



9A

UTILITY EASEMENT

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

THAT HERITAGE GRAND HOMEOWNERS ASSOCIATION, INC., ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by FORT BEND COUNTY, a body corporate and politic under the laws of the State of Texas, acting by and through the Fort Bend County Commissioners Court, with offices at 301 Jackson, Suite 719, Richmond, Texas 77469 ("Grantee"), has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto the said Grantee, its successors and assigns, a permanent and perpetual easement and right-of-way, for the construction, installation, repair, replacement, removal, maintenance and operation of traffic signals with related equipment (the "Facilities"), and all related appurtenances thereto, across, along, under and upon those certain tracts of land (the "Easement Tract"), being more particularly described in Exhibit "A" and made a part hereof for all purposes. Grantee, its agents, employees, workmen and representatives, shall have the right and privilege of ingress and egress across the Easement Tract as may be necessary for the installation, operation and/or maintenance of the Facilities within the Easement Tract.

This conveyance is further made subject to any restrictions, covenants, easements, rights-of-way, liens, encumbrances and mineral or royalty reservations or interests affecting the Easement Tracts and appearing of record in the Official Records of Fort Bend County, Texas, to the extent that said items and matters are in effect and validly enforceable against the Easement granted herein; provided, however, Grantors will not enforce said items and matters, to the extent that it has the ability to enforce any of said items or matters, in a manner which would unreasonably prejudice or interfere with Grantee's rights in the Easement granted herein.

TO HAVE AND TO HOLD, subject to the matters set forth herein, the above-described Easement, together with all and singular the rights and appurtenances thereto in any wise belonging, including all necessary rights of ingress, egress, and regress, unto said Grantee, its successors and assigns, forever. Subject to the matters set forth herein, Grantors do hereby bind themselves, their successors and assigns, to WARRANT AND FOREVER DEFEND, all and singular the said Easement and right-of-way and other rights described herein unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

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EXECUTED this the 30th day of July, 2013.

GRANTOR:

HERITAGE GRAND HOMEOWNERS ASSOCIATION, INC.

By: Barry L. Zerkle

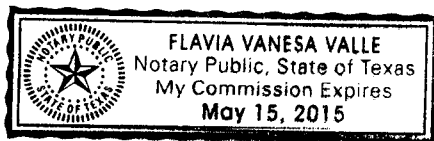
Printed Name: Barry L. Zerkle

Title: President

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on this 30 day of July, 2013, by Barry Zerkle, President of the HERITAGE GRAND HOMEOWNERS ASSOCIATION, INC. a Texas non-profit corporation, Grantor.

(NOTARY SEAL)



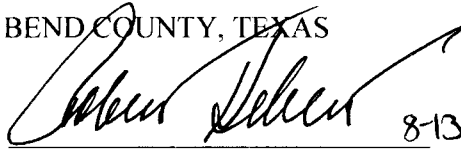
Flavia Vanesa Valle
Notary Public, State of Texas

AGREED AND ACCEPTED on this the 13 day of August, 2013.

GRANTEE:

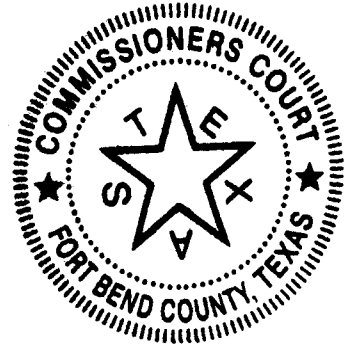
FORT BEND COUNTY, TEXAS

By:


8-13-13
Robert E. Hebert, County Judge

ATTEST:


County Clerk, Fort Bend County, Texas



THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 13th day of August, 2013 by Robert E. Hebert, County Judge of Fort Bend County, Texas.

(NOTARY SEAL)


Notary Public in and for the State of Texas

Attachments:
Exhibits A – Legal Description of the Easement Tract

After Recording, Please Return To:
County Attorney's Office
Attn. Marcus D. Spencer
301 Jackson St. Suite 728
Richmond, Texas 77469



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EXHIBIT "A"

10'x21' SIGNAL POWER CONDUIT EASEMENT

**DESCRIPTION OF A 0.005 ACRE (210 SQ. FT.)
TRACT OF LAND OUT OF THE THOMAS HOBERMAKER
SURVEY, A-190, FORT BEND COUNTY, TEXAS**

Being a 0.005 acre (210 Sq. Ft.) tract of land situated in the Thomas Hobermaker Survey, A-190, Harris County, Texas, and being out of Restricted Reserve 'B' of the plat of Cinco Ranch West, Section 10, as recorded in Slide No 2235B and 2236A of the Plat Records of Fort Bend County, said Restricted Reserve 'B' also being conveyed to Heritage Grand Homeowners Association, Inc., by deed recorded under Fort Bend County Clerk's File No. 2003149564 of the Official Public Records of Fort Bend County, Texas, and being further described by metes and bounds as follows: (Bearings based on Texas State Plane Coordinate System South Central Zone, 4204)

COMMENCING at a point for the southerly point of curvature of the intersection of the east right-of-way line of Cinco Crossing Lane (Variable Width Right-of-Way) and the south right-of-way line of Cinco Ranch Boulevard (100-Foot Wide Right-of-Way) and being located in the west line of said Restricted Reserve "B";

THENCE South 11 deg. 57 min. 53 sec. West, with the east right-of-way line of said Cinco Crossing Lane and with the west line of said Restricted Reserve "B", a distance of 38.20 feet to a cut "X" in a concrete sidewalk set for the northwest corner and **POINT OF BEGINNING** of said tract herein described;

THENCE South 78 deg. 02 min. 07 sec. East, over and across said Restricted Reserve "B" and with the north line of said tract herein described, a distance of 21.00 feet to a 1/2-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the northeast corner of said tract herein described;

THENCE South 11 deg. 57 min. 53 sec. West, over and across said Restricted Reserve "B" and with the east line of said tract herein described, a distance of 10.00 feet to a 1/2-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the southeast corner of said tract herein described;

THENCE North 78 deg. 02 min. 07 sec. West, over and across said Restricted Reserve "B" and with the south line of said tract herein described, a distance of 21.00 feet to a cut "X" in a concrete sidewalk set for the southwest corner of said tract herein described;

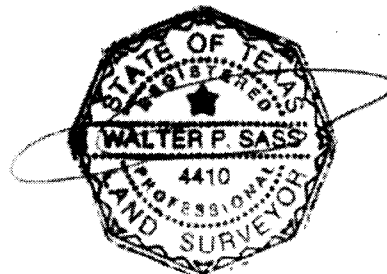
THENCE North 11 deg. 57 min. 53 sec. East, with the east Right-of-Way of said Cinco Crossing Lane and with the west line of said tract herein described, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 0.005 acre (210 Sq. Ft.) of land.

This description is accompanied by a plat of even survey date.

Compiled by:

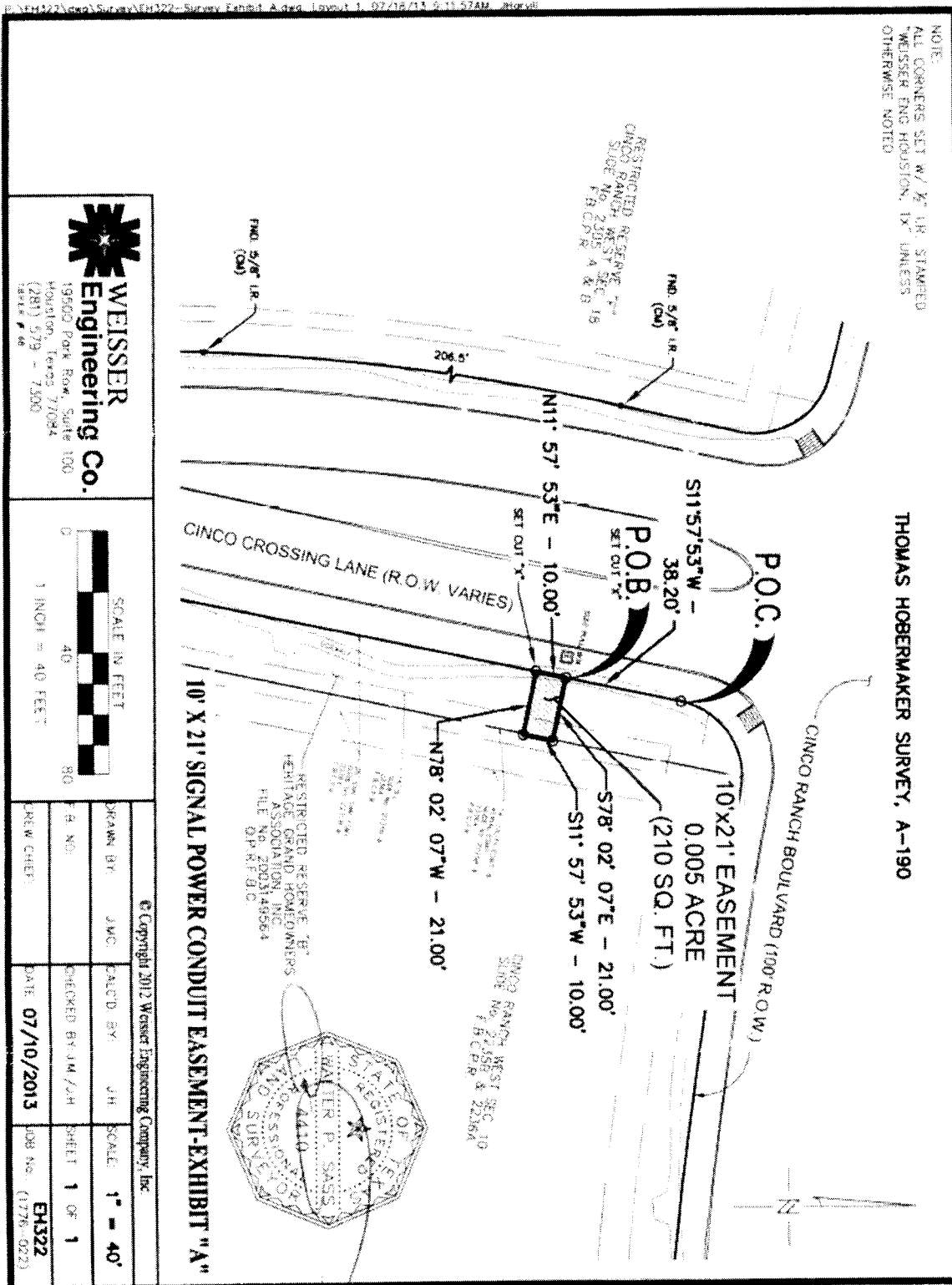
Weisser Engineering Company
19500 Park Row, Suite 100
Houston, Texas 77084

Job No. EH322 (1776-022)
Date 07/10/2013



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This page is not satisfactory for photographic recordation due to carbon or photocopy, discolored paper, etc. All block-outs, additions and changes were presented at time instrument was filed and recorded.



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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk
Fort Bend County, Texas



August 20, 2013 12:28:06

FEE: \$0.00 JN
EASEMENT

2013106834