TEXAS TRANSPORTATION COMMISSION

GILLESPIE County

MINUTE ORDER

AUSTIN District

In GILLESPIE COUNTY, on RANCH TO MARKET ROAD 648, the State of Texas (state) acquired certain land needed for state highway purposes by instrument recorded in Volume 63, Page 506, Deed Records of Gillespie County, Texas.

A portion of the land (surplus land), described in Exhibits A and B, 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 right of way to the abutting landowner.

Hill Top Cafe, Inc. is the abutting landowner and has requested that the surplus land be sold to the corporation for $1,079.

The commission finds $1,079 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 that the value of the surplus land is less than $10,000 and authorizes the executive director to execute a proper instrument conveying the state's rights, title and interest in the surplus land to Hill Top Cafe, Inc. for $1,079.

Submitted and reviewed by:

Director, Right of Way Division

Recommended by:

M. W. Behrens

Executive Director

110746 OCT 26 06

Minute Number — Date Passed

EXHIBIT A

0.1604 acre tract
(6989 square feet)

STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes and accompanying plat of a survey of 0.1604 acre of land, more or less, made at the request of John Nicholas. Said land is situated in Gillespie County, Texas, being part of the Hattie Jones Survey No. 533, Abstract No. 1219, and being part of the existing R.M. 648 Right-of-Way of which approximately 0.0863 acre (3758 square feet) is part of that tract of land described in a Right-of-Way Deed to the State of Texas by Wm. Fiedler, et ux, dated December 1, 1947, found of record in Volume 63, pages 506-507 of the Deed Records of Gillespie County, Texas.

Said 0.1604 acre tract of land is described by metes and bounds as follows, to wit:

BEGINNING at a ½ inch dia. steel bar found set at a cedar fence corner post in the as fenced North Right-of-Way line of R.M. 648, being approximately 39.4' left of centerline station 736+49.1, for the S.W. corner of that 1.124 acre tract of land described in a conveyance to Hill Top Café, Inc. by John Nicholas, et ux, dated July 26, 1985, found of record in Volume 168, pages 912-914 of the Deed Records of Gillespie County, Texas, for the N.W. corner of this tract of land;

1) THENCE with a record South line of said 1.124 acre tract, S. 89 deg. 56 min. E. 278.01 feet to a point;

2) THENCE with a record West line of said 1.124 acre tract, S. 0 deg. 39 min. W. 20.2 feet to a point;

3) THENCE with a record South line of said 1.124 acre tract, N. 88 deg. 35 min. 10 sec. E. 214.88 feet to a ½ inch dia. steel bar set 60 feet westerly from and perpendicular to the as built centerline of U.S. Highway No. 87 and in the proposed North Right-of-Way line of R.M. 648, for the N.E. corner of this tract of land;

4) THENCE with the proposed North Right-of-Way line of R.M. 648, S. 63 deg. 47 min. 50 sec. W. 52.31 feet to a ½ inch dia. steel bar set;

5) THENCE with the proposed North Right-of-Way line of R.M. 648, S. 88 deg. 16 min. 45 sec. W. 41.63 feet to a ½ inch dia. steel bar set at a fence corner post;

6) THENCE along the general course of a fence with the proposed North Right-of-Way line of R.M. 648, N. 84 deg. 24 min. 25 sec. W. 405.99 feet to the PLACE OF BEGINNING.

Surveyed December 18, 2000
Amended June 5, 2002
Note:

1) The bearing basis is the as found monumented record bearing of the North line of the 1.124 acre tract (N. 64 deg. 10 min. E. 429.11').
2) All ½ inch dia. steel bars set are capped "BONN 4447".

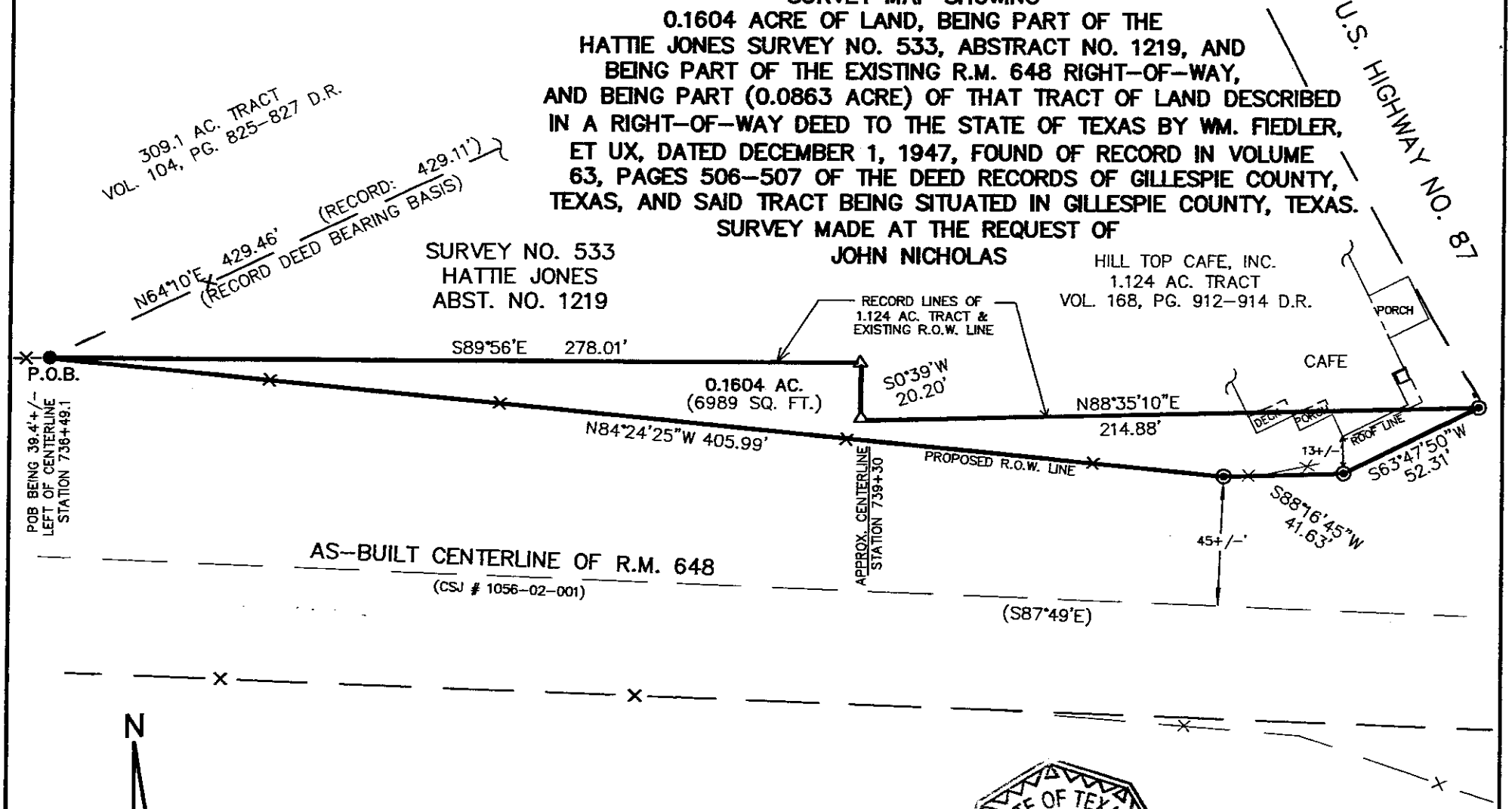
STATE OF TEXAS
REGISTERED
CAREY BONN
4447
PROFESSIONAL
LAND SURVEYOR

Carey Bonn
Reg. Prof. Land Surveyor No. 4447
Bonn Surveying 830-997-3884

SURVEY MAP SHOWING

0.1604 ACRE OF LAND, BEING PART OF THE HATTIE JONES SURVEY NO. 533, ABSTRACT NO. 1219, AND BEING PART OF THE EXISTING R.M. 648 RIGHT-OF-WAY, AND BEING PART (0.0863 ACRE) OF THAT TRACT OF LAND DESCRIBED IN A RIGHT-OF-WAY DEED TO THE STATE OF TEXAS BY WM. FIEDLER, ET UX, DATED DECEMBER 1, 1947, FOUND OF RECORD IN VOLUME 63, PAGES 506-507 OF THE DEED RECORDS OF GILLESPIE COUNTY, TEXAS, AND SAID TRACT BEING SITUATED IN GILLESPIE COUNTY, TEXAS.

SURVEY MADE AT THE REQUEST OF JOHN NICHOLAS



LEGEND

- ● 1/2" DIA. STEEL BAR FOUND
- ◉ 1/2" DIA. STEEL BAR SET (CAPPED "BONN 4447")
- △ UNMARKED POINT
- □ CONCRETE R-O-W MONUMENT
- × FENCE LINE

NOTE: REFERENCE IS HERETO MADE TO ACCOMPANYING FIELD NOTES OF EVEN DATE.

STATE OF TEXAS
REGISTERED
CAREY BONN
4447
PROFESSIONAL
LAND SURVEYOR

Surveyed December 18, 2000
Amended June 4, 2002

Carey Bonn
Reg. Prof. Land Surveyor No. 4447

BONN SURVEYING
503 Longhorn St.
Fredericksburg, TX 78624
Phone : 830-997-3884
Fax : 830-997-0972

EXHIBIT B

0.1238 acre tract
(5393 square feet)

STATE OF TEXAS, *
COUNTY OF GILLESPIE. *

Field notes and accompanying plat of a survey of 0.1238 acre of land, more or less, made at the request of John Nicholas. Said land is situated in Gillespie County, Texas, being part of the Hattie Jones Survey No. 533, Abstract No. 1219, and being part of the existing U.S. Highway No. 87 Right-of-Way.

Said 0.1238 acre tract of land is described by metes and bounds as follows, to wit:

BEGINNING at a ½ inch dia. steel bar found set at a cedar fence corner post in the as fenced West Right-of-Way line of U.S. Highway No. 87, for the North corner of that 1.124 acre tract of land described in a conveyance to Hill Top Café, Inc. by John Nicholas, et ux, dated July 26, 1985, found of record in Volume 168, pages 912-914 of the Deed Records of Gillespie County, Texas, for the N.W. corner of this tract of land;

1) THENCE with a proposed South Right-of-Way line of said U.S. Highway No. 87, N. 64 deg. 10 min. E. 45.6 feet to a ½ inch dia. steel bar set 60 feet westerly from and perpendicular to the as built centerline of U.S. Highway No. 87, for the N.E. corner of this tract of land;

2) THENCE with a proposed West Right-of-Way line of U.S. Highway No. 87, being parallel to and 60 feet westerly from the as built centerline of U.S. Highway No. 87, S. 16 deg. 15 min. 15 sec. E. 200.25 feet to a ½ inch steel bar set at the P.C. of a curve (Station 407+69.4);

3) THENCE with a proposed West Right-of-Way line of U.S. Highway No. 87, being parallel to and 60 westerly from the as built centerline of U.S. Highway No. 87, being the arc of a curve to the left having a radius of 2351.83 feet, in a southerly direction, a distance of 24.28 feet (L.C. bears S. 16 deg. 33 min. 20 sec. E. 24.28 feet) to a ½ inch dia. steel bar set in the record East line of said 1.124 acre tract, for the South corner of this tract of land;

4) THENCE with the record East line of said 1.124 acre tract, being the arc of a curve to the right having a radius of 2532.32 feet, in a northerly direction, a distance of 221.66 feet (L.C. bears N. 27 deg. 59 min. 45 sec. W. 221.59 feet) to the PLACE OF BEGINNING.

Surveyed December 18, 2000

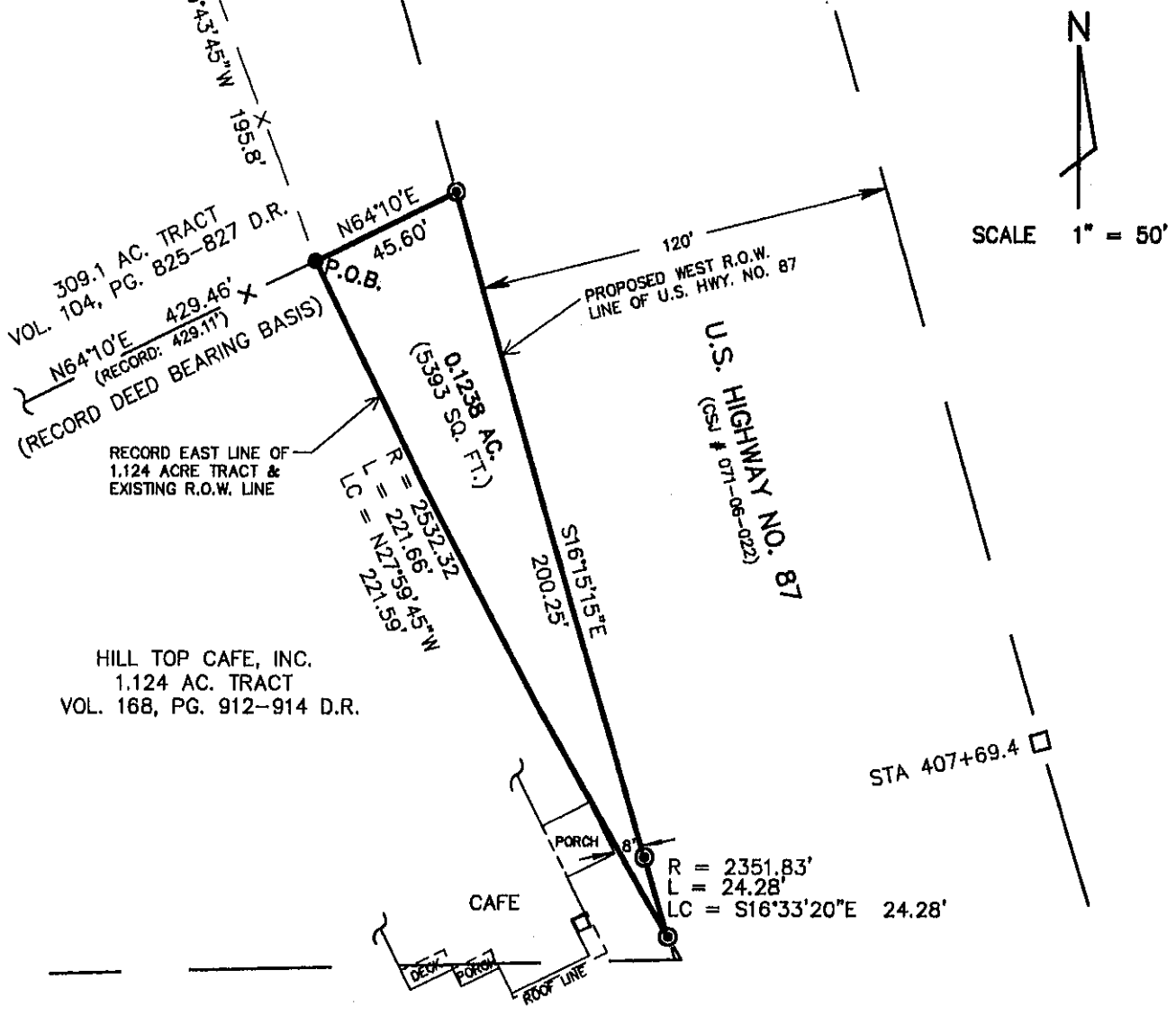
Note:
1) The bearing basis is the as found monumented record bearing of the North line of the 1.124 acre tract (N. 64 deg. 10 min. E. 429.11').
2) All ½ inch dia. steel bars set are capped "BONN 4447".

STATE OF TEXAS REGISTERED CAREY BONN 4447 PROFESSIONAL LAND SURVEYOR

Carey Bonn

Carey Bonn
Reg. Prof. Land Surveyor No. 4447
Bonn Surveying 830-997-3884

SURVEY MAP SHOWING
0.1238 ACRE OF LAND
BEING PART OF THE HATTIE JONES SURVEY NO. 533, ABSTRACT NO. 1219, AND BEING PART OF THE EXISTING U.S. HIGHWAY NO. 87 RIGHT-OF-WAY, SITUATED IN GILLESPIE COUNTY, TEXAS.
SURVEY MADE AT THE REQUEST OF JOHN NICHOLAS



LEGEND

- ● 1/2" DIA. STEEL BAR FOUND
- ◉ 1/2" DIA. STEEL BAR SET (CAPPED "BONN 4447")
- □ CONCRETE R-O-W MONUMENT
- × FENCE LINE

AS-BUILT CENTERLINE OF R.M. 648 (S87°49'E)

NOTE: REFERENCE IS HERETO MADE TO ACCOMPANYING FIELD NOTES OF EVEN DATE.

STATE OF TEXAS REGISTERED CAREY BONN 4447 PROFESSIONAL LAND SURVEYOR

BONN SURVEYING
503 Longhorn St.
Fredericksburg, TX 78624
Phone : 830-997-3884
Fax : 830-997-0972

Surveyed December 18, 2000

Carey Bonn
Reg. Prof. Land Surveyor No. 4447