

MOTION

**SUGARLAND-HOWELL AT WKBID TRAIL CONNECTION
PROJECT #13218X, PRECINCT 2 (Amended)**

I move that Fort Bend County, by record vote, authorize the use of the power of eminent domain to acquire all needed right-of-way for the Sugarland-Howell at WKBID Trail Connection, Project #13218X, Precinct 2, Fort Bend County, Texas BY ADOPTION OF THE RESOLUTION AND ORDER DECREERING THE ACQUISITION OF PROPERTY TO BE A PUBLIC NECESSITY AND AUTHORIZING THE ACQUISITION AND PAYMENT OF COMPENSATION for the public purpose of widening, aligning, construction, operation and maintenance of the Sugarland-Howell at WKBID Trail Connection, Project #13218X, Precinct 2, Fort Bend County, Texas including appurtenant drainage and detention required for said project. This motion applies to any and all parcels of land that must be condemned along the Sugarland-Howell at WKBID Trail Connection, Project #13218X, Precinct 2, Fort Bend County, Texas.

Roll Call Vote:

	Yes	No
Precinct 1	<u> ✓ </u>	<u> </u>
Precinct 2	<u> </u>	<u> </u>
Precinct 3	<u> ✓ </u>	<u> </u>
Precinct 4	<u> ✓ </u>	<u> </u>
County Judge	<u> ✓ </u>	<u> </u>
Date of Vote <u> June 23, 2020 </u>		

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

**AMENDED RESOLUTION AND ORDER DECREERING THE ACQUISITION OF
PROPERTY TO BE A PUBLIC NECESSITY AND AUTHORIZING THE
ACQUISITION AND PAYMENT OF COMPENSATION**

WHEREAS, on the 23rd day of June, 2020, 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 DeMerchant, seconded by Commissioner Meyers, and upon record vote, passed 4 votes in favor 0 votes opposed:

RESOLUTION

RESOLVED THAT WHEREAS, the Commissioners Court has received and reviewed the plans for a public project known as the Sugarland-Howell at WKBID Trail Connection, Project #13218X, Precinct 2, Fort Bend County, Texas beginning at Renn Road MUD facility parcel R49040, north of Keegans Bayou and ending at Church parcel R103483, south of Keegans Bayou, 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 such public project in accordance with the plans, alignments, 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 project known as the Sugarland-Howell at WKBID Trail Connection, Project #13218X, Precinct 2, Fort Bend County, Texas beginning at Renn Road MUD facility parcel R49040, north of Keegans Bayou and ending at Church parcel R103483, south of Keegans Bayou in Fort Bend County, Texas, is approved.

IT IS FURTHER ORDERED AND DECREED that public necessity and convenience exist for that public project and that the County Engineer and County Attorney 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 (including any improvements); 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 interests for said purposes in the tract(s) (and/or associated improvements) 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 Engineer, 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 improvements if any, within the said public project known as the Sugarland-Howell at WKBID Trail Connection, Project #13218X, Precinct 2, Fort Bend County, Texas the payment and compensation therefore.

PASSED AND APPROVED this 23rd day of June, 2020.

FORT BEND COUNTY, TEXAS



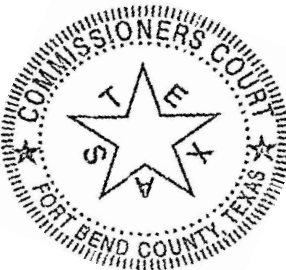
County Judge KP George

KP George, County Judge

ATTEST:



Laura Richard, County Clerk



PARCEL 1

**METES AND BOUNDS DESCRIPTION
OF A 0.0590 ACRE (2,571 SQUARE FEET TRACT)
IN THE J. LEVERTON SURVEY, ABSTRACT NUMBER 402
FORT BEND COUNTY, TEXAS**

BEING 0.0590 acre (2,571 square feet) of land in the J. Leverton Survey, Abstract Number 402 in Fort Bend County, Texas and being a portion of the 9.6769 acre tract of land described in the deed from Tommie J. Bradshaw, Trustee to Renn Road Municipal Utility District recorded in Volume 863, Page 418 of the Deed Records of Fort Bend County, Texas and being more particularly described by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

COMMENCING at a 5/8-inch iron rod with cap stamped "IDS" set in the east right-of-way line of Sugarland Howell Road (60 feet wide) for the northwest corner of said 9.6769 acre tract and being the southwest corner of Lot 2 of KEEGANS WOOD, SECTION THREE according to the plat thereof recorded in Volume 316, Page 146 of the Fort Bend County Map Records;

THENCE with the east right-of-way line of said Sugarland Howell Road, South 02° 14' 50" East – 209.59 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE North 87° 45' 10" East - 15.03 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the northeast corner of the herein described tract;

THENCE South 02° 14' 50" East - 170.99 feet to a 5/8-inch iron rod with cap stamped "IDS" set in the south line of said 9.6769 acre tract for the southeast corner of the herein described tract;

THENCE with the south line of said 9.6769 acre tract, South 87° 37' 28" West - 15.03 feet to a 5/8-inch iron rod with cap stamped "IDS" set in the east right-of-way line of said Sugarland Howell Road for the southwest corner of the herein described tract;

THENCE with the east right-of-way line of said Sugarland Howell Road, North 02° 14' 50" West - 171.02 feet to the **POINT OF BEGINNING** of the herein described tract and containing 0.0590 acre (2,571 square feet) of land.

Prepared by:
IDS Engineering Group
Job No. 2332-001-51-530

April 28, 2020

Michael L Swan

Michael L. Swan
Registered Professional Land Surveyor
Texas Registration Number 5551



PARCEL 2

**METES AND BOUNDS DESCRIPTION
OF A 0.0678 ACRE (2,954 SQUARE FEET TRACT)
IN THE J. LEVERTON SURVEY, ABSTRACT NUMBER 402
FORT BEND COUNTY, TEXAS**

BEING 0.0678 acre (2,954 square feet) of land in the J. Leverton Survey, Abstract Number 402 in Fort Bend County, Texas and being a portion of the 2.2155 acre tract of land described in the deed from Drilling Tools, Inc. to Thomas Wayne Roberts, et al. recorded in Volume 1930, Page 2114 of the Deed Records of Fort Bend County, Texas and being more particularly described by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

COMMENCING at a 5/8-inch iron rod with cap stamped "IDS" set for the northeast corner of said 2.2155 acre tract and the northwest corner of a 14.6452 acre tract of land described in deed from The Chase Manhattan Bank to H.L.U. Services, Inc. recorded under File Number 2001-052311 of the Deed Records of Fort Bend County;

THENCE with the north line of said 2.2155 acre tract, South $87^{\circ} 37' 28''$ West – 247.93 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the **POINT OF BEGINNING** of the herein described tract;

THENCE South $02^{\circ} 30' 35''$ East - 90.23 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner of the herein described tract;

THENCE North $87^{\circ} 30' 09''$ East - 12.15 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner of the herein described tract;

THENCE South $02^{\circ} 14' 50''$ East - 65.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the southeast corner of the herein described tract;

THENCE South $42^{\circ} 30' 16''$ West - 28.60 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner of the herein described tract;

THENCE South $86^{\circ} 30' 57''$ West - 4.21 feet to a 5/8-inch iron rod with cap stamped "IDS" set in the east right-of-way line of Sugarland Howell Road (60 feet wide) for the southwest corner of the herein described tract;

THENCE with the east right-of-way line of said Sugarland Howell Road, North 02° 14' 50" West - 175.55 feet to a 5/8-inch iron rod with cap stamped "IDS" set in the north line of said 2.2155 acre tract for the northwest corner of the herein described tract;

THENCE with the north line of said 2.2155 acre tract, North 87° 37' 28" East - 11.79 feet to the **POINT OF BEGINNING** of the herein described tract and containing 0.0678 acre (2,954 square feet) of land.

Prepared by:
IDS Engineering Group
Job No. 2332-001-51-530

April 28, 2020

Michael L Swan

Michael L. Swan
Registered Professional Land Surveyor
Texas Registration Number 5551



