

TEXAS TRANSPORTATION COMMISSION

VICTORIA County

MINUTE ORDER

Page 1 of 1

YOAKUM District

In VICTORIA COUNTY, on US 77, the State of Texas acquired certain land needed for highway purposes by instruments recorded as Instrument Nos. 200109729 and 200813666, Official Records of Victoria County, Texas.

A portion of the land (surplus land), described in Exhibit A, is no longer needed for a state highway purpose.

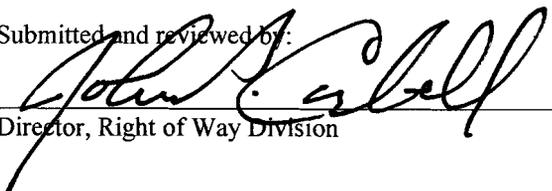
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowner.

Lydia R. Ybarra and husband, Jose Luis Ybarra, are the abutting landowners and have requested that the surplus land be sold to them for \$600.

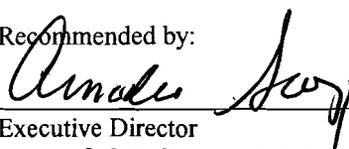
The commission finds \$600 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

NOW, THEREFORE, in accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission finds that the surplus land is no longer needed for a state highway purpose and that the value of the surplus land is less than \$10,000 and authorizes the executive director to execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to Lydia R. Ybarra and husband, Jose Luis Ybarra, for \$600; 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

112462 SEP 30 10

Minute Number Date Passed

EXHIBIT "A"

THE STATE OF TEXAS}
COUNTY OF VICTORIA}

Being a 0.12 acre (5,087 Sq. Ft.) tract of land situated in the I.R.R. Company Survey No. 24, Abstract 391 in Victoria County, Texas, said 0.12 acre tract being a portion of State Highway 77 right-of-way as conveyed from Marilyn B. Hamman, et vir to the State of Texas as recorded in Official Records Instrument # 200109729 of said county, and the Southeast One-Half (SE ½) of a 0.13 acre roadway abandonment (Brady Road) as recorded in Official Records Instrument # 200813666 of Victoria county, and being described by metes and bounds as follows:

COMMENCING from a 5/8 inch diameter iron rod with yellow plastic cap stamped "Landtech Consultants" found for the northeast corner of the 0.13 acre abandoned Brady Road tract, said iron rod also being in the southeast line of a residual 5.387 acre tract of land conveyed from Mesario Rodriguez, Sr., et ux to Lydia R. Ybarra as recorded in Official Records Instrument # 200509365 of said county;

THENCE, South 35°10'56" West, with the southeast line of the 0.13 acre abandoned Brady Road tract, a distance of 65.84 feet to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for the northeast corner of the herein described tract, said iron rod being in the southeast line of T & N.O. Railroad Company Survey No. 13, Abstract 475, the northwest line of the I.R.R. Company Survey No. 24, Abstract 391, the center of the 0.13 acre abandoned Brady Road tract, and the fieldnote **POINT OF BEGINNING**;

THENCE, South 35°12'22" West, with the southeast line of the 0.13 acre abandoned Brady Road tract, a distance of 64.75 feet to a 5/8 inch diameter iron rod with yellow plastic cap stamped "Landtech Consultants" found for an interior corner of the herein described tract, said iron rod also being the southeast corner of the 0.13 acre abandoned Brady Road tract;

THENCE, South 29°33'01" West, severing State Highway 77 right-of-way, a distance of 147.62 feet to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for the South corner of the herein described tract;

THENCE, North 01°41'28" West, severing State Highway 77 right-of-way, passing at a distance of 71.96 feet a 5/8 inch diameter iron rod with yellow plastic cap stamped "Landtech Consultants" found for the southwest corner of the 0.13 acre abandoned Brady Road tract, and continuing for an overall distance of 96.29 feet to a 5/8 inch diameter iron rod with yellow plastic cap stamped "CIVILCORP" set for the northwest corner of the herein described tract, said iron rod being in the southeast line of T & N.O. Railroad Company Survey No. 13, Abstract 475, the northwest line of the I.R.R. Company Survey No. 24, Abstract 391, and the center of the 0.13 acre abandoned Brady Road tract, said iron rod also being South 01°41'28" East, a distance of 24.71 feet from a 5/8 inch

diameter iron rod found for northwest corner of the 0.13 acre abandoned Brady Road tract;

THENCE, North 53°01'09" East, with the center of the 0.13 acre abandoned Brady Road tract, a distance of 141.42 feet to the **POINT OF BEGINNING, CONTAINING** within these metes and bounds 0.12 acres of land, more or less.

