

TEXAS TRANSPORTATION COMMISSION

POTTER County

MINUTE ORDER

Page 1 of 1

AMARILLO District

In POTTER COUNTY, on STATE LOOP 335 from Hester Road to North Coulter Street, 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.

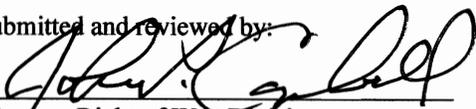
G,R, Chapman Limited Partnership (owner) is the owner of the properties described in Exhibits A, B, and C. The owner wants to donate these properties, estimated at \$139,080, to the department for construction of a highway improvement project.

The owner may be subject to department regulations or oversight, but is not currently party to a contested case before the department. The owner may also be interested in or likely to become interested in a contract, purchase, payment, or claim with or against the department.

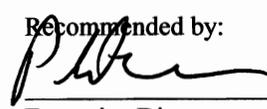
A donation agreement has been executed by the owner and tendered to the department for acceptance under Title 43, Texas Administrative Code, §1.504.

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

112922 NOV 17 11

Minute
Number

Date
Passed

Sheet 1 of 3

County: Potter
Highway: LP 335
ROW CSJ: 2635-04-022

Property Description for Parcel 3

Being a 5.048 acre (219,879 square feet) tract of land being a portion of a tract conveyed to GR CHAPMAN LIMITED PARTNERSHIP, by Warranty Deed recorded in Volume 2930, Page 484, Official Public Records of Potter County, Texas, being situated in Section 22, Block 9, B.S.& F. Survey, Potter County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod with 3-1/4 inch aluminum cap marked "ROW MONUMENT", set in the West line of said Section 22, from which a 1/2" iron found for the Southwest corner of Section 22, bears SOUTH 00 degrees 04 minutes 46 seconds EAST, a distance of 430.84 feet, said point of beginning having project coordinates of North: 3737498.466 feet and East: 530685.437 feet, said point also being the beginning of a Denial of Access line;

(1) **THENCE** NORTH 70 degrees 41 minutes 14 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 309.46 feet to a 3/8" iron rod with cap marked "HBD" set for corner; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(2) **THENCE** NORTH 77 degrees 55 minutes 14 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 1394.85 feet to a 3/8" iron rod with cap marked "HBD" set for corner; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(3) **THENCE** NORTH 70 degrees 41 minutes 14 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 300.60 feet to a 3/8" iron rod with cap marked "HBD" set for corner; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(4) **THENCE** SOUTH 64 degrees 17 minutes 45 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 28.28 feet to a 3/8" iron rod with cap marked "HBD" set for corner; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

Sheet 2 of 3

(5) **THENCE** NORTH 70 degrees 41 minutes 14 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 12.00 feet to a 3/8" iron rod with cap marked "HBD" set for corner on the West line of a 120 foot wide street dedicated by Street Deed recorded in Volume 3962, Page 421, Official Public Records of Potter County, Texas, said point also being the end of a Denial of Access line;

(6) **THENCE** NORTH 19 degrees 18 minutes 41 seconds WEST (*called South 19 degrees 32 minutes 47 seconds East in Volume 3962, Page 421, Official Public Records of Potter County, Texas*), along the West line of said 120 foot wide street, a distance of 214.96 feet to a 3/8" iron rod with cap marked "HBD" set in the existing South right of way line of Loop Highway 335, as conveyed to the State of Texas by Agreed Judgment recorded in Volume 3034, Page 275, Official Public Records of Potter County, Texas;

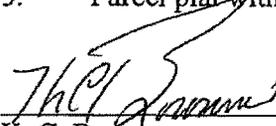
(7) **THENCE** SOUTH 70 degrees 41 minutes 57 seconds WEST, (*called North 70 degrees 41 minutes 14 seconds East in Volume 3034, Page 275, Official Public Records of Potter County, Texas*) along said existing South right of way line of Loop Highway 335, a distance of 2018.93 feet to a Type II Monument (4" brass cap in concrete), found in the West line of said Section 22;

(8) **THENCE** SOUTH 00 degrees 04 minutes 46 seconds EAST, along the West line of Section 22, a distance of 20.91 feet to the point of beginning.

Access is prohibited across the "Denial of Access Line" to the highway facility from the remainder of the abutting property.

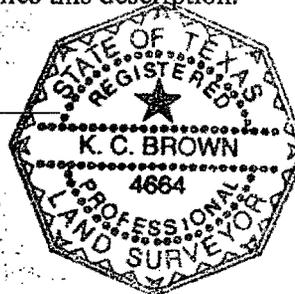
NOTES:

1. Bearings based upon Texas Coordinate System, North Zone, NAD 1983.
2. Distances are surface values.
3. Coordinate values are based on project coordinate system and may be converted to Texas Coordinate System, North Zone, NAD 1983 values by dividing by a surface adjustment factor of 1.000244230.
4. Date of field survey: December 1, 2008
5. Parcel plat with same date accompanies this description.


K. C. Brown
Registered Professional Land Surveyor
No. 4664 State of Texas

6-15-09

Date



HAGAR, BROWN & DORSEY, LLC
LAND SURVEYORS
PO Box 1248
Hereford, Texas 79045
Phone: (806) 364-6085

Sheet 1 of 4

County: Potter
Highway: LP 335
ROW CSJ: 2635-04-022

Property Description for Parcel 6

Being a 5.967 acre (259,941 square feet) tract of land being a portion of a tract conveyed to GR CHAPMAN LIMITED PARTNERSHIP, by Warranty Deed recorded in Volume 2930, Page 484, Official Public Records of Potter County, Texas, being situated in Section 22, Block 9, B.S.& F. Survey, Potter County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod with cap marked "HBD" set in the East line of a 120 foot wide street dedicated by Street Deed recorded in Volume 3962, Page 421, Official Public Records of Potter County, Texas, from which a 1/2" iron found for the Southwest corner of Section 22, bears NORTH 19 degrees 08 minutes 41 seconds WEST, a distance of 200.77 feet, SOUTH 70 degrees 41 minutes 57 seconds WEST, a distance of 2138.93 feet, and SOUTH 00 degrees 04 minutes 46 seconds EAST, a distance of 451.75 feet, said point of beginning having project coordinates of North: 3738036.885 feet and East: 532770.519 feet; same point also being the beginning of a Denial of Access Line; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(1) **THENCE** NORTH 70 degrees 41 minutes 14 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 12.00 feet to a 3/8" iron rod with cap marked "HBD" set for corner; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(2) **THENCE** NORTH 25 degrees 40 minutes 44 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 28.28 feet to a 3/8" iron rod with cap marked "HBD" set for corner; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(3) **THENCE** NORTH 70 degrees 41 minutes 14 seconds EAST, along the proposed right of way line of Loop Highway 335, at a distance of 537.49 feet pass a 5/8" iron rod with cap marked "Access Denial Line" set for the end of a Denial of Access line, continue for a total distance of 2211.67 feet to a 3/8" iron rod with cap marked "HBD" set for corner; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

Sheet 2 of 4

(4) **THENCE** SOUTH 75 degrees 52 minutes 41 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 28.59 feet to a 3/8" iron rod with cap marked "HBD" set for corner; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(5) **THENCE** NORTH 56 degrees 55 minutes 50 seconds EAST, along the proposed right of way line of Loop Highway 335, a distance of 57.98 feet to a 3/8" iron rod with cap marked "HBD" set in the West right of way line of the BNSF Railroad; (The monument described and set in this call may be replaced with a Type II Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(6) **THENCE** NORTH 33 degrees 53 minutes 46 seconds WEST, along the West line of the BNSF Railroad, a distance of 80.28 feet to a Type II Monument (4" brass cap in concrete) found in the existing South right of way line of Loop Highway 335 as conveyed to the State of Texas in Judgment recorded in Volume 3034, Page 275, Official Public Records of Potter County, Texas;

(7) **THENCE** SOUTH 70 degrees 42 minutes 11 seconds WEST (*called North 70 degrees 42 minutes 14 seconds East in Volume 3034, Page 275, Official Public Records of Potter County, Texas*), along the existing South right of way line of Loop Highway 335, a distance of 959.93 feet to a Type II Monument (4" brass cap in concrete) found;

(8) **THENCE** SOUTH 76 degrees 07 minutes 30 seconds WEST (*called North 76 degrees 08 minutes 22 seconds East in Volume 3034, Page 275, Official Public Records of Potter County, Texas*), along the existing South right of way line of Loop Highway 335, a distance of 1105.02 feet to a Type II Monument (4" brass cap in concrete) found;

(9) **THENCE** SOUTH 70 degrees 41 minutes 57 seconds WEST, (*called North 70 degrees 41 minutes 14 seconds East in Volume 3034, Page 275, Official Public Records of Potter County, Texas*) along the existing South right of way line of Loop Highway 335, a distance of 243.64 feet to a 3/8" iron rod with cap marked "HBD" set in the East line of said 120 foot wide street dedicated by Street Deed recorded in Volume 3962, Page 421, Official Public Records of Potter County, Texas;

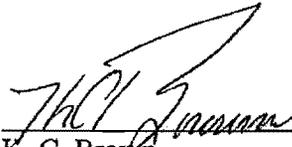
(10) **THENCE** SOUTH 19 degrees 08 minutes 41 seconds EAST, along the East line of said 120 foot wide street, a distance of 200.77 feet to the point of beginning.

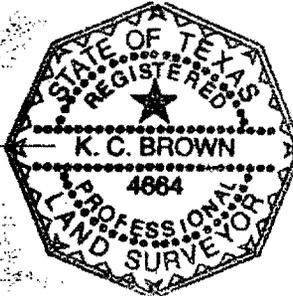
Access is prohibited across the "Denial of Access Line" to the highway facility from the remainder of the abutting property.

Sheet 3 of 4

NOTES:

1. Bearings based upon Texas Coordinate System, North Zone, NAD 1983.
2. Distances are surface values.
3. Coordinate values are based on project coordinate system and may be converted to Texas Coordinate System, North Zone, NAD 1983 values by dividing by a surface adjustment factor of 1.000244230.
4. Date of field survey: December 1, 2008
5. Parcel plat with same date accompanies this description.


K. C. Brown 6-15-09 Date
Registered Professional Land Surveyor
No. 4664 State of Texas



HAGAR, BROWN & DORSEY, LLC
LAND SURVEYORS
PO Box 1248
Hereford, Texas 79045
Phone: (806) 364-6085

Sheet 1 of 3

County: Potter
Highway: State Highway Loop No. 335
Limits: From Hester Road to North Coulter St
ROW CSJ: 2635-04-027

Property Description for Parcel 7

BEING a 0.575 acre parcel of land, more or less, situated in Section 22, Block 9, B. S. & F. Survey, Potter County, Texas, and being a portion of that certain tract of land conveyed to GR Chapman Limited Partnership by a warranty deed recorded in Volume 2930, Page 484, Official Public Records of Potter County, Texas, and being more particularly described as follows:

COMMENCING at a ½" iron rod found at the southwest corner of said Section 22;

THENCE North 00 degrees 04 minutes 46 seconds West, along the west line of said Section 22, a distance of 451.75 feet to a Type II Right of Way Monument (4 inch brass cap in concrete) found on the south right of way line of State Highway Loop No. 335, as conveyed to the State of Texas by a judgment recorded in Volume 3034, Page 275, Official Public Records of Potter County, Texas;

THENCE North 70 degrees 41 minutes 57 seconds East (*called North 70°41'14" East in Volume 3034, Page 275, Official Public Records of Potter County*), along south right of way line of said State Highway Loop No. 335, a distance of 2138.93 feet to a point where said south right of way line of State Highway Loop No. 335 intersects the east line of Coulter Street as conveyed to the City of Amarillo by a Street Deed recorded in Volume 3962, Page 421, Official Public Records of Potter County;

THENCE South 19 degrees 18 minutes 41 seconds East (*called South 19°32'47" East in Volume 3962, Page 421, Official Public Records of Potter County*), along the east right of way line of said Coulter Street, a distance of 200.77 feet to a 5/8" iron rod with a plastic cap marked "TxDOT", set as part of this survey;

THENCE North 70 degrees 41 minutes 14 seconds East, a distance of 12.00 feet to a 5/8" iron rod with a plastic cap marked "TxDOT", set for the POINT OF BEGINNING of this described parcel, said point of beginning having project coordinates of N: 3738040.85 and E: 532781.85; (The monument described and set in this call may be replaced with a Type II Right-of-Way Monument (4" brass cap in concrete) at a later date under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

(1) THENCE North 25 degrees 40 minutes 44 seconds East, a distance of 28.28 feet to a 5/8" iron rod with a plastic cap marked "TxDOT", set for a corner of this described parcel; (The monument described and set in this call may be replaced with a Type II Right-of-Way Monument (4" brass cap in concrete) at a later date under the

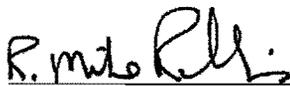
Sheet 2 of 3

supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT)

- (2) THENCE North 70 degrees 41 minutes 14 seconds East, a distance of 90.00 feet to a 5/8" iron rod with a plastic cap marked "TxDOT", set for a corner of this described parcel;
- (3) THENCE South 19 degrees 18 minutes 41 seconds East, parallel to the east right of way line of said Coulter Street, a distance of 229.66 feet to a 5/8" iron rod with a plastic cap marked "TxDOT", set for a corner of this described parcel;
- (4) THENCE South 70 degrees 41 minutes 14 seconds West, a distance 110.00 feet to a 5/8" iron rod with a plastic cap marked "TxDOT", set for a corner of this described parcel;
- (5) THENCE North 19 degrees 18 minutes 41 seconds West, parallel to the east right of way line of said Coulter Street, a distance of 209.66 feet to the point of beginning.

NOTES:

1. A survey plat with same date accompanies this description.
2. All distances and coordinates are expressed in U.S. survey feet.
3. Bearings are grid bearings based on the Texas Coordinate System of 1983, North Zone.
4. All northings and eastings shown are project coordinates and may be converted to Texas Plane Coordinates, North Zone, NAD 1983, by dividing by a surface adjustment factor of 1.000244230.
5. Date of field survey: September 20, 2011.

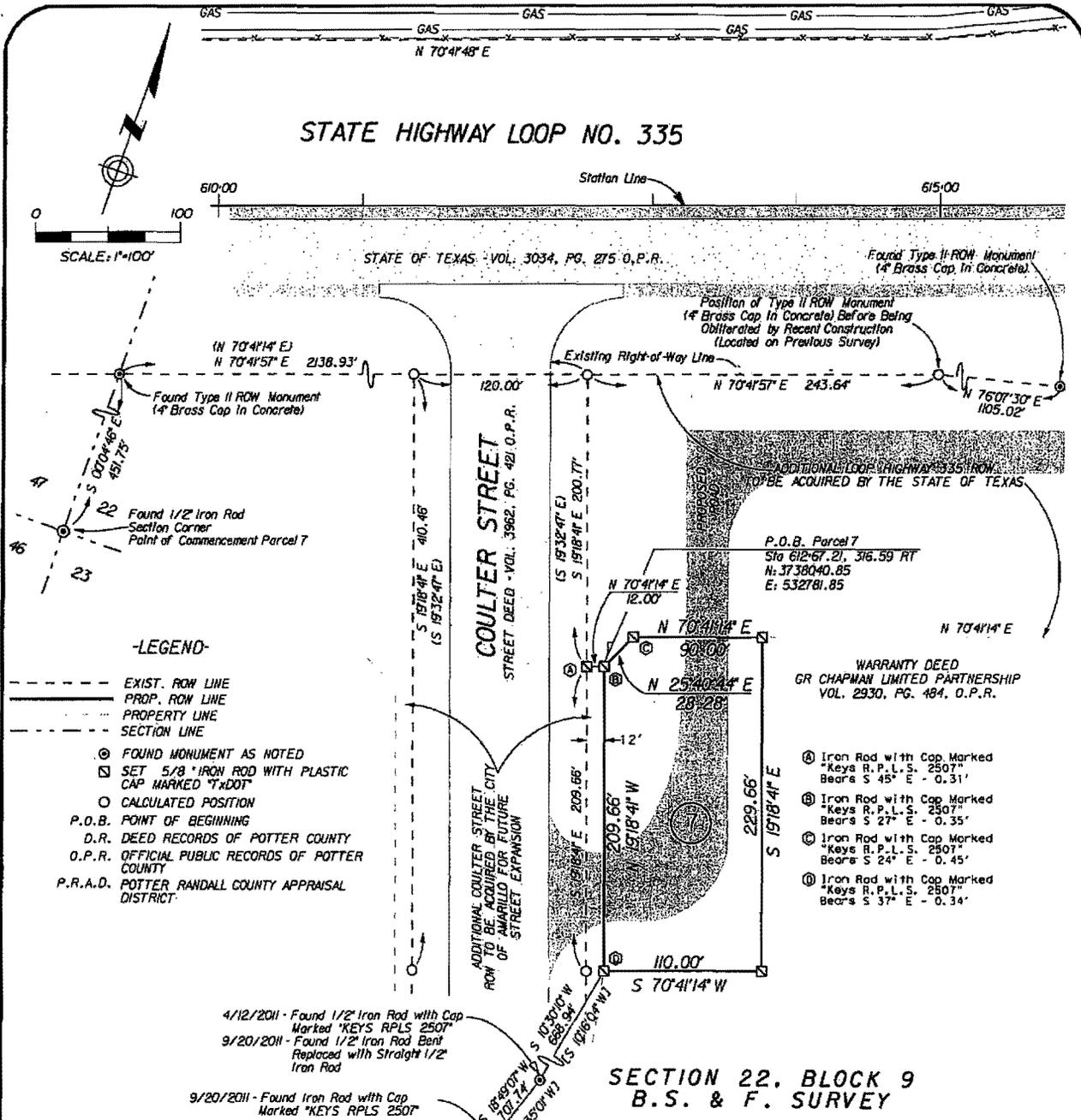


R. Mike Robbins
Registered Professional Land Surveyor
No. 5139, State of Texas

9/29/11
Date



Texas Department of Transportation
PO Box 7368
Amarillo TX 79114-7368
Phone: (806) 356-3317



R. Mike Robbins 9/29/11
 R. MIKE ROBBINS DATE
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 5139, STATE OF TEXAS



EXHIBIT "A"
 SHEET 3 OF 3

PARCEL 7
 0.575 ACRES
 LP 335 POTTER COUNTY
 ROW CSJ: 2635-04-027
 TEXAS DEPARTMENT
 OF TRANSPORTATION
 PO BOX 7368
 AMARILLO TX 79114-7368
 PHONE: (806) 356-3317