

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.

## **SANITARY CONTROL EASEMENT**

**Date:** \_\_\_\_\_, 2024

**Grantor:** FORT BEND COUNTY, TEXAS  
a political subdivision of the state of Texas

**Grantor's Mailing Address:** c/o County Judge  
401 Jackson Street  
Richmond, Texas 77469

**Grantee:** CITY OF ROSENBERG, TEXAS,  
a Texas home-rule municipality

**Grantee's Mailing Address:** 2110 4<sup>th</sup> St.  
Rosenberg, Texas 77471

### **SANITARY CONTROL EASEMENT:**

Purpose, Restrictions, and Uses of Easement:

1. The purpose of this Easement is to protect the water supply of the well described and located below by means of sanitary control.
2. The construction, existence, and/or operation of the following within a 150-foot radius of the well described and located below are prohibited: septic tank or sewage treatment perforated drainfields; 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; 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. For the purpose of this Easement, improperly constructed water wells are those wells which do not meet the surface and subsurface construction standards for a public water supply well.

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 described and located below.
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.

**GRANTOR'S PROPERTY:**

The Grantor's property subject to this Sanitary Control Easement is the residue of a 66.9852 acre tract located in the S.A. Stone Survey (B.B.B. & C. Railroad Company Survey Section No. 10), Abstract No. 392, City of Rosenberg, Fort Bend County, Texas; said 66.9852 acre tract being the same tract conveyed to Grantor by deed recorded under Volume 2154, Page 2217 of the Official Public Records of Fort Bend County, Texas (the "Grantor's Property").

**PROPERTY SUBJECT TO THE EASEMENT:**

Being a 0.708 acre sanitary control easement over and across a portion of Grantor's Property, located in the S.A. Stone Survey (B.B.B. & C. Railroad Company Survey Section No. 10), Abstract No. 392, City of Rosenberg, Fort Bend County, Texas; the same being within a 150 foot radius of a well to be constructed by Grantee on that certain 2.812 acre tract of land conveyed to Grantee by Grantor in Deed recorded under Clerk's File No. \_\_\_\_\_ of the Official Public Records of Fort Bend County, Texas; said 0.708 acre sanitary control easement being more particularly described by metes and bounds and survey attached hereto as Exhibit "A" and incorporated by reference for all intents and purposes.

**TERM:**

This Easement shall run with the land and shall be binding on all parties and persons claiming under Grantor for a period of four (4) 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.

**GRANTOR**

**FORT BEND COUNTY, TEXAS,**

a Political Subdivision of the State of Texas

By: \_\_\_\_\_  
KP George,  
County Judge

**Acknowledgement**

THE STATE OF TEXAS                   §  
   §  
COUNTY OF FORT BEND               §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2024, by KP George, County Judge of Fort Bend County, Texas, a political subdivision of the state of Texas, on behalf of Fort Bend County, Texas.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

After Recording Please Return To:  
City Manager's Office  
2110 4<sup>th</sup> Street  
Rosenberg, Texas 77471



**Consulting Engineers & Surveyors**

Engineering Firm No. F-1339 | Surveying Firm No. 10010000

3014 Avenue I, Rosenberg, Texas 77471

(281) 341-0808 ■ FAX (281) 341-6333

January 11, 2024

Revised: January 27, 2024

**Sanitary Control Easement**

**A FIELD NOTE DESCRIPTION** of 0.708 acre of Land (30,827 square feet) being a sanitary control easement over and across a portion of the Fort Bend County original call 66.9852 acre tract (Volume 2154, Page 2217; Official Records of Fort Bend County, Texas) being in the S.A. Stone Survey (B.B.B. & C. Railroad Company Survey Section No. 10), Abstract No. 392, City of Rosenberg, Fort Bend County, Texas. The bearing basis for this description is referenced to the Texas Coordinates System of 1983 (South Central Zone) and was determined by Global Positioning System methods.

**FOR CONNECTION**, begin at a two-and-one-half inch inside diameter iron pipe found for the South corner of said original call 66.9852 acre tract and for the East corner of the Steve Wleczyk call 121.55 acre tract (Tract No. 4) out of the Partition of the Katy Wleczyk call 463.97 acre tract (Case No. 46-CPR-003208 – Volume 13, Pages 326-335; Probate Minutes of Fort Bend County, Texas) in the Northwesterly line of Restricted Reserve “B” of Fairpark Village Section 5 subdivision (Fort Bend County Plat No. 20130272); Said corner being the South corner of the Fort Bend County Texas Public Facility Corporation 30.703 acre tract (Fort Bend County Clerk’s File No. 2023121222); **THENCE**; North 42 degrees, 18 minutes, 46 seconds East, at 114.34 feet pass a one-inch inside diameter iron pipe found for the North corner of said Fairpark Village Section 5 subdivision, at 1516.99 feet pass a point in the center of Stella Road as occupied on the ground (width varies; no dedication information available), at 1576.99 feet pass a 5/8 inch diameter iron rod with plastic cap (labelled “1943 4349 5829”, typical) set for reference in the Easterly line of a 120-foot wide tract of Land to be dedicated for road right-of-way for Stella Road, in all 1935.26 feet along the Southeasterly line of said original call 66.9852 acre tract to a 5/8 inch diameter iron rod found for the South corner of a call 1.85 acre tract (Fort Bend County Clerk’s File No. 9829704) in the Northwesterly line of West Fairgrounds Road (no dedication information available) and in the Northwesterly line of the Fort Bend County original call 81.20 acre Fairgrounds tract (Volume 518, Page 14; Deed Records of Fort Bend County, Texas); **THENCE**; North 51 degrees, 2 minutes, 6 seconds West, at 285.70 feet pass a 5/8 inch diameter iron rod with plastic cap set for the East corner of a 2.812 acre tract of Land (Reserve “C” of Fort Bend County Public Complex - proposed; plat submittal to the City of Rosenberg in progress), in all 606.26 feet crossing into said original call 66.9852 acre tract along the Southwesterly line of said call 1.85 acre tract to an “X” set in concrete pavement for the North corner of said 2.812 acre tract; **THENCE**; South 42 degrees, 18 minutes, 46 seconds West – 65.00 feet along the Northerly line of said 2.812 acre tract to a point for the East corner of and **PLACE OF BEGINNING** for this 0.708 acre tract of Land;

**THENCE**; South 42 degrees, 18 minutes, 46 seconds West – 244.95 feet continuing along the Northerly line of said 2.812 acre tract to a 5/8 inch diameter iron rod with plastic cap set for interior angle point corner of this tract;

- THENCE;** South 13 degrees, 42 minutes, 27 seconds West – 62.70 feet continuing along the Northerly line of said 2.812 acre tract to a point for the Southwest corner of this tract;
- THENCE;** North 47 degrees, 41 minutes, 14 seconds West – 130.02 feet departing from said 2.812 acre tract to a point for the West corner of this tract;
- THENCE;** North 42 degrees, 18 minutes, 46 seconds East – 300.00 feet to a point for the North corner of this tract;
- THENCE;** South 47 degrees, 41 minutes, 14 seconds East – 100.00 feet to the **PLACE OF BEGINNING** and containing 0.708 acre of Land.



**Brad L. Schodek, R.P.L.S. No. 6430**

This description prepared in conjunction with  
survey exhibit by this office of even date



STATE OF TEXAS  
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
BRAD L. SCHODEK  
6430

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LINE	DISTANCE	BEARING
L1	130.02'	N 47°41'14" W
L2	100.00'	S 47°41'14" E

PG. 263; O.R.)

CALL ASSESSMENT

CALL 7767 ACRES  
F.B.C.C.F. 18, O.R.)  
9852 ACRE TRACT  
ONE -  
PG. 18, O.R.)  
ACRE TRACT

TRACT G: 9530028)

CT No. 392 R=900.00  
 $\Delta=17'21''13$   
 L=272.59'  
 T=137.35'  
 CHORD=N 66'55.00" W  
 271.55'

FACTOR= 0.99986826



FOUND 1" IRON PIPE

PLACE OF CONNECTION: FOUND 2-1/2" IRON PIPE

EXHIBIT SHOWING LOCATION OF 2,812 ACRES OF LAND TO BE KNOWN AS RESERVE "C" OF FORT BEND COUNTY PUBLIC COMPLEX (PROPOSED; PLAT SUBMITTAL TO THE CITY OF ROSENBERG IN PROGRESS) AND A 0.708 ACRE SANITARY CONTROL EASEMENT ALL BEING PORTIONS OF THE FORT BEND COUNTY ORIGINAL CALL 66:9832 ACRES TRACT (VOLUME 2154, PAGE 2217, OFFICIAL RECORDS OF FORT BEND COUNTY, TEXAS) IN THE S.A. STONE SURVEY (B.B.B. & C. RAILROAD COMPANY SURVEY SECTION

CITY OF ROSENBERG,  
FORT BEND COUNTY, TEXAS.