

TEXAS TRANSPORTATION COMMISSION

HARRIS County

MINUTE ORDER

Page 1 of 1

HOUSTON District

In the city of Houston, HARRIS COUNTY, on US 59, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 4923, Page 438; Volume 4246, Page 397; Volume 4596, Page 559; Volume 4911, Page 395, Deed Records of Harris County, Texas, and Harris County Clerk's File No. F479348.

The Texas Transportation Commission (commission) approved Minute Order 112650 on March 31, 2011, authorizing the sale of surplus land. The value of the surplus land, described in Exhibits A and A-1, was incorrect.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission may recommend the sale of surplus land to a governmental entity with the authority to condemn the property.

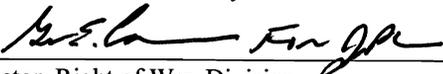
Metropolitan Transit Authority of Harris County, Texas (Metro), has requested that the surplus land be sold to Metro for \$1,789,440.

The commission finds \$1,789,440 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

NOW, THEREFORE, IT IS ORDERED that Minute Order 112650 be amended only with respect to the incorrect value of the surplus land, and all other provisions of Minute Order 112650 are to remain unchanged.

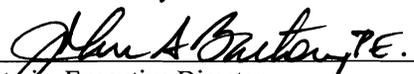
FURTHER, the commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to Metropolitan Transit Authority of Harris County, Texas, for \$1,789,440; SAVE AND EXCEPT, 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:



Interim Executive Director

112859 SEP 29 11

Minute Date
Number Passed

Exhibit A

County: Harris
Highway: U.S. Highway 59
Project Limits: From Canal Street to IH 45 (Property at Hamilton Street and Texas Avenue, City of Houston, Texas)
RCSJ: 0177-11-017

Property Description for Tract 2

Being a 0.0692 of one acre (3,015 square feet) tract of land out of Block 174, South Side Buffalo Bayou, an unrecorded subdivision, and being the same tract of land described in a judgment rendered on October 17, 1962 to State of Texas recorded in Volume 4923, Page 438, Harris County Deed Records, located in the James Wells Survey, Abstract No. 832, Harris County, Texas; said 0.0692 of one acre parcel of land being more particularly described by metes and bounds as follows:

COMMENCING at City of Houston Reference Rod No. 22 found at the centerline intersection of Chartres Street (80 feet wide) and Capitol Avenue (80 feet wide);

THENCE, North $56^{\circ}06'27''$ West, along the City of Houston Reference Line and the centerline of said Capitol Avenue, a distance of 330.08 feet to a point in the centerline of Hamilton Street (80 feet wide);

THENCE, North $32^{\circ}53'24''$ East, along the centerline of Hamilton Street, a distance of 180.24 feet to a point;

THENCE, South $57^{\circ}06'36''$ East, a distance of 47.75 feet to a cotton spindle set in the southeasterly right-of-way line of Hamilton Street per Texas Department of Transportation (TxDOT) US 59 right-of-way map also described in deed recorded in Volume 4923, Page 438 H.C.D.R. for the south corner and the POINT OF BEGINNING of the herein described tract;

- 1.) THENCE, North $32^{\circ}53'24''$ East, along said Hamilton Street right-of-way line, a distance of 111.38 feet to a cotton spindle set in the southwesterly right-of-way line of Texas Avenue (100 feet wide) for the north corner of said Block 174 and the north corner of the herein described tract;

Exhibit A

- 2.) THENCE, South 57°07'17" East, along the southwesterly right-of-way line of Texas Avenue, a distance of 54.14 feet to a cotton spindle in asphalt found for the north corner of a certain tract of land described in deed dated January 14, 1997 to Hamilton/Capitol Investment, L.L.C. recorded under Harris County Clerk's File No. S287458 and the east corner of the herein described tract;
- 3.) THENCE, South 58°48'43" West, along the common line of said State of Texas tract and said Hamilton/Capitol Investment, L.L.C. tract, a distance of 123.85 feet to the POINT OF BEGINNING and containing 0.0692 of one acre (3,015 square feet) of land.

Notes:

1. The POINT OF BEGINNING of this description has coordinate values of X = 3,125,266.00 and Y = 13,841,834.76. All bearings are based on the Texas State Plane Coordinate System, NAD 83 (1993 Adj.), South Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00013.
2. A survey plat titled "Tract 2" of even survey date herewith accompanies this description.

