

TEXAS TRANSPORTATION COMMISSION

JEFFERSON County

MINUTE ORDER

Page 1 of 1

BEAUMONT District

In the city of Beaumont, JEFFERSON COUNTY, on US 90, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 1243, Page 305, and Volume 1247, Page 270, Deed Records of Jefferson County, Texas.

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

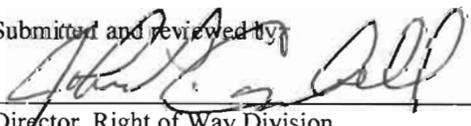
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may recommend the sale of surplus land to the abutting landowner.

Magna Properties, Ltd., is the abutting landowner and has requested that the surplus land be sold to the partnership for \$988,000.

The commission finds \$988,000 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 Magna Properties, Ltd., for \$988,000; 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

**112328 JUN 24 10**

Minute Number      Date Passed

**EXHIBIT "A"**

Legal Description: 6.2974 Acre Tract or Parcel of Land  
Out of and Part of Lot 1, 2, & 7 Block 1  
Wescalder Fig Acres  
Volume 4, Page 149, Map Records  
A. Savery League, Abstract No. 46  
Beaumont, Jefferson County, Texas

**BEING** a 6.2974 acre tract or parcel of land situated in the A. Savery League, Abstract No. 46, Jefferson County, Texas and being out of and part of the right-of-way of College Street, also known as U.S. Highway 90, (width varies) and the right-of-way of Major Drive, also known as F.M. Highway 364, (width varies), and furthermore being out of and part of that certain called 1.590 acre tract of land, identified as Parcel No. 8, and that certain called 3.066 acre tract of land, identified as Parcel No. 10, as described in a "Deed" from Harry R. Leight, Sr. and wife, Rosa Leicht to the State of Texas as recorded in Volume 1247, Page 270, Deed Records, Jefferson County, Texas and being out of and part of that certain called 4.490 acre tract of land as described in a "Deed" from William Clark Richardson, and wife, Joyce Jones Richardson to the State of Texas as recorded in Volume 1243, Page 305, Deed Records, Jefferson County, Texas and being out of and part of that certain called 0.272 acre tract of land as described in a "Deed" from Alma Busbee Seagraves, Individually and as Independent Executrix of the Estate of Frank Seagraves, deceased to the State of Texas as recorded in Volume 1259, Page 397, Deed Records, Jefferson County, Texas, said 6.2974 acre tract being more particularly described as follows:

*NOTE: All bearings are based on the West line of that certain called 3.066 acre tract of land as conveyed to the State of Texas as recorded in Volume 1247, Page 270, Deed Records, Jefferson County, Texas as SOUTH 00°15'00" WEST.*

**COMMENCING** at an iron rod with a cap stamped "Fitz" found for the Northwest corner of that certain tract of land as described in a "General Warranty Deed" from Conrado B. Garcia, M.D. to Magna Properties, Ltd. as recorded in Clerk's File No. 2008016497, Official Public Records of Real Property, Jefferson County, Texas, and said corner also being the Northeast corner of the remainder of that certain tract of land as described in a "Special Warranty Deed" from Dorothy Stewart and Zella Langham, individually and as Co-Executrices of the Estate of Ruth V. Silvey, deceased to Crown Motel, Inc. as recorded in Clerks' File No. 96-9610120, Official Public Records of Real Property, Jefferson County, Texas, also being in the South right-of-way line of College Street, also known as U.S. Highway 90 and said corner bears NORTH 83°37'30" EAST a distance of 83.48 feet from a found TxDOT concrete monument;

**THENCE** NORTH 83°34'01" EAST, along and with the South right-of-way of College Street, for a distance of 216.71 feet to a TxDOT concrete monument found for corner;

**THENCE** SOUTH 64°45'38" EAST, continuing along and with the South right-of-way of College Street, for a distance of 49.77 feet to a 5/8" iron rod with TxDOT aluminum cap stamped "ADL" set for for the Northwest corner and **POINT OF BEGINNING** of the tract herein described, said point also being the beginning of an access denial line;

**THENCE** NORTH 84°34'59" EAST, over and across the right-of-way of College Street, at a distance of 229.34 feet passing a 5/8 inch iron rod with TxDOT aluminum cap stamped "ADL" set for an ending point of an access denial line, the same being the beginning of a proposed 50 foot wide driveway access, continuing at a distance of 279.34 feet passing a 5/8 inch iron rod with TxDOT aluminum cap stamped "ADL" set for a beginning point of an access denial line, the same being the end of the said 50 foot wide proposed driveway access and continuing for a total distance of 455.49 feet to a 5/8" iron rod with TxDOT aluminum cap stamped "ADL" set for corner;

**THENCE** SOUTH 48°05'01" EAST, over and across the right-of-way of College Street, for a distance of 101.67 feet to a 5/8" iron rod with TxDOT aluminum cap stamped "ADL" set for corner;

