



FORT BEND COUNTY ENGINEERING

Fort Bend County, Texas

Richard W. Stolleis, P.E.
County Engineer

April 30, 2013

Commissioner Richard Morrison
Fort Bend County Precinct 1
1517 Eugene Heimann Circle, Suite 300
Richmond, Texas 77469

RE: Variance Request by Ernesto Aguilar Cruz and Emilio Cruz to divide a 5.0272 acre tract located in Tract 42, H&TC Railroad Company Survey, Section 77, Abstract 243, recorded in official Fort Bend County Deed Records, Instrument #2006036785, Fort Bend County, Texas.

Commissioner Morrison:

Fort Bend County Engineering has reviewed a request from Ernesto Aguilar Cruz and Emilio Cruz concerning a variance to the Fort Bend County Regulations of Subdivisions. Mr. Cruz requests a variance to allow a 5.02 acre tract to be divided into two lots each 2.513 acres. The partition tracts are recorded under Instrument #2011088283. The parent tract is part of an unrecorded subdivision called the Gayle Subdivision, created in April 1978. A 60 ft. wide right-of-way road dedication instrument recorded in FBCDR as Vol. 1195, Page 160, provides access to the tract. The road is named Creekbend Drive East and is not a County maintained road.

No further division of these tracts will be allowed without the written consent of Commissioners Court.

Fort Bend County Engineering Department offers no objection to granting this variance and recommends approval of this variance. The FBC Health Department has reviewed this request and offers no objection to the approval.

Under the Fort Bend County Regulations of Subdivisions as described in Section 2.2 H, Commissioners Court can grant an exception to the regulations and not require a subdivision plat. This section allows for a variance if the property is divided to persons who own an undivided interest in the original tract. If there are no objections, Fort bend County Engineering will place an item on the agenda to approve the request for a variance.

If there are any questions or need for additional information please call 291-633-7510.

Sincerely,

A handwritten signature in blue ink that reads "Louis E. Hood".

Louis E. Hood, P.E.
First Assistant County Engineering

cc: Judge Robert E. Hebert, County Judge
Mr. Roy Cordes, Jr., FBC Attorney
File

Ernesto Aguilar Cruz
9311 East Creek Bend Drive
Needville, Texas 77461
832-449-2810

Emilio Cruz
9211 East Creek Bend Drive
Needville, Texas 77461

DATE: April 30, 2013
TO: Fort Bend County Commissioner
Richard Morrison, Precinct 1
CC: FBC Engineering
FBC Health Department
SUBJECT: Variance Request



We are requesting a variance to the Fort Bend County Regulations of Subdivisions as described in Section 2.2 H, for Commissioners Court to grant an exception to the regulations and not require a subdivision plat for the property described below:

Property Address: 9311 and 9211 East Creek Bend Dr., Needville, Texas 77461

Property Survey & Abstract: A 5.0272 acre tract, H&TC Railroad Company Survey, Section 77, Tract 42, Abstract 243, Instrument #2006036785.

Tax Account Number: 0243-00-000-1912-906 & 0243-00-000-1910-906

Owners of Record: Ernesto Aguilar Cruz & Emilio Cruz

Division Request: Partition Deed to divided 5.0272 acres into two tracts, between brothers, Ernesto Aguilar Cruz, and Emilio Cruz, FBC Deed Records divided by partition deed #2011088283.

Attachments: Survey Map
Deed
Health Department approval

We understand, no further division of these tracts will be allowed without the written consent of Commissioners Court. Your consideration of this request is appreciated.

Sincerely,


Ernesto Aguilar Cruz

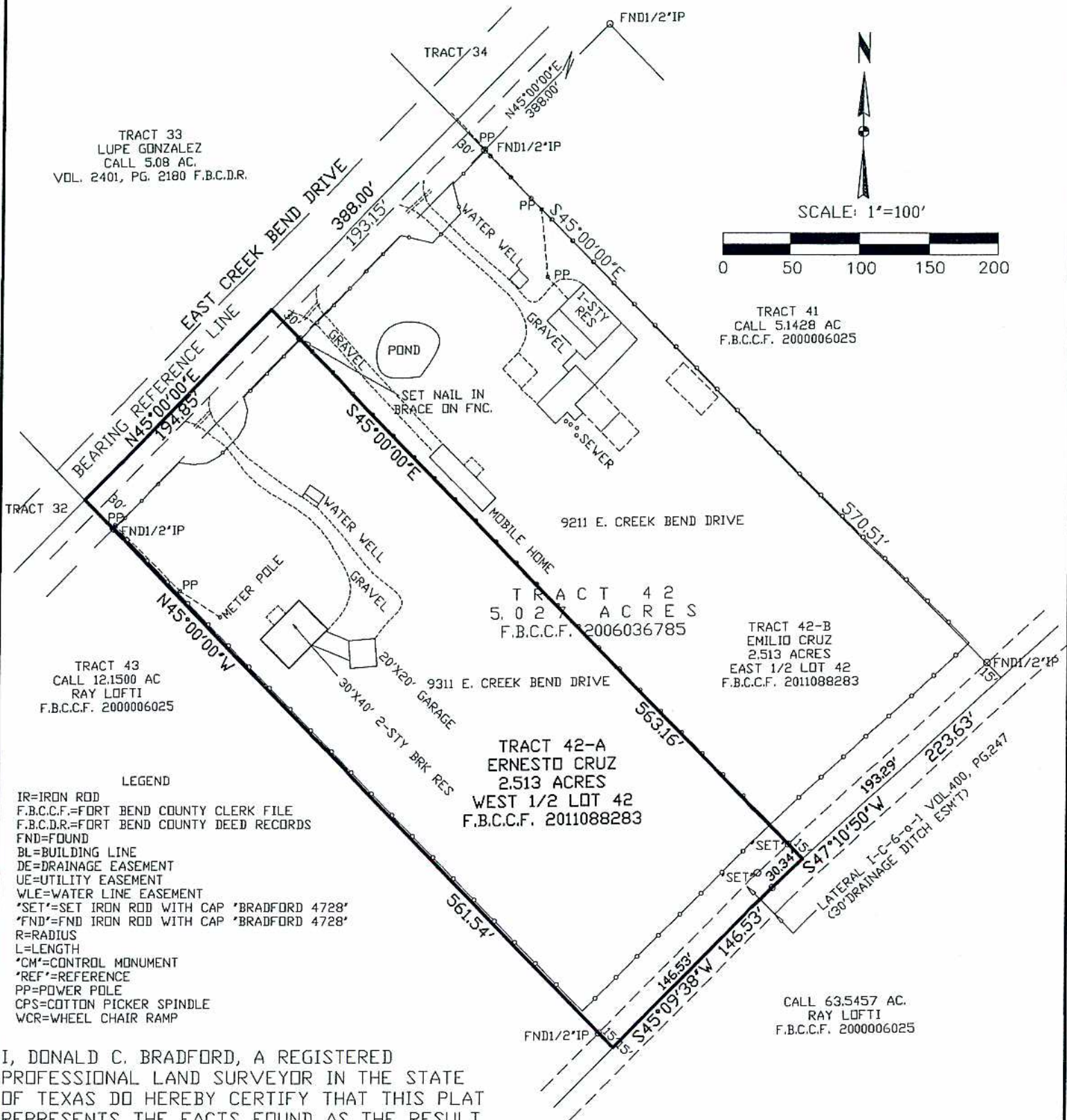

Emilio Cruz

TRACT 33
LUPE GONZALEZ
CALL 5.08 AC.
VOL. 2401, PG. 2180 F.B.C.D.R.

SCALE: 1"=100'



TRACT 41
CALL 5.1428 AC
F.B.C.C.F. 2000006025



TRACT 43
CALL 12.1500 AC
RAY LOFTI
F.B.C.C.F. 2000006025

TRACT 42
5.027 ACRES
F.B.C.C.F. 2006036785

TRACT 42-B
EMILIO CRUZ
2.513 ACRES
EAST 1/2 LOT 42
F.B.C.C.F. 2011088283

TRACT 42-A
ERNESTO CRUZ
2.513 ACRES
WEST 1/2 LOT 42
F.B.C.C.F. 2011088283

CALL 63.5457 AC.
RAY LOFTI
F.B.C.C.F. 2000006025

LEGEND

- IR=IRON ROD
- F.B.C.C.F.=FORT BEND COUNTY CLERK FILE
- F.B.C.D.R.=FORT BEND COUNTY DEED RECORDS
- FND=FOUND
- BL=BUILDING LINE
- DE=DRAINAGE EASEMENT
- UE=UTILITY EASEMENT
- WLE=WATER LINE EASEMENT
- *SET*=SET IRON ROD WITH CAP *BRADFORD 4728*
- *FND*=FND IRON ROD WITH CAP *BRADFORD 4728*
- R=RADIUS
- L=LENGTH
- *CM*=CONTROL MONUMENT
- *REF*=REFERENCE
- PP=POWER POLE
- CPS=COTTON PICKER SPINDLE
- WCR=WHEEL CHAIR RAMP

I, DONALD C. BRADFORD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THIS PLAT REPRESENTS THE FACTS FOUND AS THE RESULT OF AN ON THE GROUND SURVEY PREPARED BY ME OR UNDER MY SUPERVISION ON APRIL 15, 2013.

Donald C. Bradford
DONALD C. BRADFORD
7810 BOOTHLINE ROAD
RICHMOND, TX. 77469
281 238-4120
979 793-3220
JOB NO: 13-028
WEST 1/2



THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:

1. A TITLE COMMITMENT WAS NOT FURNISHED THEREFORE THERE MAY BE ADDITIONAL EASEMENTS, ENCUMBRANCES, DEED RESTRICTIONS, ETC. THAT MAY NOT SHOW HEREON.
2. A METES AND BOUNDS DESCRIPTION WAS NOT FURNISHED FOR THE PURPOSE OF THIS SURVEY.

TRACT 42-A BEING THE WEST 1/2 (2.513 ACRES) DESCRIBED IN COUNTY CLERK FILE 2011088283 OUT OF A 5.027 AC. TRACT RECORDED IN COUNTY CLERK FILE 2006036785, IN THE H&TC RR. CO. SURVY, SECTION 77, ABSTRACT 243 FORT BEND COUNTY, TEXAS.