

21 E, F, G

Item #: ~~72-6~~.

Engineering

ARF-2473

**REGULAR SESSION AGENDA****Date: 01/04/2011****Dulles Avenue Upgrade Project, Pct. 3****Submitted By:** Laura Johnson, County Attorney**Department:** County Attorney**Type of Item:** Discussion Item**Renewal Agreement/** No**Appointment:****Reviewed by County** Yes**Attorney's Office:****Multiple Originals** Yes**Y/N?:**

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**Information****SUMMARY OF ITEM**

Take all appropriate action on a Partial Release of Reversionary Interest executed by Fort Bend Independent School District in favor of Fort Bend County, Texas necessary to convey portion of property at the Mamie George Library to the City of Sugar Land, Texas for the Dulles Avenue Upgrade Project, Pct. 3.

Take all appropriate action on a Special Warranty Deed conveying a 0.099 acre tract of land from the Fort Bend Independent School District to Fort Bend County, Texas for improved access to the Mamie George Library, as a part of the Dulles Avenue Upgrade Project, Pct. 3.

Take all appropriate action on a Special Warranty Deed conveying a 0.4011 acre tract of land from Fort Bend County, Texas to the City of Sugar Land, Texas for the Dulles Avenue Upgrade Project, Pct. 3.

**SPECIAL HANDLING**

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**Attachments**Link: 7005C FBISD DeedLink: Partial ReleaseLink: 7005C Deed to County

→ Return to Marcus Cooper  
Co. Atty 1-11-11

21E 2 originals returned with 1 original recorded in property records at County Clerk

21F 2 originals returned with 1 original recorded in property records at County Clerk

21G 1 original returned but not recorded because of missing signature



**PARTIAL RELEASE OF REVERSIONARY INTEREST**  
**(FBISD/Fort Bend County)**  
**(Dulles Avenue Upgrade Project)**

THIS PARTIAL RELEASE OF REVERSIONARY INTEREST is given by Fort Bend Independent School District (FBISD) to Fort Bend County (County) as of the later of the signature dates below.

**RECITALS:**

1. By deed dated June 26, 1973 recorded in Volume 593, Page 608 of the Official Records of Fort Bend County, Texas (Deed), FBISD conveyed to the County 1.157 acres of land out of the William Stafford 1 ½ League, Abstract #89 located in the City of Sugar Land, as described in the Deed (Property), for use as a library. The Deed provides that if the County ceases to operate a public library facility on the Property, title to the Property automatically reverts to and vests in FBISD, its successors or assigns and the conveyance becomes null and void.
2. The City of Sugar Land (City) has begun the Dulles Avenue Upgrade Project that includes reconstruction of Dulles Avenue from US90A to Avenue E with associated drainage improvements (Project). The City needs to acquire for the Project 0.4011 acres out of the Property, as described and shown in the attached Exhibit A incorporated into this Partial Release of Reversionary Interest (ROW Parcel).
3. The County has indicated that it will convey the ROW Parcel to the City if FBISD:
  - (a) Waives, relinquishes, and extinguishes application of the reversionary interest in the Deed as to the County's conveyance of the ROW Parcel to the City; and
  - (b) Grants to the County 0.099 acres of land by Special Warranty Deed (being approved on the same date as this Partial Release of Reversionary Interest) to replace access lost by conveyance of the ROW Parcel to the City.

**WITNESSETH:**

NOW, THEREFORE, for and consideration of TEN AND NO/100THS DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, FBISD agrees as follows:

- A. Title to the Property, as described in the deed dated June 26, 1973 recorded in Volume 593, Page 608 of the Official Records of Fort Bend County, Texas (Deed), will not revert to and vest in FBISD upon the County's conveyance of the ROW Parcel to the City.
- B. FBISD forever waives, relinquishes, and extinguishes, for itself, its successors, and assigns, FBISD's right to reversion of title to the Property, as provided in the Deed, with respect to the County's conveyance of the ROW Parcel to the City for the Project.

**FORT BEND INDEPENDENT**

**SCHOOL DISTRICT:**

By: S. Bhuchar  
Name: Sonal Bhuchar  
President, FBISD Board of Trustees  
Date: December 13, 2010

**FORT BEND COUNTY, TEXAS:**

By: Robert Hebert  
Name: Robert Hebert  
Title: County Judge  
Date: 1-4-2011

Attachment: Exhibit A -ROW Parcel Description

After Recording Return To:  
City of Sugar Land  
City Secretary  
2700 Town Center Blvd. North  
Sugar Land, Texas 77479

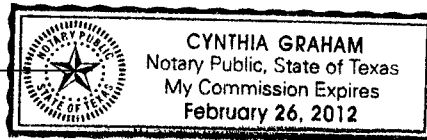
**STATE OF TEXAS**

**COUNTY OF FORT BEND**

This instrument was acknowledged before me on Dec 13, 2010, by Sonal Bhuchar, President of the Fort Bend Independent School District Board of Trustees.

Cynthia Graham  
Notary Public, State of Texas  
Notary's name (printed):

Notary's commission expires:



STATE OF TEXAS

COUNTY OF FORT BEND

This instrument was acknowledged before me on January 4, <sup>2011</sup>~~2010~~, by Robert Hebert, County Judge, on behalf of Fort Bend County, Texas.

D'Neal Krusch

Notary Public, State of Texas

Notary's name (printed):

4-2-11

Notary's commission expires:

D'Neal Krusch



AS PER ORIGINAL

**EXHIBIT "A"**

**RIGHT OF WAY ACQUISITION  
OWNER: FORT BEND COUNTY  
CITY OF SUGAR LAND  
FORT BEND COUNTY, TEXAS  
PARCEL No. 20**

**PROPERTY DESCRIPTION**

Being a 0.4011 acre tract of land situated in the William Stafford, One and One Half League, Abstract No. 89, in the City of Sugar Land, Fort Bend County, Texas, and being a portion an 1.157 acre tract of land (by deed), recorded in Volume 593, Page 608 of the Deed Records of Fort Bend County Texas, said 1.157 acre tract being out of an 80.00 acre tract of land (by deed), recorded in Volume 399, Page 433, of the Deed Records of Fort Bend County Texas, said 0.4011 acre tract of land being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2 inch iron rod found for the northwest corner of said 80.00 acre tract, said point also being the southwest corner of Lot 18, Block 5, of the Replat of Sugar Creek Section 28, a subdivision of record in the City of Stafford, Fort Bend County, Texas, and recorded in Plat Slide 818A, of the Plat Records of Fort Bend County Texas; **THENCE** North 87 degrees 38 minutes 48 seconds East, with the north line of said 80.00 acre tract of land, same being the south line of said Block 5, Sugar Creek Section 28, passing at a distance of 927.27 feet, a 1/2 inch iron rod found for the southeast corner of Lot 29, Block 5, said point also being the southwest corner of Lot 30, Block 5, of said Replat of Sugar Creek Section 28, passing at a distance of 1011.36 feet, a point for northwest corner of said 1.157 acre tract of land, said point also being the most northern northeast corner of said 80.00 acre tract of land, in all a distance of 1194.34 feet to a 5/8 inch iron rod with blue cap stamped "GORRONDONA & ASSOC INC. HOUSTON, TX", set for the **POINT OF BEGINNING**, said point also being on the north line of said 1.157 acre tract of land;

**THENCE** North 87 degrees 38 minutes 48 seconds East, with the north line of said 1.157 acre tract of land, a distance of 97.02 feet, to a 5/8 inch iron rod with blue cap stamped "GORRONDONA & ASSOC INC. HOUSTON, TX." set for corner, said point also being the northeast corner of said 1.157 acre tract of land;

**THENCE** South 02 degrees 21 minutes 12 seconds East, with the east line of said 1.157 acre tract, a distance of 180.00 feet, to a 5/8 inch iron rod with blue cap stamped "GORRONDONA & ASSOC INC. HOUSTON TX." set for corner, said point also being the southeast corner of said 1.157 acre tract of land;

**THENCE** South 87 degrees 38 minutes 48 seconds West, with the south line of said 1.157 acre tract, a distance of 97.11 feet, to a 5/8 inch iron rod with blue cap stamped "GORRONDONA & ASSOC INC. HOUSTON, TX." set for corner, said point also being the most easterly northeast corner of said 80.00 acre tract of land;


GORRONDONA & ASSOCIATES, INC. • 110 CYPRESS STATION DRIVE, STE. 157 HOUSTON, TEXAS 77090 • 281-419-2433 FAX 281-419-2506

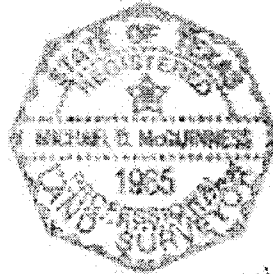
**THENCE** North 02 degrees 19 minutes 25 seconds West, a distance of 180.00 feet to the **POINT OF BEGINNING**, and containing 17,472 square feet or 0.4011 acres of land;

This property description is accompanied by a separate plat of even date.

All bearings are referenced to the Texas State Plane Coordinate System, South Central Zone, NAD83.

I, Michael D. McGuinness, a Registered Professional Land Surveyor, do hereby certify that the above description and accompanying plat is true and correct to the best of my knowledge and belief and that the property described herein was determined by survey made on the ground under my direction and supervision

  
Michael D. McGuinness  
Registered Professional Land Surveyor  
Texas No. 1965



RECORDER'S MEMORANDUM  
This page is not satisfactory for photographic recordation due to carbon or photocopy, discolored paper, etc. All block-outs, additions and changes were presented at time instrument was filed and recorded.

# EXHIBIT "A"

**SOUTH SUTTON SQUARE**  
(100' WIDTH FRONT OF WAY)

LOT 32  
LOT 31  
LOT 30

**LOT 33**

**BLOCK 5  
REPLAT OF SUGAR CREEK  
SECTION 28**

**DULLES AVENUE**  
(100' WIDTH FRONT OF WAY)

SCALE IN FEET

**P.O.C.**

FOUND 1/2" IRON ROD  
FOR THE N.E. CORNER  
OF 50.00 AC. TRACT  
VOLUME 593, PAGE 608

**P.O.B.**

SET 1/2" IRON ROD WITH  
BLUE CAP STAMPED  
"CORRECTION & ADJUST"  
ON 1/2" IRON ROD

1.157 ACRES (BY DEED)  
FORT BEND COUNTY  
VOLUME 593, PAGE 608  
D.R.F.B.C.T.

**WILLIAM STAFFORD  
ONE AND ONE HALF LEAGUE  
ABSTRACT No. 89**

180.00'

N 02°19'25"W 180.00'

S 87°38'48"E 97.11'

S 02°21'12"E 180.00'

N 87°38'48"E 97.02'

**P.O.C.**

50.00 ACRES SPEC. BY DEED  
FORT BEND COUNTY  
VOLUME 348, PAGE 433  
D.R.F.B.C.T.

**P.O.C.**

107.28' 107.30'

**DETAIL "A"**  
N.T.S.

**NOTES:**  
1) BASIS OF BEARINGS IS REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM,  
SOUTH CENTRAL ZONE, NAD 83.  
2) THIS PLAT IS ACCOMPANIED BY A PROPERTY DESCRIPTION OF EVEN DATE.

## CITY OF SUGAR LAND, TEXAS

1001 CYPRESS STATION BLVD. • SUGAR LAND, TEXAS • 77478

**DULLES AVENUE RIGHT OF WAY ACQUISITION**

PARCEL NO. 20

OWNER: FORT BEND COUNTY

SURVEY: WILLIAM STAFFORD ONE AND ONE HALF LEAGUE, A-B9

LOCATION: CITY OF SUGAR LAND, FORT BEND COUNTY, TEXAS

ROW ACQUISITION ACREAGE: 12,472 SQUARE FEET OR 0.4011 ACRES

WHOLE PROPERTY ACREAGE: 1.157 ACRES (BY DEED)

JOB NO. 0812-3448      DRAWN BY: TLO      CK BY: MDM      CAS FILE: 0812-3448, PARCEL 20

DATE: FEB. 23, 2010      PAGE 3 OF 3      SCALE: 1" = 30'

GORDONSON & ASSOCIATES, INC. • 110 CYPRESS STATION DR., SUITE 157, HOUSTON, TX 77060 • 281-419-2453 FAX 281-419-2408

MICHAEL D. MCGUINNESS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 1965



**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2011 Jan 10 02:24 PM

2011003620

VCK \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS