

STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

Johnson County

Page 1 of 1 Pages

District No. 2

MINUTE ORDER

WHEREAS, in JOHNSON COUNTY, Texas, on PARK ROAD 21 (Old State Highway 174), certain land needed by the State for right of way purposes was acquired by the County in the State's name at no cost to the State, said land being conveyed to the State by instrument recorded in Volume 357, Page 219, of the Deed Records of Johnson 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 abutting landowners, Nataraj G. Kasal and wife, Mumata N. Kasal, have requested that the State sell all of its rights, title and interest in said surplus land to them for \$3,700.00; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the sale to the abutting landowners of such surplus property originally purchased in the State's name by the County; and

WHEREAS, the State Highway and Public Transportation Commission finds \$3,700.00 to be a fair and reasonable value of the State's rights, title and interest in the surplus land and it is the opinion of the State Highway and Public Transportation Commission that it is proper and correct that the State convey all of its rights, title and interest in the surplus land to Nataraj G. Kasal and wife, Mumata N. Kasal, the abutting landowners, for a cash consideration in the amount of the above determined value;

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 conveying all the State's rights, title and interest in the aforementioned surplus land to Nataraj G. Kasal and wife, Mumata N. Kasal, for a cash consideration of \$3,700.00, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof.

Submitted by:

[Signature of R.E. Clarke]

Examined and recommended by:

[Signature]

(Title) Right of Way Engineer

Approved

Deputy Director

[Signature of M.G. Goode]
Engineer-Director

Approved:

Commissioner
Commissioner
Commissioner

Minute Number
Date Passed

84592

JUN 25 86

Being 2.441 acres of land, more or less situated in the County of Johnson, State of Texas, and being out of the Jackson County School Land Survey, Abstract No. 435, which 2.441 acres of land, more or less, are more particularly described as follows:

BEGINNING at the intersection of the existing Northwesterly right-of-way line of Park Road 21 and the Southerly right-of-way line of Old State Highway 174, said point being North  $30^{\circ} 00'$  West a distance of 1400.0 feet and North  $45^{\circ} 32'$  East a distance of 135.5 feet from the Southwest corner of the Matlock 96 acre 3rd tract, said point also being 50.0 feet Northwesterly of and at right angles to Park Road 21 centerline survey station 348+68.5;

THENCE South  $45^{\circ} 32'$  West a distance of 57.79 feet to a point;

THENCE South  $89^{\circ} 37'$  West a distance of 40.00 feet to a point in the existing Northerly right-of-way line of Old State Highway 174;

THENCE in a Northeasterly direction with said existing Northerly right-of-way line of Old State Highway 174 along the arc of a circular curve to the right having a radius of 613.14 feet and through a central angle of  $60^{\circ} 14'$  a distance of 644.66 feet to a point in said curve whose center bears South  $30^{\circ} 08'$  East;

THENCE North  $60^{\circ} 29'$  East continuing with said existing Northerly right-of-way line of Old State Highway 174 a distance of 934.66 feet to a point in a curve whose center bears South  $43^{\circ} 48'$  East;

THENCE in a Southwesterly direction along the arc of a circular curve to the left having a radius of 2,914.79 feet and through a central angle of  $09^{\circ} 30'$  a distance of 483.63 feet to a point in the existing Southerly right-of-way line of Old State Highway 174;

THENCE South  $60^{\circ} 29'$  West with said existing Southerly right-of-way line of Old State Highway 174 a distance of 457.40 feet to a point, said point being in a curve whose center bears South  $30^{\circ} 08'$  East;

THENCE in a Southwesterly direction continuing with said existing Southerly right-of-way line of Old State Highway 174 along the arc of a circular curve to the left having a radius of 533.14 feet and through a central angle of  $55^{\circ} 55'$  a distance of 520.28 feet to the point of beginning.

The above described tract of land being a portion of that tract of land as conveyed by Richard Matlock to the State of Texas by deed dated May 17, 1947 and recorded in Volume 357, Page 219 of the Deed Records, Johnson County, Texas.

Reviewed

1-29-86

## INTEROFFICE MEMORANDUM

TO: Mr. M. G. Goode  
FROM: L. E. Clarke *LE*  
SUBJECT: Proposed Sale of Surplus Right of Way

Date June 11, 1986

Responsible

Desk D-15

Johnson County  
Control 422-3-20  
Park Road 21 (Old S. H. 174)

Attached for your approval is a proposed Minute providing for the sale of a 2.441 acre tract of surplus right of way, shown hatched on the attached sketch, to Nataraj G. Kasal and wife, Mumata N. Kasal, the abutting landowners, for \$3,700.00. The proposed Minute is in accordance with Commission policy.

This sale is in accordance with our attached memorandum of January 24, 1986. Based upon our review of the appraisal information and the District's recommendation, \$3,700.00 was established as the value of the State's interest in the 2.441 acre tract of surplus right of way. Nataraj G. Kasal and wife, Mumata N. Kasal, the abutting landowners, have offered to buy the surplus land for \$3,700.00 and have furnished a licensed attorney's opinion stating that Nataraj G. Kasal and wife, Mumata N. Kasal, are the abutting landowners. The proposed purchasers have been advised of the rights of any utilities on the land to continue using the land to be declared surplus. Mr. Stone has recommended that the State's interest in the 2.441 acre tract of surplus land be sold to Nataraj G. Kasal and wife, Mumata N. Kasal, for \$3,700.00 and 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

LTC  
RJD  
JH

INTEROFFICE MEMORANDUM

TO: Mr. Byron G. Blaschke

Date January 24, 1986

FROM: L. E. Clarke *LE*

Responsible

SUBJECT: Proposed Sale of Surplus Right of Way

Desk D-15

Johnson County  
Control 422-3-20  
Park Road 21 (Old S. H. 174)

District Engineer J. R. Stone has advised that the State's interest in a 2.441 acre tract of land, shown crosshatched on the attached sketch, is no longer needed for highway or public transportation purposes and has requested to be released to have it appraised so that it may be offered for sale to the abutting landowners. The proposed action is in accordance with Commission policy.

The land proposed to be sold is out of 7.546 acres of land acquired by Johnson County in the State's name at no cost to the State in 1947 for State Highway 174 right of way purposes. Mr. Stone has advised that in 1966 a portion of the highway was realigned and redesignated as Park Road 21, making a 2.441 acre portion of the highway surplus to the Department's needs for highway purposes. The owners of the abutting property have requested that the 2.441 acre tract of right of way be sold to them. Mr. Stone advises that the surplus land is no longer needed for highway or public transportation purposes and recommends the sale to the abutting landowners. The Johnson County Commissioners Court has advised that the land is no longer needed for the use of citizens as a road and has concurred in the proposed sale to the abutting landowners. D-8 and D-18 have concurred in the proposed disposal. Our sale will be subject to the continued rights of existing utilities, if any, as provided by law. With your approval, we will advise the District to proceed with the appraisal of the land so that it may be offered for sale to the abutting landowners.

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

Attachments

APPROVED  
*LE* 1/27/86

RECEIVED  
JAN 27 1986

PROPOSED DISPOSAL  
OF SURPLUS LAND

LOCATION:

On Park Road 21 (Old S. H. 174)  
\_\_\_\_\_ in Johnson County

Now surplus because: Highway realigned

Requested by District Engineer J. R. Stone, Johnson County Commissioners Court and  
the abutting landowners

State's interest in surplus land: Fee title less minerals

SERVICE FEE: We have grantees' commitment to pay appraised value plus service fee.

FEDERAL HIGHWAY ADMINISTRATION'S APPROVAL: Not required

ORIGIN OF SURPLUS LAND:

Out of 7.546 acres acquired from Richard Matlock by the County in the State's  
name at no cost to the State in 1947. The deed to the State did not recite consider-  
ation.

PROPOSED ACTION:

Sale of 2.441 acres of surplus right of way  
to: Nataraj G. Kasal and wife, Mumata N. Kasal, the abutting landowners, for \$3,700.00  
Market value recommended by District Engineer and approved by File D-15: \$3,700.00

IN EXCHANGE FOR:

\_\_\_\_\_ acres of \_\_\_\_\_ from \_\_\_\_\_  
as \_\_\_\_\_ consideration plus \$ \_\_\_\_\_ cash \_\_\_\_\_  
\_\_\_\_\_ for \_\_\_\_\_ Highway \_\_\_\_\_ in \_\_\_\_\_ County

Market value recommended by District Engineer and approved by File D-15: \_\_\_\_\_

## INTEROFFICE MEMORANDUM

**TO:** Mr. L. E. Clarke  
**FROM:** B. J. McAdams   
**SUBJECT:** Proposed Sale of 2.441 Acre Tract of Surplus  
Right of Way

**Date** June 11, 1986

**Responsible**

**Desk** D-15

Johnson County  
Control 422-3-20  
Park Road 21 (Old State Highway 174)

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