

TEXAS TRANSPORTATION COMMISSION

WILLIAMSON County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In WILLIAMSON COUNTY, on FARM TO MARKET ROAD 3405, the State of Texas acquired certain land for highway purposes by instrument recorded in Volume 768, Page 6, Deed Records of Williamson County, Texas.

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

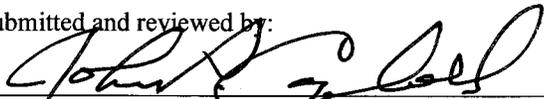
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to abutting landowners.

Wolf Von Buchholtz, John D. Gourley and MMSG Limited Partnership are the abutting landowners and have requested that the surplus land be sold to them for \$118,000.

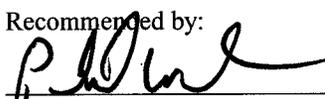
The commission finds \$118,000 to be a fair and reasonable value of the state's rights, title and interest in the surplus land.

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 Wolf Von Buchholtz, John D. Gourley and MMSG Limited Partnership for \$118,000; 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

**113067 MAR 29 12**

Minute  
Number

Date  
Passed

## WILLIAMSON COUNTY - FM 3405

### Description

This minute order provides for the sale of 1.421 acres of surplus right of way (surplus land) to the abutting landowners.

Williamson County  
CSJ 1755-03-001  
Tract 1  
FM 3405: At RM 2338 northwest of Georgetown

### Background

The surplus land to be sold was acquired by the state in 1979 for highway purposes on FM 3405. The Austin District has advised that a portion of the land is no longer needed for highway purposes.

Based on an independent appraisal and the district's recommendation, \$118,000 was established as the value of the surplus land. Wolf Von Buchholtz, John D. Gourley and MMSG Limited Partnership are abutting landowners and have requested to purchase the surplus land. Other abutting landowners have declined to purchase any of the surplus land.

The district recommends that the surplus land be sold to the abutting landowners who have requested to purchase it. The Right of Way Division concurs with the recommendation.

### Criteria

None.

### Problem/Condition

None.

### Other Comments

None.

### Alternate Solutions/Actions

None.



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A portion of the land (surplus land), described in Exhibit A, is 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 recommend the sale of surplus land to abutting landowners.

Wolf Von Buchholtz, John D. Gourley and MMSG Limited Partnership are the abutting landowners and have requested that the surplus land be sold to them for \$118,000.

The commission finds \$118,000 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 Wolf Von Buchholtz, John D. Gourley and MMSG Limited Partnership for \$118,000; 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:

Recommended by:

\_\_\_\_\_  
Director, Right of Way Division

\_\_\_\_\_  
Executive Director

\_\_\_\_\_  
Minute Number      Date Passed

EXHIBIT A

County: Williamson  
Highway: FM 3405  
Limits: SE of RM 2338 Intersection

PROPERTY DESCRIPTION FOR TRACT 1

FIELDNOTE DESCRIPTION OF A 1.421 ACRE (61,885 SQUARE FEET) TRACT OF LAND OUT OF THE FREDERICK FOY SURVEY, ABSTRACT NO. 229, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT 108.0216 ACRE TRACT CONVEYED TO THE STATE OF TEXAS, BY QUIT CLAIM FROM WILLIAMSON COUNTY, TEXAS, RECORDED IN VOLUME 768 PAGE 06 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS AND AS SHOWN ON TXDOT RIGHT-OF-WAY MAP CSJ 1755-3-631, DATED MARCH, 1979; SAID 1.421 ACRE TRACT OF LAND IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod with TxDOT aluminum cap set on the common existing southerly right-of-way line of FM 3405 (100.00 feet wide right-of-way) and southerly line of said 108.0216 acre tract, being 50.00 feet right of approximate FM 3405 centerline station 391+22, being 610.31 feet right of RM 2338 highway baseline station 457+25.14 as shown on the TxDOT right-of-way map of RM 2338 and the realignment of FM 3405, CSJ 2211-01-022 and being the northwest corner of that 28.64 acre tract of land conveyed to Madison GP, Inc. by deed recorded as Document No. 2007056052 in the Official Public Records of Williamson County, from which a ½" iron rod found for an angle point in the westerly line of said 28.64 acre tract bears S20°58'23"E a distance of 545.63 feet;

- 1) THENCE, N20°58'23"W, leaving the common southerly right-of-way line of FM 3405, southerly line of said 108.0216 acre tract and northerly line of said 28.64 acre tract, across the existing right-of-way of FM 3405 for a distance of 10.52 feet to TxDOT Type II monument set 601.94 feet right of RM 2338 highway baseline station 457+18.77 for the beginning of a non-tangent curve to the left, from which a ½" iron rod with TxDOT aluminum cap found for the southwest corner of that 1.379 acre parcel conveyed to the State of Texas from Lynn Stout, Jr. and Cindi G. Stout by Agreed Judgment recorded as Document No. 2011079521 in the Official Public Records of Williamson County, being 502.31 feet right of RM 2338 highway baseline station 456+41.86 on the northerly right-of-way line of the re-aligned portion of FM 3405, bears N21°21'01"W a distance of 125.87 feet;
- 2) THENCE, Northeasterly, continuing across the existing right-of-way of FM 3405 with said curve to the left having a central angle of 16°59'18", a radius of 825.00 feet, chord bears N43°57'59"E a distance of 243.72 feet, for an arc distance of 244.62 feet to a ½" iron rod with TxDOT aluminum cap found for the southeasterly corner of the aforesaid 1.379 acre parcel, on the existing northerly right-of-way line of FM 3405 at the intersection with the

EXHIBIT A

southerly right-of-way line of the re-aligned portion of FM 3405, being 386.06 feet right of RM 2338 highway baseline station 458+31.88;

- 3) THENCE, N65°30'41"E, with the common northerly right-of-way line of FM 3405 and northerly line of the aforesaid 108.0216 acre tract, same being the southerly line of the remainder of that 3.77 acre tract conveyed to Lynn Stout, Jr. and Cindi G. Stout by deed recorded as Document No. 2004051378 in the Official Public Records of Williamson County, for a distance of 467.37 feet to a ½" iron rod with TxDOT aluminum cap set for the most southerly northeast corner of the aforesaid 1.379 acre parcel, on the curving, southerly right-of-way line of Williams Drive, formerly RM 2338, and being 60.00 feet right of RM 2338 highway baseline station 461+95.65;
- 4) THENCE, Southeasterly, with the southerly right-of-way line of Williams Drive, formerly RM 2338, with a curve to the right having a central angle of 03°57'59", a radius of 1849.86 feet, chord bears S63°07'59"E a distance of 128.04 feet, for an arc distance of 128.06 feet to a ½" iron rod with TxDOT aluminum cap set at the intersection with the existing southerly right-of-way line of FM 3405 for the southwest corner of that 0.576 acre parcel conveyed to the State of Texas by Evelyn Jeanette Brown and husband Joe P. Brown recorded as Document No. 2006059902 in the Official Public Records of Williamson County, same being the northeast corner of the aforesaid 28.64 acre tract and being 50.00 feet right of approximate FM 3405 centerline station 398+96.6 and 60.00 feet right of RM 2338 highway baseline station 463+27.86;
- 5) THENCE, S65°30'41"W, with the common southerly right-of-way line of FM 3405, southerly line of the aforesaid 108.0216 acre tract, and northerly line of said 28.64 acre tract, at 0.07 feet pass a 60d nail found, for a total distance of 774.66 feet to the POINT OF BEGINNING, CONTAINING within these metes and bounds 1.421 acres (61,885 square feet) of land area.

Basis of bearing is the Texas State Plane Coordinate System, Central Zone, NAD 83 (Grid)

Distances adjusted to surface by a factor of 1.00014.

A survey plat of even date accompanies this description.

I, George E. Hopkins, a Registered Professional Land Surveyor, do hereby certify that the above property description is true and correct to the best of my knowledge and was determined by a survey made on the ground under my direction and supervision.

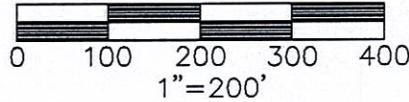
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 30th day of November, 2011.



*George E. Hopkins*  
GEORGE E. HOPKINS  
Registered Professional Land Surveyor  
No. 4685 State of Texas

