

STATE DEPARTMENT OF HIGHWAYS
AND PUBLIC TRANSPORTATION

MINUTE ORDER

Culberson _____ County

Page 1 of 2 Pages

District No. 24

WHEREAS, in CULBERSON COUNTY, Texas, on U. S. HIGHWAY 62-180 (Old State Highway 180), Culberson County purchased in the State's name at no cost to the State certain land needed for highway right of way purposes and a maintenance site for highway purposes, said land being conveyed to the State by instrument of record in Volume 43, Page 228, of the Deed Records of Culberson County, Texas; and

WHEREAS, the United States of America has requested the relocation and replacement of the obsolete Texas Highway Department maintenance camp facility at Pine Springs, Texas, presently on the north edge of U. S. Highway 62-180 and in a scenic area within Guadalupe Mountains National Park, to a new site south of U. S. Highway 62-180 outside the park boundary and near the National Park Service's maintenance and residential facilities; and

WHEREAS, the United States of America, acting by and through the National Park Service, United States Department of the Interior, and the State of Texas, acting by and through the State Highway and Public Transportation Commission, entered into an agreement whereby the United States of America agreed to grant the State the necessary access road easement to provide a suitable access route to the State's new maintenance site, said access road easement being more particularly described in Exhibit A, attached hereto and made a part hereof, in exchange and as full consideration for the State's conveyance to the United States of America of all the State's rights, title and interest in and to the old maintenance site property at such time as all buildings and structures have been removed by the State; and

STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

Culberson County

Page 2 of 2 Pages

District No. 24

MINUTE ORDER

WHEREAS, the relocation of the maintenance site south of U. S. Highway 62-180 and outside the park boundary has been completed by the State and all buildings and structures from the old maintenance site have been removed by the State and the property to be quitclaimed to the United States of America is now surplus to the State's needs for highway or public transportation purposes and is no longer needed for the use of citizens as a road, said surplus land being more particularly described in Exhibit B, attached hereto and made a part hereof; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the State's conveyance of such surplus land, or interest therein, as part or full consideration for other land needed by the State for highway purposes; and

WHEREAS, it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that the State convey all its rights, title and interest in said surplus land to the United States of America in exchange and as full consideration for the conveyance of the needed access road easement to the State of Texas for the use and benefit of the State Department of Highways and Public Transportation;

NOW, THEREFORE, in consideration of the foregoing premises and in accordance with the provisions and within the purview of the aforementioned Statute, it is hereby recommended by the State Highway and Public Transportation Commission, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument quitclaiming all of the State's rights, title and interest in said surplus land to the United States of America, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof.

Submitted by:

[Signature of L.E. Clarke]

(Title) Right of Way Engineer

Examined and recommended by:

[Signature]

Deputy Director

Approved

[Signature of W.G. Moore]

Engineer-Director

Approved:

Commissioner

Minute Number

84589

Commissioner

Date Passed

JUN 25 86

Commissioner

EXHIBIT A

JOINT USE

All that certain twenty two (22) foot strip of land, being a portion of a National Park Service (NPS) Entrance Road, and a National Park Service (NPS) Access Road to a Maintenance Camp, lying in Sections 44 and 45, Block 65, Township 1, Texas and Pacific Railway Co. Survey, Guadalupe Mountains National Park, Culberson County, Texas, said strip of land being eleven (11) feet on either side of the following described centerline:

Beginning at a point on the southerly right-of-way (R/W) line of U. S. Highway 62-180, said point being South $4^{\circ}29'59''$ East - 60.00 feet from U. S. Highway 62-180 Station 977 + 82, said point also being Station 0 + 60 on the centerline of National Park Service (NPS) Entrance Road (Line "A"); thence South $4^{\circ}29'59''$ East, along said centerline, 3.00 feet to the beginning of a tangent curve to the left; thence along said curve, having a radius of 268.87 feet, central angle of $71^{\circ}54'12''$, an arc distance of 337.42 feet (chord bearing South $31^{\circ}27'07''$ East 315.71 feet), to the beginning of compound tangent curve to the left; thence along said curve, having a radius of 875.17 feet, central angle of $17^{\circ}17'22''$, an arc distance of 264.09 feet (chord bearing South $76^{\circ}02'48''$ East 263.09 feet), to a point, said point being Station 6 + 64.51 on the centerline of Entrance Road (Line "A"), said point also being Station 0 + 00 on the centerline of National Park Service (NPS) Maintenance Road (Line "B"); thence South $2^{\circ}35'50''$ West along said centerline of Maintenance Road (Line "B") 292.39 feet to a point, Station 2 + 92.39, said point being the beginning of the entrance to the National Park Service Maintenance Camp Parking Area, and being the terminus of the joint use area.

EXHIBIT A

EXCLUSIVE USE BY THE STATE OF TEXAS

All that certain fifty (50) foot strip of land, being a continuation from the terminus of a National Park Service Maintenance Road to the South Boundary of Guadalupe Mountains National Park, lying and being in Sections 44 and 45, Block 65, Township 1, Texas and Pacific Railway Co. Survey, Guadalupe Mountains National Park, Culberson County, Texas, said strip of land being twenty five (25) feet on either side of the following described centerline:

Beginning at a point in the centerline of a National Park Service Maintenance Road (Station 2 + 92.39), said point bearing South 2°35'50" West 292.39 feet from the intersection of the centerlines of aforesaid Maintenance Road (Station 0 + 00) and a National Park Service Entrance Road (Station 6 + 64.51); thence from said Point of Beginning on a tangent curve to the left having a radius of 90.00 feet, a central angle of 44°42'00", an arc distance of 70.21 feet (chord bearing South 19°48'26" East) 68.63 feet to a point on the south boundary line of Guadalupe Mountains National Park, the terminus of the above described centerline; from said terminus point National Park Service Monument "C" bears North 88°59'33.8" East 554.62 feet, NPS Monument "C" having Texas Central Zone coordinates North 836,680.171, East 610,892.568.

Excepting that portion thereof used for access to a National Park Service Maintenance Camp parking lot

EXHIBIT B

PINE SPRINGS MAINTENANCE SITE NO. 5

Being 0.941 of an acre of land, more or less, out of and a part of Section 44, Block 65, Township 1, Texas and Pacific Railway Company Surveys, said 0.941 of an acre of land being more particularly described by metes and bounds as follows, to-wit:

COMMENCING at a point which marks the common section corner of Sections 40, 41, 44 and 45, Block 65, Township 1, Texas and Pacific Railway Company Surveys, said point being marked as Monument K-76; thence along the common section line of Sections 44 and 45, Block 65, Township 1, South $0^{\circ}10'00''$ East, a distance of 529.10 feet to a point of curvature in the north right of way line of U.S. Highway 62-180; thence 1016.65 feet along the arc of a curve to the right whose central angle is $20^{\circ}46'01''$, whose radius is 2804.93 feet and whose chord bears North $86^{\circ}47'01''$ West, a distance of 1011.10 feet to a point of tangency; thence along said north right of way line of U.S. Highway 62-180 North $76^{\circ}24'00''$ West, a distance of 45.80 feet to the TRUE POINT OF BEGINNING;

THENCE along said north right of way line of U.S. Highway 62-180 North $76^{\circ}24'00''$ West, a distance of 332.10 feet to a point of curvature;

THENCE 160.90 feet along the arc of a curve to the left whose central angle is $7^{\circ}38'33''$, whose radius is 1206.28 feet and whose chord bears North $80^{\circ}13'17''$ West, a distance of 160.78 feet to a point for corner which marks the most westerly corner of said Maintenance Site No. 5;

THENCE along said west boundary North $5^{\circ}57'27''$ East, a distance of 60.00 feet to a point of curvature;

THENCE along the north boundary line 168.91 feet along the arc of a curve to the right whose central angle is $7^{\circ}38'33''$, whose radius is 1266.28 feet and whose chord bears South $80^{\circ}13'17''$ East, a distance of 168.78 feet to a point of tangency;

THENCE along the north boundary line South $76^{\circ}24'00''$ East, a distance of 192.10 feet to a point for corner;

THENCE along the west boundary line North $13^{\circ}36'00''$ East, a distance of 80.00 feet to a point in the north boundary of this aforesaid tract of land;

EXHIBIT B

PINE SPRINGS MAINTENANCE SITE NO. 5 (continued)

THENCE along the north boundary line South $76^{\circ}24'00''$ East, a distance of 140.00 feet to a point which marks the northeast corner of this aforementioned tract of land;

THENCE along the east boundary line South $13^{\circ}36'00''$ West, a distance of 140.00 feet to the TRUE POINT OF BEGINNING, containing an area of 0.941 of an acre of land, more or less.

The above described tract of land being a portion of that tract of land as conveyed by W. M. Glover to the State of Texas by deed dated July 9, 1938, and recorded in Volume 43, Page 228, of the Deed Records of Culberson County, Texas.

Reviewed *[Signature]* 8-20-80

INTEROFFICE MEMORANDUM

TO: Mr. M. G. Goode

FROM: L. E. Clarke *LE*

SUBJECT: Proposed Exchange of Surplus Maintenance Property
for Access Road Easement

Date June 11, 1986

Responsible

Desk D-15

Culberson County
Control 233-1
U. S. Highway 62-180: At Pine Springs

Attached for your approval is a proposed Minute providing for the State's quitclaim of a 0.941 acre portion of the maintenance site located on U. S. Highway 62-180 at Pine Springs, shown in red on the attached print, to the United States of America. The proposed quitclaim is to be in exchange and as full consideration for an access road easement to the State's new 5.928 acre maintenance warehouse facility, shown in blue. The "Joint Use" portion of the road easement, to be jointly used with the National Park Service, is shown in yellow on the attached print and the State's "Exclusive Use" portion of the road easement is shown in green on the sketch. The proposed quitclaim is in accordance with Commission policy.

This conveyance is in accordance with our attached memorandum of September 26, 1980, and as detailed in a Cooperative Agreement with the National Park Service, United States Department of the Interior, executed by the Department on September 29, 1980. The agreement provided that after the new maintenance camp facility was built and occupied, the Department would remove all buildings and structures from the old camp location and quitclaim the old 0.941 acre maintenance site to the United States of America. In exchange, the United States of America would grant an access road easement to the State providing for needed access to the new maintenance site facility. Mr. Battle has advised that the new maintenance facility has been completed and occupied and that the State has removed all of the old camp facilities from the old site, as specified in the agreement. The agreement further provided that the access road easement will be granted contemporaneously with the granting of the State's quitclaim deed to the United States of America. Therefore, Mr. Battle recommends that the surplus 0.941 acre maintenance site be quitclaimed to the United States of America in accordance with the agreement.

Attached is a print showing the land involved, along with a check sheet.

Approval is recommended.

Attachments

INTEROFFICE MEMORANDUM

TO: Mr. A. Henry Pearson Date September 26, 1980

FROM: L. E. Clarke *LEC mg* Responsible

SUBJECT: Proposed Pine Springs Maintenance Site Cooperative Agreement Desk D-15

Culberson County
Control 233-1
U. S. Highway 62-180: At Pine Springs

Attached for your approval is a proposed Cooperative Agreement between the Department and the National Park Service to provide for the State's quitclaiming of a 0.941 acre maintenance site, shown in red on the attached print, to the United States of America. The State's proposed quitclaim will be in exchange and as full consideration for a proposed access road easement to the State's new maintenance site, shown in blue on the print. The "Joint Use" portion of the easement, to be jointly used with the Park Service, is shown in yellow on the print and the State's "Exclusive Use" portion of the easement is shown in green.

The land to be quitclaimed is out of 10.51 acres of land acquired by the County in the State's name at no cost to the State in 1938 ~~for~~ highway right of way purposes and a maintenance site. Of the 10.51 acres acquired by the right of way deed, 0.999 acre of the land was designated for use as a maintenance warehouse site and the remainder was used for U. S. 62-180 right of way purposes. Current field notes indicate that a 0.941 acre portion of the site is being quitclaimed, the remainder being retained in right of way use. By his letter of July 3, 1979, Mr. Battle advised that the National Park Service proposed that our maintenance warehouse site at Pine Springs be relocated to the south side of U. S. Highway 62-180 in order to provide a clear view of the mountains in the Guadalupe National Park for park visitors and passing motorists. In January of 1980, the State completed the purchase of 5.928 acres of land for \$900.00 on the south side of U. S. 62-180 to relocate the maintenance facility; however, the State did not have access to the property since the National Park Service owned the land between the highway and the new maintenance site. This site was selected because it was the only site available that was located at the crest of highway grade and would be most accessible to maintain the highway in both directions in time of ice and snow. Also, during our negotiations to acquire this tract the National Park Service assured us that they would provide the State with access across their property to the new facility should we be successful in purchasing the land. In order to provide a suitable access route to the new maintenance site, the State and the National Park Service entered into a Cooperative Agreement wherein the National Park Service would grant the State an easement described in Exhibit "A", pages 1 and 2, of the contract. In exchange, the State will quitclaim the old 0.941 acre maintenance warehouse site to the United States of America at such time as the new facilities are completed and occupied and the present site becomes surplus to the State's needs. Until such time as the formal exchange can take place, the National Park Service will issue a Special Use Permit for the easement to the State. The contract also covers arrangements for utilities for the new site and removal of all buildings and structures from the old maintenance site when it becomes surplus. File D-18-B has joined us in recommending the proposed exchange.

RECEIVED

SEP 30 1980

D-15

INTEROFFICE MEMORANDUM

TO: Mr. A. Henry Pearson

Date September 26, 1980

FROM: L. E. Clarke

Responsible

SUBJECT: Proposed Pine Springs Maintenance Site Cooperative Agreement **Desk** D-15

-2-

For your ready reference we are attaching a print showing the land involved, a check sheet, the agreement and pertinent correspondence for your ready reference.

Approval is recommended.

Attachments

INTEROFFICE MEMORANDUM

TO: Mr. L. E. Clarke

FROM: B. J. McAdams *BJM*

SUBJECT: Proposed Quitclaim of a 0.94 Acre Surplus Maintenance Site in Exchange for an Access Road Easement

Date June 11, 1986

Responsible

Desk D-15

Culberson County
Control 233-1
U. S. Highway 62-180: At Pine Springs

Based upon an examination of the papers in the attached file, it is concluded that the proposed exchange satisfies the requirements of Article 6673a, V.A.C.S., which authorizes such an exchange.

BJM:sle
Attachments

PROPOSED DISPOSAL
OF SURPLUS LAND

LOCATION:

On U. S. Highway 62-180
_____ in Culberson County

Now surplus because: Maintenance warehouse site relocated

Requested by District Engineer Joe M. Battle and the National Park Service

State's interest in surplus land: Fee title

SERVICE FEE: Not required

FEDERAL HIGHWAY ADMINISTRATION'S APPROVAL: Not required

ORIGIN OF SURPLUS LAND:

Out of 10.51 acres acquired by the County in the State's name at no cost to the State in 1938. The deed recites a \$10.00 consideration and does not reserve minerals. Of the 10.51 acres conveyed, 0.999 acre of the land was designated for a maintenance warehouse site.

PROPOSED ACTION:

Quitclaim of 0.941 acre maintenance warehouse site
to: United States of America. Balance of original conveyance to remain in right of way use.
Market value recommended by District Engineer and approved by File D-15: ---

IN EXCHANGE FOR: Easement for access road to new maintenance warehouse site
_____ acres of _____ from same party
as full consideration plus \$ --- cash _____
for _____ Highway _____ in Culberson County
Market value recommended by District Engineer and approved by File D-15: ---