

13A

ARF-11745

REGULAR SESSION AGENDA

Engineering

Meeting
Date: 09/10/2013

Accept Easement

Submitted Marcus Spencer, County
By: Attorney

Department: Engineering

Type of Item: Consent

Renewal No

Agreement/
Appointment:Reviewed
by County
Attorney's
Office:

Yes

Multiple n
Originals
Y/N?:

Information

SUMMARY OF ITEM

Take all appropriate action to accept Easement from Cinco Residential Property Association, Inc. conveying (2) 10'x10' tracts of land for signal poles to Fort Bend County, Precinct 3, and record same in Official Public Records of Fort Bend County, Texas.

→ SPECIAL HANDLING

Record in OPR + Return to Tim Jones in Engineering

Attachments

ret. 9-13-13

Easement

9u



EASEMENT

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

THAT CINCO RESIDENTIAL PROPERTY 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 Tracts"), being more particularly described in Exhibits "A" and "B" 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 Tracts as may be necessary for the installation, operation and/or maintenance of the Facilities within the Easement Tracts.

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.

[The remainder of this page intentionally left blank]

EXECUTED this the 14TH day of AUGUST, 2013.

GRANTOR:

CINCO RESIDENTIAL PROPERTY ASSOCIATION, INC.

By: _____

Printed Name: _____

Title: PRESIDENT

THE STATE OF TEXAS

§

COUNTY OF FORT BEND

§

§

This instrument was acknowledged before me on this 30th day of August, 2013, by Dean Zieschang, Board President of the CINCO RESIDENTIAL PROPERTY ASSOCIATION, INC. a Texas non-profit corporation, Grantor.

(NOTARY SEAL)

Notary Public, State of Texas

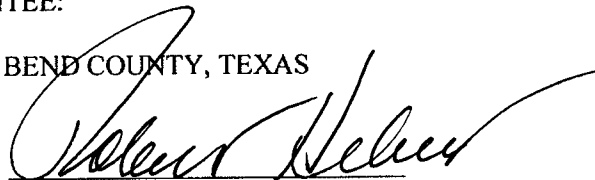


AGREED AND ACCEPTED on this the 10 day of September, 2013.

GRANTEE:

FORT BEND COUNTY, TEXAS

By:



Robert E. Hebert, County Judge

ATTEST:



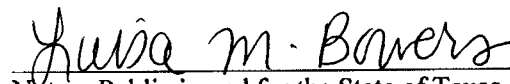
County Clerk, Fort Bend County, Texas



THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 10th day of September, 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 and B – Legal Descriptions of the Easement Tracts

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



EXHIBIT "A"
10'x10' SIGNAL POLE EASEMENT

**DESCRIPTION OF A 0.002 ACRE (100 SQ. FT.)
TRACT OF LAND OUT OF THE THOMAS HOBERMAKER
SURVEY, A-190, FORT BEND COUNTY, TEXAS**

Being a 0.002 acre (100 Sq. Ft.) tract of land situated in the Thomas Hobermaker Survey, A-190, Fort Bend County, Texas, and being out of Restricted Reserve 'A' of the plat of Cinco Ranch West, Section 28, as recorded under Plat No. 20060035 of the Plat Records of Fort Bend County, Texas, said Restricted Reserve 'A' also being conveyed to Cinco Residential Property Association, Inc., by deed recorded under Fort Bend County Clerk's File No. 2006121207 Official Public Records of Fort Bend County, Texas, and being further described by metes and bounds as follow: (Bearings based on Texas State Plane Coordinate System, South Central Zone 4204)

COMMENCING at a 5/8-inch iron rod found for the westerly point of curvature of the intersection of the north right-of-way line of Cinco Ranch Boulevard (100-Foot Wide Right-of-Way) and the west right-of-way line of Claircrest Lane (Variable Width Right-of-Way), said point also being located in the south line of said Restricted Reserve "A" and marking the beginning of a curve to the right;

THENCE with the south line of said Restricted Reserve 'A', the north right-of-way line of said Cinco Ranch Boulevard, and following the arc of said curve to the right having a radius of 1,950.00 feet, a central angle of 34 deg. 25 min. 02 sec., a chord bearing of South 86 deg. 39 min. 48 sec West, a chord distance of 1,153.82 feet and an arc length of 1,171.35 feet to a cut "X" in a concrete sidewalk set for the southeast corner and **POINT OF BEGINNING** of said tract herein described;

THENCE continuing along the south line of said Restricted Reserve 'A', the north right-of-way line of said Cinco Ranch Boulevard, a south line of said tract herein described and following the arc of a curve to the right having a radius of 1,950.00 feet, a central angle of 00 deg. 04 min. 19 sec., a chord bearing of North 76 deg. 05 min. 32 sec. West, a chord distance of 2.45 feet, and an arc length of 2.45 feet to a cut "X" in a concrete sidewalk set for the end of said curve to the right;

THENCE North 76 deg. 03 min. 22 min. West, continuing along the south line of said Restricted Reserve 'A', the north right-of-way line of said Cinco Ranch Boulevard, and a south line of said tract herein described, a distance of 7.55 feet to a cut "X" in a concrete sidewalk set for the southwest corner of said tract herein described;

THENCE North 13 deg. 56 min. 38 sec. East, over and across said Restricted Reserve "A" and with the west 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 northwest corner of said tract herein described;

THENCE South 76 deg. 03 min. 22 sec. East, continuing over and across said Restricted Reserve "A" and with the north line of said tract herein, a distance of 10.00 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 13 deg. 56 min. 38 sec. West, continuing over and across said Restricted Reserve "A" and with the east line of said tract herein described, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 0.002 acre (100 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. FH322 (1776-022)
Date 07/10/2013



EXHIBIT "B"

10'x10' SIGNAL POLE EASEMENT

**DESCRIPTION OF A 0.002 ACRE (100 SQ. FT.)
TRACT OF LAND OUT OF THE THOMAS HOBERMAKER
SURVEY, A-190, FORT BEND COUNTY, TEXAS**

Being a 0.002 acre (100 Sq. Ft.) tract of land situated in the Thomas Hobermaker Survey, A-190, Fort Bend County, Texas, and being out of Restricted Reserve 'A' of the plat of Cinco Ranch West, Section 28, as recorded under Plat No. 20060035 of the Plat Records of Fort Bend County, Texas, said Restricted Reserve 'A' also being conveyed to Cinco Residential Property Association, Inc., by deed recorded under Fort Bend County Clerk's File No. 2006121207 of the Official Public Records of Fort Bend County, Texas, and being further described by metes and bounds as follow: (Bearings based on Texas State Plane Coordinate System, South Central Zone 4204)

COMMENCING at a 5/8-inch iron rod found for the westerly point of curvature of the intersection of the north right-of-way line of Cinco Ranch Boulevard (100-Foot Wide Right-of-Way) and the west right-of-way line of Claircrest Lane (Variable Width Right-of-Way), said point also being located in the south line of said Restricted Reserve "A" and marking the beginning of a curve to the right;

THENCE with the south line of said Restricted Reserve 'A', the north right-of-way line of said Cinco Ranch Boulevard, and following the arc of said curve to the right having a radius of 1,950.00 feet, a central angle of 31 deg. 25 min. 41 sec., a chord bearing of South 85 deg. 10 min. 07 sec West, a chord distance of 1,056.26 feet and an arc length of 1,069.62 feet to a cut "X" in a concrete sidewalk set for the southeast corner and **POINT OF BEGINNING** of said tract herein described;

THENCE continuing along the south line of said Restricted Reserve 'A', the north right-of-way line of said Cinco Ranch Boulevard, a south line of said tract herein described and following the arc of a curve to the right having a radius of 1,950.00 feet, a central angle of 00 deg. 17 min. 38 sec., a chord bearing of North 78 deg. 58 min. 14 sec. West, a chord distance of 10.00 feet, and an arc length of 10.00 feet to a 1/2-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the southwest corner of said tract herein described;

THENCE North 11 deg. 01 min. 46 sec. East, over and across said Restricted Reserve "A" and with the west 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 northwest corner of said tract herein described;

THENCE South 78 deg. 58 min. 14 sec. East, continuing over and across said Restricted Reserve "A" and with the north line of said tract herein, a distance of 10.00 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. 01 min. 46 sec. West, continuing over and across said Restricted Reserve "A" and with the east line of said tract herein described, a distance of 10.00 feet to the **POINT OF BEGINNING** and containing 0.002 acre (100 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



NOTE:
ALL CORNERS SET WITH 1/2" IR STAMPED
WEISSER ENG HOUSTON, TX UNLESS
OTHERWISE NOTED

THOMAS HOBERMAKER SURVEY, A-190
10'X10' EASEMENT

CLAIRCREST LANE (R.O.W. VARIES)

0.002 ACRE
(100 SQ. FT.)
S11° 01' 46"W - 10.00'
R=1,950.00'
Δ=31°25'41"
L=1,069.62'
CH=S85° 10' 07"W
-1,056.26'

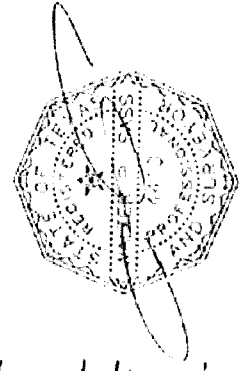
P.O.B.
S11° 01' 46"E - 10.00'
R=1,950.00'
Δ=00° 17' 38"
L=10.00'
CH=N78° 58' 14"W
10.00'

P.O.C.
P.O. 5/8" IR
(34)

CINCO RANCH BOULEVARD (100' R.O.W.)

CINCO CROSSING LANE
(R.O.W. VARIES)

P.O. 5/8" IR
(34)



10' X 10' SIGNAL POLE EASEMENT-EXHIBIT "C"

WEISSER Engineering Co.
19500 Park #5w Suite 100
Houston, Texas 77054
(281) 519-7100
www.weissereng.com



© Copyright 2013 Weisser Engineering Company, Inc.			
DRAWN BY: JVC	CALCD BY: JVC	SCALE: 1" = 40'	
FB NO:	CHECKED BY: J.M./J.W.	D-EE: 1 OF 1	
DRAWN DATE:	DATE: 07/10/2013	JOB NO: EH322	

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

Dianne Wilson, County Clerk
Fort Bend County, Texas

September 12, 2013 03:09:48 PM

FEE: \$0.00 RMM
EASEMENT

2013118031

