



DRAINAGE AND RIGHT OF WAY EASEMENT

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

THAT **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 116**, a political subdivision of the State of Texas (“Grantor”), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), the sufficiency of which is hereby acknowledged and confessed, has granted, bargained, sold and conveyed, and by these presents hereby grants bargains, sells and conveys unto said **FORT BEND COUNTY DRAINAGE DISTRICT**, a political subdivision of the State of Texas (“Grantee”), a right of way easement for the purpose of maintaining, operating, repairing and re-constructing a drainage and detention easement, including drains, ditches, laterals and levees, (“Easement”) upon, over, through and across approximately **19.5696 acres** of real property located in Fort Bend County, Texas, more particularly described by metes and bounds on **Exhibit “A”** attached hereto and made a part hereof for all purposes, (“Easement Tract”).

Grantee 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 and egress to and from said Easement Tract. Grantee is given the right from time to time to cut and remove all trees, undergrowth, and abate other obstruction, upon said Easement Tract, that may injure, endanger, or interfere with the operation, maintenance, reconstruction and repair of said Easement Tract.

Grantee agrees during the life of this Easement to repair all damage to roads, passageways and fences resulting from Grantee’s use in going to and from said Easement Tract, 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 Easement Tract for the natural disposal of surface waters, rain, or any excess waters collecting upon his land. Upon approval of Grantee, which approval shall not be unreasonably withheld, conditioned, or delayed, Grantor, at its own expense, may construct and provide ditches, drains and laterals connecting its said land or portions thereof with the Easement Tract. Notwithstanding the foregoing, the Easement Tract shall remain free from encroachment by fences, structures or any other facilities caused by Grantor or adjacent property owners, except as provided below.

This conveyance is made subject to any and all restrictions, covenants, easements, rights of way, encumbrances and mineral or royalty reservations or interests affecting the Easement Tract and appearing of record in the Official Public Records of Fort Bend County, Texas (“FBCOPR”), to the extent that said items and matters are in effect and validly enforceable against the Easement granted herein; provided, however, Grantor, to the extent that it has the ability to enforce any of said items or matters, agrees that it shall not enforce any of said items or matters in a manner which would prejudice or interfere with Grantee’s rights in the Easement granted herein. Further, Grantee assumes the rights specifically reserved by Grantor under those certain Landscape/Recreational Easements appearing of record under file numbers: **2009013348; 2009030767; 2009072470; 2012013582; 2012013583; 2016129741; and 2016130009** in the FBCOPR.

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TO HAVE AND TO HOLD the above described Easement for the said purposes, together with all and singular, the rights, privileges, and appurtenances thereto as described above in anywise belonging to the said Grantee, its successors and assigns forever, by, through, or under Grantor, but not otherwise, subject to the limitations, conditions and restrictions set forth hereinabove.

EXECUTED this 23rd day of November, 2016.

GRANTOR:

**FORT BEND COUNTY MUNICIPAL
UTILITY NO. 116**

By: [Signature]
Name: Chad Millis
Title: President

ATTEST:

By: [Signature]
Name: Angela Wood
Title: Secretary

THE STATE OF TEXAS §
 §
COUNTY OF Fort Bend §

This instrument was acknowledged before me on this 23rd day of November, 2016, by Chad Millis and Angela Wood of the Board of Directors of FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 116, a political subdivision of the State of Texas, on behalf of said political subdivision.

(NOTARY SEAL)

[Signature]
Notary Public, State of Texas

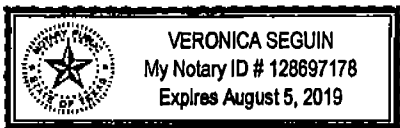
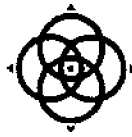


EXHIBIT A



WINDROSE

LAND SURVEYING | PLATTING

DESCRIPTION OF 19.5696 ACRES OR 852,453 SQ. FT.

