



DD2

ABANDONMENT OF RIGHT OF WAY AND EASEMENT

THE STATE OF TEXAS §
 § KNOW ALL BY THESE PRESENTS:
COUNTY OF FORT BEND §

WHEREAS, FORT BEND COUNTY DRAINAGE DISTRICT (the "District"), currently owns and/or possesses the right to utilize those certain rights of way and easements for drainage canals and other facilities upon, over, through and across those certain tracts of land described in that certain instrument granted by Riverside Development Company to Grantee, recorded at Volume 333 Page 257, Clerk's File No. 1955093057, of the Official Public Records of Fort Bend County, Texas (the "Original Easement"); and

WHEREAS, CCR Holdings Texas L.P., a Delaware limited partnership (the "Landowner") has executed a Drainage Easement in favor of the District covering that certain 11.71-acre tract of land (the "11.71-Acre Tract") described on Exhibit "A" attached hereto ("Replacement Easement"), and within 30 days hereafter, the District will execute the Replacement Easement and record same in the Official Real Property Records of Fort Bend County, Texas; and

WHEREAS, the District has determined the Replacement Easement to have a value that is equal to or greater than the portion of the Original Easement being abandoned by this Abandonment of Right of Way and Easement; and

WHEREAS, the District has determined that it no longer needs to utilize the entire Original Easement and the District desires to release, abandon and relinquish all of its rights, titles, and interests in and to the portion of the Original Easement that is located within the 11.71-Acre Tract;

NOW, THEREFORE, the District does hereby release, abandon, and relinquish all of its rights, titles, and interests in and to the portion of the Original Easement that is located within the 11.71-Acre Tract. The District's rights, titles and interests in the portion of the Original Easement which is abandoned hereby shall terminate as of the date hereof. With respect to land outside of the 11.71-Acre Tract that is owned by the Landowner and covered by the Original Easement ("Additional Easement Land"), the District anticipates that in the future it will abandon the Original Easement with respect to the Additional Easement Land if Landowner conveys to the District additional drainage easement(s) in a form substantially similar to the Replacement Easement.

CCM j-813 #bb2
Fort Bend County Clerk
Return Admin Serv Coord

EXECUTED this 8 day of January, ~~2012~~ 2013.

FORT BEND COUNTY DRAINAGE DISTRICT

By: *Robert E. Hebert*

Name: Robert E. Hebert

Title: County Judge

THE STATE OF TEXAS §

§

COUNTY OF FORT BEND §

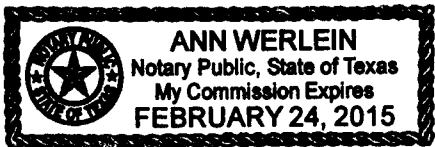
This instrument was acknowledged before me on the 8 day of January, ~~2012~~, ²⁰¹³ by Robert E. Hebert as County Judge of the Fort Bend County Drainage District, a political subdivision of the State of Texas, on behalf of said political subdivision.

AS PER ORIGINAL

Ann Werlein

Notary Public, State of Texas

(NOTARY SEAL)



NOTE: Upon recording, return to Linda Sotirake, Allen Boone Humphries Robinson LLP, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027.

Exhibit "A"

FLEWELLEN CREEK
11.71 ACRES

(REVISED OCTOBER 9, 2012) SEPTEMBER 24, 2012
JOB NO. 909-00

DESCRIPTION OF A 11.71 ACRE TRACT OF LAND SITUATED
IN THE J.W. SCOTT SURVEY, ABSTRACT NO. 321
CITY OF FULSHEAR,
FORT BEND COUNTY, TEXAS

BEING a 11.71 acre (510,194 square foot) tract of land situated in the J.W. Scott Survey, Abstract No. 321, City of Fulshear, Fort Bend County, Texas and being a portion of the remainder of a called 249.35 acre tract described as Tract 7 in a conveyance to CCR Texas Holdings LP recorded under Fort Bend County Clerk's File (F.B.C.C.F.) No. 2012038960, said 11.71 acre tract of land described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with cap stamped "Brown & Gay" found for the northeasterly corner of Cross Creek Ranch Sport Park a subdivision plat recorded under Plat Number 20100111 of the Fort Bend County Plat Records, being on a westerly line of a called 61.17 acre tract described as a Fort Bend County Drainage District Easement recorded under F.B.C.C.F. No. 2009042265, from which a 5/8-inch iron rod with cap stamped "Brown & Gay" found for the northwesterly corner of said Cross Creek Ranch Sport Park bears N 69° 43' 12" W, 210.72 feet and being the beginning of a non-tangent curve to the left having a radial bearing of S 76° 52' 26" W, 1,060.00 feet;

THENCE, over and across said 249.35 acre tract the following courses and distances:

In a Northerly direction along said curve to the left, a distance of 0.27 feet, having a radius of 1,060.00 feet, a central angle of 00° 00' 52" and a chord which bears N 13° 08' 00" W, 0.27 feet to the **POINT OF BEGINNING** and being the most southerly corner of the herein described tract;

In a Northerly direction continuing along said curve to the left, a distance of 228.50 feet, having a radius of 1,060.00 feet, a central angle of 12° 21' 04" and a chord which bears N 19° 18' 58" W, 228.06 feet to a point for a reverse curve to the right;

In a Northerly direction along said curve to the right, a distance of 223.29 feet, having a radius of 500.00 feet, a central angle of 25° 35' 13" and a chord which bears N 12° 41' 54" W, 221.44 feet to a point for a reverse curve to the left;

In a Northerly direction along said curve to the left, a distance of 141.02 feet, having a radius of 885.00 feet, a central angle of 09° 07' 48" and a chord which bears N 04° 28' 11" W, 140.87 feet to a point of tangency;

N 09° 02' 05" W, a distance of 245.00 feet to a point for the beginning of a curve to the left;

In a Northwesterly direction along said curve to the left, a distance of 638.79 feet, having a radius of 785.00 feet, a central angle of 46° 37' 26" and a chord which bears N 32° 20' 48" W, 621.31 feet to a point for a reverse curve to the right;

In a Northerly direction along said curve to the right, a distance of 190.83 feet, having a radius of 130.00 feet, a central angle of 84° 06' 23" and a chord which bears N 13° 36' 20" W, 174.15 feet to a point for a reverse curve to the left;

In a Northerly direction along said curve to the left, a distance of 79.28 feet, having a radius of 70.00 feet, a central angle of $64^{\circ} 53' 16''$ and a chord which bears $N 03^{\circ} 59' 46'' W$, 75.11 feet to a point for corner;

$N 44^{\circ} 59' 36'' E$, a distance of 140.93 feet to a point for the most northerly corner of the herein described tract;

$S 45^{\circ} 00' 24'' E$, a distance of 60.65 feet to a point for the beginning of a non-tangent curve to the left having a radial bearing of $N 23^{\circ} 40' 50'' E$, 70.00 feet;

In an Easterly direction along said curve to the left, a distance of 51.07 feet, having a radius of 70.00 feet, a central angle of $41^{\circ} 48' 12''$ and a chord which bears $S 87^{\circ} 13' 16'' E$, 49.95 feet to a point for a reverse curve to the right;

In an Easterly direction along said curve to the right, a distance of 128.71 feet, having a radius of 130.00 feet, a central angle of $56^{\circ} 43' 43''$ and a chord which bears $S 79^{\circ} 45' 30'' E$, 123.52 feet to a point for a compound curve to the right;

In a Southeasterly direction along said curve to the right, a distance of 242.21 feet, having a radius of 1,000.00 feet, a central angle of $13^{\circ} 52' 39''$ and a chord which bears $S 44^{\circ} 27' 19'' E$, 241.62 feet to a point for compound curve to the right;

In a Southeasterly direction along said curve to the right, a distance of 370.83 feet, having a radius of 1,500.00 feet, a central angle of $14^{\circ} 09' 53''$ and a chord which bears $S 30^{\circ} 26' 03'' E$, 369.89 feet to a point for a compound curve to the right;

In a Southerly direction along said curve to the right, a distance of 387.01 feet, having a radius of 1,000.00 feet, a central angle of $22^{\circ} 10' 27''$ and a chord which bears $S 12^{\circ} 15' 53'' E$, 384.60 feet to a point of tangency;

$S 01^{\circ} 10' 40'' E$, a distance of 209.97 feet to a point for the beginning of a curve to the left;

In a Southerly direction along said curve to the left, a distance of 326.78 feet, having a radius of 1,000.00 feet, a central angle of $18^{\circ} 43' 23''$ and a chord which bears $S 10^{\circ} 32' 22'' E$, 325.33 feet to a point on a easterly line of said 61.17 acre tract, being the most easterly southeast corner of the herein described tract and being the beginning of a non-tangent curve to the left having a radial bearing of $S 70^{\circ} 05' 57'' W$, 280.00 feet;

THENCE, along the easterly, northerly and westerly lines of said 61.17 acre tract the following courses and distances:

In a Northwesterly direction along said curve to the left, a distance of 205.74 feet, having a radius of 280.00 feet, a central angle of $42^{\circ} 06' 01''$ and a chord which bears $N 40^{\circ} 57' 04'' W$, 201.14 feet to a point for a reverse curve to the right;

FLEWELLEN CREEK
11.71 ACRES

(REVISED OCTOBER 9, 2012) SEPTEMBER 24, 2012
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In a Northwesterly direction along said curve to the right, a distance of 63.96 feet, having a radius of 70.00 feet, a central angle of $52^{\circ} 21' 09''$ and a chord which bears $N 35^{\circ} 49' 31'' W$, 61.76 feet to a point of tangency;

$N 09^{\circ} 38' 57'' W$, a distance of 26.80 feet to a point for an interior corner of the herein described tract;

$S 80^{\circ} 21' 03'' W$, a distance of 147.29 feet to a point for an interior corner of the herein described tract and being the beginning of a non-tangent curve to the right having a radial bearing of $S 70^{\circ} 26' 04'' W$, 470.00 feet;

In a Southerly direction along said curve to the right, a distance of 170.00 feet, having a radius of 470.00 feet, a central angle of $20^{\circ} 43' 27''$ and a chord which bears $S 09^{\circ} 12' 12'' E$, 169.08 feet to a point for a reverse curve to the left;

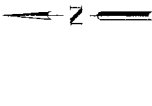
In a Southerly direction along said curve to the left, a distance of 257.05 feet, having a radius of 1,030.00 feet, a central angle of $14^{\circ} 17' 57''$ and a chord which bears $S 05^{\circ} 59' 28'' E$, 256.39 feet to the **POINT OF BEGINNING** and containing 11.71 acres (510,194 square feet) of land.

Bearing orientation and coordinates are based on the Texas State Plane Coordinate System, South Central Zone 4204, NAD-83.



A handwritten signature in black ink, appearing to read "Glenn Fisher".

Glenn Fisher RPLS No. 4146
Brown & Gay Engineers, Inc.
10777 Westheimer Road, Suite 400
Houston, Texas 77042
Telephone: (281) 558-8700



CHORD BEARS	CHORD BEARS	CHORD BEARS	CHORD BEARS
C1	100.00	C10	100.00
C2	100.00	C11	100.00
C3	100.00	C12	100.00
C4	100.00	C13	100.00
C5	100.00	C14	100.00
C6	100.00	C15	100.00
C7	100.00	C16	100.00
C8	100.00	C17	100.00
C9	100.00	C18	100.00
C19	100.00	C19	100.00

CHORD BEARS	CHORD BEARS	CHORD BEARS	CHORD BEARS
C1	100.00	C10	100.00
C2	100.00	C11	100.00
C3	100.00	C12	100.00
C4	100.00	C13	100.00
C5	100.00	C14	100.00
C6	100.00	C15	100.00
C7	100.00	C16	100.00
C8	100.00	C17	100.00
C9	100.00	C18	100.00
C10	100.00	C19	100.00

REMAINDER OF
CALIFORNIA TRACT
FOR TRACT INCLOSURE LP

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CALIFORNIA TRACT
FOR TRACT INCLOSURE LP

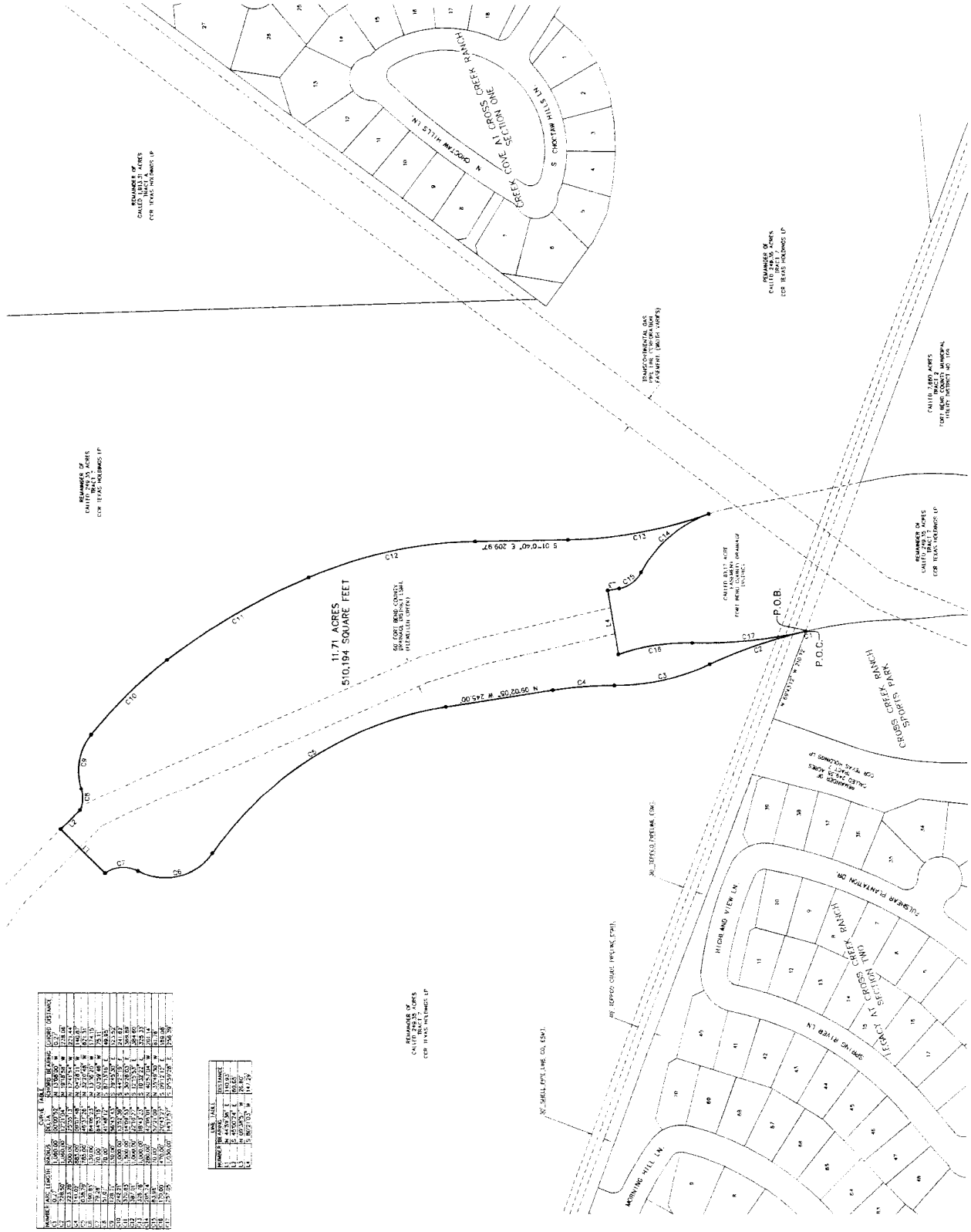
REMAINDER OF
CALIFORNIA TRACT
FOR TRACT INCLOSURE LP

NOTE: THIS SURVEY IS THE GEOMETRIC EXTENSION OF THE SURVEY OF THE CALIFORNIA TRACT, AND THE BOUNDARY LINES THEREON SHALL BE CONSIDERED AS SUCH.

BROWN & GAY
Surveyors & Civil Engineers, Inc.
10711 Independence, Suite 400, Houston, TX 77037
The Surveyors and Engineers of the State of Texas

EXHIBIT OF A PROPOSED 11.71
ACRE DRAINAGE EASEMENT
SITUATED IN THE
J.W. SCOTT SURVEY, A-321
CITY OF FULSHEAR
FORT BEND COUNTY, TEXAS

PARTY	DATE	SCALE	SHEET
RETURNED	10/08/2003	1" = 100'	1
DATE	10/08/2003	1" = 100'	1
DATE	10/08/2003	1" = 100'	1



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk
Fort Bend County, Texas

January 09, 2013 01:23:50 PM

FEE: \$0.00

ABANDON

2013003589

