

3202



COUNTY JUDGE

Fort Bend County, Texas

Robert E. Hebert
County Judge

(281) 341-8608
Fax (281) 341-8609

July 16, 2012

Ms. Terrie L. Sechrist
Sechrist-Duckers LLP
770 South Post Oak Lane, Suite 410
Houston, TX 77056-1913

Re: W.K. King Family Limited Partnership Donation-3.6525 Acres-4A and W.K. King Family Limited Partnership Donation- 0.6970 Acres-4B (collectively, the "Donated Property") - Falcon Landing Blvd., Gaston Road and Greenbusch Road, Mobility Project No. 703-Precinct 3

Dear Ms. Sechrist:

As approved at the June 26 meeting of the Fort Bend County Commissioners Court, the following will be provided to your client, without cost, in exchange for your client's generous donation of right-of-way necessary for the construction of improvements being made to Gaston Road, Greenbusch Road, and Falcon Landing Boulevard.

1. Fort Bend County and/or its contractors (collectively, "FBC") will remove and replace the fence that currently surrounds the "King Property," including the 1.449 acres acquired from Fort Bend County MUD 185 along Falcon Landing Boulevard. The new fence can be generally described as a five-strand barbless wire fence with the top wire encased in white pvc tubing. The fence will be constructed to follow the property line of the King Property, as it will exist following the donation of the Donated Property. This fence will be built following the donation of the Donated Property and before any road construction adjacent to the King Property begins. (Donated Parcel 4A consists of 1.1309 acres of occupied right-of-way and 2.5216 acres of unoccupied or new right-of-way. Donated Parcel 4B consists of 0.6970 acres of property outside the property deeded to the King family. Parcel 4A will be conveyed by special warranty deed; Parcel 4B will be conveyed by quitclaim deed.)
2. The pavement striping necessary to allow left turns into the existing double driveway from Greenbusch Road on the King Property will be done by FBC as a part of the new construction of Greenbusch Road. The design and location of this pavement striping may be reviewed by the King family and their engineer before incorporation into the final plans. In addition, FBC will construct a curb cut and paving to the King Property line adjacent to Greenbusch Road as generally depicted by **Exhibit "A"**, attached hereto.

7-17-12 copy received

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3. Access into the remainder of the King Property from Gaston Road will be provided as a part of the Gaston Road construction. The design of such access will be a left turn lane on Gaston Road, associated median opening and curb cut necessary to allow left turns into the remainder of the King Property (as generally depicted on **Exhibit "B"**, attached hereto) from Gaston Road and paving to the King Property line adjacent to Gaston Road. The design and location of the median opening (placed a minimum of 300 feet from the adjoining intersection) and curb cut may be reviewed by the King Family and their engineer before incorporation into the final plans. The median will be designed for a 41 foot back of curb to back of curb width street.
4. Upon its final completion, a left turn lane, median opening, curb cut and paving from the curb cut to the King Property line (as generally depicted on **Exhibit "C"**, attached hereto) will be built on Falcon Landing Boulevard to accommodate left turns into the remainder of the King Property from Falcon Landing Boulevard. The left turn lane and median opening will be designed for a 41 foot back of curb to back of curb width street and constructed with a minimum spacing of 300 feet from the adjoining intersection. The design and location of these facilities may be reviewed by the King family and their engineer before incorporation into the final plans. The Kings and their heirs, successors and assigns will not be responsible for building or paying for any portion of the northern two lanes of Falcon Landing Boulevard.
5. Expenses associated with the permitting and/or necessary modification, repair and relocation of the existing septic facilities will be paid by FBC. FBC will review and approve reimbursable expenses prior to proceeding with construction.
6. The complete reservation of any and all existing mineral rights will be accommodated through such reservation of minerals in the deeds of donation. The associated rights to explore for and/or drill any type of well will not be allowed on the property donated but any exploratory and production activities may be accomplished by directional drilling if necessary to produce reserved minerals. Any right or obligation to pool or unitize mineral rights is not intended to be affected in any way by your donation of property for the building and development of the roads and boulevards discussed herein.
7. The King family will be provided with a current survey reflecting the metes and bounds of the remainder of the King Property following the donation of the Donated Property. The King family's designated agent will be entitled to conduct a walk-around of the remainder of the King Property with FBC's surveyor so that all property markers and monuments may be located and inspected.

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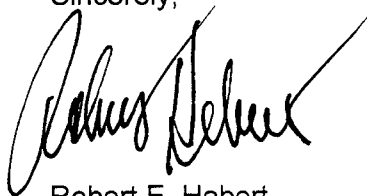
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8. The King family, their heirs, successors and assigns, will not incur design or construction expenses as a direct result of the FBC project to pave Greenbusch, Gaston Road and Falcon Landing Boulevard.

