

STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

Dawson County

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District No. 5

MINUTE ORDER

WHEREAS, in DAWSON COUNTY, Texas, on F. M. 826, the County acquired in the State's name at no cost to the State certain land needed by the State for highway purposes, said land being conveyed to the State by instruments recorded in Volume 106, Page 79, and Volume 106, Page 98, of the Deed Records of Dawson County, Texas; and

WHEREAS, a portion of said land is no longer needed for highway or public transportation purposes or for use of citizens as a road, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, the Commissioners Court of Dawson County, Texas, has, by resolution, requested that the State quitclaim said surplus land to Dawson County, Texas; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the State's quitclaiming to the County the State's rights, title and interest in such surplus land purchased by the County in the State's name; and

WHEREAS, it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that the State quitclaim its rights, title and interest in said surplus land to Dawson County, Texas, in consideration of relieving the State of the responsibility and cost of maintenance of the surplus land and in consideration of the land having been originally purchased by the County in the State's name at no cost to the State; and

WHEREAS, it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that said surplus land be removed from the State Highway System;

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 that the aforementioned surplus land be removed from the Highway System and, subject to approval by the Attorney General, that the Governor of Texas execute a proper instrument quitclaiming the State's rights, title and interest in said surplus land to Dawson County, Texas, 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 M. H. Gooder]

Engineer-Director

Approved:

Commissioner

Minute Number

84591

Commissioner

Date Passed

JUN 25 86

Commissioner

EXHIBIT A

Dawson County  
Control 1152-1-1  
F. M. 826

Being a 4.30 acres tract of land out of the Northeast Quarter of Section 4, Block 35, T5N, T. & P. R.R. Survey and out of the Southeast Quarter of Section 73, Block 35, T6N, T. & P. R.R. Survey in Dawson County, Texas; and being out of certain properties described in Right-of-Way Deeds from R. D. Randle and Minnie B. Randle, to the State of Texas, dated April 27, 1949, recorded in Volume 106, Page 79, Deed Records of Dawson County, Texas, and from J. M. Strawn, et ux, to the State of Texas, dated April 25, 1949, recorded in Volume 106, Page 98, Deed Records of Dawson County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a point being the Northeast corner of said Section 4, Block 35, said point lying on the east line of said tract;

- 1) THENCE NORTH  $15^{\circ} 03'$  West along the east line of said Section 73, Block 35, a distance of 40 feet to a point being the northeast corner of said tract;
- 2) THENCE SOUTH  $74^{\circ} 57'$  West along a line parallel to and 40 feet from the south line of said Section 73, Block 35, a distance of 2629.50 feet to a point being the most westerly corner of said tract;
- 3) THENCE SOUTHEASTERLY along a curve to the right having a radius of 1170.83 feet and a chord bearing North  $85^{\circ} 36' 05''$  East for a distance of 435.32 feet corner of said tract;
- 4) THENCE NORTH  $74^{\circ} 57'$  East along a line parallel to and 40 feet from the north line of said Section 4, Block 35, a distance of 2204.14 feet to a point being the southeast corner of said tract;
- 5) THENCE NORTH  $15^{\circ} 03'$  West along the east line of said Section 4, Block 35, a distance of 40 feet to the place of beginning.

## INTEROFFICE MEMORANDUM

TO: Mr. M. G. Goode

FROM: L. E. Clarke 

SUBJECT: Proposed Quitclaim of Surplus Right of Way  
to Dawson County

Date June 11, 1986

Responsible

Desk D-15

Dawson County  
Control 1152-1-1  
F. M. 826: Northeast of the City of Lamesa

Attached for your approval is a proposed Minute providing for removing from the Highway System and for the State's quitclaiming of its interest in a 4.30 acre tract of surplus right of way, shown hatched on the attached sketch, to Dawson County, Texas, as an exception to Commission policy. Under Commission policy, such surplus right of way would normally be sold, giving first priority to the adjoining owner, or it could be exchanged for needed land; however, this Minute is in accordance with the law which authorizes quitclaiming to the County land purchased in the State's name by the County.

The land to be quitclaimed is out of two tracts of right of way totaling 7.015 acres acquired by Dawson County in the State's name at no cost to the State in 1949 for F. M. 826 right of way. Dawson County now proposes to extend the runways and taxiways of Lamesa Municipal Airport, which will require use of a portion of F. M. 826 for the airport expansion. The land to be quitclaimed has been appraised by a State staff appraiser and, based on our review of the appraisal information and the District's recommendation, a value of \$3,200.00 has been established as the value of the State's interest in the 4.30 acre tract. The Dawson County Commissioners Court has, by resolution, advised that the 4.30 acres of land is no longer needed for use of citizens as a road and has requested that the State quitclaim the surplus land to Dawson County, Texas, for the County's use in conjunction with the airport expansion. Mr. Pope has recommended that the 4.30 acre tract of right of way be removed from the Highway System and quitclaimed to Dawson County, Texas, as an exception to policy. D-8 and D-18 have concurred in the proposed disposal.

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

Approval is recommended.

Attachments



**INTEROFFICE MEMORANDUM**

**TO:** Mr. L. E. Clarke  
**FROM:** B. J. McAdams *BJM*  
**SUBJECT:** Proposed Disposal of 4.30 Acres of  
Surplus Right of Way

**Date** June 11, 1986

**Responsible**

**Desk** D-15

Dawson County  
Control 1152-1-1  
F. M. 826: Northeast of the City of Lamesa

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

BJM:sle  
Attachments