

TEXAS TRANSPORTATION COMMISSION

HIDALGO County

MINUTE ORDER

Page 1 of 1

PHARR District

In the city of Weslaco, HIDALGO COUNTY, on US 83, the State of Texas acquired certain land for state highway purposes by instrument recorded in Volume 1019, Page 174, Deed Records of Hidalgo 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 to the abutting landowner.

Armando Alaniz and wife, Oralia Alaniz, are the abutting landowners and have requested that the surplus land be sold to them for \$55,200.

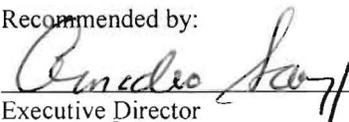
The commission finds \$55,200 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

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 Armando Alaniz and wife, Oralia Alaniz, for \$55,200; 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

111837 MAY 28 09

Minute Number Date Passed

Exhibit "A"

County: Hidalgo
Project: US 83 at Westgate Drive - Mile 6 West, NW Corner
Owner: State of Texas

METES AND BOUNDS FOR
SURPLUS RIGHT-OF-WAY

Being a 0.2980 acre tract of land (12,979 Sq. Ft.) located in the Llano Grande Grant, Abstract No. 54, being out of Farm Tract 146, Block 179 of the West and Adams Tract Subdivisions, Hidalgo County, Texas, according to the map thereof recorded in Volume 2, Pages 34-36 of the Map Records of Hidalgo County (M.R.H.C.), Texas and being out of and a part of that called 1.86 acre tract as conveyed to the State of Texas in a deed dated October 2, 1961, recorded in Volume 1019, Pages 174-178 of the Deed Records of Hidalgo County (D.R.H.C.), Texas, said 0.2980 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING for reference at the southwest corner of Tract III conveyed to Falars-V, Inc. in a deed dated March 7, 2001, recorded in Document Number 982255 of the Official Records of Hidalgo County (O.R.H.C.), Texas, from which a 1/2 inch iron rod found bears South 88°51'38" West, 0.27 feet;

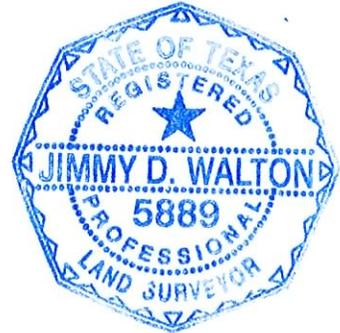
THENCE, NORTH 88°51'38" EAST, with the south line of said Tract III and the north line of that called 0.33 acre tract conveyed to Armando Alaniz, et ux in a deed dated March 4, 1982, recorded in Volume 1775, Page 232 D.R.H.C., a distance of 145.13 feet to a 1/2 inch iron rod found on the existing westerly right-of-way line of Westgate Drive (Mile 6 West Road), (R.O.W. width varies), for the southeast corner of said Tract III, for the northeast corner of said 0.33 acre tract, and being also the northwest corner and the **POINT OF BEGINNING** of the herein described parcel, having surface coordinates of X=1,145,805.98 and Y=16,589,423.39. All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment). All distances and coordinates are surface and may be converted to grid by dividing by a surface adjustment factor of 1.00004:

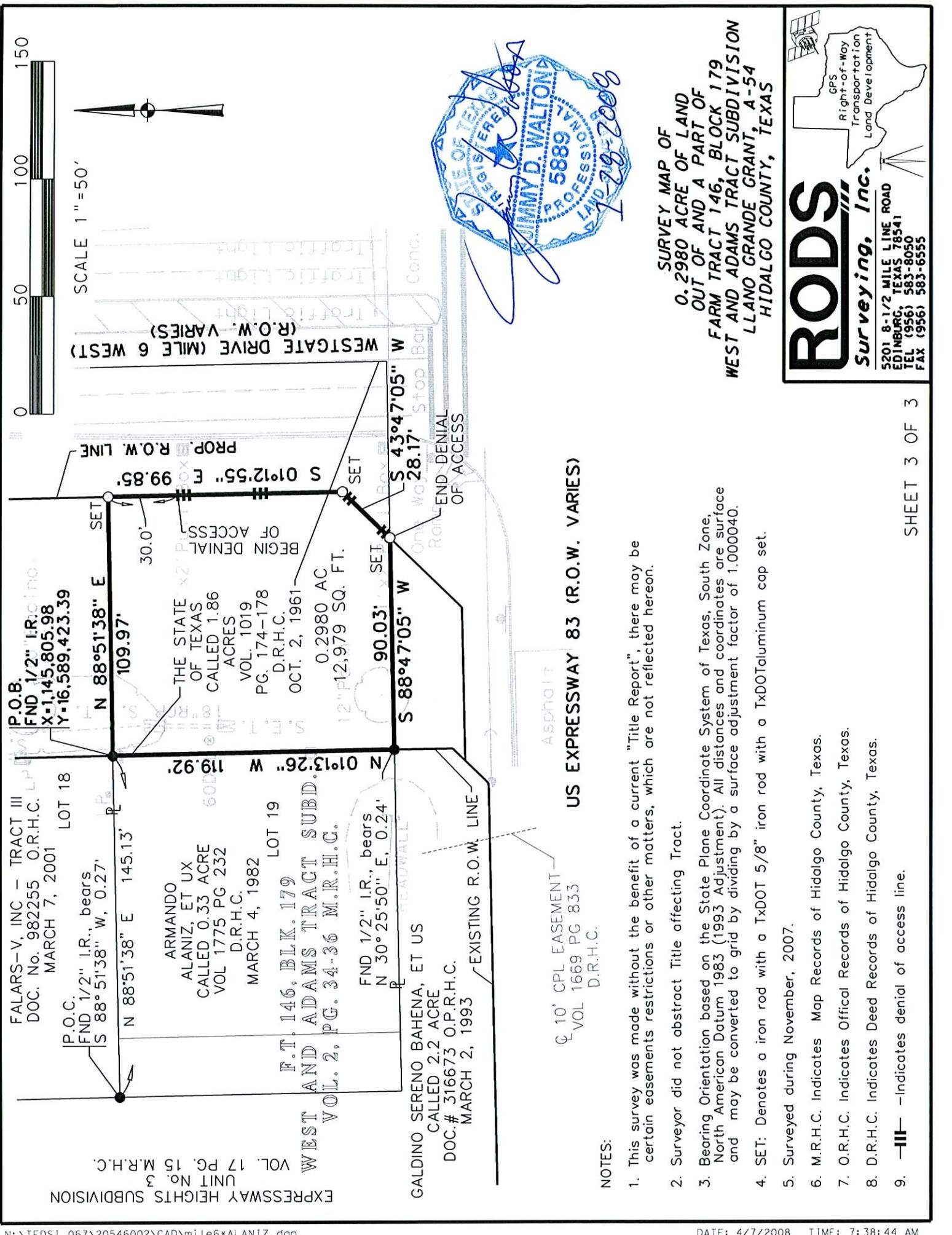
1. **THENCE**, NORTH 88°51'38" EAST, with the north line of the herein described parcel, across the aforementioned 1.86 acre tract, a distance of 109.97 feet to a 5/8 inch iron rod with TxDOT aluminum cap set on the proposed westerly right-of-way line of said Westgate Drive, based on a proposed right-of-way width of 140 feet, and for the northeasterly corner of the parcel described herein;

2. **THENCE**, SOUTH 01°12'55" EAST, with the proposed westerly right-of-way line of said Westgate Drive, at a distance of 30.00 feet begin denial of access, continuing with said proposed right-of-way line and denial of access line, a total distance of 99.85 feet to a 5/8 inch iron rod with TxDOT aluminum cap set on the northeasterly end of a proposed 50-foot corner clip and for the most easterly southeast corner of the parcel described herein;
3. **THENCE**, SOUTH 43°47'05" WEST, with the proposed westerly right-of-way of said Westgate Drive, a distance of 28.17 feet to a 5/8 inch iron rod with TxDOT aluminum cap set on the south line of the aforementioned 1.86 acre tract, end denial of access, for the most southerly southeast corner of the parcel described herein;
4. **THENCE**, SOUTH 88°47'05" WEST, a distance of 90.03 feet to the existing westerly right-of-way line of said Westgate Drive, for the southeast corner of the aforementioned 0.33 acre tract and for the southwesterly corner of the parcel described herein, from which a 1/2 inch iron rod found bears N 30°25'30" E, 0.24 feet;
5. **THENCE**, NORTH 01°13'26" WEST, with the existing westerly right-of-way line of said Westgate Drive, and the east line of said 0.33 acre tract, a distance of 119.92 to the **POINT OF BEGINNING** and containing 0.2980 acre (12,979 Sq. Ft.) of land. A survey plat of even date accompanies this metes and bounds description.


REGISTERED PROFESSIONAL LAND SURVEYOR
RODS SURVEYING, INC.

7-28-2008
DATE





**SURVEY MAP OF
0.2980 ACRE OF LAND
OUT OF AND A PART OF
FARM TRACT 146, BLOCK 179
WEST AND ADAMS TRACT SUBDIVISION
LLANO GRANDE GRANT, A-54
HIDALGO COUNTY, TEXAS**

RODS
Surveying, Inc.
 GPS
 Right-of-Way
 Transportation
 Land Development

5201 8-1/2 MILE LINE ROAD
 FORT WORTH, TEXAS 76151
 TEL (956) 583-8050
 FAX (956) 583-6355

US EXPRESSWAY 83 (R.O.W. VARIES)

NOTES:

1. This survey was made without the benefit of a current "Title Report", there may be certain easements restrictions or other matters, which are not reflected hereon.
2. Surveyor did not abstract Title affecting Tract.
3. Bearing Orientation based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 Adjustment). All distances and coordinates are surface and may be converted to grid by dividing by a surface adjustment factor of 1.000040.
4. SET: Denotes a iron rod with a TxDOT 5/8" iron rod with a TxDOTaluminum cap set.
5. Surveyed during November, 2007.
6. M.R.H.C. Indicates Map Records of Hidalgo County, Texas.
7. O.R.H.C. Indicates Official Records of Hidalgo County, Texas.
8. D.R.H.C. Indicates Deed Records of Hidalgo County, Texas.
9. **—||—** -Indicates denial of access line.