

STATE OF TEXAS
COUNTY OF FORT BEND

WHEREAS, the undersigned, Fort Bend County, 301 Jackson, Richmond, Texas 77469, is the owner of Torrey Pine Drive Right of Way, in Aliana Sec 10, an addition in Fort Bend County, Texas according to the map or plat thereof recorded in Plat no. 20070273, of the Plat Records of Fort Bend County, Texas.

and

WHEREAS, Aliana Development Company, a Texas corporation, desires to establish a public hearing for the partial replat of Aliana Sec. 10

NOW, THEREFORE, know all men by these presents that the undersigned confirms that Aliana Development Company, a Texas corporation, will not alter, amend, or remove any of the covenants or restrictions set forth on the recorded plat described above or in any recorded deed restriction applicable to the above referenced property.

EXECUTED this the 1st day of March, 2011.

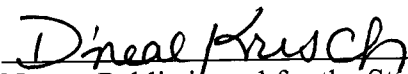
Fort Bend County

By: 
Robert E. Hebert, County Judge

STATE OF TEXAS
COUNTY OF FORT BEND

BEFORE ME, the undersigned authority, on this day personally appeared Robert Hebert,
County Judge of Fort Bend County, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL, this 1 day of March, 2011.


Notary Public in and for the State of Texas



LJA Engineering, Inc.



2929 Briarpark Drive
Suite 600
Houston, Texas 77042-3703

Phone 713.953.5200
Fax 713.953.5026
www.ljaengineering.com

February 9, 2011

Mr. Roy Cordes
County Attorney's Office
301 Jackson Street, Suite 728
Richmond, Texas 77469

Re: Aliana Section 4, Partial Replat of Aliana Section 10
LJA Job No. 1968-0010A (5.1)

Dear Mr. Cordes:

LJA Engineering, Inc. on behalf of Aliana Development Company is submitting a plat, Aliana Section 4 which will be platting over a stub street Torrey Pine Drive as established in Aliana Section 10. The public hearing and preliminary plat will be scheduled for March 17, 2011.

We are respectfully requesting that you sign an affidavit of the owner allowing us to replat Torrey Pine Drive into a portion of Lots 14 and 15, Block 3 of the proposed plat (attached). Fort Bend County is the owner of the street as shown in the Fort Bend Appraisal District (attached) and as indicated in the City Planning Letter, that I have attached to this letter. The street stub of Torrey Pines Drive is not needed for block length or access. A copy of this letter and the attachments will be sent to Fort Bend County Engineer's Office as well.

Thank you for your consideration in this matter. Please call me at 713.953.5212 if you have any questions.

Sincerely,

Warren Escovy
Platting Group Manager

WE/lb

Enclosure(s)

Copy: Fort Bend County Engineer's Office (w/enclosures)





Stewart Title Company
4700 W. Sam Houston Parkway North
Houston, TX 77041
(713)627-1310 Phone
Fax

January 21, 2011

City Planning Commission
City Hall
900 Bagby
Houston, TX 77002

File No.: 1115730106

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 4th day of January, 2011, the last Deed that we find, of record, reflects the record owner to be:

BAM Houston Real Estate Investment, L.P., a Texas limited partnership by virtue of Deed recorded in/under Clerk's File No. 2005091010 of the Official Records of Fort Bend County, Texas.

Aliana Development Company, a Texas corporation by virtue of Deed recorded in/under Clerk's File No. 2007074437 of the Official Records of Fort Bend County, Texas.

Fort Bend County, by virtue of Plat Dedication recorded under Plat No. 20070273 of the Map Records of Fort Bend County, Texas. (as to Torrey Pine Drive)

Legal Description:

