

TEXAS TRANSPORTATION COMMISSION

JOHNSON County

MINUTE ORDER

Page 1 of 2

FORT WORTH District

In the city of Burleson, JOHNSON COUNTY, on FARM TO MARKET ROAD 731, the State of Texas (state) acquired an easement interest in certain land for highway drainage purposes by instrument recorded in Volume 459, Page 20, Deed Records of Johnson County, Texas.

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

Members Credit Union (owner) has conveyed to the state an easement interest in land needed for the realignment and reconstruction of a new drainage facility (new easement), described in Exhibit B, and desires to make a partial donation to the state of the value of the new easement.

V.T.C.A., Transportation Code, Chapter 201, Subchapter D, authorizes the Texas Department of Transportation (department) to accept donations of real property for the purpose of carrying out its functions and duties.

V.T.C.A., Government Code, Chapter 575, requires the Texas Transportation Commission (commission) to accept by majority vote at an open meeting any gift or donation valued at over \$500, and the commission hereby finds that acceptance of the donation will provide a significant public benefit and will not influence or reasonably appear to influence the department in the performance of its duties.

An Agreement Concerning the Donation of Property to the Texas Department of Transportation (donation agreement) has been executed by the owner and tendered to the department for acceptance under the provisions of Title 43, Texas Administrative Code, Chapter 1, Subchapter G, since the value of the new easement provided by the owner, which is \$8,700, exceeds the value of the surplus easement, which is \$4,450.

The owner has executed and delivered a conveyance document under the terms of the donation agreement to convey the new easement to the state and has requested that the state's rights and interest in the surplus easement be released.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission may recommend the release of surplus easements and the exchange of surplus easements as partial or full consideration for other land needed by the state for highway purposes.

It is the opinion of the commission that it is proper and correct that the state release its rights and interest in the surplus easement in exchange and as consideration for the partial donation and the conveyance of the new easement to the state.

TEXAS TRANSPORTATION COMMISSION

JOHNSON County

MINUTE ORDER

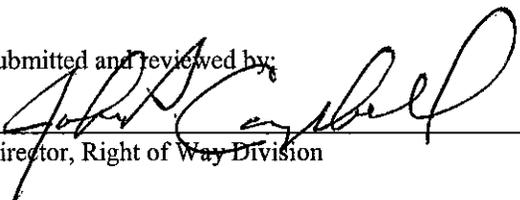
Page 2 of 2

FORT WORTH District

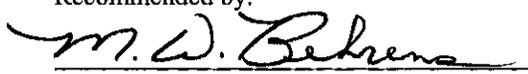
IT IS THEREFORE ORDERED by the commission that the executive director is hereby authorized to accept the donation of the new easement and that the executive director or the director's designee is authorized and directed to sign and execute a donation agreement with the owner, in accordance with Title 43, Texas Administrative Code, Chapter 1, Subchapter G.

FURTHER, in consideration of the foregoing premises and in accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission finds that the surplus easement 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 releasing all of the state's rights and interest in the surplus easement in exchange and as consideration for the conveyance to the state of the new easement.

Submitted and reviewed by:

  
Director, Right of Way Division

Recommended by:

  
Executive Director

**110463 FEB 23 06**

Minute Number      Date Passed

**LEGAL DESCRIPTION**

0.038 acre situated in the H.G. CATLETT SURVEY, Abst. No. 181, City of Burleson, Johnson County, Texas, being over and across Lot 1, H.G. CATLETT ADDITION, an Addition to the City of Burleson, Johnson County, Texas, according to the plat recorded in Volume 9, Page 158, Plat Records, Johnson County, Texas, said Lot 1, conveyed to Members Credit Union by deed recorded in Volume 3158, Page 925, Deed Records, Johnson County, Texas, also being a portion of a 30 foot by 100 foot channel easement conveyed to the State of Texas by deed recorded in Volume 459, Page 20, Deed Records, Johnson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2' iron set in the north line of said 30 foot by 100 foot channel easement being S 44°45'00"E, along the northeast line of N.W. John Jones Drive - Farm To Market Highway No. 731 (a variable width R.O.W.), a distance of 40.00 feet, and N 45°19'37"E, 80.18 feet from the northwest corner of said Lot 1, H.G. CATLETT ADDITION:

THENCE N 45°19'37"E, 39.82 feet to a 1/2" iron set being the northwest corner of said 30 foot by 100 foot channel easement;

THENCE S 44°45'00"E, 30.00 feet to a 1/2" iron set being the northeast corner of said 30 foot by 100 foot channel easement;

THENCE S 45°19'37"W, along the east line of said 30 foot by 100 foot channel easement, a distance of 69.86 feet to a 1/2" iron set;

THENCE N 00°19'37"E, 42.43 feet to the POINT OF BEGINNING and containing 0.038 acre of land.

**EXHIBIT A**

PROPOSED SURPLUS EASEMENT

TRACT 19-03

SITUATED IN THE

H.G. CATLETT SURVEY, ABST. NO. 181

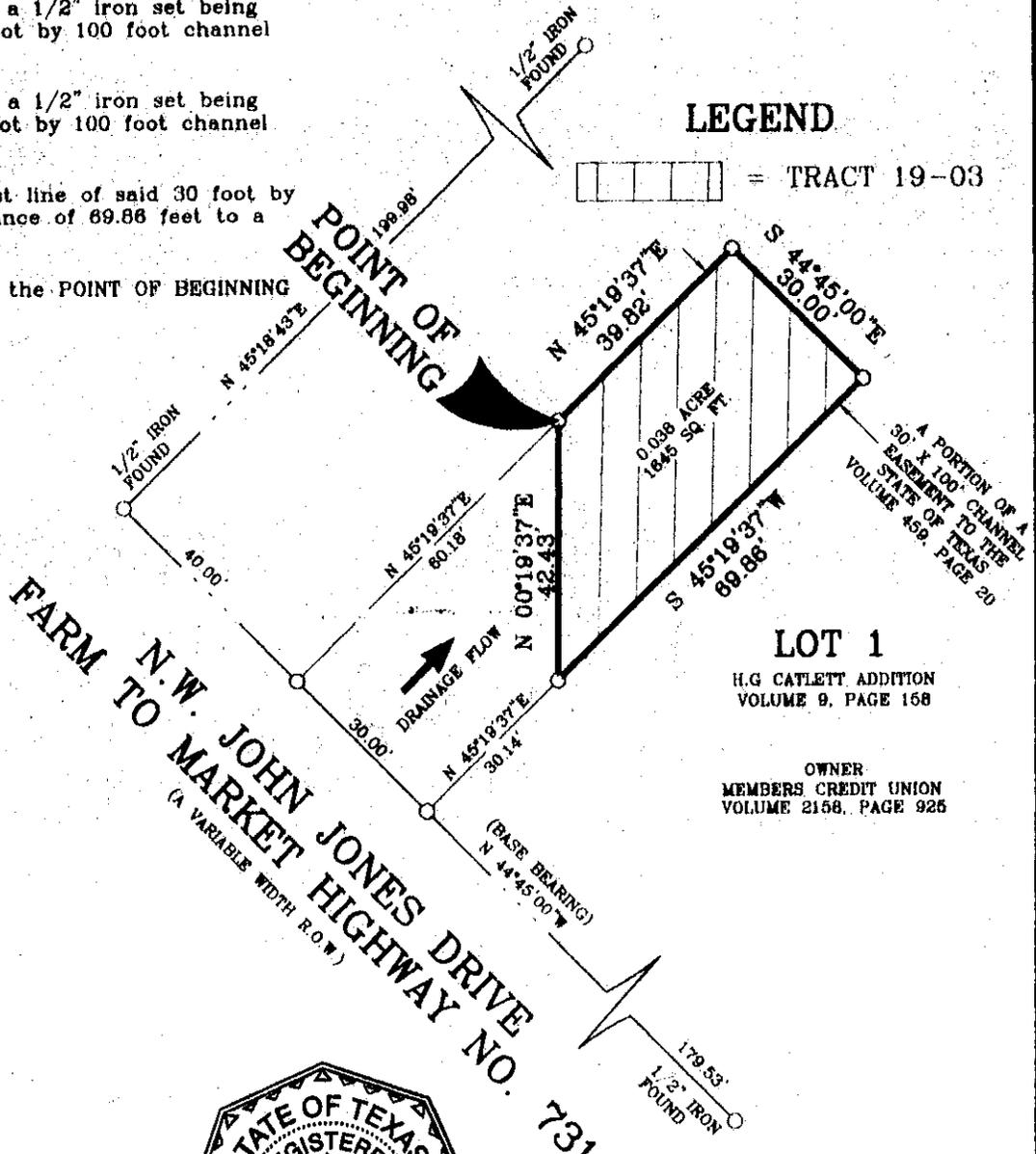
JOHNSON COUNTY, TEXAS

**NOTES:**

ALL CORNERS ARE 1/2" IRONS SET UNLESS OTHERWISE NOTED.

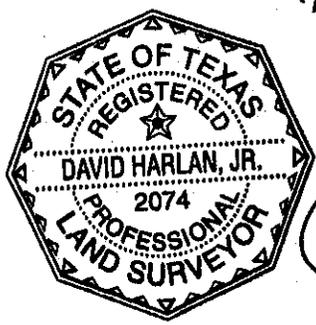
BEARINGS CORRELATED TO PLAT CALL N 44°45'00"W ALONG THE WEST LINE OF LOT 1, H.G. CATLETT ADDITION, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 9, PAGE 158, PLAT RECORDS, JOHNSON COUNTY, TEXAS.

SUFFICIENT RESEARCH WAS PERFORMED TO DETERMINE THE BOUNDARY LOCATIONS OF THIS PROPERTY. THIS SURVEY DOES NOT PURPORT TO SHOW ALL EASEMENTS AND OTHER MATTERS THAT A COMPLETE TITLE SEARCH MIGHT REVEAL.



SCALE  
 1" = 30'

**HARLAN LAND SURVEYING, INC.**  
 215 EAST EUREKA  
 WEATHERFORD, TX 76086  
 METRO(817)596-9700-(817)599-0880  
 FAX: METRO(817) 341-2833



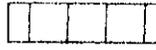
THE PLAT HEREON WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE LEGALLY DESCRIBED PROPERTY SHOWN HEREON.

DAVID HARLAN, JR.  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 TEXAS REGISTRATION NO. 2074  
 AUGUST 18, 2005

**EXHIBIT B**

**LEGEND**

A VARIABLE WIDTH CHANNEL EASEMENT  
TO THE STATE OF TEXAS  
PARCEL 110 E  
SITUATED IN THE

 = PORTION OF  
PARCEL 110 E

BURLESON/ALSBRURY JOINT VENTURE  
VOLUME 2289, PAGE 591

H.G. CATLETT SURVEY, ABST. NO. 181  
JOHNSON COUNTY, TEXAS

BURLESON/ALSBRURY JOINT VENTURE  
VOLUME 2289, PAGE 591

**NOTES:**

ALL CORNERS ARE 1/2" IRONS SET UNLESS OTHERWISE NOTED.

BEARINGS CORRELATED TO PLAY CALL N 44°45'00"W ALONG THE WEST LINE OF LOT 1, H.G. CATLETT ADDITION, AN ADDITION TO THE CITY OF BURLESON, JOHNSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 9, PAGE 158, PLAT RECORDS, JOHNSON COUNTY, TEXAS.

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20' DRAINAGE EASEMENT  
VOLUME 9, PAGE 158

**LOT 1**

H.G. CATLETT ADDITION  
VOLUME 9, PAGE 158  
OWNER  
MEMBERS CREDIT UNION  
VOLUME 2158, PAGE 925

**LEGAL DESCRIPTION**

0.074 acre situated in H.G. CATLETT SURVEY, Abst. No. 181, City of Burleson, Johnson County, Texas, being over and across Lot 1, H.G. CATLETT ADDITION, an Addition to the City of Burleson, Johnson County, Texas, according to the plat recorded in Volume 9, Page 158, Plat Records, Johnson County, Texas, said Lot 1 conveyed to Members Credit Union by deed recorded in Volume 3158, Page 925, Deed Records, Johnson County, Texas, and being more particularly described as follows:

**BEGINNING** at a 1/2" iron set in the north line of a 30 foot by 100 foot channel easement conveyed to the State of Texas by deed recorded in Volume 459, Page 20, Deed Records, Johnson County, Texas, being S 44°45'00"E, along the northeast line of N.W. John Jones Drive - Farm To Market Highway No. 731, a distance of 40.00 feet and N 45°19'37"E, 31.90 feet from the northwest corner of said Lot 1, H.G. CATLETT ADDITION;

THENCE N 00°19'37"E, 42.34 feet to a 1/2" iron set;

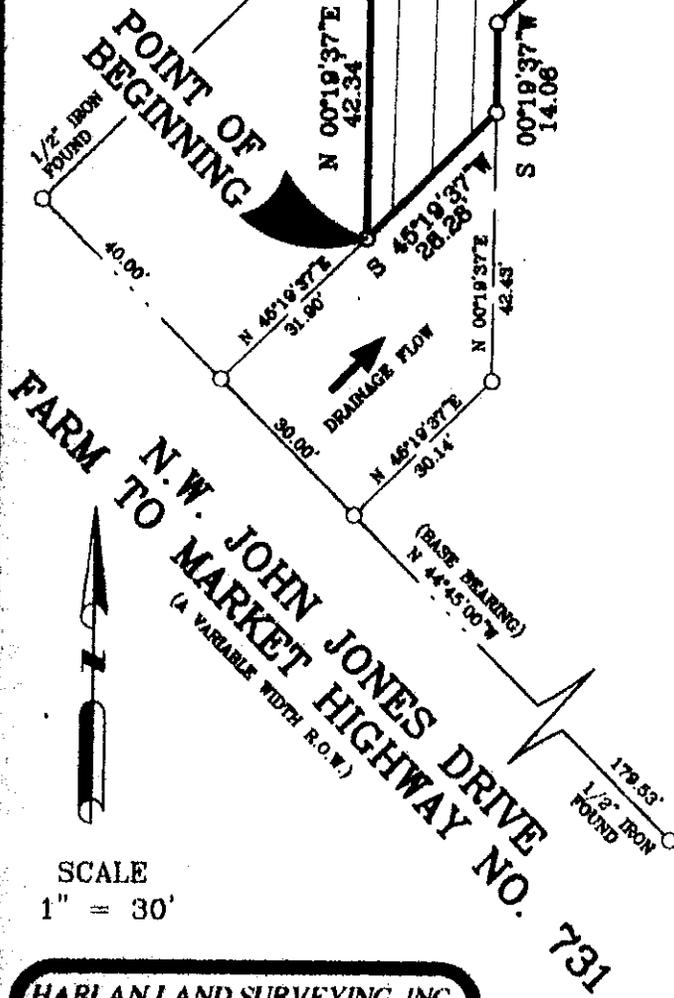
THENCE N 45°19'37"E, 138.10 feet to a 1/2" iron set in the east line of said Lot 1, H.G. CATLETT ADDITION;

THENCE S 44°43'16"E, along the common line of said Lot 1, H.G. CATLETT ADDITION, and that certain tract of land conveyed to Burleson/Alsbury Joint Venture by deed recorded in Volume 2289, Page 591, Deed Records, Johnson County, Texas, a distance of 20.00 feet to a 1/2" iron set;

THENCE S 45°19'37"W, 129.83 feet to a 1/2" iron set;

THENCE S 00°19'37"W, 14.08 feet to a 1/2" iron set in the north line of said 30 foot by 100 foot easement;

THENCE S 45°19'37"W, along the north line of said 30 foot by 100 foot easement 28.28 feet to the POINT OF BEGINNING and containing 0.074 acre of land.



SCALE  
1" = 30'

**HARLAN LAND SURVEYING, INC.**  
215 EAST EUREKA  
WEATHERFORD, TX 76086  
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ON THE GROUND SURVEY OF THE LEGALLY DESCRIBED  
PROPERTY SHOWN HEREON

*David Harlan, Jr.*  
DAVID HARLAN, JR.  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 2074  
AUGUST 18, 2005

VICINITY MAP

©NCTCOG

Blue Roan Ln.

Hummingbird Trl

Big Horn Trl

Willow St

Edgemoor Rd

Lincoln Oaks Dr

Sierra Vista Dr

Cherry Dr

Flagstone Dr

County Road 1016

Cedar Ridge Ln

Green Mountain Rd

Crest Ave

Cummins Rd

Blue Ridge Dr

Pine Mountain Dr

Nw Summercrest Blvd

Albany Blvd

Parley Dr

Nw Charlyne Dr

County Road 921

Ramp

Subject

Alsbury Road

Barlow Park

Brown Chest Rd

Noble Dr

Jacks Clearing Ct

Gratiot Dr

White Gr N

Yarrow Dr

Burleson

Nw Whittier Rd

Lyons Ln

Barkley Trl

F.M. 731

F.M. 731

Nw Janssen Ave

Nw Janssen Dr

Nw Summercrest Blvd

Lyons Ln



County Road 520

S.H. 174