

TEXAS TRANSPORTATION COMMISSION

DENTON County

MINUTE ORDER

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DALLAS District

In DENTON COUNTY, on FARM TO MARKET ROAD 423 from US 380 to 0.8 miles south of FM 2934, the Texas Department of Transportation (department) is acquiring the right of way for a highway improvement project.

V.T.C.A., Transportation Code, §201.206, authorizes the department to accept donations of real property for the purpose of carrying out its functions and duties.

V.T.C.A., Government Code, Chapter 575, requires the Texas Transportation Commission (commission) to accept a gift or donation valued at \$500 or more by majority vote at an open meeting.

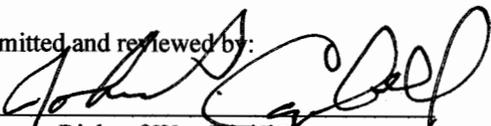
The City of Frisco (owner) is the owner of the property described in Exhibit A and wants to donate this property, estimated at \$76,722, to the department for construction of a highway improvement project.

The owner is not subject to department regulations or oversight, or interested in or likely to become interested in a contract, purchase, payment, or claim with or against the department.

A donation agreement has been executed by the owner and tendered to the department for acceptance under Title 43, Texas Administrative Code, §1.504.

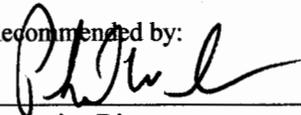
IT IS THEREFORE ORDERED by the commission that (1) the commission has determined that acceptance of this donation would provide a significant public benefit, and would not influence or reasonably appear to influence the department in the performance of its duties, and (2) the executive director is hereby authorized to accept the donation of real property, as described in Exhibit A, and the executive director or the director's designee is authorized and directed to sign and execute a donation agreement with the owner, in accordance with Title 43, TAC, §1.504.

Submitted and reviewed by:



Director, Right of Way Division

Recommended by:



Executive Director

112953 DEC 15 11

Minute Number Date Passed

COUNTY: DENTON
HIGHWAY: F.M. 423
ROW CSJ: 1315-02-010

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December 15, 2009

Description for Parcel 34

Being a 4,323 Square Foot tract of land situated in the Shahan Survey, Abstract No. 1233 in the City of Frisco, Denton County, Texas and being a portion of a tract of land conveyed to the City of Frisco, as recorded in Volume 5111, Page 3267, Deed Records, Denton County, Texas. Said 4,323 Square Foot tract being more particularly described by metes and bounds as follows:

COMMENCING at the northeast corner of said City of Frisco Tract and an interior ell corner of a tract of land conveyed to Eldorado Ranch, Ltd., as recorded in Volume 4465, Page 88, Deed Records, Denton County, Texas, from which a metal fence corner post bears North 75 Degrees 36 Minutes 10 Seconds West, a distance of 2.15 feet;

THENCE North 89 Degrees 47 Minutes 40 Seconds West, along a south line of said Eldorado Ranch, Ltd. Tract and the north line of said City of Frisco Tract, a distance of 80.40 feet to a 5/8 inch iron rod with aluminum cap stamped "TxDOT" set** for the **POINT OF BEGINNING**;

- (1) THENCE South 00 Degrees 09 Minutes 27 Seconds West, over and across said City of Frisco Tract and along the new west Right-of-Way line of F.M. No. 423, a distance of 145.43 feet to a 5/8 inch iron rod with aluminum cap stamped "TxDOT" set** for corner on the south line of said City of Frisco Tract and a north line of said Eldorado Ranch, Ltd. Tract;
- (2) THENCE South 89 Degrees 02 Minutes 59 Seconds West, along the south line of said City of Frisco Tract and a north line of said Eldorado Ranch, Ltd. Tract, a distance of 29.73 feet to a point for the southwest corner of said City of Frisco Tract and a northwest corner of said Eldorado Ranch, Ltd. Tract, said point being on the existing east Right-of-Way line of Farm to Market (F.M.) No. 423 as conveyed in deed to the State of Texas, recorded in Volume 460, Page 14, Deed Records, Denton County, Texas;
- (3) THENCE North 00 Degrees 12 Minutes 20 Seconds East, along the west line of said City of Frisco Tract and the existing east Right-of-Way line of said F.M. No. 423, a distance of 146.03 feet to a point for the northwest corner of said City of Frisco Tract and a southwest corner of said Eldorado Ranch, Ltd. Tract;
- (4) THENCE South 89 Degrees 47 Minutes 40 Seconds East, along the north line of said City of Frisco Tract and a south line of said Eldorado Ranch, Ltd. Tract, a distance of 29.60 feet to the **POINT OF BEGINNING** and containing 4,323 Square Feet of land, more or less.

COUNTY: DENTON
HIGHWAY: F.M. 423
ROW CSJ: 1315-02-010

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December 15, 2009

Description for Parcel 34

** The Monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right-of-Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Basis of Bearings is based on the Texas State Plane Coordinate System, NAD 83 (1993 Adj.) North Central Zone, all distances and coordinates shown are surface and may be converted to grid by dividing by TxDOT conversion factor of 1.000150630.

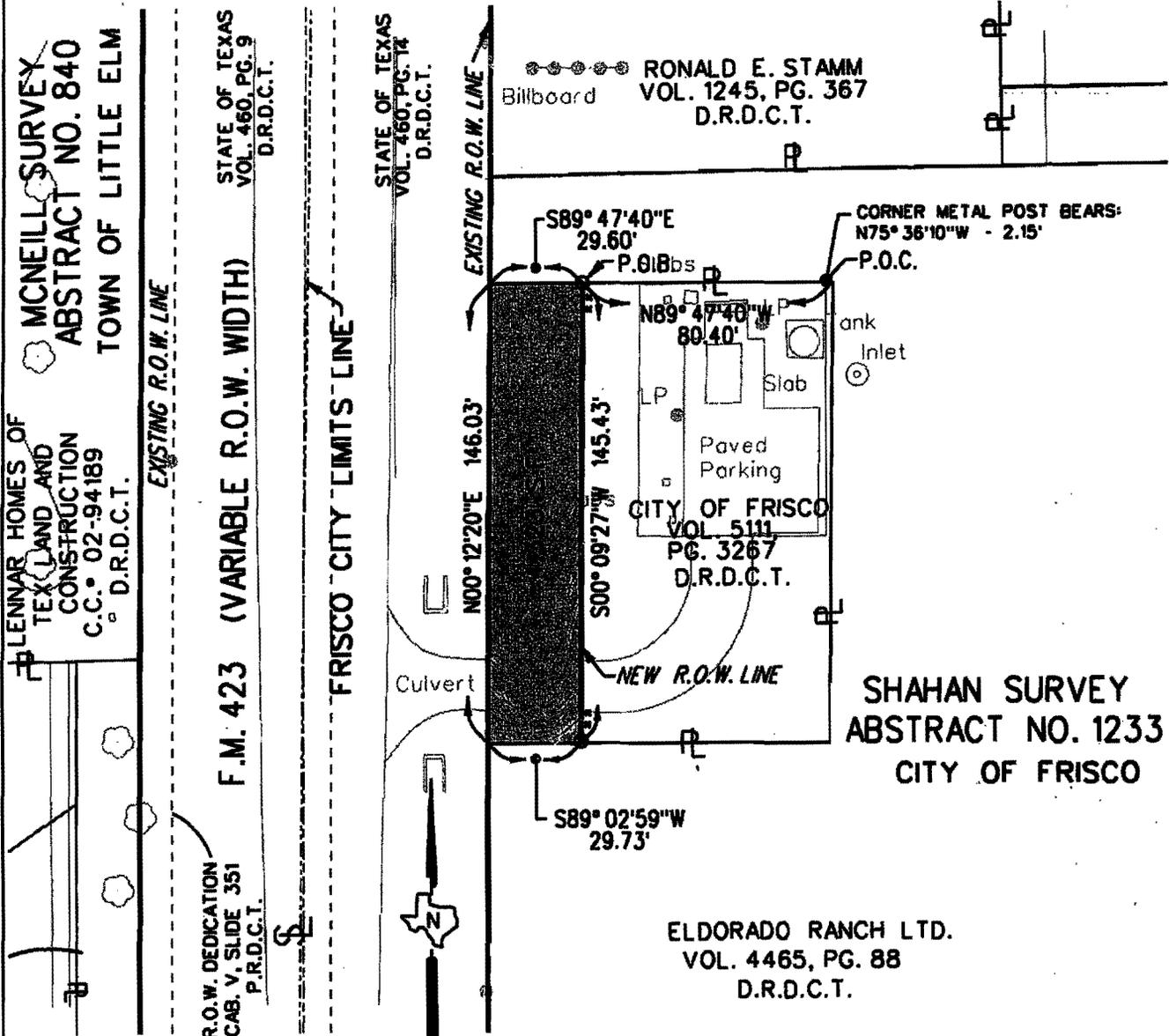
A parcel plat of even date herewith accompanies this property description.

Michael J. Baitup

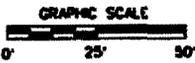
Michael J. Baitup, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 4574
Jacobs Engineering Group, Inc.
7950 Elmbrook Dr
Dallas, Texas 75429
214-638-0145



EXHIBIT "A"
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ALL BEARINGS ARE ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD. 83 (1983 adj.) NORTH CENTRAL ZONE, ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY TxDOT CONVERSION FACTOR OF 1.000150830.



LEGEND

EXISTING RIGHT OF WAY LINE	
PROPERTY LINE	
COUNTY LINE	
CONTROL OF ACCESS LINE	
SURVEY LINE	
FENCE LINE	
CITY LIMITS	
EASEMENTS	
RAILROAD	
STRUCTURE	

○ TxDOT ALUMINUM DISK SET ON TOP OF A 5/8-INCH IRON ROD UNLESS OTHERWISE NOTED

A PLAT OF A SURVEY OF
PARCEL 34
FOR F.M. NO. 423
RIGHT OF WAY CSJ: 1315-02-010
4,323 S.F. (0.099 ACRES)
TRACT OF LAND
IN THE SHAHAN SURVEY
ABSTRACT NUMBER 1233
CITY OF FRISCO
DENTON COUNTY, TEXAS
DECEMBER 2009



Michael J. Baitup
A LEGAL DESCRIPTION AND EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.