

TEXAS TRANSPORTATION COMMISSION

SHELBY County

MINUTE ORDER

Page 1 of 1

LUFKIN District

In the city of Tenaha, SHELBY COUNTY, on US 96, the State of Texas acquired certain land for highway purposes by instrument recorded in Volume 166, Page 237, Deed Records of Shelby County, Texas.

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

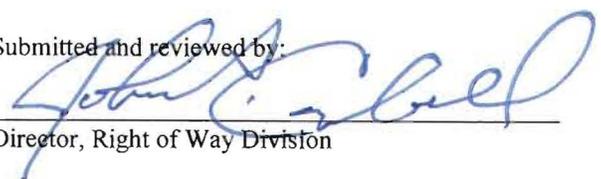
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land.

Tenaha Independent School District is the abutting landowner and has requested that the surplus land be sold to the school district for \$3,068.

The commission finds \$3,068 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

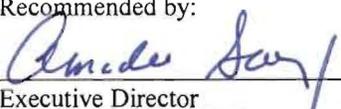
NOW, THEREFORE, in accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission finds that the surplus land is no longer needed for a state highway purpose and that the value of the surplus land is less than \$10,000 and authorizes the executive director to execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to Tenaha Independent School District for \$3,068; 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

111697 JAN 29 09

Minute
Number

Date
Passed

EXHIBIT A

Surveyed for

TENAHA INDEPENDENT SCHOOL DISTRICT

5.113 Acres

All that certain 5.113 acre tract situated about 10.5 miles northwest of the City of Center, Shelby County, Texas, on the **W.C. CRENSHAW SURVEY, A-129**, the **D.T.F. YORDT SURVEY, A-831**, the **A.C. HOOKS SURVEY, A-856**, and the **JOHN GREEN SURVEY, A-973**, being part of a 5.179 acre tract conveyed by J.A Parrish to the State of Texas as described in Right Of Way Deed dated August 3, 1933, recorded in Volume 166, Page 237 of the Shelby County Deed Records (DR), the same 5.179 acre tract cited as "reservation (g)" in conveyance of 39.396 acres described in Warranty Deed from F.G. Cherry to Tenaha Independent School District dated April 5, 2001, recorded in Volume 910, Page 323 of the Shelby County Official Public Records (OPR), and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found for corner at the north base of a fence corner post, said beginning corner being the northwest corner of the 5.179 acre tract, the northwest corner of the 39.396 acre tract, and also being the northeast corner of a 9.858 acre tract conveyed by Robert A. Thompson to Jason D. McDonald and wife, Glynda M. McDonald as described in Warranty Deed dated February 6, 2007, recorded in 1073/897 OPR DR;

THENCE N 66°17'41"E (call N 65°41'55"E in 533/727 DR), 113.10 feet with the north boundary line of the 39.396 acre tract and the north boundary line of the 5.179 acre tract to a ½" iron rod set for corner at the northeast corner of the 5.179 acre tract, from which a ½" iron rod set for corner 6/05/2000 at the northeast corner of the 39.396 acre tract on the west right-of-way of U.S. Highway 96 bears N 66°17'41"E, 619.86 feet;

THENCE S 04°06'30"W, 2289.04 feet with the east boundary line of the 5.179 acre tract to a ½" iron rod set for corner in the south boundary line of the 39.396 acre tract, from which a ½" iron rod set for corner 6/05/2000 at the southeast corner of the 39.396 acre tract on the west right-of-way of U.S. Highway 96 bears N 89°02'25"E, 190.75 feet;

THENCE S 89°02'25"W, 100.39 feet with the south boundary line of the 39.396 acre tract to its southwest corner, a ½" iron rod set for corner 6/05/2000 at the southwest corner of the 5.179 acre tract and the southeast corner of a 5.45 acre tract conveyed by Albert H. Burns and wife, Virginia P. Burns to Jack W. Denby and wife, Shirley L. Denby as described in Warranty Deed dated July 25, 1997, recorded in 822/691 OPR;

THENCE N 04°10'38"E, 661.81 feet (call N 03°35'12"E, 660.62 feet in 822/691 OPR) with the west boundary line of the 5.179 acre tract, the west boundary line of the 39.396 acre tract, and with the east boundary line of the 5.45 acre tract to a ½" iron rod found for corner 4.0 feet west of a fence corner post, from said iron rod an 8" Elm, found marked "X", bears N 13°W, 14.4 feet, said corner being the northeast corner of the 5.45 acre tract and the southeast corner of a 4.31 acre tract conveyed by Albert H. Burns and wife, Virginia P. Burns to Kenneth P. Conner and wife, Maxine Conner as described in Warranty Deed dated January 12, 1996, recorded in Volume 797, Page 675 of the Shelby County Real Property Records (RPR);

THENCE N 04°18'14"E, 632.99 feet (call N 03°35'12"E, 632.93 feet in 797/675 RPR) with the west boundary line of the 5.179 acre tract, the west boundary line of the 39.396 acre tract, and with the east boundary line of the 4.31 acre to a ½" iron rod found for corner at the northeast corner of the 4.31 acre tract and the southeast corner of a 0.92 acre tract conveyed by from Albert H. Burns and wife, Virginia P. Burns to Kenneth P. Conner and wife, Maxine Conner and described as Second Tract in Warranty Deed dated November 3, 1995, recorded in 795/83 RPR;

THENCE N 04°14'53"E, 85.83 feet (call N 03°35'12"E, 86.05 feet in 795/83 RPR) with the west boundary line of the 5.179 acre tract, the west boundary line of the 39.396 acre tract, and with the east boundary line of the 0.92 acre to a ½" iron pipe found for corner at the northeast corner of the 0.92 acre tract and the southeast corner of a 3.230 acre tract described as First Tract in 795/83 RPR;

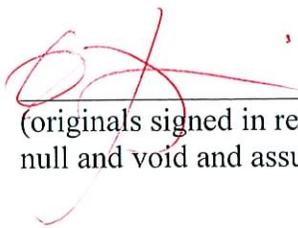
THENCE N 04°21'22"E, 257.39 feet (call N 03°35'12"E, 257.41 feet in 795/83 RPR) with the west boundary line of the 5.179 acre tract, the west boundary line of the 39.396 acre tract, and with the east boundary line of the 3.230 acre tract and the west boundary line of the 5.179 acre tract to a ½" iron rod found for corner at the base of a fence corner post, said corner being the northeast corner of the 3.230 acre tract and the southeast corner of the aforementioned 9.8580 acre tract (1073/897 OPR);

THENCE N 03°42'16"E, 607.15 feet (call N 03°59'57"E, 607.16 feet in 1073/897 OPR) with the west boundary line of the 5.179 acre tract, the west boundary line of the 39.396 acre tract, and with the east boundary line of the 9.858 acre tract to the point of **BEGINNING**, containing within these calls 5.113 acres.

See attached plat dated 6/26/2008.

Bearings based on record call of N 86°47'13"E on southernmost south boundary line of 440.306 acre tract described in 533/727 DR.

I, Glenn Hoffpauir, a duly Registered Professional Land Surveyor for the State of Texas, do hereby certify that this description of 5.113 ACRES surveyed for TENAHA INDEPENDENT SCHOOL DISTRICT is true and correct, and prepared from a survey made on the ground, completed this 26th day of June, 2008.



RPLS No. 4492

(originals signed in red ink; all others null and void and assumed to be altered)

- see attached metes and bounds description
- bearings based on record call of N 86°47'13"E in southernmost south boundary line of 440.306 acre tract described in 533/727 RPR
- this survey prepared without benefit of title commitment; surveyor did not abstract for easements or ownership

Bermon Odum
V/P unknown

Set 1/2" L rod
06/05/2000

(DEED)

1073/897 OPR
9.8580 Ac.

(call N 03°59'47"E 897.16'
in 1073/897 OPR)
N 03°42'10"E 607.15'
F.d. 1/2" L rod

168/237 DR
State of Texas
100' wide strip

Sanitary Control Easement
860/703 OPR - 1/2" L rod

880/701 OPR
City of Tenaha
0.243 Ac.

(call N 03°35'12"E 257.41' in 795/83 RPR)
795/83 RPR
0.92 Ac., 3.230 Ac.
N 04°21'22"E 257.39'

F.d. 1/2" L pipe
(call N 03°35'12"E 86.05' in 795/83 RPR)
N 04°14'53"E 85.83'

910/323 OPR
T.I.S.D.
39.396 Ac.

797/675 RPR
4.31 Ac.

F.d. 8" Elm "X" N 13"W, 14.4'
F.d. 1/2" L rod

822/691 OPR
5.45 Ac.

(call N 03°35'12"E 660.62'
in 822/691 OPR)
N 04°10'38"E 661.81'
F.d. 1/2" L rod

U.S. HIGHWAY 96

5.113 ACRES

M.L. ANDERSON STREET
(Old Highway 96)

533/727 DR
Rite Care Corp.
(part of) 440.306 Ac.

W.C. CRENSHAW SURVEY, A-129
D.T.F. YORDT SURVEY, A-831
A.C. HOOKS SURVEY, A-856
JOHN GREEN, JR. SURVEY, A-973
SHELBY COUNTY, TEXAS



I, Glenn Hoffpauir, a duly Registered Professional Land Surveyor for the State of Texas, do hereby certify that this plat of 5.113 ACRES surveyed for TENAHA INDEPENDENT SCHOOL DISTRICT is true and correct, and drawn from a survey made on the ground under my supervision, completed this 26th day of June, 2008.

(Handwritten signature in red ink)

RPLS No. 4492

(originals signed in red ink; all others null and void and assumed to be altered)

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| Prepared for TENAHA I.S.D. | | |
| ROAN & HOFFPAUIR SURVEYING CO., LLP 120 EAST PILAR ST. NACOGDOCHES, TX 75961 PHONE (936) 560-1227 FAX (936) 560-2899 | | |
| REV: | JOB NO: | DRAWN BY: |
| | 14161 | gh |
| DATE: | SHEET NO: | SCALE: |
| 6/26/2008 | 1 OF 2 | 1" = 300' |