

TEXAS TRANSPORTATION COMMISSION

KAUFMAN County

MINUTE ORDER

Page 1 of 1

DALLAS District

In the city of Mabank, KAUFMAN COUNTY, on US HIGHWAY 175 BUSINESS, the State of Texas (state) acquired certain land needed for state highway purposes by instrument recorded in Volume 260, Page 101, Deed Records of Kaufman County, Texas.

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

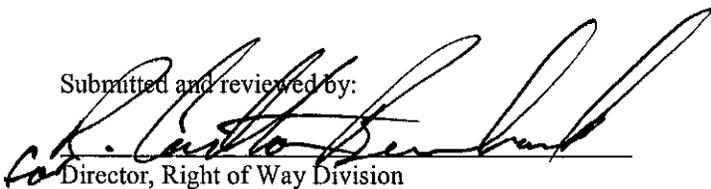
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land.

Jay Lee Cantwell and wife, Veronica Cantwell, are the abutting landowners and have requested that the surplus land be sold to them for \$7,000.

The commission finds \$7,000 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

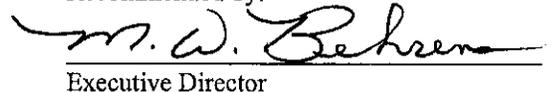
NOW, THEREFORE, the commission finds that the surplus land is no longer needed for state highway purposes and that the value of the surplus land is less than \$10,000. The executive director is authorized to execute a proper instrument conveying all of the state's rights, title and interest in the surplus land to Jay Lee Cantwell and wife, Veronica Cantwell, for \$7,000; 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

**110131 JUN 30 05**

Minute Number      Date Passed

## EXHIBIT "A"

### SURPLUS PROPERTY

0.2024 Acre Tract of Land in the W. W. Bell Survey, Abstract No. 22  
Adjacent U. S. Highway No. 175 (business)  
Kaufman County, Texas

BEING 0.2024 acres or 8,815 square feet of land, more or less, in the W. W. Bell Survey, Abstract No. 22, City of Mabank, Kaufman County, Texas and being that called 0.23 acre tract of land as described in the deed from Eva Pate Bryan to the State of Texas dated November 26, 1938 and recorded in Volume 260, Page 101, Deed Records of Kaufman County, Texas and being a part of the called 1.647 acre tract of land as described in the deed from Betty Sue Cantwell to Jay Lee Cantwell and wife, Veronica Cantwell dated August 1, 2003 and recorded in Volume 2251, Page 212, Official Records of Kaufman County, Texas, 8,815 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½-inch iron rod with a yellow top and cap no. 1581 set at the Southwest corner of said 0.2024 acre tract and in the Southeast corner of a 4.207 acre tract, being part of the 328 acre Jerome Morris Jordan, et al tract in Volume 996, Page 694. Real Property Records of said county and in the Northwest corner of a called 3.09 acre tract to the State of Texas in Volume 253, Page 528, Deed Records of said county and also being in the West line of said W. W. Bell Survey for the Southwest corner of this tract;

1) THENCE North 0 degrees 45 minutes 10 seconds East along the West line of said 0.2024 acre tract and said 1.647 acre tract and the East line of said 4.207 acre tract and the West line of said W. W. Bell Survey and the East line of the R. Ybarbo Survey, Abstract No. 606, at a distance of 186 feet set a ½-inch iron rod with a yellow top and cap no. 1581 for a reference on the South side of Coon Skin Creek and continuing in all a distance of 216.0 feet to a point in the center of said creek at the Northwest corner of said 0.23 acre tract for the Northwest corner of this tract;

2) THENCE North 75 degrees 53 minutes 29 seconds East up the general centerline of said Coon Skin Creek and the North line of said 0.23 acre tract a distance of 20.66 feet to a point at the Northeast corner of said 0.23 acre tract for the Northeast corner of this tract;

3) THENCE South 0 degrees 45 minutes 10 seconds West parallel with and 20 feet - East of the West line of said tract, at a distance of 34 feet set a ½-inch iron rod with a yellow top and cap no. 1581 for a reference on the South side of said Coon Skin Creek and continuing in all a distance of 132.46 feet to a ½-inch iron rod with a yellow top and cap no. 1581 set for a corner of this tract;

4) THENCE South 28 degrees 15 minutes 56 seconds East passing through a building

EXHIBIT "A"

SURPLUS PROPERTY

0.2024 Acre Tract of Land in the W. W. Bell Survey, Abstract No. 22  
Adjacent U. S. Highway No. 175 (business)  
Kaufman County, Texas

and continuing in all a distance of 176.20 feet to a ½-inch iron rod with a yellow top and cap no. 1581 set in the Northeast right-of-way line of said U. S. Highway No. 175 and being a distance of 65 feet - Northeasterly and perpendicularly to the center of said highway, from which the Southeast corner of said 1.647 acre tract bears South 57 degrees 30 minutes East- 42.21 feet, said ½-inch iron rod being the Southeast corner of this tract;

5) THENCE North 57 degrees 30 minutes West (reference bearing) highway called bearing of North 57 degrees 01 minute West along the Southwest line of said 1.647 acre tract and said 0.23 acre tract and the Northeast line of said 3.09 acre tract to the State of Texas for State Highway No. 40 (now U. S. Highway No.175 business) a distance of 124.0 feet to the place of beginning and containing 8,815 square feet of 0.2024 acre of land more or less.

Surveyed December 11,2004.

A plat of even survey date herewith accompanies this legal description.

All bearings are true bearings based on the 1.647 acre tract called North 57 degrees 30 minutes West along said highway right-of-way.

SURVEYOR'S CERTIFICATE

I, Marlin E. Chambers, Registered Professional Land Surveyor No. 1581 do hereby certify that the above field notes and companion plat represents the results of a survey as made on the ground by me.

Witness my hand and seal this 26<sup>th</sup> day of December, 2004.

Marlin E. Chambers

Marlin E. Chambers

P. O. Box 358

Eustace, Texas 75124

Ph. 903 425 6293

EXHIBIT "A"

0.2024 Acre Surplus Tract  
 adjacent U.S. Highway No. 175  
 (Business), 8,815.59 Ft. Tract  
 of land in the W.W. Bell  
 Survey, Abstract No. 22  
 City of Mabank, Kaufman  
 County, Texas

4.207 Acre Tract  
 part of the 328 Acre  
 Jerome Morris Jordan et al  
 Tract in Vol. 996  
 Pg. 694 R. R. K. C.T.

Approx. Zone A  
 on Flood Hazard Map  
 Zone No. 4B  
 Set 1/2" I.R. "A" dated 9-4-91  
 by FEMA  
 Jay Lee Cantwell  
 et ux Veronica  
 called 1.647 Ac. Tr.  
 Volume 2251, Pg. 212  
 O.P.R.K.C.T.

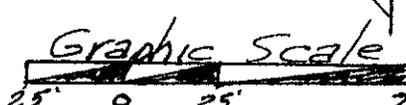
Set 1/2" I.R.  
 w/ yellow  
 Top & Cap  
 No. 1581  
 Existing P.O.B.  
 R.O.W. line

Easements to  
 T.P. & L. Co. in  
 Vol. 260, Pg. 514 &  
 Vol. 273, Pg. 10  
 affect this Tract

Notes: Bearings are based on  
 1.647 Ac. Tr. R.O.W. bearing N57°30'W  
 (Highway bearing called N57°01'W)  
 in Volume 2251, Page 212

Visible and apparent  
 encroachments or  
 protrusions as shown

A legal description of open  
 survey date accompanies this plat



Scale 1"=50' Page 3 of 3

I, Marlin E. Chambers, R.P.L.S. No. 1581, do hereby certify that the plat  
 shown hereon represents the results of a survey made on the ground by me  
 or under my direction and supervision and complies with the Texas Board  
 of Professional Surveyors standards.  
 Surveyed: Month Dec. Day 11 Year 2004

COUNTY - Kaufman Texas  
 SURVEY - W.W. Bell A-22  
 DESCRIPTION - Vol. 260, Pg. 101  
 SURVEY FOR - Jay Lee Cantwell et ux

*Marlin E. Chambers*  
 Marlin E. Chambers, Registered Professional Land Surveyor No. 1581

P.O. Box 358  
 Eustace, TX 75124  
 Registered Professional Land Surveyor No. 1581  
 219 S. Casa Grande Duncanville, TX 75116  
 Phone 972-298-2845 / 903-425-6293

