SANITARY SEWER EASEMENT

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL ESTATE BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

THE STATE OF TEXAS	§	
	§	KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF FORT BEND	§	

THAT, **FORT BEND COUNTY, TEXAS,** a body politic organized and existing under the laws of the State of Texas, whose principal address is 301 Jackson Street, Richmond, Texas (herein referred to as "Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to Grantors in hand paid by **FIRST BAPTIST CHURCH FRESNO**, a Texas non-profit corporation, (herein referred to as "Grantee"), the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, AND CONVEYED and by these presents does GRANT, SELL, AND CONVEY unto Grantee, its successors and assigns, a non-exclusive permanent and perpetual easement and right-of-way (herein referred to as the "Easement") for construction, installation, maintenance, repair, replacement, removal, relocation, and operation of underground sanitary sewer line or lines and all related appurtenances (herein referred to as the "Facilities") across, along, under, and upon that certain 5,640 square foot parcel of land described in the metes and bounds description attached hereto as **Exhibit A**, and depicted on **Exhibit B**, both exhibits being made a part hereof for all purposes (herein referred to as the "Easement Tract").

The easement hereby granted shall be used only for the purposes of constructing, repairing, maintaining, re-constructing and operating underground sewer lines and related appurtenances and facilities. Subject to the further provisions hereof, Grantee, its agents, employees, workmen and representatives, shall have the right and privilege of ingress and egress across the Easement Tract as may be necessary to construct, repair, maintain, re-construct and operate such sewer lines and facilities.

Grantee may construct, install, maintain, repair, replace, remove, and operate the Facilities on, across, along, over, and under the Easement Tract and may enter upon the Easement Tract to engage in all activities as may be necessary, requisite, convenient, or appropriate in connection therewith. Grantee's rights shall include, without limitation, the right to clear and remove trees, growth, shrubbery, and other improvements from within the Easement Tract and the right to bring and operate such equipment thereupon as may be necessary, convenient, or appropriate to effectuate the purposes for which the Easement is granted. Grantee will at all times after doing any work in connection with the Easement restore the Easement Tract as nearly as possible to its condition prior to the undertaking of such work.

Grantor expressly reserves the right to the use and enjoyment of the Easement Tract for any and all purposes, provided that such use will not prevent Grantee from the exercise of all its rights under the Easement herein granted. If Grantor's use of the Easement Tract requires the relocation of the Facilities, Grantor will be responsible for the cost of such relocation.

This conveyance is further made subject to any and all restrictions, covenants, easements, rights-of-way, encumbrances, and mineral or royalty reservations or interests affecting the Easement Property and appearing of record in the Official Public Records of Fort Bend County, Texas, to the extent that said items and matters are in effect and validly enforceable against the Easement granted herein; provided, however, Grantors, to the extent that it has the ability to enforce any of said items or matters, agrees that it shall not enforce any of said items or matters in a manner which would prejudice or interfere with Grantee's rights in the Easement.

TO HAVE AND TO HOLD, subject to the matters set forth herein, the above-described Easement, together with all and singular the rights, privileges, and appurtenances thereto in anywise belonging, including all necessary rights to ingress, egress, and regress, unto said Grantee, its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular the said Easement and right-of-way and other rights described herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor, but not otherwise

[THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, this instrument is executed this _____ day of _____, 2016.

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

By: _____
Robert E. Hebert, County Judge

THE STATE OF TEXAS §
§
COUNTY OF FORT BEND §

The foregoing instrument was acknowledged before me on the _____ day of _____, 2016, by Robert E. Hebert, acting in his capacity as County Judge, on behalf of Fort Bend County, a political subdivision of the State of Texas.

_____
Notary Public in and for the
State of T E X A S

_____
Name Printed or Typed

(SEAL)

My Commission Expires:_____

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION
5,640 SQUARE FOOT PARCEL
OUT OF CALLED 4.95 ACRE TRACT
AND A CALLED 8.000 ACRE TRACT
M. ESCALERA SURVEY, A-170
FORT BEND COUNTY, TEXAS

Being a tract or parcel of land containing 5,640 square feet, more less, situated in the M. Escalera Survey, Abstract No. 170, in Fort Bend County, Texas, said 5,640 square foot parcel being partly out of that certain tract called 4.95 acres conveyed to the County of Fort Bend, recorded in Vol. 1539, Pg. 631, of the Deed Records of Fort Bend County, Texas, and partly out of that certain tract called 8.000 acres also conveyed to the County of Fort Bend, recorded in Fort Bend County Clerk's File No. 2005150526, said 5,640 square foot parcel being more particularly described by metes and bounds as follows (with all bearings referenced to the Texas Coordinate System, South Central Zone, NAD '83):

COMMENCING at a fence corner post found for the northwest corner of said 4.95 acre tract, from which a found 5/8-inch iron rod bears S37°56'W, 1.41 feet, said corner also being the most westerly southwest corner of that certain tract called 19.12 acres, conveyed to First Baptist Church of Fresno, recorded in Fort Bend County Clerk's File No. 9819427, in the east right-of-way line of F. M. 521 (115 feet wide) and located 165 feet from the centerline of main railroad track located on the west side of F. M. 521;

THENCE North 89°49'14" East along the line common to said 4.95 acre tract and said 19.21 acre tract, a distance of 285.90 feet to a fence corner post found for the northeast corner of said 4.95 acre tract, an interior corner of said 19.21 acre, and the northwest corner of said 8.000 acre tract tract, from which a found 3/8-inch iron rod bears S81°27'W, 2.08 feet;

THENCE South 76°49'10" East along the north line of said 8.000 acre tract, a distance of 55.07 feet to the POINT OF BEGINNING and northwest corner of the herein described 5,640 square foot parcel;

THENCE continuing South 76°49'10" East along the north line of said 8.000 acre tract, a distance of 12.16 feet to the northeast corner of the herein described parcel;

THENCE South 47°51'04" West, a distance of 174.45 feet to an interior corner of the herein described parcel;

THENCE South 02°11'30" West, a distance of 335.00 feet to the most easterly southeast corner of the herein described parcel;

THENCE South 63°59'52" West, a distance of 47.76 feet to an intersect with the north line of that certain 30 foot wide utility easement conveyed to Fort Bend County Freshwater Supply District No. 1, described in Fort Bend County Clerk's File No. 2010106888, for the most southerly southeast corner of the herein described parcel;

THENCE South 86°38'38" West along the north line of said 30 foot wide utility easement, a distance of 25.97 feet to the southwest corner of the herein described parcel;

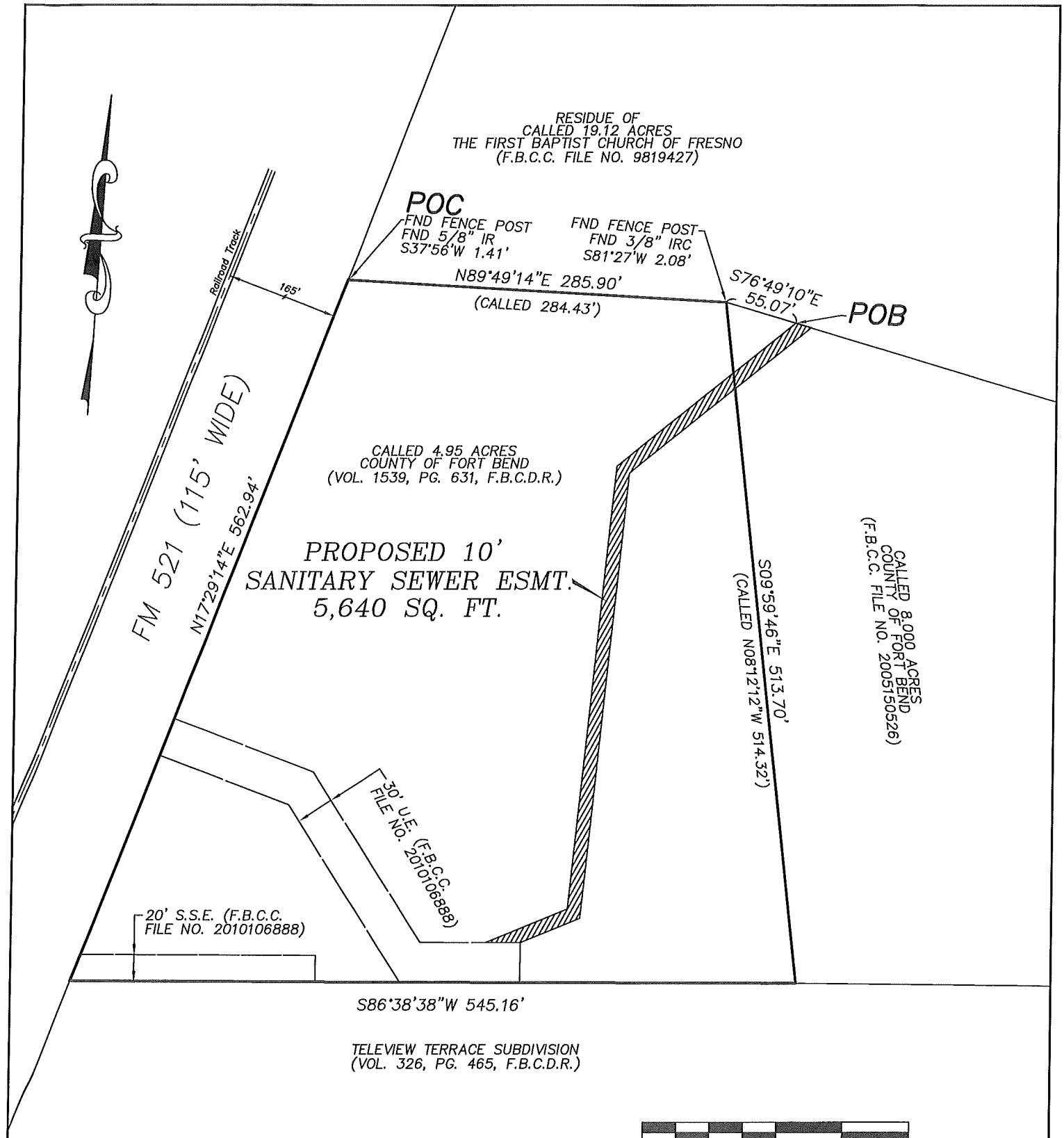
THENCE North 63°59'52" East, a distance of 65.75 feet to an interior corner of the herein described parcel;

THENCE North 02°11'30" East, a distance of 333.22 feet to an angle point of the herein described parcel;

THENCE North 47°51'04" East, a distance of 171.75 feet to the POINT OF BEGINNING and containing 5,640 square feet of land, more or less.

TEJAS SURVEYING, INC.
Firm No. 10031300
Ph: 281 240-9099
Job No. 61-1604
October 3, 2016

STATE OF TEXAS
REGISTERED
R S McCLENDON
4079
PROFESSIONAL
LAND SURVEYOR



NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD '83.

2. THIS EXHIBIT IS ACCOMPANIED BY A METES AND BOUNDS OF EVEN DATE HEREWITH.

10-03-2016
JC\61\61-1604

EXHIBIT "B"

5,640 SQ. FT. OUT OF
CALLED 4.95 ACRE TRACT OF LAND
AND CALLED 8.000 ACRE TRACT
M. ESCALERA SURVEY, A-170, FORT BEND COUNTY, TEXAS