

1-26-10

4D B 1

**WATER LINE EASEMENT AND
TEMPORARY CONSTRUCTION EASEMENT**

DATE: On the latest of the dates signed by Grantor and City

GRANTOR: **FORT BEND COUNTY**

GRANTOR'S MAILING ADDRESS: 301 Jackson Street
Richmond, TX 77469

CITY (as Grantee): **CITY OF SUGAR LAND**

CITY'S MAILING ADDRESS: P.O. Box 110
Sugar Land, TX 77487

CONSIDERATION: \$10.00 and other valuable consideration.

WATER LINE EASEMENT: Grantor grants, sells and conveys a waterline easement to City for City's use for the public purpose(s) of constructing, reconstructing, installing, repairing, relocating, operating, and maintaining conduits, structures, and related facilities and equipment to convey or provide water to the public.

WATER LINE EASEMENT DESCRIBED: 4,171 square feet of land, more or less, as described and shown in Exhibit "A", attached to and incorporated to this Water Line Easement by reference, across Grantor's real property.

DEDICATION AND PURPOSE FOR TEMPORARY CONSTRUCTION EASEMENT: Grantor grants, sells and conveys to the City a temporary construction easement for site access and the storage of equipment, materials, spoil piles, and related structures during construction of the water line.

2-26-10 COPY RECEIVED

**TEMPORARY
CONSTRUCTION
EASEMENT
DESCRIBED:**

An additional 20 feet wide temporary construction easement approximately 5,341 square feet of land, more or less, adjacent to and east of the 4,171 square feet water line easement which is shown in Exhibit "A" attached to and incorporated to this Water Line Easement by reference, on and across Grantor's real property.

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

All encumbrances, conditions, covenants, restrictions, reservations, exceptions, easements, and right-of-ways of record on the date of this Water Line Easement.

CONVENANTS OR CONDITIONS:

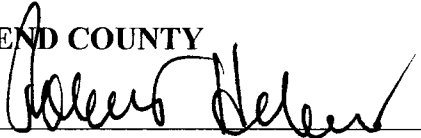
1. Grantor may use the Water Line Easement for any purpose that does not interfere with City's use of the Water Line Easement, but Grantor may not construct, install, or place any permanent structures within the Water Line Easement without City's prior written consent.
2. Any rights remaining in or reserved to Grantor herein are specifically subject to compliance with the applicable laws and regulations of any governmental entity or agency, including City's ordinances.
3. The Temporary Construction Easement will terminate 60 days after completion of the water line construction in the Water Line Easement as described herein.
4. Upon expiration of the Temporary Construction Easement, the Grantee will restore the property subject to the Water Line Easement and Temporary Construction Easement to a comparable condition that it was in when the construction of the water line began.

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

(SIGNATURE PAGES FOLLOW)

EXECUTED this the 24 day of February, 2010.

FORT BEND COUNTY

By: 

Print Name: Judge Robert E. Hebert

Title: County Judge

Attachment: Exhibit "A" - Metes & Bounds Description & Survey

Reviewed for Legal Compliance by City's Attorney:



STATE OF TEXAS

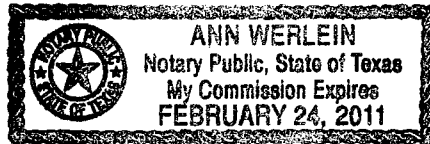
COUNTY OF FORT BEND

This instrument was acknowledged before me on February 24, 2010 by Judge Robert E. Hebert, County Judge of Fort Bend County on behalf of said County.


NOTARY PUBLIC, STATE OF TEXAS

Printed Name: Ann Werlein

My Commission Expires: Feb 24, 2011



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

Allen A. Bogard,
City Manager

STATE OF TEXAS

COUNTY OF FORT BEND

This instrument was acknowledged before me on _____, 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

Printed Name: _____

My Commission Expires: _____

After Recording, Please Return To:

**Ana Rausch
Landmark Consulting Group
9597 Jones Road #340
Houston, TX 77065**

Exhibit "A"

County: Fort Bend
Project: Sugar Land SW 0801
Description: Surface Water Conversion Transmission Line
Route: D-2

Property Description for Parcel 005

Being a 4,171 square foot parcel of land, located in Fort Bend County, Texas, situated in the Brown & Belknap Survey, Abstract No. 15, and being out of that certain tract called 2.847 acres conveyed to Fort Bend County, in the deed dated November 25, 1992 and recorded in Vol. 2471, Pg. 2440, of the Official Records of Fort Bend County, Texas, same being called Commercial Reserve "A", Tract E-5, as recorded in Sl. 1219/A of the Plat Records of Fort Bend County, said 4,171 square foot parcel of land being more particularly described as follows:

BEGINNING (N=13,793,991.63, E= 3,042,991.28) at a 5/8-inch rod found for the northwest corner of the residue of a called 2.000 acre tract, conveyed to First Presbyterian Church, Sugar Land, Texas, in the deed dated June 19, 1963 and recorded in Vol. 440, Pg. 401, of the Deed Records of Fort Bend County, Texas, being also the southwest corner of 2.847 acre tract, in east right-of-way line of Eldridge Road (FM 1876 – 100 feet wide) as widened by Vol. 2437, Pg. 628 of the Official Records of Fort Bend County, Texas, being the southwest corner of the herein described 4,171 square foot parcel; thence as follows:

- 1.) THENCE, North 02°29'43" West along the east right-of-way line of said Eldridge Road and the west line of said 2.847 acre Reserve "A", a distance of 243.76 feet (called 244.07') to a 5/8-inch iron rod set for a point of curvature;
- 2.) THENCE in a northeasterly direction, a distance of 30.06 feet along the northwest corner of said 2.847 acre Reserve "A", following the arc of a curve to the right, having a radius of 25.00 feet, and a central angle of 68°53'59" (Ch=N 31°57'16" E, 28.28') to the northeast corner of the herein described parcel;
- 3.) THENCE, South 02°29'43" East along a line parallel with and 16 feet east of the east right-of-way line of said Eldridge Road, a distance of 267.07 feet to an intersect with the south line of said 2.847 acre Reserve "A", being the north line of said 2.00 acre tract, for the southeast corner of the herein described parcel;
- 4.) THENCE, South 87°28'55" West (called S87°35'09"W) along the south line of said 2.847 acre Reserve "A" and the north line of said 4.00 acre tract, a distance of 16.00 feet to the **POINT OF BEGINNING** and containing 4,171 square feet (0.0958 acres) of land.

Exhibit "A"

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

Rme
Randy S. McClendon, R.P.L.S.
Texas Registration No. 4079

9-09-09
Date

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



LEGEND

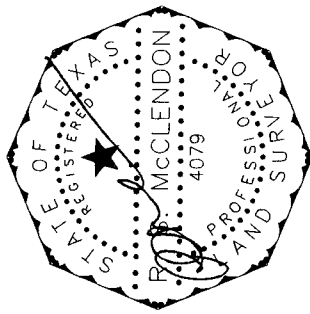
- P.O.C. POINT OF COMMENCING
- I.R. IRON ROD
- I.P. IRON PIPE
- ▣ PROPERTY LINE
- SET AS INDICATED
- FOUND AS INDICATED
- SET 5/8" IR W/TEJAS CAP
- FND 5/8" IR W/TEJAS CAP

NOTES:

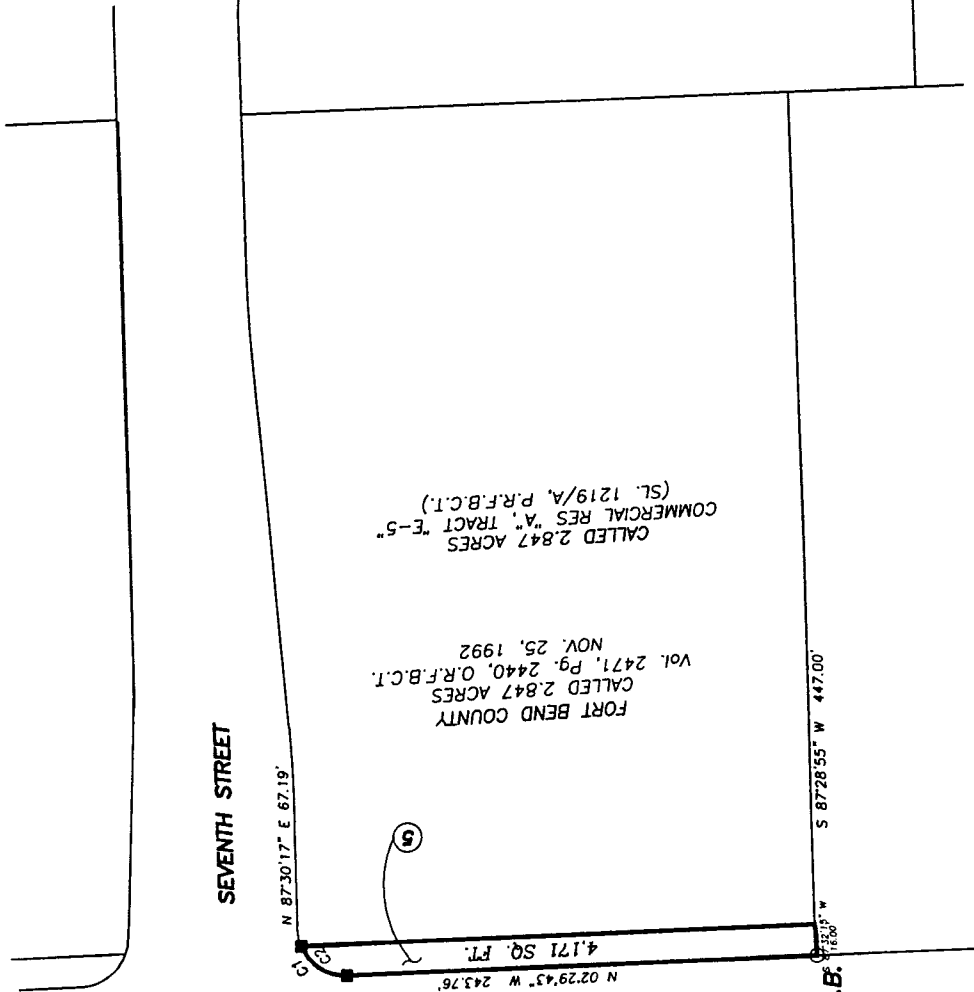
1. ALL BEARINGS AND COORDINATES SHOWN ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NORTH AMERICAN 1983 DATUM, 2001 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.
2. D.R.F.B.C.T. INDICATES 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.R.F.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 JULY, 2009.

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



R.S.M.



NOT TO SCALE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	TANGENT
C1	90°00'00"	25.00'	39.27'	N 42°30'17" E	35.36'	
C2	68°53'59"	25.00'	30.06'	N 31°57'16" E	28.28'	17.15'

REVISIONS	
No.	DATE DESCRIPTION
1	8/31/09 ISSUED
PARCEL PLAT SHOWING PARCEL SW 0801 005	
4,171 SQ. FT. OUT OF FORT BEND COUNTY CALLED 2,847 ACRE TRACT BROWN & BELKNAP LEAGUE, A-15 FORT BEND COUNTY, TEXAS	
TEJAS SURVEYING, INC. 16525 LEXINGTON BLVD., SUITE 270 SUGAR LAND, TEXAS 77479 Ph: 281 240-9099 Fax: 281 240-2791	

ELDRIDGE ROAD (FM 1876) 100' WIDE

20' Roadway Esmt (Vol. 2437, Pg. 628, O.R.F.B.C.T.)

FND 5/8" IR

P.O.B.

87°28'55" E
16.00'

N 02°29'43" W 243.76'

4,171 SQ. FT.

26' WATERLINE AND SAN SWR ESMT S 02°29'43" E 267.07'
(SL. 1219/A, P.R.F.B.C.T.)

35' BL (SL. 1219/A, P.R.F.B.C.T.)

15' BL (SL. 1219/A, P.R.F.B.C.T.)

FORT BEND COUNTY
CALLED 2.847 ACRES
Vol. 2471, Pg. 2440, O.R.F.B.C.T.
NOV. 25, 1992

CALLED 2.847 ACRES
COMMERCIAL RES "A", TRACT "E-5"
(SL. 1219/A, P.R.F.B.C.T.)

5

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH	TANGENT
C1	68°53'59"	25.00'	30.06'	N 31°57'16" E	28.28'	17.15'

LEGEND

- P.O.C. POINT OF COMMENCEMENT
- I.R. IRON ROD
- I.P. IRON PIPE
- Ⓜ PROPERTY LINE
- SET AS INDICATED
- FOUND AS INDICATED
- SET 5/8" IR W/TEJAS CAP
- FND 5/8" IR W/TEJAS CAP



SCALE: 1" = 40'

PARCEL PLAT SHOWING
PARCEL SW 0801 005

4,171 SQ. FT. OUT OF
FORT BEND COUNTY
CALLED 2.847 ACRE TRACT
BROWN & BELKNAP LEAGUE, A-15
FORT BEND COUNTY, TEXAS



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

Acknowledgement and Receipt Form

Name of Property Owner: Fort Bend County

Property to be acquired by City of Sugar Land:

16' wide water line easement with an adjacent 20' wide temporary construction easement

Purpose: Surface Water Conversion Transmission Line

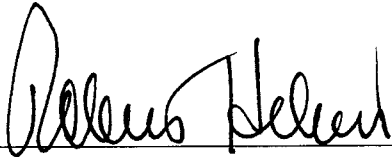
Parcel Number: SW_0801_005

Acknowledgement and Receipt

Signature on this receipt acknowledges that you have received the Texas Landowners Bill of Rights as prepared by the Texas Attorney General's Office for the property described above.

Please sign and date the receipt.

I, Judge Robert E. Hebert, as agent for Fort Bend County certify that I have received the Texas Landowners Bill of Rights, as prepared by the Texas Attorney General's Office under Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code, for the properties described on Exhibit "A" out of which the City of Sugar Land proposes to acquire an easement.



Signature
Judge Robert E. Hebert
County Judge
Fort Bend County
301 Jackson St
Richmond, TX 77469

2-24-10

Date

Delivered By:



Ana Rausch
Landmark Consulting Group, LLC
Agent for City of Sugar Land

1/20/2010

Date

Exhibit "A"

Parcel SW-0801-005

Being a 4,171 square foot parcel of land for a water line easement with an adjacent 20' wide temporary construction easement, located in Fort Bend County, Texas, situated in the Brown & Belknap Survey, Abstract No. 15, and being out of that certain tract called 2.847 acres conveyed to Fort Bend County, in the deed dated November 25, 1992 and recorded in Vol. 2471, Page 2440, of the Official Records of Fort Bend County, Texas, same being called Commercial Reserve "A", Tract E-5, as recorded under Slide No. 1219A Plat Records of Fort Bend County, Texas.