

RIGHT OF ENTRY AGREEMENT

(Government Entity)

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This Right of Entry Agreement (this "Agreement") is entered into by and between **The George Foundation**, a Texas Charitable Trust, ("Grantor") and Fort Bend County (the "Grantee").

Grantor hereby grants a Right of Entry to Grantee to do the following activities:
Field surveying, geotechnical investigations, physical inspections and other minimally invasive surveys and inspections; (the "Project").

1. The purpose of the Project is to investigate improvements along the proposed SH 99 corridor.

2. Grantee desires to enter upon Grantor's property for the purpose of investigating improvements along the proposed SH 99 corridor as described in the attached Right of Entry Request Letter dated March 5, 2024, and accordingly, Grantee desires to acquire from Grantor a right of entry for these purposes on Grantor's Property.

3. Grantor grants Grantee the right of ingress and egress over and across the Property on existing roads as directed by Grantor's representative for the purpose of accessing the Property for the purposes described herein.

4. Grantor reserves all rights, title and interest in and to the Property.

5. This Right of Entry shall be effective on the Effective Date of this document as stated below and shall remain in effect until May 1, 2025, allowing time for the completion of all work. Grantee can request Grantor to renew this Right of Entry in the future, which request shall be granted or denied at the sole discretion of Grantor.

6. Grantee will notify the Grantor, or authorized representative, a minimum of twenty four (24) hours in advance prior to the use of this Right of Entry.

7. Grantor, or authorized representative, shall have the right to accompany any or all operations being performed as a result of the use of this document.

8. If there are any tenants or lessees on the property who must be contacted, Grantor, or authorized representative, agrees to contact them or to provide Grantee the names and contact numbers so that Grantee may give them proper notice prior to entering the property.

9. Grantee and its contractors agree to repair any damages to the Property and to restore it to a similar or better state as it was in on the date of the Effective Date of this Agreement, and to repair any damages to any property owned by Grantor in the vicinity of the area used by Grantee, including but not limited to roads used for access.

10. If Grantee uses any contractors, it shall require adequate insurance from its contractors to adequately protect Grantee and shall require that Grantor is added as an additional insured. Grantee agrees that any contract entered into for physical entry on the Property under

this Agreement shall include indemnities from contractors and liability insurance and shall name Grantor as an additional indemnified and insured party on such indemnities and insurance and shall provide Grantor with appropriate Certificates of Insurance.

11. The Right of Entry shall extend to and bind the parties, their heirs, executors, administrators, legal representatives, successors, and assigns.

12. Any notice to Grantor shall be given to:

Roger Adamson
roger@thegeorgefoundation.org
(281) 342-6109

Rocky Parr
rparr@thegeorgefoundation.org
(281) 545-9223 x 201

Any notice to Grantee shall be given to:

Fort Bend County Judge
County.Judge@fortbendcountytexas.gov
281-341-8608

Fort Bend County Engineer
stacy.slawinski@fortbendcountytexas.gov
281-633-7508

EXECUTED on this 16th day of October, 2024, by Grantor,
which date shall be the Effective Date hereof.

GRANTOR:

THE GEORGE FOUNDATION

By: 
Roger E. Adamson, CEO

ACCEPTED BY GRANTEE:

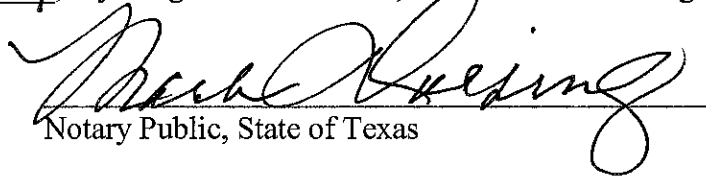
FORT BEND COUNTY

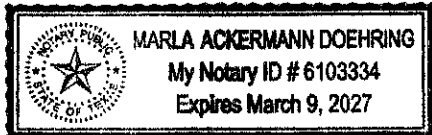
By: _____
KP George, County Judge

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 16TH day of OCTOBER, 2024, by Roger E. Adamson, CEO of The George Foundation.


Notary Public, State of Texas





Fort Bend County Engineering
FORT BEND COUNTY, TEXAS

J. Stacy Slawinski, P.E.
County Engineer

March 5, 2024

Sent via email to roger@thegeorgefoundation.org

The George Foundation
310 Morton Street, Suite PMB Suite C
Richmond, Texas 77469

**RE: SH 99 Segment C from W. of Brazos Lakes to Smither's Lake to Boothline Road,
Right-of-Entry Request for FBCAD ID No. R41770; R41771; R45543; R45544;
R412326; R412327; R46663; R46552; (CSJ No. 3510-02-002), Fort Bend, Texas**

Dear Mr. Adamson,

Fort Bend County is investigating improvements along the proposed SH 99 corridor, crossing the proposed Fort Bend County Tollway. The project is located on the south side of Smither's Lake and immediately west of Brazos Lakes Subdivision, between Boothline Road and FM 1994.

The County kindly requests right of entry upon a portion of your property. This activity is not associated with any construction, but may include limited field surveying, geotechnical investigations (if needed), and physical inspections. The following outlines the companies and anticipated associates performing the task and a brief description for each:

Engineer: Gradient Group

- Contact: Stephanie Anderson, Linc Wright, TWayne Holcombe
- Activity: Visual field observation associated with alignment and traffic study analysis
- Timing: Onsite activities are estimated to be completed in one work day.

Survey: Cobb Fendley

- Contact: Michael Rollin, Kyle Sunday
- Activity: Include search and recovery of existing boundary corners to verify existing Right-Of-Way, property line locations and visible above ground improvements. Field staff may have to clear brush and vegetation in order to access property corner locations. Once property corners are located, field staff may mark these locations with temporary wooden stakes with plastic flagging on the ground. Field crews will use standard survey equipment to collect data. Upon the completion of the survey, temporary markers will be removed. Field activities may require the use of all-terrain vehicles to access remote property corner locations.
- Timing: Onsite activity for the search for existing boundary corners is expected to take place over the course of approximately one month.

Environmental: Compass Environmental

- Contact: Andy Boswell, Sean Johnson, Sabrina Theils, Steven Eggleston, Hunter Schiller, Elizabeth Cornwell (4 of those listed will be onsite)
- Activity: Waters of the U.S. delineation which includes excavating small holes, less than 6 inches diameter and less than 20 inches deep to observe soil characteristics. These holes are immediately refilled with the excavated material to ensure agricultural safety and other, non-invasive environmental surveys. Activities will be confined to the predetermined ROW limits along with a direct access route to the ROW if an access gate or access point is not within the ROW.
- Timing: Onsite activities are estimated to be completed in 3 - 5 work days.

Environmental: STV

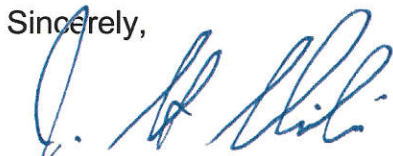
- Contact: Kandace Anz and second person to be determined
- Activity: Noise readings to be performed with a tripod stand, non-invasive
- Timing: Onsite activities are estimated to be completed in one work day. Consultant will need to set up and do 15 min readings for validation; ambient readings for new locations are during peak traffic in morning and evening.

As you know, Texas law permits entities with the power of eminent domain to enter the property of private landowners without express consent in order to perform a variety of minimally invasive survey and inspection activities. Nonetheless, Fort Bend County typically tries to coordinate its activities with the affected parties and to determine whether there might be special considerations and/or guidelines that may be requested in order to obtain voluntary consent to perform the needed services at a mutually convenient time, with whatever reasonable accommodations may be appropriate.

If you are agreeable to allowing the County to proceed on a mutually acceptable and voluntary basis, please sign the attached form (noting any proposed conditions that may be desired) and return the form via email to the address below at your earliest convenience. Assuming any conditions or guidelines can be accommodated (or modified to mutual approval after discussion), we will schedule the work promptly and will coordinate our efforts with you so as to minimize inconvenience and operational disruptions.

If there are any questions or additional information is required, please do not hesitate to contact me at 281-633-7508 or by email.

Sincerely,



J. Stacy Slawinski, P.E.
Fort Bend County Engineer
stacy.slawinski@fortbendcountytx.gov

Enclosures:

- Permission to Enter Property form (please return)
- Real Property Account Information sheets
- Fort Bend County Appraisal District maps

Permission to Enter Property

I hereby give permission for Fort Bend County and its consultants to enter my property to perform limited field surveying, geotechnical borings (if needed), and physical inspections.

☒

I accept.

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I refuse permission to enter my property.

NOTES: The George Foundation accepts under the
terms of the attached 'RIGHT OF ENTRY
AGREEMENT' dated 10/16/24.

Roger E. Adamson
Signature

Roger E. Adamson
Printed Name

215 Morton St., Richmond, TX
Address

10/16/24
Date

Appraisal District Account Number R41770, R41771, R45543, R45544, R412326, R412327,
R46663, and R46552