



**MEMORANDUM OF EASEMENT**

**THIS MEMORANDUM OF EASEMENT** is hereby executed this 12<sup>th</sup> day of January, 2022, by and between **BNSF RAILWAY COMPANY**, a Delaware corporation ("**Grantor**"), whose address for purposes of this instrument is 2500 Lou Menk Drive, Fort Worth, Texas 76131, and **FORT BEND COUNTY** ("**Grantee**"), whose address for purposes of this instrument is OF 301 Jackson St., Richmond Texas 77469, which terms "Grantor" and "Grantee" shall include, wherever the context permits or requires, singular or plural, and the heirs, legal representatives, successors and assigns of the respective parties:

**WITNESSETH:**

**WHEREAS**, Grantor owns or controls certain real property situated in Fort Bend County, Texas as described on Exhibit "A-1" attached hereto and incorporated herein by reference (the "**Premises**");

**WHEREAS**, Grantor and Grantee entered into an Easement Agreement, dated January \_\_\_\_, 2022 (the "**Easement Agreement**") which set forth, among other things, the terms of an easement granted by Grantor to Grantee over and across the Premises (the "**Easement**"); and

**WHEREAS**, Grantor and Grantee desire to memorialize the terms and conditions of the Easement Agreement of record.

For valuable consideration the receipt and sufficiency of which are hereby acknowledged, Grantor does grant unto Grantee and Grantee does hereby accept from Grantor the Easement over and across the Premises.

The term of the Easement, unless sooner terminated under provisions of the Easement Agreement shall be perpetual.

All the terms, conditions, provisions and covenants of the Easement Agreement are incorporated herein by this reference for all purposes as though written out at length herein, and both the Easement Agreement and this Memorandum of Easement shall be deemed to constitute a single instrument or document. This Memorandum of Easement is not intended to amend, modify, supplement, or supersede any of the provisions of the Easement Agreement and, to the extent there may be any conflict or inconsistency between the Easement Agreement or this Memorandum of Easement, the Easement Agreement shall control.

**IN WITNESS WHEREOF**, Grantor and Grantee have executed this Memorandum of Easement to as of the date and year first above written.

**GRANTOR:**

**BNSF RAILWAY COMPANY**, a Delaware corporation

By: \_\_\_\_\_

Name: Blaine Bilderback

Title: Director Real Estate

**STATE OF TEXAS**

§

§

**COUNTY OF TARRANT**

§

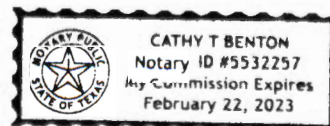
This instrument was acknowledged before me on the 12<sup>th</sup> day of January 2022, by Blaine Bilderback as Director Real Estate (title) of **BNSF RAILWAY COMPANY**, a Delaware corporation.

Cathy T. Benton  
Notary Public

My appointment expires

Feb 22, 2023

(Seal)



GRANTEE:  
Fort Bend County

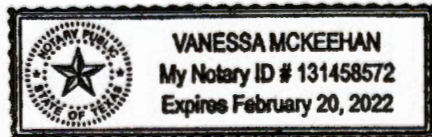
By: KP George  
Name: KP George  
Title: Fort Bend County Judge

STATE OF Texas §  
COUNTY OF Fort Bend §

This instrument was acknowledged before me on the 24 day of August,  
2021, by KP George (name) as  
County Judge (title) of Fort Bend County .

VMcKeehan  
Notary Public

My appointment expires: 2/20/2022  
(Seal)



AS PER ORIGINAL



Parcel #6  
0.41 Acre

**EXHIBIT A-1**  
**Property Description for**  
**Permanent Easement at**  
**Benton Road - DOT No. 022677B**

Jane Long League, Abstract 55  
Joseph Kuykendall League, Abstract 49

STATE OF TEXAS                   §

COUNTY OF FORT BEND   §

A **METES & BOUNDS** description of a 0.41 acre tract of land in the Jane Long League, Abstract 55, and the Joseph Kuykendall League, Abstract 49, City of Rosenberg, Fort Bend County, Texas, being over, through and across a portion of the G. C. & S. F. Railroad right-of-way recorded in Volume M, Page 161, Deed Records, Fort Bend County, Texas, with all bearings based upon the Texas Coordinate System of 1983, South Central Zone, based upon GPS observations.

