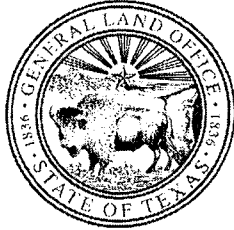


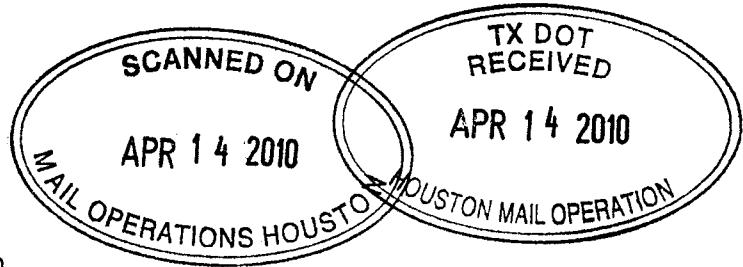
TEXAS



GENERAL LAND OFFICE

JERRY PATTERSON, COMMISSIONER

April 12, 2010



East Region Right of Way Office  
 Texas Department of Transportation  
 ATTN: Michael M. Beitler  
 7600 Washington Ave  
 Houston, TX 77007

Re: MOU between TxDOT, GLO, and Fort Bend County concerning access  
 from PSF land to SH 99 and Harlem Road

Dear Mr. Beitler:

Enclosed are three (3) counterpart originals of the Memorandum of Understanding referenced above. The General Land Office has signed the three counterparts as requested.

Please obtain the signatures and notarizations required for Texas Department of Transportation and Fort Bend County for the three counterpart originals. Upon completion of the final signature and notary, please return one completed original counterpart to my attention:

Texas General Land Office  
 ATTN: Candy Owens  
 1700 North Congress Avenue Suite 840  
 Austin, Texas 78701-1495

Upon my receipt of the original counterpart, I will send the signed Deed without Warranty for the 46.187 acres.

Meanwhile, should you have any questions or require anything further, please do not hesitate to contact me at (512) 463-3726.

Yours truly,

Candy Owens  
 Closing Manager

Stephen F. Austin Building • 1700 North Congress Avenue • Austin, Texas 78701-1495

Post Office Box 12873 • Austin, Texas 78711-2873

512-463-5001 • 800-998-4GLO

[www.glo.state.tx.us](http://www.glo.state.tx.us)

4-29-10 COPY  
 received

## **MEMORANDUM OF UNDERSTANDING**

**THIS MEMORANDUM OF UNDERSTANDING** ("MOU") is entered into by and between the **TEXAS DEPARTMENT OF TRANSPORTATION** ("TxDOT"), by and through its Executive Director, the **TEXAS GENERAL LAND OFFICE** ("GLO") by and through the Chief Clerk of the Texas General Land Office, and **FORT BEND COUNTY** ("County"), by and through its authorized Commissioner, concerning access from certain Permanent School Fund land ("PSF Land") to State Highway 99 ("SH 99") and Harlem Road.

**WHEREAS**, the GLO manages, and intends to sell for development in the future, certain PSF Land in Fort Bend County, Texas, which is the cross-hatched area shown on and labeled as GLO Property on Exhibit A, which is attached hereto and incorporated herein for all purposes, and

**WHEREAS**, the parties hereto agree that the State of Texas, the County, the PSF Land, and the subsequent users thereof, would benefit if the PSF Land has access to SH 99 and Harlem Road as hereinafter provided, and

**WHEREAS**, representatives of the parties hereto have met, conferred, and agreed upon the access to be provided to the PSF Land to SH 99 and Harlem Road and desire to document that agreement in this MOU,

**NOW THEREFORE**, it is agreed between TxDOT, GLO and County as follows:

1. The PSF Land shall have access to SH 99 between West Airport Boulevard and Harlem Road. The access may be provided by the GLO, or its successors or assigns, constructing a driveway or roadway access to SH 99 on the future West Airport Boulevard alignment to the west, which driveway or roadway to serve as the future extension of West Airport Boulevard.

2. The PSF Land shall also have access to SH 99 north of Harlem Road by the GLO, or its successors or assigns, constructing a one-way, southbound frontage road would merge with SH 99 in the manner shown on Exhibit A. The design, construction, and funding of such frontage road shall be the obligation of the GLO, or its successors or assigns.


3. Because ownership/maintenance responsibilities for the SH 99 corridor may, in the future, be in either TxDOT or the County, the agreed to access shall comply with the access management policy of TxDOT or the County, as the case may be, at the time of permit application.

4. The PSF Land shall have access to Harlem Road between SH 99 and the northernmost line of the property currently owned and occupied by the Fort Bend Independent School District, if the driveway permit request meets all Fort Bend County

Engineering requirements. The design, construction, and funding of such access shall be the obligation of the GLO, or its successors or assigns and shall comply with the County's access management policies at the time of permit application.

**IN WITNESS WHEREOF** this Memorandum of Understanding is entered into and shall be effective on the date of the last signature below.

**TEXAS GENERAL LAND OFFICE**

By:   
Larry L. Laine  
Chief Clerk, Texas General Land Office

Date: 4/8/10

**APPROVED:**





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Legal:

Deputy Comm:

General Counsel:


Executive:

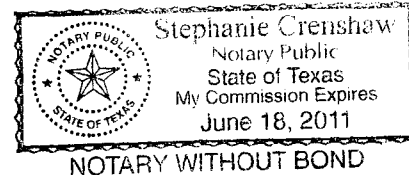
  
  
  


**ACKNOWLEDGMENT FOR TEXAS GENERAL LAND OFFICE**

STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 8<sup>th</sup> day of April, 2010, by Larry L. Laine, Chief Clerk, on behalf of the Texas General Land Office.

  
Notary Public, State of Texas  
My commission expires: June 18, 2011



TEXAS DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Executive Director

Date: \_\_\_\_\_

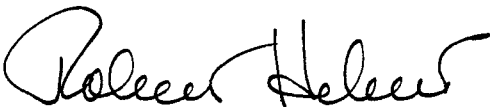
ACKNOWLEDGEMENT FOR TEXAS DEPARTMENT OF TRANSPORTATION

STATE OF TEXAS §  
COUNTY OF TRAVIS §

This instrument was acknowledged before me on the \_\_\_\_\_, day of \_\_\_\_\_, by \_\_\_\_\_ Executive Director, on behalf of the Texas Department of Transportation.

\_\_\_\_\_  
Notary Public, State of Texas  
My commission expires: \_\_\_\_\_

FORT BEND COUNTY


By:   
~~Commissioner~~ Robert Hebert, County Judge

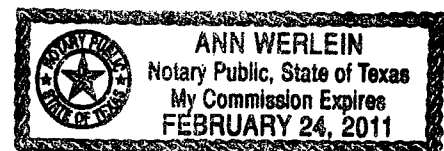
Date: April 27, 2010

ACKNOWLEDGEMENT FOR FORT BEND COUNTY

STATE OF TEXAS §  
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 27, day of April<sup>2010</sup>, by Robert Hebert, County Judge ~~Commissioner~~, on behalf of Fort Bend County.

  
Notary Public, State of Texas  
My commission expires: February 24, 2011



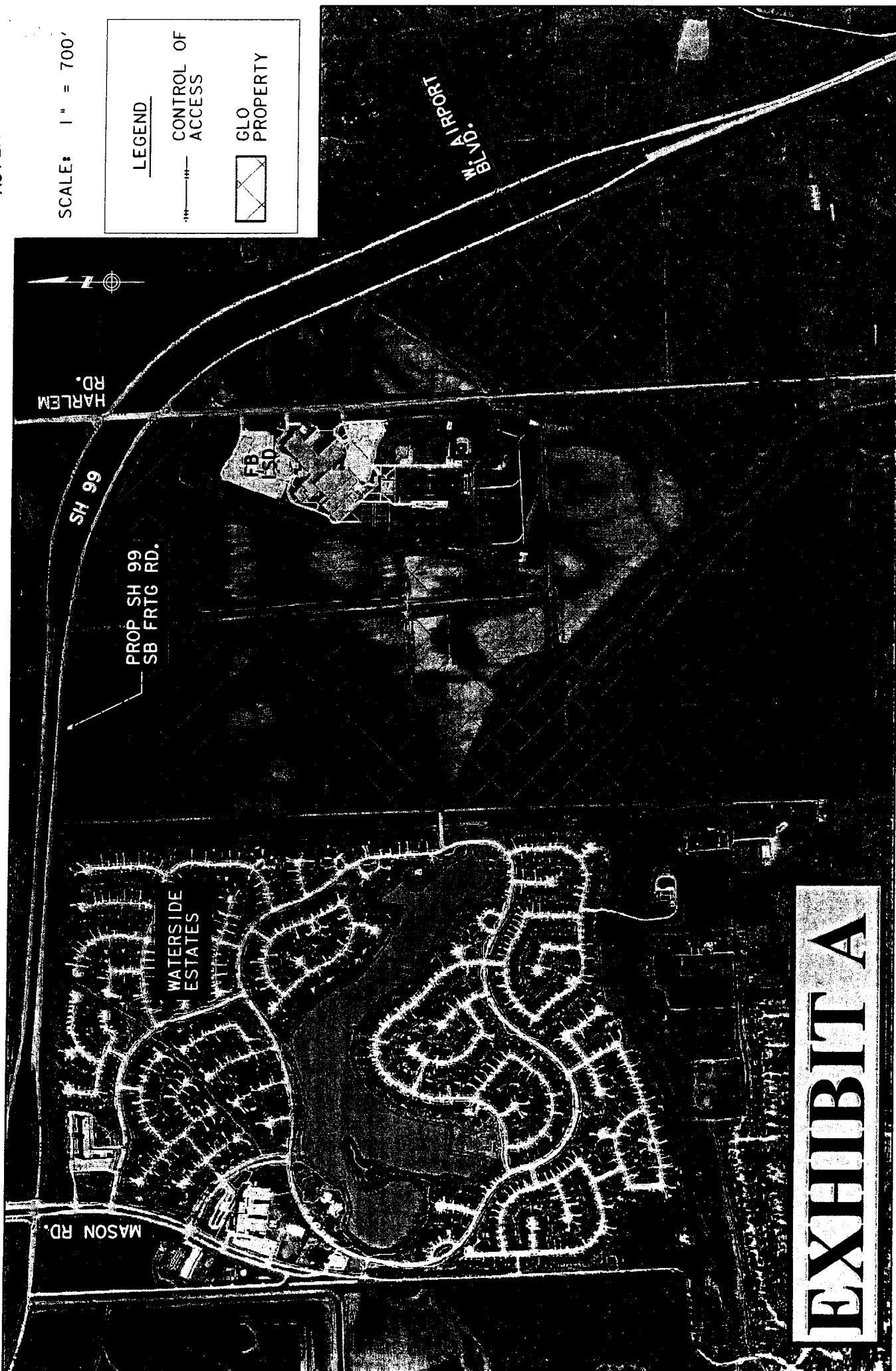
AS PER ORIGINAL

SCALE: 1" = 700'

LEGEND

--- CONTROL OF ACCESS

□ GLO PROPERTY



**EXHIBIT A**