

TEXAS TRANSPORTATION COMMISSION

SHELBY County

MINUTE ORDER

Page 1 of 1

LUFKIN District

In SHELBY COUNTY, on STATE HIGHWAY LOOP 500, the State of Texas acquired certain land for highway purposes by instrument recorded as Document No. 2010010940, Official Public Records of Shelby County, Texas.

The land (surplus land), described in Exhibit A, is 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 abutting landowners.

Jimmy W. Adams is the abutting landowner and has requested that the surplus land be sold to him for \$252.

The commission finds \$252 to be a fair and reasonable value of the state's rights, title and interest in the surplus land.

In accordance with Title 43, Texas Administrative Code, §21.105, the commission may determine that a service fee to be charged for the disposal of real property shall not apply if the commission determines the service fee to be unjust or unwarranted.

The commission finds that the service fee is unjust or unwarranted because the proposed highway alignment was revised.

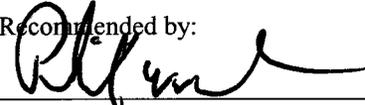
NOW, THEREFORE, in accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission finds that the surplus land is no longer needed for a state highway purpose and that the value is less than \$10,000. The commission authorizes the executive director to execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to Jimmy W. Adams for \$252 and that the service fee be waived; 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

112992 JAN 26 12

Minute Number Date Passed

County: Shelby
 Construction CSJ: 3315-01-016
 ROW Account No: 8011-02-022
 ROW CSJ: 3315-01-017
 Highway: Loop 500
 Parcel Limits: From: 588+75.81 100.00' Right
 To: 589+31.52 100.00' Right

FIELD NOTES FOR PARCEL 8

Being 0.0164 acres of land situated in the John Forsythe Survey, Abstract No. 203, Shelby County, Texas and being a part of a called 12.52 acre tract described in deed from Olga Mae Adams, to Jimmy W. Adams, dated December 15, 2000, and recorded in Volume 902, Page 173, in the Official Public Records of Shelby County, Texas, said 0.0164 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at an 8" fence corner post found (Point of Reference) for the Northwest corner of the said 12.52 acre tract;

THENCE N 77°23'11" E, with the North line of the said 12.52 acre tract, a distance of 803.40 feet to a ½" iron rod found in the North line of said 12.52 acre tract, being the South corner of a 37.48 acre tract described in a Non-Homestead Affidavit by Billy D. Rodgers and wife, Helen Rodgers, dated July 18, 2000, and recorded in Volume 891, Page 223, in the Official Public Records of Shelby County, Texas;

THENCE N 76°32'12" E, continuing with the said North line of said 12.52 acre tract and the South line of said 37.48 acre tract, a distance of 1,357.37 feet to a 5/8" iron rod with TX DOT aluminum cap set at its intersection with the proposed South right-of-way line of Loop 500 (width varies) and being the POINT OF BEGINNING of the parcel herein described and being 100.00 feet right of proposed centerline station 588+75.81', having surface coordinates of X = 4,207,657.64, Y = 10,682,754.94; (All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, NAD 83, 93 Adjustment. All distances and coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.99996766.)

1. THENCE N 76°32'12" E, continuing with the said North line of said 12.52 acre tract and the South line of the said 37.48 acre tract, a distance of 34.92 feet to a fence corner for the Northeast corner of said 12.52 acre tract, the Northwest corner of a 12.56 acre

County: Shelby
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Parcel Limits: From: 588+75.81 100.00' Right
To: 589+31.52 100.00' Right

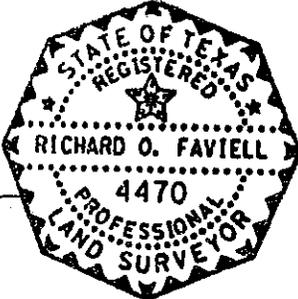
tract described in deed from Allie Adams and wife, Jane Adams to Billy D. Rodgers, dated March 19, 1999, and recorded in Volume 855, Page 252, in the Official Public Records of Shelby County, Texas, in the South line of the said 37.48 acre tract;

2. THENCE S 14°44'03" E, with the East line of said 12.52 acre tract and the West line of the said 12.56 acre tract, a distance of 41.06 feet to a 5/8" iron rod with TX DOT aluminum cap set at its intersection with the said proposed South right-of-way line of Loop 500 (width varies) and being in a curve to the left;
3. THENCE in a Northwesterly direction with the said proposed South right-of-way line of Loop 500 (width varies) and with an Access Denial Line, along said curve to the left having a radius of 4,484 feet, a central angle of 00°41'47", an arc length of 54.49 feet, and a chord bearing of N 54°34'46" W, and distance of 54.49 feet to the POINT OF BEGINNING containing 0.0164 acres of land.

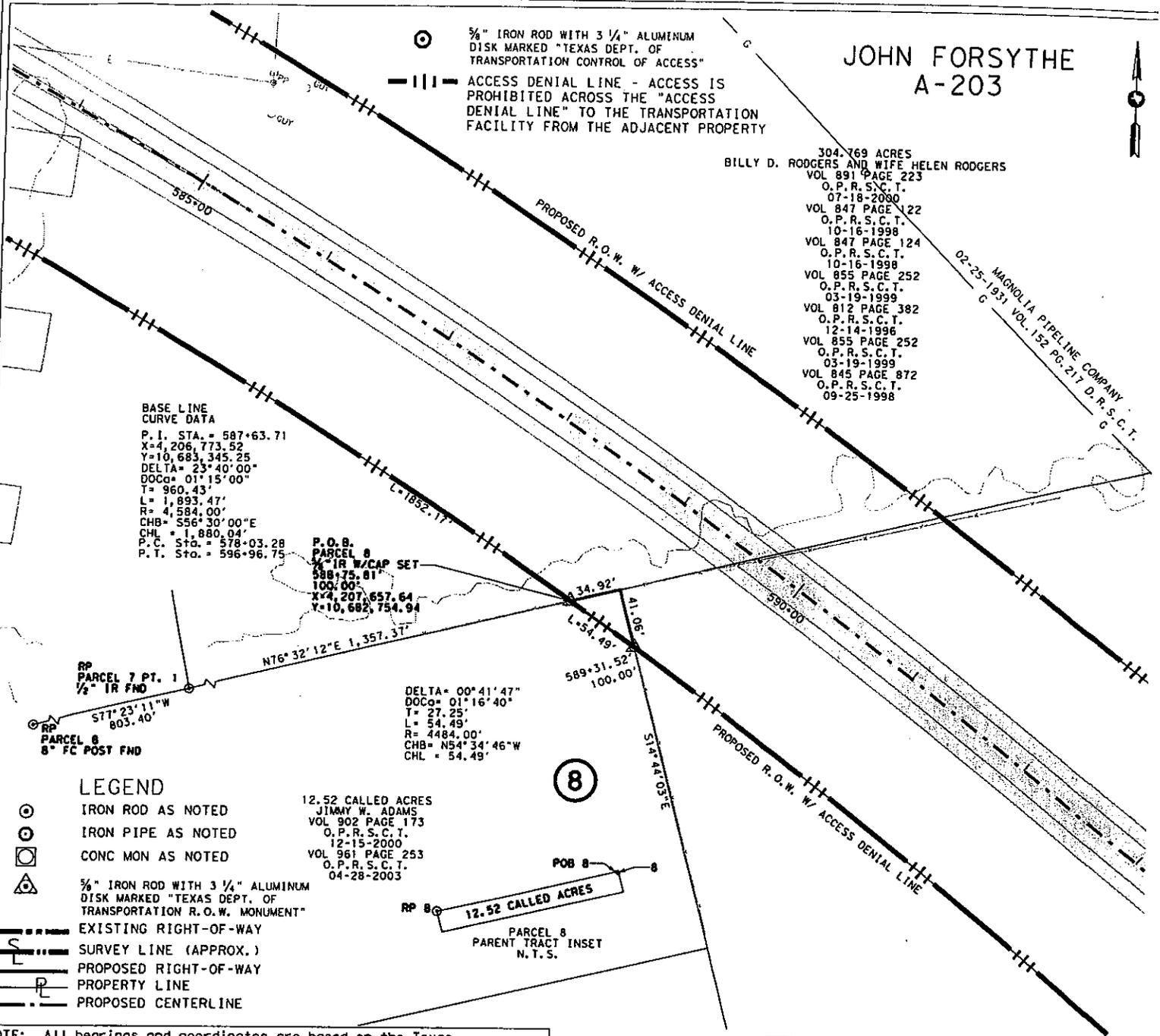
NOTE: Access is prohibited across the "Access Denial Line" to the Transportation Facility from the adjacent property.

(A parcel sketch was prepared in conjunction with this field note description.)


9-30-2005



JOHN FORSYTHE
A-203



NOTE: All bearings and coordinates are based on the Texas State Plane Coordinate System, Central Zone, North American 1983 Datum, 1993 adjustment. All Distances and Coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.99996766

| | |
|---|------------------|
| TAKING= 0.0164 | REMAINING= 12.50 |
| SCALE: 1"=100' | SHEET: 4 OF 4 |
| SEE PROPERTY DESCRIPTION AND RIGHT OF WAY MAP | |

I, RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4470 DO HEREBY CERTIFY THAT THE INFORMATION SHOWN ON THIS PLAT REPRESENTS THE FACTS AS FOUND BY AN ON THE GROUND SURVEY.

Richard O. Faviell
 9-30-2005
 RICHARD O. FAVIELL, REGISTERED PROFESSIONAL LAND SURVEYOR, NO. 4470



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|-------------------------------|----------------|
| COUNTY: | SHELBY |
| CONSTRUCTION CSJ: | 3315-01-016 |
| ROW ACCOUNT NO.: | 8011-02-022 |
| ROW CSJ NO.: | 3315-01-017 |
| PARCEL NO.: | 8 |
| GRANTOR: | JIMMY W. ADAMS |
| HIGHWAY NO. | LOOP 500 |
| PROJECT LIMITS: | |
| PARCEL LIMITS: FROM: | 588+75.81 |
| TO: | 589+31.52 |
| BARWIN CONSULTANTS | |
| 300 E. MAIN STREET, SUITE 300 | |
| NACOGDOCHES, TEXAS 75961 | |
| PHONE: (936) 569-0668 | |

RCSJ 3315-01-017

Loop 500

Shelby County, Texas

Parcel 8

ACCESS ADDENDUM TO EXHIBIT "A"
(SURPLUS PARCEL 8 PROPERTY DESCRIPTION)

The "Access Denial Line" described and depicted in the foregoing parcel 8 property description, by which the adjacent remaining property was denied access to the new location highway facility at the time the State acquired said parcel, does not apply to the current sale of the property by the State of Texas, since by reason of the re-design of the highway facility neither parcel 8 nor its former remaining property abut the Transportation facility and, therefore, said "Access Denial Line" is moot and inapplicable.