THE STATE OF TEXAS	§
	§
COUNTY OF FORT BEND	§

## RESOLUTION AND ORDER AUTHORIZING PARTIAL LOT CONVEYANCE AND ACCEPTANCE OF DONATION DEEDS FOR THE W. BELLFORT RIGHT-OF-WAY

On the _	day	of_			, 2024,	at a duly	pos	ted and c	alled	meeting of the
Commissioners	Court	of	Fort	Bend	County,	Texas,	on	motion	of	Commissioner
		, sec	conded	by Co	mmissione	r				_, duly put and
carried;										

WHEREAS, TARICCO FAMILY LIMITED PARTNERSHIP ("Owner"), a California Limited Partnership, is the owner of certain real property legally described as follows (collectively, the "Property"):

Unrestricted Reserve "C", Block One (1) of Springwood at Aliana, a subdivision located in the Andrew M. Clopper Survey, Abstract No. 151, Fort Bend County, Texas, according to the map or plat thereof recorded under Clerk's File No. 20220065 of the Official Public Records of Fort Bend County, Texas.

Unrestricted Reserve "T", Block Seven (7) of Taj Residences, a subdivision located in the Andrew M. Clopper Survey, Abstract No. 151, Fort Bend County, Texas, according to the map or plat thereof recorded under Clerk's File No. 20190288 of the Official Public Records of Fort Bend County, Texas.

WHEREAS, Owner desires to donate and convey a 0.0144 acre tract of land and a 0.0092 acre tract of land out of the Property for right turn lane for right-of-way and public right-of-way purposes (the "Project"), which 0.0144 and 0.0092 acre tracts of land abut the W. Bellfort right-of-way; and

WHEREAS, the Fort Bend County Commissioners Court is authorized to allow conveyances of portions of one or more previously platted lots by metes and bounds description without revising the plat under § 232.010 of the Texas Local Government Code; and

WHEREAS, Owner has prepared a "Right-of-Way Donation Deed" for each of the two tracts (attached hereto as "Attachment 1") to donate and convey said 0.0144 and 0.0092 acre tracts of land to Fort Bend County, Texas, which tracts are more particularly described by metes and bounds and survey in the attached Right-of-Way Dedication Deeds and legally described as follows:

Being a 0.0144 acre tract of land (629 square feet), more or less, out of Unrestricted Reserve "C", Block One (1) of Springwood at Aliana, a subdivision located in the Andrew M. Clopper Survey, Abstract No. 151, Fort Bend County, Texas, according to the map or plat thereof recorded under Clerk's File No. 20220065 of the Official Public Records of Fort Bend County, Texas.

Being a 0.0092 acre tract of land (399 square feet), more or less, out of Unrestricted Reserve "T", Block Seven (7) of Taj Residences, a subdivision located in the Andrew M. Clopper Survey, Abstract No. 151, Fort Bend County, Texas, according to the map or plat thereof recorded under Clerk's File No. 20190288 of the Official Public Records of Fort Bend County, Texas.

WHEREAS, pursuant to Section 81.032 of the Texas Local Government Code, the Fort Bend County Commissioners Court may accept donations and bequests of property for the purpose of performing a function conferred by law on the County and is the proper body to receive such donations on the County's behalf.

NOW THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS the following:

- 1. Owner is authorized to donate and convey the above described 0.0144 and 0.0092 acre tracts of land to Fort Bend County, Texas for public right-of-way purposes without revising the plats recorded under Clerk's File No. 20220065 and 20190288; and
- 2. The Fort Bend County Commissioners Court hereby accepts, on behalf of Fort Bend County, Texas, the attached Right-of-Way Donation Deeds conveying all right, title, and interest in and to said 0.0144 and 0.0092 acre tracts of land to the County for public right-of-way purposes; and
- 3. The County Clerk and/or her designees are hereby authorized to record the attached Right-of-Way Donation Deeds in the Official Public Records of Fort Bend County, Texas at no cost.

Resolution and Order Page 2

SIGNED and ENTERED this	day of	, 2024.
	FORT BEND COUNTY, TEXAS	
_	KP GEORGE, COUNTY JUDGE	
ATTEST:		
LAURA RICHARD, COUNTY CLERK		

### **ATTACHMENT 1**

(Right-of-Way Donation Deeds Follow Behind)

Project:

W. Bellfort ROW

Rt Turn Lane Dedication

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.

#### **RIGHT-OF-WAY DONATION DEED**

Date:	rember 10, 2023		
Grantor:	TARICCO FAMILY LIMITED PARTNERSHIP a California Limited Partnership		
Grantor's Ma	ailing Address:		
	c/o Registered Agent Post Office Box 1329 Lake Arrowhead, CA 92352		
Grantee:	FORT BEND COUNTY, TEXAS a political subdivision of the State of Texas		
Grantee's Mailing Address:			
	_c/o County Judge _401 Jackson Street _Richmond, Texas 77469		
Consideration: Ten and 00/100 Dollars (\$10.00) and other valuable consideration.			

Property (including any improvements): Being a 0.0144 acre tract of land (629 square feet), more or less, out of Unrestricted Reserve "C", Block One (1) of Springwood at Aliana, a subdivision located in the Andrew M. Clopper Survey, Abstract No. 151, Fort Bend County, Texas, according to the map or plat thereof recorded under Clerk's File No. 20220065 of the Official Public Records of Fort Bend County, Texas; said 0.0144 acre tract of land being more particularly described by metes and bounds and survey attached hereto as Exhibit "A" and

incorporated by reference for all intents and purposes (the "Property").

Reservations from Conveyance: Grantee is not acquiring herein, and there is reserved to Grantor and Grantor's heirs, successors, and assigns, all rights, if any, in and to the oil, gas, sulphur, uranium, fissional materials, and other minerals in and under the surface of the Property acquired in this conveyance; provided, however, that Grantee, Fort Bend County, is acquiring all surface rights of any kind to or on the Property. The acquisition of such surface rights shall not prevent the owners of any mineral estate, interest, or lease from extracting all oil, gas, sulphur, uranium, fissional materials, and other minerals from under such Property by directional drilling or other means, so long as no part of the surface of the Property is used or affected.

**Exceptions to Conveyance:** This conveyance is made and accepted subject to any and all valid covenants, easements, and outstanding mineral and/or royalty interest in the oil, gas, and other minerals, now outstanding or affecting the Property herein conveyed, now of record in the County Clerk's Office of Fort Bend County, Texas, but only to the extent they are still in force and effect.

The purpose of this conveyance is to donate to Fort Bend County, Texas, a portion of the right-of-way for W. Bellfort (the "roadway facility") for the construction of a right turn lane as provided in the attached Exhibit "A."

Grantor hereby acknowledges that the Property herein conveyed shall become a part of a roadway facility and that Grantor's use of and access to the roadway facility shall be and forever remain subject to the same regulation by legally constituted authority as applies to the public's use thereof, and Grantor further acknowledges that the design and operation of such roadway facility may require that rights of ingress and egress and the right of direct access to and from Grantor's remaining property (if any) to said roadway facility shall hereafter be governed by the provisions set out in Exhibit "B" attached hereto and incorporated by reference for all intents and purposes; SAVE AND EXCEPT in the event access, or access points may be specifically allowed or permitted in said Exhibit "B", such access shall be subject to such regulation as is determined by Fort Bend County, Texas, or the applicable municipality, if any, to be necessary in the interest of public safety and in compliance with approved engineering principles and practices and subject to compliance with any applicable state, local municipal, or county zoning, platting, and/ or permit requirements.

Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance and Warranty, GRANTS, GIVES, 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.

If current ad valorem taxes on the Property have not been prorated at the time of closing, Grantor and Grantee shall be responsible for payment of its respective share thereof based on period of ownership. Grantee, as a governmental entity, shall be responsible for applying and perfecting any exemption for which it is entitled relating to period of ownership.

Executed on the date of the acknowledgment herein below taken, to be effective as of the date above.

#### **GRANTOR**

#### TARICCO FAMILY LIMITED PARTNERSHIP

a California Limited Partnership

By: Steven L. Taricco and Carol A. Taricco, Co-Trustees
Of the Steven L. Taricco and Carol A. Taricco Family
Trust, U/D/T dated August 14, 2006,
Its sole general partner

By:

Steven L. Taricco, Co-Trustee

By:

Carol A. Taricco, Co-Trustee

#### CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

County of SAN BERNAUDINE

On 11 10 2023 before me, Timonty & Coyle, Notary Public, personally appeared , who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

TIMOTHY S. COYLE
COMM. #2427366
San Bernardino County
San Bernardino County
My Comm. Expires Nov. 19, 2026

#### CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA )
County of SAJ BOUNDING

On II 10/2023 before me, January Scoyus, Notary Public, personally appeared CAROL A. TARLICCO, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

TIMOTHY S. COYLE
COMM. #2427366
Notary Public - California
San Bernardino County
My Comm. Expires Nov. 19, 2026

After Recording Please Return To: Fort Bend County Engineering Dept. 301 Jackson St., 4th Floor Richmond, Texas 77469

### **EXHIBIT A**

(Metes and Bounds and Survey Follow Behind)



## TRACT 3 RIGHT OF WAY DEDICATION METES AND BOUNDS 0.0144-ACRES (629 SQUARE FEET) IN THE ANDREW M. CLOPPER SURVEY, A-151 CITY OF RICHMOND, FORT BEND COUNTY, TEXAS

A tract of land containing 0.0144-acre (629 square foot), out of Reserve "C", of Springwood at Aliana, as described in plat recorded under Plat No. 20220065 of the PRFBCT, in the Andrew M. Clopper Survey, A-151, Fort Bend County, Texas, said 0.0162-acre tract, described by metes and bounds as follows (BEARINGS AND DISTANCES BASED ON TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL, ZONE 4204, US SURVEY FEET):

Commencing, at a set 5/8-inch iron rod with Tri-Tech cap, lying in the north Right-of-Way (ROW) line of West Bellfort Boulevard (Varying Width), as recorded under Fort Bend County Clerks File (FBCCF) No. 2016099650, and the southeast corner of a called 17.728 acre tract conveyed to AAHAR, LLC, as described in a deed recorded under FBCCF No. 2017130989, and the southwest corner of Reserve "B" of said Springwood at Aliana;

**THENCE**, North 87 deg. 53 min. 30 sec. West, departing said 17.728 acre tract, and along said north ROW line of West Bellfort, a distance of 299.80 feet, to a point for the southwest corner, and the **POINT OF BEGINNING** of the herein described dedication:

**THENCE**, North 01 deg. 15 min. 55 sec. West, along the common line of Reserve "A" and "C" of said Springwood at Aliana, a distance of 7.00 feet, to a point, for the northwest corner of the herein described dedication;

**THENCE**, North 87 deg. 53 min. 30 sec. East, over and across said Reserve "C" of Springwood at Aliana, a distance of 89.78 feet, to a point, for the northeast corner of the herein described dedication;

**THENCE**, South 02 deg. 41 min. 01 sec. East, along the common line of said Reserve "C" of Springwood at Aliana and Restricted Reserve "T" of Taj Residences as described in plat recorded under Plat No. 20190288 of the Plat Records of Fort Bend County Texas (PRFBCT), a distance of 7.00 feet, to a point in aforementioned north ROW line of West Belfort, for the southeast corner of the herein described dedication:

THENCE, South 87 deg. 53 min. 30 sec. West, along said north ROW line of West Bellfort Boulevard, a distance of 89.96 feet, to the **Point of Beginning**, and containing 0.0144 acre (629 square feet) of land.

1.) This field note description is part 2 of survey of same date.

Bearings shown are based on Texas State Plane Coordinates, South Central Zone 4204.
 This field note description valid for this transaction only. Copyright 2023, Tri-Tech Surveying Co., L.P.

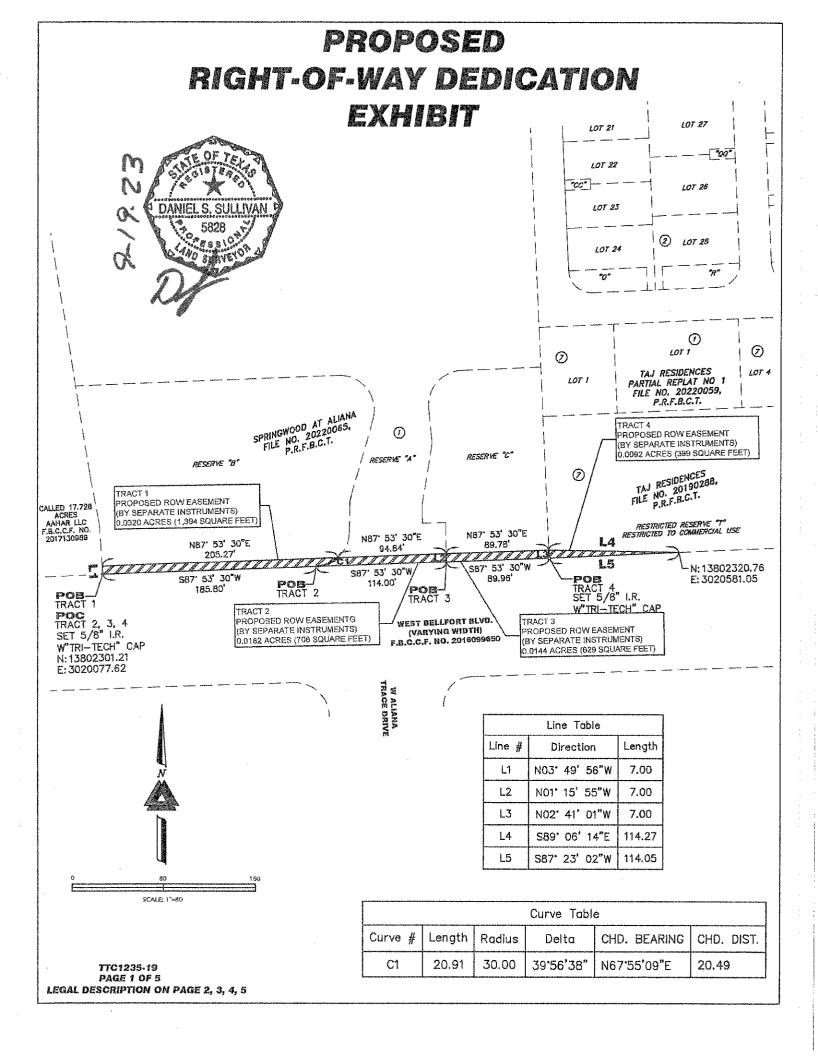
4.) The square footage and acreage values shown hereon are mathematical values calculated from the boundary data shown hereon. These values in no way represent the precision of closure of this survey or the accuracy of boundary monuments found or set.

Daniel S. Sullivan, R.P.LS. No. 5828

09-19-23

Job No. TTC1235-19





### **EXHIBIT B**

Access is permitted to the roadway facility from the remainder of Grantor's abutting property.

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.

### RIGHT-OF-WAY DONATION DEED

Date:	Lovember 10, 2023
Grantor:	TARICCO FAMILY LIMITED PARTNERSHIP a California Limited Partnership
Grantor's M	Tailing Address:
	c/o Registered Agent Post Office Box 1329 Lake Arrowhead, CA 92352
Grantee:	FORT BEND COUNTY, TEXAS a political subdivision of the State of Texas
Grantee's M	Tailing Address:
	c/o County Judge 401 Jackson Street Richmond, Texas 77469
Considerati	ion: Ten and 00/100 Dollars (\$10.00) and other valuable consideration.

**Property (including any improvements):** Being a 0.0092 acre tract of land (399 square feet), more or less, out of Unrestricted Reserve "T", Block Seven (7) of Taj Residences, a subdivision located in the Andrew M. Clopper Survey, Abstract No. 151, Fort Bend County, Texas, according to the map or plat thereof recorded under Clerk's File No. 20190288 of the Official Public Records of Fort Bend County, Texas; said 0.0092 acre tract of land being more particularly described by metes and bounds and survey attached hereto as Exhibit "A" and incorporated by

reference for all intents and purposes (the "Property").

Reservations from Conveyance: Grantee is not acquiring herein, and there is reserved to Grantor and Grantor's heirs, successors, and assigns, all rights, if any, in and to the oil, gas, sulphur, uranium, fissional materials, and other minerals in and under the surface of the Property acquired in this conveyance; provided, however, that Grantee, Fort Bend County, is acquiring all surface rights of any kind to or on the Property. The acquisition of such surface rights shall not prevent the owners of any mineral estate, interest, or lease from extracting all oil, gas, sulphur, uranium, fissional materials, and other minerals from under such Property by directional drilling or other means, so long as no part of the surface of the Property is used or affected.

Exceptions to Conveyance: This conveyance is made and accepted subject to any and all valid covenants, easements, and outstanding mineral and/or royalty interest in the oil, gas, and other minerals, now outstanding or affecting the Property herein conveyed, now of record in the County Clerk's Office of Fort Bend County, Texas, but only to the extent they are still in force and effect.

The purpose of this conveyance is to donate to Fort Bend County, Texas, a portion of the right-of-way for W. Bellfort (the "roadway facility") for the construction of a right turn lane as provided in the attached Exhibit "A."

Grantor hereby acknowledges that the Property herein conveyed shall become a part of a roadway facility and that Grantor's use of and access to the roadway facility shall be and forever remain subject to the same regulation by legally constituted authority as applies to the public's use thereof, and Grantor further acknowledges that the design and operation of such roadway facility may require that rights of ingress and egress and the right of direct access to and from Grantor's remaining property (if any) to said roadway facility shall hereafter be governed by the provisions set out in Exhibit "B" attached hereto and incorporated by reference for all intents and purposes; SAVE AND EXCEPT in the event access, or access points may be specifically allowed or permitted in said Exhibit "B", such access shall be subject to such regulation as is determined by Fort Bend County, Texas, or the applicable municipality, if any, to be necessary in the interest of public safety and in compliance with approved engineering principles and practices and subject to compliance with any applicable state, local municipal, or county zoning, platting, and/or permit requirements.

Grantor, for the Consideration and subject to the Reservations from Conveyance and

Exceptions to Conveyance and Warranty, GRANTS, GIVES, 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.

If current ad valorem taxes on the Property have not been prorated at the time of closing, Grantor and Grantee shall be responsible for payment of its respective share thereof based on period of ownership. Grantee, as a governmental entity, shall be responsible for applying and perfecting any exemption for which it is entitled relating to period of ownership.

Executed on the date of the acknowledgment herein below taken, to be effective as of the date above.

### **GRANTOR**

### TARICCO FAMILY LIMITED PARTNERSHIP

a California Limited Partnership

By: Steven L. Taricco and Carol A. Taricco, Co-Trustees
Of the Steven L. Taricco and Carol A. Taricco Family
Trust, U/D/T dated August 14, 2006,
Its sole general partner

By:

Steven L. Taricco, Co-Trustee

By:

Carol A. Taricco, Co-Trustee

#### CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

County of SAN REPUMINO

On 11 10 2073 before me, TIMOTH S COYLE, Notary Public, personally appeared whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

### CERTIFICATE OF ACKNOWLEDGMENT

My Comm. Expires Nov. 19, 2026

San Bernardino County
My Comm. Expires Nov. 19, 2026

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

County of San Recommon

On 11 10 2023 before me, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

After Recording Please Return To: Fort Bend County Engineering Dept. 301 Jackson St., 4th Floor Richmond, Texas 77469

### **EXHIBIT A**

(Metes and Bounds and Survey Follow Behind)



# TRACT 4 RIGHT OF WAY DEDICATION METES AND BOUNDS 0.0092-ACRES (399 SQUARE FEET) IN THE ANDREW M. CLOPPER SURVEY, A-151 CITY OF RICHMOND, FORT BEND COUNTY, TEXAS

A tract of land containing 0.0092-acre (399 square foot), out of Restricted Reserve "T" of Taj Residences as described in plat recorded under Plat No. 20190288 of the Plat Records of Fort Bend County Texas (PRFBCT), in the Andrew M. Clopper Survey, A-151, Fort Bend County, Texas, said 0.0092-acre tract, described by metes and bounds as follows (BEARINGS AND DISTANCES BASED ON TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL, ZONE 4204, US SURVEY FEET):

Commencing, at a set 5/8-inch iron rod with Tri-Tech cap, lying in the north Right of Way (ROW) line of West Bellfort Boulevard (Varying Width), as recorded under Fort Bend County Clerks File (FBCCF) No. 2016099650, and the southeast corner of a called 17.728 acre tract conveyed to AAHAR, LLC, as described in a deed recorded under FBCCF No. 2017130989, and the southwest corner of Reserve "B" of said Springwood at Aliana, as described in plat recorded under Plat No. 20220065 of the PRFBCT;

**THENCE**, North 87 deg. 53 min. 30 sec. West, departing said 17.728 acre tract, and along said north ROW line of West Bellfort, a distance of 389.76 feet, to a point, for the southwest corner and the **POINT OF BEGINNING** of the herein described dedication:

**THENCE**, North 02 deg. 41 min. 01 sec. West, along the common line of Reserve "C" of said Springwood at Aliana and aforementioned Restricted Reserve "T" of Taj Residences, a distance of 7.00 feet, to a point, for the northwest corner of the herein described dedication;

**THENCE**, South 89 deg. 06 min. 14 sec. East, over and across said Reserve "T", a distance of 114.27 feet, to a point, in the aforementioned north ROW line of West Belfort and the east corner of the herein described dedication;

**THENCE**, South 87 deg. 23 min. 02 sec. West, along said north ROW line of West Bellfort Boulevard, a distance of 114.05 feet, to the **Point of Beginning**, and containing 0.0092 acre (399 square feet) of land.

1.) This field note description is part 2 of survey of same date.

2.) Bearings shown are based on Texas State Plane Coordinates, South Central Zone 4204.

3.) This field note description valid for this transaction only. Copyright 2023, Tri-Tech Surveying Co., L.P.

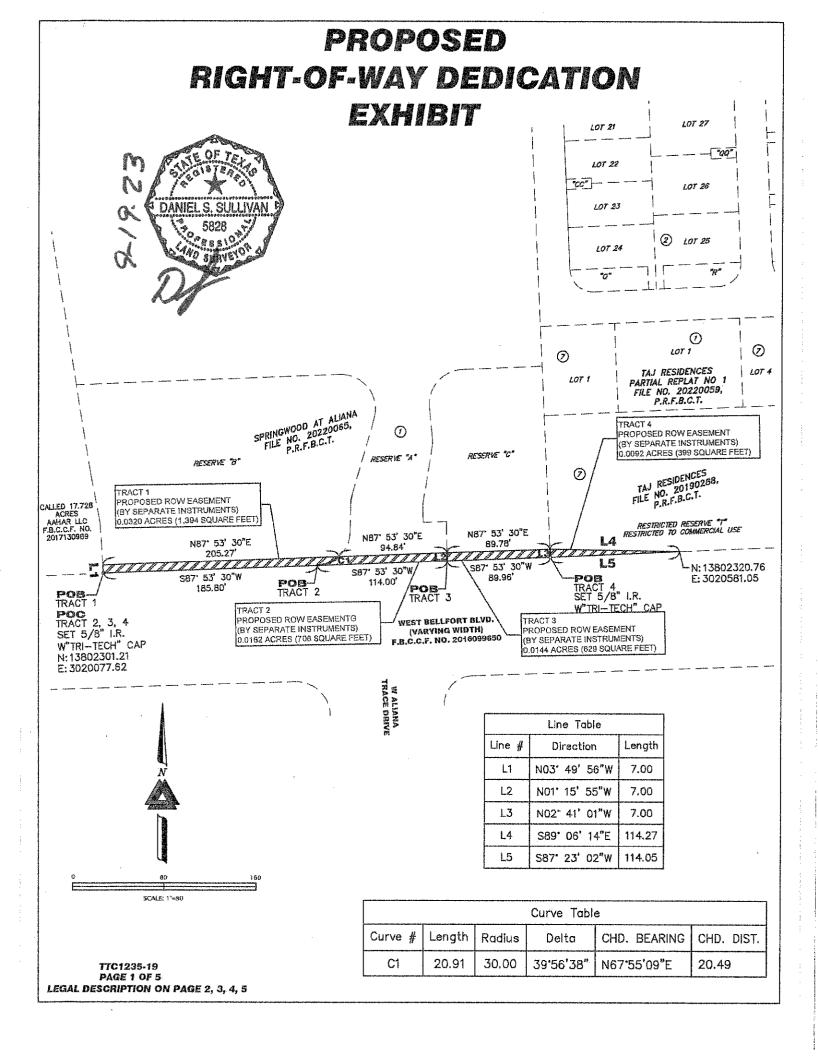
4.) The square footage and acreage values shown hereon are mathematical values calculated from the boundary data shown hereon. These values in no way represent the precision of closure of this survey or the accuracy of boundary monuments found or set.

Daniel S. Sullivan, R.P.LS. No. 5828

09-19-23

Job No. TTG1235-19





### **EXHIBIT B**

Access is permitted to the roadway facility from the remainder of Grantor's abutting property.