



COUNTY ATTORNEY
Fort Bend County, Texas

BRIDGETTE SMITH-LAWSON
County Attorney

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

Attorney/Client Privileged Document
REVIEW LETTER

On January 20, 2025, the County Attorney's Office reviewed the following document:

- Right of Way Easement from Dale R. Wleczyk; 25-Drng-101040

Comments:

The above-referenced document (which is attached hereto) has been reviewed by our office and is approved as to legal form.

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

/s/ Jennifer L. Fox,
Assistant County Attorney

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**FORT BEND COUNTY DRAINAGE DISTRICT
RIGHT OF WAY EASEMENT**

THE STATE OF TEXAS
COUNTY OF FORT BEND,

GRANTOR: **Dale R. Wleczyk**

(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 Special District organized under the laws of the state of Texas, (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, and 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 additional easement totaling 0.3282 acre adjacent to the southerly side of an existing easement 70 feet in width previously recorded within Volume 323, Page 238 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 GRANTOR reserves the right to have the DISTRICT either spread or stockpile excess excavated material generated from the channel expansion or modification at locations mutually agreed upon by the GRANTOR and the DISTRICT.

GRANTOR reserves the right to elect to dispose of the GRANTOR'S stockpiled excess material generated from any modified or expanded channel excavation or bridge repair, modification, or replacement in a manner that does not interfere with the DISTRICT'S use of and access to the easement and right of way for the purposes herein 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.

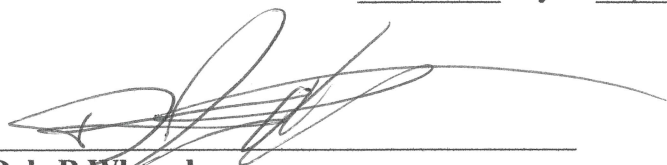
GRANTOR reserves the right to use the facilities offered by the drainage canal for the disposal of surface waters, rain, or any excess waters collecting upon his land, and in such connection GRANTOR has the right in the manner provided by law and at his own expense to construct and provide ditches, drains 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 18th day of November, 2024.



Dale R Wleczyk

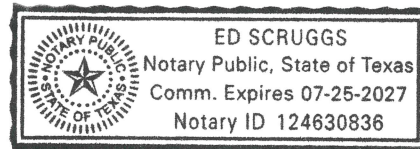
STATE OF TEXAS

COUNTY OF FORT BEND

BEFORE ME ^{Ed} ~~DALE WLEBZYK~~ Ed Scruggs, in and for
Fort Bend County, Texas, on this day personally appeared DALE WLEBZYK
known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged
to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 18th day of
NOVEMBER, 2024.


Notary Public



August 22, 2022

Drainage Easement 50

0.3282 of an acre of land in the Angus J. James Survey, Abstract No. 37

Fort Bend County, Texas

Being a 0.3282 of an acre (14,294 square feet) of land in the Angus J. James Survey, Abstract No. 37, Fort Bend County, Texas; said 0.3282 of an acre tract being out of a called 16.723 acre tract described in deed from Annette Schmidt and Jean Allen Hartfiel to Dolores Wleczyk, recorded under Fort Bend County Clerk's File (F.B.C.C.F.) No. 1999075034, Official Public Records of Fort Bend County (O.P.R.F.B.C.); said 0.3282 of an acre tract of land being more particularly described by metes and bounds as follows with bearings referenced to the Texas Coordinate System, South Central Zone, North American Datum of 1983 (NAD 83), 2011 Adjustment, Epoch 2010.00, which coordinates and distances shown hereon are surface values in U.S. Survey Feet and may be converted to grid by multiplying by a scale factor of 0.99986701753:

COMMENCING at a 5/8-inch iron rod with TxDOT aluminum cap found, having coordinates of N=13,737,443.29, E=2,980,476.58, in the existing northeast right-of-way line of Spur 10 (width varies per F.B.C.C.F. No. 2013009860, O.P.R.F.B.C.) for the southwest corner of said 16.723 acre tract and the southeast corner of a called 17.723 acre tract described in a deed from Annette Schmidt and Dolores Wleczyk to Jean Allen Hartfiel, recorded under F.B.C.C.F. No. 1999075033, O.P.R.F.B.C.;

THENCE, North 42°11'28" East, along the northwest boundary line of said 16.723 acre tract and the southeast boundary line of said 17.723 acre tract, a distance of 1,136.52 feet to a 3/8-inch iron rod with "Landtech" cap set in the proposed southwest drainage easement for the westerly northwest corner of the herein described tract and the **POINT OF BEGINNING** having coordinates of N=13,738,285.35, E=2,981,239.87;

1. **THENCE**, North 42°11'28" East, continuing along the northwest boundary line of said 16.723 acre tract and the southeast boundary line of said 17.723 acre tract, a distance of 29.46 feet to a point in the existing southwest line of Fort Bend County Drainage District (F.B.C.D.D.) 185 feet wide drainage canal and right-of-way easement, recorded in Volume 323, Page 235, Volume 323, Page 238, and Volume 1558, Page 525, Fort Bend County Deed Records (F.B.C.D.R.), for the northerly northwest corner of the herein described tract; from which a found 5/8-inch iron rod bears North 42°11'28" East, 28.03 feet;

