

TEXAS TRANSPORTATION COMMISSION

HAYS County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In the city of Buda, HAYS COUNTY, on FARM TO MARKET ROAD 967, the State of Texas (state) acquired certain land for highway purposes by instrument recorded in Volume 146, Page 94, Deed Records of Hays 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 exchange of surplus land as whole or partial consideration for other land needed for a state highway purpose.

Land needed for a state highway purpose (new land), described in Exhibit B, has been conveyed to the state by C. Ronald Platt, Trustee, (owner). The owner has requested that the surplus land be conveyed to the trustee and will pay to the state the \$3,144 difference in value between the value of the surplus land and that of the new land pursuant to an executed exchange agreement.

It is the opinion of the commission that it is proper and correct that the state convey the surplus land to the owner in exchange and as consideration for the conveyance of the new land and the cash payment of \$3,144 to the state.

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 C. Ronald Platt, Trustee, in exchange and as consideration for the conveyance of the new land and the cash payment of \$3,144 to the state; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles and interest, 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

111836 MAY 28 09

Minute Number

Date Passed



**Professional Land Surveying, Inc.  
Surveying and Mapping**

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

EXHIBIT A

**TRACT 1  
F.M. 967, CITY OF BUDA  
HAYS COUNTY, TEXAS**

A DESCRIPTION OF 0.306 ACRES (APPROX. 13,329 S.F.) IN THE S.V.R. EGGLESTON LEAGUE, HAYS COUNTY, TEXAS, BEING A PORTION OF A 1.614 ACRE TRACT (TRACT C) CONVEYED TO THE STATE OF TEXAS BY RIGHT-OF-WAY DEED FROM J.E. BORING, EXECUTED MARCH 21, 1950, AND RECORDED IN VOLUME 146, PAGE 94 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, SAID 0.306 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a broken TxDOT Type I concrete monument found in the east right-of-way line of F.M. 967 (right-of-way width varies) for the northeast corner of said Tract C, being also the northwest corner of a 3.604 acre tract described in Volume 3388, Page 268 of the Official Public Records of Hays County, Texas, and being also the apparent southwest corner of a 175 acre tract described in Volume 1140, Page 681 of the Official Public Records of Hays County, Texas;

**THENCE** with the east line of Tract C, being the east right-of-way line of F.M. 967, and being also the west line of the 3.604 acre tract, the following two (2) courses and distances:

1. South  $40^{\circ}11'31''$  West, a distance of 228.18 feet to 2" aluminum disk found at Engineer's Centerline Station 35+20.32, 90.73 feet right;
2. South  $36^{\circ}22'29''$  West, a distance of 90.56 feet to a 1/2" rebar with Chaparral cap set, from which a 1/2" rebar found at Engineer's Centerline Station 33+47.90, 36.36 feet right, for an angle point in the east line of Tract C, the east right-of-way line of F.M. 967, and the west line of the 3.604 acre tract bears South  $36^{\circ}22'29''$  West, a distance of 82.00 feet;

**THENCE** over and across Tract C, with the proposed east right-of-way line of F.M. 967, the following two (2) courses and distances:

1. Along a curve to the right, with an arc length of 85.88 feet, a radius of 641.20 feet, a delta angle of  $07^{\circ}40'26''$ , and a chord which bears North  $18^{\circ}13'17''$  East, a distance of 85.81 feet to a 1/2" rebar with Chaparral cap set for a point of tangency;

2. North  $22^{\circ}18'38''$  East, a distance of 179.86 feet to a 1/2" rebar with cap set in the north line of Tract C;

**THENCE** with the north line of Tract C, the following two (2) courses and distances:

1. North  $84^{\circ}56'31''$  East, a distance of 46.02 feet to a 1/2" rebar with cap set;
2. South  $85^{\circ}28'29''$  East, a distance of 60.20 feet to the **POINT OF BEGINNING**.

Surveyed on the ground September 17, 2008. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 407-005-ROW-3



Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995



9-17-08

175 AC.  
T. HIGGINBOTHAM IV  
(1140/681)

5.010 ACRES  
EPISCOPAL CHURCH CORPORATION,  
DIOCESE OF WEST TEXAS  
602/517

P.O.B.  
N84°15'39"E 243.71'  
(N84°59'18"E 243.77')

BROKEN

0.306  
AC.



1"=100'

ADDITIONAL R.O.W.  
DEDICATED BY  
OVERLOOK PARK PLAT  
(13/196)

F.M. 967  
(R.O.W. WIDTH VARIES)

TRACT C  
[146/94]

OVERLOOK PARK  
LOT 3  
BLOCK B  
(13/196)

N22°18'38"E 179.86'  
S40°11'31"W 228.18'  
(S40°55'20"W 228.27')  
(S32°05'W 228.0')

90.73 RT  
35+20.32  
2" ALUM.  
DISK FOUND

S27°14'55"W 592.10'  
(S27°58'35"W 592.15')

OVERLOOK PARK  
LOT 4  
BLOCK B  
(13/196)

36.36 RT  
33+47.90

3.604 AC.  
C. RONALD PLATT, TRUSTEE  
(3388/268)

11.902 AC.  
RUEBEN INVESTMENTS, LLC  
(3268/597)

0.40' OFF

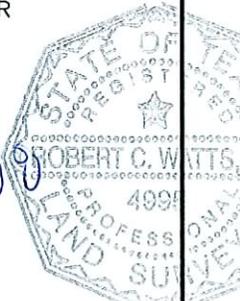
PROPOSED R.O.W.  
PARCEL 6

REM. OF 20.649 AC.  
GEORGE KELLER  
(306/530)

W/ CAP  
C1

2" ALUM.  
DISK FOUND

*Mut's  
9-17-08*



OVERLOOK PARK  
LOT 5  
BLOCK B  
(13/196)

59.99 LT  
31+96.33

S53°55'20"W 230.88'  
(S54°38'17"W 230.85')

S.V.R. EGGLESTON  
LEAGUE

OVERLOOK PARK  
LOT 2  
BLOCK B  
(13/196)

C-S26°24'30"E  
150.51'

44.64 RT  
28+43.82

DATE OF SURVEY: 9/17/2008  
PLOT DATE: 9/17/2008  
DRAWING NO.: 407-005-ROW-3  
PROJECT NO.: 407-005  
PAGE 1 OF 2

Chaparral

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.306 ACRES (APPROX. 13,329 S.F.) IN THE S.V.R. EGGLESTON LEAGUE, HAYS COUNTY, TEXAS, BEING A PORTION OF A 1.614 ACRE (TRACT C) CONVEYED TO THE STATE OF TEXAS BY RIGHT-OF-WAY DEED FROM J.E. BORING, EXECUTED MARCH 21, 1950, AND RECORDED IN VOLUME 146, PAGE 94 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR W/ CHAPARRAL CAP SET
- 1/2" REBAR FOUND OR AS NOTED
- ⊙ TxDOT TYPE II DISK FOUND
- TxDOT TYPE I MONUMENT FOUND

CURVE TABLE						
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING
C1	27°56'50"	676.20'	168.26'	329.83'	326.57'	S06°02'43"E
C2	7°40'26"	641.20'	43.00'	85.88'	85.81'	N18°13'17"E

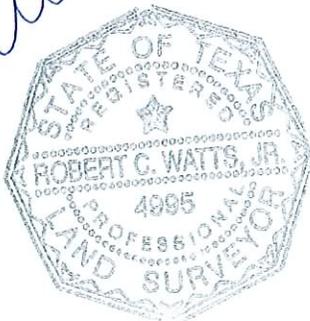
LINE TABLE			
No.	BEARING	LENGTH	RECORD
L1	S36°22'29"W	90.56'	
L2	N84°56'31"E	46.02'	[N76°50'E 131.5']
L3	S85°28'29"E	60.20'	[N86°25'E 60.2']

R.O.W. NOTE:  
 STATIONING AND ALIGNMENT IS FROM  
 CSJ 1776-01-023 ACCT. 8014-2-32  
 SIGNED 11/8/02  
 PREPARED BY VICKERY & ASSOCIATES,  
 INC.  
 PROVIDED TO US BY TxDOT

BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE,  
 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION

*Must S*



*9-17-08*

**Chaparral**

DATE OF SURVEY: 9/17/2008  
 PLOT DATE: 9/17/2008  
 DRAWING NO.: 407-005-ROW-3  
 PROJECT NO.: 407-005  
 PAGE 2 OF 2



**Professional Land Surveying, Inc.  
Surveying and Mapping**

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

EXHIBIT B

**PARCEL 6  
F.M. 967, CITY OF BUDA  
HAYS COUNTY, TEXAS**

A DESCRIPTION OF 0.281 ACRES (APPROX. 12,281 S.F.) IN THE S.V.R. EGGLESTON LEAGUE, HAYS COUNTY, TEXAS, BEING A PORTION OF A 3.604 ACRE DESCRIBED IN A GENERAL WARRANTY DEED TO C. RONALD PLATT, TRUSTEE, EXECUTED MAY 12, 2008, AND RECORDED IN VOLUME 3388, PAGE 268 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 0.281 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar found in the east right-of-way line of F.M. 967 (right-of-way width varies) for the southwest corner of the 3.604 acre tract, being also an angle point in the west line of an 11.902 acre tract described in Volume 3268, Page 597 of the Official Public Records of Hays County, Texas, from which a TxDOT Type I concrete monument found in the east right-of-way line of F.M. 967, being also the west line of the 11.902 acre tract, bears South 26°24'30" East, a distance of 150.51 feet;

**THENCE** with the east right-of-way line of F.M. 967, being also the west line of the 3.604 acre tract, the following two (2) courses:

1. Along a curve to the right, with an arc length of 329.83 feet, a radius of 676.20 feet, a delta angle of 27°56'50", and a chord which bears North 06°02'43" West, a distance of 326.57 feet to a 1/2" rebar found at Engineer's Centerline Station 33+47.90, 36.36 feet right;
2. North 36°22'29" East, a distance of 82.00 feet to a 1/2" rebar with Chaparral cap set, from which a 2" aluminum disk found for an angle point in said line, at Engineer's Centerline Station 35+20.32, 90.73 feet right, bears North 36°22'29" East, a distance of 90.56 feet;

**THENCE** over and across the 3.604 acre tract, with the proposed east right-of-way line of F.M. 967, along a curve to the left, with an arc length of 374.91 feet, a radius of 641.20 feet, a delta angle of 33°30'03", and a chord which bears South 02°21'58" East, a distance of 369.59 feet to a 1/2" rebar with Chaparral cap set in the south line of the 3.604 acre tract, being also the north line of the 11.902 acre tract, from which a 2" aluminum disk found in said line bears North 53°55'20" East, a distance of 194.38 feet;

**THENCE** South 53°55'20" West, with the south line of the 3.604 acre tract, being also

the north line of the 11.902 acre tract, a distance of 36.50 feet to the **POINT OF BEGINNING.**

Surveyed on the ground September 17, 2008. Bearing Basis: Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Drawing 407-005-ROW-4.

*Robert C. Watts, Jr.* 9.17.08

Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas No. 4995



5.010 ACRES  
EPISCOPAL CHURCH CORPORATION,  
DIOCESE OF WEST TEXAS  
602/517

175 AC.  
T. HIGGINBOTHAM IV  
(1140/681)

TRACT C  
[146/94]

N84°15'39"E 243.71'  
(N84°59'18"E 243.77')



1"=100'

ADDITIONAL R.O.W.  
DEDICATED BY  
OVERLOOK PARK PLAT  
(13/196)

F.M. 967  
(R.O.W. WIDTH VARIES)

OVERLOOK PARK  
LOT 3  
BLOCK B  
(13/196)

[S32°05'W 228.0']  
S40°11'31"W 228.18'  
(S40°55'20"W 228.27')

90.73 RT  
35+20.32  
2" ALUM.  
DISK FOUND

3.604 AC.  
C. RONALD PLATT, TRUSTEE  
(3388/268)

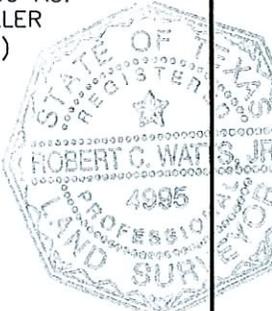
OVERLOOK PARK  
LOT 4  
BLOCK B  
(13/196)

36.36 RT  
33+47.90

(S37°04'59"W 172.47')  
[S27°35'W 172.5']  
N36°22'29"E  
90.56'

11.902 AC.  
RUEBEN INVESTMENTS, LLC  
(3268/597)

REM. OF 20.649 AC.  
GEORGE KELLER  
(306/530)



*Munt  
9-17-09*

S.V.R. EGGLESTON  
LEAGUE

OVERLOOK PARK  
LOT 5  
BLOCK B  
(13/196)

0.40' OFF  
W/ CAP  
C1

PARCEL 6  
0.281 AC.

2" ALUM.  
DISK FOUND

N53°55'20"E 194.38'  
S53°55'20"W 230.88'  
(S54°38'17"W 230.85')

OVERLOOK PARK  
LOT 2  
BLOCK B  
(13/196)

P.O.B.

C=S26°24'30"E  
150.5'  
150.5'

44.64 RT  
28+43.82

DATE OF SURVEY: 9/17/2008  
PLOT DATE: 9/17/2008  
DRAWING NO.: 407-005-ROW-4  
PROJECT NO.: 407-005  
PAGE 1 OF 2

Chaparral

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.281 ACRES (APPROX. 12,281 S.F.) IN THE S.V.R. EGGLESTON LEAGUE, HAYS COUNTY, TEXAS, BEING A PORTION OF A 3.604 ACRE DESCRIBED IN A GENERAL WARRANTY DEED TO C. RONALD PLATT, TRUSTEE, EXECUTED MAY 12, 2008, AND RECORDED IN VOLUME 3388, PAGE 268 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR W/ CHAPARRAL CAP SET
- 1/2" REBAR FOUND OR AS NOTED
- ⊙ TxDOT TYPE II DISK FOUND
- TxDOT TYPE I MONUMENT FOUND

LINE TABLE		
No.	BEARING	LENGTH
L1	N36°22'29"E	82.00'
L2	S53°55'20"W	36.50'

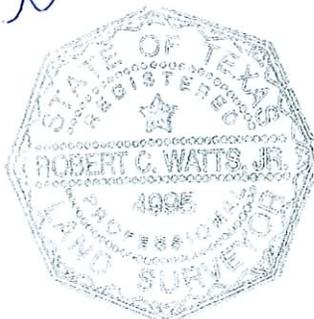
CURVE TABLE						
NO.	DELTA	RADIUS	TAN	ARC	CHORD	BEARING
C1	27°56'50"	676.20'	168.26'	329.83'	326.57'	N06°02'43"W
C2	33°30'03"	641.20'	192.98'	374.91'	369.59'	S02°21'58"E

R.O.W. NOTE:  
 STATIONING AND ALIGNMENT IS FROM  
 CSJ 1776-01-023 ACCT. 8014-2-32  
 SIGNED 11/8/02  
 PREPARED BY VICKERY & ASSOCIATES,  
 INC.  
 PROVIDED TO US BY TxDOT

*Mut's  
 9-17-08*

BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE,  
 1983/93 HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION



**Chaparral**

DATE OF SURVEY: 9/17/2008  
 PLOT DATE: 9/17/2008  
 DRAWING NO.: 407-005-ROW-4  
 PROJECT NO.: 407-005  
 PAGE 2 OF 2