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FORT BEND COUNTY DRAINAGE DISTRICT RIGHT OF WAY EASEMENT

THE STATE OF TEXAS,
COUNTY OF FORT BEND,

KNOW ALL MEN BY THESE PRESENTS: That the undersigned:

First 90A Capital Funding, LLC, Joseph Bell, President

whose address is as shown above (hereinafter called GRANTOR, whether one or more) for and in consideration of the benefits to be derived on account of and from the construction, operation and maintenance by Fort Bend County Drainage District, of the drainage canal and system upon and through the land hereafter described, the sufficiency of which is hereby acknowledged and confessed, has granted, bargained, sold and conveyed, and by these presents hereby grants, bargains, sells and conveys unto said Fort Bend County Drainage District, a corporation (hereinafter called the DISTRICT), of Fort Bend County, Texas, a right of way and easement for the purpose of constructing, maintaining, operating, repairing and re-constructing a drainage canal, including drains, ditches, laterals and levees, upon, over, through and across the land of GRANTOR along the route hereinafter designated, and said land being situated in Fort Bend County, Texas, to-wit:

The DISTRICT shall have an easement of an aggregate width of 20 feet,

~~being xxxxxxxxxxxxxxxxxxxx feet, extending at right angles on each side of the following line and course across said land, to-wit:~~ totaling 0.2441 acres parallel and adjacent to the northeast side of an existing drainage easement 150 feet in width previously recorded in Volume 856, Page 250 and Volume 892, Page 362 of the Deed Records of Fort Bend County, Texas, and more particularly described within the metes and bounds description attached as Exhibit "A" and the standard land survey attached as Exhibit "B".

AS PER ORIGINAL

The DISTRICT shall have all rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, with the right of ingress and egress to and from said drainage canal right of way, provided, however, that after construction of said drainage canal, said right of ingress and egress of the DISTRICT shall be limited to the said right of way and to existing roads and passageways. The DISTRICT is given the right from time to time to cut and remove all trees, undergrowth, and abate other obstruction, upon said canal right of way, that may injure, endanger, or interfere with the construction, operation, maintenance and repair of said drainage canal.

The DISTRICT agrees during the life of this easement to repair all damage to roads, passageways and fences resulting from the DISTRICT'S use in going to and from said easement and right of way, and to restore the same to the previously existing condition as near as possible.

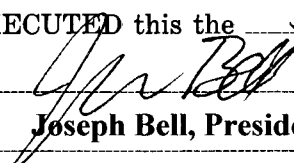
GRANTOR reserves the right to use the facilities offered by the drainage canal for the disposal of surface waters, rain, or any excess waters collecting upon his land, and in such connection GRANTOR has the right in the manner provided by law and at his own expense to construct and provide ditches, drains and laterals connecting his said land or portions thereof with the drainage canal.

GRANTOR reserves the oil, gas and sulphur in and under the land covered by this easement, provided however, that during the life of this easement no mining or drilling operations shall be conducted upon the surface of the area included in the easement right of way above described.

It is agreed that if at a future time the DISTRICT, its successors or assigns, shall permanently cease to use said drainage canal right of way for the purposes herein contained, and shall permanently abandon the same, then and in such event the said right of way above described, together with all rights and interests held by the DISTRICT by reason of this instrument, shall revert, pass to and vest in the said GRANTOR, his heirs or assigns.

TO HAVE AND TO HOLD said right of way and easement herein granted, unto the said DISTRICT, its successors or assigns.

EXECUTED this the 30th day of January, A. D. 19^X 2012.



Joseph Bell, President

AS PER ORIGINAL.

AS PER ORIGINAL

THE STATE OF ~~TEXAS~~ New York
COUNTY OF New York

BEFORE ME Kimberly Jean

Highland
New York County, ~~Texas~~ New York, in and for
Joseph Bell, President of First 90A Capital Funding LLC on this day personally appeared

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 purposes and consideration therein expressed.

GIVEN UNDER MY ~~HAND AND SEAL OF~~ OFFICE, This 30 day of January,
A. D. 2012 Notary Public, State of New York
(L. S.) No. 01H16213653
Qualified in New York County
Commission Expires November 16, 2013

THE STATE OF TEXAS
COUNTY OF _____

BEFORE ME _____

_____, in and for
_____ County, Texas, on this day personally appeared
_____, wife of

known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____ acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____,
A. D. 19_____
(L. S.)

THE STATE OF TEXAS
COUNTY OF _____

BEFORE ME _____

_____, in and for
_____ County, Texas, on this day personally appeared
_____ and _____

_____, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said _____ wife of the said _____

having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said _____

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____,
A. D. 19_____
(L. S.)

ENDORSEMENTS

THE STATE OF TEXAS,
County of FORT BEND

I, DIANNE WILSON, Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing, dated the _____ day of _____, A. D. 19_____, with its authentication, was filed for record in my office on the _____ day of _____, A. D. 19_____, at _____ o'clock _____ M., and duly recorded this the _____ day of _____, A. D. 19_____, at _____ o'clock _____ M., in the Deed Records of said County, in Volume _____ on Page _____.

Witness my hand and the seal of the County Court of said County, at office in _____, Texas, the day and year last above written.

Dianne Wilson
Clerk of Court, FORT BEND County, Texas.
By _____, Deputy

**RIGHT-OF-WAY
EASEMENT**

BY

TO

**FORT BEND COUNTY
DRAINAGE DISTRICT**

Filed for Record

This _____ day of _____

A. D. 19____, at _____ o'clock _____ M.

Recorded

This _____ day of _____

A. D. 19____, in _____

County, Texas, Records of Deeds.

Book _____ Page _____

_____, Clerk

_____, Deputy

Return to:

EXHIBIT "A"

20' DRAINAGE EASEMENT

**METES AND BOUNDS DESCRIPTION
0.2441 ACRE OF LAND
IN THE ALEXANDER HODGE LEAGUE, A-32
FORT BEND COUNTY, TEXAS**

All that certain 0.2441 acre of land, out of Reserve "G", of SUGAR LANE BUSINESS PARK, SECOND REPLAT, according to the plat thereof, recorded under Plat No. 20080089, in the Plat Records of Fort Bend County, Texas, in the Alexander Hodge League, A-32, Fort Bend County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the Texas Coordinate System of 1983, South Central Zone)

BEGINNING at a 5/8 inch iron rod found for the southwest corner of said Reserve "G", common to the southwest corner of the herein described easement, and the southeast corner of Reserve "F", of said SUGAR LANE BUSINESS PARK, SECOND REPLAT, in the north line of Restricted Reserve "D", of HIGHWAY 90A COMMERCIAL PARK SECTION TWO, according to the plat thereof, recorded under Slide No. 2095 A&B, in the Plat Records of Fort Bend County, Texas;

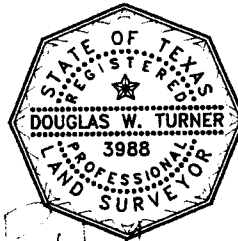
THENCE North 30° 47' 40" West - 29.83 feet, along the southwest line of said Restricted Reserve "G", common to the northeast line of said Reserve "F", to the northwest corner of the herein described easement;

THENCE South 72° 53' 25" East - 551.58 feet to the northeast corner of the herein described easement, in a south line of said Reserve "G";

THENCE South 58° 52' 46" West - 26.82 feet, along said south line to a 3/4 inch iron rod found for an angle corner of said Reserve "G", common to the southeast corner of the herein described easement, and the northeast corner of said Restricted Reserve "D";

THENCE North 72° 53' 25" West - 511.58 feet, along the south line of said Reserve "G", common to said north line, to the **POINT OF BEGINNING** of the herein described easement and containing 0.2441 acre of land.

Prepared by:
PATE SURVEYORS
a division of
Pate Engineers, Inc.
Job No. 2006-001-01-563

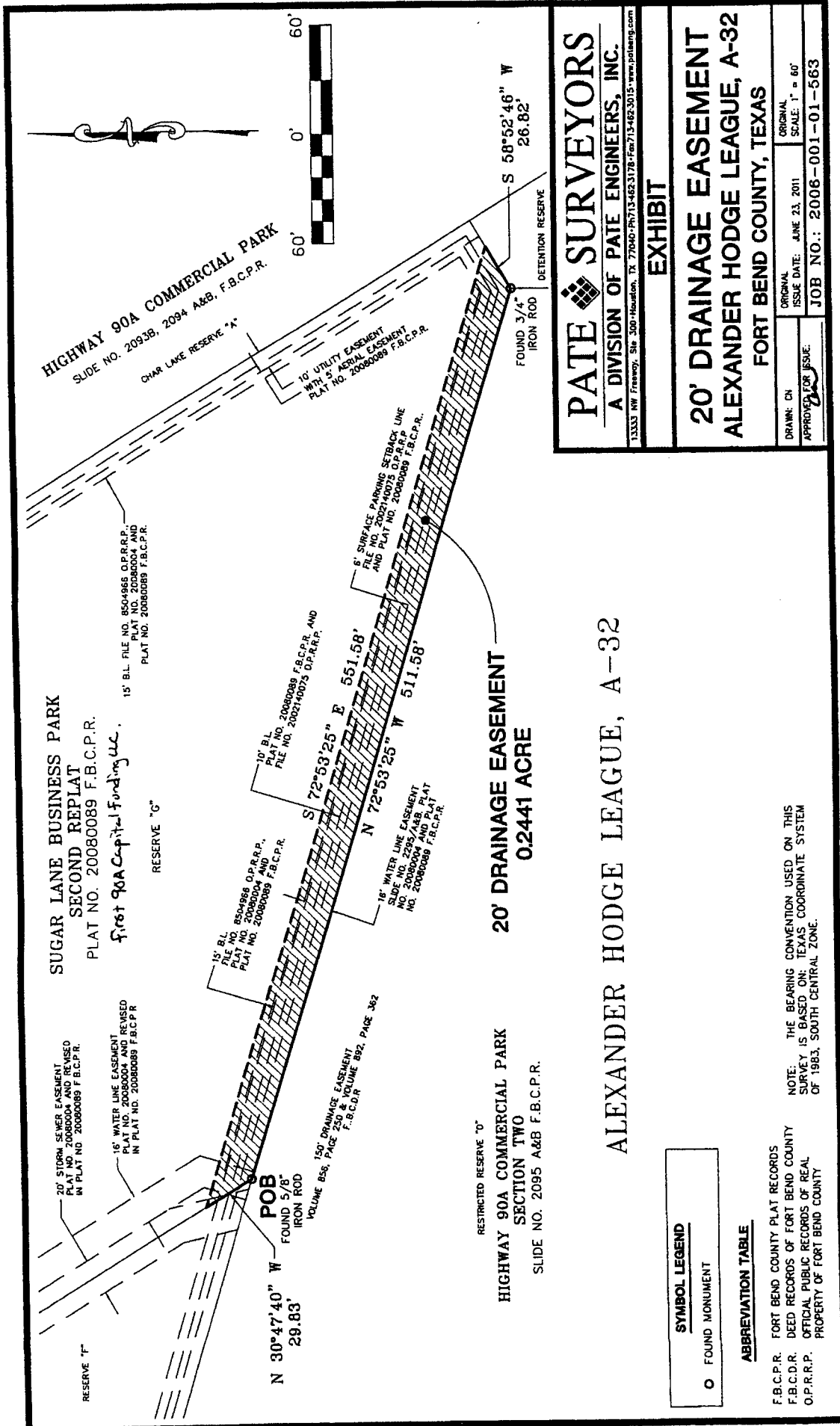


Douglas W. Turner

Certification Date
June 23, 2011

THIS LEGAL DESCRIPTION IS ISSUED FOR THE PURPOSE OF ATTACHMENT TO EASEMENT DEDICATION DOCUMENTS. IT SHOULD NOT BE USED FOR TITLE TRANSFER.

EXHIBIT "B"



PATE SURVEYORS
 A DIVISION OF PATE ENGINEERS, INC.
 13333 NW Freeway, Ste 300-Houston, TX 77040-PR713-462-3178-Fax713-462-5015-www.pateeng.com

EXHIBIT

20' DRAINAGE EASEMENT
ALEXANDER HODGE LEAGUE, A-32
FORT BEND COUNTY, TEXAS

DRAWN: CH	ORIGINAL
APPROVED FOR ISSUE: [Signature]	ISSUE DATE: JUNE 23, 2011
	SCALE: 1" = 60'
	JOB NO.: 2006-001-01-563

ALEXANDER HODGE LEAGUE, A-32

20' DRAINAGE EASEMENT
 0.2441 ACRE

RESTRICTED RESERVE "D"
 HIGHWAY 90A COMMERCIAL PARK
 SECTION TWO
 SLIDE NO. 2095 A&B F.B.C.P.R.

- SYMBOL LEGEND**
- FOUND MONUMENT
- ABBREVIATION TABLE**
- F.B.C.P.R. FORT BEND COUNTY PLAT RECORDS
 - F.B.C.D.R. DEED RECORDS OF FORT BEND COUNTY
 - O.P.R.R.P. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF FORT BEND COUNTY
- NOTE: THE BEARING CONVENTION USED ON THIS SURVEY IS BASED ON: TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dianne Wilson

2012 Feb 09 11:34 AM

2012014000

LW \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS