

TEXAS TRANSPORTATION COMMISSION

COMAL County

MINUTE ORDER

Page 1 of 1

SAN ANTONIO District

In COMAL COUNTY, on FARM TO MARKET ROAD 1863, the State of Texas (state) acquired certain land needed for highway purposes by instrument recorded in Volume 106, Page 450, Deed Records of Comal 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 landowners.

Shelley King Minus and husband, Stephen Minus, and Casey Lynn Cox and husband, Brian Cox, are abutting landowners and have requested that the surplus land be sold to them for \$1,176.

The commission finds \$1,176 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 all of the state's rights, title and interest in the surplus land to Shelley King Minus and husband, Stephen Minus, and Casey Lynn Cox and husband, Brian Cox, for \$1,176; 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

112322 JUN 24 10

Minute Number

Date Passed

CONTROL: 0470
HIGHWAY: F.M. 1863
COUNTY: COMAL

EXHIBIT A

**PROPERTY DESCRIPTION FOR TRACT 1
A 0.084 OF AN ACRE**

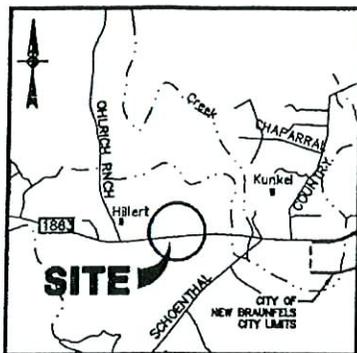
A 0.084 of an acre, or 3,659 square feet more or less, tract of land being a portion of an existing 1.021 acre from George Ed Gesche conveyed to the State of Texas in Right-of-Way Deed recorded in Volume 106, Page 450 of the Deed Records of Comal County Texas, dated June 23, 1955. Said 0.084 of an acre tract being more fully described as follow, with bearings based on a retracement survey of F.M. 1863, Comal County, Texas, Control #0470 Section 01, Job #016;

BEGINNING: At a found TxDOT Type II monument in the North line of F.M. Highway 1863, for the Southwest corner of an 8.916 acre tract of land described in Volume 171, Page 885 of the Deed Records of Comal County, Texas, for the Southeast corner and the Point of Beginning;

- 1) **THENCE:** Across a portion of F.M. Highway 1863, S 85° 04' 19" W, a distance of 753.76 feet to a point for the Southwest corner of this herein described tract;
- 2) **THENCE:** N 39° 53' 30" W, a distance of 2.48 feet to a point in the existing North line of F.M. Highway 1863, said point being in the Northeasterly line of a 2.055 acre tract described in Document No. 200506013588 of the Official Public Records of Comal County, Texas, said point also being in the South line of 18.025 acre tract of land described in Document No. 200506013589 of the Official Public Records of Comal County, Texas for the Northwest corner of this herein described tract;
- 3) **THENCE:** Along the existing North line of F.M. Highway 1863, N 84° 38' 28" E, a distance of 750.31 feet to a TxDOT Type II monument being in the Northeast line of said 18.025 acre tract, said point also being in the Southwest line of said 8.916 acre tract, for the Northeast corner of this herein described tract;
- 4) **THENCE:** Along the Southwest line of said 8.916 acre tract, S 37° 25' 33" E, a distance of 9.10 feet to the POINT OF BEGINNING, and containing 0.084 of an acre in Comal County, Texas. Said tract being described in accordance with an exhibit prepared by HMT Engineering & Surveying.;

PREPARED BY: HMT Engineering & Surveying
JOB NO.:
DATE: April 8, 2010
DOC. I.D.: S:\INTELLI-2009\08682-Ohlrich\DOC\0.084 Acres- MB.doc

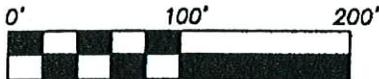




LOCATION MAP
SCALE: NTS



SCALE: 1"=100'

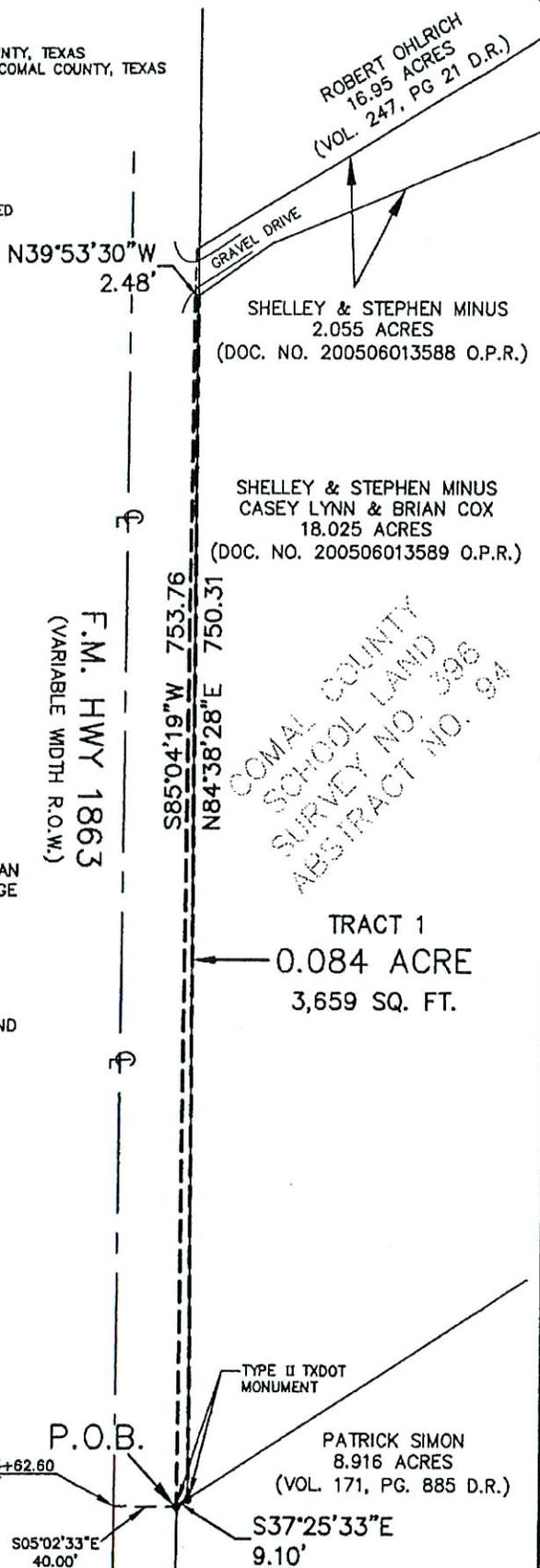


DEED/PLAT REFERENCES:

D.R. DEED RECORDS OF COMAL COUNTY, TEXAS
O.P.R. OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS

NOTES:

1. THE BEARING IS BASED ON A RETRACEMENT SURVEY OF F.M. 1863, COMAL COUNTY, TEXAS, CONTROL #0470, SECTION 01, JOB #106.
2. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A PROPERTY DESCRIPTION.



ROBERT OHLRICH
16.95 ACRES
(VOL. 247, PG 21 D.R.)

SHELLEY & STEPHEN MINUS
2.055 ACRES
(DOC. NO. 200506013588 O.P.R.)

SHELLEY & STEPHEN MINUS
CASEY LYNN & BRIAN COX
18.025 ACRES
(DOC. NO. 200506013589 O.P.R.)

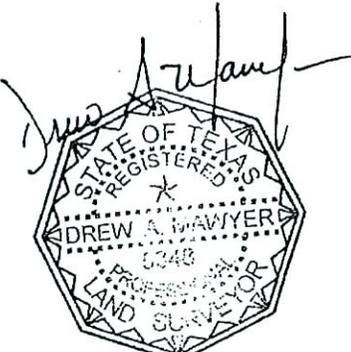
COMAL COUNTY
SCHOOL LAND
SURVEY NO. 396
ABSTRACT NO. 94

TRACT 1
0.084 ACRE
3,659 SQ. FT.

SKETCH TO ACCOMPANY DESCRIPTION

BEING A RELEASE OF A 0.084 ACRE (3,659 SQ. FT.), BEING A PORTION OF AN EXISTING 1.021 ACRE RIGHT-OF-WAY TAKING RECORDED IN VOLUME 106, PAGE 450 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, RELEASED PORTION REFERRED TO AS TRACT 1.

BEING A 0.084 ACRE (OR 3,659 SQUARE FEET MORE OR LESS) OF LAND SITUATED IN THE COMAL COUNTY SCHOOL LAND SURVEY NO. 296, ABSTRACT NO. 94, COMAL COUNTY TEXAS, BEING PART OF A 1.021 ACRE TRACT OF LAND FROM GEORGE ED GESCHE CONVEYED TO THE STATE OF TEXAS IN RIGHT-OF-WAY DEED RECORDED IN VOLUME 106, PAGE 450 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS, DATED JUNE 23, 1955.



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