

Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.



DEED

TxDOT ROW CSJ: 0187-05-056

TxDOT Parcel No.: # 4

Grantor(s), whether one or more:

COUNTY OF FORT BEND, a political subdivision of the State of Texas

Grantor's Mailing Address (including county):

401 Jackson St.
Richmond, Texas 77469
Fort Bend County

Grantee:

The State of Texas, acting by and through the Texas Transportation Commission

Grantee's Authority:

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

Grantee's Mailing Address (including county):

7600 Washinton Ave.
Houston, Texas 77007
Bexar County

Consideration:

The sum of Eight Thousand Four Hundred Eighty Four and no/100 Dollars (\$8,484.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.



Property:

All of that certain tract or parcel of land in Fort Bend County, Texas, being more particularly described in the attached Exhibit A (the "**Property**").

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made by Grantor and accepted by Grantee subject to the following:

1. Visible and apparent easements not appearing of record.
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Fort Bend County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas, sulfur in and under the Property but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

Grantor is retaining title to the following improvements ("**Retained Improvements**") located on the Property, to wit: No improvements on property.

Grantor covenants and agrees to remove the Retained Improvements from the Property by n/a day of n/a, 2015, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting or permitting requirements.

GRANTOR, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns to Warrant and Forever Defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to the claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

EXECUTED on the date(s) of acknowledgement indicated below.

GRANTOR:

COUNTY OF FORT BEND, a political subdivision of the
State of Texas

Acknowledgement

State of Texas
County of Fort Bend

This instrument was acknowledged before me on _____
by _____.

Notary Public's Signature

Corporate Acknowledgment

State of Texas
County of Fort Bend

This instrument was acknowledged before me on _____
by _____,
of _____
, a _____, on behalf of said entity.

Notary Public's Signature

EXHIBIT A

County: Fort Bend
Highway: S.H. 36
Project Limits: at U.P.R.R. in Rosenberg
RCSJ: 0187-05-056

PROPERTY DESCRIPTION FOR PARCEL 4

Being a 0.0473 of one acre (2,061 square feet) parcel of land out of the Henry Scott Survey, Abstract No. 83, in Fort Bend County, Texas, same being out of that tract described as 3.15 acres in a deed from Gulf, Colorado and Santa Fe Railway Company to Fort Bend County as executed on September 14, 1929 and recorded in Volume 128, Page 250 of the Deed Records of Fort Bend County (D.R.F.B.C.), Texas, said 0.0473 of one acre parcel of land being more particularly described by metes and bounds as follows:

COMMENCING at a found Texas Department of Transportation Type II concrete monument at the northwest corner of said Fort Bend County tract and the northeast corner of that tract described as 10.818 acres (Tract One) in a deed from Leaman Building Materials, L.P. to BMCW Southcentral, L.P. as executed on February 27, 2006 and recorded in Document No. 2006025648 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), Texas, BMCW Southcentral, L.P. being acquired by BMC West Corporation by way of a Certificate of Merger as executed on February 28, 2007 and recorded in Document No. 2012026764 of the O.P.R.F.B.C., same being in the existing southwest right-of-way line of S.H. 36 (width varies);

THENCE, South $08^{\circ}59'37''$ East, along the west line of said Fort Bend County tract and the east line of said BMC West Corporation tract, passing at 672.22 feet a 3/4-inch iron pipe found, continuing 0.25 feet for a total distance of 672.47 feet to a point for corner at the southwest corner of said Fort Bend County tract and the southeast corner of said BMC West Corporation tract, same being in the north right-of-way line of the Union Pacific Railroad;

EXHIBIT A

THENCE, North $81^{\circ}01'48''$ East, along the south line of said Fort Bend County tract and the north right-of-way line of the Union Pacific Railroad, a distance of 282.51 feet to a 5/8-inch iron rod with a Texas Department of Transportation aluminum cap set in the proposed west right-of-way line of S.H. 36 for the POINT OF BEGINNING having Coordinates of North=13,766,641.41, East=2,979,627.78, same being the beginning of a curve to the left;**

- 1) THENCE, northwesterly, along the proposed west right-of-way line of S.H. 36, crossing said Fort Bend County tract, along said curve to the left, with an arc distance of 124.24 feet, a central angle of $06^{\circ}15'03''$, a radius of 1,138.79 feet, and a chord which bears North $13^{\circ}10'34''$ West a distance of 124.18 feet to a 5/8-inch iron rod with a Texas Department of Transportation aluminum cap set in the proposed west right-of-way line of S.H. 36, same being in the northeast line of said Fort Bend County tract and the existing southwest right-of-way line of S.H. 36;**
- 2) THENCE, South $28^{\circ}47'42''$ East, along the northeast line of said Fort Bend County tract and the existing southwest right-of-way line of S.H. 36, a distance of 131.65 feet to a point for corner at the southeast corner of said Fort Bend County tract, same being in the north right-of-way line of the Union Pacific Railroad, from which a found concrete monument bears North $20^{\circ}09'55''$ West a distance of 4.27 feet;
- 3) THENCE, South $81^{\circ}01'48''$ West, along the south line of said Fort Bend County tract and the north right-of-way line of the Union Pacific Railroad, a distance of 35.54 feet to the POINT OF BEGINNING and containing 0.0473 of one acre (2,061 square feet) of land.

EXHIBIT A

All bearings are based on the Texas State Plane Coordinate System, South Central Zone, North American Datum 1983, 1993 Adjustment. All distances and coordinates shown are surface and may be converted to grid by dividing by a combined scale factor of 1.00013. Source of bearings – the following stations were held horizontally: TXAC, TXHE, TXLM, TXRS.

** The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

A parcel plat of even date was prepared in conjunction with this property description.

Access will be permitted to the remainder property abutting the highway facility.

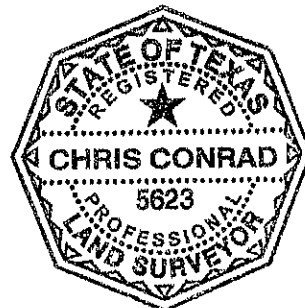
STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF TRAVIS §

That I, Chris Conrad, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 10th day of March, 2015 A.D.

SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591

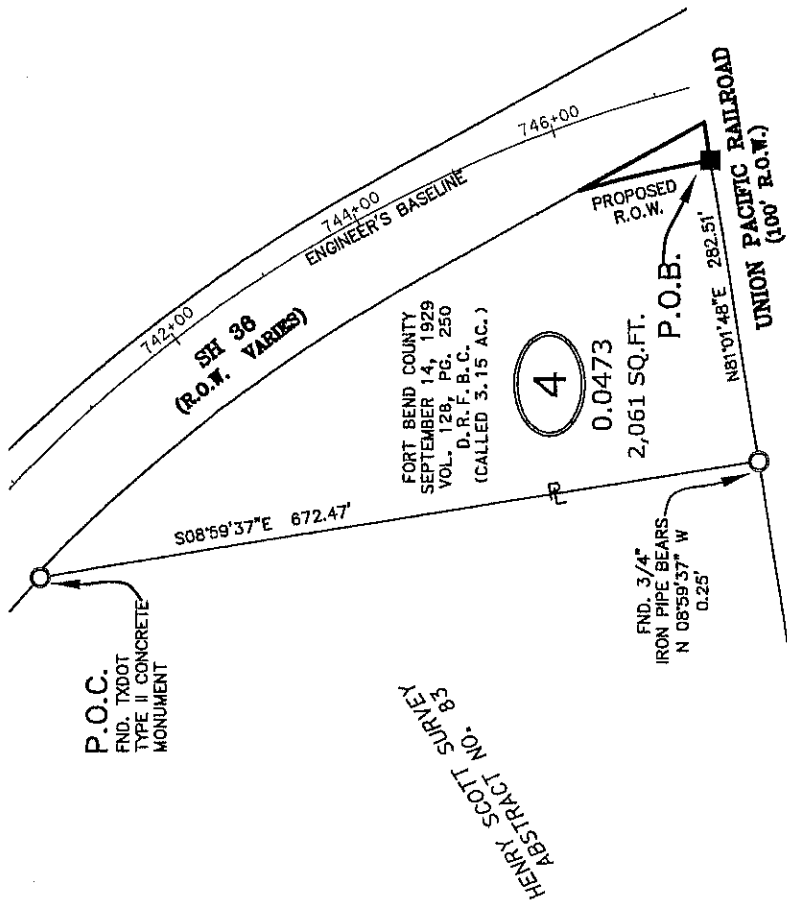
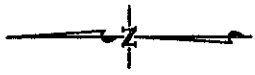


Chris Conrad, Reg. Professional Land Surveyor No. 5623

Note: There is a plat to accompany this description.
2014/Descriptions/SH 36/Parcel 4

NOTES:

1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983, 1983 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013. SOURCE OF BEARINGS - THE FOLLOWING STATIONS WERE HELD HORIZONTALLY: TXAC, TXHE, TXLM, TXRS
2. DRAWINGS ARE BASED ON ABSTRACTING PERFORMED FROM OCTOBER 2013 THROUGH FEBRUARY 2014.
3. DRAWINGS ARE BASED ON FIELD SURVEYS PERFORMED FROM OCTOBER 2013 THROUGH MARCH 2015.
4. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
5. THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HERE ON AND IS FOR INFORMATIONAL PURPOSES ONLY.
6. ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.



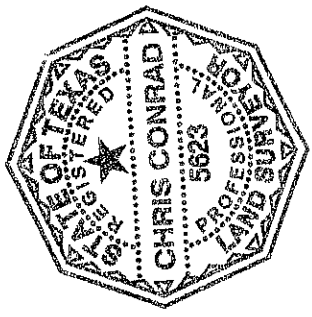
HENRY SCOTT SURVEY
ABSTRACT NO. 83

FORT BEND COUNTY
SEPTEMBER 14, 1929
VOL. 128, PG. 250
D. R. F. B. C.
(CALLED 3.15 AC.)

WHOLE PROPERTY INSERT
NOT TO SCALE

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE 03/10/2015



REVISIONS

CALCULATED	TAKING	REMAINING
2.833 AC. 123,405 SQ.FT.	0.0473 AC. 2,061 SQ.FT.	2.7857 AC. 121,344 SQ.FT. RT

McGRAY & McGRAY
LAND SURVEYORS, INC.
TBPLS FIRM # 10095500
3301 HANCOCK DRIVE #6
AUSTIN, TEXAS 78731
(512) 451-8591

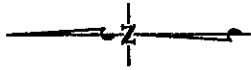
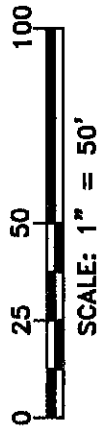
PARCEL PLAT SHOWING
PARCEL 4
S.H. 36
FORT BEND COUNTY, TEXAS
R.O.W. C.S.J.: 0187-05-056

DATE: MARCH 2015 SCALE: N.T.S.

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	BEARING	CHORD
C1	124.24'	1,138.79'	08°15'03"	62.18'	N13°10'34"W	124.18'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S81°01'48"W	35.54'

ENGINEER'S BASELINE CURVE DATA
 PI STATION N = 13,767,383.23
 E = 2,979,691.10
 PI STATION = 742+93.84
 DELTA = 73°16'05" (RT)
 DEGREE OF CURVE = 4°14'39"
 TANGENT = 1,003.84'
 LENGTH = 1,726.34'
 RADIUS = 1,350.00'
 CHORD BEARING = S39°19'01" E
 CHORD = 1,611.09'
 PC STATION = 732+90.00
 PT STATION = 750+16.34



LEGEND

- FOUND MONUMENT (AS INDICATED)
- SET 5/8" IRON ROD WITH TX.D.O.T. ALUMINUM CAP
- R.O.W.
- P.O.B.
- P.O.C.
- ┌ PROPERTY LINE
- O.P.R.F.B.C.
- OFFICIAL PUBLIC RECORDS
- FORT BEND COUNTY
- DEED RECORDS
- D.R.F.B.C.
- FORT BEND COUNTY

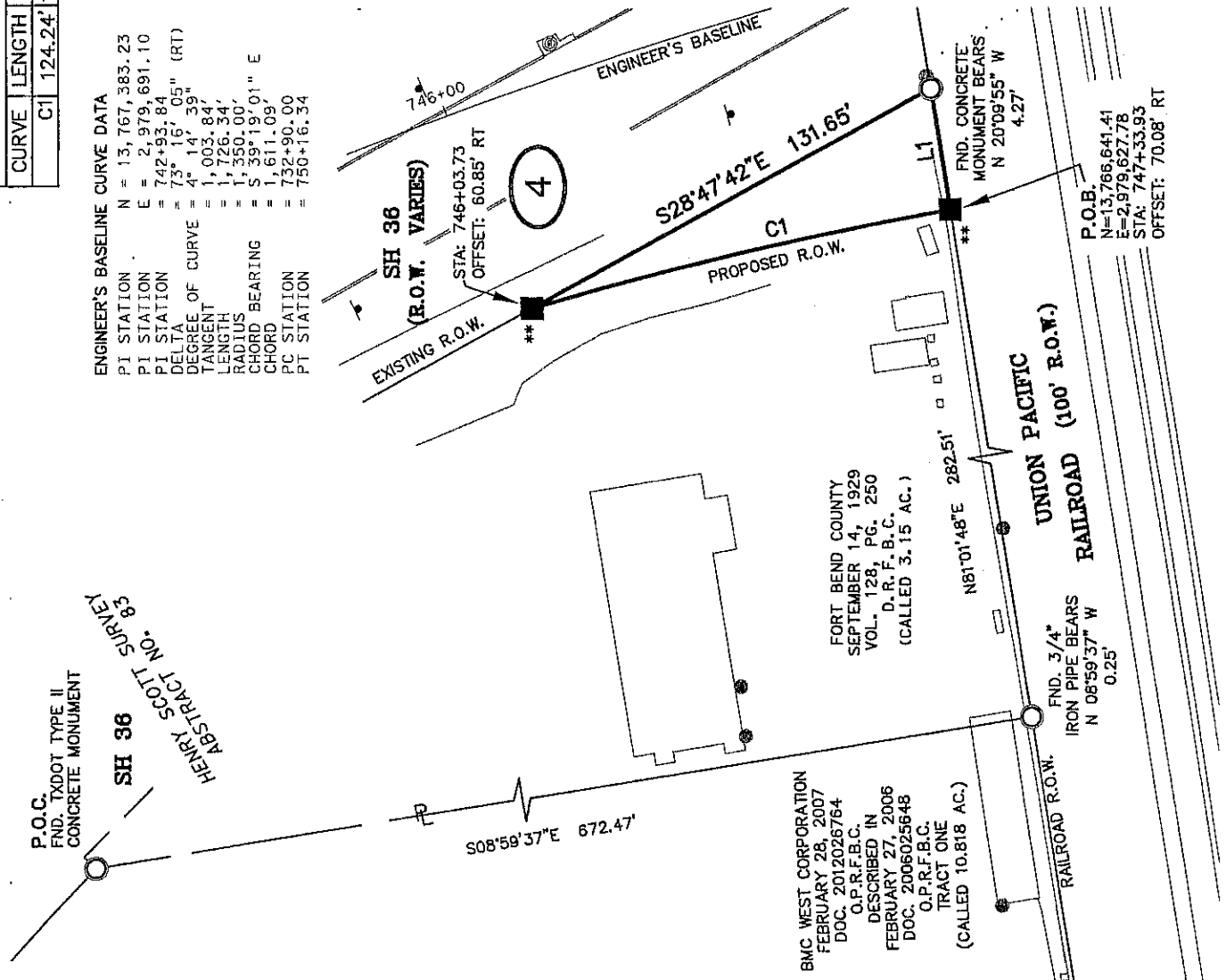
McGRAY & McGRAY
LAND SURVEYORS, INC.
 TBPLS FIRM # 10095500
 3301 HANCOCK DRIVE #6
 AUSTIN, TEXAS 78731
 (512) 451-8591

PARCEL PLAT SHOWING
 PARCEL 4
 S.H. 36
 FORT BEND COUNTY, TEXAS
 R.O.W. C.S.J.: 0187-05-056

DATE: MARCH 2015 SCALE: 1"=50'

PAGE OF 5

FILE: Parcel 4-Rev3



P.O.C.
 FND. TxDOT TYPE II
 CONCRETE MONUMENT
 SH 36
 HENRY SCOTT SURVEY
 ABSTRACT NO. 83

S08°59'37"E 672.47'

FORT BEND COUNTY
 SEPTEMBER 14, 1929
 VOL. 128, PG. 250
 D. R. F. B. C.
 (CALLED 3.15 AC.)

BMC WEST CORPORATION
 FEBRUARY 28, 2007
 DOC. 2012026764
 O.P.R.F.B.C.
 DESCRIBED IN
 FEBRUARY 27, 2006
 DOC. 2006025648
 O.P.R.F.B.C.
 TRACT ONE
 (CALLED 10.818 AC.)

P.O.B.
 N=13,766,641.41
 E=2,979,627.78
 STA: 747+33.93
 OFFSET: 70.08' RT

FND. 3/4"
 IRON PIPE BEARS
 N 08°59'37" W
 0.25'

UNION PACIFIC
 RAILROAD (100' R.O.W.)

FND. CONCRETE
 MONUMENT BEARS
 N 20°09'55" W
 4.27'