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THE STATE OF TEXAS §

COUNTY OF FORT BEND §

**ORDER TO ABANDON 60 FOOT BY 887 FOOT DRAINAGE
EASEMENT LOCATED ON PROPERTY OWNED BY JIMMY CALHOUN
AND WIFE, CHARLOTTE CALHOUN, IN FORT BEND COUNTY, TEXAS**

On this 10 day of August, 2013, at a regular meeting of the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, Texas, upon motion of Commissioner Morrison, seconded by Commissioner Meyers, duly put and carried, by unanimous vote, Commissioners Court adopts the resolution to abandon a 60 foot by 887 foot drainage easement located on real property owned by Jimmy Calhoun and wife, Charlotte Calhoun and located perpendicular to Hartledge Road in Fort Bend County, Texas.

The names of each property owner who owns the underlying fee simple interest of the property burdened with the drainage easement described herein are Jimmy Calhoun and wife, Charlotte Calhoun.

The dimensions of the 60 foot by 887 foot drainage easement abandoned are described in Exhibit A of the Resolution, incorporated herein for all purposes, and indexed by the County Clerk into the real property records of Fort Bend County, Texas.

The County Clerk is ordered to index into the real property and deed records of Fort Bend County in a manner that describes (a), Fort Bend County abandoning the drainage easement as grantor and (b), the property owners, Jimmy Calhoun and wife, Charlotte Calhoun, receiving the conveyance as grantees.

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

**RESOLUTION TO ABANDON 60 FOOT BY 887 FOOT DRAINAGE
EASEMENT LOCATED ON PROPERTY OWNED BY JIMMY CALHOUN
AND WIFE, CHARLOTTE CALHOUN, IN FORT BEND COUNTY, TEXAS**

WHEREAS, Fort Bend County acquired a drainage easement from Jimmy Calhoun and wife, Charlotte Calhoun on or about March 4, 1994 by donation of such drainage easement and recorded in document number 9414228 in the real property records of Fort Bend County, Texas; and,

WHEREAS, it has been determined that the 60 foot by 887 drainage easement parcel donated March 4, 1994 is no longer needed and should be and is abandoned; and,

WHEREAS, per document number 9414228 granting said easement, the property reverts to Jimmy Calhoun and wife, Charlotte Calhoun upon non use by Fort Bend County; and

WHEREAS, that portion of drainage easement to be abandoned is no longer needed, and Fort Bend County desires to abandon;

THEREFORE, on this date the Commissioners Court of Fort Bend County, Texas abandons the 60 foot by 887 foot drainage easement described herein, as shown in the easement document and exhibit attached hereto as Exhibit "A".

After due consideration, the Court finds that the above described parcel of drainage easement, originally donated to the county by Jimmy Calhoun and wife, Charlotte Calhoun, on or about March 4, 1994, is no longer required and any necessary drainage easement requirements have been redesigned to better serve the interest of the public and Fort Bend County, that such easement is no longer needed and that of the public interest would be better served if the above described drainage easement is abandoned.

IT IS ORDERED that the drainage easement described herein be abandoned and the same is hereby abandoned. That the same easement revert to its original owners, Jimmy Calhoun and wife, Charlotte Calhoun and that this Order be hereby filed in the deed records of Fort Bend County, Texas forthwith.

Executed this 6th day of August, 2013.

Fort Bend County

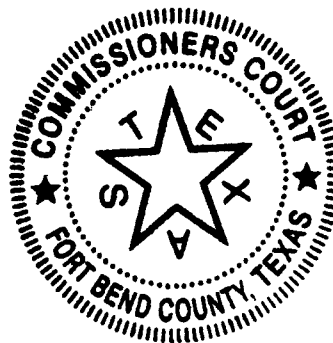
By: Grady Prestage 8-6-13

Grady Prestage, Commissioner, Precinct 2
Presiding Officer of Commissioners Court, August 6, 2013

ATTEST:

Diane Wilson

Diane Wilson, County Clerk



9414228

FORT BEND COUNTY
RIGHT-OF-WAY EASEMENT

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

KNOW ALL MEN PRESENT: That the undersigned, Jimmy Calhoun and wife, Charlotte Calhoun, Rt. 1, Box 128 Rosenberg, Texas 77471-9525 whose address is as shown above (hereinafter called Grantor, whether one or more) for and in consideration of the benefits to be deprived on account of and from the construction, operation and maintenance by FORT BEND COUNTY, of the drainage canal and system upon and through the land hereinafter described, the sufficiency of which is hereby acknowledged and confessed, has bargained, sold, and conveyed, and by these presents hereby grants, bargains, sells and conveys unto the said FORT BEND COUNTY, of Fort Bend County, Texas, a right-of-way easement for the purpose of constructing, maintaining, operating and repairing a drainage canal, upon, over, through and across the land of Grantor along the route hereinafter designated, and said land being situated in FORT BEND COUNTY, TEXAS, to-wit:

The County shall have a 60' (sixty) foot wide right-of-way drainage easement 887 (eight hundred and eighty seven) feet in length. Said easement having it's centerline along the Southeast line of a called 1.97 Acre tract out of the B. McCauley Survey, A-558 of Fort Bend County, Texas. Said tract being described in Vol 2244 Page 1268 of the Official Public Records of Fort Bend County, Texas.

FORT BEND COUNTY shall have all rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, with the right of ingress or egress to and from said drainage canal right-of-way, provided, however, that after construction of said drainage canal, said right of ingress and egress of FORT BEND COUNTY shall be limited to the said right-of-way and to existing roads and passageways. FORT BEND COUNTY is given the right from time to time to cut and remove all trees, undergrowth, and abate other obstruction, upon said canal right-of-way, that may injure, endanger, or interfere with the construction, operation, maintenance and repair of said drainage canal.

FORT BEND COUNTY agrees during the life of this easement to repair all damage to roads, passageways and fences resulting from the County's use in going to and from said easement right-of-way, and to restore the same to the previously existing condition as near as possible.

Grantor reserves the right to use the facilities offered by the drainage canal for the disposal of surface waters, rain, or any excess waters collecting upon his land, and in such connection Grantor has the right in the manner provided by law and at his own expense to construct and provide ditches, drains and laterals connecting his land or portions thereof with the drainage canal.

Grantor reserves the oil, gas, sulphur and other minerals in and under the land covered by this easement, provided however, that during the life of this easement no mining or drilling operations shall be conducted upon the surface of the area included in the

EXHIBIT

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easement right-of-way above described.

It is agreed that if at a future time FORT BEND COUNTY, its successors or assigns, shall permanently cease to use said drainage canal right-of-way for the purpose herein contained, and shall permanently abandon same, then and in such event the said right-of-way above described, together with all rights and interests held by FORT BEND COUNTY by reason of this instrument, shall revert, pass to and vest in the said Grantor, his heirs or assigns.

TO HAVE AND TO HOLD said right-of-way and easement herein granted, unto the said FORT BEND COUNTY, its successors or assigns.

EXECUTED this the 6th day of August A.D. 19 93.

GRANTOR(S)

Jimmy Calhoun
Jimmy Calhoun

Charlotte Calhoun
Charlotte Calhoun

STATE OF TEXAS §
COUNTY OF FORT BEND §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day _____ personally appeared known to me to be the person(s) whose name(s) is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed.

GIVEN UNDERMY HAND AND SEAL OF OFFICE, this 6th day of August, 1993.

(seal)

[Signature]
Notary Public in and for the
County of Fort Bend, Texas

My commission expires the _____ day of _____, 19____.



94 MAR -2 10:48

[Signature]
COUNTY CLERK
FORT BEND COUNTY, TEXAS

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STATE OF TEXAS COUNTY OF FORT BEND
I, hereby certify that this instrument was filed on the
date and time stamped hereon by me and was duly
recorded in the volume and page of the Official records
of Fort Bend County, Texas as indicated by me.

MAR 04 1994



Dianne Wilson
County Clerk, Fort Bend Co., Tex.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk
Fort Bend County, Texas

August 09, 2013 10:30:31 AM

FEE: \$0.00 LW
ORDER

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