

SANITARY SEWER EASEMENT
(0.0370 Acre; 0.1613 Acre)

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.

THE STATE OF TEXAS	§	
	§	KNOW ALL BY THESE PRESENTS:
COUNTY OF FORT BEND	§	

THAT **CROSS CREEK RANCH COMMUNITY ASSOCIATION, INC.**, a Texas non-profit corporation ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, SOLD, AND CONVEYED and, by these presents, does GRANT, SELL, AND CONVEY unto **FORT BEND COUNTY, TEXAS**, a body corporate and politic under the laws of the State of Texas, its successors and assigns ("Grantee"), a permanent and perpetual non-exclusive easement and right-of-way (the "Easement") for the laying, construction, installation, maintenance, repair, relocation, replacement, removal, modification and operation of sanitary sewer lines and all related connections and appurtenances (collectively, the "Facilities") across, along, under, over, upon and through those two (2) certain tracts of land located in Fort Bend County, Texas, containing 0.0370 acre and 0.1613 acre, respectively, as more particularly described in **Exhibit A** and **Exhibit C** and shown on **Exhibit B** and **Exhibit D**, all attached hereto and incorporated herein for all purposes (collectively, the "Easement Tracts").

Grantee may lay, construct, install, maintain, repair, relocate, replace, remove, modify and operate the Facilities across, along, under, over, upon and through the Easement Tracts, and may enter upon the Easement Tracts to engage in all activities as may be necessary, requisite, convenient, or appropriate in connection therewith. Grantee's rights shall include, without limitation, the right to clear and remove trees, growth, shrubbery, and other improvements from within the Easement Tracts and the right to bring and operate such equipment on the Easement Tracts as may be necessary, requisite, convenient, or appropriate to effectuate the purposes for which the Easement is granted. Subject to the rights granted to Grantee herein, Grantee will, at all times after doing any work in connection with the Easement, restore the surface of the Easement Tracts as nearly as reasonably practicable to substantially its condition prior to the undertaking of such work; provided, however, Grantee shall not be obligated to

replace or restore any trees, growth, shrubbery, or other improvements or obstructions removed from within the Easement Tracts in connection with the construction, installation, repair, maintenance, relocation, replacement, removal, upgrade, change in the size of, operation, placement, inspection, protection, or alteration of the Facilities or that interfere with Grantee's use of the Easement Tracts for the purposes set forth herein. Grantee shall remove, at Grantee's expense, any dirt, earth, or other material excavated from the Easement Tracts in connection with Grantee's construction, operation, or maintenance of the Facilities that is not used in connection with Grantee's activities hereunder.

Subject to the limitations set forth herein, Grantor expressly reserves the right to the use and enjoyment of the surface of the Easement Tracts for any and all purposes; provided, however, such use and enjoyment of the surface of the Easement Tracts shall not interfere with, obstruct, or restrict the full and complete use and enjoyment of the Easement for the purposes set forth herein. Notwithstanding anything herein to the contrary, Grantor shall not, without the prior written consent of Grantee, (i) construct or place or allow to be constructed or placed, any fences, houses, buildings, structures, pavement, or other above-ground improvements or other obstructions, whether temporary or permanent, or plant or locate any trees, vegetation, or shrubs on the Easement Tracts; (ii) install or permit the installation of pipelines or other underground facilities within the Easement Tracts; (iii) dedicate other easements within the Easement Tracts; or (iv) change the grade over the Facilities constructed under the Easement Tracts. If Grantor constructs, places, installs (or otherwise permits the construction, placement, or installation of) any obstruction that interferes with, obstructs, or restricts Grantee's full and complete use and enjoyment of the Easement for the purposes set forth herein, Grantee shall have the right to prevent or remove such obstruction, at Grantor's sole cost and expense, without any obligation to restore the same or any liability to Grantor or Grantor's successors and assigns.

Grantor reserves all oil, gas, and other minerals in, on, or under the Easement Tracts, but waives all right to use the surface of the Easement Tracts for, and all rights of ingress and egress for, the purpose of exploring, developing, mining, or drilling for the same; provided, however, that nothing herein shall prohibit or in any manner restrict the right of Grantor to extract oil, gas, and other minerals from and under the Easement Tracts by directional drilling or other means that does not interfere with or disturb the surface of the Easement Tracts or Grantee's use of the Easement Tracts for the purposes set forth herein.

This conveyance is further made subject to any and all restrictions, covenants, easements, rights-of-way, encumbrances, and mineral or royalty reservations or interests affecting the Easement Tracts and appearing of record in the Official Public Records of Fort Bend County, Texas, to the extent in effect and validly enforceable

against the Easement Tracts (the "Permitted Encumbrances"); provided, however, to the extent that Grantor has the ability to enforce any of the Permitted Encumbrances, Grantor will not do so in a manner that would unreasonably prejudice or interfere with Grantee's exercise of its rights in the Easement and use of the Easement Tracts for the purposes set forth herein.

TO HAVE AND TO HOLD, subject to the matters set forth herein and the Permitted Encumbrances, the Easement, together with, all and singular, the rights and appurtenances thereto in any wise belonging, including all necessary rights to ingress, egress, and regress, unto Grantee, its successors and assigns, forever. Grantor does hereby bind itself and its successors and assigns to WARRANT AND FOREVER DEFEND, all and singular, the Easement and right-of-way and other rights described herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

The covenants and agreements contained herein shall run with the land and shall inure to the benefit of and shall be binding upon Grantor and Grantee and their respective successors and assigns.

The individual signing this instrument on behalf of Grantor represents that he/she has the requisite authority to bind Grantor.

Neither party's failure to insist on strict performance of any part of this instrument shall be construed as a waiver of the performance in any other instance.

This instrument shall be interpreted and construed in accordance with the laws of the State of Texas, without regard to conflict of laws, principles, and venue for any suit, action, or proceeding instituted in connection with any controversy arising out of this instrument or the Easement shall be the state courts situated in Fort Bend County, Texas.

This instrument may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one instrument.

Grantee's address is 301 Jackson Street, Richmond, Texas 77469.

[Signature pages follow this page.]

EXECUTED this 24th day of September, 2024.

GRANTOR:

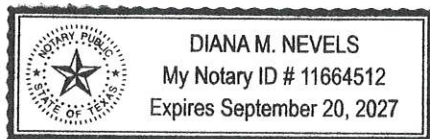
**CROSS CREEK RANCH
COMMUNITY ASSOCIATION, INC.,**
a Texas non-profit corporation

By: Stephen H. Brovarone
Name: Stephen H. Brovarone
Title: Vice President

THE STATE OF TEXAS §
 §
COUNTY OF Harris §

This instrument was acknowledged before me on the 24th day of September, 2024, by Stephen H. Brovarone, Vice President of CROSS CREEK RANCH COMMUNITY ASSOCIATION, INC., a Texas non-profit corporation, on behalf of said non-profit corporation.

(NOTARY SEAL)



D. Nevels
Notary Public, State of Texas

EXECUTED by Grantee on the date set forth in the acknowledgment below, but AGREED to, ACCEPTED, and EFFECTIVE as of the date executed by Grantor.

GRANTEE:

FORT BEND COUNTY, TEXAS

By: _____
Name: KP George
Title: County Judge

APPROVED AS TO FORM:

By: _____
Name: _____
Title: Assistant County Attorney

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2025, by KP George, County Judge of FORT BEND COUNTY, TEXAS, a body corporate and politic under the laws of the State of Texas, on behalf of said entity.

(NOTARY SEAL)

Notary Public, State of Texas

Attachments:

Exhibit A – Description of the 0.0370 Acre Easement Tract

Exhibit B – Sketch of the 0.0370 Acre Easement Tract

Exhibit C – Description of the 0.1613 Acre Easement Tract

Exhibit D – Sketch of the 0.1613 Acre Easement Tract

After recording, please return to:

Fort Bend County Engineering

301 Jackson Street

Richmond, Texas 77469

Exhibit A - Description of the 0.0370 Acre Easement Tract

CCR EASEMENTS FOR ALL ABILITIES PARK
0.0370 OF ONE ACRE
PROPOSED SANITARY SEWER EASEMENT

JULY 9, 2024
JOB NO. 61-11

DESCRIPTION OF A 0.0370 ACRE TRACT OF LAND SITUATED
IN THE A.G. SHARPLESS SURVEY, ABSTRACT NO. 322
CITY OF FULSHEAR,
FORT BEND COUNTY, TEXAS

BEING a 0.0370 acre (1,610 square foot) tract of land situated in the A.G. Sharpless Survey, Abstract No. 322, City of Fulshear of Fort Bend County, Texas and being a portion of a called 0.1486 acre tract of land as described to Cross Creek Ranch Community Association, Inc. recorded under Fort Bend County Clerks File Number (F.B.C.C.F. No.) 2016119381, same being Restricted Reserve "C", as shown on CREEK FALLS AT CROSS CREEK RANCH SECTION FOUR, a subdivision per plat recorded under Plat Number (P.N.) 20150258 of the Fort Bend County Plat Records (F.B.C.P.R.), said 0.0370 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 4204 and referenced to monuments found along the Southeast line of said 0.1486 acre tract and said Restricted Reserve "C":

COMMENCING at a 3/4-inch iron pipe with cap stamped "BROWN & GAY" found for the most Southerly Southeast corner of said Restricted Reserve "C" and said 0.1486 acre tract, same being the most Southerly Southwest corner of Lot 13 Block 1, of said CREEK FALLS AT CROSS CREEK RANCH SECTION FOUR, lying on the Northeast line of a tract of land described as All of Reserve "B" to Fort Bend County Municipal Utility District No. 169 recorded under Fort Bend F.B.C.C.F. No. 2016142102, same being Restricted Reserve "B", all as shown on said CREEK FALLS AT CROSS CREEK RANCH SECTION FOUR, from which a 3/4-inch iron pipe with cap stamped "BROWN & GAY" found for an interior corner of said Restricted Reserve "C" and said 0.1486 acre tract, same being the most Westerly Northwest corner of said Lot 13 bears N 00°19'23" W, a distance of 19.59 feet;

THENCE; N 37°18'15" W, a distance of 64.79 feet along and with the Southwest line of said Restricted Reserve "C" and said 0.1486 acre tract, same being the Northeast line of said Restricted Reserve "B" to the **POINT OF BEGINNING** and the most Southerly Southwest corner of the herein described tract;

THENCE, N 37°18'15" W, a distance of 28.17 feet along and with the Southwest line of said Restricted Reserve "C" and said 0.1486 acre tract, same being the Northeast line of said Restricted Reserve "B" to a 3/4-inch iron pipe with cap stamped "BROWN & GAY" found for the most Westerly corner of said Restricted Reserve "C" and said 0.1486 acre tract and the most Westerly Southwest corner of Lot 14, Block 1 as shown on said CREEK FALLS AT CROSS CREEK RANCH SECTION FOUR;

THENCE, S 69°28'43" E, a distance of 19.12 feet along and with the Northwest line of said Restricted Reserve "C" and said 0.1486 acre tract and the South line of said Lot 14 to a 3/4-inch iron pipe with cap stamped "BROWN & GAY" found for an interior corner of said Restricted Reserve "C" and said 0.1486 acre tract, same being the most Southerly corner of said Lot 14;

THENCE, N 60°06'40" E, a distance of 111.76 feet along and with the Northwest line of said Restricted Reserve "C" and said 0.1486 acre tract and the Southeast line of said Lot 14 to a 3/4-inch iron pipe with cap stamped "BROWN & GAY" found for the most Northerly corner of said Restricted Reserve "C" and said 0.1486 acre tract, same being the most Easterly Southeast corner of said Lot 14 and the beginning of a non-tangent curve to the left, from which its center bears N 60°06'40" E, 50.00 feet, lying on the South right-of-way line of Scenic Shore Ln. (60 foot width) as shown on said CREEK FALLS AT CROSS CREEK RANCH SECTION FOUR;

CCR EASEMENTS FOR ALL ABILITIES PARK
0.0370 OF ONE ACRE
PROPOSED SANITARY SEWER EASEMENT

JULY 9, 2024
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THENCE, in a Southeasterly direction, along and with the South right-of-way line of said Scenic Shore Ln., the Northeast line of said Restricted Reserve "C" and said 0.1486 acre tract, and said curve to the left, an arc distance of 7.83 feet, having a radius of 50.00 feet, a central angle of 08°58'31" and chord which bears S 34°22'35" E, 7.82 feet to a point for corner;

THENCE, over and across said Restricted Reserve "C" and said 0.1486 acre tract, the following courses and distances:


S 54°55'57" W, a distance of 79.77 feet to a point for corner;

S 60°06'40" W, a distance of 40.00 feet to the most Southerly Southeast corner of the herein described tract;

N 69°28'43" W, a distance of 2.34 feet to the **POINT OF BEGINNING** and containing 0.0370 of one acre (1,610 square feet) of land.

The above description is not to be used for fee conveyance.




Chris Jordan RPLS No. 6750
BGE, Inc.
10777 Westheimer Road, Suite 500
Houston, Texas 77042
Telephone: (281) 558-8700
TBPLS Licensed Surveying Firm No. 10106500

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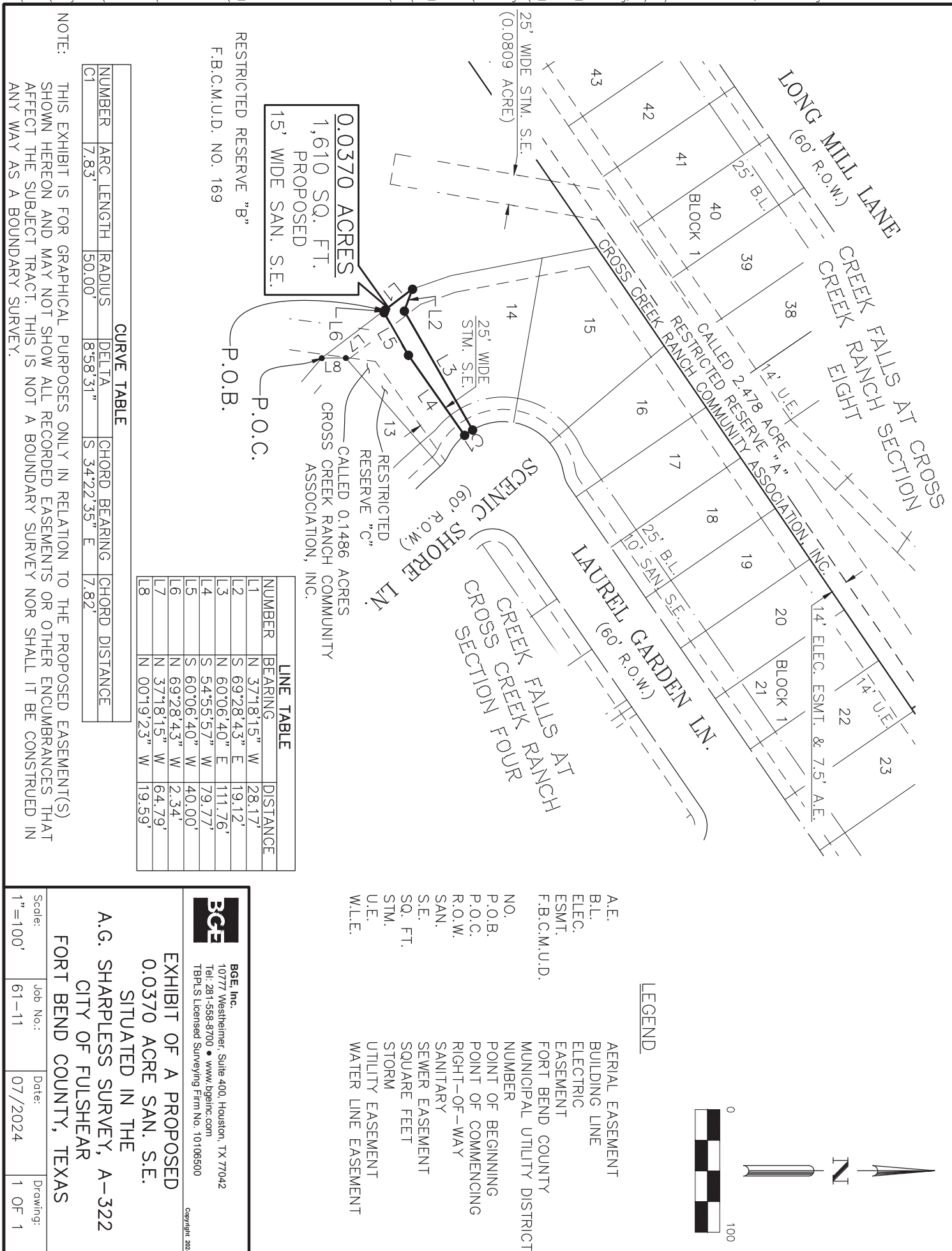


Exhibit C - Description of the 0.1613 Acre Easement Tract

CCR EASEMENTS FOR ALL ABILITIES PARK
0.1613 OF ONE ACRE
PROPOSED 15 FOOT WIDE SANITARY SEWER EASEMENT

JULY 9, 2024
JOB NO. 61-11

DESCRIPTION OF A 0.1613 ACRE TRACT OF LAND SITUATED
IN THE A.G. SHARPLESS SURVEY, ABSTRACT NO. 322
CITY OF FULSHEAR,
FORT BEND COUNTY, TEXAS

BEING a 0.1613 acre (7,028 square foot) tract of land situated in the A.G. Sharpless Survey, Abstract No. 322, City of Fulshear of Fort Bend County, Texas and being a portion of a called 2.478 acre tract described as Restricted Reserve "A" in an instrument to Cross Creek Ranch Community Association, Inc. recorded under Fort Bend County Clerks File Number (F.B.C.C.F. No.) 2016140899 and as shown on CREEK FALLS AT CROSS CREEK RANCH SECTION EIGHT, a subdivision per plat recorded under Plat Number (P.N.) 20160197 of the Fort Bend County Plat Records (F.B.C.P.R.), said 0.1613 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 4204 and referenced to monuments found along the Southwest line of a called 1.802 acre tract of land described as Fulshear-Katy Road (width varies) in an instrument to City of Fulshear recorded under F.B.C.C.F. No. 2020014273:

BEGINNING at the most Northerly corner of the herein described tract, lying on the Southwest line of said 1.802 acre tract and the East line of said Restricted Reserve "A", from which a 3/4-inch iron pipe with cap stamped "BROWN & GAY" found for the most Westerly corner of said 1.802 acre tract, the Southwest corner of a called 2.6130 acre tract of land as described in an instrument to United States of America recorded under Volume 906, Page 110 of the Fort Bend County Deed Records, an interior corner of said Restricted Reserve "A", and the most Easterly Southeast corner of a called 0.8218 acre tract of land as described in an instrument to Fort Bend County Municipal Utility District Number 169 recorded under F.B.C.C.F. No. 2017112736 bears N 34°34'30" W, a distance of 63.76 feet;

THENCE; S 34°34'30" E, a distance of 15.00 feet along and with the common line of said 1.802 acre tract and said Restricted Reserve "A" to a 3/4-inch iron pipe with cap stamped "BROWN & GAY" found for the most Easterly corner of the herein described tract, same being the most Southerly corner of said 1.802 acre tract, lying on the Northwest line of Block 1, CREEK FALLS AT CROSS CREEK RANCH SECTION FOUR, a subdivision per plat recorded under P.N. 20150258 of the F.B.C.P.R.;

THENCE, along and with the common line of said 1.802 acre tract and said Restricted Reserve "A", the following courses and distances:

S 55°45'00" W, a distance of 191.65 feet to a point for corner;

S 55°37'50" W, a distance of 241.15 feet to a point for corner;

S 55°26'56" W, a distance of 38.98 feet to the most Southerly Southwest corner of the herein described tract;

THENCE, over and across said Restricted Reserve "A", the following courses and distances:

N 10°55'53" W, a distance of 16.37 feet to the most Westerly Northwest corner of the herein described tract;

N 55°26'56" E, a distance of 32.44 feet to a point for corner;

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0.1613 OF ONE ACRE
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N 55°37'50" E, a distance of 241.19 feet to a point for corner;

N 55°45'00" E, a distance of 191.58 feet to the **POINT OF BEGINNING** and containing 0.1613 of one acre (7,028 square feet) of land.

The above description is not to be used for fee conveyance.




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