

FORT BEND COUNTY ENGINEERING

Fort Bend County, Texas

D. Jesse Hegemier
County Engineer

October 14, 2010

Commissioner Richard Morrison
Fort Bend County Precinct 1
1517 Eugene Heimann Circle, Suite 300
Richmond, Texas 77469

RE: Variance Request for Dennis Ray Vacek to allow an 8.310 acre tract to be divided into four (4) tracts, Tract 1, 2.077 acres, and Tract 2, 2.075 acres, Tract 3, 2.078 acres, and Tract 4, 2.080 acres, out of the Edward Pesklak 108.0 acre parent tract, Volume 118, Page 229, to be gifted or sold. Called 8.310 acre tract situated in the Barnabus Wickson Survey, Abstract 95, as described in Instrument #2005040065 and Deed of Gift #2010058531 as deeded to Dustin Ray Vacek, of the deed records of Fort Bend County, Texas.

Commissioner Morrison:

Fort Bend County Engineering has reviewed a request from Dennis Ray Vacek concerning a variance to the Fort Bend County Regulations of Subdivisions. Mr. Vacek requests a variance to allow an 8.310 acre tract to be divided into four tracts (as referenced above).

The four tracts will have adequate access to an existing County road. No further division of these tracts will be allowed without the written consent of Commissioners Court.

Fort Bend County Engineering Department offers no objection to granting this variance and recommends approval of this variance. The FBC Health Department has reviewed this request and offers no objection to the approval.

Under the Fort Bend County Regulations of Subdivisions as described in Section 2.2 B&C. Commissioners Court can grant an exception to the regulations and not require a subdivision plat. If there are no objections, Fort bend County Engineering will place an item on the agenda to approve the request for a variance.

If there are any questions or need for additional information please call 291-633-7510.

Sincerely,



Louis E. Hood, P.E.
First Assistant County Engineering

cc: Judge Robert E. Hebert, County Judge
Mr. Roy Cordes, Jr., FBC Attorney
File

Dennis Ray Vacek
3302 County Road 108
Wharton, Texas 77488
979-618-4816

Dustin Ray Vacek
11444 FM 361
Richmond, Texas 77469

September
~~August~~ 18, 2010

TO: Mr. Richard Morrison
Fort Bend County Commissioner
Precinct No. 1
301 Jackson
Richmond, TX 77469

CC: Fort Bend County Engineering
Fort Bend County Health Department

SUBJECT: Variance Request

BEC [Signature]
We are requesting a variance to the Fort Bend County Regulations of Subdivisions as described in Section 2.2~~X~~ to Commissioners Court to grant an exception to the regulations and not require a subdivision plat for the property described below:

Property Address: Pisklak Road
Overall 8.310 Acre Tract
(Fort Bend County Clerk's File No. 2005040065)
2.077 Acre portion of 8.310 Acre Tract
(Fort Bend County Clerk's File No. 2010058531)

Property Survey & Abstract: Barnabas Wickson Survey, Abstract No. 95

Tax Accounty Number: XREF 0095-00-000-9650-906
Property ID R40492

Owners of Record: Dennis Ray Vacek
Dustin Ray Vacek

Division Request: 8.310 Acres overall to be divided into 4 equal tracts
All tracts have access to existing maintained roadway

Further Description: Land is vacant pasture now

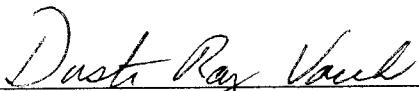
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Attachments: Survey Map showing division and field note descriptions of tracts
Deeds
Health Department approval
Tract is [REDACTED] located within ETJ of [REDACTED] *THE VILLAGE OF FAIRCHILDS*

I understand no further division of these tracts will be allowed without the written consent of Commissioners Court. Your consideration of this request is appreciated.

Sincerely,


Dennis Ray Vacek


Dustin Ray Vacek

KELLY R. KALUZA & ASSOCIATES, INC.

Consulting Engineers & Surveyors

Engineering Firm No. F-1339

3014 Avenue I, Rosenberg, Texas 77471

(281) 341-0808 ■ FAX (281) 341-6333

June 2, 2010

Tract No. 1 - 2.077 Acres

A FIELD NOTE DESCRIPTION of 2.077 acres of Land being a portion of a call 8.3103 acre tract (Fort Bend County Clerk's File No. 2005040065) being a portion of the original Edward Pesklak (Pisklak) call 108 acre tract (Volume 118, Page 229; Deed Records of Fort Bend County, Texas - called "115.0484 acre tract", Volume 943, Page 23; Deed Records of Fort Bend County, Texas) and being out of Lot No. Sixteen (16) of the Minnonite Colony Subdivision of the B. Wickson League (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95; Fort Bend County, Texas.

