



**COUNTY ATTORNEY**  
Fort Bend County, Texas

**BRIDGETTE SMITH-LAWSON**  
County Attorney

(281) 341-4555  
Fax (281) 341-4557

## **LETTER OF REVIEW**

On October 15, 2024, the County Attorney's Office reviewed the following document:

- *Fort Bend County Drainage District Right of Way Easement; 25-Drng-100149*

### **Comments:**

The above-referenced document which was submitted by the Drainage District into Onbase has been reviewed by our office and is **approved** as to legal form.

Additionally, please note that the conveyance document incorrectly identifies the Drainage District as "a corporation of Fort Bend County, Texas." As this term is intended to be an identifier of the Grantee, it is recommended that this language be updated to reflect the Drainage District as either a "political subdivision of the state of Texas" or a "Special District organized under the laws of the state of Texas" (as it is unclear if title could be affected in the future). Please let our Office know if we can assist you in updating the forms for these easements.

Should you have any questions, please contact me at (281) 344-3930.

*/s/ Jennifer L. Fox,*  
Assistant County Attorney

# 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:

\_\_\_\_\_

\_\_\_\_\_

**OFEILIA MEDINA**

\_\_\_\_\_

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 additional easement totaling 0.2740 acres parallel and adjacent to the northerly side of an existing easement 160 feet in width previously recorded within Volume 323, on Page 365 of the Deed Records of Fort Bend County Texas, and more particularly described within the attachment labeled **EXHIBIT "A"**.

During channel construction and during 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 \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19 2024.

*Shirley Medina*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE STATE OF TEXAS

COUNTY OF HARRIS

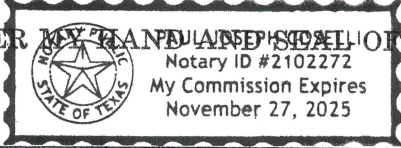
PAUL J. COSELLI

BEFORE ME OPELIA MEDINA

\_\_\_\_\_, in and for  
HARRIS County, Texas, on this day personally appeared  
OPELIA MEDINA

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This \_\_\_\_\_ day of \_\_\_\_\_, A. D. 2024 (L. S.)



OFFICE, This 2<sup>nd</sup> day of OCTOBER

[Signature]

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

June 22, 2020

**EXHIBIT "A"**

***Drainage Easement 15***

***0.2470 acre of land in the C.B. Stewart Survey, Abstract No. 90,  
Fort Bend County, Texas***

A FIELD NOTE DESCRIPTION of a 0.2470 acre (10,761 square feet) tract of land in the C.B. Stewart Survey, Abstract No. 90, Fort Bend County, Texas; said 0.2470 acre tract being out of a 5.94 acre tract of land "Lot 39" conveyed to Ofelia Medina, as recorded in Fort Bend County Clerk's File No. 2009076396 and being more particularly described by metes-and-bounds as follows with the bearings being based on Texas Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations; coordinates shown hereon are surface coordinates and may be converted to grid by applying the following scale factor of 0.99986701753.:

COMMENCING at a 3/4-inch iron pipe found in the northwest line of a 192 acre tract of land conveyed to Gaye Lynn McNutt and Thomas Carlton McNutt, as recorded in the Fort Bend County Clerk's File No. 2017060016, for the east corner of a 5.0 acre tract of land conveyed to Jacob Krassnig and Gloria Hussl, as recorded in Fort Bend County Clerk's File No. 2007059354 and in Volume 1157, Page 507 of the Fort Bend County Deed Records, for the south corner of a 3.52 acre tract of land "Reserve" conveyed to Gloria Huhsl and Jacob Krassnig, as recorded in Volume 1495, Page 468 of the Fort Bend County Deed Records and for the south corner of an unrecorded 151.27 acre subdivision; said point having the following coordinates: X=2,986,776.37, Y=13,734,402.53;

THENCE, North 41° 32' 09" East – 448.42 feet with the northwest line of said 192 acre tract, with the southeast line of said 3.52 acre tract and with the southeast line of said 5.94 acre tract to a 5/8-inch iron rod with cap stamped "Tejas RPLS 4079" found for the southeast corner of said 5.94 acre tract and for the southwest corner of a 7.34 acre tract of land "Lot 40" conveyed to Sean Sevy and wife, Dolores Sevy, as recorded in Fort Bend County Clerk's File No. 2004047411;

THENCE, North 02° 21' 56" East – 23.82 feet with the east line of said 5.94 acre tract and with the west line of said 7.34 acre tract to a point for the southeast corner and POINT OF BEGINNING of this tract; said point having the following coordinates: X=2,987,074.70, Y=13,734,761.99;

THENCE, in a westerly direction with a curve to the right having a radius of 180.29 feet, a central angle of 36° 17' 56", a length of 114.22 feet, and a chord bearing South 88° 16' 00" West - 112.32 feet to a point-of-compound-curvature;

THENCE, in a northwesterly direction with a curve to the right having a radius of 70.00 feet, a central angle of 35° 32' 45", a length of 43.43 feet, and a chord bearing North 55° 48' 39" West - 42.73 feet to a point-of-tangency;

THENCE, North 38° 02' 16" West - 91.43 feet to an angle point of this tract;

THENCE, North 40° 23' 29" West - 53.40 feet to a point for the southwest corner of this tract; said point having the following coordinates: X=2,986,836.14, Y=13,734,895.29;

THENCE, North 02° 21' 42" East - 51.56 feet with the east line of a 15.5 acre tract of land "Private Lake and Park" conveyed to Lake Creek Estates Homeowners Association, as recorded in Fort Bend County Clerk's File No. 2005113121 and with the west line of said 5.94 acre tract to a point for the northwest corner of this tract; from which a 5/8-inch iron rod with cap found in the south right-of-way line of Kari Lane (60 feet wide) bears North 02° 21' 42" West - 774.17 feet;

THENCE, South 40° 23' 29" East - 91.98 feet to an angle point of this tract;

THENCE, South 38° 02' 16" East - 92.15 feet to a point-of-curvature;

THENCE, in a southeasterly direction with a curve to the left having a radius of 35.00 feet, a central angle of 35° 32' 45", a length of 21.71 feet, and a chord bearing South 55° 48' 39" East - 21.37 feet to a point-of-compound-curvature;

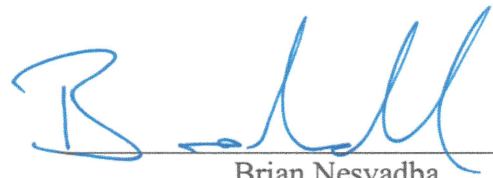
THENCE, in an easterly direction with a curve to the left having a radius of 145.29 feet, a central angle of 42° 04' 27", a length of 106.69 feet, and a chord bearing North 85° 22' 45" East - 104.31 feet to a point for the northeast corner of this tract; from which a 5/8-inch iron rod with cap found in the south right-of-way line of Kari Lane (60 feet wide) bears North 02° 21' 56" West - 936.40 feet;

THENCE, South 02° 21' 56" West - 38.61 feet with the east line of said 5.94 acre tract and with the west line of said 7.34 acre tract to the POINT OF BEGINNING and containing 0.2470 acre (10,761 square feet) of land.

Note: This metes-and-bounds description was compiled in conjunction with a survey performed on even date.

COMPILED BY:  
TEXAS ENGINEERING AND MAPPING Co.  
Civil Engineers - Land Surveyors  
Stafford, Texas  
Firm Registration No. 10119000  
Job No. 212-7  
W:\212-7\_DrainageEsmt\_15.doc



  
Brian Nesvadba  
Registered Professional Land Surveyor  
State of Texas No. 5776

**C.B. STEWART SURVEY**  
**ABSTRACT NO. 90**

VINCENT SCHOLZ AND WIFE, DEBORAH SCHOLZ  
 3.59 ACRES "LOT 38"  
 (F.B.C.C.F. NO. 9763020)

LAKE CREEK ESTATES HOMEOWNERS ASSOCIATION  
 "PRIVATE LAKE AND PARK"  
 (F.B.C.C.F. NO. 200911312)

**KARI LANE**  
 (60' R.O.W.)

**OFELIA MEDINA**  
 5.94 ACRES "LOT 39"  
 (F.B.C.C.F. NO. 2009076396)

SEAN SEVY AND WIFE, DOLORES SEVY  
 7.34 ACRES "LOT 40"  
 (F.B.C.C.F. NO. 2004047411)

**DRAINAGE EASEMENT 15**  
 0.2470 ACRE  
 (10,761 SQ. FT.)

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 02°21'58" E	23.92'
L2	N 40°21'05" W	53.40'
L3	S 40°21'29" E	91.98'
L4	S 39°02'18" E	92.15'
L5	S 02°21'58" W	38.61'

**CURVE TABLE**

CHORD	RADIUS	LENGTH
CI	180.29'	114.42'
C2	70.00'	43.43'
C3	35.00'	21.71'
C4	108.68'	66.88'

