

THE STATE OF TEXAS           §  
   §  
COUNTY OF FORT BEND       §

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

**WHEREAS**, on the \_\_\_\_ day of \_\_\_\_\_, 2017, 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 West Airport Boulevard ROW Project located at the southwest corner of West Airport Boulevard and State Highway 6 in Fort Bend County, Texas; and,

**WHEREAS**, Commissioners Court has determined that public necessity and convenience exists for the location, alignment, construction, operation, and maintenance of a public project known as West Airport Boulevard ROW Project located at the southwest corner of West Airport Boulevard and State Highway 6 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 West Airport Boulevard ROW Project located at the southwest corner of West Airport Boulevard and State Highway 6 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 West Airport Boulevard ROW Project located at the southwest corner of West Airport Boulevard and State Highway 6 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 West Airport Boulevard ROW Project from located at the southwest corner of West Airport Boulevard and State Highway 6 in Fort Bend County, Texas and the payment and compensation therefore.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2017.

**FORT BEND COUNTY**

\_\_\_\_\_  
Robert E. Hebert, County Judge

ATTEST:

\_\_\_\_\_  
Laura Richard, County Clerk

METES AND BOUNDS DESCRIPTION  
CANE ISLAND PARKWAY  
IH-10 TO FM 1463  
PARCEL 5  
BEING 5.638 ACRES SITUATED IN  
THE JESSE BURDITT SURVEY, ABSTRACT NO. 383  
THE CHARLES SCHRIMPF SURVEY, ABSTRACT NO. 412  
AND THE THOMAS CRESAP SURVEY, ABSTRACT NO. 369  
FORT BEND COUNTY, TEXAS

BEING A 5.638 ACRE TRACT OF LAND SITUATED IN THE JESSE BURDITT SURVEY, ABSTRACT NO.383, THE CHARLES SCHRIMPF SURVEY, ABSTRACT NO. 412 AND THE THOMAS CRESAP SURVEY, ABSTRACT NO. 369, FORT BEND COUNTY, TEXAS, BEING A PART OF 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 FORT BEND COUNTY CLERK'S FILE NUMBER (F.B.C.C.F. NO.) 9343844, SAID 5.638 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):

BEGINNING at a 1-inch iron pipe found marking the southwesterly corner of the called 123.4 acre tract and the northwesterly corner of that certain called 5.00 acre tract described in the deed to Randal A. Everitt and Gayle Everitt dated May 13, 1998 and recorded under F.B.C.C.F. No. 9836213, being in the easterly line of a called 1.512 acre tract of land described in the deed to Phillip and Patricia Baker dated August 18, 2008 and recorded under F.B.C.C.F. No. 2008091659, and marking the southwesterly corner of the herein described tract of land;

- (1) THENCE, North 02°04'00" West, along the common line of the called 123.4 acre tract and the called 1.512 acre tract, a called 1.9923 acre tract of land described in the deed to Gary and Carol Hennessee dated April 28, 2003 and recorded under F.B.C.C.F. No. 2003068194, a called 8.021 acre tract of land described in the deed to James Williams and Patricia Williams dated April 29, 2005 and recorded under F.B.C.C.F. No. 2005049964, a called 206.44 acre tract of land described in the deed to McAlister Opportunity Fund 2012, L.P. dated November 15, 2012 and recorded under F.B.C.C.F. No. 2012135845, and a 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 for a distance of 2,334.87 feet to a 3/4-inch iron pipe found for the northwesterly corner of the called 123.4 acre tract and the southwesterly corner of a called 8.5869 acre tract of land described in the deed to Wayne Shellenberg dated July 18, 1986 and recorded under F.B.C.C.F. No. 8635418;
- (2) THENCE, North 87°57'30" East, along the common line of said 123.4 acre tract of land and the called 8.5869 acre tract for a distance of 101.21 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 left in the proposed easterly right-of-way line of Cane Island Parkway marking the northeasterly corner of the herein described tract of land, from which a 1/2-inch iron pipe found marking the northeast corner of said 123.4 acre tract bears North 87°57'30" East, a distance of 2,166.26 feet;

THENCE, along the proposed easterly right-of-way line for Cane Island Parkway, the following six (6) courses and distances:

- (3) 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° 56' 35", an arc length of 175.71 feet and a chord bearing South 01°24'17" West, a distance of 175.60 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking a point of tangency;
- (4) THENCE, South 02°04'00" East, a distance of 1,075.90 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking an angle point for corner;
- (5) THENCE, South 50°24'00" East, a distance of 73.70 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking an angle point for corner;
- (6) THENCE, South 01°17'51" West, a distance of 427.14 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking an angle point for corner;

- (7) **THENCE**, South 10°45'32" West, a distance of 111.04 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking an angle point for corner;
- (8) **THENCE**, South 06°21'52" East, a distance of 501.59 feet to a 5/8-inch capped iron rod stamped "EHRA 713-784-4500" set marking the southeasterly corner of the herein described tract of land in the southerly line of the called 123.4 acre tract and the northerly line of the aforementioned called 5.00 acre tract, from which a 1/2-inch iron rod found marking the southwesterly corner of a called 2.5764 acre tract of land described in the deed to James A. Fulkerson recorded under F.B.C.C.F. No. 2006098474 and the southeasterly corner of the remainder of said 123.4 acre tract of land bears North 88°00'58" East, a distance of 1,578.36 feet;
- (9) **THENCE**, South 88°00'58" West, along the common line of the called 123.4 acre tract and the called 5.00 acre tract for a distance of 133.51 feet to the **POINT OF BEGINNING** and containing 5.638 acres of land. This description accompanies a Land Title Survey (12101950V-RW05.dwg) prepared by EHRA, Inc. dated February 13, 2015.

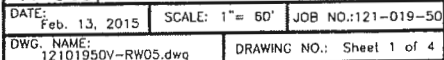
EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC. dba EHRA, Inc. TBPLS No. 10092300

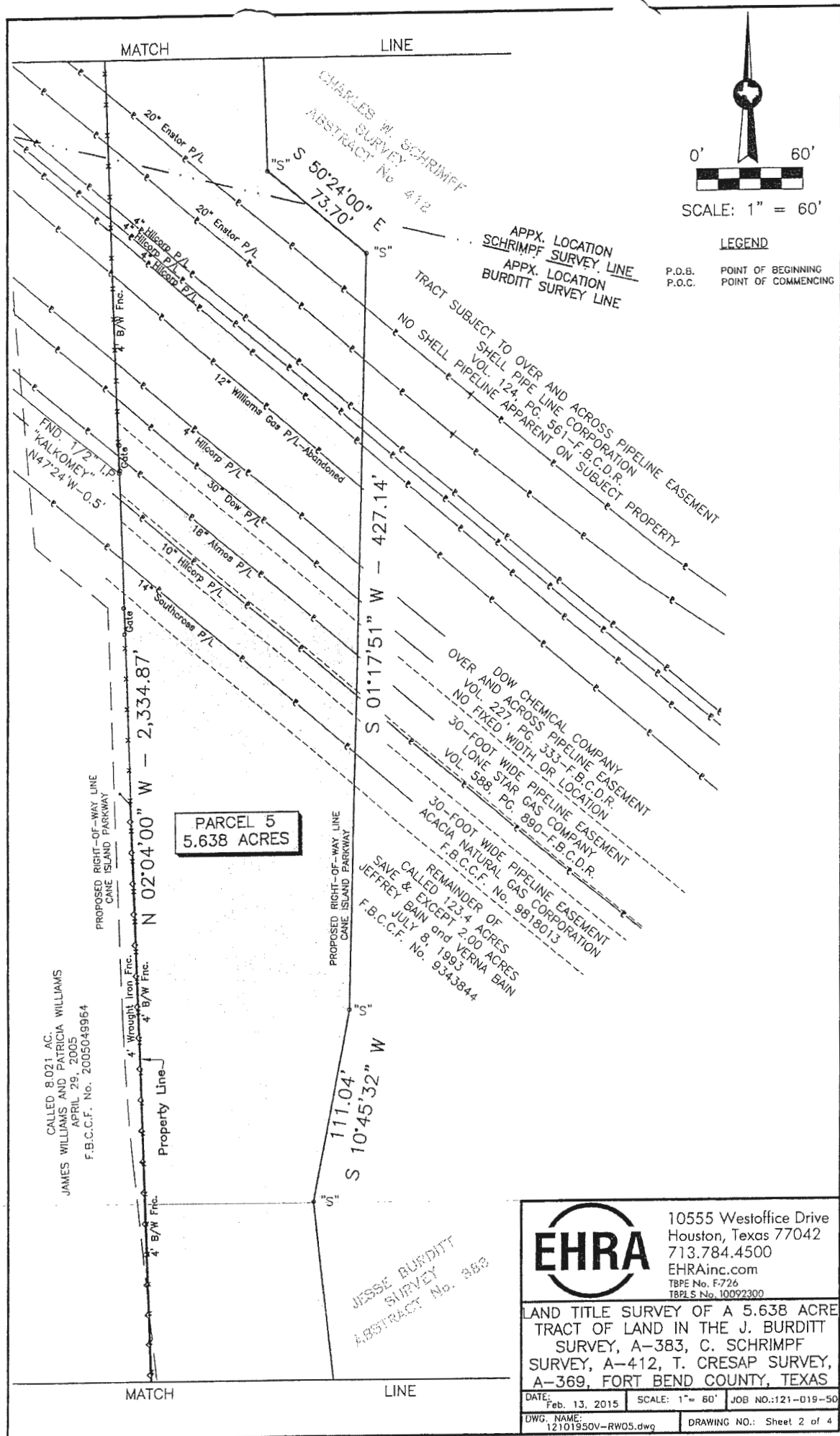
*Robert L. Boelsche*

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

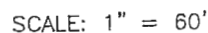


Date: February 13, 2015  
Job No: 121-019-50  
File No: \\Client\RS\2012\121-019-50\documents\technical\12101950V-RW05-MB.doc





LINE



P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCING

Property Line-

PARCEL 5  
5.638 ACRES

REMAINDER OF  
CALLED 123.4 ACRES  
SAVE & EXCEPT 2.00 ACRES  
JEFFREY BAIN and VERA BAIN  
JULY 8, 1993  
F.B.C.C.F. No. 9343844

THOMAS CRESSAP SURVEY  
ABSTRACT No. 269  
LOCATION  
SURVEY LINE

THOMAS GRE  
ABSTRACT ME  
APPX. LOCATION  
BURDITT SURVEY LINE

~~High Bank~~  
~~High Bank~~

High Bank

100-FOOT WIDE  
DRAINAGE EASEMENT  
FORT BEND COUNTY  
DRAINAGE DISTRICT  
VOL. 356, PG. 333  
F.B.C.D.R.

APPX. LOCATION  
SCHRIMPF SURVEY LINE

CHARLES W. SCHRAMPF  
SURVEY  
ABSTRACT No. 412

REMAINDER OF  
CALLED 123.4 ACRES  
SAVE & EXCEPT 2.00 ACRES  
JEFFREY BAIN and VERA BAIN  
JULY 8, 1993  
F.B.C.C.F. No. 9343844

PARKWAY  
S 02°04'00" E - 1,075.90'



10555 Westoffice Drive  
Houston, Texas 77042  
713.784.4500  
EHRAinc.com  
TBPE No. F-726  
TBPLS No. 10092300

LAND TITLE SURVEY OF A 5.638 ACRE  
TRACT OF LAND IN THE J. BURDITT  
SURVEY, A-383, C. SCHRIMPF  
SURVEY, A-412, T. CRESAP SURVEY,  
A-369, FORT BEND COUNTY, TEXAS

DATE: Feb. 13, 2015	SCALE: 1" = 60'	JOB NO.: 121-019-50
DWG. NAME: 12101950V-RW05.dwg		DRAWING NO.: Sheet 3 of 4

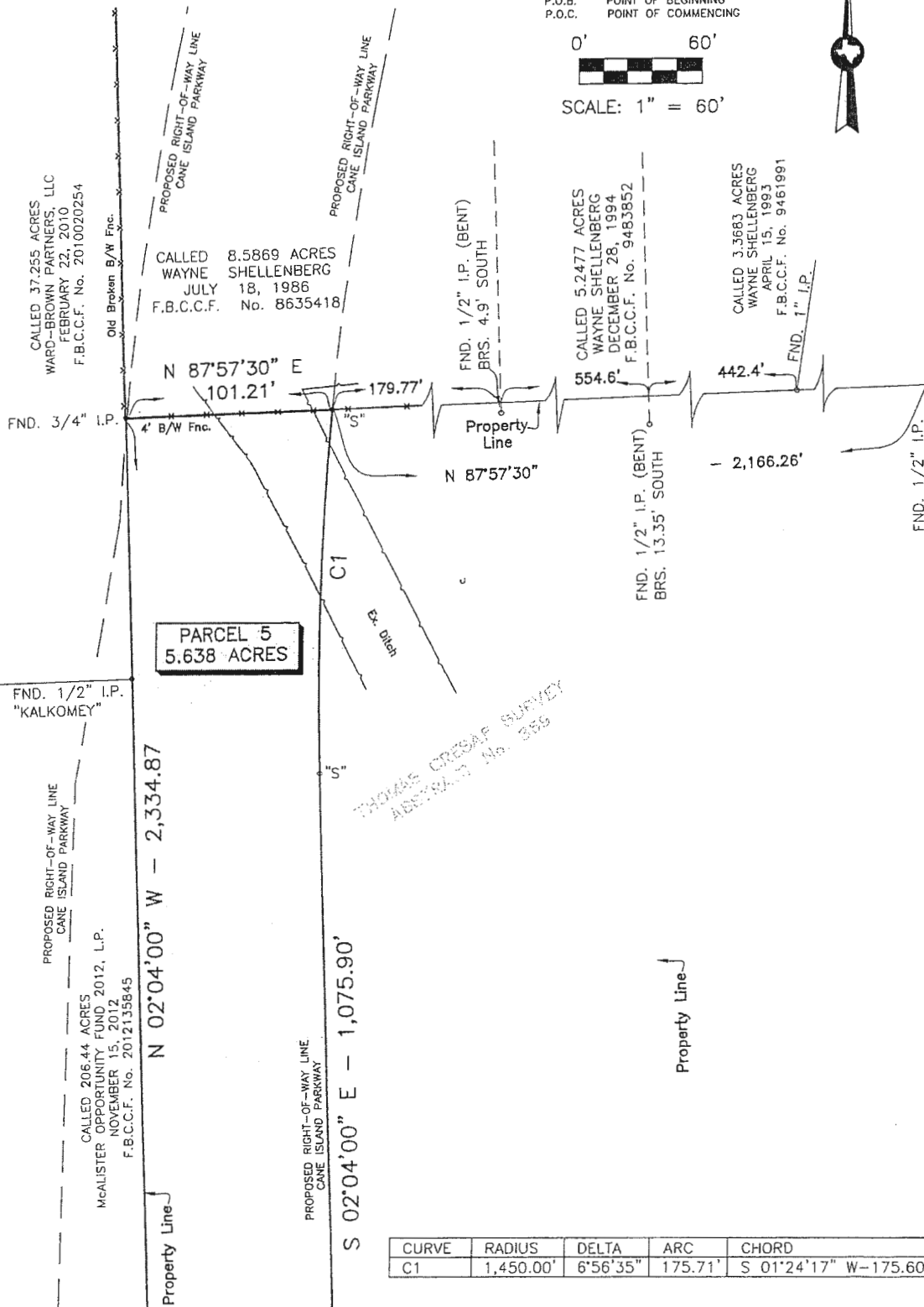
LINE

# LEGEND

P.O.B. POINT OF BEGINNING  
P.O.C. POINT OF COMMENCING



SCALE: 1" = 60'



MATCH

LINE



10555 Westoffice Drive  
Houston, Texas 77042  
713.784.4500  
EHRAinc.com  
TBPE No. F-726  
TBPLS No. 10092300

LAND TITLE SURVEY OF A 5.638 ACRE  
TRACT OF LAND IN THE J. BURDITT  
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