

DD2

Item #: 2.

ARF-1548

DRAINAGE DISTRICT AGENDA**Date:** 09/28/2010**Abandonment of ROW Easement****Submitted By:** Amy Svatek, County Attorney**Department:** Drainage District**Renewal Agreement/** No**Appointment:****Reviewed by County** Yes**Attorney's Office:****Multiple Originals** N**Y/N?:**

Information**SUMMARY OF ITEM**

Take all appropriate action to abandon a 40-foot wide drainage easement, Vol. 314, Page 60, FBCDR, a portion of an 130-foot wide drainage easement, Vol. 314, Page 68, FBCDR and a portion of an 175-foot wide drainage easement, Vol. 2041, Page 1497, FBCDR. (a portion of Middle Bayou)

SPECIAL HANDLING

→ Once recorded, please return to Amy in the FBC Attorney's Office.

Attachments

Link: [Easement Abandonment](#)

10-6-10 recorded in property records at Co. Clerk
+ ret. to Amy at Co. Attorney

by



ABANDONMENT OF RIGHT OF WAY EASEMENT

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Comes now, the Fort Bend County Commissioners Court, acting as the Governing Body for the Fort Bend County Drainage District, and orders as follows:

WHEREAS, FORT BEND COUNTY DRAINAGE DISTRICT (the "District") owns and/or possesses the right to utilize that certain right of way easement for a drainage canal and system located across, along, under, and upon that certain tract of land more fully described as a 40-foot wide drainage easement, Vol. 314, Page 60, FBCDR, a portion of an 130-foot wide drainage easement, Vol. 314, Page 68, FBCDR and a portion of an 175-foot wide drainage easement, Vol. 2041, Page 1497, FBCDR (collectively hereinafter the "Easement"), set forth in Exhibit "A" to this Order;

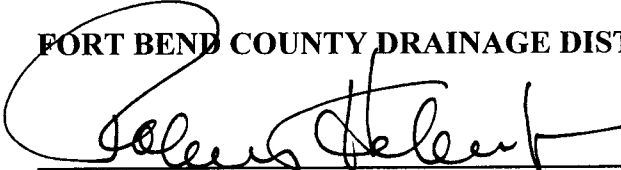
WHEREAS, the District has determined that it does not need to utilize the Easement and desires to release, abandon, and relinquish all of its rights, titles, and interests in the Easement; and

WHEREAS, the District has received a replacement drainage easement of equal or greater value;

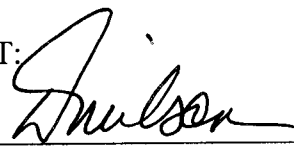
NOW, THEREFORE, by unanimous Agreement of the Commissioners Court, the District does hereby release, abandon, and relinquish all of its right, titles, and interests in and to the Easement, across, along, under, and upon the above-described property. The District's rights, titles, and interests in the Easement which is abandoned hereby shall terminate as of the date hereof.

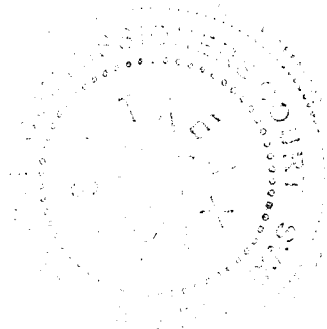
EXECUTED this 28 day of September, 2010.

FORT BEND COUNTY DRAINAGE DISTRICT


Robert E. Hebert, County Judge

ATTEST:


Dianne Wilson, County Clerk

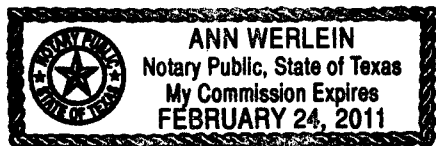


CCM 9-28-10 # 0022
Fort Bend County Clerk
Return Admin Serv Coord

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Robert Hebert, County Judge of the Fort Bend County
Drainage District ~~(know to me) or proved to me on the oath of~~ _____
~~[Name of person identifying acknowledging party]~~ or through _____
~~[Description of identity card or other document]~~ to be the person whose name is subscribed to the
foregoing instrument, and acknowledged to me that (s)he executed said instrument for the
purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office on 9-28, 2010.



Ann Werlein
NOTARY PUBLIC FOR THE STATE OF TEXAS

My Commission Expires: Feb 24, 2011

Ann Werlein
Printed Name of Notary

AS PER ORIGINAL

EXHIBIT "A"

Page 1 of 4 Pages

County: Fort Bend
Project: Middle Bayou
M.S.G. No: 091097
Job Number: 789-EXH

FIELD NOTES FOR 2.296 ACRES

Being a tract of land containing 2.296 acres, located in the Joseph Kuykendahl League, Abstract 49, Fort Bend County, Texas; said 2.296 acre tract being out of a called 25.641 acre tract of land recorded in the name of Farouk Alattar and Rima Alattar in Fort Bend County Clerk's File (F.B.C.C.F.) Number 2003078870 and out of the remainder of a call 274.2319 acre tract of land recorded in the name of 274 Brazos Ltd. in F.B.C.C.F. No. 1999020603, same being portions of drainage easements granted to Fort Bend County Drainage District in Volume 314, Page 60, of the Fort Bend County Deed Records (F.B.C.D.R.), Volume 314, Page 68, of the F.B.C.D.R. and Volume 2041, Page 1497, of the F.B.C.D.R.; said 2.296 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the record description of said 25.641 acre tract):

COMMENCING at a 5/8 inch capped iron rod found at a southwest corner of said 25.641 acre tract at the most northerly east point of tangency of a transition curve from the east right-of-way of Grand Estates Drive (one hundred feet wide per Slide Number 20060158 of the Fort Bend County Plat Records (F.B.C.P.R.)) to the north R.O.W. line of Sansbury Boulevard (one hundred twenty feet wide per Slide Number 20060158 of the F.B.C.P.R.);

Thence, with said east R.O.W. line and the west line of said 25.641 acre tract the following two (2) courses:

1. North 31 degrees 48 minutes 47 seconds West, a distance of 77.00 feet to the POINT OF BEGINNING of the herein described tract;
2. North 31 degrees 48 minutes 47 seconds West, a distance of 49.22 feet to an angle point;

Thence, through and across said 25.641 acre tract and said 274.2319 acre tracts the following fifteen (15) courses:

1. South 86 degrees 09 minutes 57 seconds East, a distance of 66.22 feet to an angle point;
2. South 76 degrees 44 minutes 20 seconds East, a distance of 195.13 feet to an angle point;

3. South 87 degrees 35 minutes 37 seconds East, a distance of 111.07 feet to an angle point;
4. North 66 degrees 24 minutes 37 seconds East, a distance of 404.31 feet to an angle point;
5. North 72 degrees 28 minutes 56 seconds East, a distance of 671.95 feet to an angle point;
6. North 76 degrees 49 minutes 38 seconds East, a distance of 162.06 feet to an angle point;
7. North 63 degrees 33 minutes 46 seconds West, a distance of 77.07 feet to an angle point;
8. North 79 degrees 45 minutes 00 seconds East, a distance of 212.45 feet to an angle point;
9. South 25 degrees 53 minutes 42 seconds West, a distance of 301.94 feet to an angle point;
10. North 63 degrees 33 minutes 46 seconds West, a distance of 237.72 feet to an angle point;
11. South 72 degrees 28 minutes 56 seconds West, a distance of 608.05 feet to an angle point;
12. South 66 degrees 24 minutes 37 seconds West, a distance of 411.42 feet to an angle point;
13. North 87 degrees 35 minutes 37 seconds West, a distance of 124.11 feet to an angle point;
14. North 76 degrees 44 minutes 20 seconds West, a distance of 195.63 feet to an angle point;

15. North 86 degrees 09 minutes 57 seconds West, a distance of 34.24 feet to the
POINT OF BEGINNING and containing 2.296 acres of land.

An exhibit map of the herein described tract has been prepared by Miller Survey Group and
accompanies this description.



Michael Hall, R.P.L.S.
Texas Registration No. 5765



MILLER SURVEY GROUP.
Ph: (713) 413-1900
July 2, 2009
091097

U.S. HIGHWAY 59
SOUTHWEST FREEWAY
(CONTROLLED ACCESS HIGHWAY)

KUYKENDALL LEAGUE, ABSTRACT -- 49

FAROUK ALATTAR & RIMA ALATTAR
CALLED 25.641 ACRES
F.B.C.C.F. NO. 2003078870

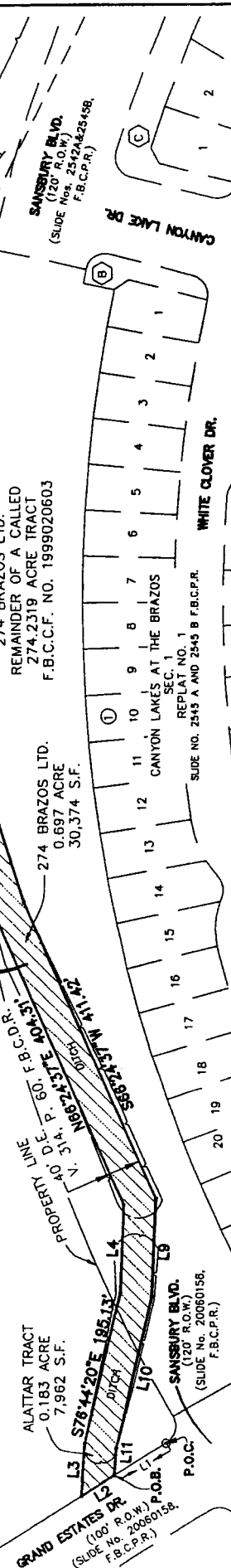
ALATTAR TRACT
1.416 ACRES
61,675 S.F.

2.296 ACRES

274 BRAZOS LTD.
REMAINDER OF A CALLED
274.2319 ACRE TRACT
F.B.C.C.F. NO. 1999020603

274 BRAZOS LTD.
0.697 ACRE
30,374 S.F.

LINE	LENGTH	BEARING
L1	77.00'	N31°48'47"W
L2	49.22'	N31°48'47"W
L3	66.22'	S86°09'57"E
L4	111.07'	S87°35'37"E
L5	162.06'	N76°49'38"E
L6	77.07'	N63°33'46"W
L7	212.45'	N79°45'00"E
L8	237.72'	N63°33'46"W
L9	124.11'	N87°35'37"W
L10	195.63'	N76°44'20"W
L11	34.24'	N86°09'57"W



LEGEND

- D.E. = DRAINAGE EASEMENT
- F.B.C.D.R. = FORT BEND COUNTY DEED RECORDS
- F.B.C.P.R. = FORT BEND COUNTY PLAT RECORDS
- F.B.C.C.F. = FORT BEND COUNTY CLERK'S FILE
- No. = NUMBER
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- R.O.W. = RIGHT-OF-WAY
- V. = VOLUME
- P. = PAGE
- = FOUND 5/8-INCH IRON ROD (UNLESS OTHERWISE NOTED)

NOTES:

- ALL BEARINGS SHOWN HEREON ARE BASED ON THE A CALLED 25.641 ACRE TRACT OF LAND RECORDED IN THE NAME OF FAROUK ALATTAR AND RIMA ALATTAR IN F.B.C.C.F. NO. 2003078870.
- A METES AND BOUNDS DESCRIPTION OF THE SUBJECT TRACT HAS BEEN PREPARED BY MILLER SURVEY GROUP AND ACCOMPANIES THIS EXHIBIT.

REVISED: 07/17/09 to show acreage within trees

EXHIBIT

BEING A 2.296 ACRE TRACT LOCATED IN THE JOSEPH KUYKENDALL LEAGUE, ABSTRACT 49, FORT BEND COUNTY, TEXAS

MILLER
SURVEY GROUP
1700 WEST SAN HOUSTON PARKWAY NORTH
HOUSTON, TEXAS 77063
PHONE 713-413-1900 FAX 713-413-1944

JOB NO.: 789	SCALE: 1"=200'	DATE: 07/02/2009	FIELD BOOK: N/A
DWG. NO.: 789-EXH	DRAWN BY: MWH	CHK. BY: BEW	M&B No.: 091097

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2010 Oct 05 02:13 PM

2010097932

CH2 \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS