

**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.**



## DEED

**TxDOT ROW CSJ:** 0188-10-037

**TxDOT Parcel No.:** 143

**Grantor(s), whether one or more:** Fort Bend County

**Grantor's Mailing Address (including county):**

Fort Bend Mail Center  
301 Jackson Street, RM 101  
Richardson, TX. 77469-3108  
Fort Bend County

**Grantee:**

The State of Texas, acting by and through the Texas Transportation Commission

**Grantee's Authority:**

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

**Grantee's Mailing Address (including county):**

Texas Department of Transportation  
125 E. 11 Street  
Austin, Texas 78701  
Travis County

CCM 2-12-2019 # Z8E  
Fort Bend County Clerk  
Return Admin Serv Coord - RAC



EXECUTED on the date(s) of acknowledgement indicated below.

**GRANTOR:**

Fort Bend County

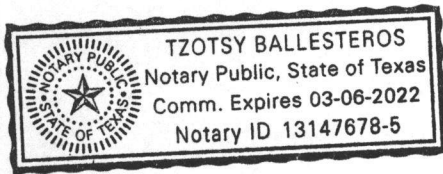
K George

KP George, County Judge

Corporate Acknowledgment

State of Texas  
County of

This instrument was acknowledged before me on February 12, 2019  
by KP George, County Judge  
of Fort Bend County  
, an Authorized Official, on behalf of said entity.



Tzotsy Ballesteros  
Notary Public's Signature

**Consideration:**

The sum of Ten Dollars and no/100 Dollars (\$10.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.

**Property:**

All of that certain tract or parcel of land in Fort Bend County, Texas, being more particularly described in the attached Exhibit A (the "**Property**").

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

This conveyance is made by Grantor and accepted by Grantee subject to the following:

1. Visible and apparent easements not appearing of record.
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Fort Bend County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas, sulfur in and under the Property but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

Grantor is retaining title to the following improvements ("**Retained Improvements**") located on the Property, to wit: N/A

Grantor covenants and agrees to remove the Retained Improvements from the Property by N/A day of N/A, 20N/A, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting or permitting requirements.

**GRANTOR**, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns to Warrant and Forever Defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to the claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

EXHIBIT A

**County:** Fort Bend  
**Highway:** FM 1463  
**Project Limits:** I.H. 10 to 600' North of Westridge Creek Lane  
**RCSJ No. :** 0188-10-037

**PROPERTY DESCRIPTION FOR PARCEL NO. 143**

BEING a 0.4450 of one acre (19,384 square feet) parcel of land located in the Jesse Burdette Survey, Abstract Number 383, Fort Bend County, Texas, and out of a calculated 0.6605-acre residue of a called 1.135-acre tract of land conveyed from Dalton Dale Shivers to the County of Fort Bend by deed executed July 2, 2013 as recorded under County Clerk's File No. 2013084558 of the Official Public Records of Fort Bend County, Texas, said 0.4450-acre parcel being more particularly described as follows:

COMMENCING at a found 1/2-inch iron rod located on the westerly line of a called 5.00-acre tract of land conveyed unto Randal A. Everitt and Gayle Everitt by deed excuted May 13, 1998 as recorded under County Clerk's File No. 9836213 of the Official Public Records of Fort Bend County, Texas, for the northeast corner of said 0.6605-acre residue tract; thence as follows:

South 02° 04' 25" East, with the easterly line of said 0.6605-acre residue tract and the westerly line of said 5.00-acre tract, a distance of 144.15 feet to a found 1-1/4-inch iron pipe located on the existing northerly right-of-way line of FM 1463 (width varies – Volume 275, Page 526, and Volume 275, Page 531, Deed Records of Fort Bend County, Texas, and Plat No. 20130139 of the Plat Records of Fort Bend County, Texas) at the intersection with the proposed northerly right-of-way line of FM 1463 (width varies), for the southeast corner of said 0.6605-acre residue tract, the southwest corner of said 5.00-acre tract, the southeast corner of said parcel herein described and the POINT OF BEGINNING at baseline station 118+09.16, 49.79 feet right and having surface coordinates of N = 13,840,798.82 and E = 2,968,032.91 (all bearings and coordinates are based on the Texas Coordinate System, South Central Zone (4204), NAD83, 2011 adjustment, epoch 2010.00; all distances and coordinates shown are U.S. Survey feet, displayed in surface values and may be converted to grid by dividing by a combined adjustment factor of 1.00013);\*\*

EXHIBIT A

- 1) THENCE, South 87° 34' 48" West, with said existing northerly right-of-way line of FM 1463, passing at a distance of 310.24 feet a found 1/2-inch iron rod, continuing with said existing northerly right-of-way line of FM 1463, for a total distance of 340.01 feet to a set 5/8-inch iron rod with TxDOT aluminum cap located on said proposed westerly right-of-way line of FM 1463, for the southwest corner of said 0.6605-acre residue tract and the most easterly southeast corner of a called 1.492-acre tract conveyed unto L.E. & G.M. Clark Family Partnership, Ltd. by deed executed December 10, 2010 as recorded under County Clerk's File No. 2010122277 of the Official Public Records of Fort Bend County, Texas;\*\*
- 2) THENCE, North 02° 04' 00" West, with the westerly line of said 0.6605-acre residue tract and the easterly line of said 1.492-acre tract, and said proposed westerly right-of-way line of FM 1463, passing at a distance of 59.05 feet a set 5/8-inch iron rod with TxDOT aluminum cap located at Project Baseline Station 120+00.00, 213.51 feet right, continuing with the westerly line of said 0.6605-acre residue tract and the easterly line of said 1.492-acre tract, and said proposed westerly right-of-way line of FM 1463 for a total distance of 146.24 feet to a set 5/8-inch iron rod with TxDOT aluminum on said proposed northerly right-of-way line of FM 1463, for an angle point and the northwest corner of said 0.6605-acre residue tract;\*\*
- 3) THENCE, North 87° 56' 00" East, with said proposed northerly right-of-way line of FM 1463 and with the northerly line of said 0.6605-acre tract, a distance of 29.99 feet to a found 1/2-inch iron rod for the northwest corner of a called 20,643 square foot (0.4739 acre) tract of land conveyed unto Marty and Kelly Haisten by deed executed September 30, 2015 as recorded under County Clerk's File No. 2015121226 of the Official Public Records of Fort Bend County, Texas;\*\*
- 4) THENCE South 02° 04' 00" East, continuing with said proposed northerly right-of-way line of FM 1463 and the northerly line of said 0.6605-acre residue tract, and with the westerly line of said 20,643 square foot tract, a distance of 56.51 feet to a set 5/8-inch iron rod with TxDOT aluminum cap for the southwest corner of said 20,643 square foot tract and the beginning of a curve to the left;\*\*

EXHIBIT A

- 5) THENCE, in a southeasterly direction, continuing with said proposed northerly right-of-way line of FM 1463 and the northerly line of said 0.6605-acre residue tract, and with the southerly line of said 20,643 square foot tract and the arc of said curve to the left whose central angle is  $75^{\circ} 09' 55''$  and whose radius is 45.00 feet (chord bears South  $39^{\circ} 38' 57''$  East, a distance of 54.89 feet), for an arc length of 59.04 feet to a found 5/8-inch iron rod with cap stamped "EHRA 713-764-4500" for an angle point;\*\*
- 6) THENCE, South  $77^{\circ} 13' 55''$  East, continuing with said proposed northerly right-of-way line of FM 1463 and the northerly line of said 0.6605-acre residue tract and the southerly line of said 20,643 square foot tract, a distance of 92.21 feet to a found 5/8-inch iron rod with cap stamped "EHRA 713-764-4500" for the beginning of a curve to the left;\*\*
- 7) THENCE, in a northeasterly direction, continuing with said proposed northerly right-of-way line of FM 1463 and the northerly line of said 0.6605-acre residue tract and the southerly line of said 20,643 square foot tract, and with the arc of said curve to the left whose central angle is  $68^{\circ} 08' 27''$  and whose radius is 25.00 feet (chord bears North  $68^{\circ} 41' 52''$  East, a distance of 28.01 feet), for an arc length of 29.73 feet to a set 5/8-inch iron rod with TxDOT aluminum cap for the southeast corner of said 20,643 square foot tract and for the beginning of a curve to the left;\*\*
- 8) THENCE, in a northeasterly direction, with said proposed northerly right-of-way line of FM 1463 and the northerly line of said 0.6605-acre residue tract and the easterly line of said 20,643 square foot tract, and with the arc of said curve to the left whose central angle is  $04^{\circ} 37' 56''$  and whose radius is 1,010.00 feet (chord bears North  $32^{\circ} 18' 40''$  East, a distance of 81.64 feet), for an arc length of 81.66 feet to a set 5/8-inch iron rod with TxDOT aluminum cap for an angle point on said proposed northerly right-of-way line of FM 1463;\*\*
- 9) THENCE, South  $60^{\circ} 13' 26''$  East, continuing with said proposed northerly right-of-way line of FM 1463, a distance of 100.38 feet to a set 5/8-inch iron rod with TxDOT aluminum cap for an angle point;\*\*
- 10) THENCE, South  $34^{\circ} 31' 27''$  West, continuing with said proposed northerly right-of-way line of FM 1463, a distance of 7.01 feet to a set 5/8-inch iron rod with TxDOT aluminum cap for an angle point;\*\*

EXHIBIT A

- 11) THENCE, South 43° 16' 40" East, continuing with said proposed northerly right-of-way line of FM 1463, a distance of 51.24 feet to the POINT OF BEGINNING and containing 0.4450 of one acre (19,384 square feet) of land.

\*\* The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT

A parcel plat of even date was prepared in conjunction with this property description.

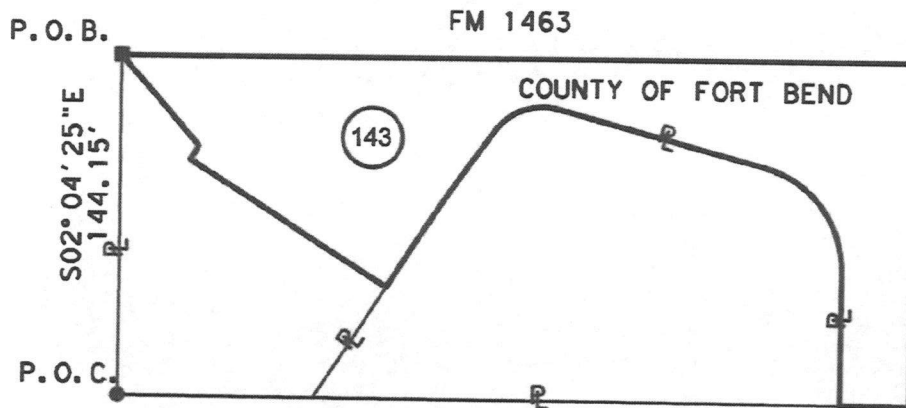
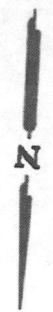
Abstracting and deed research was performed by Postle Property Services Inc. during July, 2016 and August, 2016.

Access will be permitted to the remainder property abutting the highway facility.

I, William E. Merten, a Registered Professional Land Surveyor, hereby certify that this legal description hereon and the accompanying plat of even survey date represent an actual survey made on the ground under my supervision.

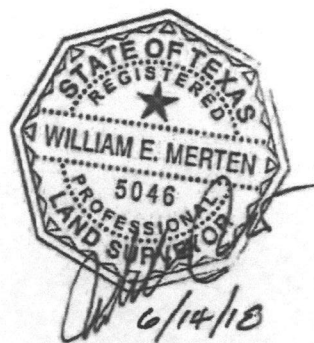
  
\_\_\_\_\_  
Date

William E. Merten  
Registered Professional Land Surveyor  
Texas Registration No. 5046  
Cobb, Fendley & Associates, Inc.  
TBPLS Firm Registration No. 100467  
13430 Northwest Freeway, Suite 1100  
Houston, Texas 77040  
(713) 462-3242



PARCEL 143  
PARENT TRACT INSET  
N. T. S.

EXISTING ACRES	TAKING AC. (S. F.)	REMAINDER ACRES	
		LEFT	RIGHT
0.6605 (CALC.)	0.4450 (19,384)		0.2155













**CobbFendley**  
 TBPLS Firm Registration No. 100467  
 13430 Northwest Freeway, Suite 1100  
 Houston, Texas 77040  
 713.462.3242 | fax 713.462.3262 | www.cobbfendley.com

**PARCEL PLAT  
 SHOWING  
 PARCEL 143  
 FM 1463  
 FORT BEND COUNTY  
 R.O.W. CSJ: 0188-10-037  
 DATED : MAY, 2018  
 PAGE 5 OF 8      SCALE: 1" = 50'**

**NOTES:**

1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983 (2011 ADJ.); EPOCH 2010.00 TxDOT CORS TXCM, TXCN, TXHE AND TXRS WERE HELD FIXED USING THEIR PUBLISHED HORIZONTAL VALUES.
2. COORDINATES AND DISTANCES ARE US SURVEY FEET, DISPLAYED IN SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY A TxDOT SURFACE ADJUSTMENT FACTOR OF 1.00013.
3. ABSTRACTING AND DEED RESEARCH WAS PERFORMED BY POSTLE PROPERTY SERVICES INC. DURING JULY, 2016 AND AUGUST, 2016.
4. FIELD INFORMATION SHOWN HEREON IS BASED ON AN "ON-THE-GROUND" SURVEY PERFORMED BY COBB, FENDLEY & ASSOCIATES, INC. FROM JULY, 2016 TO SEPTEMBER, 2016.
5. RIGHT-OF-WAY MAP COMPLETED MAY, 2018.
6. PROPOSED RIGHT-OF-WAY BASELINE MAY NOT MATCH PROPOSED CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.
7. "\*\*\*" INDICATES THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TxDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TxDOT.
8. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

**LEGEND**

-  PROPERTY LINE
-  LAND HOOK
-  FOUND MONUMENT AS DESCRIBED
-  SET 5/8" IR W/TxDOT ALUMINUM CAP
-  SET 5/8" IR W/TxDOT ALUM. CAP STAMPED "ADL"
-  SET 5/8" IR WITH CAP STAMPED "COBB FENDLEY & ASSOCIATES"
-  SURVEY LINE
-  EXISTING R.O.W. LINE
-  ACCESS DENIAL LINE
-  PROPOSED R.O.W. LINE
- O.P.R.F.B.C. OFFICIAL PUBLIC RECORDS OF FORT BEND COUNTY
- D.R.F.B.C. DEED RECORDS OF FORT BEND COUNTY
- P.R.F.B.C. PLAT RECORDS OF FORT BEND COUNTY
- F.B.C.C.F. FORT BEND COUNTY CLERK'S FILE
- M.R.F.B.C. MAP RECORDS OF FORT BEND COUNTY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY



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713.462.3242 | fax 713.462.3262 | www.cobbfendley.com

PARCEL PLAT  
SHOWING  
PARCEL 143

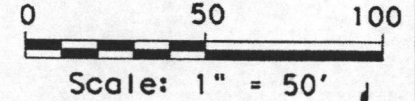
FM 1463  
FORT BEND COUNTY  
R.O.W. CSJ: 0188-10-037  
DATED : MAY, 2018

PAGE 6 OF 8 SCALE: 1" = 50'

FM 1463 (WIDTH VARIES)

VOL. 275, PG. 526, VOL. 275, PG. 531, D.R.F.B.C.  
 PLAT NO. 20130139, P.R.F.B.C.

**DAY LAND AND  
 CATTLE CO.  
 SURVEY, A-448**



STA. 118+21.29  
 PT

PROPOSED BASELINE  
 N77° 40' 30" W

PI STA. 119+32.01  
 S35° 20' 44" W 120+00

SURVEY LINE

**JESSE BURDETTE SURVEY, A-383**

STA. 120+46.90  
 177.64' RT.

EXISTING R.O.W. S87° 34' 48" W - 340.01'

DALTON DALE SHIVERS TO  
 COUNTY OF FORT BEND  
 CALLED 1.135 ACRES  
 (CALC 0.6605 ACRES)  
 F.B.C.C.F. NO. 2013084558  
 O.P.R.F.B.C.  
 JULY 2, 2013

FND. 1/2" I.R.

P.O.B.  
 PARCEL 143

FND. 1-1/4" I.R.  
 N=13,840,798.82  
 E=2,968,032.91  
 STA. 118+09.16  
 R49.79' RT.

S02° 04' 25" E - 144.15'

STA. 118+51.76  
 85.86' RT.

STA. 118+53.90  
 79.21' RT.  
 S60° 13' 26" E  
 100.38'

PROPOSED  
 R.O.W.

FND. 5/8" I.R.  
 W/CAP STAMPED  
 713-764-4500  
 STA. 119+36.21  
 70.17' RT.

FORT BEND COUNTY TO  
 MARTY & KELLY  
 HAISTEN  
 CALLED 20.643 SQ. FT.  
 (0.4739 ACRE)  
 F.B.C.C.F.  
 NO. 2015121226  
 O.P.R.F.B.C.  
 SEPTEMBER 30, 2015

STA. 119+71.61  
 155.31' RT.  
 FND. 5/8" I.R.  
 W/CAP STAMPED  
 713-764-4500  
 STA. 119+36.21  
 70.17' RT.

STA. 119+57.40  
 208.33' RT.

STA. 120+00.00  
 213.51' RT.

N02° 04' 00" W - 146.24'

STA. 120+00.00  
 213.51' RT.

FND. 1/2" I.R.  
 BEARS  
 N04° 27' 19" E, 0.68'

PAUL FLOWER AND  
 WIFE, AMY FLOWER TO  
 L.E. & G.M. CLARK FAMILY  
 PARTNERSHIP, LTD.  
 CALLED 1.492 ACRES  
 COUNTY OF FORT BEND  
 CALLED 1.135 ACRES  
 F.B.C.C.F. NO. 2013084558  
 O.P.R.F.B.C.  
 JULY 2, 2013  
 O.P.R.F.B.C.  
 DECEMBER 10, 2010

DAVID POWERS HOMES LEX, LTD. TO  
 RANDAL A. EVERITT AND  
 GAYLE EVERITT  
 CALLED 5.00 ACRES  
 F.B.C.C.F. NO. 9836213  
 O.P.R.F.B.C.  
 MAY 13, 1998

S02° 04' 25" E - 144.15'

P.O.C.  
 PARCEL 143  
 FND. 1/2" I.R.

BASELINE CURVE DATA  
 Δ=18° 37' 25" (RT)  
 R=1,204.85'  
 L=391.63'  
 T=197.56'  
 CHB=S89° 13' 32" W  
 CHL=389.91'  
 PI STA. 116+27.21  
 N=13,840,717.17  
 E=2,968,207.25

FND. 1/2" I.R.  
 N87° 56' 00" E  
 29.99'

LINE TABLE

L1	S43° 16' 40" E - 51.24'
L2	S34° 31' 27" W - 7.01'
L3	S02° 04' 00" E - 56.51'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD BRG.	CHORD DIST.
C1	04° 37' 56"	1,010.00'	81.66'	N32° 18' 40" E	81.64'
C2	68° 08' 27"	25.00'	29.73'	N68° 41' 52" E	28.01'
C3	75° 09' 55"	45.00'	59.04'	S39° 38' 57" E	54.89'

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PARCEL PLAT  
 SHOWING  
 PARCELS 143

FM 1463  
 FORT BEND COUNTY  
 R.O.W. CSJ: 0188-10-037  
 DATED: MAY, 2018

PAGE 7 OF 8 SCALE: 1" = 50'



WILLOW BEND STREET  
60' WIDE PRIVATE  
ROAD & UTILITY ESMT.  
VOL. 905, PG. 352  
D. R. F. B. C.

STATION & OFFSET TABLE	
1	STA. 119+32.01 BEARS N04° 56' 52"E, 116.77'
2	STA. 119+32.01 BEARS N35° 20' 06"W, 58.03'
3	STA. 119+32.01 BEARS N50° 03' 40"W, 243.44'
4	STA. 119+32.01 BEARS N54° 22' 51"W, 266.49'



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PARCEL PLAT  
SHOWING

PARCELS 143

FM 1463

FORT BEND COUNTY

R.O.W. CSJ: 0188-10-037

DATED : MAY, 2018

PAGE 8 OF 8

SCALE: 1" = 50'

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Laura Richard*

Laura Richard, County Clerk

Fort Bend County Texas

February 14, 2019 02:43:24 PM



FEE: \$0.00

SG

**2019015121**