

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**RESOLUTION AND ORDER TO ABANDON AND VACATE
ROCK PORT STREET**

WHEREAS, avenues, streets and alleys located within the boundaries of a subdivision plat of The City of Fruitland recorded in Volume X, Page 307 of the Deed Records of Fort Bend County, Texas were dedicated to the use of the Public, including a thirty foot (30') wide portion of an unimproved right of way referred to as Rock Port Street measuring 0.983 of an acre, as described in Exhibit A attached hereto and incorporated for all purposes ("Rock Port Street");

WHEREAS, Fort Bend County (the "County") accepted Rock Port Street 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 Rock Port Street is unnecessary for any use of the Public, and desires to abandon and vacate the same.

THEREFORE, on this 6 day of December , 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 Rock Port Street measuring 0.983 of an acre, a dedicated public right of way established by the subdivision plat of The City of Fruitland, a subdivision recorded in Volume X, Page 307 of the Deed Records of Fort Bend County, Texas, as shown on Exhibit A.

As the owner of the property located at that abuts Rock Port Street being abandoned, title to shall be vested in the name of Pavlock and Son's, Inc., a Texas corporation d/b/a Pavlock Properties, 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 Rock Port Street 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 Rock Port Street, 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 6 day of December, 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

Rock Port Street Abandonment
0.983 Acres
Fort Bend County, Texas

Being 0.983 acres (42,801 square feet) of land situated in the Gail Borden Jr. Survey, Abstract Number 12, Fort Bend County, Texas and being That called Rock Port Street, a 30 foot right of way, as shown on the Fruitland Subdivision Plat as recorded in Volume X, Page 307 of the Deed Records of Fort Bend County, Texas; Said 0.983 acres being more particularly described as follows with all bearings being referenced to the Texas State Plane Coordinate System, South Central Zone, NAD83;

BEGINNING at a 5/8 inch iron rod, found in the west right of way line of Long Lane for the southeast corner of Lot 37 of said Fruitland Subdivision for the northeast corner of the herein described tract;

THENCE South $02^{\circ}26'44''$ East, along the west right of way line of said Long Lane, a distance of 30.00 feet to the southeast corner of the herein described tract;

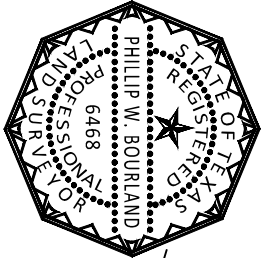
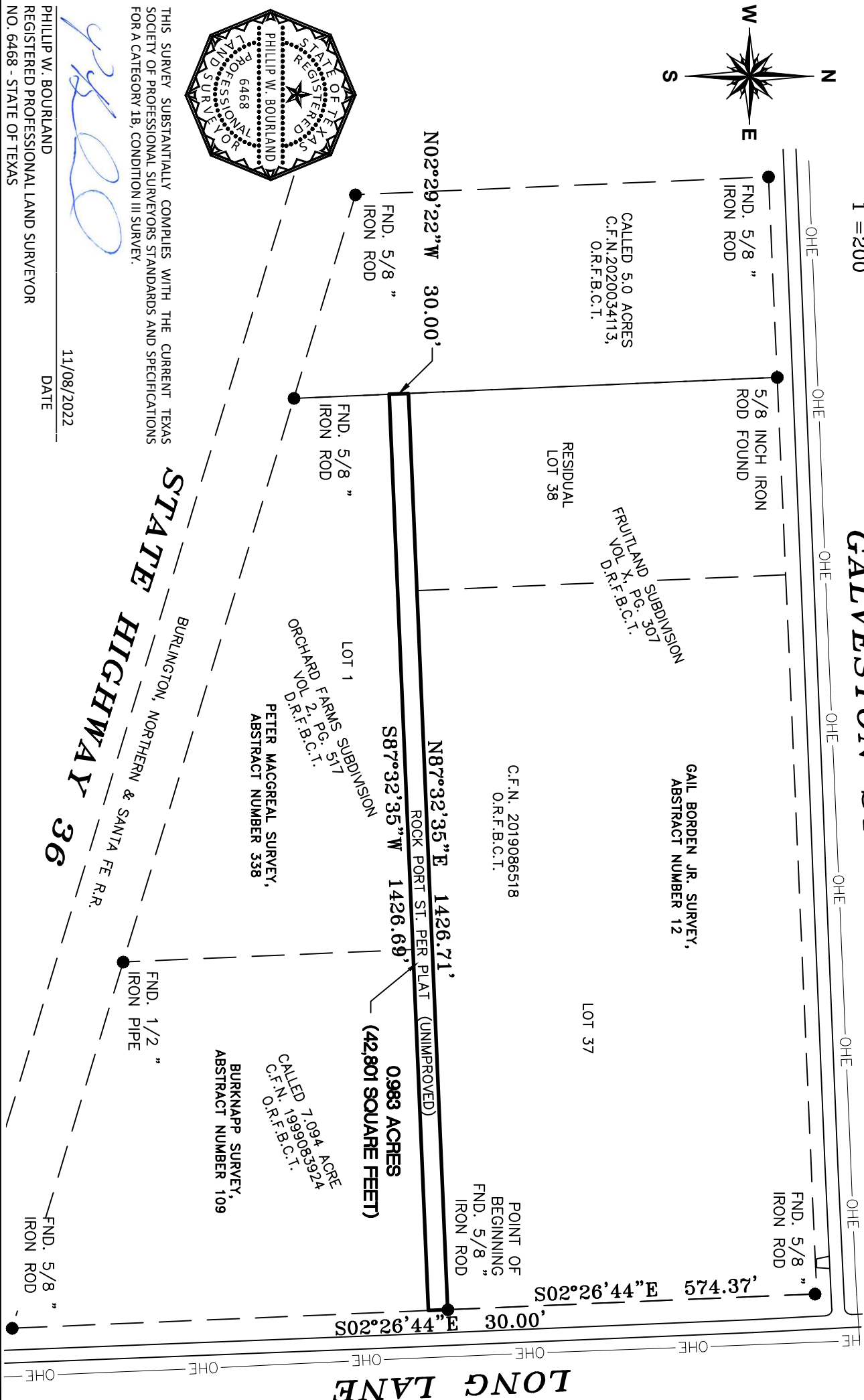
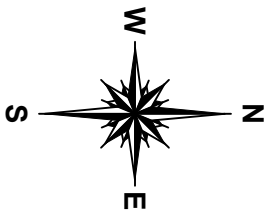
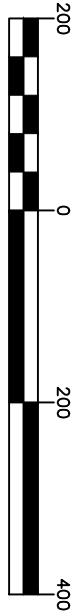
THENCE South $87^{\circ}32'35''$ West, along the south right of way line of Rock Port Street and the north line of a called 7.094 acre tract as recorded under Clerk's File Number 1999083924 of the Official Records of Fort Bend County, Texas and Lot 1 of Orchard Farms Subdivision as recorded in Volume 2, Page 517 of the Deed Records of Fort Bend County, Texas, a distance of 1,426.69 feet to a point in the east line of a called 5.0 acre tract as recorded under Clerk's File Number 2020034113 of the Official Records of Fort Bend County, Texas;

