March 18, 2010



**VICINITY MAP**

**PROJECT LOCATION**

**US HIGHWAY 380**

**US HIGHWAY 36**

**US HIGHWAY 380**

**US HIGHWAY 380**