

Brian Lee

From: Kent, Kevin <Kevin.Kent@luminant.com>
Sent: Sunday, April 09, 2017 11:52 AM
To: Brian Lee
Cc: Davis, clint (cdavis@fbcmp.org); kwootten@sbcglobal.net
Subject: FBC

Brian – a quick synopsis of the TXDOT right of way –

- At one time the ROW was used by TXDOT for laydown and storage
- FBC has been pursuing the ROW for over 8 years
- ROW consists of multiple tracts making up 5+/- acres
- Title to the ROW is complicated
- TXDOT has declared ROW as surplus
- An appraisal was obtained for fair market value
- FBC is paying TXDOT appraised value for the ROW
- Benefits to FBC
 - Control of property immediately in front of church
 - Allows FBC to move a sign closer to the highway
 - Allows for better lighting and marking of entrances to church.

I may have missed something but I think these are some of the major points. Thanks, Kevin

Thank you,

Kevin Kent,
Monticello/Martin Lake Real Estate Manager
Luminant Mining Company LLC
903.577.5154 Monticello office

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REPLY FOR PROPOSED SALE OF SURPLUS PROPERTY

Titus County
Sale of Surplus Right of Way
SH 49 – Titus County
CSJ 0221-01-053
Tract 3 – 2.4737 acres
Limits: East of Mt. Pleasant Station 122+36.42 to Station 140+29.46

RE: Potential Purchaser – First Baptist Church Mt. Pleasant, TX

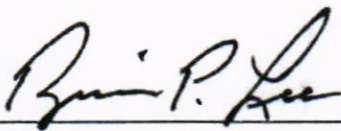
Tammy Hudson,
Right of Way Project Delivery - Atlanta
Texas Department of Transportation
701 E. Main
Atlanta, TX 75551-2418

Dear Tammy:

We have reviewed your email dated March 28, 2017 regarding the proposed Sale of Surplus land as shown on the attached PLAT and labeled Exhibit "A", Tract 3 to First Baptist Church, Mt. Pleasant, TX.

We ARE ARE NOT interested in purchasing this property (circle your interest):

We DO DO NOT object to the land being sold to the abutting property owner since the subject property is no longer needed as highway right-of-way, and is not suitable for conservation, park, public transportation, recreation and/or similar purposes.



Date: April 10, 2017

*Approved in Commissioners' Court
on this date.*



RESOLUTION NO. 2017-03-A

A RESOLUTION OF THE COUNTY COMMISSIONERS OF THE CITY OF MT. PLEASANT, TEXAS AUTHORIZING THE JUDGE TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS, CONCURRING IN THE STATE'S DETERMINATION THAT A PORTION OF THE STATE'S RIGHT-OF-WAY IS NO LONGER NEEDED AS A ROAD AND THAT THE RIGHT-OF-WAY BE QUITCLAIMED IN ACCORDANCE WITH STATE REGULATIONS

WHEREAS, the State of Texas acquired and holds in its own name right-of-way on State Highway 49 as described in Exhibit A attached hereto and made a part hereof, and

WHEREAS, the State of Texas has determined that said right-of-way is no longer needed for construction, maintenance and operation of State Highway 49, and

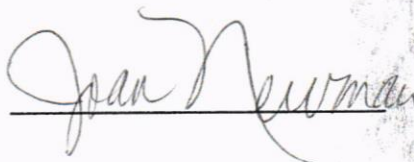
WHEREAS, County Commissioners have studied the public need for said right-of-way and determined that said right-of-way is no longer needed by the citizens as a road for public transportation purposes, and is not suitable for conservation, park, recreation and/or similar purposes.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSIONERS OF MT. PLEASANT, TX:

1. That the State's right-of-way shown on the attached Exhibit A is no longer needed by The citizens as a road and is not suitable for conservation, park, public transportation, Recreation or similar purposes;
2. That the County of Mt. Pleasant concurs in the State's plan to dispose of the right-of-way in accordance with the established laws and regulations of the State of Texas.

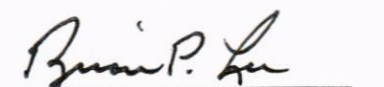
PASSED AND APPROVED BY THE COUNTY COMMISSIONERS OF THE CITY OF MT. PLEASANT, TEXAS on this 10 day of April, 2017.

ATTEST:


Joan Newman

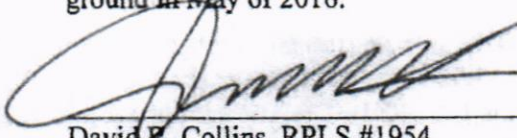


APPROVED:


Brian P. Lee
Titus County Judge

COUNTY: TITUS
HIGHWAY: STATE HIGHWAY No. 49
CCSJ NO. 0222-01-025
RCSJ NO. 0222-01-053
LIMITS:
FROM: East of Mt. Pleasant
Station 122+00.00
TO: Station 145+00.00

I, David R. Collins, Registered Professional Land Surveyor, do hereby certify that these field notes and corresponding plat are true and correct according to a survey made by me, upon the ground in May of 2016.


David R. Collins, RPLS #1954
MAY 3, 2016



SURPLUS RIGHT-OF-WAY TRACT 3

Being 2.4737 of an acre of land located in the Daniel McCall Survey, A-357, in Titus County, Texas, being a part of the existing right-of-way of State Highway No. 49 (No Deeds of Record Found), and previously designated as State Highway No. 35, as shown on Construction Plans dated 1920, Federal Aid Project 227, CSJ 0222-01-002, contracted March, 1921, and completed February, 1922, said 2.4737 acres of land being more particularly described by metes and bounds as follows:

COMMENCING at a 3/4" Iron Rod Found for an angle point in the East boundary line of a called 49.40 acre tract of land conveyed to First Baptist Church Mount Pleasant, Texas, by Warranty Deed recorded in Volume 1694, Page 190, of the Deed Records of Titus County, Texas;

- (1) **THENCE:** S 05°38'12" W generally along a fence and with the East boundary line of said called 49.40 acre tract a distance of 979.96 feet to a TXDOT Type II Concrete Right-of-Way Monument with Bronze Disk Set to replace a 3/4" Iron Rod Found at the intersection of the existing and proposed North right-of-way line of State Highway No. 49, for the Southeast corner of said called 49.40 acre tract and **POINT OF BEGINNING** of the herein described tract, said corner being 180.94 feet left of and at a right angle from the existing Survey Centerline of State Highway No. 49, hereinafter referred to as the "Survey Centerline" at Station 140+75.19 and being located at Texas State Plane Coordinate System NAD83 (2011), North Central Zone (4202) coordinates of 7,117,312.1796 North and 3,061,219.1352 East, from which a TxDOT Type II Concrete Right-of-Way Monument Set being 177.30 feet left of and at a right angle from Survey Centerline Station 141+09.86 bears S 65°06'48" E a distance of 35.12 feet;
- (2) **THENCE:** N 77°01'36" W with the proposed North Right-of-Way line of said State Highway a distance of 436.02 feet to a TXDOT Type II Concrete Right-of-Way Monument with Bronze Disk Set in the North boundary line of a called 12.959 acre tract conveyed to the State of Texas by Warranty Deed recorded in Volume 386, Page 837, of said Deed Records, and also recorded in Volume 387, Page 134, of said Deed Records, for an angle point in the South boundary line of this tract being 140.00 feet left of and at a

EXHIBIT "A"

right angle from Survey Centerline Station 136+44.12;

- (3)**THENCE:** N 65°06'48" W with said North boundary line a distance of 211.10 feet to a 5/8" Iron Rod Set for a corner at the beginning of a curve being 166.91 feet left of and at a right angle from Survey Centerline Station 134+36.13;
- (4)**THENCE:** in a Northwesterly direction continuing with the North boundary line of said called 12.959 acre tract, an arc distance of 309.56 feet along said curve to the left whose radius is 1105.92 feet, whose central angle is 16°02'16" and whose long chord is N 73°07'55" W a distance of 308.55 feet to a 5/8" Iron Rod Set for an angle point being 166.64 feet left of and at a right angle from Survey Centerline Station 131+29.81;
- (5)**THENCE:** S 03°18'49" E a distance of 10.23 feet to a 5/8" Iron Rod Set for an angle point being 157.02 feet left of and at a right angle from Survey Centerline Station 131+33.26;
- (6)**THENCE:** in a Northwesterly direction, continuing with the North boundary line of said called 12.959 acre tract, an arc distance of 74.11 feet along a curve to the left whose radius is 1095.92 feet, whose central angle is 03°52'29" and whose long chord is N 82°58'32" W a distance of 74.10 feet to a 5/8" Iron Rod Set for an angle point being 144.88 feet left of and at a right angle to Survey Centerline Station 130+60.64;
- (7)**THENCE:** N 84°54'48" W continuing with the North boundary line of said called 12.959 acre tract a distance of 126.23 feet to a 5/8" Iron Rod Set for an angle point in the intersection of said North boundary line and said proposed North right-of-way line being 120.52 feet left of and at a right angle from Survey Centerline Station 129+37.49;
- (8)**THENCE:** N 74°37'51" W a distance of 47.88 feet with the North boundary line of said called 12.959 acre tract and said proposed North Right-of-Way line, to a TXDOT Type II Concrete Right-of-Way Monument with Bronze Disk Set for an angle point being 120.00 feet left of and at a right angle from Survey Centerline Station PC 128+89.96;
- (9)**THENCE:** N 75°50'09" W a distance of 216.34 feet with said proposed North right-of-way line to a 5/8" Iron Rod Set for the Southwest corner of this tract in the East boundary line of a called 0.333 of an acre tract of land conveyed from the W. A. Greathouse Estate to The State of Texas, by Right of Way Deed dated August 10, 1952, and recorded in Volume 197, Page 396, of said Deed Records, said corner being 113.31 feet left of and at a right angle from Survey Centerline Station 126+73.62;
- (10)**THENCE:** N 05°05'12" E a distance of 57.32 feet with the East boundary line of said 0.333 of an acre tract and the East boundary line of a called 0.333 of an acre tract of land conveyed from the Henderson Estate to The State of Texas, by Right of Way Deed dated January 20, 1953, and recorded in Volume 198, Page 91, of the Deed records of Titus County, Texas, to a 5/8" Iron Rod Set for the Northwest corner of this tract in the existing North right-of-way line of State Highway No. 49, being 169.61 feet left of and at a right angle from Survey Centerline Station 126+62.83, from which a 5/8" Iron Rod Set for a

EXHIBIT "A"

corner and being 179.43 feet left of and at right angle from Survey Centerline Station 126+60.95 bears N 05°05'12" E a distance of 10.00 feet;

(11)**THENCE:** S 84°54'48" E a distance of 386.98 feet along said existing North right-of-way line to a 5/8" Iron Rod Set for an angle point at the beginning of a curve, said angle point being 242.96 feet left of and at a right angle from Survey Centerline Station 130+41.29, from which a 5/8" Iron Rod Found with yellow cap marked DC&A bears N 74°57'04" W a distance of 29.53 feet;

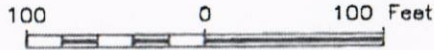
(12)**THENCE:** in a Southeasterly direction continuing along said existing North right-of-way line, an arc distance of 413.27 feet along a curve to the right whose radius is 1195.92, whose central angle is 19°48'00", and whose long chord is S 75°00'48" E a distance of 411.22 feet to a 5/8" Iron Rod Set for an angle point being 256.14 feet left of and at a right angle from Survey Centerline Station 134+47.88, from which a 1/2" Iron Rod Found with red cap marked SAXON RPLS 5669 bears N 74°21'48" W a distance of 26.20 feet;

(13)**THENCE:** S 65°06'48" E a distance of 637.73 feet to the **POINT OF BEGINNING**, containing 2.4737 acres of land, more or less.

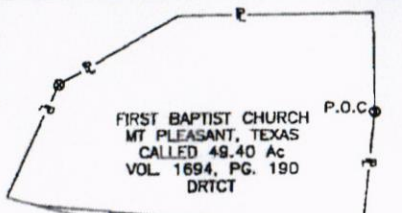
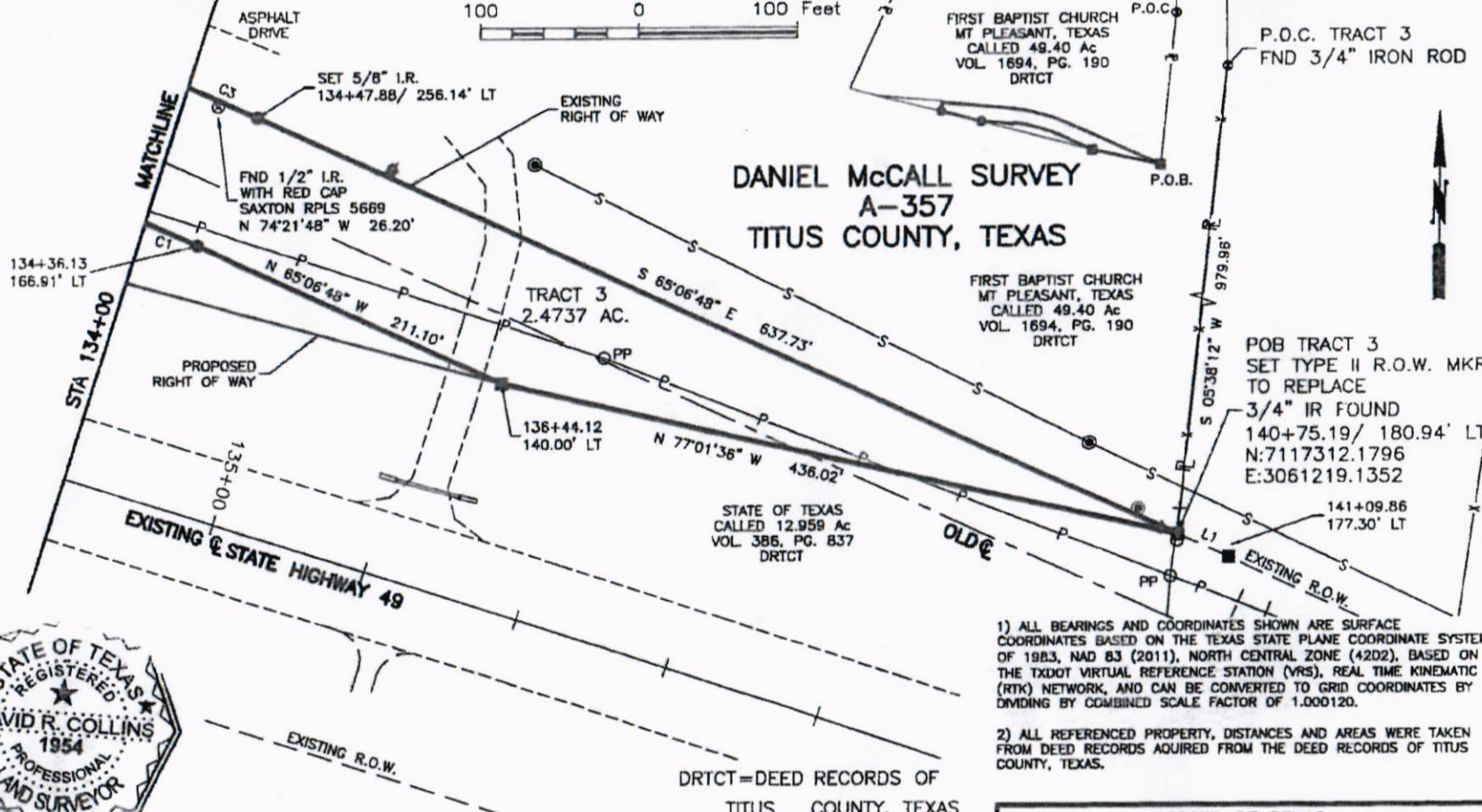
All bearings, distances, and coordinates shown are surface coordinates based upon the Texas State Plane Coordinate System of 1983, NAD83 (2011), North Central Zone (4202), based on the TxDOT Virtual Reference Station (VRS), Real Time Kinematic (RTK) Network, and can be converted to grid coordinates by dividing a combined scaled factor of 1.000120.

LINE DISTANCE BEARING
L1 35.12' S 65°06'48" E

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	1105.92	16°02'16"	309.56	155.80	N 73°07'55" W	308.55
C3	1195.92	19°48'00"	413.27	208.72	S 75°00'48" E	411.22



SCALE: 1" = 100'



**DANIEL McCALL SURVEY
A-357
TITUS COUNTY, TEXAS**

FIRST BAPTIST CHURCH
MT PLEASANT, TEXAS
CALLED 49.40 Ac
VOL. 1694, PG. 190
DRTCT

P.O.C. TRACT 3
FND 3/4" IRON ROD

POB TRACT 3
SET TYPE II R.O.W. MKR
TO REPLACE
3/4" IR FOUND
140+75.19/ 180.94' LT
N:7117312.1796
E:3061219.1352

STATE OF TEXAS
CALLED 12.959 Ac
VOL. 386, PG. 837
DRTCT

1) ALL BEARINGS AND COORDINATES SHOWN ARE SURFACE COORDINATES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, NAD 83 (2011), NORTH CENTRAL ZONE (42D2), BASED ON THE TXDOT VIRTUAL REFERENCE STATION (VRS), REAL TIME KINEMATIC (RTK) NETWORK, AND CAN BE CONVERTED TO GRID COORDINATES BY DIVIDING BY COMBINED SCALE FACTOR OF 1.000120.

2) ALL REFERENCED PROPERTY, DISTANCES AND AREAS WERE TAKEN FROM DEED RECORDS ACQUIRED FROM THE DEED RECORDS OF TITUS COUNTY, TEXAS.

DRTCT=DEED RECORDS OF
TITUS COUNTY, TEXAS



I, DAVID R. COLLINS, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT AND CORRESPONDING DESCRIPTION IS TRUE AND CORRECT ACCORDING TO A SURVEY MADE UPON THE GROUND MAY 4, 2016

David R. Collins
DAVID R. COLLINS, R.P.L.S. #1954

EXHIBIT "A"
PAGE 5 OF 5

LEGEND

- TYPE II (CONCRETE) R.O.W. MARKER WITH BRONZE DISK SET
- TYPE I (CONCRETE) R.O.W. MARKER
- SET 5/8" IRON ROD
- ⊗ IRON ROD (FOUND)
- X— BARBED WIRE FENCE
- PROPOSED R.O.W. LINE

STATE OF TEXAS
SURPLUS RIGHT-OF-WAY
TRACT # 3
2.4737 AC.
STATE HIGHWAY NO 49
STA. 126+62.83 TO STA. 140+75.19
CCSJ No. 0222-01-025
RCSJ No. 0222-01-053
TITUS COUNTY, TEXAS

COLLINS SURVEYING & MAPPING, INC.
910 Judson Road, Longview, Texas 75601
Phone: (903) 234-8051
Firm License No. 10023000

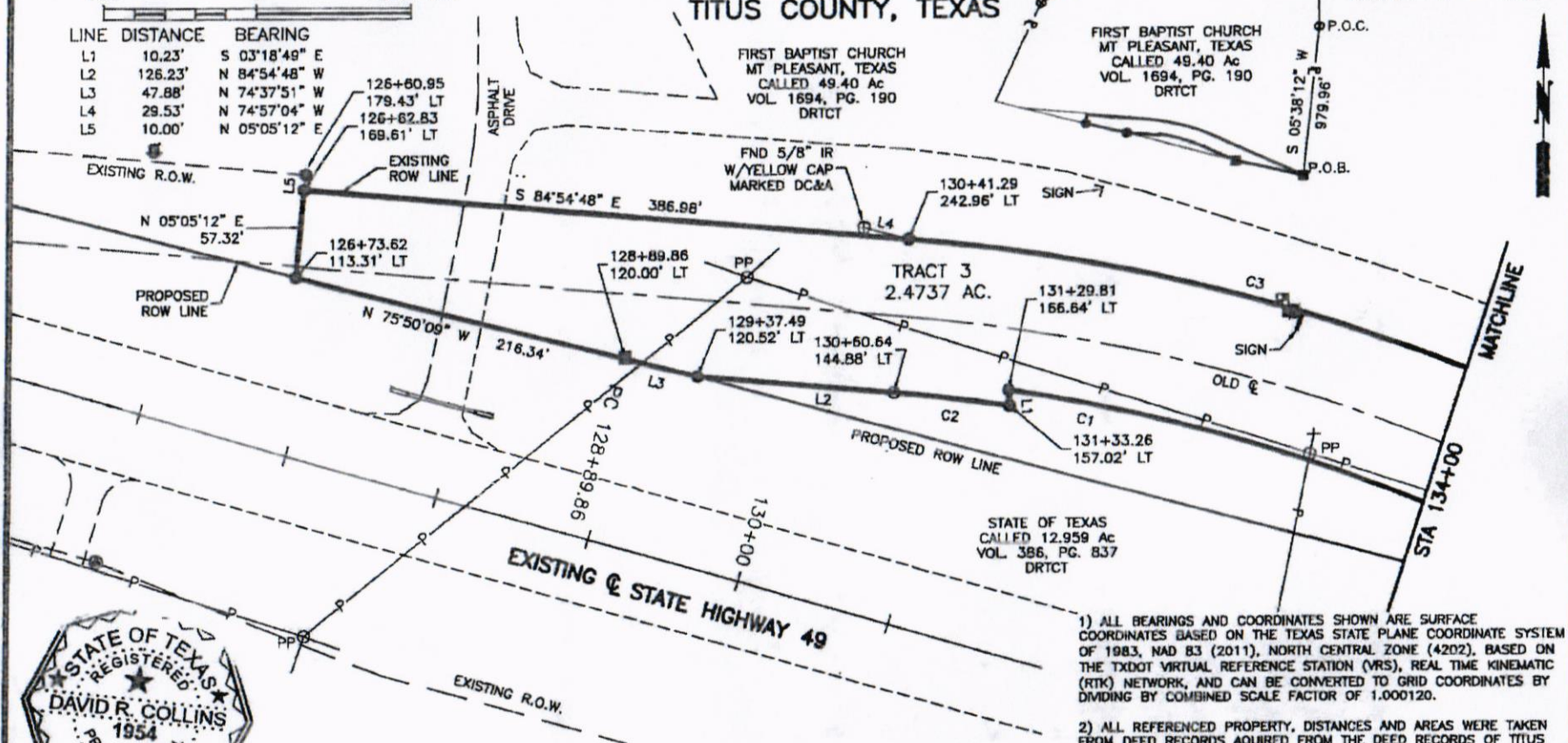
JOB # TXDOT4525 DWG.# SH49-T3

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C1	1105.92	16°02'16"	309.56	155.80	N 73°07'55" W	308.55
C2	1095.92	03°52'29"	74.11	37.07	N 82°58'32" W	74.10
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100	0	0	100 Feet			

DANIEL McCALL SURVEY A-357 TITUS COUNTY, TEXAS

SCALE: 1" = 100'

LINE	DISTANCE	BEARING
L1	10.23'	S 03°18'49" E
L2	126.23'	N 84°54'48" W
L3	47.88'	N 74°37'51" W
L4	29.53'	N 74°57'04" W
L5	10.00'	N 05°05'12" E



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