

DRAINAGE AND RIGHT OF WAY EASEMENT

STATE OF TEXAS §

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF FORT BEND §

THAT, **D.R. HORTON-TEXAS, LTD.**, at Texas limited partnership("Grantor") for and in consideration of the sum of TEN DOLLARS (\$10.00), the sufficiency of which is hereby acknowledged and confessed, has granted, bargained, sold and conveyed, and by these presents hereby grants, bargains, sells and conveys unto said **FORT BEND COUNTY DRAINAGE DISTRICT**, a political subdivision of the State of Texas ("Grantee"), a right of way easement for purpose of maintaining, operating, repairing and reconstructing a drainage easement, including drains, ditches, laterals and levees, ("Easement") upon, over, through and across approximately **0.0746 acres** of real property located in Fort Bend County, Texas, more particularly described by metes and bounds on **Exhibit "A"** attached hereto and made a part hereof for all purposes, ("Easement Tract").

Grantee shall have all rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, with the right of ingress and egress to and from said Easement Tract. Grantee is given the right from time to time to cut and remove all trees, undergrowth, and abate other obstruction, upon said Easement Tract, that may injure, endanger, or interfere with the operation, maintenance, re-construction and repair of said Easement Tract.

Grantee agrees during the life of this Easement to repair all damage to roads, passageways and fences resulting from Grantee's use in going to and from said Easement Tract, and to restore the same to the previously existing condition as near as possible.

Grantor reserves the right to use the facilities offered by the Easement Tract for the natural disposal of surface waters, rain, or any excess waters collecting upon his land. Upon approval of Grantee, which approval shall not be unreasonably withheld, conditioned, or delayed, Grantor, at its own expense, may construct and provide ditches, drains and laterals connecting its said land or portions thereof with the Easement Tract.


This conveyance is made subject to any and all restrictions, covenants, easements, rights of way, encumbrances and mineral or royalty reservations or interests affecting the Easement Tract 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, Grantor, 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 granted herein.

TO HAVE AND TO HOLD the above described Easement for the said purposes, together with all and singular, the rights, privileges, and appurtenances thereto as described above in anywise belonging to the said Grantee, its successors and assigns forever, by, through, or under Grantor, but not otherwise, subject to limitations, conditions and restrictions set forth hereinabove.

EXECUTED this 22 day of OCTOBER, 2018.

D.R. Horton-Texas, Ltd.,
a Texas limited partnership

By : 
Chris Lindhorst,
Division President

STATE OF TEXAS }

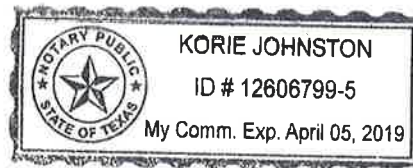
COUNTY OF FORT BEND }

This instrument was acknowledged before me on OCTOBER 22, 2018 by
CHRIS LINDHORST


Notary's Signature

KORIE JOHNSTON
(Name typed or printed)

Commission Expires: 4/5/19



AFTER RECORDING RETURN TO:
Janet M. Baccus
Jones & Carter, Inc.
6330 West Loop South, Suite 150
Bellaire, Texas 77401

EXHIBIT A

Lakeview Retreat Water Plant
5' Drainage Easement
0.0746 Acre

Benjamin Orsburn Survey
Abstract No. 390

STATE OF TEXAS §

COUNTY OF FORT BEND §

A **METES & BOUNDS** description of a certain 0.0746 acre tract of land situated in the Benjamin Orsburn Survey, Abstract No. 390 in Fort Bend County, Texas, being out of a called 2.60 acre tract of land conveyed to D.R. Horton-Texas, Ltd by Special Warranty Deed recorded in Clerk's File No. 2018033330 (Tract 2) of the Fort Bend County Official Public Records; said 0.0746 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, South Central Zone;

BEGINNING at a found 3/4-inch iron rod (with cap stamped "Jones|Carter Property Corner") at the northeast corner of said 2.60 acre tract;

THENCE, South 25°32'35" West, along the easterly line of said 2.60 acre tract, 475.72 feet to a found 3/4-inch iron rod (with cap stamped "Jones|Carter Property Corner") at the beginning of a curve to the right;

THENCE, along the southeasterly line of said 2.60 acre tract and the arc of said curve to the right having a radius of 345.00 feet, a central angle of 24°58'45", an arc length of 150.41 feet, and a long chord bearing South 38°01'57" West, 149.22 feet to a found 3/4-inch iron rod (with cap stamped "Jones|Carter Property Corner");

THENCE, South 50°31'20" West, continuing along said southeasterly line, 27.88 feet to a found 3/4-inch iron rod (with cap stamped "Jones|Carter Property Corner") at the south corner of said 2.60 acre tract, being in the easterly line of Harlem Road (60' right-of-way);

THENCE, North 02°03'06" West, along the westerly line of said 2.60 acre tract, common with the easterly line of said Harlem Road, 6.30 feet to a point for corner;

THENCE, North 50°31'20" East, 24.06 feet to a point at the beginning of a curve to the left;

THENCE, along the arc of said curve to the left having a radius of 340.00 feet, a central angle of 24°58'45", an arc length of 148.23 feet, and a long chord bearing North 38°01'57" East, 147.06 feet to a point for corner;

THENCE, North 25°32'35" East, 473.93 feet to a point for corner in the north line of the aforementioned 2.60 acre tract, from which a found 3/4-inch iron rod (with cap stamped "Jones|Carter Property Corner") bears North 84°09'10" West, 336.52 feet for the northwest corner of said 2.60 acre tract, being in the east line of said Harlem Road;

THENCE, South 84°09'10" East, along said north line, 5.31 feet to the **POINT OF BEGINNING, CONTAINING** 0.0746 acre of land in Fort Bend County, Texas as shown on Drawing No. 12308 in the offices of Jones|Carter in Bellaire, Texas.

Jones|Carter
6330 West Loop South, Suite 150
Bellaire, Texas 77401
(713) 777-5337
Texas Board of Professional Land Surveying
Registration No. 10046100

 08/01/18
Acting By/Through Jeromy Alvin Chandler
Registered Professional Land Surveyor
No. 5755
JChandler@jonescarter.com

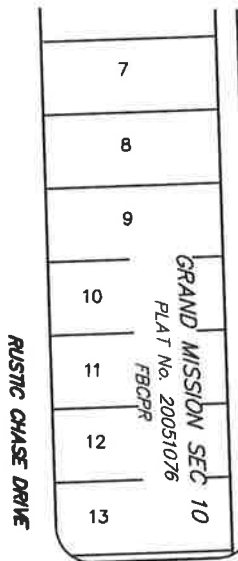


CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	345.00'	24°58'45"	150.41'	S 38°01'57" W	149.22'
C2	340.00'	24°58'45"	148.23'	N 38°01'57" E	147.06'

LINE	BEARING	DISTANCE
L1	S 25°32'35" W	475.72'
L2	S 50°31'20" W	27.88'
L3	N 02°03'06" W	6.30'
L4	N 50°31'20" E	24.06'
L5	N 25°32'35" E	473.93'
L6	N 84°09'10" W	336.52'
L7	S 84°09'10" E	5.31'

NORTH
SCALE: 1" = 100'

PORTION OF
A CALLED 221.291 ACRES
TO WESTPARK 220 INVESTMENTS, LLC
BY SPECIAL WARRANTY DEED
CF No. 2016135862 FBCOPR



AS OCCUPIED, NO ROW DEDICATION FOUND

HARLEM ROAD
(60' ROW)

CALLLED 2.60 ACRES
TRACT TWO
TO D.R. HORTON-TEXAS, LTD
BY SPECIAL WARRANTY DEED
CF No. 2018033330 FBCOPR

5' DRAINAGE EASEMENT
0.0746 ACRE

PORTION OF
A CALLED 221.291 ACRES
TO WESTPARK 220 INVESTMENTS, LLC
BY SPECIAL WARRANTY DEED
CF No. 2016135862 FBCOPR



08/01/18

LEGEND

CF CLERKS FILE
"F" FOUND 3/4-INCH IRON ROD WITH CAP
STAMPED "JONES|CARTER PROPERTY CORNER"
FBCOPR FORT BEND COUNTY OFFICIAL PUBLIC RECORDS
FBCPR FORT BEND COUNTY PLAT RECORDS
No. NUMBER
POB POINT OF BEGINNING
POC POINT OF COMMENCING
ROW RIGHT-OF-WAY

GENERAL NOTES:

1. A Metes and Bounds description of this tract is available in the offices of Jones & Carter Inc. in Bellaire, Texas.
2. Bearings shown hereon are based on the Texas Coordinate System of 1983, South Central Zone.
3. The acreage totals as shown hereon are based on the mathematical closure of the courses and distances reflected on this survey. It does not include the tolerances that may be present due to position accuracy of the boundary monuments shown hereon.

EXHIBIT
OF A
5' DRAINAGE EASEMENT
BEING
0.0746 OF AN ACRE
OUT OF THE
BENJAMIN ORSBURN SURVEY, A-390
FORT BEND COUNTY, TEXAS
AUGUST 2018



COTTON SURVEYING DIVISION
Texas Board of Professional Land Surveying Registration No. 10046100
6330 West Loop South, Suite 150 • Bellaire, TX 77401 • 713.777.5337