TEXAS TRANSPORTATION COMMISSION

COMAL County

MINUTE ORDER

SAN ANTONIO District

In COMAL COUNTY, on FARM TO MARKET ROAD 1863, the State of Texas acquired certain land needed for state highway purposes by instrument recorded in Volume 106, Page 450, Deed Records of Comal County, Texas.

The Texas Transportation Commission (commission) approved Minute Order 112323 on June 24, 2010, authorizing the sale of surplus land. The legal description attached to the minute order included an incorrect sketch. The legal description is being corrected by this minute order to include the correct sketch, as described in Exhibit A.

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

NOW, THEREFORE, IT IS ORDERED that Minute Order 112323 be amended only with respect to the incorrect legal description attached to that minute order, and all other provisions of Minute Order 112323 are to remain unchanged.

FURTHER, the commission 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 Shelley King Minus and husband, Stephen Minus; 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

112504 NOV 18 10

Minute Number | Date Passed

CONTROL: 0470
HIGHWAY: F.M. 1863
COUNTY: COMAL

EXHIBIT A

PROPERTY DESCRIPTION FOR TRACT 2
A 0.001 OF AN ACRE

A 0.001 of an acre, or 58 square feet more of less, tract of land being a portion of an existing 1.021 acre from George Ed Gesche conveyed to the State of Texas in Right-of-Way Deed recorded in Volume 106, Page 450 of the Deed Records of Comal County Texas, dated June 23, 1955. Said 0.001 of an acre tract being more fully described as follow, with bearings based on a retracement survey of F.M. 1863, Comal County, Texas, Control #0470 Section 01, Job #016;

BEGINNING: At a 1/2" iron pin with cap stamped "HMT PROP. COR." found in the existing North line of F.M. Highway 1863, said point being in the Southwesterly line of a 2.055 acre tract described in Document No. 200506013588 of the Official Public Records of Comal County, Texas, said point also being in the South line of 16.95 acre tract of land described in Volume 274, Page 21 of the Deed Records of Comal County, Texas for the Northwest corner of this herein described tract and the Point of Beginning;

1) **THENCE:** Along the existing North line of F.M. Highway 1863, N 84° 38' 28" E, a distance of 29.96 feet to a point being in the Northeasterly line of said 2.055 acre tract, Southwesterly line of an 18.025 acre tract described in Document No. 200506013589 of the Official Public Records of Comal County, Texas, for the Northeast corner of this herein described tract;

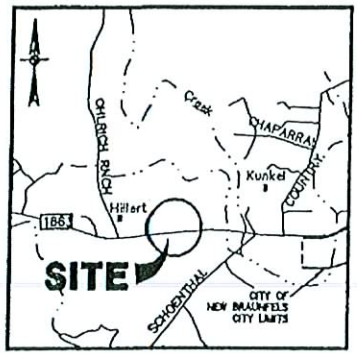
2) **THENCE:** Leaving the North line of F.M. Highway 1863, S 39° 53' 30" E, a distance of 2.48 feet to a to a point for the Southeast corner of this herein described tract;

3) **THENCE:** Across a portion of F.M. Highway 1863, S 85° 04' 19" W, a distance of 30.29 feet to a point for the Southwest corner of this herein described tract;

4) **THENCE:** Along the Southwesterly line of said 2.055 acre tract, N 36° 04' 32" W, a distance of 2.11 feet to the POINT OF BEGINNING, and containing 0.001 of an acre in Comal County, Texas. Said tract being described in accordance with an exhibit prepared by HMT Engineering & Surveying.;

PREPARED BY: HMT Engineering & Surveying
JOB NO.:
DATE: April 22, 2010
DOC. I.D.: S:\INTELLI-2009\08682-Ohlrich\DOC\0.001 Acres- MB.doc

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
5348
PROFESSIONAL
LAND SURVEYOR



LOCATION MAP

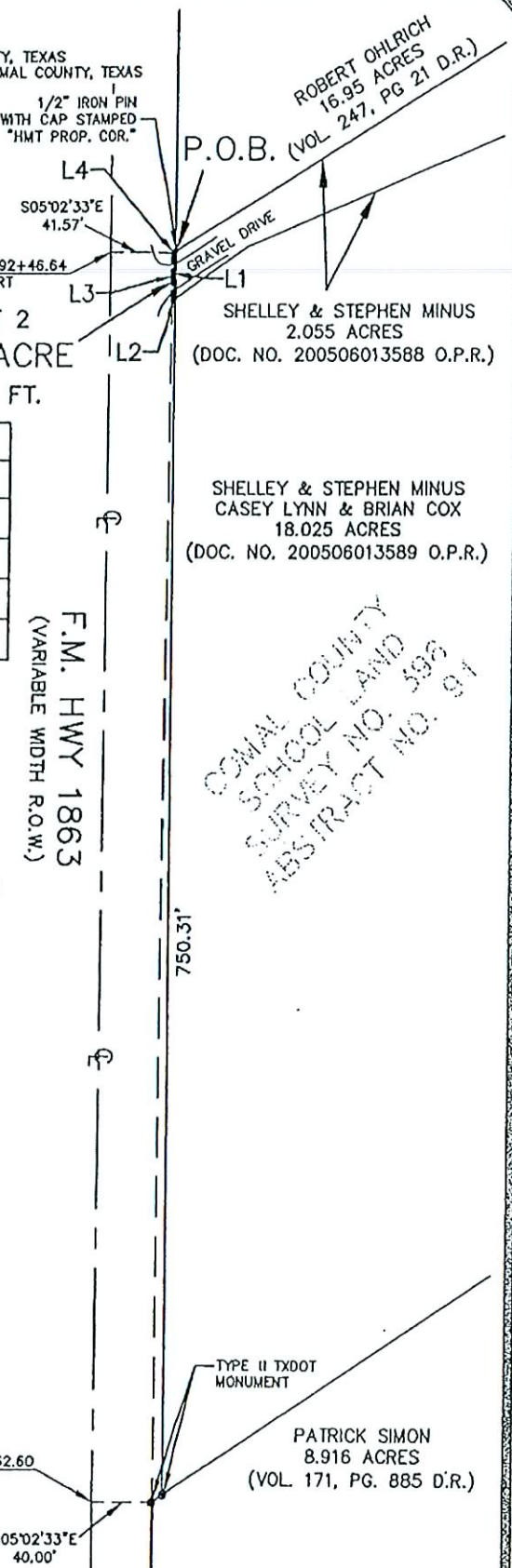
SCALE: NTS

DEED/PLAT REFERENCES:

D.R. DEED RECORDS OF COMAL COUNTY, TEXAS
O.P.R. OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS

NOTES:

1. THE BEARING IS BASED ON A RETRACEMENT SURVEY OF F.M. 1863, COMAL COUNTY, TEXAS, CONTROL #0470, SECTION 01, JOB #106.
2. THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A PROPERTY DESCRIPTION.



LINE TABLE		
LINE	LENGHT	BEARING
L1	29.96'	N84°38'28"E
L2	2.48'	S39°53'30"E
L3	30.29'	S85°04'19"W
L4	2.11'	N36°04'32"W

SCALE: 1"=100'

0' 100' 200'

SKETCH TO ACCOMPANY DESCRIPTION

BEING A RELEASE OF A 0.001 ACRE (58 SQ. F.T), BEING A PORTION OF AN EXISTING 1.021 ACRE RIGHT-OF-WAY TAKING RECORDED IN VOLUME 106, PAGE 450 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, RELEASED PORTION REFEREED TO AS TRACT 1.

BEING A 0.001ACRE (OR 58 SQUARE FEET MORE OR LESS) OF LAND SITUATED IN THE COMAL COUNTY SCHOOL LAND SURVEY NO. 296, ABSTRACT NO. 94, COMAL COUNTY TEXAS, BEING PART OF A 1.021 ACRE TRACT OF LAND FROM GEORGE ED GESCHE CONVEYED TO THE STATE OF TEXAS IN RIGHT-OF-WAY DEED RECORDED IN VOLUME 106, PAGE 450 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, DATED JUNE 23, 1955.

