

64



**Notice of Confidentiality Rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.**

13 E

**SPECIAL WARRANTY DEED**

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF FORT BEND

§

THAT THE UNDERSIGNED, Fort Bend Municipal Utility District No. 58, and hereinafter called "Grantor", whether one or more, for and in consideration of the sum of TEN DOLLARS (\$10.00) cash, and other good and valuable consideration paid to Grantor by the County of Fort Bend, Texas, hereinafter called Grantee, whether one or more, whose mailing address is 301 Jackson St., Suite 728, Richmond, TX 77469, the receipt and sufficiency of which consideration are acknowledged, hereby GRANTS, SELLS and CONVEYS unto Grantee, the real property described on attached Exhibit "A", incorporated herein and made a part hereof for all purposes, together with all right, title and interest of Grantor in (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting said real property and any of Grantor's rights to use same; (iv) any and all rights of ingress and egress to and from said real property and any of Grantor's rights to use same; (v) any and all mineral rights and interests of Grantor relating to said real property (present or reversionary), save and except as provided herein; (vi) any and all rights to the present or future use of wastewater, wastewater capacity, drainage, water or other utility facilities to the extent same pertain to or benefit said real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantor in and to any leases covering all or any portion of said real property; and (viii) all right, title and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing fronting or bounding said real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of widening or of changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to said real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to said real property and (d) any and all reversionary interests in and to said real property (said real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: (1) any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties; (2) conditions, and easements, if any, relating to the Property, but only to the extent in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the Property; and (3) all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any but only to the extent in effect and relating to the Property.

Grantor expressly reserves all oil, gas, and other minerals in, on, or under the Property, but waives all rights to use the surface of the Property for, and all rights of ingress and egress for, the

purpose of exploring, developing, mining, or drilling for the same; provided, however, that nothing herein shall prohibit or in any manner restrict the right of Grantor to extract oil, gas, or other minerals from and under the Property by directional drilling or other means that do not unreasonably interfere with or disturb the surface of the Property.

**TO HAVE AND TO HOLD** the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, subject to the matters herein stated; and Grantor does hereby bind itself and its successors and assigns, to **WARRANT AND FOREVER DEFEND**, all and singular, the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

EXECUTED this 12<sup>th</sup> day of June, 2012.

GRANTOR:

FORT BEND MUNICIPAL UTILITY DISTRICT NO. 58

By: [Signature]

Printed Name: Walter Zelop

Title: President

By: [Signature]

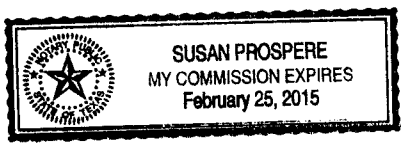
Printed Name: George Lee Rush, Jr.

Title: Secretary

STATE OF TEXAS  
COUNTY OF HARRIS

This instrument was acknowledged before me on the 12<sup>th</sup> day of June, 2012, by Walter Zelop, President, and George Lee Rush, Jr., Secretary, of the Board of Directors of FORT BEND MUNICIPAL UTILITY DISTRICT NO. 58, a political subdivision of the State of Texas, on behalf of said political subdivision.

(NOTARY SEAL)



[Signature]  
Notary Public in and for the State of Texas

State of Texas  
County of Fort Bend

Morris & Cummings Survey  
Abstract No. A-295

Description of  
Tract 2C – Reserve G – Silver Ranch  
Gaston Road Right of Way  
0.1334 Acres

Description of a 0.1334 acre (5,809 square feet) tract of land out of Silver Ranch Section One (1) Reserves G as recorded in Plat No. 20060283 in Fort Bend County Clerk Records, being out of a 320.1083 acre tract of land being the Morris and Cummings Survey, Abstract 295, Fort Bend County, Texas, said 320.1083 acre tract being that same tract of land described in deed recorded in Volume 9, Page 7, Deed Records, Fort Bend County, Texas and 28.796-acre tract being the residue of a 188.8482-acre tract of land conveyed to Jafar R. Davoody as recorded in Volume 1491, Page 882 of the Official Records of Fort Bend County, Texas. Base Bearing the Northeast line of Cinco Ranch West, Section 25 (Slide Nos. 2539B and 2540A; Plat Records) and of Cinco Ranch West, Section 26 (File No. 2004114080) North 46° 41' 32" West – Note on Plat: "All bearings are referenced to the Texas Coordinate System, South Central Zone (NAD 27)".

BEGINNING at a found 1/2" iron pipe for the most northerly corner of said Reserve G and in the Southwest line of existing Gaston Road right of way as recorded by said Silver Ranch Section One (1) Plat;

THENCE along said Southwest right of way line and Northeast line of Reserve G to a set 5/8" capped iron rod stamped "JNS Engineers 4417" a distance of 270.19 feet along a bearing of South 47° 11' 05" East being a point for corner of herein described Tract, and bearing from a found 5/8" capped iron rod stamped "Brown & Gay" bearing North 42° 48' 55" East a distance of 5.92 feet;

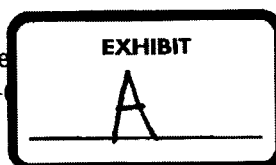
THENCE South 42° 51' 33" West, a distance of 21.47 feet along the said Southeast line of the herein described Tract and the common line between said Reserve G and Reserve A of said Silver Ranch Section 1 plat to a set 5/8 inch capped iron rod stamped ("JNS Engineers RPLS 4417") and point for corner of herein described tract;

THENCE across said Reserve G to a set 5/8" capped iron rod stamped "JNS Engineers RPLS 4417" a distance of 270.17 feet along a bearing of North 47° 11' 45" West to a set 5/8-inch capped Iron Rod stamped ("JNS Engineers RPLS 4417") set in the proposed Southwest line of said Gaston Road right of way and the northwest line of Reserve G, and a point for corner of the herein described Tract;

THENCE North 42° 49' 03" East, a distance of 21.53 feet along the northwest line of said Reserve G to the POINT OF BEGINNING, containing 0.1334 Acres (5,809 square feet) tract of land and on the said existing Gaston Road right of way to a point for corner of the herein described Tract;

AS PER ORIGINAL

I:\Client Correspondence\262 - Fort Bend  
Silver Ranch HOA Metes & Bounds 04-

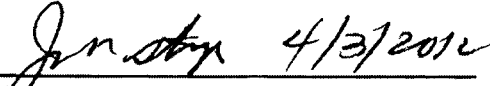


04-Falcon Landing\ROW Descriptions\02C

This description is prepared in conjunction with a survey map (Sheets 1 of 2 thru 2 of 2) prepared by JNS Engineers LLC dated April 2, 2012.

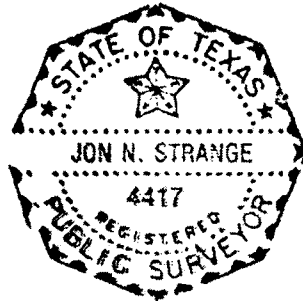
Dated: April 2, 2012

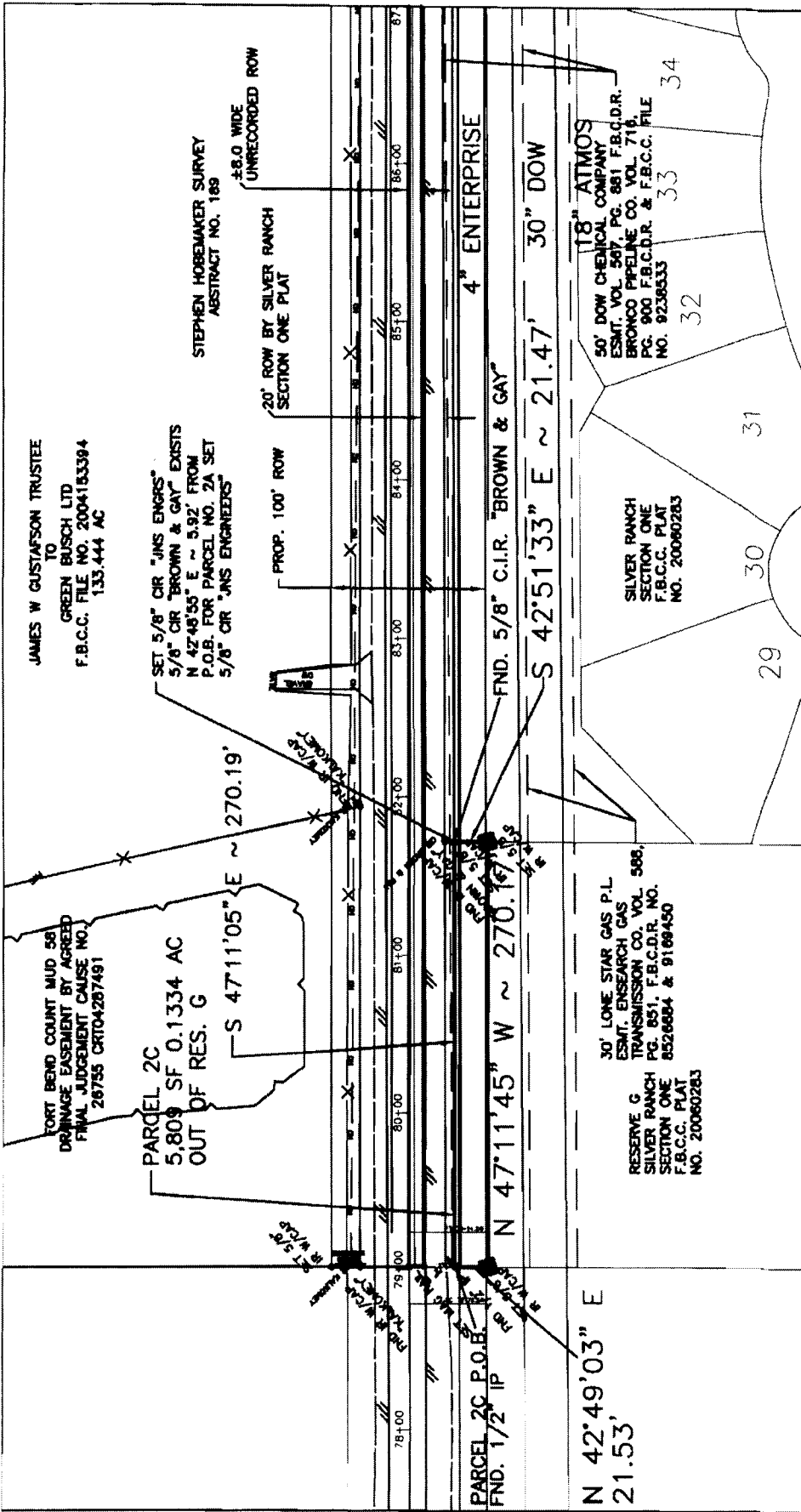
Job No.: 262-04  
JNS Engineers LLC  
722 Pin Oak Road, Suite 202A  
Katy, Texas 77494

---

Jon N. Strange  
Registered Professional Land Surveyor No. 4417





JAMES W GUSTAFSON TRUSTEE  
TO  
GREEN RUSCH LTD  
F.B.C.C. FILE NO. 2004153394  
133.444 AC

SET 5/8" CIR "JNS ENGRS"  
5/8" CIR "BROWN & GAY" EXISTS  
N 42°48'55" E ~ 5.92' FROM  
P.O.B. FOR PARCEL NO. 2A SET  
5/8" CIR "JNS ENGINEERS"

PARCEL 2C  
5.809 SF 0.1334 AC  
OUT OF RES. G

FORT BEND COUNT MUD 58  
DRAINAGE EASEMENT BY AGREED  
FINAL JUDGEMENT CAUSE NO.  
28735 CRT04287491

STEPHEN HOBEMAKER SURVEY  
ABSTRACT NO. 189

PROP. 100' ROW

20' ROW BY SILVER RANCH  
SECTION ONE PLAT

±8.0 WIDE  
UNRECORDED ROW

4" ENTERPRISE

FND. 5/8" C.I.R. "BROWN & GAY"  
S 42°51'33" E ~ 21.47'  
30" DOW

30' LONE STAR GAS P.L.  
ESMT. ENSEARCH GAS  
TRANSMISSION CO. VOL. 588,  
SILVER RANCH  
PG. 851, F.B.C.D.R. NO.  
SECTION ONE 8526884 & 9169450  
F.B.C.C. PLAT  
NO. 20060283

18" ATMOS  
50' DOW CHEMICAL COMPANY  
ESMT. VOL. 587, PG. 881 F.B.C.D.R.  
BRONCO PIPELINE CO. VOL. 716,  
PG. 900 F.B.C.D.R. & F.B.C.C. FILE  
NO. 9236533

SILVER RANCH  
SECTION ONE  
F.B.C.C. PLAT  
NO. 20060283

- NOTE:
- SEE SHEET 2 OF 2 FOR NOTES, ACREAGE SUMMARY AND RPLS CERTIFICATION.
  - PARCEL NO. 4A HAS A BOUNDARY DISCREPANCY ALONG THE SOUTHWEST LINE OF THE 36.525 AC TRACT ON GASTON RD FRONTAGE. A GAP EXISTS BETWEEN THE 131.2601 AC KISD SITE AND THE 36.525 AC KING PROPERTY (PARCEL NO. 4A) AND AN OVERLAP OF ENCROACHMENT EXISTS BETWEEN THE TWO TRACTS.
  - FRONTAGE OF SILVER RANCH SECTION ONE HAS AN APPROXIMATE 10' STRIP OF OCCUPIED UNRECORDED ROW.
  - FRONTAGE OF GREENBUSCH ESTATES AND WOODLAKE ESTATES HAS A OCCUPIED UNRECORDED ROW ALONG THE FRONTAGE OF GREENBUSCH RD. WOODLAKE ESTATES AND GREENBUSCH ESTATES PLAT DEDICATED AN ADDITIONAL 20' OF ROW OUTSIDE OF THE OCCUPIED UNRECORDED ROW.



PARCEL PLAT  
SHOWING PROPERTY OF  
PARCEL 2C  
SHEET 1 OF 2  
ROAD  
FT. BEND COUNTY, TEXAS  
J.N.S. ENGINEERS, LLC  
APRIL, 2012  
SCALE 1"=100'

RECORDER'S MEMORANDUM

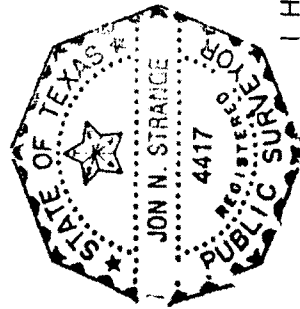
This page is not satisfactory for photographic recordation due to carbon or photo copy, discolored paper, etc. All block-outs, additions and changes were presented at time instrument was filed and recorded.

● NOT FOUND  
▲ INDICATES SET 1/4" I.R. "JNS ENGINEERS" CAP OR AS NOTED  
○ INDICATES FOUND MONUMENT AS NOTED

EXISTING	TAKING	REMAINING
13.15 AC.	0.1334 AC. 5,809 SF	13.0166 AC.

NOTES

1. F.B.C.C.F.=FORT BEND COUNTY CLERK'S FILE.
2. F.B.C.P.R.=FORT BEND COUNTY PLAT RECORDS.
3. ABSTRACTING PERFORMED JAN. 2012.
4. FIELD SURVEY PERFORMED FEB. 2012.
5. SEE ROW MAPS 1 OF 3, 2 OF 3 & 3 OF 3 FOR GASTON AND GREENBUSCH RD ROW DETAILS FOR GASTON RD FROM FALCON LANDING TO 1100 LF NORTH OF ROESNER RD AND GREENBUSCH RD FROM GASTON RD TO WILLOWFORK BUFFALO BAYOU
6. SEE METES AND BOUNDS DESCRIPTION FOR THIS PARCEL AND OTHER PARCELS DESCRIBING ROW TAKINGS AS REFLECTED ON ROW MAPS DESCRIBED IN ITEM 5 ABOVE.
7. THE BEARINGS HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (NAD'83), 1993 ADJUSTMENT
8. PARCEL NO. 4A HAS A BOUNDARY DISCREPANCY ALONG THE SOUTHWEST LINE OF THE 36.525 AC TRACT ON GASTON RD FRONTAGE. A GAP EXISTS BETWEEN THE 131.2601 AC KISD SITE AND THE 36.525 AC KING PROPERTY (PARCEL NO. 4A) AND AN OVERLAP OF ENCROACHMENT EXISTS BETWEEN THE TWO TRACTS.
9. FRONTAGE OF SILVER RANCH SECTION ONE HAS AN APPROXIMATE 10' STRIP OF OCCUPIED UNRECORDED ROW.
10. FRONTAGE OF GREENBUSCH ESTATES AND WOODLAKE ESTATES HAS A OCCUPIED UNRECORDED ROW ALONG THE FRONTAGE OF GREENBUSCH RD. WOODLAKE ESTATES AND GREENBUSCH ESTATES PLAT DEDICATED AN ADDITIONAL 20' OF ROW OUTSIDE OF THE OCCUPIED UNRECORDED ROW.



I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND, TO THE BEST OF MY KNOWLEDGE, IS TRUE AND CORRECT.



SCALE 1"=100'

*Jon N. Strange* 4/3/2012

JON N. STRANGE R.P.L.S.NO.4417

JNS CONSULTING ENGINEERS, LLC.  
722 PIN OAK ROAD, STE 202A  
KATY, TEXAS 77494  
(281) 391-3366

PARCEL PLAT SHOWING PROPERTY OF
PARCEL 2C
SHEET 2 OF 2
GASTON ROAD FT. BEND COUNTY, TEXAS J.N.S. ENGINEERS, LLC APRIL, 2012 SCALE 1"=100'

• NOT FOUND  
\* INDICATES SETBACK  
@ INDICATES FOUND MONUMENT AS NOTED

**FILED AND RECORDED**

OFFICIAL PUBLIC RECORDS

*Dianne Wilson*

2012 Jun 27 08:16 AM

2012069376

BAK \$0.00

Dianne Wilson COUNTY CLERK

FT BEND COUNTY TEXAS