THENCE North $02^{\circ}29'22''$ West, along the east line of said 5.0 acre tract, a distance of 30.00 feet to a point for the northwest corner of the herein described tract;

THENCE North $87^{\circ}32'35''$ East, along the north right of way line of Rock Port Street, and the south line of Lot 38 and Lot 37 of said Fruitland Subdivision, a distance of 1,426.71 feet to the **POINT OF BEGINNING**, containing 0.983 acres (42,801 square feet) of land in Fort Bend County, Texas.

FORT BEND COUNTY, TEXAS

GALVESTON STREET



THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION III SURVEY.

[Signature]

PHILLIP W. BOURLAND
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6468 - STATE OF TEXAS

11/08/2022
DATE

NOTES:

1. THE SURVEYOR HAS RELIED UPON THE COMMITMENT FOR TITLE INSURANCE ISSUED BY STEWART TITLE GUARANTY COMPANY, GE NO. 022117099, EFFECTIVE DATE APRIL 20, 2021, WITH REGARD TO ANY RECORDED EASEMENTS, RIGHTS-OF-WAY OR SETBACKS AFFECTING THE SUBJECT PROPERTY. NO ADDITIONAL RESEARCH REGARDING THE EXISTENCE OF EASEMENTS, RESTRICTIONS, OR OTHER MATTERS OF RECORD HAS BEEN PERFORMED BY THE SURVEYOR.

2. THIS SURVEY DOES NOT PROVIDE A DETERMINATION OR OPINION CONCERNING THE LOCATION OR EXISTENCE OF WETLANDS, FAULT LINES, TOXIC OR HAZARDOUS WASTE AREAS, SUBSIDENCE, OVERHEAD, SUBSURFACE AND ENVIRONMENTAL CONDITIONS OR GEOLOGICAL ISSUES. NO STATEMENT IS MADE CONCERNING THE SUITABILITY OF THE SUBJECT TRACT FOR ANY INTENDED USE, PURPOSE OR DEVELOPMENT.

3. DATE OF SURVEY 04/28/21

4. BASIS OF BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83.

5. THERE MAY BE EASEMENTS, SETBACKS AND OTHER BUILDING RESTRICTIONS SET FORTH IN THE DEED RESTRICTIONS NOT SHOWN HEREON. IT IS THE OWNERS RESPONSIBILITY TO ENSURE THAT ALL RESTRICTIONS ARE SATISFIED PRIOR TO BUILDING.

SYMBOL LEGEND	
●	PROPERTY CORNER
●	POWER POLE
W	WATER METER
G	GAS METER
E	ELECTRIC OUTLET

BOURLAND LAND SURVEYING, LLC

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(936)653-2264

TBPLS FIRM REG # 10194525
PROJECT NO. 21215