

TEXAS TRANSPORTATION COMMISSION

WICHITA County

MINUTE ORDER

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WICHITA FALLS District

In the city of Wichita Falls, WICHITA COUNTY, on STATE HIGHWAY LOOP 473, the State of Texas acquired certain land for highway purposes by instrument recorded in Volume 376, Page 383, Deed Records of Wichita County, Texas.

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

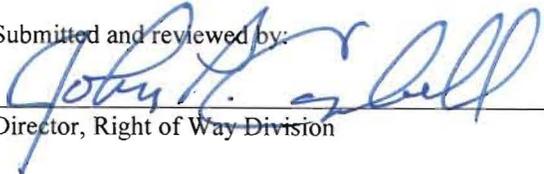
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowner.

HPH Properties, LLC, is the abutting landowner and has requested that the surplus land be sold to the company for \$46,500.

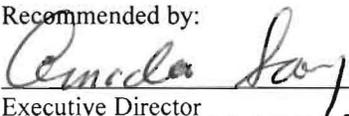
The commission finds \$46,500 to be a fair and reasonable value for the state's rights, title and interest in the surplus land.

NOW, THEREFORE, the commission finds that the surplus land is no longer needed for a state highway purpose and 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 HPH Properties, LLC, for \$46,500; 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 surplus land.

Submitted and reviewed by:


Director, Right of Way Division

Recommended by:


Executive Director

111841 MAY 28 09

Minute Number Date Passed

County: Wichita
Highway No: Old Jacksboro Highway (Loop 473)

EXHIBIT A

**SURPLUS TRACT
0.534 ACRE**

FIELD NOTES OF 0.534 ACRE OF LAND OUT OF BLOCK 6, SAYLES IRRIGATED SUBDIVISION OF THE J. A. SCOTT SURVEY NO. 10, ABSTRACT 302, WICHITA FALLS, WICHITA COUNTY, TEXAS, SAID 0.534 ACRE BEING CONVEYED TO THE STATE OF TEXAS BY DEED RECORDED IN THE WICHITA COUNTY DEED RECORDS AT VOLUME 376, PAGE 383, SAID 0.534 ACRE BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Note: Basis of bearing is the Texas State Plane Coordinate System North Central Zone, NAD 83.

BEGINNING at a 1/2 inch iron rod with yellow cap found in the West line of Block 6, Sayles Irrigated Subdivision of the J. A. Scott Survey No. 10, Abstract 302, as recorded at Volume 4, Page 36, Wichita County Plat Records, said rod being at the Southeast corner of Lot G, Morans Corrected Plat of a subdivision of 1.43 acres, as shown on plat recorded in Volume 567, Page 150, Wichita County Deed Records, said rod being in the Northwest right-of-way line of Old Jacksboro Highway (Loop 473), for the Southwest corner of this tract:

1. THENCE N 00° 09' 10" E along the West line of said Block 6, and the East line of said Morans Corrected Plat, a distance of 124.85 feet to a 1/2 inch iron rod with yellow cap found at the Northeast corner of Lot G of said Morans Corrected Plat, for an angle corner of this tract;
2. THENCE N 00° 22' 52" E with the West line of said Block 6, a distance of 291.77 feet to a 1/2 inch iron rod with yellow cap found in the Southwest right-of-way line of Central Freeway East (U.S. Highways 281 & 287), for the Northwest corner of this tract, said corner being in a Control of Access line;
3. THENCE S 38° 42' 50" E with said Control of Access line and with the extension of said Southwest right-of-way line, a distance of 134.92 feet to a 1/2 inch iron rod with yellow cap set 1.4 foot West of a power pole, for the Northeast corner of this tract;
4. THENCE S 04° 28' 00" W with said Control of Access line, a distance of 177.35 feet to a 1/2 inch iron rod with yellow cap set 1.4 feet Northwest of a power pole, for the Southeast corner of this tract;
5. THENCE S 28° 26' 05" W with said Control of Access line, a distance of 152.98 feet to the PLACE OF BEGINNING and containing 0.534 acre of land.

Access is prohibited across the "Control of Access line" to the transportation facility from the adjacent property.

CORLETT, PROBST & BOYD, P.L.L.C.

STATE OF TEXAS: KNOW ALL MEN BY THESE PRESENTS,
COUNTY OF WICHITA: that I, Dennis Probst, Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the tract of land shown on this plat, and to the best of my knowledge and belief, the said description is true and correct.

IN WITNESS THEREOF, my hand and seal, this the 16th day of January, A.D., 2009

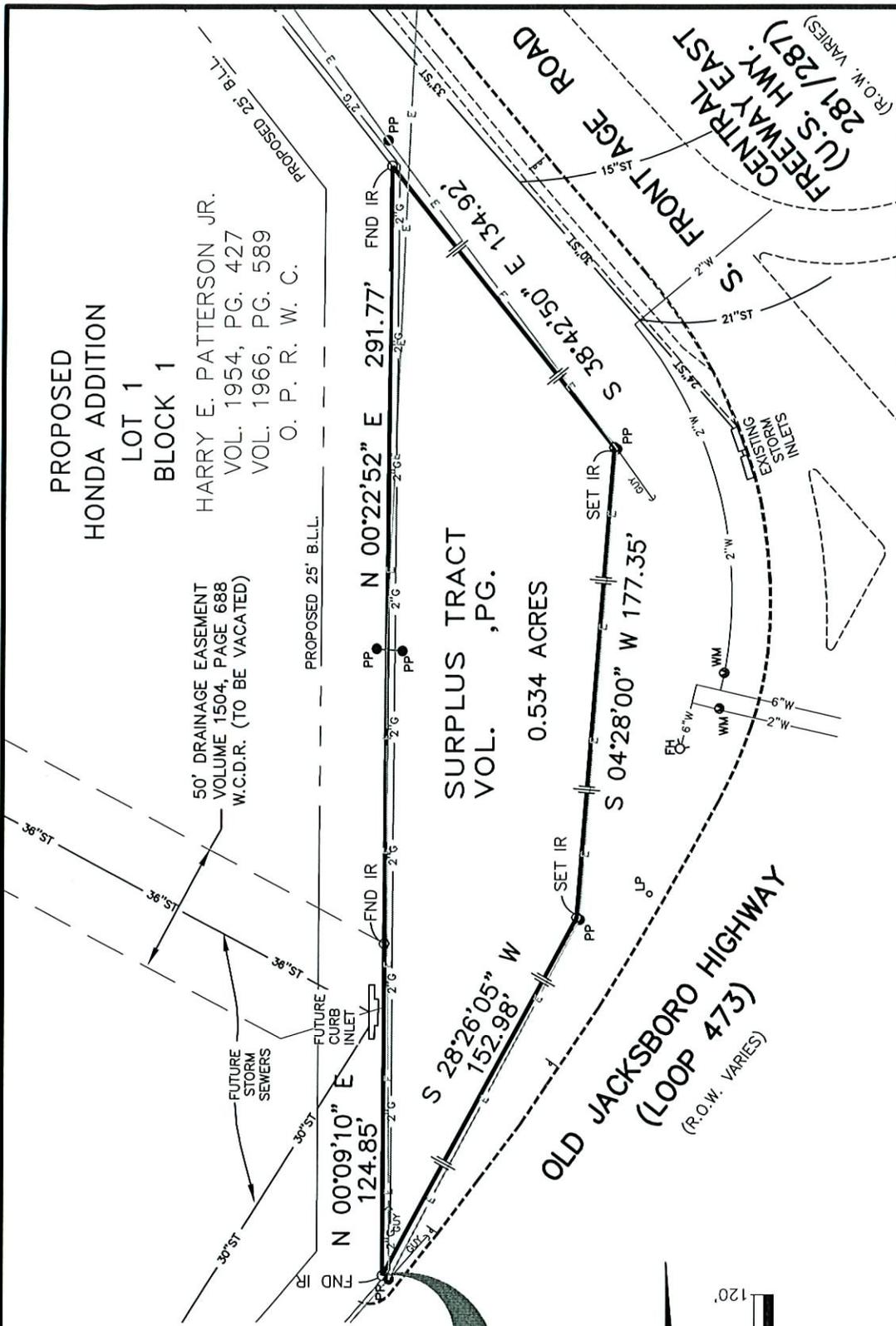
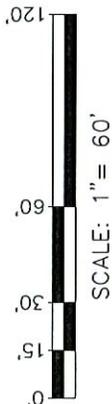

DENNIS L. PROBST
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5352



LEGEND

- FH ○ FIRE HYDRANT
- WM ○ EXISTING WATER METER
- LP ○ EXISTING LIGHT POLE
- PP ○ ELECTRIC POWER POLE
- PP ○ ELECT. TRANSMISSION POLE
- PP ○ EXISTING SIGNS
- E — EXISTING ELECTRIC LINE
- G — EXISTING GAS LINE
- EXISTING STORM SEWER LINE
- EXISTING WATER LINE
- CURB AND GUTTER
- SET 1/2" IRON ROD WITH SURVEYOR'S CAP MARKED "CORLETT, PROBST & BOYD"
- STORM SEWER INLET
- CONTROL OF ACCESS LINE

PLACE OF BEGINNING



BASIS OF BEARINGS:
Bearings based on State Plane ~ Texas North Central—NAD 83

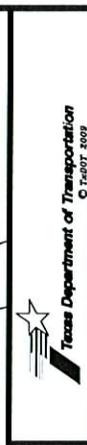
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IN WITNESS THEREOF, my hand and seal, this the 16th day of January, A.D. 2009

Dennis Probst
DENNIS PROBST
REGISTERED PROFESSIONAL
LAND SURVEYOR #5352



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CORLETT, PROBST & BOYD, P.L.L.C. Engineers and Surveyors 4605 JACKSBORO HIGHWAY WICHITA FALLS, TEXAS 76302 (940)-723-1455		APPROVED DLP	SCALE 1" = 60'
DATE JANUARY, 2009	DRAWN PT	CHECKED DLP	TRACT NO. SURPLUS
2506 OLD JACKSBORO HIGHWAY (LOOP 473) WICHITA FALLS, WICHITA COUNTY, TEXAS A PLAT OF 0.534 ACRES OF LAND OUT OF J. A. SCOTT SURVEY NO. 10, ABSTRACT 302			