Being 16.170 acres of land located in the Jesse H. Cartwright League, Abstract 16, Fort Bend County, Texas, more particularly being part of the residue of a called 1997.624 acre tract conveyed to BAM Houston Real Estate Investment, L.P., by an instrument of record in File No. 2005091010, Official Public Records, of said Fort Bend County (F.B.C.O.P.R.), being a portion of that certain called 314.079 acre tract (described as Exhibit "A" - Tract 1, Part Two), conveyed to Aliana Development Company, by an instrument of record in File No. 2007074437, F.B.C.O.P.R., being a portion of Binion Lane as shown on Aliana Binion Lane Cloudy Miles Road to West Airport STD, a street dedication of record in Plat No. 20070250, Page Records, said Fort Bend County (F.B.C.P.R.) and said street dedication to be vacated, being a portion of Aliana Sec 10, a subdivision of record in Plat No. 20070273, F.B.C.P.R., and being a portion of the State of Texas Department of Transportation Partition Plat, a partition plat of record in Slide No. 1819A, F.B.C.P.R., said 16.170 acres being more particularly described by metes and bounds on Exhibit "A" attached hereto. (Proposed Aliana Section 4)

Subject to the following:

1. Restrictions:

Those recorded in/under Plat No. 20070250 and 20070273 of the Plat Records and under Clerk's File No. 2007097598, 2008022614, 2008031833, 2008055817, 2008113958, 2009070272, 2009070273, 2009122882, 2010067279 and 2010067280 of the Official Records of Fort Bend County, Texas.

2. Easements/Other Exceptions:

Easements granted to Fort Bend County Municipal Utility District Nos. 134A, 134B and 134C as set forth and described by instrument recorded under Clerk's File No. 2007110104 and corrected by instrument recorded under Clerk's File No. 2007145882 of the Official Records of Fort Bend County, Texas. (as to Exhibit 49, 50, 51 and 53 in said instrument)

Easements granted to Public Utility Companies as set forth and described by instrument recorded under Clerk's File No. 2007114621 of the Official Records of Fort Bend County, Texas. (as to Exhibit E and F in said instrument)

Temporary drainage easement as set forth in instrument recorded under Clerk's File No. 2007145880 of the Official Records of Fort Bend County, Texas.

Easements granted to Fort Bend County Municipal Utility District Nos. 134A, 134B and 134C as set forth and described by instrument recorded under Clerk's File No. 2007145881 of the Official Records of Fort Bend County, Texas. (as to Exhibit 1 in said instrument)

Road Use Agreement granted to Louisiana Gas Development Corporation as set forth and described by instrument recorded under Clerk's File No. 2006055022 of the Official Records of Fort Bend County, Texas.

Agreement with CenterPoint Energy Houston Electric, LLC, for the installation, operation and maintenance of an underground/overhead electrical service distribution system, as set forth in instrument recorded under Clerk's File No. 2007110759 of the County Clerk Official Records of Fort Bend County, Texas.

Easement for utilities, public services and the Association, as set forth and defined in the Restrictions recorded under Clerk's File No. 2007097598 of the County Clerk Official Records of Fort Bend County, Texas.

Easements for certain utilities granted to CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations, ETS Telephone ("En-Touch") and Comcast of Houston LLC as set forth and described in instrument recorded under Clerk's File No. 2008041632 of the Official Records of Fort Bend County, Texas.

Street dedication as reflected by the plat recorded in/under Plat No. 20070250 of the Plat Records of Fort Bend County, Texas.

An easement for drainage purposes extending a distance of 20 feet on each side of the centerline of all natural drainage courses, as reflected by the plat recorded in/under Plat No. 20070250 and 20070273 of the Plat Records of County, Texas.

Memorandum of Lot Sales Contract as set forth in instrument recorded under Clerk's File No. 2007078480 of the Official Records of Fort Bend County, Texas.

Maintenance Charge and Special Assessments for Capital Improvements and all other assessments, payable to Aliana Homeowners Association, reserved in instrument recorded under Clerk's File No. 2007097598 of the County Clerk's Official Records of Fort Bend County, Texas, and additionally secured by a Vendor's Lien as set forth therein. This lien is subordinate to any mortgage of record.

Terms, conditions and provisions, including but not limited to the rights regarding all groundwater and water rights, contained in deed from State of Texas to Bam Houston Real Estate Investment, L.P., a Texas limited partnership, recorded under Clerk's File No. 2005091010 of the County Clerk Official Records of Fort Bend County, Texas.

3. Liens/Misc:

Deed of Trust dated September 2, 2010, recorded in/under Clerk's File No. 2010088751 of the Official Public Records of Fort Bend County, Texas, executed by Aliana Development Company, securing the payment of one note in the principal amount of \$50,000,000.00, bearing interest and payable as therein provided to the order of JB Aliana Loan, LLC.

Deed of Trust dated June 14, 2007, recorded under Clerk's File No. 2007074438, in the County Clerk Official Records of Fort Bend County, Texas, executed by Aliana Development Company, a Texas corporation, securing the payment of one note in the principal amount of \$36,000,000.00, bearing interest and payable as therein provided to the order of Bam Houston Real Estate Investment, L.P., a Texas limited partnership. Said Note and Deed of Trust modified and subordinated in favor of Deed of Trust recorded under Clerk's File No. 2010088751 by instrument recorded in/under Clerk's File No. 2010088752 of the Official Public Records of Fort Bend County, Texas.

Subject property is located in the Fort Bend County Municipal Utility District No. 134.

Subject property is located in the Aliana Management District.

City of Houston Ordinance 1999-262, relating to rules, regulations and design standards for development and platting and providing for the establishment of building setback lines. (For Information Only)

City of Houston Ordinance 89-1312, a certified copy of which is recorded under Harris County Clerk's file number M-337573, relating to the giving of a Notice regarding Deed Restrictions to buyers of restricted property. (For Information Only)

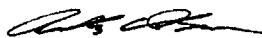
No examination has been made as to Abstracts of Judgments, State or Federal Tax Liens, the status of taxes, tax suits or paving assessments.

This letter is issued for platting purposes only. Liability of Stewart Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

The letter is issued with the express understanding, evidenced by the acceptance thereof, that Stewart Title Company does not undertake to give or express any opinion as to the validity or effect of the instruments listed, and this letter is neither a guaranty or warranty of title.

Liability hereunder is limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting same and should not be relied upon, as a warranty or representation as to the title to the property described herein and may not be given to or used by any third party. Stewart Title Company assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. **You agree to release, indemnify and hold harmless Stewart Title Company because of any negligence by Stewart Title Company (whether sole, joint or otherwise) for any claim, loss, liability or damages arising out of this report.** This report is not title insurance. If a policy of title insurance is purchased, any liability thereunder shall be determined solely by the terms of such policy.

Sincerely,
Stewart Title Company



Anthony DeBorde
Title Examiner

Fort Bend Central Appraisal District

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Property Detail Sheet (R373660)

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[Datasheet](#)

Owner Information

Owner ID: 00009421
 Owner Name: Fort Bend County
 Owner Address: 500 LIBERTY ST #101
 RICHMOND, TX 77469-3500
 Property Address: Torrey Pine DR
 Richmond, TX 77469

Parcel Information

Legal Description: Aliana Sec 10, ACRES 0.0351, Torrey Pine Drive ROW
 Neighborhood: 2045(Aliana S10)
 Acreage: 0.0351
 Cross Reference: 1001-10-000-0007-907
 Undivided Interest:
Exemption Codes: EX (Exempt Property)
 Entity Codes: S07 (Fort Bend ISD)
 G01 (Ft Bend Co Gen)
 D01 (Fort Bend Drng)
 F01 (Fort Bend Co LFRC)
 M243 (Ft Bend MUD 134 C)
 Deed Type: PLAT
 Deed Book:
 Deed Page: Slide 20070273
 Map Page: Z-043

Values Breakdown	2010 Value
Land HS:	\$0 +
Land NHS:	\$300 +
Improvement HS:	\$0 +
Improvement NHS:	\$0 +
Ag Market:	\$0
Ag Use:	\$0 +
Timber Market:	\$0
Timber Use:	\$0 +
Assessed:	\$300 =

Land				
ID	Type	SPTB	Acre	Market
<u>Land1</u>	CM (Commercial MisceF1V (F1V - Vacant Land Used Fr0.03			\$ 300



* Adobe Acrobat Reader 5.0 (minimum) is required to view pdf documents.
 Acrobat Reader is a free program available [here](#).