

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 \_\_\_\_ votes opposed:

**RESOLUTION**

**RESOLVED THAT WHEREAS**, the Commissioners Court has received and reviewed the plans for a public park project known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), 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, including appurtenant drainage and detention requirements, of a public park project known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), in Fort Bend County, Texas, in accordance with said plans, alignment, and tract identifications which are made a part hereof as Exhibit A:

**ORDER**

**NOW THEREFORE, IT IS ORDERED AND DECREED** that the plans for the location, alignment, construction, operation, and maintenance, including appurtenant drainage and detention requirements, of the public park project known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), in Fort Bend County, Texas, is approved.

**IT IS FURTHER ORDERED AND DECREED** that public necessity and convenience exist for the public park project, known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), 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 in 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 this Resolution and Order apply to any and all parcels of land that must be condemned for this project, 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 park project known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), 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

# EXHIBIT "A"

**DESCRIPTION OF A 1.037-ACRE  
(45,184 SQ. FT.) TRACT OF LAND  
SITUATED IN THE NOEL F. ROBERTS  
LEAGUE, A-79, FORT BEND COUNTY, TEXAS**

Being a 1.037-acre (45,184 square foot) tract of land situated in the Noel F. Roberts League, A-79, Fort Bend County, Texas. Said 1.037-acre tract being all of a called 1.022-acre tract of land conveyed to Jannie Hillsman and Willie Hillsman, Jr., by deed recorded under Fort Bend County Clerk's File No. 2012149786 of the Official Public Records of Fort Bend County, Texas, and being further described by metes and bounds as follows (with the basis of bearings being the Texas State Plane Coordinate System, NAD 83, South Central Zone No. 4204). The coordinates shown hereon are grid and may be brought to surface by multiplying by the combined scale factor of 1.000121523. All distances are surface distances.

**BEGINNING (N=13,800,458.28, E=2,931,888.37)** at a 1-inch iron rod found in the south right-of-way line of Sanders Road (Nails Road) (Right-of-Way Varies), for the northeast corner of the residue of a called 72.644-acre tract of land (Tract Two), conveyed to Harold I. Daily, by deed recorded under File No. 10-DCV-183444 of the 434<sup>th</sup> Judicial District Court of Fort Bend County, Texas, for the northwest corner of said 1.022-acre tract and for the northwest corner of said tract herein described;

THENCE North 88 deg. 07 min. 16 sec. East, with the south right-of-way line of said Sanders Road, with the north line of said 1.022-acre tract and with the north line of said tract herein described, a distance of 1.42 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for an angle point in said tract herein described;

THENCE North 88 deg. 21 min. 07 sec. East, with the south right-of-way line of said Sanders Road, with the north line of said 1.022-acre tract and with the north line of said tract herein described, a distance of 100.00 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the northwest corner of the residue of a called 5.750-acre tract of land conveyed to Leodis Montgomery, by deed recorded under File No. 10-DCV-183444 of the 434<sup>th</sup> Judicial District Court of Fort Bend County, Texas, for the northeast corner of said 1.022-acre tract and for the northeast corner of said tract herein described;

THENCE South 02 deg. 14 min. 06 sec. East, with the west line of the residue of said 5.750-acre tract, with the east line of said 1.022-acre tract and with the east line of said tract herein described, a distance of 450.98 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set in the north line of a called 1.099-acre tract of land conveyed to Zella Salter and Laura Salter, by deed recorded under File No. 10-DCV-183444 of the 434<sup>th</sup> Judicial District Court of Fort Bend County, Texas, for the southwest corner of the residue of said 5.750-acre tract, for the southeast corner of said 1.022-acre tract and for the southeast corner of said tract herein described;

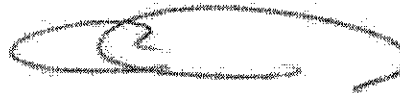
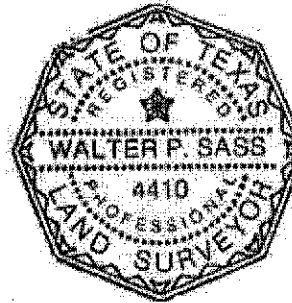
THENCE South 89 deg. 24 min. 09 sec. West, with the north line of said 1.099-acre tract, with the south line of said 1.022-acre tract and with the south line of said tract herein described, a distance of 99.42 feet to a 1-inch iron rod found in the east line of the residue of said 72.644-acre tract, for the northwest corner of said 1.099-acre tract, for the southwest corner of said 1.022-acre tract and for the southwest corner of said tract herein described;

THENCE North 02 deg. 29 min. 42 sec. West, with the east line of the residue of said 72.644-acre tract, with the west line of said 1.022-acre tract and with the west line of said tract herein described, a distance of 449.18 feet to the **POINT OF BEGINNING** and containing 1.037 acres (45,184 square feet) of land.

This description is accompanied by a plat of even survey date.

Compiled by:

Weisser Engineering Company, Inc.  
19500 Park Row, Suite 100  
Houston, Texas 77084  
TBPLS Reg. No. 100518-00  
TBPE Reg. No.: F-68  
Job No. IP041  
Date: 06/05/2017



**ABBREVIATIONS:**

C.M. = CONTROL MONUMENT  
FND. = FOUND  
F.B.C.C.F. = FORT BEND COUNTY CLERK'S FILE  
I.R. = IRON ROD  
O.P.R.F.B.C = OFFICIAL PUBLIC RECORDS OF  
FORT BEND COUNTY, TEXAS  
SQ. FT. = SQUARE FOOT/FEET

**BASIS OF BEARINGS:**

TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH  
CENTRAL ZONE No. 4204 (NAD 83) (2001 Adj.)  
THE COORDINATES SHOWN HEREON ARE GRID COORDINATES  
AND MAY BE BROUGHT TO SURFACE BY MULTIPLYING BY  
THE COMBINED SCALE FACTOR OF 1.000121523.  
ALL DISTANCES ARE SURFACE.

**NOTE:**

ALL CORNERS SET w/ 5/8" I.R. w/ CAP STAMPED  
"WEISSER ENG HOUSTON, TX." UNLESS OTHERWISE NOTED.

**NOTE:**

THIS SURVEY IS BEING CREATED SOLELY FOR THE  
PARTIES HEREIN STATED; NO LICENSE HAS BEEN  
CREATED, EXPRESS OR IMPLIED, TO COPY THE SURVEY  
EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THIS  
TRANSACTION.

ALL ABSTRACT AND TITLE WORK WAS PERFORMED BY  
PERCHERON. NO ABSTRACTING WAS DONE BY WEISSER  
ENGINEERING COMPANY.

**PARENT TRACT INSET  
PARCEL 01**

Fnd. 3/4" I.P. (C.M.)  
N=13,797,595.33  
E=2,932,442.89

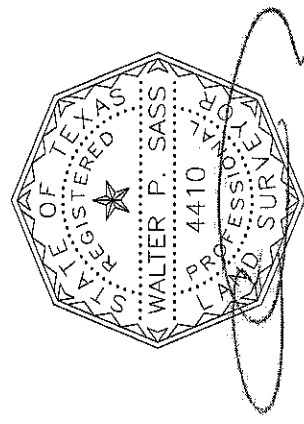
Fnd. 1" I.R. (C.M.)  
N=13,799,733.11  
E=2,932,374.28

P.O.B.

SANDERS RD.

SANDERS RD. (NAILS RD.)

NOEL F. ROBERTS LEAGUE SURVEY, A-79



**WEISSER  
Engineering Co.**

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www.WeisserEng.com  
T&P.E.R. #F-66 T&P.L.S. #100518-00

**PARCEL 01  
HILLSMAN TRACT  
NOEL F. ROBERTS  
LEAGUE, A-79,  
FORT BEND COUNTY, TEXAS**

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DRAWN BY:	C.B.	CALC'D. BY:	J.L.	SCALE:	N.T.S.
F.B. NO:		CHECKED BY:	J.M.	SHEET	01 OF 02
CREW CHIEF:		DATE:	06/05/2017	JOB No.:	IP041 (2543-001)

**P.O.B.**  
 FND. 1" I.R. (C.M.)  
 N = 13,800,458.28  
 E = 2,931,888.37

Fnd. 5/8" I.R. w/ Cap  
 Stamped "KALKOMEY" Bears  
 N 89° 44' 42" W - 0.59 FT.

**SANDERS RD**  
**(NAILS RD.)**  
 (WIDTH VARIES)

JANNIE HILLSMAN AND  
 WILLIE HILLSMAN, JR.  
 CALLED 1.022 ACRES  
 F.B.C.C.F. NO. 2012149786  
 O.P.R.F.B.C.

ZELLA SALTER AND  
 LAURA SALTER  
 CALLED 0.311 ACRE  
 EASEMENT  
 F.B.C.C.F. NO. 2011052712  
 O.P.R.F.B.C.

LEODIS MONTGOMERY  
 RESIDUE OF A  
 CALLED 5.750 ACRES  
 FILE NO. 10-DCV-183444  
 OF THE 434TH  
 JUDICIAL DISTRICT COURT  
 OF FORT BEND  
 COUNTY, TEXAS

HAROLD I. DAILY  
 CALLED 4.439 ACRES  
 F.B.C.C.F. NO. 2016011676  
 O.P.R.F.B.C.

ZELLA SALTER AND  
 LAURA SALTER  
 CALLED 1.099 ACRES  
 FILE NO. 10-DCV-183444  
 OF THE 434TH  
 JUDICIAL DISTRICT COURT  
 OF FORT BEND  
 COUNTY, TEXAS

Line Table		
Line #	Length	Direction
L1	1.42'	N88° 07' 16"E
L2	100.00'	N88° 21' 07"E
L3	450.98'	S02° 14' 06"E
L4	99.42'	S89° 24' 09"W
L5	449.18'	N02° 29' 42"W

**1.037 ACRES**  
**(45,184 SQ. FT.)**

Fnd. 1" I.R. (C.M.)

HAROLD I. DAILY  
 RESIDUE OF A CALLED  
 72.644 ACRES (TRACT TWO)  
 FILE NO. 10-DCV-183444  
 OF THE 434TH JUDICIAL COURT  
 OF FORT BEND COUNTY, TEXAS  
 O.P.R.F.B.C.

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**WEISSER**  
**Engineering Co.**

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 Houston, Texas 77084  
 (281) 579 - 7300  
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 T.B.P.E.R. # - 65 T.B.P.L.S. #100518-00

**PARCEL 01**  
**HILLSMAN TRACT**  
**NOEL F. ROBERTS**  
**LEAGUE, A-79,**  
**FORT BEND COUNTY, TEXAS**

DRAWN BY: C.B.	CALC'D. BY: J.L.
F.B. NO:	CHECKED BY: J.M.
CREW CHIEF:	SCALE: 1" = 100'
DATE: 06/05/2017	JOB No.: IP041 (2543-001)

**DESCRIPTION OF A 1.112-ACRE  
(48,443 SQ. FT.) TRACT OF LAND  
SITUATED IN THE NOEL F. ROBERTS  
LEAGUE, A-79, FORT BEND COUNTY, TEXAS**

Being a 1.112-acre (48,443 square foot) tract of land situated in the Noel F. Roberts League, A-79, Fort Bend County, Texas. Said 1.112-acre tract being all of a called 1.099-acre tract of land conveyed to Zella Salter and Laura Salter, by deed recorded under File No. 10-DCV-183444 of the 434<sup>th</sup> Judicial District Court of Fort Bend County, Texas, and being further described by metes and bounds as follows (with the basis of bearings being the Texas State Plane Coordinate System, NAD 83, South Central Zone No. 4204). The coordinates shown hereon are grid and may be brought to surface by multiplying by the combined scale factor of 1.000121523. All distances are surface distances.

**COMMENCING (N=13,800,458.28, E=2,931,888.37)** at a 1-inch iron rod found in the south right-of-way line of Sanders Road (Nails Road) (Right-of-Way Varies), for the northeast corner of the residue of a called 72.644-acre tract of land (Tract Two), conveyed to Harold I. Daily, by deed recorded under File No. 10-DCV-183444 of the 434<sup>th</sup> Judicial District Court of Fort Bend County, Texas, and for the northwest corner of a called 1.022-acre tract of land conveyed to Jannie Hillsman and Willie Hillsman, Jr., by deed recorded under Fort Bend County Clerk's File No. 2012149786 of the Official Public Records of Fort Bend County, Texas;

THENCE South 02 deg. 29 min. 42 sec. East, with the west line of said 1.022-acre tract and with the east line of the residue of said 72.644-acre tract, a distance of 449.18 feet to a 1-inch iron rod found for the southwest corner of said 1.022-acre tract, for the northwest corner of said 1.099-acre tract and for the northwest corner and **POINT OF BEGINNING (N=13,800,009.58, E=2,931,907.92)** of said tract herein described;

THENCE North 89 deg. 24 min. 09 sec. East, with the south line of said 1.022-acre tract, with the south line of the residue of a called 5.750-acre tract of land conveyed to Leodis Montgomery, by deed recorded under File No. 10-DCV-183444 of the 434<sup>th</sup> Judicial District Court of Fort Bend County, Texas, with a south line of a called 4.439-acre tract of land conveyed to Harold I. Daily, by deed recorded under File No. 2016011676 of the Official Public Records of Fort Bend County, Texas, with the north line of said 1.099-acre tract and with the north line of said tract herein described, a distance of 166.15 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for an interior corner of said 4.439-acre tract, for the northeast corner of said 1.099-acre tract and for the northeast corner of said tract herein described;

THENCE South 03 deg. 24 min. 51 sec. West, with a west line of said 4.439-acre tract, with the east line of said 1.099-acre tract and with the east line of said tract herein described, a distance of 290.36 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set in a north line of a called 68.937-acre tract of land conveyed to Fort Bend County, Texas, by deed recorded under File No. 2016036852 of the Official Public Records of Fort Bend County, Texas, for the southeast corner of said 1.099-acre tract and for the southeast corner of said tract herein described;

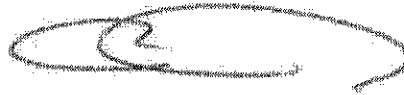
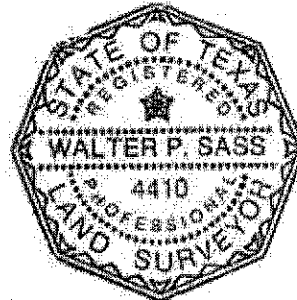
THENCE South 87 deg. 51 min. 03 sec. West, with a north line of said 68.937-acre tract, with the south line of said 1.099-acre tract and with the south line of said tract herein described, a distance of 166.14 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the southeast corner of the residue of said 72.644-acre tract, for the southwest corner of said 1.099-acre tract and for the southwest corner of said tract herein described;

THENCE North 03 deg. 20 min. 22 sec. East, with the east line of the residue of said 72.644-acre tract, with the west line of said 1.099-acre tract and with the west line of said tract herein described, a distance of 294.84 feet to the **POINT OF BEGINNING** and containing 1.112 acres (48,443 square feet) of land.

This description is accompanied by a plat of even survey date.

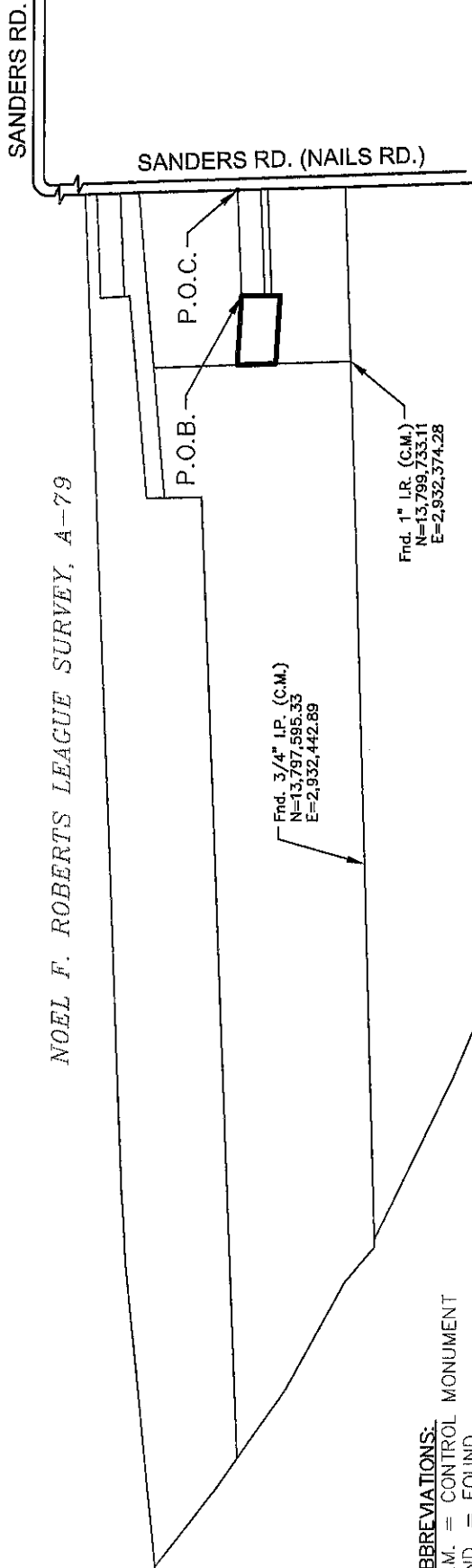
Compiled by:

Weisser Engineering Company, Inc.  
19500 Park Row, Suite 100  
Houston, Texas 77084  
TBPLS Reg. No. 100518-00  
TBPE Reg. No.: F-68  
Job No. IP041  
Date: 06/05/2017





NOEL F. ROBERTS LEAGUE SURVEY, A-79



PARENT TRACT INSET  
PARCEL 02

ABBREVIATIONS:

- C.M. = CONTROL MONUMENT
- FND. = FOUND
- F.B.C.C.F. = FORT BEND COUNTY CLERK'S FILE
- I.R. = IRON ROD
- O.P.R.F.B.C = OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS
- SQ. FT. = SQUARE FOOT/FEET

BASIS OF BEARINGS:

TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE No. 4204 (NAD 83) (2001 Adj.) THE COORDINATES SHOWN HEREON ARE GRID COORDINATES AND MAY BE BROUGHT TO SURFACE BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 1.000121523. ALL DISTANCES ARE SURFACE.

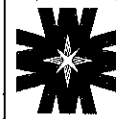
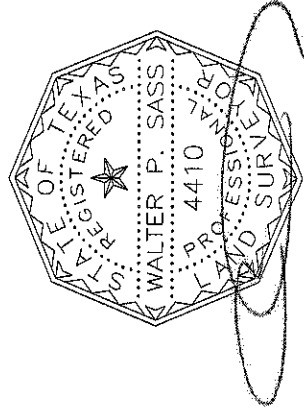
NOTE:

ALL CORNERS SET w/ 5/8" I.R. w/ CAP STAMPED \*WEISSER ENG HOUSTON, TX.\* UNLESS OTHERWISE NOTED.

