

TEXAS TRANSPORTATION COMMISSION

DEWITT County

MINUTE ORDER

Page 1 of 1

YOAKUM District

In the city of Cuero, DEWITT COUNTY, on US 87, the State of Texas (state) acquired certain land needed for a maintenance site by instruments recorded in Volume 109, Page 12, and Volume 140, Page 162, Deed Records of DeWitt County, Texas.

The land, described in Exhibit A, and the improvements (surplus property) are no longer needed for a state highway purpose.

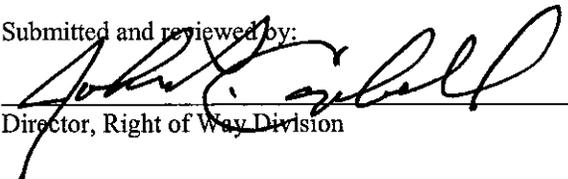
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus maintenance sites and improvements to a governmental entity with the authority to condemn the property.

The Cuero Development Corporation, a corporation established by the City of Cuero, has requested that the surplus property be sold to the corporation for \$213,000.

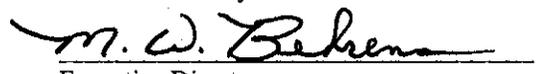
The commission finds \$213,000 to be a fair and reasonable value for the state's rights, title and interest in the surplus property.

NOW, THEREFORE, the commission finds that the surplus property 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 right, title and interest in the surplus property to the Cuero Development Corporation for \$213,000; 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 property. The state waives all rights of ingress and egress to the surface of the surplus land for the purpose of exploring, developing, mining or drilling for said minerals.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

110765 NOV 16 06

Minute
Number

Date
Passed

EXHIBIT "A"

Field Notes for Tract 1 (Fee Title)

Being 4.519 acres of land, more or less, situated within the corporate limits of the City of Cuero in the J. A. V. Y. Gonzales League (Abstract No. 47) in DeWitt County, Texas and being all of that called 1.50 acre tract and all of that called 3.02 acre tract, said 1.50 acre tract described in a Deed from the City of Cuero to the State of Texas, dated March 26, 1937, recorded in Volume 109, Page 12 of the DeWitt County Deed Records, said 3.02 acre tract described in a Deed from Dollie Marsh Nielsen, et al to the State of Texas, dated September 24, 1957, recorded in Volume 140, Page 162 of said DeWitt County Deed Records. All deed references herein are to said DeWitt County Deed Records unless otherwise noted. Metes and bounds description of said 4.519 acre tract is as follows:

BEGINNING at a 5/8" steel rod set for the northwest corner of said 3.02 acre tract, same being at the intersection of the southerly right-of-way line of US Highway No. 87 (US 87) and the easterly right-of-way line of Fain McDougal Drive (a public street) and 55.00 feet right of US 87 Centerline Station 7 + 36.40, same also being the northwest corner of said 4.519 acre tract;

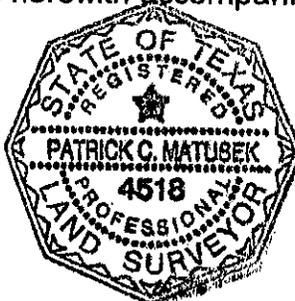
- 1) **THENCE** South 64 deg. 22 min. 00 sec. East (called South 65 deg. 30 min. East) along said southerly right-of-way line of US 87 and along the North line of said 3.02 acre tract, at 440.00 feet pass a point for the northeast corner of said 3.02 acre tract, said point also being the northwest corner of said 1.50 acre tract, and then continuing along the North line of said 1.50 acre tract and along said southerly right-of-way line of US 87, for a total distance of 729.60 feet to a 5/8" steel rod set for the East corner of said 4.519 acre tract, same being the northeast corner of said 1.50 acre tract and at the intersection of said southerly right-of-way line of US 87 and the westerly right-of-way line of a public street (unnamed), same also being 55.00 feet right of US 87 Centerline Station 14 + 66.00;
- 2) **THENCE** South 06 deg. 38 min. 00 sec. West along said westerly right-of-way line of unnamed street and along the East line of said 1.50 acre tract, a distance of 192.10 feet to a 5/8" steel rod set for the southeast corner of said 1.50 acre tract, same being at the intersection of the northerly right-of-way line of East Courthouse Street and said westerly right-of-way line of unnamed street and the southeast corner of said 4.519 acre tract;
- 3) **THENCE** North 83 deg. 07 min. 00 sec. West along said northerly right-of-way line of East Courthouse Street and along the South line of said 1.50 acre tract, a distance of 274.20 feet to a 5/8" steel rod set for the southwest corner of said 1.50 acre tract, same being the southeast corner of said 3.02 acre tract and an angle corner in the lower southerly line of said 4.519 acre tract, same also being a slight angle corner in said northerly right-of-way line of East Courthouse Street;

- 4) **THENCE** North 80 deg. 06 min. 29 sec. West (called North 81 deg. 14 min. West) along the lower southerly line of said 3.02 acre tract and along said northerly right-of-way line of East Courthouse Street, a distance of 92.50 feet to a 5/8" steel rod set for an angle corner in said lower southerly line of 3.02 acre tract, same being an angle corner in the lower southerly line of said 4.519 acre tract and an angle corner in said northerly right-of-way line of East Courthouse Street;
- 5) **THENCE** North 80 deg. 00 min. 59 sec. West (called North 81 deg. 06 min. West) along said lower southerly line of 3.02 acre tract and along said northerly right-of-way line of East Courthouse Street, a distance of 172.83 feet (called 172.0 feet) to a 3" diameter steel fence post found for the South corner of said 3.02 acre tract, same being the southwest corner of the E. H. Nielsen, Jr. 75-foot by 150-foot parcel (Volume 121, Page 305) and the lower southwesterly corner of said 4.519 acre tract;
- 6) **THENCE** North 06 deg. 23 min. 29 sec. East (called North 5 deg. 12 min. East) along a line common to said Nielsen 75-foot by 150-foot parcel and said 3.02 acre tract, a distance of 75.79 feet (called 75.0 feet) to a 3" diameter steel fence post found for the interior southwesterly corner of said 3.02 acre tract, same being the northwest corner of said Nielsen 75-foot by 150-foot parcel and the interior southwesterly corner of said 4.519 acre tract;
- 7) **THENCE** North 78 deg. 02 min. 09 sec. West (called North 78 deg. 53 min. West) along a second line common to said Nielsen 75-foot by 150-foot parcel and said 3.02 acre tract, a distance of 150.24 feet (called 150.0 feet) to a 3" diameter steel fence post found for the upper southwesterly corner of said 3.02 acre tract, same being the northeast corner of said Nielsen 75-foot by 150-foot parcel and in said easterly right-of-way line of Fain McDougal Drive, same also being the upper southwesterly corner of said 4.519 acre tract;
- 8) **THENCE** North 06 deg. 28 min. 53 sec. East (called North 05 deg. 10 min. East) along said easterly right-of-way line of Fain McDougal Drive and along the upper West line of 3.02 acre tract, a distance of 323.34 feet (called 323.5 feet) to the **POINT OF BEGINNING**, containing 4.519 acres of land, more or less. (Bearings are based on the called bearing of the new State Highway No. 29 (now US 87) right-of-way line found in the 1.50 acre description in Volume 109, Page 12 of said DeWitt County Deed Records).

I hereby certify the foregoing legal description was prepared from a survey performed on the ground under my supervision and that it correctly represents the facts found at the time of the survey. A survey plat of even date herewith accompanies this legal description.

Patrick C. Matusek

Patrick C. Matusek
Registered Professional Land Surveyor
License No. 4518, State of Texas
Surveyed December 14, 2005

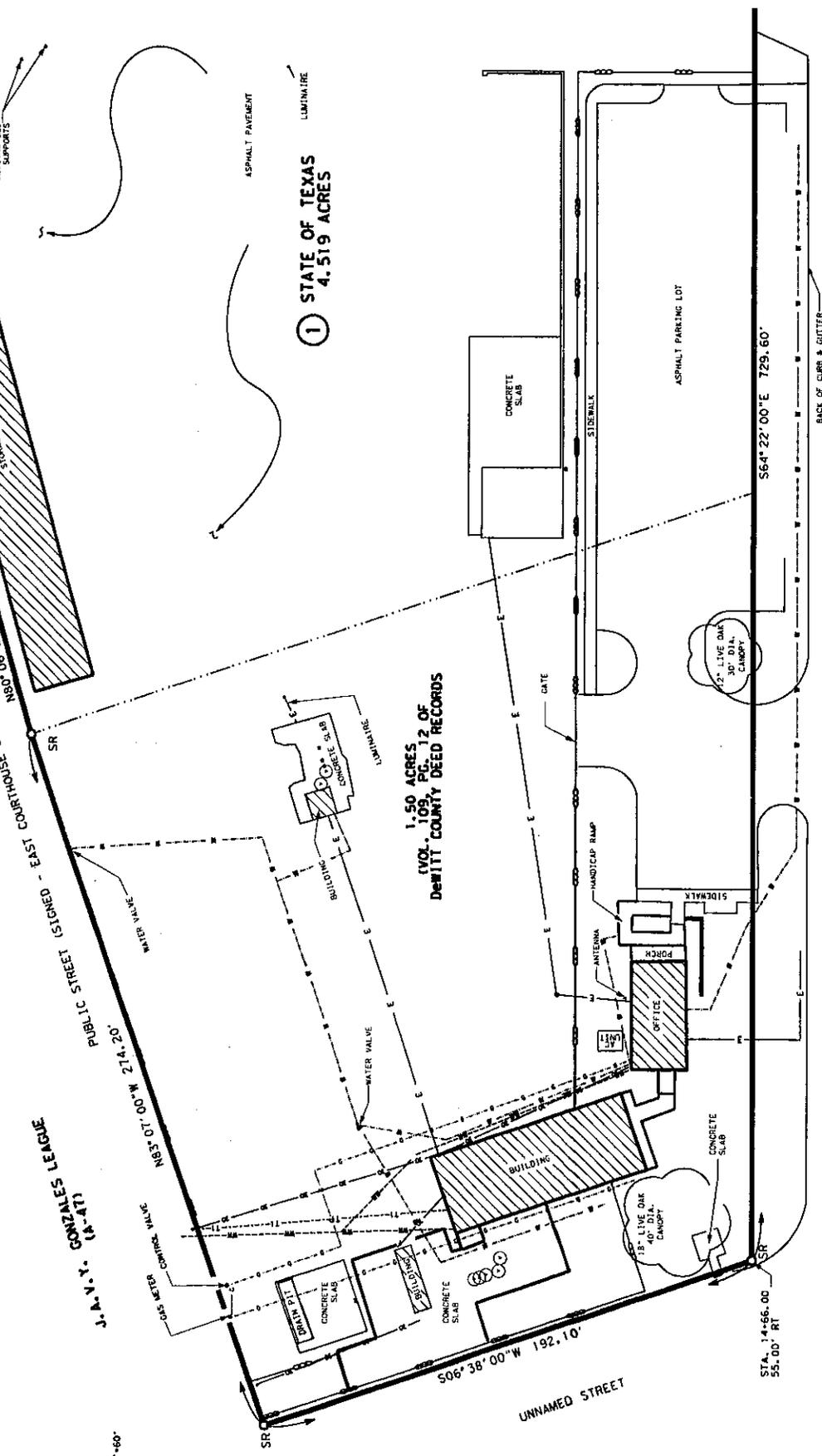


GENERAL NOTES

1. UTILITIES ARE SHOWN IN APPROXIMATE LOCATIONS. UTILITIES SHOWN ON THIS MAP ARE FROM TELEPHONE SURVEY AND FROM LAYOUT OF MAINTENANCE WAREHOUSE SITE NO. 700 PERFORMED IN 1985 AND PROVIDED BY TXDOT.

2. ALL DEED REFERENCES ARE TO DEWITT COUNTY OFFICIAL RECORDS UNLESS OTHERWISE NOTED.

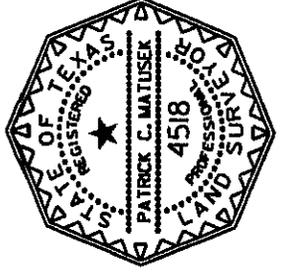
- LEGEND**
- SR = SET 5/8" STEEL ROD
 - FP = FOUND 2" DIA. STEEL FENCE POST
 - E = UNDERGROUND ELECTRIC LINE
 - OE = OVERHEAD ELECTRIC LINE
 - P = OVERHEAD WATER LINE
 - PR = PROPERTY LINE
 - EX = EXISTING GRAIN LINK FENCE
 - W = UNDERGROUND WATER LINE (3/4" DIA. PVC)
 - C = UNDERGROUND CEMENT WATER LINE (1" DIA.)
 - WY = UNDERGROUND WASTE WATER LINE
 - T = OVERHEAD TELEPHONE LINE
- = VALVE/FILLER CAP
 - ① = TRACT NUMBER



① STATE OF TEXAS
4.519 ACRES

1.50 ACRES
VOL. 109 PG. 12 OF
DEWITT COUNTY DEED RECORDS

U.S. HIGHWAY NO. 87



I HEREBY CERTIFY THIS SURVEY WAS PERFORMED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERWITH ACCOMPANIES THIS PLAT.

Patrick C. Matusek
PATRICK C. MATUREK
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 4518, STATE OF TEXAS
SURVEYED DECEMBER 14, 2005

SURVEY PLAT OF		COUNTY
TRACT 1		DEWITT
DIST. NAME	YOAKUM	HWY. NO.
SITE NO.	700	U.S. 87
SELLING		4.519 AC. SHEET 3 OF 4

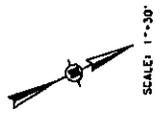
MET MAVERICK ENGINEERING, INC.
ONE O'CONNOR PLAZA, EIGHTH FLOOR, VICTORIA, TX
PHONE (361)576-0180 FAX (361) 576-2933

LEGEND

- SR = SET 5/8" STEEL ROD
- FP = FOUND 3" DIA. STEEL FENCE POST
- = VALVE/FILLER CAP
- = TRACT NUMBER
- = UNDERGROUND ELECTRIC LINE
- = OVERHEAD ELECTRIC LINE
- = PROPERTY TRAIL LINE
- = EXISTING CHAIN LINK FENCE
- = UNDERGROUND WATER LINE (3/4" DIA. PVC)
- = UNDERGROUND GAS LINE (3/4" DIA.)
- = UNDERGROUND WASTE WATER LINE
- = OVERHEAD TELEPHONE LINE

GENERAL NOTES

1. UTILITIES ARE SHOWN IN APPROXIMATE LOCATIONS. SURVEY POINTS SHOWN ON THIS MAP ARE FROM FIELD SURVEY AND NOT FROM MAINTENANCE WAREHOUSE SITE NO. 700 PERFORMED IN 1985 AND PROVIDED BY T-001.
2. ALL DEED REFERENCES ARE TO DEWITT COUNTY OFFICIAL RECORDS UNLESS OTHERWISE NOTED.



PUBLIC STREET (SIGNED - FAIN McDOUGAL DRIVE)

P.O.B. TRACT 1
STA. 7+36.40
55.00' RT

INTEREST IN S. OF DEED RECORDED IN VOL. 121, P.C. 111 AND 111B AND 111C, DEWITT COUNTY TEXAS

PUBLIC CLS STREET (SIGNED - EAST COOPERHOUSE STREET) 172.83'

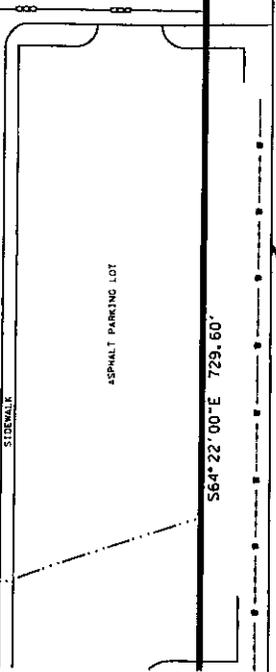
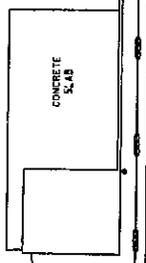
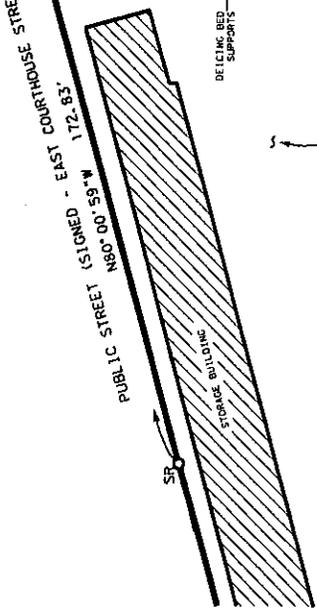
NT8° 02' 09" W 150.24'

NO6° 23' 29" E 75.79'

NO6° 28' 53" E 323.34'

3.02 ACRES
VOL. 140, P.C. 162 OF
DEWITT COUNTY DEED RECORDS

① STATE OF TEXAS
4.519 ACRES



U.S. HIGHWAY NO. 87



I HEREBY CERTIFY THIS SURVEY WAS PERFORMED ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY. A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.

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DIST. NAME YOAKUM		COUNTY Dewitt
SITE NO. 700		HWY. NO. U.S. 87
SELLING 4.519 AC. SHEET 4 OF 4		