

TEXAS TRANSPORTATION COMMISSION

HAYS County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In HAYS COUNTY, on US 290, the State of Texas (state) acquired certain land for a maintenance site by instrument recorded in Volume 672, Page 782, Deed Records of Hays County, Texas.

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

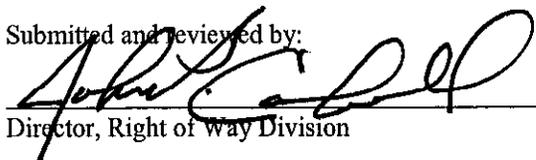
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of real property which is no longer needed for a state highway purpose.

Hays County has requested that the state sell the surplus land to the county for \$27,624.

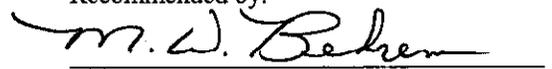
The commission finds \$27,624 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

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 Hays County, Texas, for \$27,624; 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

110371 DEC 15 05

Minute Number Date Passed

EXHIBIT A

STATE OF TEXAS §
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COUNTY OF HAYS §

FIELDNOTE DESCRIPTION, to accompany survey, of a tract or parcel of land containing 0.0457 acres (1,991 square feet), situated in the William S. Holton Survey No. 57, Hays County, Texas, being out of Lot 2, Silver Spur Ranchettes, Section Three, a subdivision recorded in Book 1, Page 75 of the Plat Records of Hays County, Texas, and being a portion of that 9.982 acre tract consisting of Lot 2 and Lot 1 of said Silver Spur Ranchettes, Section Three, conveyed to the State of Texas by deed recorded in Volume 672, Page 782 of the Deed Records of Hays County, Texas; the herein described 0.0457 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a calculated point for the northeast corner of said Lot 2, being the southeast corner of Lot 1 and a point on the existing west right-of-way line of Nutty Brown Road (50.00' right-of-way) as dedicated by plat in Book 1, Page 75 of the said Plat Records, from which a 1" bolt found bears S09°04'45"W, 0.44 feet;

THENCE, S10°57'54"E, leaving the south line of said Lot 1, with the common line between said Lot 2 and the existing west right-of-way line of Nutty Brown Road, for a distance of 132.43 feet to a 1" bolt found for the point of curvature of a curve to the left;

THENCE, continuing along the common line between said Lot 2 and the existing west right-of-way line of Nutty Brown Road, with the said curve to the left having a central angle of 03°26'13", a radius of 1455.10 feet, a chord distance of 87.27 feet (chord bears S12°41'00"E), for an arc distance of 87.29 feet to a ½" iron rod set on the proposed west right-of-way line of Nutty Brown Road, being 45.00 feet left of proposed Nutty Brown Road centerline station 188+99.43;

THENCE, leaving the west right-of-way line of existing Nutty Brown Road, across the said Lot 2, with the proposed west right-of way line of Nutty Brown Road, for the following two (2) courses:

- 1) N19°25'38"W, for a distance of 2.38 feet to a ½" iron rod set for the point of curvature of a curve to the right, being 45.00 feet left of proposed Nutty Brown Road centerline station 189+01.81;

- 2) With the said curve to the right having a central angle of $08^{\circ}14'29''$, a radius of 1545.00 feet, a chord distance of 222.04 feet (chord bears $N15^{\circ}18'24''W$), for an arc distance of 222.23 feet to a $\frac{1}{2}$ " iron rod set on the north line of said Lot 2, being the south line of Lot 1 and being 45.00 feet left of proposed Nutty Brown Road centerline station 191+17.57;

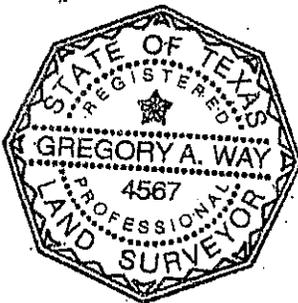
THENCE, $S85^{\circ}13'54''E$, leaving the proposed west right-of-way line of Nutty Brown Road, with the common line between said Lot 2 and Lot 1 for a distance of 15.11 feet to the POINT OF BEGINNING and containing within these metes and bounds 0.0457 acre of land area.

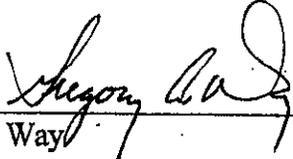
Note: " $\frac{1}{2}$ " iron rod set" denotes a $\frac{1}{2}$ " iron rod set with plastic cap marked "Capital Surveying Company, Inc."

Basis of Bearing is the State Plane Coordinate System, South Central Zone, NAD 83.

That I, Gregory A. Way, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein 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 10th day of December, 2004.





Gregory A. Way
Registered Professional Land Surveyor
No. 4567 - State of Texas

SURVEY TO ACCOMPANY FIELD NOTES OF A 0.0457 ACRE TRACT (PARCEL 72) OUT OF THE WILLIAM S. HOLTON SURVEY No. 57, HAYS COUNTY, TEXAS

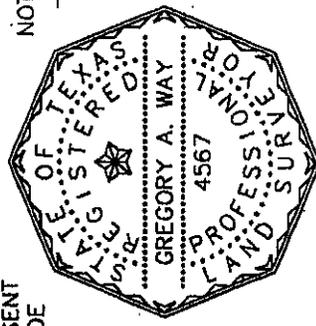
C1
L1
 $\Delta=03^{\circ}26'13''$ S85°13'54"E
R=1455.10'
A=87.28'
C=87.27'
Cb=S12°41'00"E

LEGEND

- H.C.D.R. HAYS COUNTY DEED RECORD
- H.C.P.R. HAYS COUNTY PLAT RECORD
- () RECORD INFORMATION
- R.O.W. RIGHT OF WAY
- 1/2" IRON ROD FOUND
- ⊕ RAILROAD SPIKE FOUND
- ▲ CALCULATED POINT
- 1/2" IRON ROD SET W/ PLASTIC CAP MARKED "CAPITAL SURVEYING COMPANY, INC"
- 1" BOLT FOUND

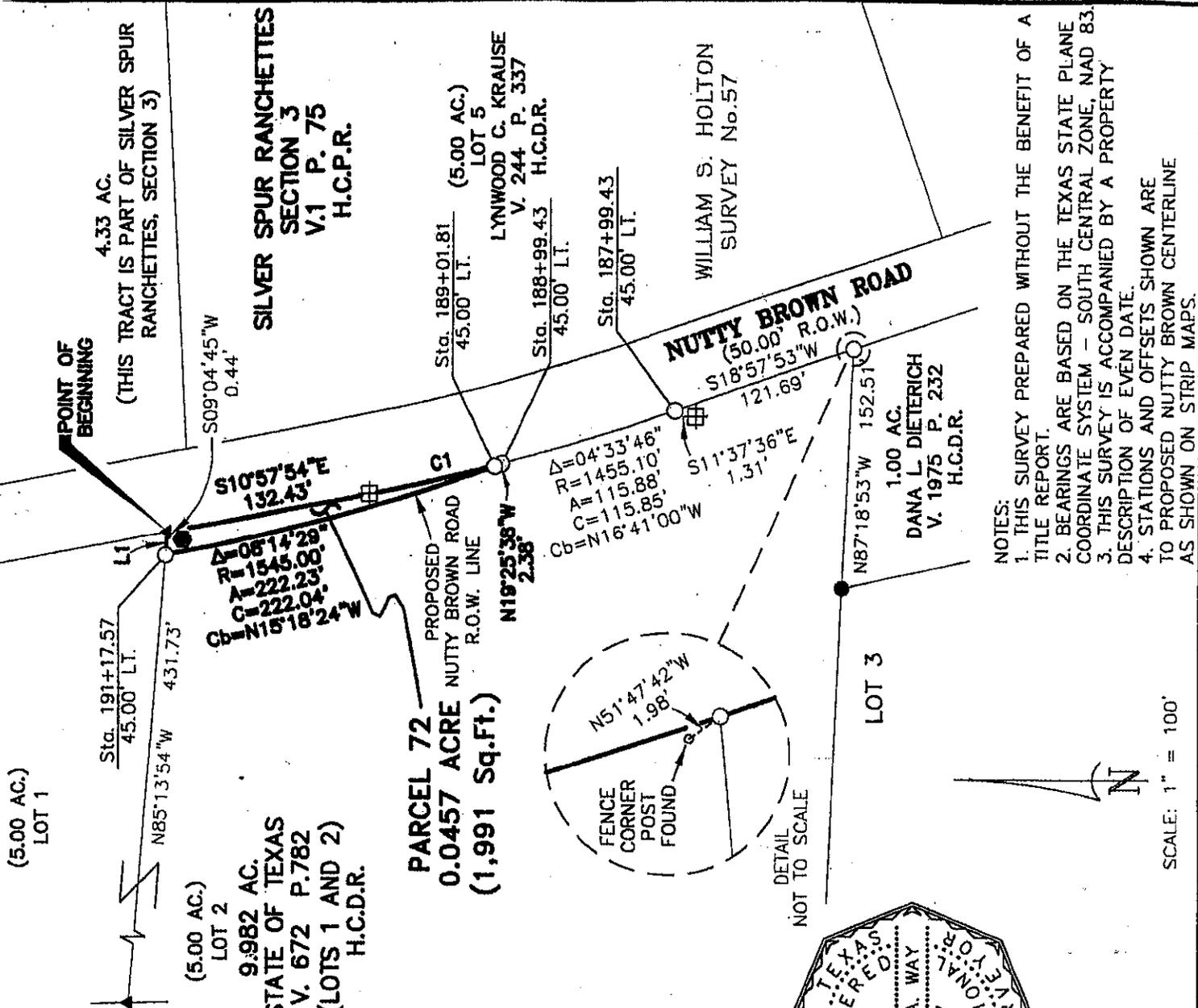
HEREBY CERTIFY THAT THIS SURVEY AND ACCOMPANYING FIELDNOTE DESCRIPTION REPRESENT THE RESULTS OF A RIGHT OF WAY SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION AND IS TRUE AND CORRECT.

Gregory A. Way
GREGORY A. WAY
REGISTERED PROFESSIONAL LAND SURVEYOR
O. 4567, STATE OF TEXAS



SHEET 3 OF 3

CAPITAL SURVEYING COMPANY INCORPORATED
Building D, Suite 110 Austin, Texas 78746 (512) 327-4008



NOTES:

1. THIS SURVEY PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
2. BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM - SOUTH CENTRAL ZONE, NAD 83.
3. THIS SURVEY IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.
4. STATIONS AND OFFSETS SHOWN ARE TO PROPOSED NUTTER BROWN CENTERLINE AS SHOWN ON STRIP MAPS.

SCALE: 1" = 100'

STATE OF TEXAS §

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COUNTY OF HAYS §

FIELDNOTE DESCRIPTION, to accompany survey, of a tract or parcel of land containing 0.4616 acres (20,108 square feet), situated in the William S. Holton Survey No. 57, Hays County, Texas, being out of Lot 1, Silver Spur Ranchettes, Section Three, a subdivision recorded in Book 1, Page 75 of the Plat Records of Hays County, Texas, and being a portion of that 9.982 acre tract consisting of Lot 1 and Lot 2 of said Silver Spur Ranchettes, Section Three, conveyed to the State of Texas by deed recorded in Volume 672, Page 782 of the Deed Records of Hays County, Texas; the herein described 0.4616 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a calculated point for the southeast corner of said Lot 1, being the northeast corner of Lot 2 and a point on the existing west right-of-way line of Nutty Brown Road (50.00' right-of-way) as dedicated by plat in Book 1, Page 75 of the said Plat Records, from which a 1" bolt found bears S09°04'45"W, 0.44 feet;

THENCE, N85°13'54"W, leaving the existing west right-of-way line of Nutty Brown Road, with the common line between said Lot 1 and Lot 2, for a distance of 15.11 feet to a ½" iron rod set, on a curve to the right, on the proposed west right-of-way line of Nutty Brown Road, and being 45.00 feet left of proposed Nutty Brown Road centerline station 191+17.57;

THENCE, leaving the north line of said Lot 2, across said Lot 1, with the proposed west right-of-way line of Nutty Brown Road, for the following four (4) courses:

- 1) With the said curve to the right having a central angle of 13°33'39", a radius of 1545.00 feet, a chord distance of 364.82 feet (chord bears N04°24'20"W), for an arc distance of 365.67 feet to a ½" iron rod set for the point of non-tangency, being 45.00 feet left of proposed Nutty Brown Road centerline station 194+72.59;
- 2) N09°01'31"W, for a distance of 114.52 feet to a ½" iron rod set for the point of curvature of a non-tangent curve to the left, being 55.00 feet left of proposed Nutty Brown Road centerline station 195+98.12;
- 3) With the said curve to the left having a central angle of 12°29'46", a radius of 505.00 feet, a chord distance of 109.92 feet (chord bears N16°43'00"W), for an arc distance of 110.14 feet to a ½" iron rod set for an angle point, being 55.00 feet left of proposed Nutty Brown Road centerline station 197+20.28;
- 4) N71°43'29"W, for a distance of 17.57 feet to a ½" iron rod set on the north line of aforesaid Lot 1, being a point on the southeast right-of-way line of U.S. Highway 290 (right-of-way varies), and being 68.07 feet left of proposed Nutty Brown Road centerline station 197+33.44, from which a ½" iron rod found, with TxDOT aluminum cap, on the common line between said Lot 1 and the southeast right-of-way of U.S. Highway 290, bears S61°40'59"W, 336.12 feet;

THENCE, N61°40'59"E, leaving the proposed west right-of-way line of Nutty Brown Road, with the common line between said Lot 1 and the southeast right-of-way of U.S. Highway 290, for a distance of 146.01 feet to a ½" iron rod set for the most northerly corner of aforesaid Lot 1, being the northwest corner of existing Nutty Brown Road, from which a ½" iron rod found, with TxDOT aluminum cap, on the southeast right-of-way line of aforesaid U.S. Highway 290, bears N61°40'59"E, 19.08 feet;

THENCE, leaving the southeast right-of-way line of U.S. Highway 290, with the common line between said Lot 1 and the existing west right-of-way of Nutty Brown Road, for the following three (3) courses:

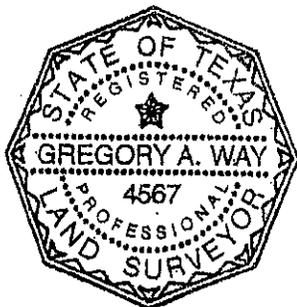
- 1) S08°42'39"W, at a distance of 0.79 feet pass a 5/8" iron pipe found, for a total distance of 343.25 feet to a 5/8" iron rod found for the point of curvature of a non-tangent curve to the left, from which a 1" bolt found on the east right-of-way line of aforesaid existing Nutty Brown Road bears S81°14'15"E, 50.00 feet;
- 2) With the said curve to the left having a central angle of 19°43'20", a radius of 484.96 feet, a chord distance of 166.11 feet (chord bears S01°05'54"E), for an arc distance of 166.93 feet to a calculated point for the point of non-tangency;
- 3) S10°57'54"E, for a distance of 155.61 feet to the POINT OF BEGINNING and containing within these metes and bounds 0.4616 acre of land area.

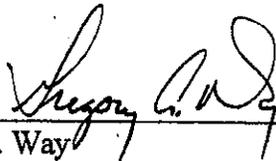
Note: "½" iron rod set" denotes a ½" iron rod set with plastic cap marked "Capital Surveying Company, Inc."

Basis of Bearing is the State Plane Coordinate System, South Central Zone, NAD 83.

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