



Texas Department of Transportation

125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

January 24, 2019

COUNTY JUDGE
RECEIVED

JAN 28 2019

RE: Potential Sale of State-Owned Property
Texas Department of Transportation
+/- 1.8939 acres
East Corner of Darst Road
Beasley, TX 77417

VIA FEDERAL EXPRESS

Honorable KP George
301 Jackson Street
Richmond, TX 77469

Dear Priority Holder,

The Houston District of the Texas Department of Transportation ("TxDOT") has determined that the above described property is no longer needed for state highway purposes. A copy of the survey of the property is enclosed. In accordance with Texas Transportation Code, Section 202.021, governmental entities with the authority to condemn real property have priority right to purchase TxDOT property that is sold and this letter is a notice of your priority right to purchase the above described property.

The purchase price for this property is \$18,939 (Eighteen Thousand Nine Hundred Thirty-Nine dollars and no/100), plus survey costs, appraisal costs, and any additional incurred closing costs, including the cost of any owner's title policy you may require.

In order to exercise your priority, within thirty (30) days of the receipt of this letter, please provide TxDOT with a written statement of your entity's intent to purchase the property on these terms. Please forward a copy of the statement to:

Mr. Jess Berglund
Right of Way Division
118 Riverside Drive
Austin, Texas 78704

Or by email to: Jess.Berglund@txdot.gov.

This transaction is subject to change or cancellation by TxDOT. Furthermore, the conveyance will be made subject to any easements for access to a right of way, implied or otherwise, appurtenant to any and all properties abutting the property being sold. If the above does not receive a copy of the statement exercising the priority right within thirty (30) days after your receipt of this letter, TxDOT will consider your priority right to purchase the property to be waived. If the priority holder is not interested in the property TxDOT would appreciate it if you would return the enclosed Waiver of Priority Purchase Right prior to the automatic 30-day waiver.

If you have any questions concerning this matter, please contact Jess Berglund at (512) 486-5883 or at Jess.Berglund@txdot.gov.

Sincerely,

Jess Berglund

Real Estate Management Analyst
Right of Way Division

CC: Quincy D. Allen, P.E., District Engineer, Houston District
Mark Sumrall, Section Director, Right of Way Division
Jim Teltschik, Project Delivery Supervisor, Houston

OUR VALUES: People • Accountability • Trust • Honesty

MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer

Waiver of Priority Purchase Right

RE: Offer to Sell State-Owned Property
Texas Department of Transportation
+/- 1.0376 acres
West Corner of Darst Road
Beasley, TX 77417

Jess Berglund
Real Estate Management and Development Division
Texas Department of Transportation
118 Riverside Drive
Austin, Texas 78704

Dear Mr. Berglund:

We have reviewed TxDOT's letter dated January 24, 2019 regarding the proposed sale of the above referenced property.

The Priority Holder IS NOT interested in purchasing this property.

The Priority Holder WAIVES the priority right to purchase this property.

Sincerely,

_____[Signature]

_____[Name]

_____[Title]

_____[Entity Name]

Date: _____, 20__

EXHIBIT "A"

County: Fort Bend
Highway: U.S. 59
Project Limits: West Darst Rad to FM 360
RCSJ: 0089-09-075

Property Description for Tract 30

Being a 1.8939-acre tract of land (82,499 square feet) same being all of that called 1.894-acre parcel of land (Parcel 30) conveyed by R.M. Darst, Individually and as Independent Co-Executor of the Estate of Pearle R. Darst, Deceased; Annie Jackson Darst; Judith Darst Ferguson, Individually and as Independent Executrix of the Estate of Anida Darst Robinson, Deceased; Joe Clyde Wessendorff, Trustee under the Will of Anida Darst Robinson, Deceased; and William B. Ransom, Independent Co-Executor of the Estate of Pearle R. Darst, Deceased to the State of Texas recorded in Volume 513, Page 730 Fort Bend County Deed Records, in the Isaac McGary Survey, Abstract 58, Fort Bend County, Texas, said 1.8939-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with cap stamped "SAM LLC" found in the southerly right-of-way line of Gin Road (60 feet wide by prescriptive rights, no recorded information found) and the northerly right-of-way line of the Southern Pacific Rail Road (100-foot width).

THENCE, North 26°19'59" West, a distance of 60.85 feet to a 5/8-inch iron rod with cap stamped "SAM LLC" found in the common line of a called 798.661 acre tract described as Parcel 1 in deed to Texas Mexican Railway Company recorded under Fort Bend County Clerk's File Number 2005152654 of the Official Public Record, in the northerly right-of-way of said Gin Road (60 feet wide);


THENCE, North 53°54'18" East, a distance of 155.17 feet to a 5/8-inch iron rod with cap stamped "SAM LLC" found, in the northerly right-of-way line of said Gin Road (60 feet wide), and the easterly right-of-way line of West End Tavener Road (50 feet wide by prescriptive rights, no recorded information found), marking the south corner of said Parcel 30 and the herein described tract of land, having surface coordinates of X=2,929,149.71 and Y=13,728,755.93 (all bearings and coordinates are based on NAD83 (1993 Adjustment), Texas Coordinate System, South Central Zone. All distances and coordinates shown are surface and may be converted to grid by multiplying a combined adjustment factor of 0.999870);

- 1) **THENCE**, North 32°51'06" West, a distance of 691.36 feet along the west right-of-way line of said West End Tavener Road to a 5/8-inch iron rod with cap stamped "SAM LLC" found marking a westerly south corner of a called 798.661 acre tract described as Parcel 1 in a deed to Texas Mexican Railway Company recorded under Fort Bend County Clerk's File Number 2005152654 of the Official Public Record, being the west corner of the herein described tract;

EXHIBIT "A"

- 2) **THENCE**, North 57°08'54" East, a distance of 80.00 feet to a 5/8-inch iron rod with cap stamped "SAM LLC" found at an interior corner of said called 798.661 acre tract marking the north corner of the herein described tract;
- 3) **THENCE**, South 39°30'52" East, a distance of 686.95 feet along the common line of said called 798.661 acre tract and said Parcel 30, to a 5/8-inch iron rod with cap stamped "SAM LLC" found in the northerly right-of-way line of said Gin Road marking a southerly corner of said called 798.661 acre tract, being the east corner of the herein described tract;
- 4) **THENCE**, South 53°54'18" West, a distance of 159.96 feet along the northerly right-of-way line of said Gin Road to the **POINT OF BEGINNING** and containing 1.8939 acres (82,499 Square Feet).

I, Kevin Drew McRae, a Registered Professional Land Surveyor, hereby certify that the property description hereon and the accompanying plat of even date represent an actual survey made on the ground under my supervision.


Kevin Drew McRae, R.P.L.S.
Texas Registration No. 5485

4/4/2018
DATE



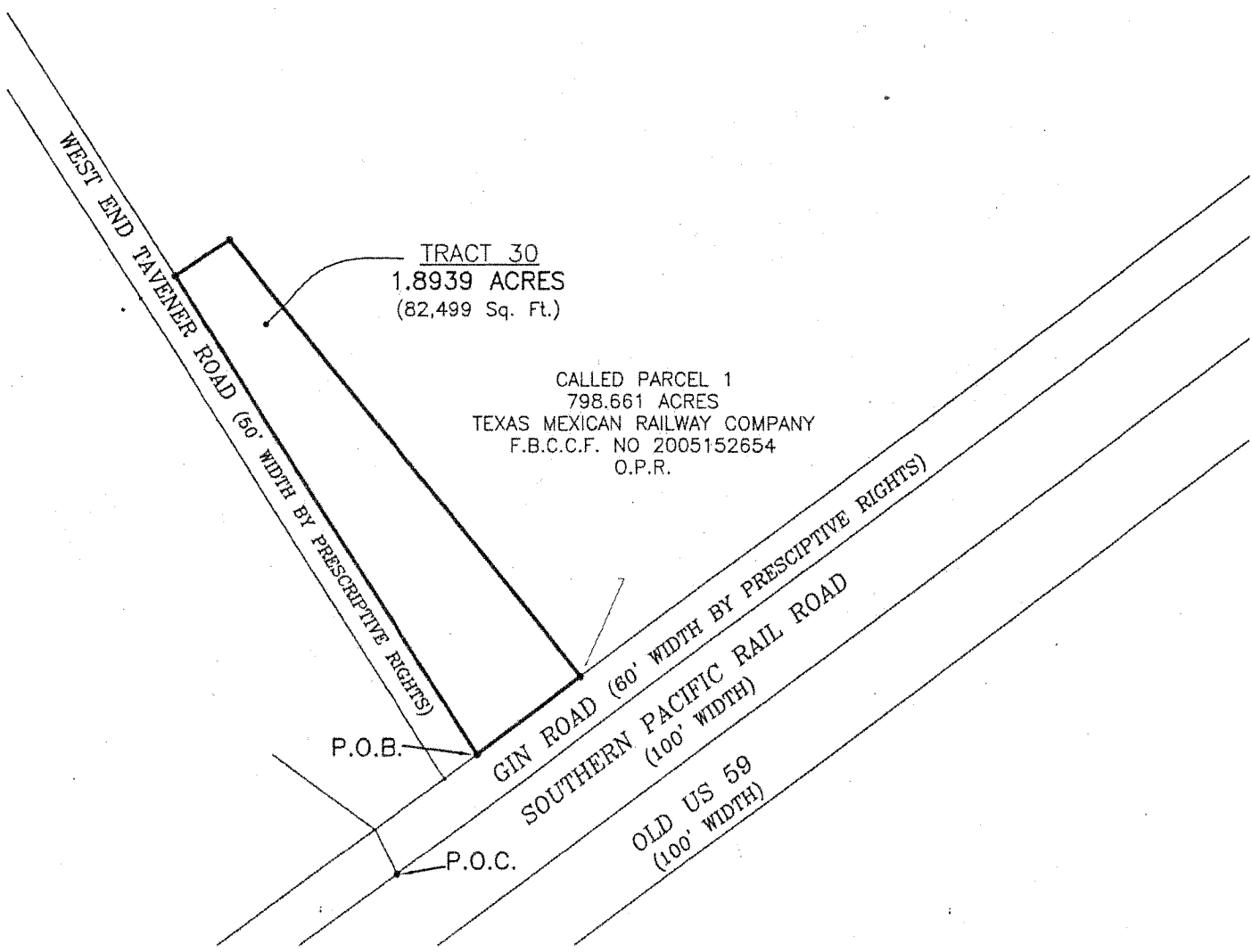


GENERAL NOTES:

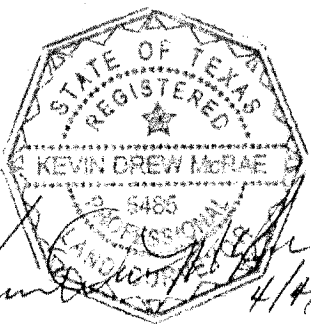
A PROPERTY DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.

ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 1993 ADJUSTMENT. ALL COORDINATES AND DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.999870.

	EXISTING	REMAINING	TAKING
TR. 30	1.8939 AC.	1.8939 AC.	0.0000 AC.
TR. 30	82,499 SQ.FT.	82,499 SQ.FT.	0.0000 SQ.FT.



TRACT 30
LEFT OF STA. 154+16.25 TO STA. 155+51.98



PARCEL PLAT
SHOWING PROPERTY OF
ROW CSJ: 0089-09-075

FORT BEND COUNTY
FEBRUARY 28, 2018

SHEET 3 OF 4

SCALE: 1" = 200'

Z:\KM SURVEY\KM PROJECTS\0600-F\0603-FORT BEND COUNTY\DRAWINGS\0603-1601PES101-R2 By

ISAAC McGARY SURVEY
A-58

GENERAL NOTES:

A PROPERTY DESCRIPTION OF EVEN DATE HERewith ACCOMPANIES THIS PLAT

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 1993 ADJUSTMENT. ALL COORDINATES AND DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.999870.

TRACT 30
1.8939 ACRES
(82,499 Sq. Ft.)
PARCEL 30
1.894 AC
STATE OF TEXAS
VOL. 513, PG. 730
F.B.C.D.R.

CALLED PARCEL 1
798.661 ACRES
TEXAS MEXICAN RAILWAY
COMPANY
F.B.C.C.F. NO 2005152654
O.P.R.

CALLED PARCEL 28
0.502 AC
STATE OF TEXAS
VOL. 501, PG. 76
F.B.C.D.R.

CALLED PARCEL 1
798.661 ACRES
TEXAS MEXICAN RAILWAY
COMPANY
F.B.C.C.F. NO 2005152654
O.P.R.

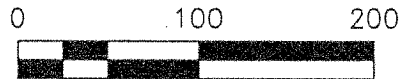
CALLED PARCEL 27
0.411 AC
STATE OF TEXAS
VOL. 501, PG. 284
F.B.C.D.R.

P.O.B. TRACT 30
FND 5/8" IR
W/"SAM LLC" CAP
Y:13,728,755.93
X:2,929,149.71

P.O.C.
FND 5/8" IR
W/"SAM LLC" CAP

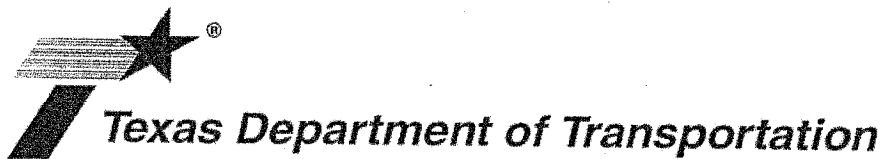
FND PK NAIL
IN ASPHALT
W/"SAM LLC" SHINER

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N57°08'54"E	80.00'
L2	S53°54'18"W	159.96'
L3	N26°19'59"W	60.85'
L4	N53°54'18"E	155.17'



PARCEL PLAT
SHOWING PROPERTY OF
TRACT 30
ROW CSJ: 0089-09-075
FORT BEND COUNTY
FEBRUARY 28, 2018
SHEET 4 OF 4
SCALE: 1" = 100'

Z:\K.M. SURVEY\KM. PROJECTS\0600-E\0603-FORT BEND COUNTY\DRAWINGS\0603-1601\PRST01-R2 BY:-----



125 EAST 11TH STREET, AUSTIN, TEXAS 78701-2483 | 512.463.8588 | WWW.TXDOT.GOV

January 24, 2019

RE: Potential Sale of State-Owned Property
Texas Department of Transportation
+/- 1.0376 acres
West Corner of Darst Road
Beasley, TX 77417

VIA FEDERAL EXPRESS

Honorable KP George
301 Jackson Street
Richmond, TX 77469

Dear Priority Holder,

The Houston District of the Texas Department of Transportation ("TxDOT") has determined that the above described property is no longer needed for state highway purposes. A copy of the survey of the property is enclosed. In accordance with Texas Transportation Code, Section 202.021, governmental entities with the authority to condemn real property have priority right to purchase TxDOT property that is sold and this letter is a notice of your priority right to purchase the above described property.

The purchase price for this property is \$10,376 (Ten Thousand Three Hundred Seventy-Six dollars and no/100's), plus survey costs, appraisal costs, and any additional incurred closing costs, including the cost of any owner's title policy you may require.

In order to exercise your priority, within thirty (30) days of the receipt of this letter, please provide TxDOT with a written statement of your entity's intent to purchase the property on these terms. Please forward a copy of the statement to:

Mr. Jess Berglund
Right of Way Division
118 Riverside Drive
Austin, Texas 78704

Or by email to: Jess.Berglund@txdot.gov.

This transaction is subject to change or cancellation by TxDOT. Furthermore, the conveyance will be made subject to any easements for access to a right of way, implied or otherwise, appurtenant to any and all properties abutting the property being sold. If the above does not receive a copy of the statement exercising the priority right within thirty (30) days after your receipt of this letter, TxDOT will consider your priority right to purchase the property to be waived. If the priority holder is not interested in the property TxDOT would appreciate it if you would return the enclosed Waiver of Priority Purchase Right prior to the automatic 30-day waiver.

If you have any questions concerning this matter, please contact Jess Berglund at (512) 486-5883 or at Jess.Berglund@txdot.gov.

Sincerely,

Jess Berglund

Real Estate Management Analyst
Right of Way Division

CC: Quincy D. Allen, P.E., District Engineer, Houston District
Mark Sumrall, Section Director, Right of Way Division
Jim Teltschik, Project Delivery Supervisor, Houston

OUR VALUES: People • Accountability • Trust • Honesty

MISSION: Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.

An Equal Opportunity Employer

Waiver of Priority Purchase Right

RE: Offer to Sell State-Owned Property
Texas Department of Transportation
+/- 1.0376 acres
West Corner of Darst Road
Beasley, TX 77417

Jess Berglund
Real Estate Management and Development Division
Texas Department of Transportation
118 Riverside Drive
Austin, Texas 78704

Dear Mr. Berglund:

We have reviewed TxDOT's letter dated January 24, 2019 regarding the proposed sale of the above referenced property.

The Priority Holder IS NOT interested in purchasing this property.

The Priority Holder WAIVES the priority right to purchase this property.

Sincerely,

_____ [Signature]

_____ [Name]

_____ [Title]

_____ [Entity Name]

Date: _____, 20__

EXHIBIT "A"

County: Fort Bend
Highway: U.S. 59
Project Limits: West of Darst Road to FM 360
RCSJ: 0089-09-075

Property Description for Tract 29

Being a 1.0376-acre (45,198 square feet) tract of land, same being all of that called 0.411-acre parcel of land conveyed by Leona L. Knapp, a widow, Rudolph Braxton and wife, Frances W. Braxton to the State of Texas described as Parcel 27 as per deed recorded in Volume 501, Page 284 Fort Bend County Deed Records (F.B.C.D.R.), all of that called 0.502-acre parcel of land conveyed by Rudolph Braxton and wife, Frances W. Braxton to the State of Texas described as Parcel 28 as per deed recorded in Volume 501, Page 76 Fort Bend County Deed Records (F.B.C.D.R.), and all of that called 0.124-acre parcel of land conveyed by R.M. Darst, Individually and as Independent Co-Executor of the Estate of Pearle R. Darst, Deceased; Annie Jackson Darst; Judith Darst Ferguson, Individually and as Independent Executrix of the Estate of Anida Darst Robinson, Deceased; Joe Clyde Wessendorff, Trustee under the Will of Anida Darst Robinson, Deceased; and William B. Ransom, Independent Co-Executor of the Estate of Pearle R. Darst, Deceased to the State of Texas described as Parcel 29 as per deed recorded in Volume 513 Page 724 Fort Bend County Deed Records (F.B.C.D.R.), and located in the Isaac McGary Survey, Abstract 58, Fort Bend County, Texas, said 1.0376-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with cap stamped "SAM LLC" found in the southerly right-of-way line of Gin Road (60 feet wide by prescriptive rights, no recorded information found) and the northerly right-of-way line of the Southern Pacific Rail Road (100-foot width).

THENCE, North 26°19'59" West, 60.85 feet to a 5/8-inch iron rod with cap stamped "SAM LLC" found in the common line of a called 798.661 acre tract described as Parcel 1 in deed to Texas Mexican Railway Company recorded under Fort Bend County Clerk's File Number 2005152654 of the Official Public Record, in the northerly right-of-way of said Gin Road (60 feet wide), marking the south corner and **POINT OF BEGINNING** of the herein described tract of land, having surface coordinates of X=2,929,024.27 and Y=13,728,664.42 (all bearings and coordinates are based on NAD83 (1993 Adjustment), Texas Coordinate System, South Central Zone. All distances and coordinates shown are surface and may be converted to grid by multiplying a combined adjustment factor of 0.999870);

- 1) **THENCE**, North 26°19'59" West, a distance of 704.73 feet along the common line of said called 798.661 acre tract, said Parcel 27, said Parcel 28 and said Parcel 29, to a 5/8-inch iron rod with cap stamped "SAM LLC" found for the northeast corner of the herein described tract of land;
- 2) **THENCE**, North 57°08'54" East, a distance of 25.00 feet to a 5/8-inch iron rod with cap stamped "SAM LLC" found in the westerly right-of-way line of West End Tavener Road (50 feet wide) marking the north corner of said Parcel 29 and the herein described tract of land;

EXHIBIT "A"

- 3) **THENCE**, South 32°51'06" East, a distance of 694.23 feet along the common line of said westerly right-of-way line of West End Tavener Road (50 feet wide by prescriptive rights, no recorded information found) to a PK Nail in asphalt with shiner stamped "SAM LLC" found in the northerly right-of-way line of said Gin Road marking the east corner of the herein described tract of land;
- 4) **THENCE**, South 53°54'18" West, a distance of 105.17 feet with the northerly right-of-way line of said Gin Road to the **POINT OF BEGINNING** and containing 1.0376 acres (45,198 square feet) of land.

I, Kevin Drew McRae, a Registered Professional Land Surveyor, hereby certify that the property description hereon and the accompanying plat of even date represent an actual survey made on the ground under my supervision.



Kevin Drew McRae, R.P.L.S.
Texas Registration No. 5485

4/4/2018
Date



Z:\AKM_SURVEY\AKM_PROJECTS\0600-F\0603-FORT_BEND_COUNTY\0603-1601-TANNER_ROAD_DRAWINGS\0603-1601PBST01-R2.Bv

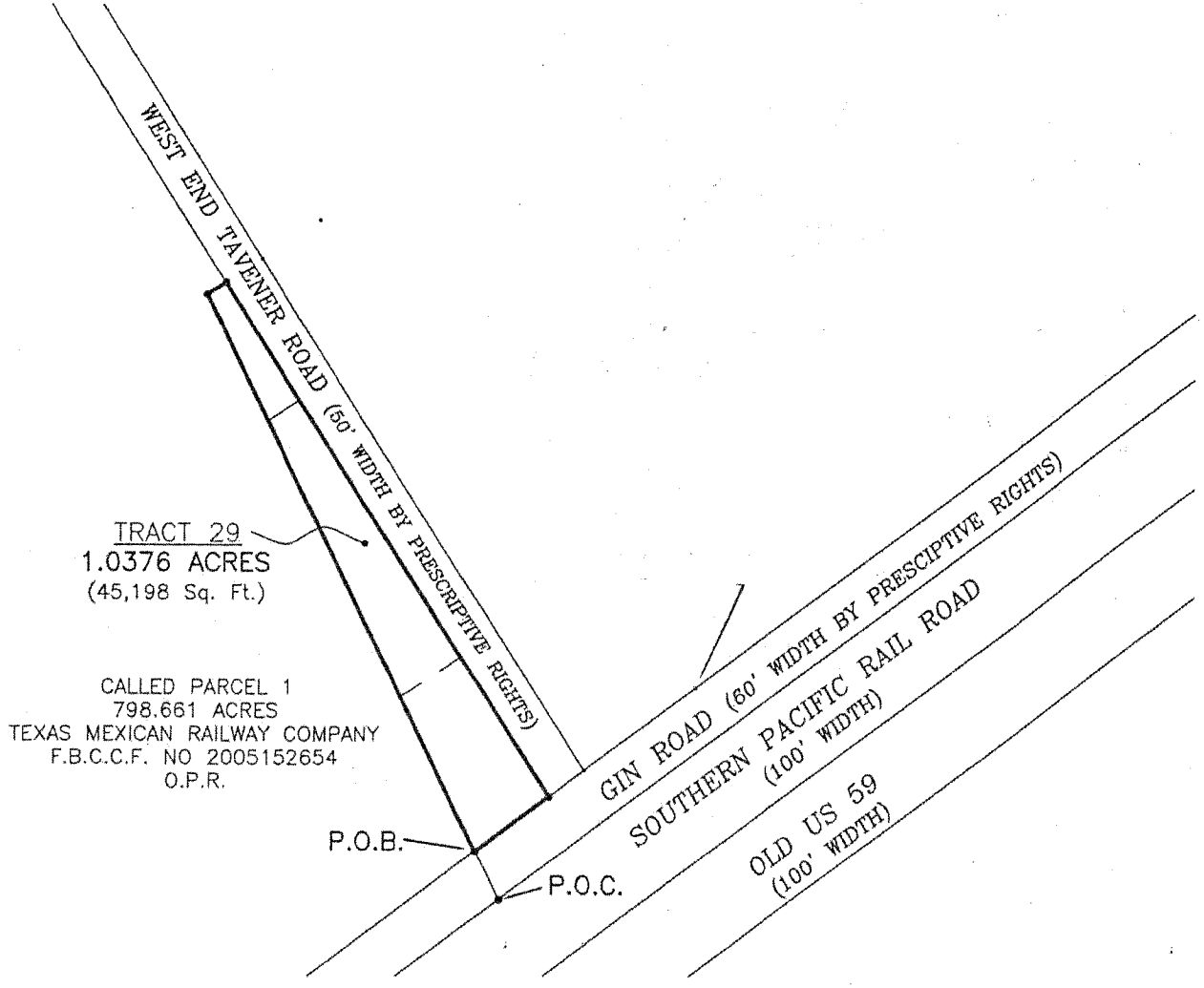
GENERAL NOTES:

A PROPERTY DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.

ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 1993 ADJUSTMENT. ALL COORDINATES AND DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.999870.



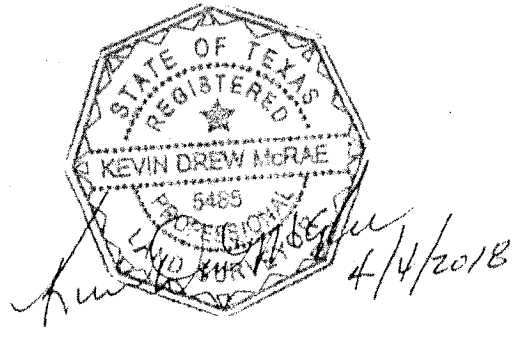
	EXISTING	REMAINING	TAKING
TR. 29	1.0376 AC.	1.0376 AC.	0.0000 AC.
TR. 29	45,198 SQ.FT.	45,198 SQ.FT.	0.0000 SQ.FT.



TRACT 29
1.0376 ACRES
(45,198 Sq. Ft.)

CALLED PARCEL 1
798.661 ACRES
TEXAS MEXICAN RAILWAY COMPANY
F.B.C.C.F. NO 2005152654
O.P.R.

TRACT 29
LEFT OF STA. 152+61.85 TO STA. 153+96.65



PARCEL PLAT
SHOWING PROPERTY OF
ROW CSJ: 0089-09-075

FORT BEND COUNTY
FEBRUARY 28, 2018

SHEET 3 OF 4

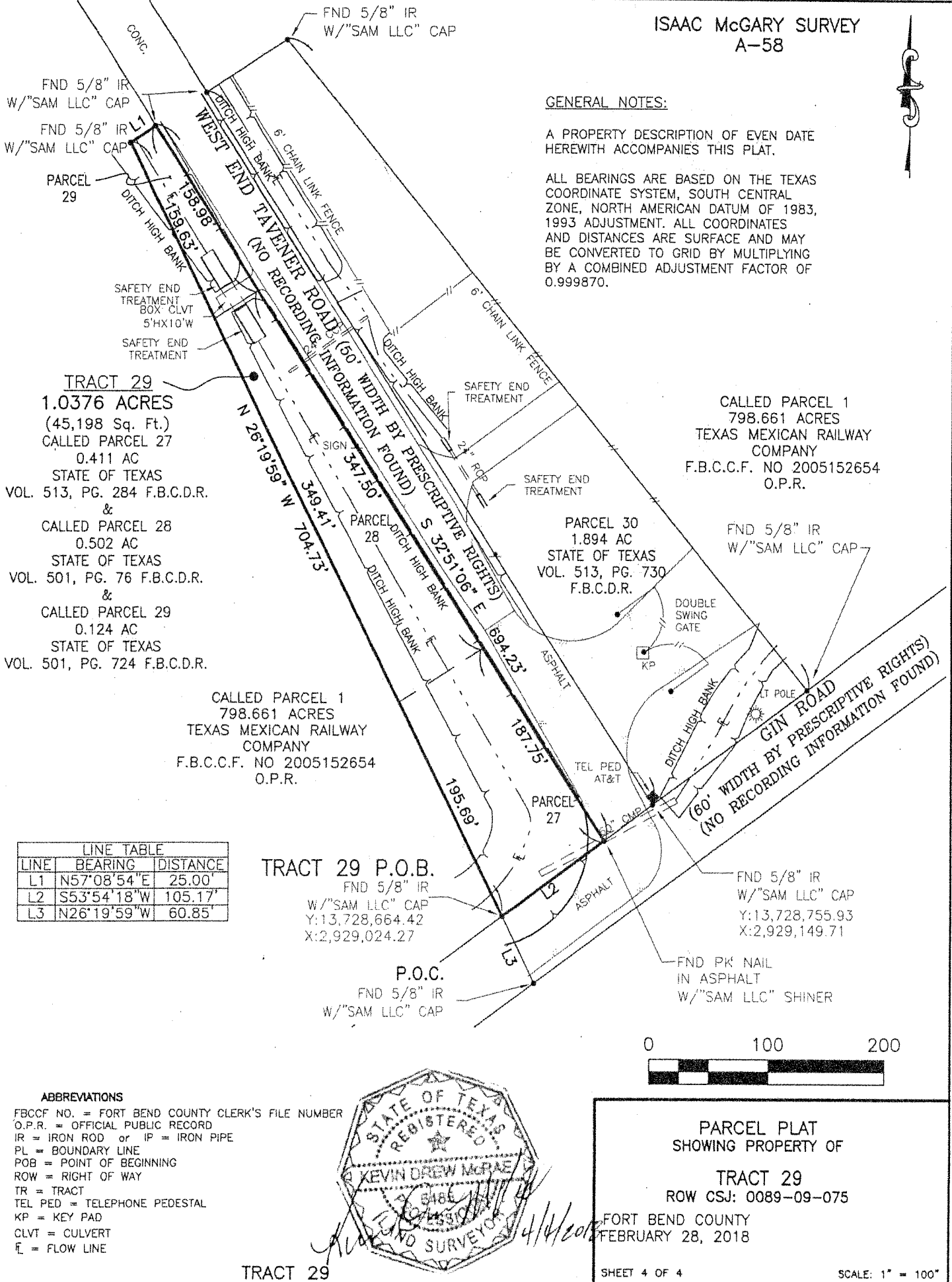
SCALE: 1" = 200'

ISAAC MCGARY SURVEY
A-58

GENERAL NOTES:

A PROPERTY DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS PLAT.

ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 1993 ADJUSTMENT. ALL COORDINATES AND DISTANCES ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED ADJUSTMENT FACTOR OF 0.999870.



TRACT 29
1.0376 ACRES
(45,198 Sq. Ft.)
CALLED PARCEL 27
0.411 AC
STATE OF TEXAS
VOL. 513, PG. 284 F.B.C.D.R.
&
CALLED PARCEL 28
0.502 AC
STATE OF TEXAS
VOL. 501, PG. 76 F.B.C.D.R.
&
CALLED PARCEL 29
0.124 AC
STATE OF TEXAS
VOL. 501, PG. 724 F.B.C.D.R.

CALLED PARCEL 1
798.661 ACRES
TEXAS MEXICAN RAILWAY
COMPANY
F.B.C.C.F. NO 2005152654
O.P.R.

CALLED PARCEL 1
798.661 ACRES
TEXAS MEXICAN RAILWAY
COMPANY
F.B.C.C.F. NO 2005152654
O.P.R.

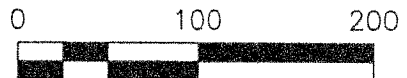
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N57°08'54"E	25.00'
L2	S53°54'18"W	105.17'
L3	N26°19'59"W	60.85'

TRACT 29 P.O.B.
FND 5/8" IR
W/"SAM LLC" CAP
Y:13,728,664.42
X:2,929,024.27

P.O.C.
FND 5/8" IR
W/"SAM LLC" CAP

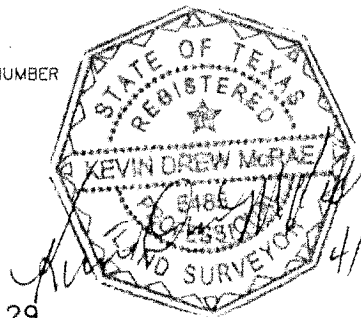
FND 5/8" IR
W/"SAM LLC" CAP
Y:13,728,755.93
X:2,929,149.71

FND PK NAIL
IN ASPHALT
W/"SAM LLC" SHINER



ABBREVIATIONS

- FBCF NO. = FORT BEND COUNTY CLERK'S FILE NUMBER
- O.P.R. = OFFICIAL PUBLIC RECORD
- IR = IRON ROD or IP = IRON PIPE
- PL = BOUNDARY LINE
- POB = POINT OF BEGINNING
- ROW = RIGHT OF WAY
- TR = TRACT
- TEL PED = TELEPHONE PEDESTAL
- KP = KEY PAD
- CLVT = CULVERT
- FL = FLOW LINE



PARCEL PLAT
SHOWING PROPERTY OF
TRACT 29
ROW CSJ: 0089-09-075
FORT BEND COUNTY
FEBRUARY 28, 2018
SHEET 4 OF 4
SCALE: 1" = 100'

TRACT 29

Z:\KM SURVEY\KM PROJECTS\0500-E-0603-FORT BEND COUNTY\DRAWINGS\0603-1601\PRST01-R2.BY