

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**RESOLUTION AND ORDER DECREERING THE ACQUISITION OF
PROPERTY TO BE A PUBLIC NECESSITY AND AUTHORIZING THE
ACQUISITION AND PAYMENT OF COMPENSATION**

WHEREAS, on the ____ day of _____, 2016, at a regular meeting of the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon motion of Commissioner _____, seconded by Commissioner _____, and upon record vote, passed ____ votes in favor and ____ opposed:

RESOLUTION

RESOLVED THAT WHEREAS, the Commissioners Court has received and reviewed the plans for a public project known as the Emmanuel King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion in Fort Bend County, Texas; and,

WHEREAS, Commissioners Court has determined that public necessity and convenience exists for the relocation, alignment, construction, operation, and maintenance of a public project known as Emmanuel King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion in Fort Bend County, Texas, in accordance with said plans, alignment, and tract identifications which are part hereof as Exhibit “A.”

ORDER

NOW THEREFORE, IT IS ORDERED AND DECREED that the plans for the location, alignment, construction, operation, and maintenance of the public project known as Emmanuel King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion in Fort Bend County, Texas, is approved.

IT IS FURTHER ORDERED AND DECREED that public necessity and convenience exist for the public project, known as Emmanuel King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion in Fort Bend County, Texas, and that the County Engineer be authorized and directed to obtain appraisals, surveys, title information and/or make official offers of specific amount for the purchase of either easement or the fee simple interest in and to the tract(s) situated within such alignment [as shown as Exhibit “A”]; that the County Attorney be authorized and directed, and he is hereby authorized and directed to file or cause to be filed proceedings in eminent domain and to acquire thereby easement or fee simple interest for said purposes in the tract(s) which cannot be acquired as aforesaid by donation, dedication, or purchase.

IT IS FURTHER ORDERED AND DECREED that the County Judge or designated representative be authorized and directed to sign any papers or agreements associated with closing the purchase(s); the County Attorney, County Clerk, County Auditor and County Treasurer be authorized and directed to perform any and all necessary acts within their respective spheres of official duties toward the final acquisition of the tract(s) of land, or interest(s) therein, together with the improvement if any, within the said public project known as Emmanuel King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion Fort Bend County, Texas and the payment and compensation therefore.

PASSED AND APPROVED this ____ day of _____, 2016.

FORT BEND COUNTY

Robert E. Hebert, County Judge

ATTEST:

Laura Richard, County Clerk

EXHIBIT

TRACT 6:

A TRACT OR PARCEL CONTAINING 1.003 ACRES (43,702 SQ. FT.) OF LAND, SITUATED IN THE ISAAC MCGARY LEAGUE, ABSTRACT NO. 58, FORT BEND COUNTY, TEXAS, SAID 1.0033 ACRE TRACT BEING OUT OF AND A PORTION OF A CALLED 13 ACRES, CONVEYED TO FORT BEND COUNTY, AS DESCRIBED IN A DEED RECORDED IN FORT BEND COUNTY CLERK'S FILE NUMBER (F.B.C.C.F. NO.) 2012090044, SAID 1.003 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS; ALL BEARINGS ARE BASED ON TEXAS STATE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD88:

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF TAYLOR RUN ROAD (WIDTH VARIES) AND THE WEST RIGHT-OF-WAY LINE OF WEST END TAVENER ROAD (60 FEET IN WIDTH);

THENCE, SOUTH 32 DEGREES 43 MINUTES 51 SECONDS EAST, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID TAYLOR RUN ROAD, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WEST END TAVENER ROAD, A DISTANCE OF 1244.72 FEET TO A 5/8 INCH IRON PIPE FOUND MARKING THE NORTHEAST CORNER OF A CALLED 20.00 ACRE TRACT CONVEYED TO SNR PROPERTIES AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2010058116;

THENCE, SOUTH 57 DEGREES 16 MINUTES 09 SECONDS WEST, DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID WEST END TAVENER ROAD, ALONG THE NORTH LINE OF SAID CALLED 20.00 ACRE TRACT, A DISTANCE OF 812.76 FEET TO A POINT IN THE EAST LINE OF A CALLED 26.922 ACRE TRACT CONVEYED TO FADI AHMED AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2007077000;

THENCE, SOUTH 32 DEGREES 43 DEGREES MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID CALLED 26.922 ACRES TRACT, A DISTANCE OF 522.25 FEET TO A 1/2 INCH IRON PIPE FOUND MARKING THE SOUTHEAST CORNER OF SAID 26.922 ACRE TRACT;

THENCE, SOUTH 57 DEGREES 49 MINUTES 54 SECONDS WEST, ALONG THE SOUTH LINE OF SAID CALLED 26.922 ACRES TRACT, AT A DISTANCE OF 1658.72 FEET TO AN AXLE FOUND MARKING THE SOUTHWEST CORNER OF SAID CALLED 26.922 AND THE SOUTHEAST CORNER OF A CALLED 25.75 ACRES CONVEYED TO KATIE MURRAY AS DESCRIBED IN A DEED RECORDED IN VOLUME 203, PAGE 340, FORT BEND COUNTY DEED RECORDS (F.B.C.D.R.), AT 2061.78 FEET TO A 1 INCH IRON PIPE FOUND MARKING THE NORTHWEST CORNER OF A CALLED 24.993 ACRES TRACT CONVEYED TO ROBERT ALLEN JOHNSON AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2008037776 AND THE NORTHEAST CORNER A CALLED 11.20 ACRE TRACT CONVEYED TO BEAR CREEK US HOLDINGS AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2012019338 AND CONTINUING IN ALL A TOTAL DISTANCE OF 2747.39 FEET TO A POINT MARKING THE NORTHWEST CORNER OF SAID CALLED 11.20 ACRE TRACT AND THE NORTHEAST CORNER OF CALLED 5.57 ACRE TRACT CONVEYED TO DETTEGE ARQUINA K. ESTATE AS DESCRIBED IN A DEED RECORDED F.B.C.C.F. NO. 2009008428;

EXHIBIT A

THENCE, SOUTH 32 DEGREES 10 MINUTES 06 SECONDS EAST, ALONG THE EAST LINE OF SAID CALLED 5.57 ACRE TRACT AND THE WEST LINE OF SAID CALLED 11.20 ACRE TRACT, A DISTANCE OF 437.35 FEET TO A 5/8 INCH IRON ROD SET MARKING THE SOUTHEAST CORNER OF A CALLED 11.6 ACRE TRACT CONVEYED TO GLORIA SOLOMON AS DESCRIBED IN A DEED RECORDED IN VOLUME 441, PAGE 595, F.B.C.D.R. AND THE NORTHEAST CORNER OF CALLED 11.5 ACRE TRACT CONVEYED TO VERSIE MAE WILSON AS DESCRIBED IN A DEED RECORDED IN VOLUME 441, PAGE 595, F.B.C.D.R.;


THENCE, SOUTH 32 DEGREES 10 MINUTES 06 SECONDS EAST, CONTINUING ALONG THE WEST LINE OF SAID CALLED 11.20 ACRE TRACT AND THE EAST LINE OF SAID CALLED 11.5 ACRE TRACT, A DISTANCE OF 274.27 FEET TO A 5/8 INCH IRON ROD SET ON THE NORTH LINE OF A CALLED 13 ACRE TRACT CONVEYED TO FORT BEND COUNTY AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2012090044 MARKING THE SOUTHWEST CORNER OF SAID CALLED 11.20 ACRE TRACT AND THE SOUTHEAST CORNER OF SAID CALLED 11.5 ACRE TRACT, SAME BEING THE NORTHEAST CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 32 DEGREES 10 MINUTES 06 SECONDS EAST, THROUGH AND ACROSS SAID CALLED 13 ACRE TRACT, A DISTANCE OF 364.78 FEET TO A 5/8 INCH IRON ROD SET ON THE COMMON SOUTH LINE OF SAID CALLED 13 ACRE TRACT AND THE NORTH LINE OF A CALLED 30 ACRE TRACT CONVEYED TO MAXINE DAWKINS ETAL AS DESCRIBED IN FORT BEND COUNTY APPRAISAL DISTRICT NO. 0058-04-980-0000-908;

THENCE, SOUTH 58 DEGREES 23 MINUTES 39 SECONDS WEST, ALONG THE COMMON LINE, A DISTANCE OF 120.01 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT FROM WHICH A POINT MARKING THE SOUTHWEST CORNER OF SAID 13 ACRE TRACT BEARS SOUTH 57 DEGREES 47 MINUTES 16 SECONDS WEST, 103.92 FEET;

THENCE, NORTH 32 DEGREES 10 MINUTES 06 SECONDS WEST, THROUGH AND ACROSS SAID CALLED 13 ACRE TRACT, A DISTANCE OF 364.78 FEET TO A 5/8 INCH IRON ROD SET ON THE COMMON NORTH LINE OF SAID CALLED 13 ACRE TRACT AND THE SOUTH LINE OF AFORESAID CALLED 11.5 ACRE TRACT MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT FROM WHICH A POINT MARKING THE NORTHWEST CORNER OF SAID 13 ACRE TRACT BEARS SOUTH 57 DEGREES 47 MINUTES 16 SECONDS WEST, 109.24 FEET;

THENCE, NORTH 57 DEGREES 49 MINUTES 54 SECONDS WEST, ALONG SAID COMMON LINE, A DISTANCE OF 120.00 FEET TO THE **POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT AND CONTAINING 1.003 ACRES OR 43,702 SQUARE FEET OF LAND.


05/04/15
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