

19N
0



19 PGS
EASEMENT

2012144689

The State of Texas

22A



JESTER

FORT BEND

Unit

County

ROADWAY

Type

EASEMENT

STATE OF TEXAS

§

§

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF FORT BEND

§

1. That the **TEXAS BOARD OF CRIMINAL JUSTICE**, (GRANTOR), pursuant to action of the Board at its meeting on April 02, 2004, acting by its duly authorized chairman, on behalf of the State of Texas, under authority granted by section 496.004, Texas Government Code, hereby grants unto **FORT BEND COUNTY** (GRANTEE), its successors or assigns, an Easement encompassing 10.285 acres of land described by metes and bounds together with maps, of same, attached hereto (the Property), for the purposes of a public road right-of-way including public utilities, including but not limited to drainage, water, gas, and sewer pipelines, and; electrical and communication transmission lines (the Facilities) with the right to construct and erect such facilities and to use, operate, maintain, repair, replace, and rebuild such facilities on, across and under the Property owned by the State of Texas in Fort Bend County, Texas.

Metes and Bounds and Maps Attached

2. This Easement is a Permanent Easement so long as the Grantee utilizes the easement area for purposes described herein.

3. This grant is executed in consideration of Ten Dollars (\$10.00) in hand paid, by Grantee and other good and valuable consideration, which consideration is deemed fair and adequate.

4. A plat of said land, showing the area owned by the Grantor and showing the location of the Grantee's right-of-way is attached hereto and made a part of this Easement.

5. It is understood and agreed that Grantee cannot construct, erect or maintain a facility on any other property owned by Grantor off the Property as described in this Easement except pursuant to a valid agreement permitting such additional facility location.

6. Grantee is hereby granted the right of ingress and egress on said right-of-way for the purpose of constructing, erecting, maintaining, repairing, replacing, and rebuilding such facility or utilizing the Property for

the purpose described above, and such right is not granted for any other purposes. All rights granted to Grantee herein shall include Grantee, its successors or assigns, and its contractors and subcontractors.

7. Grantee agrees to comply with all rules or orders, which the Grantor deems necessary for the protection and conservation of the State's lands and water. It is understood and agreed that at any time Grantor reasonably deems that construction operations with regard to said facility are adverse to the protection and conservation of the State's lands and/or waters, Grantor shall have the right to stop construction work until such adverse situation is resolved.

8. Grantee agrees to comply with all rules or orders, which the Grantor deems necessary for the operation of a secure correctional facility. It is understood and agreed that at any time Grantor reasonably deems that Grantee's construction operations are adverse to the security of a correctional facility, Grantor shall have the right to stop construction work until such adverse situation is resolved.

9. It is specifically understood and agreed that this grant is a permanent grant of right-of-way easement only and does not grant the fee or any interests in the minerals in and to the land affected hereby. This conveyance is made subject to any and all out-standing easements covering the above-described lands and premises or any part thereof.

10. It is further understood and agreed that Grantor retains all its rights to fully enjoy the lands covered herein except as to such uses which may prevent Grantee's use and rights granted herein; such rights retained by the Grantor shall include, but are not limited to, water, gas and sewer pipelines; utilities, electrical and communication lines.

11. Any construction or maintenance by Grantee with respect to pipelines/cables shall not alter the depth at which same are now located or, in the case of replacement, a minimum depth of 48 inches. During construction the topsoil shall be separated from the lower soil levels. When restoring the ground to its natural state, the lower level soils shall be buried first, with the topsoil layered on top.

12. Upon termination or abandonment of this Easement for any cause, all rights herein granted shall revert to the Grantor or its assigns without the necessity or any further act, suit or action on the part of either Grantor or Grantee herein. Upon such termination or abandonment, Grantee agrees to file in the deed records of Fort Bend County, Texas, a release of this Easement. Abandonment may be deemed to have occurred when said Easement is not used for the purposes herein granted for a continuous period of ten (10) years.

13. Grantee shall be fully liable and responsible for any damage, of any nature, arising or resulting from its own acts or omissions related to its exercise of the rights granted herein. To the extent permitted by law, Grantee agrees to hold the Grantor, the Grantor's officers, agents and employees harmless from and against claims, suit, costs, liability or damages of any kind, including strict liability claims, without limit and without regard to cause of the damages or the negligence of any party, except for the consequences of the negligent acts or willful misconduct of the Grantor, the Grantor's officers, agents, employees or invitees, arising directly or indirectly from Grantee's use of the premises (or any adjacent or contiguous land) or from any breach by Grantee of the terms, covenants or conditions contained herein, the provision of this section shall survive expiration or earlier termination of this Easement.

14. Grantee shall use the highest degree of care and all appropriate safeguards to (i) prevent pollution of air, ground, and water in and around the Property and (ii) to protect and preserve natural resources and wildlife habitat. Grantee shall comply with all applicable rules and regulations of the Texas Department of Criminal Justice and other governmental agencies responsible for the protection and preservation of public lands and waters. In the event of pollution or an incident that may result in pollution of the Property or adjacent property which is the result of Grantee's (or Grantee's employees, contractors, and agents) acts or omissions, Grantee shall immediately notify the Grantor, use all means reasonable available to recapture any pollutants which have escaped or may escape, and mitigate for any and all natural resources damages caused thereby.

15. GRANTEE IS EXPRESSLY PLACED ON NOTICE OF THE NATIONAL HISTORICAL PRESERVATION ACT OF 1966 (PB-89-66, 80 STATUTE 915: §470) AND THE ANTIQUITIES CODE OF TEXAS, CHAPTER 191, TEX. NAT. RES. CODE ANN. (VERNON 2002 SUPP.). BEFORE BREAKING GROUND ON THE PROPERTY GRANTEE WILL NOTIFY GRANTOR AND THE TEXAS HISTORICAL COMMISSION, P.O. BOX 12276, AUSTIN, TEXAS 78711, IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS NATURAL RESOURCES CODE, CHAPTER 191, §191.0525.

16. Grantee has inspected the physical and topographic condition of the property and accepts the same "as is" in its existing physical and topographic condition. The Grantor disclaims any and all warranties of habitability, merchantability, suitability, fitness for any purpose, and any other warranty whatsoever not expressly set forth in this Easement. The Grantor and Grantee hereby agree and acknowledge that the use of the term "Grant" in no way implies that this Easement is free of liens, encumbrances and/or prior rights. Notice is hereby given to Grantee that any prior grant and/or encumbrance may be of record and Grantee is advised to examine the records in the Archives and Records Division of the Texas General Land Office, 1700 North Congress Avenue, Austin, Texas, 78701, and all other land title records of the county in which the property is located, the provisions of this section shall survive expiration or earlier termination of this agreement.

17. If the Grantee injures or destroys any fences, bridges, buildings, or other structures on any right-of-way over public lands (other than the structures constructed by the Grantee) the Grantee shall, within a reasonable time, rebuild and repair the same to the extent that they will be in as good condition as they were before the Grantee injured or destroyed them or pay the rightful owner of such structure for the damages sustained as the result thereof. The Grantee shall pay to the Texas Board of Criminal Justice, for the benefit of the Texas Department of Criminal Justice Operating Expenses, the amount of actual damages done to state-owned fences, bridges, buildings, and other improvements, timber, growing crops, and livestock (other than property belonging to the Grantee) by reason of the constructing, erecting, maintaining, repairing, placing, and rebuilding of a facility; provided that structures repaired by the Grantee as prescribed above shall not be included.

18. Grantee shall have the right to remove any of its own property from said right-of-way, upon termination or abandonment of this Easement. If Grantee removes any pipes, poles or other equipment or structures, causing injury thereby to Grantor's surface or improvements thereon, Grantee shall restore same within one hundred eighty (180) days following injury.

19. Except as provided in paragraphs 7 and 8, in the event that Grantee fails to comply with any of the covenants, conditions, terms, undertakings or provisions hereof, Grantor shall notify Grantee in writing of said default and Grantee shall have one hundred twenty (120) days to cure the default; provided however if any such default requires work to be performed, acts to be done or conditions to be remedied which, by their nature, cannot be performed, done, or remedied within said period, then Grantee is deemed in compliance if Grantee commences same within said period and thereafter diligently and continuously prosecutes the same to completion, provided that such completion occur not later than one hundred eighty (180) days from the notice of default. Grantor may terminate this agreement if Grantee fails to cure a default, except a default described in paragraphs 7 and 8, within one hundred eighty (180) days from notice of default. Grantor may terminate this agreement if Grantee fails to cure a default described in paragraph 7 or 8 within fourteen (14) days from receiving notice of default. Further, no waiver of any default, breach or noncompliance with respect to any of the covenants, conditions, undertakings or provisions hereof which may be given by Grantor shall operate as a waiver of any subsequent or different breach or default or as a waiver of Grantor's rights under this paragraph.

EXECUTED this 30 day of November, 2012.

TEXAS BOARD OF CRIMINAL JUSTICE

By: _____

Oliver J. Bell Chairman

APPROVED AS TO LOCATION AND DESCRIPTION:

By: _____

Dianne Fuller

TDCJ Agribusiness, Land and Minerals

APPROVED AS TO LEGAL FORM:

By: _____

Michael W. McManus

Deputy General Counsel

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned authority, on this day personally appeared **Oliver J. Bell**, Chairman of the Texas Board of Criminal Justice, 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, and in the capacity therein stated.

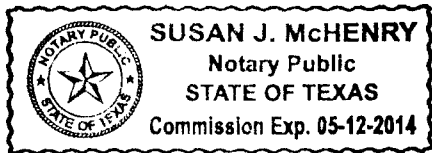
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 30 day of November, 2012.

Susan J. McHenry

Notary Public, State of Texas

Printed Name: Susan McHenry

My Commission Expires: 5-12-2014



Notary without Bond

PLEASE RETURN TO:

Cherrel Langley
Agribusiness, Land and Minerals
Two Financial Plaza, Suite 410
Huntsville, Texas 77340

LEGEND:

R.O.W. - RIGHT-OF-WAY
VOL. - VOLUME
PG. - PAGE
D.R. - DEED RECORDS OF FORT BEND COUNTY
P.R. - OFFICIAL RECORDS OF FORT BEND COUNTY
P.R. - PLAT RECORDS OF FORT BEND COUNTY
F.B.C.C.F. - FORT BEND COUNTY CLERK'S FILE
F.B.C.P. - FORT BEND COUNTY PLAT
● (S) - SET 5/8" IRON ROD WITH CAP
◎ - ANGLE POINT CORNER (NO MONUMENT SET)

STATE OF TEXAS
TEXAS DEPARTMENT OF
CRIMINAL JUSTICE
ORIGINAL CALL
5656.65 ACRES
("HARLEM STATE FARM")
- VOL. 152,
PG. 423; D.R.)

WILLIAM MORTON SURVEY
ABSTRACT No. 62

PLACE OF CONNECTION:
FOUND 5/8" IRON ROD WITH STATE OF TEXAS GENERAL LAND OFFICE CAP
FOR NORTHWEST CORNER OF CALL 101.79 ACRE TRACT
(TRACT TWO - F.B.C.C.F. No. 2004075320)

FOUND 5/8" IRON ROD FOR SOUTHWEST CORNER
OF CALL 101.79 ACRE TRACT

HARLEM ROAD PARCEL 5
8.063 ACRES

N 87°33'46" E - 17.53'

FOUND 5/8" IRON ROD WITH CAP
FOR NORTHWEST CORNER
OF CALL 6.615 ACRE TRACT

FOUND 5/8" IRON ROD WITH CAP
FOR NORTHEAST CORNER OF CALL 6.615 ACRE TRACT
S 87°33'46" W - 80.00'



0 500'
SCALE 1" = 500'

PLACE OF BEGINNING
N: 13,793,142.81'
E: 3,012,554.35'

OYSTER CREEK

HARLEM ROAD PARCEL 7A
0.146 ACRE

STATE OF TEXAS
CALL 723.13 ACRES FOR
THE USE AND BENEFIT OF
THE PERMANENT SCHOOL FUND
(TRACT ONE; F.B.C.C.F. No. 2004075320)

FORT BEND COUNTY
60' R.O.W. - CALL 32.7 ACRES
(VOL. 63, PG. 203; D.R.)

JAMES BOWIE MIDDLE SCHOOL
RESTRICTED RESERVE "A"
FORT BEND I.S.D.
MIDDLE SCHOOL No. 14
(F.B.C.P. No. 20100028)

S 02°26'14" E - 1432.70'

HARLEM ROAD

STATE OF TEXAS
TEXAS DEPARTMENT OF
CRIMINAL JUSTICE
ORIGINAL CALL 5656.65 ACRES
("HARLEM STATE FARM" -
VOL. 152, PG. 423; D.R.)

N 02°39'22" W - 3502.57'

ROAD R.O.W.

PLANTATION DRIVE

WIDTH VARIES
60'

S 03°32'59" E - 1106.73'

FORT BEND COUNTY
CALL 6.615 ACRE ROAD R.O.W.
("HARLEM ROAD PARCEL 3";
F.B.C.C.F. No. 2011015403)

FORT BEND COUNTY
CALL 5.613 ACRE ROAD R.O.W.
("HARLEM ROAD PARCEL 2";
F.B.C.C.F. No. 2011015402)

STATE OF TEXAS
CALL 154.59 ACRE TRACT FOR
THE USE AND BENEFIT OF
THE PERMANENT SCHOOL FUND
(TRACT FIVE - F.B.C.C.F. No. 2004075320)

70' DRAINAGE EASEMENT
(FOURTH TRACT; VOL. 331, PG. 468; D.R.)

