

104



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 31st day of June, 2017, 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 Meyers, seconded by Commissioner Patterson, and upon record vote, passed 5 votes in favor 0 votes opposed:

RESOLUTION

RESOLVED THAT WHEREAS, the Commissioners Court has received and reviewed the plans for a public park project known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), in Fort Bend County, Texas; and,

WHEREAS, Commissioners Court has determined that public necessity and convenience exists for the location, alignment, construction, operation, and maintenance, including appurtenant drainage and detention requirements, of a public park project known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), in Fort Bend County, Texas, in accordance with said plans, alignment, and tract identifications which are made a part hereof as Exhibit A:

ORDER

NOW THEREFORE, IT IS ORDERED AND DECREED that the plans for the location, alignment, construction, operation, and maintenance, including appurtenant drainage and detention requirements, of the public park project known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), in Fort Bend County, Texas, is approved.

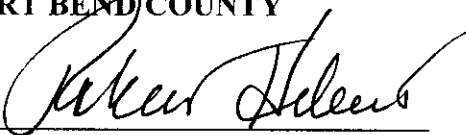
IT IS FURTHER ORDERED AND DECREED that public necessity and convenience exist for the public park project, known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), in Fort Bend County, Texas, and that the County Engineer be authorized and

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 in 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 this Resolution and Order apply to any and all parcels of land that must be condemned for this project, 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 park project known as the Daily Park Project, located along and adjacent to Sanders Road (Nails Road), in Fort Bend County, Texas and the payment and compensation therefore.

PASSED AND APPROVED this 27 day of June, 2017.

FORT BEND COUNTY


Robert E. Hebert, County Judge

ATTEST:


Laura Richard, County Clerk

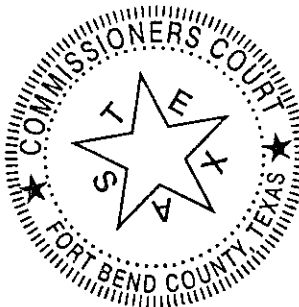


EXHIBIT "A"

**DESCRIPTION OF A 1.037-ACRE
(45,184 SQ. FT.) TRACT OF LAND
SITUATED IN THE NOEL F. ROBERTS
LEAGUE, A-79, FORT BEND COUNTY, TEXAS**

Being a 1.037-acre (45,184 square foot) tract of land situated in the Noel F. Roberts League, A-79, Fort Bend County, Texas. Said 1.037-acre tract being all of a called 1.022-acre tract of land conveyed to Jannie Hillsman and Willie Hillsman, Jr., by deed recorded under Fort Bend County Clerk's File No. 2012149786 of the Official Public Records of Fort Bend County, Texas, and being further described by metes and bounds as follows (with the basis of bearings being the Texas State Plane Coordinate System, NAD 83, South Central Zone No. 4204). The coordinates shown hereon are grid and may be brought to surface by multiplying by the combined scale factor of 1.000121523. All distances are surface distances.

BEGINNING (N=13,800,458.28, E=2,931,888.37) at a 1-inch iron rod found in the south right-of-way line of Sanders Road (Nails Road) (Right-of-Way Varies), for the northeast corner of the residue of a called 72.644-acre tract of land (Tract Two), conveyed to Harold I. Daily, by deed recorded under File No. 10-DCV-183444 of the 434th Judicial District Court of Fort Bend County, Texas, for the northwest corner of said 1.022-acre tract and for the northwest corner of said tract herein described;

THENCE North 88 deg. 07 min. 16 sec. East, with the south right-of-way line of said Sanders Road, with the north line of said 1.022-acre tract and with the north line of said tract herein described, a distance of 1.42 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for an angle point in said tract herein described;

THENCE North 88 deg. 21 min. 07 sec. East, with the south right-of-way line of said Sanders Road, with the north line of said 1.022-acre tract and with the north line of said tract herein described, a distance of 100.00 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the northwest corner of the residue of a called 5.750-acre tract of land conveyed to Leodis Montgomery, by deed recorded under File No. 10-DCV-183444 of the 434th Judicial District Court of Fort Bend County, Texas, for the northeast corner of said 1.022-acre tract and for the northeast corner of said tract herein described;

THENCE South 02 deg. 14 min. 06 sec. East, with the west line of the residue of said 5.750-acre tract, with the east line of said 1.022-acre tract and with the east line of said tract herein described, a distance of 450.98 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set in the north line of a called 1.099-acre tract of land conveyed to Zella Salter and Laura Salter, by deed recorded under File No. 10-DCV-183444 of the 434th Judicial District Court of Fort Bend County, Texas, for the southwest corner of the residue of said 5.750-acre tract, for the southeast corner of said 1.022-acre tract and for the southeast corner of said tract herein described;

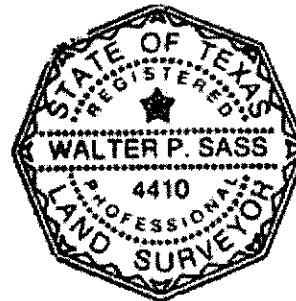
THENCE South 89 deg. 24 min. 09 sec. West, with the north line of said 1.099-acre tract, with the south line of said 1.022-acre tract and with the south line of said tract herein described, a distance of 99.42 feet to a 1-inch iron rod found in the east line of the residue of said 72.644-acre tract, for the northwest corner of said 1.099-acre tract, for the southwest corner of said 1.022-acre tract and for the southwest corner of said tract herein described;

THENCE North 02 deg. 29 min. 42 sec. West, with the east line of the residue of said 72.644-acre tract, with the west line of said 1.022-acre tract and with the west line of said tract herein described, a distance of 449.18 feet to the **POINT OF BEGINNING** and containing 1.037 acres (45,184 square feet) of land.

This description is accompanied by a plat of even survey date.

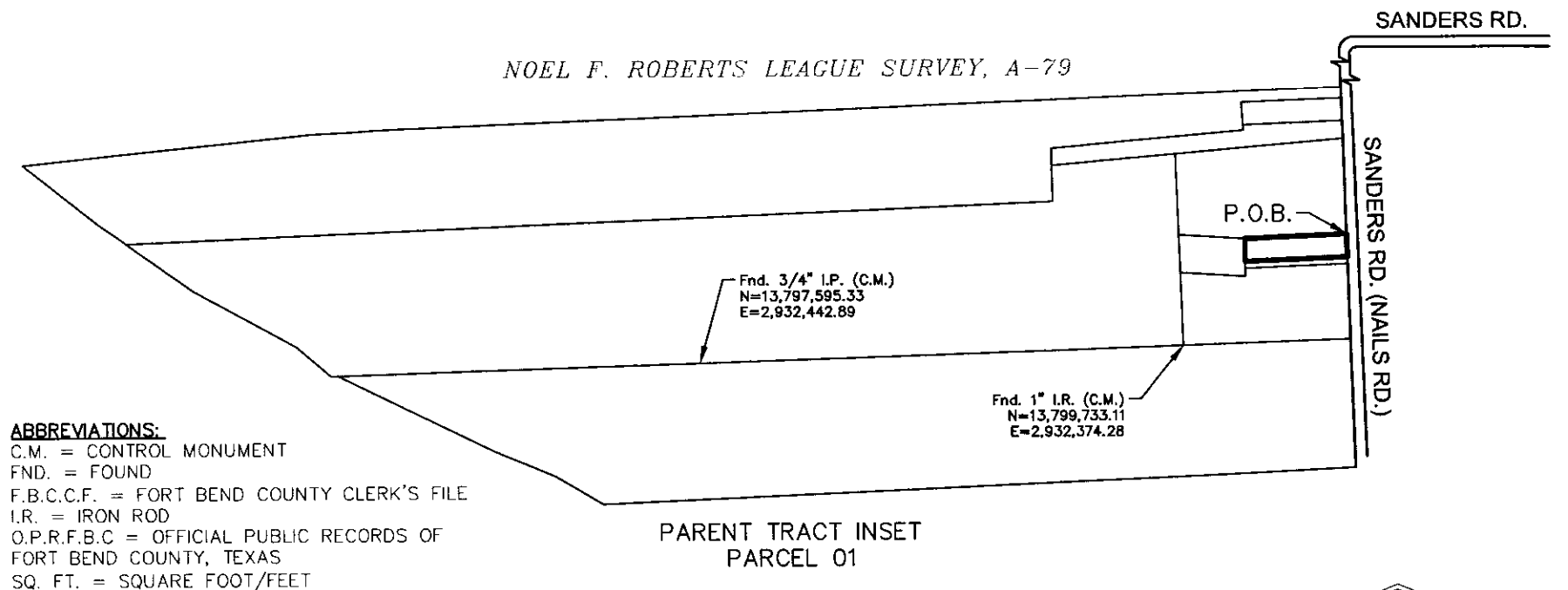
Compiled by:

Weisser Engineering Company, Inc.
19500 Park Row, Suite 100
Houston, Texas 77084
TBPLS Reg. No. 100518-00
TBPE Reg. No.: F-68
Job No. IP041
Date: 06/05/2017



A handwritten signature in black ink, appearing to read "Walter P. Sass", written over a horizontal line.

P:\P041\dwg\Survey\P041 - Parcel 01.dwg, Layout0, 06/05/17 4:26:15PM, whufford



ABBREVIATIONS:

C.M. = CONTROL MONUMENT
FND. = FOUND
F.B.C.C.F. = FORT BEND COUNTY CLERK'S FILE
I.R. = IRON ROD
O.P.R.F.B.C = OFFICIAL PUBLIC RECORDS OF
FORT BEND COUNTY, TEXAS
SQ. FT. = SQUARE FOOT/FEET

BASIS OF BEARINGS:

TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH
CENTRAL ZONE No. 4204 (NAD 83) (2001 Adj.)
THE COORDINATES SHOWN HEREON ARE GRID COORDINATES
AND MAY BE BROUGHT TO SURFACE BY MULTIPLYING BY
THE COMBINED SCALE FACTOR OF 1.000121523.
ALL DISTANCES ARE SURFACE.

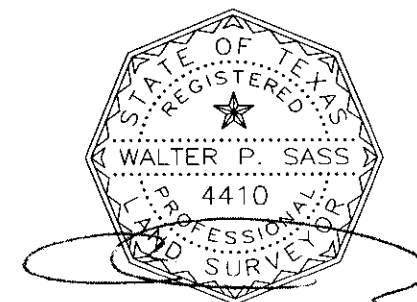
NOTE:

ALL CORNERS SET w/ 5/8" I.R. w/ CAP STAMPED
"WEISSER ENG HOUSTON, TX." UNLESS OTHERWISE NOTED.

NOTE:

THIS SURVEY IS BEING CREATED SOLELY FOR THE
PARTIES HEREIN STATED; NO LICENSE HAS BEEN
CREATED, EXPRESS OR IMPLIED, TO COPY THE SURVEY
EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THIS
TRANSACTION.

ALL ABSTRACT AND TITLE WORK WAS PERFORMED BY
PERCHERON. NO ABSTRACTING WAS DONE BY WEISSER
ENGINEERING COMPANY.



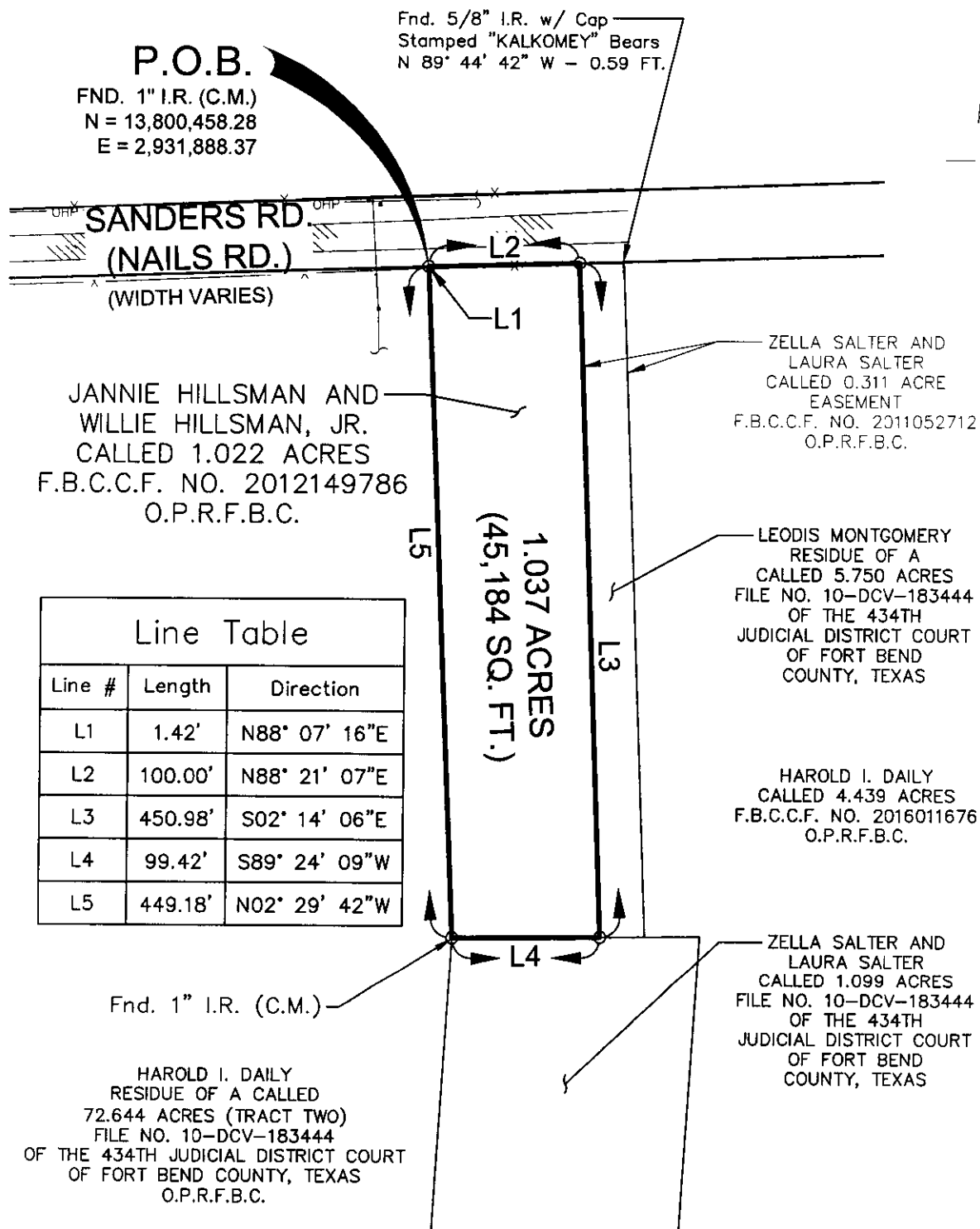
**WEISSER
Engineering Co.**

19500 Park Row, Suite 100
Houston, Texas 77084
(281) 579 - 7300
www.WeisserEng.com
T.B.P.R. #F-68 T.B.P.L.S. #100518-00

**PARCEL 01
HILLSMAN TRACT
NOEL F. ROBERTS
LEAGUE, A-79,
FORT BEND COUNTY, TEXAS**

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DRAWN BY:	C.B.	CALC'D. BY:	J.L.	SCALE:	N.T.S.
F.B. NO:		CHECKED BY:	J.M.	SHEET	01 OF 02
CREW CHIEF:		DATE:	06/05/2017	JOB No.:	IP041 (2543-001)



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(281) 579 - 7300

www.WeisserEng.com
T.B.P.E.R. # - 66 T.B.P.L.S. #100518-00

**PARCEL 01
HILLSMAN TRACT
NOEL F. ROBERTS
LEAGUE, A-79,
FORT BEND COUNTY, TEXAS**

DRAWN BY:	C.B.	CALC'D. BY:	J.L.
F.B. NO:		CHECKED BY:	J.M.
CREW CHIEF:		SCALE:	1" = 100'
DATE:	06/05/2017	JOB No.:	IP041 (2543-001)

**DESCRIPTION OF A 1.112-ACRE
(48,443 SQ. FT.) TRACT OF LAND
SITUATED IN THE NOEL F. ROBERTS
LEAGUE, A-79, FORT BEND COUNTY, TEXAS**

Being a 1.112-acre (48,443 square foot) tract of land situated in the Noel F. Roberts League, A-79, Fort Bend County, Texas. Said 1.112-acre tract being all of a called 1.099-acre tract of land conveyed to Zella Salter and Laura Salter, by deed recorded under File No. 10-DCV-183444 of the 434th Judicial District Court of Fort Bend County, Texas, and being further described by metes and bounds as follows (with the basis of bearings being the Texas State Plane Coordinate System, NAD 83, South Central Zone No. 4204). The coordinates shown hereon are grid and may be brought to surface by multiplying by the combined scale factor of 1.000121523. All distances are surface distances.

COMMENCING (N=13,800,458.28, E=2,931,888.37) at a 1-inch iron rod found in the south right-of-way line of Sanders Road (Nails Road) (Right-of-Way Varies), for the northeast corner of the residue of a called 72.644-acre tract of land (Tract Two), conveyed to Harold I. Daily, by deed recorded under File No. 10-DCV-183444 of the 434th Judicial District Court of Fort Bend County, Texas, and for the northwest corner of a called 1.022-acre tract of land conveyed to Jannie Hillsman and Willie Hillsman, Jr., by deed recorded under Fort Bend County Clerk's File No. 2012149786 of the Official Public Records of Fort Bend County, Texas;

THENCE South 02 deg. 29 min. 42 sec. East, with the west line of said 1.022-acre tract and with the east line of the residue of said 72.644-acre tract, a distance of 449.18 feet to a 1-inch iron rod found for the southwest corner of said 1.022-acre tract, for the northwest corner of said 1.099-acre tract and for the northwest corner and **POINT OF BEGINNING (N=13,800,009.58, E=2,931,907.92)** of said tract herein described;

THENCE North 89 deg. 24 min. 09 sec. East, with the south line of said 1.022-acre tract, with the south line of the residue of a called 5.750-acre tract of land conveyed to Leodis Montgomery, by deed recorded under File No. 10-DCV-183444 of the 434th Judicial District Court of Fort Bend County, Texas, with a south line of a called 4.439-acre tract of land conveyed to Harold I. Daily, by deed recorded under File No. 2016011676 of the Official Public Records of Fort Bend County, Texas, with the north line of said 1.099-acre tract and with the north line of said tract herein described, a distance of 166.15 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for an interior corner of said 4.439-acre tract, for the northeast corner of said 1.099-acre tract and for the northeast corner of said tract herein described;

THENCE South 03 deg. 24 min. 51 sec. West, with a west line of said 4.439-acre tract, with the east line of said 1.099-acre tract and with the east line of said tract herein described, a distance of 290.36 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set in a north line of a called 68.937-acre tract of land conveyed to Fort Bend County, Texas, by deed recorded under File No. 2016036852 of the Official Public Records of Fort Bend County, Texas, for the southeast corner of said 1.099-acre tract and for the southeast corner of said tract herein described;

THENCE South 87 deg. 51 min. 03 sec. West, with a north line of said 68.937-acre tract, with the south line of said 1.099-acre tract and with the south line of said tract herein described, a distance of 166.14 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the southeast corner of the residue of said 72.644-acre tract, for the southwest corner of said 1.099-acre tract and for the southwest corner of said tract herein described;

THENCE North 03 deg. 20 min. 22 sec. East, with the east line of the residue of said 72.644-acre tract, with the west line of said 1.099-acre tract and with the west line of said tract herein described, a distance of 294.84 feet to the **POINT OF BEGINNING** and containing 1.112 acres (48,443 square feet) of land.

This description is accompanied by a plat of even survey date.

Compiled by:

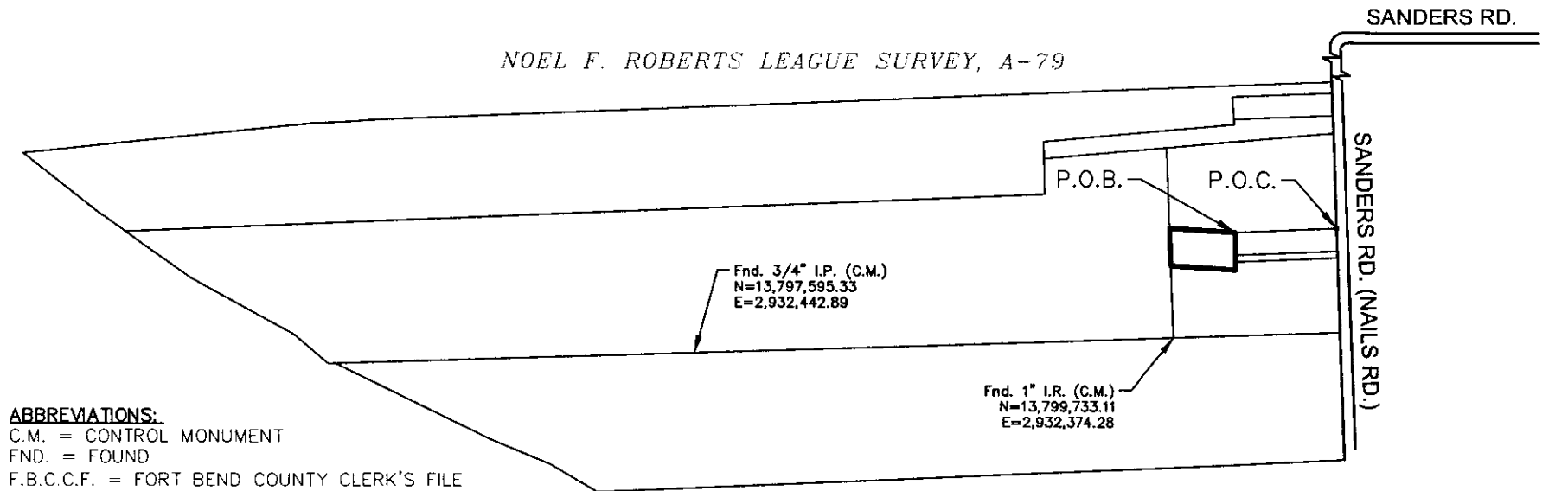
Weisser Engineering Company, Inc.
19500 Park Row, Suite 100
Houston, Texas 77084
TBPLS Reg. No. 100518-00
TBPE Reg. No.: F-68
Job No. IP041
Date: 06/05/2017



A handwritten signature, likely of Walter P. Sass, written in ink. The signature is stylized and appears to be a cursive representation of the name.

P:\IP041\dwg\Survey\IP041 - Parcel 02.dwg, Layout0, 06/05/17 4:30:38PM, whufford

NOEL F. ROBERTS LEAGUE SURVEY, A-79



ABBREVIATIONS:

C.M. = CONTROL MONUMENT
FND. = FOUND
F.B.C.C.F. = FORT BEND COUNTY CLERK'S FILE
I.R. = IRON ROD
O.P.R.F.B.C = OFFICIAL PUBLIC RECORDS OF
FORT BEND COUNTY, TEXAS
SQ. FT. = SQUARE FOOT/FEET

BASIS OF BEARINGS:

TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH
CENTRAL ZONE No. 4204 (NAD 83) (2001 Adj.)
THE COORDINATES SHOWN HEREON ARE GRID COORDINATES
AND MAY BE BROUGHT TO SURFACE BY MULTIPLYING BY
THE COMBINED SCALE FACTOR OF 1.000121523.
ALL DISTANCES ARE SURFACE.

NOTE:

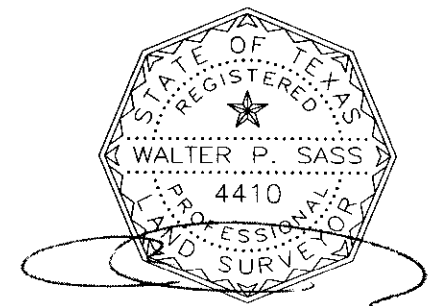
ALL CORNERS SET w/ 5/8" I.R. w/ CAP STAMPED
"WEISSER ENG HOUSTON, TX." UNLESS OTHERWISE NOTED.

