



STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

ORDER CLOSING, ABANDONING, AND VACATING RIGHT-OF-WAY

ON THE 22ND day of July, 2025 at a duly posted and called meeting of Commissioners Court of Fort Bend County, Texas, upon motion of Commissioner Meyers, seconded by Commissioner McCoy, duly put and carried, by unanimous vote:

WHEREAS, EL FERROCARRIL, LTD, a Texas limited partnership, has petitioned the Fort Bend County Commissioners Court to close, abandon, and vacate certain dedicated, unimproved, public rights-of-way located in Fort Bend County, Texas, which petition is attached hereto as "Exhibit A" and incorporated by reference; and

WHEREAS, said dedicated rights-of-way are legally described as follows (hereinafter, the "Roads"):

Tract 1: Being a 60-foot wide dedicated, unimproved right-of-way consisting of 5.192 acres of land, more or less, situated in the Gail Borden, Jr. Survey, Abstract No. 21, Fort Bend County, Texas; said 5.192 acres of land being more particularly described by metes and bounds attached hereto as "Exhibit B" and incorporated herein by reference.

Tract 2: Being a 60-foot wide dedicated, unimproved right-of-way consisting of 1.861 acres of land, more or less, situated in the Gail Borden, Jr. Survey, Abstract No. 21, Fort Bend County, Texas; said 1.861 acres of land being more particularly described by metes and bounds attached hereto as "Exhibit C" and incorporated herein by reference.

WHEREAS, EL FERROCARRIL, LTD. owns all the property abutting the Roads; and

WHEREAS, the Fort Bend County Commissioners Court has determined that the Roads are not needed and that the public interest would be best served if the Roads are closed, abandoned, and vacated; and

WHEREAS, Texas Transportation Code §251.058(b) states:

Title to a public road or portion of a public road that is closed, abandoned, and vacated to the center line of the road vests on the date the order is signed by the county judge in the owner of the property that abuts the portion of the road being closed, abandoned, and vacated. A copy of the order shall be filed in the deed records of the county and serves as the official instrument of conveyance from the county to the owner of the abutting property.

IT IS THEREFORE ORDERED BY THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS the following:

1. The 60-foot wide dedicated, unimproved right-of-way consisting of 5.192 acres of land, more or less, situated in the Gail Borden, Jr. Survey, Abstract No. 21, Fort Bend County, Texas, as described in "Exhibit B" attached hereto is hereby closed, abandoned, and vacated subject to any existing public utility easements pursuant to Sections 251.051 and 251.058(b) of the Texas Transportation Code. Title to said 60-foot wide dedicated, unimproved right-of-way consisting 5.192 acres of land is fully vested in EL FERROCARRIL, LTD., a Texas limited partnership.
2. The a 60-foot wide dedicated, unimproved right-of-way consisting of 1.861 acres of land, more or less, situated in the Gail Borden, Jr. Survey, Abstract No. 21, Fort Bend County, Texas, as described in "Exhibit C" attached hereto is hereby closed, abandoned, and vacated subject to any existing public utility easements pursuant to Sections 251.051 and 251.058(b) of the Texas Transportation Code. Title to said 60-foot wide dedicated, unimproved right-of-way consisting of 1.861 acres of land is fully vested in EL FERROCARRIL, LTD., a Texas limited partnership.
3. The Fort Bend County Clerk shall record a copy of this Order at no cost in the Official Public Records of Fort Bend County, Texas, to serve as the official instrument of conveyance from Fort Bend County, Texas to EL FERROCARRIL, LTD.
4. The Fort Bend County Clerk shall further index this Order in the Official Public Records of Fort Bend County, Texas in a manner that describes (a) FORT BEND COUNTY, TEXAS as **Grantor**, and (b) EL FERROCARRIL, LTD., a Texas limited partnership, receiving the conveyance as **Grantee**, pursuant to Section 251.0158(b) of the Texas Transportation Code.

SIGNED AND ENTERED this 22 day of July, 2025.

FORT BEND COUNTY, TEXAS



KP GEORGE, COUNTY JUDGE

ATTEST:



LAURA RICHARD, COUNTY CLERK



EXHIBIT A

(Signed Petition Follows Behind)

PETITION TO CLOSE,
ABANDON, AND
VACATE A PUBLIC ROAD

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§
§
§
§

IN THE COMMISSIONERS COURT
OF
FORT BEND COUNTY, TEXAS

TO THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS:

EL FERROCARRIL, LTD. ("Petitioner"), a Texas limited partnership, hereby petitions the Commissioners Court of Fort Bend County, Texas (the "Commissioners Court"), pursuant to Section 251.051 of the Texas Transportation Code, to close, abandon, and vacate two unimproved roads situated in Sections 1, 5, and 6 of the Fruitland Farms subdivision in Fort Bend County, Texas as provided in the survey attached hereto as "Exhibit 1," and in support thereof would respectfully represent and show the Commissioners Court as follows:

I.

Petitioner requests that the above-referenced roads be closed, abandoned, and vacated by County as said roads have never been improved or used as a public road. Said roads are legally described as follows (hereinafter, the "Roads"):

Tract 1: Being a 60-foot wide dedicated, unimproved right-of-way consisting of 5.192 acres of land, more or less, situated in the Gail Borden, Jr. Survey, Abstract No. 21, Fort Bend County, Texas; said 5.192 acres of land being out of and a part of the called 264.209 acre tract described in deed recorded under Volume 530, Page 208 of the Official Public Records of Fort Bend County, Texas, and the dedicated unimproved right-of-way of Section 1 and 6 of Fruitland Farms, a subdivision recorded under Volume X, Page 309 of the Official Public Records of Fort Bend County, Texas.

Tract 2: Being a 60-foot wide dedicated, unimproved right-of-way consisting of 1.861 acres of land, more or less, situated in the Gail Borden, Jr. Survey, Abstract No. 21, Fort Bend County, Texas; said 1.861 acres of land being out of and a part of the called 264.209 acre tract described in deed recorded under Volume 530, Page 208 of the Official Public Records of Fort Bend County, Texas, and the dedicated unimproved right-of-way of

Section 5 and 6 of Fruitland Farms, a subdivision recorded under Volume X, Page 309 of the Official Public Records of Fort Bend County, Texas.

Petitioner owns all the property abutting the Roads to be abandoned. Petitioner further represents to the Commissioners Court that no other landowner uses the Roads to be abandoned for access to their property, and that the formal abandonment of the Roads will not and could not adversely affect any other property owner.

Petitioner understands that Fort Bend County's action of formally abandoning the Roads are not intended to and should not and will not terminate or adversely affect the established and existing private easement rights, if any, of any person, whether or not such easement rights are recorded in the Real Property Records of Fort Bend County, Texas.

II.

Closing, abandoning, and vacating of the Roads are in the best interest of not only of the Petitioner, but also of Fort Bend County, Texas. Petitioner warrants and covenants that they shall not seek to enjoin the entry or enforcement of an order of the Commissioners Court to close, abandon, and vacate the Roads, regardless of the fact that any portion of the Roads being closed, abandoned, and vacated may provide the only ingress to or egress from their property, and furthermore, Petitioner forever waives and relinquishes their right to so enjoin such action by any Court, and/or to seek damages as a result of the abandonment. Petitioner warrants that they have secured or will secure alternate access to their property, if necessary, by agreements entered into by them and/or easements granted to them, as the case may be.

WHEREFORE, Petitioner prays that the Fort Bend County Commissioners' Court close, abandon, and vacate the Roads.

PETITIONER:

EL FERROCARRIL, LTD.

a Texas limited partnership

El Ferro Holdings, LLC

a Texas limited partnership and

sole general partners

By: 

David Martin, Manager

Acknowledgment

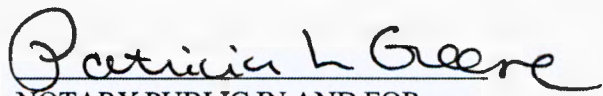
THE STATE OF TEXAS §

§

COUNTY OF Harris §

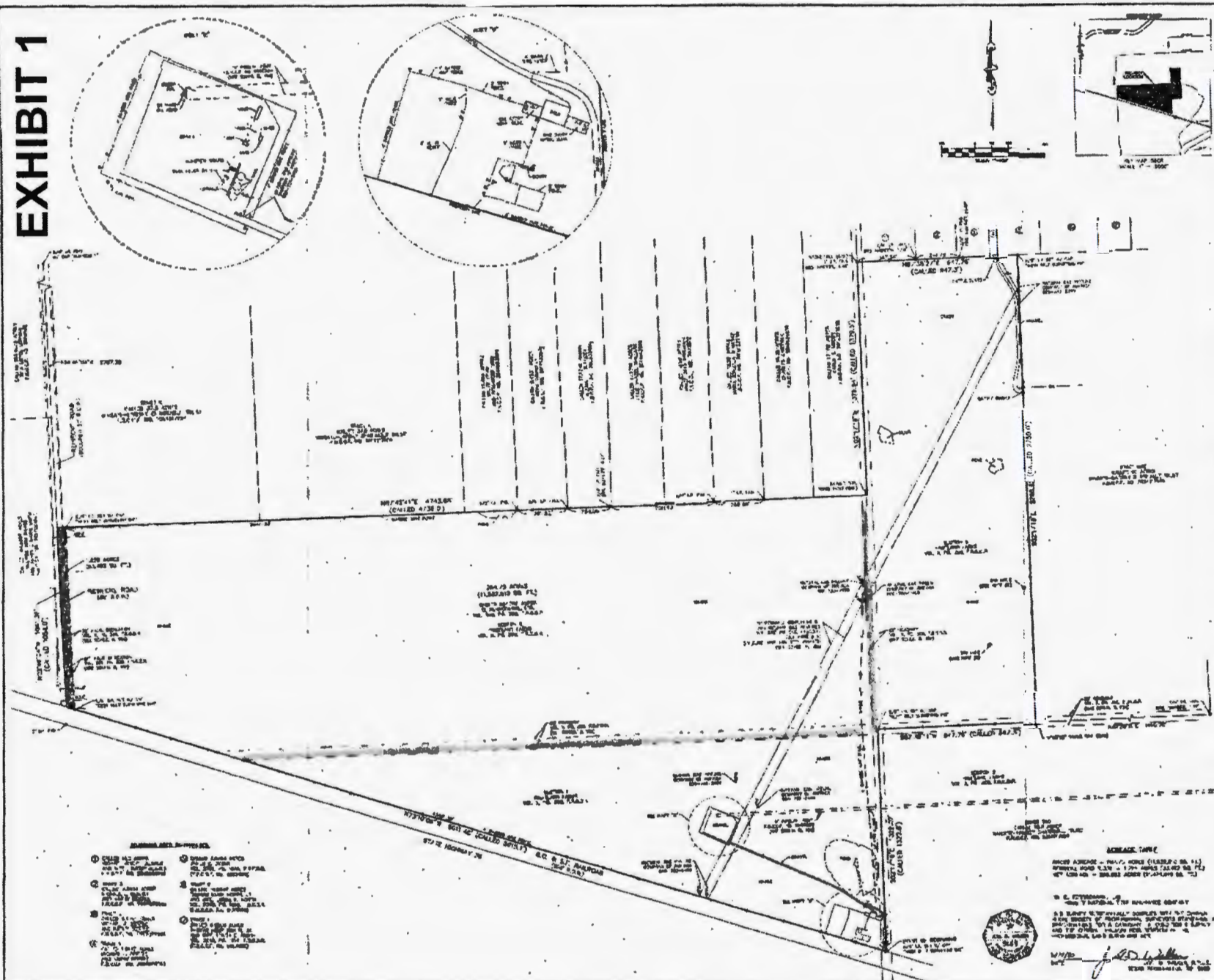
This instrument was acknowledged before me, the undersigned notary, on this 2nd day of June, 2025 by David Martin, Manager of El Ferro Holdings, LLC, a Texas limited liability company and sole general partners of El Ferrocarril, Ltd., a Texas limited partnership, on behalf of said limited liability company and limited partnership.




NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

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

EXHIBIT 1

[illegible][illegible]

EL FERROCARRIL. LTD.

LAND TITLE SURVEY

264.75 ACRE TRACT
OUT OF THE
GAIL BORDEN, JR. SURVEY
ABSTRACT NO. 12
FORT BEND COUNTY, TEXAS

WEST BELT
HUNTINGTON, W. VA.

[illegible]

EXHIBIT B

(Metes and Bounds for 5.192 Acre Tract.Follows Behind)

TRACT 1
60-FOOT RIGHT-OF-WAY ABANDONMENT

5.192 ACRES
226,164 SQUARE FEET
GAIL BORDEN, JR. SURVEY
ABSTRACT NO. 12
FORT BEND COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 5.192 acre (226,164 square foot) tract of land located in the Gail Borden, Jr. Survey, Abstract Number 21, Fort Bend County, Texas and said 5.192 acre tract of land being out of and a part of the called 264.209 acre tract described in the deed to El Ferrocarril, Ltd., recorded under Volume (Vol.) 530, Page (Pg.) 208 of the Fort Bend County Deed Records (F.B.C.D.R.), and the dedicated unimproved Right-Of-Way (R.O.W.) of Section 1 and Section 6 of Fruitland Farms, a subdivision recorded under Vol. "X", Pg. 208, F.B.C.D.R., and said 5.192 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to the Texas Coordinate System, South Central Zone, NAD 1983.)

COMMENCING at a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" found in the northeasterly R.O.W. line of the G.C. & S.F. Railroad (based on a width of 100 feet) and marking the southwest corner of Tract Two, a called 78.8 acre tract described in the deed to Wingate-Lindsey Charitable Trust, recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2014117104, the southeast corner of said Section 1, and the most southerly southeast corner of said called 264.209 acre tract;

THENCE, North 73 degrees 10 minutes 06 seconds West, along the northeasterly R.O.W. line of said G.C. & S.F. Railroad, a distance of 31.75 feet, to a west line of a 60-foot R.O.W. of said Section 1;

THENCE, North 02 degrees 17 minutes 19 seconds West, departing the northeasterly R.O.W. line of said G.C. & S.F. Railroad and along said west line of said 60-foot R.O.W., a distance of 1,281.63 feet, to the POINT OF BEGINNING and the southwest corner of the intersection of said west line of a 60-foot roadway and the south line of aforesaid 60-foot unimproved R.O.W. being 30 feet perpendicular to the north line of aforesaid Section 1 and the southeast corner of the herein described tract;

THENCE, South 87 degrees 38 minutes 11 seconds West, along said south line of said 60-foot unimproved R.O.W. being 30 feet perpendicular and parallel to the north line of said Section 1 common with the south line of aforesaid Section 6, a distance of 3,683.01 feet, to the northeasterly R.O.W. line of aforesaid G.C. & S.F. Railroad and the southwest corner of the herein described tract;

THENCE, North 73 degrees 10 minutes 06 seconds West, along the northeasterly R.O.W. line of said G.C. & S.F. Railroad, a distance of 182.49 feet, to the north line of said 60-foot unimproved R.O.W. being 30 feet perpendicular and parallel to said common line and being the northwest corner of the herein described tract;

THENCE, North 87 degrees 38 minutes 11 seconds East, departing the northeasterly R.O.W. line of said G.C. & S.F. Railroad and along the north line of said 60-foot unimproved R.O.W. being 30 feet perpendicular and parallel to the said south line of said Section 6 common with the said north line of Section 1, a distance of 3,855.43 feet, to the northwest corner of the intersection of said north line of said 60-foot unimproved R.O.W. and a west line of a 60-foot unimproved and the northeast corner of the herein described tract;

THENCE, South 02 degrees 17 minutes 19 seconds East, departing said north line of said 60-foot unimproved R.O.W. and over and across said 60-foot unimproved R.O.W., a distance of 60.00 feet to the POINT OF BEGINNING and containing a computed area of 5.192 acres (226,164 square feet) of land.

West Belt Surveying, Inc.
Certified Firm No. 10073800
21020 Park Row
Katy, Texas 77449
(281) 599-8288



Joel D. Walker
Joel D. Walker Date: 4/22/24
Texas Registration No. 5189

EXHIBIT C

(Metes and Bounds for 1.861 Acre Tract Follows Behind)

TRACT 2
60-FOOT RIGHT-OF-WAY ABANDONMENT

1.861 ACRES
81,065 SQUARE FEET
GAIL BORDEN, JR. SURVEY
ABSTRACT NO. 12
FORT BEND COUNTY, TEXAS

FIELD NOTE DESCRIPTION of a 1.861 acre (81,065 square foot) tract of land located in the Gail Borden, Jr. Survey, Abstract Number 21, Fort Bend County, Texas and said 1.861 acre tract of land being out of and a part of the called 264.209 acre tract described in the deed to El Ferrocarril, Ltd., recorded under Volume (Vol.) 530, Page (Pg.) 208 of the Fort Bend County Deed Records (F.B.C.D.R.), and the dedicated unimproved Right-Of-Way (R.O.W.) of Section 5 and Section 6 of Fruitland Farms, a subdivision recorded under Vol. "X", Pg. 208, F.B.C.D.R., and said 1.861 acre tract being more particularly described by metes and bounds as follows: (The bearings described herein are oriented to the Texas Coordinate System, South Central Zone, NAD 1983.)

