



NOTICE OF CONFIDENTIALITY RIGHTS: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

**MAINTENANCE EASEMENT
(2.4530 Acre Outfall Tract)**

Date: February 24, 2016

Grantor: **HIGHLAND MANAGEMENT, INC.**
a Delaware corporation

Grantor's Address: 1001 Fannin, Suite 4700
Houston, Texas 77002

Grantee: **FORT BEND COUNTY, TEXAS,**
a political subdivision of the State of Texas

Grantee's Address: 401 Jackson St.
Richmond, Texas 77469

Easement Tract: That certain 2.4530 acre parcel of land situated in Fort Bend County, Texas, described in **Exhibit A** attached hereto

Easement Duration: Perpetual

Consideration Paid by Grantee: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged

Easement Purpose: Maintenance of the Facilities and the Easement Tract

Facilities: Storm sewer lines and facilities and drainage channels and improvements installed by Grantor in the Easement Tract

Permitted Encumbrances: All easements, liens, encumbrances, and other matters of record in the Official Records of the Real Property of Fort Bend County, Texas (the "**Official Records**") or which would be shown on a correct survey of the Easement Tract, to the extent valid and subsisting that affect the Easement Tract as of the Date and all laws, rules, regulations and restrictions, including building and zoning ordinances of municipal or other

CCM 3-08-16 #235
Fort Bend County Clerk
Return Admin Serv Coord RAC

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3/16/2016 - Original sent to Cassandra Garza, Engineering

governmental authorities, applicable and enforceable against the Easement Tract

Non-Permitted Activity:

Any activity on or use of the Easement Tract inconsistent with the Easement Purpose is prohibited.

**Reservations from and
Exceptions to Conveyance
And Warranty:**

Grantor reserves and retains the right to use the Easement Tract for all purposes which do not unreasonably interfere with the easement rights hereby granted including, without limitation, the right to maintain the Facilities and mow the Easement Tract in the event Grantee elects not to or fails to provide maintenance.

Grantor, for the consideration recited, **GRANTS** to Grantee, its successors and assigns, a non-exclusive easement in, over, under, on, and across the Easement Tract for the Easement Purpose, subject to the Permitted Encumbrances, together with (i) the right of ingress and egress at all times over, on, and across the Easement Tract for use of the Easement Tract for the Easement Purpose and (ii) any and all rights and appurtenances pertaining to use of the Easement Tract for the Easement Purpose (collectively, the "**Easement**"). Grantee will have such access across, along, under, and upon the Easement Tract and may enter upon the Easement Tract to engage in such activities as may be necessary, requisite, convenient or appropriate in connection with the maintenance of the Facilities upon the Easement Tract. Grantee's rights in and to the Easement Tract include, without limitation, the right to remove trees and vegetation within the Easement Tract.

GRANTOR MAKES NO WARRANTY OR REPRESENTATION OF ANY KIND, EXPRESS OR IMPLIED, ORAL OR WRITTEN, AS TO THE STATUS OR CONDITION OF THE EASEMENT TRACT OR THE SAFETY, SUITABILITY OR FITNESS OF THE EASEMENT TRACT FOR ANY PURPOSES. GRANTEE ACCEPTS THE EASEMENT TRACT ON AN "AS IS, WHERE IS, WITH ALL FAULTS" BASIS AND CONDITION WITH ANY AND ALL LATENT AND PATENT DEFECTS.

TO HAVE AND TO HOLD the Easement to Grantee and Grantee's successors and assigns for the Easement Duration and Easement Purpose. Grantor binds Grantor and Grantor's successors, and assigns to **WARRANT AND FOREVER DEFEND** the title to the Easement, subject to the Permitted Encumbrances, to Grantee against every person whomsoever lawfully claiming or to claim the Easement Tract or any part of the Easement Tract when the claim is by, through, or under Grantor, but not otherwise.

Grantee will conduct any maintenance, repair or other work activities in the Easement Tract in a good and workmanlike manner in compliance with all applicable laws, rules and regulations.

Except where the context otherwise requires, *Grantor* includes *Grantor's successors and assigns* and *Grantee* includes *Grantee's employees, agents, consultants, contractors, successors, and assigns*; and where the context requires, singular nouns and pronouns include the plural.

Grantee joins in the execution of this Drainage Easement to evidence its acceptance hereof; provided, however, by its acceptance of this Drainage Easement Grantee does not assume any obligation to maintain the Facilities or the Easement Tract.

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Executed effective the Date first above stated.

GRANTOR:

HIGHLAND MANAGEMENT, INC.,
a Delaware corporation

By: *Gloria F. Catalani*
Name: GLORIA F. CATALANI
Title: SECRETARY

GRANTEE:

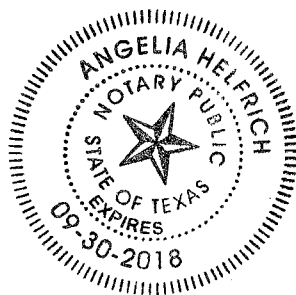
COUNTY OF FORT BEND, TEXAS

By: *Robert Hebert*
Name: Robert Hebert
Title: County Judge

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 24th day of FEBRUARY, 2016,
by GLORIA F. CATALANI, SECRETARY of HIGHLAND
MANAGEMENT, INC., a Delaware corporation, on behalf of said corporation.