HARLEM ROAD PARCEL 3A

SKETCH SHOWING LOCATION OF 1.830 ACRE
OF LAND (79,732 SQUARE FEET) BEING A PORTION
OF THE ORIGINAL STATE OF TEXAS
CALL 5656.65 ACRE TRACT ("HARLEM STATE FARM"
- VOLUME 152, PAGE 423; DEED RECORDS
OF FORT BEND COUNTY, TEXAS) BEING IN
THE JANE WILKINS SURVEY, ABSTRACT NO. 96,
FORT BEND COUNTY, TEXAS.

AUGUST 24, 2012

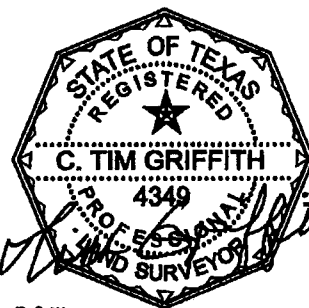
Prepared by:
KELLY R. KALUZA & ASSOCIATES, INC.
Consulting Engineers and Surveyors
3014 Avenue I
Rosenberg, Texas 77471
(281) 341-0808

Notes:

- 1) Prepared without benefit of current title report.
- 2) All bearings referenced to the Texas Coordinates System of 1983, South Central Zone. All coordinates listed are surface and can be brought to grid by applying a combined project scale factor = 0.99987872081.
- 3) Prepared in conjunction with right-of-way acquisition plan set by this office.

HARLEM ROAD PARCEL 2A - 3.590 ACRES

BULLHEAD BAYOU



KELLY R. KALUZA & ASSOCIATES, INC.

Consulting Engineers & Surveyors

Engineering Firm No. F-1339

3014 Avenue I, Rosenberg, Texas 77471

(281) 341-0808 ■ FAX (281) 341-6333

August 24, 2012

Harlem Road Parcel 3A

A FIELD NOTE DESCRIPTION of 1.830 acre of Land (79,732 square feet) being a portion of the original State of Texas call 5656.65 acre tract ("Harlem State Farm" - Volume 152, Page 423; Deed Records of Fort Bend County, Texas) being in the Jane Wilkins Survey, Abstract No. 96, Fort Bend County, Texas. The bearing basis for this description is referenced to the Texas Coordinates System of 1983, South Central Zone and was determined by Global Positioning System methods.

FOR CONNECTION, begin at a 5/8 inch diameter iron rod with State of Texas General Land Office plastic cap found for the Northwest corner of the State of Texas call 101.79 acre tract of Land for the Use and Benefit of the Permanent School Fund (Tract Two - Fort Bend County Clerk's File No. 2004075320) in the Easterly line of the Fort Bend County 60 foot wide tract of Land for Harlem Road right-of-way (call 32.7 acres - Volume 63, Page 203; Deed Records of Fort Bend County, Texas); Said corner being in the Southerly line of a call 5.5225 acre tract for Harlem Road right-of-way out of a call 509.5546 acre tract (Tract 1 - Part 1) of the State of Texas Department of Transportation Partition Plat (Slide Nos. 1819/A&B and 1820/A&B; Plat Records of Fort Bend County, Texas) and being the Northwest corner of Harlem Road Parcel 8 - 6.022 acre tract of Land surveyed this day; Thence; South 2 degrees, 39 minutes, 22 seconds East, at 856.87 feet pass a 5/8 inch diameter iron rod with plastic cap set for a Westerly re-entrant corner of said Harlem Road Parcel 8 - 6.022 acre tract, in all 2412.99 feet along the Westerly line of said call 101.79 acre tract along the Easterly line of said 60 foot wide tract of Land for Harlem Road right-of-way to a 5/8 inch diameter iron rod found for the Southwest corner of said call 101.79 acre tract and for the Northeast corner of Harlem Road Parcel 7C - 1.469 acre tract of Land surveyed this day; Thence; South 2 degrees, 39 minutes, 22 seconds East, at 831.15 feet pass a 5/8 inch diameter iron rod with plastic cap set for the most Easterly Southeast corner of said Harlem Road Parcel 7C - 1.469 acre tract and for a lower Northwesterly corner of Harlem Road Parcel 5 - 8.063 acre tract of Land surveyed this day, in all 4013.19 feet along the Easterly line of said 60 foot wide tract of Land for Harlem Road right-of-way to a point for the Southwest corner of said Harlem Road Parcel 5 - 8.063 acre tract; Said corner being the Northwest corner of and **PLACE OF BEGINNING** for this 1.830 acre tract of Land;

THENCE; North 87 degrees, 33 minutes, 46 seconds East - 17.53 feet to a 5/8 inch diameter iron rod with plastic cap found for the Northeast corner of this tract; Said corner being the Northwest corner of a call 6.615 acre tract of Land for road right-of-way ("Harlem Road Parcel 3" - Fort Bend County Clerk's File No. 2011015403); Said corner bears South 87 degrees, 33 minutes, 46 seconds West - 54.85 feet along the Northerly line of said call 6.615 acre

A Field Note Description
Harlem Road Parcel 3A
1.830 acres of Land
August 24, 2012
Page Two (2)

tract from a 5/8 inch diameter iron rod with plastic cap set for the Northwest corner of Harlem Road Parcel 4 - 0.457 acre tract of Land surveyed this day and bears South 87 degrees, 33 minutes, 46 seconds West - 80.00 feet from a 5/8 inch diameter iron rod with plastic cap found for the Northeast corner of said call 6.615 acre tract and for the Northeast corner of said Harlem Road Parcel 4 - 0.457 acre tract;

THENCE; Southerly, along the Westerly line of said call 5.613 acre tract with the following courses and distances:

South 2 degrees, 26 minutes, 14 seconds East - 1432.70 feet to a point for angle point corner of this tract;

South 3 degrees, 32 minutes, 59 seconds East - 1106.73 feet to a point for angle point corner of this tract;

South 3 degrees, 26 minutes, 34 seconds East - 1012.08 feet to a point for the Southeast corner of this tract in a Northeasterly line of the State of Texas call 154.59 acre tract of land for the Use and Benefit of the Permanent School Fund (Tract Five - Fort Bend County Clerk's File No. 2004075320); Said corner being the Southwest corner of said call 6.615 acre tract, being the Northwest corner of a call 5.613 acre tract of Land for road right-of-way ("Harlem Road Parcel 2" - Fort Bend County Clerk's File No. 2011015402), and being the Northeast corner of Harlem Road Parcel 2A - 3.590 acre tract of Land surveyed this day;

THENCE; North 44 degrees, 12 minutes, 5 seconds West - 65.16 feet along a Northeasterly line of said call 154.59 acre tract along the Southerly line of a 70 foot wide drainage easement (Fourth Tract; Volume 331, Page 468; Deed Records of Fort Bend County, Texas) to a point for the Southwest corner of this tract; Said corner being the most Northerly corner of said call 154.59 acre tract and being the Northwest corner of said Harlem Road Parcel 2A - 3.590 acre tract; Said corner bears North 2 degrees, 39 minutes, 22 seconds West - 3131.69 feet along the Westerly line of said call 154.59 acre tract along the Easterly line of said 60 foot wide tract of Land for Harlem Road right-of-way from a 5/8 inch diameter iron rod with plastic cap set for the Southwest corner of said call 154.59 acre tract;

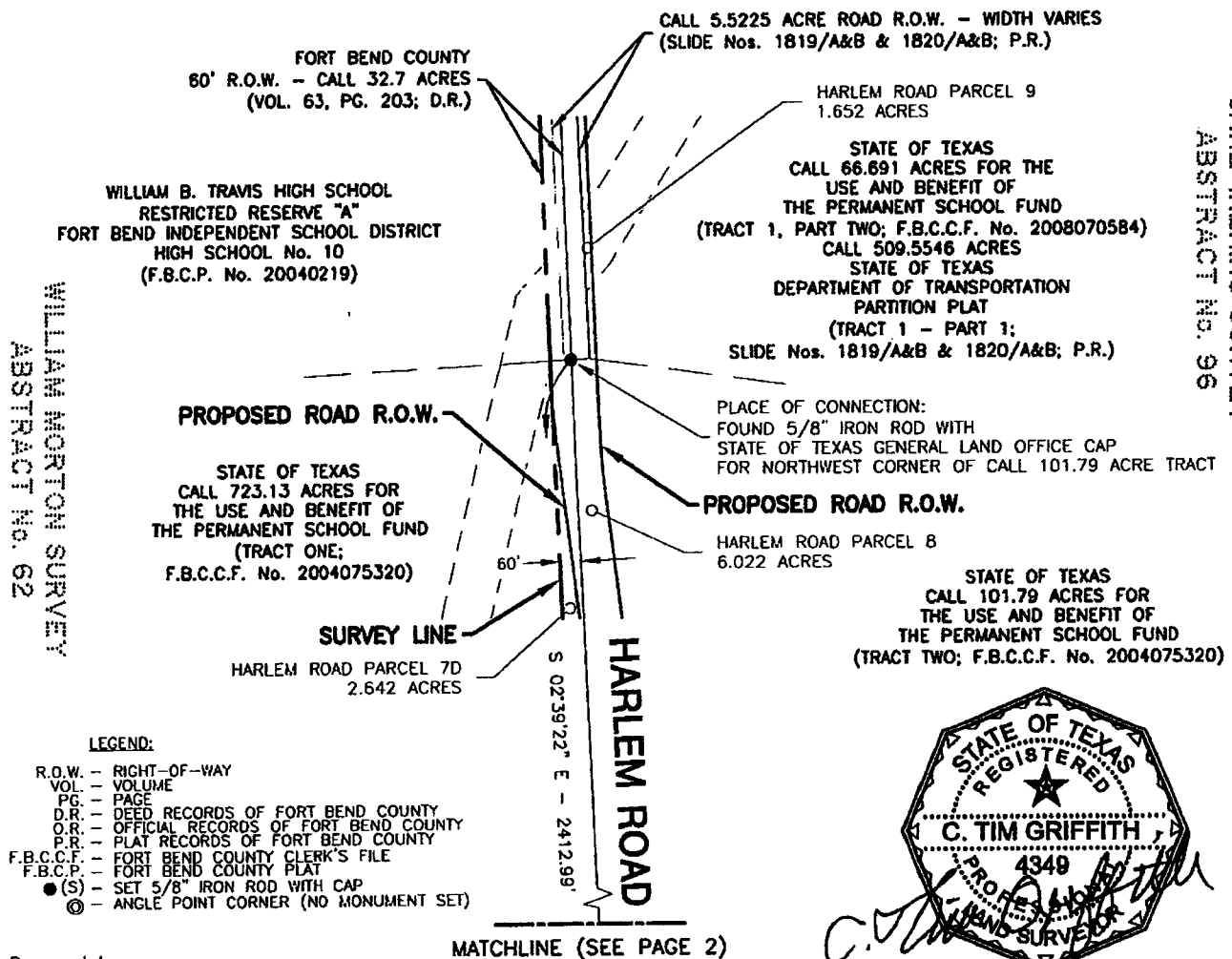
A Field Note Description
Harlem Road Parcel 3A
1.830 acres of Land
August 24, 2012
Page Three (3)

THENCE; North 2 degrees, 39 minutes, 22 seconds West - 3502.57 feet along the Easterly line of said 60 foot wide tract of Land for Harlem Road right-of-way to the **PLACE OF BEGINNING** and containing 1.830 acre of Land.

C. Tim Griffith
C. Tim Griffith, R.P. L.S. No. 4349

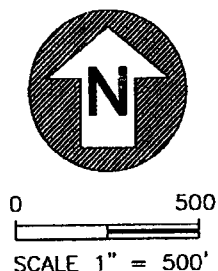


CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C17	7940.00	01°08'44"	158.75	79.38	S 01°51'52" E	158.75
C21	900.00	06°48'06"	106.84	53.48	S 02°06'33" W	106.78
C22	900.00	07°27'00"	117.02	58.60	S 01°47'06" W	116.94
C25	625.00	17°28'26"	190.61	96.05	S 10°40'37" E	189.87
C28	505.00	15°49'32"	139.49	70.19	S 11°30'04" E	139.04
C33	940.00	09°27'02"	155.05	77.70	S 01°08'13" W	154.87
C39	2060.00	08°31'06"	306.27	153.42	S 01°36'11" W	305.98
C57	1940.00	04°06'52"	139.31	69.69	N 00°35'56" W	139.28



Prepared by:
KELLY R. KALUZA & ASSOCIATES, INC.
 Consulting Engineers and Surveyors
 3014 Avenue 1
 Rosenberg, Texas 77471
 (281) 341-0808

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 - 2) All bearings referenced to the Texas Coordinates System of 1983, South Central Zone. All coordinates listed are surface and can be brought to grid by applying a combined project scale factor = 0.99987872081.
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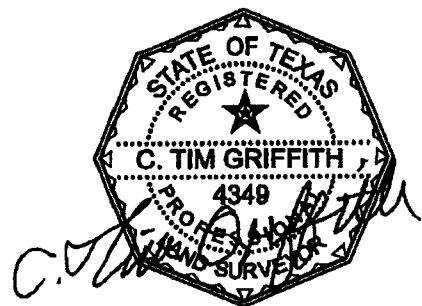


HARLEM ROAD PARCEL 5

SKETCH SHOWING LOCATION OF 8.063 ACRES OF LAND (351,232 SQUARE FEET) BEING A PORTION OF THE ORIGINAL STATE OF TEXAS CALL 5656.65 ACRE TRACT ("HARLEM STATE FARM" - VOLUME 152, PAGE 423; DEED RECORDS OF FORT BEND COUNTY, TEXAS) BEING IN THE JANE WILKINS SURVEY, ABSTRACT NO. 96, FORT BEND COUNTY, TEXAS.

PAGE 1 OF 2
 AUGUST 24, 2012

JANE WILKINS SURVEY
 ABSTRACT NO. 96



MATCHLINE (SEE PAGE 1)

STATE OF TEXAS
CALL 101.79 ACRES FOR
THE USE AND BENEFIT OF
THE PERMANENT SCHOOL FUND
(TRACT TWO;
F.B.C.C.F. No. 2004075320)

STATE HIGHWAY
No. 89

HARLEM ROAD PARCEL 7D
2.642 ACRES

FOUND 5/8" IRON ROD
FOR SOUTHWEST CORNER
OF CALL 101.79 ACRE TRACT

STATE OF TEXAS
CALL 723.13 ACRES FOR
THE USE AND BENEFIT OF
THE PERMANENT SCHOOL FUND
(TRACT ONE;
F.B.C.C.F. No. 2004075320)

HARLEM ROAD
PARCEL 8
6.022 ACRES

N 85°38'31" E - 5.00'
N 85°38'31" E - 120.05'

S 85°38'31" W - 2261.41'

PLACE OF BEGINNING (S)

N: 13,797,152.07'
E: 3,012,373.37'

FOUND 5/8" IRON ROD
WITH STATE OF TEXAS
GENERAL LAND OFFICE CAP

N 02°39'22" W - 692.11'

S 02°39'22" E - 695.68'

HARLEM ROAD PARCEL 7C
1.469 ACRE

HARLEM ROAD DRAINAGE EASEMENTS
(TO BE DETERMINED)

STATE OF TEXAS
TEXAS DEPARTMENT OF
CRIMINAL JUSTICE
ORIGINAL CALL 5656.65 ACRES
("HARLEM STATE FARM" -
VOL. 152, PG. 423; D.R.)

HARLEM ROAD PARCEL 6
0.392 ACRE

FORT BEND COUNTY
60' R.O.W. - CALL 32.7 ACRES
(VOL. 63, PG. 203; D.R.)

S 05°51'44" W - 398.85'

C33

SET MAG NAIL IN ASPHALT PAVEMENT

S 03°35'18" E - 430.00'

C28

S 19°24'50" E - 103.74'

C25

S 01°56'24" E - 266.24'

C22

C21

S 01°17'30" E - 911.39'

S 02°26'14" E - 53.62'

C17

S 02°26'14" E - 53.62'

HARLEM ROAD PARCEL 4
0.457 ACRE

**HARLEM ROAD PARCEL 5
8.063 ACRES
(351,232 SQUARE FEET)**

PAGE 2 OF 2

AUGUST 24, 2012

WILLIAM MORTON SURVEY
ABSTRACT No. 62

JANE WILKINS SURVEY
ABSTRACT No. 96

OYSTER
CREEK

OYSTER
CREEK



0 500'
SCALE 1" = 500'

HARLEM ROAD PARCEL 3A - 1.830 ACRE

FORT BEND COUNTY - CALL 6.615 ACRE ROAD R.O.W.
("HARLEM ROAD PARCEL 3"; F.B.C.C.F. No. 2011015403)

SURVEY LINE

120' PROPOSED

PROPOSED
ROAD R.O.W.

PROPOSED
ROAD R.O.W.

HARLEM ROAD

KELLY R. KALUZA & ASSOCIATES, INC.

Consulting Engineers & Surveyors

Engineering Firm No. F-1339

3014 Avenue I, Rosenberg, Texas 77471

(281) 341-0808 ■ FAX (281) 341-6333

August 24, 2012

Harlem Road Parcel 5

A FIELD NOTE DESCRIPTION of 8.063 acres of Land (351,232 square feet) being a portion of the original State of Texas call 5656.65 acre tract ("Harlem State Farm" - Volume 152, Page 423; Deed Records of Fort Bend County, Texas) being in the Jane Wilkins Survey, Abstract No. 96, Fort Bend County, Texas. The bearing basis for this description is referenced to the Texas Coordinates System of 1983, South Central Zone and was determined by Global Positioning System methods.

FOR CONNECTION, begin at a 5/8 inch diameter iron rod with State of Texas General Land Office plastic cap found for the Northwest corner of the State of Texas call 101.79 acre tract of Land for the Use and Benefit of the Permanent School Fund (Tract Two - Fort Bend County Clerk's File No. 2004075320) in the Easterly line of the Fort Bend County 60 foot wide tract of Land for Harlem Road right-of-way (call 32.7 acres - Volume 63, Page 203; Deed Records of Fort Bend County, Texas); Said corner being in the Southerly line of a call 5.5225 acre tract for Harlem Road right-of-way out of a call 509.5546 acre tract (Tract 1 - Part 1) of the State of Texas Department of Transportation Partition Plat (Slide Nos. 1819/A&B and 1820/A&B; Plat Records of Fort Bend County, Texas) and being the Northwest corner of Harlem Road Parcel 8 - 6.022 acre tract of Land surveyed this day; Thence; South 2 degrees, 39 minutes, 22 seconds East, at 856.87 feet pass a 5/8 inch diameter iron rod with plastic cap set for a Westerly re-entrant corner of said Harlem Road Parcel 8 - 6.022 acre tract, in all 2412.99 feet along the Westerly line of said call 101.79 acre tract along the Easterly line of said 60 foot wide tract of Land for Harlem Road right-of-way to a 5/8 inch diameter iron rod found for the Southwest corner of said call 101.79 acre tract and for the Northeast corner of Harlem Road Parcel 7C - 1.469 acre tract of Land surveyed this day; Thence; North 85 degrees, 38 minutes, 31 seconds East - 5.00 feet along the Southerly line of said call 101.79 acre tract to a 5/8 inch diameter iron rod with plastic cap set for the Southwest corner of said Harlem Road Parcel 8 - 6.022 acre tract in the proposed Westerly right-of-way line of Harlem Road (proposed 120 foot wide right-of-way at this point); Said corner being the most Northerly Northwest corner of and **PLACE OF BEGINNING** for this 8.063 acre tract of Land;

