

**RIGHT OF ENTRY AGREEMENT
TO CONSTRUCT ROADWAY**

**STATE OF TEXAS §
 §
COUNTY OF FORT BEND §**

THIS Right of Entry Agreement to Construct Roadway (this "Agreement") is entered into by and between Williams Way Partnership Ltd., Grantor, and Fort Bend County, Texas a political subdivision of the State of Texas (the "County").

RECITALS

1. Grantor, Williams Way Partnership Ltd., is the owner of certain real property located in Fort Bend County, Texas, which real property includes the subject 0.7143 acre of land located in the Jane H. Long League, Abstract 55, Fort Bend County, Texas described by metes and bounds and shown on Exhibit A attached hereto and made a part hereof (the "Property").
2. Grantor and the County have initiated negotiations in order to acquire the Property for road right of way purposes (the "Facilities").
3. Grantor and the County acknowledge that in the event negotiations are unsuccessful, condemnation of the property shall occur.
4. The County desires to enter upon Grantor's property within the immediate future, prior to the date the Property is acquired by conveyance or condemnation, for the purpose of constructing the Facilities, and, accordingly, desires to acquire from Grantor a right of entry for construction purposes across, along, under, over, and upon the Property.
5. Grantor is willing to grant the County and their designated agents, contractors, and representatives, the right to enter upon the Property for the stated purpose and purposes of constructing a roadway upon the property to be known as Williams Way.

AGREEMENTS

NOW THEREFORE, for ten dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged

1. Grantor does hereby grant to the County and their designated agents, contractors and representatives, the right to enter upon and use the Property for the purpose of constructing the Road Way Facilities thereon, and the right to perform any and all acts necessary, prudent, or advisable to construct the Facilities.

2. The County, as further monetary consideration to Grantor, agrees that upon completion of the road facility to be known as Williams Way, it will replace the existing fencing destroyed or removed from the property along the northwestern boundary of the property acquisition.

3. The effective date of the acquisition for purposes of valuation, in the event of condemnation, shall be the date of the deposit of the Award of Commissioners in the Registry of the Court, if such be needed.

4. This Agreement is made prior to the execution of formal legal documents in order to avoid a delay in the commencement of work on the Facilities, and in no way shall jeopardize Grantor's right to receive just compensation for any interest in land and existing improvements as of the date of this agreement, and Grantor does not waive any rights it may have under the laws of the State of Texas.

5. The County and State shall proceed with acquisition of the Property with all deliberate speed and due diligence.

EXECUTED this 24 day of October, 2016, by Grantor.

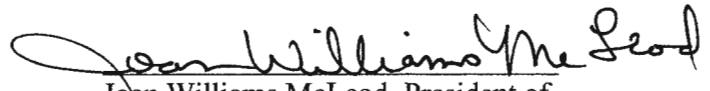
AGREED:

Roy L. Cordes, Jr.
Fort Bend County Attorney

William H. "Bill" Vidor
Assistant County Attorney
State Bar #20579200
Bill.vidor@fortbendcountytexas.gov
401 Jackson, Third Floor
Richmond, TX 77469
281-341-4555
281-341-4557 (fax)

AGREED:

Williams Way Partnership, Ltd.
Grantor


Joan Williams McLeod, President of
Williams Way Partnership, Ltd.

AGREED:

Robert Hebert
Fort Bend County Judge

Robert Hebert
Fort Bend County Judge
401 Jackson Street
Richmond, TX 77469
281-341-8608
281-341-8609 (fax)

**METES AND BOUNDS DESCRIPTION
0.7143 ACRES IN THE
JANE H. LONG LEAGUE, ABSTRACT 55
FORT BEND COUNTY, TEXAS**

A 0.7143-ACRE TRACT OF LAND SITUATED IN THE JANE H. LONG LEAGUE, ABSTRACT 55, FORT BEND COUNTY, TEXAS, BEING OUT OF THE RESIDUE OF A CALLED 9.53-ACRE TRACT DESCRIBED IN DEED TO WILLIAMS WAY PARTNERSHIP, LTD. RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NUMBERS 9169362, 9674806, AND 9680822 OF THE OFFICIAL PUBLIC RECORDS, SAID 0.7143-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (4204), AS DETERMINED BY GPS MEASUREMENTS):

COMMENCING at a 5/8-inch iron rod with cap stamped "RPLS 5485" set on the westerly line of a 59-foot wide right-of-way line, called 6.17 acres, in deeds recorded in Volume 2752, Page 1480 and Volume 2720, Page 362 of the Fort Bend County Official Public Records, marking the southeast corner of the residue of said called 9.53 acre tract and the northeast corner of the residue of a called 10.00 acre tract described in Deed to Lamar Consolidated Independent School District as described in deed recorded in Volume 1086, Page 367 of the Fort Bend County Deed Records;

THENCE North 22°28'37" East, 84.96 feet along the common line of said called 6.17 acre tract and the residue of said called 9.53 acre tract to the **POINT OF BEGINNING**.

THENCE over and across said residue tract the following five (5) courses;

- (1) North 17°00'02" East, 446.20 feet to a 5/8-inch iron rod with cap stamped "RPLS 5485" set at the point of curvature of a curve to the right;
- (2) In a northeasterly direction, 195.94 feet, along the arc of said curve to the right, having a radius of 2,050.00 feet, a central angle of 5°28'35" and a chord which bears North 19°44'20" East, 195.87 feet to a 5/8-inch iron rod with cap stamped "RPLS 5485" set at the point of tangency;
- (3) North 22°28'37" East, 1.08 feet to a 5/8-inch iron rod with cap stamped "RPLS 5485" set at the point of curvature of a curve to the right;
- (4) In a northeasterly direction, 215.67 feet, along the arc of said curve to the right, having a radius of 1,100.00 feet, a central angle of 11°14'02" and a chord which bears North 28°05'38" East, 215.33 feet to a 5/8-inch iron rod with cap stamped "RPLS 5485" set at the point of tangency;
- (5) North 33°42'39" East, 111.42 feet to a 5/8-inch iron rod with cap stamped "RPLS 5485" set at the point of curvature of a curve to the left;

0.7143 Acres
Jane H. Long League, A-55
Fort Bend, Tx

- (6) In a northeasterly direction, 54.53 feet, along the arc of said curve to the left, having a radius of 1,000.00 feet, a central angle of $3^{\circ}07'28''$ and a chord which bears North $32^{\circ}08'55''$ East, 54.52 feet to a 5/8-inch iron rod with cap stamped "RPLS 5485" set at the point of tangency being the common line of said called 6.17 acre tract, said called residue tract and the herein described tract of land;
- (7) **THENCE** South $22^{\circ}28'37''$ West, 1,018.22 feet along the common line of said called 6.17 acre tract and said called residue tract to the **POINT OF BEGINNING** and containing 0.7143 acres (31,117 Square Feet) of land.

KM SURVEYING, LLC

Kevin Drew McRae, R.P.L.S.
Texas Registration No. 5485
3902A Reese Road, Suite 300
Rosenberg, Tx 77471



Date: 7/27/15 jk
Job No: 0905-1401
File No: Z:\KM PROJECTS_SURVEY FILE TEMPLATE\documents\technical\0905-1401ROW1-desc.doc

