

TEXAS TRANSPORTATION COMMISSION

DALLAS County

MINUTE ORDER

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DALLAS District

In the city of Dallas, DALLAS COUNTY, on STATE HIGHWAY LOOP 12, the State of Texas acquired certain land for highway purposes by instrument recorded in Volume 4051, Page 379, Deed Records of Dallas County, Texas.

The Texas Transportation Commission (commission) approved Minute Order 112136 on January 28, 2010, authorizing the sale of surplus land. The legal description attached to the minute order was incorrect. The legal description is being corrected by this minute order, as described in Exhibit A.

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

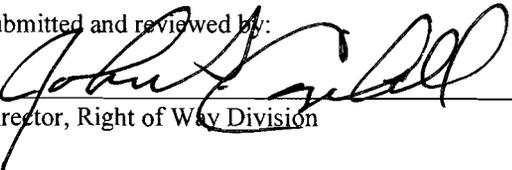
Dallas Legacy Investments is the abutting landowner and has agreed to pay an additional \$472 to the state, which is the difference between the value of the erroneous acreage and the value of the correct acreage, for the additional surplus land.

The commission finds \$472 to be a fair and reasonable value for the state's rights, title and interest in the additional surplus land.

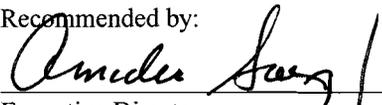
NOW, THEREFORE, IT IS ORDERED that Minute Order 112136 be amended only with respect to the incorrect legal description of the surplus land attached to that minute order and the value of the surplus land, and all other provisions of Minute Order 112136 are to remain unchanged.

FURTHER, the commission 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 Dallas Legacy Investments for an additional \$472; 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

112648 MAR 31 11

Minute Number Date Passed

Highway: LP12
County: Dallas
Control Section: 0581-02

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EXHIBIT "A"
Surplus Property, S.H. 180 and S.H. Loop 12

Being 11603 Square feet, or 0.2664 acres in the John Horton Survey, Abstract 611 in Dallas County, Texas, and being part of that tract described as Parcel # 2 in deed to the State of Texas recorded in Volume 4051, Page 379, Deed Records, Dallas County, Texas. (TXDOT Parcel 79A), being part of Dallas City Block 8333, and being a correction of that Deed Without Warranty from the State of Texas to Dallas Legacy Investments recorded in Document No. 20100011197, Official Public Records, Dallas County, Texas, and being more fully described as follows:

COMMENCING at a found TXDOT Monument (Control Monument) in the East Right of Way Line of Loop 12 for the most Northerly corner of the aforementioned Dallas Legacy tract;

THENCE South $12^{\circ} 55' 46''$ East (Bearing Reference line), passing at 1508.80 feet a found $\frac{1}{2}$ inch iron rod capped "TXHS" at the Southeast corner of the aforementioned Dallas Legacy Investments tract, a total distance of 1606.85 feet to the POINT OF BEGINNING, a $\frac{1}{2}$ inch iron rod found capped "TXHS", located within the current Right of Way of LP12 and SH 180, and being North $89^{\circ} 31' 42''$ West 184.82 feet from a $\frac{1}{2}$ inch iron rod capped "THXS" found at the Southeast corner of Lot 1 of Arcadia Gardens Addition to the City of Dallas as recorded in Volume 1, Page 451, Map Records Dallas County, Texas, and is the Southeast corner of Parcel 79A, Parcel 2, and the Southwest corner of a tract of land described as Parcel 75K in a deed to the State of Texas recorded in Volume 4022, Page 463, Deed Records, Dallas County, Texas, and being an angle point in the new Right of Way line of LP12;

Call One

Thence North $89^{\circ} 19' 30''$ West along the new Right of Way line of LP12 for a distance of 113.37 feet to a $\frac{5}{8}$ inch iron rod set and capped " Harp 2002" at the beginning of a non tangent curve to the right with a radius of 39.00 feet, and a chord of North $76^{\circ} 21' 17''$ West 22.48 feet, the center of which bears North $03^{\circ} 06' 16''$ West 39.00 feet;

Call Two

Thence Northwesterly with said curve to the right and said new Right of Way line 22.80 feet to the end of said curve.

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Call Three

Thence North 01° 41' 01" East with said new Right of Way line a distance of 88.68 feet to a found TXDOT monument (brass disc in concrete – cont. mon.) for the Northwest corner of the tract described herein, and being in the East line of State of Texas Parcel 48 as described in Volume 69050, Page 1137, Deed Record Dallas County, Texas, and being for the Southwest corner of said Dallas Legacy Investments tract, and being in the existing Easterly Right of Way of LP 12;

Call Four

Thence North 89° 51' 12" East with the South line of said Dallas Legacy Investments Tract and the existing Northern Right of Way of LP12 a distance of 110.67 feet to a ½ inch iron rod capped "TXHS" found at the Southeast corner of said Dallas Legacy Investments tract, and being the Northeast corner of the tract described herein;

Call Five

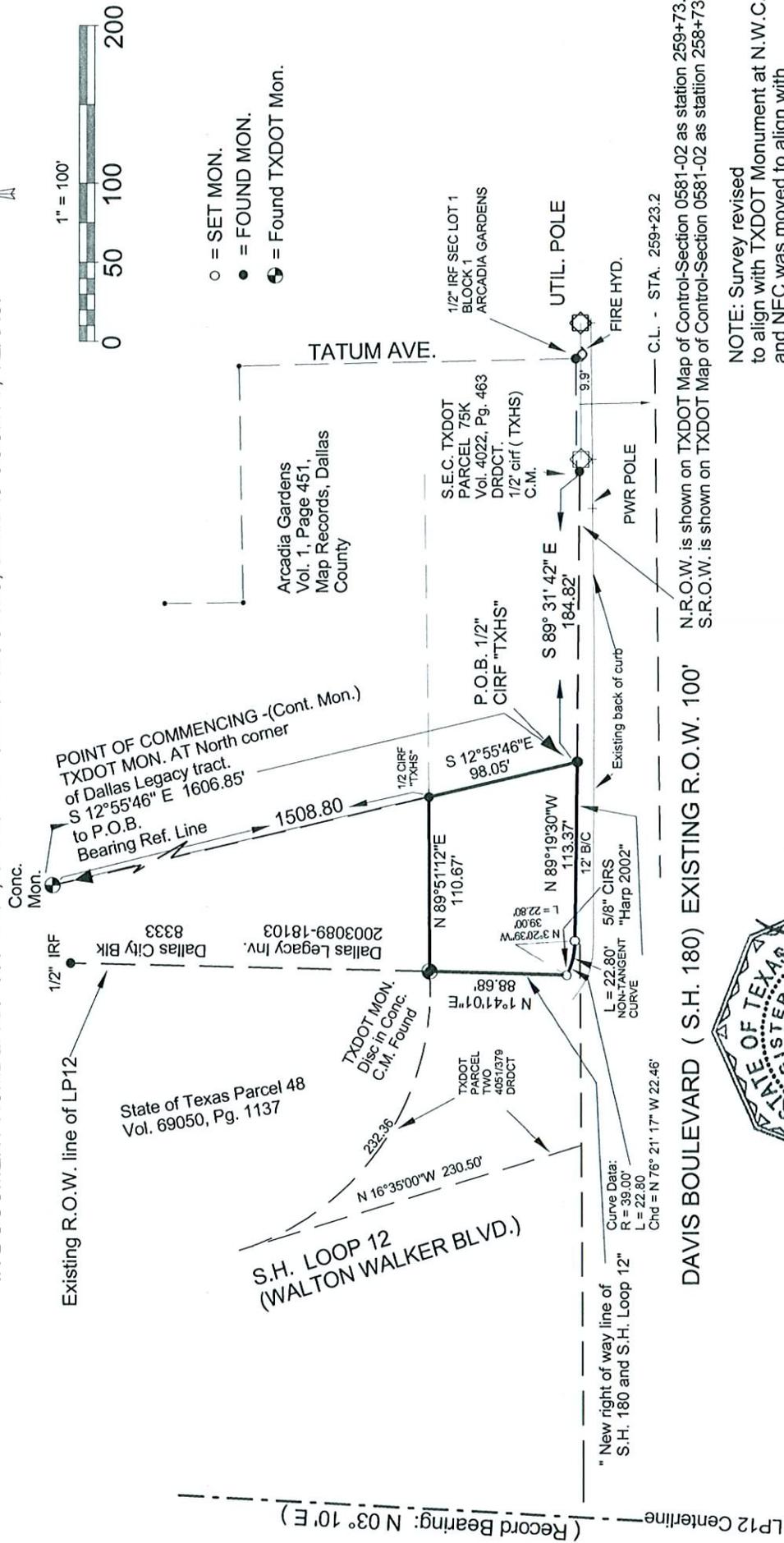
Thence South 12° 55' 46" East 98.05 feet to the Point of Beginning, and containing 11603 square feet, or 0.2664 acres of land, the plat of which is incorporated by reference herein.

Ted B. Harp, R.P.L.S. 2002
8-20-2010 – Revision of survey dated 4-09-2009
Revised: 1-14-2011



0.2664 ACRE SURPLUS PROPERTY
 S.H. 180 AT S.H. LOOP 12 (WALTON WALKER)

11603 S.F. OUT OF STATE OF TEXAS TRACT DESCRIBED IN VOLUME 4051, PAGE 379, DEED RECORDS, DALLAS COUNTY, TEXAS (TXDOT PARCEL 79A) IN THE JOHN HORTON SURVEY, ABSTRACT 611, DALLAS COUNTY, TEXAS, BEING A CORRECTION TO THAT TRACT DESCRIBED IN DOCUMENT NUMBER 20100011197, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS.



PREPARED FROM AN ACTUAL ON THE GROUND SURVEY BY ME. ALL DATA BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) GRID NAD 83 (2002). ** Bearings are T.S.P.C. Grid bearings. All data collected using Trimble RTK Network.



DAVIS BOULEVARD (S.H. 180) EXISTING R.O.W. 100'

N.R.O.W. is shown on TXDOT Map of Control-Section 0581-02 as station 259+73.2
 S.R.O.W. is shown on TXDOT Map of Control-Section 0581-02 as station 258+73.2

NOTE: Survey revised to align with TXDOT Monument at N.W.C. and NEC was moved to align with West line of Malchi Tract recorded in Inst. # 20070378655 O.P.R.D.C.T. Johnson (RPLS 5299). Area increased by 378 sq. ft. after revision.