**Beginning** at a 5/8 inch iron rod found at the intersection of the existing westerly right-of-way line of Benton Road (100-feet wide this location) and the southerly line of said G. C. & S. F. Railroad right-of-way, being the northeast corner of Restricted Reserve "A" of the adjoining Rosenberg Self Storage Number One, according to map or plat thereof recorded under County Clerk's File Number 20090085, Plat Records, Fort Bend County, Texas, for a point in the southwest line and **Place of Beginning** of the herein described tract, from which point a 5/8 inch iron rod with cap marked "EHRA" found for the northwest corner of said adjoining Restricted Reserve "A" bears North 83 degrees 12 minutes 59 seconds West, 332.32 feet;

**Thence** North 83 degrees 12 minutes 59 seconds West along the southwest line of the herein described tract and the southwest line of said G. C. & S. F. Railroad right-of-way, same being the northeast line of said adjoining Restricted Reserve "A", 16.65 feet to a 5/8 inch iron rod with cap marked "Jones | Carter" set on said line for the west corner of the herein described tract;

**Thence** North 06 degrees 47 minutes 01 second East establishing the westerly line of the herein described tract, crossing said G. C. & S. F. Railroad right-of-way, 93.91 feet to an angle point;

**Thence** North 38 degrees 38 minutes 24 seconds West continuing along said line, 8.67 feet to a 5/8 inch iron rod with cap marked "Jones | Carter" set for the northwest corner of the herein described tract, said point being in the northerly line of said G. C. & S. F. Railroad right-of-way, same being the southerly right-of-way line of F. M. Highway 762 (100-feet wide);

**Thence** South 83 degrees 12 minutes 59 seconds East along the northerly line of said G. C. & S. F. Railroad right-of-way, same being the southerly right-of-way line of F. M. Highway 762, 208.59 feet to a 5/8 inch iron rod with cap marked "Jones | Carter" set for the northeast corner of the herein described tract;

**Thence** South 58 degrees 15 minutes 38 seconds West establishing the easterly line of the herein described tract, crossing said G. C. & S. F. Railroad right-of-way, 23.43 feet to an angle point;

**Thence** South 19 degrees 45 minutes 12 seconds West continuing along said line, 87.64 feet to a 5/8 inch iron rod with cap marked "Jones | Carter" set for the southeast corner of the herein described tract, said point being in the southerly line of said G. C. & S. F. Railroad right-of-way, same being the northeast line of Restricted Reserve "B-1" of the adjoining Benton Park Reserves "B" & "C" Replat, according to map or plat thereof recorded under Slide Numbers 2082B, 2083A&B, Plat Records, Fort Bend County, Texas, from which point a 5/8 inch iron rod with cap marked "Team" found for the northeast corner of said adjoining Restricted Reserve "B-1" bears South 83 degrees 12 minutes 59 seconds East, 726.32 feet;

Parcel #6  
0.41 Acre

Jane Long League, Abstract 55  
Joseph Kuykendall League, Abstract 49

**Thence** North 83 degrees 12 minutes 59 seconds West along the southerly line of said G. C. & S. F. Railroad right-of-way, crossing Benton Road, 147.76 feet to the **Place of Beginning** and containing 0.41 acre of land, with 0.23 acre within the existing right-of-way of Benton Road, for a net acreage of 0.18 acre of land, more or less.

For reference and further description see Drawing No. 13376 prepared by the undersigned on same date.

October 22, 2018  
Revised: March 26, 2020

Job Number R0090-0004-00

Jones | Carter  
1229 Corporate Drive, Suite 100  
Rosenberg, TX 77471  
(281) 342-2033  
Texas Board of Professional Land  
Surveying Registration No. 10046104

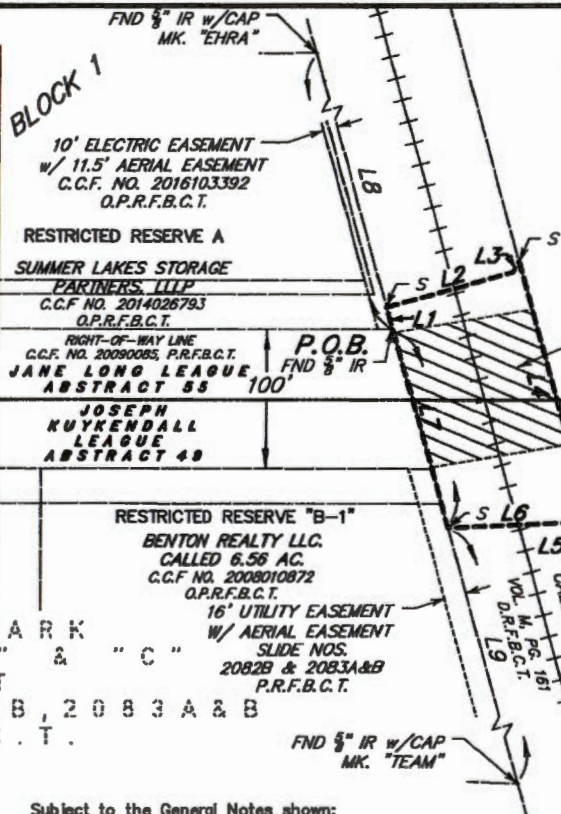


  
Acting By/Through Chris D. Kalkomey  
Registered Professional Land Surveyor  
No. 5869  
CDKalkomey@jonescarter.com

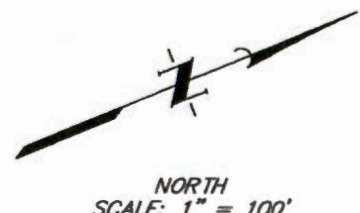


WILLIAM LUSK SURVEY  
ABSTRACT 278

ROSENBERG  
SELF STORAGE  
NUMBER ONE  
SECTION ONE  
C.C.F. NO.  
20090085  
P.R.F.B.C.T.



LINE	BEARING	DISTANCE
L1	N 83°12'59" W	16.65'
L2	N 06°47'01" E	93.91'
L3	N 38°38'24" W	8.67'
L4	S 83°12'59" E	208.59'
L5	S 58°15'38" W	23.43'
L6	S 19°45'12" W	87.64'
L7	N 83°12'59" W	147.76'
L8	N 83°12'59" W	315.67'
L9	S 83°12'59" E	726.32'



NORTH  
SCALE: 1" = 100'

**PARCEL #6**  
**0.41 ACRE**  
**-0.23 AC. IN EXISTING ROAD**  
**0.18 AC. NET**

**SURVEY  
OF  
PROPOSED BENTON ROAD  
RIGHT-OF-WAY  
BEING  
0.41 ACRE  
OUT OF THE  
JANE LONG LEAGUE  
ABSTRACT 55  
AND THE  
JOSEPH KUYKENDALL LEAGUE  
ABSTRACT 49  
CITY OF ROSENBERG  
FORT BEND COUNTY, TEXAS  
JULY 2019**

Subject to the General Notes shown:

We, Jones|Carter, acting by and through Chris D. Kalkomey, a Registered Professional Land Surveyor, hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition III Survey.

Surveyed: July 19, 2019  
Revised: March 28, 2020



*Chris D. Kalkomey*  
Chris D. Kalkomey  
Registered Professional Land Surveyor  
No. 5869  
cdkalkomey@jonescarter.com

**J|C JONES|CARTER**

Texas Board of Professional Land Surveying Registration No. 10946104  
1229 Corporate Drive, Ste 100 • Rosenberg, Texas 77471 • 281.542.2033

