

TEXAS TRANSPORTATION COMMISSION

BELL County

MINUTE ORDER

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WACO District

In the city of Temple, BELL COUNTY, on INTERSTATE-35, the State of Texas acquired certain land needed for highway purposes by instruments recorded in Volume 1232, Page 153; Volume 1239, Page 173; and Volume 1233, Page 788, Deed Records, Bell County, Texas.

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

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may waive payment for real property transferred to a governmental entity if the estimated cost of future maintenance on the property equals or exceeds the fair value of the property.

The fair value of the surplus land has been determined to be \$113,345, and the state's costs for maintenance over the next 20 years is estimated to be \$120,000.

The City of Temple (city) has requested that the surplus land be transferred to the city in consideration of the savings to the state of future maintenance costs, since the future maintenance costs exceed the value of the surplus land.

The commission finds \$113,345 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 transferring all of the state's rights, title and interest in the surplus land to the City of Temple, Texas, in consideration of the savings to the state of future maintenance costs; 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:

John G. Bell
Director, Right of Way Division

Recommended by:

P. D. [Signature]
Executive Director

113212 JUL 26 12

Minute
Number

Date
Passed

EXHIBIT A

All that certain tract or parcel of land described as 0.514 acre out of the George Given Survey, Abstract No. 345, Bell County, Texas, and being PART ONE ONLY in Judgment of Court in Absence of Objection from Jesse Bell, et ux, to the State of Texas dated June 7, 1973, recorded in Vol. 1232, Pg. 153, C.C.R.B.C.T; and

All that certain tract or parcel of land described as 0.671 acre out of the George Given Survey, Abstract No. 345, Bell County, Texas, in Deed from Mary Jane Ferguson, a widow, et al., to the State of Texas dated July 9, 1973, recorded in Vol. 1239, Pg. 173, D.R.B.C.T; and

All that certain tract or parcel of land described as 0.116 acre out of the George Givens Survey, Abstract No. 345, Bell County, Texas, in Deed from Twin Cities Baptist Church to the State of Texas dated March 23, 1973, recorded in Vol. 1233, Pg. 788, D.R.B.C.T.