

TEXAS TRANSPORTATION COMMISSION

KAUFMAN County

MINUTE ORDER

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DALLAS District

In KAUFMAN COUNTY, on US 80, the State of Texas acquired an easement interest in certain land for highway drainage purposes by instrument recorded in Volume 406, Page 286, and Volume 285, Page 499, Deed Records of Kaufman County, Texas.

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

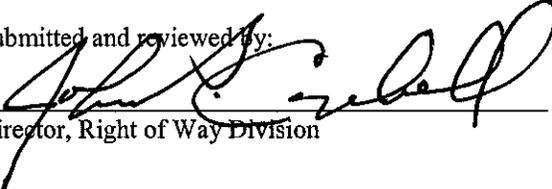
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus easements.

Chick-Fil-A, Inc., a Georgia corporation, owner of the fee underlying the surplus easement, has requested that the surplus easement be sold for \$58,109.

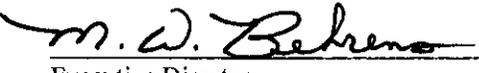
The commission finds \$58,109 to be a fair and reasonable value of the state's rights and interest in the surplus easement.

NOW, THEREFORE, the commission finds that the surplus easement is 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 releasing the state's rights and interest in the surplus easement to Chick-Fil-A, Inc., a Georgia corporation, for \$58,109.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

110766 NOV 16 06

Minute
Number

Date
Passed

EXHIBIT "A"

County: Kaufman
Highway: U.S. Highway 80

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Date: 09/11/06

TRACT 14E

BEING a 7,498 square foot (0.1721 acre) tract out of the A. Hyer Survey, Abstract No. 203 located in the City of Forney, Kaufman County, being part of that tract or tracts of land conveyed to Mustang Crossing Ltd. as described in Deeds recorded in Volume 2219, Pages 589, 601, 613 & 625, Kaufman County Deed Records, being part of that tract of land conveyed to Chick-Fil-A, Inc. as described in Deed recorded in Volume 2796, Page 90, Kaufman County Deed Records, also being all of that certain "Channel Easement" as described in instrument recorded in Volume 406, Page 499, Kaufman County Deed Records, and being more particularly described as follows:

COMMENCING at a one-half inch iron rod found in the south line of said Mustang Crossing Ltd. property, said point being the most southerly southeast corner of a tract of land described in Deed to Wal-Mart Real Estate Business Trust as recorded in Volume 2299, Page 377, Kaufman County Deed Records, said point being in the north right-of-way line of U.S. Highway No. 80 (190 feet radially from and concentric to the centerline) as conveyed to the State of Texas by Commissions Court Judgment recorded in Volume 9, Page 622, Kaufman County Civil Court Records, the description of said property being recorded in Volume 406, Page 499, Kaufman County Deed Records;

THENCE along the south line of said Mustang Crossing Ltd. tract of land and the north right-of-way line of said U.S. Highway No. 80 as follows:

Southeasterly, 138.99 feet along a curve to the left having a central angle of 01 degrees 26 minutes 15 seconds, a radius of 5,539.58 feet, a tangent of 69.50 feet, and a chord bearing and distance of South 67 degrees 46 minutes 21 seconds East, 138.98 feet to a one-half inch iron rod found for corner, said point being 190 feet radially from and concentric to said highway centerline at Station No. 263+00;

South 64 degrees 36 minutes 36 seconds East, 390.11 feet (deed call = 383.6 feet) to a one-half inch iron rod found for corner; said point being 150 feet radially from & concentric to said highway centerline at Station No. 267+00;

Southeasterly, 251.59 feet along a curve to the left having a central angle of 02 degrees 35 minutes 01 seconds, a radius of 5,579.58 feet, a tangent of 125.82 feet, and a chord bearing and distance of South 73 degrees 47 minutes 00 seconds East, 251.57 feet to a one-half inch iron rod set at the POINT OF BEGINNING;

(1) THENCE North 28 degrees 26 minutes 00 seconds West, 126.54 feet to a one-half inch iron rod set for corner;

(2) THENCE North 61 degrees 34 minutes 00 seconds East, 50.00 feet to a one-half inch iron rod set for corner;

County: Kaufman
Highway: U.S. Highway 80

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TRACT 14E

- (3) THENCE South 28 degrees 26 minutes 00 seconds East, 173.18 feet to a one-half inch iron rod set for corner, being in the north right-of-way line of said highway;
- (4) THENCE Northwesterly, 68.38 feet along a curve to the right having a central angle of 00 degrees 42 minutes 08 seconds, a radius of 5,579.58 feet, a tangent of 34.19 feet, and a chord bearing and distance of North 75 degrees 25 minutes 34 seconds West, 68.37 feet, along the north right-of-way line of said highway to the POINT OF BEGINNING and containing 7,498 square feet or 0.1721 acre of land.

All bearings are based on right-of-way description for subject Channel Easement as recorded in Volume 406, Page 499, Kaufman County Deed Records.

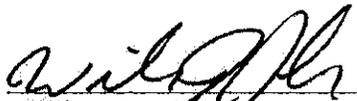

Date 10/17/06
William J. Johnson
R.P.L.S. No. 5426
Jones & Boyd, Inc.
17090 Dallas Parkway, Suite 200
Dallas, Texas 75248

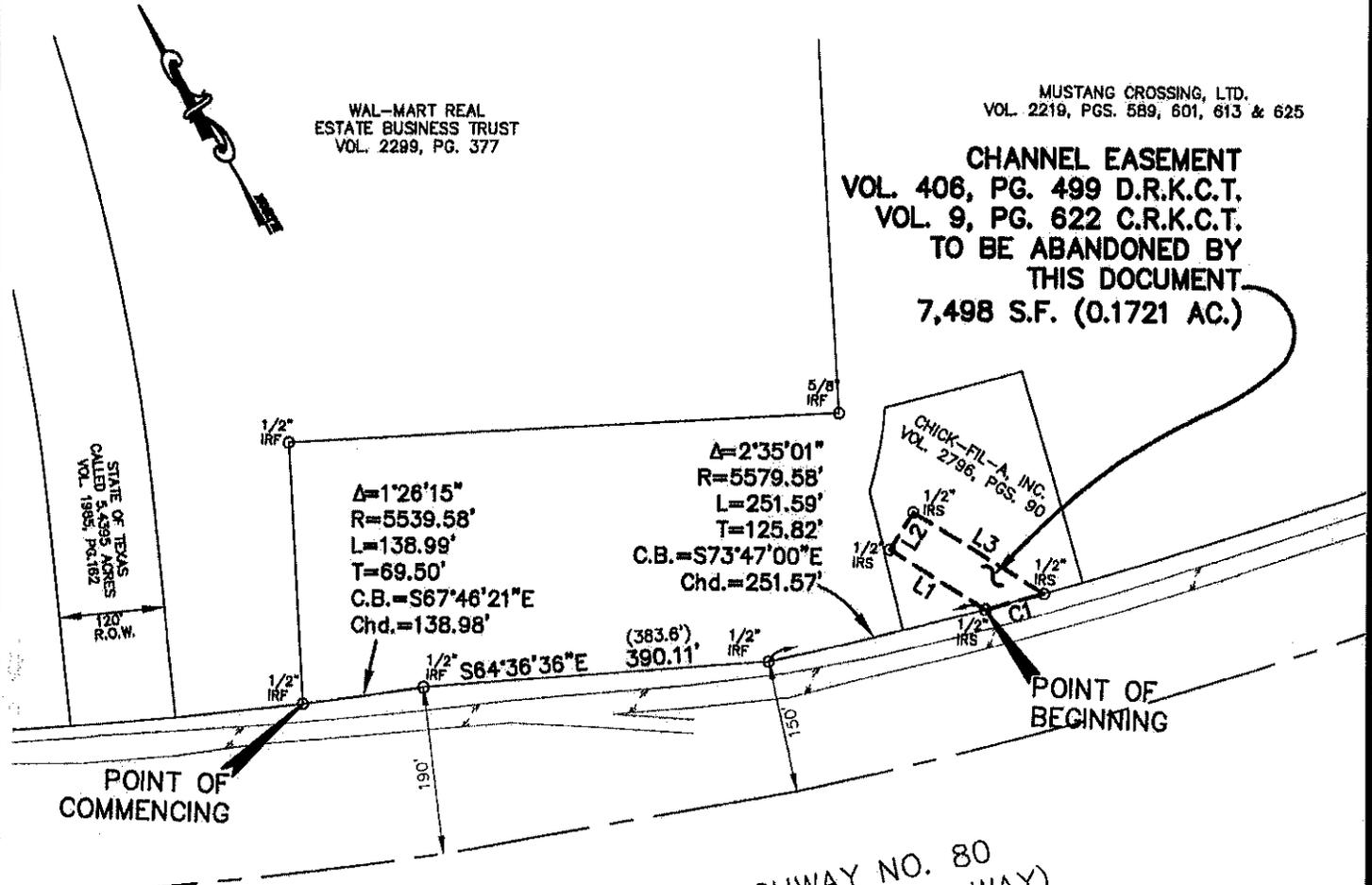


EXHIBIT "A"
TRACT 14E
U.S. HIGHWAY 80
A. HYER SURVEY, ABSTRACT NO. 203
CITY OF FORNEY, KAUFMAN CO., TEXAS

WAL-MART REAL ESTATE BUSINESS TRUST
VOL. 2289, PG. 377

MUSTANG CROSSING, LTD.
VOL. 2219, PGS. 589, 601, 613 & 625

CHANNEL EASEMENT
VOL. 406, PG. 499 D.R.K.C.T.
VOL. 9, PG. 622 C.R.K.C.T.
TO BE ABANDONED BY
THIS DOCUMENT
7,498 S.F. (0.1721 AC.)



U.S. HIGHWAY NO. 80
(300' WIDE RIGHT-OF-WAY)

STATE OF TEXAS
VOL. 9, PG. 622
COUNTY COURT (CIVIL) RECORDS/MINUTES
VOL. 406, PG. 499
DEED RECORDS

LEGEND

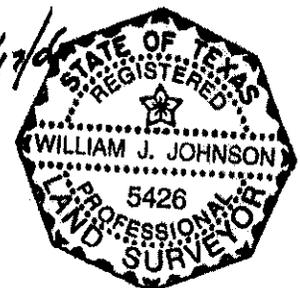
- I.R.F. IRON ROD FOUND
- I.R.S. IRON ROD SET
- D.R.K.C.T. DEED RECORDS, KAUFMAN COUNTY, TEXAS
- C.R.K.C.T. COURT RECORDS, KAUFMAN COUNTY, TEXAS

CURVE TABLE						
NO.	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD
C1	00°42'08"	5,579.58'	68.38'	34.19'	N75°25'34"W	68.37'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N28°26'00"W	128.54'
L2	N61°34'00"E	50.00'
L3	S28°26'00"E	173.18'

I 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 & CORRECT.

WILLIAM J. JOHNSON DATE
R.P.L.S. NO. 5426



BEARINGS BASED ON RIGHT-OF-WAY CONDEMNATION BY STATE OF TEXAS, VOL. 9, PG. 622, KAUFMAN CO. COURT RECORDS (DESCRIPTION FILED IN VOL. 406, PG. 499, KAUFMAN CO. DEED RECORDS) AND AS SHOWN ON TXDOT R.O.W. MAP, KAUFMAN COUNTY, U.S. HIGHWAY 80, REVISED DATE JUNE 23, 1959, FROM DALLAS COUNTY LINE TO NEAR FM HIGHWAY NO. 1641, CONTROL 95, SECTION 3, JOBS 31, 32.

NOTE: RECORD BEARINGS & DISTANCES SHOWN IN PARENTHESIS () WHEN DIFFERENT FROM MEASURED BEARINGS & DISTANCES.