

STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION

San Patricio County

Page 1 of 1 Pages

District No. 16

MINUTE ORDER

WHEREAS, in SAN PATRICIO COUNTY, Texas, on INTERSTATE HIGHWAY 37 (Old State Highway 9), certain land was donated to the State for highway purposes at no cost to the State, said land being conveyed to the State by instrument of record in Volume 103, Page 33, of the Deed Records of San Patricio County, Texas; and

WHEREAS, a portion of said land is no longer needed for highway 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, San Patricio County, Texas, has requested that the State sell all of its rights, title and interest in said surplus land to the County for \$3,400.00; and

WHEREAS, Article 6673a, V.A.C.S., authorizes the State's sale to the County of such property originally donated to the State; and

WHEREAS, the State Highway and Public Transportation Commission finds \$3,400.00 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 San Patricio County, Texas, 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 San Patricio County, Texas, for a cash consideration of \$3,400.00, said surplus land being more particularly described in Exhibit A, attached hereto and made a part hereof.

Submitted by:

[Signature of W.R. Clarke]

Examined and recommended by:

[Signature]

(Title)

Right of Way Engineer

Approved

[Signature of M.H. Good]

Engineer-Director

Deputy Director

Approved:

Commissioner

Minute Number

84595

Commissioner

Date Passed

JUN 25 86

Commissioner

EXHIBIT A

San Patricio County
Control 74-5
I. H. 37 (Old S. H. 9)

Field Notes for 1.212 acres out of the Interstate Highway 37 Right of Way which was acquired from Wm. Heuermann and recorded in Volume 103, Page 33 in the Deed Records of San Patricio County and located in the Julian De La Garza Survey A-8 Cubage & Miller Subdivision of the Southeast quarter of the O'Conner Ranch Section 10, San Patricio County, Texas.

Being 1.212 acres of land, more or less, out of the IH 37 Right of Way in the Julian De La Garza Survey A-8 in San Patricio County and being more particularly described as follows:

Beginning at a concrete monument in the West right of way line of Interstate Highway 37, said line being the common line between the right of way for Interstate Highway 37 and Missouri Pacific Railroad right of way, said line bears N. 80° 36' W. a distance of 152.03 feet from Engineer Base Line Station 1167+47.75 [Center Line of West Frontage Road (Old State Highway 9)];

Thence S. 80° 36' E. a distance of 77.63 feet along the common right of way line for IH 37 and the Missouri Pacific Railroad to a point for a corner;

Thence S. 30° 00' E. a distance of 855.19 feet to a point for a corner, said point being the Southeasterly point of said tract of land;

Thence S. 60° 00' W. a distance of 60.00 feet to a point for a corner;

Thence N. 30° 00' W. a distance of 904.47 feet along the common right of way line for IH 37 and the second Heuermann subdivision to a point, said point being the point of beginning and containing 1.212 acres of land, more or less.

INTEROFFICE MEMORANDUM

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

Date June 11, 1986

Responsible

Desk D-15

San Patricio County
Control 74-5
I. H. 37 (Old S. H. 9): At Edroy

Attached for your approval is a proposed Minute providing for the sale of a 1.212 acre tract of surplus right of way, shown crosshatched on the attached sketch, to San Patricio County, Texas, for \$3,400.00. The proposed action is in accordance with our attached memorandum of April 2, 1986, and is in accordance with Commission policy.

The land proposed to be sold is out of an 8.84 acre tract donated to the State in 1932 for right of way for S. H. 9, now I. H. 37, and for construction of an overpass at Edroy. The overpass was never built and Mr. Gutierrez has advised that a 1.212 acre portion of the land is no longer needed for highway or public transportation purposes. The San Patricio County Commissioners Court has, by resolution, advised that the surplus land is no longer needed for use of citizens as a road and has requested that the land be sold to the County for \$3,400.00 as soon as possible, since the community of Edroy is in desperate need of a fresh water supply system and its citizens are now hauling their water. The County has obtained a Federal grant of \$500,000.00 to develop the water supply system. D-8 and D-18 have concurred in the proposed disposal and, based on our review of the appraisal information furnished by an independent fee appraiser, we believe the present market value of the land is \$3,400.00.

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

Approval is recommended.

Attachments

PROPOSED DISPOSAL
OF SURPLUS LAND

LOCATION:

On Interstate Highway 37 (Old S. H. 9): At Edroy
_____ in San Patricio County

Now surplus because: Not used for the purpose for which acquired.

Requested by District Engineer Secundino Gutierrez and San Patricio County

Commissioners Court

State's interest in surplus land: Fee simple title

SERVICE FEE: Not required

FEDERAL HIGHWAY ADMINISTRATION'S APPROVAL: Yes

ORIGIN OF SURPLUS LAND:

Out of 8.84 acres acquired from William Heuermann and wife, Lola M. Heuermann,
by donation in 1932 for right of way for S. H. 9, now I. H. 37, and for construction
of an overpass at Edroy. The overpass was never built.

PROPOSED ACTION:

Sell 1.212 acres of surplus right of way

to: San Patricio County, Texas, for \$3,400.00.

Market value recommended by District Engineer and approved by File D-15: \$3,400.00

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 *BJM*
SUBJECT: Proposed Sale of Surplus Right of Way
to San Patricio County

Date June 11, 1986

Responsible

Desk D-15

San Patricio County
Control 74-5
I. H. 37 (Old S. H. 9): At Edroy

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