**PARENT TRACT INSET
PARCEL 02**

NOTE:

THIS SURVEY IS BEING CREATED SOLELY FOR THE
PARTIES HEREIN STATED; NO LICENSE HAS BEEN
CREATED, EXPRESS OR IMPLIED, TO COPY THE SURVEY
EXCEPT AS IS NECESSARY IN CONJUNCTION WITH THIS
TRANSACTION.

ALL ABSTRACT AND TITLE WORK WAS PERFORMED BY
PERCHERON. NO ABSTRACTING WAS DONE BY WEISSER
ENGINEERING COMPANY.



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**PARCEL 02
SALTER TRACT
NOEL F. ROBERTS
LEAGUE, A-79,
FORT BEND COUNTY, TEXAS**

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DRAWN BY:	C.B.	CALC'D. BY:	J.L.	SCALE:	N.T.S.
F.B. NO:		CHECKED BY:	J.M.	SHEET	01 OF 02
CREW CHIEF:		DATE:	06/05/2017	JOB No.:	IP041 (2543-001)

JANNIE HILLSMAN AND
WILLIE HILLSMAN, JR.
CALLED 1.022 ACRES
F.B.C.C.F. NO. 2012149786
O.P.R.F.B.C.

Fnd. 5/8" I.R. w/ Cap
Stamped "KALKOMEY" Bears
N 89° 44' 42" W - 0.59 FT.

SANDERS RD. (NAILS RD.)
(WIDTH VARIES)

P.O.C.
FND. 1" I.R. (C.M.)
N = 13,800,458.28
E = 2,931,888.37

LEODIS MONTGOMERY
RESIDUE OF A
CALLED 5.750 ACRES
FILE NO. 10-DCV-183444
OF THE 434TH
JUDICIAL DISTRICT COURT
OF FORT BEND
COUNTY, TEXAS

ZELLA SALTER AND
LAURA SALTER
CALLED 0.311 ACRE
EASEMENT
F.B.C.C.F. NO. 2011052712
O.P.R.F.B.C.

P.O.B.
FND. 1" I.R. (C.M.)
N = 13,800,009.58
E = 2,931,907.92

HAROLD I. DAILY
RESIDUE OF A CALLED
72.644 ACRES (TRACT TWO)
FILE NO. 10-DCV-183444
OF THE 434TH JUDICIAL DISTRICT COURT
OF FORT BEND COUNTY, TEXAS
O.P.R.F.B.C.

HAROLD I. DAILY
CALLED 4.439 ACRES
F.B.C.C.F. NO. 2016011676
O.P.R.F.B.C.

**1.112 ACRES
(48,443 SQ. FT.)**

FORT BEND COUNTY, TEXAS
CALLED 68.937 ACRES
F.B.C.C.F. NO. 2016036852
O.P.R.F.B.C.

ZELLA SALTER AND
LAURA SALTER
CALLED 1.099 ACRES
FILE NO. 10-DCV-183444
OF THE 434TH
JUDICIAL DISTRICT COURT
OF FORT BEND
COUNTY, TEXAS

Line Table		
Line #	Length	Direction
L1	449.18'	S02° 29' 42"E
L2	166.15'	N89° 24' 09"E
L3	290.36'	S03° 24' 51"W
L4	166.14'	S87° 51' 03"W
L5	294.84'	N03° 20' 22"E

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(281) 579 - 7300
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T.B.P.E.R. #F-88 T.B.P.L.S. #100518-00

**PARCEL 02
SALTER TRACT
NOEL F. ROBERTS
LEAGUE, A-79,
FORT BEND COUNTY, TEXAS**

DRAWN BY:	C.B.	CALC'D. BY:	J.L.
F.B. NO:		CHECKED BY:	J.M.
CREW CHIEF:		SCALE:	1" = 100'
DATE: 06/05/2017		JOB No.:	IP041 (2543-001)

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard



Laura Richard, County Clerk
Fort Bend County, Texas

June 30, 2017 04:07:40 PM

FEE: \$0.00 SB
RES

2017073168