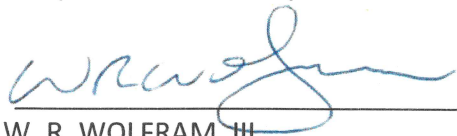
THENCE, along the existing southwest line of said F.B.C.D.D. easement the following two (2) courses and distances:

2. South 43°09'15" East, a distance of 188.56 feet to the point of curvature of a curve to the left;
3. Around said curve to the left having a radius of 720.00 feet, an arc length of 357.85 feet, a central angle of 28°28'36", and a chord which bears South 57°23'33" East, 354.18 feet a point in the southeast boundary line of said 16.723 acre tract and the northwest boundary line of a residual portion of a called 259.42 acre tract (Tract One) described in a deed from Hugo Mueller and wife, Lula Mueller to Perry Mueller, Sr. and wife, Juanita Mueller, recorded in Volume 392, Page 401, F.B.C.D.R. and conveyed to Perry Mueller, Jr., by Last Will and Testament of Perry Mueller, Sr., recorded in Case No. 89-CPR-011237, and by Last Will and Testament of Juanita Mueller, Case No. 94-CPR-013458, Probate Court Records Fort Bend County, for the easterly southeast corner of the herein described tract;
4. **THENCE**, South 41°55'09" West, along the southeast boundary line of said 16.723 acre tract and the northwest boundary line of a residual portion of said 259.42 acre tract, a distance of 35.08 feet to a point (unable to set) in said proposed southwest drainage easement, having coordinates of N=13,737,952.65, E=2,981,663.54, for the southerly southeast corner of the herein described tract and being in a curve to the right whose center bears North 21°33'40" East, 765.00 feet;

THENCE, along said proposed drainage easement the following two (2) courses and distances:

5. Around said curve to the left having a radius of 765.00 feet, an arc length of 309.00 feet, a central angle of 23°08'34", and a chord which bears North 56°52'03" West, 306.90 feet to a 3/8-inch iron rod with "Landtech" cap set for the point of tangency;
6. North 45°17'46" West, a distance of 234.49 feet to the **POINT OF BEGINNING** and containing 0.3282 of an acre (14,294 square feet) of land.

A separate Plat accompanies this Metes and Bounds description.



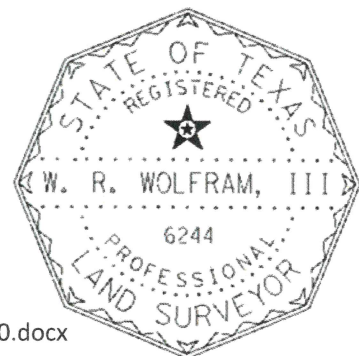
08-22-2022

W. R. WOLFRAM, III

Date

Texas Registered Professional Land Surveyor No. 6244

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ANGUS J. JAMES SURVEY
ABSTRACT NO. 37

AGREEMENT BETWEEN
FRITZ HERFIEL AND HUGO OUDREJ
VOL. 336, PG. 116, F.B.C.D.R.
EXECUTED: APRIL 29, 1955

CENTERLINE OF BIG CREEK TO REMAIN AS
THE BOUNDARY LINE BETWEEN TRACTS.
FENCE LINE & MAINTENANCE AGREEMENT BUT
SHALL NEVER AFFECT THE OWNERSHIP OF THE LAND

PATRICK EICHER
CALLED 80.00 ACRES
F.B.C.C.F. NO. 9305237
VOL. 2486, PG. 1742
O.P.R.F.B.C.

JEAN ALLEN HARTFIEL
CALLED 17.723 ACRES
F.B.C.C.F. NO. 1999075033
O.P.R.F.B.C.

N=13,738,285.35
E=2,981,239.87

P.O.C.

N=13,737,443.29
E=2,980,476.58

EXISTING
ROW
SPUR 10
(WIDTH VARIES PER
O.P.R.F.B.C.)
ALUMINUM CAP

DOLORES WLECZYK
CALLED 16.723 ACRES
F.B.C.C.F. NO. 1999075034,
O.P.R.F.B.C.

DRAINAGE EASEMENT 50
0.3282 ACRE
(14,294 SQ. FT.)

UNABLE TO SET, TREE
N=13,737,952.65
E=2,981,663.54
FND. 5/8" I.R. W/ICAP
STAMPED "TALKOMEY"
0.72' RIGHT

S 41°55'09" W
1,172.13'
FND. 5/8" I.R. W/ICAP
ALUMINUM CAP
SPUR 10
(WIDTH VARIES PER
O.P.R.F.B.C.)

F.B.C.C.F. NO. 2013039313, O.P.R.F.B.C.)

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE
ON THE GROUND UNDER MY SUPERVISION AND
THAT THIS PLAT REPRESENTS THE FACTS AS
FOUND AT THE TIME OF THE SURVEY.
SURVEY DATE: AUGUST, 2022

PERRY MUELLER, JR.
TO
CASE NO. 89-CPR-011237 AND
CASE NO. 94-CPR-013458
PROBATE COURT RECORDS
FORT BEND COUNTY

262.72 ACRES RESERVING
3 ACRES IN PUBLIC ROAD
VOL. 392, PG. 401, F.B.C.D.R.

259.42 ACRES
RESIDUE OF CALLED

JUANITA MUELLER
TRACT ONE

259.42 ACRES

262.72 ACRES RESERVING

3 ACRES IN PUBLIC ROAD

VOL. 392, PG. 401, F.B.C.D.R.

259.42 ACRES

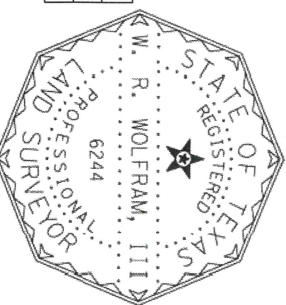
RESIDUE OF CALLED

JUANITA MUELLER

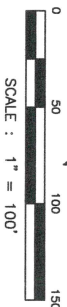
TRACT ONE

259.42 ACRES

262.72 ACRES RESERVING



WILLIAM R. WOLFRAM, III
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6244
08-22-2022



SCALE: 1" = 100'

- LEGEND:
- O.P.R.F.B.C. — OFFICIAL PUBLIC RECORDS FORT BEND COUNTY
 - O.R.F.B.C. — OFFICIAL RECORDS FORT BEND COUNTY
 - F.B.C.D.R. — FORT BEND COUNTY DEED RECORDS
 - F.B.C.C.F. — FORT BEND COUNTY CLERK'S FILE
 - P.O.B. — POINT OF BEGINNING
 - P.O.C. — POINT OF COMMENCING
 - FND. — FOUND
 - I.R. — IRON ROD
 - I.P. — IRON PIPE
 - R.O.W. — RIGHT-OF-WAY
 - SQ. FT. — SQUARE FEET
 - — PROPERTY LINE
 - — CENTERLINE
 - — FOUND (AS NOTED)
 - SET 3/8" I.R. W/LANDTECH CAP (UNLESS OTHERWISE NOTED)

NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (NAD83), 2011 ADJUSTMENT, EPOCH 2010.00. ALL COORDINATES AND DISTANCES SHOWN ARE SURFACE VALUES IN US SURVEY FEET AND MAY BE CONVERTED TO GRID COORDINATES BY MULTIPLYING BY A SCALE FACTOR OF 0.99986701753.

2) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.

3) FIELD SURVEYS WERE PERFORMED BETWEEN AUGUST, 2021 AND AUGUST, 2022

4) A SEPARATE METES & BOUNDS ACCOMPANIES THIS PLAT

LANDTECH
2525 North Loop West, Suite 300,
Houston, Texas 77008
T: 713-861-7068 F: 713-861-4131
TBPELS Registration No. 10019100

PROPOSED DRAINAGE EASEMENT 50
0.3282 ACRE (14,294 SQ. FT.) TRACT OF LAND IN THE ANGUS J.
JAMES SURVEY, ABSTRACT NO. 37
FORT BEND COUNTY, TEXAS

LINE	BEARING	DISTANCE	CHORD
L1	N 42°11'28" E	29.46'	
L2	S 43°09'15" E	188.56'	
L3	S 41°55'09" W	35.08'	
L4	N 45°17'46" W	234.49'	
CURVE	RADIUS	LENGTH	DELTA
C1	720.00'	357.85'	28°28'36"
C2	765.00'	309.00'	23°08'34"



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 an easement on your property located along the existing drainage easement of Big Creek in Rosenberg, Fort Bend County, Texas 77471 and further described as:

A 0.3282 of an acre (14,294 square feet) of land in the Angus J. James Survey, Abstract No. 37, Fort Bend County, Texas; said 0.3282 of an acre tract being out of a called 16.723 acre tract described in deed from Annette Schmidt and Jean Allen Hartfiel to Dolores Wleczyk, recorded under Fort Bend County Clerk's File (F.B.C.C.F.) No. 1999075034, Official Public Records of Fort Bend County (O.P.R.F.B.C.).

Fort Bend County hereby offers a price amount of \$32,162.00 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 thirty-two thousand, one hundred sixty-two dollars and zero cents (\$32,162.00) for the easement on 0.3282 acres of Easement 50.

☐ I do **not** accept the purchase offer of thirty-two thousand, one hundred sixty-two dollars and zero cents (\$32,162.00) for the easement on 0.3282 acres of Easement 50 and wish to negotiate.

Owner: DALE R. WLECZYK

Signature: [Signature]

Date: 10-30-24

Administration: P.O. Box 1028 • 1124 Blume Road • Rosenberg, Texas 77471 • (281) 342-2863
Maintenance: 1022 Blume Road • Rosenberg, Texas 77471 • (281) 342-0141