



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: 0543-02-056

TxDOT Parcel No.: 13

Grantor(s), whether one or more:
FORT BEND COUNTY, TEXAS

Grantor's Mailing Address (including county):
401 Jackson Street
Richmond, Texas 77469
(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):
125 E. 11th Street
Austin, Texas 78701
(Travis County)

Consideration:

The sum of Two Million, Two hundred Four thousand Two hundred Eighty Three and 00/100 Dollars (\$2,204,283.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.

CCM 6-25-2019 # 29C
Fort Bend County Clerk
Return Admin Serv Coord - RAC



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

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.

(SIGNATURE PAGE FOLLOWS)

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

GRANTOR:

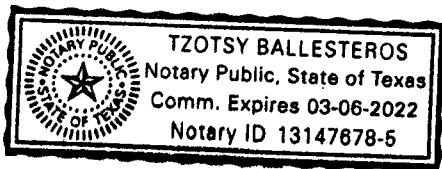
FORT BEND COUNTY, TEXAS

By: 
KP George, County Judge

Acknowledgment

State of Texas
County of Fort Bend

This instrument was acknowledged before me on June 25, 2019
by KP George, County Judge of Fort Bend County, Texas, and in the capacity therein stated.




Notary Public's Signature

EXHIBIT _____

County: Fort Bend
Highway: FM 359
Project Limits: W. of Farmer Rd. to US 90 A
RCSJ: 0543-02-056

PROPERTY DESCRIPTION FOR PARCEL 13

Being a 0.8093 acre (35,251 square feet) parcel of land out of a called Tract 1 7.00 acre and a called Tract 2 7.00 acre tracts of land in the William Morton League, Abstract 62, Fort Bend County, Texas. Said 7.00 acre tracts being conveyed to Frank's Nursery, LLC, by a deed dated March 8, 2012 and recorded under County Clerk's File No. 2012027616 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), Texas. Said 0.8093 acre parcel being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod found on the southeast corner of the said called Tract 1 7.00 acre tract, also being the northeast corner of a 7.0095 acre tract of land conveyed to James C. Smith, et ux, by a deed dated October 20, 1988 and recorded under County Clerk's File No. 9886477 of the O.P.R.F.B.C., Texas;

THENCE, South 87° 11' 30" West, a distance of 1,383.91 feet along the common line of said called Tract 1 7.00 acre tract and the said 7.0095 acre tract to a 5/8 inch iron rod with TxDOT aluminum cap set at the intersection with the proposed east right-of-way line of FM 359 (179.65 feet wide at this point) marking the southeast corner and the POINT OF BEGINNING of the herein described parcel having surface coordinates N= 13,781,382.61, and E= 3,004,031.47;

- 1) THENCE, South 87° 11' 30" West, a distance of 48.55 feet continuing along the common line of said called Tract 1 7.00 acre tract and the said 7.0095 acre tract to a 1/2 inch iron pipe found on the existing east right-of-way line of FM 359 (called 100 feet wide) for the southwest corner of the herein described parcel;
- 2) THENCE, North 02° 53' 19" West, a distance of 426.00 feet along the existing east right-of-way line of FM 359 to a point marking the northwest corner of said called Tract 2 7.00 acre tract, also being the southwest corner of a called 7.42 acre tract conveyed to Qazi's Sons, Inc., by a deed dated April 23, 1996 and recorded under County Clerk's File No. 9625539 of the O.P.R.F.B.C., Texas, for the northwest corner of the herein described parcel;

EXHIBIT _____

- 3) THENCE, North $87^{\circ} 08' 20''$ East, a distance of 29.49 feet along the common line between the called Tract 2 7.00 acre tract and the said 7.42 acre residue tract to a 5/8 inch iron rod with TxDOT aluminum cap set on the proposed east right-of-way line of FM 359 (160.00 feet wide at this point) for the northeast corner of the herein described parcel;
- 4) THENCE, South $02^{\circ} 55' 07''$ East, a distance of 153.42 feet along the proposed east right-of-way line of FM 359 to a 5/8 inch iron rod with TxDOT aluminum cap set for a corner; **
- 5) THENCE, North $87^{\circ} 03' 55''$ East, a distance of 79.11 feet to a 5/8 inch iron rod with TxDOT aluminum cap set on the proposed east right-of-way line of FM 359 (320.00 feet wide at this point) for the beginning of a curve to the right; **
- 6) THENCE, along the said curve to the right having a radius of 35.00 feet, a central angle of $90^{\circ} 00' 00''$, a chord bearing of South $47^{\circ} 56' 05''$ East, a chord distance of 49.50 feet and a curve length of 54.98 feet to a 5/8 inch iron rod with TxDOT aluminum cap set on the proposed east right-of-way line of FM 359 (390.00 feet wide at this point); **
- 7) THENCE, South $02^{\circ} 56' 05''$ East, a distance of 46.72 feet to a 5/8 inch iron rod with TxDOT aluminum cap set on the proposed east right-of-way line of FM 359; **
- 8) THENCE, along the said curve to the right having a radius of 74.00 feet, a central angle of $29^{\circ} 02' 12''$, a chord bearing of South $11^{\circ} 35' 01''$ West, a chord distance of 37.10 feet and a curve length of 37.50 feet to a 5/8 inch iron rod with TxDOT aluminum cap set on the proposed east right-of-way line of FM 359 (371.40 feet wide at this point); **
- 9) THENCE, South $26^{\circ} 06' 07''$ West, a distance of 177.28 feet along the easterly line of the herein described parcel, also being the proposed east right-of-way line of FM 359 to the POINT OF BEGINNING of the herein described parcel containing 0.8093 acre (35,251 square feet).

EXHIBIT _____

All bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone NAD 83 (1993 Adjustment). All distances and coordinates are surface and may be converted to grid by dividing by a combined adjustment factor of 1.00013.

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

The field survey was completed in June 2007 and updated February 2016.

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

** 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.

Revision May 2012 – Increased area of parcel taking.

Revision February 2016 – Combined Parcel 13 and Parcel 14 into Parcel 13 and deleted Parcel 14.

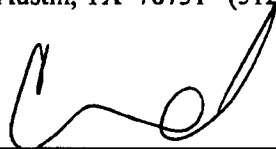
STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

That I, Chris Conrad, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

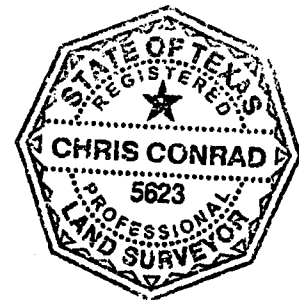
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 12th day of February, 2016 A.D.

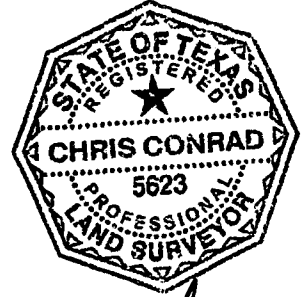
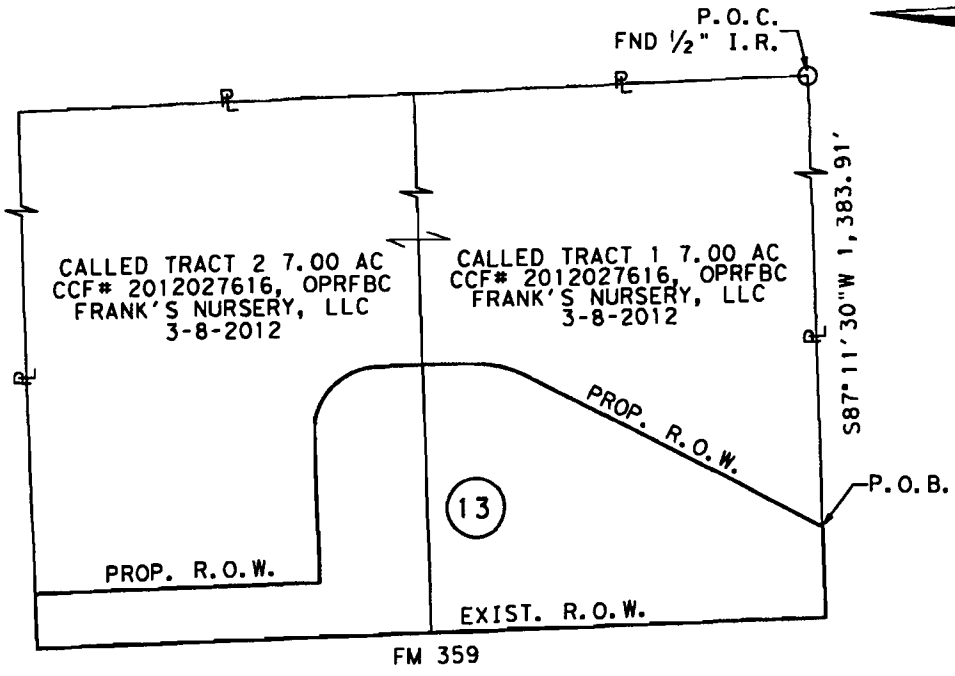
SURVEYED BY:

McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591
TBPLS Firm# 10095500



Chris Conrad, Reg. Professional Land Surveyor No. 5623





Chris Conrad

2/12/16

CHRIS CONRAD RPLS 5623 DATE
 MCGRAY & MCGRAY LAND SURVEYORS, INC.
 TBPLS FIRM NO. 10095500

PARCEL	EXISTING	TAKING	REMAINING
13	14.00 AC.	0.8093 AC. 35,251 S.F.	13.1907 AC.

LEGEND

- CENTER LINE
- ===== EXISTING ROW LINE
- ===== PROPOSED ROW LINE
- R— PROPERTY LINE
- SURVEY LINE
- ===== MATCH LINE
- EASEMENT/BUILDING LINE
- FOUND TXDOT ROW MARKER
- SET TXDOT ROW MARKER
- FOUND (AS DESCRIBED)
- SET (AS DESCRIBED)
- ① PARCEL NUMBER

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- FND I.R. FOUND IRON ROD
- FND I.P. FOUND IRON PIPE
- P.U.E. PUBLIC UTILITY EASEMENT
- W.L.E. WATER LINE EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- B.L. BUILDING LINE
- L.S.E. LANDSCAPE EASEMENT
- S/O STATION AND OFFSET
- DRFBC DEED RECORDS FORT BEND COUNTY
- PRFBC PLAT RECORDS FORT BEND COUNTY
- OPRFBC OFFICIAL PUBLIC RECORDS FORT BEND COUNTY
- CCF# COUNTY CLERK'S FILE NO.
- FBC FORT BEND COUNTY

NOTES:

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE NORTH AMERICAN DATUM OF 1983 (NAD 83), 1993 ADJUSTMENT. ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED ADJUSTMENT FACTOR OF 1.00013.
- A PROPERTY DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
- ABSTRACTING, FIELD SURVEY & MAP WERE PREPARED IN JUNE, 2007 AND UPDATED FEBRUARY 2016.
- ** THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II ROW MARKER UPON COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
- ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ABUTTING THE HIGHWAY FACILITY.

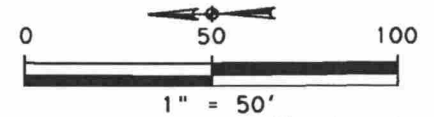
REVISION: FEBRUARY, 2016 - Combined
 Parcels 13 & 14 into Parcel 13 by
 McGray & McGray. TBPLS# 10095500

REVISION: MAY 30, 2012 - Increased
 area of parcel taking by Kuo &
 Associates.

