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NOTICE OF CONFIDENTIALITY RIGHTS:
IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

UTILITY EASEMENT

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

THAT FORT BEND COUNTY, TEXAS, a political subdivision of the State of Texas whose address is 301 Jackson Street, Richmond, Texas 77469 ("GRANTOR"), for and in consideration of the sum of Ten & No/100 Dollars (\$10.00) and other good and valuable consideration to GRANTOR in hand paid by **FORT BEND COUNTY FRESH WATER SUPPLY DISTRICT NO. 2** (the "District" or "GRANTEE"), whose address is 770 South Post Oak Lane, Suite 410, Houston, Texas, 77056, a body politic and corporate and a governmental agency of the State of Texas organized under the provisions of Article XVI, Section 59, Texas Constitution, the receipt and sufficiency of which are hereby acknowledged and confessed, and subject to the matters set forth below, does hereby GRANT, GIVE, DEDICATE AND CONVEY to the District a perpetual, exclusive right-of-way and easement (the "Utility Easement") in, across, under, over and through those certain tracts of land situated in Fort Bend County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein for all purposes (the "Utility Easement Tracts"), for the purpose of constructing, maintaining, operating, repairing, replacing, relocating (but only within the Utility Easement Tracts), altering, changing the size of, substituting, and/or removing sanitary sewer lines and any appurtenant materials, apparatuses and/or facilities as may from time to time be deemed necessary by the District (the "Utility Facilities") and giving unto the District all of the rights and benefits necessary or appropriate for the full enjoyment or use of the Utility Easement, including, without limiting the same, the free right of ingress and egress to and from the Utility Easement Tracts.

GRANTOR does hereby additionally GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the District and its successors and assigns a fifteen foot (15') wide temporary construction easement (the "Temporary Construction Easement") for the District's use in constructing the Utility Facilities and all appurtenances thereto. This Temporary Construction Easement shall terminate sixty (60) days after the completion of the construction and installation of all Utility Facilities deemed necessary to be constructed by the District.

This Easement shall be governed by the following:

1. Except for manhole covers and other surface appurtenances to the utility services deemed necessary by the District to be located within the Utility Easement, promptly after any work on the Utility Easement Tracts pursuant to the rights granted hereby, the District, at its sole cost and expense, shall take all reasonable measures to restore the grounds, including existing landscaping and fences on the Utility Easement Tracts, to substantially the conditions which existed prior to such operations, it being understood, however, that the District shall not be obligated to restore surfacing materials, if any, to the condition which existed prior to such operations.

2. GRANTEE shall have such other rights and benefits necessary, convenient or appropriate for the full enjoyment or use of the Utility Easement and/or the Temporary Construction Easement, including, without limitation, (i) the free and reasonable right of ingress and egress over, across, to and from the Utility Easement Tracts and over and across lands owned

by GRANTOR which are contiguous to the Utility Easement; (2) the reasonable right from time to time to remove any and all paving, undergrowth and other obstructions that may injure the GRANTEE'S facilities and appurtenances or interfere with the construction, maintenance, inspection, operation, protection, repair, alteration, testing, replacement, upgrading, relocation (as above limited), substitution or removal thereof; and (3) the right to abandon-in-place any and all water supply and/or sewer distribution lines, service lines and associated appurtenances, such that GRANTEE shall have no obligation or liability to GRANTOR or its successors or assigns to move or remove any such abandoned lines or appurtenances.

3. In the event Fort Bend County or the State of Texas widens or relocates any public road so as to require the relocation of the Utility Facilities as installed by GRANTEE, GRANTOR further grants to GRANTEE an additional easement over and across the land described above for the purpose of laterally relocating said Utility Facilities as may be necessary to clear the road improvements, which easement hereby granted shall be limited to a strip of land 10' in width, the centerline thereof being the Utility Facilities being relocated.

4. The consideration recited herein shall constitute payment in full for all damages sustained by GRANTOR by reason of the installation of the Utility Facilities, and GRANTEE will maintain the Easement in a state of good repair and efficiency so that no unreasonable damages will result from its use to GRANTOR'S premises. This agreement, together with the other provisions of this grant, shall constitute a covenant running with the land for the benefit of GRANTEE, its successors and assigns.

5. GRANTOR covenant that it is the owner of the above described lands and that said lands are free and clear of all encumbrances except those filed of record in the Real Property Records of Fort Bend County, Texas.

6. The easements conveyed herein were obtained or improved through Federal financial assistance. The easements conveyed herein are subject to the provisions of Title VI of the Civil Rights Act of 1964 and the regulations issued pursuant thereto for so long as the easements continue to be used for the same or similar purposes for which financial assistance was extended or for so long as GRANTEE owns such easements, whichever is longer.

7. The grant of this Easement is expressly made subject to the terms and conditions stated herein and to any and all easements, restrictions, reservations, conditions or other matters of record in the Office of the County Clerk of Fort Bend County, Texas, affecting the Utility Easement Tracts.

[EXECUTION PAGE FOLLOWS]

TO HAVE AND TO HOLD the above described Easement, together with all and singular the rights and appurtenances thereto in any wise belonging, unto GRANTEE and its successors and assigns forever and GRANTOR does hereby bind itself, 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.

IN WITNESS WHEREFORE, GRANTOR has executed this Easement as of the 31st day of December, 2012.

FORT BEND COUNTY, TEXAS

By: 

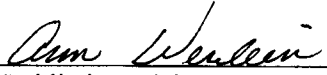
Name: Robert E. Hebert

Title: County Judge

STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on this 5 day of February, 2013, by Robert E. Hebert, the County Judge of Fort Bend County, Texas, a political subdivision of the State of Texas, on behalf of said entity.

(NOTARY SEAL)


Notary Public in and for the State of Texas



AFTER RECORDING, PLEASE RETURN TO: Fort Bend County Fresh Water Supply District No. 2, c/o Sechrist Duckers LLP, 770 South Post Oak Lane, Suite 410, Houston, Texas 77056.

August 14, 2012

Sanitary Sewer Easement 703A No. 1
0.4869 acre of land in the John Leverton Survey, Abstract No. 402,
Fort Bend County, Texas

A FIELD NOTE DESCRIPTION of a 0.4869 acre (21,212 square feet) tract of land in the John Leverton Survey, Abstract No. 402, Fort Bend County, Texas; said 0.4869 acre tract being out of the remainder of a 18.456 acre tract of land conveyed to Sprint Sand and Clay, LLC, as recorded in Fort Bend County Clerk's File No. 2010018274 and being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

COMMENCING FOR REFERENCE at a 5/8-inch iron rod with cap found at the intersection of the south right-of-way line of Boss Gaston Road (50 feet wide) with the west right-of-way line of Old Richmond Road (width varies) for the northwest corner of "Tract 19-W", as shown on the ROW Parcel Map of Old Richmond Right-of-Way Acquisition Tracts, performed by Pate Surveyors, Job No. 0570-018-00-542;

THENCE, South $81^{\circ} 43' 40''$ West - 121.06 feet with the south right-of-way line of said Boss Gaston Road to a 5/8-inch iron rod with cap stamped "T.B.A.M." set the northwest corner of proposed Lift Station "B3" and for the northeast corner and POINT OF BEGINNING of this tract;

THENCE, South $48^{\circ} 54' 54''$ East - 39.54 feet with the southwest line of said proposed Lift Station "B3" to a 5/8-inch iron rod with cap stamped "T.B.A.M." set for an angle point of said proposed Lift Station "B3" and for the southeast corner of this tract;

THENCE, South $81^{\circ} 43' 40''$ West - 153.44 feet to a point for a southwest corner of this tract;

THENCE, North $08^{\circ} 16' 20''$ West - 10.00 feet to a point for an interior corner of this tract;

THENCE, South $81^{\circ} 43' 40''$ West - 459.11 feet to an angle point of this tract;

THENCE, South $81^{\circ} 31' 46''$ West - 397.94 feet to a point in a radial outback at the intersection of the east right-of-way line of Ennis Road (60 feet wide) with the south right-of-way line of said Boss Gaston Road for the most westerly southwest corner of this tract;

THENCE, in a northeasterly direction with said radial outback and with a curve to the right having a radius of 30.00 feet, a central angle of $62^{\circ} 40' 26''$, a length of 32.82 feet and a chord bearing North $41^{\circ} 40' 03''$ East - 31.20 feet to a point at the northeast end of said radial outback for the end of said curve;

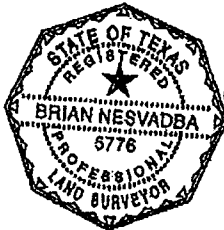
THENCE, North $81^{\circ} 31' 46''$ East - 374.02 feet with the south right-of-way line of said Boss Gaston Road and with the north line of said Sprint Sand and Clay, LLC tract to an angle point of this tract;

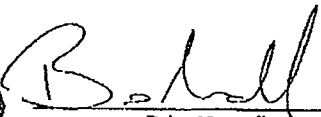
THENCE, North $81^{\circ} 43' 40''$ East - 586.83 feet with the south right-of-way line of said Boss Gaston Road and with the north line of said Sprint Sand and Clay, LLC tract to the POINT OF BEGINNING and containing 0.4869 acre (21,212 square feet) of land.

Note: This metes-and-bounds description was compiled in conjunction with an exhibit attached as page 3.

COMPILED BY:

TEXAS ENGINEERING AND MAPPING
Civil Engineers - Land Surveyors
Stafford, Texas
Job No. 184-78




Brian Nesvadba
Registered Professional Land Surveyor
State of Texas No. 5776

August 14, 2012

Sanitary Sewer Easement 703A No. 2
0.4772 acre of land in the John Leverton Survey, Abstract No. 402,
Fort Bend County, Texas

A FIELD NOTE DESCRIPTION of a 0.4772 acre (20,786 square feet) tract of land in the John Leverton Survey, Abstract No. 402, Fort Bend County, Texas; said 0.4772 acre tract being out of the remainder of a 18.456 acre tract of land conveyed to Sprint Sand and Clay, LLC, as recorded in Fort Bend County Clerk's File No. 2010018274 and being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 5/8-inch iron rod with cap found at the intersection of the south right-of-way line of Boss Gaston Road (50 feet wide) with the west right-of-way line of Old Richmond Road (width varies) for the northwest corner of "Tract 19-W", as shown on the ROW Parcel Map of Old Richmond Right-of-Way Acquisition Tracts, performed by Pate Surveyors, Job No. 0570-018-00-542, for the northeast corner of proposed Lift Station "B3" and for the most northerly northwest corner of this tract;

THENCE, North 81° 43' 40" East - 11.69 feet with the north line of said Tract 19-W, being the south right-of-way line of Boss Gaston Road to a point for the northeast corner of said Tract 19-W and for the northeast corner of this tract; from which a 5/8-inch iron rod with cap found bears North 87° 34' 45" West - 2.10 feet;

THENCE, South 00° 25' 06" West - 1,009.49 feet with the east line of said Tract 19-W, being the west right-of-way line of said Old Richmond Road to a point for the southeast corner of said Tract 19-W and for the southeast corner of this tract;

THENCE, South 86° 57' 36" West - 22.02 feet with the south line of said Tract 19-W, at a distance of 12.00 feet pass a 5/8-inch iron rod with cap found for the southwest corner of said Tract 19-W and continuing with the south line of said Sprint Sand and Clay, LLC tract and with the north line of a 0.850 acre tract of land conveyed to Omana Koshy and Koshy Koshy, as recorded in Fort Bend County Clerk's File No. 2008120129 to a point for the southwest corner of this tract;

THENCE, North 00° 26' 31" East - 891.56 feet to a point in the south line of said proposed Lift Station "B3" for a northwest corner of this tract; from which a 5/8-inch iron rod with cap stamped "T.E.A.M." set for the southwest corner of said proposed Lift Station "B3" bears North 89° 33' 29" West - 89.66 feet;

THENCE, South 89° 33' 29" East - 10.00 feet with the south line of said proposed Lift Station "B3" to a 5/8-inch iron rod with cap stamped "T.E.A.M." set in the west line of said Tract 19-W for the southeast corner of said proposed Lift Station "B3" and for an interior corner of this tract;


THENCE, North 00° 26' 31" East - 117.50 feet with the east line of said proposed Lift Station "B3" and with the west line of said Tract 19-W to the POINT OF BEGINNING and containing 0.4772 acre (20,786 square feet) of land.

Note: This metes-and-bounds description was compiled in conjunction with an exhibit attached as page 3.

COMPILED BY:

TEXAS ENGINEERING AND MAPPING
Civil Engineers - Land Surveyors
Stafford, Texas
Job No. 184-78




Brian Nesvadba
Registered Professional Land Surveyor
State of Texas No. 5776

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk
Fort Bend County, Texas

February 08, 2013 02:34:09 PM

FEE: \$0.00 LW1
EASEMENT

2013016262

