

TEXAS TRANSPORTATION COMMISSION

COLLIN County

MINUTE ORDER

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DALLAS District

In the city of Allen, COLLIN COUNTY, on US 75, the State of Texas acquired certain land needed for state highway purposes by instruments recorded in Volume 509, Page 160, and Volume 509, Page 176, Deed Records of Collin County, Texas.

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

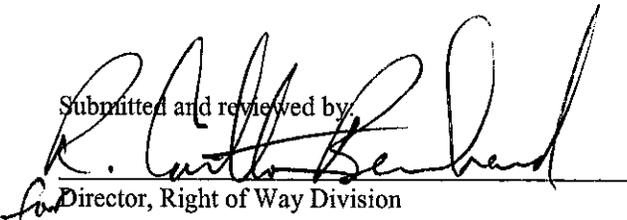
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land.

Montgomery Farm Garden District, Ltd., is the abutting landowner and has requested that the surplus land be sold for \$67,012.

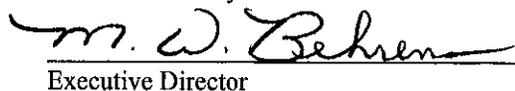
The commission finds \$67,012 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

NOW, THEREFORE, the commission finds that the surplus land is no longer needed for 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 Montgomery Farm Garden District, Ltd., for \$67,012; **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

110635 JUL 27 06

Minute Date
Number Passed

EXHIBIT "A"

County: Collin
Highway: U. S. Highway 75
Control-Section: 0047-06

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December 2005

DESCRIPTION FOR A 0.2797 ACRE SURPLUS TRACT

BEING a 12,184 square foot tract of land situated in the Rufus Sewell Survey, Abstract Number 875, and the T. G. Kennedy Survey, Abstract Number 500, and being located in the City of Allen, Collin County, Texas, and being all of that tract of land described as Tract #2 in Right-of-Way Deed to the State of Texas as recorded in Volume 509, Page 160 in the Deed Records of Collin County, Texas (D.R.C.C.T.), and also being a part of that tract of land described in Right-of-Way Deed to the State of Texas as recorded in Volume 509, Page 176, D.R.C.C.T.;

COMMENCING at a 1/2-inch found iron rod with cap stamped "WEIR & ASSOC. INC." for the intersection of the west line of said State of Texas tract recorded in Volume 509, Page 176 with the south line of a called 53.62 acre tract of land described in deed to Bethany Corner, Ltd. as recorded in Volume 5565, Page 004511, D.R.C.C.T., said point also being on the existing west right-of-way line of U.S. Highway 75 (variable width right-of-way);

THENCE North 13 degrees 14 minutes 11 seconds East, along said existing west right-of-way line, a distance of 320.68 feet to an interior ell corner of said State of Texas tract recorded in Volume 509, Page 176 for the POINT OF BEGINNING, said point also being the intersection of said existing west right-of-way line with the new west right-of-way line of U.S. Highway 75 (variable width right-of-way), and from which point a 1/2-inch found iron rod with cap stamped "WEIR & ASSOC. INC." bears North 37 degrees 35 minutes 41 seconds West a distance of 0.20 feet;

- 1). THENCE North 37 degrees 35 minutes 41 seconds West, continuing along said existing west right-of-way line, at a distance of 100.38 feet passing a 1/2-inch found iron rod for the common southeast corner of said Tract #2 and an exterior ell corner of said State of Texas tract recorded in Volume 509, Page 176, and continuing along said existing west right-of-way line for a total distance of 145.93 feet to a point for the common southwest corner of said Tract #2 and an interior ell corner of said Bethany Corner tract, and from which point a found wooden dome post bears North 49 degrees 57 minutes 26 seconds East a distance of 0.32 feet;
- 2). THENCE North 00 degrees 52 minutes 46 seconds East, continuing along said existing west right-of-way line, a distance of 46.98 feet to a point for the common northwest corner of said Tract #2 and an interior ell corner of said Bethany Corner tract, and from which point a found wooden dome post bears South 36 degrees 23 minutes 00 seconds East a distance of 0.31 feet;

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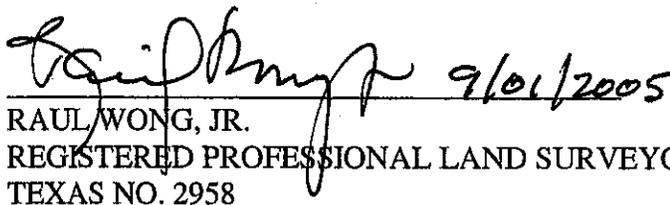
County: Collin
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Control-Section: 0047-06

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- 3). THENCE South 88 degrees 17 minutes 33 seconds East, continuing along said existing west right-of-way line, at a distance of 29.24 feet passing a 1/2-inch found iron rod for the common northeast corner of said Tract #2 and an exterior ell corner of said State of Texas tract recorded in Volume 509, Page 176, and continuing along said existing west right-of-way line for a total distance of 125.73 feet to a found wooden dome post for an interior ell corner of said State of Texas tract recorded in Volume 509, Page 176, said point also being the intersection of said existing west right-of-way line with said new west right-of-way line;
- 4). THENCE South 13 degrees 14 minutes 11 seconds West, departing said existing west right-of-way line and along said new west right-of-way line, a distance of 163.19 feet to the POINT OF BEGINNING AND CONTAINING 12,184 square feet or 0.2797 acre of land, more or less.

Basis of Bearing is based on Texas State Plane Coordinate System, 1983 (1993), North Central Zone 4202, based upon GPS measurements from Triangulation Station "Poe" and "TXDOT District 1". Convergence angle at "Poe" is +00 Degrees 52 Minutes 30.1 Seconds. Grid to surface conversion is 1.000152710

I, Raul Wong, Jr., a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat of even date represent an actual survey made on the ground under my supervision.

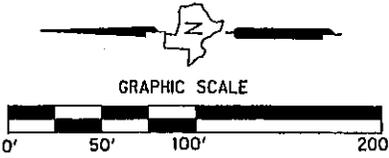
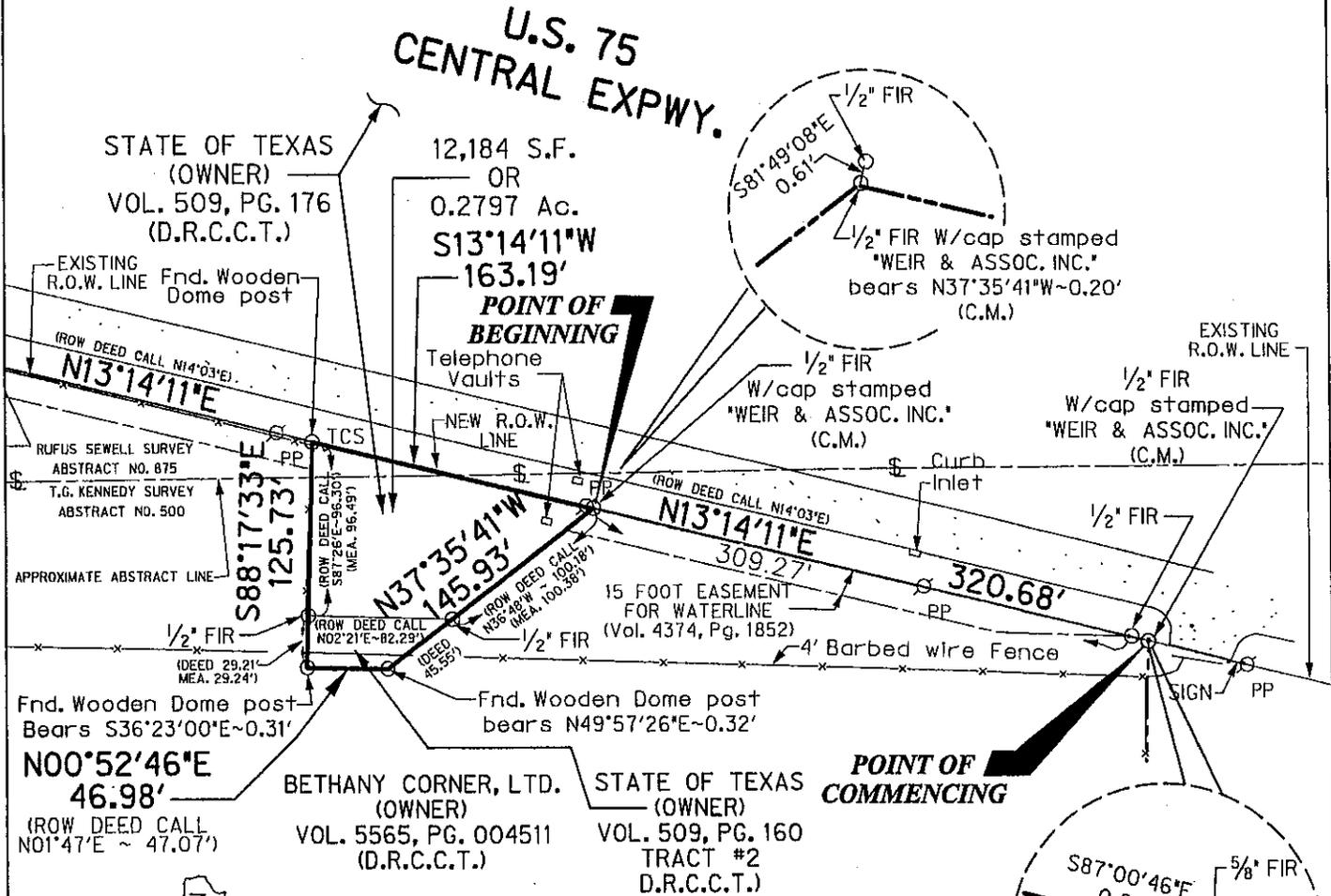

RAUL WONG, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 2958



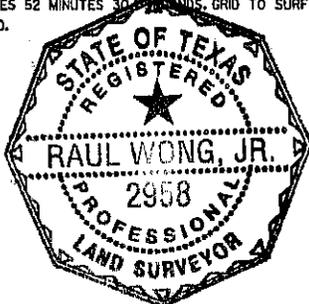
Half Associates
8616 Northwest Plaza Drive
Dallas, Texas 75225-4292
(214) 346-6200

EXHIBIT "A"
0.2797 ACRE SURPLUS PROPERTY TRACT
U.S. HIGHWAY 75

12,184 S.F. TRACT OF LAND IN THE
RUFUS SEWELL SURVEY, ABSTRACT No. 875 AND THE
T.G. KENNEDY SURVEY, ABSTRACT No. 500
CITY OF ALLEN, COLLIN COUNTY, TEXAS



ALL BEARINGS ARE ON THE TEXAS STATE PLANE COORDINATE SYSTEM, N.A.D. 1983 (1993 ADJ.) NORTH CENTRAL ZONE 4202 BASED UPON GPS MEASUREMENTS FROM TRIANGULATION STATION "POE", CONVERGENCE ANGLE IS +00 DEGREES 52 MINUTES 30 SECONDS. GRID TO SURFACE CONVERSION IS 1.000152710.



HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.

Raul Wong, Jr. 9/01/2005
 RAUL WONG, JR. R.P.L.S. TEXAS NO. 2958

A PLAT OF A SURVEY OF A 12,184 SQ. FT. TRACT OF LAND IN THE RUFUS SEWELL SURVEY ABSTRACT No. 875 AND THE T.G. KENNEDY SURVEY ABSTRACT No. 500 AND BEING IN THE CITY OF ALLEN, COLLIN COUNTY, TEXAS

- LEGEND**
- EXISTING RIGHT OF WAY LINE ————
 - PROPERTY LINE ————
 - COUNTY LINE ————
 - DENIAL OF ACCESS LINE ————
 - ACCESS IS PROHIBITED ACROSS THE DENIAL OF ACCESS LINE ————
 - SURVEY LINE ————
 - FENCE LINE — x — x —
 - CITY LIMITS ————
 - EASEMENTS ————
 - RAILROAD ————
 - STRUCTURE ————
- SET A.D. = SET TxDOT ALUMINUM DISK ON A 3/4-INCH IRON ROD
 FND B.D. = FOUND TxDOT BRASS DISK IN CONCRETE
 C.M. = CONTROL MONUMENT
 1/2" FIR = 1/2-INCH FOUND IRON ROD
 5/8" FIR = 5/8-INCH FOUND IRON ROD
 PP = POWER POLE
 TCS = TELEPHONE CABLE SIGN

REVISED 12/14/2005

LOCATION MAP

