



**EASEMENT FOR WATER AND WASTEWATER
(Fort Bend County)**

DATE: NOV. 23, 2010

GRANTOR: Fort Bend County Drainage District

GRANTOR'S MAILING ADDRESS: 1004 Blume Road
Rosenberg, Texas 77471
Attn: Chairman of Board

GRANTEE: City of Sugar Land

GRANTEE'S MAILING ADDRESS: P.O. Box 110
Sugar Land, TX 77487
Attn: City Manager

CONSIDERATION: \$10 and other valuable consideration

EASEMENT: (1) 9,021 square foot parcel of land, situated in the Alexander Hodge League, Abstract No. 32, Fort Bend County, Texas as described and shown in Exhibit A, which is attached to and incorporated herein by reference; and
(2) 0.108 acre (4,690 square feet) of land located in the Alexander Hodge League Abstract No. 32, Fort Bend County, Texas, as described and shown in Exhibit B, which is attached to and incorporated herein by reference.

The Easement described above is granted and conveyed across Grantor's real property for the purpose of constructing, reconstructing, installing, repairing, relocating, operating, and maintaining one or more lines, pipes, conduits, and related facilities for the collection and conveyance of water and wastewater.

**RESERVATIONS FROM
AND EXCEPTIONS TO
CONVEYANCE AND
WARRANTY:**

All encumbrances, conditions, covenants, restrictions, reservations, exceptions, easements, and right-of-ways of record.

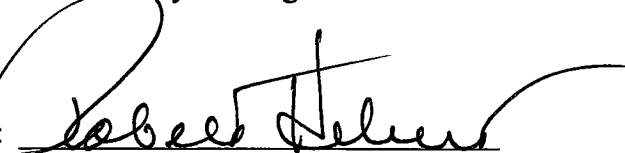
CONDITIONS:

1. Grantor may use the Easement for any purpose that does not interfere with Grantee's use of the Easement, but Grantor may not construct, install, or place any permanent structures within the Easement without Grantee's prior written consent.
2. Any rights remaining in or reserved to Grantor herein are specifically subject to compliance with the applicable laws and regulations of any governmental entity or agency, including Grantee's ordinances.
3. This Easement supersedes and governs over that Water Line Easement reserved in the Deed Without Warranty recorded at File No. 2010065918 of the Official Public Records of Fort Bend County, Texas.

TO HAVE AND TO HOLD said Easement unto the Grantee, its successors and assigns, forever and Grantor does bind itself, its successors and assigns, to warrant and forever defend, all and singular, the Easement and rights unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

GRANTOR:

Fort Bend County Drainage District

By: 
Robert Hebert, Chairman of Board

Date: 11-23-2010

Attachment: Exhibit A - Metes & Bounds Description/Survey Map

Reviewed for Legal Compliance by Grantee's Attorney:

STATE OF TEXAS

COUNTY OF FORT BEND

This instrument was acknowledged before me on November 23, 2010 by Robert Hebert, Chairman of the Board of Directors, on behalf of Fort Bend County Drainage District.

D'neal Krusch

Notary Public, State of Texas

Notary's name (printed):

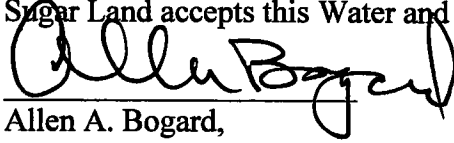
D'NEAL KRISCH

Notary's commission expires:

4-2-11



Pursuant to section 2-11 (a) (7) a. of the Code of Ordinances, the City Manager of the City of Sugar Land accepts this Water and Wastewater Easement on behalf of the City of Sugar Land.



Allen A. Bogard,

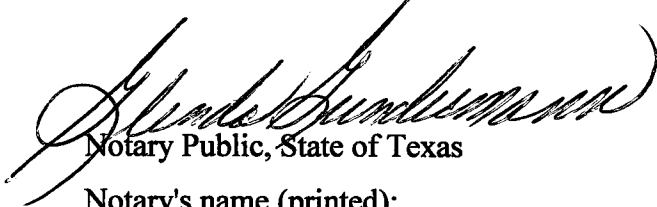
City Manager

Date: 12-13-2010

STATE OF TEXAS

COUNTY OF FORT BEND

This instrument was acknowledged before me on December 13, 2010 by Allen Bogard, City Manager of the City of Sugar Land, on behalf of the City of Sugar Land.


Notary Public, State of Texas

Notary's name (printed):

Notary's commission expires:



AFTER RECORDING RETURN TO:

City of Sugar Land
P. O. Box 110
Sugar Land, TX 77487-0110
Attn: City Secretary

Exhibit A

County: Fort Bend
Project: Sugar Land SW 0801
Description: Water and Wastewater Line
Route: A-2

Property Description for Parcel 028-029

Being a 9,021 square foot parcel of land, located in Fort Bend County, Texas, situated in the Alexander Hodge League, Abstract No. 32, and being out of a called 3.87 acre (calculated) tract conveyed to Fort Bend County Drainage District, in the deed dated April 9, 2008 and recorded in Fort Bend County Clerk's File No. 2008038152, of the Official Public Records of Real Property in Fort Bend County, Texas, said 3.87 acre being all of a called 0.702 acre tract, all of a called 0.141 acre tract, all of a called 0.076 acre tract, all of a called 1.294 acre tract, all of a called 0.998 acre tract, and all of a called 0.659 acre tract, each being described separately in said Fort Bend County Clerk's File No. 2008038152, said 9,021 square foot parcel of land being more particularly described as follows:

BEGINNING (N=13,790,297.91, E= 3,033,224.03) at a 5/8-inch iron set in the east right-of-way line of State Highway No. 6 (width varies) as dedicated in Vol. 1821, Pg. 978, of the Deed Records of Fort Bend County, Texas, for the northwest corner of said 3.87 acre tract, being also the northwest corner of said 0.141 acre tract, being also the southwest corner of that certain Tract "F", called 497.696 acres, conveyed to Cherokee Sugar Land, L.P., as to a 50% interest, in the deed dated July 13, 2007 and recorded in Fort Bend County Clerk's File No. 2007088840, of the Official Public Records of Real Property in Fort Bend County, Texas and conveyed to the State of Texas Permanent School Fund, as to a 50% interest, in the deed dated December 22, 2002 and recorded in Fort Bend County Clerk's File No. 2003023371 and 2008070584, of the Official Public Records of Real Property in Fort Bend County, Texas, being also the southwest corner of that certain tract called 377.3757 acre Tract 3A, Part 2, State of Texas Department of Transportation Partition Plat, as recorded in Sl. 1832/B, 1833/A&B of the Plat Records of Fort Bend County, Texas, being also the northwest corner of herein described 9,021 square foot parcel, from which a found 5/8-inch iron rod bears S74°40'47"E, 3.97 feet; thence as follows:

- 1.) THENCE South 84°12'58" East (called S84°26'16"E and S82°07'10"E) along the south line of said 497.696 acre Tract "F", being also the south line of said 377.3757 acre Tract 3A, Part 2, and the north line of said 3.87 acre tract and said 0.141 acre tract, a distance of 16.16 feet to the northeast corner of the herein described parcel;
- 2.) THENCE South 02°18'46" East along a line that is parallel with and 16 feet east of the east

Exhibit _____

right-of-way line of said State Highway No. 6, a distance of 74.45 feet to an angle point;

- 3.) THENCE South $26^{\circ}41'47''$ East across said 3.87 acre tract, a distance of 113.07 feet to an angle point;
- 4.) THENCE North $84^{\circ}08'08''$ East across said 3.87 acre tract, a distance of 261.14 feet to a 5/8-inch iron rod set at an intersect with the east line of said 3.87 acre tract, being also the west line of that certain Tract "A", called 77.812 acres, conveyed to Cherokee Sugar Land, L.P., recorded in Fort Bend County Clerk's File No. 2007084091, of the Official Public Records of Real Property in Fort Bend County, Texas, for the northeast corner of the herein described parcel;
- 5.) THENCE South $05^{\circ}51'52''$ East (called $S03^{\circ}22'50''E$) along the east line of said 3.87 acre tract and the west line of that said 77.812 acre tract, a distance of 20.00 feet to a 5/8-inch iron rod set for the southeast corner of the herein described parcel;
- 6.) THENCE South $84^{\circ}08'08''$ West, across said 3.87 acre tract, a distance of 274.93 feet to a 5/8-inch iron rod set at an intersect with the east line of that certain 20 foot wide Houston Pipeline Company easement described in Fort Bend County Clerk's File No. 2000001860, of the Official Public Records of Real Property in Fort Bend County, Texas, for the southwest corner of the herein described parcel;
- 7.) THENCE North $26^{\circ}41'47''$ West, across said 3.87 acre tract, along the easterly line of said 20 foot wide Houston Pipeline Company easement, a distance of 121.49 feet to a 5/8-inch iron rod set at an intersect with the west line of said 3.87 acre tract, being the east right-of-way line of said State Highway No. 6, for an angle point in the west line of the herein described parcel;
- 8.) THENCE North $02^{\circ}18'46''$ West (called $N00^{\circ}01'45''E$), along the west line of said 3.87 acre tract and the east right-of-way line of said State Highway No. 6, a distance of 89.88 feet to the **POINT OF BEGINNING** and containing 9,021 square feet (0.2071 acres) of land.

All bearings and coordinates are based on the Texas Coordinate System, South Central Zone, North American 1983 Datum, 2001 Adjustment. All coordinates and distances are surface and may be converted to grid by dividing by a combined scale factor of 1.00013.

This property description is prepared in conjunction with a parcel plat of equal date.

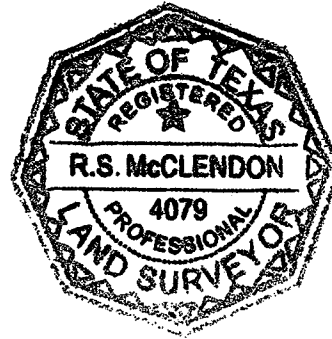
I, Randy S. McClendon, a Registered Professional Land Surveyor, hereby certify that the property

Exhibit _____

description hereon and the accompanying plat of even date represent an actual survey made on the ground under my supervision.

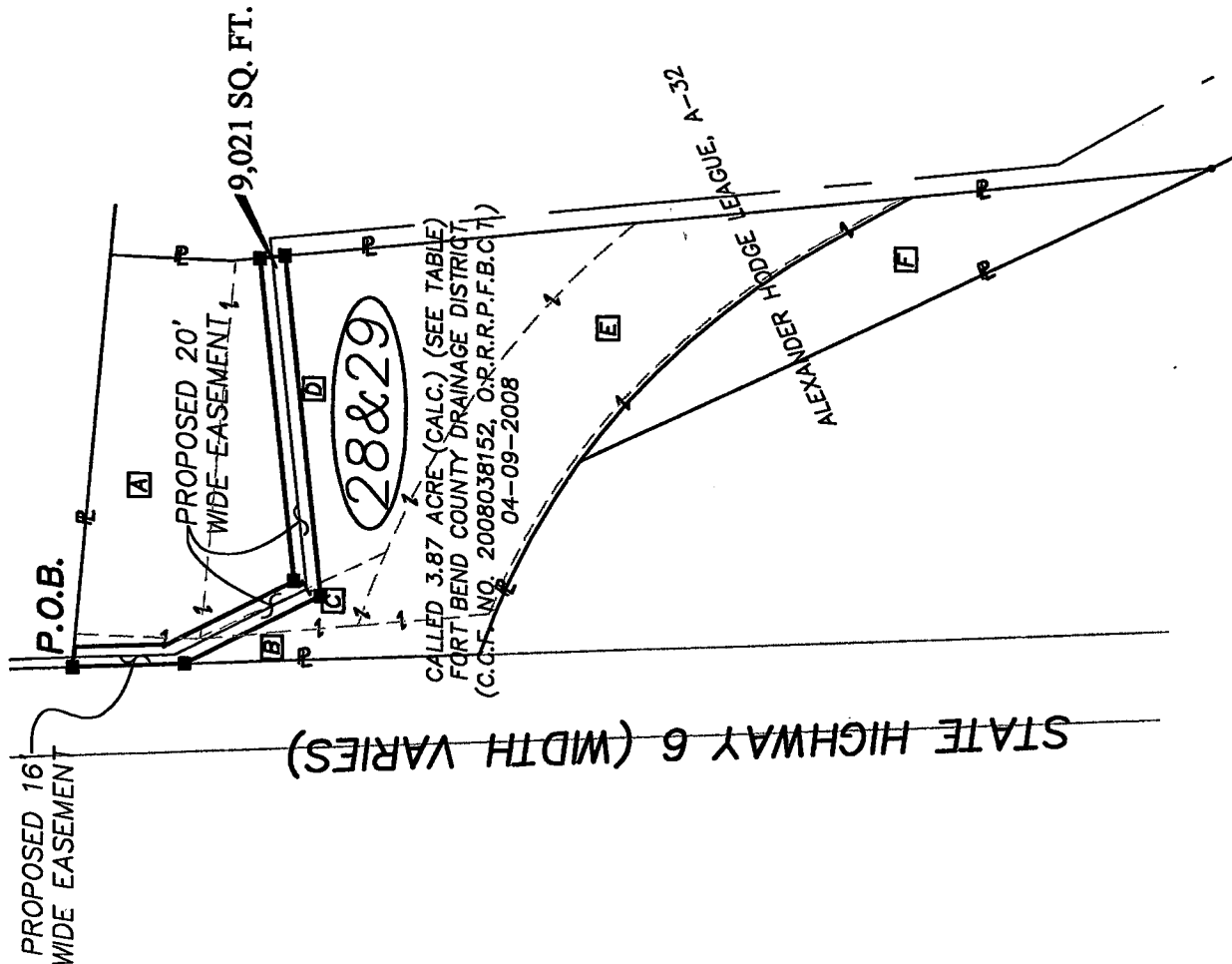
Randy S. McClendon 10-14-2010
Randy S. McClendon, R.P.L.S. Date
Texas Registration No. 4079

TEJAS SURVEYING, INC.
16525 Lexington Blvd., Suite 270
Sugar Land, Texas 77479
Ph: (281) 240-9099



LEGEND

- P.O.B. POINT OF BEGINNING
- I.R. IRON ROD
- I.P. IRON PIPE
- PROPERTY LINE
- PROPOSED 16' WIDE EASEMENT
- SET AS INDICATED
- FOUND AS INDICATED
- SET 5/8" IR W/TEXAS CAP
- FND 5/8" IR W/TEXAS CAP

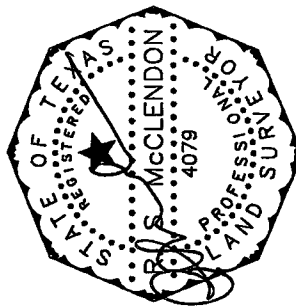


NOTES:

1. ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN 1983 DATUM, 2001 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.
2. D.R.F.B.C.T. INDICATES DEED RECORDS OF FORT BEND COUNTY, TEXAS.
3. O.R.F.B.C.T. INDICATES OFFICIAL RECORDS OF FORT BEND COUNTY, TEXAS.
4. O.P.R.P.F.B.C.T. INDICATES OFFICIAL PUBLIC RECORDS REAL PROPERTY FORT BEND COUNTY, TEXAS.
5. P.R.F.B.C.T. INDICATES PLAT RECORDS FORT BEND COUNTY, TEXAS.
6. THIS PARCEL PLAT IS PREPARED IN CONJUNCTION WITH A DESCRIPTION OF EQUAL DATE.

I, RANDY S. MCCLENDON, A REGISTERED PROFESSIONAL LAND SURVEYOR HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION IN DECEMBER, 2009.

RANDY S. MCCLENDON
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4079




10-14-2010

FORT BEND COUNTY DRAINAGE DISTRICT (C.C.F. NO. 2008038152) 04-09-2008	
A	CALLED 0.702 AC.
B	CALLED 0.141 AC.
C	CALLED 0.076 AC.
D	CALLED 1.294 AC.
E	CALLED 0.998 AC.
F	CALLED 0.659 AC.
TOTAL	CALC. 3.87 AC.



NOT TO SCALE

SHEET 4 OF 5

REVISIONS	
No.	DATE DESCRIPTION
2	10/14/10 DESCRIPTION HEADER
1	12/02/09 ISSUED
PARCEL PLAT SHOWING PARCEL SW 0801 028 & 029	
9,021 SQ. FT. OUT OF FORT BEND COUNTY DRAINAGE DISTRICT CALLED 3.87 ACRE (CALC.) TRACT ALEXANDER HODGE LEAGUE A-32 FORT BEND COUNTY, TEXAS	
 TEXAS SURVEYING, INC. 16525 LEXINGTON BLVD., SUITE 270 SUGAR LAND, TEXAS 77479 Ph: 281 240-9099 Fax: 281 240-2791	

STATE HIGHWAY 6 (WIDTH VARIES)

(VOL. 1821, PG. 978, D.R.F.B.C.T.)

CALLD 0.076 ACRE Tract No. 4
FORT BEND COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. ONE
(VOL. 2260, PG. 1709, O.P.R.R.P.F.B.C.T.)

CALLD 0.076 ACRE Tract No. 3
FORT BEND COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. ONE
(VOL. 2260, PG. 1709, O.P.R.R.P.F.B.C.T.)

CALLD 0.141 ACRE Tract No. 3
FORT BEND COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NO. ONE
(VOL. 2260, PG. 1709, O.P.R.R.P.F.B.C.T.)

CALLD 0.141 ACRE
FORT BEND COUNTY DRAINAGE DISTRICT
(C.C.F. NO. 2008038152, O.P.R.R.P.F.B.C.T.)

20' Houston Pipeline Co. Esmt.
(F.B.C.C. File No. 2000001860,
O.P.R.R.P.F.B.C.T.)

TRACT "C"
CALLD 4.02 ACRES
FORT BEND COUNTY WATER CONTROL
& IMPROVEMENT DISTRICT NO. ONE
(VOL. 172, PG. 292, D.R.F.B.C.T.)

CALLD 1.294 ACRE
TRACT TWO
FORT BEND COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE
(VOL. 895, PG. 275, O.R.F.B.C.T.)

CALLD 1.294 ACRE
FORT BEND COUNTY DRAINAGE DISTRICT
(C.C.F. NO. 2008038152, O.P.R.R.P.F.B.C.T.)

CALLD 0.702 ACRE Tract No. 1
FORT BEND COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. ONE
(VOL. 2260, PG. 1709, O.P.R.F.B.C.T.)

CALLD 0.702 ACRE
FORT BEND COUNTY DRAINAGE DISTRICT
(C.C.F. NO. 2008038152, O.P.R.R.P.F.B.C.T.)

TRACT 3A, PART 2
CALLD 377.3757 ACRES
TEXAS DEPARTMENT OF TRANSPORTATION
(SL 1832/B & 1833/A & B, P.R.F.B.C.T.)

(C.C.F. NO. 2003023371 AND 2008070584,
O.P.R.R.P.F.B.C.T.)

TRACT "F"
CALLD 497.698 ACRES
50% INTEREST TO CHEROKEE SUGAR LAND, L.P.
(C.C.F. NO. 2007088840, O.P.R.R.P.F.B.C.T.)
50% INTEREST TO STATE OF TEXAS
PERMANENT SCHOOL FUND
(C.C.F. NO. 2003023371 AND 2008070584,
O.P.R.R.P.F.B.C.T.)

CALLD 22.2 ACRE EASEMENT TO
FORT BEND COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE
(VOL. 172, PG. 281, O.R.F.B.C.T.)
AGREEMENT WITH AMERICAN CANAL COMPANY
CHANNEL OF OYSTER CREEK
(VOL. 324, PG. 381, O.R.F.B.C.T.)

AGREEMENT FOR IRRIGATION CANAL
WITH BRAZOS VALLEY IRRIGATION COMPANY
ALONG AND UPON OYSTER CREEK
(VOL. 138, PG. 400, D.R.F.B.C.T.)

65' WIDE ROAD EASEMENT
TO IMPERIAL HOLLY CORPORATION
(VOL. 2398, PG. 925, O.P.R.F.B.C.T.)

FND 5/8" IRC

TRACT "A"
CALLD 77.812 ACRE
CHEROKEE SUGAR LAND, L.P.
(C.C.F. NO. 2007084091, O.P.R.R.P.F.B.C.T.)

CLASS III DISPOSAL SITE
(D.R.F.B.C.T.)

CALLD 4.122 ACRE (PG. 443,
VOL. 682)

SCALE: 1" = 50'



PARCEL PLAT SHOWING
PARCEL SW 0801 028 & 029

9,021 SQ. FT. OUT OF
FORT BEND COUNTY DRAINAGE DISTRICT
CALLD 3.87 ACRE (CALC.) TRACT
ALEXANDER HODGE LEAGUE, A-32
FORT BEND COUNTY, TEXAS



TEJAS SURVEYING, INC.
16525 LEXINGTON BLVD., SUITE 270
SUGAR LAND, TEXAS 77479
Ph: 281 240-9099 Fax: 281 240-2791

Exhibit "B"

September 9, 2010
Job No. 1290-0903

**DESCRIPTION OF
0.108 ACRE (4,690 SQUARE FEET)
WATER LINE AND SANITARY SEWER EASEMENT
(WIDTH VARIES)**

Being 0.108 acre (4,690 square feet) of land located in the Alexander Hodge League, Abstract 32, Fort Bend County, Texas, more particularly being a portion of that 3.870 acre tract (calculated) conveyed to Fort Bend County Drainage District, by instrument of record in File No. 2008038152, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), said 3.870 acres being all of those certain tracts called 0.141 acre, 0.702 acre, 0.076 acre, 0.998 acre, 0.659 acre, and 1.294 acres described in said File Number 2008038152, F.B.C.O.P.R., said 0.108 acre (4,690 square feet) being more particularly described by metes and bounds as follows (all bearings based on the Texas Coordinate System, South Central Zone, NAD 83 (1993 adj.);

COMMENCING for reference at a previously found 1-inch iron pipe for the southwest corner of that certain called 497.696 acre tract (described as Tract "F") with half (1/2) percent interest conveyed from the State of Texas Permanent School Fund to Cherokee Sugar Land, L.P., by instrument of record in File Number 2007088840, F.B.C.O.P.R. and the remaining half (1/2) interest retained by the State of Texas Permanent School Fund, of record in File Number 2003023371 and corrected in File Number 2008070584, F.B.C.O.P.R., same point being the southwest corner of Tract 3A, Part 2 as shown on State of Texas Department of Transportation Partition Plat, a subdivision of record in Slide Numbers 1832B, 1833A, and 1833B, Plat Records, of said Fort Bend County, Texas, and being on the east right-of-way line of State Highway 6 (width varies), from which a previously found 1-inch iron pipe for an angle point on said east right-of-way line bears North 02° 17' 43" West, 765.19 feet;

Thence, leaving said east right-of-way line and along the south line of said 497.696 acre tract and Tract 3A, Part 2, South 84° 12' 58" East, 16.16 feet to the POINT OF BEGINNING;

Thence, continuing along said south line, the following two (2) courses:

- 1) South 84° 12' 58" East, 6.07 feet to a previously found concrete monument for corner;

0.108 acre

September 9, 2010
Job No. 1290-0903

2) South 84° 39' 17" East, 8.06 feet to a point for corner;

Thence, leaving said south line, with a line 30 feet east of and parallel to the east right-of-way line of said State Highway 6, South 02° 17' 43" East, 79.20 feet to a point for corner;

Thence, leaving said parallel line, South 26° 40' 44" East, 94.32 feet to a point for corner;

Thence, North 84° 09' 11" East, 254.29 feet to a point for corner, on the west line of the residue of that certain called 77.812 acre tract, conveyed to Cherokee Sugar Land, L.P., by instrument of record in File Number 2007084091, F.B.C.O.P.R.;

Thence, along said west line, South 05° 51' 52" East, 10.00 feet to a point for corner;

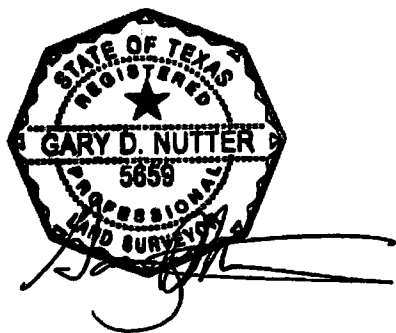
Thence, leaving said west line, South 84° 09' 11" West, 261.19 feet to a point for corner;

Thence, North 26° 40' 44" West, 113.07 feet to a point for corner;

Thence, with a line 16 feet east of and parallel to the east right-of-way line of said State Highway 6, North 02° 17' 43" West, 74.46 feet to the POINT OF BEGINNING and containing 0.108 acre (4,690 square feet) of land.

Based upon record information only, corners were not set.

LJA Engineering & Surveying, Inc.



Page 2 of 2

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LINE TABLE		
Line	Bearing	Distance
1	S84°12'58"E	6.07'
2	S84°39'11"E	8.06'
3	S02°17'43"E	79.20'
4	S26°40'44"E	94.32'
5	S05°51'52"E	10.00'
6	N02°11'43"W	74.46'

PARENT TRACT
N. T. S.

NOTES:

1. All bearings referenced to the Texas State Plane Coordinate System, South Central Zone NAD83 (1993 ad J)
2. This exhibit based on record information only, corner's were not set.
3. (C.M.) denotes controlling monuments.

TRACT "F"
CALLED 497.696 AC.
STATE OF TEXAS
PERMANENT SCHOOL FUND
FILE NO. 200302371 & CORRECTED
FILE NO. 2008070504
WITH 1/2 INTEREST TO
CHEROKEE SUGAR LAND, L.P.
FILE NO. 200708040
F.B.C.O.P.R.

STATE HIGHWAY 6
(WIDTH VARIES)

CHEROKEE SUGAR LAND, L.P.
RESIDUE OF A
CALLED 77.812 AC.
(DESCRIBED AS TRACT "A")
FILE NO. 2007084091
F.B.C.O.P.R.

EXHIBIT OF
0.108 ACRE (4,690 SQ. FT.)
WATER LINE &
SANITARY SEWER EASEMENT
(WIDTH VARIES)
LOCATED IN THE
ALEXANDER HODGE LEAGUE, A-32
FORT BEND COUNTY, TEXAS
SEPTEMBER 2010 JOB NO. 1290-0903

TRACT	ACRES
TRACT 3A	0.141 AC.
TRACT 3B	0.702 AC.
TRACT 3C	0.076 AC.
TRACT 3D	1.294 AC.
TRACT 3E	0.998 AC.
TRACT 3F	0.659 AC.
TOTAL	3.870 AC.

LJA Engineering, Inc.
2020 Bispart Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026

1. All hearings referenced to the Texas State
Plane Coordinate System, South Central Zone
NAD83 (1993 adj.)
2. This exhibit based on record information only.
corners were not set.
3. (C) denotes controlling measurements.

U:\Projects\5197\5197EV\1290\0903\CAD\F020D-W105SE.dgn
3/10/2010

Fort Bend County Water/Wastewater Easement
11-04-10

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2010 Dec 30 12:02 PM

2010127324

KW \$55.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS