

TEXAS TRANSPORTATION COMMISSION

HOUSTON County

MINUTE ORDER

Page 1 of 1

LUFKIN District

In HOUSTON COUNTY, on STATE HIGHWAY 7, the State of Texas acquired certain land for highway purposes by instrument recorded in Volume 186, Page 122, Deed Records of Houston 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 landowners.

William Cody Wheeler is the abutting landowner and has requested that the surplus land be sold to him for \$9,035.

The commission finds \$9,035 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 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 William Cody Wheeler for \$9,035; 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

112739 JUN 30 '11

Minute
Number

Date
Passed

EXHIBIT A

Field Notes for 4.755 Acres
JOHN BOX SURVEY, A-14
Houston County, Texas

4.755 acres out of and a part of the JOHN BOX SURVEY, A-14, in Houston County, Texas, and being a part of the R.O.W. of the State Hwy. No. 7, being described in the Mrs. Ed Cully Commissioner Court Minutes, Vol. 15, Page 305 condemnation recorded in Vol. 186, Page 122 of the Houston County Deed Records, which 4.755 acres more particularly described by metes and bounds as follows:

BEGINNING on a 3 inch brass disk in concrete for R.O.W. marker, found for the North East corner of this tract and being the North East corner of the original Mrs. Ed Cully Commissioner Court Minutes, recorded in Vol. 15, Page 305 of the Condemnation and being an interior corner of the now or formerly Cody Wheeler et ux, called 432.62 acres tract, recorded in Vol. 928, Page 178 of the Official Records of Houston County, Texas, X=3908988.31, Y=10501623.78;

THENCE S 44° 42' 47" W 2773.92 feet to a found 3 inch brass disk in concrete for R.O.W. marker and also being an interior corner of the said Cody Wheeler et ux called 432.62 acres tract;

THENCE N 45° 17' 13" W 75.00 feet to a $\frac{1}{2}$ inch iron rod set for corner, same being a North West corner of the said Cody Wheeler et ux called 432.62 acres tract, and being in the South East R.O.W. of State Hwy. No. 7, found 3" brass disk in concrete for R.O.W. marker;

THENCE N 44° 42' 47" E 2749.94 feet to a found 3 inch brass disk in concrete for R.O.W. marker, same being a corner of said State Hwy. No. 7, and being a West corner of the said Cody Wheeler et ux tract;

THENCE S 63° 01' 01" E 78.74 feet to the place of beginning and containing 4.755 acres of land.

Field Notes Prepared February 25, 2011.



