

TEXAS TRANSPORTATION COMMISSION

NUECES County

MINUTE ORDER

Page 1 of 1

CORPUS CHRISTI District

In NUECES COUNTY, on STATE HIGHWAY 361, the State of Texas acquired certain land for highway purposes by instrument recorded in Volume 804, Page 569, Deed Records of Nueces County, Texas.

A portion of the land (surplus land), described in Exhibit A, 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.

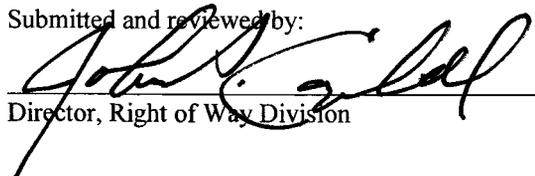
The fair value of the surplus land has been determined to be \$77,300, and the cost of future maintenance over the next 20 years is estimated to be \$140,000.

Nueces County has requested that the surplus land be transferred to the county in consideration of the savings to the state of future maintenance costs, since the future maintenance costs exceed the value of the surplus land.

The commission finds \$77,300 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 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 Nueces County, 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

112461 SEP 30 10

Minute
Number

Date
Passed

February 18, 2010

183-09050

EXHIBIT A

Field Notes for Surplus Right of Way Tract 1

Field notes of a 4.497 acre tract (Tract 1), more or less, lying northeast of State Highway 361 and approximately 2.5 miles southeast of the City Hall in Aransas Pass and being out of the Aransas Pass Channel and Dock Company Survey No. 651, Nueces County, Texas. Said 4.497 acre tract being out of and a part of the northeast side of said 209.531 acre tract acquired by the State of Texas, for highway right of way, from Road District No. 4, Nueces County, Texas, by Quitclaim Deed filed for record March 12, 1958, and recorded in Volume 804, Pages 569-573, Deed Records of Nueces County, Texas, and said 4.497 acre tract is more particularly described by metes and bounds as follows:

BEGINNING at concrete right of way monument found at Engineer's centerline STA 144+15.50 for the point of curvature of a curve to the right, the north right of way of said State Highway 361, the north right of way of said 209.531 acre tract and south right of way of an 80 foot county road for the POINT OF BEGINNING and northwest corner of this 4.497 acre tract and said concrete monument found is 210.00 feet northeast of and parallel to the centerline of said State Highway 361, whence a concrete right of way monument found in the south right of way of said State Highway 361 bears S 15°17'W, a distance of 423.3 feet;

THENCE S 74°43'00" E along the south right of way of said 80 foot county road, the north right of way of said State Highway 361 and the north right of way of said 209.531 acre tract, at 500.00 feet pass a 5/8" iron rod with a cap set for reference point, at 845.00 feet pass a 5/8" iron rod with a cap set for a reference point, in all a distance of 1003.13 feet to a 5/8" iron rod with a cap set for an angle corner of said 209.531 acre tract and an angle corner of this 4.497 acre tract;

THENCE S 66°38'02" E along the south right of way of said 80 foot county road, the north right of way of said State Highway 361 and the north right of way of said 209.531 acre tract, a distance of 142.24 feet to a 5/8" iron rod with cap set for an angle corner of said 209.531 acre tract and an angle corner of this 4.497 acre tract;

THENCE S 52°38'58" E along the south right of way of said 80 foot county road, the north right of way of said State Highway 361 and north right of way of said 209.531 acre tract, a distance of 142.24 feet to a 5/8" iron rod with cap set for an angle corner of said 209.531 acre tract and an angle corner of this 4.497 acre tract;

THENCE S 44°34'00" E along the south right of way of said 80 foot county road, the north right of way of said State Highway 361 and the north right of way of said 209.531 acre tract, a distance of 646.31 feet to a submerged corner in the Morris and Cummings Cut for an angle corner of said 209.531 acre tract and an angle corner of this 4.497 acre tract;

THENCE S 44°32'00" E along the south right of way of said 80 foot county road, the north right of way of said State Highway 361 and north right of way of said 209.531 acre tract, a distance of 23.54 feet to a submerged corner in the southeast city limit line of the City of Aransas Pass and east side of the Morris and Cummings Cut for the northeast corner of this 4.497 acre tract;

THENCE S 45°20'52" W, a distance of 94.75 feet to a submerged corner and east side of the Morris and Cummings Cut for the southeast corner of this 4.497 acre tract;

THENCE N 52°29'00" W along the south line of this 4.497 acre tract, at 495.82 feet set a 5/8" iron rod with cap for a reference point on the west side of the Morris and Cummings Cut, in all a distance of 695.82 feet to a 5/8" iron rod with cap set for the point of tangency of a curve to the left, with a radius of 3074.79', a deflection angle of 2°14'25" and a length of curve of 120.22 feet for an inside corner of this 4.497 acre tract;

THENCE in a northwesterly direction along said curve to the left, a distance of 120.22 feet to a 5/8" iron rod with cap set for an angle corner of this 4.497 acre tract;

THENCE S 34°20'41" W, a distance of 26.51 feet to a 5/8" iron rod with cap set for an angle corner of this 4.497 acre tract;

THENCE N 55°39'19" W, a distance of 100.00 feet to a 5/8" iron rod with cap set for an angle corner of this 4.497 acre tract;

THENCE N 34°20'41" E, a distance of 26.51 feet to a 5/8" iron rod with cap set for an angle corner of a curve to the left, with a radius of 3074.79 feet, a deflection angle of 18°07'47" and a length of curve of 972.93 feet for the southwest corner of this 4.497 acre tract, whence the radius point of said curve bears S 33°24'47" W, a distance of 3074.79 feet;

THENCE in a northwesterly direction along said curve to the left, a distance of 972.93 feet to the POINT OF BEGINNING and containing 4.497 acres, more or less.

This field notes description is accompanied by a survey drawing of a 4.497 acre tract, dated February 18, 2010.

I, Michael Haas, Licensed State Land Surveyor of Texas, do hereby certify that this description is based on an actual survey made on the ground, under my supervision, this the 18th day of February 2010.

Michael Haas

Licensed State Land Surveyor



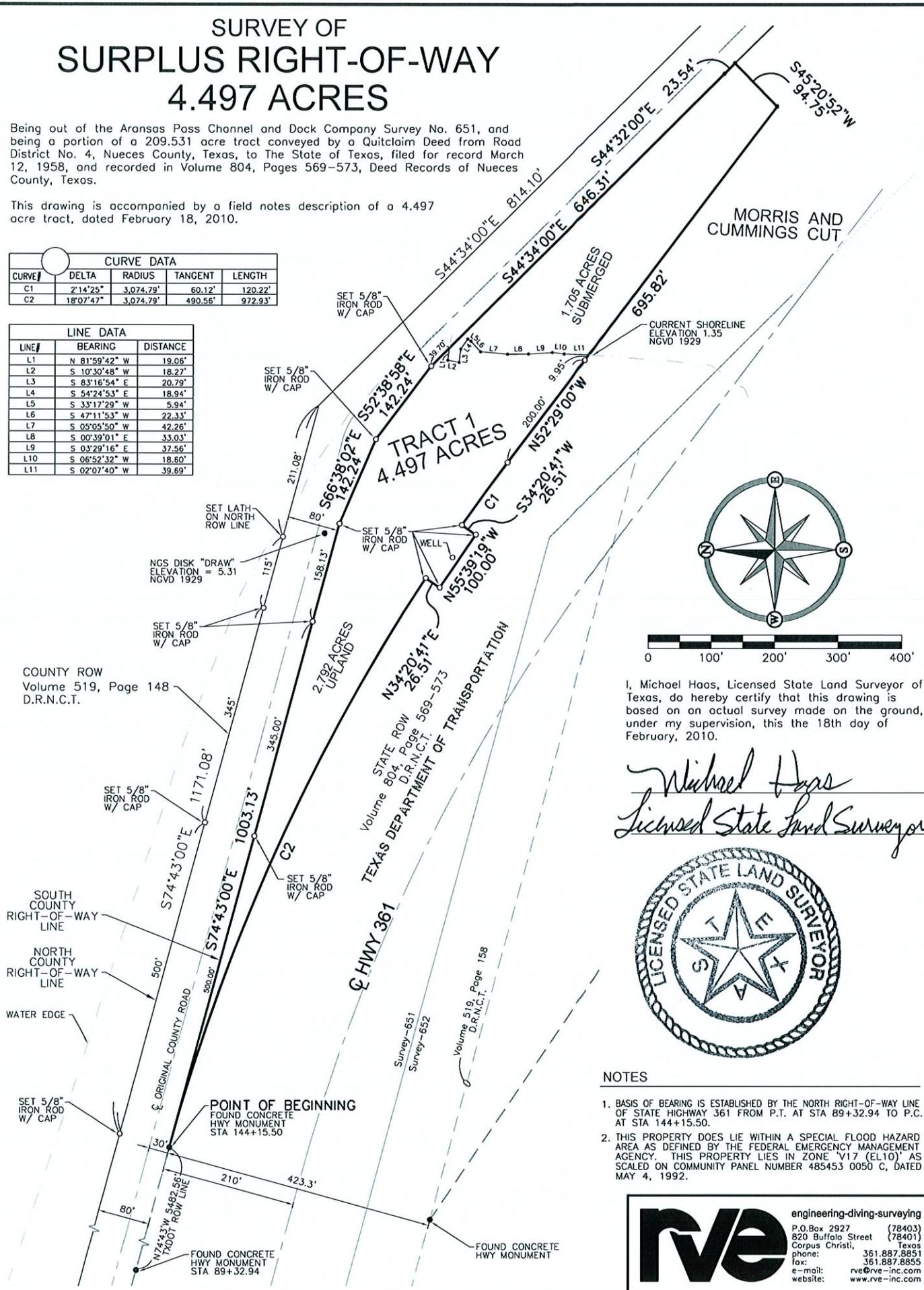
SURVEY OF SURPLUS RIGHT-OF-WAY 4.497 ACRES

Being out of the Aransas Pass Channel and Dock Company Survey No. 651, and being a portion of a 209.531 acre tract conveyed by a Quitclaim Deed from Road District No. 4, Nueces County, Texas, to The State of Texas, filed for record March 12, 1958, and recorded in Volume 804, Pages 569-573, Deed Records of Nueces County, Texas.

This drawing is accompanied by a field notes description of a 4.497 acre tract, dated February 18, 2010.

| CURVE DATA | | | |
|------------|-----------|-----------|---------|
| CURVE# | DELTA | RADIUS | LENGTH |
| C1 | 2°14'25" | 3,074.79' | 60.12' |
| C2 | 18°07'47" | 3,074.79' | 490.56' |

| LINE DATA | | |
|-----------|---------------|----------|
| LINE# | BEARING | DISTANCE |
| L1 | N 81°59'42" W | 19.06' |
| L2 | S 10°30'48" W | 18.27' |
| L3 | S 83°16'54" E | 20.79' |
| L4 | S 54°24'53" E | 18.94' |
| L5 | S 33°17'29" W | 5.94' |
| L6 | S 47°11'53" W | 22.33' |
| L7 | S 05°05'50" W | 42.26' |
| L8 | S 00°39'01" E | 33.03' |
| L9 | S 03°29'16" E | 37.56' |
| L10 | S 06°52'32" W | 18.60' |
| L11 | S 02°07'40" W | 39.69' |



I, Michael Haas, Licensed State Land Surveyor of Texas, do hereby certify that this drawing is based on an actual survey made on the ground, under my supervision, this the 18th day of February, 2010.

Michael Haas
 Licensed State Land Surveyor



- NOTES**
1. BASIS OF BEARING IS ESTABLISHED BY THE NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 361 FROM P.T. AT STA 89+32.94 TO P.C. AT STA 144+15.50.
 2. THIS PROPERTY DOES LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. THIS PROPERTY LIES IN ZONE 'V17 (EL10)' AS SCALED ON COMMUNITY PANEL NUMBER 485453 0050 C, DATED MAY 4, 1992.

rve engineering-diving-surveying
 P.O. Box 2927 (78403)
 820 Buffalo Street (78401)
 Corpus Christi, Texas
 phone: 361.887.8851
 fax: 361.887.8855
 e-mail: rve@rve-inc.com
 website: www.rve-inc.com

RVE NAME: R:\CLIENTS\NUECES COUNTY- 183\09050 Survey of Bl's Marina Site for Nueces County\CAD\Surplus ROW 4c 2-16-10.dwg DW DATE: 17 FEB 2010 TIME: 15:07