

295

FORT BEND COUNTY ENGINEERING

Fort Bend County, Texas

D. Jesse Hegemier
County Engineer

August 22, 2011

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

RE: Variance Request by Larry A. and Linda M. Band to allow 2.177 acres to be divided out of 146.00 acres located in the A. J. James Survey Tract 2 (PT), Abstract 37, recorded in official Fort Bend County Deed Records, Vol. 562, Page 296, Fort Bend County, Texas.

Commissioner Morrison:

Fort Bend County Engineering has reviewed a request from Larry A. and Linda M. Band concerning a variance to the Fort Bend County Regulations of Subdivisions. Mr. & Mrs. Band request a variance to allow 2.177 acres to be divided from the parent 146.00 acre tract located A. J. James Survey Tract 2 (PT), Abstract No. 37, recorded in official Fort Bend County Deed Records, Vol. 562, Page 296, Fort Bend County, Texas. Due to the Gerken Road, Spur 10 segment expansion they have been forced to relocate their home site.

The tract will have adequate access to an existing County road. (Band 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, 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

Larry A. & Linda M. Band
4125 Gerken Road
Rosenberg, TX 77471
Home 281-232-6662
His cell 832-595-4959

AUG 23 2011

Date: August 14, 2011

TO: Fort Bend County Commissioner Richard Morrison
Precinct 1

CC: FBC Engineering
FBC Health Department

SUBJECT: Variance Request

We are requesting a variance to the Fort Bend County Regulations of Subdivisions as described in Section 2.2B to Commissioners Court to grant an exemption to the regulations and not require a subdivision plat for the property described below:

Property Address: 3727 Band Road, Rosenberg, Texas

Property Survey and Abstract: Abstract 37, A. J. James Survey Tract 2 (PT), 146.00 Acres, Vol. 562, Page 296

Tax Account Number: 0037-00-000-0020-901

Owners of Record: Band, Louis Est etal (Calvin Band, Leona Hausler, Mary Band)

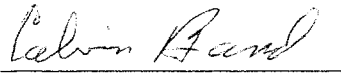
Division Request: Due to the forced moved resulting from the expansion of Gerken Road to build the last segment of Spur 10, we are requesting that 2.177 acres out of the original 146.00 acres be granted a subdivision variance so that we can build a home on family property.

Further Description:

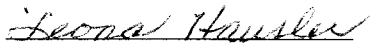
Attachments: Survey Map
 Deed
 Health Department approval

We 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,



Calvin Band



Leona Hausler



Mary Band

HENRY STEINKAMP, INC.
Land Boundary & Topographic Surveying
909 Fifth Street
Rosenberg, Texas 77471
Telephone/Fax 281.342.2241
email: schodek@yahoo.com

Franklin R. Schodek
Registered Professional Land Surveyor

James L. Syptak, Sr.
Registered Professional Land Surveyor

May 23, 2011

A Field Note Description of a 2.177 Acre Tract of Land out of the original Gilbert Band, et al call 154 Acre Tract (Volume 562, Page 296, Deed Records), being in the A.J. James Survey, Abstract No. 37, Fort Bend County, Texas.

For Connection Begin at a railroad spike found at the intersection of Band Road (60 feet wide) and Gerken Road marking the West corner of said A.J. James Survey, Ab. 37 and West corner of said Gilbert Band, et al call 154 Acre Tract as located on the ground; THENCE, North 45deg. East (Base Bearing), along the centerline of Band Road, 775.26 feet to a point marking the West corner of and **place of beginning** for this tract;

THENCE, North 45deg. East, 256.28 feet along the centerline of said Band Road to a point marking the North corner of this tract;

THENCE, South 45deg. East, at 30.0 feet pass a capped 5/8 inch iron rod stamped "1535-4035" set in the Southeast right-of-way line of said Band Road, in all 278.04 feet to a capped 5/8 inch iron rod stamped "1535-4035" set marking the East corner of this tract;

THENCE, Southerly along the West line of the Old Southern Pacific Railroad right-of-way (G.H. & S.A. Railroad) now Centerpoint Houston Electric, LLC call 4.247 Acre Tract (FBC 2002094441) with the following courses and distances:

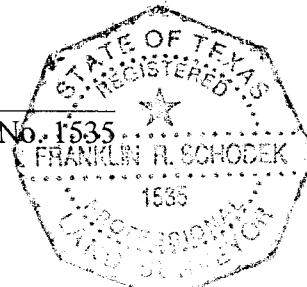
South 09deg.46'13" West, 83.21 feet to a capped 5/8 inch iron rod stamped "1535-4035" set marking point of curve to the left;

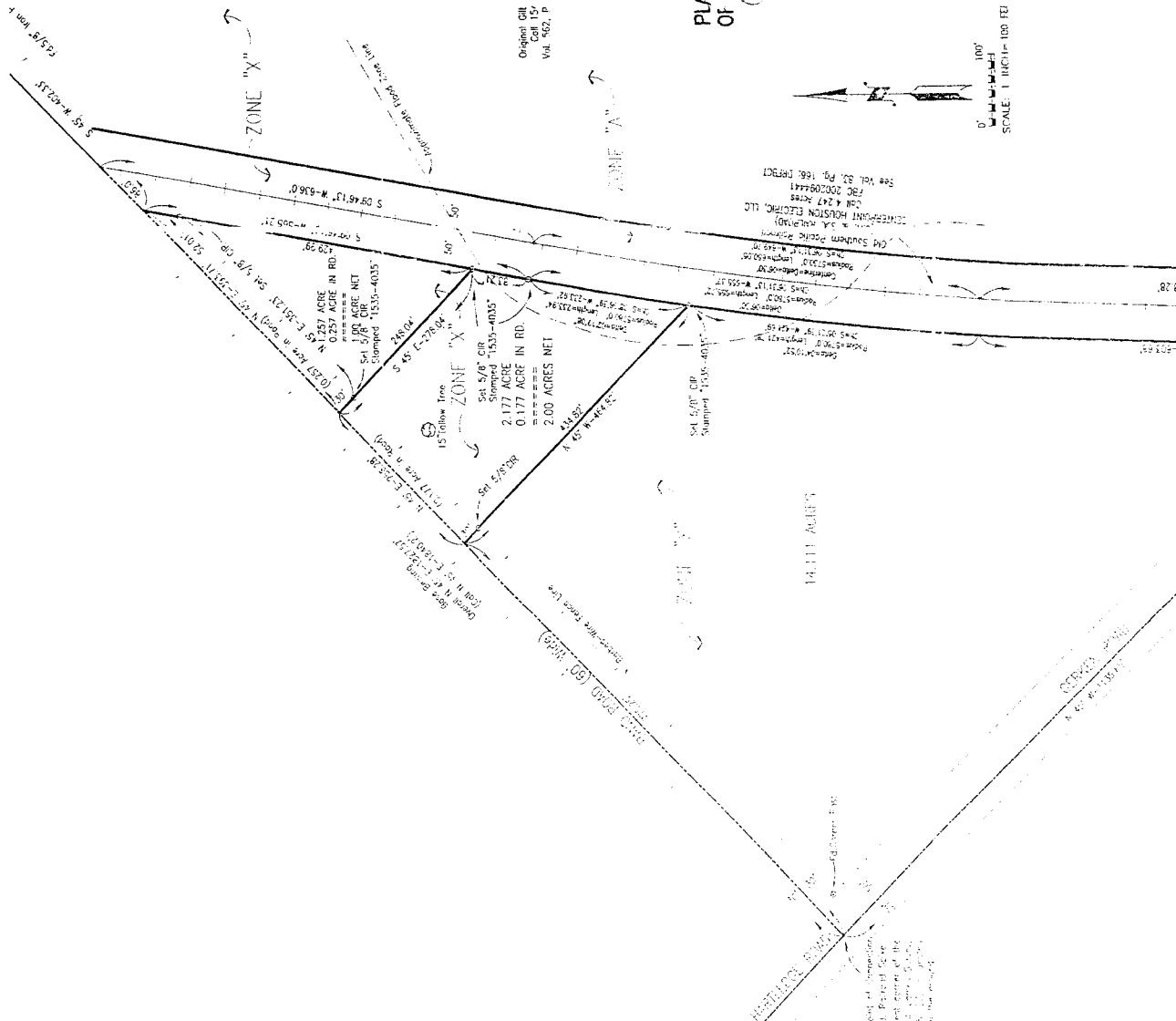
Along a curve to the Left with Delta=02deg.19'08", Radius=5780.0 feet, Length=233.94 feet and Chord=South 08deg.36'39" West, 233.92 feet to a capped 5/8 inch iron rod stamped "1535-4035" set marking the South corner of this tract;

THENCE, North 45deg. West, at 434.82 feet pass a capped 5/8 inch iron rod stamped "1535-4035" set in the Southeast right-of-way line of said Band Road, in all 464.82 feet to the place of beginning and containing 2.177 Acres of Land which includes 0.177 Acre of Land in said Band Road, leaving a net of 2.00 Acres.

Signed: _____

Franklin R. Schodek
Registered Professional Land Surveyor No. 1535



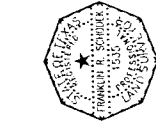


Original Oil Bond, et al
 Call 154
 Vol. 562, P. 396; DEED RECORDS

PLAT SHOWING SURVEY OF A 2.177 ACRE TRACT OF LAND OJT OF THE ORIGINAL GILBERT BAND, ET AL, CALL 154 ACRE TRACT (VOLUME 562, PAGE 296; DEED RECORDS), BEING IN THE (VOLUME 562, PAGE 296; DEED RECORDS), BEING IN THE A.J. JAMES SURVEY, ABSTRACT NO. 37; FORT BEND COUNTY, TEXAS.

This survey was completed without the benefit of a current abstract of title.

By graphic platting only, as per the National Flood Insurance Program, this property is in ZONE X, which is an area determined to be outside a Special Flood Hazard Area and is not in an area of Special Flood Hazard as indicated by Flood Hazard Determinations.



I, Frank R. Schuck, a Registered Professional Land Surveyor, do hereby certify that this plat is a true and correct copy of a survey as made on the ground.

MAY 20, 2007

Signed: *Frank R. Schuck*
 FRANK R. SCHUCK
 Registered Professional Land Surveyor
 State of Texas, No. 15335
 Spearman, Texas 77471