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NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**DONATION DEED**

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

THAT Dr. Harold I. Daily and Mrs. Joyce Faith Daily, both residents of the state of Texas (herein Grantor), for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable consideration to the undersigned in hand paid by the Grantee herein named, the receipt and sufficiency of which are hereby acknowledged, has DONATED, and by these presents does GRANT, GIVE AND CONVEY unto **FORT BEND COUNTY, TEXAS** ("Grantee"), a body corporate and politic under the laws of the State of Texas and unto its successors, and assigns, forever, a certain tract of land, containing 68.937 acres, as more particularly described in Exhibit "A", attached hereto and incorporated herein and made a part hereof for all purposes, together with all rights, titles, and interests appurtenant thereto and improvements situated thereon (collectively, the "Property").

This Donation Deed and the conveyance hereinabove set forth are executed by Grantor and accepted by Grantee subject to the terms, conditions and provisions hereof and further subject to all easements, conditions, restrictions, covenants, mineral or royalty interests, mineral reservations, surface waivers, utility conveyances, liens, encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, or other matters of record in Fort Bend County, Texas, to the extent the same are validly existing and applicable to the Property (collectively, the "Permitted Encumbrances").

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND, all singular the title to the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise, subject only to the Permitted Encumbrances.

PROVIDED, HOWEVER, that the Property shall be used as a public park or nature reserve and/or for other public recreational purpose and that GRANTEE shall dedicate and name the property, "Abe and Lizzie Daily Park", in memory of Mr. Abe Daily and Mrs. Lizzie Daily, beloved parents of Dr. Harold I. Daily; and GRANTEE shall erect a permanent sign at the entrance of the property with those words to acknowledge and recognize this dedication for all future generations; and

GRANTEE shall install a plaque at this entrance which shall read:

Harold and Joyce Daily along with their daughter, Laura, donate this tract of land to Fort Bend County to be used as a public park on [date of dedication].

This gift is to honor Dr. Daily's parents, Abe and Lizzie Daily, who lived and enjoyed their adult lives in Simonton, Texas.

AND PROVIDED, that if the Property ceases to be used as a public park or nature reserve, and/or for any other public recreational purpose then the GRANTOR his or her heirs, successors and assigns, are hereby entitled to a right to re-enter the Property, and, upon exercise of such re-entry, all right, title, and interest of GRANTEE in the Property shall cease and revert immediately to GRANTOR, his heirs, successors and assigns.

If current ad valorem taxes on said Property have not been prorated at the time of closing, Grantor and Grantee shall be responsible for payment of its respective share thereof based on period of ownership.

Grantee's address is 301 Jackson Street, Richmond, Texas 77469.

***{Execution Page Follows}***  
***{Remainder Intentionally Left Blank}***

EXECUTED on this the 1<sup>st</sup> day of April, 2016.

**GRANTOR:**

By: Harold Daily  
Dr. Harold Daily

By: Mrs. Joyce Faith Daily  
Mrs. Joyce Faith Daily

THE STATE OF TEXAS      §  
   §  
COUNTY OF Harris      §

This instrument was acknowledged before me on the 1<sup>st</sup> day of April,  
2016 by Harold I. Daily and Joyce Faith Daily

(SEAL)



Melanie Butler  
Notary Public in and for the State of Texas

AGREED to and ACCEPTED on this the 5<sup>th</sup> day of April, 2016.

**GRANTEE:**

FORT BEND COUNTY, TEXAS, a body corporate and politic under the laws of the State of Texas.

By: *Robert Hebert*

Robert E. Hebert, Fort Bend County Judge

THE STATE OF TEXAS           §  
  §  
COUNTY OF Fort Bend       §

This instrument was acknowledged before me on the 11<sup>th</sup> day of April, 2016 by Robert E. Hebert, County Judge of FORT BEND COUNTY, TEXAS, a body corporate and politic under the laws of the State of Texas, on behalf of said body corporate and politic.

