

2010

10J

FORT BEND COUNTY ~~FY 2009~~
COMMISSIONERS COURT AGENDA REQUEST FORM

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

Date Submitted: 10.09.09	Submitted By: Laura Johnson
Court Agenda Date: 10-20-09 10-13-09	For: Engineering
	Phone Number: 4556

SUMMARY OF ITEM: Approve additional 10' wide easement from Fort Bend County, Grantor to CenterPoint Energy Houston Electric, LLC, Grantee located at 650 Klauke Road for electric distribution and communication facilities.

RENEWAL AGREEMENT/APPOINTMENT YES NO
REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES X NO

List Supporting Documents Attached:

FINANCIAL SUMMARY:

BUDGETED ITEM: YES NO

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

DESCRIPTION OF LAWSOM ACCOUNT: _____

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"/> Engineering)	<input type="checkbox"/> County Clerk (281-341-8697)
<input type="checkbox"/>	

RECOMMENDATION / ACTION REQUESTED:

Special Handling Requested (specify):

10-14-09 orig. recorded in property records at co. clerk & ret. to Laura at Co. Attorney

From: Ronald Drachenberg
To: Donna Ospina
Date: 10/8/2009 4:32 PM
Subject: Agenda Item - CenterPoint

Approve an additional easement document between Fort Bend County and CenterPoint Energy Houston Electric, LLC, regarding the easement located at 650 Klauke Road for electric distribution and communication facilities (consisting of all necessary and desirable equipment and appurtenances), located on, under, over, and across the described lands, to wit: Henry Scott League, Abstract 83, Fort Bend County, Texas, Pct. 1.



Job 51509241
Map 4247B
S/C FORT BEND

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.

EASEMENT

STATE OF TEXAS }
COUNTY OF FORT BEND} KNOW ALL PERSONS BY THESE PRESENTS:

THAT, County of Fort Bend, herein called Grantor, whether one or more, for and in consideration of the sum of ONE DOLLAR (\$1.00) CASH to Grantor paid by CenterPoint Energy Houston Electric, LLC, herein called Grantee, whose principal address is P. O. Box 1700, Houston, Texas 77251-1700, has **GRANTED, SOLD AND CONVEYED** and by these presents, does **GRANT, SELL AND CONVEY** unto said Grantee, its successors and assigns, all or in part, an unobstructed easement (hereinafter referred to as the "Easement Area", whether one or more) for electric distribution and communication facilities (hereinafter referred to as "Facilities") consisting of a variable number of wires and cables and all necessary and desirable equipment and appurtenances, including, but not limited to, towers or poles made of wood, metal or other materials, props and guys, located within the following described lands owned by Grantor, to wit:

That certain 11.75-acre tract of land situated in the Henry Scott League, Abstract 83, Fort Bend County, Texas, being the same property described in a deed from Edgar Klinge, et al. to the County of Fort Bend, dated August 30, 1985 and filed for record in Volume 1746, Page 807 of the Official Records of said County and State.

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The Easement Area herein granted is described as follows:

An easement ten (10) feet wide, the location of the centerline of which is shown by the dot-dash symbol on Sketch No. 09-435, hereto attached and made a part hereof, together with unobstructed aerial easements ten (10) feet wide, beginning at a plane sixteen (16) feet above the ground and extending upward, located on both sides of and adjoining said ten (10) foot wide easement.

Grantor or its successors or assigns shall observe and exercise all notification laws as per the Underground Facility Damage Prevention and Safety Act, also known as "ONE CALL" & "CALL BEFORE YOU DIG", when working in or near the Easement Area.

To the extent that such Laws and Codes apply to Grantor, its successors or assigns, Grantor or its successors or assigns shall observe all safety codes and laws which apply to working along, within and or near the Easement Area and Facilities during construction activities and safe clearance from such Facilities, including O.S.H.A., Chapter 752 of the Texas Health and Safety Code, the National Electric Code, and the National Electrical Safety Code. Grantor, its successors or assigns, is hereby obligated to place National Electrical Safety Code notices into Community Deed Restrictions when Easement Area falls within Residential Developments.

Notwithstanding the description of the Easement Area set forth in the exhibits, the parties intend that the Easement Area granted herein shall run to the edge of Grantor's property so that the exteriors of all ground or aerial easements herein granted are to intersect with the exteriors of all adjoining easements and/or property lines without any gaps in the property granted.

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S/C FORT BEND

Grantee shall also have reasonable rights of ingress and egress to and from said Easement Area, together with reasonable working space, for the purposes of erecting, installing, operating, maintaining, replacing, inspecting, and removing said Facilities, together with the additional right to remove from said Easement Area and land immediately adjoining thereto, all bushes, trees and parts thereof, or other structures or improvements which are within, protrude, bisect, encroach or overhang into said Easement Area and which, in the sole opinion of Grantee, endanger or may interfere with the efficient, safe and proper operation, and maintenance of said Facilities.

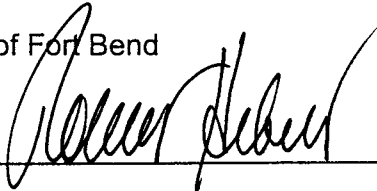
TO HAVE AND TO HOLD the above described Easement Area, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors or assigns, forever, and Grantor does hereby bind itself and its successors, heirs, assigns, and legal representatives, to fully warrant and forever defend all and singular the above described Easement Area and rights unto said 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. In the event of a deficiency in title or actions taken by others which results in the relocation of Grantee's Facilities, the Grantor herein, its successors and assigns, will be responsible for all costs associated with the relocation and/or removal of Grantee's Facilities.

Job 51509241
Map 4247B
S/C FORT BEND

EXECUTED this 13 day of October, 2009.

County of Fort Bend

BY: _____
Signature



Robert Hebert, County Judge
Name typed or printed

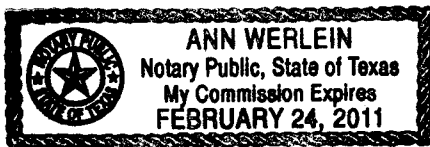
County Judge
Title

STATE OF TEXAS }

COUNTY OF FORT BEND

This instrument was acknowledged before me on October 13, 2009, by Robert Hebert, County Judge, of County of Fort Bend, Texas, on behalf of said County.

Ann Werlein
Notary's Signature

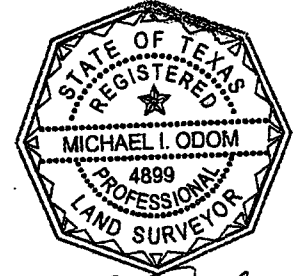


Ann Werlein
Name typed or printed

Feb 24, 2011
Commission Expires

**AFTER RECORDING RETURN TO:
SURVEYING & RIGHT OF WAY
CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC
P. O. BOX 1700
HOUSTON, TX 77251-1700**

HENRY SCOTT LEAGUE A-83



M. Odom

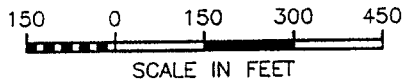
U.S. HIGHWAY 529 SPUR
(U.S. 59)

COUNTY OF FORT BEND
VOL. 1746, PG. 807 O.R.
11.75 AC.

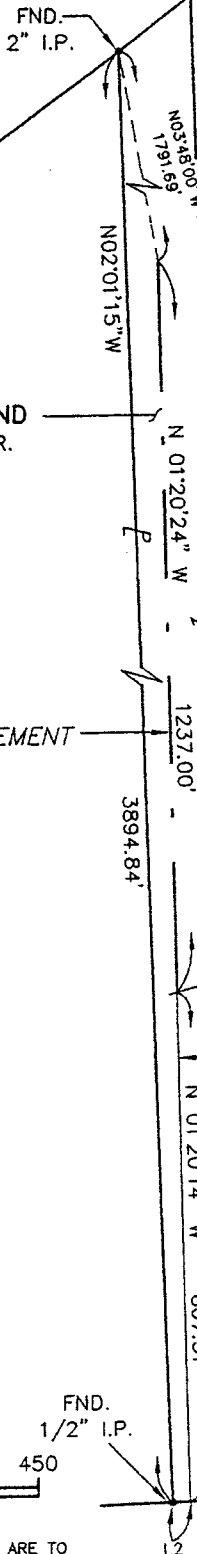
COUNTY OF FORT BEND
VOL. 1641, PG. 677 O.R.
40.82 AC.

Bearing Basis:
Texas Coordinate
System of 1983, South
Central Zone (TXSC
Zone 4204); NAD 83

EXISTING CENTERPOINT ENERGY
BLANKET EASEMENT
2005016192 O.P.R.



NOTE: THE EXTERIORS OF ALL EASEMENTS ARE TO INTERSECT WITH THE EXTERIORS OF ALL ADJOINING EASEMENTS OR WITH ADJOINING PROPERTY LINES.



KLAUKIE RD.

REV.1: JOB NO.	BY:	DATE:	REV.2: JOB NO.	BY:	DATE:
EASEMENT - UNOBSTRUCTED COUNTY: FORT BEND DATE: AUGUST 25, 2009 SCALE: 1" = 300' FILE NO. - BOOK: 2009			LAST PLOT DATE: 08-26-2009 DRAWN BY: GDW MAP NO: 4247 B2 JOB NO: 51509241 CHECKED BY: MIO		
CenterPoint Energy SURVEYING & RIGHT OF WAY P.O. Box 1700 Houston, TX 77251-1700 SKETCH NO. 09-435					

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2009 Oct 14 01:11 PM

2009108465

JH \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS