

**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.**

**WARRANTY DEED**

**THE STATE OF TEXAS**

§

§

**KNOW ALL MEN BY THESE PRESENTS**

**COUNTY OF FORT BEND**

§

THAT THE UNDERSIGNED, Wayne S. Shellenburg, whose address is 2702 Lakecrest Drive, Pearland, Texas 77584, hereinafter called "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration paid to Grantor by the County of Fort Bend, Texas, hereinafter called Grantee, whether one or more, whose mailing address is 301 Jackson St., Richmond, TX 77469, and other good and valuable consideration, the receipt and sufficiency of which consideration are acknowledged, hereby GRANT, SELL and CONVEY unto Grantee, the real property described on attached Exhibit "A", incorporated herein and made a part hereof for all purposes, together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting said real property and any of Grantor's rights to use same; (iv) any and all rights of ingress and egress to and from said real property and any of Grantor's rights to use same; (v) any and all mineral rights and interests of Grantor relating to said real property (present or reversionary), save and except as provided herein; (vi) any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit said real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantor in and to any leases covering all or any portion of said real property; and (viii) all right, title and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing fronting or bounding said real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of widening or of changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to said real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said real property and (d) any and all reversionary interests in and to said real property (said real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: (1) any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties; (2) conditions, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the property; (3) all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any but only to the extent they are still in effect and relating to the hereinabove described property; (4) Grantor reserves all of the oil, gas and sulphur in and under the land herein conveyed 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; however, nothing in this reservation shall affect

the title and rights of the Grantee, its successors and assigns, to take and use other minerals and materials thereon, therein and thereunder.

If current ad valorem taxes on Property have not been prorated at the time of closing, Grantor and Grantee shall be responsible for payment of its respective share thereof based on period of ownership. Grantee, as a governmental entity, shall be responsible for applying and perfecting any exemption for which it is entitled relating to period of ownership.

**TO HAVE AND TO HOLD** the Property described herein and herein conveyed together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns forever, subject to the matters herein stated: and Grantor does hereby bind itself and its successors and assigns, to **WARRANT AND FOREVER DEFEND**, all and singular, the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

**EXECUTED** this 17<sup>th</sup> day of AUGUST, 2016.

GRANTOR:

WAYNE S. SHELLENBURG

Wayne S Shellenburg

STATE OF TEXAS

COUNTY OF Harris

Before me, the undersigned Notary Public, on this day personally appeared Wayne Shellenburg known to me or proved to me to be the person and officer whose name is subscribed to the attached warranty deed. He/She acknowledged to me that he/she executed and is duly authorized to execute the attached warranty deed in the name of and on behalf of Wayne S. Shellenburg, for purposes and consideration express in the attached agreement.

GIVEN under my hand and seal of office on the 17<sup>th</sup> day of August, 2016.



Donna Jean Barker  
Notary Public in and for the  
State of Texas

THE COUNTY OF FORT BEND accepts the foregoing Warranty Deed and consents to its form and substance.

THE COUNTY OF FORT BEND

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF TEXAS       §  
                                  §  
COUNTY OF FORT BEND §

This instrument was ACKNOWLEDGED before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_ of the County of Fort Bend, on behalf of said county.

[S E A L]

\_\_\_\_\_  
Notary Public in and for the State of  
Texas

My Commission Expires:

\_\_\_\_\_  
Printed Name of Notary Public

\_\_\_\_\_

**METES AND BOUNDS DESCRIPTION  
CANE ISLAND PARKWAY  
IH-10 TO FM 1463  
PARCEL 9  
BEING 1.747 ACRES SITUATED IN  
THE THOMAS CRESAP SURVEY, ABSTRACT NO. 369  
FORT BEND COUNTY, TEXAS**

BEING A 1.747 ACRE TRACT OF LAND SITUATED IN THE THOMAS CRESAP SURVEY, ABSTRACT NO. 369, FORT BEND COUNTY, TEXAS, BEING A PART OF THAT CERTAIN CALLED 8.5869 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO WAYNE SHELLENBERG DATED JULY 18, 1986 AND RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NUMBER (F.B.C.C.F. No.) 8635418, SAID 1.747 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE 4204, AS DETERMINED BY GPS MEASUREMENTS):

COMMENCING at a 1/2-inch iron pipe found marking the westerly common corner of the called 8.5869 acre tract and that certain called 123.4 acre tract of land described in the deed to Jeffrey Bain and Verna Bain dated July 8, 1993 and recorded under F.B.C.C.F. No. 9343844 and being in the easterly line of that certain called 37.255 acre tract of land described in the deed to Ward-Brown Partners, LLC dated February 22, 2010 and recorded under F.B.C.C.F. No. 2010020254;

THENCE, North 87°57'30" East, along the common line of the called 8.5869 acre tract and the called 123.4 acre tract of land for a distance of 0.53 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set non-tangentially in the arc of a curve to the right in the proposed westerly right-of-way line of Cane Island Parkway marking the southwest corner and POINT OF BEGINNING of the herein described tract of land;

THENCE, along the proposed westerly right-of-way line for Cane Island Parkway, the following four (4) courses and distances:

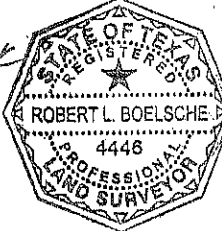
- (1) THENCE, in a northerly direction along the arc of said curve to the right having a radius of 1,550.00 feet, an angle of 06° 33' 18", an arc length of 177.33 feet and a chord bearing North 07°42'20" East, a distance of 177.23 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking a point of tangency;
- (2) THENCE, North 10°58'59" East, a distance of 99.94 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking a point of curvature;
- (3) THENCE, in a northerly direction along the arc of said curve to the left having a radius of 1,500.00 feet, an angle of 12° 47' 20", an arc length of 334.82 feet and a chord bearing North 04°35'19" East, a distance of 334.12 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking a point of tangency;
- (4) THENCE, North 01°48'22" West, a distance of 115.18 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" marking the northwesterly corner of the herein described tract of land set in the northerly line of the called 8.5869 acre tract and the southerly line of that certain called 4.2190 acre tract described in the deed to the State of Texas dated January 31, 2014 and recorded under F.B.C.C.F. No. 2014010209, from which corner a 1/2-inch iron pipe found marking the southwest corner of said called 4.2190 acre tract bears North 78°00'43" West, a distance of 19.93 feet, and from which corner a 1/2-inch capped iron pipe stamped "Kalkomey" found marking the northwesterly corner of the called 8.5869 acre tract of land bears North 78°00'43" West, a distance of 94.08 feet;
- (5) THENCE, South 78°00'43" East, along the common line of the called 8.5869 acre tract and the called 4.2190 acre tract for a distance of 123.56 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" marking the northeasterly corner of the herein described tract of land set in the proposed easterly right-of-way line of Cane Island Parkway, from which corner a 3/4-inch iron pipe found marking the northwesterly corner of that certain called 2.8613 acre tract described in the deed to Wayne Shellenberg dated April 15, 1993 and recorded under F.B.C.C.F. No. 9461991 bears South 78°00'43" East, a distance of 474.59 feet;

THENCE, along the proposed easterly right-of-way line for Cane Island Parkway, the following four (4) courses and distances:

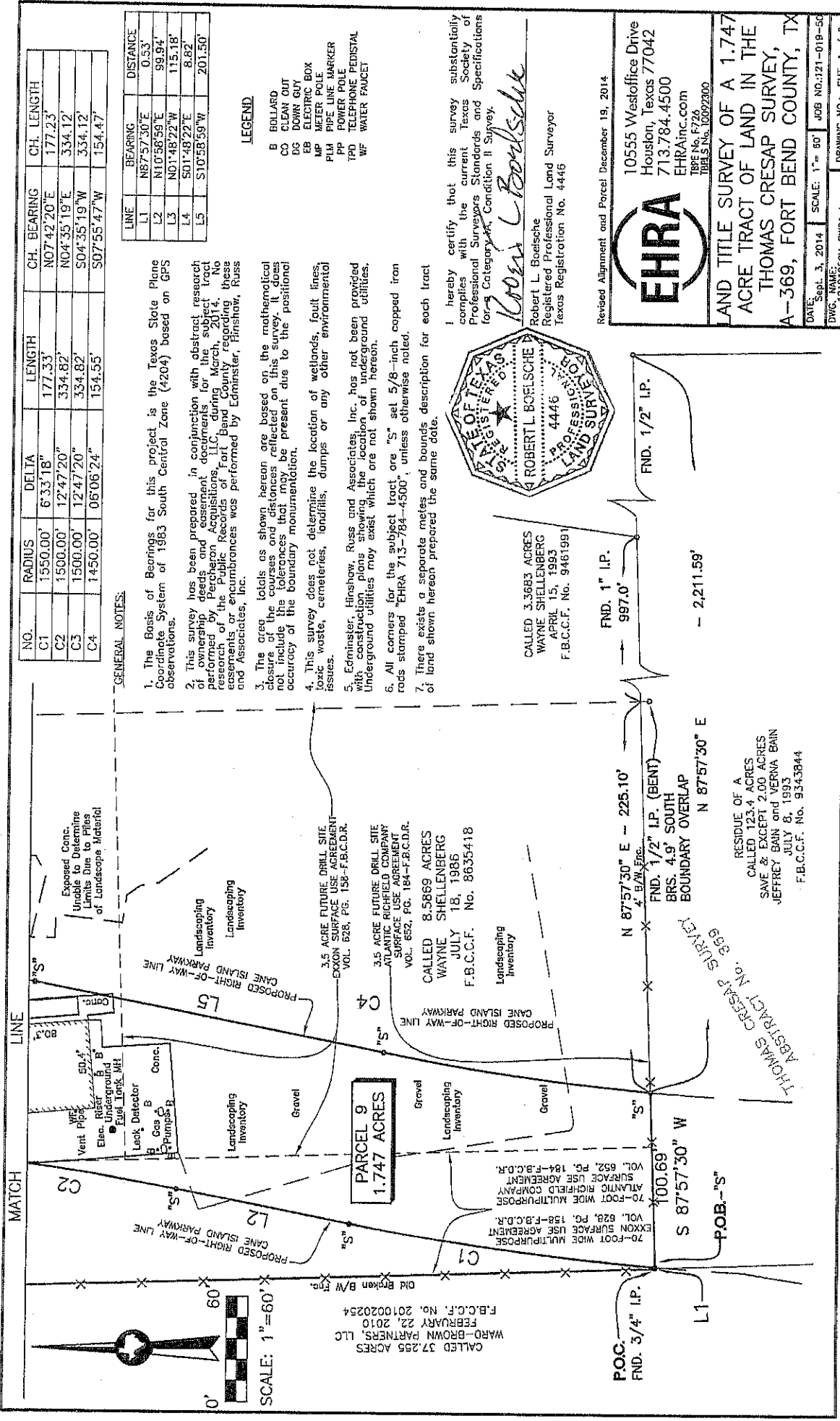
- (6) THENCE, South  $01^{\circ}48'22''$  East, a distance of 8.82 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking a point of curvature;
- (7) THENCE, in a southerly direction along the arc of said curve to the right having a radius of 1,500.00 feet, an angle of  $12^{\circ}47'20''$ , an arc length of 334.82 feet and a chord bearing South  $04^{\circ}35'19''$  West, a distance of 334.12 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking a point of tangency;
- (8) THENCE, South  $10^{\circ}58'59''$  West, a distance of 201.50 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking a point of curvature;
- (9) THENCE, in a southerly direction along the arc of said curve to the left having a radius of 1,450.00 feet, an angle of  $06^{\circ}06'24''$ , an arc length of 154.55 feet and a chord bearing South  $07^{\circ}55'47''$  West, a distance of 154.47 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" marking the southeasterly corner of the herein described tract of land set in the aforementioned common line of the called 8.5869 acre tract and the called 123.4 acre tract of land;
- (10) THENCE, South  $87^{\circ}57'30''$  West, along said common line of the called 8.5869 acre tract and the called 123.4 acre tract of land for a distance of 100.69 feet to the **POINT OF BEGINNING** and containing 1.747 acres of land. This description accompanies a Land Title Survey (12101950V-RW09.dwg) prepared by EHRA, Inc. dated September 3, 2014 and revised December 19, 2014.

EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC. dba EHRA, Inc. TBPLS No. 10092300

*Robert L Boelsche*  
Robert L. Boelsche, R.P.L.S.  
Texas Registration No. 4446  
10555 Westoffice Drive  
Houston, Texas 77042  
713-784-4500



Date: September 3, 2014; rev. December 19, 2014  
Job No: 121-019-50  
File No: \\Client\RS\2012\121-019-50\documents\technical\12101950V-RW09-MB.doc



NO.	RADIUS	DELTA	LENGTH	CH. BEARING	CH. LENGTH
C1	1500.00'	6°33'18"	177.33'	N07°42'20"E	177.23'
C2	1500.00'	12°47'20"	334.82'	N04°35'19"E	334.12'
C3	1500.00'	12°47'20"	334.82'	S04°35'19"W	334.12'
C4	1450.00'	06°06'24"	154.55'	S07°55'47"W	154.47'

LINE	BEARING	DISTANCE
L1	N87°57'30"E	0.53'
L2	N10°58'59"E	99.94'
L3	N07°48'22"W	115.18'
L4	S01°48'22"E	8.82'
L5	S10°58'59"W	201.50'

LEGEND

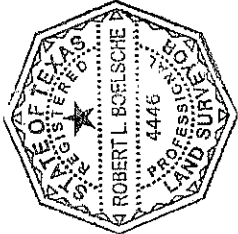
- B BOLLARD
- CG CLEAN OUT
- DO DOWN GUY
- EB ELECTRIC BOX
- EP METER POLE
- PLM PIPE LINE MARKER
- PP POWER POLE
- TPD TELEPHONE PEDISTAL
- WF WATER FAUCET

GENERAL NOTES

- The Basis of Bearings for this project is the Texas State Plane Coordinate System of 1983 South Central Zone (4204) based on GPS observations.
- This survey has been prepared in conjunction with abstract research of ownership deeds and easement documents for the subject tract performed by Percheron Acquisitions, LLC, during March, 2014. No research of the Public Records of Fort Bend County regarding these easements or encumbrances was performed by Edminster, Hinshaw, Russ and Associates, Inc.
- The area totals as shown hereon are based on the mathematical closure of the courses and distances reflected on this survey. It does not include the tolerances that may be present due to the positional accuracy of the boundary monumentation.
- This survey does not determine the location of wetlands, fault lines, toxic waste, cemeteries, landfills, dumps or any other environmental issues.
- Edminster, Hinshaw, Russ and Associates, Inc. has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
- All corners for the subject tract are "S" set 5/8-inch capped iron rods stamped "EHRA 713-784-4500", unless otherwise noted.
- There exists a separate metes and bounds description for each tract of land shown hereon prepared the same date.

I hereby certify that this survey substantially complies with the current Texas Professional Surveyors Standards and Specifications for Category A, Condition II Survey.

*Robert L. Boelsche*  
Robert L. Boelsche  
Registered Professional Land Surveyor  
Texas Registration No. 4446



Revised Alignment and Parcel December 19, 2014

**EHRA**  
10555 Westoffice Drive  
Houston, Texas 77042  
713.784.4500  
EHRAinc.com  
TYPE No. F726  
TBS No. 10092900

LAND TITLE SURVEY OF A 1.747  
ACRE TRACT OF LAND IN THE  
THOMAS CRESAP SURVEY,  
A-369, FORT BEND COUNTY, TX

DATE: Sept. 3, 2014 SCALE: 1"= 60' JOB NO.: 121-019-S0  
DWG. NAME: 1210150V-RW01.dwg DRAWING NO.: SHT. 1 of 2

CALLED 3.3683 ACRES  
WAYNE SHELLENBERG  
APRIL 15, 1983  
F.B.C.C.F. No. 9461991

FND. 1" LP.

FND. 1/2" LP.

- 2,211.59'

N 87°57'30" E - 225.10'

FND. 1/2" LP. (BENT)

BRS. 4.9' SOUTH

BOUNDARY OVERLAP

N 87°57'30" E

RESIDUE OF A  
CALLED 123.4 ACRES  
SAVE & EXCEPT 2.00 ACRES  
JEFFREY BAIN and VERNIA BAIN  
JULY 8, 1993  
F.B.C.C.F. No. 9345844

WARD-BROWN PARTNERS, LLC  
FEBRUARY 22, 2010  
F.B.C.C.F. No. 2010020254

PARCEL 9  
1.747 ACRES

70-FOOT WIDE MULTIPURPOSE  
EXXON SURFACE USE AGREEMENT  
VOL. 628, PG. 158-F.B.C.D.R.  
ATLANTIC RICHFIELD COMPANY  
SURFACE USE AGREEMENT  
VOL. 652, PG. 184-F.B.C.D.R.

3.5 ACRE FUTURE DRILL SITE  
EXXON SURFACE USE AGREEMENT  
VOL. 628, PG. 158-F.B.C.D.R.

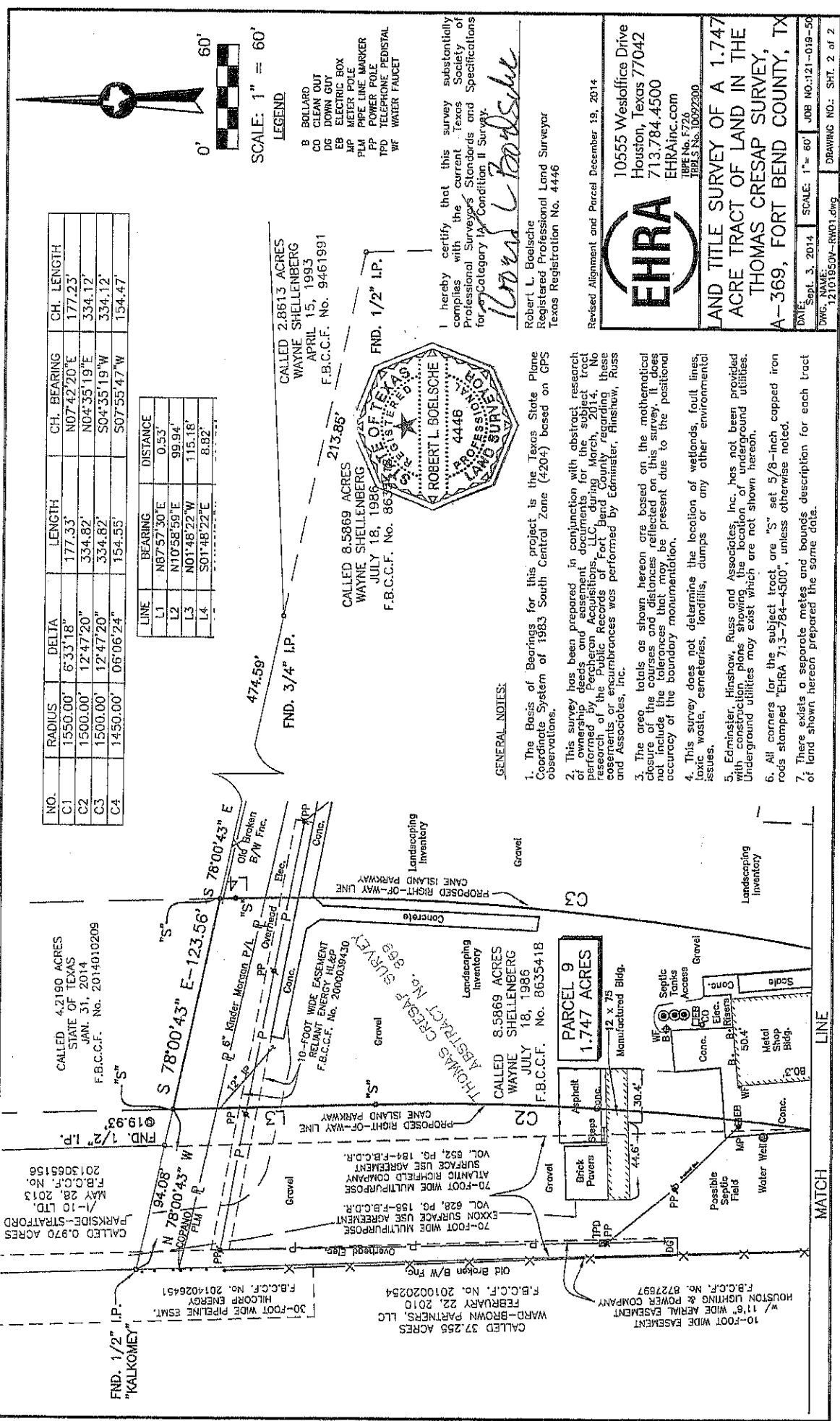
3.5 ACRE FUTURE DRILL SITE  
ATLANTIC RICHFIELD COMPANY  
SURFACE USE AGREEMENT  
VOL. 652, PG. 184-F.B.C.D.R.

CALLLED 8.5869 ACRES  
WAYNE SHELLENBERG  
JULY 18, 1986  
F.B.C.C.F. No. 8635418

MATCH

LINE

SCALE: 1"=60'

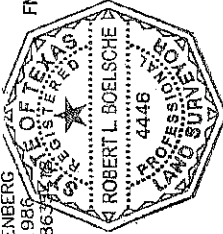


NO.	RADIUS	DELTA	LENGTH	CH. BEARING	CH. LENGTH
C1	1550.00'	6'33.18"	177.33'	N07°42'20"E	177.23'
C2	1500.00'	12°47'20"	334.82'	N04°35'19"E	334.12'
C3	1500.00'	12°47'20"	334.82'	S04°35'19"W	334.12'
C4	1450.00'	06°06'24"	154.55'	S07°55'47"W	154.47'

LINE	BEARING	DISTANCE
L1	N87°57'30"E	0.53'
L2	N10°58'59"E	99.94'
L3	N01°48'22"W	115.18'
L4	S01°48'22"E	8.92'

CALLLED 2.8513 ACRES  
WAYNE SHELLENBERG  
APRIL 15, 1993  
F.B.C.C.F. No. 9461991

CALLLED 8.5869 ACRES  
WAYNE SHELLENBERG  
JULY 18, 1986  
F.B.C.C.F. No. 8635418



I hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors' Standards and Specifications for Category I-A Condition II Survey.

Robert L. Boelsche  
Registered Professional Land Surveyor  
Texas Registration No. 4446

Revised Alignment and Parcel December 19, 2014

**EHRA**  
10555 Westoffice Drive  
Houston, Texas 77042  
713.784.4500  
EHRAinc.com  
TYPE No. F726  
TSPS No. 10092900

**LAND TITLE SURVEY OF A 1.747 ACRE TRACT OF LAND IN THE THOMAS CRESAP SURVEY, A-369, FORT BEND COUNTY, TX**

DATE: Sept. 3, 2014  
DWG. NAME: 121019504-RW01.dwg  
SCALE: 1" = 60'  
JOB NO.: 121-019-50  
DRAWING NO.: SHT. 2 of 2

**GENERAL NOTES:**

1. The Basis of Bearings for this project is the Texas State Plane Coordinate System of 1983 South Central Zone (4204) based on GPS observations.
2. This survey has been prepared in conjunction with abstract research of ownership deeds and easement documents for the subject tract performed by Percheron Acquisitions, LLC, during March, 2014. No easements or encumbrances were performed by Edminster, Hinshaw, Russ and Associates, Inc.
3. The area, totals as shown hereon are based on the mathematical closure of the courses and distances reflected on this survey. It does not include the tolerances that may be present due to the positional accuracy of the boundary monumentation.
4. This survey does not determine the location of wetlands, fault lines, toxic waste, cemeteries, landfills, dumps or any other environmental issues.
5. Edminster, Hinshaw, Russ and Associates, Inc. has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
6. All corners for the subject tract are "5" set 5/8-inch capped iron rods stamped "EHRA 713-784-4500", unless otherwise noted.
7. There exists a separate metes and bounds description for each tract of land shown hereon prepared the same date.