

TEXAS TRANSPORTATION COMMISSION

GREGG County

MINUTE ORDER

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TYLER District

In the city of Kilgore, GREGG COUNTY, on STATE HIGHWAY 31, the State of Texas (state) acquired certain land for state highway purposes by instrument recorded in Volume 884, Page 81, Deed Records of Gregg 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 recommend the exchange of surplus land as whole or partial consideration for other land needed for a state highway purpose.

Land needed for a state highway purpose (new land), described in Exhibit B, has been conveyed to the state by Triple E Properties, a Texas general partnership, and Roy Nicholas Hearne (owners) who are also the abutting landowners of the surplus land. The owners have requested that the surplus land be conveyed to them and will pay to the state the \$3,972 difference in value between the value of the surplus land and that of the new land pursuant to an executed exchange agreement.

It is the opinion of the commission that it is proper and correct that the state convey the surplus land to the owners in exchange and as consideration for the conveyance of the new land and the cash payment of \$3,972 to the state.

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 conveying all of the state's rights, title and interest in the surplus land to Triple E Properties, a Texas general partnership, and Roy Nicholas Hearne in exchange and as consideration for the conveyance of the new land and the cash payment of \$3,972 to the state; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles and interest, 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.

Submitted and reviewed by:

Recommended by:

Director, Right of Way Division

Executive Director

Minute Number Date Passed