

January 27, 2017

Fulshear Real Estate Partners LP
Attn: George Lane
4007 Penn Ln.
Fulshear, TX 77441

RE: **AGREEMENT TO DONATE PROPERTY:** FM 1093 Westpark Extension – Fort Bend County, Texas
1.427 acres out of the C. Fulshear Survey, Abstract No. 29, Parcel 402
Fort Bend County, Texas

The undersigned seller(s) agrees to donate the parcel as described above and agrees to donate the same to Fort Bend County subject to the following condition:

In exchange for the donation, should the current plans for the property fall through for any reason, the owners of the property are assured of a 40' wide curb cut on FM 1093 providing access to this property between station 142 and station 143 (general location determined by County in compliance with standards, specific location determined by property owner within stated parameters).

SELLER

FULSHEAR REAL ESTATE PARTNERS, LP

By: 

2/20/16
Date

Name: GEORGE LANE

Title: GENERAL PARTNER

THE COUNTY OF FORT BEND, TEXAS

By: _____

Robert E. Hebert, County Judge

Date

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.

DONATION DEED

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

THAT, **FULSHEAR REAL ESTATE PARTNERS LP**, a Texas limited partnership ("Grantor"), for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration to the undersigned in hand paid by the Grantee herein named, the receipt and sufficiency of which are hereby acknowledged, has DONATED, and by these presents does GRANT, GIVE AND CONVEY unto **FORT BEND COUNTY, TEXAS** ("Grantee"), a body corporate and politic under the laws of the State of Texas and unto its successors, and assigns, forever, all that certain 1.427 acre tract of land, as more particularly described in Exhibit "A", attached hereto and incorporated herein and made a part hereof for all purposes, together with all rights, titles, and interests appurtenant thereto and improvements situated thereon (collectively, the "Property").

This Donation Deed and the conveyance hereinabove set forth are executed by Grantor and accepted by Grantee subject to the terms, conditions and provisions hereof and further subject to all easements, conditions, restrictions, covenants, mineral or royalty interests, mineral reservations, surface waivers, utility conveyances, liens, encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, or other matters of record in Fort Bend County, Texas, to the extent the same are validly existing and applicable to the Property (collectively, the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND, all singular the title to the Property 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, subject only to the Permitted Encumbrances.

If current ad valorem taxes on said 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's address is 301 Jackson Street, Richmond, Texas 77469.

[Signature pages follow this page.]

EXECUTED on this the 20 day of FEB., 2017.

GRANTOR:

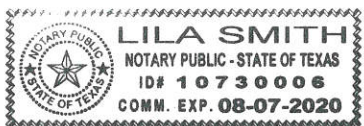
**FULSHEAR REAL ESTATE PARTNERS, LP,
a Texas limited partnership**

By: George Lane
Name: George
Title: General Partner

THE STATE OF TEXAS §
 §
COUNTY OF Fort Bend §

This instrument was acknowledged before me on the 20 day of February, 2017 by George Lane, General Partner, of FULSHEAR REAL ESTATE PARTNERS, LP, a Texas limited partnership, on behalf of said partnership.

(SEAL)



Lila Smith
Notary Public in and for the State of Texas

AGREED to and ACCEPTED on this the _____ day of _____, 2017.

GRANTEE:

FORT BEND COUNTY, TEXAS, a body corporate and politic under the laws of the State of Texas

Robert E. Hebert, Fort Bend County Judge

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2017 by Robert E. Hebert, County Judge of FORT BEND COUNTY, TEXAS, a body corporate and politic under the laws of the State of Texas, on behalf of said body corporate and politic.

(SEAL)

Notary Public in and for the State of Texas

Attachments:

Exhibit A – Legal Description of the Property

After Recording (Return to):

Percheron, LLC
1904 W. Grand Parkway North
Suite 200
Katy, Texas 77449

EXHIBIT A

County: Fort Bend
Highway: F.M. 1093
Project Limits: West of Fulshear to FM 1463 / FM 359
RCSJ: 0543-02-072

Property Description for Parcel 402

Being a 1.427 acre (62,171 square feet) parcel of land, out of the C. Fulshear Survey A-29, Fort Bend County, Texas, and being part of and out of a called 20.089 acre tract described in a Deed dated March 13, 2014 from Janis Gail Coomer Crabtree to Fulshear Real Estate Partners LP, filed in the Official Public Records of Fort Bend County, Texas (O.P.R.F.B.C.) at Clerk's File No. 2014024160, said 1.427 acre parcel being more particularly described as follows:

COMMENCING at a 5/8-inch iron rod with cap stamped "Weisser Eng. Houston, Tx." set for the southwest corner of said 20.089 acre tract and for the southeast corner of the residue of a 26.5629 acre tract, described in a Deed dated November 16, 2006 to Fulshear Land Investment Partners, LTD, filed in the O.P.R.F.B.C. at Clerk's File No. 2006150741, thence as follows:

North 01°15'30" West, a distance of 1,012.89 feet, along the west line of said 20.089 acre tract and along an east line of the residue of said 26.5629 acre tract, to a 5/8-inch iron rod with TxDOT aluminum cap set in the proposed south right-of-way line of FM 1093 (width varies) for the southwest corner and POINT OF BEGINNING of the herein described parcel, said point having Coordinates of N=13,813,215.36 and E=2,954,028.62;**

- 1) THENCE, North 01°15'30" West, a distance of 83.41 feet, along the west line of said 20.089 acre tract and along the east line of the residue of said 26.5629 acre tract to a point in the existing south right-of-way line of Fort Bend County Tollroad Authority Corridor (100' wide) as described under Clerks File No.'s 2015058468, 2015058447, 2015058441, filed in the O.P.R.F.B.C. for the northeast corner of the residue of said 26.5629 acre tract, for the northwest corner of said 20.089 acre tract and for the northwest corner of the herein described parcel, from which a found 5/8-inch iron rod with cap stamped "Prejean" bears North 19°24'44" East, a distance of 0.66 feet;

EXHIBIT A

- 2) THENCE, North 83°00'31" East, a distance of 774.22 feet, along the existing south right-of-way line of said Fort Bend County Tollroad Authority Corridor to the northeast corner of said 20.089 acre tract, to the northwest corner of the residue of a 59.93 acre tract of land described in a Deed dated July 11, 2011 to Robert Judson Pickard, Trustee, filed in the O.P.R.F.B.C. at Clerk's File No. 2011067776, to a point for the northeast corner of the herein described parcel;
- 3) THENCE, South 01°31'48" East, a distance of 80.36 feet, along the east line of said 20.089 acre tract and along the west line of the residue of said 59.93 acre tract to a 5/8-inch iron rod with TxDOT aluminum cap set in the proposed south right-of-way line of said FM 1093 for the southeast corner of the herein described parcel;**
- 4) THENCE, South 83°00'31" West, a distance of 556.57 feet, along the proposed south right-of-way line of said F.M. 1093, to a 5/8-inch iron rod with TxDOT aluminum cap set for an angle point of the herein described parcel and the beginning of a curve to the left;**
- 5) THENCE, in a westerly direction continuing along the proposed south right-of-way line of said F.M. 1093 and with said curve to the left having a radius of 7,961.00 feet, a central angle of 01°34'18" and chord which bears South 82°13'22" West, 218.36 feet, an arc length of 218.36 feet the POINT OF BEGINNING and containing 1.427 acres (62,171 square feet) parcel of land

NOTE: All bearings are based on the Texas coordinate system, NAD 83 (1993 Adj.), South Central Zone. All coordinates shown are surface and may be converted to grid by Dividing by TxDOT conversion factor of 1.00013.

All coordinates shown hereon are established from TxDOT Control Monuments, H-3, H-4, H-5, and H-13 prepared by Costello, Inc. dated February 23, 2000 and TxDOT Control Monuments H-5A and H-5B prepared by Weisser Engineering Company dated October 2006.

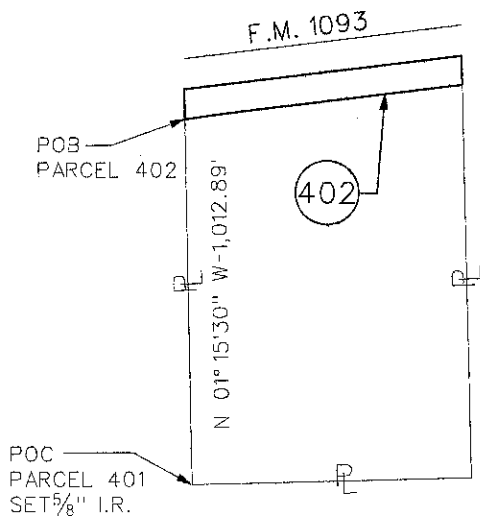
** The monument described and set in this call may be replaced with a TxDOT Type II Right of Way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Access will be permitted to the remainder property abutting the highway facility.

EXHIBIT A

NOTE: A parcel plat of even date was prepared in conjunction with this property description.

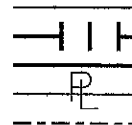
Compiled by:
Weisser Engineering Company
TBPLS Firm Reg. No. 100518-00
19500 Park Row, Suite 100
Houston, Texas 77084
(281) 579-7300
July, 2015



PARENT TRACT INSET

CONVENTIONAL SIGNS:

EXISTING RIGHT-OF-WAY LINE
ACCESS DENIAL LINE
PROPOSED RIGHT-OF-WAY LINE
PROPERTY LINE
SURVEY LINE



DENOTES PARCEL No.



DENOTES BEARING AND DISTANCE NOTE No.



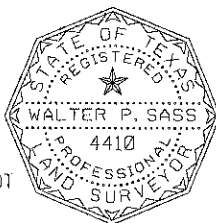
SET 5/8" I.R. W/TxDOT ALUM. CAP (SEE NOTE 2) ■ **
SET 5/8" I.R. W/TxDOT ALUM. CAP (STAMPED "ADL") ■ ADL
FOUND 5/8" I.R. W/TxDOT ALUM. CAP □
SET (AS INDICATED) ●
FOUND (AS INDICATED) ○

LEGEND:

C.F. NO. = CLERK'S FILE NUMBER
F.C. NO. = FILM CODE NUMBER
O.P.R.F.B.C. = OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY
F.B.C.P.R. = FORT BEND COUNTY PLAT RECORDS
F.B.C.D.R. = FORT BEND COUNTY DEED RECORDS
F.B.C.C.R. = FORT BEND COUNTY COURT RECORDS
F.B.C.D.C.R. = FORT BEND COUNTY DISTRICT COURT RECORDS

NOTES:

1. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
2. ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TxDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TxDOT.
3. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (1993 ADJ.). ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.
4. ALL COORDINATES AND ELEVATIONS SHOWN HEREON ARE ESTABLISHED FROM TxDOT CONTROL MONUMENTS H-3, H-4, H-5, AND H-13 PREPARED BY COSTELLO, INC. DATED FEBRUARY 23, 2000 AND TxDOT CONTROL MONUMENTS H-5A AND H-5B PREPARED BY WEISSER ENGINEERING COMPANY DATED OCTOBER 2006.
5. ABSTRACTING PERFORMED BY: POSTLE PROPERTY SERVICES 12/2013 TO 01/2014 AND UPDATED ON 07/2015.
6. GROUND SURVEY PERFORMED 03/2012, 09/2014 & 07/2015.



SHEET 4 OF 6

EXISTING	TAKING AC/SF	REMAINING
20.089	1.427 AC 62,171 SF	18.662 RT.
WEISSER Engineering Co. 19500 Park Row, Suite 100 Houston, Texas 77084 (281) 579 - 7300 TBPLS Firm Reg No. 100518-00		
PARCEL PLAT SHOWING PARCEL 402 FM 1093, FORT BEND COUNTY, TEXAS		
DATE: 07/2015	SCALE: N.T.S.	JOB No.: EG676
RCSJ No.: 0543-02-072		DWG. No.: P-402-01

C. FULSHEAR SURVEY, A-29

F.M. 1093
(120' R.O.W.)
VOL. 243, PG. 145
VOL. 243, PG. 157
F.B.C.D.R.

SCALE IN FEET
0 25 50
1 INCH = 50 FEET

EXISTING R.O.W.

BASELINE

C-2 FORT BEND COUNTY TOLLROAD

AUTHORITY CORRIDOR

F.C. NO. 2015058468

F.C. NO. 2015058447

F.C. NO. 2015058441

FND. 5/8" I.R. W/CAP
STAMPED "PREJEAN"
(BEARS N19° 24' 44" E-0.66')

N 83° 00' 31" E-774.22'

EXISTING R.O.W.

P.O.B.
PARCEL 402
N=13,813.215.36
E=2,954,028.62
S/O 136+91.11, 142.35' RT

R= 7,961.00'
D= 01° 34' 18"
L= 218.36'
CH= S 82° 13' 22" W-218.36'
RAD. BRG.= S 06° 59' 29" E

S/O 139+11.65,
149.08' RT

(402)

S 83° 00' 31" W-556.57'
PROPOSED R.O.W.

CALLLED 20.089 ACRES
FULSHEAR REAL ESTATE PARTNERS LP
FILE NO. 2014024160
DATE: MARCH 13, 2014
O.P.R.F.B.C.

FM 1093 BASELINE CURVE DATA

C2
RADIUS = 14,100.00'
CENTRAL ANGLE = 06° 01' 13" (RT)
ARC LENGTH = 1,481.52'
TAN LENGTH = 741.44'
CHORD BEARING = N 79° 59' 55" E
CHORD DISTANCE = 1,480.84'
PI STATION = 136+89.64
PI N = 13,813,374.36
PI E = 2,953,998.41

SHEET 5 OF 6

WEISSER
Engineering Co.

19500 Park Row, Suite 100
Houston, Texas 77084
(281) 579 - 7300
TBPLS Firm Reg No. 100518-00

PARCEL PLAT SHOWING
PARCEL 402
FM 1093, FORT BEND COUNTY, TEXAS

DATE: 07/2015 SCALE: 1" = 50' JOB No.: EG676
RCSJ No.: 0543-02-072 DWG. No.: P-402-02

RESIDUE OF
CALLED 26.5629 ACRES
FULSHEAR LAND INVESTMENT
PARTNERS, LTD
FILE NO. 2006150741
DATE: NOVEMBER 16, 2006
O.P.R.F.B.C.

N 01° 15' 30" W
83.41'
N 01° 15' 30" W
1,012.89'

P.O.C.
PARCEL 402
SET 5/8" I.R.

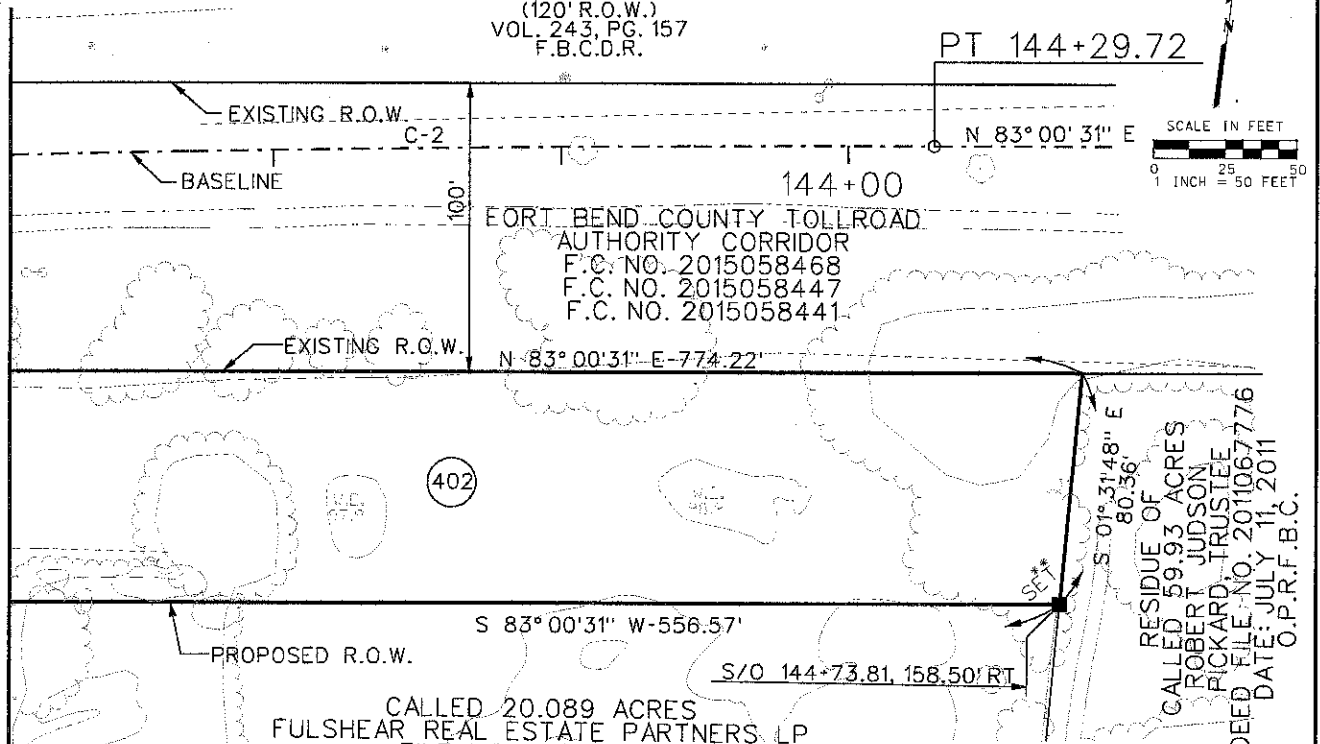
MATCH LINE SEE SHEET 6

C. FULSHEAR SURVEY, A-29

F.M. 1093
(120' R.O.W.)
VOL. 243, PG. 157
F.B.C.D.R.

PT 144+29.72

MATCH LINE SEE SHEET 5



SCALE IN FEET
0 25 50
1 INCH = 50 FEET

FM 1093 BASELINE CURVE DATA

C2
RADIUS = 14,100.00'
CENTRAL ANGLE = 06° 01' 13\" (RT)
ARC LENGTH = 1,481.52'
TAN LENGTH = 741.44'
CHORD BEARING = N 79° 59' 55\" E
CHORD DISTANCE = 1,480.84'
PI STATION = 136+89.64
PI N = 13,813,374.36
PI E = 2,953,998.41

CALLLED 20.089 ACRES
FULSHEAR REAL ESTATE PARTNERS, LP
FILE NO. 2014024160
DATE: MARCH 13, 2014
O.P.R.F.B.C.

SHEET 6 OF 6

 WEISSER Engineering Co.	19500 Park Row, Suite 100 Houston, Texas 77084 (281) 579 - 7300 TBPLS Firm Reg No. 100518-00	
	PARCEL PLAT SHOWING PARCEL 402 FM 1093, FORT BEND COUNTY, TEXAS	
DATE: 07/2015	SCALE: 1" = 50'	JOB No.: EG676
RCSJ No.: 0543-02-072		DWG. No.: P-402-03

RESIDUE OF
CALLED 59.93 ACRES
ROBERT JUDSON
RICKARD, TRUSTEE
DEED FILE NO. 2011067776
DATE: JULY 11, 2011
O.P.R.F.B.C.

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Fulshear Real Estate Partners LLP
Richmond, TX United States

Certificate Number:
2017-188240

Date Filed:
04/05/2017

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County - Westpark Ph 2 FM 1093

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

P402
Right of Way Acquisition

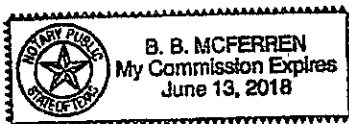
4	Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO interested Party.



6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said George Lane, this the 5TH day of April, 2017, to certify which, witness my hand and seal of office.

B. B. McFerren
Signature of officer administering oath

B. B. McFerren
Printed name of officer administering oath

Notary Public
Title of officer administering oath

Norton, Bryan

From: Spencer, Marcus
Sent: Friday, April 07, 2017 4:06 PM
To: Norton, Bryan
Subject: RE: Parcel 402 and 425

Bryan,

Approved as to legal form.

Marcus

From: Norton, Bryan
Sent: Friday, April 07, 2017 3:40 PM
To: Spencer, Marcus <Marcus.Spencer@fortbendcountytexas.gov>
Subject: Parcel 402 and 425

Marcus,

Please find attached 1093/ Westpark Parcels 402 and 425 deeds for your review and approval.

Thanks,

Bryan Norton
Special Projects Coordinator
Fort Bend County Engineering
Office: 301 Jackson St. Richmond, TX 77469
Email: bryan.norton@fortbendcountytexas.gov
Phone: 281-633-7529
Website: www.fortbendcountytexas.gov