A survey drawing of even date herewith accompanies this legal description.

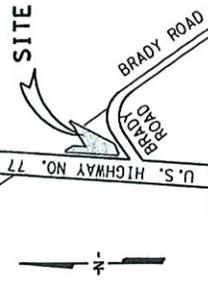
The foregoing Fieldnote Description is based on an actual survey made under my supervision in February 2010, and is true and correct to the best of my knowledge and belief.



Bennie L. Galvan
Registered Professional Land Surveyor
Texas No. 5229



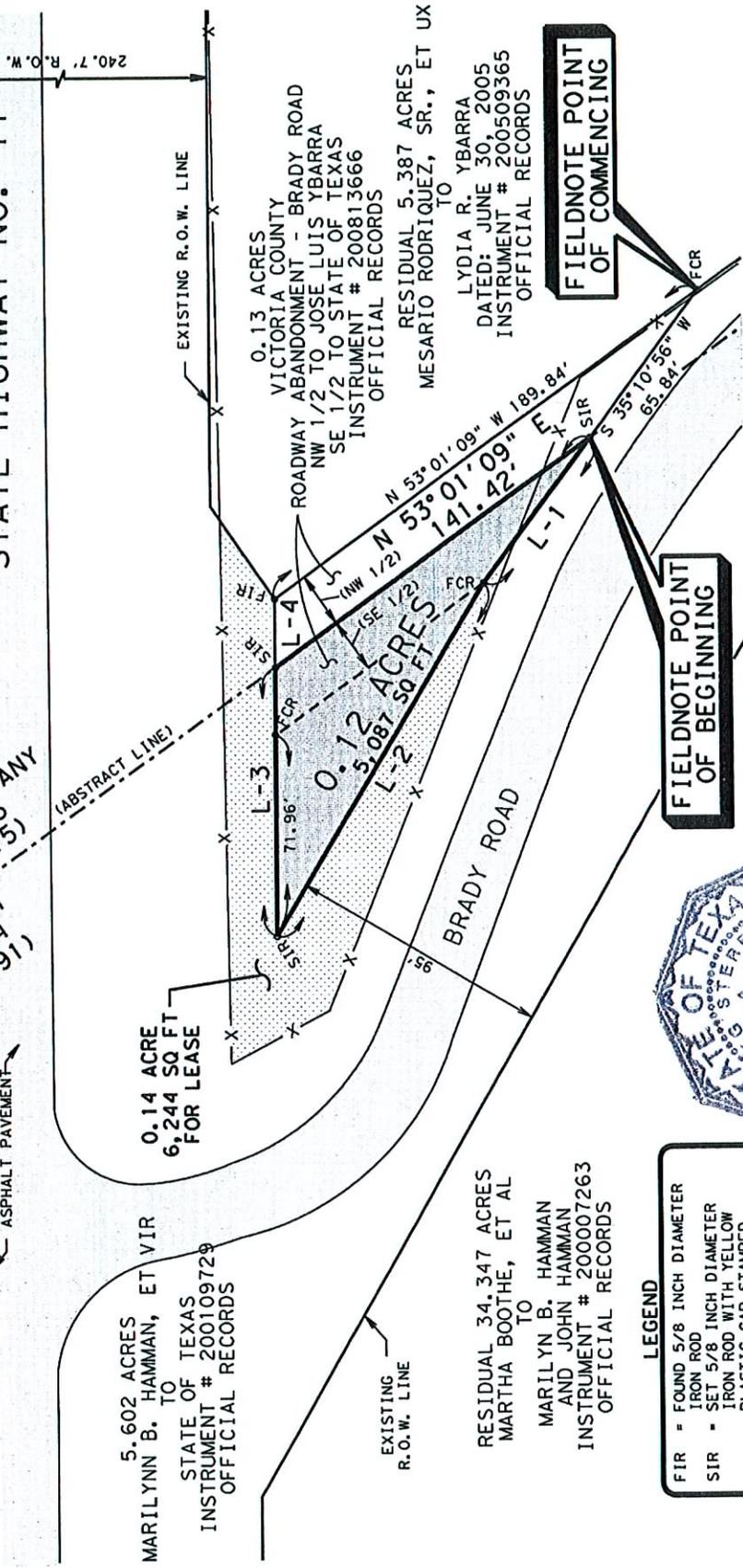
4-9-10



LINEAR DATA

L-1	= S 35°12'22" W	64.75'
L-2	= S 29°33'01" W	147.62'
L-3	= N 01°41'28" W	96.29'
L-4	= S 01°41'28" E	24.71'

STATE HIGHWAY NO. 77



T. & N.O. RR COMPANY
SURVEY NO. 13
(ABSTRACT 475)

I. R. R. COMPANY
SURVEY NO. 24
(ABSTRACT 391)

5.602 ACRES
MARILYNN B. HAMMAN, ET VIR
STATE OF TEXAS
INSTRUMENT # 200109729
OFFICIAL RECORDS

0.13 ACRES
VICTORIA COUNTY
ROADWAY ABANDONMENT - BRADY ROAD
NW 1/2 TO JOSE LUIS YBARRA
SE 1/2 TO STATE OF TEXAS
INSTRUMENT # 200813666
OFFICIAL RECORDS

RESIDUAL 5.387 ACRES
MESARIO RODRIGUEZ, SR., ET UX
TO
LYDIA R. YBARRA
DATED: JUNE 30, 2005
INSTRUMENT # 200509365
OFFICIAL RECORDS

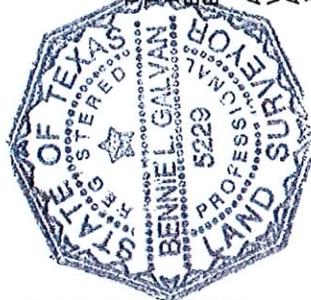
RESIDUAL 34.347 ACRES
MARTHA BOOTHE, ET AL
TO
MARILYN B. HAMMAN
AND JOHN HAMMAN
INSTRUMENT # 200007263
OFFICIAL RECORDS

LEGEND

- FIR = FOUND 5/8 INCH DIAMETER IRON ROD
- SIR = SET 5/8 INCH DIAMETER IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CIVILCORP"
- FCR = FOUND 5/8 INCH DIAMETER IRON ROD WITH YELLOW PLASTIC CAP STAMPED "LANDTECH CONSULTANTS"
- FCP = FOUND 6" FENCE CORNER POST
- X = FENCE

FIELDNOTE POINT OF BEGINNING

FIELDNOTE POINT OF COMMENCING



THE UNDERSIGNED HEREBY CERTIFIES: THAT THIS SURVEY WAS MADE ON THE GROUND ON 02/23/2010, THAT THE ONLY IMPROVEMENTS ON THE GROUND ARE AS SHOWN, THAT THERE ARE NO VISIBLE ENCROACHMENTS, OVERLAPS, PROTRUSIONS, OR VISIBLE EASEMENTS EXCEPT AS SHOWN.

ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, COMMUNITY PANEL NUMBER 480638 0010 E, MAP REVISED AUGUST 4, 1987, THE SUBJECT PROPERTY IS LOCATED IN ZONE X WHICH IN THIS CASE IS NOT A SPECIAL FLOOD HAZARD AREA.

SIGNED:
BENNIE L. GALVAN
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 5229

4-9-10

NOTE:
THE REFERENCED IS SUBJECT TO:
1. A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS SURVEY DRAWING.



Civil Corp
ENGINEERS • SURVEYORS
1501 E. MOCKINGBIRD, SUITE 406, VICTORIA, TEXAS 77904
TEL: (361)570-7500 FAX: (361)570-7501

DRAWN BY: RCM
JOB NO.: 1010043
FLD. BK. NO.: NA

DATE: 03/16/10
SCALE: 1" = 60'
SHEET 3 OF 3