

TEXAS TRANSPORTATION COMMISSION

ANGELINA County

MINUTE ORDER

Page 1 of 1

LUFKIN District

In the city of Lufkin, ANGELINA COUNTY, on US 59, a designated controlled access highway, the State of Texas (state) owns and controls certain access rights to the highway facility to and from the abutting lands.

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

Dude Development, Ltd., a Texas limited partnership, (DDL) owner of a 4.848 acre tract of land called Tract One and conveyed by deed recorded under Lufkin County Clerk's Instrument Number 203562 of the Real Property Records of Angelina County, Texas, (DDL Tract) is the landowner abutting the property line along which access is proposed to be released and has requested that the state sell the surplus access rights to DDL for \$47,361.

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

The Texas Department of Transportation has determined that the sale of the surplus access rights is not expected to compromise the safety or add traffic volume in an amount to exceed the capacity of the existing highway.

It is the opinion of the commission that it is proper and correct that the state sell the surplus access rights to DDL for a cash consideration of \$47,361.

NOW, THEREFORE, the commission finds that the surplus access rights are 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 the state's interest in the surplus access rights to DDL for \$47,361.

IT IS FURTHER ORDERED that the surplus access rights will be exclusive to the DDL Tract and nothing in this order shall be construed to directly or indirectly approve conveyance of access rights to the properties abutting the DDL Tract.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

Executive Director

110601 JUN 29 06

Minute Number Date Passed

EXHIBIT A

DUDE DEVELOPMENT, LTD.
ACCESS DESCRIPTION

BEING an Access Line delineating a permitting of access to the transportation facility from the adjacent property along the common boundary of US Highway 59 and those lands called 4.848 acres of land conveyed to Dude Development, LTD. in deed recorded as Instrument No. 203562 of the Real Property Records of Angelina County, Texas, said Access Line being more particularly described by metes and bounds, as follows, to-wit:

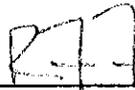
BEGINNING N 06° 52' 02" E from a TxDOT monument found for the Southeast corner of the aforesaid referred to 4.848 acre tract, at 166.82 feet a ½" pipe set in the East boundary line of the said 4.848 acre tract and the West Right-of-Way Line of US Highway 59, said pipe being the point of beginning of the herein described Access Line;

THENCE N 06° 52' 02" E with the said East boundary line of the said 4.848 acre tract and the West Right-of-Way Line of US Highway 59, at 50.04 feet a ½" pipe set for the end of this "Control of Access Line".

Basis of Bearings: Bearings are based upon Texas Central Zone Grid Values (N.A.D. 83)

Access is permitted across this "Access Line".

I, R.F. Freeman, R.P.L.S., hereby certify that the legal description hereon and on the accompanying plat of same date represent an actual survey made on the ground under my supervision.



