

FORT BEND COUNTY DRAINAGE DISTRICT

RIGHT OF WAY EASEMENT

THE STATE OF TEXAS,
COUNTY OF FORT BEND,

KNOW ALL MEN BY THESE PRESENTS: That the undersigned:

Pointe Greatwood, LLC

6860 Dallas Parkway, Suite 200

Plano, TX 75024

whose address is as shown above (hereinafter called GRANTOR, whether one or more) for and in consideration of the benefits to be derived on account of and from the construction, operation and maintenance by Fort Bend County Drainage District, of the drainage canal and system upon and through the land hereafter described, 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 corporation (hereinafter called the DISTRICT), of Fort Bend County, Texas, a right of way and easement for the purpose of constructing, maintaining, operating, repairing and re-constructing a drainage canal, including drains, ditches, laterals and levees, upon, over, through and across the land of GRANTOR along the route hereinafter designated, and said land being situated in Fort Bend County, Texas, to-wit:

~~The DISTRICT shall have an easement of an aggregate width of _____ feet,
being _____ feet, extending at right angles, on each side of the following line and course
across said land, to-wit:~~

The District shall have an extension of an existing easement along Rabbs Bayou (II-D) previously recorded in Volume 314, on Page 97, of the Deed Records of Fort Bend County, Texas. The proposed extension shall bring the total sum of the drainage easement to 7.525 acres and is more particularly described as Reserve "A" of the attachment labeled as Exhibit "A" and within the metes and bounds description attached as Exhibit "B".

During channel construction and channel maintenance operation, the District is authorized to spread spoil dirt and excavated material, operate machinery and do any necessary clearing, upon the premises of Grantor immediately adjoining the easement as above described.

The DISTRICT 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 drainage canal right of way, provided, however, that after construction of said drainage canal, said right of ingress and egress of the DISTRICT shall be limited to the said right of way and to existing roads and passageways. The DISTRICT is given the right from time to time to cut and remove all trees, undergrowth, and abate other obstruction, upon said canal right of way, that may injure, endanger, or interfere with the construction, operation, maintenance and repair of said drainage canal.

The DISTRICT agrees during the life of this easement to repair all damage to roads, passageways and fences resulting from the DISTRICT'S use in going to and from said easement and right of way, 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 drainage canal for the disposal of surface waters, rain, or any excess waters collecting upon his land, and in such connection GRANTOR has the right in the manner provided by law and at his own expense to construct and provide ditches, drains and laterals connecting his said land or portions thereof with the drainage canal.

GRANTOR reserves the oil, gas and sulphur in and under the land covered by this easement, provided however, that during the life of this easement no mining or drilling operations shall be conducted upon the surface of the area included in the easement right of way above described.

It is agreed that if at a future time the DISTRICT, its successors or assigns, shall permanently cease to use said drainage canal right of way for the purposes herein contained, and shall permanently abandon the same, then and in such event the said right of way above described, together with all rights and interests held by the DISTRICT by reason of this instrument, shall revert, pass to and vest in the said GRANTOR, his heirs or assigns.

TO HAVE AND TO HOLD said right of way and easement herein granted, unto the said DISTRICT, its successors or assigns.

EXECUTED this the 19th day of March, A. D. 192019.

THE STATE OF TEXAS }
COUNTY OF Collin

BEFORE ME NEAL HECKEL

_____, in and for
Collin County, Texas, on this day personally appeared

known to me to be the person whose name _____ subscribed to the foregoing instrument, and acknowledged to me that he _____ executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 19 day of March,
A. D. 2019
(L. S.)



THE STATE OF TEXAS }
COUNTY OF _____

BEFORE ME _____

_____, in and for
_____ County, Texas, on this day personally appeared
_____, wife of

known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____ acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____,
A. D. 19_____
(L. S.)

THE STATE OF TEXAS }
COUNTY OF _____

BEFORE ME _____

_____, in and for
_____ County, Texas, on this day personally appeared
_____ and _____

_____, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said _____ wife of the said _____ having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____,
A. D. 19_____
(L. S.)

ENDORSEMENTS

THE STATE OF TEXAS, }
County of _____

I, _____, Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing, dated the _____ day of _____, A. D. 19____ with its authentication, was filed for record in my office on the _____ day of _____, A. D. 19____ at _____ o'clock _____ M., and duly recorded this the _____ day of _____, A. D. 19____ at _____ o'clock _____ M., in the Deed Records of said County, in Volume _____ on Page _____.

Witness my hand and the seal of the County Court of said County, at office in _____, Texas, the day and year last above written.

Clerk of Court, _____ County, Texas.
By _____, Deputy

EXHIBIT B

Proposed Reserve "A", Greatwood Lake Sec 2A
7.525 Acres

Abner Kuykendall League, Abstract 48

STATE OF TEXAS §

COUNTY OF FORT BEND §

A **METES & BOUNDS** description of a 7.525 acre tract of land in the Abner Kuykendall League, Abstract 48, Fort Bend County, Texas, being out of and a part of the residue of that certain called 100.37 acre tract recorded under County Clerk's File Number 2012146345, Official Public Records, Fort Bend County, Texas, said 7.89 acre tract also being comprised of Reserve "A" of the proposed Greatwood Lake Sec 2A, with all bearings based upon the Texas Coordinate System of 1983, South Central Zone, based upon GPS observations.

Commencing at a $\frac{3}{4}$ inch iron rod with cap marked "Cotton Surveying" found for an angle point in the northerly line of Reserve "A" of the adjoining Greatwood Lake Sec 1, according to map or plat thereof recorded under County Clerk's File Number 20140242, Plat Records, Fort Bend County, Texas, being the lower southwest corner of said residue of a called 100.37 acre tract;

Thence North 21 degrees 49 minutes 21 seconds West, 21.21 feet (called North 21 degrees 49 minutes 21 seconds West, 21.21 feet) to a $\frac{3}{4}$ inch iron rod with cap marked "Cotton Surveying" found for a reentry corner to Reserve "A" of said adjoining Greatwood Lake Sec 1, being the upper southwest corner of said residue of a called 100.37 acre tract;

Thence North 23 degrees 10 minutes 39 seconds East (called North 23 degrees 10 minutes 39 seconds East) along a northwest line of said called 100.37 acre tract, at 16.66 feet pass a 1-inch galvanized iron pipe found for a corner to said adjoining Greatwood Lake Sec 1, same being the south corner of an adjoining called 0.41 acre tract (Exhibit "A") recorded in Volume 953, Page 411, Deed Records, Fort Bend County, Texas, and continuing along the southeast line of said adjoining called 0.41 acre tract, the southeast line of an adjoining called 0.50 acre tract recorded in Volume 2187, Page 867, Official Records, Fort Bend County, Texas, the southeast line of an adjoining called 0.50 acre tract recorded in Volume 2425, Page 1186, Official Records, Fort Bend County, Texas, the southeast line of an adjoining called 0.50 acre tract recorded in Volume 2425, Page 1183, Official Records, Fort Bend County, Texas, the southeast line of an adjoining called 1.0 acre tract recorded in Volume 2425, Page 1179, Official Records, Fort Bend County, Texas, and the southeast line of an adjoining called 2.0 acre tract recorded under County Clerk's File Number 2001034123, Official Public Records, Fort Bend County, Texas, 728.50 feet to a point on said line for the west corner and **Place of Beginning** of the herein described tract, said point also being the north corner of the adjoining Reserve "B" of the proposed Greatwood Lake Sec 2A;

Thence North 23 degrees 10 minutes 39 seconds East (called North 23 degrees 10 minutes 39 seconds East) along the northwest line of the herein described tract and a northwest line of said called 100.37 acre tract, same being the southeast line of said adjoining called 2.0 acre tract, and the southeast line of an adjoining called 1.5 acre tract recorded under County Clerk's File Number 1999085874, Official Public Records, Fort Bend County, Texas, 222.09 feet to a point in the centerline of Rabbs Bayou for the north corner of the herein described tract, said point being in the southwest line of an adjoining called 3.313 acre tract recorded under County Clerk's File Number 2009122924, Official Public Records, Fort Bend County, Texas;

Thence along the centerline of Rabbs Bayou, being the common line of the herein described tract and said adjoining called 3.313 acre tract, with the following meanders:

South 53 degrees 00 minutes 40 seconds East, 1.94 feet;

South 59 degrees 22 minutes 13 seconds East, 726.89 feet;

South 69 degrees 33 minutes 57 seconds East, 113.41 feet;

South 76 degrees 48 minutes 29 seconds East, 614.41 feet;

South 66 degrees 29 minutes 03 seconds East, 25.99 feet to a point for the east corner of the herein described tract, and being in the northwest line of the aforementioned adjoining called 63.896 acre tract;

Thence South 21 degrees 25 minutes 34 seconds West (called South 21 degrees 25 minutes 34 seconds West) along the southeast line of the herein described tract and the southeast line of said called 100.37 acre tract, same being the northwest line of said adjoining called 63.896 acre tract, at 100.07 feet pass a 5/8 inch iron rod with cap marked "Kalkomey Surveying" found on said line for reference, being in the south line of a called 200-foot wide drainage easement recorded in Volume 314, Page 97, Deed Records, Fort Bend County, Texas, and continuing for a total distance of 217.59 feet to a point for the most easterly south corner of the herein described tract, said point being the east corner of the adjoining Reserve "C" of the proposed Greatwood Lake Sec 2A;

Thence establishing the southwesterly line of the herein described tract, severing said portion of a called 100.37 acre tract, with the following courses and distances:

North 76 degrees 48 minutes 29 seconds West, 144.79 feet;

South 44 degrees 15 minutes 07 seconds West, 31.72 feet to a point in a non-tangent curve to the left;

Thence with said non-tangent curve to the left, having a central angle of 49 degrees 31 minutes 44 seconds, an arc length of 43.22 feet, a radius of 50.00 feet, and a chord bearing North 70 degrees 30 minutes 45 seconds West, 41.89 feet;

North 05 degrees 16 minutes 37 seconds West, 23.80 feet;

North 76 degrees 48 minutes 29 seconds West, 412.41 feet;

North 69 degrees 33 minutes 57 seconds West, 92.17 feet;

North 64 degrees 10 minutes 59 seconds West, 115.59 feet;

Proposed Reserve "A", Greatwood Lake Sec 2A
7.525 Acres

Abner Kuykendall League, Abstract 48

North 59 degrees 22 minutes 13 seconds West, 658.39 feet to the **Place of Beginning** and containing 7.525 acres of land, more or less;

April 17, 2018

Job Number 05537-0008-01

Jones | Carter
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Rosenberg, TX 77471-5655
(281) 342-2033
Texas Board of Professional Land
Surveying Registration No. 10046104




Acting By/Through Chris D. Kalkomey
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