

**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.**



## **SPECIAL WARRANTY DEED**

**TxDOT ROW CSJ:** 0188-09-047

**TxDOT Parcel ID:** P00007324 – 237

**Grantor(s), whether one or more:**

FORT BEND COUNTY, TEXAS

**Grantor's Mailing Address (including county):**

**401 Jackson Street  
Richmond, TX 77469  
(Fort Bend County)**

**Grantee:**

The State of Texas, acting by and through the Texas Transportation Commission

**Grantee's Authority:**

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

**Grantee's Mailing Address (including county):**

**Texas Department of Transportation  
125 E. 11<sup>th</sup> Street  
Austin, Texas 78701  
(Travis County)**

**Consideration:**

The sum of TEN and 00/100 Dollars (\$10.00) to Grantor in hand paid by Grantee, AND OTHER GOOD AND VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.

**Property:**

All of that certain tract or parcel of land in Fort Bend County, Texas, being more particularly described in the attached Exhibit A (the "**Property**").

**Reservations from and Exceptions to Conveyance and Warranty:**

This conveyance is made by Grantor and accepted by Grantee subject to the following:

1. Visible and apparent easements not appearing of record.
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Fort Bend County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas, and sulfur in and under the Property but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein, and thereunder.

Grantor is retaining title to the following improvements ("**Retained Improvements**") located on the Property, to wit: **NONE**

Grantor covenants and agrees to remove the Retained Improvements from the Property by N/A day of N/A, 20N/A, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting, or permitting requirements.

**GRANTOR**, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors, and assigns to Warrant and Forever Defend all and singular the Property to Grantee and Grantee's 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 except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires singular nouns and pronouns, include the plural.

EXECUTED on the date(s) of acknowledgment indicated below.

**GRANTOR:**

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

By: \_\_\_\_\_  
KP George  
County Judge

Corporate Acknowledgment

State of Texas  
County of Fort Bend

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by KP George, as 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. The acknowledging person personally appeared by:

physically appearing before me.

appearing by an interactive two-way audio and video communication that meets the requirements for online notarization under Texas Government Code, Chapter 406, Subchapter C.

\_\_\_\_\_  
Notary Public's Signature

**AFTER RECORDING, RETURN TO:**  
Charter Title Company  
1717 West Loop South, 12<sup>th</sup> Floor  
Houston, Texas 77027

EXHIBIT A

County: Fort Bend  
Highway: F.M. 723  
Limits: From South (700 Feet) of Beadle Lane to FM 1093  
ROW CSJ: 0188-09-047

Property Description for  
Parcel 237

BEING a 0.5969 of an acre (26,000 square feet) parcel of land located in the Williams Andrews League Survey, Abstract No. 3, Fort Bend County, Texas, and being a portion of that certain called 2.1101 acre tract of land conveyed from 8 Crossing, LLC to Park 723, LLC by deed executed August 16, 2018 and recorded under Fort Bend County Clerk File (F.B.C.C.F.) No. 2018093332 of the Official Public Records of Fort Bend County, Texas (O.P.R.F.B.C.T.) and a portion of that certain calculated 1.891 acre residue of a called 9.883 acre tract of land conveyed from Briscoe Business Park, LLC to Park 723, LLC by deed executed August 16, 2018 and recorded under F.B.C.C.F. No. 2018093331, O.P.R.F.B.C.T.; said 0.5969 of an acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a found 5/8-inch iron rod with cap at an angle point on the existing southerly right-of-way line of Settegast Ranch Road (width varies) (as monumented) of record under File No. 20130308 of the Fort Bend County Plat Records (F.B.C.P.R.) and conveyed to Fort Bend County by deed executed September 10, 1964 and recorded under Volume 458, Page 486 of the Deed Records of Fort Bend County, Texas (D.R.F.B.C.T.), being the northwesterly corner of said 2.1101 acre tract, thence as follows:

THENCE, North 87°03'37" East, along the existing southerly right-of-way line of Settegast Ranch Road, being the northerly line of said 2.1101 acre tract, a distance of 351.36 feet to a set 5/8-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap on the proposed westerly right-of-way line of F.M. 723 (width varies) and for the POINT OF BEGINNING of the herein described parcel having surface coordinates of N = 13,804,099.06, E = 2,981,015.37, located 90.00 feet left of and perpendicular to baseline station 465+38.55;\*\*

- 1) THENCE, North 87°03'37" East, continuing along the existing southerly right-of-way line of Settegast Ranch Road, being the northerly line of said 2.1101 acre tract, a distance of 60.05 feet to a found 1/2-inch iron pipe at the intersection of the existing southerly right-of-way line of Settegast Ranch Road with the existing westerly right-of-way line of F.M. 723 (120 foot width), being the northeasterly corner of said 2.1101 acre tract, from which a found 3/4-inch iron rod (leaning) bears North 87°55' East, a distance of 1.16 feet, said existing right-of-way conveyed to the State of Texas by deed executed August 17, 1967 and recorded under Volume 491, Page 48, D.R.F.B.C.T.;
- 2) THENCE, South 01°50'45" East, along the existing westerly right-of-way line of F.M. 723, being the easterly lines of said 2.1101 acre tract and said calculated 1.891 acre residue tract, a distance of 433.08 feet to the northeasterly corner of that certain called 2.00 acre tract of land conveyed from Frank Briscoe, Jr. to William Montgomery Briscoe by deed executed July 26, 2010 and recorded under F.B.C.C.F. No. 2010072032, O.P.R.F.B.C.T., being the southeasterly corner of said calculated 1.891 acre residue tract, from which a found 5/8-inch iron rod with cap bears South 84°01' East, a distance of 0.57 feet;

EXHIBIT A

- 3) THENCE, South 88°18'22" West, along the northerly line of said 2.00 acre tract, being the southerly line of said calculated 1.891 acre residue tract, a distance of 60.22 feet to a set 5/8-inch iron rod with TxDOT aluminum cap on the proposed westerly right-of-way line of F.M. 723 and located 90.00 feet left of and perpendicular to baseline station 461+06.78;
- 4) THENCE, North 01°49'19" West, along the proposed westerly right-of-way line of F.M. 723, passing at a distance of 393.22 feet a set 5/8-inch iron rod with TxDOT aluminum cap located 90.00 feet left of and perpendicular to baseline station 465+00 and continuing a total distance of 431.77 feet to the POINT OF BEGINNING and containing 0.5969 of an acre (26,000 square feet) of land.\*\*

Notes:

Bearings and Coordinates shown hereon are referenced to the Texas Coordinate System, South Central Zone (4204), North American Datum of 1983, 2011 Adjustment, Epoch 2010.00, established from the TxDOT CORS Network and verified March, 2019.

Coordinates and distances are displayed in Surface values and may be converted to Grid by dividing by the TxDOT Surface Adjustment Factor of 1.00013.

All measurements are in U.S. Survey feet.

Abstracting and deed research was performed by Postle Property Services Inc. from December, 2017 to March, 2018 and updated in March, 2019 by Cobb Fendley and Associates.

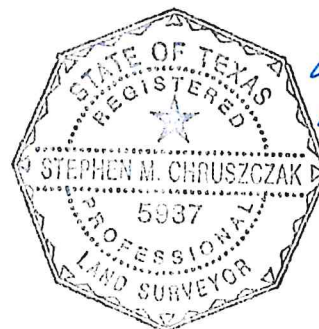
\*\* The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

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

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

I certify that the survey was performed on the ground under my supervision in May, 2019.

