

TEXAS TRANSPORTATION COMMISSION

COOKE County

MINUTE ORDER

Page 1 of 1

WICHITA FALLS District

In the city of Gainesville, COOKE COUNTY, on FARM TO MARKET ROAD 1306, the State of Texas acquired certain land for state highway purposes by instruments recorded in Volume 194, Page 491, and Volume 195, Page 218, Deed Records of Cooke County, Texas.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended, as shown in Exhibit A, that a segment of FM 1306 be removed from the state highway system and that control, jurisdiction and maintenance be transferred to the city.

A portion of the land (surplus land), described in Exhibit B, 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 transfer to the city.

The fair value of the surplus land has been determined to be \$100,946, and the cost of future maintenance over the next 20 years is estimated to be \$135,003.

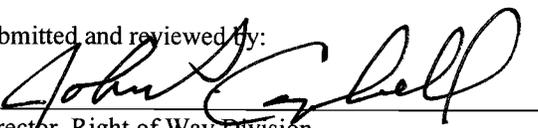
The city has requested that the surplus land be transferred to the city.

The commission finds \$100,946 to be a fair and reasonable value of the state's rights, title and interest in the surplus land.

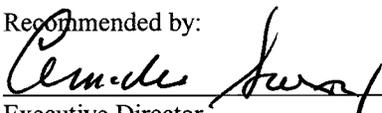
IT IS THEREFORE ORDERED by the commission that a segment of FM 1306 is removed from the state highway system.

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 land to the City of Gainesville, Texas, in consideration of the savings to the state of future maintenance costs; 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:

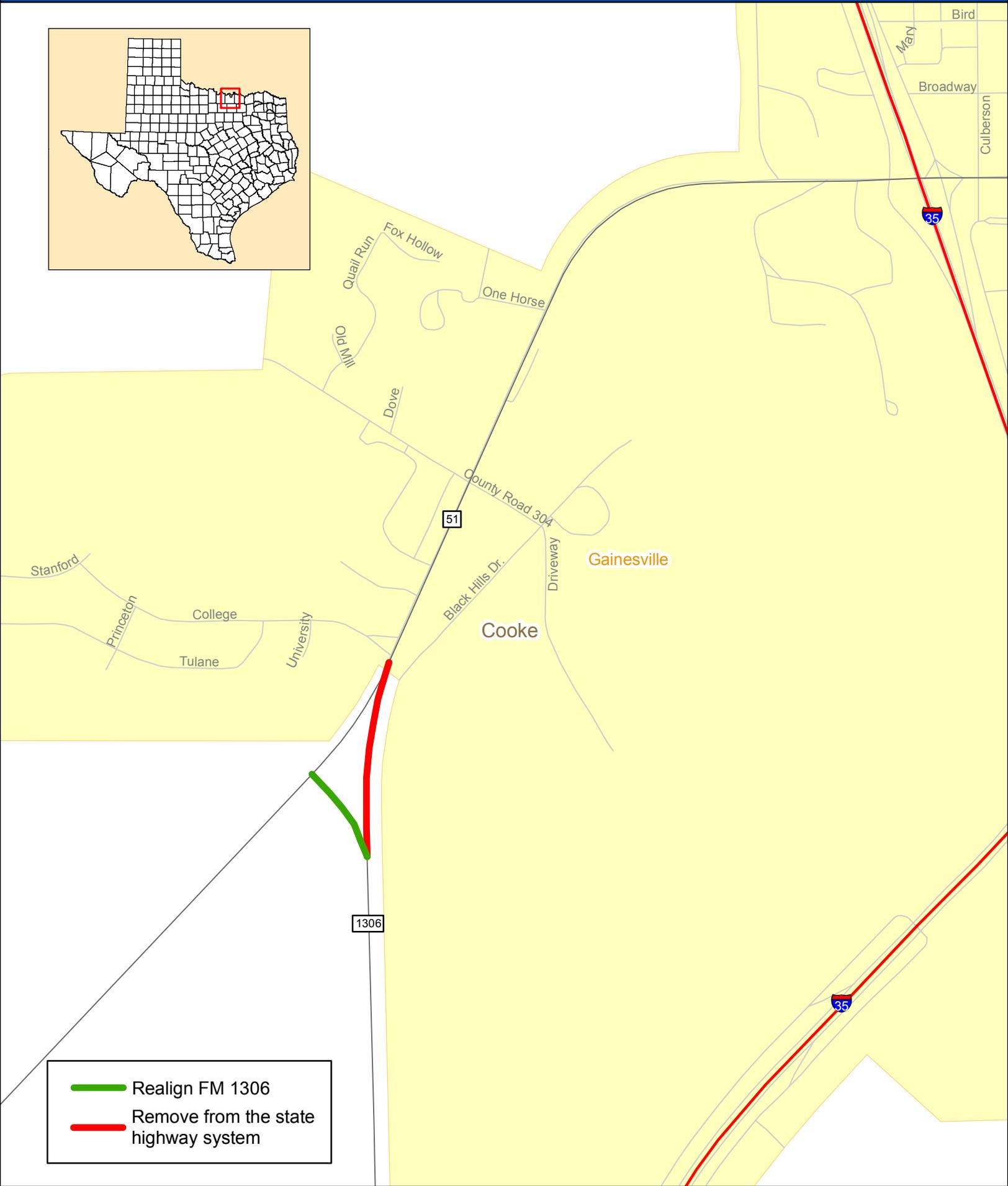
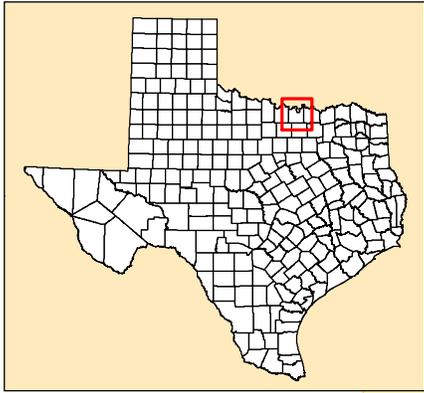
  
Director, Right of Way Division

Recommended by:

  
Executive Director

112505 NOV 18/10

Minute Number      Date Passed



-  Realign FM 1306
-  Remove from the state highway system



EXHIBIT B

County: Cooke Page 1 of 4  
Highway: Blackshill Drive  
ROW CSJ No.: 0195-05-009  
Station: From: 10+24.07  
To: 20+72.85

FIELD NOTES – TRACT 2

BEING 2.015 ACRES OF LAND, MORE OR LESS, OUT OF THE ERASTUS YEAMAN SURVEY, ABSTRACT NO. 1173, AND THE P.O. PITMAN SURVEY, ABSTRACT NO. 1210, SAME BEING A PORTION OF FM HIGHWAY 1306, SAID 2.015 ACRES OF LAND, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found at the intersection of the proposed east right of way line of Blackshill Drive and the existing east right of way line of FM Highway 1306, same being the northwest corner of that certain tract of land conveyed to Gainesville Western Hills, LP, by deed recorded in Volume 1417, Page 637 of the Deed Records, Cooke County, Texas, and the southeasterly corner of that certain tract of land conveyed to Gainesville Tuscany Villas, LP, by deed recorded in Volume 1442, Page 680 of the Deed Records, Cooke County, Texas, said beginning point also being 39.87 feet easterly of and at right angles to centerline survey station 16+83.00 of said Blackshill Drive, same being the beginning of a curve to the left, whose center bears South 71°29'05" East, a distance of 1,018.87 feet;

- (1) Thence in a southerly direction, along said existing east right of way line, with said curve, through a central angle of 19°08'55", a distance of 340.51 feet to a 1/2 inch iron rod found at its end for a corner in the west line of said Gainesville Western Hills, L.P. tract;
- (2) Thence South 00°41'01" East, continuing along said existing east right of way line, at 208.49 feet passing a Type I right of way monument found, and continuing in all a distance of 469.47 feet to a 3 inch brass disk stamped "TXDOT" set in concrete on the proposed easterly line of FM Highway 1306, same being the beginning of a curve to the left, whose center bears South 77°22'06" West, a distance of 760.00 feet;
- (3) Thence in a northwesterly direction, with said curve, through a central angle of 19°54'06", a distance of 263.99 feet to a 3 inch brass disk stamped "TXDOT" set in concrete on the existing west right of way line of said FM 1306;
- (4) Thence North 00°34'09" West, along said existing west right of way line, at a distance of 16.77 feet passing a Type I right of way monument found, and continuing in all a distance of 248.17 feet to a 1/2 inch iron rod found on for the beginning of a curve to the right, whose center bears South 85°44'17" East, a distance of 2,918.78 feet;

County: Cooke Page 2 of 4  
Highway: Blackshill Drive  
ROW CSJ No.: 0195-05-009  
Station: From: 10+24.07  
To: 20+72.85

- (5) Thence in a northeasterly direction, continuing along said existing west right of way line, with said curve, through a central angle of  $07^{\circ}29'19''$ , a distance of 381.49 feet to a 3 inch brass disk stamped "TXDOT" set in concrete on the proposed southeasterly right of way line of F.M. Highway 51, and being the beginning of a curve to the left, whose center bears North  $55^{\circ}11'32''$  West, a distance of 2,929.00 feet;
- (6) Thence in a northeasterly direction, along said proposed southeasterly right of way line, with said curve, through a central angle of  $06^{\circ}41'02''$ , a distance of 341.68 feet to a 3 inch brass disk stamped "TXDOT" set in concrete;
- (7) Thence North  $33^{\circ}46'58''$  East, continuing along said proposed southeasterly right of way line, a distance of 38.34 feet to a 3 inch brass disk stamped "TXDOT" set in concrete for the beginning of a curve to the left, whose center bears South  $71^{\circ}07'41''$  East, a distance of 2,818.78 feet;
- (8) Thence in a southerly direction, with said curve, through a central angle of  $08^{\circ}08'41''$ , a distance of 400.70 feet to the POINT OF BEGINNING, and containing 2.015 acres of land more or less, leaving a remainder of 0.000 acres, more or less.

NOTE: Survey sketch to accompany this legal description.

NOTE: (\*\*) The monument described and set in this call may be replaced with a TxDOT Type II right of way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor either employed or retained by TxDOT.

NOTE: Directional control is based upon NAD 83 Datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to the surface by project surface factor of 1.00012.

Surveyor of Record: Stephen H. Roberson  
Texas Registration Number: 4090  
Release date: 7-03-07



Notes:

Legal Description to accompany this survey sketch.

Bearings are based on NAD 83 Datum, Texas State Plane Coordinates, North Central Zone, with all distances and coordinates adjusted to the surface by project surface factor of 1.00012.

Scale ~ 1" = 200 Feet



# P.O. PITMAN SURVEY ABSTRACT NO. 1210

## ☉ CURVE DATA

PI STA. = 854+89.91  
 $\Delta = 19^{\circ}10'27''$  (LT)  
 R = 2864.00'  
 L = 958.45'

## ☉ CURVE DATA

PI STA. = 17+86.73  
 $\Delta = 44^{\circ}17'38''$  (RT)  
 R = 1000.00'  
 L = 773.07'

POINT OF BEGINNING

GAINESVILLE TUSCANY VILLAS, L.P.  
 VOL. 1442, PG. 660  
 D.R.C.C.T.

REVISED 08/11/2010  
 (To make consistent "BLACKSHILL DRIVE"  
 Rename "TRACT 2")

# ERASTUS YEAMAN SURVEY ABSTRACT NO. 1173

MATCH LINE SHEET 4 STA. 13+79.72

## Legend

- • 5/8" Iron rod set w/ aluminum cap stamped "TXDOT" or other object as noted
- • Marker found "as noted"
- • "X" Cut set
- • Type II monument
- • railroad spike to be replaced with Type II monument at the end of construction
- ▲ • 60d Nail set
- P.O.B. • Point Of Beginning
- R • Property Line
- • Survey Line
- Z • Fee Hook
- ☉ • Proposed Centerline
- D.R.C.C.T. • Deed Records, Cooke County, Texas
- P.R.C.C.T. • Plat Records, Cooke County, Texas
- [ ] • Record Information



## TRACT 2

STATE OF TEXAS  
 TOTAL 2.015 ACRES  
 TAKEN 2.015 ACRES  
 REMAINDER 0.000 ACRES

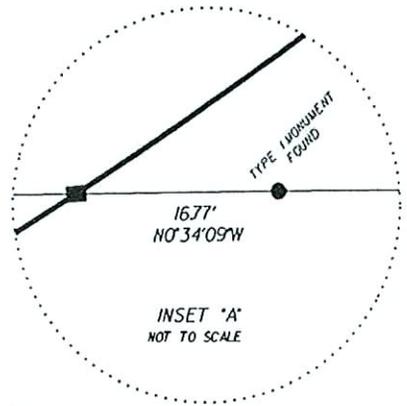
STATE	DIST.	COUNTY	
TEXAS	FTW	COOKE	
CONT.	SECT.	JOB	HIGHWAY NO.
0195	05	009	FM 1306

# T.G. MURPHY SURVEY ABSTRACT NO. 601

R.S. Rose Estate  
Vol. 88, Pg. 156  
D.R.C.C.T.

### ☉ CURVE DATA

PI STA. = 694+41.31  
Δ = 45°17'12" (LT)  
R = 700.00'  
L = 553.28'

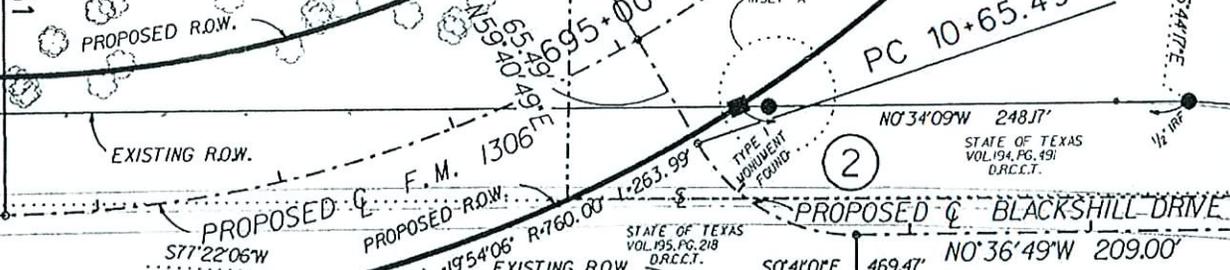


# P.O. PITMAN SURVEY ABSTRACT NO. 1210

CITY OF GAINESVILLE  
VOL. PG. CITY OF  
D.R.C.C.T. VOL. PG. DR.

MATCH LINE SHEET 3  
STA. 13+79.72

PC 691+49.31



# ERASTUS YEAMAN SURVEY ABSTRACT NO. 1173

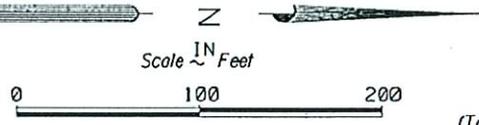
GAINESVILLE WESTERN HILLS, LP  
VOL. 1417, PG. 637  
D.R.C.C.T.

☉ CURVE DATA  
PI STA. = 11+23.57  
Δ = 60°17'38" (LT)  
R = 100.00'  
L = 58.08'

**Notes:**

Legal Description to accompany this survey sketch.

Bearings are based on NAD 83 Datum, Texas State Plane Coordinates, North Central Zone, with all distances and coordinates adjusted to the surface by project surface factor of 1.00012.



REVISED 08/11/2010  
(To make consistent 'BLACKSHILL DRIVE' Rename 'TRACT 2')

## Legend

- ⊕ • 5/8" Iron rod set w/ aluminum cap stamped "TxDOT" or other object as noted
- • Marker found "as noted"
- ⊙ • "X" Cut set
- • Type II monument
- • railroad spike to be replaced with Type II monument at the end of construction
- ▲ • 60d Nail set
- P.O.B. • Point Of Beginning
- Property Line
- Survey Line
- Fee Hook
- Proposed Centerline
- D.R.C.C.T. • Deed Records, Cooke County, Texas
- P.R.C.C.T. • Plat Records, Cooke County, Texas
- [ ] • Record Information



## TRACT 2

STATE OF TEXAS  
TOTAL 2.015 ACRES  
TAKEN 2.015 ACRES  
REMAINDER 0.000 ACRES



STATE	DIST.	COUNTY	
TEXAS	FTW	COOKE	
CONT.	SECT.	JOB	HIGHWAY NO.
0195	05	009	FM 1306