(SEAL)



*Luisa M Bowers*  
Notary Public in and for the State of Texas

Attachments:  
Exhibit A – Legal Description of the Property

After Recording Return to:  
Fort Bend County  
Attn: Robert Hebert,  
Fort Bend County Judge  
401 Jackson Street, 1<sup>st</sup> Floor  
Richmond, Texas 77469

**EXHIBIT A TO DONATION DEED**

**DESCRIPTION OF A 68.937-ACRE  
(3,002,875 SQ. FT.) TRACT OF LAND  
SITUATED IN THE NOEL F. ROBERTS  
LEAGUE, A-79, FORT BEND COUNTY, TEXAS**

Being 68.937-acres (3,002,875 square feet) out of the Noel F. Roberts League, A-79 of Fort Bend County Texas. Said 68.937-acres being a portion of a called 72.644-acre tract of land (Harold I. Daily Tract Two) as described in File No. 10-DCV-183444 of the 434<sup>th</sup> Judicial District Court of Fort Bend County, Texas (Final Judgement Quieting Title) and being a portion of a called 4.439-acre tract of land conveyed to Harold I. Daily by deed recorded under Fort Bend County Clerk's File (F.B.C.C.F.) No. 2016011676 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), Texas and being further described by metes and bounds as follows (With Bearing Basis being the Texas State Plane Coordinate System, South Central Zone No. 4204, NAD 83. The coordinates shown hereon are grid coordinates and may be brought to the surface by dividing by the combined scale factor of 0.999878492. All distances shown herein are surface distances):

**BEGINNING (N = 13,800,472.43, E = 2,932,348.72** at a 1-inch iron rod found in the south right-of-way line of Sanders Road (width varies), for the northwest corner of a called 52.71-acre tract of land conveyed to Twinwood (U.S.) Inc., by notice of transfer of title to real property and conveyance in confirmation thereof recorded under F.B.C.C.F. No. 2012121483 of the O.P.R.F.B.C., Texas, for the northeast corner of said 4.439-acre tract and the northeast corner of said tract herein described;

**THENCE** South 01 deg. 58 min. 47 sec. East, with the west line of said 52.71-acre tract, with the east line of said 4.439-acre tract and with the east line of said tract herein described, a distance of 739.85 feet to a 1-inch iron rod found for the southeast corner of said 4.439-acre tract, for the most northerly, northeast corner of said 72.644-acre tract and an angle point in the east line of said tract herein described;

**THENCE** South 01 deg. 59 min. 47 sec. East, with the west line of said 52.71-acre tract, with an east line of said 72.644-acre tract and with the east line of said tract herein described, a distance of 568.34 feet to an angle point;

**THENCE** South 01 deg. 46 min. 52 sec. East, with the west line of said 52.71-acre tract, with an east line of said 72.644-acre tract and with the east line of said tract herein described, at a distance of 1,570.80 feet pass a 3/4-inch iron pipe and continue for a total distance of 3,196.10 feet to a point for the southeast corner of said 72.644-acre tract and the southeast corner of said tract herein described;

**THENCE** in a southwesterly direction, with the Low Bank of the Brazos River as defined in aforementioned description of said 72.644-acre tract (Final Judgement Quieting Title) the following courses and distances:

- 1.) South 39 deg. 59 min. 20 sec. West, 198.35 feet to an angle point;
- 2.) South 28 deg. 43 min. 42 sec. West, 521.27 feet to an angle point;

- 3.) South 35 deg. 15 min. 36 sec. West, 356.16 (called 356.03 feet) to the southwest corner of said 72.644-acre tract, being the southeast corner of a called 47.628-acre tract (Abe Daily Tract Three) as described in aforementioned (Final Judgement Quieting Title) and being the southwest corner of said tract herein described;

**THENCE** North 02 deg. 20 min. 24 sec. West, with the east line of said 47.628-acre tract, with a west line of said 72.644-acre tract and with a west line of said tract herein described, at a distance of 1,690.17 feet (called 1,690.51 feet) pass a 5/8-inch iron rod with cap stamped "1535-4035", at a distance of 1,761.85 feet (called 1,762.19 feet) pass a 5/8-inch iron rod with cap stamped "1535-4035" and continue for a total distance of 4,084.50 feet (called 4,084.55 feet) to a 5/8-inch iron rod with cap stamped "1535-4035" found for an interior corner of said tract herein described,

**THENCE** South 88 deg. 50 min. 14 sec. West, with a northerly line of said 47.628-acre tract, with a southerly line of said 72.644-acre tract and with a southerly line of said tract herein described, a distance of 157.92 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG. HOUSTON, TX" set for the southeast corner of a called 2.372-acre tract of land conveyed to Abe Daily by deed recorded under F.B.C.C.F. No. 2016011676 of the O.P.R.F.B.C., Texas and being the westerly corner of said herein described tract;

**THENCE** North 05 deg. 03 min. 22 sec. West, over and across said 72.644-acre tract, with the east line of said 2.372-acre tract and with a west line of said tract herein described, a distance of 555.59 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG. HOUSTON, TX" set in the east line of said 2.372-acre tract and for the west most northwest corner of said herein described tract;

**THENCE** North 87 deg. 51 min. 03 sec. East, over and across said 72.644-acre tract and with a northerly line of said tract herein described, at a distance of 354.77 feet pass a 1-inch iron rod found for the southwest corner of a called 1.099-acre tract of land (Tract One-A, Zella Salter and Laura Salter) described in aforementioned (Final Judgement Quieting Title) and continue for a total distance of 520.91 feet to the southeast corner of said 1.099-acre tract, being the southwest corner of said 4.439-acre tract and an interior angle point of said herein described tract;

**THENCE** North 03 deg. 24 min. 51 sec. East, with an east line of said 1.099-acre tract, with a west line of said 4.439-acre tract and with a westerly line of said tract herein described, a distance of 290.36 feet (called 289.55 feet) to a 5/8-inch iron rod with cap stamped "WEISSER ENG. HOUSTON, TX" set for the northeast corner of said 1.099-acre tract, being an interior corner of said 4.439-acre tract and an interior corner of said tract herein described;

**THENCE** South 89 deg. 24 min. 09 sec. West, with the north line of said 1.099-acre tract, with a southerly line of said 4.439-acre tract and with a southerly line of said tract herein described, a distance of 36.73 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG. HOUSTON, TX" set for an angle point of said herein described tract, being the southeast corner of a called 0.311-acre easement conveyed to Zella and Laura Salter by deed recorded under F.B.C.C.F. No. 2011052712 of the O.P.R.F.B.C., Texas;

**THENCE** North 02 deg. 14 min. 06 sec. West (called north 02 deg. 05 min. 55 sec. west), over and across said 4.439-acre tract, with the east line of said 0.311-acre easement and with a west line of said tract herein described, a distance of 451.53 feet (called 451.75 feet) to the northeast corner of said 0.311-acre easement, being the north most, northwest corner of said tract herein described, located in the south right-of-way line of said Sanders Road, from which a 5/8-inch iron rod with cap stamped "KALKOMEY" was found bearing North 89 deg. 44 min. 42 sec. West, a distance of 0.59 feet;

**THENCE** North 88 deg. 11 min. 47 sec. East, with the south right-of-way line of said Sanders Road, with the north line of said 4.439-acre tract and with a north line of said tract herein described, a distance of 329.21 feet to the **POINT OF BEGINNING** and containing 68.937 acres (3,002,875 square feet) of land.

This description is accompanied by an exhibit of even survey date.

Compiled by:  
WEISSER ENGINEERING COMPANY  
19500 Park Row, Suite 100  
Houston, Texas 77084  
TBPLS Reg. No. 100518-00  
TBPE Reg. No.: F-68  
Job No.: GC409 (971-009)  
Date: 02/19/2016



# 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.**  
 Dr. Harold I. Daily  
 Houston, TX United States

Certificate Number:  
 2016-35363

Date Filed:  
 04/05/2016

**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

Date Acknowledged:

**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.**  
 22334  
 Donation Deed

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

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.



*Harold I. Daily*  
 \_\_\_\_\_  
 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said *Peter M. Allen*, this the 5<sup>th</sup> day of April, 2016, 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

# 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**

Certificate Number:  
 2016-35363

Date Filed:  
 04/05/2016

Date Acknowledged:  
 04/11/2016

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

Dr. Harold I. Daily  
 Houston, TX United States

**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.**

22334  
 Donation Deed

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

**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