



COUNTY ATTORNEY
Fort Bend County, Texas

BRIDGETTE SMITH-LAWSON
County Attorney

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

LETTER OF REVIEW

On October 30, 2025, the County Attorney's Office reviewed the following document:

- *Fort Bend County Drainage District Right of Way Easement; 26-Drng-100058*

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.

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:

Lake Creek Estates Homeowners Association, a Texas Homeowners Association

(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 0.6567 acre adjacent to the northerly side of an existing easement 160 feet in width previously recorded within Volume 323, 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 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 3rd day of September, 2025.



Jeff Allen Kramer, President



Sean Sevy, Secretary / Treasurer

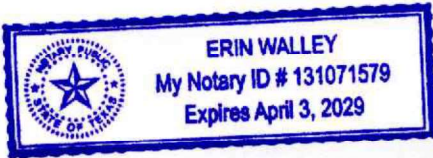
STATE OF TEXAS

COUNTY OF FORT BEND

BEFORE ME Erin Walley (Notary Name), in and for Fort Bend County, Texas, on this day personally appeared Jeff Kramer + Sean Seay (Grantor Name) 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 3rd day of September, 2025.

Erin Walley
Notary Public



STATE OF TEXAS

COUNTY OF FORT BEND

BEFORE ME _____ (Notary Name), in and for Fort Bend County, Texas, on this day personally appeared _____ (Grantor Name) 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 _____ day of _____, 2025.

Notary Public

June 22, 2020

EXHIBIT "A"

Drainage Easement 16

*0.6567 acre of land in the C.B. Stewart Survey, Abstract No. 90,
Fort Bend County, Texas*

A FIELD NOTE DESCRIPTION of a 0.6567 acre (28,608 square feet) tract of land in the C.B. Stewart Survey, Abstract No. 90, Fort Bend County, Texas; said 0.6567 acre tract being out 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 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 Huhs1 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 48° 02' 25" West – 842.84 feet with the northeast line of said 5.0 acre tract, with the northeast line of a 5.451 acre tract of land conveyed to Jacob Krassnig and Gloria Hussl, as recorded in Volume 1157, Page 507 of the Fort Bend County Deed Records, with the southwest line of said 3.52 acre tract and with the southwest line of said 15.5 acre tract to a point for the south corner and POINT OF BEGINNING of this tract; said point having the following coordinates: X=2,986,149.63, Y=13,734,966.06;

THENCE, North 48° 02' 25" West - 36.21 feet with the northeast line of said 5.451 acre tract and with the southwest line of said 15.5 acre tract to a point for the west corner of this tract; from which a iron pipe found bears North 48° 02' 25" West – 91.84 feet;

THENCE, North 56° 48' 55" East - 177.16 feet to a point-of-curvature;

THENCE, in an easterly direction with a curve to the right having a radius of 390.00 feet, a central angle of 82° 47' 36", a length of 563.56 feet, and a chord bearing South 81° 47' 17" East - 515.79 feet to a point-of-tangency;

THENCE, South 40° 23' 29" East - 87.65 feet to a point for the northeast corner of this tract;

THENCE, South 02° 21' 42" West - 51.56 feet with the east line of said 15.5 acre tract and with the west line 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 to a point for the southeast corner of this tract; said point having the following coordinates: X=2,986,836.14, Y=13,734,895.29;

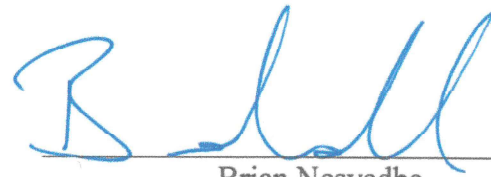
THENCE, North 40° 23' 29" West - 125.51 feet to a point-of-curvature;

THENCE, in a westerly direction with a curve to the left having a radius of 355.00 feet, a central angle of 82° 47' 36", a length of 512.98 feet, and a chord bearing North 81° 47' 17" West - 469.50 feet to a point-of-tangency;

THENCE, South 56° 48' 55" West - 167.88 feet to the POINT OF BEGINNING and containing 0.6567 acre (28,608 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_16.doc



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



- LEGEND**
- CENTERLINE
 - DRAINAGE EASEMENT
 - F.B.C.D.R.
 - FORT BEND COUNTY DEED RECORDS
 - F.B.C.C.F.
 - FLOOD
 - IRON PIPE
 - IRON ROD BEGINNING
 - POINT OF BEGINNING
 - RIGHT OF WAY
 - SQUARE FEET
 - WITH

LARRY FLECK AND MARK FLECK
5.0 ACRES
(F.B.C.C.F. NO. 2007053002)

TRINITY DRIVE
(60' R.O.W.)

CONCRETE BRIDGE

JACOB KRASSNIG AND GLORIA HUSSL
5.451 ACRES
(VOL. 1157, PG. 507; F.B.C.D.R.)

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

ADRIANA JIMENEZ
2.67 ACRES
(F.B.C.C.F. NO. 2005109650)

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

LAKE CREEK ESTATES HOMEOWNERS ASSOCIATION
"PRIVATE LAKE AND PARK"
15.5 ACRES
(F.B.C.C.F. NO. 2005113121)

DRAINAGE EASEMENT 16
0.6567 ACRE
(28,608 SQ. FT.)

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

C.B. STEWART SURVEY
ABSTRACT NO. 90

A. WICKSON SURVEY
ABSTRACT NO. 94

LOT 1
GALLIMORE AND RICKY SUBDIVISION
(VOL. 31, PG. 174; F.B.C.D.R.)

GAYE LYNN MCNUTT AND THOMAS CARLTON MCNUTT
192 ACRES
(F.B.C.C.F. NO. 2017060016)

DEELLA MEDIA
5.94 ACRES "LOT 39"
(F.B.C.C.F. NO. 2009076396)

- NOTES**
- 1) BEARINGS SHOWN HEREON ARE BASED ON TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83) USING IGS CONTINUOUSLY OPERATING REFERENCE STATIONS, COORDINATES SHOWN HEREON ARE SURFACE COORDINATES AND MAY BE CONVERTED TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR OF 0.9999991753.
 - 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 ALIBRED ORIGINALS.
 - 4) THIS SURVEY WAS PERFORMED WITHOUT 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 ROADS SET ARE 5/8" IRON RODS WITH CAPS STAMPED: TEAM - 281-491-2525.
 - 7) THIS TRACT OF LAND WAS SURVEYED IN THE FIELD ON MAY 12, 2020.

LINE	BEARING	DISTANCE
L1	N 45°02'25" W	38.21'

CURVE	DE. STA.	RADIUS	CHORD	CHORD BEARING	CHORD DISTANCE
C1	82°47'56"	300.00'	583.58'	S 81°27'17" E	518.70'
C2	82°47'56"	356.00'	512.98'	N 81°27'17" W	489.50'



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

I, Brian Nesvada, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that the facts found on the ground under my supervision. This survey substantially complies with the current Texas Society of Professional Surveyors' Standards and Specifications for a Category 1a, Condition II, Survey.

F.B.C.D. E. 16
X = 2,986,776.37
Y = 13,734,492.53

STANDARD LAND SURVEY

OF

A PROPOSED DRAINAGE EASEMENT BEING
A 0.6567 ACRE (28,608 SQ. FT.) TRACT OF LAND
IN THE C. B. STEWART SURVEY, ABSTRACT NO. 90,
FORT BEND COUNTY, TEXAS

TEXAS ENGINEERING AND MAPPING CO.
12718 CENTURY DRIVE
STARBUCK, TEXAS 77447
PHONE: 281-491-2525
FAX: 281-461-2526
Surveying Firm No. 1011000 / Engineering Firm No. 1-4906

DATE: 06/22/20	SCALE: 1"=60'	KEY MAP: 644V	JOB NO.: 212-7
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WRITTEN CONSENT OF
THE BOARD OF DIRECTORS OF
LAKE CREEK ESTATES HOMEOWNERS ASSOCIATION
WITHOUT MEETING

The undersigned, constituting all the members of the Board of Directors of Lake Creek Estates Homeowners Association (the HOA), a Texas Homeowners Association, take the following actions by this unanimous written consent:

WHEREAS, Section 4.03 of the Declaration of Covenants, Conditions, and Restrictions, the HOA reserved for itself the right to dedicate, convey, grant, or reserve easements over, on or under any part of the subject properties for utilities and drainage easements on all HOA properties.


WHEREAS, the Board of Directors has determined that it is in the best interests of the HOA to accept Fort Bend County's offer, dated December 5, 2024, to purchase a 0.6567 acre tract of land.

RESOLVED, that the HOA Board of Directors unanimously propose that Fort Bend County's offer to purchase a 0.6567 acre tract of land for \$20,000.00, dated December 5, 2024, be accepted.


FURTHER RESOLVED, that the Board of Directors of the HOA be, and they hereby are, authorized and directed to do and perform all such acts and deeds and to execute all such other actions as they, or any of them, may deem to be necessary, proper or convenient in order to carry out the intent of the foregoing resolutions, including taking all other actions as may be necessary or convenient to do so.

IN WITNESS WHEREOF, the undersigned, being all the Directors of the HOA, hereby approve, ratify, and adopt the foregoing resolutions.

Dated: August 23, 2025



Jeff Allen Kramer, President



Sean Sevy, Secretary / Treasurer