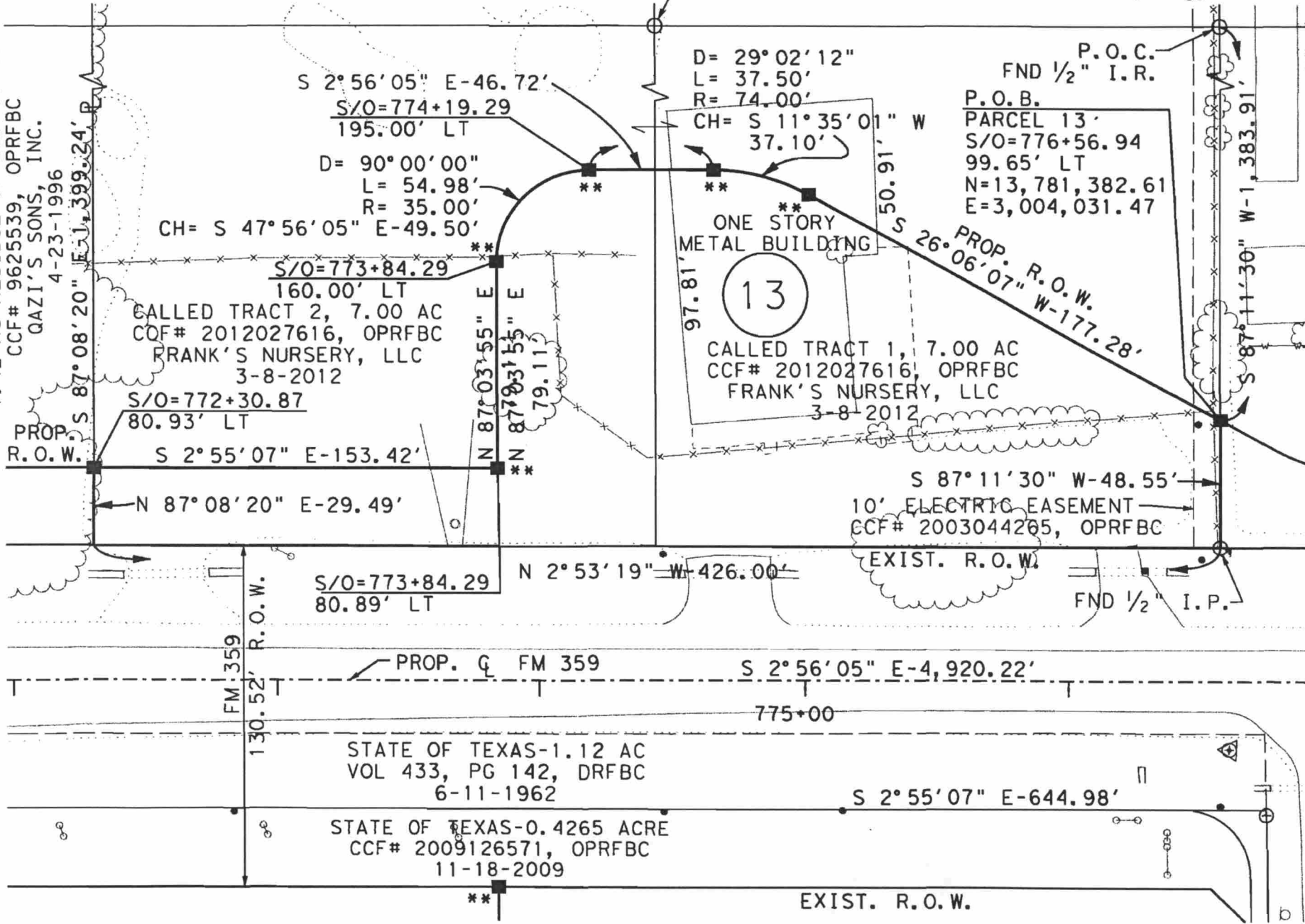
McGRAY & McGRAY
LAND SURVEYORS, INC.
 3301 HANCOCK DRIVE #6
 AUSTIN, TEXAS 78731
 (512) 451-8591
 www.mcgray.com

PARCEL PLAT
 SHOWING PROPERTY OF
 PARCEL 13
 ROW CSJ: 0543-02-056
 FM 359 FORT BEND COUNTY
 SCALE: N.T.S. FEBRUARY, 2016
 SHEET 4 OF 5

WILLIAM MORTON LEAGUE, A-62



7.42 AC RESIDUE OF 28.431 AC
CCF# 9625539, OPRFBC
QAZI'S SONS, INC.
4-23-1996



S 2°56'05" E-46.72'
S/O=774+19.29
195.00' LT

D= 90°00'00"
L= 54.98'
R= 35.00'

CH= S 47°56'05" E-49.50'

S/O=773+84.29
160.00' LT

CALLLED TRACT 2, 7.00 AC
CCF# 2012027616, OPRFBC
FRANK'S NURSERY, LLC
3-8-2012

S/O=772+30.87
80.93' LT

PROP. R.O.W.
S 2°55'07" E-153.42'

N 87°08'20" E-29.49'

S/O=773+84.29
80.89' LT

N 2°53'19" W-426.00'

D= 29°02'12"
L= 37.50'
R= 74.00'

CH= S 11°35'01" W
37.10'

ONE STORY
METAL BUILDING

13

CALLLED TRACT 1, 7.00 AC
CCF# 2012027616, OPRFBC
FRANK'S NURSERY, LLC
3-8-2012

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

P.O.B.
PARCEL 13
S/O=776+56.94
99.65' LT
N=13,781,382.61
E=3,004,031.47

PROP. R.O.W.
S 26°06'07" W-177.28'

S 87°11'30" W-48.55'

10' ELECTRIC EASEMENT
CCF# 2003044265, OPRFBC

EXIST. R.O.W.

FND 1/2" I.P.

PROP. Q FM 359

S 2°56'05" E-4,920.22'

775+00

STATE OF TEXAS-1.12 AC
VOL 433, PG 142, DRFBC
6-11-1962

STATE OF TEXAS-0.4265 ACRE
CCF# 2009126571, OPRFBC
11-18-2009

S 2°55'07" E-644.98'

EXIST. R.O.W.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk
Fort Bend County Texas

June 28, 2019 03:56:01 PM

FEE: \$0.00 DP2

2019070136