# EXHIBIT A

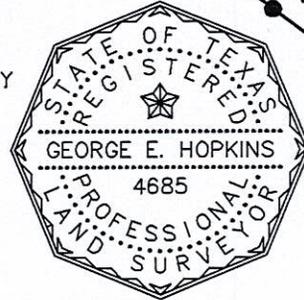
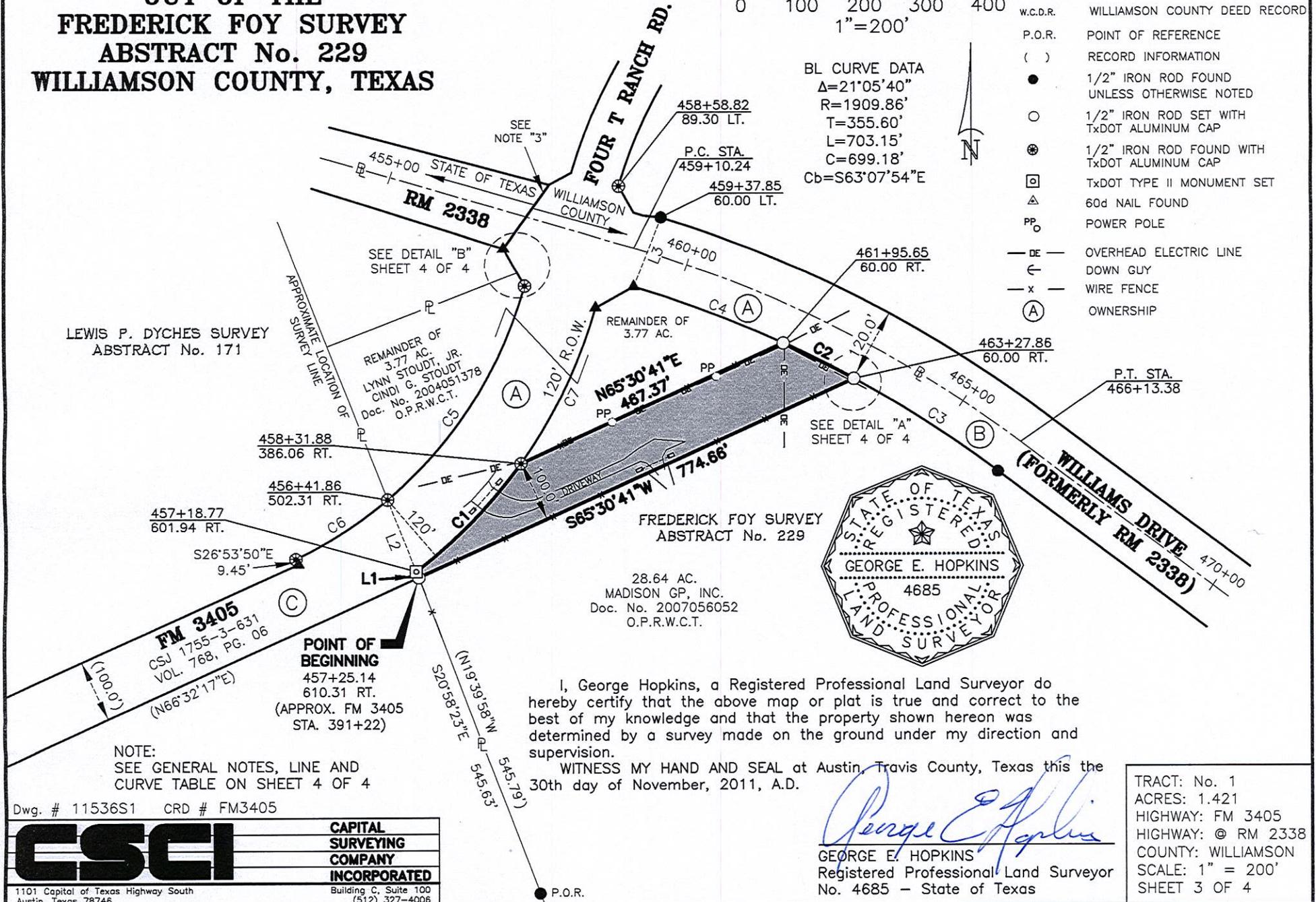
## SURVEY OF 1.421 ACRES OUT OF THE FREDERICK FOY SURVEY ABSTRACT No. 229 WILLIAMSON COUNTY, TEXAS



### LEGEND

- O.P.R.W.C.T. OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY, TEXAS
- W.C.D.R. WILLIAMSON COUNTY DEED RECORD
- P.O.R. POINT OF REFERENCE
- ( ) RECORD INFORMATION
- 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- 1/2" IRON ROD SET WITH TxDOT ALUMINUM CAP
- ⊗ 1/2" IRON ROD FOUND WITH TxDOT ALUMINUM CAP
- ⊠ TxDOT TYPE II MONUMENT SET
- △ 60d NAIL FOUND
- PP POWER POLE
- OE — OVERHEAD ELECTRIC LINE
- E — DOWN GUY
- x — WIRE FENCE
- (A) OWNERSHIP

BL CURVE DATA  
 $\Delta=21^{\circ}05'40''$   
 $R=1909.86'$   
 $T=355.60'$   
 $L=703.15'$   
 $C=699.18'$   
 $Cb=S63^{\circ}07'54''E$



I, George Hopkins, a Registered Professional Land Surveyor do hereby certify that the above map or plat is true and correct to the best of my knowledge and that the property shown hereon was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 30th day of November, 2011, A.D.

