



FORT BEND COUNTY DRAINAGE DISTRICT

RIGHT OF WAY EASEMENT

THE STATE OF TEXAS,
COUNTY OF FORT BEND,

KNOW ALL MEN BY THESE PRESENTS: That the undersigned:

MALANKARA ORTHODOX SYRIAN CHURCH

DIOCESE OF SOUTHWEST AMERICA

whose address is as shown above (hereinafter called GRANTOR, whether one or more) for and in consideration of the benefits to be derived on account of and from the construction, operation and maintenance by Fort Bend County Drainage District, of the drainage canal and system upon and through the land hereafter described, 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 corporation (hereinafter called the DISTRICT), of Fort Bend County, Texas, a right of way and easement for the purpose of constructing, maintaining, operating, repairing and re-constructing a drainage canal, including drains, ditches, laterals and levees, upon, over, through and across the land of GRANTOR along the route hereinafter designated, and said land being situated in Fort Bend County, Texas, to-wit:

The DISTRICT shall have an easement of an aggregate width of 220 feet,

~~being _____ feet, extending at right angles, on each side of the following line and course across said land, to-wit:~~

PER ATTACHED EXHIBIT

AS PER ORIGINAL

CCM 2-28-17 # D5
Fort Bend County Clerk
Return Admin Serv Coord RAC

The DISTRICT 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 drainage canal right of way, provided, however, that after construction of said drainage canal, said right of ingress and egress of the DISTRICT shall be limited to the said right of way and to existing roads and passageways. The DISTRICT is given the right from time to time to cut and remove all trees, undergrowth, and abate other obstruction, upon said canal right of way, that may injure, endanger, or interfere with the construction, operation, maintenance and repair of said drainage canal.

The DISTRICT agrees during the life of this easement to repair all damage to roads, passageways and fences resulting from the DISTRICT'S use in going to and from said easement and right of way, and to restore the same to the previously existing condition as near as possible.

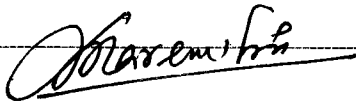
GRANTOR reserves the right to use the facilities offered by the drainage canal for the disposal of surface waters, rain, or any excess waters collecting upon his land, and in such connection GRANTOR has the right in the manner provided by law and at his own expense to construct and provide ditches, drains and laterals connecting his said land or portions thereof with the drainage canal.

GRANTOR reserves the oil, gas and sulphur in and under the land covered by this easement, provided however, that during the life of this easement no mining or drilling operations shall be conducted upon the surface of the area included in the easement right of way above described.

It is agreed that if at a future time the DISTRICT, its successors or assigns, shall permanently cease to use said drainage canal right of way for the purposes herein contained, and shall permanently abandon the same, then and in such event the said right of way above described, together with all rights and interests held by the DISTRICT by reason of this instrument, shall revert, pass to and vest in the said GRANTOR, his heirs or assigns.

TO HAVE AND TO HOLD said right of way and easement herein granted, unto the said DISTRICT, its successors or assigns.

EXECUTED this the 26th day of January, A. D. 1920.

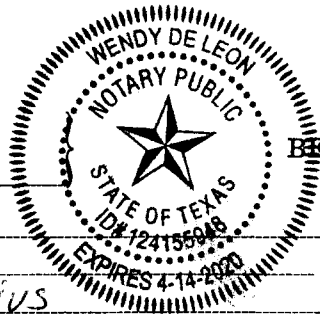


AS PER ORIGINAL

THE STATE OF TEXAS

COUNTY OF

Fort Bend



BEFORE ME

Wendy De Leon

, in and for

County, Texas, on this day personally appeared

Fort Bend
Alexios Eusebius

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 26th day of January, A. D. 2017 (L. S.) Wendy De Leon

THE STATE OF TEXAS

COUNTY OF

BEFORE ME

, in and for

County, Texas, on this day personally appeared

, wife of

known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This day of A. D. 19 (L. S.)

THE STATE OF TEXAS

COUNTY OF

BEFORE ME

, in and for

County, Texas, on this day personally appeared

and

, his wife, both known to me to be

the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said wife of the said

having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This day of A. D. 19 (L. S.)

ENDORSEMENTS

THE STATE OF TEXAS,

County of

I, Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing, dated the day of A. D. 19 with its authentication, was filed for record in my office on the day of A. D. 19 at o'clock M., and duly recorded this the day of A. D. 19 at o'clock M., in the Deed Records of said County, in Volume on Page

Witness my hand and the seal of the County Court of said County, at office in Texas, the day and year last above written.

Clerk of Court, County, Texas.

By, Deputy

**RIGHT-OF-WAY
EASEMENT**

BY

TO

**FORT BEND COUNTY
DRAINAGE DISTRICT**

Filed for Record

This _____ day of _____

A. D. 19____, at _____ o'clock _____ M.

Recorded

This _____ day of _____

A. D. 19____, in _____

County, Texas, Records of Deeds.

Book _____ Page _____

_____, Clerk

_____, Deputy

Return to:

CALLLED 70.07 ACRES
JAMES H. WEGNER, TRUSTEE
OF THE JAMES H. WEGNER TRUST
F.B.C.C. FN. 2013138992
O.P.R.

25' PASS
FND 1/2" IP W/"KALKOMEY
SURVEYING" CAP (CM)

P.O.C.

SET PK NAIL
W/SHINER

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	220.00'	39°44'01"	152.57'	S07°39'05"W	149.53'
C2	410.00'	16°10'38"	115.76'	S34°27'10"E	115.38'
C3	213.00'	95°35'14"	355.35'	S21°25'46"W	315.55'
C4	220.00'	8°51'17"	34.00'	S73°39'01"W	33.97'
C5	90.00'	92°41'09"	145.59'	S31°44'05"W	130.23'
C6	220.00'	4°28'03"	17.15'	S12°22'27"E	17.15'
C7	220.00'	9°06'08"	34.95'	S05°35'21"E	34.91'
C8	220.00'	48°13'00"	185.14'	S23°04'13"W	179.72'
C9	310.00'	92°41'09"	501.48'	N31°44'05"E	448.56'
C10	190.00'	16°10'38"	53.65'	N34°27'10"W	53.47'
C11	220.00'	9°26'57"	36.28'	N37°49'00"W	36.24'
C12	220.00'	44°20'57"	170.29'	N10°55'03"W	166.07'
C13	220.00'	16°15'40"	62.44'	N19°23'16"E	62.23'
C14	220.00'	7°28'23"	28.69'	N08°28'44"W	28.67'

LINE	BEARING	DISTANCE
L1	S04°44'33"E	299.93'
L2	S12°12'55"E	264.14'
L3	S27°31'06"W	118.28'
L4	S11°15'26"W	132.05'
L5	S33°05'31"E	49.26'
L6	S42°32'29"E	89.61'
L7	S26°21'51"E	180.36'
L8	S69°13'23"W	51.70'
L9	S78°04'40"W	28.17'
L10	S14°36'29"E	60.26'
L11	S10°08'25"E	71.22'
L12	S01°02'17"E	57.61'
L13	S47°10'43"W	4.72'
L14	N47°22'32"W	220.70'
L15	N47°10'43"E	22.24'
L16	N01°02'17"W	57.61'
L17	N10°08'25"W	71.22'
L18	N14°36'29"W	60.26'
L19	N78°04'40"E	28.17'
L20	N69°13'23"E	43.98'
L21	N26°21'51"W	172.64'
L22	N42°32'29"W	89.61'
L23	N33°05'31"W	49.26'
L24	N11°15'26"E	132.05'
L25	N27°31'06"E	118.28'
L26	N12°12'55"W	264.14'
L27	N04°44'33"W	95.48'



LEGEND

FND FOUND
IP IRON PIPE
IR IRON ROD
F.B.C.C.F. NO. FORT BEND
COUNTY CLERK'S
FILE NUMBER
O.P.R. OFFICIAL PUBLIC
RECORDS

GENERAL NOTES:

- The basis of Bearings shown hereon is referenced to the Texas Coordinate System, NAD83, South Central Zone (TXSC 4204) based on National Geodetic Survey Monumentation; based on GPS measurements.
- According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Fort Bend County, Texas, Map No. 48157C0225L, last revised April 2, 2014, the subject tract appears to be within Unshaded Zone 'X'; defined as areas outside the 500-year flood plain and Zone 'A', defined as special flood hazard areas inundated by the 100-year flood with no base elevations determined.

This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. KM Surveying, LLC assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of KM Surveying, LLC.

- A metes & bounds description accompanies this exhibit by separate instrument.

11.387 ACRES
(496,016 S.F.)
220' WIDE
FORT BEND COUNTY
DRAINAGE RIGHT-OF-WAY
EASEMENT

CALLLED ALL OF LOT 5
(100 ACRES)
TURKEY CREEK SUBDIVISION
VOL. 53, PG. 233
F.B.C.D.R.

MALANKARA ORTHODOX
SYRAN CHURCH,
DIOCESE, OF SOUTH-WEST
AMERICA
F.B.C.C. FN. 2013099904
O.P.R.

CALLLED 95 ACRES
MARY C. FLEMING,
EXECUTRIX
OF THE ESTATE OF
JAMES E. FLEMING
F.B.C.C. FN.
2010124584
O.P.R.

EXHIBIT

220' WIDE F.B.C.D.D. DRAINAGE EASEMENT OUT OF LOT 5 TURKEY CREEK SUBDIVISION
VOLUME 53, PAGE 233 F.B.C.D.R. S.A. & M.G.R.R. CO. SURVEY NO. 9, A-326
FORT BEND COUNTY, TEXAS

SCALE: 1"=300'

DRAWING NO.: 220' DE

DATE: January 20, 2017

JOB NO.: 2017-1401 EHDE.dwg

KM Surveying, LLC

3902 REESE ROAD - SUITE C-100

ROSENBERG, TEXAS 77471

713-234-6627

www.kmsurveying.com

TBPLS FIRM #10178700



**METES AND BOUNDS DESCRIPTION
11.387 ACRES
220-FOOT WIDE DRAINAGE EASEMENT
IN THE
S.A. & M.G. RAILROAD COMPANY SURVEY NO. 9, ABSTRACT 326
FORT BEND COUNTY, TEXAS**

AN 11.387 ACRE, 220-FOOT WIDE DRAINAGE EASEMENT SITUATED IN THE S.A. & M.G. RAILROAD COMPANY SURVEY NO. 9, ABSTRACT 326, FORT BEND COUNTY, TEXAS, OUT OF A CALLED 100 ACRE TRACT BEING ALL OF LOT 5 OF THE TURKEY CREEK SUBDIVISION RECORDED IN VOLUME 53, PAGE 233 OF THE FORT BEND COUNTY DEED RECORDS, DESCRIBED IN DEED TO MALANKARA ORTHODOX SYRAN CHURCH DIOCESE OF SOUTH-WEST AMERICA RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NUMBER 2013099904 OF THE OFFICIAL PUBLIC RECORDS, SAID 11.387 ACRE DRAINAGE EASEMENT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS. (BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):

COMMENCING at a PK nail with shiner found in the centerline of Hopkins Road (recognized as a 50-foot wide easement) and the southwest line of a called 70 acre tract described as Tract 3 in a deed to Linda G. Kellner recorded under Fort Bend County Clerk's File Number 2002020403 of the Official Public Records, marking the east corner of a called 70.07 acre tract described in a deed to James H. Wegner, Trustee of the James H. Wegner Trust recorded under Fort Bend County Clerk's File Number 2013138992 of the Official Public Records and the north corner of said called 100 acre tract and the herein described tract of land;

THENCE South 42°21'21" West, with the common line of said called 70.07 acre tract and said called 100 acre tract, at 25 feet pass a 1/2-inch iron pipe with cap stamped "Kalkomey Surveying" found marking the southwesterly right-of-way line of Hopkins Road (Recognized 50-foot Right-of-Way), in all a total distance of 412.86 feet to the **POINT OF BEGINNING** of the herein described drainage easement.

THENCE over and across said called 100 acre tract as follows:

- (1) South 04°44'33" East, 299.93 feet to a point for corner;
- (2) South 12°12'55" East, 264.14 feet to the point of curvature of a curve to the right;
- (3) in a southwesterly direction, 152.57 feet, along the arc of said curve to the right having a radius of 220.00 feet, a central angle of 39°44'01" and a chord which bears South 07°39'05" West, 149.53 feet to the point of tangency;
- (4) South 27°31'06" West, 118.28 feet to a point for corner;
- (5) South 11°15'26" West, 132.05 feet to a point for corner;

- (6) South 33°05'31" East, 49.26 feet to a point for corner;
- (7) South 42°32'29" East, 89.61 feet to the point of curvature of a curve to the right;
- (8) in a southeasterly direction, 115.76 feet, along the arc of said curve to the right, having a radius of 410.00 feet, a central angle of 16°10'38" and a chord which bears South 34°27'10" East, 115.38 feet to the point of tangency;
- (9) South 26°21'51" East, 180.36 feet to the point of curvature of a curve to the right;
- (10) in a southwesterly direction, 355.35 feet, along the arc of said curve to the right, having a radius of 213.00 feet, a central angle of 95°35'14" and a chord which bears South 21°25'46" West, 315.55 feet to the point of tangency;
- (11) South 69°13'23" West, 51.70 feet to the point of curvature of a curve to the right;
- (12) in a southwesterly direction, 34.00 feet, along the arc of said curve to the right, having a radius of 220.00 feet, a central angle of 08°51'17" and a chord which bears South 73°39'01" West, 33.97 feet to the point of tangency;
- (13) South 78°04'40" West, 28.17 feet to the point of curvature of a curve to the left;
- (14) in a southwesterly direction, 145.59 feet, along the arc of said curve to the left, having a radius of 90.00 feet, a central angle of 92°41'09" and a chord which South 31°44'05" West bears, 130.23 feet to the point of tangency;
- (15) South 14°36'29" East, 60.26 feet to the point of curvature of a curve to the right;
- (16) in a southeasterly direction, 17.15 feet, along the arc of said curve to the right, having a radius of 220.00 feet, a central angle of 04°28'03" and a chord which bears South 12°22'27" East, 17.15 feet to the point of tangency;
- (17) South 10°08'25" East, 71.22 feet to the point of curvature of a curve to the right;
- (18) in a southeasterly direction, 34.95 feet, along the arc of said curve to the right, having a radius of 220.00 feet, a central angle of 09°06'08" and a chord which bears South 05°35'21" East, 34.91 feet to the point of tangency;

- (19) South 01°02'17" East, 57.61 feet to the point of curvature of a curve to the right;
- (20) in a southwesterly direction, 185.14 feet, along the arc of said curve to the right, having a radius of 220.00 feet, a central angle of 48°13'00" and a chord which bears South 23°04'13" West, 179.72 feet to the point of tangency;
- (21) **THENCE** South 47°10'43" West, 4.72 feet to a point in the southwesterly line of said called 100 acre tract and the northeasterly line of a called 95 acre tract described in a deed to Mary C. Fleming, Executrix of the Estate of James E. Fleming recorded under Fort Bend County Clerk's File Number 2010124584 of the Official Public Records for the south corner of the herein described drainage easement;
- (22) **THENCE** North 47°22'32" West, 220.70 feet with the common line of said called 100 acre tract and said called 95 acre tract to a point for the west corner of the herein described drainage easement;

THENCE over and across said called 100 acre tract as follows:

- (23) North 47°10'43" East, 22.24 feet to a point for corner;
- (24) North 01°02'17" West, 57.61 feet to a point for corner;
- (25) North 10°08'25" West, 71.22 feet to a point for corner;
- (26) North 14°36'29" West, 60.26 feet to the point of curvature of a curve to the right,
- (27) in a northeasterly direction, 501.48 feet, along the arc of said curve to the right, having a radius of 310.00 feet, a central angle of 92°41'09" and a chord which bears North 31°44'05" East, 448.56 feet to the point of tangency;
- (28) North 78°04'40" East, 28.17 feet to a point for corner;
- (29) North 69°13'23" East, 43.98 feet to a point for corner;
- (30) North 26°21'51" West, 172.64 feet to the point of curvature of a curve to the left;
- (31) in a northwesterly direction, 53.65 feet, along the arc of said curve to the left, having a radius of 190.00 feet, a central angle of 16°10'38" and a chord which bears North 34°27'10" West, 53.47 feet to the point of tangency;
- (32) North 42°32'29" West, 89.61 feet to the point of curvature of a curve to the right;

- (33) in a northwesterly direction, 36.28 feet, along the arc of said curve to the right, having a radius of 220.00 feet, a central angle of $09^{\circ}26'57''$ and a chord which bears North $37^{\circ}49'00''$ West, 36.24 feet to the point of tangency;
- (34) North $33^{\circ}05'31''$ West, 49.26 feet to the point of curvature of a curve to the right;
- (35) in a northwesterly direction, 170.29 feet, along the arc of said curve to the right, having a radius of 220.00 feet, a central angle of $44^{\circ}20'57''$ and a chord which bears North $10^{\circ}55'03''$ West, 166.07 feet to the point of tangency;
- (36) North $11^{\circ}15'26''$ East, 132.05 feet to the point of curvature of a curve to the right;
- (37) in a northeasterly direction, 62.44 feet, along the arc of said curve to the right, having a radius of 220.00 feet, a central angle of $16^{\circ}15'40''$ and a chord which bears North $19^{\circ}23'16''$ East, 62.23 feet to the point of tangency;
- (38) North $27^{\circ}31'06''$ East, 118.28 feet to a point for corner;
- (39) North $12^{\circ}12'55''$ West, 264.14 feet to the point of curvature of a curve to the right;
- (40) in a northwesterly direction, 28.69 feet, along the arc of said curve to the right, having a radius of 220.00 feet, a central angle of $07^{\circ}28'23''$ and a chord which bears North $08^{\circ}28'44''$ West, 28.67 feet to the point of tangency;
- (41) North $04^{\circ}44'33''$ West, 95.48 feet to a point in the common line of said called 100 acre tract and said called 70.07 acre tract for the northwest corner of the herein described easement;
- (42) **THENCE** North $42^{\circ}21'21''$ East, 300.33 feet with said common line to the **POINT OF BEGINNING** and containing 11.387 acres (496,016 square feet) drainage easement. This description accompanies an exhibit, prepared by KM Surveying, LLC and dated this the 20th day of January, 2017.

KM SURVEYING, LLC

Kevin Drew McRae, R.P.L.S.
Texas Registration No. 5485
3902 Reese Road, C-100
Rosenberg, Tx 77471

Date 1/20/2017 jm
Job No 2017-1401
File No Z \KM SURVEY\KM PROJECTS\2017-1401-DE desc doc



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard



Laura Richard, County Clerk
Fort Bend County, Texas

March 03, 2017 03:16:23 PM

FEE: \$0.00 ER
ROW

2017023127

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:
2017-164847

Date Filed:
02/09/2017

Date Acknowledged:

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

Malankara Orthodox Syrian Church Diocese of South-west America
Beasley, Texas 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 services, goods, or other property to be provided under the contract.

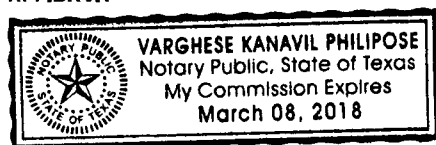
R58584
Dedication of Drainage ROW

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Malankara Orthodox Syrian Church Diocese of South-west	Beasley, Texas, 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]

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said ALEXIOS MAR EASEBIUS, this the 13th day of February, 2017, to certify which, witness my hand and seal of office.

[Signature]

VARGHESE KANAVIL PHILOPOSE

NOTARY PUBLIC

Signature of officer administering oath

Printed name of officer administering oath

Title of officer administering oath

FEB 13 2017

FBC DRAINAGE DIST.

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:
2017-164847

Date Filed:
02/09/2017

Date Acknowledged:
02/28/2017

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

Malankara Orthodox Syrian Church Diocese of South-west America
Beazley, 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 services, goods, or other property to be provided under the contract.

R58584
Dedication of Drainage ROW

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Malankara Orthodox Syrian Church Diocese of South-west	Beazley, 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