

TEXAS TRANSPORTATION COMMISSION

TARRANT County

MINUTE ORDER

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FORT WORTH District

In the city of Southlake, TARRANT COUNTY, on FARM TO MARKET ROAD 1709, the State of Texas (state) acquired an easement interest in certain land for highway drainage purposes by instrument recorded in Volume 2569, Page 503, Deed Records of Tarrant County, Texas.

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

W2001 Wal Real Estate Limited Partnership (owner), the underlying fee owner, has executed an instrument conveying to the state an easement interest in land needed for the realignment and reconstruction of a new drainage facility (new easement), described in Exhibit B.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the commission may recommend the release of surplus easements and the exchange of surplus easements as partial or full consideration for other land needed by the state for highway purposes.

It is the opinion of the commission that once the title to the new easement is acceptable to the department, the surplus easement will no longer be needed for a state highway purpose and will be surplus. It would then be proper and correct that the state convey its rights and interest in the surplus easement to owner in exchange and as full consideration for the conveyance of the new easement to the state.

IT IS THEREFORE ORDERED by the commission that the executive director is authorized to tender the following proposal to owner:

Provided that the title to the new easement is acceptable to the department, then the commission will recommend the conveyance of the surplus easement in accordance with Transportation Code, Chapter 202, Subchapter B.

FURTHER, in consideration of the foregoing premises and in accordance with Transportation Code, Chapter 202, Subchapter B, the commission hereby finds if and when owner satisfactorily complies with the conditions of this minute order, the surplus easement 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 rights and interest in the surplus easement to owner in exchange and as full consideration for the conveyance of the new easement to the state.

Submitted and reviewed by:

Recommended by:

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Director, Right of Way Division

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Executive Director

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Minute Number      Date Passed