A TRACT OR PARCEL CONTAINING 19.5696 ACRES OR 852,453 SQUARE FEET OF LAND OUT OF LAKES OF WILLIAMS RANCH SOUTH LAKE, AS RECORDED UNDER FILE NO. 20070216, OF THE FORT BEND COUNTY PLAT RECORDS (F.B.C.P.R.), A CALLED 20.453 ACRE TRACT OF LAND CONVEYED TO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 116, AS RECORDED UNDER FORT BEND COUNTY CLERK'S FILE (F.B.C.C.F.) NO. 2005001896 AND CORRECTED UNDER F.B.C.C.F. NO. 2005008108, A CALLED 5.844 ACRE TRACT OF LAND CONVEYED TO MP ESTATES, LLC, AS RECORDED UNDER F.B.C.C.F. NO. 2014027706, A CALLED 0.0900 ACRE TRACT OF LAND CONVEYED TO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 116, AS RECORDED UNDER F.B.C.C.F. NO. 2009089090, AND A CALLED 0.0870 ACRE TRACT OF LAND CONVEYED TO FORT BEND MUNICIPAL UTILITY DISTRICT NO. 116, AS RECORDED UNDER F.B.C.C.F. NO. 2014033835, SITUATED IN THE JOSEPH KUYKENDAHL LEAGUE, ABSTRACT NO. 49, FORT BEND COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83):

COMMENCING AT A 5/8-INCH IRON ROD FOUND MARKING AN INTERIOR CORNER OF RESTRICTED RESERVE "D", THE RETREAT AT SOVEREIGN SHORES SECTION ONE, AS RECORDED UNDER FILE NO. 20070041, OF THE OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY (O.P.R.F.B.C.), AND THE MOST WESTERLY CORNER OF A CALLED 93.056 ACRE TRACT OF LAND CONVEYED TO LAKES OF WILLIAMS RANCH, LTD AS RECORDED UNDER F.B.C.C.F. NO. 2005100129;

THENCE, NORTH 54 DEG. 43 MIN. 29 SEC. EAST, OVER AND ACROSS SAID CALLED 93.056 ACRE TRACT AND SAID CALLED 20.453 ACRE TRACT, A DISTANCE OF 1736.61 FEET TO THE MOST WESTERLY CORNER OF SAID LAKES OF WILLIAMS RANCH SOUTH LAKE, AND THE MOST NORTHERLY CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 67 DEG. 50 MIN. 57 SEC. EAST, PASSING AT A DISTANCE OF 64.78 FEET A CAPPED 5/8-INCH IRON ROD STAMPED "KMS SURVEYING" FOUND MARKING THE MOST WESTERLY CORNER OF RESTRICTED RESERVE "D", BLOCK 3, LAKES OF WILLIAMS RANCH SEC. 1, AS RECORDED UNDER FILE NO. 20060158, O.P.R.F.B.C., IN ALL A TOTAL DISTANCE OF 591.73 FEET TO A NORTHEASTERLY CORNER OF SAID LAKES OF WILLIAMS RANCH SOUTH LAKE AND SAID CALLED 20.453 ACRE TRACT, FOR A NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 24 DEG. 47 MIN. 22 SEC. EAST, A DISTANCE OF 182.63 FEET TO THE MOST EASTERLY CORNER OF SAID LAKES OF WILLIAMS RANCH SOUTH LAKE, SAID CALLED 20.453 ACRE TRACT, AND THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 22 DEG. 01 MIN. 33 SEC. WEST, WITH THE WESTERLY LINE OF SAID BLOCK 3 AND THE WESTERLY LINE OF A CALLED 7.089 ACRE TRACT CONVEYED TO MP ESTATES, LLC, AS RECORDED UNDER F.B.C.C.F. NO. 2014027706, A DISTANCE OF 199.04 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 17 DEG. 36 MIN. 17 SEC. WEST, WITH THE WESTERLY LINE OF SAID CALLED 7.089 ACRE TRACT, A DISTANCE OF 68.17 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

