

ARF-1303

REGULAR SESSION AGENDA

Date: 08/24/2010

Deed**Submitted By:** Amy Svatek, County Attorney**Department:** Engineering**Type of Item:** Consent**Renewal Agreement/** No**Appointment:****Reviewed by County** Yes**Attorney's Office:****Multiple Originals** N**Y/N?:**

AGENDA ITEM

12 B

Information**SUMMARY OF ITEM**

Approve Quitclaim Deed from Fort Bend County to the City of Missouri City for real properties more particularly described in Exhibits A, B & C, and authorized by Commissioners Court on 2/8/2005 in Agreement between the City of Missouri City and Fort Bend County for the 5th Street Widening Project; Pct 1

SPECIAL HANDLING

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

ret. 8-22-10

AttachmentsLink: Quitclaim Deed



DEED

2010082984

9 PGS

QUITCLAIM DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
 COUNTY OF FORT BEND §

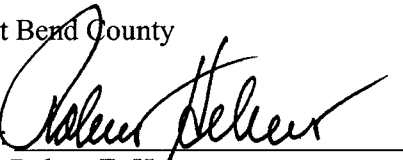
That the undersigned, Fort Bend County, hereinafter referred to as "Grantor," whether one or more, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) by Grantee herein named, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has QUITCLAIMED, and by these presents does QUITCLAIM unto the City of Missouri City, of the State of Texas, herein referred to as "Grantee," whether one or more, the real property described on attached Exhibits "A", "B" and "C".

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property and premises unto the Grantee, and Grantee's heirs, administrators, executors, successors and/or assigns forever; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any part thereof.

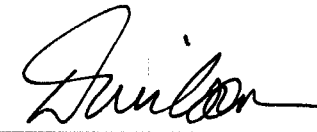
EXECUTED this 24 day of August, 2010.

Fort Bend County

BY:


 Robert E. Hebert,
 Fort Bend County Judge

ATTEST:

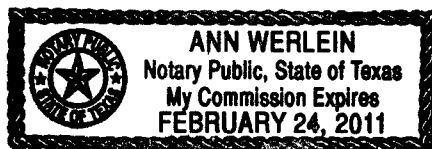

 Dianne Wilson,
 Fort Bend County Clerk

Grantee's Address:

City Of Missouri City
 Department of Public Works
 1522 Texas Parkway
 Missouri City, Texas 77489

THE STATE OF TEXAS §
 §
 COUNTY OF Fort Bend §

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




 NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:
 FORT BEND COUNTY ATTORNEY
 301 Jackson St., Ste. 728
 Richmond, Texas 7746

Ret Q
 Counter to:
 CCM 8-24-10 #12B
 Fort Bend County Clerk
 Return Admin Serv Coord

EXHIBIT A

Property Address: 3619 Fifth Street
Missouri City, Texas 77479

Legal Description: 0.0161 acre (700 square feet) tract of land being out of Tract 4, William Neal Survey, Abstract Number 64, in Fort Bend County, Texas.

Fifth Street – Tract 4
0.0161 Acre (700 Square Feet)

William Neal Survey
Abstract Number 64

STATE OF TEXAS §

COUNTY OF FORT BEND §

A **METES & BOUNDS** description of a 0.0161 acre (700 square feet) tract of land in the William Neal Survey, Abstract Number 64 in Fort Bend County, Texas, being a portion of a calculated 0.1575 acre tract of land described in General Warranty Deed from Geraldine Fisher, Executrix to Hortencia Aguilar and Dionisio Aguilar, executed October 13, 1988, as recorded in Volume 2076, Page 528 of the Fort Bend County Deed Records (F.B.C.D.R.), Fort Bend County, Texas, said 0.0161 acre tract is more particularly described as follows with all bearings based upon the Texas State Plane Coordinate System, South Central Zone, NAD 83, based on published monuments along Highway 90, in the City of Stafford, provided by the Texas Department of Transportation, all coordinates are surface and were obtained by utilizing Real Time Kinematics Global Positioning Equipment;

COMMENCING at a 1/2 inch rod found for the south corner of said 0.1575 acre tract and being on the northeasterly right-of-way line of Rothwell Street;

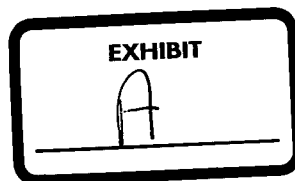
THENCE, North 50°06'52" West, 83.88 feet along the common northeasterly right-of-way line of Rothwell Street and the southwesterly line of said 0.1575 acre tract to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for radial cutback corner on the proposed southeasterly right-of-way line of Fifth Street for the **POINT OF BEGINNING** of the herein described tract having coordinates of X=3,061,233.58, Y=13,780,671.17;

THENCE, North 50°06'52" West, 26.10 feet continuing along said common line to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for corner at the intersection of the northeasterly right-of-way line of Rothwell Street and the existing southeasterly right-of-way line of Fifth Street;

THENCE, North 42°48'07" East, 62.50 feet along the existing southeasterly right-of-way line of Fifth Street to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for corner on the common northeasterly line of said 0.1575 acre tract and the southwesterly line of the remainder of a called 0.50 acre tract of land, called Tract No. 1 as described in General Warranty Deed from Roy E. Kelly, Jr. to Frank Fisher, Jr., executed March 1, 1968, as recorded in Volume 500, Page 252 of the F.B.C.D.R.;

THENCE, South 50°07'53" East, 10.38 feet along said common line to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set on the proposed southeasterly right-of-way line of Fifth Street;

THENCE, South 42°52'48" West, 46.70 feet along the proposed southeasterly right-of-way line of Fifth Street to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for radial cutback corner and the point of curvature of a curve to the left;



Fifth Street – Tract 4
0.0161 Acre (700 Square Feet)

William Neal Survey
Abstract Number 64

THENCE, in a southeasterly direction, continuing along the proposed southeasterly right-of-way line of Fifth Street, with said radial cutback and with said curve to the left having a central angle of $92^{\circ}59'40''$, a radius of 15.00 feet, an arc length of 24.35 feet and a chord bearing South $03^{\circ}37'02''$ East, 21.76 feet to the **POINT OF BEGINNING**, containing 0.0161 acre of land in Fort Bend County, Texas as shown on the Fifth Street Right-of-Way Alignment Maps, drawing file number 5043, in the offices of Cotton Surveying Company in Houston, Texas.

MARCH 2003
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EXHIBIT B

Property Address: 303 Center
Stafford, Texas 77477

Legal Description: 0.0149 acre (651 square feet) tract of land being out of Tract 5, William Neal Survey, Abstract Number 64, in Fort Bend County, Texas.

Fifth Street – Tract 5
0.0149 Acre (651 Square Feet)

William Neal Survey
Abstract Number 64

STATE OF TEXAS §

COUNTY OF FORT BEND §

A **METES & BOUNDS** description of a 0.0149 acre (651 square feet) tract of land in the William Neal Survey, Abstract Number 64 in Fort Bend County, Texas, being a portion of the remainder of a called 0.50 acre tract of land (calculated 0.1572 acre), called Tract No. 1 described in General Warranty Deed from Roy E. Kelly, Jr. to Frank Fisher, Jr., executed March 1, 1968, as recorded in Volume 500, Page 252 of the Fort Bend County Deed Records (F.B.C.D.R.), Fort Bend County, Texas, said 0.0149 acre tract is more particularly described as follows with all bearings based upon the Texas State Plane Coordinate System, South Central Zone, NAD 83, based on published monuments along Highway 90, in the City of Stafford, provided by the Texas Department of Transportation, all coordinates are surface and were obtained by utilizing Real Time Kinematics Global Positioning Equipment;

COMMENCING at the east corner of said 0.1572 acre tract and being on the southwesterly line of a called 0.43 acre tract of land described in Deed from Louise Tucker to Francisco Martinez, Jr., executed October 19, 1963, as recorded in Volume 458, Page 388 of the F.B.C.D.R. from which a found 1/2 inch rod bears South 42°21' West, 1.52 feet;

THENCE, North 50°08'38" West, 99.11 feet along the common northeasterly line of said 0.1572 acre tract and the southwesterly line of said 0.43 acre tract to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set on the proposed southeasterly right-of-way line of Fifth Street for the **POINT OF BEGINNING** of the herein described tract having coordinates of X=3,061,306.52, Y=13,780,772.91;

THENCE, South 42°52'48" West, 62.51 feet along the proposed southeasterly right-of-way line of Fifth Street to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for corner on the common southwesterly line of said 0.1572 acre tract and the northeasterly line of a calculated 0.1575 acre tract of land described in General Warranty Deed from Geraldine Fisher, Executrix to Hortencia Aguilar and Dionisio Aguilar, executed October 13, 1988, as recorded in Volume 2076, Page 528 of the F.B.C.D.R.;

THENCE, North 50°07'53" West, 10.38 feet along said common line to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set on the existing southeasterly right-of-way line of Fifth Street;

THENCE, North 42°48'07" East, 62.50 feet along the existing southeasterly right-of-way line of Fifth Street to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for corner on the common northeasterly line of said 0.1572 acre tract and the southwesterly line of the aforesaid 0.43 acre tract;

THENCE, South 50°08'38" East, 10.47 feet along said common line to the **POINT OF BEGINNING**, containing 0.0149 acre of land in Fort Bend County, Texas as shown on the Fifth Street Right-of-Way Alignment Maps, drawing file number 5043, in the offices of Cotton Surveying Company in Houston, Texas.



EXHIBIT C

Property Address: 3611 Fifth Street
Missouri City, Texas 77479

Legal Description: 0.0289 acre (1,259 square feet) tract of land being out of Tract 6, William Neal Survey, Abstract Number 64, in Fort Bend County, Texas.

Fifth Street – Tract 6
0.0289 Acre (1,259 Square Feet)

William Neal Survey
Abstract Number 64

STATE OF TEXAS §

COUNTY OF FORT BEND §

A **METES & BOUNDS** description of a 0.0289 acre (1,259 square feet) tract of land in the William Neal Survey, Abstract Number 64 in Fort Bend County, Texas, being a portion of a called 0.43 acre tract of land described in Deed from Louise Tucker to Francisco Martinez, Jr., executed October 19, 1963, as recorded in Volume 458, Page 388 of the of the Fort Bend County Deed Records (F.B.C.D.R.), Fort Bend County, Texas, said 0.0289 acre tract is more particularly described as follows with all bearings based upon the Texas State Plane Coordinate System, South Central Zone, NAD 83, based on published monuments along Highway 90, in the City of Stafford, provided by the Texas Department of Transportation, all coordinates are surface and were obtained by utilizing Real Time Kinematics Global Positioning Equipment;

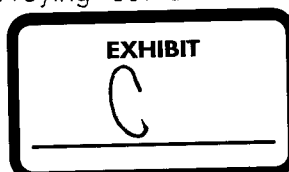
COMMENCING at an 1/2 inch iron rod with cap found for the east corner of a called 60 foot by 125 foot tract of land described in Warranty Deed with Vendor's Lien from Pete S. Garcia and wife, Marvy M. Garcia to Louise Ramirez, executed December 12, 1978, as recorded in Volume 812, page 431 of the Fort Bend County Deed Records and being on the southwesterly line of said 0.43 acre tract from which the south corner of said 0.43 acre tract bears South 50°08'38" East, 21.46 feet;

THENCE, North 50°08'38" West, 163.46 feet along the common southwesterly line of said 0.43 acre tract and the northeasterly line of said Ramirez tract to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set on the common southwesterly line of said 0.43 acre tract and the northeasterly line of a calculated 0.1572 acre tract being the remainder of a called 0.50 acre tract of land, called Tract No. 1 described in General Warranty Deed from Roy E. Kelly, Jr. to Frank Fisher, Jr., executed March 1, 1968, as recorded in Volume 500, Page 252 of the F.B.C.D.R. and being on the proposed southeasterly right-of-way line of Fifth Street for the **POINT OF BEGINNING** of the herein described tract having coordinates of X=3,061,306.52, Y=13,780,772.91;

THENCE, North 50°08'38" West, 10.47 feet along said common line to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for the common west corner of said 0.43 acre tract and the north corner of said 0.1572 acre tract and being on the existing southeasterly right-of-way line of Fifth Street;

THENCE, North 42°48'07" East, 120.10 feet along the common northwesterly line of said 0.43 acre tract and the existing southeasterly right-of-way line of Fifth Street to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for corner on the common northeasterly line of said 0.43 acre tract and the southwesterly line of a called 0.2019 acre tract of land described in Deed from Frank Martinez and wife, Romana Martinez to Allen R. Finch and wife, Naomi Finch, executed November 26, 1976, as recorded in Volume 706, Page 22 of the F.B.C.D.R.;

THENCE, South 43°09'21" East, 10.64 feet along said common line to a 5/8 inch iron rod with cap stamped "Cotton Surveying" set for corner on the proposed southeasterly right-of-way line of Fifth Street;



Fifth Street – Tract 6
0.0289 Acre (1,259 Square Feet)

William Neal Survey
Abstract Number 64

THENCE, South 42°52'48" West, 118.81 feet along the proposed southeasterly right-of-way line of Fifth Street to the **POINT OF BEGINNING**, containing 0.0289 acre of land in Fort Bend County, Texas as shown on the Fifth Street Right-of-Way Alignment Maps, drawing file number 5043, in the offices of Cotton Surveying Company in Houston, Texas.

MARCH 2003
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FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2010 Aug 27 10:39 AM

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DA \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS