

STATE OF TEXAS

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§

COUNTY OF FORT BEND

**ORDER CLOSING, ABANDONING, AND VACATING
A PORTION OF COUNTY RIGHT-OF-WAY**

ON THE _____ day of _____, 2025 at a duly posted and called meeting of Commissioners Court of Fort Bend County, Texas, upon motion of Commissioner _____, seconded by Commissioner _____, duly put and carried, by unanimous vote:

WHEREAS, HPNW Investment LLC has petitioned the Fort Bend County Commissioners Court to close, abandon, and vacate a portion of dedicated public right-of-way known located in Fort Bend County, Texas, which right-of-way has never been improved or used as a public road; and

WHEREAS, said portion of dedicated right-of-way is the Western thirty (30) feet of the Needville-Rosenberg Public Road, an unimproved and unrecorded public road dedication being a 1.058 acre tract of land, more or less, situated in the H. & T.C. R.R. Co. Survey, Section 28, Abstract No. 465, Fort Bend County, Texas and is more particularly described by metes and bounds and survey in "Exhibit A", attached hereto and incorporated herein by reference (hereinafter the Needville-Rosenberg Public Road Right-of-Way"); and

WHEREAS, HPNW Investment LLC owns all the property abutting the Western thirty (30) feet of the Needville-Rosenberg Public Road Right-of-Way; and

WHEREAS, the Fort Bend County Commissioners Court has determined that the Western thirty (30) feet of the Needville-Rosenberg Public Road Right-of-Way is not needed and that the public interest would be best served if such portion of right-of-way is closed, abandoned, and vacated; and

WHEREAS, Texas Transportation Code §251.058(b) states:

Title to a public road or portion of a public road that is closed, abandoned, and vacated to the center line of the road vests on the date the order is signed by the county judge in the owner of the property that abuts the portion of the road being closed, abandoned, and vacated. A copy of the order shall be filed in the deed records of the county and serves as the official instrument of conveyance from the county to the owner of the abutting property.

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

1. The Western thirty (30) feet of the Needville-Rosenberg Public Road Right-of-Way as provided in Exhibit A attached hereto is hereby closed, abandoned, and vacated subject to any existing public utility easements pursuant to Sections 251.051 and 251.058(b) of the Texas Transportation Code.
2. Title to the Western thirty (30) feet of the Needville-Rosenberg Public Road Right-of-Way that is hereby closed, abandoned, and vacated is fully vested in HPNW Investment LLC, a Texas limited liability company, who owns all the property abutting said right-of-way (the "Abutting Property Owner").
3. The Fort Bend County Clerk shall record a copy of this Order at no cost in the Official Public Records of Fort Bend County, Texas, to serve as the official instrument of conveyance from Fort Bend County, Texas to the Abutting Property Owner, and shall index said Order in the Official Public Records of Fort Bend County, Texas in a manner that describes (a) Fort Bend County, Texas as Grantor, and (b) HPNW Investment LLC, a Texas limited liability company, receiving the conveyance as Grantee, pursuant to Section 251.0158(b) of the Texas Transportation Code.

SIGNED AND ENTERED this _____ day of _____, 2025.

FORT BEND COUNTY, TEXAS

KP GEORGE, COUNTY JUDGE

ATTEST:

LAURA RICHARD, COUNTY CLERK

EXHIBIT A

(Metes and Bounds and Survey Follows Behind)

EXHIBIT A

JANUARY 10, 2023
JOB NO. S001-2176-4021

TRACT 1

DESCRIPTION OF 1.058 ACRES

BEING a 1.058 acre (46,094 square foot) tract of land situated in the H. & T.C. R.R. Co. Survey, Section 28, Abstract No. 465 of Fort Bend County, Texas and being a portion of the Westerly 30 feet of Needville-Rosenberg Public Road (60 feet wide), no recording found, said 1.058 acre tract of land described by metes and bounds as follows, with all bearings based on the Texas Coordinate System of 1983 (NAD83), South Central Zone:

BEGINNING at a 1/2-inch iron rod with cap stamped "PRECISION" found for the Northwest corner of a called 2.1360 acre tract of land as described in an instrument to Pennypatch Properties, LLC – Series B recorded under File Number (F.N.) 201903117 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), lying on the East line of a called 82.60 acre tract of land described as Tract 2 in an instrument to Gary Schulz recorded under F.N. 2017138288 of the O.P.R.F.B.C.;

Thence, North 06°27'00" East, along and with the East line of said Tract 2 and the West right-of-way line of said Needville-Rosenberg Public Road, at a distance of 1,031.47 feet pass the Northeast corner of said Tract 2 and the Southeast corner of a called 82.60 acre tract of land described as Tract 1 in an instrument to Gary Schulz recorded under said F.N. 2017138288 of the O.P.R.F.B.C., continuing along and with the West right-of-way line of said Needville-Rosenberg Public Road and the East line of said Tract 1, a total distance of 1,499.12 feet a 5/8-inch iron rod with cap stamped "LJA SURVEY" found for an Easterly corner of said Tract 1 and a Westerly corner of a called 16.744 acre tract of land described as Tract 1-G, C in an instrument to HL&P Company recorded under Volume 1908, Page 207 of the Fort Bend County Deed Records (F.B.C.D.R.);

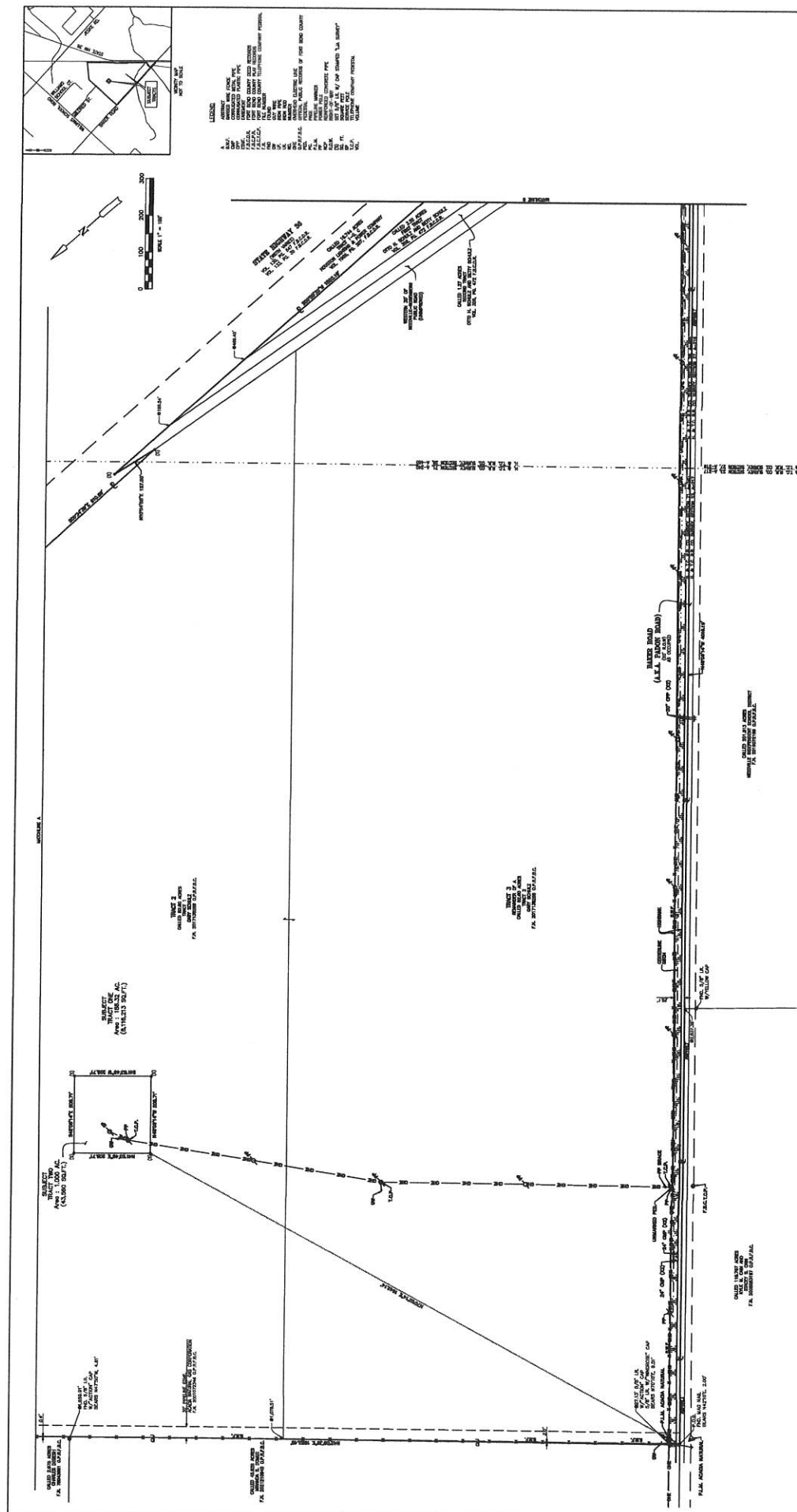
Thence, North 10°04'05" East, along and with an Easterly line of said 16.744 acre tract, a distance of 127.00 feet to a 5/8-inch iron rod with cap stamped "LJA SURVEY" found for the most Northerly corner of the herein described tract and an interior corner of said 16.744 acre tract;

Thence, South 00°05'32" West, along and with a Westerly line of said 16.744 acre tract, a distance of 198.54 feet to the most Northerly corner of a called 1.27 acre tract of land described as Second Tract an instrument to Otto H. Schulz and Betty Schulz recorded under Volume 308, Page 472 of the F.B.C.D.R., lying on the centerline of said Needville-Rosenberg Public Road;

Thence, South 06°27'00" West, along and with the Westerly line of said 1.27 acre tract and the centerline of said Needville-Rosenberg Public Road, a distance of 1,426.66 feet to the most Easterly Southeast corner of the herein described tract, lying on a Northwesterly line of said 2.1360 acre tract;

Thence, South 54°27'45" West, along and with a Northwesterly line of said 2.1360 acre tract, a distance of 2.53 feet to a 1/2-inch iron rod with cap stamped "PRECISION" found for the most Southerly Southeast corner of the herein described tract and an interior corner of said 2.1360 acre tract;

Thence, North 83°57'45" West, along and with a Northerly line of said 2.1360 acre tract, a distance of 28.12 feet to the **POINT OF BEGINNING** and containing 1.058 acres (46,094 square feet) of land.



**LAND TITLE SURVEY OF A
186.32 ACRE (8,116,312 SQ. FT.)
TRACT OF LAND AND A
1.000 ACRE (43,560 SQ. FT.)**

**SITUATED IN THE
H. & T.C. R.R. CO. SURVEY
SECTION 71, ABSTRACT NO. 240
AND THE H. & T.C. R.R. CO. SURVEY
SECTION 28, ABSTRACT NO. 465
FORT BEND COUNTY, TEXAS**

500 W Sam Houston Parkway S
Suite 175
Houston, Texas 77060
Phone 713.953.5200
Fax 713.953.5026
TLDOS's E-mail No. 101042007

PETITION TO CLOSE,	§	IN THE COMMISSIONERS COURT
	§	
ABANDON, AND	§	OF
	§	
VACATE A PUBLIC ROAD	§	FORT BEND COUNTY, TEXAS

TO THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS:

HPNW INVESTMENT LLC ("Petitioner"), a Texas limited liability company, hereby petitions the Commissioners Court of Fort Bend County, Texas (the "Commissioners Court"), pursuant to Section 251.051 of the Texas Transportation Code, to close, abandon, and vacate an unimproved portion of an unrecorded public road known as the Western thirty (30) feet of the Needville-Rosenberg Public Road located in Fort Bend County, Texas and in support thereof would respectfully represent and show the Commissioners Court as follows:

I.

Petitioner requests that the Western thirty (30) feet of the Needville-Rosenberg Public Road be abandoned as the road has never been improved or used as a public road. The portion of road that Petitioner is requesting to be abandoned is a 1.058 acre tract of land, more or less, situated in the H. & T.C. R.R. Co. Survey, Section 28, Abstract No. 465, Fort Bend County, Texas and is more particularly described by metes and bounds and survey in "Exhibit A", attached hereto and incorporated herein by reference.

Petitioner owns all the property abutting the portion of right-of-way to be abandoned. Petitioner further represents to the Commissioners Court that no other landowner uses the Western thirty (30) feet of the Needville-Rosenberg Public Road to be abandoned for access to their property, and that the formal abandonment of this portion of the Needville-Rosenberg Public Road right-of-way will not and could not adversely affect any other property owner.

Petitioner understands that Fort Bend County's action of formally abandoning this portion of Needville-Rosenberg Public Road is not intended to and should not and will not terminate or adversely affect the established and existing private easement rights, if any, of any person, whether or not such easement rights are recorded in the Real Property Records of Fort Bend County, Texas.

II.

The closure, abandonment, and vacation of the described portion of the above-described right-of-way is in the best interest not only of the Petitioner, but also of Fort Bend County, Texas. Petitioner warrants and covenants that they shall not seek to enjoin the entry or enforcement of an order of the Commissioners Court to close, abandon, and vacate the right-of-way, regardless of the fact that the portion of the road being closed, abandoned, and vacated may provide the only ingress

to or egress from their property, and furthermore, Petitioner forever waives and relinquishes their right to so enjoin such action by any Court, and/or to seek damages as a result of the abandonment. Petitioner warrants that they have secured or will secure alternate access to their property, if necessary, by agreements entered into by them and/or easements granted to them, as the case may be.

WHEREFORE, Petitioner prays that the Fort Bend County Commissioners' Court order the closure, abandonment, and vacation of the Western thirty (30) feet of the Needville-Rosenberg Public Road as provided in Exhibit A.

PETITIONER:

HPNW INVESTMENT LLC
a Texas limited liability company

By: [Signature]

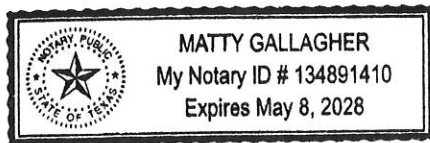
Name: Zohab Manesia

Title: Member

Acknowledgment

THE STATE OF TEXAS §
 §
COUNTY OF Harris §

This instrument was acknowledged before me, the undersigned notary, on this 21st day of October, 2024 by Zohab Manesia, Managing Member of HPNW Investment LLC, a Texas limited liability company, on behalf of said limited liability company.



[Signature]
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS