

D5

**FORT BEND COUNTY FY 2010
DRAINAGE DISTRICT AGENDA REQUEST FORM**

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted:	December 8, 2009	Submitted By:	Mark Vogler
		Department:	Drainage District
Court Agenda Date:	December 15, 2009	Phone Number:	281/342-2863

SUMMARY OF ITEM:

Take all appropriate action on the acceptance of an additional easement on Big Creek within Barnabas Wickson, Abstract A-95 of Fort Bend County, Precinct 1, from Helen Webster.

RENEWAL AGREEMENT/APPOINTMENT	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
REVIEWED BY COUNTY ATTORNEY'S OFFICE:	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>

List Supporting Documents Attached: Right of Way Easement, Exhibit A, and Exhibit B

FINANCIAL SUMMARY:

BUDGETED ITEM: YES ☐ NO ☒

FUNDNG SOURCE: Accounting Unit: _____ **Account Number:** _____
Activity (If Applicable): _____

DESCRIPTION OF LAWSON ACCOUNT: _____

COUNTY JUDGE
RECEIVED

DEC 11 2009

Instructions to submit Agenda Request Form:

- Completely fill out agenda form: incomplete forms will not be processed.
- Agenda Request Forms should be submitted by e-mail, fax, or inter-office mail, and all back-up information must be provided by Wednesday at 2:00 p.m. to all those listed below.
- All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

DISTRIBUTION:

Original Form Submitted with back up to County Judge's Office ☐ (✓ when completed)
If by E-Mail to ospindon@co.fort-bend.tx.us If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

<input type="checkbox"/> Auditor (281-341-3774)	<input type="checkbox"/> Comm. Pct. 1 (281-342-0587)
<input type="checkbox"/> Budget Officer (281-344-3954)	<input type="checkbox"/> Comm. Pct. 2 (281-403-8009)
<input type="checkbox"/> Facilities/Planning (281-633-7022)	<input type="checkbox"/> Comm. Pct. 3 (281-242-9060)
<input type="checkbox"/> Purchasing Agent (281-341-8642)	<input type="checkbox"/> Comm. Pct. 4 (281-980-9077)
<input type="checkbox"/> Information Technology (281-341-4526)	<input type="checkbox"/> County Clerk (281-341-8697)
<input type="checkbox"/> Other:	<input type="checkbox"/> County Atty (281-341-4557)

RECOMMENDATION / ACTION REQUESTED:

Take all appropriate action on the acceptance of an additional easement on Big Creek within Barnabas Wickson, Abstract A-95 of Fort Bend County, Precinct 1, from Helen Webster.

Special Handling Requested (specify): Return originals to Rose Ann Vargas, Drainage District

12-22-09 orig. recorded in property records at Co. Clerk
2 ret. to Rose Ann at Drainage

87

FORT BEND COUNTY DRAINAGE DISTRICT

RIGHT OF WAY EASEMENT

THE STATE OF TEXAS,
COUNTY OF FORT BEND,

KNOW ALL MEN BY THESE PRESENTS: That the undersigned:

HELEN WEBSTER

whose address is as shown above (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 corporation (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, 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 easement of an aggregate width of _____ feet, being _____ feet, extending at right angles, on each side of the following line and course across said land, to-wit:~~

The District shall have two additional easements totaling 0.2696 and 0.0480 acres parallel and adjacent to the westerly side of an existing easement 80 feet in width previously recorded in Volume 323, on Page 261, of the Deed Records of Fort Bend County Texas, and more particularly described within the metes and bounds descriptions attached as Exhibit "A" and the standard land survey attached as Exhibit "B".

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.



Helen Webster

THE STATE OF TEXAS

COUNTY OF

Fort Bend

BEFORE ME

Rosalie Vargas

Fort Bend

County, Texas, on this day personally appeared

Helen Webster

known to me to be the person whose name 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 15th day of December

A. D. 2009
(L. S.)

Rosalie Vargas

THE STATE OF TEXAS

COUNTY OF

BEFORE ME

County, Texas, on this day personally appeared
wife of

known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This day of

A. D.
(L. S.)

THE STATE OF TEXAS

COUNTY OF

BEFORE ME

County, Texas, on this day personally appeared
and

his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said wife of the said having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This day of

A. D.
(L. S.)

ENDORSEMENTS

THE STATE OF TEXAS,

County of

I, Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing, dated the day of A. D. 19 with its authentication, was filed for record in my office on the day of A. D. 19 at o'clock M., and duly recorded this the day of A. D. 19 at o'clock M., in the Deed Records of said County, in Volume on Page

Witness my hand and the seal of the County Court of said County, at office in Texas, the day and year last above written.

Clerk of Court, County, Texas.

By, Deputy

**RIGHT-OF-WAY
EASEMENT**

BY

TO

**FORT BEND COUNTY
DRAINAGE DISTRICT**

Filed for Record

This _____ day of _____

A. D. _____, at _____ o'clock _____ M.

Recorded

This _____ day of _____

A. D. _____, in _____

County, Texas, Records of Deeds.

Book _____ Page _____

_____, Clerk

_____, Deputy

Return to:

Exhibit "A"

August 26, 2009

Drainage Easement 01

***0.2696 acre in the B. Wickson League, Abstract No. 95,
Fort Bend County, Texas***

A FIELD NOTE DESCRIPTION of 0.2696 acre (11,743 square feet) of land in the B. Wickson League, Abstract No. 95, Fort Bend County, Texas; said 0.2696 acre tract being out of a 10.9974 acre tract of land conveyed to Helen Webster, as recorded in Fort Bend County Clerk's File No. 2007092686; said tract being more particularly described by metes and bounds as follows with the bearings being based on the Texas State Plane Coordinate System, South Central Zone using National Geodetic Survey Continuously Operating Reference Stations:

COMMENCING FOR REFERENCE at ½-inch iron pipe found for the south corner of a 2.5 acre tract of land conveyed to L. Guiton Ragsdale, II and wife Donna S. Ragsdale, as recorded in Volume 731, Page 444 of the Fort Bend County Deed Records and for the west corner of a 2.5 acre tract of land conveyed to William James Tidwell and Susan L. Tidwell, as recorded in Fort Bend County Clerk's File No. 2003056000; said point having the following coordinates: X=3006797.67, Y=13729475.41;

THENCE, North 42° 37' 47" East - 679.90 feet with the northwest line of a 38.288 acre tract of land conveyed to Brad L. Crane, as recorded in Fort Bend County Clerk's File No. 1999045378, with the southeast line of said 2.5 acre tract, with the southeast line of a 5.000 acre tract of land conveyed to Lady Helen Webster, as recorded in Fort Bend County Clerk's file No. 2008027495, and with the southeast line of said 10.9974 acre tract to a point in the west line of an 80 foot wide drainage easement, as recorded in Volume 323, Page 261 of the Fort Bend County Deed Records for corner;

THENCE, North 04° 51' 29" West - 189.53 feet with the west line of said 80 foot wide drainage easement to a point for the south corner and POINT OF BEGINNING of this tract; said point having the following coordinates: X=3007242.09, Y=13730164.49;

THENCE, the following three calls with the west line of a proposed 240 foot wide Drainage Easement:

- 1.) In a northerly direction with a curve to the right having a radius of 620.00 feet, a central angle of 16° 19' 34", a length of 176.67 feet and a chord bearing North 13° 01' 16" West - 176.07 feet to a point-tangency;
- 2.) North 04° 51' 29" West - 359.24 feet to a point-of-curvature;
- 3.) In a northerly direction with a curve to the left having a radius of 400.00 feet, a central angle of 11° 56' 22", a length of 83.35 feet and a chord bearing North 10° 49' 40" West - 83.20 feet to a point in the southwest line of said 80 foot wide drainage easement for the north corner of this tract; said point having the following coordinates: X=3007156.37, Y=13730775.70;

THENCE, the following two calls with the southwest line of said 80 foot wide drainage easement:

- 1.) In a southerly direction with a curve to the right having a radius of 745.00 feet, a central angle of 17° 17' 14", a length of 224.78 feet and a chord bearing South 13° 30' 05" East - 223.93 feet;
- 2.) South 04° 51' 29" East - 394.89 feet to the POINT OF BEGINNING and containing 0.2696 acre (11,743 square feet) of land.

Note: This metes and bounds description was written in conjunction with a survey performed on even date herewith.

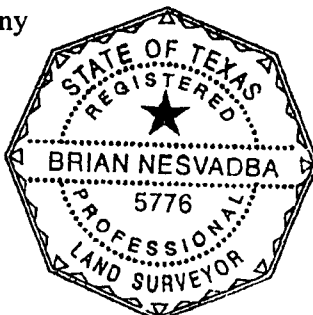
Reference Control Monuments:

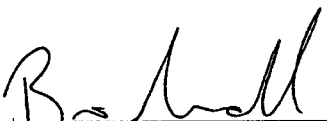
F.B.C.D.D. No. 1: Brass disk stamped 'FBCDD NO 1' set at the centerline of creek on the downstream side of bridge for boothline road over Big Creek.

F.B.C.D.D. No. 2: Brass disk stamped 'FBCDD NO 2' set at the centerline of creek on the downstream side of bridge for F.M. 2977 over Big Creek.

COMPILED BY:

Texas Engineering And Mapping Company
Civil Engineers - Land Surveyors
Stafford, Texas
Job No. 212-2




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

August 26, 2009

Drainage Easement 02

***0.0480 acre in the B. Wickson League, Abstract No. 95,
Fort Bend County, Texas***

A FIELD NOTE DESCRIPTION of 0.0480 acre (2,093 square feet) of land in the B. Wickson League, Abstract No. 95, Fort Bend County, Texas; said 0.0480 acre tract being out of a 10.9974 acre tract of land conveyed to Helen Webster, as recorded in Fort Bend County Clerk's File No. 2007092686; said tract being more particularly described by metes and bounds as follows with the bearings being based on the Texas State Plane Coordinate System, South Central Zone using National Geodetic Survey Continuously Operating Reference Stations:

COMMENCING FOR REFERENCE at ½-inch iron pipe found for the south corner of a 2.5 acre tract of land conveyed to L. Guiton Ragsdale, II and wife Donna S. Ragsdale, as recorded in Volume 731, Page 444 of the Fort Bend County Deed Records and for the west corner of a 2.5 acre tract of land conveyed to William James Tidwell and Susan L. Tidwell, as recorded in Fort Bend County Clerk's File No. 2003056000; said point having the following coordinates: X=3006797.67, Y=13729475.41;

THENCE, North 42° 37' 47" East - 679.90 feet with the northwest line of a 38.288 acre tract of land conveyed to Brad L. Crane, as recorded in Fort Bend County Clerk's File No. 1999045378, with the southeast line of said 2.5 acre tract, with the southeast line of a 5.000 acre tract of land conveyed to Lady Helen Webster, as recorded in Fort Bend County Clerk's file No. 2008027495, and with the southeast line of said 10.9974 acre tract to a point in the west line of an 80 foot wide drainage easement, as recorded in Volume 323, Page 261 of the Fort Bend County Deed Records for corner;

THENCE, North 04° 51' 29" West - 584.42 feet with the west line of said 80 foot wide drainage easement to a point-of-curvature;

THENCE, in a northerly direction with a curve to the left having a radius of 745.00 feet, a central angle of 29° 33' 36", a length of 384.36 feet and a chord bearing North 19° 38' 17" West - 380.11 feet to a point for the southeast corner and POINT OF BEGINNING of this tract; said point having the following coordinates: X=3007080.90, Y=13730915.96;

THENCE, the following three calls with a proposed 240 foot wide Drainage Easement:

1.) In a northwesterly direction with a curve to the left having a radius of 400.00 feet, a central angle of 03° 22' 41", a length of 23.58 feet and a chord bearing North 41° 27' 16" West - 23.58 feet to a point-tangency;

2.) North 43° 08' 37" West - 193.64 feet to a point-of-curvature;

3.) In a northwesterly direction with a curve to the right having a radius of 1,200.00 feet, a central angle of 01° 47' 20", a length of 37.47 feet and a chord bearing North 42° 14' 57" West - 37.47 feet to a point for the west corner of this tract; said point having the following coordinates: X=3006907.68, Y=13731102.66;

THENCE, North 42° 27' 56" East - 15.57 feet with the northwest line of said Helen Webster tract and with the southeast line of a 57.554 acre tract of land conveyed to Raymond E. Sitta, Jr. and Donald C. Sitta, as recorded in Volume 1485, Page 464 of the Fort Bend County Official Records to a point for the north corner of this tract;

THENCE, the following two calls with the west line of said 80 foot wide Drainage Easement:

1.) In a southeasterly direction with a curve to the left having a radius of 1,330.00 feet, a central angle of 06° 14' 09", a length of 144.75 feet and a chord bearing South 39° 54' 10" East - 144.68 feet to a point-of-reverse-curvature;

2.) In a southeasterly direction with a curve to the right having a radius of 745.00 feet, a central angle of $08^{\circ} 36' 10''$, a length of 111.86 feet and a chord bearing South $38^{\circ} 43' 09''$ East - 111.75 feet to the POINT OF BEGINNING and containing 0.0480 acre (2,093 square feet) of land.

Note: This metes and bounds description was written in conjunction with a survey performed on even date herewith.

Reference Control Monuments:

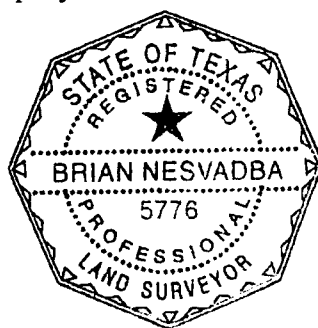
F.B.C.D.D. No. 1: Brass disk stamped 'FBCDD NO 1' set at the centerline of creek on the downstream side of bridge for boothline road over Big Creek.


F.B.C.D.D. No. 2: Brass disk stamped 'FBCDD NO 2' set at the centerline of creek on the downstream side of bridge for F.M. 2977 over Big Creek.

COMPILED BY:

Texas Engineering And Mapping Company
Civil Engineers - Land Surveyors
Stafford, Texas
Job No. 212-2

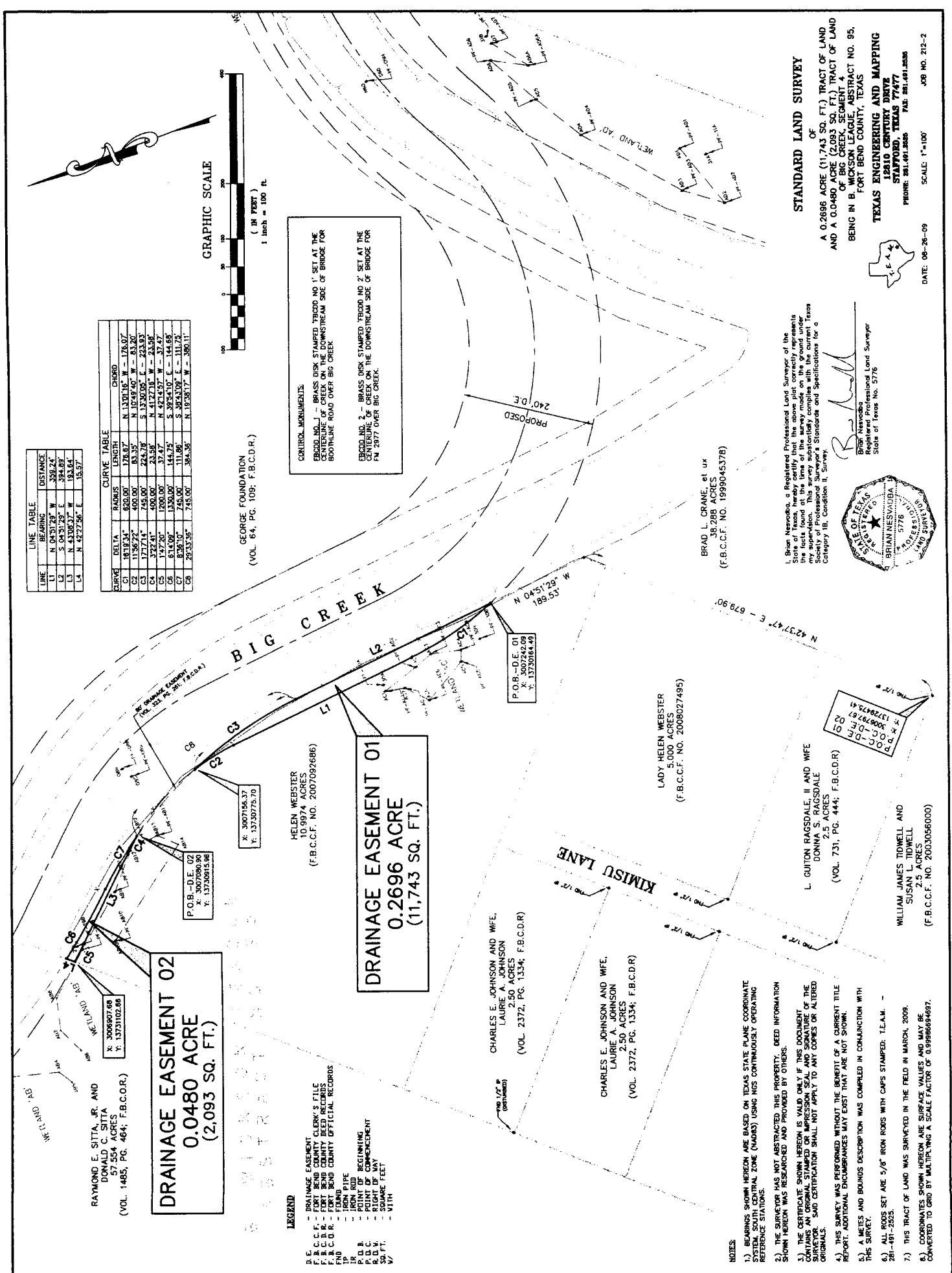
W:\212-2_DE_05(02).wpd





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

Exhibit "B"



Let: Fort Bend County Clerk
Administrative Service Coordinator

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2009 Dec 17 01:15 PM

CDC \$0.00

2009131206

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS