

TEXAS TRANSPORTATION COMMISSION

GILLESPIE County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In GILLESPIE COUNTY, on RANCH TO MARKET ROAD 965, the State of Texas (state) acquired certain land for highway purposes by instruments recorded in Volume 67, Pages 608 and 638, Deed Records of Gillespie County, Texas.

A portion of the land (surplus land), described in Exhibits A-1 and A-2, is no longer needed for a state highway purpose.

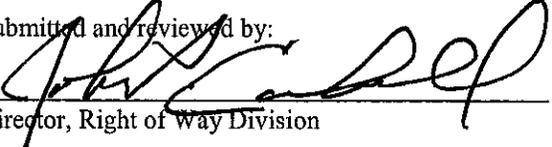
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowners.

Sidney E. Crenwelge and Ewald Weinheimer, Executors of the Estate of Alfred H. Weinheimer, Deceased, are the abutting landowners and have requested that the state sell the surplus land to them for \$21,513.

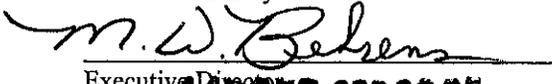
The commission finds \$21,513 to be a fair and reasonable value of the state's rights, title and interest in the surplus land.

NOW, THEREFORE, the commission finds that the surplus land is no longer needed for a state highway purpose and recommends, subject to approval of 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 Sidney E. Crenwelge and Ewald Weinheimer, Executors of the Estate of Alfred H. Weinheimer, Deceased, for \$21,513; 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

**110252 SEP 29 05**

Minute  
Number

Date  
Passed

COUNTY: GILLESPIE  
 CSJ NO: 1199-01-004  
 HWY NO: F.M. HWY NO 965

**FIELD NOTES DESCRIPTION FOR 3.92 ACRES OF  
 THE STATE OF TEXAS PROPERTY IN GILLESPIE  
 COUNTY, TEXAS**

Being all of a certain tract or parcel of land containing 3.92 acres, more or less, comprising approximate acreage out of various Original Patent Surveys in Gillespie County, Texas as follows:

Survey No.	Survey	Abstract No.	Acres
263	John Durst	167	3.49
291	G. Wiedman	732	0.43

part of 8.659 acres conveyed from Ernst Weinheimer, et ux, to the State of Texas by a Right-of-Way Deed executed the 29<sup>th</sup> day of May, 1950, and recorded in Volume 67 at Page 608 of the Deed Records of Gillespie County, Texas; and being more particularly described by metes and bounds as follows:

**BEGINNING** at a ½" iron stake set in the west right-of-way line of Farm to Market Highway No. 965, the west line of 3.00 acres conveyed as Tract No. 1 from Ernst Weinheimer to the State of Texas by a Deed executed the 29<sup>th</sup> day of March, 1961, and recorded in Volume 81 at Page 60 of the Deed Records of Gillespie County, Texas; the northeast corner of the herein described tract which bears approximately 873 ft. S02°49'W., from the northeast corner of said survey No. 263;

**THENCE**, along or near a fence; upon, over and across said 8.659 acres, the west line of said 3.00 acres and said Farm to Market Highway No. 965, S00°40'36"W., 111.26 ft. to a ½" iron stake set at the intersection of said 3.00 acres and said 8.659 acres, the beginning of a 04°21'47" curve to the right;

**THENCE**, upon, over and across 302 acres conveyed from D.J. Hoerster, et ux, to Ernst Weinheimer by a Warranty Deed with Vendor's Lien executed the 2<sup>nd</sup> day of October, 1937, and recorded in Volume 49 at Page 580 of the Deed Records of Gillespie County, Texas; with the east line of said 8.659 acres, 198.11 ft. along the arc of said curve subtended by a 08°38'36" central angle and 1313.24 ft. radius (long chord = S25°06'00"W., 197.92 ft.) to a concrete highway right-of-way marker found at its end; S29°18'03"W., 209.96 ft. to a concrete highway right-of-way marker found at the beginning of a 03°03'51" curve to the left; 390.21 ft. along the arc of said curve subtended by a 11°57'25" central angle and 1869.86 ft. radius (long chord = S23°21'18"W., 389.51 ft.) to a concrete highway right-of-way marker found at its end; S17°20'33"W., 496.48 ft. to a concrete highway right-of-way marker found at the beginning of a 13°05'30" curve to the left; 502.95 ft. along the arc of said curve subtended by a 65°50'43" central angle and 437.65 ft. radius (long chord = S15°40'00"E., 475.73 ft.) to a ½" iron stake set at its end; S48°30'14"E., 80.14 ft. to a ½" iron stake set at the beginning of a 05°45'32" curve to the right; and 94.50 ft. along the arc of said curve subtended by a 05°26'31" central angle and 994.93 ft. radius (long chord = S45°47'44"E., 94.47 ft.) to a ½" iron stake set at its end for a southerly northeast corner of the herein described tract, in the west line of 1 acre conveyed from Rudolph Nagel, et al, to W. R. Reid by a Correction Deed executed the 1<sup>st</sup> day of November, 1947, and recorded in Volume 63 at Page 296 of the Deed Records of Gillespie County, Texas;

**THENCE**, along or near a fence, upon, over and across said 8.659 acres, with the west line of said 1 acre S06°27'11"W., 108.76 ft. a ½" iron stake set for the south corner of the herein described tract, in the southwest line of said 8.659 acres, the beginning of a 06°15'45" curve to the left;

THENCE, upon, over and across said 302 acres, with the southwest and west line of said 8.659 acres, 157.57 ft. along the arc of said curve subtended by a  $09^{\circ}52'03''$  central angle and 914.93 ft. radius (long chord =  $N43^{\circ}34'52''W.$ , 157.37 ft.) to a  $\frac{1}{2}$ " iron stake set at its end;  $N48^{\circ}30'14''W.$ , at 59.39 ft. passing a set  $\frac{1}{2}$ " iron stake, then continuing for a total distance of 80.03 ft. to an unmarked point set at the beginning of a  $11^{\circ}04'06''$  curve to the right; 594.89 ft. along the arc of said curve subtended by a  $65^{\circ}50'43''$  central angle and 517.65 ft. radius (long chord =  $N15^{\circ}40'00''W.$ , 562.69 ft.) to a concrete highway right-of-way marker found at its end;  $N17^{\circ}20'33''E.$ , 496.60 ft. to a concrete highway right-of-way marker found at the beginning of a  $02^{\circ}56'19''$  curve to the right; 406.96 ft. along the arc of said curve subtended by a  $11^{\circ}57'30''$  central angle and 1949.86 ft. radius (long chord =  $N23^{\circ}21'16''E.$ , 406.22 ft.) to concrete highway right-of-way marker found at its end;  $N29^{\circ}18'03''E.$ , 210.08 ft. to a concrete highway right-of-way marker found at the beginning of a  $04^{\circ}38'46''$  curve to the left; and 292.52 ft. along the arc of said curve subtended by a  $13^{\circ}35'25''$  central angle and 1233.24 ft. radius (long chord =  $N22^{\circ}37'34''E.$ , 291.83 ft.) to a  $\frac{1}{2}$ " iron stake set at its end for the north west corner of the herein described tract; in the occupied right-of-way of Farm to Market Highway No. 965;

THENCE, along or near a fence, upon, over and across said 8.659 acres,  $S66^{\circ}54'35''E.$ , 46.39 ft. to the PLACE OF BEGINNING.

I hereby certify that this field notes description and accompanying plat are accurate representations of the property contained therein as determined by a survey made on the ground under my direction and supervision, except no survey was made to reestablish Patent Survey lines or Corners; that all property corners are as stated. (Bearing basis = True north based on GPS observations)

Date surveyed: March 09, 2005

Dated this 10<sup>th</sup> day of March, 2005

  
Mike A. Grogan  
Registered Professional Land Surveyor No. 5296



EXHIBIT A-1

SURVEY PLAT FOR 3.92 ACRES OF LAND, MORE OR LESS, COMPRISING APPROXIMATE ACREAGE OUT OF VARIOUS ORIGINAL PATENT SURVEYS IN GILLESPIE COUNTY, TEXAS (AS SHOWN IN BRACKETS); PART OF 8.659 ACRES CONVEYED FROM ERNST WEINHEIMER, ET UX, TO THE STATE OF TEXAS BY A RIGHT-OF-WAY DEED EXECUTED THE 29TH DAY OF MAY, 1950, AND RECORDED IN VOLUME 67 AT PAGE 608 OF THE DEED RECORDS OF GILLESPIE COUNTY, TEXAS

MARCH 2005

THIS POINT BEARS APPROXIMATELY 673 FT. S02°49'W FROM THE NORTH-EAST CORNER OF SURVEY NO. 263

LINE	BEARING	DISTANCE
L 1	S48°30'14"E	80.14'
L 2	S06°27'11"W	108.76'
L 3	N48°30'14"W	80.03'
L 4	S66°54'35"E	48.39'
L 5	S00°40'36"W	111.28'

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	08°38'38"	1313.24'	198.11'	99.24'	197.92'	S25°08'00"W
C 2	11°57'25"	1889.86'	390.21'	195.82'	389.51'	S23°21'18"W
C 3	65°50'43"	437.65'	502.95'	283.37'	475.73'	S15°40'00"E
C 4	05°28'31"	994.93'	94.50'	47.29'	94.47'	S45°47'44"E
C 5	09°52'03"	914.93'	157.57'	78.98'	157.37'	N43°34'52"W
C 6	65°50'43"	517.85'	594.89'	335.17'	582.69'	N15°40'00"W
C 7	11°57'30"	1949.86'	408.96'	204.22'	406.22'	N23°21'16"E
C 8	13°35'25"	1233.24'	292.52'	148.95'	291.83'	N22°37'34"E

SCALE: 1" = 300'



LEGEND

- SET 1/2" IRON STAKE
- CONCRETE HIGHWAY RIGHT-OF-WAY MARKER
- UNMARKED POINT
- PATENT SURVEY LINE
- FENCE LINE
- LINE RADIAL TO CURVE

302 ACRES  
D.J. Hoerster, et ux, to  
Ernst Weinheimer  
Warranty Deed  
Volume 49 Page 580  
Deed Records  
October 2, 1937

Tract No. 1: 3.00 Acres  
Ernst Weinheimer to  
The State of Texas  
Deed  
Volume 81 Page 60  
Deed Records  
March 29, 1981

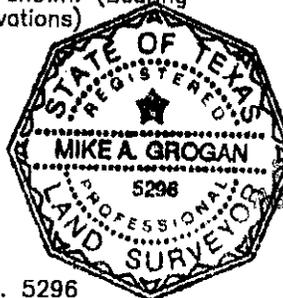
JOHN DURST  
SURVEY NO. 263  
ABSTRACT NO. 167

302 ACRES  
D.J. Hoerster, et ux, to  
Ernst Weinheimer  
Warranty Deed  
Volume 49 Page 580  
Deed Records  
October 2, 1937

I hereby certify that this plat and accompanying field notes descriptions are accurate representations of the property shown hereon as determined by a survey made on the ground under my direction and supervision, except no survey was made to reestablish Patent Survey lines or corners; and that all property corners are marked as shown. (Bearing basis = True north based on GPS observations)

Date surveyed: March 9, 2005

Dated this 10th day of March, 2005



Mike A. Grogan  
Registered Professional Land Surveyor No. 5296

G. WIEDMANN  
SURVEY NO. 291  
ABSTRACT NO. 732

1 ACRE  
Rudolph Nagel, et al, to  
W.R. Reid  
Correction Deed  
Volume 63 Page 298  
Deed Records  
November 1, 1947

CHAMPION, CRD  
OLDROW, DWG

EXHIBIT A-2

FIELD NOTES DESCRIPTION FOR 0.319 ACRE OF THE  
STATE OF TEXAS PROPERTY IN GILLESPIE COUNTY,  
TEXAS

Being all of certain tract or parcel of land containing 0.319 acre, more or less, out of G. Wiedman Survey No. 291, Abstract No. 732, in Gillespie County, Texas; part of Tract No. 1 conveyed from Dave N. Williams to the State of Texas by a Right-of-Way Deed executed the 14<sup>th</sup> day of July, 1950, and recorded in Volume 67 at Page 638 of the Deed Records of Gillespie County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron stake set for the northeast corner of the herein described tract, the west line of Farm to Market Highway No. 965; which point bears approximately 2876 ft. S03°40'W from the northeast corner of John Durst Survey No. 263;

THENCE, along or near a fence, the west line of said Farm to Market Highway No. 965, S02°56'49"E., 137.04 ft. to a set ½" iron stake; and S06°33'50"W., 12.20 ft. to a concrete highway right-of-way marker for the south corner of the herein described tract, an easterly corner of 302 acres conveyed from D.J. Hoerster, et ux, to Ernst Wienhiemer by a Warranty Deed with Vendor's Lien executed the 2<sup>nd</sup> day of October, 1937, and recorded in Volume 49 at Page 580 of the Deed Records of Gillespie County, Texas;

THENCE, along or near a fence, upon, over and across said Tract No. 1 with a northeast line of said 302 acres, N35°51'39"W., 73.71 ft. to a ½" iron stake set at the beginning of a 06°15'45" curve to the left, in a southwest line of said Tract No. 1;

THENCE, along and generally northeast of a fence, with a southwest line of said Tract No. 1, 118.26 ft. along the arc of said curve subtended by a 07°24'20" central angle and 914.93 ft. radius (long chord = N34°56'47"W., 118.17 ft.) to a ½" iron stake set at its end, in an east line of said 302 acres for the southwest corner of the herein described tract;

THENCE, along or near a fence, with the common line between said Tract No. 1 and said 302 acres, N06°27'11"E., 108.76 ft. to a ½" iron stake set for the north corner of the herein described tract; the beginning of a 05°45'32" curve to the right;

THENCE, upon, over and across 92 acres conveyed from Dave N. Williams, et al, to Mercantile Financial Corporation by a Deed of Trust executed the 12<sup>th</sup> day of June, 1964, and recorded in Volume 18 at Page 342 of the Deed of Trust Records of Gillespie County, Texas, 148.58 ft. along the arc of said curve subtended by a 08°33'23" central angle and 994.93 ft. radius (long chord = S38°47'40"E., 148.44 ft.) to its end and the PLACE OF BEGINNING.

I hereby certify that this field notes description and accompanying plat are accurate representations of the property contained therein as determined by a survey made on the ground under my direction and supervision, except no survey was made to reestablish Patent Survey lines or Corners; that all property corners are as stated. (Bearing basis = True north based on GPS observations)

Date surveyed: March 9 and April 22, 2005

Dated this 25<sup>th</sup> day of April, 2005

  
Mike A. Grogan  
Registered Professional Land Surveyor No. 5296