[Seal]



Angelia Helrich
Notary Public, State of Texas

STATE OF TEXAS

§

§

COUNTY OF FORT BEND

§

This instrument was acknowledged before me on this 8th day of March, 2016,
by Robert E. Hebert, as County Judge of COUNTY OF FORT
BEND, TEXAS, a political subdivision of the State of Texas, on behalf of said County.

[Seal]

Luisa m Bowers
Notary Public, State of Texas



Exhibit A

December 5, 2014

110' Drainage Easement

***2.4530 acres in the D. Randon & I. Pennington Survey, Abstract No. 75,
Fort Bend County, Texas***

A FIELD NOTE DESCRIPTION of a 2.4530 acre (106,853 square feet) tract of land in the D. Randon & I. Pennington Survey, Abstract No. 75, Fort Bend County, Texas; said 2.4530 acre tract being out of a called 251.075 acre tract of land, described as "Tract V", conveyed to Highland Management, Inc., as recorded in Volume 671, Page 876 of the Fort Bend County Deed Records; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 5/8-inch iron rod with cap stamped "T.E.A.M." set in the north line of said 251.075 acre tract and in the south line of a tract of land conveyed to Mary Doris Fondren Allday, et al, as recorded in Volume 464, Page 595 of the Fort Bend County Deed Records for the southeast corner of a 40 foot wide Fort Bend County road easement, as recorded in Volume 366, Page 349 of the Fort Bend County Deed Records; from which a 5/8-inch iron rod with cap stamped "T.E.A.M." set for the southeast corner of a called 391.47 acre tract of land, described as "Tract IV", conveyed to Highland Management, Inc., as recorded in Volume 569, Page 765 of the Fort Bend County Deed Records bears North 88° 50' 30" West – 40.07 feet;

THENCE, South 88° 50' 30" East with a fence line, at a distance of 881.93 feet pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set and continuing for a total distance of 981.93 feet to a point in the lowest bank of the Brazos River at the mature vegetation growth for the northeast corner of this tract;

THENCE, South 05° 06' 54" East – 110.66 feet the lowest bank of the Brazos River at the mature vegetation growth to a point for the southeast corner of this tract;

THENCE, North 88° 50' 30" West – 958.38 feet to a point for the beginning of a non-tangent curve to the left and for the southwest corner of this tract;

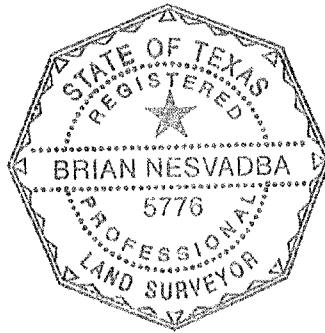
THENCE, in a northwesterly direction with said curve to the left having a radius of 60.00 feet, a central angle of 61° 03' 03", a length of 63.93 feet, and a chord bearing North 21° 31' 09" West – 60.95 feet to a point-of-reverse-curvature;

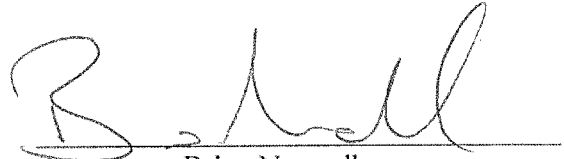
THENCE, in a northwesterly direction with said reverse-curve to the right having a radius of 25.00 feet, a central angle of 49° 40' 47", a length of 21.68 feet, and a chord bearing North 27° 12' 17" West – 21.00 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for a point-of-tangency;

THENCE, North 02° 21' 53" West – 35.35 feet to the POINT OF BEGINNING and containing 2.4530 acres (106,853 square feet) of land.

Note: This metes-and-bounds description was written in conjunction with a survey performed on even date herewith.

COMPILED BY:
Texas Engineering And Mapping Co.
Civil Engineers - Land Surveyors
Firm Registration No. 10119000
Stafford, Texas
Job No. 1126-1
W:\1126-1_110'_Drainage_Esmt.doc




Brian Nesvadba
Registered Professional Land Surveyor
State of Texas No. 5776

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk
Fort Bend County, Texas

March 11, 2016 11:58:28 AM

FEE: \$0.00 ER
EASEMENT

2016024833



CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Highland Management, Inc.
Houston, TX United States

Certificate Number:
2016-18511

Date Filed:
02/25/2016

Date Acknowledged:

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

03082016
Montgomery Road Drainage Facility Maintenance Easement

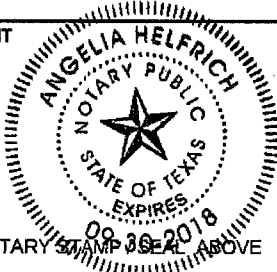
4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Coats/Rose,	Houston, TX United States		X
Highland Resources, Inc.,	Houston, TX United States	X	

5 Check only if there is NO Interested Party.

☐

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



AFFIX NOTARY SEAL ABOVE

Glenn F. Casoni
Signature of authorized agent of contracting business entity

Sworn to and subscribed before me, by the said Glenn F. Casoni, this the 25th day of February, 2016, to certify which, witness my hand and seal of office.

Angelia Helfrich Angelia Helfrich Notary
Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Highland Management, Inc.
Houston, TX United States

Certificate Number:
2016-18511

Date Filed:
02/25/2016

Date Acknowledged:
03/09/2016

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

Fort Bend County

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the goods or services to be provided under the contract.

03082016
Montgomery Road Drainage Facility Maintenance Easement

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Coats/Rose,	Houston, TX United States		X
	Highland Resources, Inc.,	Houston, TX United States	X	

5 Check only if there is NO Interested Party.

☐

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath