

DD4

**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:    April 20, 2010

Submitted By:    Mark Vogler

Department:    Drainage District

Court Agenda Date:    April 27, 2010

Phone Number:    281/342-2863

**SUMMARY OF ITEM:**

Take all appropriate action on the acceptance of a Drainage District Right of Way Easement from Lonie Mae Heckman, Trustee of the Heckman Family Trust, 70 feet wide along Snake Creek (I-C-15) within the Andrew Moore Survey, Abstract 293 of Fort Bend county, Precinct 1.

RENEWAL AGREEMENT/APPOINTMENT                      YES ☐                      NO ☒

REVIEWED BY COUNTY ATTORNEY'S OFFICE:                      YES ☐                      NO ☒

List Supporting Documents Attached: Right of Way Easement, Exhibit

**FINANCIAL SUMMARY:**

BUDGETED ITEM:    YES ☐                      NO ☒

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

Account Number:    APR 20 2010

**COUNTY JUDGE  
RECEIVED**

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](mailto: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 a Drainage District Right of Way Easement from Lonie Mae Heckman, Trustee of the Heckman Family Trust, 70 feet wide along Snake Creek (I-C-15) within the Andrew Moore Survey, Abstract 293 of Fort Bend county, Precinct 1.

Special Handling Requested (specify): Return original to Rose Ann Vargas, Drainage after recording

5-4-10 orig. easement recorded in property records at Co. Clerk

# 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:

Heckman Family Trust; Lonie Mae Heckman, Trustee, of Fort Bend County Texas

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 70 feet, being 35 feet, extending at right angles, on each side of the following line and course across said land, to-wit:

Beginning at a point where the centerline or thread of a existing drainage channel designated by the District as Snake Creek Lateral I-C-15. Where its center line intersects Snake Creek I-C being part of Block 4 of the J.F. Kubela Subdivision and located in the Andrew Moore Survey, Abstract 293 in Fort Bend County, Texas.

Thence upstream following the various meanders of the centerline of said lateral in a Northwesterly direction to intersect the Westerly line of Grantor's tract. (See attached Exhibit A).

During drainage channel construction and during channel maintenance operations, the District is authorized to spread spoil dirt and excavated material, operate machinery and do any necessary clearing upon the premises of Grantor immediately the easement as above described.

*Ret at Counter*

CCM 4-22-10 #DD4  
Fort Bend County Clerk  
Return Admin Serv Coord

EASEMENT  
6 PGS  
2010039931

The DISTRICT shall have all rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, with the right of ingress and egress to and from said drainage canal right of way, provided, however, that after construction of said drainage canal, said right of ingress and egress of the DISTRICT shall be limited to the said right of way and to existing roads and passageways. The DISTRICT is given the right from time to time to cut and remove all trees, undergrowth, and abate other obstruction, upon said canal right of way, that may injure, endanger, or interfere with the construction, operation, maintenance and repair of said drainage canal.

The DISTRICT agrees during the life of this easement to repair all damage to roads, passageways and fences resulting from the DISTRICT'S use in going to and from said easement and right of way, and to restore the same to the previously existing condition as near as possible.

GRANTOR reserves the right to use the facilities offered by the drainage canal for the disposal of surface waters, rain, or any excess waters collecting upon his land, and in such connection GRANTOR has the right in the manner provided by law and at his own expense to construct and provide ditches, drains and laterals connecting his said land or portions thereof with the drainage canal.

GRANTOR reserves the oil, gas and sulphur in and under the land covered by this easement, provided however, that during the life of this easement no mining or drilling operations shall be conducted upon the surface of the area included in the easement right of way above described.

It is agreed that if at a future time the DISTRICT, its successors or assigns, shall permanently cease to use said drainage canal right of way for the purposes herein contained, and shall permanently abandon the same, then and in such event the said right of way above described, together with all rights and interests held by the DISTRICT by reason of this instrument, shall revert, pass to and vest in the said GRANTOR, his heirs or assigns.

TO HAVE AND TO HOLD said right of way and easement herein granted, unto the said DISTRICT, its successors or assigns.

EXECUTED this the 9 day of April, A. D. 1920  
Lonic Mae Heckmann, Trustee

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

AS PER ORIGINAL

AS PER ORIGINAL

THE STATE OF TEXAS

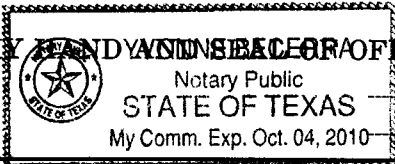
COUNTY OF Fort Bend }

Yvonne Becerra  
BEFORE ME ~~Lonie Mae Heckmann~~

\_\_\_\_\_, in and for  
Fort Bend County, Texas, on this day personally appeared  
Lonie Mae Heckmann

known to me to be the person \_\_\_\_\_ whose name \_\_\_\_\_ subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 9 day of April,  
A. D. 2010  
(L. S.)



Yvonne Becerra

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 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.)

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 \_\_\_\_\_

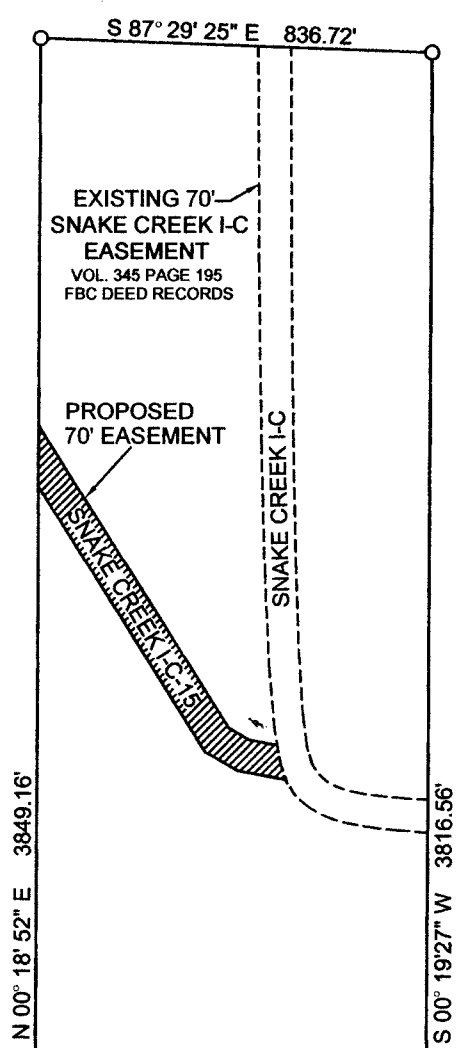
\_\_\_\_\_, Clerk

\_\_\_\_\_, Deputy

Return to:

S.E. CORNER  
J. S. O'CONNOR LEAGUE  
ABSTRACT 66

2219.18'



EDWIN J. & LONIE MAE  
HECKMAN FAMILY  
TRUST

73.555 ACRES  
BLOCK 4 J. F. KUBELA  
SUBDIVISION  
ANDREW MOORE SURVEY  
ABSTRACT 293,  
FORT BEND COUNTY,  
TEXAS

FM 1952  
S 89° 56' 36" W 835.67'

FM 1952

EXHIBIT A

SKETCH SHOWING  
PROPOSED 70'  
EASEMENT ON  
SNAKE CREEK I-C-15

# FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2010 May 04 11:34 AM

2010039931

BAK \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS