

TEXAS TRANSPORTATION COMMISSION

HAYS County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In San Marcos, HAYS COUNTY, on STATE HIGHWAY 80 (SH 80), and FARM TO MARKET ROAD 2439 (FM 2439), the state of Texas acquired certain land for highway purposes by various instruments, and the state used other land to which there is no title in the state's name.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended, as shown on Exhibit A, that a segment of SH 80, from Wonder World Drive (RM 12) southeastward along old RM 12, Smith Street, Moore Street, and W. Hopkins Street to SL 82, a distance of approximately 3.2 miles, and a segment of FM 2439, from RM 12 northeastward along W. Hopkins Street to Moore Street, a distance of approximately 1.6 miles, be removed from the state highway system, and that control, jurisdiction, and maintenance be transferred to the City of San Marcos (city).

Portions of the right of way, Tract 3 on SH 80, RCSJ 0285-03-054, from RM 12, described in Exhibit B, to W. Hopkins Street, and Tract 5 on FM 2439, RCSJ 2293-01-028, from Dixon Street to Guadalupe Street, described in Exhibit C, are 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 transfer of highway right of way to a governmental entity that has assumed jurisdiction, control, and maintenance of the right of way for public road purposes.

The city has assumed jurisdiction, control, and maintenance of Tract 3 and Tract 5 and has requested to acquire Tract 3 and Tract 5 to continue in use for public road purposes.

IT IS THEREFORE ORDERED by the commission that a segment of SH 80 is removed from the system from RM 12 southeastward along old RM 12, Smith Street, Moore Street, and W. Hopkins Street to SL 82, a distance of approximately 3.2 miles, and a segment of FM 2439 is removed from the state highway system from RM 12 northeastward along W. Hopkins Street to Moore Street, a distance of approximately 1.6 miles, and control, jurisdiction, and maintenance are transferred to the city.

IT IS ALSO ORDERED by the commission that Tract 3 and Tract 5 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 transferring all of the state's right, title, and interest in Tract 3 and Tract 5 to the City of San Marcos, Texas; 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.

IT IS FURTHER ORDERED that if Tract 3 and Tract 5 cease to be used for public road purposes, the land shall immediately and automatically revert to the state.

Submitted and reviewed by:

[Signature]

Director, Right of Way Division

Recommended by:

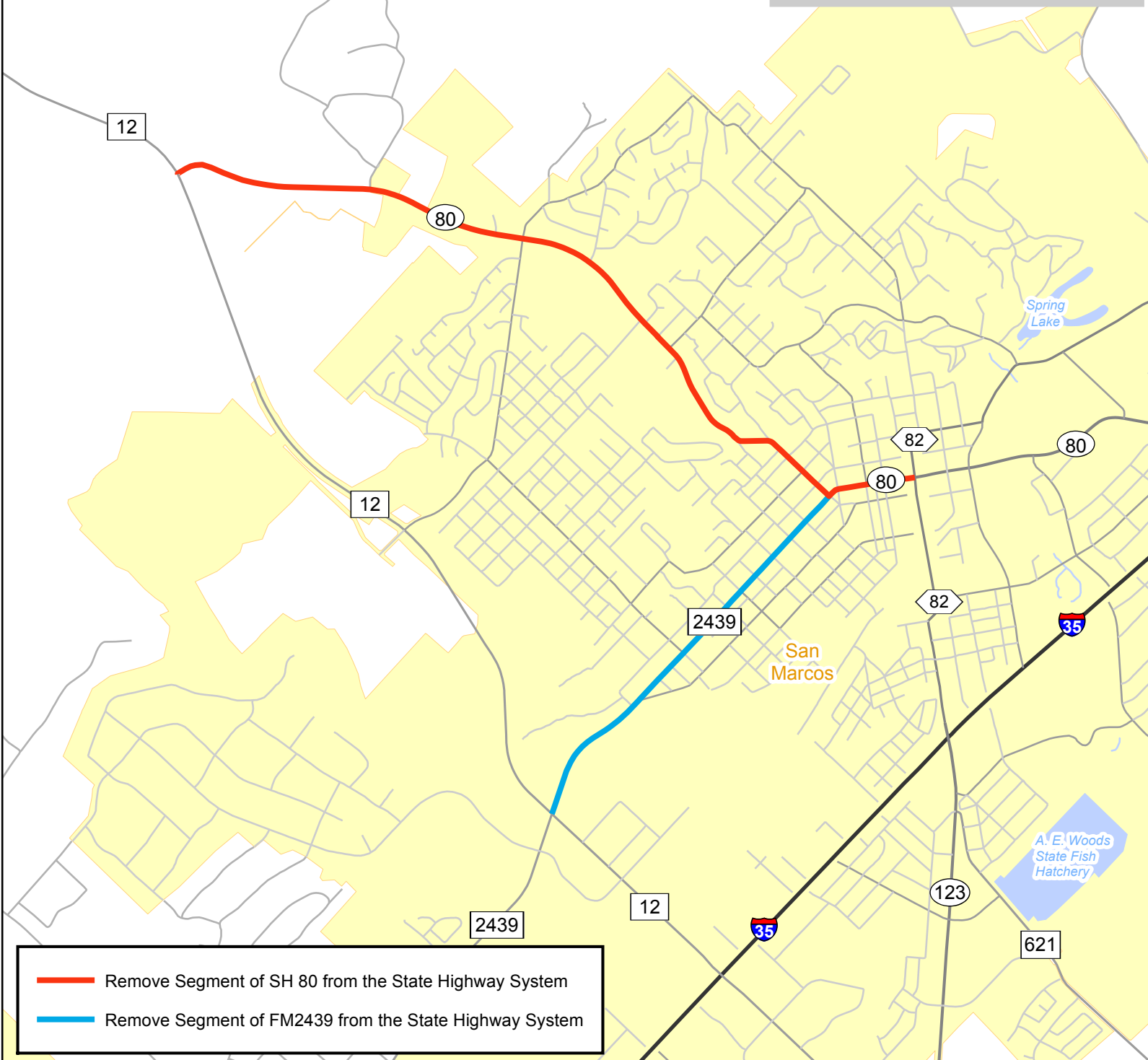
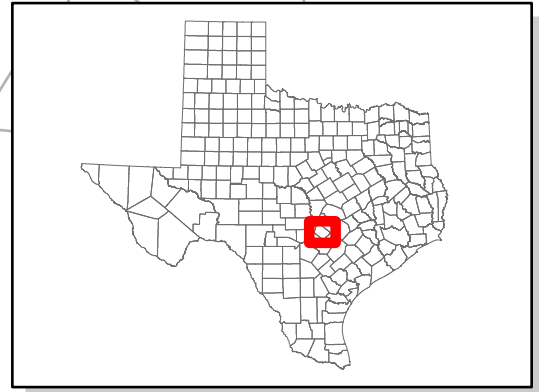
[Signature]

Executive Director

For

114831 JAN 26 '17

Minute Number Date Passed



- Remove Segment of SH 80 from the State Highway System
- Remove Segment of FM2439 from the State Highway System

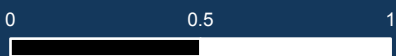


EXHIBIT B to Minute Order

DESCRIPTION OF A LINE SITUATED IN THE LYDIA GLASGOW SURVEY, ABSTRACT NUMBER 188, LOCATED AT THE INTERSECTION OF OLD RANCH ROAD 12 AND NEW RANCH ROAD 12, CITY OF SAN MARCOS, HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the south line of old Ranch Road 12, for the common southwest corner of that tract described in a deed from Mrs. Edwin Wills to the State of Texas, dated November 12, 1936 and recorded in Volume 112, Page 270 of the Hays County Deed Records, the southeast corner of that tract described in a deed from J. H. Sherrill to the State of Texas, dated April 5, 1937 and recorded in Volume 114, Page 150 of the Hays County Deed Records, The southeast corner of that tract described as 1.077 acres in a deed from the State of Texas to the City of San Marcos, dated June 9, 2016 and recorded in Hays County Document Number 16024529 of the Hays County Official Public Records, the northeast corner of that tract described as 6.4500 acres in a deed from The Frost Bank, Trustee to the City of San Marcos, dated January 19, 2006 and recorded in Volume 3100, Page 712 of the Hays County Official Public Records, and the northwest corner of that tract described as 114.00 acre tract "C" in a deed from Minnie Mae Wills et al to Marvin C. Wills, dated September 25, 1986 and recorded in Volume 1658, Page 162 of the Hays County Official Public Records, from which a concrete TXDOT monument found at station 633+05.7 bears S 66°40'43" E 261.12 feet, and from which an iron rod found with an aluminum cap stamped "TXDOT" for a north corner of the City of San Marcos 6.4500 acre tract bears N 66°40'43" W 308.59 feet, and from which a 1/2" iron rod found in the northwest line of the Wills tract, for a common exterior corner of the City of San Marcos 6.4500 acre tract and the east corner of that tract described as "tract 2 - 2.303 acres" in a deed from Frost Bank, Trustee to Lazy Oaks Ranch, LP, dated May 23, 2014 and recorded in Volume 4931, Page 450 of the Hays County Official Public Records bears S 35°35'55" W 12.60 feet ;

THENCE leaving the **PLACE OF BEGINNING**, the Wills to the State of Texas tract, the Wills tract and the City of San Marcos 6.4500 acre tract, crossing the Sherrill to the State of Texas tract, with the east line of the City of San Marcos 1.077 acre tract, as shown on that plat numbered 27291-16-1-a, dated June 21, 2016 as prepared for the City of San Marcos by Byrn and Associates, Inc. of San Marcos, Texas, N 23°14'07" E 50.56 feet to a calculated point in the common north line of the Sherrill to the State of Texas tract and the south line of that tract described in a deed from Theo Laidley et ux to the State of Texas, dated November 28, 1936 and recorded in Volume 112, Page 338 of the Hays County Deed Records, for the east corner of the City of San Marcos 1.077 acre tract;


THENCE with the common north line of the City of San Marcos 1.077 acre tract and the Sherrill to the State of Texas tract and the south line of the Laidley to the State of Texas tract, N 66°45'53" W 438.17 feet to a calculated point;

THENCE leaving the Sherrill to the State of Texas tract and the City of San Marcos 1.077 acre tract and crossing the Laidley to the State of Texas tract, N 23°14'07" E 50.00 feet to a calculated point for the point of termination and the common northwest corner of the Laidley to the State of Texas tract, the northeast corner of that tract described in a deed from R. F. Alexander et ux to the State of Texas, dated December 2, 1936 and recorded in Volume 112, Page 353 of the Hays County Deed Records, the southeast corner of that tract described as 3.433 acres in a deed from Joseph A. Freeman Trust et al to the County of Hays, dated January 18, 2012 and recorded in Volume 4264, Page 511 of the Hays County Official Public Records, and the west corner of that tract described as 19.46 acres in a deed from Joy Stanford to Joy and Nolen Stanford, dated June 19, 2009 and recorded in Volume 3704, Page 489 of the Hays County Official Public records, from which a concrete TXDOT monument found in the north line of old Ranch Road 12 at station 633+05.7 bears S 66°45'53"E 699.42 feet, and another concrete TXDOT monument found bears N 66°45'53"W

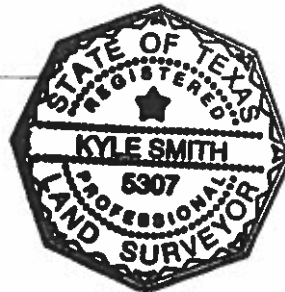
EHIBIT B to Minute Order

507.33 feet, and from which an iron rod found with an aluminum cap stamped "TXDOT" for the east corner of the County of Hays 3.433 acre tract bears N 43°25'20"E 26.35 feet;

The Bearing Basis for this description was determined from GPS observations and refers to grid north of the Texas State Plane Coordinate System, NAD 83, South Central Zone.



Kyle Smith, R.P.L.S. No. 5307



Client: City of San Marcos
Date: June 21, 2016
Survey: Glasgow, Lydia A-188
County: Hays, Texas
Job No: 27291-16-1

EXHIBIT C to Minute Order

**DESCRIPTION OF A LINE SITUATED IN THE J. M. VERAMENDI SURVEY NUMBER 1,
ABSTRACT NUMBER 17, LOCATED AT THE INTERSECTION OF HOPKINS STREET AND
DIXON STREET, CITY OF SAN MARCOS, HAYS COUNTY, TEXAS, AND BEING MORE
PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

BEGINNING at a calculated point in the southeast line of that tract described as 4.13 acres in a deed from Jose Lucio et al to Shirley L. Tuttle, dated January 23, 1970 and recorded in Volume 234, Page 603 of the Hays County Deed Records, for the north corner of that tract described in a deed from Manuel Lucio et al to the State of Texas, dated May 12, 1958 and recorded in Volume 176, Page 319 of the Hays County Deed Records and that tract described as 4.522 acres in a deed from the State of Texas to the City of San Marcos, dated May 24, 2016 and recorded in Hays County Document Number 16024517 of the Hays County Official Public Records, from which a TXDOT concrete monument found bears S 43°41'05" W 3.50 feet, and from which a calculated point for the common east corner of the Tuttle tract and south corner of Dixon Street bears N 43°41'05" E 1.58 feet;

THENCE leaving the **PLACE OF BEGINNING** and the Tuttle tract, as shown on that plat numbered 27291-16-2-a, dated June 21, 2016 as prepared for the City of San Marcos by Byrn and Associates, Inc. of San Marcos, Texas, with the northeast line of the Lucio to the State of Texas tract and the City of San Marcos 4.522 acre tract, the following two courses:

1. S 46°18'55" E 52.60 feet to a calculated point, and
2. N 63°44'03" E 79.92 feet to a calculated point for the point of termination, and an angle point in the northwest line of Lot 2, Block one, Knights of Columbus Subdivision, as recorded in Volume 5, Page 91 of the Hays County Plat Records, from which a 1/2" iron pipe found for the west corner of a tract dedicated for street right of way on the plat of William A. Taylor Subdivision, as recorded in Volume 4, Page 118 of the Hays County Plat Records bears N 63°44'03" E 59.73 feet.

The Bearing Basis for this description was determined from GPS observations and refers to grid north of the Texas State Plane Coordinate System, NAD 83, South Central Zone.



Kyle Smith, R.P.L.S. No. 5307



Client: City of San Marcos
Date: June 21, 2016
Survey: Veramendi, J. M. A-17
County: Hays, Texas
Job No: 27291-16-2

EXHIBIT C to Minute Order

SURVEYORS NOTES

1. THIS SURVEY PLAT WAS PREPARED IN CONJUNCTION WITH A LAND DESCRIPTION DATED JUNE 21, 2016 PREPARED BY BYRN AND ASSOCIATES, INC. OF SAN MARCOS, TEXAS.
2. THE BEARING BASIS FOR THIS SURVEY PLAT WAS DETERMINED FROM GPS OBSERVATIONS AND REFERS TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE.

STRIP DEDICATED FOR STREET RIGHT OF WAY BY WILLIAM A. TAYLOR SUBDIVISION

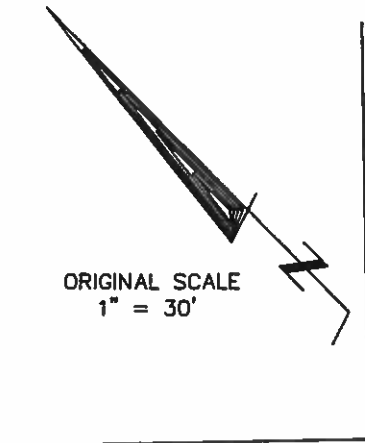
WILLIAM A. TAYLOR SUBD.

4
118

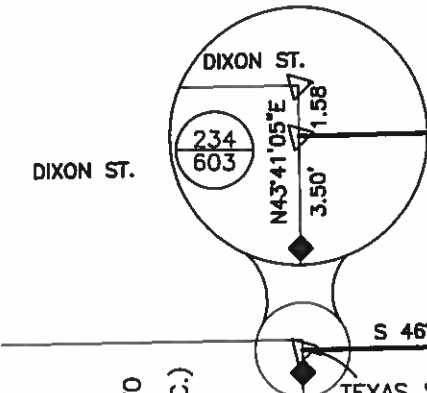
ORIGINAL SCALE
1" = 30'

LEGEND

- VOL PG HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS
- 1/2" IRON ROD FOUND OR DIAMETER NOTED
- 1/2" IRON ROD FOUND WITH ALUMINUM CAP STAMPED "PRO TECH ENG"
- CALCULATED POINT
- 1/2" IRON PIPE FOUND
- HCDN HAYS COUNTY DOCUMENT NUMBER



HOPKINS STREET



TEXAS STATE PLANE COORDINATES, NAD 83, SOUTH CENTRAL ZONE
N=13,865,804.43
E=2,298,617.07

JOSE LUCIO ET AL TO SHIRLEY L. TUTTLE 1/23/1970 (4.13 AC.)

234
603

F. M. HIGHWAY NO. 2439

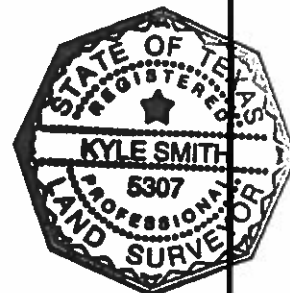
176
319

MANUEL LUCIO TO THE STATE OF TEXAS 5/12/1958

LOT 2, BLOCK ONE KNIGHTS OF COLUMBUS

5
91

HCDN 16024517
THE STATE OF TEXAS TO THE CITY OF SAN MARCOS 5/24/2016 (4.522 ACRES)



TO THE CITY OF SAN MARCOS EXCLUSIVELY, AND FOR USE WITH THIS TRANSACTION ONLY:

I HEREBY STATE TO THE BEST OF MY SKILL AND KNOWLEDGE: THAT THIS PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND ON JUNE 21, 2016; THAT ALL CORNERS ARE MONUMENTED AS SHOWN HEREON.

KYLE SMITH, R.P.L.S. NO. 5307

 **BYRN & ASSOCIATES, INC.**

ENGINEERS SURVEYORS

P.O. BOX 1433 SAN MARCOS, TEXAS 78667
PHONE 512-396-2270 FAX 512-392-2945
FIRM # 10070500

CLIENT: CITY OF SAN MARCOS
DATE: 6/21/2016
OFFICE: K. SMITH
CREW: C. SMITH, LOZANO
FB/PG: 735/57
PLAT NO. 27291-16-2-a

PLAT OF A LINE SITUATED IN THE J. M. VERAMENDI SURVEY NUMBER 1, ABSTRACT NUMBER 17, LOCATED AT THE INTERSECTION OF HOPKINS STREET AND DIXON STREET, CITY OF SAN MARCOS, HAYS COUNTY, TEXAS

EXHIBIT C to Minute Order
DESCRIPTION OF A LINE SITUATED IN THE ORIGINAL TOWN OF SAN MARCOS, AS RECORDED IN
VOLUME 46, PAGE 448 OF THE HAYS COUNTY DEED RECORDS, LOCATED AT THE INTERSECTION OF
HOPKINS STREET AND GUADALUPE STREET, CITY OF SAN MARCOS, HAYS COUNTY, TEXAS, AND
BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found with an aluminum cap stamped "Pro Tech Eng" at the intersection of the north line of Hopkins Street and the west line of Guadalupe Street, for the common southeast corner of Lot 1, Block 10, Original Town of San Marcos and that tract described as 0.11 of an acre in a deed from the Frost National Bank to Global Rock Investments, Ltd., dated February 7, 2003 and recorded in Volume 2155, Page 331 of the Hays County Official Public Records;

THENCE leaving the **PLACE OF BEGINNING**, Lot 1, Block 10, Original Town of San Marcos, and the Global Rock Investments, Ltd. tract, as shown on that plat numbered 27291-16-3-a, dated June 21, 2016 as prepared for the City of San Marcos by Byrn and Associates, Inc. of San Marcos, Texas, S 08°57'43" E 81.20 feet to an "X" found etched in concrete at the intersection of the south line of Hopkins Street and the west line of Guadalupe Street, for the common northeast corner of Lot 4, Block 11, Original Town of San Marcos and that tract described in a deed from Hays County to MLKSM, LLC, dated December 27, 2013 and recorded in Volume 4830, Page 862 of the Hays County Official Public records for the point of termination.

The Bearing Basis for this description was determined from GPS observations and refers to grid north of the Texas State Plane Coordinate System, NAD 83, South Central Zone.



Kyle Smith, R.P.L.S. No. 5307



Client: City of San Marcos
Date: June 21, 2016
Survey: OTSM
County: Hays, Texas
Job No: 27291-16-3

EXHIBIT C to Minute Order

SURVEYORS NOTES

1. THIS SURVEY PLAT WAS PREPARED IN CONJUNCTION WITH A LAND DESCRIPTION DATED JUNE 21, 2016 PREPARED BY BYRN AND ASSOCIATES, INC. OF SAN MARCOS, TEXAS.
2. THE BEARING BASIS FOR THIS SURVEY PLAT WAS DETERMINED FROM GPS OBSERVATIONS AND REFERS TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE.

LEGEND



HAYS COUNTY DEED, REAL PROPERTY OR OFFICIAL PUBLIC RECORDS



1/2" IRON ROD FOUND OR DIAMETER NOTED



1/2" IRON ROD FOUND WITH ALUMINUM CAP STAMPED "PRO TECH ENG"

LOT 1, BLOCK 10
ORIGINAL TOWN OF
SAN MARCOS



THE FROST NATIONAL BANK TO
GLOBAL ROCK INVESTMENTS, LTD.
2/7/2003 (0.11 OF AN ACRE)

TEXAS STATE PLANE
COORDINATES, NAD 83,
SOUTH CENTRAL ZONE
N=13,870,185.85
E=2,303,895.66

HOPKINS STREET

S 08°57'43" E 81.20'

GUADALUPE STREET

"X" FOUND ETCHED
IN CONCRETE

ORIGINAL SCALE
1" = 30'



HAYS COUNTY TO
MLKSM, LLC
12/27/2013 (NORTH 1/2 OF LOT 4, BLOCK 11)



LOT 4, BLOCK 11
ORIGINAL TOWN OF
SAN MARCOS



TO THE CITY OF SAN MARCOS EXCLUSIVELY, AND FOR
USE WITH THIS TRANSACTION ONLY:

I HEREBY STATE TO THE BEST OF MY SKILL AND
KNOWLEDGE: THAT THIS PLAT IS TRUE AND CORRECT
ACCORDING TO AN ACTUAL SURVEY MADE ON THE
GROUND ON JUNE 21, 2016; THAT ALL CORNERS ARE
MONUMENTED AS SHOWN HEREON.

KYLE SMITH, R.P.L.S. NO. 5307



ENGINEERS SURVEYORS

P.O. BOX 1433 SAN MARCOS, TEXAS 78667
PHONE 512-396-2270 FAX 512-392-2945

FIRM # 10070500

PLAT OF A LINE SITUATED IN THE
ORIGINAL TOWN OF SAN MARCOS,
LOCATED AT THE WEST SIDE OF THE
INTERSECTION OF HOPKINS STREET
AND GUADALUPE STREET, CITY OF
SAN MARCOS, HAYS COUNTY, TEXAS

CLIENT: CITY OF SAN MARCOS
DATE: 6/21/2016
OFFICE: K. SMITH
CREW: C. SMITH, LOZANO
FB/PG: 735/57
PLAT NO. 27291-16-3-a