

SANITARY CONTROL EASEMENT

(0.0607 Acre and 0.1821 Acre – Water Well No. 1 at Water Plant No. 2)

DATE: _____, 2023

GRANTOR: FORT BEND COUNTY, TEXAS,
a political subdivision of the State of Texas

GRANTOR'S ADDRESS: 401 Jackson Street
Richmond, Texas 77469
Attn: County Judge

GRANTEE: FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50,
a political subdivision of the State of Texas

GRANTEE'S ADDRESS: c/o Allen Boone Humphries Robinson LLP
3200 Southwest Freeway, Suite 2600
Houston, Texas 77027

SANITARY CONTROL EASEMENT:

Purpose, Restrictions, and Uses of Easement:

1. The purpose of this easement is to protect the water supply of the Water Well (defined herein) by means of sanitary control.
2. The construction, existence, and/or operation of the following within a 150-foot radius of the Water Well are prohibited:
 - Septic tank or sewage treatment perforated drain fields;
 - Areas irrigated by low dosage, low angle spray on-site sewage facilities;
 - Absorption beds;
 - Evapotranspiration beds;
 - Abandoned, inoperative or improperly constructed water wells of any depth. For the purpose of this easement, improperly constructed wells are those wells which do not meet the surface and subsurface construction standards for a public water supply well;
 - Underground petroleum and chemical storage tanks or liquid transmission pipelines;
 - Sewage treatment plants;
 - Sewage wet wells;
 - Sewage pumping stations;
 - Drainage ditches which contains industrial waste discharges or wastes from sewage treatment systems;
 - Animal feed lots;

- Solid waste disposal sites, landfill and dump sites;
 - Lands on which sewage plant or septic tank sludge is applied;
 - Lands irrigated by sewage plant effluent;
 - Military facilities;
 - Industrial facilities;
 - Wood-treatment facilities;
 - Liquid petroleum and petrochemical production, storage, and transmission facilities;
 - Class 1, 2, 3, 4, and 5 injection wells;
 - Pesticide storage and mixing facilities; and
 - All other constructions or operations that could pollute the groundwater sources of the well that is the subject of this easement.
3. The construction, existence and/or operation of tile or concrete sanitary sewers, sewer appurtenances, septic tanks, storm sewers, cemeteries, and/or the existence of livestock in pastures is specifically prohibited within a 50-foot radius of the Water Well.
 4. This easement permits the construction of homes or buildings upon the Grantor's property, and farming and ranching operations, as long as all items in Restrictions Nos. 2 and 3 are recognized and followed.
 5. It is understood and agreed that the easement granted hereunder does not constitute a conveyance of fee simple title in and to the Easement Tracts (as defined herein) or any other portion of Grantor's property or any of the minerals located therein or thereunder, but grants only an easement estate in and to said Easement Tracts, subject to the provisions of this Sanitary Control Easement.

The portions of Grantor's property subject to this Sanitary Control Easement are described as follows:

- (a) All of that certain tract of land, containing 0.0607 acre, situated in the William Stanley Survey, Abstract No. 599, in Fort Bend County, Texas, and being a portion of Beechnut Street, taken into the county system by perspective rights and approved by Commissioner's Court of Fort Bend County, Texas on April 28, 1986, as evidenced under Volume 309, Page 31 of the Commissioner's Court Records of Fort Bend County, Texas, which 0.0607 acre tract is located near a water well (the "Water Well"); and
- (b) All of that certain tract of land, containing 0.1821 acre, situated in the James Perry Survey, Abstract No. 299, in Fort Bend County, Texas, and being a portion of Skinner Lane (a/k/a Precinct Line Road), taken into the county system by perspective rights and approved by Commissioner's Court of Fort Bend County, Texas on April 28, 1986, as evidenced under Volume 309, Page 31 of the

Commissioner's Court Records of Fort Bend County, Texas, which 0.1821 acre tract is located near the Water Well.

PROPERTY SUBJECT TO EASEMENT:

Portions of the area within a 150-foot radius of the Water Well located within Fort Bend County, Texas, containing 0.0607 acre and 0.1821 acre, respectively, as more particularly described in and shown on Exhibit A (the "0.0607 Acre Easement Tract") and Exhibit B (the "0.1821 Acre Easement Tract"), both of which are attached hereto and incorporated herein for all purposes. The 0.0607 Acre Easement Tract and the 0.1821 Acre Easement Tract shall be collectively referred to herein as the "Easement Tracts".

RESERVATION:

Grantor, for itself and its successors and assigns, hereby expressly reserves the right, at all times, to construct, place, maintain, lay, inspect, protect, operate, repair, alter, substitute, replace, and/or remove any structures or improvements within the Easement Tracts, as long as all items under Paragraphs Nos. 2 and 3 of this Sanitary Control Easement are recognized and followed. Nothing contained herein shall be deemed to grant Grantee the right to perform any activity or construct or maintain any improvements upon or within the Easement Tracts.

TERM:

This easement shall run with the land and shall be binding on all parties and persons claiming under the Grantor(s) for a period of two years from the date that this easement is recorded; after which time, this easement shall be automatically extended until the use of the subject Water Well as a source of water for public water systems ceases.

ENFORCEMENT:

Enforcement of this easement shall be proceedings at law or in equity against any person or persons violating or attempting to violate the restrictions in this easement, either to restrain the violation or to recover damages.

INVALIDATION:

Invalidation of any one of these restrictions or uses (covenants) by a judgment or court order shall not affect any of the other provisions of this easement, which shall remain in full force and effect.

FOR AND IN CONSIDERATION, of the sum of One Dollar (\$1.00) and for other good and valuable consideration paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey to Grantee and to its successors and assigns the Sanitary Control Easement described in this instrument.

[Signature pages follow this page.]

GRANTOR:

FORT BEND COUNTY, TEXAS,
a political subdivision of the State of Texas

By: _____
KP George, County Judge

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

The foregoing instrument was acknowledged before me on the ____ day of _____, 2023, by KP George, acting in his capacity as County Judge of FORT BEND COUNTY, TEXAS, a political subdivision of the State of Texas, on behalf of said county and political subdivision.

(NOTARY SEAL)

Notary Public, State of Texas

GRANTEE:

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50

By: [Signature]
Name: Craig Lewis
Title: President

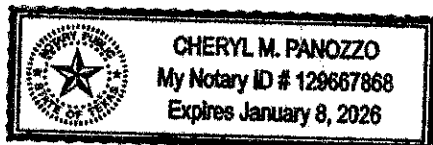
ATTEST:

By: [Signature]
Name: Peter Lajoie
Title: Secretary

THE STATE OF TEXAS §
 §
COUNTY OF Harris §

This instrument was acknowledged before me on the 1st day of February, 2023, by Craig Lewis, President, and Peter Lajoie, Secretary of the Board of Directors of FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50, a political subdivision of the State of Texas, on behalf of said political subdivision.

(NOTARY SEAL)



[Signature]
Notary Public, State of Texas

Attachments:

Exhibit A - Description and Sketch of the 0.0607 Acre Easement Tract

Exhibit B - Description and Sketch of the 0.1821 Acre Easement Tract

After recording, please return to:

Allen Boone Humphries Robinson LLP

3200 Southwest Freeway, Suite 2600

Houston, Texas 77027

Attention: Real Estate Department

Exhibit A – Description and Sketch of the 0.0607 Acre Easement Tract

EXHIBIT A PAGE 1 OF 3 PAGES

County: Fort Bend
Project: FBCMUD 50 Water Plant
M.S.G.: 221368
Job Number: 3554-PL

**FIELD NOTES FOR A 0.0607 ACRE
150' SANITARY CONTROL EASEMENT**

Being a tract of land containing 0.0607 acres (2,643 square feet), located in the William Stanley Survey, Abstract-599, in Fort Bend County, Texas; said 0.0607 acre tract being out of the remainder of a called 58.6791 acre tract recorded in the name of Brazos River Authority in Volume 488, Page 217, Fort Bend County Deed Records (F.B.C.D.R.); said 0.0607 acre tract being more particularly described by metes and bounds as follows (bearings based on the Texas Coordinate System of 1983, South Central Zone, per GPS observations):

COMMENCING at a 5/8-inch iron rod with Miller Survey cap found on the west R.O.W. line of said Skinner Lane, being the northeast corner of Fort Bend County Municipal Utility District No. 50 Water Plant No. 2, a subdivision of record in Plat No. 20190200, Fort Bend County Plat Records (F.B.C.P.R.), on the east line of said 58.6791 acre tract, from which a 5/8-inch iron rod with Miller Survey cap found at the southeast corner of said Fort Bend County Municipal Utility District No. 50 Water Plant No. 2, bears South 03 degrees 25 minutes 38 seconds East, a distance of 384.19 feet;

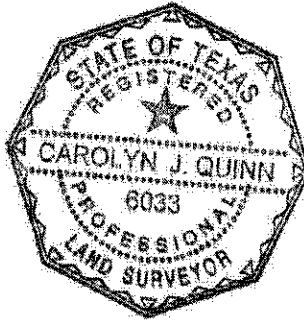
THENCE, with the north line of said of Fort Bend County Municipal Utility District No. 50 Water Plant No. 2, the following two courses:

1. South 87 degrees 32 minutes 24 seconds West, a distance of 15.50 feet to an angle point, being the limit of a proposed 150-foot radius Sanitary Control Easement, for the east corner and **POINT OF BEGINNING** of the herein described tract, from which the radius point of said Sanitary Control Easement bears South 30 degrees 22 minutes 30 seconds West, a distance of 150.00 feet;
2. South 87 degrees 32 minutes 24 seconds West, a distance of 162.67 feet to an angle point at the beginning of a non-tangent curve to the right, for the west corner of the herein described tract;

THENCE, through and across said 58.6791 acre tract, 171.92 feet along the arc of said curve to the right, having a radius of 150.00 feet, through a central angle of 65 degrees 40 minutes 11 seconds, and a chord that bears North 87 degrees 32 minutes 24 seconds East, a distance of 162.67 feet to the **POINT OF BEGINNING** and containing 0.0607 acres of land.

An exhibit of the herein described tract was prepared in conjunction with and accompanies this description.


Carolyn J. Quinn
Registered Professional Land Surveyor
Texas Registration No. 6033



Miller Survey Group
Texas Firm Registration No. 10047100
PH: (713) 413-1900
December 23, 2022
Revised: January 9, 2023
DWG No. 3554-EXH-5.dwg

Exhibit B – Description and Sketch of the 0.1821 Acre Easement Tract

EXHIBIT B PAGE 1 OF 3 PAGES

County: Fort Bend
Project: FBCMUD 50 Water Plant
M.S.G.: 221380
Job Number: 3554-PL

FIELD NOTES FOR A 0.1821 ACRE 150' SANITARY CONTROL EASEMENT

Being a tract of land containing 0.1821 acre (7,933 square feet), located in the James Perry Survey, Abstract-299, and the William Stanley Survey, Abstract-599 in Fort Bend County, Texas; said 0.1821 acre tract being out of a portion of Skinner Lane (A.K.A. Precinct Line Road, occupied as 60 feet wide, no record information found); said 0.1821 acre tract being more particularly described by metes and bounds as follows (bearings based on the Texas Coordinate System of 1983, South Central Zone, per GPS observations):

COMMENCING at a 5/8-inch iron rod with Miller Survey cap found on the west R.O.W. line of said Skinner Lane, being the southeast corner of Fort Bend County Municipal Utility District No. 50 Water Plant No. 2, a subdivision of record in Plat No. 20190200, Fort Bend County Plat Records (F.B.C.P.R.);

THENCE, with the east line of said Fort Bend County Municipal Utility District No. 50 Water Plant No. 2, and the west R.O.W. line of said Skinner Lane, North 03 degrees 25 minutes 38 seconds West, a distance of 147.26 feet to an angle point for the south corner and **POINT OF BEGINNING** of the herein described tract, from which the radius point of said Sanitary Control Easement bears North 44 degrees 48 minutes 27 seconds West, a distance of 150.00 feet;

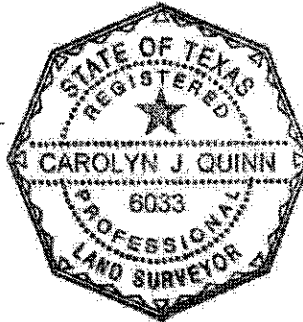
THENCE, continuing with the west R.O.W. line of said Skinner Road, being the east line of said Fort Bend County Municipal Utility District No. 50 Water Plant No. 2, North 03 degrees 25 minutes 38 seconds West, a distance of 225.10 feet to the beginning of a non-tangent curve to the right, being the limit of a proposed 150-foot radius Sanitary Control Easement, for the north corner of the herein described tract; from which a 5/8-inch iron rod with Miller Survey cap found on the west R.O.W. line of said Skinner Lane, being the northeast corner of said Fort Bend County Municipal Utility District No. 50 Water Plant No. 2 bears North 03 degrees 25 minutes 38 seconds West, a distance of 11.83 feet;

THENCE, through and across said Skinner Lane, 254.57 feet along the arc of said curve to the right, having a radius of 150.00 feet, through a central angle of 97 degrees 14 minutes 23 seconds, and a chord that bears South 03 degrees 25 minutes 38 seconds East, a distance of 225.10 feet to the **POINT OF BEGINNING** and containing 0.1821 acres of land.

An exhibit of the herein described tract was prepared in conjunction with and accompanies this description.



Carolyn J. Quinn
Registered Professional Land Surveyor
Texas Registration No. 6033



Miller Survey Group
Texas Firm Registration No. 10047100
PH: (713) 413-1900
January 9, 2023
DWG No. 3554-EXH-6.dwg

