



RESOLUTION NO. 20170926-17

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR
TO EXECUTE A RIGHT-OF-WAY EASEMENT AND
ROAD DEDICATION OF PROPERTY KNOWN AS
WALNUT ROAD UPON TEXAMERICAS CENTER-WEST PROPERTY**

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, on or about September 30, 2011, TexAmericas Center (formerly Red River Redevelopment Authority) received title to approximately 2,850 acres of Real Property in Bowie County, Texas (West End Parcel), being a portion of the property formerly known as Red River Army Depot for the purpose of redeveloping the property for private job creation and other economic development purposes; and

WHEREAS, an important part of the redevelopment of said property is to open the property as appropriate for public access by making roads within the property public roads; and

WHEREAS, TexAmericas Center and Bowie County, Texas, have jointly agreed that the first road to be open to public access and to become a public road shall be a part of the road known as Walnut Road upon the former Red River Army Depot property now owned by TexAmericas Center, and

WHEREAS, the Board of Directors of TexAmericas Center has determined that it is in the best interest of the economic redevelopment of the property that a part of Walnut Road be dedicated as a public road to Bowie County, Texas;

NOW, THEREFORE, BE IT REOLVED by the Board of Directors of TexAmericas Center that Scott Norton, Executive Director/CEO of TexAmericas Center shall be and he is hereby authorized to execute that certain Right-Of-Way Easement and Road Dedication granting to Bowie County, Texas a Right-of-Way Easement for a part of Walnut Road and dedicating the existing road located within the easement as a public road upon substantially the terms and conditions as set forth in said Right-of-Way Easement and Road Dedication document, a copy of which is attached

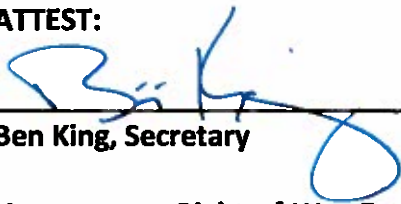
to this Resolution, and deliver the same to Bowie County, Texas, for acceptance and recording in the Office of the County Clerk of Bowie County, Texas.

PASSED and APPROVED this 26th day of September, 2017.



Boyd Sartin, Chairman of the Board

ATTEST:



Ben King, Secretary

ATTACHMENT: Right-of-Way Easement and Road Dedication



70 2017 00011905

Bowie
Tina Petty
County Clerk
New Boston, Texas 75570

COPY

Instrument Number: 2017-11905

As

Recorded On: October 24, 2017

Recording - No Fee

Parties: TEXAMERICAS CENTER

To BOWIE COUNTY TEXAS

Number of Pages:

Comment: RIGHT OF WAY EASEMENT

(Parties listed above are for Clerks reference only)

**** THIS IS NOT A BILL ****

Recording - No Fee	0.00
Total Recording:	0.00

******* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2017-11905
Receipt Number: 352718
Recorded Date/Time: October 24, 2017 09:51:01A

Record and Return To:

BOWIE COUNTY
710 JAMES BOWIE DRIVE
NEW BOSTON TX 75570

User / Station: V Moore - Cash Station #2

Filed For Record In:
Bowie County, Texas
Tina Petty
County Clerk
On: Oct 24, 2017 at 09:51A

**RIGHT-OF-WAY EASEMENT
AND
ROAD DEDICATION**

STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BOWIE

That TEXAMERICAS CENTER, a political subdivision of the State of Texas, acting herein by and through its duly authorized Executive Director, for and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration receipt of which is hereby acknowledged, has this day sold and by these presents does hereby grant, bargain, sell, and convey, unto Bowie County, Texas, an Easement for highway/roadway purposes of laying out, opening, constructing, operating, maintaining and reconstructing a County Road in, along, upon and across the tract or parcel of land in Bowie County, Texas, more particularly described in Exhibit "A" which is attached hereto and incorporated herein for all purposes (the Right-of-Way Easement Tract).

And for the same consideration described above and upon the same conditions, TexAmericas Center has this day granted and conveyed and by these presents does grant and convey unto Bowie County, Texas, and does hereby dedicate as a public road the existing asphalt constructed road located upon the property described in Exhibit "A" (the Property) with the understanding and agreement of Bowie County, Texas, to hereafter maintain, repair, reconstruct, widen, straighten, and/or extend said roadway upon the Property as a public road for the benefit of the citizens of Bowie County, Texas.

It is hereby understood and by the acceptance of this instrument, it is recognized and accepted by Bowie County, Texas, that TexAmericas Center retains title to all of the oil, gas, and sulphur and other mineral interests in and under said Right-of-Way Easement Tract but waives any and all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; provided, however, that operations for exploration or recovery of any such minerals shall be permissible so long as all surface operations in connection therewith are located outside of the property described as the Right-of-Way Easement Tract.

This conveyance is further made and accepted subject to the following:

1. This conveyance is made and accepted subject to existing utility and road easements currently in effect and of record in Bowie County, Texas, which affect the Right-of-Way Easement Tract including but not limited to those granted and retained by the U.S. Department of the Army in that certain Deed Without Warranty dated September 30, 2011, from the United States of America to Red River Redevelopment Authority recorded in Volume 6114, Page 1 of the Real Property Records of Bowie County, Texas.
2. TexAmericas Center reserves for itself, its successors and assigns, access to and from the Right-of-Way Easement Tract and the road constructed thereon from the adjoining property and currently existing roads and roadways lying and situated upon property or easements owned by TexAmericas Center which adjoin the Right-of-Way Easement Tract.
3. TexAmericas Center does hereby reserve for itself, its successors and assigns, the right to reacquire for the sum of \$10.00 the Right-of-Way Easement Tract described herein, or any abandoned portion thereof, in the event that Bowie County, Texas, at any time abandons the use of said property, or any portion thereof, as a public road and right-of-way.

To have and to hold the Easement herein described and herein conveyed, together with all and singular the rights and appurtenance thereto in any wise belonging, subject to the reservations stated herein, unto Bowie County, Texas forever; and TexAmericas Center does hereby bind itself, its successors and assigns to warrant and forever defend the said Easement herein conveyed unto the said Bowie County, Texas, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under TexAmericas Center but not otherwise.

EXECUTED this 26th day of September 2017.

TEXAMERICAS CENTER

By: *Scott Norton*
Name: Scott Norton
Title: Executive Director/CEO

STATE OF TEXAS

COUNTY OF BOWIE

This instrument was acknowledged before me on the 26th day of September 2017, by Scott Norton, Executive Director/CEO of TexAmericas Center, a political subdivision of the State of Texas.

Marla G. Byrd
Notary Public, State of Texas

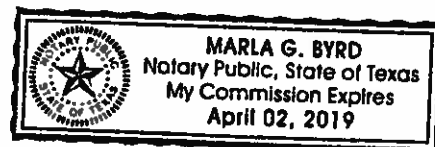


EXHIBIT "A"
TO
RIGHT-OF-WAY EASEMENT

TEXAMERICAS CENTER TO BOWIE COUNTY, TEXAS

The West One Hundred (100) Feet of the following tract:

All that certain lot, tract or parcel of land lying and situated in the William F. Thompson Headright Survey, Abstract 565, Bowie County, Texas, being a part of that certain tract of land described as Tract No. 512 in the deed from James Hubbard, et ux, to the United States of America, dated April 15, 1942, recorded in Volume 190, Page 298 of the Deed Records of Bowie County, Texas, same being that certain tract of land described in the deed from L. A. Garries, et ux, to J. Chambers, et ux, dated August 20, 1898, recorded in Volume 20, Page 559 of the Deed Records of Bowie County, Texas, a part of that certain tract of land described as Tract No. 511(1) in the deed from Bob Phillips to the United States of America, dated January 14, 1942, recorded in Volume 183, Page 577 of the Deed Records of Bowie County, Texas, same being that certain tract of land described as 426 acres in the deed from P. T. Daniels, et ux, to Lee Tidwell, et al, dated March 4, 1914, recorded in Volume 69, Page 562 of the Deed Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch steel rod 24 inches long set for a corner, capped MTG ENGINEERS & SURVEYORS 101011-00, PH. 903-838-8533, lying in the South right-of-way line of the Texas and Pacific Railway Company Railroad and the North line of the said Tract No. 512, said corner bears North 83 degrees 59 minutes 49 seconds East a distance of 2596.03 feet from a 2 inch aluminum monument found for a corner (control monument no. 1), stamped SAM, being the Northeast corner of that certain tract of land described as 27.31 acres in the Easement for Road or Street from Department of the Army to the State of Texas, dated February 18, 1960, recorded in Volume 382, Page 98 of the Deed Records of Bowie County, Texas;

THENCE North 83 degrees 59 minutes 49 seconds East a distance of 150.01 feet along the South line of the said Railway and the North line of the said Tract No. 512 to a 5/8 inch steel rod 24 inches long set for a corner, capped MTG ENGINEERS & SURVEYORS 101011-00, PH. 903-838-8533, said corner bears South 83 degrees 59 minutes 49 seconds West (basis of bearings) a distance of 12655.25 feet from a 5/8 steel rod found for a corner, capped Huitt-Zollars (control monuments no. 2);

THENCE South 06 degrees 28 minutes 19 seconds East a distance of 2136.30 feet to a 5/8 inch steel rod 24 inches long set for a corner, capped MTG ENGINEERS & SURVEYORS 101011-00, PH. 903-838-8533, at the beginning of a circular curve to the left, tangent to said line;

THENCE in a Southeasterly direction along the arc of the said circular curve a distance of 444.54 feet, with a delta angle of 27 degrees 32 minutes 08 seconds, a radius of 925.00 feet, a chord bearings of South 20 degrees 14 minutes 23 seconds East, and a chord distance of 440.27 feet to a 5/8 inch steel rod 24 inches long set for a corner, capped MTG ENGINEERS & SURVEYORS 101011-00, PH. 903-838-8533, at the end of the said circular;

THENCE South 34 degrees 00 minutes 27 seconds East tangent to said circular curve, a distance of 1774.79 feet 5/8 inch steel rod 24 inches long set for a corner, capped MTG ENGINEERS & SURVEYORS 101011-00, PH. 903-838-8533,;

THENCE South 84 degrees 03 minutes 27 seconds West a distance of 169.99 feet to a 5/8 inch steel rod 24 inches long set for a corner, capped MTG ENGINEERS & SURVEYORS 101011-00, PH. 903-838-8533;

THENCE North 34 degrees 00 minutes 27 seconds West a distance of 1694.82 feet to a 5/8 inch steel rod 24 inches long set for a corner, capped MTG ENGINEERS & SURVEYORS 101011-00, PH. 903-838-8533, at the beginning of a circular curve to the right, tangent to said line;

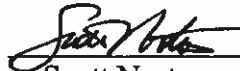
THENCE in a Northwesterly direction along the arc of the said circular curve a distance of 516.63 feet, with a delta angle of 27 degrees 32 minutes 08 seconds, a radius of 1075.00 feet, a chord bearing of North 20 degrees 14 minutes 23 seconds West, and a chord distance of 511.67 feet to a 5/8 inch steel rod 24 inches long set for a corner, capped MTG ENGINEERS & SURVEYORS 101011-00, PH. 903-838-8533, at the end of the said circular curve;

THENCE North 06 degrees 28 minutes 19 seconds West tangent to said circular curve, a distance of 2137.53 feet to the point of beginning and containing 14.987 acres of land, at the time of this survey.

SIGNED FOR IDENTIFICATION:

TEXAMERICAS CENTER

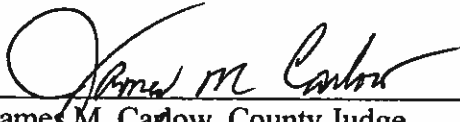
By:



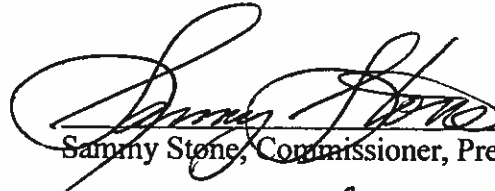
Scott Norton,
Executive Director/CEO

**ORDER OF THE COMMISSIONERS' COURT
OF
BOWIE COUNTY, TEXAS**

On this the 24th day of October, 2017, came on for consideration the acceptance of the above entitled Right-of-Way Easement and Road Dedication from TexAmericas Center to Bowie County, Texas, and upon motion duly made, seconded, and approved by majority vote of the Commissioners' Court, as evidenced by the signatures below, the Commissioners' Court of Bowie County, Texas does hereby APPROVE and ACCEPT said Right-of-Way Easement and Road Dedication.



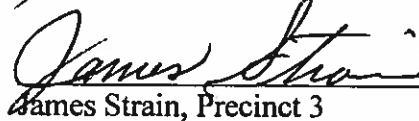
James M. Carlow, County Judge



Sammy Stone, Commissioner, Precinct 1



Tom Whitten, Precinct 2



James Strain, Precinct 3



Mike Carter, Precinct 4

ATTEST:



Tina Petty,
County Clerk



Filed For Record In:
Bowie County, Texas
Tina Petty
County Clerk
On: Oct 24, 2017 at 09:51A