

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.

**SPECIAL WARRANTY DEED**

Date: \_\_\_\_\_, 2020

Grantor:

**Aga Khan Foundation U.S.A.**, a District of Columbia non-profit corporation

Grantor's Mailing Address:

1825 K Street NW, Suite 901  
Washington, DC 20006

Grantee:

**Fort Bend Grand Parkway Toll Road Authority**, a Texas local government corporation

Grantee's Mailing Address:

c/o The Muller Law Group PLLC  
202 Century Square Boulevard  
Sugar Land, Texas 77478

Consideration:

Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property:

Those certain tracts of land containing .016 acres and 0.1523 acres, respectively, each as more particularly described and depicted in **Exhibit A** attached hereto, together with all rights, titles and interests appurtenant thereto and improvements situated thereon (collectively, "Property").

Exceptions to Conveyance and Warranty:

This Special Warranty Deed is executed and delivered by Grantor and accepted by Grantee, and the conveyance set forth herein and the Property are 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 and other matters of record in Fort Bend County, Texas, to the extent same are validly existing and applicable to the Property (collectively, "Permitted Encumbrances").

Access Reservation:

Access to and across the Property is DENIED, except as provided in this paragraph. Grantor excepts and reserves unto itself and its successors and assigns, the right of access, ingress and egress across, along and upon one (1) private driveway to be constructed on the Property in the location shown on **Exhibit B** ("Driveway"), at Grantor's sole cost and expense, between the remainder of Grantor's property and SH-99. The Driveway must conform to all Grantee driveway, roadway and intersection specifications then in effect (collectively, "TRA Specifications") and must be at least 600 feet from its closest edge of pavement to the closest edge of pavement of the nearest existing intersections or driveways. Grantor will also be required to construct a deceleration lane, conforming to all Grantee Specifications, along with the Driveway, at Grantor's sole cost and expense.

Grant of Property:

Grantor, for the Consideration and subject to the Exceptions to Conveyance and Warranty and the Access Reservation, grants, sells and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors 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 claim the same or any part thereof, by, through or under Grantor but not otherwise, except as to the Exceptions to Conveyance and Warranty and the Access Reservation.

Grantor, for the same Consideration and subject to the Exceptions to Conveyance and Warranty and the Access Reservation, grants, sells and conveys to Grantee, without warranty, express or implied, land lying in or under any public thoroughfare, opened or proposed, abutting or adjacent to the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors and assigns forever.

This Special Warranty Deed may be executed in multiple counterparts, each of which shall be deemed an original, and all of which, taken together, shall constitute one and the same instrument. All referenced exhibits are incorporated into this Special Warranty Deed for all purposes.

*Remainder of page intentionally blank.*

The individual signing this instrument on behalf of Grantor represents that they have the requisite authority to bind Grantor.

**GRANTOR:**

**AGA KHAN FOUNDATION U.S.A.,** a  
District of Columbia non-profit corporation

By: Zahid Rahimtoola  
Name: ZAHID RAHIMTOOLA  
Title: VICE CHAIRMAN

THE STATE OF TEXAS     §  
  §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on \_\_\_\_\_, 2020, by  
\_\_\_\_\_, \_\_\_\_\_ of AGA KHAN FOUNDATION U.S.A., a  
District of Columbia non-profit corporation, on behalf of said non-profit corporation.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public, State of Texas

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of SANTA CLARA )

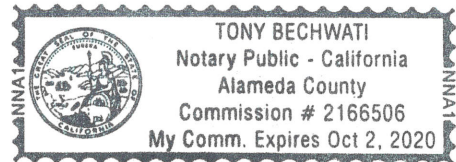
On 4/24/2020 before me, TONY BECHWATI, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared ZAHID RAHIMTOOLA,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.


Signature  (Seal)



AGREED to and ACCEPTED on February 24, 2021, ~~2020~~ by Grantee.

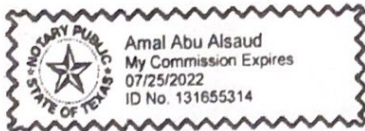
**GRANTEE:**

**FORT BEND GRAND PARKWAY TOLL  
ROAD AUTHORITY**, a Texas local  
government corporation


By:   
Name: Shoukat Dhanani  
Title: Board President

THE STATE OF TEXAS   §  
  §  
COUNTY OF FORT BEND §

This instrument was acknowledged before me on February 24, 2021, ~~2020~~ by  
Shoukat Dhanani, President, of the Board of Directors of FORT BEND  
GRAND PARKWAY TOLL ROAD AUTHORITY, a Texas local government corporation, on  
behalf of said local government corporation.



(NOTARY SEAL)

Amal Abu Alsaud   
Notary Public, State of Texas

**Attachments:**

**Exhibit A** – Legal Description and Depiction of Property  
**Exhibit B** – Driveway Access

**After recording, please return to:**

Keely Campbell  
The Muller Law Group, PLLC  
202 Century Square Boulevard  
Sugar Land, Texas 77478

**EFFECTIVE DATE**

THIS AGREEMENT IS EFFECTIVE ON THE DATE IT IS APPROVED BY THE FORT BEND COUNTY COMMISSIONERS COURT, AND IF NOT SO APPROVED SHALL BE NULL AND VOID.

DATE OF COMMISSIONERS COURT APPROVAL: \_\_\_\_\_

AGENDA ITEM NO.: \_\_\_\_\_

**EXHIBIT A**

**Legal Description and Depiction of Property**

(see attached)

County: Fort Bend  
Project: Harvest Green C-4  
Job No. 111057  
MBS No. 20-025 (R.O.W. Parcel C)

**FIELD NOTES FOR 0.016 ACRE**

Being a tract containing 0.016 acre of land located in the Jane Wilkins One League Grant, Abstract 96, Fort Bend County, Texas. Said 0.016 acre being a portion of a call 16.833 acre tract recorded in the name of AGA Khan Foundation U.S.A. in Fort Bend County Clerk's File (F.B.C.C.F.) No. 2019122635; Said 0.016 acre of land being more particularly described by metes and bounds as follows (Bearings are referenced to the Texas Coordinate System of 1983, South Central Zone, based on GPS observations):

**BEGINNING** at a 5/8 inch iron rod with "GBI Partners" cap found at the northeast corner of said 16.833 acre tract and being on the southwest right-of-way (R.O.W.) line of Grand Parkway (S.H. 99) based on a width of 400-feet;

**THENCE**, with said westerly R.O.W. line, South 23 degrees 18 minutes 03 seconds East, a distance of 34.02 feet;

**THENCE**, through and across said 16.833 acre tract, the following two (2) courses:

- 1.) South 66 degrees 41 minutes 57 seconds West, a distance of 20.00 feet;
- 2.) North 23 degrees 18 minutes 03 seconds West, a distance of 34.02 feet to the southeast corner of Unrestricted Reserve "A", Block 1, ISHINE Carwash at Harvest Green, a subdivision recorded in Plat No. 20190146 of the Fort Bend County Plat Records (F.B.C.P.R.);

**THENCE**, with the north line of said 16.833 acre tract, North 66 degrees 41 minutes 57 East, a distance of 20.00 feet to the **POINT OF BEGINNING** and containing 0.016 acre of land.

**GBI Partners, L.P.**  
TBPELS Firm #10130300, 10194423  
Ph: 281.499.4539  
February 5, 2020





Scale: 1" = 100'

**HARLEM ROAD**  
(120' R.O.W.)  
VOL. 63, PG. 203 F.B.C.D.R.  
F.B.C.C.F. NO. 2015075797

UNRESTRICTED RESERVE "A"  
BLOCK 1  
TIMEWISE AT  
HARVEST GREEN  
PLAT NO. 20180014 F.B.C.P.R.

RESIDUE OF  
CALL 158.253 ACRES  
GRAND PARKWAY 1358, LP  
F.B.C.C.F. NO. 2014037769

UNRESTRICTED RESERVE "A"  
BLOCK 1  
ARVO PLAZA AT  
HARVEST GREEN  
PLAT NO. 20180216 F.B.C.P.R.

UNRESTRICTED RESERVE "A"  
BLOCK 1  
ISHINE CARWASH AT  
HARVEST GREEN  
PLAT NO. 20190146 F.B.C.P.R.

**GRAND PARKWAY**  
(WIDTH 66' A.K.A. 54' + 12')

FND 5/8"C.I.R.

FND 5/8"C.I.R.

FND 5/8"C.I.R.

P.O.B.  
FND  
5/8"C.I.R.

FND 5/8"C.I.R.

5/8"C.I.R.

L=64.88'  
R=230.00'  
D=16°09'42"  
CHB=S58°37'06"W  
CHD=64.66'

S66°41'57"W 285.98'  
20'

**0.016  
ACRE**

CALL 16.833 ACRES  
AGA KHAN FOUNDATION U.S.A.  
F.B.C.C.F. NO. 2019122635

## LEGEND

C.I.R. CAPPED IRON ROD  
F.B.C.C.F. FORT BEND COUNTY CLERK'S FILE  
F.B.C.D.R. FORT BEND COUNTY DEED RECORDS  
F.B.C.P.R. FORT BEND COUNTY PLAT RECORDS  
P.O.B. POINT OF BEGINNING

## NOTE:

1. BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, BASED ON GPS OBSERVATIONS.
2. SEE PAGE 1 OF 2 PAGES FOR METES AND BOUNDS DESCRIPTION.

## EXHIBIT OF

**0.016 ACRE**

BEING A PORTION OF A CALL 16.833 ACRE TRACT  
RECORDED IN THE NAME OF AGA KHAN FOUNDATION  
U.S.A. IN FORT BEND COUNTY CLERK'S FILE NO.  
2019122635.

LOCATED IN THE

JANE WILKINS ONE LEAGUE GRANT, A-96  
FORT BEND COUNTY, TEXAS



**GBI PARTNERS, L.P.**

LAND SURVEYING CONSULTANTS

4724 VISTA ROAD • PASADENA, TX 77505  
PHONE: 281-499-4539 • www.gbisurvey.com  
TBPCLS FIRM # 10130300, 10194423

SCALE: 1" = 100'

JOB NO. 111057

DATE: 02/05/2020

CREW CHIEF: N/A

FIELD BOOK: N/A

DWG.: 20-025EX

February 26, 2020

**0.1523 acre of land in the Jane Wilkins One League Grant, Abstract No. 96,  
Fort Bend County, Texas**

A FIELD NOTE DESCRIPTION of a 0.1523 acre (6,636 square feet) tract of land in the Jane Wilkins One League Grant, Abstract No. 96, Fort Bend County, Texas; said 0.1523 acre tract being out of a 16.833 acre tract of land conveyed to AGA Khan Foundation U.S.A., as recorded in Fort Bend County Clerks File No. 2019122635; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

COMMENCING FOR REFERENCE at a 5/8-inch iron rod with cap stamped "GBI" found in the southwest right-of-way of Grand Parkway (400 feet wide), as recorded in Fort Bend County Clerks Files Nos. 9144829 and 2018134546, for the east corner of Ishine Carwash at Harvest Green, according to the map or plat recorded in Plat No. 20190146 of the Fort Bend County Plat Records, conveyed to HG Ishine 14 LLC, as recorded in Fort Bend County Clerk File No. 2017117658, and for the north corner of said AGA tract; from which a 5/8-inch iron rod with cap stamped "GBI" found bearing South 23° 18' 09" East - 30.02 feet;

THENCE, South 23° 18' 09" East - 166.67 feet with the northeast line of said AGA tract and with the southwest line of said Grand Parkway to a point for the northeast corner and POINT OF BEGINNING of this tract;

THENCE, South 23° 18' 09" East - 325.00 feet with the northeast line of said AGA tract and with the southwest line of said Grand Parkway to a 5/8-inch iron rod with cap stamped "GBI" found for the north corner of a Drainage Easement (Parcel 10-E PT. 4), as shown on TXDOT maps for Grand Parkway and for the east corner of this tract;

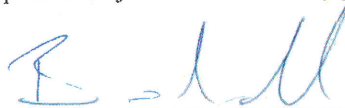
THENCE, South 32° 32' 33" West - 24.17 feet with the northwest line of said Drainage Easement and with the southeast line of said AGA tract to a point for the south corner of this tract;

THENCE, North 23° 18' 09" West - 338.57 feet to a point for the west corner of this tract;

THENCE, North 66° 41' 51" East - 20.00 feet to the POINT OF BEGINNING and containing 0.1523 acre (6,636 square feet) of land.

Note: This metes-and-bounds description was compiled in conjunction with a survey performed on even date.

COMPILED BY:  
TEXAS ENGINEERING AND MAPPING CO.  
Civil Engineers - Land Surveyors  
Stafford, Texas  
Firm Registration No. 10119000  
Job No. 1245-7  
W:\1245-7\_Tract.docx

  
\_\_\_\_\_  
Brian Nesvadba  
Registered Professional Land Surveyor  
State of Texas No. 5776



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**EXHIBIT B**

**Driveway Access**

(see attached)



