

FORT BEND COUNTY FY 2010

AGENDA REQUEST FORM

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

Date Submitted: February 24, 2010

Submitted By: Mark Vogler

Department: Drainage District

Court Agenda Date: March 2, 2010

Phone Number: 281/342-2863

SUMMARY OF ITEM:

Take all appropriate action on the acceptance of an additional 3.8458 acre drainage easement along Big Creek within the Barnabas Wickson, Abstract A-95 of Fort Bend County, Precinct 1, from Dr. M. L. Friedrich.

RENEWAL AGREEMENT/APPOINTMENT

YES

☐

NO

☒

REVIEWED BY COUNTY ATTORNEY'S OFFICE:

YES

☐

NO

☒

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

FINANCIAL SUMMARY:

BUDGETED ITEM: YES

☐

NO

☒

FUNDNG SOURCE: Accounting Unit:
Activity (If Applicable):

Account Number:

COUNTY JUDGE
RECEIVED

FEB 24 2010

DESCRIPTION OF LAWSON 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"/> 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 3.8458 acre drainage easement along Big Creek within the Barnabas Wickson, Abstract A-95 of Fort Bend County, Precinct 1, from Dr. M. L. Friedrich.

Special Handling Requested (specify):

34-10 orig. easement recorded in prop. records at Co. Clerk
& ref. to Rose Ann at Drainage



EASEMENT

2010018730

PGS

9

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:

Dr. M.L. Friedrich

6046 Cheena Dr.

Houston, TX 77096-4710

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 an easement totaling 3.8458 acres which is connected to and shall lie south of an existing easement 80 feet in width previously recorded in Volume 323, on Page 245, 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.

RAC

CCM 3-2-10 #554
Fort Bend County Clerk
Return Admin Serv Coord

EXECUTED this the 22nd day of February, A. D. 1910.

THE STATE OF TEXAS

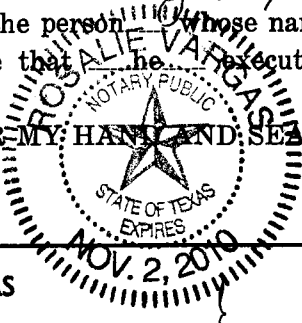
COUNTY OF Fort Bend

BEFORE ME Rosalie Vargas

Harris Dr. M. L. Friedrich, in and for
County, Texas, on this day personally appeared

February 18, 2010
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 18th day of February,
A. D. 192010
(L. S.) Rosalie Vargas



THE STATE OF TEXAS

COUNTY OF _____

BEFORE ME _____

_____, in and for
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 pur-
poses 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. 19_____
(L. S.) _____

THE STATE OF TEXAS

COUNTY OF _____

BEFORE ME _____

_____, in and for
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. 19_____
(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. 19____, at _____ o'clock _____ M.

Recorded

This _____ day of _____

A. D. 19____, in _____

County, Texas, Records of Deeds.

Book _____ Page _____

_____, Clerk

_____, Deputy

Return to:

EXHIBIT "A"

February 8, 2010

Drainage Easement

***3.8458 acres in the B. Wickson League, Abstract No. 95,
Fort Bend County, Texas***

A FIELD NOTE DESCRIPTION of 3.8458 acres (167,522 square feet) of land in the B. Wickson League, Abstract No. 95, Fort Bend County, Texas; said 3.8458 acre tract being out of an 84.04 acre tract of land conveyed to Dr. M.L. Friedrich, et ux, as recorded in Volume 544, Page 248 of the Fort Bend County Deed Records; 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 a ¾-inch iron rod found in the northeast right-of-way line of Psencik Road; said point having the following coordinates: X=2997457.49, Y=13730156.75;

THENCE, North 43° 12' 11" East - 3,148.30 feet with the southeast line of said 84.04 acre tract and with the northwest line of a 91.09 acre tract of land conveyed to Melvin Spira, M.D., as recorded in Volume 525, Page 199 of the Fort Bend County Deed Records to a point for the west corner and POINT OF BEGINNING of this tract; said point having the following coordinates: X=2999612.77, Y=13732451.64;

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

- 1.) South 62° 07' 44" West - 55.35 feet to a point-of-curvature;
- 2.) In a westerly direction with a curve to the right having a radius of 640.00 feet, a central angle of 37° 23' 41", a length of 417.70 feet and a chord bearing South 80° 49' 35" West - 410.33 feet to a point-of-tangency;
- 3.) North 80° 28' 35" West - 142.46 feet to a point-of-curvature;
- 4.) In a westerly direction with a curve to the left having a radius of 1,500.00 feet, a central angle of 12° 18' 54", a length of 322.41 feet and a chord bearing North 86° 38' 02" West - 321.79 feet to a point-of-tangency;
- 5.) South 87° 12' 31" West - 53.68 feet;
- 6.) In a westerly direction with a curve to the right having a radius of 340.00 feet, a central angle of 22° 37' 12", a length of 134.23 feet and a chord bearing South 81° 07' 04" West - 133.36 feet to a point-of-tangency;
- 7.) North 87° 34' 20" West - 81.42 feet to a point-of-curvature;
- 8.) In a northwesterly direction with a curve to the right having a radius of 405.00 feet, a central angle of 54° 26' 52", a length of 384.87 feet and a chord bearing North 60° 20' 54" West - 370.55 feet to a point-of-tangency;
- 9.) North 33° 07' 28" West - 8.24 feet to a point for the west corner of this tract; said point having the following coordinates: X=2998103.78, Y=13732573.29;

THENCE, North 42° 31' 51" East - 26.10 feet with the northwest line of said 84.04 acre tract and with the southeast line of a tract of land conveyed to Calvin Eugene Lubojacky, as recorded in Fort Bend County Clerk's File No. 1999047723;

THENCE, the following six calls with the south and southeast lines of an 80 foot wide drainage easement, as recorded in Volume 323, Page 245 of the Fort Bend County Deed Records:

- 1.) In a southeasterly direction with a curve to the left having a radius of 380.00 feet, a central angle of 56° 40' 00", a length of 375.83 feet and a chord bearing South 59° 14' 21" East - 360.70 feet to a point-of-tangency;
- 2.) South 87° 34' 20" East - 76.33 feet;
- 3.) North 87° 26' 38" East - 71.17 feet;
- 4.) North 67° 45' 49" East - 121.72 feet to a point-of-curvature;
- 5.) In a northeasterly direction with a curve to the left having a radius of 255.00 feet, a central angle of 87° 54' 03", a length of 391.21 feet and a chord bearing North 23° 48' 47" East - 353.96 feet;
- 6.) North 20° 08' 14" West - 16.86 feet to a point for a northwest corner of this tract;

THENCE; In an easterly direction with a non-tangent curve to the right having a radius of 1,890.00 feet, a central angle of 07° 14' 07", a length of 238.67 feet and a chord bearing South 84° 36' 39" East - 238.51 feet to a point for a northeast corner of this tract;

THENCE, the following eight calls with the southwest and south lines of an 80 foot wide drainage easement, as recorded in Volume 323, Page 245 of the Fort Bend County Deed Records:

- 1.) South 37° 04' 44" East - 3.93 feet;
- 2.) South 26° 27' 04" East - 78.04 feet;
- 3.) South 15° 21' 50" East - 205.74 feet;
- 4.) South 24° 48' 18" East - 63.84 feet to a point-of-curvature;
- 5.) In a southeasterly direction with a curve to the left having a radius of 117.00 feet, a central angle of 74° 29' 51", a length of 152.13 feet and a chord bearing South 62° 03' 13" East - 141.63 feet to a point-of-tangency;
- 6.) North 80° 41' 51" East - 108.43 feet;
- 7.) North 62° 07' 44" East - 315.39 feet;
- 8.) North 58° 21' 42" East - 2.65 feet to a point for a northeast corner of this tract;

THENCE, South 43° 12' 11" West - 123.86 feet with the southeast line of said 84.04 acre tract and with the northwest line of said 91.09 tract to the POINT OF BEGINNING and containing 3.8458 acres (167,522 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.

X: 3010257.57

Y: 13728694.19

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.

X: 2995971.40

Y: 13734094.51

COMPILED BY:

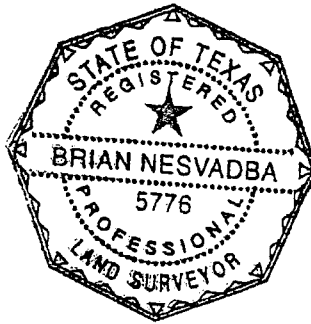
Texas Engineering And Mapping Company

Civil Engineers - Land Surveyors

Stafford, Texas

Job No. 212-2

W:\212-2 DE_12(01)_R1.wpd



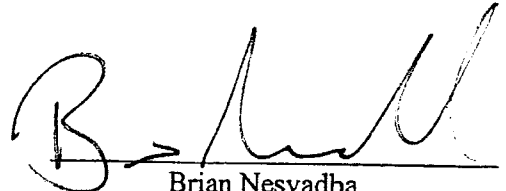
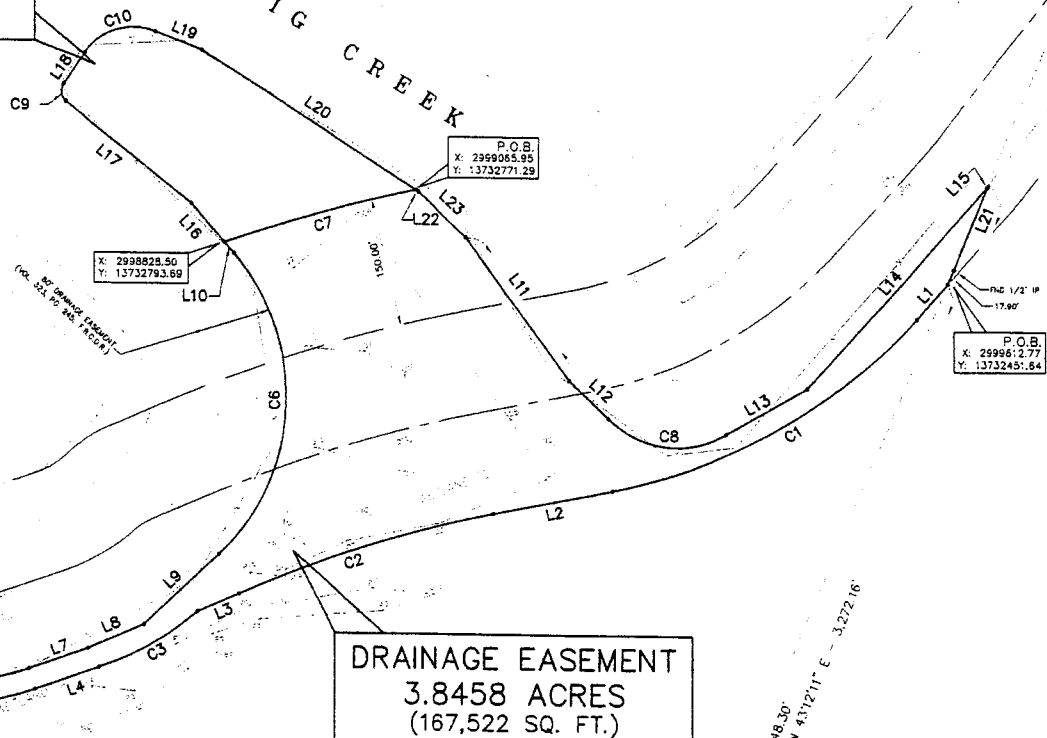

Brian Nesvadba
Registered Professional Land Surveyor
State of Texas No. 5776

EXHIBIT "B"

MITIGATION EASEMENT
1.1624 ACRES
(50,634 SQ. FT.)

GEORGE FOUNDATION
(VOL. 64, PG. 109; F.B.C.D.R.)

BIG CREEK



DRAINAGE EASEMENT
3.8458 ACRES
(167,522 SQ. FT.)

DR. M.L. FRIEDRICH, et ux
84.04 ACRES
(VOL. 544, PG. 248; F.B.C.D.R.)

MELVIN SPIRA, M.D.
91.09 ACRES
(VOL. 525, PG. 199; F.B.C.D.R.)

LEGEND

F.B.C.C.F. - FORT BEND COUNTY CLERK'S FILE
F.B.C.D.R. - FORT BEND COUNTY DEED RECORDS
FND - FOUND
IP - IRON PIPE
IR - IRON ROD
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT
R.O.V. - RIGHT OF WAY
SQ. FT. - SQUARE FEET
V. - WITH

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

CONTROL MONUMENTS

FBCDD NO. 1 - BRASS DISK STAMPED 'FBCDD NO. 1' SET AT THE CENTERLINE OF CREEK ON THE DOWNSTREAM SIDE OF BRIDGE FOR BOOTH-LINE ROAD OVER BIG CREEK.
X: 33010257.57
Y: 13728894.19

FBCDD NO. 2 - BRASS DISK STAMPED 'FBCDD NO. 2' SET AT THE CENTERLINE OF CREEK ON THE DOWNSTREAM SIDE OF BRIDGE FOR FM 2377 OVER BIG CREEK.
X: 2895871.40
Y: 13734004.51

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83) USING NGS CONTINUOUSLY OPERATING REFERENCE STATIONS.
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 ALTERED 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 RODS SET ARE 5/8" IRON RODS WITH CAPS STAMPED: T.E.A.M. - 281-491-2525.
7. THIS TRACT OF LAND WAS SURVEYED IN THE FIELD IN MARCH, 2009.
8. COORDINATES SHOWN HEREON ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY MULTIPLYING A SCALE FACTOR OF 0.99986694697.

LINE	BEARING	DISTANCE
L1	S 82°07'44" W	55.38'
L2	N 80°28'35" W	142.46'
L3	S 87°12'31" W	53.68'
L4	N 87°34'20" W	81.42'
L5	N 33°07'28" W	8.24'
L6	N 42°31'51" E	28.10'
L7	S 87°34'20" E	76.33'
L8	N 87°28'38" E	71.17'
L9	N 67°45'49" E	121.72'
L10	N 20°08'14" W	16.85'
L11	S 18°21'40" E	205.74'
L12	S 24°48'18" E	83.84'
L13	N 80°41'51" E	108.43'
L14	N 62°07'44" E	315.30'
L15	N 58°21'42" E	2.65'
L16	N 20°08'14" W	58.85'
L17	N 30°45'55" W	188.77'
L18	N 55°22'43" E	45.57'
L19	S 47°58'42" E	58.13'
L20	S 37°04'44" E	302.49'
L21	S 43°12'11" W	123.86'
L22	S 37°04'44" E	3.93'
L23	S 26°27'04" E	78.04'

CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	37°23'41"	840.00'	417.70'	S 80°49'35" W - 410.33'
C2	218°54'	1900.00'	322.41'	N 86°38'02" E - 321.79'
C3	223°12'	340.00'	124.43'	S 81°07'04" W - 131.36'
C4	54°26'52"	405.00'	384.97'	N 82°20'24" W - 370.55'
C5	58°40'00"	380.00'	375.83'	S 59°42'21" E - 360.70'
C6	87°54'01"	255.00'	391.21'	N 23°48'47" E - 353.95'
C7	71°40'07"	1880.00'	238.67'	S 84°26'39" E - 238.51'
C8	72°48'24"	117.00'	152.13'	S 82°23'13" E - 141.83'
C9	86°11'38"	15.00'	23.57'	N 12°20'54" E - 20.50'
C10	78°33'35"	70.00'	83.44'	S 86°19'50" E - 89.73'

PSENCIK ROAD

P.O.C.
X: 2597457.45
Y: 13730156.75

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



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

STANDARD LAND SURVEY

OF
A 1.1624 ACRE (50,634 SQ. FT.) TRACT OF LAND AND
A 3.8458 ACRE (167,522 SQ. FT.) TRACT OF LAND
OF BIG CREEK, SEGMENT 4
BEING IN THE B. WICKSON LEAGUE, ABSTRACT NO. 95,
FORT BEND COUNTY, TEXAS

TEXAS ENGINEERING AND MAPPING
12810 CENTURY DRIVE
STAFFORD, TEXAS 77477

PHONE: 281.491.2525 FAX: 281.491.2525

DATE: 02-08-10

SCALE: 1"=100'

JOB NO. 212-2

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2010 Mar 04 03:06 PM

2010018730

DA \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS