

TEXAS TRANSPORTATION COMMISSION

LIVE OAK County

MINUTE ORDER

Page 1 of 1

CORPUS CHRISTI District

In LIVE OAK COUNTY, on FARM TO MARKET ROAD 799, the State of Texas (state) acquired certain land for a state highway purpose by instruments recorded in Volume 176, Pages 247 and 503, Deed Records of Live Oak 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.

A deed for land needed for a state highway purpose (new land), described in Exhibit B, has been executed by Live Oak County (county). The county has requested that the surplus land be conveyed to the county. The state will pay the \$36,568 cash difference between the value of the new land and that of the surplus land.

It is the opinion of the commission that it is proper and correct that the state convey the surplus land to the county in exchange and as partial consideration for the conveyance of the new land to the state and the state's cash payment of \$36,568 to the county.

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 the county in exchange and as partial consideration for the conveyance of the new land to the state and the state's cash payment of \$36,568 to the county; 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

110681 AUG 24 06

Minute Number Date Passed

EXHIBIT A

Page 1 of 5

County: Live Oak
Highway: US 59
CCSJ: 0447-01-050
RCSJ: 0447-01-055
Limits: Bus US 59 intersection to IH 37

"Tract 1 Part 1"

Being 0.193 of an acre or 8,400 square feet of land out of the existing FM 799 right of way (80 feet wide) and being out of a called 0.22 of an acre of land described in a Right of Way deed dated October 7, 1957 from R. L. Doan, et ux, to the State of Texas, recorded in Volume 176, Page 247, Live Oak County Deed Records (L.O.C.D.R.); metes and bounds description of said 0.193 of an acre tract is as follows:

COMMENCING at a point (from which a fence corner bears North 19° 46' East, 0.5 feet and a found 3/4-inch hexagonal iron bar bears South 39° 06' 31" West, 20.00 feet) in the existing southwest right of way line of said FM 799 for the northeast corner of a called 30.66 acre tract of land (Tract 6-WR) described in a deed dated May 27, 2004 to William D. Rosebrock, recorded in Volume 9, Page 549, Live Oak County Official Records; said point being in a curve to the right whose center bears North 61° 27' 59" East, 2904.79 feet; **Thence** as follows:

Along the existing southwest right of way line of said FM 799 and around said curve to the right with a radius of 2,904.79 feet, a central angle of 01° 11' 13", an arc length of 60.17 feet, and a chord which bears North 27° 56' 24" West, 60.17 feet to a point;

North 62° 39' 12" East, across the existing right of way of said FM 799, a distance of 40.75 feet to a point in the east right-of-way line of the old Oakville-Gussettvile Road (40 feet wide) as shown on the Map of the Hagelstein Farm Tracts, recorded in Volume "Z", Page 149, L.O.C.D.R., for the southwest corner and the **POINT OF BEGINNING** of the herein described tract;

- 1.) **THENCE** North 27° 22' 39" West, along the west line of said 0.22 acre tract and the east right-of-way line of said Oakville-Gussettvile Road, a distance of 58.22 feet to an angle point;
- 2.) **THENCE** North 19° 12' 48" West, continuing along said common line, a distance of 189.44 feet to a point for the northwest corner of the herein described tract;

EXHIBIT A

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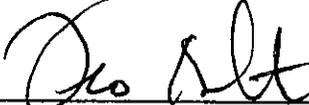
- 3.) **THENCE** North 11° 00' 15" East, across the existing right of way of said FM 799, a distance of 42.37 feet to a Type II concrete monument set at the intersection of the proposed south right of way line of US 59 and the existing northeast right of way line of said FM 799; said point being in the west line of a called 1.85 acre tract of land described in a deed dated June 12, 1970 to Live Oak County, Texas, recorded in Volume 226, Page 431, L.O.C.D.R, for the northeast corner of the herein described tract; said point being in a curve to the left whose center bears North 68° 19' 16" East, 2824.79 feet; said point also being 180.00 feet right of the existing centerline of said US Highway 59 at station 142+01.70;
- 4.) **THENCE** along the existing northeast right of way line of said FM 799 and around said curve to the left with a radius of 2,824.79 feet, a central angle of 05° 40' 04", an arc length of 279.43 feet, and a chord which bears South 24° 30' 46" East, 279.32 feet to a 5/8 inch iron rod with cap set in the northwest right of way line of County Road 384 (40 feet wide) for the southerly corner of said 1.85 acre tract and the southeast corner of the herein described tract;
- 5.) **THENCE** South 62° 39' 12" West, across the existing right of way said FM 799, a distance of 39.25 feet to the **POINT OF BEGINNING** and containing 0.193 of an acre or 8,400 square feet of land.

Note:

All bearings are referenced to the Texas Coordinate System, South Central Zone, North American Datum of 1983, 1993 Adjustment.

I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Tract 1 - Parts 1 & 2" of even date herewith accompanies this legal description.

Survey date: July 23, 2004


Leo M. Delatorre
Registered Professional Land Surveyor
Texas Registration No. 5113

7/20/04
Date:



EXHIBIT A

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County: Live Oak
Highway: US 59
CCSJ: 0447-01-050
RCSJ: 0447-01-055
Limits: Bus US 59 intersection to IH 37

"Tract 1 Part 2"

Being 0.014 of an acre or 596 square feet of land out of the existing FM 799 right of way (80 feet wide) and being out of a called 0.08 of an acre of land described in a Right of Way deed dated December 18, 1957, from Myrtle N. Rosebrock, et vir, to the State of Texas, recorded in Volume 176, Page 503, L.O.C.D.R.; metes and bounds description of said 0.014 of an acre tract is as follows:

COMMENCING at a point (from which a fence corner bears North 19° 46' East, 0.5 feet and a found 3/4-inch hexagonal iron bar bears South 39° 06' 31" West, 20.00 feet) in the existing southwest right of way line of said FM 799 for the northeast corner of a called 30.66 acre tract of land (Tract 6-WR) described in a deed dated May 27, 2004 to William D. Rosebrock, recorded in Volume 9, Page 549, Live Oak County Official Records; said point being in a curve to the right whose center bears North 61° 27' 59" East, 2904.79 feet; **Thence** as follows:

Along the existing southwest right of way line of said FM 799 and around said curve to the right with a radius of 2,904.79 feet, a central angle of 02° 32' 15", an arc length of 128.65 feet, and a chord which bears North 27° 15' 53" West, 128.64 feet to a 5/8 inch iron rod with cap set for the most southerly corner and **POINT OF BEGINNING** of the herein described tract;

- 1.) **THENCE** continuing along the existing southwest right of way line of said FM 799 and around said curve to the right with a radius of 2,904.79 feet, a central angle of 01° 56' 03", an arc length of 98.05 feet, and a chord which bears North 25° 01' 44" West, 98.05 feet to a 3/4-inch hexagonal iron bar found for the northeasterly corner of a called 41.014 acre tract of land (Tract 7-RR) described in a deed dated May 27, 2004 to Robert Lee Rosebrock, recorded in Volume 9, Page 549, Live Oak County Official Records, and being the northwesterly corner of the herein described tract; said point being 321.39 feet right of the existing centerline of said US Highway 59, hereinafter referred to as the "existing centerline" at the existing centerline station 141+77.17;
- 2.) **THENCE** North 11° 00' 15" East, across the existing right of way of said FM 799, a distance of 19.74 feet to a point in the east line of said 0.08 of an acre tract and the west right-of-way line of old Oakville-Gussetville Road (40 feet wide) as shown on the Map of the Hagelstein Farm Tracts, recorded in Volume "Z", Page 149, L.O.C.D.R., for the northeast corner of the herein described tract;

EXHIBIT A

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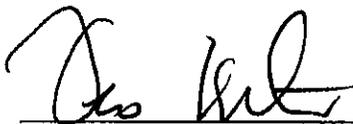
- 3.) **THENCE** South 19° 12' 48" East, along the east line of said 0.08 of an acre and the west right-of-way line of said Oakville-Gussettville Road, a distance of 114.60 feet to the **POINT OF BEGINNING** and containing 0.014 of an acre or 596 square feet of land.

Note:

All bearings are referenced to the Texas Coordinate System, South Central Zone, North American Datum of 1983, 1993 Adjustment.

I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Tract 1 - Parts 1 & 2" of even date herewith accompanies this legal description.

Survey date: July 23, 2004



Leo M. Delatorre
Registered Professional Land Surveyor
Texas Registration No. 5113

7/20/06

Date:



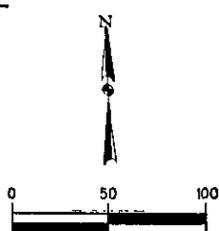
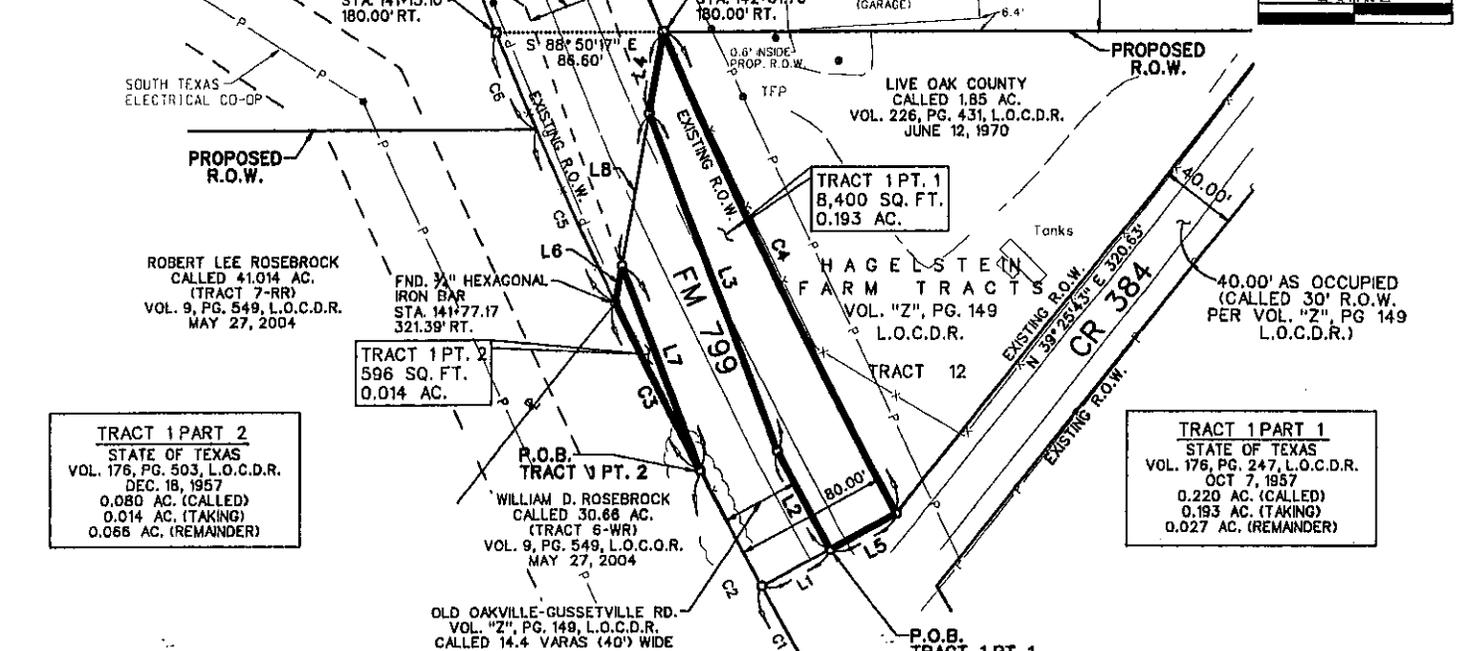
JUAN CARROLL LEAGUE ABSTRACT 4

US 59

STATE OF TEXAS
S 88° 50' 17" E

CURVE DATA				
CURVE	Δ	RADIUS	LENGTH	CHORD
C1	01° 11' 13"	2,904.79'	60.17'	N 27° 56' 24" W 60.17'
C2	02° 32' 15"	2,904.79'	128.65'	N 27° 15' 53" W 128.64'
C3	01° 56' 03"	2,904.79'	98.05'	N 25° 01' 44" W 98.05'
C4	05° 40' 04"	2,824.79'	279.43'	S 24° 30' 46" E 279.32'
C5	01° 58' 37"	2,904.79'	100.22'	N 23° 04' 24" W 100.22'
C6	01° 13' 54"	2,904.79'	62.44'	N 21° 28' 09" W 62.44'

LINE DATA		
LINE	BEARING	LENGTH
L1	N 62° 39' 12" E	40.75'
L2	N 27° 22' 39" W	58.22'
L3	N 19° 12' 48" W	189.44'
L4	N 11° 00' 15" E	42.37'
L5	S 62° 39' 12" W	39.25'
L6	N 11° 00' 15" E	19.74'
L7	S 19° 12' 48" E	114.60'
L8	N 11° 00' 15" E	81.39'



TRACT 1 PART 2
STATE OF TEXAS
VOL. 176, PG. 503, L.O.C.D.R.
DEC. 18, 1957
0.080 AC. (CALLED)
0.014 AC. (TAKING)
0.066 AC. (REMAINDER)

TRACT 1 PT. 2
596 SQ. FT.
0.014 AC.

TRACT 1 PT. 1
8,400 SQ. FT.
0.193 AC.

TRACT 1 PART 1
STATE OF TEXAS
VOL. 176, PG. 247, L.O.C.D.R.
OCT 7, 1957
0.220 AC. (CALLED)
0.193 AC. (TAKING)
0.027 AC. (REMAINDER)

LEGEND

- P — P — PROPOSED R.O.W.
- G — G — EXISTING R.O.W.
- P — PROPERTY LINE
- E — EASEMENT
- S — SURVEY LINE
- TYPE I CONCRETE MONUMENT FOUND
- TYPE II CONCRETE MONUMENT SET
- 5/8" IRON ROD SET W/ CAP
- ⊗ PROPERTY CORNER FOUND AS NOTED
- X TRACT NO.
- P — P — OVERHEAD UTILITY
- G — G — GAS LINE
- X — X — FENCE
- III — III — ACCESS DENIAL LINE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- L.O.C.D.R. LIVE OAK COUNTY DEED RECORDS
- L.O.C.M.R. LIVE OAK COUNTY MAP RECORDS
- L.O.C.O.R. LIVE OAK COUNTY OFFICIAL RECORDS

P.O.C. TRACT 1 PARTS 1 & 2
FENCE POST BEARS
N 19° 46' E, 0.5'

FND. 3/4" HEXAGONAL IRON BAR

- NOTES:**
- ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, ADJ. TO THE NORTH AMERICAN DATUM OF 1983 (1993 ADJUSTMENT). ALL COORDINATES SHOWN ARE SURFACE VALUES. TO CONVERT SURFACE TO GRID VALUES DIVIDE BY TXDOT'S SURFACE ADJUSTMENT FACTOR OF 0.99999
 - PROPERTY DESCRIPTION WITH EVEN SURVEY DATE ACCOMPANIES THIS PLAT.



REVISED MAY, 2006

Landtech Consultants, Inc.
2627 North Loop West
Suite 224
Houston, Texas 77008

TRACT 1 - PARTS 1 & 2

DIST. NAME CORPUS CHRISTI	SURVEY PLAT PROPERTY OF: STATE OF TEXAS	COUNTY LIVE OAK
ACCOUNT NO.		SURVEY DATE JULY 23, 2004

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Leo M. Delatorre 7/20/06
LEO M. DELATORRE
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS REG. NO. 5113

US 59		
CCSJ NO. 0447-01-050, RCSJ NO. 0447-01-055		
ACQUISITION:	PART 1 - 0.193 AC. PART 2 - 0.014 AC.	
REMAINDER	PART 1 - 0.027 AC. PART 2 - 0.066 AC.	

EXHIBIT B

PAGE 1 OF 3

County: Live Oak
Highway: US 59
CCSJ: 0447-01-050
RCSJ: 0447-01-055
Limits: Bus US 59 intersection to IH 37

Property Description for Parcel 31

Being 0.9246 of an acre or 40,277 square feet of land out of Tract 12 of the Hagelstein Farm Tracts, recorded in Volume "Z", Page 149, Live Oak County Deed Records (L.O.C.D.R.), situated in the Juan Carroll League, Abstract 4, Live Oak County, Texas; said 0.9246 of an acre tract also being out of a 1.85 acre tract of land described in a deed dated June 12, 1970 from C. S. Reynolds, et al, to Live Oak County, Texas recorded in Volume 226, Page 431 Live Oak County Deed Records (L.O.C.D.R); metes and bounds description of said 0.9246 of an acre tract is as follows:

COMMENCING at a 5/8 inch iron rod with cap set at the intersection of the northeast right of way line of FM 799 (80 feet wide) and the northwest right of way line of County Road 384 (40 feet wide); **Thence** as follows:

- North 39° 25' 43" East, along the northwest right of way line of said County Road No. 384, a distance of 320.63 feet to a Type II concrete monument set in the proposed south right of way line of US Highway 59, for the southeast corner and the **POINT OF BEGINNING** of the herein described tract; said point being 180.00 feet right from the existing centerline of said US Highway 59, hereinafter referred to as the "existing centerline" at the existing centerline station 145+21.29;
- 1.) **THENCE** North 88° 50' 17" West, along the proposed south right of way line of said US Highway 59, a distance of 319.59 feet to a Type II concrete monument set in the northeast right of way line of said FM 799, for the southwest corner of the herein described tract; said point being in a curve to the right whose center bears North 68° 19' 16" East, 2,824.79 feet; said point being 180.00 feet right from the existing centerline station 142+01.70;
 - 2.) **THENCE**, along the northeast right of way line of said FM 799 and around said curve to the right with a radius of 2,824.79 feet, a central angle of 00° 49' 32", an arc length of 40.70 feet, and a chord which bears North 21° 15' 58" West, 40.70 feet to the point of tangency;
 - 3.) **THENCE** North 20° 51' 12" West, continuing along the northeast right of way line of said FM 799, a distance of 7.40 feet to a point for the southwest end of an existing cut back line for US Highway 59;

EXHIBIT B

PAGE 2 OF 3

Parcel 31(cont.)

- 4.) **THENCE** North 36° 27' 26" East, along the said cut back line, a distance of 92.53 feet to a point (from which a found broken Type I concrete monument bears South 13° 47' East, 0.67 feet) in the existing south right of way line of said US Highway 59 for the northwest corner of the herein described tract;
- 5.) **THENCE** South 88° 50' 17" East, along the existing south right of way line of said US Highway 59, a distance of 278.28 feet to a point (from which a found Type I concrete monument bears South 31° 56' East, 0.54 feet) for the northwest end of an existing cut back line of said County Road No. 384;
- 6.) **THENCE** South 31° 55' 44" East, along said cut back line, a distance of 83.53 feet to a found Type I concrete monument in the northwest right of way line of said County Road No. 384;
- 7.) **THENCE** South 39° 25' 43" West, along the northwest right of way line of said County Road No. 384, a distance of 63.70 feet to the **POINT OF BEGINNING** and containing 0.9246 of an acre or 40,277 square feet of land.

Note:

All bearings are referenced to the Texas Coordinate System, South Central Zone, North American Datum of 1983, 1993 Adjustment.

I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Parcel 31" of even survey date herewith accompanies this legal description.

Survey date: July 23, 2004

 3/17/05

Leo M. Delatorre
Registered Professional Land Surveyor
Texas Registration No. 5113

Date:

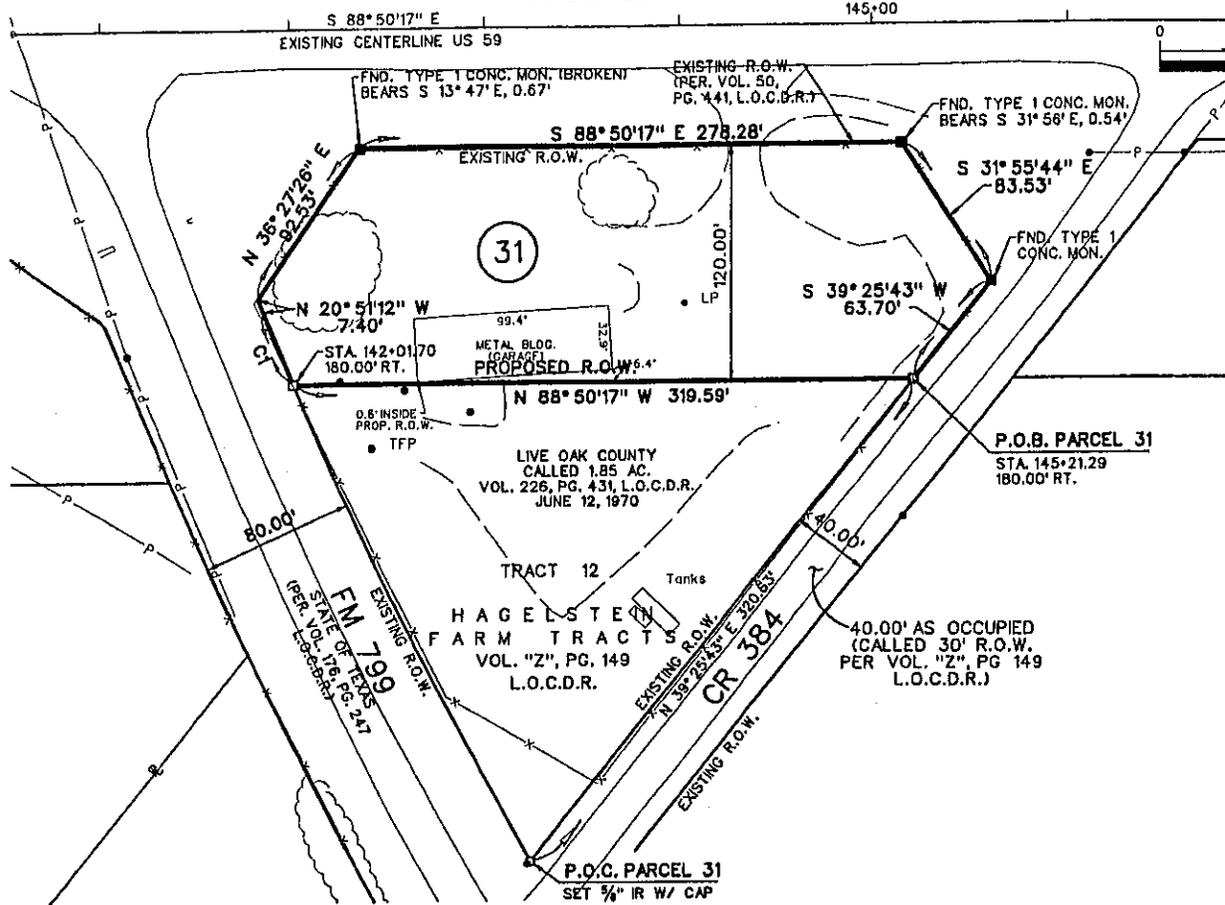


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JUAN CARROLL LEAGUE ABSTRACT 4

CURVE DATA				
CURVE	Δ	RADIUS	LENGTH	CHORD
C1	00°49'32"	2,824.79'	40.70'	N 21°15'58" W 40.70'

US 59
STATE OF TEXAS



LEGEND

- PROPOSED R.O.W.
- EXISTING R.O.W.
- PROPERTY LINE
- - - EASEMENT
- SURVEY LINE
- TYPE I CONCRETE MONUMENT FOUND
- TYPE II CONCRETE MONUMENT SET
- 5/8" IRON ROD SET W/ CAP
- ⊗ PROPERTY CORNER FOUND AS NOTED
- (X) PARCEL NO.
- P - P - POWER LINE
- II - II - GAS LINE
- X - X - FENCE
- III - III - ACCESS DENIAL LINE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- L.O.C.D.R. LIVE OAK COUNTY DEED RECORDS
- L.O.C.M.R. LIVE OAK COUNTY MAP RECORDS
- L.O.C.O.R. LIVE OAK COUNTY OFFICIAL RECORDS

NOTES:

1. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, ADJ. TO THE NORTH AMERICAN DATUM OF 1983 (1993 ADJUSTMENT). ALL COORDINATES SHOWN ARE SURFACE VALUES. TO CONVERT SURFACE TO GRID VALUES DIVIDE BY TXDOT'S SURFACE ADJUSTMENT FACTOR OF 0.99999
2. PROPERTY DESCRIPTION WITH EVEN SURVEY DATE ACCOMPANIES THIS PLAT.



Landtech Consultants, Inc.

2627 North Loop West
Suite 224
Houston, Texas 77008

PARCEL 31

DIST. NAME CORPUS CHRISTI	SURVEY PLAT PROPERTY OF: LIVE OAK COUNTY	COUNTY LIVE OAK
ACCOUNT NO.		SURVEY DATE JULY 23, 2004

US 59

CCSJ NO. 0447-01-050, RCSJ NO. 0477-01-055

ACQUISITION: 0.9248 AC. (40,277 S.F.)

REMAINDER 0.9254 AC. (RIGHT)

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

Leo M. Delatorre 7/23/04

LEO M. DELATORRE
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS REG. NO. 5113

