

DALLAS COUNTY – I-635

Description

This minute order provides for the sale of 13.28 acres of right of way (Tracts 1 and 2) to an abutting landowner.

Dallas County
RCSJ 2374-01-173
Tracts 1 and 2
I-635: At US 75 and Churchill Way in Dallas

Background

The land to be sold was acquired in 1979 and 1980 for highway purposes on I-635. The Dallas District has advised that Tracts 1 and 2 are no longer needed for highway purposes.

Based on an independent appraisal and the district's recommendation, \$16.5 million was established as the value of the tracts. James Maxwell Seehorn II, an abutting landowner, has requested to purchase the tracts for \$16.5 million. Other abutting owners have waived interest, and the tracts may be sold to the requester.

The district recommends that Tracts 1 and 2 be sold to James Maxwell Seehorn II for \$16.5 million. The Right of Way Division and Real Estate Management and Development Division concur with the recommendation.

Criteria

None.

Problem/Condition

None.

Other Comments

None.

Alternate Solutions/Actions

None.

TEXAS TRANSPORTATION COMMISSION

DALLAS County

MINUTE ORDER

Page 1 of 1

DALLAS District

In the city of Dallas, DALLAS COUNTY, on INTERSTATE 635, the state of Texas acquired certain land for highway purposes by instruments recorded in Volume 79044, Page 2120; Volume 79110, Page 3956; Volume 80068, Page 2104; and Volume 79199, Page 0154; Deed Records of Dallas County, Texas.

Portions of the land (Tracts 1 and 2), described in Exhibit A, are no longer needed for state highway purposes.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of land no longer needed for a state highway purpose to abutting or adjoining landowners.

James Maxwell Seehorn II is an abutting landowner and has requested to purchase Tracts 1 and 2 for \$16.5 million.

The commission finds \$16.5 million to be a fair and reasonable value of the state's right, title, and interest in Tracts 1 and 2.

IT IS THEREFORE ORDERED by the commission that Tracts 1 and 2 are no longer needed for a state highway purpose. The commission 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 Tracts 1 and 2 to James Maxwell Seehorn II for \$16.5 million; 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 land.

Submitted and reviewed by:

Recommended by:

Director, Right of Way Division

Executive Director

Minute Number Date Passed

Exhibit "A"

County: Dallas
Highway: IH 635 Near US 75
CSJ: 2374-01-032

Page 1 of 4
February 25, 2014

SURPLUS TRACT 1

Being a 539,018 square foot tract of land situated in the M.J. Sanchez Survey, Abstract No. 1272, and the Alexander A. Thomas Survey, Abstract No. 1486, Dallas County, Texas, and being part of Dallas City Block Number 7754 and being part of those tracts of land described in the following deeds to the State of Texas, as recorded in Volume 79044, Page 2120 (called Parcel 1), Volume 79199, Page 154 (called Parcel 4), Volume 80068, Page 2104 (called Parcel 3), and Volume 79110, Page 3957 (called Parcel 2), all of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8-inch found iron rod (controlling monument) on the west right-of-way line of U.S. Highway No. 75, also known as Central Expressway (a variable width right-of-way), said point being on the north line of said Parcel 4 and also being on the south line of a tract of land described in deed to Houston R.E. Income Properties XVII, LTD (hereinafter referred to as Houston tract), as recorded in Volume 2004074, Page 15215, Official Public Records Dallas County, Texas, (O.P.R.D.C.T.);

- 1) THENCE South 14 degrees 32 minutes 59 seconds West, departing said north and south lines and along said west right-of-way line, a distance of 73.07 feet to a point for corner (unable to set);**
- 2) THENCE South 21 degrees 40 minutes 03 seconds West, continuing along said west right-of-way line, a distance of 88.43 feet to a TxDOT Aluminum Disk on a 5/8-inch set iron rod (hereinafter referred to as "set AD") for corner;**
- 3) THENCE South 16 degrees 28 minutes 37 seconds West, continuing along said west right-of-way line, a distance of 440.03 feet to a set AD for corner;**
- 4) THENCE South 15 degrees 49 minutes 33 seconds West, continuing along said west right-of-way line, a distance of 64.74 feet to an "X" cut set in concrete for corner;
- 5) THENCE South 89 degrees 51 minutes 25 seconds West, departing said west right-of-way line and over and across said Parcel 2, passing at a distance of 178.35 feet the west line of said Parcel 2 and an east line of said Parcel 1, and continuing over and across said Parcel 1, in all a total distance of 282.15 feet to a set railroad spike for corner;
- 6) THENCE South 00 degrees 03 minutes 33 seconds East, continuing over and across said Parcel 1, a distance of 174.34 feet to an "X" cut set in concrete for corner on the currently used north right-of-way line of Churchill Way (a variable width right-of-way);

Exhibit "A"

County: Dallas
Highway: IH 635 Near US 75
CSJ: 2374-01-032

Page 2 of 4
February 25, 2014

SURPLUS TRACT 1

- 7) THENCE South 83 degrees 21 minutes 45 seconds West, along said north right-of-way line, a distance of 28.26 feet to a 5/8-inch set iron rod with yellow plastic cap stamped "CRIADO" for corner;
- 8) THENCE South 86 degrees 29 minutes 04 seconds West, continuing along said north right-of-way line, a distance of 138.65 feet to an "X" cut set in concrete for corner;
- 9) THENCE North 80 degrees 47 minutes 00 seconds West, continuing along said north right-of-way line, a distance of 181.96 feet to an "X" cut set in concrete for the east end of a corner clip;
- 10) THENCE North 40 degrees 15 minute 51 seconds West, departing said north right-of-way line and along said corner clip, a distance of 29.80 feet to an "X" cut set in concrete for corner at the intersection of said corner clip with the currently used east right-of-way line of Coit Road (a 100 foot wide right-of-way);
- 11) THENCE North 00 degrees 13 minutes 27 seconds West, along said east right-of-way line of Coit Road, a distance of 774.34 feet to a point for corner on the north line of said Parcel 1 and the southwest corner of a tract of land described in deed to Gaedeke Holdings II, LTD, as recorded in Volume 98017, Page 936, O.P.R.D.C.T., from which a found Type 1 concrete monument bears North 06 degrees 34 minutes 00 seconds East, a distance of 0.80 feet;
- 12) THENCE South 89 degrees 50 minutes 50 seconds East, departing said east right-of-way line of Coit Road, and along said north and south lines, passing at a distance of 356.77 feet a 3/4-inch found iron rod (controlling monument) for the southeast corner of said Gaedeke Holdings II, LTD tract and the southwest corner of said Houston tract, and continuing along said north and south lines, passing at an additional distance of 113.50 feet the northeast corner of said Parcel 1 and the northwest corner of said Parcel 4, and continuing along said north and south lines in all, a total distance of 843.80 feet to the POINT OF BEGINNING AND CONTAINING 539,018 square feet or 12.37 acres of land, more or less.

Exhibit "A"

County: Dallas
Highway: IH 635 Near US 75
CSJ: 2374-01-032

Page 3 of 4
February 25, 2014

SURPLUS TRACT 1

**The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Bearings are based on the Texas Coordinate System, NAD 83(2011 EPOCH), North Central Zone (4202). All coordinates shown are surface and may be converted to grid by dividing by the conversion factor of 1.000136506.

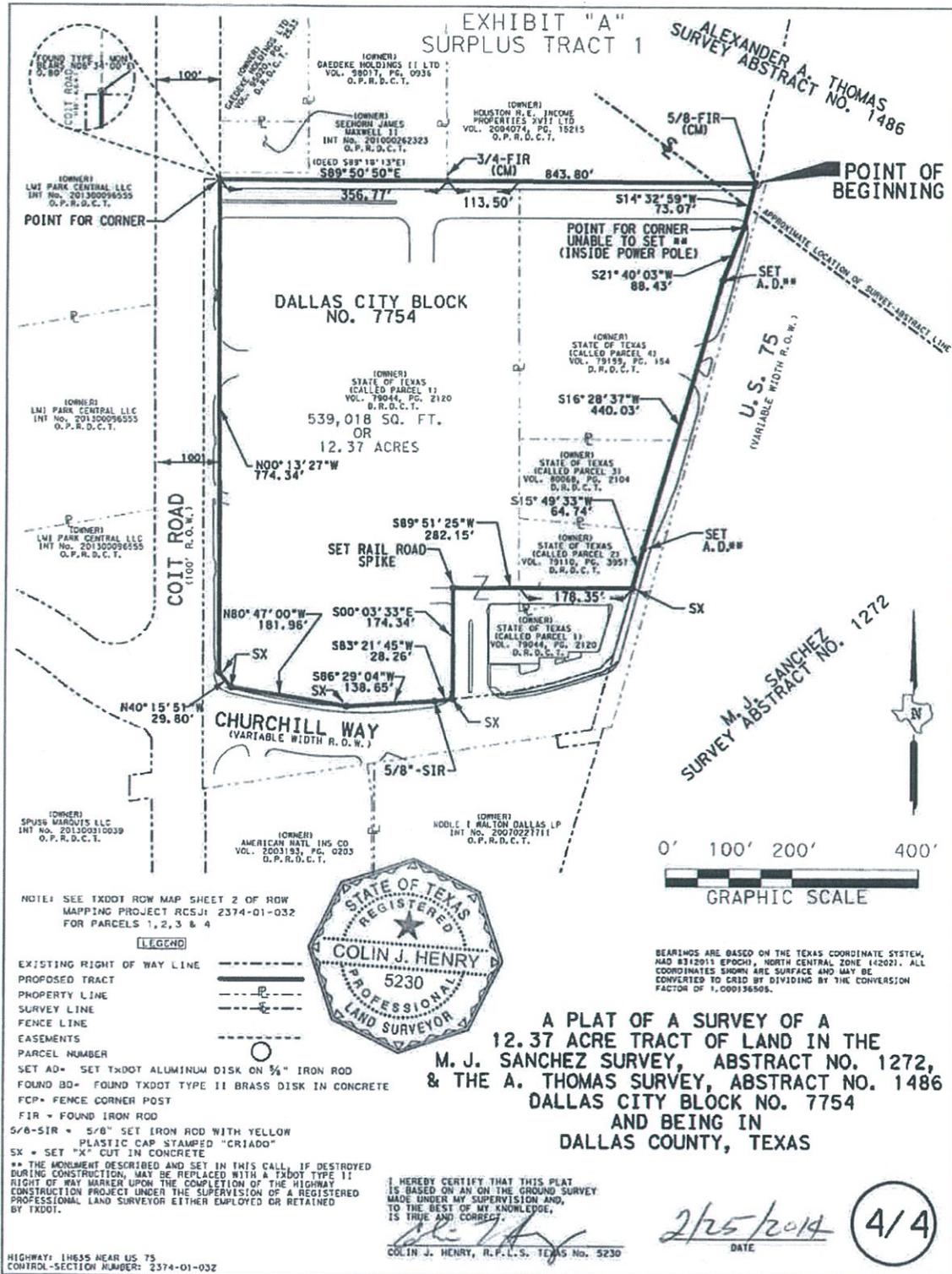
I, Colin J. Henry, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat of even date represent an actual survey made on the ground under my supervision.

 2/25/2014

Colin J. Henry, R.P.L.S. Date

Texas Registration No. 5230
CRIDO & ASSOCIATES, INC.
Civil Engineering & Land Surveying Consultants
4141 Blue Lake Circle, Suite 133 \ Dallas, TX 75244
PH 972.392.9092 \ FAX 972.392.9192
TBPLS Firm No. 101633-00





SURPLUS TRACT 1

Exhibit "A"

County: Dallas
Highway: IH 635 Near US 75
CSJ: 2374-01-032

Page 1 of 3
February 25, 2014

SURPLUS TRACT 2

BEING a 39,851 square foot tract of land situated in the M.J. Sanchez Survey, Abstract No. 1272, Dallas County, Texas, and being part of Dallas City Block Number 7754 and being part of those tracts of land described in the following deeds to the State of Texas, as recorded in Volume 79044, Page 2120 (called Parcel 1), and Volume 79110, Page 3957 (called Parcel 2), both of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

COMMENCING at a 5/8-inch found iron rod (controlling monument) on the west right-of-way line of U.S. Highway No. 75, also known as Central Expressway (a variable width right-of-way), said point also being on the north line of a tract of land described in deed to the State of Texas (called Parcel 4) as recorded in Volume 79199, Page 154, D.R.D.C.T., and being on the south line of a tract of land described in deed to Houston R.E. Income Properties XVII, LTD, as recorded in Volume 2004074, Page 15215, Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), from which a 3/4-inch found iron rod (controlling monument) bears North 89 degrees 50 minutes 50 seconds West, a distance of 487.03 feet;

THENCE South 14 degrees 32 minutes 59 seconds West, departing said north and south lines and along said west right-of-way line, a distance of 73.07 feet to a point for corner (unable to set);**

THENCE South 21 degrees 40 minutes 03 seconds West, continuing along said west right-of-way line, a distance of 88.43 feet to a TxDOT Aluminum Disk on a 5/8-inch set iron rod (hereinafter referred to as "set AD") for corner;**

THENCE South 16 degrees 28 minutes 37 seconds West, continuing along said west right-of-way line, a distance of 440.03 feet to a set AD for corner;**

THENCE South 15 degrees 49 minutes 33 seconds West, continuing along said west right-of-way line, a distance of 64.74 feet to an "X" cut set in concrete for the POINT OF BEGINNING of the herein described tract;

- 1) THENCE South 15 degrees 49 minutes 33 seconds West, continuing along said west right-of-way line, a distance of 107.79 feet to an "X" cut set in concrete for corner at the intersection of said west right-of-way line with the currently used north right-of-way line of Churchill Way (a variable width right-of-way);
- 2) THENCE South 43 degrees 13 minutes 14 seconds West, departing said west right-of-way line and along said north right-of-way line, a distance of 29.77 feet to an "X" cut set in concrete for corner;

Exhibit "A"

County: Dallas
 Highway: IH 635 Near US 75
 CSJ: 2374-01-032

Page 2 of 3
 February 25, 2014

SURPLUS TRACT 2

- 3) THENCE South 72 degrees 16 minutes 36 seconds West, continuing along said north right-of-way line, a distance of 74.45 feet to an "X" cut set in concrete for corner;
- 4) THENCE South 77 degrees 47 minutes 05 seconds West, continuing along said north right-of-way line, a distance of 83.99 feet to an "X" cut set in concrete for corner;
- 5) THENCE South 83 degrees 21 minutes 45 seconds West, continuing along said north right-of-way line, a distance of 79.72 feet to an "X" cut set in concrete for corner;
- 6) THENCE North 00 degrees 03 minutes 33 seconds West, departing said north right-of-way line and over and across said Parcel 1, a distance of 174.34 feet to a railroad spike set for corner;
- 7) THENCE North 89 degrees 51 minutes 25 seconds East, continuing over and across said Parcel 1, passing at a distance of 103.80 feet the west line of said Parcel 2 and an east line of said Parcel 1, and continuing over and across said Parcel 2, in all a total distance of 282.15 feet to the POINT OF BEGINNING AND CONTAINING 39,851 square feet or 0.9149 acres of land, more or less.

**The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

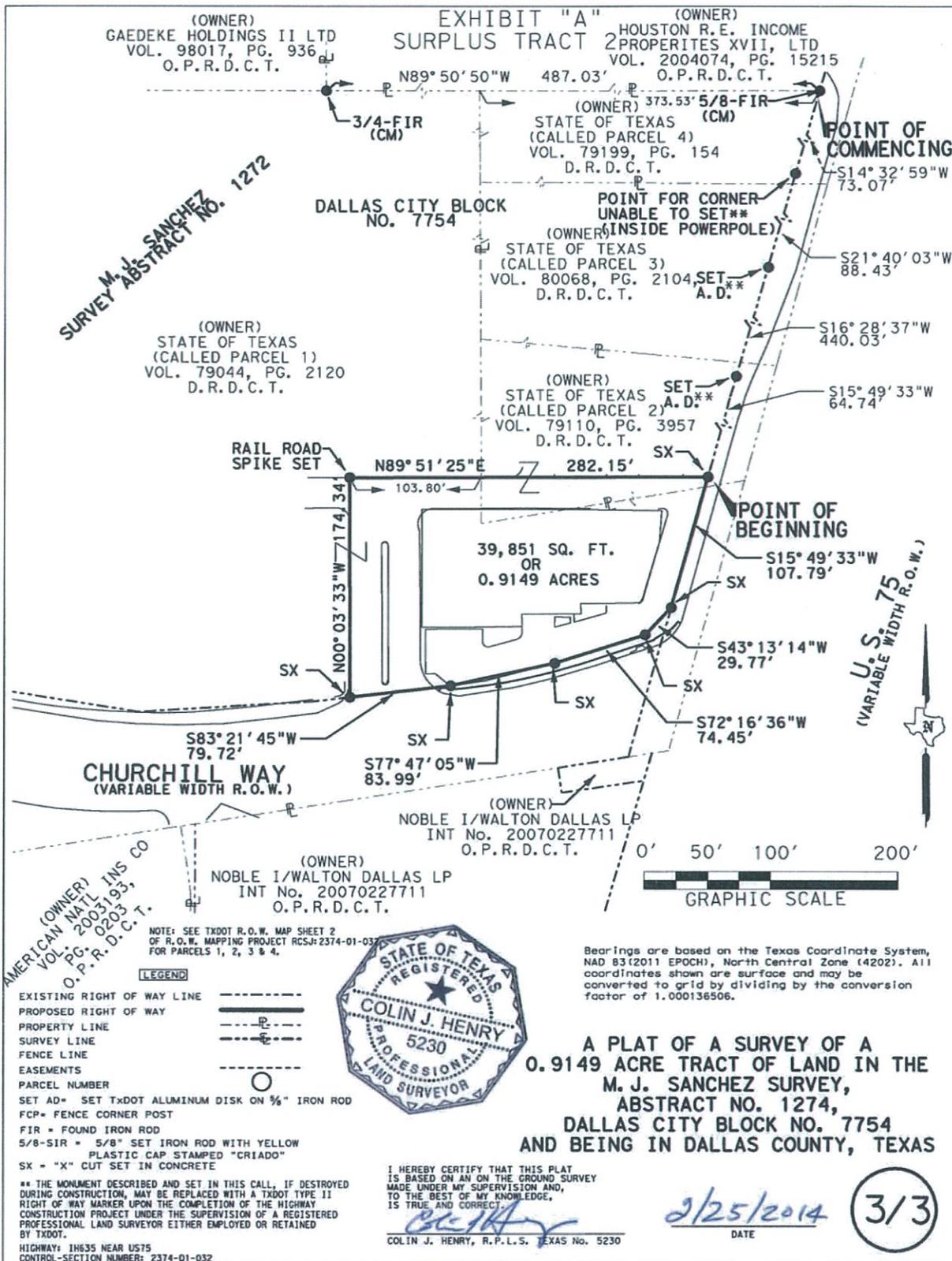
Bearings are based on the Texas Coordinate System, NAD 83(2011 EPOCH), North Central Zone 4202. All coordinates shown are surface and may be converted to grid by dividing by the conversion factor of 1.000136506.

I, Colin J. Henry, a Registered Professional Land Surveyor, hereby certify that the legal description hereon and the accompanying plat of even date represent an actual survey made on the ground under my supervision.

Colin J. Henry 2/25/2014

Colin J. Henry, R.P.L.S. Date
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SURPLUS TRACT 2