FOR CONNECTION, begin at a point in Psencik Road (60 feet wide) for the North corner of said Lot No. Sixteen and for the North corner of said call 115.0484 acre tract; Thence; South 44 degrees, 34 minutes, 22 seconds West (reference bearing), at 23.95 feet pass a 3/4 inch inside diameter iron pipe with cap found for reference, at 26.67 feet pass a 5/8 inch diameter iron rod with plastic cap found for reference in the Southerly right-of-way line of said Psencik Road, at 634.48 feet pass a 3/4 inch inside diameter iron pipe inside a one-and-one-half inch inside diameter galvanized iron pipe found for reference, at 1196.57 feet pass a 5/8 inch diameter iron rod with plastic cap found for reference, in all 1758.53 feet along the Northwesterly line of said call 115.0484 acre tract to a 5/8 inch diameter iron rod with plastic cap found for the North corner of said call 8.3103 acre tract and for the West corner of a call 2.3871 acre tract (Tract I; Volume 1322, Page 579; Official Records of Fort Bend County, Texas); Said corner being the North corner of Tract No. 4 - 2.080 acres of Land surveyed this day; Thence; South 45 degrees, 14 minutes, 0 seconds East, at 341.14 feet pass a 5/8 inch diameter iron rod with plastic cap set for reference, in all 804.18 feet along the Southwesterly lines of said call 2.3871 acre tract, a call 4.0 acre tract (Tract III; Volume 1322, Page 579; Official Records of Fort Bend County, Texas), and a call 4.0 acre tract (Tract II; Volume 1322, Page 579; Official Records of Fort Bend County, Texas) to a 5/8 inch diameter iron rod with plastic cap found for the East corner of said call 8.3103 acre tract; said corner being the East corner of Tract No. 2 - 2.075 acres of Land surveyed this day and bears South 44 degrees, 46 minutes, 0 seconds West - 2023.56 feet along the Northwesterly right-of-way line of Pisklak Road (60 foot wide private road and utility easement - call 3.6606 acres, Volume 1245, Page 869; Official Records of Fort Bend County, Texas) from a 3/4 inch inside diameter iron pipe found for reference in the Southerly right-of-way line of said Psencik Road; Thence; South 44 degrees, 46 minutes, 0 seconds West, at 195.18 feet pass a 5/8 inch diameter iron rod with plastic cap set for reference, at 225.18 feet pass a cotton picker spindle set in asphalt pavement for reference, in all 255.18 feet along the Southeasterly line of said call 8.3103 acre tract along the Northwesterly right-of-way line of said Pisklak Road to a cotton picker spindle set in asphalt pavement for the most Southerly corner of Tract No. 3 - 2.078 acres of Land

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surveyed this day ; said corner being the East corner of and **PLACE OF BEGINNING** for this 2.077 acre tract of Land;

THENCE; South 44 degrees, 46 minutes, 0 seconds West - 195.39 feet continuing along the Northwesterly right-of-way line of said Pisklak Road to a 5/8 inch diameter iron rod with plastic cap set for the South corner of this tract; Said corner being the South corner of said call 8.3103 acre tract;

THENCE; North 45 degrees, 14 minutes, 0 seconds West - 463.04 feet along the Southwesterly line of said call 8.3103 acre tract along the Northeasterly line of a call 12.00 acre tract (Volume 1026, Page 391; Deed Records of Fort Bend County, Texas) to a 5/8 inch diameter iron rod with plastic cap set for the West corner of this tract; Said corner being a re-entrant corner of said Tract No. 3 - 2.078 acres of Land;

THENCE; Northerly and Easterly, crossing said call 8.3103 acre tract along the interior lines of said Tract No. 3 - 2.078 acres of Land with the following courses and distances:

North 44 degrees, 46 minutes, 0 seconds East - 195.39 feet to a 5/8 inch diameter iron rod with plastic cap set for the North corner of this tract;

South 45 degrees, 14 minutes, 0 seconds East - 463.04 feet to the **PLACE OF BEGINNING** and containing 2.077 acres of Land.


C. Tim Griffith, R.P.L.S. No. 4349



KELLY R. KALUZA & ASSOCIATES, INC.

Consulting Engineers & Surveyors

Engineering Firm No. F-1339

3014 Avenue I, Rosenberg, Texas 77471

(281) 341-0808 ■ FAX (281) 341-6333

June 2, 2010

Tract No. 2 - 2.075 Acres

A FIELD NOTE DESCRIPTION of 2.075 acres of Land being a portion of a call 8.3103 acre tract (Fort Bend County Clerk's File No. 2005040065) being a portion of the original Edward Pesklak (Pisklak) call 108 acre tract (Volume 118, Page 229; Deed Records of Fort Bend County, Texas - called "115.0484 acre tract", Volume 943, Page 23; Deed Records of Fort Bend County, Texas) and being out of Lot No. Sixteen (16) of the Minnonite Colony Subdivision of the B. Wickson League (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95; Fort Bend County, Texas.

FOR CONNECTION, begin at a point in Psencik Road (60 feet wide) for the North corner of said Lot No. Sixteen and for the North corner of said call 115.0484 acre tract; Thence; South 44 degrees, 34 minutes, 22 seconds West (reference bearing), at 23.95 feet pass a 3/4 inch inside diameter iron pipe with cap found for reference, at 26.67 feet pass a 5/8 inch diameter iron rod with plastic cap found for reference in the Southerly right-of-way line of said Psencik Road, at 634.48 feet pass a 3/4 inch inside diameter iron pipe inside a one-and-one-half inch inside diameter galvanized iron pipe found for reference, at 1196.57 feet pass a 5/8 inch diameter iron rod with plastic cap found for reference, in all 1758.53 feet along the Northwesterly line of said call 115.0484 acre tract to a 5/8 inch diameter iron rod with plastic cap found for the North corner of said call 8.3103 acre tract and for the West corner of a call 2.3871 acre tract (Tract I; Volume 1322, Page 579; Official Records of Fort Bend County, Texas); Said corner being the North corner of Tract No. 4 - 2.080 acres of Land surveyed this day; Thence; South 45 degrees, 14 minutes, 0 seconds East - 341.14 feet along the Northeasterly line of said call 8.3103 acre tract along the Southwesterly lines of said call 2.3871 acre tract and a call 4.0 acre tract (Tract III; Volume 1322, Page 579; Official Records of Fort Bend County, Texas) to a 5/8 inch diameter iron rod with plastic cap set for a re-entrant corner of said Tract No. 4 - 2.080 acres of Land being the North corner of and **PLACE OF BEGINNING** for this 2.075 acre tract of Land;

THENCE; South 45 degrees, 14 minutes, 0 seconds East - 463.04 feet, continuing along the Northeasterly line of said call 8.3103 acre tract along the Southwesterly lines of said call 4.0 acre tract (Tract III; Volume 1322, Page 579; Official Records of Fort Bend County, Texas) and a call 4.0 acre tract (Tract II; Volume 1322, Page 579; Official Records of Fort Bend County, Texas) to a 5/8 inch diameter iron rod with plastic cap found for the East corner of this tract; Said corner being the East corner of said call 8.3103 acre tract, bears South 44 degrees, 46 minutes, 0 seconds West - 2023.56 feet along the Northwesterly right-of-way line of Pisklak Road (60 foot wide private road and utility easement - call 3.6606 acres, Volume 1245, Page

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869; Official Records of Fort Bend County, Texas) from a 3/4 inch inside diameter iron pipe found for reference in the Southerly right-of-way line of said Psencik Road;

THENCE; South 44 degrees, 46 minutes, 0 seconds West -195.18 feet along the Southeasterly line of said call 8.3103 acre tract along the Northwesternly right-of-way line of said Pisklak Road to a 5/8 inch diameter iron rod with plastic cap set for the South corner of this tract; Said corner being the most Easterly corner of said Tract No. 4 - 2.080 acres of Land;

THENCE; Westerly and Northerly, crossing said call 8.3103 acre tract along the interior lines of said Tract No. 4 - 2.080 acres of Land with the following courses and distances:

North 45 degrees, 14 minutes, 0 seconds West - 463.04 feet to a 5/8 inch diameter iron rod with plastic cap set for the West corner of this tract;

North 44 degrees, 46 minutes, 0 seconds East - 195.18 feet to the **PLACE OF BEGINNING** and containing 2.075 acres of Land.


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June 2, 2010

Tract No. 3 - 2.078 Acres

A FIELD NOTE DESCRIPTION of 2.078 acres of Land being a portion of a call 8.3103 acre tract (Fort Bend County Clerk's File No. 2005040065) being a portion of the original Edward Pesklak (Pisklak) call 108 acre tract (Volume 118, Page 229; Deed Records of Fort Bend County, Texas - called "115.0484 acre tract", Volume 943, Page 23; Deed Records of Fort Bend County, Texas) and being out of Lot No. Sixteen (16) of the Minnonite Colony Subdivision of the B. Wickson League (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95; Fort Bend County, Texas.

FOR CONNECTION, begin at a point in Psencik Road (60 feet wide) for the North corner of said Lot No. Sixteen (16) and for the North corner of said call 115.0484 acre tract; Thence; South 44 degrees, 34 minutes, 22 seconds West (reference bearing), at 23.95 feet pass a 3/4 inch inside diameter iron pipe with cap found for reference, at 26.67 feet pass a 5/8 inch diameter iron rod with plastic cap found for reference in the Southerly right-of-way line of said Psencik Road, at 634.48 feet pass a 3/4 inch inside diameter iron pipe inside a one-and-one-half inch inside diameter galvanized iron pipe found for reference, at 1196.57 feet pass a 5/8 inch diameter iron rod with plastic cap found for reference, in all 1758.53 feet along the Northwesterly line of said call 115.0484 acre tract to a 5/8 inch diameter iron rod with plastic cap found for the North corner of said call 8.3103 acre tract and for the West corner of a call 2.3871 acre tract (Tract I; Volume 1322, Page 579; Official Records of Fort Bend County, Texas); Said corner being the North corner of Tract No. 4 - 2.080 acres of Land surveyed this day; Thence; South 44 degrees, 34 minutes, 22 seconds West - 225.18 feet, continuing along the Northwesterly line of said call 115.0484 acre tract along the Northwesterly line of said call 8.3103 acre tract to a 5/8 inch diameter iron rod with plastic cap set for the West corner of said Tract No. 4 - 2.080 acres of Land being the North corner of and **PLACE OF BEGINNING** for this 2.078 acre tract of Land;

THENCE; South 45 degrees, 14 minutes, 0 seconds East - 803.42 feet, crossing said call 8.3103 acre tract along the Southwesterly line of said Tract No. 4 - 2.080 acres of Land to a cotton picker spindle set in asphalt pavement for the most Easterly corner of this tract; Said corner being the most Southerly corner of said Tract No. 4 - 2.080 acres of Land, bears South 44 degrees, 46 minutes, 0 seconds West - 225.18 feet from a 5/8 inch diameter iron rod with plastic cap found for the East corner of said call 8.3103 acre tract and bears South 44 degrees, 46 minutes, 0 seconds West - 2248.74 feet along the Northwesterly right-of-way line of Pisklak Road (60 foot wide private road and utility easement - call 3.6606 acres, Volume 1245, Page 869; Official Records of Fort Bend County, Texas) from a 3/4 inch inside diameter iron

pipe found for reference in the Southerly right-of-way line of said Psencik Road;

THENCE; South 44 degrees, 46 minutes, 0 seconds West - 30.00 feet along the Southeasterly line of said call 8.3103 acre tract along the Northwesterly right-of-way line of said Pisklak Road to a cotton picker spindle set in asphalt pavement for the most Southerly corner of this tract; Said corner being the East corner of Tract No. 1 - 2.077 acres of Land surveyed this day;

THENCE; Westerly and Southerly, crossing said call 8.3103 acre tract along the Northerly lines of said Tract No. 1 - 2.077 acres of Land with the following courses and distances:

North 45 degrees, 14 minutes, 0 seconds West - 463.04 feet to a 5/8 inch diameter iron rod with plastic cap set for interior corner of this tract;

South 44 degrees, 46 minutes, 0 seconds West - 195.39 feet to a 5/8 inch diameter iron rod with plastic cap set for re-entrant corner of this tract; Said corner being the West corner of said Tract No. 1 - 2.077 acres of Land;

THENCE; North 45 degrees, 14 minutes, 0 seconds West, at 335.1 feet pass a 3/4 inch inside diameter iron pipe inside a one-and-one-half inch inside diameter galvanized iron pipe found for reference, in all 339.62 feet along the Southwesterly line of said call 8.3103 acre tract along the Northeasterly line of a call 12.00 acre tract (Volume 1026, Page 391; Deed Records of Fort Bend County, Texas) to a 5/8 inch diameter iron rod with plastic cap set for the West corner of this tract; Said corner being the West corner of said call 8.3103 acre tract;

THENCE; North 44 degrees, 34 minutes, 22 seconds East - 225.39 feet along the Northwesterly line of said call 8.3103 acre tract along the Northwesterly line of said call 115.0484 acre tract to the **PLACE OF BEGINNING** and containing 2.078 acres of Land.


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June 2, 2010

Tract No. 4 - 2.080 Acres

A FIELD NOTE DESCRIPTION of 2.080 acres of Land being a portion of a call 8.3103 acre tract (Fort Bend County Clerk's File No. 2005040065) being a portion of the original Edward Pesklak (Pisklak) call 108 acre tract (Volume 118, Page 229; Deed Records of Fort Bend County, Texas - called "115.0484 acre tract", Volume 943, Page 23; Deed Records of Fort Bend County, Texas) and being out of Lot No. Sixteen (16) of the Minnonite Colony Subdivision of the B. Wickson League (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95; Fort Bend County, Texas.

FOR CONNECTION, begin at a point in Psencik Road (60 feet wide) for the North corner of said Lot No. Sixteen and for the North corner of said call 115.0484 acre tract; Thence; South 44 degrees, 34 minutes, 22 seconds West (reference bearing), at 23.95 feet pass a 3/4 inch inside diameter iron pipe with cap found for reference, at 26.67 feet pass a 5/8 inch diameter iron rod with plastic cap found for reference in the Southerly right-of-way line of said Psencik Road, at 634.48 feet pass a 3/4 inch inside diameter iron pipe inside a one-and-one-half inch inside diameter galvanized iron pipe found for reference, at 1196.57 feet pass a 5/8 inch diameter iron rod with plastic cap found for reference, in all 1758.53 feet along the Northwesterly line of said call 115.0484 acre tract to a 5/8 inch diameter iron rod with plastic cap found for the North corner of said call 8.3103 acre tract and for the West corner of a call 2.3871 acre tract (Tract I; Volume 1322, Page 579; Official Records of Fort Bend County, Texas); Said corner being the North corner of and **PLACE OF BEGINNING** for this 2.080 acre tract of Land.

THENCE; South 45 degrees, 14 minutes, 0 seconds East - 341.14 feet along the Northeasterly line of said call 8.3103 acre tract along the Southwesterly lines of said call 2.3871 acre tract and a call 4.0 acre tract (Tract III; Volume 1322, Page 579; Official Records of Fort Bend County, Texas) to a 5/8 inch diameter iron rod with plastic cap set for re-entrant corner of this tract; Said corner being the North corner of Tract No. 2 - 2.075 acres of Land surveyed this day and bears North 45 degrees, 14 minutes, 0 seconds West - 463.04 feet from a 5/8 inch diameter iron rod with plastic cap found for the East corner of said call 8.3103 acre tract;

THENCE; Southerly and Easterly, crossing said call 8.3103 acre tract along the Westerly lines of said Tract No. 2 - 2.075 acres of Land with the following courses and distances:

South 44 degrees, 46 minutes, 0 seconds West - 195.18 feet to a 5/8 inch diameter iron rod with plastic cap set for interior corner of this tract;

South 45 degrees, 14 minutes, 0 seconds East - 463.04 feet to a 5/8 inch diameter iron rod with plastic cap set for the most Easterly corner of this tract; Said corner being the South corner of said Tract No. 2 - 2.075 acres of Land and bears South 44 degrees, 46 minutes, 0 seconds West - 2218.74 feet along the Northwestern right-of-way line of Pisklak Road (60 foot wide private road and utility easement - call 3.6606 acres, Volume 1245, Page 869; Official Records of Fort Bend County, Texas) from a 3/4 inch inside diameter iron pipe found for reference in the Southerly right-of-way line of said Psencik Road;

THENCE; South 44 degrees, 46 minutes, 0 seconds West - 30.00 feet along the Southeasterly line of said call 8.3103 acre tract along the Northwestern right-of-way line of said Pisklak Road to a cotton picker spindle set in asphalt pavement for the most Southerly corner of this tract; Said corner being the most Easterly corner of Tract No. 3 - 2.078 acres of Land surveyed this day;

THENCE; North 45 degrees, 14 minutes, 0 seconds West - 803.42 feet crossing said call 8.3103 acre tract along the Northeasterly line of said Tract No. 3 - 2.078 acres of Land to a 5/8 inch diameter iron rod with plastic cap set for the West corner of this tract; Said corner being the North corner of said Tract No. 3 - 2.078 acres of Land;

THENCE; North 44 degrees, 34 minutes, 22 seconds East - 225.18 feet along the Northwestern line of said call 8.3103 acre tract along the Northwestern line of said call 115.0484 acre tract to the **PLACE OF BEGINNING** and containing 2.080 acres of Land.


C. Tim Griffith, R.P.L.S. No. 4349