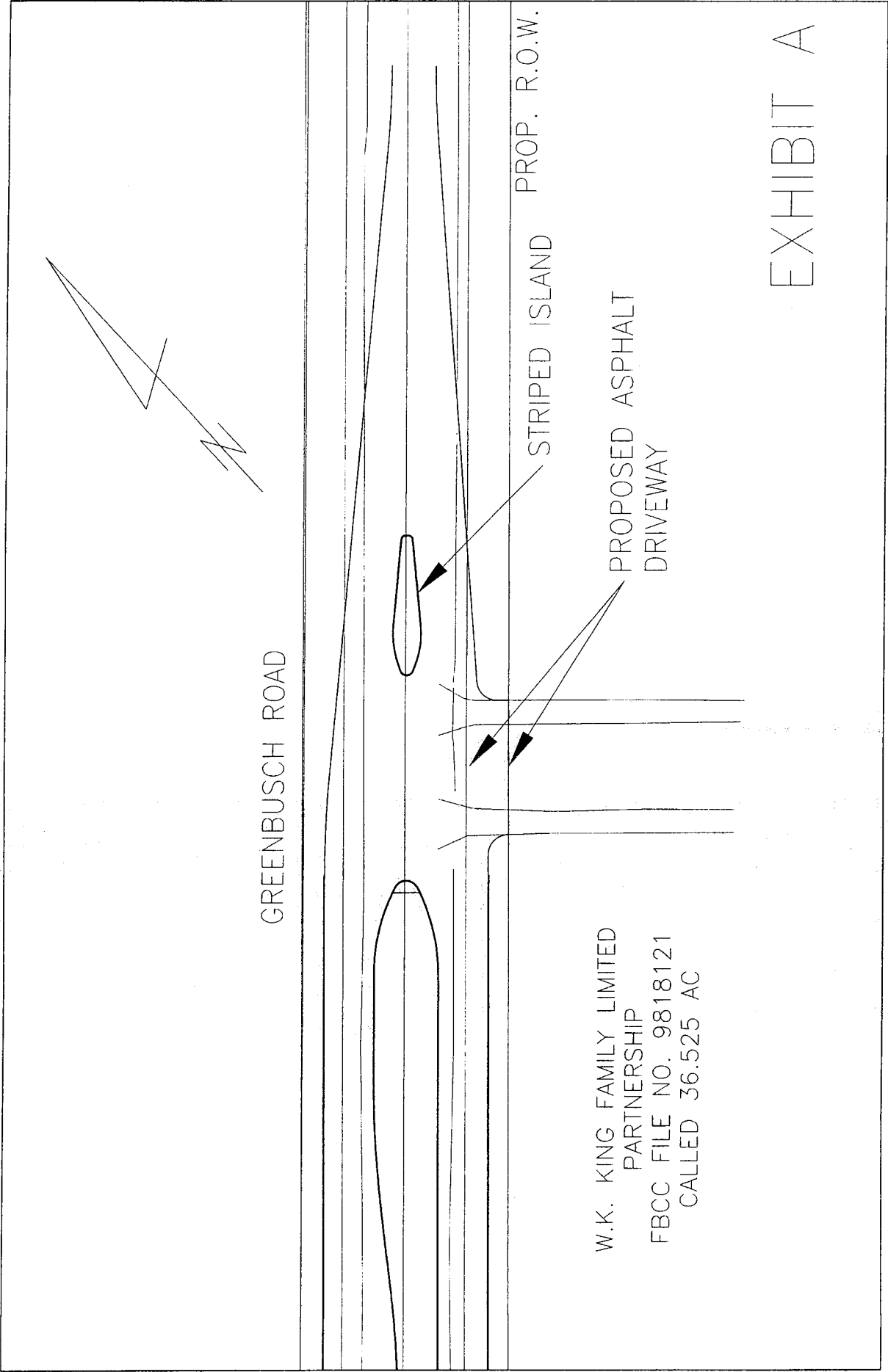
Fort Bend County appreciates your right of way donation and willingness to work for better mobility in Fort Bend County. We look forward to working with you to complete this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert E. Hebert", written in a cursive style.

Robert E. Hebert
Fort Bend County Judge

Copy: Commissioner Richard Morrison-Precinct 1
Commissioner Grady Prestage-Precinct 2
Commissioner Andy Meyers-Precinct 3
Commissioner James Patterson-Precinct 4
County Engineer Richard Stolleis, PE
Chief Engineer, Drainage District, Mark Vogler, PE
Jon Strange, PE-JNS Engineers, LLC



GREENBUSCH ROAD

PROP. R.O.W.

STRIPED ISLAND

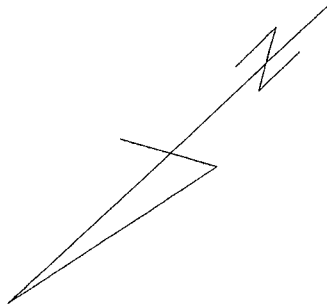
PROPOSED ASPHALT DRIVEWAY

W.K. KING FAMILY LIMITED
PARTNERSHIP
FBCC FILE NO. 9818121
CALLED 36.525 AC

EXHIBIT A

3078 15003

W.K. KING FAMILY LIMITED
PARTNERSHIP
FBCC FILE NO. 9818121
CALLED 36.525 AC



41' B-B
25'R
25'R

PROPOSED CONC. CURB &
GUTTER PAVING

PROP. CONC. PVMT. LEFT TURN LANE

GASTON RD.

EXHIBIT B

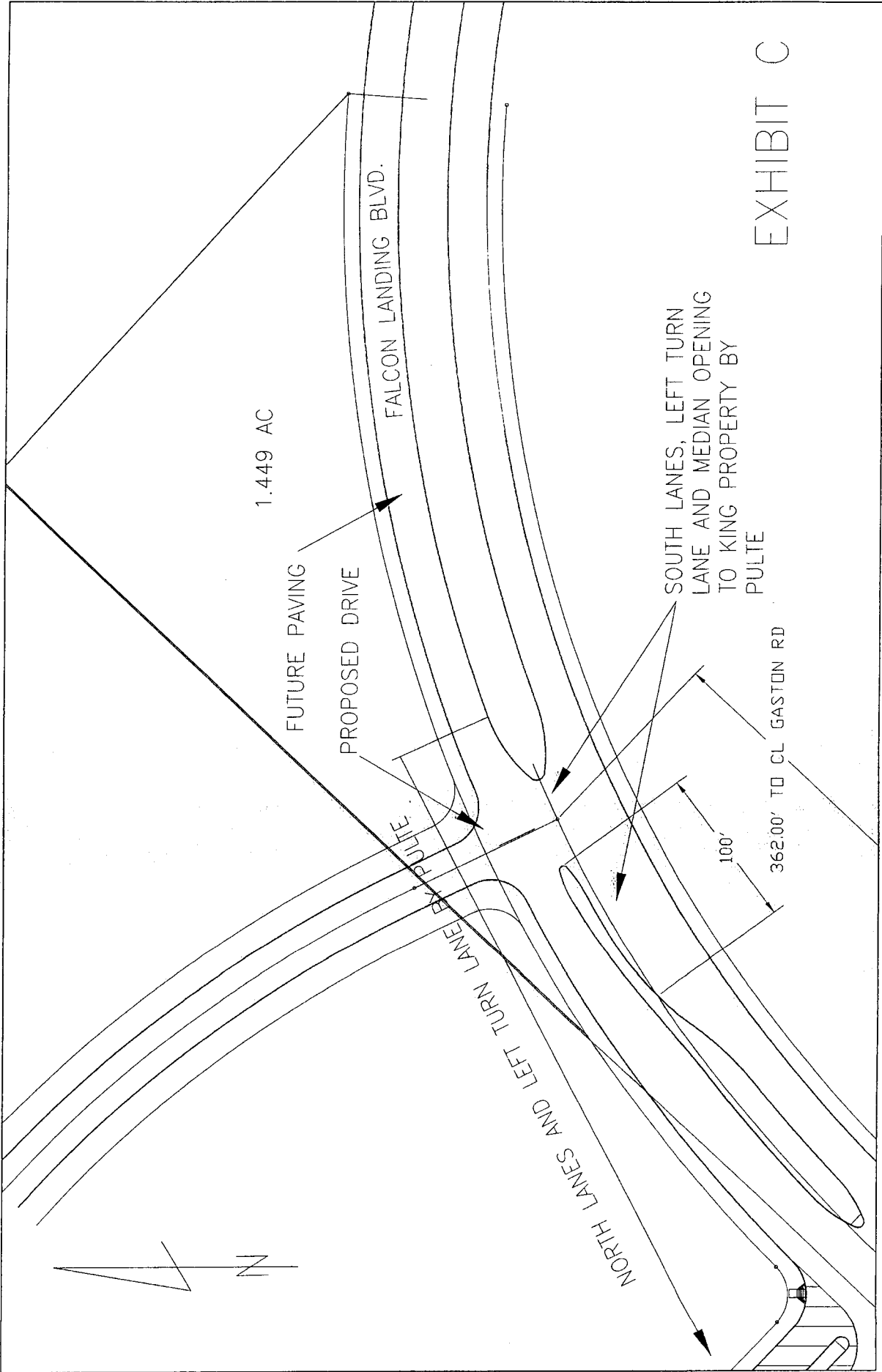


EXHIBIT C