

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**RESOLUTION AND ORDER TO ABANDON AND VACATE
1.632 ACRES – VACEK 30’ ROAD**

WHEREAS, sixty foot (60’) roads were dedicated to the use of the Public in a subdivision plat of Fruitland Farms recorded in Volume X, Page 309 of the Deed Records of Fort Bend County, Texas, including a thirty foot (30’) wide portion of roadway along the north line of the 75.048 acre tract of land owned by “Betty J. Vacek, Kenneth D. Vacek, and Larry L. Vacek, as Trustees of the Sidney I. Vacek & Mary Ann Vacek Descendants’ Trust” recorded in Volume 2082, Page 2017 of the Official Public Records, described as a 1.632 acre tract in Exhibit A attached hereto and incorporated for all purposes (“Vacek 30’ Road”);

WHEREAS, Fort Bend County (the “County”) accepted the Vacek 30’ Road as part of the plat approval but not into its maintenance system for care and control on behalf of the Public; and

WHEREAS, the County finds the Vacek 30’ Road is unnecessary for any use of the Public, and desires to abandon and vacate the same.

THEREFORE, on this 22 day of November, 2022, at a regular meeting of the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, Texas, upon motion of Commissioner _____, seconded by Commissioner _____, duly put and carried, by unanimous vote, Commissioners Court adopts this resolution and orders to abandon and vacate the Vacek 30’ Road measuring 1.632 acres, a dedicated public right of way established by the subdivision plat of Fruitland Farms, a subdivision recorded in Volume X, Page 309 of the Deed Records of Fort Bend County, Texas, as shown on Exhibit A.

As the owner of the property located at that abuts the Vacek 30' Road being abandoned, title to shall be vested in the name of Betty J. Vacek, Kenneth D. Vacek, and Larry L. Vacek, as Trustees of the Sidney I. Vacek & Mary Ann Vacek Descendants' Trust, as the property owner who receives a conveyance under § 251.058, Texas Transportation Code, subject to the right-of-way or easement and the continued use by any public utilities or common carriers of utility infrastructure which may exist on the date this order is signed.

After due consideration, the Court finds that the above described Vacek 30' Road is no longer necessary and that of the public interest would be better served if such roadway is abandoned and vacated.

IT IS ORDERED that the Vacek 30' Road, as described herein, be abandoned and vacated as a public right of way and the same is hereby abandoned as a county right of way pursuant to Texas Transportation Code §251.051 and §251.058 (b) and that this Order be hereby filed in the Official Public Records of Fort Bend County, Texas forthwith.

Executed this 22 day of November, 2022.

Fort Bend County

By: _____
KP George, County Judge

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This instrument was acknowledged before me on the _____ day of _____, 2022 by KP George, 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.

(SEAL)

Notary Public in and for the State of Texas

EXHIBIT A

HENRY STEINKAMP, INC.
Texas Licensed Surveying Firm No. 10005000
Land Boundary & Topographic Surveying
909 Fifth Street
Rosenberg, Texas 77471
Telephone/Fax 281.342.2241
email: schodek@yahoo.com

Franklin R. Schodek,
Registered Professional Land Surveyor

James L. Syptak, Sr.
Registered Professional Land Surveyor

October 27, 2022

A Field Note Description of a 1.632 Acre Tract, being a call 30.0 foot wide Road along the North line of the 75.048 Acre Tract of Land, being the "Sidney I. Vacek & Mary Ann Vacek Descendants' Trust" (Volume 2982, Page 2017; Official Public Records), in Section No. 11, Fruitland Farms (Volume X, Page 309; Deed Records), and being in the Sarah Kennedy League, Abstract No. 45, Fort Bend County, Texas.

Beginning a 1 inch iron pipe found deep in the centerline of Long Lane found in 1991 and marking the Southwest corner of Section No. 10, FRUITLAND FARMS and Northwest corner of Section No. 11, FRUITLAND FARMS and marking the Northwest corner of said 75.408 Acre Tract and the Northwest corner of and **place of beginning** for this 1.632 Acre Road Tract;

THENCE, North 87deg.17'58" East, at 30.0 feet pass a capped 5/8 inch iron rod stamped "1535-4035" set at corner post marking the East right-of-way line of said Long Lane, then along a fence line, in all 2369.84 feet to a capped 5/8 inch iron rod stamped "1535-4035" set at corner post and marking the Northeast corner for this tract; said corner bears South 87deg.17'58" West, 63.67 feet from another capped 5/8 inch iron rod stamped "1535-4035" found;

THENCE, South 02deg.22'47" East, along a fence line 30.0 feet to a point marking the Southeast corner for this tract;

THENCE, South 87deg.17'58" West, at 2339.84 feet pass the East right-of-way line of Long Lane, in all 2369.84 feet to a point marking the Southwest corner for this tract;

THENCE, North 02deg.22'47" West, along the centerline of said Lone Lane (60 feet wide), 30.0 feet to the place of beginning and containing 1.632 Acres of Land.

Signed: Franklin R. Schodek,
Registered Professional Land Surveyor No. 1535

Note: All bearings in this Survey are based on the Texas State Plane Coordinate Systems, South Central Zone.

FN 1.632 ACRES VACEK 30' ROAD

