

TEXAS TRANSPORTATION COMMISSION

POLK County

MINUTE ORDER

Page 1 of 1

LUFKIN District

In POLK COUNTY, on RECREATION ROAD 5, the State of Texas acquired an easement interest in certain land by instrument recorded in Volume 269, Page 509, Deed Records of Polk County, Texas.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended that RE 5, shown on Exhibit A, be removed from the state highway system and that control, jurisdiction and maintenance be transferred to the county.

The easement (surplus easement) is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may waive payment for real property transferred to a governmental entity if the estimated cost of future maintenance on the property equals or exceeds the fair value of the property.

The fair value of the surplus easement has been determined to be \$61,890, and the state's costs for maintenance over 20 years is estimated to be \$65,700.

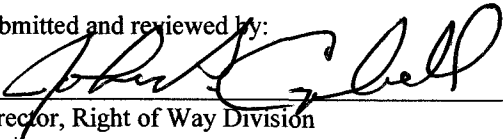
The county has requested that the surplus easement be transferred to the county and that control, jurisdiction and maintenance be transferred to the county.

The commission finds \$61,890 to be a fair and reasonable value of the state's rights, title and interest in the surplus easement.

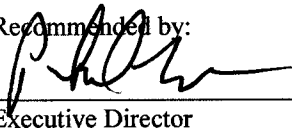
IT IS THEREFORE ORDERED by the commission that RE 5, a distance of 0.9 mile, is removed from the state highway system and transferred to the county for control, jurisdiction and maintenance.

FURTHER, the commission finds that the surplus easement is no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument transferring the state's rights and interest in the surplus easement to Polk County, Texas, in consideration of the savings to the state of future maintenance costs.

Submitted and reviewed by:

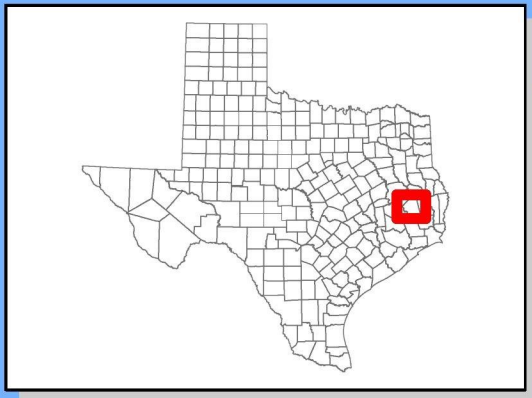

Director, Right of Way Division

Recommended by:


Executive Director

113135 MAY 31 12

Minute Number Date Passed



Polk County

Lake Livingston Reservoir


Trinity River

San Jacinto County

1988

5

3278

 Remove RE 5 from State Highway System



0 0.1 0.2
Miles