Prepared By:  
GeoSolutions, LLC  
Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Tel. 281-681-9766



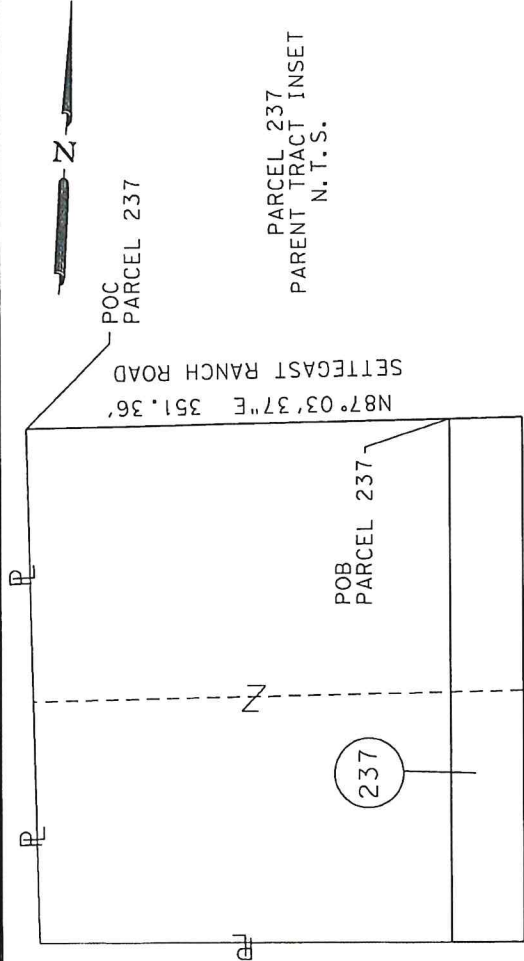
*Handwritten signature*  
9/30/19

**NOTES:**

- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983, 2011 ADJUSTMENT, EPOCH 2010.00, ESTABLISHED FROM THE TXDOT CORS NETWORK AND VERIFIED MARCH, 2019.
- COORDINATES AND DISTANCES ARE U.S. SURVEY FEET, DISPLAYED IN SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE TXDOT SURFACE ADJUSTMENT FACTOR OF 1.00013.
- ABSTRACTING AND DEED RESEARCH WAS PERFORMED BY POSTLE PROPERTY SERVICES INC. FROM DECEMBER, 2017 TO MARCH 2018 AND UPDATED IN MARCH, 2019 BY COBB FENDLEY AND ASSOCIATES. FIELD SURVEYS WERE COMPLETED IN JUNE, 2019. RIGHT-OF-WAY MAPS WERE COMPLETED IN SEPTEMBER, 2019.
- FIELD INFORMATION SHOWN HEREON IS BASED ON AN "ON THE GROUND" SURVEY PERFORMED BY GEOSOLUTIONS, LLC. FROM JUNE 2018 THROUGH MAY 2019.
- PROPOSED RIGHT-OF-WAY BASELINE MAY NOT MATCH PROPOSED CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.
- ALL DATES SHOWN ARE DEED EXECUTION DATE UNLESS NOTED.
- \*\* 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.
- A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
- ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ABUTTING THE HIGHWAY FACILITY.

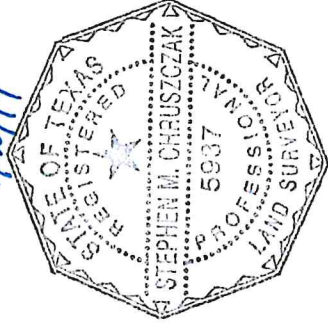
**LEGEND**

- SET 5/8" IR W/TXDOT ALUM. CAP
- SET 5/8" IR W/TXDOT ALUM. CAP STAMPED "ADL" (ACCESS DENIAL)
- FND 5/8" IR W/TXDOT ALUM. CAP UNLESS NOTED
- SET 5/8" IR W/TXDOT ALUM. CAP UNLESS NOTED
- FND. (TYPE INDICATED AT LOCATION)
- ⊕ PROPERTY LINE
- ⊕ LANDHOOK
- ⊕ POINT OF BEGINNING
- ⊕ POINT OF COMMENCING
- ⊕ PARCEL NUMBER
- ⊕ FORT BEND COUNTY CLERK FILE
- ⊕ FORT BEND COUNTY PLAT RECORDS
- ⊕ DEED RECORDS OF FORT BEND COUNTY, TEXAS
- ⊕ OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS
- ⊕ ACCESS DENIAL LINE
- ⊕ PROPOSED R.O.W. LINE
- ⊕ CITY LIMITS LINE
- ⊕ EXISTING R.O.W. LINE
- ⊕ SURVEY LINE



F.M. 723

*Handwritten signature and date: 9/30/19*



EXISTING	TAKING	REMAINING
4.001 AC.	0.5969 AC. 26,000 SQ.FT.	3.40 AC. LT.
25211 Grogan's Mill Road, Ste. 375 The Woodlands, Texas 77380 Office: 281-681-9766 Fax: 281-681-9779 Firm No. 100159-00		
PARCEL PLAT SHOWING PARCEL 237 F.M. 723 FORT BEND COUNTY, TEXAS R.O.W. C.S.J.: 0188-09-047		
SEPTEMBER, 2019		SCALE: N.T.S.

**WILLIAM ANDREWS  
LEAGUE  
ABSTRACT No. 3**

CALLED 2.00 ACRES  
WILLIAM MONTGOMERY  
BRISCOE  
F.B.C.C.F. No.  
2010072032  
O.P.R.F.B.C.T.  
EXECUTED 07-26-2010

CALCULATED 1.891 ACRES  
RESIDUE OF A  
CALLED 9.883 ACRES  
PARK 723, LLC  
F.B.C.C.F. No. 2018093331  
O.P.R.F.B.C.T.  
EXECUTED 08-16-2018

STA: 461+06.78  
OFF: 90.00' L

PROPOSED R.O.W.

393.22'

N01° 49' 19" W 431.77'

237

EXISTING R.O.W. S01° 50' 45" E 433.08'

462+00

463+00

464+00

465+00

PROPOSED BASELINE N01° 49' 19" W

SETTECAST RANCH ROAD  
(AS MONUMENTED) (WIDTH VARIES)

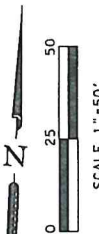
EXISTING R.O.W.

POC  
PARCEL 237  
FND 5/8" IR  
W/CAP

POB  
PARCEL 237  
N=13,804,099.06'  
E=2,981,015.37'  
STA: 465+38.55  
OFF: 90.00' L

STA: 465+00  
OFF: 90.00' L

FND. 1/2" IP  
FND. 3/4" IR  
(LEANING)  
BEARS  
N87° 55' E, 1.16'



**GEO Solutions, LLC**  
25211 Grogan's Mill Road, Ste. 375  
The Woodlands, Texas 77380  
Office: 281-681-9766 Fax: 281-681-9779  
Firm No. 100159-00

PARCEL PLAT SHOWING  
PARCEL 237  
F.M. 723  
FORT BEND COUNTY, TEXAS  
R.O.W. C.S.J.: 0188-09-047

SEPTEMBER, 2019 SCALE: 1" = 50'

(-TRACT-8-A-(PART-1))  
CALLED 2.695 ACRES - STATE OF TEXAS  
VOL. 491, PG. 48 - D.R.F.B.C.T.  
EXECUTED 08-17-1967

F.M. 723  
(120' R.O.W.)

(A) 20' R.O.W. DEDICATION  
FILE No. 20130308  
F.B.C.P.R.

(B) COUNTY OF FORT BEND  
(40' R.O.W.) VOL. 458, PG. 486  
D.R.F.B.C.T. - EXECUTED  
09-10-1964

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N87° 03' 37" E	60.05'
L2	S88° 18' 22" W	60.22'

PAGE 4 OF 4