**THENCE** SOUTH 00°15'00" WEST, over and across the right-of-way of Major Drive (also known as F.M. Highway 364, at a distance of 48.63 feet passing a 5/8" iron rod with TxDOT aluminum cap stamped "ADL" set for an ending point of an access denial line, the same being the beginning of a 25 foot wide right exit only driveway access, continuing at a distance of 73.63 feet passing a 5/8 inch iron rod with TxDOT aluminum cap stamped "ADL" set for a beginning point of an access denial line, the same being the end of the said 25 foot wide right exit only driveway access, continuing at a distance of 376.54 feet passing a 5/8" iron rod with TxDOT aluminum cap stamped "ADL" set for an ending point of an access denial line, the same being the beginning of a proposed 50 foot wide driveway access, continuing at a distance of 426.54 feet passing a 5/8 inch iron rod with TxDOT aluminum cap stamped "ADL" set for a beginning point of an access denial line, the same being the end of the said 50 foot wide driveway access and continuing for a total distance of 734.54 feet to a 5/8" iron rod with TxDOT aluminum cap stamped "ADL" set for corner, said corner being in a Northerly line of that certain tract of land, identified as Tract II, as described in a "General Warranty Deed" from Katherine L. Thompson et al to Magna Properties, Ltd. as recorded in Clerk's File No. 2008017071, Official Public Records of Real Property, Jefferson County, Texas, said corner also being in the Westerly right-of-way line of Major Drive;

**THENCE** NORTH 66°34'23" WEST, along and with the Westerly right-of-way line of Major Drive and the same being the Northerly line of said Magna tract, identified as Tract II, for a distance of 95.65 feet to a 2" iron pipe found for corner, said corner being an angle point in the North line of the said Magna tract, identified as Tract II;

**THENCE** SOUTH 81°02'53" WEST, continuing along and with the Westerly right-of-way line of Major Drive and the same being the Northerly line of said Magna tract, identified as Tract II, for a distance of 107.53 feet to a 2" iron pipe found for corner, said corner being an angle point in the North line of the said Magna tract, identified as Tract II;

**THENCE** NORTH 49°23'31" WEST, continuing along and with the Westerly right-of-way line of Major Drive and the same being the Northerly line of said Magna tract, identified as Tract II, at a distance of 187.62 feet passing a 5/8 inch iron rod found for the most Northerly corner of said Magna tract, identified as Tract II, the same being the Southeast corner of that certain tract of land, identified as Tract I, as described in a "General Warranty Deed" from Katherine L.

Thompson et al to Magna Properties, Ltd. as recorded in Clerk's File No. 2008017071, Official Public Records of Real Property, Jefferson County, Texas, and continuing for a total distance of 216.41 feet to a 2" iron pipe found for corner, said corner being an angle point in the East line of the said Magna tract, identified as Tract I;

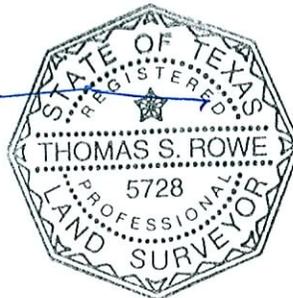
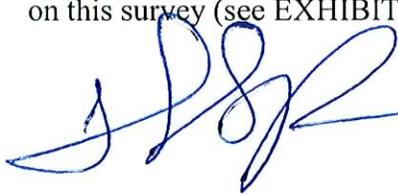
**THENCE** NORTH 00°15'00" EAST, continuing along and with the Westerly right-of-way line of Major Drive and the same being the Easterly line of said Magna tract, identified as Tract I, for a distance of 404.26 feet to a 2" iron pipe found for corner, said corner being an angle point in the East line of the said Magna tract, identified as Tract I;

**THENCE** NORTH 26°51'16" WEST, continuing along and with the Westerly right-of-way line of Major Drive and the same being the Easterly line of said Magna tract, identified as Tract I, for a distance of 167.54 feet to a TxDOT concrete monument found for corner, said corner being an angle point in the East line of the said Magna tract, identified as Tract I;

**THENCE** NORTH 64°44'38" WEST, along and with the Southerly right-of-way line of College Street and the same being the Northeasterly line of said Magna tract, identified as Tract I, for a distance of 64.20 feet to a 1/2" iron rod found for corner, said corner being an angle point in the East line of the said Magna tract, identified as Tract I;

**THENCE** NORTH 64°45'38" WEST, continuing along and with the Southerly right-of-way line of College Street and the same being the Northeasterly line of said Magna tract, identified as Tract I, for a distance of 39.47 feet to the **POINT OF BEGINNING** and containing 6.2974 ACRES, more or less.

Surveyed on March 24, 2010. This legal description is being submitted along with a plat based on this survey (see EXHIBIT "B").



Thomas S. Rowe, RPLS No. 5728

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Note: 5/8" iron rod with TxDOT aluminum caps stamped "ADL" set to distinguish limits of Access Denial.