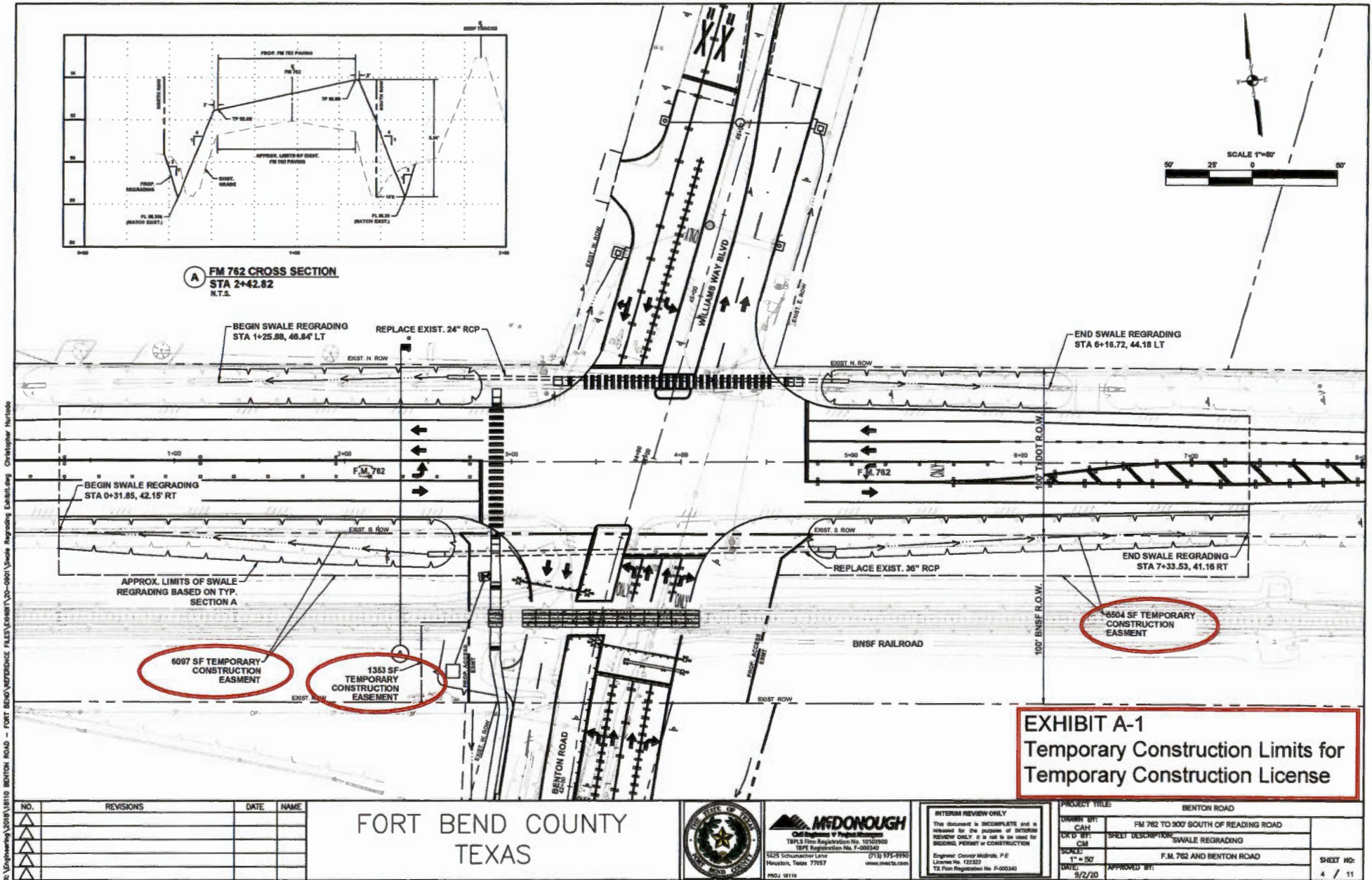
"S" - SET 5/8" IR W/CAP  
"JONES|CARTER"

GENERAL NOTES:

- Bearings are based upon the Texas Coordinate System of 1983, South Central Zone, based upon GPS observations.
- For reference and further description, see notes and bounds description, job number R0090-0004-00, prepared by Jones|Carter, Inc. on same date.

# RECORDER'S MEMORANDUM

This page is not satisfactory for photographic recordation due to carbon or photo copy, discolored paper, etc. All block-outs, additions and changes were presented at time instrument was filed and recorded.



FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

*Laura Richard*

Laura Richard, County Clerk

Fort Bend County Texas

June 07, 2023 03:38:57 PM



FEE: \$0.00

DP2

**2023052865**