



Project No. 17202/20202
Chimney Rock
Parcel 16

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.

RIGHT-OF-WAY DONATION DEED

Grantor: HIGHTOWER PHASE I OWNER, LLC,
a Delaware limited liability company

Grantor's Mailing Address:

3819 Maple Avenue
Dallas, Texas 75219

Grantee: FORT BEND COUNTY, TEXAS
a political subdivision of the State of Texas

Grantee's Mailing Address:

c/o County Auditor
301 Jackson Street
Richmond, Texas 77469

Grantee's Authority: Fort Bend County, Texas, acting by and through the Fort Bend County Commissioners Court, is authorized under the Section 81.032 of the Texas Local Government Code to accept donations of property for the purpose of performing a function conferred by law on the County. Fort Bend County, Texas, acting by and through the Fort Bend County Commissioners Court, is also authorized under Section 252.019 of the Texas Transportation Code to accept donations of property to aid in building or maintaining roads in the County.

Consideration: Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration.

Property (including any improvements): Being 0.5065 acres (22.062 s.f.) of land, more or less, situated in the T. Hobermaker Survey, Abstract No. 191, Fort Bend County, Texas, and being out of that certain called 163.999 acre tract conveyed to OSY, LLC by deed under Clerk's File No. 2022116924 of the Official Public Records of Fort Bend County, Texas; said 0.5065 acre parcel being more particularly described by metes and bounds and survey attached hereto as Exhibit "A" and incorporated by reference for all intents and purposes (the "Property").

Reservations from Conveyance: None.

Exceptions to Conveyance: This Right of Way 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 is further subject to all easements, mineral and/or royalty interests, mineral reservations, surface waivers, utility conveyances, if any, or other matters of record in the Official Public Records of Fort Bend County, Texas, but only to the extent the same are validly existing, applicable to the Property and enforceable against a political division of the State of Texas.

The purpose of this conveyance is to donate to Fort Bend County, Texas, a portion of the right-of-way for Chimney Rock Road (the "roadway facility") as provided in the attached Exhibit "A" for public use and enjoyment as and for a public street or road, together with the electrical power and telecommunications, gas, water, sanitary, and storm sewer lines constructed thereunder (if any), and is executed by Grantor and accepted by Grantee subject to the terms, conditions, and provisions hereof.

GRANTEE IS TAKING POSSESSION OF THE PROPERTY ON AN "AS IS" "WHERE IS" "WITH ALL FAULTS" BASIS. GRANTEE ACKNOWLEDGES AND AGREES THAT, EXCEPT FOR THE SPECIAL WARRANTY OF TITLE CONTAINED IN THIS DEED, GRANTOR HAS NOT MADE, DOES NOT MAKE, AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES, COVENANTS, AGREEMENTS, OR GUARANTIES OF ANY KIND OR CHARACTER WHATSOEVER, WHETHER STATUTORY, EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT, OR FUTURE, OF, AS TO, CONCERNING, OR WITH RESPECT TO THE NATURE, QUALITY, OR CONDITION OF THE PROPERTY.

Grantor hereby acknowledges that the Property herein conveyed shall become a part of a public roadway facility and that Grantor's use of and access to the roadway facility shall be and forever remain subject to the same regulation by legally constituted authority as applies to the public's use thereof.

Grantor, for the Consideration and subject to the Reservations from Conveyance and Exceptions to Conveyance, GRANTS, GIVES, 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 and assigns 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 when the claim is by, through or under Grantor, but not otherwise, except as to the Reservations from and Exceptions to Conveyance.

If current ad valorem taxes on the 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, as a governmental entity, shall be responsible for applying and perfecting any exemption for which it is entitled relating to period of ownership.

[Signature Page Follows]

GRANTOR

HIGHTOWER PHASE I OWNER, LLC,
a Delaware limited liability company

By: Hightower Investor Holdings, LLC,
a Delaware limited liability company,
its sole member

By: CHI Gulf Coast 106 Hightower, L.P.,
a Delaware limited partnership,
its administrative member

By: CHI LTH GP, L.L.C.,
a Delaware limited liability company,
its general partner

By: Cory Driskill
Name: Cory Driskill
Title: Vice President

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

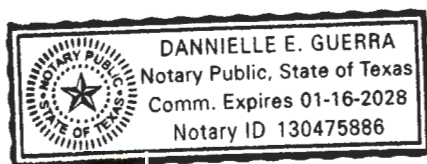
The foregoing instrument was ACKNOWLEDGED before me this 14 day of April, 2025, by Cory Driskill, a Vice President of CHI LTH GP, L.L.C., a Delaware limited liability company, the general partner of CHI Gulf Coast 106 Hightower, L.P., a Delaware limited partnership, the administrative member of Hightower Investor Holdings, LLC, a Delaware limited liability company, the sole member of Hightower Phase I Owner, LLC, a Delaware limited liability company, on behalf of said limited liability companies and limited partnership.

[S E A L]

My Commission Expires:
11/16/2028

Dannielle Guerra
Notary Public, State of Texas

Dannielle Guerra
Printed Name of Notary Public



After Recording Please Return To:
Fort Bend County Engineering Dept.
301 Jackson St., 4th Floor
Richmond, Texas 77469

i:\agreements\2025 agreements\engineering\osy, llc (25-eng-100315)\right-of-way donation deed - parcel 16.docx - JLF

EXHIBIT "A"
METES AND BOUNDS DESCRIPTION
0.5065 ACRES (22,062 SQ. FT.)
OUT OF CALLED 163.999 ACRE TRACT
T. HOBERMAKER SURVEY, A-191
FORT BEND COUNTY, TEXAS

Being a tract or parcel of land containing a total of 0.5065 acres (22,062 square feet), more less, situated in the T. Hobermaker Survey, Abstract No. 191, in Fort Bend County, Texas, said 0.5065 acre tract being out of that certain tract called 163.999 acres conveyed to OSY, LLC by special warranty deed dated September 8, 2022, recorded in Fort Bend County Clerk's File No. 2022116924, of the Official Public Records of Fort Bend County, Texas, said 0.5065 acre parcel being more particularly described by metes and bounds as follows (with all bearings referenced to the Texas Coordinate System, South Central Zone, NAD '83):

BEGINNING at a 5/8-inch iron rod with a Tejas cap (X=3,087,563.21; Y=13,777,177.96; surface, feet) found in the existing southerly right-of-way line of F. M. 2234 (width varies) as widened in Fort Bend County Clerk's File No. 2015094417 and 2015104000, at its intersect with the existing easterly line right-of-way line Chimney Rock Road as described in Fort Bend County Clerk's File No. 2018083553, being the most northerly northwest corner of said 163.999 acre tract and the herein described 0.5065 acre parcel;

THENCE North 87°01'23" East along the southerly right-of-way line of said F.M. 2234 and the northerly line of said 163.999 acre tract, a distance of 32.96 feet to a 5/8-inch iron rod with a Tejas cap set for the most northerly cut-back corner on the proposed easterly right-of-way line of said Chimney Rock Road, for the northeast corner of the herein described parcel;

THENCE South 42°00'46" West, crossing said 163.999 acre tract along the proposed easterly right-of-way line of said Chimney Rock Road, a distance of 35.34 feet to a 5/8-inch iron rod with a Tejas cap set for an angle point in the proposed easterly right-of-way line of said Chimney Rock Road (150 feet wide);

THENCE South 02°59'52" East, crossing said 163.999 acre tract along the proposed easterly right-of-way line of said Chimney Rock Road, a distance of 849.35 feet to 5/8-inch iron rod with a Tejas cap found for a northeast corner of the existing easterly right-of-way line of Chimney Rock Road, being an interior corner of said 163.999 acre tract and the southeast corner of the herein described parcel;

THENCE South 87°00'08" West, along the existing easterly right-of-way line of said Chimney Rock Road and a southerly line of said 163.999 acre tract, a distance of 25.00 feet to the to 5/8-

inch iron rod with a Tejas cap found on the existing easterly right-of-way line of Chimney Rock Road (100 feet wide), being a southwesterly corner of said 163.999 acre tract and the herein described parcel;

THENCE North $02^{\circ}59'52''$ West, along the existing easterly right-of-way line of said Chimney Rock Road, being the westerly line of said 163.999 acre tract, a distance of 850.65 feet to 5/8-inch iron rod with a Tejas cap found for a point of curvature;

