

RESOLUTION

The State of Texas

County of Tyler

WHEREAS, Tyler County Road & Bridge Precinct 2 would like to accept the Dedication of Road Easement from Gardner Oil by Primary owner, Charley Branch and WHEREAS, TRANSPORTATION CODE, TITLE 6. ROADWAYS, CHAPTER 281. Sec 281.005.

(a) After a public interest in a private road is acquired under this chapter, the commissioner's court of the county in which the road is located shall record by resolution the interest in the records of the court.

(b) The resolution must state:

- (1) The date which the interest was acquired; and**
- (2) The circumstance by which the interest was acquired; and**

WHEREAS, Original date of interest submitted on, June 9, 2014.

WHEREAS, Statement of Purpose: School Safety Zone , road safety for the constituents.

NOW THEREFORE BE IT RESOLVED, that the Tyler County Commissioners Court approve the Dedication of Road Easment from Gardner Oil be maintained by Precinct 2 Road and Bridge.

PASSED AND APPROVED this ____ day of _____, 2025 by the Tyler County Commissioners, Court.

Joe Blacksher, Commissioner Pct. 1

Doug Hughes, Commissioner Pct. 2

Mike Marshall, Commissioner, Pct. 3

Charles "Buck" Hudson, Commissioner Pct. 4

Milton Powers, County Judge

ATTEST: _____
Janet Brown , County Clerk

**IN THE COMMISSIONERS COURT
OF
[COUNTY] COUNTY, TEXAS**

ORDER OF ACCEPTANCE OF DEDICATION OF ROAD AND RIGHT-OF-WAY

WHEREAS, the above and foregoing Dedication of Public Interest in Road or Right-of-Way, having been duly presented to the Commissioners' Court of [county] County, Texas; and

WHEREAS, the Commissioners Court of [county] County, Texas, acting in its official function as established by Article V, Section 18 of the Texas Constitution, and Chapter 251 of the Texas Transportation Code, hereby determines and makes a specific finding that the dedication of a public interest in a road or right-of-way in the location described in the dedication at issue, will serve a public purpose and will benefit the people of [county] County, Texas, and

WHEREAS, it would be in the best interest of [county] County, and the citizens thereof, to accept said dedication; and

WHEREAS, acceptance of said dedication would vest a public interest by dedication in and upon said road and right-of-way as of the _____ day of _____, _____ a.d.

THEREFORE, Be It Resolved, that the undersigned members of the Commissioners Court of [county] County, Texas, acting pursuant to authority vested by law in said Court, does hereby accept the above and foregoing Dedication of Public Interest in Road or right-of-way on behalf of and ad the act and deed of [county] County. Texas.

IT IS FURTHER Resolved and Ordered that the original Dedication, and this Resolution and Order of Acceptance of said Dedication, be filed in the Deed Records of [county] County, Texas, and in the Minutes of the Commissioners Court of said county, and public evidence of the said dedication and acceptance by way of this Order.

IT IS FURTHER Resolved and Ordered that a map of the road described in this Order be prepared in inserted into the [county] County Road Map, as filed of record in the Minutes of the Commissioners Court of [county] County, Texas.

DATE:

County Judge

Commissioner, Precinct #1

Commissioner, Precinct #2

Commissioner, Precinct #3

Commissioner, Precinct #4

ATTEST:

County Clerk, [county] County, Texas

14-2186

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DEDICATION OF ROAD EASEMENT

THE STATE OF TEXAS
COUNTY OF Tyler County

THAT GARDNER OIL hereinafter called GRANTOR for and in Consideration of the sum of One and NO/100 (\$1.00) dollars, the receipt of which is Hereby acknowledged, have Granted, Sold and Conveyed, and by these presents do Grant, Sell and convey unto THE PUBLIC and to the COUNTY COMMISSIONERS OF TYLER COUNTY, TEXAS, PRECINCT NO. 1 THE FREE AND UNINTERRUPTED USE, LIBERTY, PRIVILEGE AND EASEMENT OF PASSING IN AND ALONG A CERTAIN WAY ACROSS A CERTAIN TRACT OF LAND SITUATED IN TYLER COUNTY, TEXAS, described as follows, to wit:

(SEE ATTACHED)

Right-of-way of the road as described in the attached "Exhibit", known as CR 1040; may be widened to 100ft. as required by the specifications of the County of Tyler.

For the same consideration, Grantor does further grant, bargain, sell and convey unto the Grantee the right to grade, excavate and use the soil from said right-of-way to construct and repair said road; the right to surface the same with any material Grantee deems suitable for the purpose; the right to install or construct all bridges, cattle gaps, culverts, gates, drainage ditches and other facilities necessary or desirable in the maintenance of said road; and the right to cut any timber located upon said right-of-way and use or remove the same.

Hereby granting free ingress, egress, regress to and for the said Grantee, their successors, heirs and assigns and their tenants, by foot, wagon, automobile and other vehicles as by them shall be necessary or convenient at all times and seasons forever, in, along upon and out of said way, in common with us, our heirs and assigns, and our tenants.

TO HAVE AND TO HOLD all and singular the said rights and privileges aforesaid to the said Grantee, their successors, heirs, and assigns, to their proper use and behalf, in common with us, our heirs and assigns, and our tenants.



President Gardner Oil Co.

Before me, the undersigned authority, on this day personally appeared

Known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that Charlie Branch executed the same for The purpose and consideration therein expressed.

Given under my hand and seal of office this 5th day of JUNE 2014

Mary D. Walters
Notary Public in and for the State of Texas

THE STATE OF TEXAS)(
COUNTY OF TYLER)(

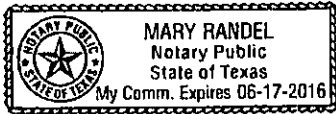


Before me, the undersigned authority on this day personally appeared

Jacques L. Blanchette

Known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that JACQUES L. BLANCHETTE executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 9th day of JUNE 2014.



Mary Randel
Notary Public in and for the State of Texas

THE STATE OF TEXAS)(
COUNTY OF TYLERS)(

Before me, the undersigned authority on this day personally appeared

Known to me to be the person(s) whose name(s) is (are) subscribed to the foregoing instrument, and acknowledged to me that _____ executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____ 200__.

AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 75979
(409) 283-8197

FIELDNOTE DESCRIPTION

FIELDNOTES TO A 0.433 ACRE TRACT OF LAND AS SITUATED IN THE WM. CHAMBLISS SURVEY, A-189, AND THE JOHN NOWLIN SURVEY, A-487, TYLER COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT SAME 1.534 ACRE TRACT AS CONVEYED TO GARDNER OIL, INC. BY DEED AS RECORDED IN VOLUME 898, PAGE 254 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 0.433 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS.

BEGINNING AT A 1/2" IRON ROD FOUND ON THE EAST RIGHT OF WAY OF OLD HIGHWAY 69, NOW KNOWN AS COUNTY ROAD 1040 FOR THE SOUTHWEST CORNER OF THE GARDNER OIL, INC. 1.534 ACRES AND OF THIS TRACT, SAME BEING THE NORTHWEST CORNER OF THE RICARDO GONZALEZ 1.132 ACRE TRACT AS DESCRIBED AND RECORDED IN VOLUME 819, PAGE 347 OF THE OFFICIAL PUBLIC RECORDS;

THENCE N 86°06'29"E 102.16 FT., WITH THE EAST RIGHT OF WAY OF COUNTY ROAD 1040 AND THE WEST BOUNDARY LINE OF THE GARDNER OIL 1.534 ACRE TRACT, TO A 1/2" IRON ROD SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N 86°18'28"E 169.12 FT. TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT LOCATED ON THE EAST LINE OF THE GARDNER OIL 1.534 ACRE TRACT AND THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69;

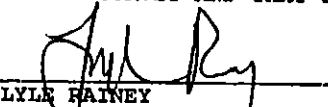
THENCE S 13°43'53"E 101.55 FT., WITH THE WEST RIGHT OF WAY OF U.S. HIGHWAY 69 AND THE LOWER EAST BOUNDARY LINE OF THE GARDNER OIL 1.534 ACRE TRACT, TO A 1/2" IRON ROD SET FOUND FOR THE SOUTHEAST CORNER OF SAME AND OF THIS TRACT AND THE NORTHEAST CORNER OF THE PREVIOUSLY MENTIONED GONZALEZ 1.132 ACRE TRACT;

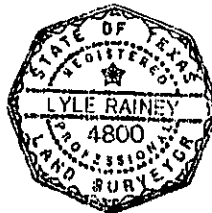
THENCE S 86°18'28"W 207.71 FT., WITH THE NORTH LINE OF THE GONZALEZ TRACT AND THE SOUTH LINE OF THE GARDNER OIL 1.534 ACRE TRACT, TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 0.433 OF AN ACRE OF LAND.

THE BEARINGS RECITED HEREIN ARE BASED AND/OR ROTATED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE 4203, NAD 83.

SURVEYED FEBRUARY 27, 2014

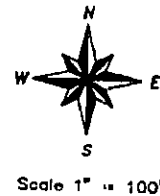
I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.


LYLE RAINEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800



AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 75079
(409) 283-8197 OFFICE

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W.M. CHAMBLISS SURVEY
A-189

COUNTY ROAD 1040

U.S. HIGHWAY 69

Gardner Oil, Inc.
Residue of 1.534 Ac.
Vol. 898, Pg. 254

N 86°18'28" E 169.12'

0.433 ACRE

S 13°43'53" E
101.55'

S 86°18'28" W 207.71'

Fnd 5/8" Iron Rod

Fnd 1/2" Iron Rod

Ricardo Gonzalez
1.132 Acre Tract
Vol. 818, Pg. 347

JOHN NOWLIN SURVEY
A-487

NOTE: SET 1/2" IRON ROD AT ALL CORNERS
EXCEPT AS SHOWN HEREON.

NOTE: ALL BEARINGS SHOWN HEREON ARE BASED
ON THE TEXAS STATE PLANE COORDINATE
SYSTEM, CENTRAL ZONE 4203, NAD 83.

SURVEY PLAT SHOWING

A 0.433 ACRE TRACT OF LAND AS SITUATED IN THE W.M.
CHAMBLISS SURVEY, A-189, AND THE JOHN NOWLIN SURVEY,
A-487 TYLER COUNTY, TEXAS AND BEING OUT OF AND A PART
OF THAT SAME CALLED 1.534 ACRE TRACT CONVEYED TO
GARDNER OIL, INC. BY DEED AS RECORDED IN VOLUME 898,
PAGE 254 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY.

I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800,
DO HEREBY CERTIFY THAT THIS SURVEY PLAT WAS PREPARED FROM AN
ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS
TRUE AND CORRECT.

SURVEYED FEBRUARY 27, 2014

Lyle Rainey
LYLE RAINEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800



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FILED FOR RECORD
AT 3:30 O'CLOCK P M
ON THE 10 DAY OF June
A.D., 2014
Vol. 1100 Page 150
In the Official Public Records

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE,
RENTAL OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFOR-
CIBLE UNDER FEDERAL LAW.



STATE OF TEXAS
COUNTY OF TYLER

OFFICIAL PUBLIC
RECORD

Donece Gregory
COUNTY CLERK, TYLER COUNTY, TEXAS

By Dana Lefine
DEPUTY

I hereby certify that this instrument was FILED
on the date and at the time stamped hereon by
me and was duly RECORDED in the Volume
and Page of the named RECORDS of Tyler
County, Texas, as stamped hereon by me.

Dana Gregory
COUNTY CLERK
TYLER COUNTY, TEXAS