

TEXAS TRANSPORTATION COMMISSION

TAYLOR County

MINUTE ORDER

Page 1 of 1

ABILENE District

In TAYLOR COUNTY, on US 83/277, the State of Texas (state) acquired certain land needed for highway purposes by instruments recorded in Volume 506, Page 137; Volume 567, Page 246; Volume 626, Page 123, Deed Records of Taylor County, Texas, and in Volume M, Page 405, Civil Minutes, Taylor 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 waive payment for real property transferred to a governmental entity if the estimated cost of future maintenance on the property equals or exceeds the fair value of the property.

The fair value of the surplus land has been determined to be \$7,200, and the state's costs for maintenance over the next 20 years are estimated to be \$21,750.

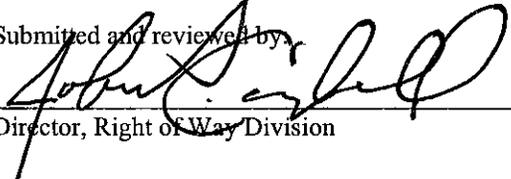
The City of Abilene has requested that the surplus land be transferred to the city in consideration of the savings to the state of future maintenance costs, since the future maintenance costs exceed the value of the surplus land by \$14,550.

The commission finds \$7,200 to be a fair and reasonable value of the state's rights, title and interest in the surplus land and recommends that the state transfer the surplus land to the city.

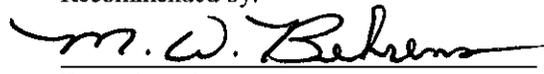
NOW, THEREFORE, the commission finds that the surplus land is no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the Governor of Texas execute a proper instrument transferring all of the state's rights, title and interest in the surplus land to the City of Abilene in consideration of the 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.

FURTHER, IT IS ORDERED by the commission that the surplus land be removed from the state highway system and returned to the city for control, jurisdiction and maintenance.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

110607 JUN 29 06

Minute Number Date Passed

EXHIBIT "A"

FIELD NOTES FOR TRACT 5

BEING 1.18 acres of land, out of and a part of Subdivisions No. 15 and No. 26 of the Steffens Subdivision of the Merchant Pasture of the James R. Shipman Survey No. 86, Taylor County, Texas, as per plat thereof in Volume T, Page 639, Deed Records Taylor County, Texas, and being a part of that certain tract of land conveyed to the State of Texas by Jack Belsky and wife Sally Belsky by Deed dated March 27, 1958, of record in Volume 567, Page 246, Deed Records Taylor County, Texas, and being a part of that certain tract of land conveyed to the State of Texas by W.O. Hayter Jr., Trustee by Deed dated April 4, 1960, of record in Volume 626, Page 123, Deed Records Taylor County, Texas, and being a part of that certain tract of land conveyed to the State of Texas by Clara Siewert by Deed dated March 24, 1955, of record in Volume 506, Page 137, Deed Records Taylor County, Texas, and being a part of that certain tract of land conveyed to the State of Texas by eminent domain proceedings by the State of Texas acting by and through Taylor County, Texas, for highway purposes as described in causer No. 12,228, dated March 5, 1956 in the County Court of Taylor County, Texas and being described in Volume 525, Page 328, Deed Records Taylor County, Texas and said 1.18 acres being more fully described as follows:

Commencing at a found 1/2" rebar with cap marked "TEXAS DEPT OF TRANS", for the Northwest corner of the remainder of that certain tract of land conveyed to W.O. Hayter Jr. by Deed dated October 23, 1959, recorded in Volume 598, Page 251, Deed records of Taylor County, Texas, and said point also being the Northeast corner of a 1.991 acre tract recorded in Volume 2230, Page 180, Official Public Records Taylor County, Texas, and said point being Southeast of and measured at right angles to center line chaining station 183+87.85' of the present location of said U.S. Highway 83/277 (SPC N= 6859125.392', E= 1576398.449');

THENCE South 63°07'07" West, along the West line of the remainder of said Hayter tract, a distance of 149.95 feet to point on the North right of way line of Ambler Avenue for the Point of Beginning from which a found 3/8" spike bears North 71°52'22" West, 0.30 feet, said point being the Southwest corner of said Hayter tract and the Northeast corner of this tract and said point being 790.91 feet Southeast of and measured at right angles to center line chaining station 185+17.67' of the present location of said U.S. Highway 83/277 (SPC N= 6859057.593', E= 1576264.702');

1. THENCE: South 63° 07' 07" West, along the West line of the remainder of said Hayter tract, a distance of 141.79 feet to a point on the South right of way line of Ambler Avenue, the same being the North line of Northwood Addition, Section 6, to the City of Abilene, Taylor County, Texas, as per plat in Cabinet 2, Slide 81-C, Plat Records Taylor County, Texas, to a point from which a found 3/8" rebar in concrete for the Northwest corner of Lot 19, Block 4, Section 6, of said Northwood Addition bears South 71° 54' 48" East, 48.96 feet;
2. THENCE: North 71° 54' 48" West, along the South right of way line of Ambler Avenue, the same being the North line of said Northwood Addition, a distance of 471.70 feet to a point, 264.29 feet Southeast of and measured at right angles to center line chaining station 187+61.69' of the present location of said U.S. Highway 83/277, from which a found concrete monument with a brass cap bears North 33°04'43" East, 0.73 feet;
3. THENCE: North 29°13'20" East, along the Southeast right of way line of the present location of said U.S. Highway 83/277, a distance of 102.52 feet to a found concrete monument with a brass cap on the North right of way of Ambler Avenue, and said point being 257.40 feet Southeast of and measured at right angles to center line chaining station 186+60.13' of the present location of said U.S. Highway 83/277;
4. THENCE: South 71° 52' 22" East, along the North right of way line of Ambler Avenue, a distance of 552.21 feet to the Point of Beginning and containing 1.18 acres more or less.;

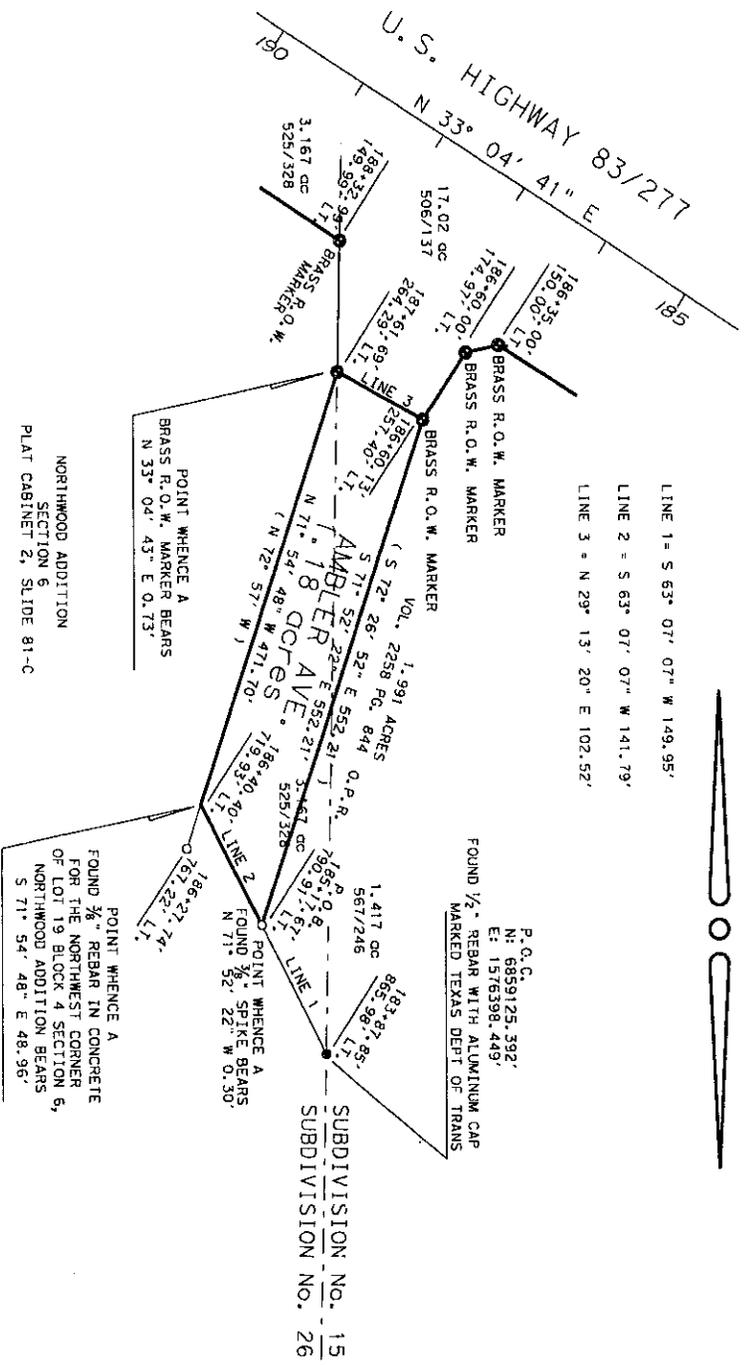
Surveyed on the ground under my supervision, November 4, 2003

The bearings recited herein are based on the Texas State Plane Coordinate System NAD 83, 4202 North Central Zone, as established by the Texas Department of Transportation, 4250 NORTH CLACK, ABILENE TEXAS, 79603, Scale Factor 1.00016. The SPC herein are Surface.

DIEHL ESTES REGISTERED PROFESSIONAL LAND SURVEYOR #5003,
TEXAS DEPARTMENT OF TRANSPORTATION,
4250 NORTH CLACK, ABILENE TEXAS, 79603 325-676-6832



STATE OF TEXAS
 DEPARTMENT OF TRANSPORTATION

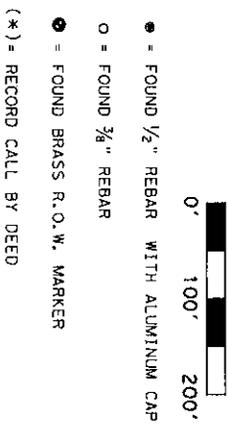


Plat of 1.18 acres of land, out of and a part of Subdivision
 No. 15 and No. 26 of the Steffens Subdivision of the Merchant
 Pasture of the James R. Shipman Survey No. 86,
 Taylor County, Texas.

