

TEXAS TRANSPORTATION COMMISSION

McLENNAN County

MINUTE ORDER

Page 1 of 1

WACO District

In Waco, McLENNAN COUNTY, on FARM TO MARKET ROAD 1637, the state of Texas acquired certain land for highway purposes by instrument recorded in Volume 1094, Page 781, Deed Records of McLennan County, Texas, and the state used certain land for highway purposes to which there is no record 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 FM 1637 be removed from the state highway system, a distance of 4.1 miles, from W. Lake Shore Drive to US 84 (W. Waco Dr.), and that jurisdiction, control, and maintenance be transferred to the City of Waco (city).

Tracts 1, 2, and 3, RCSJ 0833-03-050, described in Exhibits B and C, are no longer needed for a state highway purpose.

In accordance with Texas Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may: 1) waive payment for real property transferred to a governmental entity if the governmental entity assumes jurisdiction, control, and maintenance of right of way for public road purposes; and 2) recommend the quitclaim of any interest in property acquired by a municipality in its own name that might have accrued to the state by use of the property.

The city has agreed to assume jurisdiction, control, and maintenance and has requested that Tract 1 be transferred to the city and that Tracts 2 and 3 be quitclaimed to the city.

IT IS THEREFORE ORDERED by the commission that FM 1637 is removed from the state highway system, a distance of 4.1 miles, from W. Lake Shore Drive 1) southeast along N. 19th St. to Wilson Ave.; 2) southeast along N. 18th St. to Lyle Ave./Herring Ave.; 3) east along Herring Ave. to N. 5th St./N. 4th St.; and 4) southeast along N. 5th St./N. 4th St. to US 84 (W. Waco Dr.), and jurisdiction, control, and maintenance are transferred to the city.

FURTHER, IT IS ORDERED by the commission that Tracts 1, 2, and 3 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: 1) a proper instrument transferring Tract 1 to the City of Waco, 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 real property; and 2) a proper instrument quitclaiming the state's right and interest in Tracts 2 and 3 to the City of Waco, Texas.

FURTHER, if Tract 1 ceases to be used for public road purposes, the real property shall immediately and automatically revert to this state.

Submitted and reviewed by:



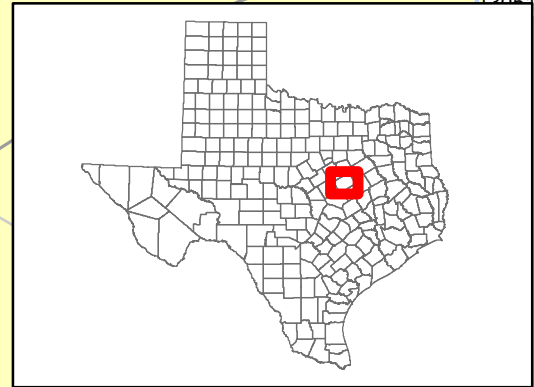
Director, Right of Way Division

Recommended by:



Executive Director

114920 APR 27 '17
Minute Date
Number Passed




 Remove Segment of FM1637 from the State Highway System



EXHIBIT B

TRACT ONE

Being 0.028 acre of land out of the Lee R Davis Survey, McLennan County more fully described in Deed from McLennan County Junior College to the State of Texas dated 8 June 1971 and recorded in Vol. 1094 Pg. 781, Deed Records, McLennan County, Texas

EXHIBIT C

TRACT TWO

Tract of land being 0.047 acres out of the John Tucker Survey, McLennan County, more fully described in Deed from Helen M Cameron Jones and husband Everett H Jones to McLennan County dated September 30, 1952, recorded in Vol. 707 Pg. 506, Deed Records, McLennan County, Texas.

Tract of land being 0.031 acres out of the John Tucker Survey, McLennan County, more fully described in Deed from Helen M Cameron Jones and husband Everett H Jones to McLennan County dated May 2, 1953, recorded in Vol. 719 Pg. 554, Deed Records, McLennan County, Texas.

Tract of land being 0.47 acres out of the John Tucker and W L Swain Surveys, McLennan County, more fully described as FIRST TRACT in deed from John L Burgess and wife Mary C Burgess to McLennan County dated August 15, 1952, recorded in Vol. 704 pg. 664 Deed Records, McLennan County, Texas.

Tract of land being 0.065 acres out of the John Tucker Survey, McLennan County, more fully described in deed from John L Burgess and wife Mary C Burgess to McLennan County dated July 2, 1953, recorded in Vol. 724 pg. 153 Deed Records, McLennan County, Texas.

Tract of land being 1.175 acres out of the John Tucker and W L Swain Surveys, McLennan County, more fully described as FIRST TRACT in deed from John L Burgess and wife Mary C Burgess to McLennan County dated July 2, 1953, recorded in Vol. 724 pg. 154 Deed Records, McLennan County, Texas.

Tract of land being 0.038 acres out of the John Tucker Survey, McLennan County, more fully described in deed from Alvis H Spence and Wilma Spence to McLennan County dated September 2, 1952, recorded in Vol. 706 pg. 275 Deed Records, McLennan County, Texas.

Tract of land being 0.022 acres out of the John Tucker Survey, McLennan County, more fully described in deed from Alvis H Spence and Wilma Spence to McLennan County dated March 28, 1953, recorded in Vol. 718 pg. 387 Deed Records, McLennan County, Texas.

EXHIBIT C

Tract of land being 0.076 acres out of the John Tucker Survey, McLennan County, more fully described in deed from John W Harper and wife Ella Mae Harper to McLennan County dated September 10, 1952 and recorded in Vol. 706 pg. 490, Deed Records, McLennan County, Texas.

Tract of land being 0.049 acres out of the John Tucker Survey, McLennan County, more fully described in deed from John W Harper and wife Ella Mae Harper to McLennan County dated March 26, 1953 and recorded in Vol. 718 pg. 392, Deed Records, McLennan County, Texas.

Tract of land being 0.089 acres out of the John Tucker Survey, McLennan County, more fully described in deed from H M Rickey Trustee to McLennan County dated September 2, 1952 and recorded in Vol. 705 Pg. 449, Deed Records, McLennan County, Texas.

Tract of land being 0.059 acres out of the John Tucker Survey, McLennan County and more fully described in Deed from Charlie Mueller and wife, Helen Mueller to McLennan County dated September 6, 1952 and recorded in Vol. 706 Pg. 277, McLennan County, Texas.

Tract of land being 0.043 acres out of the John Tucker Survey, McLennan County and more fully described in Deed from Charlie Mueller and wife, Helen Mueller to McLennan County dated March 26, 1953 and recorded in Vol. 718 Pg. 391, McLennan County, Texas.

Tract of land being 0.087 acres out of the John Tucker Survey, McLennan County, Texas more fully described in deed from G J Gray and wife Johnnie M Gray to McLennan County dated March 21, 1953 and recorded in Vol. 717 Pg. 346, Deed Records, McLennan County, Texas.

Tract of land being 0.134 acres out of the John Tucker Survey, McLennan County, Texas more fully described in deed from G J Gray and wife Johnnie M Gray to McLennan County dated September 11, 1952 and recorded in Vol. 706 Pg. 500, Deed Records, McLennan County, Texas.

EXHIBIT C

Tract of land being 0.06 acres out of the John Tucker Survey, McLennan County, more fully described as FIRST TRACT in deed from C L Sligh to McLennan County dated March 19, 1953 and recorded in Vol. 717 Pg. 347 Deed Records, McLennan County, Texas.

Tract of land being 0.23 acres out of the John Tucker Survey, McLennan County, Texas more fully described in deed from Dan E Mayfield to McLennan County, Texas dated October 3, 1952 and recorded in Vol. 708 Pg. 180, Deed Records, McLennan County, Texas.

Tract of land being 0.23 acres out of the John Tucker Survey, McLennan County, Texas more fully described in deed from Dan E Mayfield to McLennan County, Texas dated March 26, 1953 and recorded in Vol. 718 Pg. 394, Deed Records, McLennan County, Texas.

Tract of land being 0.04 acres out of the John Tucker Survey, McLennan County more fully described in deed from Jay D Howell to McLennan County dated October 5, 1952 and recorded in Vol. 709 Pg. 451, Deed Records, McLennan County, Texas.

Tract of land being 0.02 acres out of the John Tucker Survey, McLennan County more fully described in deed from Jay D Howell to McLennan County dated March 30, 1953 and recorded in Vol. 718 Pg. 640, Deed Records, McLennan County, Texas.

Tract of land being 0.66 acres out of John Tucker Survey, McLennan County more fully described in deed from Hilton E Howell to McLennan County dated September 6, 1952 and recorded in Vol. 708 Pg. 454 Deed Records, McLennan County, Texas.

Tract of land being 0.41 acres out of John Tucker Survey, McLennan County more fully described in deed from Hilton E Howell to McLennan County dated March 28, 1953 and recorded in Vol. 718 Pg. 386 Deed Records, McLennan County, Texas.

EXHIBIT C

Tract of land being 0.08 acres out of the Tanglewood Addition to the City of Waco more fully described in Deed from R L Covington to McLennan County dated April 29, 1953 and recorded in Vol. 719 Pg. 546, Deed Records, McLennan County, Texas.

Tract of land being 0.24 acres out of the John Tucker Survey, McLennan County more fully described in deed from Ford Egbert to McLennan County dated March 19, 1953 and recorded in Vol. 719 Pg. 265, Deed Records, McLennan County, Texas.

EXHIBIT C

TRACT THREE

All right, title, interest, claim and demand to any portion of FM 1637 beginning at the intersection of US 84 (W Waco Drive) and FM 1637 and running north to include 4th and 5th Street, a portion of Herring Avenue, North 18th Street and North 19th Street to Northwest W Lakeshore Drive as shown on attached map.