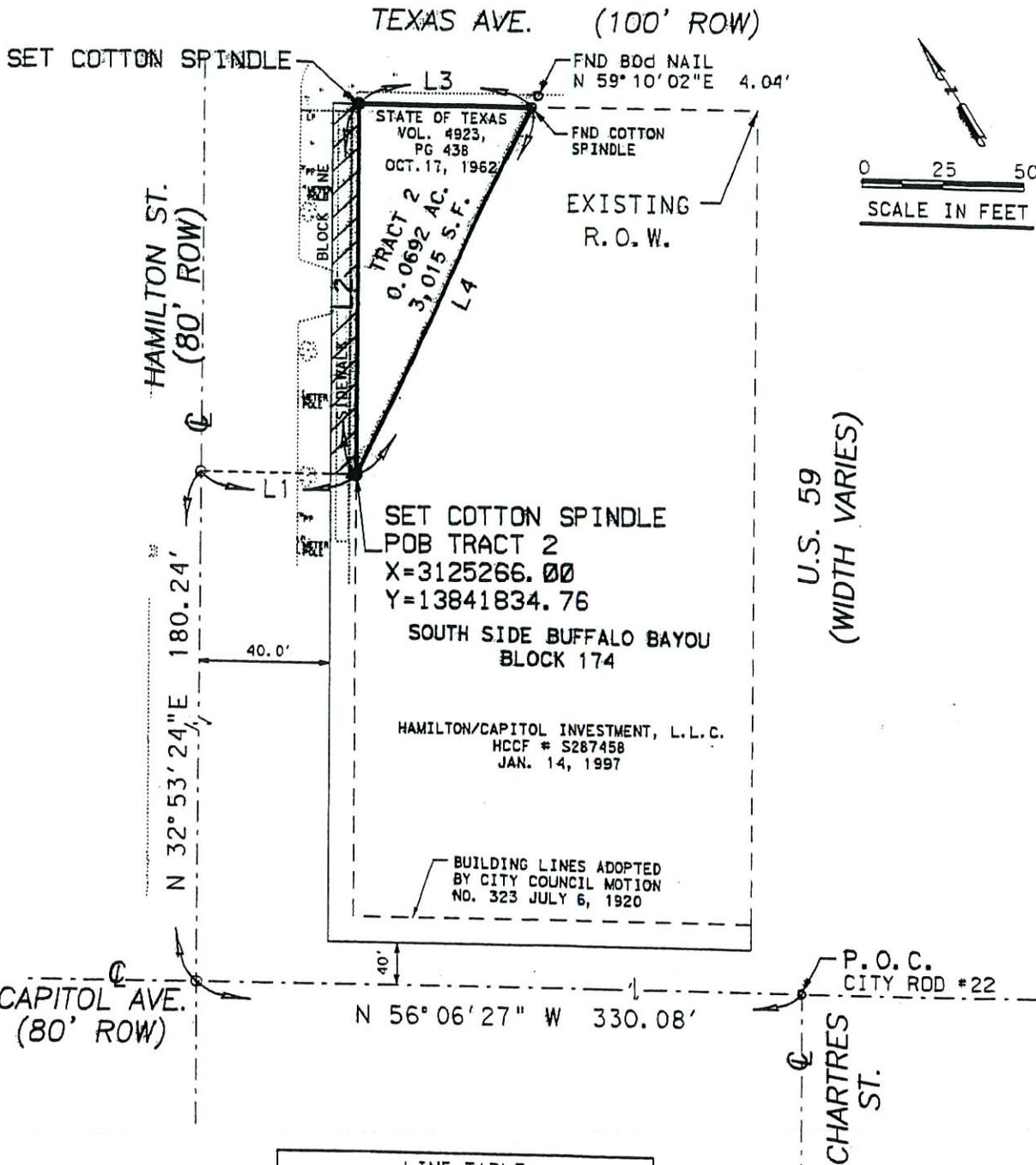
I, Paul P. Kwan, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey Date: September 24, 2006

 1/10/07

Paul P. Kwan
Registered Professional Land Surveyor
Texas Registration No. 4313

Tract 2 Prepared By:
Landtech Consultants, Inc.
2627 North Loop West, Suite 224
Houston, Texas 77008
(713) 861-7068



TEXAS AVE. (100' ROW)

SET COTTON SPINDLE

FND 5/8" IRON ROD
N 59° 10' 02" E 4.04'

STATE OF TEXAS
VOL. 4923,
PG 438
OCT. 17, 1962

FND COTTON SPINDLE

EXISTING
R.O.W.

0 25 50
SCALE IN FEET

HAMILTON ST.
(80' ROW)

TRACT 2
0.0692 AC.
3,015 S.F.

SET COTTON SPINDLE

POB TRACT 2
X=3125266.00
Y=13841834.76

SOUTH SIDE BUFFALO BAYOU
BLOCK 174

HAMILTON/CAPITOL INVESTMENT, L.L.C.
HCCF # S287458
JAN. 14, 1997

BUILDING LINES ADOPTED
BY CITY COUNCIL MOTION
NO. 323 JULY 6, 1920

U.S. 59
(WIDTH VARIES)

CAPITOL AVE.
(80' ROW)

N 56° 06' 27" W 330.08'

P.O.C.
CITY ROD #22

CHARTRES ST.

LEGEND

- Existing R.O.W. Line
- Proposed R.O.W. Line
- Property Line
- "ACCESS DENIAL LINE"
- Existing Fence
- Parcel Number
- SET "X" IN CONC. (UNLESS OTHERWISE NOTED)
- FND. 5/8" IRON ROD (UNLESS OTHERWISE NOTED)
- HATCHED AREA (SEE NOTE 3)

LINE TABLE		
L1	S 57° 06' 36" E	47.75'
L2	N 32° 53' 24" E	111.38'
L3	S 57° 07' 17" E	54.14'
L4	S 58° 48' 43" W	123.85'

NOTES:

1. Deed research for this project was performed in Sept. 2006.
2. All bearings and coordinates are referenced to the Texas State Plane Coordinate System, Central Zone, NAD 83 (1993 Adj). All distances and coordinates are surface and may be converted to grid by dividing by the surface adjustment factor of 1.00013.
3. Hatched area denotes land between the City of Houston street Right-of-Way line and TXDOT U.S. Right-of-Way line.

AREA TABLE (ACRES)			
EXISTING	TAKING	REMAINDER	
		LEFT	RIGHT
0.0692	0.0692	0	0

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: SEPT. 24, 2006.

Paul P. Kwan



PAUL P. KWAN
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4313

RIGHT OF WAY PLAT
SHOWING PROPERTY OF
TRACT 2

U. S. 59

HARRIS COUNTY

RCSJ 0177-11-017

LANDTECH CONSULTANTS, INC. JANUARY 2007

Exhibit A-1

County: Harris
Highway: U.S. Highway 59
Project Limits: From Canal Street to IH 45 (Property at Hamilton Street and Texas Avenue, City of Houston, Texas)
RCSJ: 0177-11-017

Property Description for Tract 3

Being a 0.2353 acre (10,248 square feet) tract of land out of Block 161, South Side Buffalo Bayou, an unrecorded subdivision, and being the same property described in deeds dated October 11, 1960, November 21, 1961, October 11, 1962 and January 21, 1969 to State of Texas recorded respectively in Volume 4246, Page 397, Volume 4596, Page 559, Volume 4911, Page 395, Harris County Deed Records and under Harris County Clerk's File No. F479348, located in the James Wells Survey, Abstract No. 832, Harris County, Texas, said 0.2353 acre parcel of land being more particularly described by metes and bounds as follows:

COMMENCING at City of Houston Reference Rod No. 22 found at the centerline intersection of Chartres Street (80 feet wide) and Capitol Avenue (80 feet wide);

THENCE, North 57°06'27" West, along the City of Houston Reference Line and the centerline of said Capitol Avenue, at a distance of 330.08 feet passing the centerline intersection of said Capitol Avenue and Hamilton Street (80 feet wide), continuing for a total distance of 370.08 feet to a point;

THENCE, North 32°53'24" East, at a distance of 40.00 feet passing a point at the intersection of the northwesterly right-of-way line of said Hamilton Street and the northeasterly right-of-way line of said Capitol Avenue for the south corner of said Block 161, continuing for a total distance of 45.00 feet to an "X" in concrete set for the south corner and the POINT OF BEGINNING of the herein described tract, said point also being the south corner of said State of Texas tract recorded in Volume 4596, Page 559, Harris County Deed Records;

- 1.) THENCE, North 57°06'27" West, along the southwesterly line of said State of Texas tract recorded in Volume 4596, Page 559, Harris County Deed Records, a distance of 63.14 feet to an "X" in concrete set for the south corner of a certain tract of land described in deed dated October 24, 1954 to City of Houston recorded in Volume 2848, Page 668, Harris County Deed Records, the west corner of said State of Texas tract recorded in Volume 4596, Page 559, Harris County Deed Records, and the most southerly west corner of the herein described tract;
- 2.) THENCE, North 32°53'24" East, along the southeasterly line of said City of Houston tract, a distance of 125.80 feet to a nail with shiner set in the southwesterly line of said State of Texas tract recorded in Volume 4246, Page 397, Harris County Deed Records for the east corner of said City of Houston tract, the north corner of said State of Texas tract recorded in Volume 4911, Page 395, Harris County Deed Records, and an angle point of the herein described tract;

Exhibit A-1

- 3.) THENCE, North $57^{\circ}06'27''$ West, along the northeasterly line of said City of Houston tract, a distance of 10.06 feet to a nail with shiner found in the south line of a certain tract of land described in deed dated October 14, 1998 to NCN Group, Inc. recorded under Harris County Clerk's File No. T379628 for the west corner of said State of Texas tract recorded in Volume 4246, Page 397, Harris County Deed Records and the most northerly west corner of the herein described tract, from which a PK nail found bears South $77^{\circ}18'$ West, 0.85 feet;
- 4.) THENCE, North $81^{\circ}15'11''$ East, along the south line of said NCN Group, Inc. tract, at a distance of 17.92 feet passing a TxDOT aluminum disk found for the north corner of said State of Texas tract recorded in Volume 4246, Page 397, Harris County Deed Records and the west corner of said State of Texas tract recorded under Harris County Clerk's File No. F479348, continuing along the same course with the south line of a certain tract of land described in deeds dated March 21, 1962, April 8, 1969 and December 31, 1971 to Vincent S. Rinando and John M. Rinando recorded respectively in Volume 4675, Page 354, Harris County Deed Records and under Harris County Clerk's File Nos. C892730 and D495946 for a total distance of 80.37 feet to a 5/8 inch iron rod with aluminum disk set for the north corner of said State of Texas tract recorded under Harris County Clerk's File No. F479348 and the north corner of the herein described tract;
- 5.) THENCE, South $57^{\circ}06'27''$ East, along the southwesterly line of said Rinando tract, a distance of 13.13 feet to a point in the northwesterly right-of-way line of said Hamilton Street for the east corner of said State of Texas tract recorded under Harris County Clerk's File No. F479348 and the east corner of the herein described tract;
- 6.) THENCE, South $32^{\circ}53'24''$ West, along the northwesterly right-of-way line of said Hamilton Street, a distance of 179.20 feet to the POINT OF BEGINNING and containing 0.2353 acre (10,248 square feet) of land.

Notes:

1. The POINT OF BEGINNING of this description has coordinate values of $X = 3,125,118.88$ and $Y = 13,841,768.85$. All bearings are based on the Texas State Plane Coordinate System, NAD 83, South Central Zone. All bearings and coordinates shown are surface and may be converted to grid by dividing by Texas Department of Transportation conversion factor of 1.00013.
2. A survey plat titled "Tract 3" of even survey date herewith accompanies this description.

Exhibit A-1

I, William J. Massey, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Survey Date: September 24, 2006

William J. Massey 8/30/2007
Date
William J. Massey
Registered Professional Land Surveyor
Texas Registration No. 4793

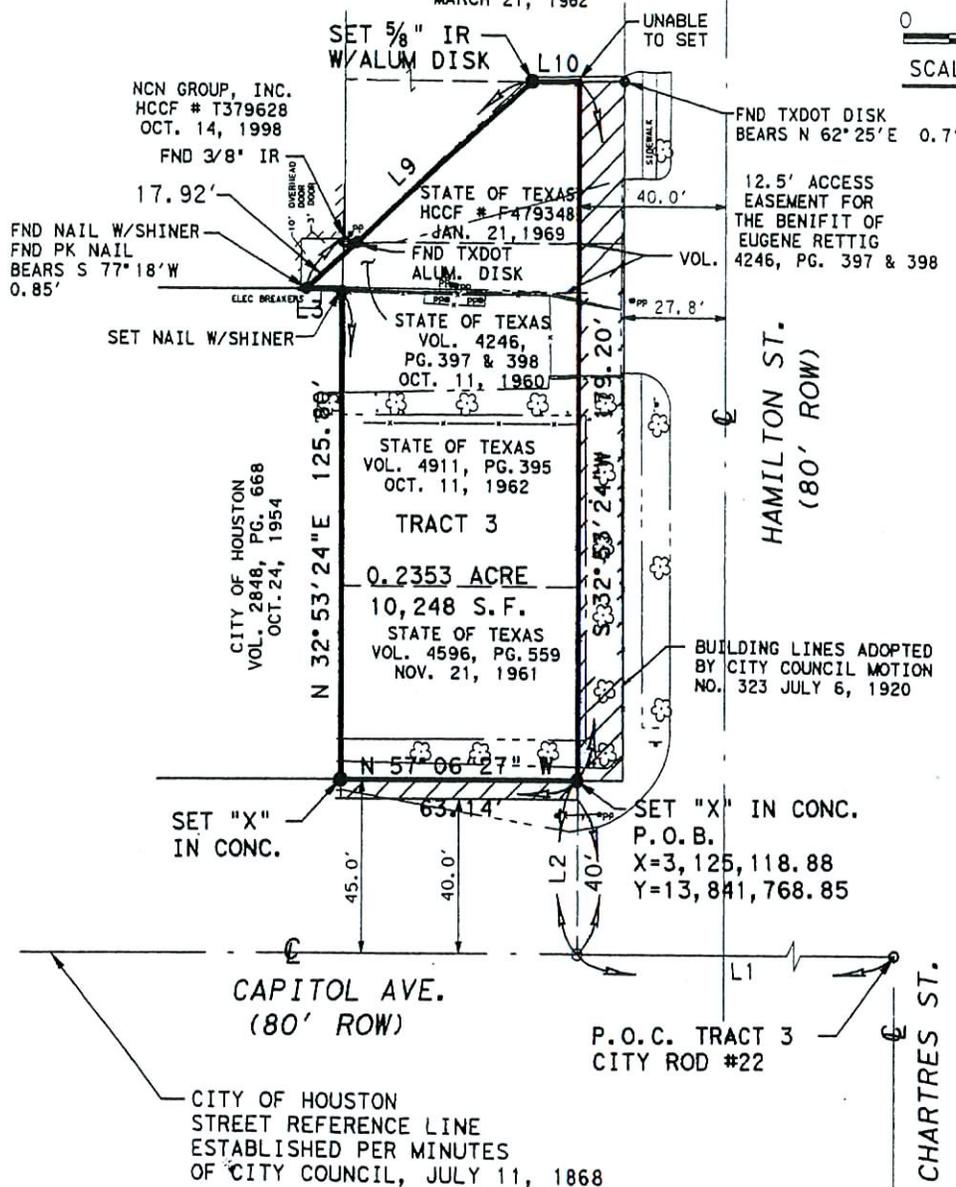
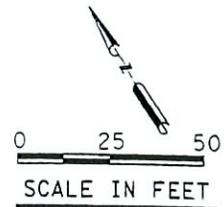


Tract 3 Prepared By:
Landtech Consultants, Inc.
2525 North Loop West, Suite 300
Houston, Texas 77008
(713) 861-7068

JAMES WELLS SURVEY A-832

SOUTH SIDE BUFFALO BAYOU
BLOCK 161

VINCENT S. RINANDO
& JOHN M. RINANDO
HCCF # C892730
APRIL 8, 1969
HCCF # D495946
DEC. 31, 1971
VOL. 4675, PG. 354
MARCH 21, 1962



- NOTES:**
1. Deed research for this project was performed in Sept. 2006.
 2. All bearings and coordinates are referenced to the Texas State Plane Coordinate System, Central Zone, MAD 83 (1993 Adj). All distances and coordinates are surface and may be converted to grid by dividing by the surface adjustment factor of 1.00013.
 3. Hatched area denotes land between the City of Houston street Right-of-Way line and TXDOT U.S. Right-of-Way line.

LINE TABLE		
L1	N 57° 06' 27" W	370.08'
L2	N 32° 53' 24" E	45.00'
L3	N 57° 06' 27" W	10.06'
L9	N 81° 15' 11" E	80.37'
L10	S 57° 06' 27" E	13.13'

AREA TABLE (ACRES)			
EXISTING	TAKING	REMAINDER	
		LEFT	RIGHT
0.2353	0.2353	0	0

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

SURVEY DATE: SEPT 24, 2006.

William J. Massey
WILLIAM J. MASSEY
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4793



RIGHT OF WAY PLAT SHOWING PROPERTY OF

TRACT 3

U. S. 59 HARRIS COUNTY
RCSJ 0177-11-017
LANDTECH CONSULTANTS, INC. AUGUST, 2007
PAGE 4 OF 4 SCALE: 1" = 50'