

FULSHEAR CREEK EASEMENT  
(Fulshear Trace Bridge)

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

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

THAT **FULSHEAR LAND PARTNERS, LTD.**, a Texas limited partnership ("**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, AND CONVEYED and by these presents docs GRANT, SELL, AND CONVEY unto the **FORT BEND COUNTY DRAINAGE DISTRICT**, a political subdivision of the State of Texas, a governmental agency, and a body politic and corporate (the "**Grantee**"), its successors and assigns, a permanent and perpetual easement and right-of-way across the tracts of land described in *Exhibit A* attached hereto and made a part hereof for descriptive purposes (the "**Easement**") for the purposes of ingress and egress to and from Fulshear Creek for maintenance and protection of Fulshear Creek and its banks and appurtenances (together, the "**Creek**").

Grantee may enter upon the Easement to engage in all activities as may be necessary, requisite, convenient, or appropriate in connection therewith. Grantee's rights shall include, without limitation, the right to clear and remove trees, growth or shrubbery, dig ditches and lay spill soil on the banks of the Creek, and carry out other improvements from within the Easement, and the right to bring and operate such equipment thereupon as may be necessary or appropriate to effectuate the purposes for which the Easement is granted.

This grant is made and accepted subject to the following terms, covenants, conditions, reservations, restrictions, limitations and exceptions, all of which shall be deemed to be covenants running with the land, commencing upon the execution hereof by Grantor and Grantee, and binding upon the parties hereto and their respective legal representatives, successors and assigns, to wit:

- 1) The Easement herein granted is subject to all restrictions, covenants, easements, rights-of-way, encumbrances and mineral or royalty reservations or interests affecting the Easement and appearing of record in the Official Public Records of Fort Bend County, Texas, to the extent that the same are in effect and validly enforceable against the Easement on the date hereof (the "**Permitted Encumbrances**"); provided, however, that Grantor, to the extent that it has any ability to enforce any of such Permitted Encumbrances, agrees that it shall not enforce any of said Permitted Encumbrances in a manner which would prejudice or interfere with Grantee's rights in the Easement.

- 2) Grantor and its successors and assigns shall have the right to full and complete enjoyment of the Easement, for any purposes whatsoever, except insofar as said enjoyment damages the Creek or unreasonably interferes with the rights hereby granted to Grantee. Subject to the remaining provisions of this paragraph, Grantor specifically reserves the right to grant other easement rights within the Easement to lay, construct and maintain pipelines, bridges, streets, esplanades, curbs, passageways, drainage lines, landscape irrigation lines, sanitary sewer lines, telephone, electric, cable, gas or any other desired utility items over, under and/or across the Easement.
- 3) If it becomes necessary or advisable for Grantor to include all or a portion of the Easement in a plat or plats for the adjacent property owned by Grantor, Grantee agrees to join in one or more plats, so long as such plat(s) does not interfere with the Grantee's rights hereunder, without unreasonably delaying, conditioning or withholding such joinder.
- 4) Grantee will occupy and operate the Creek and the Easement at its own risk. With the exception of the obligations set forth herein, Grantor will not be liable to Grantee, its agents, employees, contractors, licensees or invitees for any damage to person or property caused by any act, omission or neglect of the Grantee, its agents, contractors, servants, employees, customers or invitees.

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

This Easement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one instrument.


*[Signature pages following this pages.]*

EXECUTED on the dates noted below, but EFFECTIVE this the \_\_\_\_ day of \_\_\_\_\_, 2018.

GRANTOR:

**FULSHEAR LAND PARTNERS, LTD.,**  
a Texas limited partnership

By: New FLP Management, LLC,  
a Texas limited liability company,  
its General Partner


By:   
\_\_\_\_\_  
David A. Cannon  
Authorized Signatory

THE STATE OF TEXAS       §  
  §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on the 30<sup>th</sup> day of October, 2018, by David A. Cannon, Authorized Signatory of New FLP Management, LLC, a Texas limited liability company, General Partner of FULSHEAR LAND PARTNERS, LTD., a Texas limited partnership, on behalf of said limited liability company and said limited partnership.

(NOTARY SEAL)



  
\_\_\_\_\_  
Notary Public, State of Texas

AFTER RECORDING, PLEASE RETURN TO:

Fort Bend County Drainage District  
Attention: Neil Goertz  
301 Jackson Street  
Richmond, Texas 77469

Attachments:

Exhibit A – Description of Easement Tracts



County: Fort Bend  
Project: Fulbrook on Fulshear Creek – Fulshear Creek – Access Easement  
C.I. No.: 1158-18 (Sketch prepared)  
Job Number: 2012-101-095

METES AND BOUNDS DESCRIPTION  
0.0925 ACRES

Being a 0.0925 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 0.0925 acre tract being a part of a called 96.1496 acre tract of land recorded in the name of Fulshear Land Partners, LTD. in Clerk's File No. No. 2006163186 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.); said 0.0925 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

**Commencing** at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the at the south corner of Lot 13, Block 4 of Fulshear Creek Crossing Section Two, a subdivision recorded in Plat No. 20080066 of the Plat Records of Fort Bend County (P.R.F.B.C.), the east corner of Reserve "C" of said Fulshear Creek Crossing Section Two, and the north corner of a called 20.3661 acre tract of land (Tract Two) recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in Clerk's File No. 2016071925 of the O.P.R.F.B.C., and being on the northeasterly line of Fulshear Creek (width varies);

Thence with the northeasterly line of said 20.3661 acre tract and said Fulshear Creek, South 39 degrees 47 minutes 31 seconds East, a distance of 82.01 feet to the **Point of Beginning** of the herein described tract;

Thence, across aforesaid 96.1496 acre tract, the following three (3) courses:

1. 130.16 feet along the arc of a curve to the left, said curve having a central angle of 09 degrees 48 minutes 45 seconds, a radius of 760.00 feet and a chord that bears North 39 degrees 22 minutes 02 seconds East, a distance of 130.00 feet;
2. South 55 degrees 32 minutes 20 seconds East, a distance of 30.00 feet;
3. 138.41 feet along the arc of a curve to the right, said curve having a central angle of 10 degrees 02 minutes 19 seconds, a radius of 790.00 feet and a chord that bears South 39 degrees 28 minutes 49 seconds West, a distance of 138.24 feet to the northeasterly line of aforesaid called 20.3661 acre tract and aforesaid Fulshear Creek;

4. Thence, with the northeasterly line of said 20.3661 acre tract and said Fulshear Creek, North 39 degrees 47 minutes 31 seconds West, a distance of 30.16 feet to the **Point of Beginning** and containing 0.0925 acres of land;





FULSHEAR CREEK CROSSING  
SECTION TWO  
PLAT NO. 20080066  
P.R.F.B.C.  
RESERVE "C"

FULSHEAR CREEK

0.0925 ACRE  
ACCESS EASEMENT  
M&B NO. 115818

REMAINDER OF  
96.1496 AC.  
FULSHEAR LAND INVESTMENT  
PARTNERS, LTD.

TO  
FULSHEAR LAND  
PARTNERS, LTD.  
C.F. NO. 2006163186  
12-22-2006

FUTURE  
FULSHEAR TRACE

CALLED 20.3661 ACRES  
TRACT 2  
FULSHEAR MUD NO. 1  
C.F. NO. 2016071925  
O.R.F.B.C.

217.8392 AC.  
FULSHEAR LAND LAND  
INVESTMENT PARTNERS, LTD.  
C.F. 2005107659  
O.P.R.F.B.C.



Engineering and Surveying  
9990 Richmond Avenue, Suite 450  
North Building  
Houston, Texas 77042  
(713) 783-7788 (713) 783-3560, Fax

EXHIBIT OF  
ACCESS EASEMENT TO  
FULSHEAR CREEK

DRAWN BY: APM	DWG. NO.: 115818.DGN	DATE: 4-23-2018
CHECKED BY: JBM	JOB NO: 2018-044-103	SCALE: 1"= 100'

POB = POINT OF BEGINNING  
POC = POINT OF COMMENCING

FULSHEAR CREEK

Exhibit A  
PAGE 3 OF 60



County: Fort Bend  
Project: Fulbrook on Fulshear Creek – Fulshear Creek – Access Easement  
C.I. No.: 1159-18 (Sketch prepared)  
Job Number: 2012-101-095

METES AND BOUNDS DESCRIPTION  
0.0641 ACRES

Being a 0.0641 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 0.0641 acre tract being a part of a called 96.1496 acre tract of land recorded in the name of Fulshear Land Partners, LTD. in Clerk's File No. No. 2006163186 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.); said 0.0641 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

**Commencing** at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the at the south corner of Lot 13, Block 4 of Fulshear Creek Crossing Section Two, a subdivision recorded in Plat No. 20080066 of the Plat Records of Fort Bend County (P.R.F.B.C.), the east corner of Reserve "C" of said Fulshear Creek Crossing Section Two, and the north corner of a called 20.3661 acre tract of land (Tract 2) recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in Clerk's File No. 2016071925 of the O.P.R.F.B.C., and being on the northeasterly line of Fulshear Creek (width varies);

Thence with the northeasterly line of said called 20.3661 acre tract and said Fulshear Creek, South 39 degrees 47 minutes 31 seconds East, a distance of 212.61 feet to the **Point of Beginning** of the herein described tract;

Thence, across aforesaid 96.1496 acre tract, the following five (5) courses:

1. 120.09 feet along the arc of a curve to the left, said curve having a central angle of 07 degrees 43 minutes 52 seconds, a radius of 890.00 feet and a chord that bears North 41 degrees 16 minutes 38 seconds East, a distance of 120.00 feet;
2. South 52 degrees 35 minutes 18 seconds East, a distance of 20.00 feet;
3. 90.80 feet along the arc of a curve to the right, said curve having a central angle of 05 degrees 43 minutes 01 seconds, a radius of 910.00 feet and a chord that bears South 40 degrees 16 minutes 13 seconds West, a distance of 90.76 feet;
4. South 46 degrees 52 minutes 17 seconds East, a distance of 10.00 feet;

5. 35.00 feet along the arc of a curve to the right, said curve having a central angle of 02 degrees 10 minutes 48 seconds, a radius of 920.00 feet and a chord that bears South 44 degrees 13 minutes 07 seconds West, a distance of 35.00 feet to the northeasterly line of aforesaid 20.3661 acre tract and aforesaid Fulshear Creek;
6. Thence, with the northeasterly line of said 20.3661 acre tract and said Fulshear Creek, North 39 degrees 47 minutes 31 seconds West, a distance of 30.11 feet to the **Point of Beginning** and containing 0.0641 acres of land.



04-27-2018





FULSHEAR CREEK CROSSING  
SECTION TWO  
PLAT NO. 20080066  
P.R.F.B.C.  
RESERVE "C"

REMAINDER OF  
96.1496 AC.  
FULSHEAR LAND INVESTMENT  
PARTNERS, LTD.  
TO  
FULSHEAR LAND  
PARTNERS, LTD.  
C.F. NO. 2006163186  
12-22-2006

0.0641 ACRE  
ACCESS EASEMENT  
M&B NO. 115918

POB

FUTURE TRACE  
FULSHEAR CREEK

CALLED 20.3661 ACRES  
TRACT 2  
FULSHEAR MUD NO. 1  
C.F. NO. 2016071925  
O.R.F.B.C.

217.8392 AC.  
FULSHEAR LAND LAND  
INVESTMENT PARTNERS, LTD.  
C.F. 2005107659  
O.P.R.F.B.C.



Engineering and Surveying  
9950 Richmond Avenue, Suite 450  
North Building  
Houston, Texas 77042  
(713) 783-7788 (713) 783-3560, Fax

# EXHIBIT OF ACCESS EASEMENT TO FULSHEAR CREEK

DRAWN BY: APM	DWG. NO.: 115918.DGN	DATE: 4-23-2018
CHECKED BY: JRM	JOB NO: 2012-101-095	SCALE: 1"= 100'

POB = POINT OF BEGINNING  
POC = POINT OF COMMENCING

FULSHEAR CREEK  
*Exhibit A*  
PAGE 1 OF 30

County: Fort Bend  
Project: Fulbrook on Fulshear Creek – Fulshear Creek – Access Easement  
C.I. No.: 1160-18 (Sketch prepared)  
Job Number: 2012-101-095

METES AND BOUNDS DESCRIPTION  
0.0526 ACRES

Being a 0.0526 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 0.0526 acre tract being a part of a called 217.8392 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in Clerk's File No. 2005107659 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.) and a part of a called 96.1496 acre tract of land recorded in the name of Fulshear Land Partners, LTD in Clerk's File No. 2006163186 of the O.P.R.F.B.C.; said 0.0526 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

**Commencing** at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the at the west corner of a called 20.3661 acre tract of land (Tract 2) recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in Clerk's File No. 2016071925 of the O.P.R.F.B.C. and the south corner of Reserve "C" of Fulshear Creek Crossing Section Two, a subdivision recorded in Plat No. 20080066 of the Plat Records of Fort Bend County, and being on the southwesterly line of Fulshear Creek (width varies);

Thence with the southwesterly line of said 20.3661 acre tract and said Fulshear Creek, South 38 degrees 00 minutes 24 seconds East, a distance of 72.29 feet to the **Point of Beginning** of the herein described tract;

1. Thence, continuing with the southwesterly line of said 20.3661 acre tract and said Fulshear Creek, South 38 degrees 00 minutes 24 seconds East, a distance of 30.12 feet;
2. Thence, across aforesaid 96.1496 acre tract and aforesaid 217.8392 acre tract, South 46 degrees 51 minutes 53 seconds West, a distance of 75.00 feet;
3. Thence, continuing across said 217.8392 acre tract, North 43 degrees 08 minutes 07 seconds West, a distance of 30.00 feet;
4. Thence, continuing across said 217.8392 acre tract and said 96.1496 acre tract, North 46 degrees 51 minutes 53 seconds East, a distance of 77.69 feet to the **Point of Beginning** and containing 0.0526 acres of land.

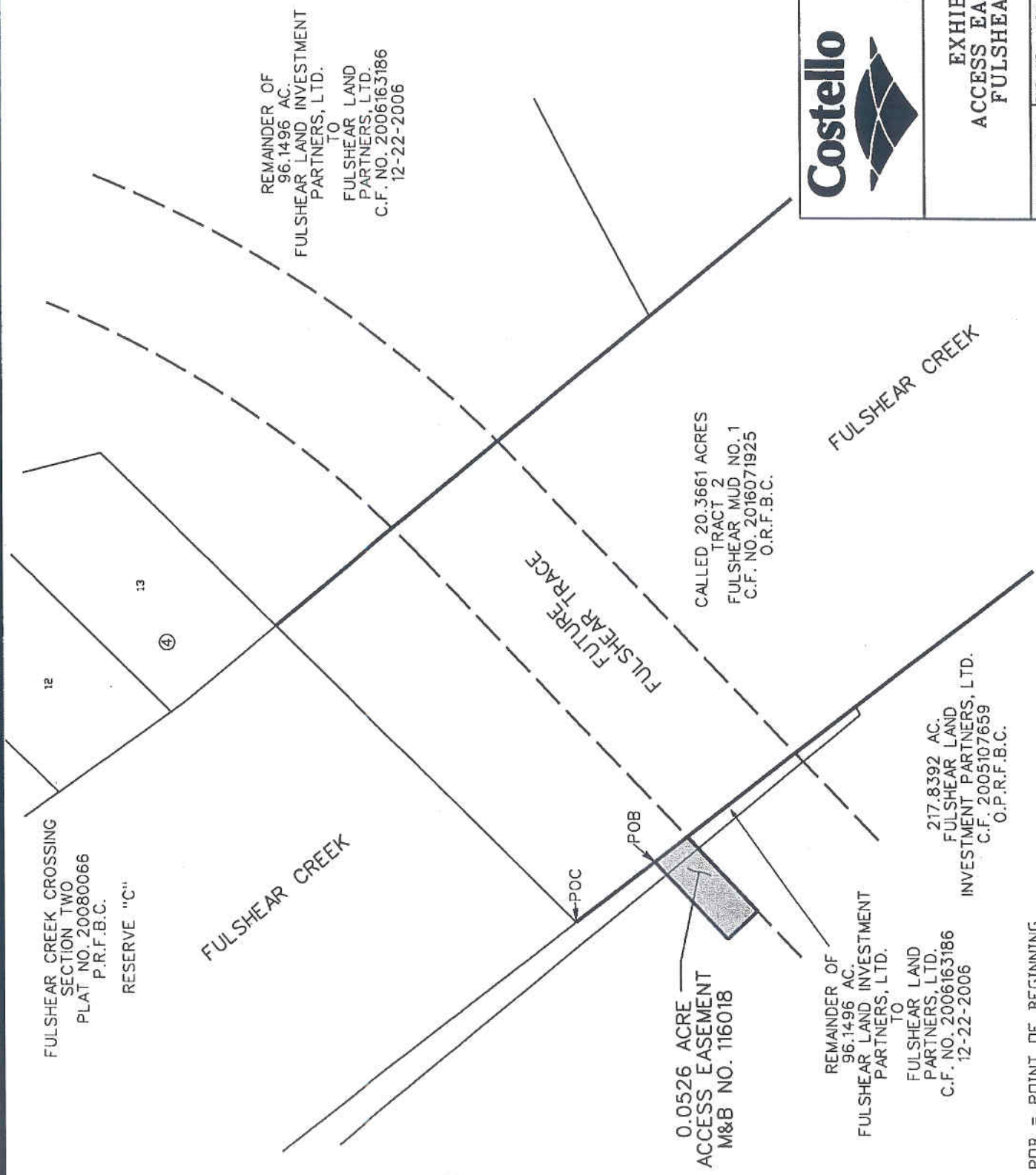




Engineering and Surveying  
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North Building  
Houston, Texas 77042  
(713) 783-7788 (713) 783-3560, Fax

EXHIBIT OF  
ACCESS EASEMENT TO  
FULSHEAR CREEK

DRAWN BY: APM	DWG. NO.: 116018.DGN	DATE: 4-23-2018
CHECKED BY: JRM	JOB NO: 2012-101-095	SCALE: 1" = 100'



POB = POINT OF BEGINNING  
POC = POINT OF COMMENCING

Exhibit A  
Page 8 of 10



County: Fort Bend  
Project: Fulbrook on Fulshear Creek – Fulshear Creek – Access Easement  
C.I. No.: 1161-18 (Sketch prepared)  
Job Number: 2012-101-095

METES AND BOUNDS DESCRIPTION  
0.0526 ACRES

Being a 0.0526 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 0.0526 acre tract being a part of a called 217.8392 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in Clerk's File No. No. 2005107659 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.) and a part of a called 96.1496 acre tract of land recorded in the name of Fulshear Land Partners, LTD. in Clerk's File No. 2006163186 of the O.P.R.F.B.C.; said 0.0526 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

**Commencing** at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the at the west corner of a called 20.3661 acre tract of land (Tract 2) recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in Clerk's File No. 2016071925 of the O.P.R.F.B.C. and the south corner of Reserve "C" of Fulshear Creek Crossing Section Two, a subdivision recorded in Plat No. 20080066 of the Plat Records of Fort Bend County, and being on the southwesterly line of Fulshear Creek (width varies);

Thence with the southwesterly line of said 20.3661 acre tract and said Fulshear Creek, South 38 degrees 00 minutes 24 seconds East, a distance of 202.81 feet to the **Point of Beginning** of the herein described tract;

1. Thence, continuing with the southwesterly line of said 20.3661 acre tract and said Fulshear Creek, South 38 degrees 00 minutes 24 seconds East, a distance of 30.12 feet;
2. Thence, across said 96.1496 acre tract and said 217.8392 acre tract, South 46 degrees 51 minutes 53 seconds West, a distance of 75.00 feet;
3. Thence, continuing across said 217.8392 acre tract, North 43 degrees 08 minutes 07 seconds West, a distance of 30.00 feet;
4. Thence, continuing across said 217.8392 acre tract and aforesaid 96.1496 acre tract, North 46 degrees 51 minutes 53 seconds East, a distance of 77.69 feet to the **Point of Beginning** and containing 0.0526 acres of land.





FULSHEAR CREEK CROSSING  
SECTION TWO  
PLAT NO. 20080066  
P.R.F.B.C.

RESERVE "C"

FULSHEAR CREEK

REMAINDER OF  
96.1496 AC.  
FULSHEAR LAND INVESTMENT  
PARTNERS, LTD.  
TO  
FULSHEAR LAND  
PARTNERS, LTD.  
C.F. NO. 2006163186  
12-22-2006

FUTURE TRACE  
FULSHEAR CREEK

CALLED 20.3661 ACRES  
TRACT 2  
FULSHEAR MUD NO. 1  
C.F. NO. 2016071925  
O.R.F.B.C.

REMAINDER OF  
96.1496 AC.  
FULSHEAR LAND INVESTMENT  
PARTNERS, LTD.  
TO  
FULSHEAR LAND  
PARTNERS, LTD.  
C.F. NO. 2006163186  
12-22-2006

0.0526 ACRE  
ACCESS EASEMENT  
M&B NO. 116118

217.8392 AC.  
FULSHEAR LAND  
INVESTMENT PARTNERS, LTD.  
C.F. 2005107659  
O.P.R.F.B.C.



Engineering and Surveying  
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EXHIBIT OF  
ACCESS EASEMENT TO  
FULSHEAR CREEK

DRAWN BY: APM	DWG. NO.: 116118.DGN	DATE: 4-23-2018
CHECKED BY: JRM	JOB NO.: 2012-101-095	SCALE: 1"= 100'

POB = POINT OF BEGINNING  
POC = POINT OF COMMENCING

Exhibit A  
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