TEXAS TRANSPORTATION COMMISSION

HARRIS County

MINUTE ORDER

HOUSTON District

In the city of Houston, HARRIS COUNTY, on STATE HIGHWAY 225, the State of Texas (state) acquired certain land for a state highway purpose by various instruments recorded in the Deed Records of Harris County, Texas.

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

In accordance with V.T.C.A., Transportation Code, Section 202.021, the Texas Transportation Commission (commission) may waive payment for real property transferred to a governmental entity with the authority to condemn the property, if the estimated cost of future maintenance on the property equals or exceeds the fair value of the property.

The appraised value of the surplus land is $1,042,923. The Houston district has advised that maintenance of the surplus land and the maintenance of a segment of SH 134 from the entrance to the San Jacinto Battleground to SH 225 for thirty years is estimated to cost the state $8,985,403, which cost exceeds the value of the surplus land. Harris County has requested that the surplus land be transferred to the county in consideration of the savings to the state of future maintenance costs.

The commission finds $1,042,923 to be a fair and reasonable value for the state's rights, title and interest in the surplus land, and it is the opinion of the commission that it is proper and correct that the state convey to the county all of its rights, title and interest in the surplus land in consideration of the estimated savings to the state of future maintenance costs, which exceed the value of 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 Harris County in consideration of the estimated savings to the state of future maintenance costs; 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.

IT IS FURTHER ORDERED that the surplus land is removed from the state highway system.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

M. W. Behrens

Executive Director

110801 DEC 14 06

Minute Number | Date Passed

Exhibit A

County:	Harris
Highway:	SH 225 (Spur 97)
Project Limits:	Lawndale to IH 610 (South Loop)
Account No.:	8012-01-021
CSJ:	0502-02-001

PROPERTY DESCRIPTION FOR TRACT 1

BEING a 5.660 acre (246,533 square feet) tract of land, in the J.R. Harris Survey, Abstract Number 27, Harris County, Texas, and being out of the following parcels conveyed to the State of Texas, as follows:
Steve E. Mayo, et al, as recorded in Volume 7805, Page 187 Harris County Deed Records (H.C.D.R.), M.A. Rowe, et al, by judgment recorded at Harris County Clerk's Film Code Number (H.C.C.F.C.N.) 141-22-0635, Fraternal Order of Eagles, by judgment recorded in Volume 8122, Page 82, H.C.D.R., Doris Wright Walmsley, et vir, et al, by deed recorded in Volume 8313, Page 478, H.C.D.R., I.T. Stettner, et al, by judgment recorded in Volume 8116, Page 96, H.C.D.R., Sam B. Madeley, et al, by judgment recorded in Volume 7552, Page 65 H.C.D.R., Investors Real Estate Corporation of Houston, as recorded in Volume 7547, Page 93, H.C.D.R., Ernest Z. Clouser, et al, by judgment recorded in Volume 7430, Page 56, H.C.D.R., J.W. Lang, et ux, as recorded in Volume 7571, Page 32, H.C.D.R., Caroline Newton, as recorded in Volume 8453, Page 321, H.C.D.R., Pasadena Ice Co., Inc., et al, by judgment recorded in H.C.C.F.C.N.132-11-2577, John T. Richardson, et ux, as recorded in Volume 7522, Page 350, H.C.D.R., J.W. Graham, et al, by judgment recorded in Volume 8027, Page 306, H.C.D.R., A.L. Baker, et al, as recorded in Volume 7850, Page 111, H.C.D.R., James H. Pell, et al, by judgment recorded Volume 8492, Page 135 H.C.D.R., Juanita L. P. Walker, et vir, by deed recorded in Volume 7610, Page 380, H.C.D.R., J.M. Berry, et ux, as recorded in Volume 7418, Page 117, H.C.D.R., Vanderbilt Singletary, et al, as recorded in Volume 7547, Page 111, H.C.D.R., said 5.660 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found Type II TXDOT right-of-way marker for the northeast corner of Lot 5, Block 87, Harrisburg Townsite, as shown on a plat recorded in Volume 6, Page 201, H.C.D.R., also being the south right-of-way line of Lawndale (width varies) and the west right-of-way line of Medina Street (80 feet wide) both shown on said plat of Harrisburg Townsite;

THENCE, South 86 Degrees 43 Minutes 20 Seconds West, along the north line of Lots 5 and 6, Block 87 Harrisburg Townsite and the said south right-of-way line of Lawndale, a distance of 138.40 feet to the intersection with the proposed Northeasterly right-of-way line of this tract;

Exhibit A

THENCE, North 46 Degrees 26 Minutes 58 Seconds West, along the proposed Northeasterly right-of-way line of this tract, a distance of 27.67 feet, to a five eighths inch iron rod with TXDOT aluminum cap set for the **POINT OF BEGINNING** of the herein described tract and having surface coordinates of X=3,149,433.90, Y=13,828,248.93; (All bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum of 1983 (NAD83), (All distances and coordinates shown are surface and may be converted to grid by dividing by a combined adjustment factor of 1.00013);**

1. **THENCE**, South 46 degrees 26 minutes 58 seconds East, along the proposed Northeasterly right-of-way line of this tract, a distance of 588.42 feet, to a five eighths inch iron rod with TXDOT aluminum cap set for the beginning of a curve to the left; **

2. **THENCE**, southeasterly along a curve to the left in the proposed Northeasterly right-of-way line of this tract, said curve having a central angle of 05 degrees 34 minutes 22 seconds, an arc length of 212.78 feet, a radius of 2,187.67 feet, a chord bearing of South 49 degrees 14 minutes 09 seconds East, and a chord distance of 212.70 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed east right-of-way line of this tract; **

3. **THENCE**, South 03 degrees 18 minutes 13 seconds East, along the proposed east right-of-way line of this tract, a distance of 290.18 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed southwesterly right-of-way line of this tract, also being in a non-tangent curve to the right; **

4. **THENCE**, northwesterly along a curve to the right in the proposed southwesterly right-of-way line of this tract, having a central angle of 07 degrees 09 minutes 53 seconds, an arc length of 275.96 feet, a radius of 2,206.87 feet, a chord bearing of North 55 degrees 10 minutes 06 seconds West, and a chord distance of 275.78 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed southwesterly right-of-way line of this tract; **

Exhibit A

5. **THENCE**, North 49 degrees 47 minutes 14 seconds West, along the proposed southwesterly right-of-way line of this tract, a distance of 190.56 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed southwesterly right-of-way line of this tract; **

6. **THENCE**, North 46 degrees 29 minutes 07 seconds West, continuing along the proposed southwesterly right-of-way line of this tract, a distance of 764.19 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed west right-of-way line of this tract; **

7. **THENCE**, North 03 degrees 13 minutes 08 seconds West, continuing along the proposed west right-of-way line of this tract, a distance of 34.55 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed north right-of-way line of this tract, also being in a non-tangent curve to the left; **

8. **THENCE**, southeasterly along a curve to the left in the proposed north right-of-way line of this tract, said curve having a central angle of 12 degrees 58 minutes 19 seconds, an arc length of 324.50 feet, a radius of 1,433.30 feet, a chord bearing of South 88 degrees 43 minutes 21 seconds East, and a chord distance of 323.81 feet to the **POINT OF BEGINNING** and containing 5.660 acre (246,533 square feet) of land.

Access will be permitted to the remainder property abutting the highway facility.

A parcel plat of even date was prepared in conjunction with this property description.

**The monument described and set in this call may be replaced with a TXDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TXDOT.

Exhibit A

I, David C. Newell, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the tract described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Date: August 18, 2006

August 18, 2006

David C. Newell
Registered Professional Land Surveyor
Texas Registration No. 4085

STATE OF TEXAS
REGISTERED
DAVID C. NEWELL
4085
PROFESSIONAL
LAND SURVEYOR

Tract 1 Prepared By:
Civil Concepts, Inc.
3425 Federal Street
Pasadena, Texas 77504

Exhibit B

County:	Harris
Highway:	SH 225 (Spur 97)
Project Limits:	Lawndale to IH 610 (South Loop)
Account No.:	8012-01-021
CSJ:	0502-02-001

PROPERTY DESCRIPTION FOR TRACT 2

BEING a 2.321 acre (101,108 square feet) tract of land, in the J.R. Harris Survey, Abstract Number 27, Harris County, Texas, and being out of the following parcels conveyed to the State of Texas, as follows: A.B.C. Interstate Theaters, Inc., as recorded in Volume 8219, Page 225, Harris County Deed Records (H.C.D.R.), Willowin Enterprise, Inc., et al, by judgment recorded in Harris County Clerk's Film Code Number 165-22-2015, Stokes Gentry, et al, as recorded in Volume 7849, Page 117, H.C.D.R., Vincent C. De Luke, as recorded in Volume 7662, Page 309, H.C.D.R., Sam De Luke, as recorded in Volume 7940, Page 549, H.C.D.R., Virginia Weishuhn, as recorded in Volume 7769, Page 14, H.C.D.R., Eunice M. D. Wise, as recorded in Volume 7717, Page 531, H.C.D.R., International Brotherhood of Boilermakers, et al, as recorded in Volume 7522, Page 373, H.C.D.R., Charles D. Milby, et al, as recorded in Volume 7476, Page 107, H.C.D.R., W.W. Fink, as recorded in Volume 7169, Page 566, H.C.D.R., Oma Gary, et al, by judgment recorded in Volume 7749, Page 491 H.C.D.R., said 2.321 acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found Type II TXDOT right-of-way marker in the existing southerly right-of-way line of SH 225 (Spur 97) (width varies) also being in the west right-of-way line of Joseph Street (50 feet wide) as per plat of Smith Furniture Company Addition Number 1, recorded in Volume 2, Page 40, Harris County Map Records and also being the east line of Lot 7, Block 3, of said Smith Furniture Company Addition Number 1;

THENCE, North 03 Degrees 24 Minutes 24 Seconds West, along the east line of said Lot 7, Block 3 of said Smith Furniture Company Addition Number 1, and the said west right-of-way line of Joseph Street, a distance of 75.51 feet to the intersection with the proposed southwesterly right-of-way line of this tract;

Exhibit B

THENCE, South 69 Degrees 17 Minutes 48 Seconds East, along the proposed southwesterly right-of-way line of this tract, a distance of 117.07 feet to a five eighths inch iron rod with TXDOT aluminum cap set for the **POINT OF BEGINNING** of the herein described tract and having surface coordinates of X=3,150,626.99, Y=13,827,145.58; (All bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum of 1983 (NAD83), (All distances and coordinates shown are surface and may be converted to grid by dividing by a combined adjustment factor of 1.00013); **

1. **THENCE**, North 69 Degrees 17 Minutes 48 Seconds West, along the proposed southwesterly right-of-way line of this tract, a distance of 289.70 feet, to a five eighths inch iron rod with TXDOT aluminum cap set for corner; **

2. **THENCE**, North 65 Degrees 24 Minutes 04 Seconds West, continuing along the proposed southwesterly right-of-way line of this tract, a distance of 96.19 feet, to a five eighths inch iron rod with TXDOT aluminum cap set for beginning of a curve to the right; **

3. **THENCE**, northwesterly along a curve to the right in the proposed westerly right-of-way line of this tract, said curve having a central angle of 61 degrees 50 minutes 21 seconds, an arc length of 86.34 feet, a radius of 80.00 feet, a chord bearing of North 34 degrees 28 minutes 54 seconds West, and a chord distance of 82.21 feet to a five eighths inch iron rod with TXDOT aluminum cap set in the west right-of-way line of this tract; **

4. **THENCE**, North 03 degrees 33 minutes 43 seconds West, along the west right-of-way line of this tract a distance of 143.54 feet, to a five eighths inch iron rod with TXDOT aluminum cap set for the beginning of a curve to the right; **

5. **THENCE**, northeasterly along a curve to the right in the proposed northwesterly right-of-way line of this tract, having a central angle of 119 degrees 55 minutes 44 seconds, an arc length of 62.79 feet, a radius of 30.00 feet, a chord bearing of North 56 degrees 24 minutes 09 seconds East, and a chord distance of 51.94 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed northeasterly right-of-way line of this tract; **

Exhibit B

6. **THENCE**, South 63 degrees 12 minutes 47 seconds East, along the proposed northeasterly right-of-way line of this tract, a distance of 99.06 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed northeasterly right-of-way line; **

7. **THENCE**, South 72 degrees 52 minutes 25 seconds East, continuing along the proposed northeasterly right-of-way line of this tract, a distance of 56.90 feet, to a five eighths inch iron rod with TXDOT aluminum cap set for corner; **

8. **THENCE**, South 66 degrees 13 minutes 53 seconds East, continuing along the proposed northeasterly right-of-way line of this tract, a distance of 170.66 feet, to a five eighths inch iron rod with TXDOT aluminum cap set for corner; **

9. **THENCE**, South 69 degrees 12 minutes 54 seconds East, continuing along the proposed northeasterly right-of-way line of this tract, a distance of 150.48 feet, to a five eighths inch iron rod with TXDOT aluminum cap set in the proposed easterly right-of-way line of this tract; **

10. **THENCE**, South 19 degrees 09 minutes 46 seconds West, along the proposed easterly right-of-way line of this tract, a distance of 210.30 feet, to the **POINT OF BEGINNING** and containing 2.321 acres acre (101,108 square feet) of land.

Access will be permitted to the remainder property abutting the highway facility.

A parcel plat of even date was prepared in conjunction with this property description.

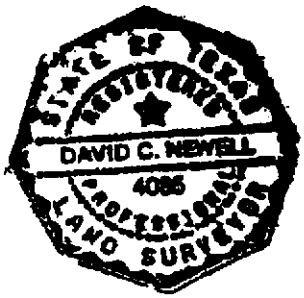
**The monument described and set in this call may be replaced with a TXDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TXDOT.

Exhibit B

I, David C. Newell, a Registered Professional Land Surveyor in the State of Texas do hereby certify that this survey was prepared from an actual on-the-ground survey of the tract described herein conducted by me or under my supervision and that this survey correctly represents the facts found at the time of the survey.

Date: August 18, 2006

August 18, 2006

David C. Newell
Registered Professional Land Surveyor
Texas Registration No. 4085

Tract 2 Prepared By:
Civil Concepts, Inc.
3425 Federal Street
Pasadena, Texas 77504