



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DONATION DEED

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF FORT BEND §

THAT, **Terra Vista Lakes, LLC** ("Grantor"), for and in consideration of Grantor's full intention of donating the property hereinafter described to the Grantee for public purposes, Grantor has **DONATED**, and by these presents does **GIVE, DONATE, GRANT** and **CONVEY** unto **FORT BEND COUNTY, TEXAS** ("Grantee"), a body corporate and politic under the laws of the State of Texas and unto its successors, and assigns, forever, all of Grantor's right, title, and interest in and to a tract of land, containing **0.7740 of an acre**, as more particularly described in Exhibit "A", attached hereto and incorporated herein and made a part hereof for all purposes, together with all rights, titles, and interests appurtenant thereto and improvements situated thereon (collectively, the "Property").

This Donation Deed and the conveyance hereinabove set forth are executed by Grantor and accepted by Grantee subject to the terms, conditions and provisions hereof and further subject to all easements, conditions, restrictions, covenants, mineral or royalty interests, mineral reservations, surface waivers, utility conveyances, liens, encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, and other matters of record in Fort Bend County, Texas, to the extent the same are validly existing and applicable to the Property (collectively, the "Permitted Encumbrances"). Grantee agrees that post-conveyance it shall reasonably cooperate with Grantor in obtaining, at Grantor's expense, an appraisal of the Property and executing, if required, government documents further evidencing the donation of the Property to Grantee and the value of the Property.

TO HAVE AND TO HOLD, subject to the Permitted Encumbrances, the Property together with all and singular the rights and appurtenances thereto in anywise belonging unto the Grantee, its successors and assigns forever.

GRANTEE ACKNOWLEDGES AND AGREES, BY ITS ACCEPTANCE OF THIS DEED (1) THAT THE PROPERTY IS CONVEYED "AS IS, WHERE IS" AND IN ITS PRESENT CONDITION WITH ALL FAULTS, AND (2) THAT GRANTOR DISCLAIMS ALL WARRANTIES AND HAS NOT MADE ANY AND DOES NOT MAKE ANY REPRESENTATION OR WARRANTY, WHETHER STATUTORY, EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, REGARDING ANY ASPECT OF THE PROPERTY. GRANTEE ACKNOWLEDGES THAT IT HAS INVESTIGATED AND EXAMINED THE CONDITION OF THE PROPERTY. GRANTEE AGREES THAT IN OBTAINING THE PROPERTY, GRANTEE RELIES SOLELY UPON ITS INDEPENDENT EXAMINATION, STUDY,

INSPECTION AND KNOWLEDGE OF THE PROPERTY, AND GRANTEE'S DETERMINATION OF THE VALUE OF THE PROPERTY AND USES TO WHICH THE PROPERTY MAY BE PUT, AND NOT ON ANY INFORMATION PROVIDED BY GRANTOR.

GRANTEE, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, RELEASES, ACQUITS AND FOREVER DISCHARGES GRANTOR FROM, AND WAIVES, ANY AND ALL LIABILITIES, CLAIMS, CAUSES OF ACTION, DAMAGES, AND OTHER RELIEF, WHETHER AT LAW OR IN EQUITY AND WHETHER IN CONTRACT, TORT, STRICT LIABILITY OR OTHERWISE, IN CONNECTION WITH, AS A RESULT OF, OR OTHERWISE WITH REGARD TO THE CONDITION OF THE PROPERTY, INCLUDING BUT NOT LIMITED TO ITS ENVIRONMENTAL CONDITION. THIS GENERAL RELEASE IS APPLICABLE, WITHOUT LIMITATION, TO ANY AND ALL LIABILITIES, CLAIMS, CAUSES OF ACTION, DAMAGES AND OTHER RELIEF UNDER ANY LAW INTENDED TO PROTECT HUMAN HEALTH OR THE ENVIRONMENT.

GRANTEE ACKNOWLEDGES AND AGREES, BY ITS ACCEPTANCE OF THIS DEED, THAT THE PROPERTY IS CONVEYED WITHOUT WARRANTY, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY WARRANTIES OF TITLE, WARRANTIES UNDER COMMON LAW, AND WARRANTIES IMPLIED PURSUANT TO SECTION 5.023 OF THE TEXAS PROPERTY CODE AS THE SAME MAY HEREAFTER BE AMENDED.

BY ACCEPTANCE OF THIS DONATION DEED, GRANTEE FURTHER ACKNOWLEDGES AND AGREES, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS AND ANY GOVERNMENTAL AUTHORITY INVOLVED IN THE EXTENSION OF BELLAIRE BOULEVARD, THAT IN NO EVENT SHALL GRANTOR (OR ITS SUCCESSORS, ASSIGNS OR SUCCESSORS IN INTEREST IN AND TO ANY OF THE APPROXIMATELY 53 ACRE TRACT ADJACENT TO THE PROPERTY) BE OBLIGATED IN ANY WAY TO BUILD ANY PORTION OF THE EXTENSION OF BELLAIRE BOULEVARD TO HARLEM ROAD OR TO PAY (THROUGH SPECIAL ASSESSMENT OR OTHERWISE) FOR THE CONSTRUCTION OF SUCH EXTENSION. GRANTEE FURTHER ACKNOWLEDGES AND AGREES, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, THAT GRANTOR WOULD NOT HAVE CONVEYED THE PROPERTY TO GRANTEE EXCEPT FOR THE PURPOSE OF THE EXTENSION OF BELLAIRE BOULEVARD; THEREFORE, IF THE PROPERTY IS EVER USED FOR ANY PURPOSE OTHER THAN A PUBLIC ROADWAY (AND RELATED SIDEWALKS, DRAINAGE FACILITIES, AND UTILITIES), OWNERSHIP OF THE PROPERTY WILL REVERT TO GRANTOR OR ITS SUCCESSORS IN INTEREST TO THE ADJACENT LAND.

If current ad valorem taxes on said Property have not been prorated at the time of closing, Grantor and Grantee shall be responsible for payment of its respective share thereof based on period of ownership.

Grantee's address is 301 Jackson Street, Richmond, Texas 77469.

EXECUTED on this the 25TH day of SEPTEMBER, 2019.

GRANTOR:

**TERRAVISTA LAKES, LLC,
a Texas limited liability company**

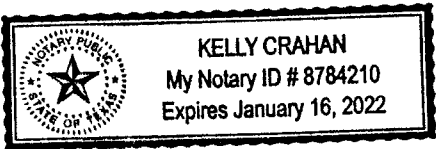
By: Aylesbury, Ltd., Administrative Member

By: Amerifirst Corporation, General Partner

By: *Clinton F. Wong*
Name: CF Wong
Title: PRESIDENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on this 25TH day of SEPTEMBER 2019 by CLINTON F. WONG, PRESIDENT of Amerifirst Corporation, a Texas corporation, in the capacity as general partner of AYLESBURY, LTD, a Texas limited partnership, being the administrative member of TerraVista Lakes, LLC, a Texas limited liability company, on behalf of said limited liability company.

SEAL: 

Kelly Crahan
Notary Public, State of Texas

Attachments:
Exhibit A – Legal Description of the Property

After Recording Return to: Bryan
Norton Fort Bend County Engineering
Attn: Bryan
Norton 301
Jackson Street
Richmond, Texas 77469

Bellaire Boulevard Remainder
0.7740 Acre

Benjamin Orsburn Survey
Abstract No. 390

STATE OF TEXAS §

COUNTY OF FORT BEND §

A **METES & BOUNDS** description of a certain 0.7740 acre tract of land situated in the Benjamin Orsburn Survey, Abstract No. 390 in Fort Bend County, Texas, being out of the remainder of a called 1095.0 acre tract of land conveyed to Terra Vista Lakes, LLC recorded in Clerk's File No. 2006064288 of the Fort Bend County Official Public Records; said 0.7740 acre tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, South Central Zone;

BEGINNING at a found 3/4-inch iron rod (with cap stamped "Jones|Carter Property Corner") at the southwest corner of Lakeview Retreat Section 1, plat of which is recorded in Plat No. 20180113 of the Fort Bend County Plat Records being in the northerly line of proposed Bellaire Boulevard, from which a found 5/8-inch iron rod (with cap stamped "Jones|Carter Property Corner") bears South 76°11'08" East, 93.18 feet for the southeast corner of Restricted Reserve "C" of said Lakeview Retreat Section 1, common with the southwest corner of Restricted Reserve "B" of said Lakeview Retreat Section 1;

THENCE, South 37°59'42" West, 51.50 feet to a point for corner;

THENCE, North 77°20'53" West, 148.65 feet to a point for corner at the beginning of a non-tangent curve to the left;

THENCE, along the arc of said non-tangent curve to the left having a radius of 1000.00 feet, a central angle of 00°57'46", an arc length of 16.80 feet, and a long chord bearing North 76°40'01" West, 16.80 feet to a point for corner at the beginning of a compound curve to the left being in the centerline of proposed Bellaire Boulevard;

THENCE, along proposed centerline and the arc of said compound curve to the left having a radius of 2000.00 feet, a central angle of 14°02'39", an arc length of 490.24 feet, and a long chord bearing North 84°10'13" West, 489.01 feet to a point for corner in the easterly line of Harlem Road (60' right-of-way) no dedication found;

THENCE, North 02°03'06" West, along said easterly line, 74.84 feet to a point for corner;

THENCE, South 46°55'34" East, 35.79 feet to a point for corner at the beginning of a non-tangent curve to the right;

THENCE, along the arc of said non-tangent curve to the right having a radius of 2050.00 feet, a central angle of 13°21'33", an arc length of 477.98 feet, and a long chord bearing South 83°49'40" East, 476.90 feet to a point for corner at the beginning of a compound curve to the right;

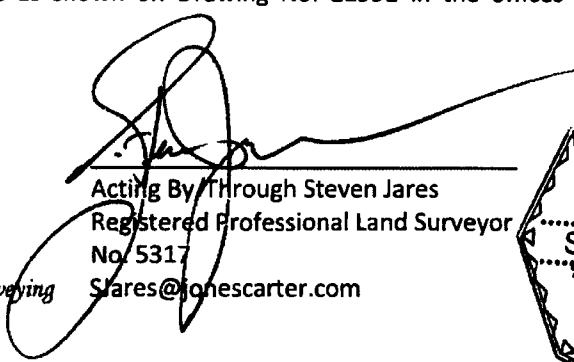
THENCE, along the arc of said compound curve to the right having a radius of 1050.00 feet, a central angle of 00°57'46", an arc length of 17.64 feet, and a long chord bearing South 76°40'01" East, 17.64 feet to a point for corner;

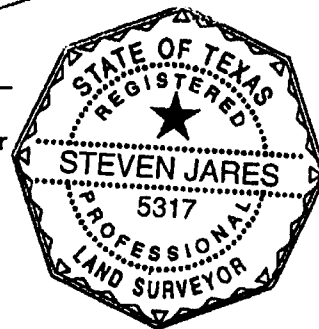
Bellaire Boulevard Remainder
0.7740 Acre

Benjamin Orsburn Survey
Abstract No. 390

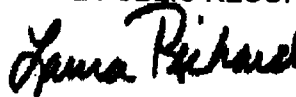
THENCE, South 76°11'08" East, 169.71 feet to the **POINT OF BEGINNING, CONTAINING 0.7740 acre** of land in Fort Bend County, Texas as shown on Drawing No. 12991 in the offices of Jones|Carter in Bellaire, Texas.

Jones|Carter
6330 West Loop South, Suite 150
Bellaire, Texas 77401
(713) 777-5337
Texas Board of Professional Land Surveying
Registration No. 10046100


Acting By/Through Steven Jares
Registered Professional Land Surveyor
No. 5317
Sjares@jonescarter.com



**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**



Laura Richard, County Clerk

Fort Bend County Texas

November 19, 2019 03:43:03 PM

FEE: \$0.00

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2019133168

