

TEXAS TRANSPORTATION COMMISSION

POTTER County

MINUTE ORDER

Page 1 of 1

AMARILLO District

In the city of Amarillo, POTTER COUNTY, on INTERSTATE-40, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 890, Page 482; Volume 894, Page 681; Volume 896, Page 5; Volume 911, Page 202; and Volume 916, Page 339, Deed Records of Potter County, Texas.

Portions of the land (surplus land), described in Exhibit A, are no longer needed for state highway purposes.

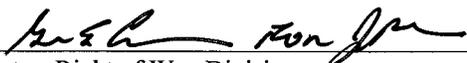
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowner.

Washington Street Venture II (Venture II) is the abutting landowner and has requested that the surplus land be sold to Venture II for \$13,000.

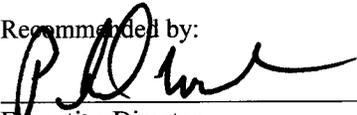
The commission finds \$13,000 to be a fair and reasonable value of the state's rights, title and interest in the surplus land.

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 Washington Street Venture II for \$13,000; 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

112991 JAN 26 12

Minute Number Date Passed

Exhibit "A"

Sheet 1 of 4

County: Potter
Highway: Interstate Highway 40

Property Description - Tract 1, Part 1

Being a 0.209 acre (9101 square foot) tract lying within the existing right of way of Interstate Highway 40 (IH-40), in Famous Heights Park Addition, as Addition to the City of Amarillo, Potter County, Texas, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, said tract being the North part of Lots 10, 11 and the South part of Lot 12, Block 90, Famous Heights Park Addition, as previously conveyed for right of way purposes by deed recorded in Volume 894, Page 681, Deed Records of Potter County, Texas, said 0.209 acre tract being more particularly described as follows:

Commencing at a ½" iron rod found for the Northwest corner of Lot 12, Block 90, Famous Heights Park Addition;

THENCE South 00 degrees 05 minutes 55 seconds West, a distance of 25.67 feet to a ½" iron rod found for the **POINT OF BEGINNING** in the Existing North right of way line of IH-40;

- (1) **THENCE** South 80 degrees 41 minutes 13 seconds East, [*Called South 80 degrees 41 minutes 40 seconds East*] along the existing North right of way line of IH-40, a distance of 141.80 feet to a 3/8" iron rod with cap marked "HBD" set in the East line of said Lot 12;
- (2) **THENCE** South 00 degrees 05 minutes 55 seconds West, along the East line of said Lot 12, a distance of 1.62 feet to the Southeast corner of said Lot 12, same being the Northeast corner of said Lot 11;
- (3) **THENCE** South 21 degrees 24 minutes 35 seconds West, along the East line of said Lot 11, a distance of 55.99 feet to a 3/8" iron rod with cap marked "HBD" set for corner;
- (4) **THENCE** North 89 degrees 49 minutes 34 seconds West, parallel and 20 feet North of an existing concrete curb, a distance of 141.65 feet to a 3/8" iron rod with cap marked "HBD" set for corner in the West line of said Lot 10;
- (5) **THENCE** North 24 degrees 56 minutes 34 seconds East, along the West line of said Lot 11, a distance of 52.42 feet to a 3/8" iron rod with cap marked "HBD" set for corner;
- (6) **THENCE** North 00 degrees 05 minutes 55 seconds East, along the West line of said Lot 10 and 12, a distance of 28.73 feet to the point of beginning.

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Sheet 2 of 4

Tract 1, Part 2

Being a 669 square foot tract lying within the existing right of way of Interstate Highway 40 (IH-40), in Famous Heights Park Addition, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, said tract being the South part of Lot 1, Block 91, Famous Heights Park Addition, as previously conveyed for right of way purposes by deed recorded in Volume 911, Page 202, Deed Records of Potter County, Texas, said 669 square foot tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod with cap marked "HBD" set for the Southeast corner of said Lot 1, same being a point on a curve to the right having a radius of 2654.93 feet;

(1) **THENCE** Northwesterly along said curve to the right and South line of said Lot 1, an arc distance of 91.01 feet (Chord Bearing: North 71 degrees 20 minutes 35 seconds West, 91.01 feet) to a 3/8" iron rod with cap marked "HBD" set for corner in the existing North right of way line of IH-40;

(2) **THENCE** South 80 degrees 41 minutes 13 seconds East, [*Called South 80 degrees 41 minutes 40 seconds East*] along the existing North right of way line of IH-40, a distance of 87.40 feet to a 3/8" iron rod with cap marked "HBD" set in the East line of said Lot 1,

(3) **THENCE** South 00 degrees 05 minutes 55 seconds West, along the East line of said Lot 1, a distance of 14.97 feet to the point of beginning.

Tract 1, Part 3

Being a 1053 square foot tract lying within the existing right of way of Interstate Highway 40 (IH-40), in Famous Heights Park Addition, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, said tract being the South part of Lot 11, Block 91, Famous Heights Park Addition, as previously conveyed for right of way purposes by deed recorded in Volume 911, Page 202, Deed Records of Potter County, Texas, said 1053 square foot tract being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod with cap marked "HBD" set for the Southwest corner of said Lot 11;

(1) **THENCE** North 00 degrees 05 minutes 55 seconds East, along the West line of said Lot 11, a distance of 17.97 feet to a 3/8" iron rod with cap marked "HBD" set for corner in the existing North right of way line of IH-40;

(2) **THENCE** South 80 degrees 41 minutes 13 seconds East, [*Called South 80 degrees 41 minutes 40 seconds East*] along the existing North right of way line of IH-40, a distance of 115.91 feet to a 3/8" iron rod with cap marked "HBD" set for corner;

Exhibit "A"
Sheet 3 of 4

(4) **THENCE** North 89 degrees 49 minutes 34 seconds West, parallel and 20 feet North of an existing concrete curb, a distance of 112.99 feet to a 3/8" iron rod with cap marked "HBD" set for corner in the South line of said Lot 11, same being a point on a curve to the right having a radius of 2654.93 feet;

(5) **THENCE** Northwesterly along said curve to the right and South line of said Lot 11, an arc distance of 1.49 feet (Chord Bearing: North 72 degrees 47 minutes 36 seconds West, 1.49 feet) to the point of beginning.

Summary

Part 1 = 0.209 Acres (9101 square feet)

Part 2 = 0.015 Acres (669 square feet)

Part 3 = 0.024 Acres (1053 square feet)

Total = 0.248 Acres (10,823 square feet)

Denial of Access Line

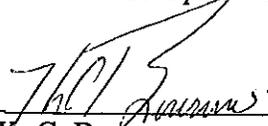
BEGINNING at a 3/8" iron rod with cap marked "HBD" set in the existing North right of way line of IH-40, whence a 1/2" iron rod found at the intersection of the existing North right of way line of IH-40 and the East line of Lot 11, Block 91, Famous Heights Park Addition, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, bears South 80 degrees 41 minutes 13 seconds East, 25.88 feet;

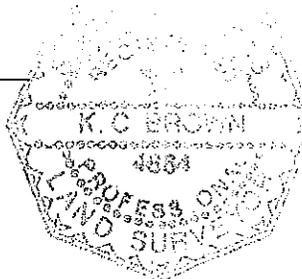
(1) **THENCE** North 89 degrees 49 minutes 34 seconds West, parallel and 20 feet North of an existing concrete curb, a distance of 760.21 feet to a 3/8" iron rod with cap marked "HBD" set for corner;

(2) **THENCE** North 00 degrees 05 minutes 55 seconds East, a distance of 101.63 feet to a 3/8" iron rod with cap marked "HBD" set for the end of this denial of access line.

NOTES:

1. Date of field survey: March 3, 2011
2. Parcel plat with same date accompanies this description.

 10-17-11
K. C. Brown Date
Registered Professional Land Surveyor
No. 4664 State of Texas

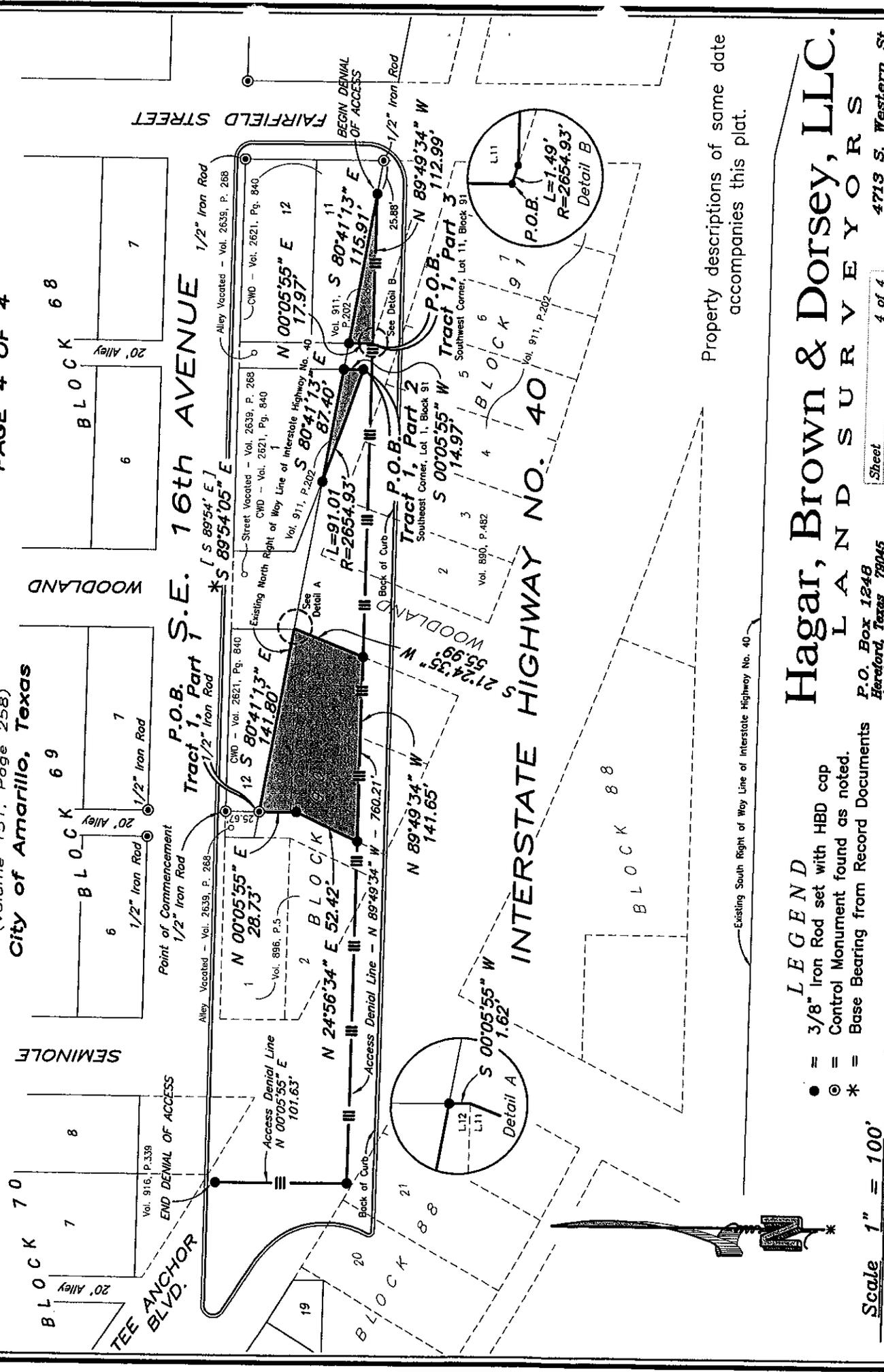


HAGAR, BROWN & DORSEY, LLC
LAND SURVEYORS
4713 S. Western
Amarillo, Texas 79109 (806)352-1007

" PARCEL PLAT "

FAMOUS HEIGHTS PARK ADDITION
(Volume 151, Page 258)
City of Amarillo, Texas

EXHIBIT 'A'
PAGE 4 OF 4



Property descriptions of same date
accompanies this plat.

Hagar, Brown & Dorsey, LLC.
LAND SURVEYORS
4713 S. Western St.
Amarillo, Texas 79109
(808) 352-8040
(808) 352-1008 FAX

LEGEND
● = 3/8" Iron Rod set with HBD cap
⊙ = Control Monument found as noted.
* = Base Bearing from Record Documents

Scale 1" = 100'

Sheet 4 of 4
Drawn By: J. Pringle
File: A7003e.dwg

P.O. Box 1248
Hartford, Texas 79045
(806) 364-6084
(806) 364-6088 FAX

Plat Date: 10/17/2011 Plat No: A7003e.dwg

Exhibit "A"

Sheet 1 of 4

County: Potter

Highway: Interstate Highway 40

Property Description - Tract 1, Part 4

Being a 722 square foot tract of land being a portion of Lot 8, Block 70, lying within the existing right of way of Interstate Highway 40 (IH-40), in Famous Heights Park Addition, an Addition to the City of Amarillo, Potter County, Texas, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, said tract being the South part of Lot 8, Block 70, Famous Heights Park Addition, as previously conveyed for right of way purposes by deed recorded in Volume 916, Page 339, Deed Records of Potter County, Texas, said 722 square foot tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod with cap marked "HBD" set for the Southeast corner of Lot 8, Block 70, Famous Heights Park Addition, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, same being a point on a curve to the right having a radius of 2814.93 feet;

(1) **THENCE** Northwesterly along said curve to the right, same being the North line of Tee Anchor Boulevard, an arc distance of 57.81 feet (Chord bearing – North 60 degrees 23 minutes 02 seconds West, 57.80 feet) to a 3/8" iron rod with cap marked "HBD" set in the existing North right of way line of Interstate Highway 40 (IH-40);

(2) **THENCE** South 89 degrees 54 minute 05 seconds East (Base Bearing), along the existing North right of way line of Interstate Highway 40 (IH-40), a distance of 50.30 feet to a 3/8" iron rod with cap marked "HBD" set in the East line of said Lot 8;

(3) **THENCE** South 00 degrees 05 minutes 55 seconds West, along the East line of said Lot 8, a distance of 28.48 feet to the POINT OF BEGINNING;

Said tract contains a computed area of 722 square feet of land.

Property Description – Tract 1, Part 5

Being a 0.275 acre (11,972 square foot) tract of land being a portion of Lots 1 and 2, Block 90, lying within the existing right of way of Interstate Highway 40 (IH-40), in Famous Heights Park Addition, an Addition to the City of Amarillo, Potter County, Texas, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, said tract being Lot 1 and the North part of Lot 2, Block 90, Famous Heights Park Addition, as previously conveyed for right of way purposes by deed recorded in Volume 896, Page 5, Deed Records of Potter County, Texas, said 0.275 acre tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod with cap marked "HBD" set for the Northwest corner of Lot 1, Block 90, Famous Heights Park Addition, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas;

Exhibit "A"
Sheet 2 of 4

- (1) **THENCE** South 89 degrees 54 minute 05 seconds East (Base Bearing), along the North line of said Lot 1 same being the existing North right of way line of Interstate Highway 40 (IH-40), a distance of 140.00 feet to a 3/8" iron rod with cap marked "HBD" set for the Northeast corner of said Lot 1;
- (2) **THENCE** South 00 degrees 05 minutes 55 seconds West, along the East line of Lot 1, a distance of 50.00 feet to a 3/8" iron rod with cap marked "HBD" set for corner;
- (3) **THENCE** South 24 degrees 56 minutes 34 seconds West, along the East line of said Lot 2, a distance of 57.24 feet to a 3/8" iron rod with cap marked "HBD" set;
- (4) **THENCE** North 89 degrees 49 minutes 34 seconds West, a distance of 33.70 feet to a 3/8" iron rod with cap marked "HBD" set in the North line of Tee Anchor Boulevard, same being a curve to the right having a radius of 2814.93 feet;
- (5) **THENCE** Northwesterly along said curve to the right, same being the North line of Tee Anchor Boulevard, an arc distance of 92.00 feet (Chord bearing – North 63 degrees 17 minutes 41 seconds West, 91.99 feet) to a 3/8" iron rod with cap marked "HBD" set;
- (6) **THENCE** North 00 degrees 05 minutes 55 seconds East, along the West line of said Lots 1 and 2, a distance of 60.70 feet to the POINT OF BEGINNING;

Said tract contains a computed area of 0.275 acres (11,972 square feet) of land.

Property Description - Tract 1, Part 6

Being a 1900 square foot tract of land being a portion of Lots 2, 3 and 4, Block 91, lying within the existing right of way of Interstate Highway 40 (IH-40), in Famous Heights Park Addition, an Addition to the City of Amarillo, Potter County, Texas, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, said tract being the North part of Lots 2, 3 & 4, Block 91, Famous Heights Park Addition, as previously conveyed for right of way purposes by deed recorded in Volume 890, Page 482, Deed Records of Potter County, Texas, said 1900 square foot tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod with cap marked "HBD" set for the Northwest corner of Lot 2, Block 91, Famous Heights Park Addition, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, same being a point on a curve to the left having a radius of 2674.93 feet;

- (1) **THENCE** Southeasterly along said curve to the left, an arc distance of 104.04 feet (Chord bearing – South 70 degrees 20 minutes 50 seconds East, 104.04 feet) to a 3/8" iron rod with cap marked "HBD" set in the North line of said Lot 4;
- (2) **THENCE** North 89 degrees 49 minute 34 seconds West, a distance of 111.56 feet to a 3/8" iron rod with cap marked "HBD" set in the West line of said Lot 2;

Exhibit "A"

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(3) **THENCE** North 21 degrees 24 minutes 35 seconds East, along the West line of said Lot 2, a distance of 37.22 feet to the POINT OF BEGINNING;

Said tract contains a computed area of 1900 square feet of land.

Summary

Part 1 = 0.016 Acres (722 square feet)

Part 2 = 0.275 Acres (11,972 square feet)

Part 3 = 0.044 Acres (1900 square feet)

Total = 0.335 Acres (14,594 square feet)

Denial of Access Line

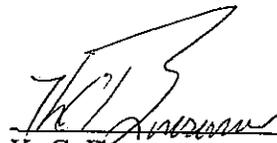
BEGINNING at a 3/8" iron rod with cap marked "HBD" set in the existing North right of way line of IH-40, whence a 1/2" iron rod found at the intersection of the existing North right of way line of IH-40 and the East line of Lot 11, Block 91, Famous Heights Park Addition, as recorded in Volume 151, Page 258, Deed Records of Potter County Texas, bears South 80 degrees 41 minutes 13 seconds East, 25.88 feet;

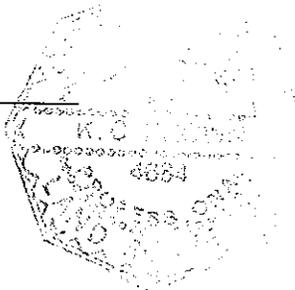
(1) **THENCE** North 89 degrees 49 minutes 34 seconds West, parallel and 20 feet North of an existing concrete curb, a distance of 760.21 feet to a 3/8" iron rod with cap marked "HBD" set for corner;

(2) **THENCE** North 00 degrees 05 minutes 55 seconds East, a distance of 101.63 feet to a 3/8" iron rod with cap marked "HBD" set for the end of this denial of access line.

NOTES:

1. Date of field survey: 10/25/2010
2. Parcel plat with same date accompanies this description.

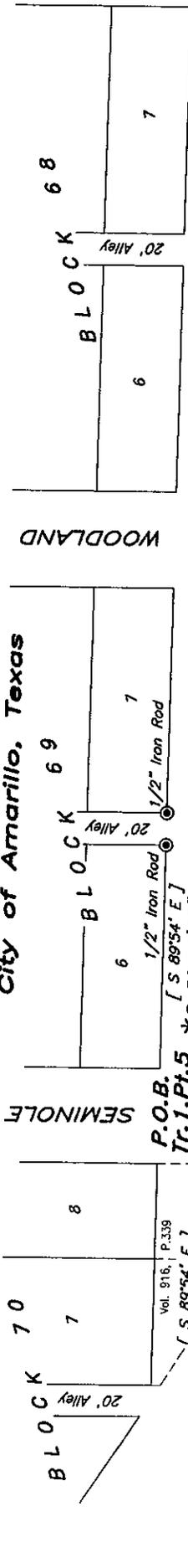

K. C. Brown 11-3-2011
Registered Professional Land Surveyor Date
4664 State of Texas



HAGAR, BROWN & DORSEY, LLC
LAND SURVEYORS
4713 S. Western
Amarillo, Texas 79109
(806)352-1007

" SURVEY PLAT "

FAMOUS HEIGHTS PARK ADDITION
(Volume 151, Page 258)
City of Amarillo, Texas



S.E. 16th AVENUE

INTERSTATE HIGHWAY NO. 40

FAIRFIELD STREET

Property descriptions of same date
accompanies this plat.

Existing South Right of Way Line of Interstate Highway No. 40

LEGEND

- = 3/8" Iron Rod set with HBD cap
- ⊙ = Control Monument found as noted.
- * = Base Bearing from Record Documents

Scale 1" = 100'

Plat Date: 11/03/2011 Plat No: A7003d.dwg

P.O. Box 1248
Herald, Texas 79045
(806) 364-6084
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Hagar, Brown & Dorsey, LLC.
LAND SURVEYORS

4713 S. Westfern St.
Amarillo, Texas 79109
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Sheet 4 of 4
Drawn By: J. Pringle
File: A7003d.dwg