STATE OF TEXAS
REGISTERED
DREW A. MAWYER
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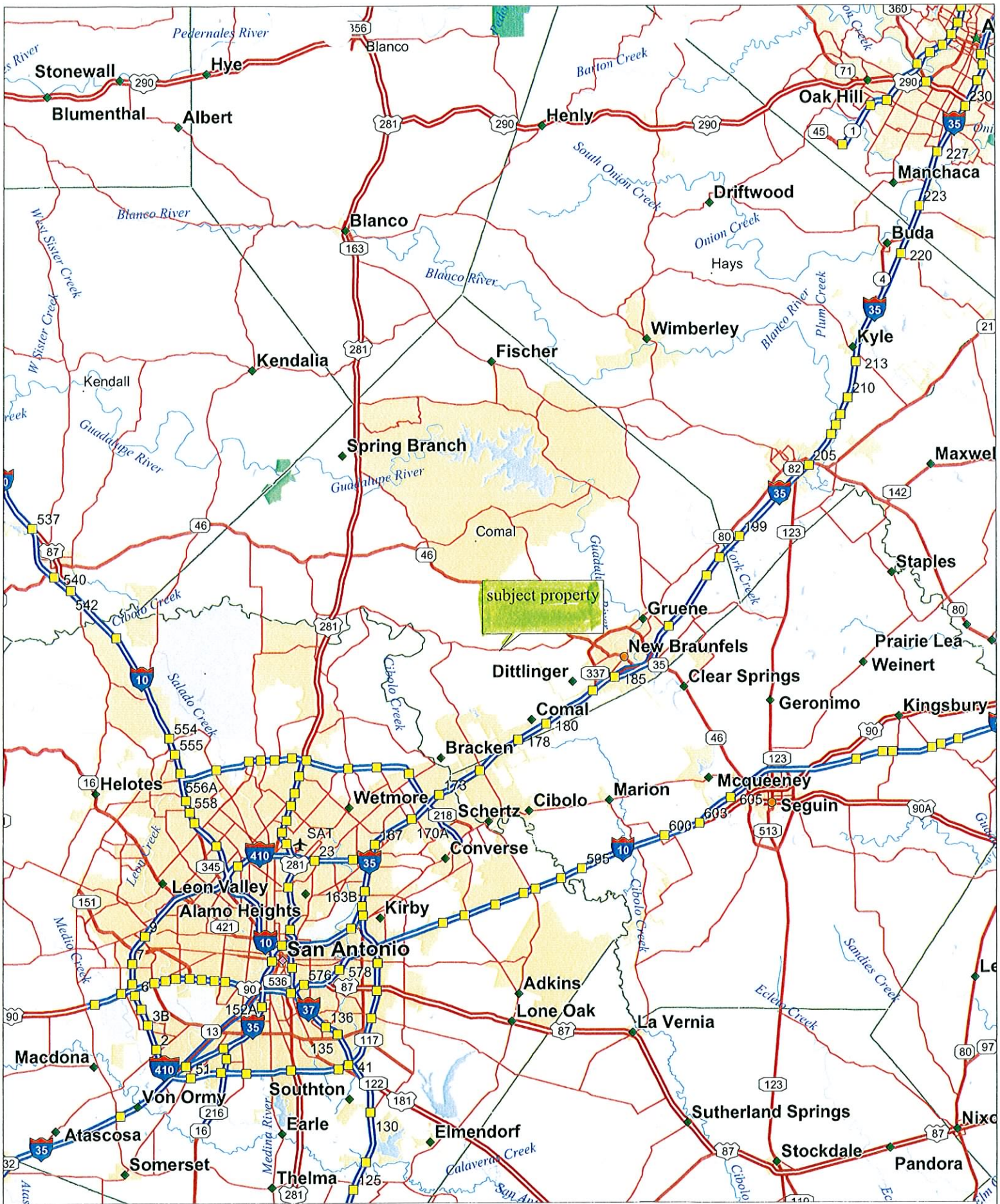

Area Location Map

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