THENCE; North 85 degrees, 38 minutes, 31 seconds East - 120.05 feet continuing along the Southerly line of said call 101.79 acre tract to a 5/8 inch diameter iron rod with plastic cap set for the Northeast corner of this tract; Said corner being the Southeast corner of said Harlem Road Parcel 8 - 6.022 acre tract in the proposed Easterly right-of-way line of Harlem Road and bears South 85 degrees, 38 minutes, 31 seconds West - 2261.41 feet from a 5/8 inch diameter iron rod with State of Texas General Land Office plastic cap found

A Field Note Description
Harlem Road Parcel 5
8.063 acres of Land
August 24, 2012
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for the Southeast corner of said call 101.79 acre tract in the Westerly right-of-way line of State Highway No. 99 (Grand Parkway; call 97.179 acre tract - Parcel 9; Volume 2367, Page 2413; Official Records of Fort Bend County, Texas);

THENCE; Southerly, along the proposed Easterly right-of-way line of Harlem Road (proposed 120 foot wide right-of-way from this point) with the following courses and distances:

South 2 degrees, 39 minutes, 22 seconds East - 695.68 feet to a 5/8 inch diameter iron rod with plastic cap set for corner of this tract;

Southwesterly, along a tangent curve to the right with the following curve data:

Delta:	8 degrees, 31 minutes, 6 seconds
Radius:	2060.00 feet
Length:	306.27 feet
Tangent:	153.42 feet
Chord:	South 1 degree, 36 minutes, 11 seconds West - 305.98 feet to 5/8 inch diameter iron rod with plastic cap set for corner of this tract;

South 5 degrees, 51 minutes, 44 seconds West - 398.85 feet to a 5/8 inch diameter iron rod with plastic cap set for corner of this tract;

Southwesterly, along a tangent curve to the left with the following curve data:

Delta:	9 degrees, 27 minutes, 2 seconds
Radius:	940.00 feet
Length:	155.05 feet
Tangent:	77.70 feet
Chord:	South 1 degree, 8 minutes, 13 seconds West - 154.87 feet to a mag nail set in asphalt pavement for corner of this tract;

South 3 degrees, 35 minutes, 18 seconds East - 430.00 feet to a 5/8 inch diameter iron rod with plastic cap set for corner of this tract (proposed right-of-way width varies from this point);

Southeasterly, along a tangent curve to the left with the following curve data:

A Field Note Description
Harlem Road Parcel 5
8.063 acres of Land
August 24, 2012
Page Three (3)

Delta: 15 degrees, 49 minutes, 32 seconds
Radius: 505.00 feet
Length: 139.49 feet
Tangent: 70.19 feet
Chord: South 11 degrees, 30 minutes, 4 seconds East -
139.04 feet to a 5/8 inch diameter iron rod with
plastic cap set for corner of this tract;

South 19 degrees, 24 minutes, 50 seconds East - 103.74 feet to a 5/8
inch diameter iron rod with plastic cap set for corner of this tract;

Southeasterly, along a tangent curve to the right with the following
curve data:

Delta: 17 degrees, 28 minutes, 26 seconds
Radius: 625.00 feet
Length: 190.61 feet
Tangent: 96.05 feet
Chord: South 10 degrees, 40 minutes, 37 seconds East
- 189.87 feet to a 5/8 inch diameter iron rod with
plastic cap set for corner of this tract (proposed
146 foot wide right-of-way from this point);

South 1 degree, 56 minutes, 24 seconds East - 266.24 feet to a 5/8
inch diameter iron rod with plastic cap set for corner of this tract
(proposed right-of-way width varies from this point);

Southwesterly, along a tangent curve to the right with the following
curve data:

Delta: 7 degrees, 27 minutes, 0 seconds
Radius: 900.00 feet
Length: 117.02 feet
Tangent: 58.60 feet
Chord: South 1 degree, 47 minutes, 6 seconds West -
116.94 feet to a 5/8 inch diameter iron rod with
plastic cap set for corner of this tract;

Southwesterly, along a tangent curve to the left with the following
curve data:

A Field Note Description
Harlem Road Parcel 5
8.063 acres of Land
August 24, 2012
Page Four (4)

Delta: 6 degrees, 48 minutes, 6 seconds
Radius: 900.00 feet
Length: 106.84 feet
Tangent: 53.48 feet
Chord: South 2 degrees, 6 minutes, 33 seconds West -
106.78 feet to a 5/8 inch diameter iron rod with
plastic cap set for corner of this tract (proposed
120 foot wide right-of-way from this point);

South 1 degree, 17 minutes, 30 seconds East - 911.39 feet to a 5/8
inch diameter iron rod with plastic cap set for corner of this tract;

Southeasterly, along a tangent curve to the left with the following
curve data:

Delta: 1 degree, 8 minutes, 44 seconds
Radius: 7940.00 feet
Length: 158.75 feet
Tangent: 79.38 feet
Chord: South 1 degree, 51 minutes, 52 seconds East -
158.75 feet to a 5/8 inch diameter iron rod with
plastic cap set for corner of this tract;

South 2 degrees, 26 minutes, 14 seconds East - 53.62 feet to a 5/8
inch diameter iron rod with plastic cap set for the Southeast corner of
this tract; Said corner being the Northwest corner of Harlem Road
Parcel 4 - 0.457 acre tract of Land surveyed this day and bears South
87 degrees, 33 minutes, 46 seconds West - 25.15 feet from a 5/8 inch
diameter iron rod with plastic cap found for the Northeast corner of a
call 6.615 acre tract of Land for road right-of-way ("Harlem Road Parcel
3" - Fort Bend County Clerk's File No. 2011015403);

THENCE; South 87 degrees, 33 minutes, 46 seconds West, at 54.85 feet pass a 5/8
inch diameter iron rod with plastic cap found for the Northwest corner of said
call 6.615 acre tract and for the Northeast corner of Harlem Road Parcel 3A -
1.830 acre of Land surveyed this day, in all 72.38 feet to a point for the
Southwest corner of this tract; Said corner being the Northwest corner of said
Harlem Road Parcel 3A - 1.830 acre tract in the Easterly line of said 60 foot
wide tract of land for Harlem Road right-of-way;

A Field Note Description
Harlem Road Parcel 5
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THENCE; North 2 degrees, 39 minutes, 22 seconds West - 3182.04 feet along the Easterly line of said 60 foot wide tract of Land for Harlem Road right-of-way to a 5/8 inch diameter iron rod with plastic cap set for a lower Northwesterly corner of this tract; Said corner being the most Easterly Southeast corner of said Harlem Road Parcel 7C - 1.469 acre tract;

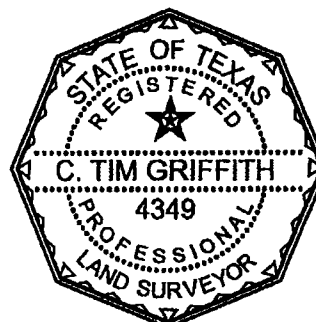
THENCE; Northerly, departing from the Easterly line of said 60 foot wide tract of land for Harlem Road right-of-way along the proposed Westerly right-of-way line of Harlem Road (proposed 120 foot wide right-of-way from this point) with the following courses and distances:

Northwesterly, along a non-tangent curve to the left, the radius point bears North 88 degrees, 32 minutes, 30 seconds West, with the following curve data:

Delta:	4 degrees, 6 minutes, 52 seconds
Radius:	1940.00 feet
Length:	139.31 feet
Tangent:	69.69 feet
Chord:	North 0 degrees, 35 minutes, 56 seconds West - 139.28 feet to a 5/8 inch diameter iron rod with plastic cap set for corner of this tract;

North 2 degrees, 39 minutes, 22 seconds West - 692.11 feet along a line being 5.00 feet perpendicular distance Easterly of and parallel to the Easterly line of said 60 foot wide tract of Land for Harlem Road right-of-way to the **PLACE OF BEGINNING** and containing 8.063 acres of Land.


C. Tim Griffith, R.P.L.S. No. 4349

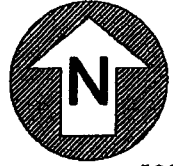


LEGEND:

R.O.W. - RIGHT-OF-WAY
VOL. - VOLUME
PG. - PAGE
D.R. - DEED RECORDS OF FORT BEND COUNTY
O.R. - OFFICIAL RECORDS OF FORT BEND COUNTY
P.R. - PLAT RECORDS OF FORT BEND COUNTY
F.B.C.C.F. - FORT BEND COUNTY CLERK'S FILE
F.B.C.P. - FORT BEND COUNTY PLAT
● (S) - SET 5/8" IRON ROD WITH CAP
○ - ANGLE POINT CORNER (NO MONUMENT SET)

PLACE OF CONNECTION:

FOUND 5/8" IRON ROD WITH
STATE OF TEXAS GENERAL LAND OFFICE CAP FOR
NORTHEAST CORNER OF CALL 723.13 ACRE TRACT
(TRACT ONE - F.B.C.C.F. No. 2004075320) & FOR
SOUTHEAST CORNER OF RESTRICTED RESERVE "A"
OF FORT BEND INDEPENDENT SCHOOL DISTRICT
HIGH SCHOOL No. 10 (F.B.C.P. No. 20040219)



0 500'
SCALE 1" = 500'

WILLIAM MORTON SURVEY
ABSTRACT No. 62

STATE OF TEXAS
CALL 723.13 ACRES FOR
THE USE AND BENEFIT OF
THE PERMANENT SCHOOL FUND
(TRACT ONE;
F.B.C.C.F. No. 2004075320)

HARLEM ROAD PARCEL 7C
1.469 ACRE

OYSTER
CREEK

HARLEM ROAD
DRAINAGE EASEMENTS
(TO BE DETERMINED)

SURVEY
LINE

STATE OF TEXAS
CALL 101.79 ACRES FOR
THE USE AND BENEFIT OF
THE PERMANENT SCHOOL FUND
(TRACT TWO;
F.B.C.C.F. No. 2004075320)

FOUND 5/8" IRON ROD WITH
STATE OF TEXAS GENERAL LAND OFFICE CAP
FOR MOST NORTHERLY SOUTHEAST CORNER
OF CALL 723.13 ACRE TRACT

FORT BEND COUNTY
60' R.O.W. -
CALL 32.7 ACRES
(VOL. 63, PG. 203; D.R.)

HARLEM
ROAD

STATE OF TEXAS
TEXAS DEPARTMENT OF
CRIMINAL JUSTICE
ORIGINAL CALL 5656.65 ACRES
("HARLEM STATE FARM" -
VOL. 152, PG. 423; D.R.)

JANE WILKINS SURVEY
ABSTRACT No. 96

N 05°51'44" E - 104.51'
STATE OF TEXAS
TEXAS DEPARTMENT OF
CRIMINAL JUSTICE
ORIGINAL CALL 5656.65 ACRES
("HARLEM STATE FARM"
VOL. 152, PG. 423; D.R.)

N 03°35'18" W - 430.00'

N 11°19'20" W - 86.19'

HARLEM ROAD
PARCEL 7B
1.098 ACRE

PROPOSED ROAD R.O.W.

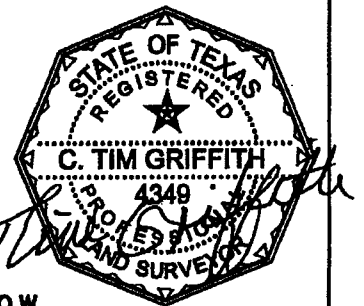
PLACE OF BEGINNING (S)
N: 13,795,879.86'
E: 3,012,367.31'

120' PROPOSED

S 02°39'22" E - 876.77'

HARLEM ROAD
PARCEL 5
8.063 ACRES

PROPOSED ROAD R.O.W.



Prepared by:
KELLY R. KALUZA & ASSOCIATES, INC.
Consulting Engineers and Surveyors
3014 Avenue I
Rosenberg, Texas 77471
(281) 341-0808

FOUND 5/8" IRON ROD
WITH STATE OF TEXAS
GENERAL LAND OFFICE CAP FOR
MOST SOUTHERLY NORTHEAST CORNER
OF CALL 723.13 ACRE TRACT

Notes:

- 1) Prepared without benefit of current title report.
- 2) All bearings referenced to the Texas Coordinates System of 1983, South Central Zone. All coordinates listed are surface and can be brought to grid by applying a combined project scale factor = 0.99987872081.
- 3) Prepared in conjunction with right-of-way acquisition plan set by this office.

HARLEM ROAD PARCEL 6

SKETCH SHOWING LOCATION OF 0.392 ACRE OF LAND
(17,064 SQUARE FEET) BEING A PORTION OF THE
ORIGINAL STATE OF TEXAS CALL 5656.65 ACRE TRACT
("HARLEM STATE FARM" - VOLUME 152, PAGE 423;
DEED RECORDS OF FORT BEND COUNTY, TEXAS)
BEING IN THE WILLIAM MORTON SURVEY,
ABSTRACT NO. 62, FORT BEND COUNTY, TEXAS.

