

**FORT BEND COUNTY FY 2010
COMMISSIONERS COURT AGENDA REQUEST FORM**

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: 03/30/2010

Submitted By: Amy Svatek

Court Agenda Date: 04/06/2010

For: Commissioner, Pct. 3

Phone Number: 341-4555

SUMMARY OF ITEM:

Take all appropriate action on Order Decreeing the Acquisition of Property to be a Public Necessity and Authorize the Acquisition and Payment of Compensation for public project known as Howell-Sugarland Road Project.

RENEWAL AGREEMENT/APPOINTMENT

YES ☐ NO ☒

REVIEWED BY COUNTY ATTORNEY'S OFFICE:

YES ☒ NO ☐

List Supporting Documents Attached:

COUNTY JUDGE
RECEIVED
MAR 30 2010

FINANCIAL SUMMARY:BUDGETED ITEM: YES ☐

NO ☐ N/A

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

DESCRIPTION OF LAWSOM 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

If by Fax to (281) 341-8609

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

<input checked="" type="checkbox"/> Auditor (281-341-3774)	<input checked="" type="checkbox"/> Comm. Pct. 1 (281-342-0587)
<input checked="" type="checkbox"/> Budget Officer (281-344-3954)	<input checked="" type="checkbox"/> Comm. Pct. 2 (281-403-8009)
<input checked="" type="checkbox"/> Facilities/Planning (281-633-7022)	<input checked="" type="checkbox"/> Comm. Pct. 3 (281-242-9060)
<input checked="" type="checkbox"/> Purchasing Agent (281-341-8642)	<input checked="" type="checkbox"/> Comm. Pct. 4 (281-980-9077)
<input type="checkbox"/> Tax Assessor/Collector	<input checked="" type="checkbox"/> County Clerk (281-341-8697)
<input checked="" type="checkbox"/> Engineering	<input checked="" type="checkbox"/> County Atty (281-341-4557)

RECOMMENDATION / ACTION REQUESTED:

Special Handling Requested (specify): Please return to County Attorney's Office.

4-9-10 orig. ret. to Amy at Co. Attorney

THE STATE OF TEXAS
COUNTY OF FORT BEND

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**RESOLUTION AND ORDER DECREERING THE ACQUISITION OF
PROPERTY TO BE A PUBLIC NECESSITY AND AUTHORIZING THE
ACQUISITION AND PAYMENT OF COMPENSATION**

WHEREAS, on the 6 day of April, 2010, at a regular meeting of the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon motion of Commissioner Meyers, seconded by Commissioner Prestage, duly put and carried:

RESOLUTION

RESOLVED THAT WHEREAS, the Commissioners Court has received and reviewed the plans for a public project known as the Howell-Sugarland Road Project, located from Howell-Sugarland Road, in Fort Bend County, Texas; and

WHEREAS, Commissioners Court has determined that public necessity and convenience exists for the location, alignment, construction, operation, and maintenance of a public project known as the Howell-Sugarland Road more particularly described in "Exhibit A" attached hereto and located in Fort Bend County, Texas, accordance with said plans, alignment, and tract identifications which are part hereof:

ORDER

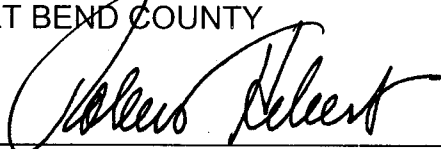
NOW THEREFORE, IT IS ORDERED AND DECREED that the plans for the location, alignment, construction, operation, and maintenance of the public project known as the Howell-Sugarland Road Project, more particularly described in "Exhibit A" and located in Fort Bend County, Texas, is approved.

IT IS FURTHER ORDERED AND DECREED that public necessity and convenience exist for the public project, known as the Howell-Sugarland Road Project more particularly described on "Exhibit A" and located in Fort Bend County, Texas, and that the County Engineer be authorized and directed to obtain appraisals, surveys, title information and/or make official offers of specific amount for the purchase of either easement or the fee simple interest in and to the tract(s) situated within such alignment [survey(s) attached]; that the County Attorney be authorized and directed, and he is hereby authorized and directed to file or cause to be filed proceedings in eminent domain and to acquire thereby easement or fee simple interest for said purposes in the tract(s) which cannot be acquired as aforesaid by donation, dedication, or purchase.


IT IS FURTHER ORDERED AND DECREED that the County Judge or designated representative be authorized and directed to sign any papers or agreements associated with closing the purchase(s); the County Attorney, County Clerk, County Auditor and their respective spheres of official duties toward the final acquisition of the tract(s) of land, or interest(s) therein, together with the improvement if any, within the said public project known as the Howell-Sugarland Road Project more particularly described in "Exhibit A" in Fort Bend County, Texas and the payment and compensation therefore.

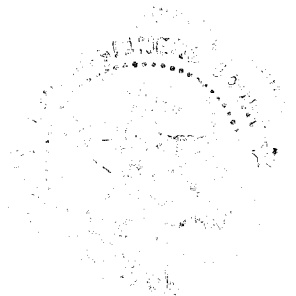
PASSED AND APPROVED this 6 day of April, 2010.

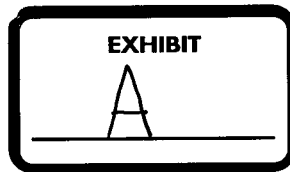
FORT BEND COUNTY


Robert E. Hebert, County Judge

ATTEST:


Dianne Wilson, County Clerk





Tract 1A

Being 0.0024 of an acre (103 square feet) of land situated in the H. K. Stafford Survey, Abstract No. 635, Fort Bend County, Texas and being out of and a part of a tract of land conveyed to Metropolitan Life Insurance Company as recorded in Harris County Clerk's File Number M090745 of the Official Property Records of Real Property of Harris County, Texas and in Volume 2110, Page 272 of the Fort Bend County Deed Records; said 0.0024 of one acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 3/8-inch iron rod found for the north corner of a cutback corner between the south right-of-way line of Bissonett Street (based on a 100.00 foot width) and the east right-of-way line of Howell-Sugarland Road (based on a 60.00 foot width), for a north corner of said Metropolitan Life Insurance Company tract and for a north corner of the herein described parcel; *{All bearings are based on the Texas State Plane Coordinate System, South Central Zone, 1983 Datum}*.

Thence, South 42° 31' 25" West, with the existing cutback line, a distance of 9.80 feet to a 5/8-inch iron rod with plastic cap stamped "Ratnala & Bahl" set at the recognized common county line of Fort Bend and Harris counties for the **POINT OF BEGINNING** of herein described parcel;

THENCE, South 56° 25' 32" East, with the recognized common county line of Fort Bend and Harris counties, a distance of 10.12 feet to a 5/8-inch iron rod with plastic cap stamped "Ratnala & Bahl" set on said county line and for the southeast corner of herein described parcel;

THENCE, South 42° 31' 25" West, along the proposed cut-back right-of-way line of said Howell-Sugarland Road, a distance of 16.08 feet to 5/8-inch iron rod with plastic cap stamped "Ratnala & Bahl" set for the south corner of the said proposed cutback line and being the southmost corner of herein described parcel;

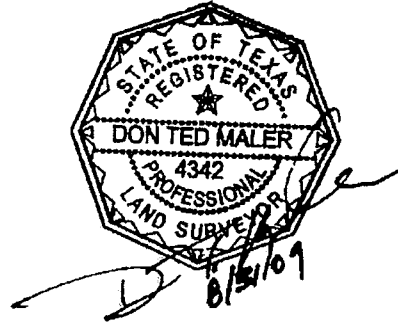
THENCE, North 02° 12' 31" East, along the existing east right-of-way line of Howell-Sugarland Road, a distance of 14.21 feet to the existing cut-back corner of said Howell-Sugarland Road and being the northeasterly corner of herein described parcel;

THENCE, North 42° 31' 25" East, with the existing cut-back line of said Howell-Sugarland Road, a distance of 4.41 feet to the **POINT OF BEGINNING** and containing 0.0024 of one acre (103 square feet) of land.

A plat of even survey date hereby accompanies description.

August 6, 2009

Compiled by:
Ratnala and Bahl, Inc.
11767 Katy Freeway, Suite 510
Houston, Texas 77079
(281) 759-6400



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