

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 2nd day of August, 2016, 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 Morrison, seconded by Commissioner Patterson, and upon record vote, passed 3 votes in favor and 0 opposed:

**RESOLUTION**

**RESOLVED THAT WHEREAS**, the Commissioners Court has received and reviewed the plans for a public project known as the King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion in Fort Bend County, Texas; and,

**WHEREAS**, Commissioners Court has determined that public necessity and convenience exists for the relocation, alignment, construction, operation, and maintenance of a public project known as King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion in Fort Bend County, Texas, in accordance with said plans, alignment, and tract identifications which are part hereof as Exhibit "A."

**ORDER**

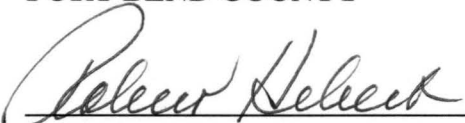
**NOW THEREFORE, IT IS ORDERED AND DECREED** that the plans for the location, alignment, construction, operation, and maintenance of the public project known as King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion in Fort Bend County, Texas, is approved.

**IT IS FURTHER ORDERED AND DECREED** that public necessity and convenience exist for the public project, known as King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion 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 either easement or the fee simple interest in and to the tract(s) situated within such alignment [as shown as 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 easement or 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 the County Judge or designated representative be authorized and directed to 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 King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion Fort Bend County, Texas and the payment and compensation therefore.

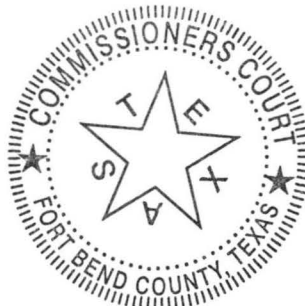
**PASSED AND APPROVED** this 2<sup>nd</sup> day of August, 2016.

**FORT BEND COUNTY**

  
Robert E. Hebert, County Judge

ATTEST:

  
\_\_\_\_\_  
Laura Richard, County Clerk



## EXHIBIT

### TRACT 6:

**A TRACT OR PARCEL CONTAINING 1.003 ACRES (43,702 SQ. FT.) OF LAND, SITUATED IN THE ISAAC MCGARY LEAGUE, ABSTRACT NO. 58, FORT BEND COUNTY, TEXAS, SAID 1.0033 ACRE TRACT BEING OUT OF AND A PORTION OF A CALLED 13 ACRES, CONVEYED TO FORT BEND COUNTY, AS DESCRIBED IN A DEED RECORDED IN FORT BEND COUNTY CLERK'S FILE NUMBER (F.B.C.C.F. NO.) 2012090044, SAID 1.003 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS; ALL BEARINGS ARE BASED ON TEXAS STATE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD88:**

**COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF TAYLOR RUN ROAD (WIDTH VARIES) AND THE WEST RIGHT-OF-WAY LINE OF WEST END TAVENER ROAD (60 FEET IN WIDTH);**

**THENCE, SOUTH 32 DEGREES 43 MINUTES 51 SECONDS EAST, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID TAYLOR RUN ROAD, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID WEST END TAVENER ROAD, A DISTANCE OF 1244.72 FEET TO A 5/8 INCH IRON PIPE FOUND MARKING THE NORTHEAST CORNER OF A CALLED 20.00 ACRE TRACT CONVEYED TO SNR PROPERTIES AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2010058116;**

**THENCE, SOUTH 57 DEGREES 16 MINUTES 09 SECONDS WEST, DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID WEST END TAVENER ROAD, ALONG THE NORTH LINE OF SAID CALLED 20.00 ACRE TRACT, A DISTANCE OF 812.76 FEET TO A POINT IN THE EAST LINE OF A CALLED 26.922 ACRE TRACT CONVEYED TO FADI AHMED AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2007077000;**

**THENCE, SOUTH 32 DEGREES 43 DEGREES MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID CALLED 26.922 ACRES TRACT, A DISTANCE OF 522.25 FEET TO A 1/2 INCH IRON PIPE FOUND MARKING THE SOUTHEAST CORNER OF SAID 26.922 ACRE TRACT;**

**THENCE, SOUTH 57 DEGREES 49 MINUTES 54 SECONDS WEST, ALONG THE SOUTH LINE OF SAID CALLED 26.922 ACRES TRACT, AT A DISTANCE OF 1658.72 FEET TO AN AXLE FOUND MARKING THE SOUTHWEST CORNER OF SAID CALLED 26.922 AND THE SOUTHEAST CORNER OF A CALLED 25.75 ACRES CONVEYED TO KATIE MURRAY AS DESCRIBED IN A DEED RECORDED IN VOLUME 203, PAGE 340, FORT BEND COUNTY DEED RECORDS (F.B.C.D.R.), AT 2061.78 FEET TO A 1 INCH IRON PIPE FOUND MARKING THE NORTHWEST CORNER OF A CALLED 24.993 ACRES TRACT CONVEYED TO ROBERT ALLEN JOHNSON AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2008037776 AND THE NORTHEAST CORNER A CALLED 11.20 ACRE TRACT CONVEYED TO BEAR CREEK US HOLDINGS AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2012019338 AND CONTINUING IN ALL A TOTAL DISTANCE OF 2747.39 FEET TO A POINT MARKING THE NORTHWEST CORNER OF SAID CALLED 11.20 ACRE TRACT AND THE NORTHEAST CORNER OF CALLED 5.57 ACRE TRACT CONVEYED TO DETTEGE ARQUINA K. ESTATE AS DESCRIBED IN A DEED RECORDED F.B.C.C.F. NO. 2009008428;**

## EXHIBIT A

**THENCE**, SOUTH 32 DEGREES 10 MINUTES 06 SECONDS EAST, ALONG THE EAST LINE OF SAID CALLED 5.57 ACRE TRACT AND THE WEST LINE OF SAID CALLED 11.20 ACRE TRACT, A DISTANCE OF 437.35 FEET TO A 5/8 INCH IRON ROD SET MARKING THE SOUTHEAST CORNER OF A CALLED 11.6 ACRE TRACT CONVEYED TO GLORIA SOLOMON AS DESCRIBED IN A DEED RECORDED IN VOLUME 441, PAGE 595, F.B.C.D.R. AND THE NORTHEAST CORNER OF CALLED 11.5 ACRE TRACT CONVEYED TO VERSIE MAE WILSON AS DESCRIBED IN A DEED RECORDED IN VOLUME 441, PAGE 595, F.B.C.D.R.;

**THENCE**, SOUTH 32 DEGREES 10 MINUTES 06 SECONDS EAST, CONTINUING ALONG THE WEST LINE OF SAID CALLED 11.20 ACRE TRACT AND THE EAST LINE OF SAID CALLED 11.5 ACRE TRACT, A DISTANCE OF 274.27 FEET TO A 5/8 INCH IRON ROD SET ON THE NORTH LINE OF A CALLED 13 ACRE TRACT CONVEYED TO FORT BEND COUNTY AS DESCRIBED IN A DEED RECORDED IN F.B.C.C.F. NO. 2012090044 MARKING THE SOUTHWEST CORNER OF SAID CALLED 11.20 ACRE TRACT AND THE SOUTHEAST CORNER OF SAID CALLED 11.5 ACRE TRACT, SAME BEING THE NORTHEAST CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

**THENCE**, SOUTH 32 DEGREES 10 MINUTES 06 SECONDS EAST, THROUGH AND ACROSS SAID CALLED 13 ACRE TRACT, A DISTANCE OF 364.78 FEET TO A 5/8 INCH IRON ROD SET ON THE COMMON SOUTH LINE OF SAID CALLED 13 ACRE TRACT AND THE NORTH LINE OF A CALLED 30 ACRE TRACT CONVEYED TO MAXINE DAWKINS ETAL AS DESCRIBED IN FORT BEND COUNTY APPRAISAL DISTRICT NO. 0058-04-980-0000-908;

**THENCE**, SOUTH 58 DEGREES 23 MINUTES 39 SECONDS WEST, ALONG THE COMMON LINE, A DISTANCE OF 120.01 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT FROM WHICH A POINT MARKING THE SOUTHWEST CORNER OF SAID 13 ACRE TRACT BEARS SOUTH 57 DEGREES 47 MINUTES 16 SECONDS WEST, 103.92 FEET;

**THENCE**, NORTH 32 DEGREES 10 MINUTES 06 SECONDS WEST, THROUGH AND ACROSS SAID CALLED 13 ACRE TRACT, A DISTANCE OF 364.78 FEET TO A 5/8 INCH IRON ROD SET ON THE COMMON NORTH LINE OF SAID CALLED 13 ACRE TRACT AND THE SOUTH LINE OF AFORESAID CALLED 11.5 ACRE TRACT MARKING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT FROM WHICH A POINT MARKING THE NORTHWEST CORNER OF SAID 13 ACRE TRACT BEARS SOUTH 57 DEGREES 47 MINUTES 16 SECONDS WEST, 109.24 FEET;

**THENCE**, NORTH 57 DEGREES 49 MINUTES 54 SECONDS WEST, ALONG SAID COMMON LINE, A DISTANCE OF 120.00 FEET TO THE **POINT OF BEGINNING** OF HEREIN DESCRIBED TRACT AND CONTAINING 1.003 ACRES OR 43,702 SQUARE FEET OF LAND.



05/04/15

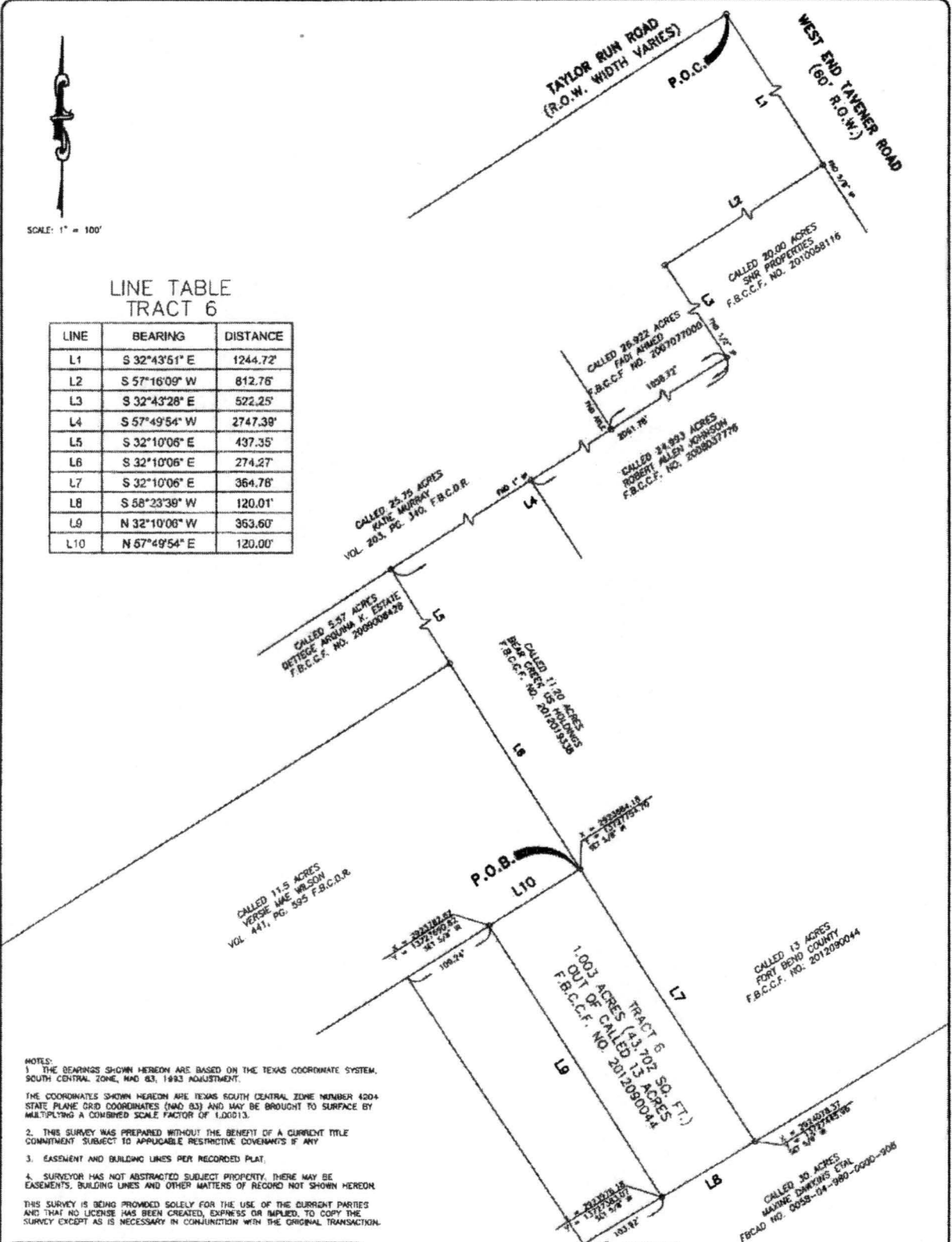
GEORG R. LARDIZABAL, RPLS 6051  
GGC SURVEY, PLLC, FIRM NO. 10146000  
TEL. 832-729-7256  
4419 ZIMMERLY COURT  
SUGAR LAND, TX 77479



SCALE: 1" = 100'

LINE TABLE  
TRACT 6

LINE	BEARING	DISTANCE
L1	S 32°43'51" E	1244.72'
L2	S 57°16'09" W	812.76'
L3	S 32°43'28" E	522.25'
L4	S 57°49'54" W	2747.39'
L5	S 32°10'06" E	437.35'
L6	S 32°10'06" E	274.27'
L7	S 32°10'06" E	364.78'
L8	S 58°23'38" W	120.01'
L9	N 32°10'06" W	353.60'
L10	N 67°49'54" E	120.00'



NOTES:  
 1. THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, MAD 83, 1983 ADJUSTMENT.  
 THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NUMBER 4204 STATE PLANE GRID COORDINATES (MAD 83) AND MAY BE BROUGHT TO SURFACE BY MULTIPLYING A COMBINED SCALE FACTOR OF 1.00013.  
 2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT SUBJECT TO APPLICABLE RESTRICTIVE COVENANTS IF ANY.  
 3. EASEMENT AND BUILDING LINES PER RECORDED PLAT.  
 4. SURVEYOR HAS NOT ABSTRACTED SUBJECT PROPERTY, THERE MAY BE EASEMENTS, BUILDING LINES AND OTHER MATTERS OF RECORD NOT SHOWN HEREON.  
 THIS SURVEY IS BEING PROVIDED SOLELY FOR THE USE OF THE CURRENT PARTIES AND THAT NO LICENSE HAS BEEN CREATED, EXPRESS OR IMPLIED, TO COPY THE SURVEY EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THE ORIGINAL TRANSACTION.

EXHIBIT OF  
 1.003 ACRES (43,702 SQ. FT.)  
 ISAAC MCGARY LEAGUE  
 ABSTRACT NO. 5B  
 FORT BEND COUNTY, TX

GGC SURVEY, PLLC  
 TEL: (832) 729-7238  
 4419 Elmmerly Court  
 Sugar Land, Texas 77479 B.D.

SEE NOTES & BOUNDS OF SAME DATE

FIRM NO.	8127	PANEL	0204
EFFECTIVE DATE	01-02-17	ZONE	X

FIELD INFORMATION PROVIDED HEREON IS BASED ON WHAT THE SURVEYOR BELIEVES TO BE TRUE AND CORRECT. THE SURVEYOR SHALL BE HELD RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE SURVEYOR SHALL BE HELD RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE SURVEYOR SHALL BE HELD RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

SURVEYED FOR: CITY OF HAMILTON  
 ADDRESS:  
 TITLE COMPANY:  
 DE, NO.1:  
 S.F. EFFECTIVE DATE:  
 JOB NO.:

CERTIFICATION  
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY SHOWING ANY IMPROVEMENTS, FROM LEGAL DESCRIPTIONS SUPPLIED BY CLIENT. THIS SURVEY IS ONLY CERTIFIED FOR BOUNDARY AND THIS TRANSACTION ONLY. SURVEYOR DID NOT ABSTRACT PROPERTY, EASEMENTS, BUILDING LINES, ETC. SURVEYOR IS IDENTIFIED BY THE TITLE COMMITMENT.

06/04/15  
 GEORGE R. LAPOZZABAL, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6051



**MOTION**  
**KING ROAD/HUMPHREY WAY ROAD PROJECT**

I move that Fort Bend County, by record vote, authorize the use of the power of eminent domain to acquire all needed right-of-way for the King Road/Humphrey Way Road Project from Brooks Bayou to the new alignment of Humphrey Way and from Spur 541 to the Brooks Road Expansion 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 widening, aligning, construction, operation and maintenance of the King Road/Humphrey Way Road Project including appurtenant drainage and detention required for said project. This motion applies to any and all parcels of land that must be condemned along the King Road/Humphrey Way Road Project.

**Roll Call Vote:**

	Yes	No
Precinct 1	<u>✓</u>	<u>   </u>
Precinct 2	<u>Abstain</u>	<u>   </u>
Precinct 3	<u>Absent</u>	<u>   </u>
Precinct 4	<u>✓</u>	<u>   </u>
County Judge	<u>✓</u>	<u>   </u>
Date of Vote	<u>8/2/16</u>	