

ARF-1554

DRAINAGE DISTRICT AGENDA

Date: 09/28/2010

Drainage District 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 accept a Drainage District Right of Way Easement from Lakes of Williams Ranch, Ltd., being a 9.925 acre tract of land, Precinct 1.

SPECIAL HANDLING

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

AttachmentsLink: ROW Easement

At → amy 8241

106-10 recorded in property records at Co. Clerk
& ret. to Amy at Co. Attorney

6-1



EASEMENT

2010097931

7 PGS

**FORT BEND COUNTY DRAINAGE DISTRICT
RIGHT OF WAY EASEMENT**

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

KNOW ALL MEN BY THESE PRESENTS: That **LAKES OF WILLIAMS RANCH, LTD.**, a Texas limited partnership (hereinafter called "**Grantor**") 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 call the "**District**"), of Fort Bend County, Texas, a right of way 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 approximately 9.925 acres of real property described by metes and bounds on **Exhibit "A"** attached hereto and made a part hereof for all purposes, said land being situated in Fort Bend County, Texas, to wit:

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 8th day of September, 2010.

**LAKES OF WILLIAMS RANCH, LTD.,
a Texas limited partnership**

**By: Land Tejas Companies, Ltd.,
a Texas limited partnership,
General Partner**

**By: Land Tejas Corporation,
a Texas corporation,
General Partner**

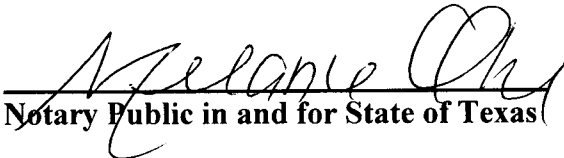
By: 
Courtney P. Grover, Vice President

By: 
Al P. Brende, Vice President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

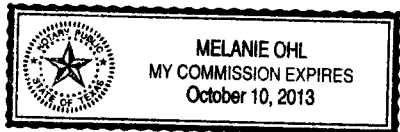
This instrument was acknowledged before me on the 8 day of September, 2010, by **Courtney P. Grover, Vice President of Land Tejas Corporation, a Texas corporation, General Partner of Land Tejas Companies, LTD, General Partner of Lakes of Williams Ranch, Ltd., a Texas limited partnership** in such capacity and on behalf of said company.

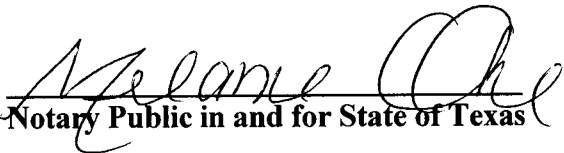



Notary Public in and for State of Texas

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the 8 day of September, 2010, by **Al P. Brende, Vice President of Land Tejas Corporation, a Texas corporation, General Partner of Land Tejas Companies, LTD, General Partner of Lakes of Williams Ranch, Ltd., a Texas limited partnership** in such capacity and on behalf of said company.




Notary Public in and for State of Texas

County: Fort Bend
Project: F.B.C.M.U.D. No. 116
M.S.G. No.: 081254R
Job Number: 1375ESMT

FIELD NOTES FOR 9.925 ACRE OF LAND

Being a 9.925 acre tract of land, located in the Joseph Kuykendall League, A-49, in Fort Bend County, Texas, said 9.925 acre tract being a portion of a called 93.056 acre tract of land recorded in the name of Lakes of Williams Ranch, Ltd., under Fort Bend County Clerk's File (F.B.C.C.F.) Number (No.) 2005100129 and being a portion of a called 20.453 acre tract recorded in the name of Fort Bend County Municipal Utility District Number 116, in F.B.C.C.F. No. 2005001896 and being all of a called 0.0870 acre tract recorded in the name of Lakes of Williams Ranch, Ltd., under F.B.C.C.F. No. 2007098654 and being all of a called 0.0900 acre tract of land recorded in a quitclaim deed in the name of Fort Bend County Municipal Utility District No. 116 in F.B.C.C.F. No. 2009089090; said 9.925 acre tract being more particularly described by metes and bounds as follows (bearings are based on the plat of Lakes Of Williams Ranch, Sec. 1, recorded under Plat Number 20060158, Fort Bend County Plat Records (F.B.C.P.R.)):

BEGINNING at a 3/8-inch iron rod found for an inner corner of The Retreat at Sovereign, Section One, a subdivision plat, recorded under Plat Number 20070041, F.B.C.P.R., said rod being the most westerly corner of said 93.056 acre tract and the most westerly corner of the herein described tract;

Thence, with the line common with the westerly line of said 93.056 acre tract and the easterly lines of said Retreat at Sovereign, Section One, the remainder of a called 30 acre tract recorded in the name of J. S. Sydney, in Volume 35, Page 297 of the Fort Bend County Deed Records (F.B.C.D.R.) and a called 4.05325 acre tract recorded in the name of D. R. Van Keuren, in Volume 2111, Page 2313, F.B.C.D.R., North 25 degrees 07 minutes 38 seconds East, a distance of 1481.44 feet to a 5/8-inch iron rod found for the beginning of a non-tangent curve to the left, said rod being the most westerly northwest corner of said 93.056 acre tract and same being the northwest corner of the herein described tract;

Thence, with the north line of said 93.056 acre tract, 207.88 feet with the arc of said curve to the left, having a radius of 2060.00 feet, a central angle of 05 degrees 46 minutes 54 seconds, and a chord that bears North 82 degrees 30 minutes 02 seconds East, a distance of 207.79 feet to a point for the northeast corner of the herein described tract;

Thence, through and across said 93.056 acre tract, South 25 degrees 07 minutes 38 seconds West, a distance of 1421.52 feet to a point for corner;

Thence, continuing through and across said 93.056 acre tract and crossing aforesaid 20.453 acre tract, South 63 degrees 57 minutes 43 seconds East, a distance of 1002.54 feet to a point in the northwesterly line of Rabbs Bayou (170 foot wide drainage easement per Volume 314, Page 74, F.B.C.D.R.), said point being the most easterly corner of the herein described tract;

Thence, with the northwesterly line of said Rabbs Bayou and continuing through and across said 93.056 acre tract, the following two (2) courses:

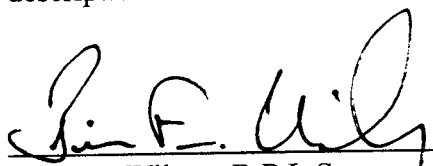
1. South 68 degrees 27 minutes 05 seconds West, a distance of 83.92 feet to an angle point;
2. South 58 degrees 37 minutes 55 seconds West, passing at a distance of 72.12 feet a point on a southwesterly line of said 93.056 acre tract, at a distance of 78.75 a point for the northeast corner of aforesaid 0.0870 acre tract, continuing with the southeasterly line of said 0.0870 acre tract, a total distance of 134.34 feet to a point for the southeast corner of said 0.0870 acre tract and of the herein described tract;

Thence, with the south line of said 0.0870 acre tract, North 64 degrees 01 minutes 23 seconds West, a distance of 159.59 feet to a 5/8-inch iron rod found on an easterly line of aforesaid The Retreat at Sovereign, Section One, same being the west corner of said 0.0870 acre tract, said rod also being the most southerly southeast corner of aforesaid 93.056 acre tract and an angle point for the herein described tract;

Thence, with the lines common to said The Retreat at Sovereign, Section One and said 93.056 acre tract, the following four (4) courses:

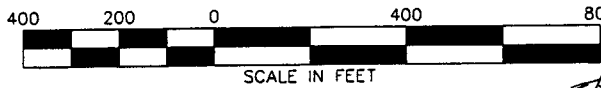
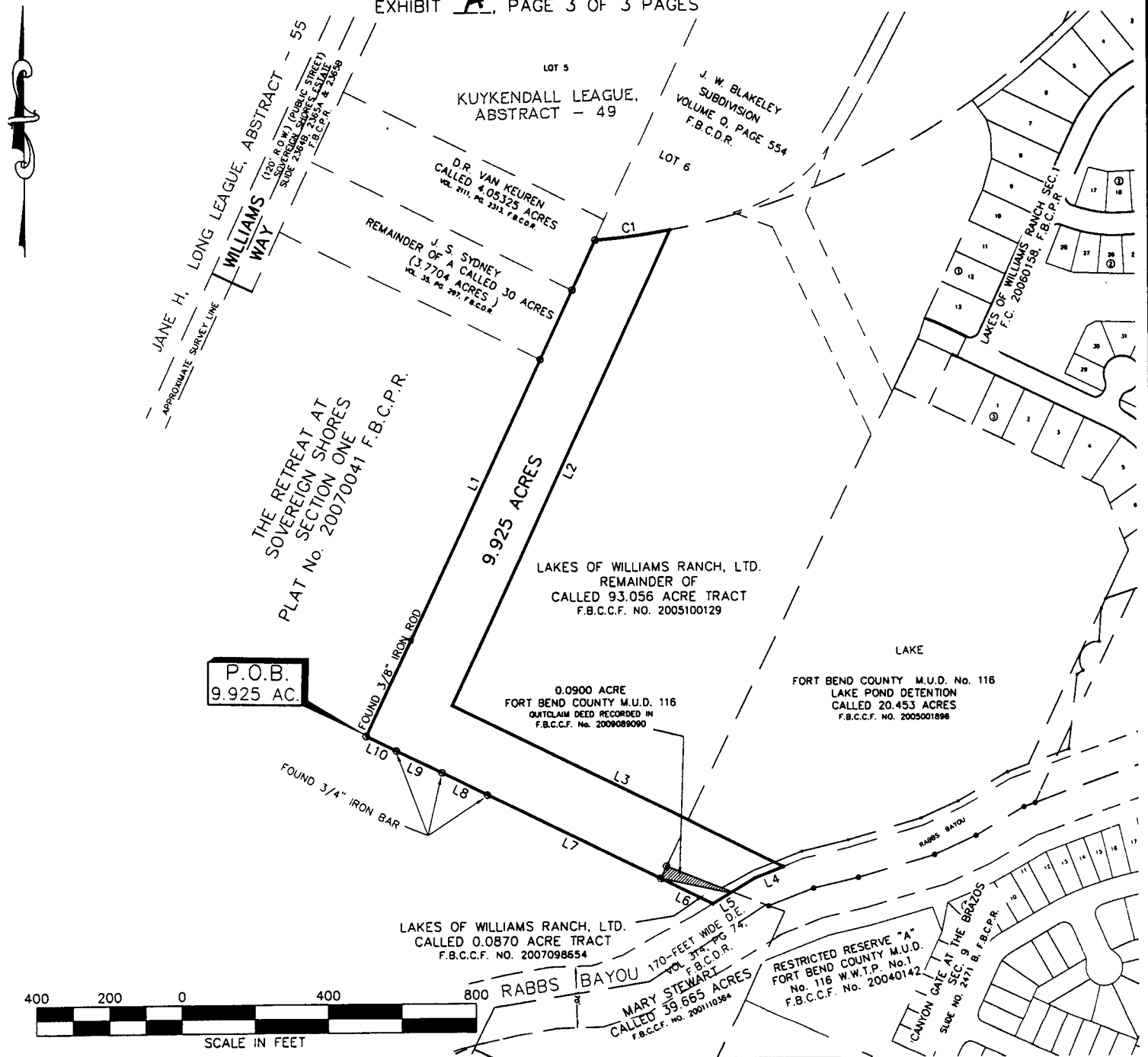
1. North 64 degrees 01 minutes 23 seconds West, a distance of 523.88 feet to a 3/4-inch iron bar found for corner;
2. North 63 degrees 39 minutes 18 seconds West, a distance of 136.33 feet to a 3/4-inch iron bar found for corner;
3. North 63 degrees 49 minutes 09 seconds West, a distance of 136.34 feet to a 3/4-inch iron bar found for corner;
4. North 63 degrees 54 minutes 31 seconds West, a distance of 89.68 feet to the **POINT OF BEGINNING** and containing 9.925 acres of land.

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


Brian E. Wilson, R.P.L.S.
Texas Registration No. 5745



MILLER SURVEY GROUP
Ph: (713) 413-1900
May 29, 2008
Revised August 27, 2010
081254R



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHD-BEARING	CHORD
C1	207.88	2060.00	5°46'54"	N82°30'02"E	207.79

LINE TABLE		
LINE	BEARING	LENGTH
L1	N25°07'38"E	1481.44
L2	S25°07'38"W	1421.52
L3	S63°57'43"E	1002.54
L4	S68°27'05"W	83.92
L5	S58°37'55"W	134.34
L6	N64°01'23"W	159.59
L7	N64°01'23"W	523.88
L8	N63°39'18"W	136.33
L9	N63°49'09"W	136.34
L10	N63°54'31"W	89.68

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF LAKES OF WILLIAMS RANCH, SEC.1, AS RECORDED UNDER PLAT No.20060158 OF THE FORT BEND COUNTY PLAT RECORDS

- FOUND 5/8" IRON ROD UNLESS OTHERWISE NOTED

REVISED: 08/27/2010 REFLECT QUITCLAIM DEED

EXHIBIT

9.925 ACRES
LOCATED IN THE
JOSEPH A. KUYKENDALL LEAGUE, ABSTRACT - 49,
FORT BEND COUNTY, TEXAS

MILLER
SURVEY GROUP

1760 WEST SAM HOUSTON PARKWAY NORTH
HOUSTON, TEXAS 77043
PHONE 713-413-1900 FAX 713-413-1944

JOB NO.: 1375DE-ESMT	SCALE: 1"=400'	DATE: 5-29-08	FIELD BOOK: N/A
DWG. NO.: 1375DE-EXHR	DRAWN BY: LDN	CHK. BY: BEW	M&B No.: 081254R

LEGEND

AC.	= ACRES OR ACRE
CHB	= CHORD BEARING
CHD	= CHORD LENGTH
D.E.	= DRAINAGE EASEMENT
ESMT.	= EASEMENT
F.B.C.C.F.	= FORT BEND COUNTY CLERK'S FILE
F.B.C.D.D.	= FORT BEND COUNTY DRAINAGE DISTRICT
F.B.C.D.R.	= FORT BEND COUNTY DEED RECORDS
F.B.C.P.R.	= FORT BEND COUNTY PLAT RECORDS

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2010 Oct 05 02:13 PM

CH2 \$0.00

2010097931

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS