

THE STATE OF TEXAS §

COUNTY OF FORT BEND §

**ORDER SETTING GENERAL COUNTY POLICY REGARDING PROCEDURES FOR
ACQUISITION OF CERTAIN REAL PROPERTY WITH TITLE CONCERNS**

On this 10th day of September, 2019, the Commissioners Court of Fort Bend County, Texas, being convened at a regular meeting of the Court, sitting as the governing body of Fort Bend County, upon motion of Commissioner Morales, seconded by Commissioner Prestage, duly put and carried:

IT IS HEREBY RESOLVED that:

WHEREAS Fort Bend County is regularly in need of the acquisition of real estate for public purposes; and,

WHEREAS such real estate being acquired for public purposes is often obtained by means of the donations, payment of fair market value to all identified holders of interest under a traditional purchase, or exercise of the County's power of eminent domain and/or power of condemnation against such interest holders; and,

WHEREAS, due to actual or potential clouds on the title of such real property, it is sometimes infeasible, impossible, impractical, or disproportionately expensive to fully clear such clouds, or to obtain appropriate and/or adequate title insurance on such real estate without the imposition of title policy exceptions relating to those clouds, which tends to greatly diminish the value and/or efficacy of such title insurance; It is therefore:

DETERMINED, RESOLVED, ORDERED AND DECLARED to be the policy of Fort Bend County, Texas to grant preliminary authority to the Fort Bend County Attorney, and/or the Fort Bend County Engineer, and/or their duly authorized employees and/or property acquisition agents to recommend acquisition of FEE SIMPLE and/or EASEMENT interests (and any lesser whole or partial interests, divided or undivided) in any particular parcel or parcels of land described herein by General Warranty Deed, Special Warranty Deed, Donation Deed, Quitclaim Deed, and/or Dedication without arranging for the purchase or acquisition of title insurance on the interest or partial interests to be acquired, despite the existence of clouds on such title or interests. However, final authority to acquire such clouded interests, with or without title insurance, will be granted on an individual and case-by-case basis, upon the recommendation of the Fort Bend County Attorney at a regular meeting of the Commissioners Court of Fort Bend County, Texas.

ATTEST:

Laura Richard
Laura Richard, County Clerk