AUGUST 24, 2012

CURVE	RADIUS	DELTA	ARC	TANGENT	BEARING	CHORD
C26	625.00	07°44'02"	84.36	42.25	N 07°27'19" W	84.30
C31	1060.00	09°27'02"	174.84	87.62	N 01°08'13" E	174.64

KELLY R. KALUZA & ASSOCIATES, INC.

Consulting Engineers & Surveyors

Engineering Firm No. F-1339

3014 Avenue I, Rosenberg, Texas 77471

(281) 341-0808 ■ FAX (281) 341-6333

August 24, 2012

Harlem Road Parcel 6

A FIELD NOTE DESCRIPTION of 0.392 acre of Land (17,064 square feet) being a portion of the original State of Texas call 5656.65 acre tract ("Harlem State Farm" - Volume 152, Page 423; Deed Records of Fort Bend County, Texas) being in the William Morton Survey, Abstract No. 62, Fort Bend County, Texas. The bearing basis for this description is referenced to the Texas Coordinates System of 1983, South Central Zone and was determined by Global Positioning System methods.

FOR CONNECTION, begin at a 5/8 inch diameter iron rod with State of Texas General Land Office plastic cap found for the Northeast corner of the State of Texas call 723.13 acre tract of Land for the Use and Benefit of the Permanent School Fund (Tract One - Fort Bend County Clerk's File No. 2004075320) and for the Southeast corner of Restricted Reserve "A" of Fort Bend Independent School District High School No. 10 (Fort Bend County Plat No. 20040219) in the Westerly line of the Fort Bend County 60 foot wide tract of Land for Harlem Road right-of-way (call 32.7 acres - Volume 63, Page 203; Deed Records of Fort Bend County, Texas); Said corner bears South 86 degrees, 53 minutes, 29 seconds West - 60.00 feet from a 5/8 inch diameter iron rod with State of Texas General Land Office plastic cap found for the Northwest corner of the State of Texas call 101.79 acre tract of Land for the Use and Benefit of the Permanent School Fund (Tract Two - Fort Bend County Clerk's File No. 2004075320) in the Easterly line of said 60 foot wide tract of Land for Harlem Road right-of-way; Said corner bears South 86 degrees, 53 minutes, 29 seconds West - 40.40 feet from a 5/8 inch diameter iron rod with State of Texas Department of Transportation aluminum disk found for the Southwest corner of a call 5.5225 acre tract for Harlem Road right-of-way out of a call 509.5546 acre tract (Tract 1 - Part 1) of the State of Texas Department of Transportation Partition Plat (Slide Nos. 1819/A&B and 1820/A&B; Plat Records of Fort Bend County, Texas) and for the Southeast corner of an original call 274.505 acre tract of Land (Tract 1, Part Three - Fort Bend County Clerk's File No. 2008070584); Thence; South 2 degrees, 39 minutes, 22 seconds East, at 54.97 feet pass a 5/8 inch diameter iron rod with plastic cap set for the Northwest corner of Harlem Road Parcel 7D - 2.642 acre tract of Land surveyed this day, at 2414.30 feet pass a 5/8 inch diameter iron rod with State of Texas General Land Office plastic cap found for the most Northerly Southeast corner of said call 723.13 acre tract, for the Southwest corner of said Harlem Road Parcel 7D - 2.642 acre tract, and for the Northwest corner of Harlem Road Parcel 7C - 1.469 acre tract of Land surveyed this day, in all 3682.93 feet along the Westerly line of said 60 foot wide tract of Land for Harlem Road right-of-way to a 5/8 inch diameter iron rod with plastic cap set for the Southwest corner of said Harlem Road Parcel 7C - 1.469 acre tract in the proposed Westerly right-of-way line of Harlem Road (proposed 120 foot wide right-of-way at this point); Said corner being the Northeast corner of and **PLACE OF BEGINNING** for this 0.392 acre tract of Land;

A Field Note Description
Harlem Road Parcel 6
0.392 acres of Land
August 24, 2012
Page Two (2)

THENCE; South 2 degrees, 39 minutes, 22 seconds East - 876.77 feet along the Westerly line of said 60 foot wide tract of Land for Harlem Road right-of-way to a 5/8 inch diameter iron rod with plastic cap set for the Southeast corner of this tract in the proposed Westerly right-of-way line of Harlem Road (proposed right-of-way width varies from this point); Said corner being the Northwest corner of Harlem Road Parcel 7B - 1.098 acre tract of Land surveyed this day and bears North 2 degrees, 39 minutes, 22 seconds West - 2005.65 feet along the Westerly line of said 60 foot wide tract of Land for Harlem Road right-of-way from a 5/8 inch diameter iron rod with State of Texas General Land Office plastic cap found for the most Southerly Northeast corner of said call 723.13 acre tract;

THENCE; Northerly, departing from said 60 foot wide tract of Land for Harlem Road right-of-way along the proposed Westerly right-of-way line of Harlem Road with the following courses and distances:

North 11 degrees, 19 minutes, 20 seconds West - 86.19 feet to a 5/8 inch diameter iron rod with plastic cap set for corner of this tract (proposed 120 foot wide right-of-way from this point);

Northwesterly, along a tangent curve to the right with the following curve data:

Delta:	7 degrees, 44 minutes, 2 seconds
Radius:	625.00 feet
Length:	84.36 feet
Tangent:	42.25 feet
Chord:	North 7 degrees, 27 minutes, 19 seconds West - 84.30 feet to 5/8 inch diameter iron rod with plastic cap set for corner of this tract;


North 3 degrees, 35 minutes, 18 seconds West - 430.00 feet to a 5/8 inch diameter iron rod with plastic cap set for corner of this tract;

Northeasterly, along a tangent curve to the right with the following curve data:

A Field Note Description
Harlem Road Parcel 6
0.392 acres of Land
August 24, 2012
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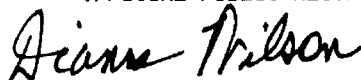
Delta: 9 degrees, 27 minutes, 2 seconds
Radius: 1060.00 feet
Length: 174.84 feet
Tangent: 87.62 feet
Chord: North 1 degree, 8 minutes, 13 seconds East -
174.64 feet to 5/8 inch diameter iron rod with
plastic cap set for corner of this tract;

North 5 degrees, 51 minutes, 44 seconds East - 104.51 feet to the
PLACE OF BEGINNING and containing 0.392 acre of Land.


C. Tim Griffith, R.P.L.S. No. 4349



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dianne Wilson, County Clerk
Fort Bend County, Texas

December 19, 2012 12:05:25

FEE: \$0.00
EASEMENT

2012144689

RETURN TO:

FORT BEND COUNTY CLERK
ADMIN SERV COORDINATOR