THENCE, SOUTHWESTERLY, CONTINUING ALONG THE WESTERLY LINE OF SAID CALLED 7.089 ACRE TRACT, WITH SAID CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 61 DEG. 46 MIN. 53 SEC., AN ARC LENGTH OF 53.91 FEET, A RADIUS OF 50.00 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 17 DEG. 36 MIN. 51 SEC. WEST, 51.34 FEET TO THE END OF SAID CURVE;

THENCE, SOUTH 17 DEG. 36 MIN. 17 SEC. WEST, CONTINUING ALONG THE WESTERLY LINE OF SAID CALLED 7.089 ACRE TRACT AND ALONG THE WESTERLY LINE OF A CALLED 5.844 ACRE TRACT OF LAND CONVEYED TO MP ESTATES, LLC, AS RECORDED UNDER F.B.C.C.F. NO. 2014027706, A DISTANCE OF 315.34 FEET TO A POINT FOR CORNER;

THENCE, WITH THE WESTERLY LINE OF SAID CALLED 5.844 ACRE TRACT AND THE EASTERLY LINE OF SAID LAKES OF WILLIAMS RANCH SOUTH LAKE, AS FOLLOWS:

- SOUTH 66 DEG. 48 MIN. 16 SEC. WEST, A DISTANCE OF 88.96 FEET TO A POINT FOR CORNER;
- SOUTH 56 DEG. 31 MIN. 54 SEC. WEST, A DISTANCE OF 155.88 FEET TO A POINT FOR CORNER;
- SOUTH 62 DEG. 18 MIN. 27 SEC. WEST, A DISTANCE OF 113.86 FEET TO A POINT FOR CORNER;
- SOUTH 70 DEG. 12 MIN. 14 SEC. WEST, A DISTANCE OF 206.74 FEET TO A POINT FOR CORNER;
- SOUTH 73 DEG. 11 MIN. 57 SEC. WEST, A DISTANCE OF 128.49 FEET TO A POINT FOR CORNER;
- SOUTH 65 DEG. 04 MIN. 54 SEC. WEST, A DISTANCE OF 60.29 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 65 DEG. 07 MIN. 42 SEC. WEST, OVER AND ACROSS SAID CALLED 5.844 ACRE TRACT, A DISTANCE OF 78.29 FEET TO A POINT FOR CORNER;

THENCE, SOUTH 55 DEG. 27 MIN. 51 SEC. WEST, CONTINUING OVER AND ACROSS SAID CALLED 5.844 ACRE TRACT AND ALONG THE EASTERLY LINE OF SAID CALLED 0.0900 ACRE TRACT AND SAID CALLED 0.0870 ACRE TRACT, A DISTANCE OF 140.43 FEET TO A POINT FOR THE MOST SOUTHERLY CORNER OF SAID CALLED 0.0870 ACRE TRACT, THE MOST EASTERLY CORNER OF RESERVE "L", THE RETREAT AT SOVEREIGN SHORES SECTION ONE, AND THE MOST SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 67 DEG. 10 MIN. 45 SEC. WEST, WITH THE SOUTHERLY LINE OF SAID CALLED 0.0870 ACRE TRACT, A DISTANCE OF 100.73 FEET TO A POINT FOR THE MOST WESTERLY CORNER OF SAID LAKES OF WILLIAMS RANCH SOUTH LAKE AND THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 21 DEG. 45 MIN. 27 SEC. EAST, WITH THE WESTERLY LINE OF SAID LAKES OF WILLIAMS RANCH SOUTH LAKE, A DISTANCE OF 1472.76 FEET TO THE **PLACE OF BEGINNING** AND CONTAINING 19.5696 ACRES OR 852,453 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 53086-SWAP-6A, PREPARED BY WINDROSE LAND SERVICES.



PAUL A. JURICA, JR.
R.P.L.S. NO. 4264
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



11-09-2016
DATE
REV: 11-18-2016