The bearings recited herein are based on the Texas State Plane Coordinate System
 NAD 83, 4202 North Central Zone, as established by Sheppard Surveying, 17 Windmill Circle
 Abilene, Texas 79606. Base point monumented by a 1/2" rebar with aluminum cap marked
 "TEXAS DEPT TRANS" with a surface store plane coordinate of N: 6861243.501', E: 1577072.438'
 (A combined surface adjustment factor of 1.00016' has been applied)

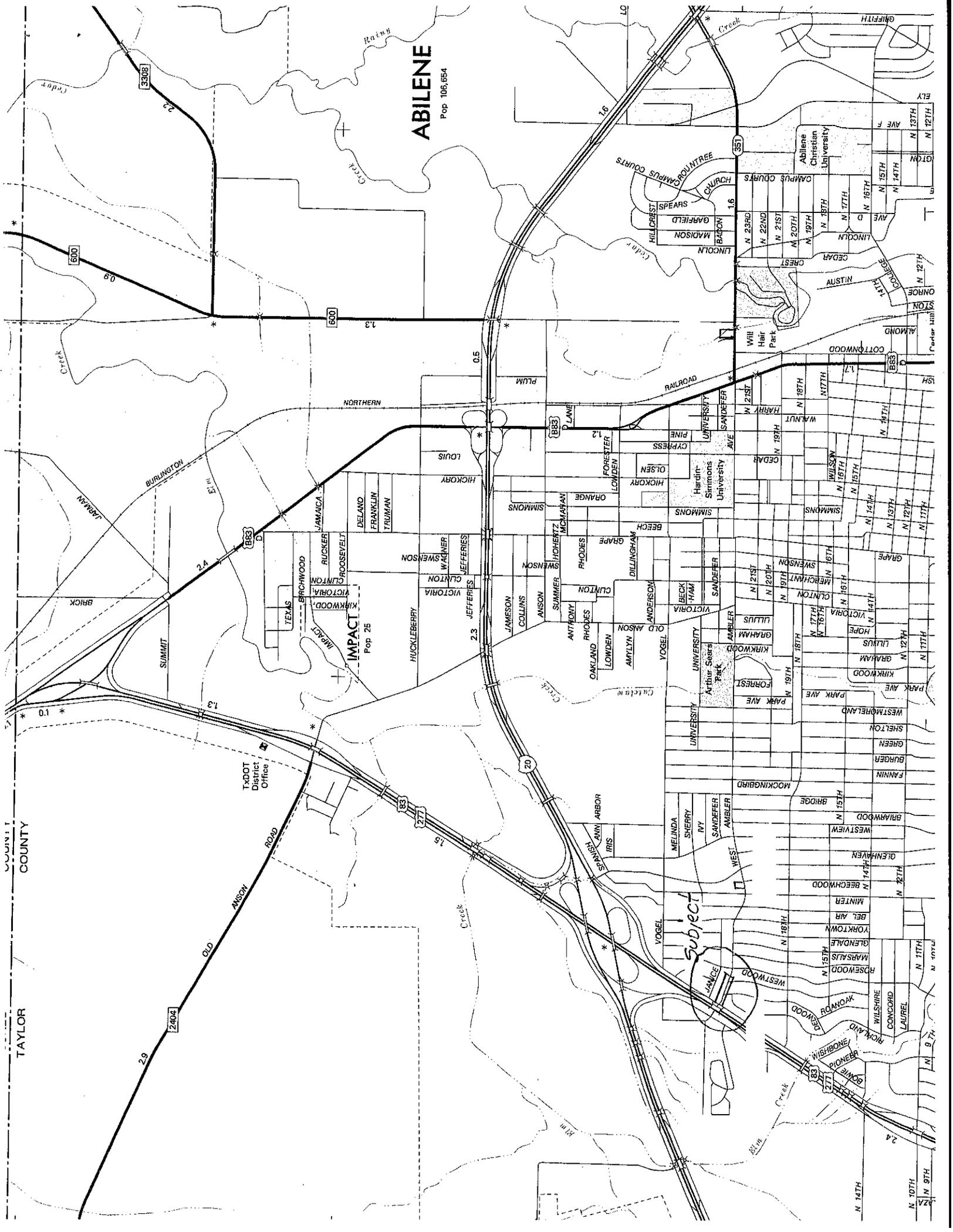
STATE OF TEXAS
 REGISTERED
 DISH ESTES
 3003

DIEHL ESTES & ASSOCIATES
 TEXAS DEPARTMENT OF TRANSPORTATION
 4250 NORTH CLACK
 ABILENE, TEXAS, 79601
 (325) 676-6832



ABILENE

Pop 106,654



Subject

TAYLOR COUNTY

WILSON COUNTY