

TEXAS TRANSPORTATION COMMISSION

UPTON County

MINUTE ORDER

Page 1 of 1

ODESSA District

In UPTON COUNTY, near FARM TO MARKET ROAD 1555, the State of Texas acquired certain land for railroad purposes by instrument recorded in Volume 585, Page 314, Deed Records of Upton County, Texas.

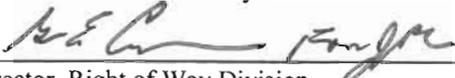
A portion of the land (surplus land), described in Exhibit A, is no longer needed by the Texas Department of Transportation for railroad or any other department purposes, and in accordance with V.T.C.A., Transportation Code, Section 91.095, the surplus land may be sold.

The department advertised the surplus land for sale by sealed bid to the general public and the ConocoPhillips Company submitted a bid of \$10,100. It was the only bid received.

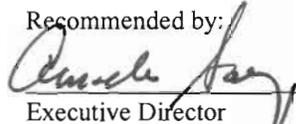
The Texas Transportation Commission (commission) finds \$10,100 to be a fair and reasonable value of the state's rights, title and interest in the surplus land.

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 ConocoPhillips Company for a cash consideration of \$10,100; 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

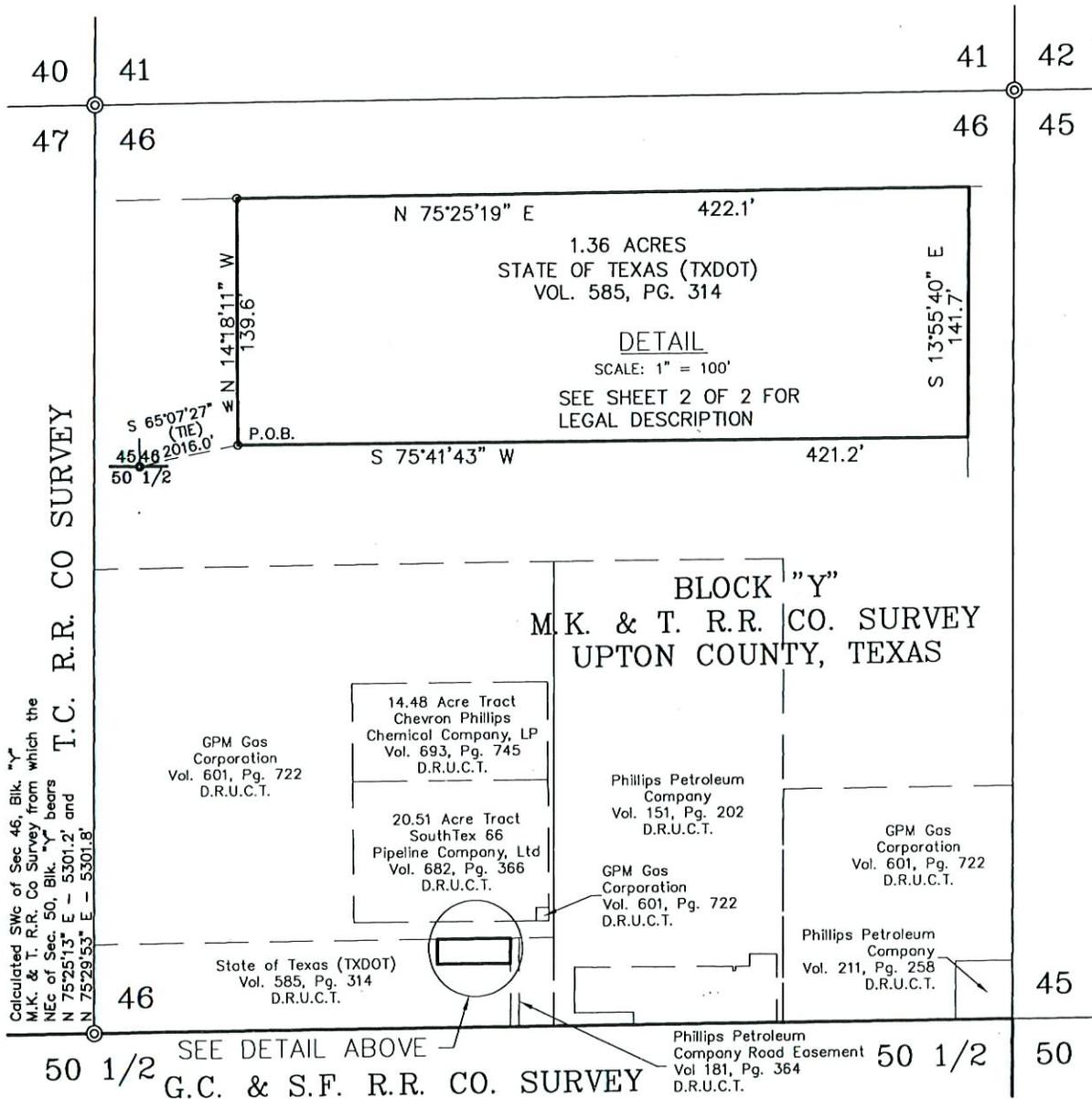
**112219/MAR 25 10**

Minute Number      Date Passed

Survey Plat For : ConocoPhillips Pipe Line Company  
 On this date: February 25, 2009 a survey was made on the ground of a 1.2 acre tract of land located in the Southwest quarter of Section 46, Block "Y", M.K. & T. R.R. Co. Survey, Upton County, Texas, described as follows:

2009-0122-SHEET 1 OF 2

EXHIBIT A



Calculated SWc of Sec. 46, Blk. "Y" M.K. & T. R.R. Co Survey from which the NEc of Sec. 50, Blk. "Y" bears N 75°25'13\"/>

NOTE:

1) Plane Coordinates and Bearings shown hereon are Lambert Grid and Conform to the "Texas Coordinate System", Texas Central Zone, North American Datum of 1927. Distances shown hereon are mean horizontal Grid values.

2) See information filed in the office of this Surveyor which describes the reconstruction of this Section.

NOTE: Companion Plat T:\JEFF COON\DWGS\Conoco\09-0122PLAT.dwg is filed in the office of this surveyor and further described the reconstruction of this lot.

LEGEND

- o - Denotes Set 1/2" Iron Rod w/cap
- ⊙ - Denotes Calculated Section Corner
- D.R.U.C.T. - Denotes Deed Records of Upton County, Texas



I hereby certify that this plat was made from notes taken in the field in a bona fide survey made under my supervision.

Dated this the 26TH day of March, 2009  
 Revision Date: the 26TH day of June, 2009  
 MARCUS L. HOSTAS TEXAS R.P.L.S. No. 5643

- MACON McDONALD TEXAS R.P.L.S. No. 4398
- R. CRAIG ALDERMAN TEXAS R.P.L.S. No. 5285
- MAX W. RICHARDSON TEXAS R.P.L.S. No. 3506
- J. FRANK NEWMAN TEXAS R.P.L.S. No. 5011

WEST COMPANY OF MIDLAND, INC.

110 W. LOUISIANA AVE. STE. 110  
 MIDLAND TEXAS, 79701  
 (432) 687-0865 - FAX: (432) 687-0868

© COPYRIGHT 2009 ALL RIGHTS RESERVED

LEGAL DESCRIPTION

LEGAL DESCRIPTION of a 1.36 acre tract of land situated in the southwest quarter of Section 46, Block "Y", M.K. & T. R.R. Co. Survey, Upton County, Texas out of that certain tract of land as described in that certain deed from The Atchison, Topeka and Santa Fe Railway Company ("Santa Fe") to South Orient Rural Rail Transportation District, a rural rail transportation district organized under the laws of Texas ("SORRTD") to the State of Texas, acting by and through the Texas Department of Transportation (TXDOT) filed of record in Volume 585, Page 314, Deed Records, Upton County, Texas. Subject tract being more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of the herein described tract a set 1/2 inch iron rod with plastic cap marked "West Co. Midland" from which the Southwest corner of said Section 46 bears S 65°07'27" W a distance of 2016.00 feet and from said Southwest corner a set stone found for the Northeast corner of Section 50, Block "Y" bears N 75°25'13" E, a distance of 5301.2 feet and N 75°29'53" E, a distance of 5301.8 feet;

THENCE N 14°18'11" W a distance of 139.6 feet to the Northwest corner of the herein described tract a point in the North line of said (TXDOT) tract;

THENCE N 75°25'19"E with the north line of said (TXDOT) tract at a distance of 422.1 feet to the Northeast corner of the herein described tract a point in the west line of that certain road easement as described in the deed from Kansas City, Mexico and Orient Railway Company of Texas to Phillips Petroleum Company filed of record in Volume 181, page 364, Deed Records, Upton County, Texas;

THENCE S 13°55'40"E with the West line of said road easement a distance of 141.7 feet to the Southeast corner of the herein described tract;

THENCE S 75°41'43" W across said (TXDOT) tract a distance of 421.2 to the POINT OF BEGINNING.

Subject tract having a total of 59,303.3 square feet or 1.36 acres of land more or less.

SEE SHEET 1 OF 2 FOR PLAT



I hereby certify that this plat was made from notes taken in the field in a bonafide survey made under my supervision.

Dated this the 26TH day of March, 2009  
Revision Date: this the 26TH day of June, 2009  
MARCUS L. HOSTAS TEXAS R.P.L.S. No. 5643

MACON McDONALD TEXAS R.P.L.S. No. 4398  
R. CRAIG ALDERMAN TEXAS R.P.L.S. No. 5285  
MAX W. RICHARDSON TEXAS R.P.L.S. No. 3506  
J. FRANK NEWMAN TEXAS R.P.L.S. No. 5011

T:\JEFF COON\DWGS\CONOCO\09-0122-TXDOT.dwg

© COPYRIGHT 2009 ALL RIGHTS RESERVED

WEST COMPANY OF MIDLAND, INC.

110 W. LOUISIANA AVE. STE. 110  
MIDLAND TEXAS, 79701

(432) 687-0865 - FAX: (432) 687-0868

JCC

2009-0122-TXDOT 2 OF 2