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MEMORANDUM OF INTERLOCAL AGREEMENT AND USE RESTRICTION

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

Notice is hereby given that the **CITY OF HOUSTON** ("City"), a home rule city organized under the laws of the State of Texas (the "City"), has provided Community Development Block Grant Funds in the amount of \$500,000.00 ("County") to **Fort Bend County** ("County") a body politic and corporate of the State of Texas (the "County") pursuant to an Interlocal Agreement dated Jan 2, 2012 (the "Agreement") whereby the City has made available to the County, subject to all terms, provisions and conditions of the Agreement, the City Funds from the Community Development Block Grant Program under the Housing and Community Development Act of 1974, as amended, to assist with the design and construction of a Seniors Community Center neighboring 5525 Hobby, Houston, Texas 77053 ("Project"), on land more particularly described in **EXHIBIT "A-1"**, attached hereto and made a part hereof. Capitalized terms not defined herein shall have the meaning assigned to such terms in the Agreement. This Memorandum of Interlocal Agreement and Use Restriction ("Memorandum") is executed for the purpose of recordation in the Real Property Records of Fort Bend County, Texas, in order to give notice of the existence of the Interlocal Agreement and terms, provisions and conditions contained therein, including without limitation, the restrictions contained in the Agreement placed on the use, transfer and sale of the land and improvements which constitute the Project property described in **EXHIBIT "A-1"** and for all other pertinent purposes. As provided by the Agreement, the County must use the Project to meet the national objective set forth at 24 CFR 570.208 (a)(2)(A), including use for activities that serve elderly persons, until five (5) years after expiration of the Agreement or the Project must be

disposed of in a manner which results in the City being reimbursed in the amount of the current fair market value of the property, less any portion of the value attributable to the expenditure of non-City Funds for acquisition of or improvements to the Facility, provided that reimbursement will not be required after five (5) years from the termination of the Agreement. In the event the restrictions described herein are not satisfied, the City shall have the right and option to exercise any or all remedies, at law or in equity, to which it is entitled. This Memorandum of Interlocal Agreement and Use Restriction in no way defines, limits or modifies the Agreement. No restriction upon the property described in Exhibit "A-1" shall remain in effect after five (5) years from the termination of the Agreement.

EXECUTED AND DELIVERED effective as of the 27 day of September, 2011.

FORT BEND COUNTY

By: *Robert Hebert*

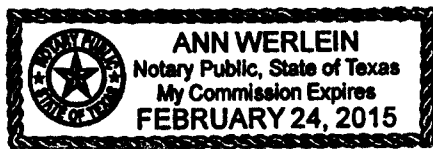
Name: Robert Hebert

Title: County Judge

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

This instrument was acknowledged before me on this 27 day of September, 2011 by Robert Hebert, of Fort Bend County, ~~Commissioners~~ Court a body corporate and politic under the laws of the State of Texas.



Ann Werlein
Notary of Public in and for the State of Texas
Print or Type Name: Ann Werlein
My commission expires Feb 24, 2015

METES AND BOUNDS DESCRIPTION
1.673 ACRES OUT OF CALLED 5.912 ACRE RESERVE "A"
FORT BEND BOYS AND GIRLS CLUB, SEC 1
J. POINTEVENT SURVEY NO. 3, A-305
FORT BEND COUNTY, TEXAS

Being a tract or parcel of land containing 1.673 acres (72,875 square feet) out of the J. Pointevent Survey No. 3, Abstract No. 305, in Fort Bend County, Texas, and being out of that certain tract called 5.912 acre Reserve "A", Fort Bend Boys and Girls Club, Section One, as recorded in Sl. 2095/A of the Plat Records of Fort Bend County, Texas, said 1.673 acre tract being more particularly described by metes and bounds as follows (with all bearings referenced to State Plane Coordinate System, South Central Zone, NAD '83):

COMMENCING at a 5/8-inch iron rod set for the northeast corner of said 5.912 acre Reserve "A", being the northwest corner of Benchmark, Section One subdivision, as recorded in Sl. No. 466/B and 467/A, of the Plat Records of Fort Bend County, in the south right-of-way line of Hobby Road (60 feet wide) as dedicated in Vol. 990, Pg. 528, of the Deed Records of Fort Bend County, from which a 5/8-inch iron rod found for the southeast corner of said Reserve "A" bears S03°05'16"E, 705.49 feet;

THENCE South 03°05'16" East along the east line of said Reserve "A" and the west line of said Benchmark, Section One subdivision, a distance of 298.46 feet;

THENCE South 86°54'44" West, departing said east line of Reserve "A", a distance of 40.00 feet to the POINT OF BEGINNING and northeast corner of the herein described 1.673 acre tract;

THENCE South 03°05'16" East along a line parallel with and 40 feet west of the east line of said Reserve "A", a distance of 275.00 feet to the southeast corner of the herein described parcel;

THENCE South 86°54'44" West, a distance of 265.00 feet to the southwest corner of the herein described parcel;

THENCE North 03°05'16" West, a distance of 275.00 feet to the northwest corner of the herein described parcel;

THENCE North 86°54'44" East, along a line parallel with and fifteen feet south of the south face of an existing one story building, a distance of 265.00 feet to the POINT OF BEGINNING and containing 1.673 acres (72,875 square feet) of land, more or less.

TEJAS SURVEYING, INC.
Ph: (281) 240-9099
Job No. 44-0651A
September 21, 2011

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2012 Jan 26 10:22 AM

2012008689

RMM \$0.00

Dianne Wilson COUNTY CLERK
FT BEND COUNTY TEXAS