NOTE:

THIS SURVEY IS BEING CREATED SOLELY FOR THE PARTIES HEREIN STATED; NO LICENSE HAS BEEN CREATED, EXPRESS OR IMPLIED, TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THIS TRANSACTION.

ALL ABSTRACT AND TITLE WORK WAS PERFORMED BY PERCHERON. NO ABSTRACTING WAS DONE BY WEISSER ENGINEERING COMPANY.



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T&P.E.R. #F-86 T&P.L.S. #100518-00

**PARCEL 02**  
**SALTER TRACT**  
**NOEL F. ROBERTS**  
**LEAGUE, A-79,**  
**FORT BEND COUNTY, TEXAS**

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DRAWN BY:	C.B.	CALC'D. BY:	J.L.	SCALE:	N.T.S.
F.B. NO:		CHECKED BY:	J.M.	SHEET	01 OF 02
CREW CHIEF:		DATE:	06/05/2017	JOB No.:	IP041 (2543-001)

JANNIE HILLSMAN AND  
WILLIE HILLSMAN, JR.  
CALLED 1.022 ACRES  
F.B.C.C.F. NO. 2012149786  
O.P.R.F.B.C.

Fnd. 5/8" I.R. w/ Cap  
Stamped "KALKOMEY" Bears  
N 89° 44' 42" W - 0.59 FT.

SANDERS RD. (NAILS RD.)  
(WIDTH VARIES)

P.O.C.  
FND. 1" I.R. (C.M.)  
N = 13,800,458.28  
E = 2,931,888.37

LEODIS MONTGOMERY  
RESIDUE OF A  
CALLED 5.750 ACRES  
FILE NO. 10-DCV-183444  
OF THE 434TH  
JUDICIAL DISTRICT COURT  
OF FORT BEND  
COUNTY, TEXAS

ZELLA SALTER AND  
LAURA SALTER  
CALLED 0.311 ACRE  
EASEMENT  
F.B.C.C.F. NO. 2011052712  
O.P.R.F.B.C.

P.O.B.  
FND. 1" I.R. (C.M.)  
N = 13,800,009.58  
E = 2,931,907.92

HAROLD I. DAILY  
RESIDUE OF A CALLED  
72.644 ACRES (TRACT TWO)  
FILE NO. 10-DCV-183444  
OF THE 434TH JUDICIAL DISTRICT COURT  
OF FORT BEND COUNTY, TEXAS  
O.P.R.F.B.C.

HAROLD I. DAILY  
CALLED 4.439 ACRES  
F.B.C.C.F. NO. 2016011676  
O.P.R.F.B.C.

1.112 ACRES  
(48,443 SQ. FT.)

FORT BEND COUNTY, TEXAS  
CALLED 68.937 ACRES  
F.B.C.C.F. NO. 2016036852  
O.P.R.F.B.C.

Line Table

Line #	Length	Direction
L1	449.18'	S02° 29' 42"E
L2	166.15'	N89° 24' 09"E
L3	290.36'	S03° 24' 51"W
L4	166.14'	S87° 51' 03"W
L5	294.84'	N03° 20' 22"E

ZELLA SALTER AND  
LAURA SALTER  
CALLED 1.099 ACRES  
FILE NO. 10-DCV-183444  
OF THE 434TH  
JUDICIAL DISTRICT COURT  
OF FORT BEND  
COUNTY, TEXAS

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**WEISSER  
Engineering Co.**

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www.WeisserEng.com  
T.B.P.E.R. # - 68 T.B.P.L.S. #100518-00

**PARCEL 02  
SALTER TRACT  
NOEL F. ROBERTS  
LEAGUE, A-79,  
FORT BEND COUNTY, TEXAS**

DRAWN BY: C.B.	CALC'D. BY: J.L.
F.B. NO:	CHECKED BY: J.M.
CREW CHIEF:	SCALE: 1" = 100'
DATE: 06/05/2017	JOB No.: IP041 (2543-001)