

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**RESOLUTION AND ORDER DECREERING THE ACQUISITION OF
PROPERTY TO BE A PUBLIC NECESSITY AND AUTHORIZING THE
ACQUISITION AND PAYMENT OF COMPENSATION**

WHEREAS, on the 14th day of October, 2014, at a regular meeting of the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon motion of Commissioner Prestage, seconded by Commissioner, Morrison, and upon record vote, passed 5 votes in favor; 0 votes opposed:

RESOLUTION

RESOLVED THAT WHEREAS, the Commissioners Court has received and reviewed the plans for a public project known as the Addicks-Clodine Community Center Project, located along Addicks-Clodine Road between Riverside Grove Drive and Wildwood Lake Drive, in Fort Bend County, Texas; and,

WHEREAS, Commissioners Court has determined that public necessity and convenience exists for the location, alignment, construction, operation, and maintenance, including appurtenant drainage and detention requirements, of a public project known as Addicks-Clodine Community Center Project located along Addicks-Clodine Road between Riverside Grove Drive and Wildwood Lake Drive, in Fort Bend County, Texas, in accordance with said alignment, and tract identifications which are made a part hereof as Exhibit A:

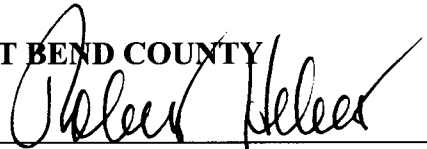
ORDER

NOW THEREFORE, IT IS ORDERED AND DECREED that the plans for the location, alignment, construction, operation, and maintenance, including appurtenant drainage and detention requirements, of the public project known as Addicks-Clodine Community Center Project, located along Addicks-Clodine Road between Riverside Grove Drive and Wildwood Lake Drive, in Fort Bend County, Texas, and that

the County Engineer be authorized and directed to obtain appraisals, surveys, title information and/or make official offers of specific amount for the purchase of fee simple interest in and to the tract(s) situated within such alignment as shown in Exhibit A; that the County Attorney be authorized and directed, and he is hereby authorized and directed to file or cause to be filed proceedings in eminent domain and to acquire thereby fee simple interest for said purposes in the tract(s) which cannot be acquired as aforesaid by donation, dedication, or purchase.


IT IS FURTHER ORDERED AND DECREED that this Resolution and order apply to any and all parcels of land that must be condemned for this project, that the County Judge, or designated representative be authorized and directed so sign any papers or agreements associated with closing the purchase(s); the County Attorney, County Clerk, County Auditor and County Treasurer be authorized and directed to perform any and all necessary acts within their respective spheres of official duties toward the final acquisition of the tract(s) of land, or interest(s) therein together with the improvement if any, within the said public project known as Addicks-Clodine Community Center Project, located along Addicks-Clodine Road between Riverside Grove Drive and Wildwood Lake Drive, in Fort Bend County, Texas and the payment and compensation therefore.

PASSED AND APPROVED this 14 day of October, 2014.

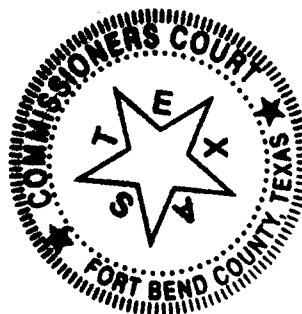
FORT BEND COUNTY


Robert E. Hebert, County Judge

ATTEST:



Dianne Wilson, County Clerk



MOTION

I move that Fort Bend County, by record vote, authorize the use of the power of eminent domain to acquire all needed property for the Addicks-Clodine Community Center Project, located along Addicks-Clodine Road between Riverside Grove Drive and Wildwood Lake Drive, in Fort Bend County, Texas, BY ADOPTION OF THE RESOLUTION AND ORDER DECREERING THE ACQUISITION OF PROPERTY TO BE A PUBLIC NECESSITY AND AUTHORIZING THE ACQUISITION AND PAYMENT OF COMPENSATION for the public purpose of construction the Addicks-Clodine Community Center. This motion applies to any and all parcels of land that must be condemned to accomplish the completion of the Addicks-Clodine Community Center.

Roll Call Vote:

	Yes	No
Precinct 1	<u>✓</u>	_____
Precinct 2	<u>✓</u>	_____
Precinct 3	<u>✓</u>	_____
Precinct 4	<u>✓</u>	_____
County Judge	<u>✓</u>	_____

Date of Vote 10/14/14

REAL PROPERTY DESCRIPTION
OF
RESTRICTED RESERVE "B", BLOCK 9
MISSION GLEN SECTION 1:
4.1865 Acre
182,263 Square Feet

Being a tract of land of 4.1865 acre (182,263 square feet) being all of Unrestricted Reserve "B", Block Nine of Mission Glen Section One subdivision as recorded in Slide 574, Page A/B of the Map Records of Fort Bend County (M.R.F.B.C), being that tract conveyed to SS Properties by Special Warranty Deed recorded in Fort Bend County Clerk's File No. 98101368, dated December 07, 1988, situated in the I. & G.N.R.R. Co. Survey No. 4, Abstract No. 361, Fort Bend County, Texas and being more particularly described by metes and bounds as follows with all bearings being referenced to the Texas State Plane Coordinate System (NAD 83), South Central Zone (No. 4204), all distances and coordinates shown herein being surface expressed in U.S survey feet and may be converted to grid by multiplying by a combined scale factor of 0.99988160573:

BEGINNING at a 1-inch iron pipe (CM) control Monument found at the most Eastern corner of a radial cutback corner at the Northeast intersection of Addicks Clodine Road, 100 feet wide as described in Slide No. 574, Page A/B M.R.F.B.C and Riverside Grove Drive, 60 feet wide as described in Slide No. 574, Page A/B M.R.F.B.C. same being the most Eastern Southwest corner of said Unrestricted Reserve "B", for a point of curvature of a curve to the right and the most Easterly Southeast corner of the herein described tract, having surface coordinates of X=3,028,701.21, Y=13,812,082.43;

THENCE in a Northwesterly direction, along said existing radial cutback corner at said existing Northeast intersection of said Addicks Clodine Road and Riverside Grove Drive, same being along Unrestricted Reserve "A" and the arc of said curve to the right, having a radius of 25.00 feet, a central angle of 90° 00' 00", whose chord bears N. 37° 13' 15" West – 35.36 feet, an arc length of 39.27 feet to a 5/8-inch iron rod with cap stamped "LUPHER, LLC" set for the point of tangency and the most Western corner of a radial cutback corner at the existing Northeast intersection of said Addicks Clodine Road and said Riverside Grove Drive, for the most Western Southwest corner of the herein described tract;

THENCE North 07° 46' 45" East, along the existing East right-of-way of said Addicks Clodine Road and the West line of said Unrestricted Reserve "A", along the West line of the herein described tract, a distance of 5.50 feet to a 5/8-inch iron rod with cap stamped "LUPHER, LLC" set for the point of curvature of a tangent curve to the left in the West line of the herein described tract;

SS PROPERTIES

Parcel No. _____
Job No. _____
Drawing No. _____

THENCE in a Northeasterly direction, along the existing East right-of-way of said Addicks Clodine Road and the West line of said Unrestricted Reserve "A", same being along the arc of said tangent curve to the left, having a radius of 2,050.00 feet, a central angle of $15^{\circ} 02' 17''$, whose chord bears N. $00^{\circ} 15' 36''$ E. – 536.51 feet, an arc length of 538.05 feet to a 1-inch iron pipe (CM) found for the Northwest corner of said Unrestricted Reserve "B" and the Southwest corner of Unrestricted Reserve "C" Block Nine , Volume 574, Page A/B, for the Northwest corner of the herein described tract;

THENCE North $82^{\circ} 44' 51''$ East, along the common line between Unrestricted Reserve "B" and Unrestricted Reserve "C", along the north line of the herein described tract, a distance of 298.97 feet to a 5/8-inch iron rod (bent) found situated in the West line of the existing lots situated in Block Nine of said Mission Glen Section 1, for the Northeast corner of said Unrestricted Reserve "B" and the Southeast corner of said Unrestricted Reserve "C" also being the Northeast corner of the herein described tract;

THENCE South $07^{\circ} 48' 19''$ East, along the West side of said Lots in Block Nine of said Mission Glen Section 1, and along the East line of said Unrestricted Reserve "B", along the East line of the herein described tract, a distance of 48.49 feet to a 1" iron pipe found for an angle point in the East line of the herein described tract;

THENCE South $04^{\circ} 16' 59''$ East, continuing along the West side of said Lots in Block Nine of said Mission Glen Section 1, and along the East line of said Unrestricted Reserve "B", along the East line of the herein described tract, a distance of 148.12 feet to a 1" iron pipe found for an angle point in the East line of the herein described tract;

THENCE South $00^{\circ} 32' 28''$ East, continuing along the West side of said Lots in Block Nine of said Mission Glen Section 1, and along the East line of said Unrestricted Reserve "B", along the East line of the herein described tract, a distance of 197.29 feet to a point (unable to set no access) for an angle point in the East line of the herein described tract, from same point a 6-foot wood fence corner was found bearing 1.0-feet West;

THENCE South $04^{\circ} 26' 53''$ West, continuing along the West side of said Lots in Block Nine of said Mission Glen Section 1, and along the East line of said Unrestricted Reserve "B", along the East line of the herein described tract, a distance of 254.07 feet to a point for a point of curvature of a non-tangent curve to the left in the existing North right-of-way line of said Riverside Grove Drive for the Southeast corner of said Unrestricted Reserve "B" and the Southeast corner of the herein described tract, from same point a 5/8-inch iron rod was found bearing S. $82^{\circ} 37' 30''$ E. – 0.3 feet;

THENCE in a Northwesterly direction, along the existing North right-of-way of said Riverside Grove Drive and the South line of said Unrestricted Reserve "B", same being along the South line of the herein described tract and the arc of said tangent curve to the left, having a radius of 2,030.00 feet, a central angle of $01^{\circ} 14' 38''$, whose chord bears N. $81^{\circ} 35' 56''$ W. – 44.07 feet, and arc length of 44.07 feet to a 5/8-inch iron rod with cap stamped "LUPHER, LLC" set for the point of tangency in the South line of the herein described tract;

SS PROPERTIES

Parcel No. _____
Job No. _____
Drawing No. _____

THENCE North 82° 13' 15" West, Continuing along the North right-of-way of said Riverside Grove Drive and the South line of said Unrestricted Reserve "B", along the South line of the herein described tract, a distance of 236.76 feet returning to the **POINT OF BEGINNING** of the herein described tract of land containing 4.1865 acre (182,363 square feet) of land, more or less.

Notes:

1. A survey plat of even date accompanies this legal description.

This Real Property Description is based upon a Texas Society of Professional Surveyors Category 1A, Condition II, Land Title Survey performed under the direct supervision of Lee G. Lupher RPLS in August of 2014.

Lee G. Lupher, RPLS
Texas Registration No. 5955

LUPHER, LLC
TBPLS FIRM #10193807
10801 Hammerly Boulevard, Suite 250
Houston, Texas 77043
Tele: 281-501-8718
Job No. 14-046-001