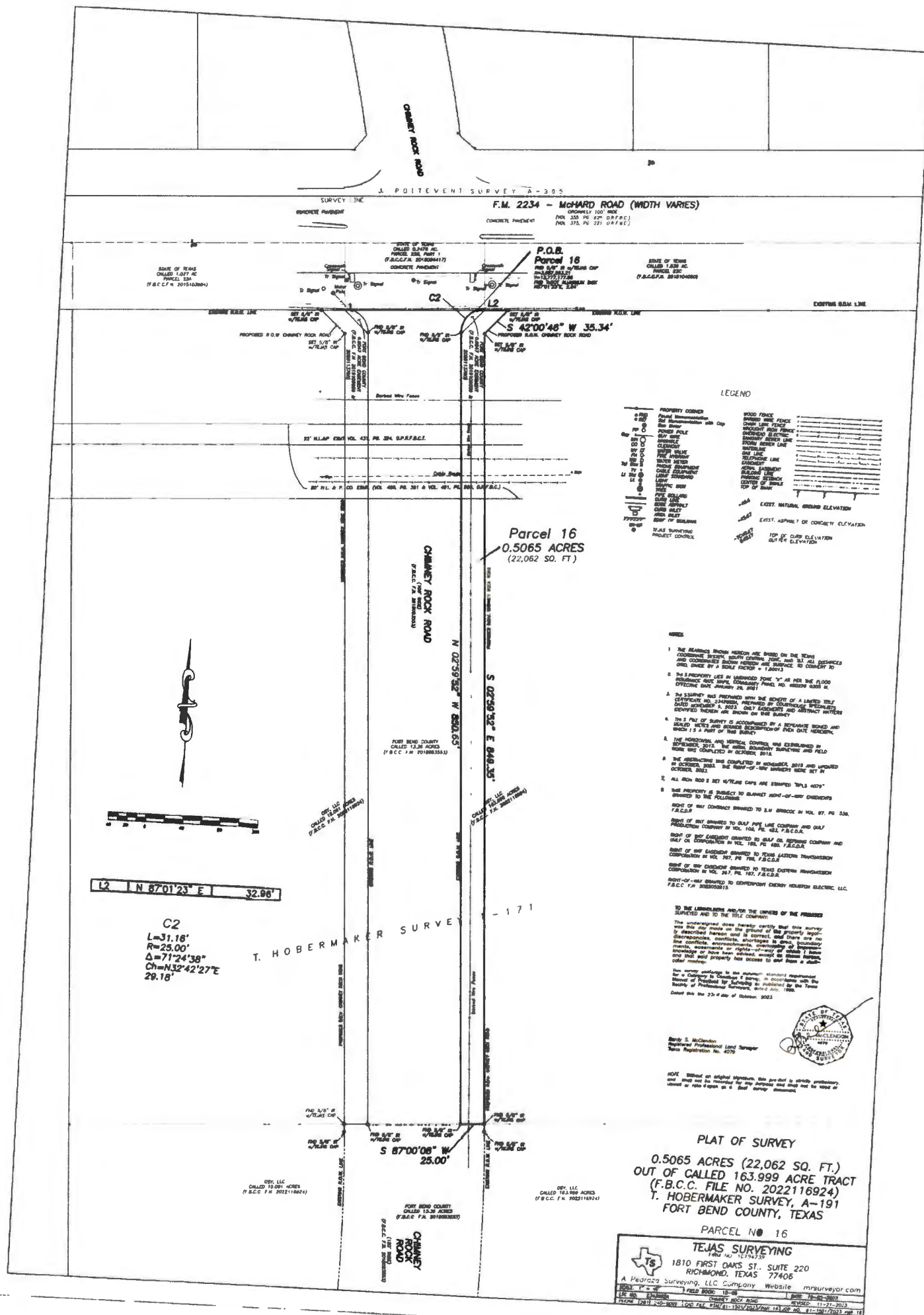
THENCE, in a northeasterly direction, a distance of 31.16 feet along the existing easterly right-of-way line of said Chimney Rock Road, being the westerly line of said 163.999 acre tract, following the arc of a curve to the right, having a radius of 25.00 feet and a central angle of $71^{\circ}24'38''$ (Ch= $N32^{\circ}42'27''E$, 29.18 feet) to the POINT OF BEGINNING and containing 0.5065 acres (22,062 square feet) of land, more or less.

Note: This description is accompanied by a plat of survey of even date herewith. All iron rods set with Tejas caps are stamped with "RPLS 4079".

All distances and coordinates shown hereon are surface. To convert to grid, divide by a scale factor = 1.00013.

TEJAS SURVEYING
Firm No. 10194739
Ph: 281 240-9099
Job No. 61-1501-2023 Parcel 16





FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk

Fort Bend County Texas

May 20, 2025 03:57:54 PM



FEE: \$0.00

DP2

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