*George E. Hopkins*  
 GEORGE E. HOPKINS  
 Registered Professional Land Surveyor  
 No. 4685 - State of Texas

TRACT: No. 1  
 ACRES: 1.421  
 HIGHWAY: FM 3405  
 HIGHWAY: @ RM 2338  
 COUNTY: WILLIAMSON  
 SCALE: 1" = 200'  
 SHEET 3 OF 4

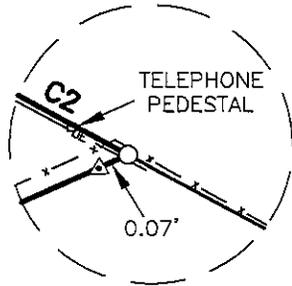
NOTE:  
 SEE GENERAL NOTES, LINE AND CURVE TABLE ON SHEET 4 OF 4

Dwg. # 11536S1 CRD # FM3405

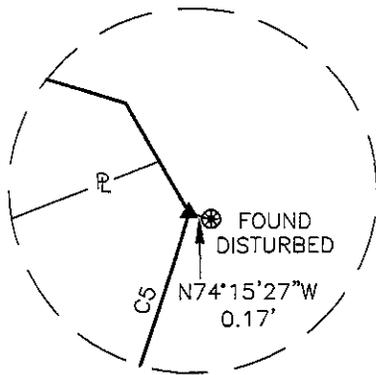
ESCI	CAPITAL SURVEYING COMPANY INCORPORATED
	Building C, Suite 100 (512) 327-4006
	1101 Capital of Texas Highway South Austin, Texas 78746

# EXHIBIT A

## SURVEY OF 1.421 ACRES OUT OF THE FREDERICK FOY SURVEY ABSTRACT No. 229 WILLIAMSON COUNTY, TEXAS



DETAIL "A"  
NOT TO SCALE



DETAIL "B"  
NOT TO SCALE

**GENERAL NOTES:**

- 1) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT AND DOES NOT INCLUDE ALL EASEMENTS PERTAINING TO THE PROPERTY.
- 2) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83 WITH DISTANCES ADJUSTED TO SURFACE BY A SURFACE ADJUSTMENT FACTOR OF 1.00014.
- 3) THE ALIGNMENT SHOWN FOR RM2338 IS PER TxDOT R.O.W. MAP, CSJ No. 2211-01-022 DATED 2005. SUBSEQUENT TO THIS, THAT PORTION OF RM2338 EAST OF FM3405 WAS CONVEYED BY THE STATE OF TEXAS TO WILLIAMSON COUNTY AS RECORDED IN DOCUMENT No. 2008085372 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. AN ADDITIONAL REALIGNMENT AND RM2338 R.O.W. ACQUISITION, WEST OF FM3405, WAS PREPARED IN 2009 AND IS NOT SHOWN HEREON (CSJ 2211-01-023). STATIONS AND OFFSETS LISTED REFLECT THE 2005 RM2338 ALIGNMENT SHOWN.
- 4) A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED TO ACCOMPANY THIS PLAT.

(A)  
PARCEL 8  
STATE OF TEXAS  
1.379 AC.  
AGREED JUDGEMENT  
Doc. No. 2011079521  
O.P.R.W.C.T.

(B)  
PARCEL 9  
STATE OF TEXAS  
0.576 AC.  
DEED  
Doc. No. 2006059902  
O.P.R.W.C.T.

(C)  
STATE OF TEXAS  
108.0216 AC.  
QUIT CLAIM  
Vol. 768, Pg. 6  
W.C.D.R.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N20°58'23"W	10.52'
L2	N21°21'01"W	125.87'
L3	N21°38'31"E	120.39'

CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD	CH. BEARING
C1	16°59'18"	825.00'	244.62'	243.72'	N43°57'59"E
C2	03°57'59"	1849.86'	128.06'	128.04'	S63°07'59"E
C3	08°34'27"	1849.86'	276.83'	276.57'	S56°51'46"E
(C3)	(08°33'56")	(1849.86')	(276.55')	(276.29')	(S56°52'02"E)
C4	08°01'34"	1849.86'	259.14'	258.92'	N69°07'46"W
C5	33°51'54"	705.00'	416.69'	410.66'	N32°40'30"E
(C5)	(33°43'31")	(705.00')	(414.98')	(409.01')	(N32°44'41"E)
C6	14°22'28"	705.00'	176.87'	176.41'	S56°47'40"W
(C6)	(14°22'52")	(705.00')	(176.96')	(176.49')	(S56°47'52"W)
C7	19°31'37"	825.00'	281.17'	279.81'	N25°42'31"E

TRACT: No. 1  
ACRES: 1.421  
HIGHWAY: FM 3405  
HIGHWAY: @ RM 2338  
COUNTY: WILLIAMSON  
SCALE: 1" = 200'  
SHEET 4 OF 4

Dwg. # 11536S1 CRD # FM3405

<b>CSCI</b>	<b>CAPITAL</b>
	<b>SURVEYING</b>
	<b>COMPANY</b>
	<b>INCORPORATED</b>
1101 Capital of Texas Highway South Austin, Texas 78746	Building C, Suite 100 (512) 327-4006