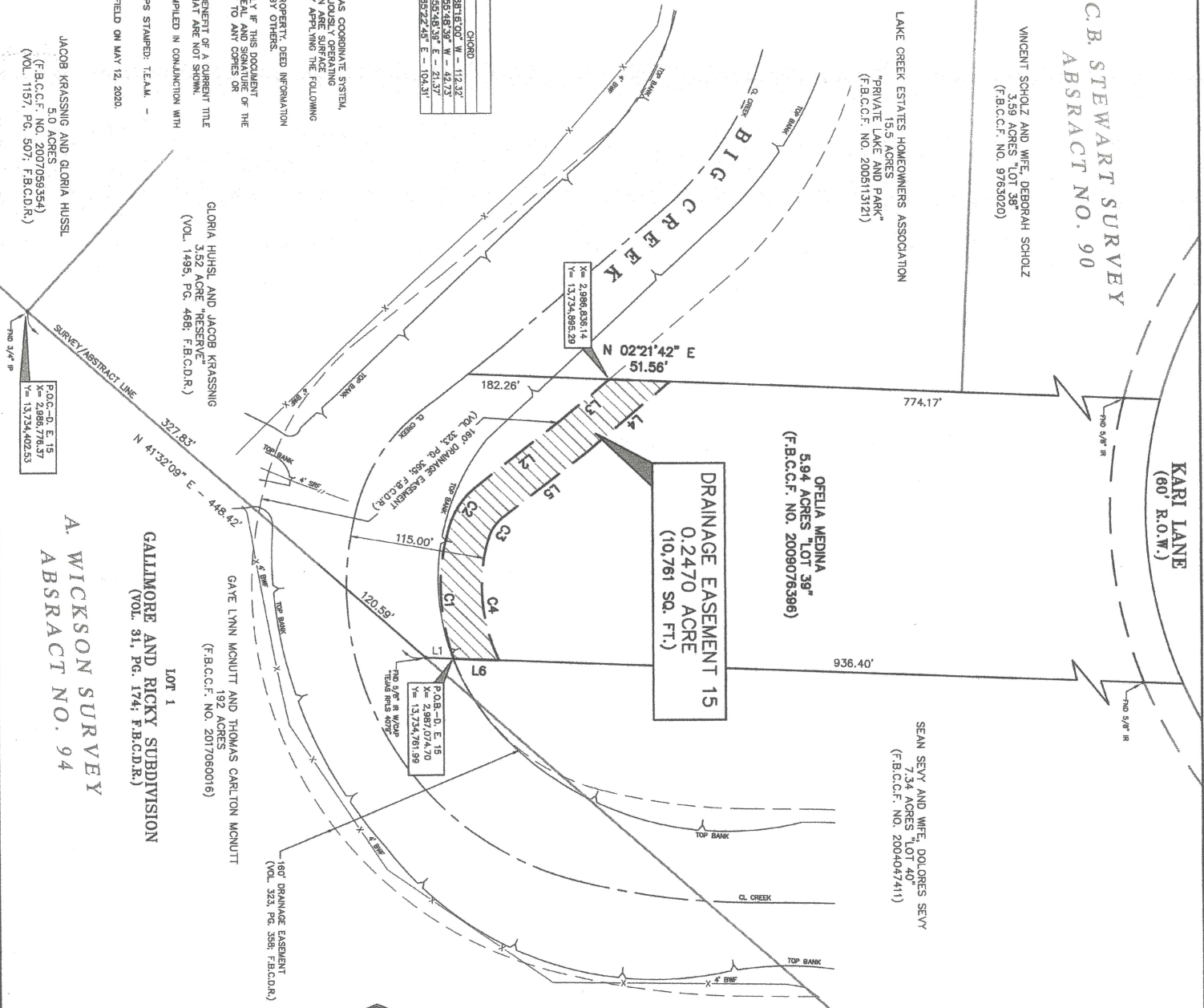
- NOTES**
- 1) BEARINGS SHOWN HEREON ARE BASED ON TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83) USING NGS CONTINUOUSLY OPERATING REFERENCE STATIONS. COORDINATES SHOWN HEREON ARE SURFACE COORDINATES AND MAY BE CONVERTED TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR OF 0.99999791763.
  - 2) THE SURVEYOR HAS NOT ABSTRACTED THIS PROPERTY, DEED INFORMATION SHOWN HEREON WAS RESEARCHED AND PROVIDED BY OTHERS.
  - 3) THE CERTIFICATE SHOWN HEREON IS VALID ONLY IF THIS DOCUMENT CONTAINS AN ORIGINAL STAMPED OR IMPRESSION SEAL AND SIGNATURE OF THE SURVEYOR. SAID CERTIFICATION SHALL NOT APPLY TO ANY COPIES OR ALTERED ORIGINALS.
  - 4) THIS SURVEY HAS NOT ABSTRACTED THE BENEFIT OF A CURRENT TITLE REPORT. ADDITIONAL ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN.
  - 5) A METES-AND-BOUNDS DESCRIPTION WAS COMPILED IN CONJUNCTION WITH THIS SURVEY.
  - 6) ALL PINS SET ARE 5/8" IRON RODS WITH CAPS STAMPED: TEAM - 281-481-3225.
  - 7) THIS TRACT OF LAND WAS SURVEYED IN THE FIELD ON MAY 12, 2020.

JACOB KRASSING AND GLORIA HUSSL  
 5.0 ACRES  
 (F.B.C.C.F. NO. 2007059354)  
 (VOL. 1157, PG. 507; F.B.C.D.R.)

GLORIA HUSSL AND JACOB KRASSING  
 1.52 ACRE "RESERVE"  
 (VOL. 1495, PG. 468; F.B.C.D.R.)

**GALLIMORE AND RICKY SUBDIVISION**  
 (VOL. 31, PG. 174; F.B.C.D.R.)

**A. WICKSON SURVEY**  
 ABSTRACT NO. 94



- LEGEND**
- CENTERLINE
  - DRAINAGE EASEMENT
  - FORT BEND COUNTY DEED RECORDS
  - F.B.C.C.F.
  - FORT BEND COUNTY CLERK'S FILE
  - I.P.
  - IRON PIPE
  - IRON ROD
  - IRON ROD BEARING
  - POINT OF COMMENCEMENT
  - R.D.W.
  - RIGHT OF WAY
  - SQ. FT.
  - SQUARE FEET
  - WITH



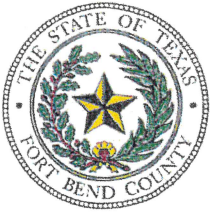
I, Brian Nesvada, a Registered Professional Land Surveyor of the State of Texas, hereby certify that the above plat correctly represents the facts and conditions shown to me by the owner and under my supervision. This survey substantially complies with the current Texas Society of Professional Surveyors' Standards and Specifications for a Category 1B, Condition II, Survey.

Brian Nesvada  
 Registered Professional Land Surveyor  
 State of Texas No. 5776

**TEXAS ENGINEERING AND MAPPING CO.**  
 12718 CENTURY DRIVE  
 STAYTOWN, TEXAS 77477  
 PHONE: 281.691.2856 FAX: 281.691.2856  
 www.texas-engineering.com  
 Surveying Firm No. 10118000 / Engineering Firm No. P-5806

**STANDARD LAND SURVEY**  
 OF  
 A PROPOSED DRAINAGE EASEMENT BEING  
 A 0.2470 ACRE (10,761 SQ. FT.) TRACT OF LAND  
 IN THE C. B. STEWART SURVEY, ABSTRACT NO. 90,  
 FORT BEND COUNTY, TEXAS

CREW	DATE	SCALE	KEY MAP	JOB NO.
RL	06/22/20	1"=60'	644V	212-7



## DRAINAGE DISTRICT

Fort Bend County, Texas

**- INVOLUNTARY ACQUISITION -**  
**- Purchase Offer Form -**

Locality: Fort Bend County

Contract No. 20-065-092-C257

Fort Bend County proposes to purchase easements on your property located along the south line of Kari Lane, Richmond, Fort Bend County, Texas 77469. The subject property is further identified by Assessor Parcel Number R79405.

Drainage Easement 15

0.2470-acre (10,761 square feet) tract of land in the C.B. Stewart Survey, Abstract No. 90, Fort Bend County, Texas; said 0.2470 acre tract being out of a being out of a 5.94-acre tract of land "Lot 39" conveyed to Ofelia Medina, as recorded in Fort Bend County Clerk's File No. 2009076396.

Fort Bend County hereby offers a price amount of \$19,370.00 to obtain an easement on this property. **Please indicate on the form below if you would like to accept the price amount or would like to proceed with negotiations.**

I accept the purchase offer of nineteen thousand, three hundred seventy dollars and zero cents (\$19,370.00) for the easement on 0.2470 acres of Easement 15.

I do not accept the purchase offer of nineteen thousand, three hundred seventy dollars and zero cents (\$19,370.00) for the easement on 0.2470 acres of Easement 15 and wish to negotiate.

Owner: Ofelia C Medina

Signature: Ofelia C Medina

Date: 08/09/2024