R.F. Freeman
Registered Professional Land Surveyor No. 4202
May 16, 2006

EXHIBIT A

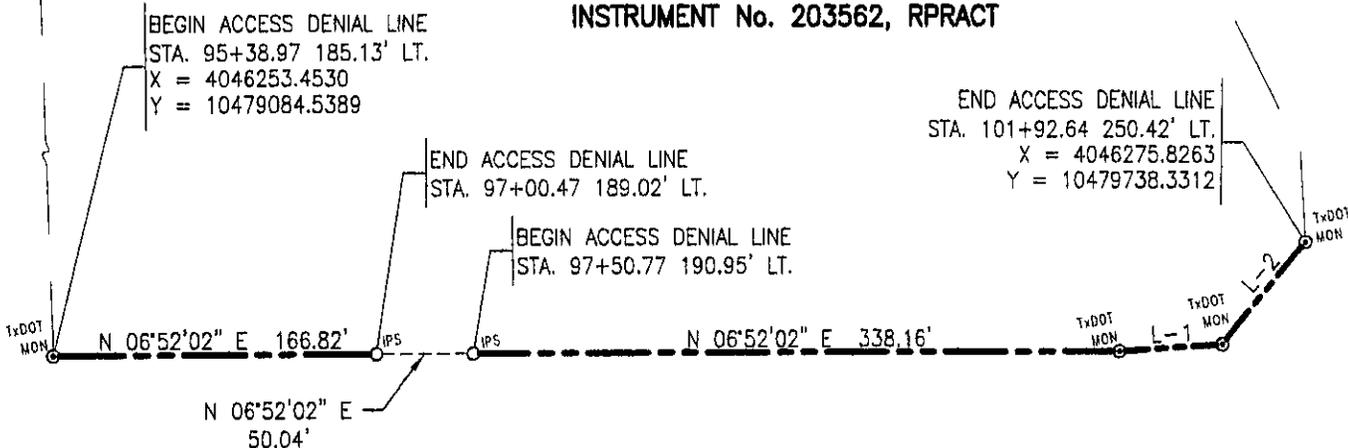
J.A. LONGORIA SURVEY
ABSTRACT NO. 24

DANIEL McCALL DRIVE
EXISTING ROW LINE

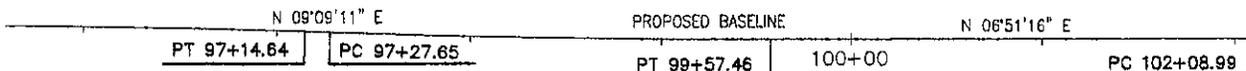
LEGEND

- ⊙ TxDOT MON TEXAS DEPT. OF TRANSPORTATION R.O.W. MONUMENT
- IPS 1/2" IRON PIPE SET
- ACCESS LINE
- ACCESS DENIAL LINE -- ACCESS IS PROHIBITED ACROSS THE "ACCESS DENIAL LINE" TO THE TRANSPORTATION FACILITY FROM THE ADJACENT PROPERTY

DUDE DEVELOPMENT, LTD
4.848 ACRES
INSTRUMENT No. 203562, RPRACT



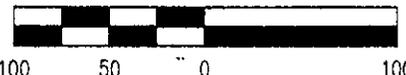
U.S. HWY 59 (ROW VARIES)



LINE TABLE		
NO.	BEARING	DISTANCE
1	N 03°07'28" E	53.61'
2	N 43°37'26" W	67.99'

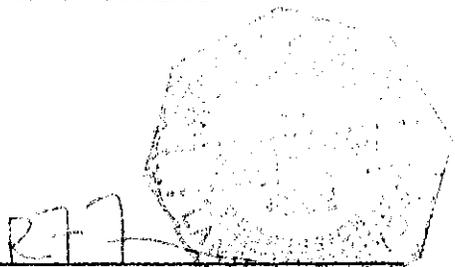


SCALE: 1" = 100'



BASIS OF BEARINGS:
BEARINGS ARE BASED ON TEXAS CENTRAL ZONE GRID VALUES (N.A.D. 83).

I, R. F. FREEMAN, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY DECLARE, THAT I HAVE PREPARED THIS PLAT FROM A SURVEY MADE ON THE GROUND, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



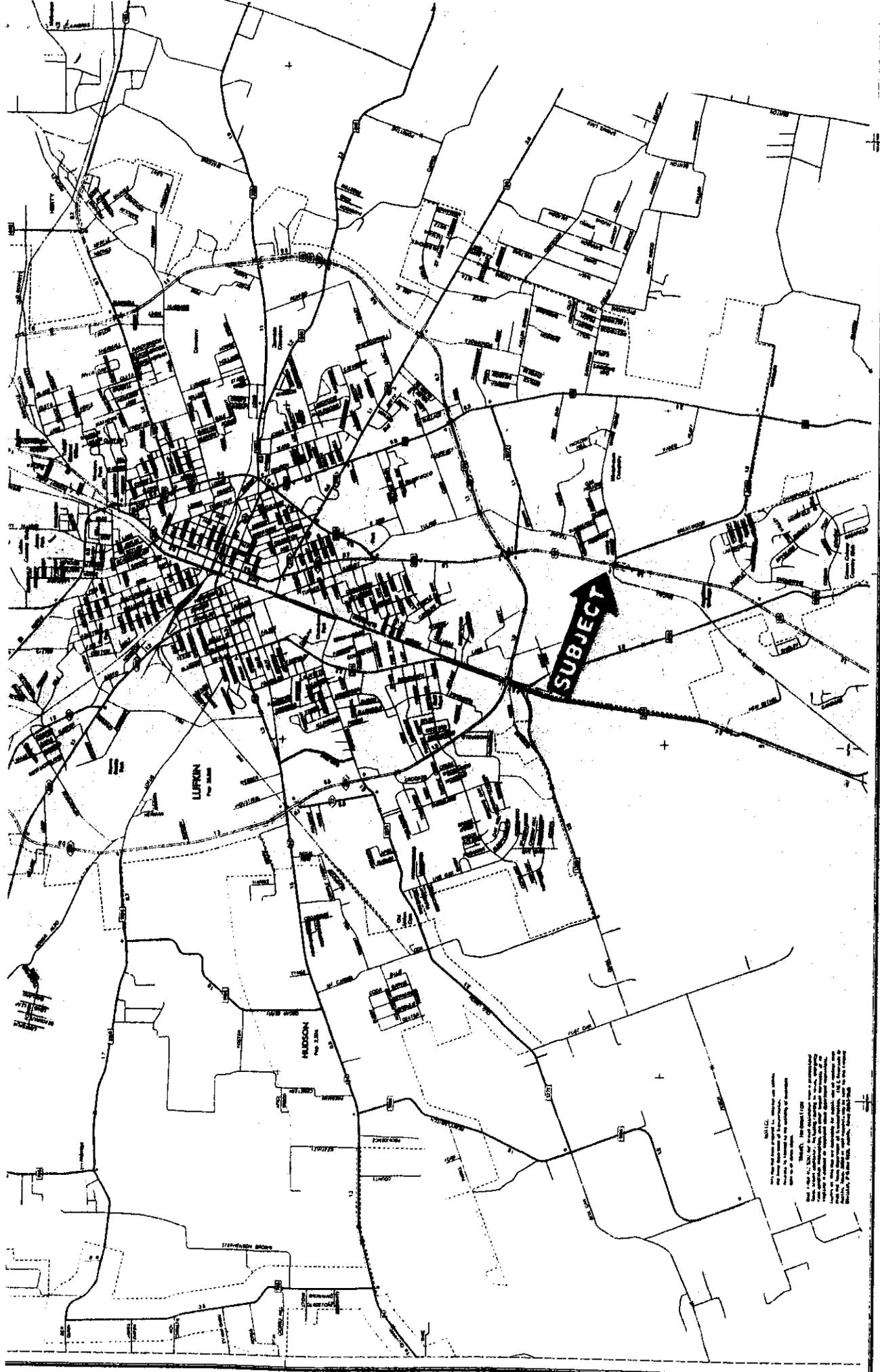
R. F. FREEMAN
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4202
DATE: 05-16-06

SURVEY OF EAST BOUNDARY LINE OF 4.848 ACRE TRACT (U.S. 59 WEST RIGHT-OF-WAY LINE)
J.A. LONGORIA SURVEY, A-24
ANGELINA COUNTY, TEXAS



Everett Griffith, Jr. & Associates Inc.
408 North Third Street
Lufkin, Texas
936-634-8528

Designed By:	RFF	Checked By:	RFF	Scale:	1" = 100'	1 of 1
Drawn By:	MLP	Approved By:	RFF	Date:	04/26/06	



ANGELINA COUNTY
US 59

NOTICE
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