

TEXAS TRANSPORTATION COMMISSION

DALLAS County

MINUTE ORDER

Page 1 of 1

DALLAS District

In the city of Dallas, DALLAS COUNTY, on STATE HIGHWAY LOOP 12, the State of Texas acquired certain land needed for highway purposes by instrument recorded in Volume 4022, Page 463, Deed Records of Dallas County, Texas.

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.

John Malchi is the abutting landowner and has requested that the surplus land be sold to him for \$24,331.

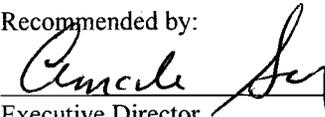
The commission finds \$24,331 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

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 conveying all of the state's rights, title and interest in the surplus land to John Malchi for \$24,331; 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

**112737 JUN 30 11**

Minute Date  
Number Passed

Highway: Loop 12  
County: Dallas

# EXHIBIT "A"

05-14-2010  
REVISED: 11-08-2010  
Page 1 of 3

0.45 ACRES / 19,465 SQ.FT. SURPLUS PROPERTY, BLOCK 1/8335,  
ARCADIA GARDENS ADDITION, VOL. 1, PG. 451, D.R.D.C.T.  
U.S. HIGHWAY 80 (W. DAVIS STREET) AND LOOP 12 (WALTON WALKER)  
JOHN HORTON SURVEY, ABSTRACT NO. 611  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being 19,465 Square Feet, or 0.45 acres in the John Horton Survey, Abstract No. 611, Inc Dallas County, Texas, being a portion of Lots 1 and 2, Block 1/8335 of Arcadia Gardens Addition, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume 1, Page 451 of the Deed Records of Dallas County, Texas, being that same tract of land conveyed to the State of Texas by deed recorded in Volume 4022, Page 463 of the Deed Records of Dallas County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod set for corner with a yellow plastic cap stamped (TXHS RPLS 5299) (typical TXHS iron rod set) at the intersection of the West right-of-way line of Tatum Avenue (50 foot R.O.W.) and the North right-of-way line of W. Davis Street (100 foot R.O.W.) having Texas State Plane grid Coordinates: North 6959393.0195, and East 2455630.8247, said point being the Southeast corner of said Lot 1, same being the Southeast corner of a tract of land conveyed to John Malchi by deed recorded in Instrument No. 20070378655 of the Official Public Records of Dallas County, Texas;

Thence South 89 Degrees 38 Minutes 00 Seconds West (Basis of Bearings, per Volume 4022, Page 463, Deed Records, Dallas County, Texas), along the North right-of-way line of said W. Davis Street, a distance of 75.41 feet (Deed 95.80 feet per Instrument No. 20070378655) to a typical 1/2 inch iron rod set for corner, from which a 1/2 inch iron rod found bears North 85 Degrees 06 Minutes 34 Seconds West, a distance of 23.97 feet, said point being the most southerly Southwest corner of said Malchi tract, same being the Southeast corner of and Point of Beginning of herein described tract, identified by deed reference as 50 feet right of chaining station 378+00;

## Call One

Thence South 89 Degrees 38 Minutes 00 Seconds West, continuing along the North right-of-way line of said W. Davis Street, a distance of 183.91 feet (Deed 182.25 feet) to the West line of said Arcadia Gardens Addition, a typical 1/2 inch iron rod set for corner, said point being the Southwest corner of herein described tract;

## Call Two

Thence North 12 Degrees 29 Minutes 48 Seconds West (North 12 Degrees 40 Minutes 00 Seconds West Deed), departing the North right-of-way line of said W. Davis Street, passing the Southeast corner of a tract of land conveyed to Dallas Legacy Investments by deed recorded in Document No. 201000111917 of the Official Public Records of Dallas County, Texas, at a distance of 4.23 feet and continuing along the East line of said Dallas Legacy Investments tract and with the West line of said Arcadia Gardens Addition, for a total distance of 102.28 feet (102.66 feet Deed) to a typical 1/2 inch iron rod set for corner, from which 1/2 inch iron rods found bear North 19 Degrees 00 Minutes 48 Seconds East, 0.81 feet and North 82 Degrees 46 Minutes 35 Seconds East, 2.31 feet, said point being the most northerly Southwest corner of said Malchi tract, and the Southeast corner of a tract of land conveyed to Dallas Legacy Investments, LP by deed recorded in Volume 2003089, Page 18103 of the Deed Records of Dallas County, Texas, and being the Northwest corner of herein described tract;

## Call Three

Thence North 89 Degrees 38 Minutes 00 Seconds East, along said Malchi tract, a distance of 205.40 feet to a typical 1/2 inch iron rod set for corner identified by deed reference as 150 feet right of chaining station 378+00, from which a 1/2 inch iron rod found bears North 87 Degrees 03 Minutes 03 Seconds West, a distance of 24.83 feet, said point being the Northeast corner of herein described tract;

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Highway: Loop 12  
County: Dallas

0.45 ACRES / 19,465 SQ.FT. SURPLUS PROPERTY, BLOCK 1/8335,  
ARCADIA GARDENS ADDITION, VOL. 1, PG. 451, D.R.D.C.T.  
U.S. HIGHWAY 80 (W. DAVIS STREET) AND LOOP 12 (WALTON WALKER)  
JOHN HORTON SURVEY, ABSTRACT NO. 611  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

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Call Four

Thence South 00 Degrees 22 Minutes 00 Seconds East, a distance of 100.00 feet to the Point of Beginning and containing 19,465 square feet or 0.45 acres of land.

  
Gary E. Johnson, R.P.L.S. 5299  
05/14/2010



Texas Heritage Surveying, LLC  
10610 Metric Drive #124  
Dallas, TX 75243  
214-340-9700

Highway: Loop 12  
County: Dallas

# EXHIBIT "A"

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REVISED: 11-08-2010  
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0.45 ACRES / 19,465 SQ.FT. SURPLUS PROPERTY, BLOCK 1/8335,

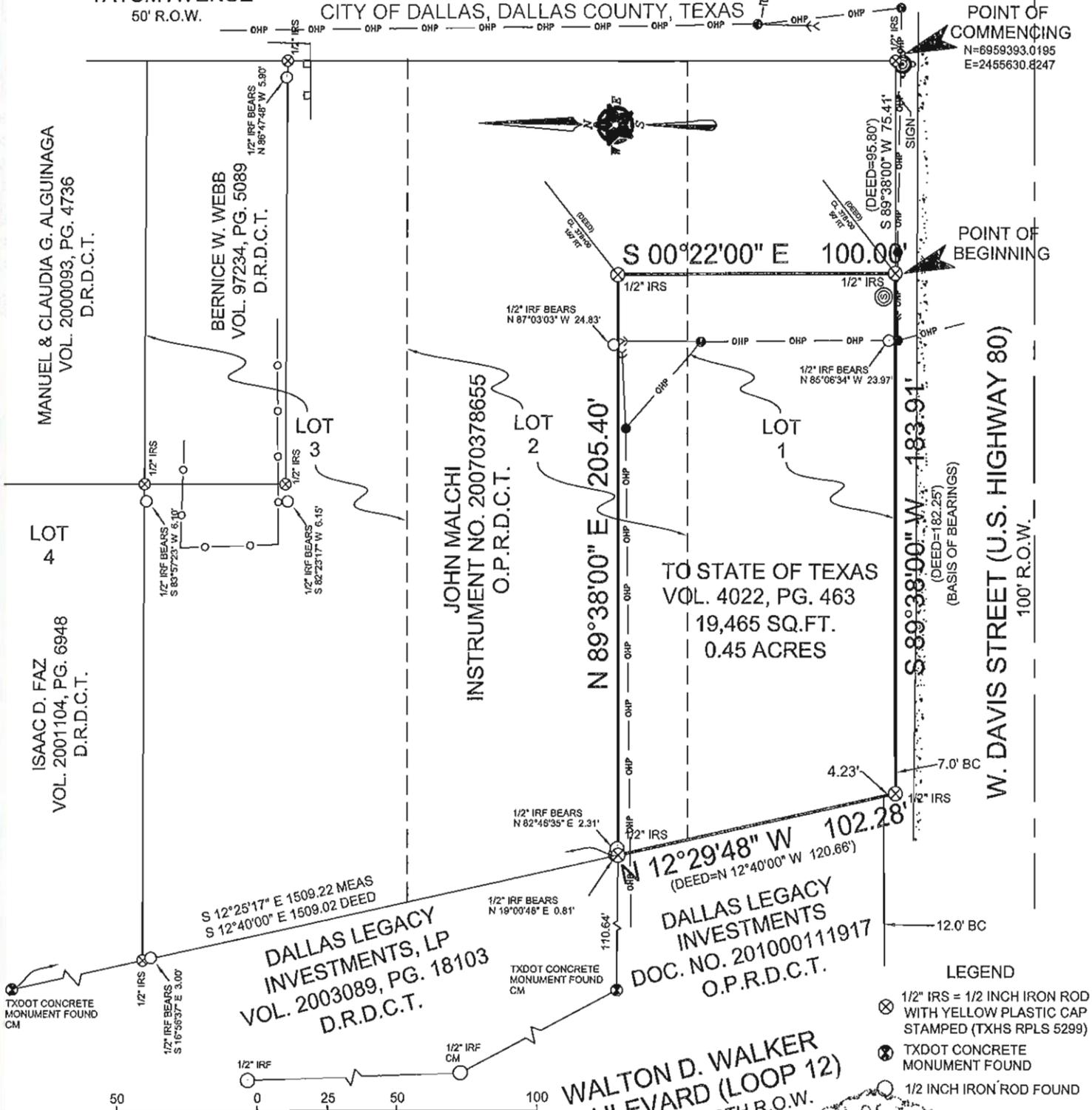
ARCADIA GARDENS ADDITION, VOL. 1, PG. 451, D.R.D.C.T.

U.S. HIGHWAY 80 (W. DAVIS STREET) AND LOOP 12 (WALTON WALKER)

TATUM AVENUE  
50' R.O.W.

JOHN HORTON SURVEY, ABSTRACT NO. 611  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

POINT OF COMMENCING  
N=6959393.0195  
E=2455630.8247



MANUEL & CLAUDIA G. ALGUINAGA  
VOL. 2000093, PG. 4736  
D.R.D.C.T.

BERNICE W. WEBB  
VOL. 97234, PG. 5089  
D.R.D.C.T.

ISAAC D. FAZ  
VOL. 2001104, PG. 6948  
D.R.D.C.T.

JOHN MALCHI  
INSTRUMENT NO. 20070378655  
O.P.R.D.C.T.

TO STATE OF TEXAS  
VOL. 4022, PG. 463  
19,465 SQ.FT.  
0.45 ACRES

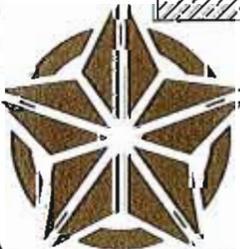
DALLAS LEGACY  
INVESTMENTS, LP  
VOL. 2003089, PG. 18103  
D.R.D.C.T.

DALLAS LEGACY  
INVESTMENTS  
DOC. NO. 201000111917  
O.P.R.D.C.T.

WALTON D. WALKER  
BOULEVARD (LOOP 12)  
VARIABLE WIDTH R.O.W.

W. DAVIS STREET (U.S. HIGHWAY 80)  
100' R.O.W.

- LEGEND
- ⊗ 1/2" IRF = 1/2 INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED (TXHS RPLS 5299)
  - ⊙ TXDOT CONCRETE MONUMENT FOUND
  - 1/2 INCH IRON ROD FOUND



## TEXAS HERITAGE SURVEYING, LLC

10610 Metric Drive, Suite 124 Dallas, TX 75243  
Office 214-340-9700 Fax 214-340-9710  
txheritage.com