COMMENCING at a 5/8-inch iron rod with orange plastic cap stamped "West Belt Surveying Inc" found in the northeasterly R.O.W. line of the G.C. & S.F. Railroad (based on a width of 100 feet) and marking the southwest corner of Tract Two, a called 78.8 acre tract described in the deed to Wingate-Lindsey Charitable Trust, recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2014117104, the southeast corner of Section 1 of said Fruitland Farms, and the most southerly southeast corner of said called 264.209 acre tract;

THENCE, North 73 degrees 10 minutes 06 seconds West, along the northeasterly R.O.W. line of said G.C. & S.F. Railroad, a distance of 31.75 feet, to a west line of a 60-foot unimproved R.O.W. of said Section 1;

THENCE, North 02 degrees 17 minutes 19 seconds West, departing the northeasterly R.O.W. line of said G.C. & S.F. Railroad and along the west line of said 60-foot unimproved R.O.W. passing at a distance of 1,281.63 feet, the southwest corner of the intersection of said west line with and a south line of said 60-foot unimproved R.O.W. of said Section 1, continuing over and across said 60-foot unimproved R.O.W., a total distance of 1,341.63 feet, to the POINT OF BEGINNING and the northwest corner of the intersection of a north line with the west line of a 60-foot unimproved R.O.W. of aforesaid Section 6 being 30 feet perpendicular to the north line of said Section 1 common with the south line of said Section 6 and also being 30 feet perpendicular to the west line of aforesaid Section 5 common with the east line of said Section 6, and being the southwest corner of the herein described tract;

THENCE, North 02 degrees 17 minutes 19 seconds West, along said west line of said 60-foot unimproved R.O.W. being 30 feet perpendicular and parallel to the east line of said Section 6 common with the west line of said Section 5, a distance of 1,350.79 feet, to the south line of the called 17.198 acre tract described in the deed to Karen S McCoy, recorded under F.B.C.C.F. No. 2012029698 and a northerly line of aforesaid called 264.209 acre tract and the northwest corner of the herein described tract;

THENCE, North 87 degrees 42 minutes 41 seconds East, along a north line of said called 264.209 acre tract common with the south line of said called 17.198 acre tract, passing at a distance of 30.00 feet, a 4-foot barbed wire fence post found in the centerline of said unimproved R.O.W. between said Section 6 and aforesaid Section 5 marking the southeast corner of said called 17.198 acre tract and an interior corner of said called 264.209 acre tract, continuing and departing the westerly line of said called 264.209 acre tract and over and across said 60-foot unimproved R.O.W. of said Section 5, a total distance of 60.00 feet, to the east line of said 60-foot unimproved R.O.W. of Section 5 being 30 feet perpendicular to the west line of said Section 5 common with the east line of said Section 6 and being the northeast corner of the herein described tract;

THENCE, South 02 degrees 17 minutes 19 seconds East, along said east line of said 60-foot unimproved R.O.W. being 30 feet perpendicular and parallel to the east line of said Section 6 common with the west line of said Section 5, a distance of 1,350.72 feet, to the northeast corner of the intersection of said east line with the north line of said 60-foot unimproved R.O.W. being 30 feet perpendicular to the north line of Section 2 of aforesaid Fruitland Farms common with the south line of said Section 5 and being the southeast corner of the herein described tract;

THENCE, South 87 degrees 38 minutes 11 seconds West, departing said east line of said 60-foot unimproved R.O.W. and over and across said 60-foot unimproved R.O.W., a distance of 60.00 feet, to the POINT OF BEGINNING and containing a computed area of 1.861 acres (81,065 square feet) of land.

West Belt Surveying, Inc.
Certified Firm No. 10073800
21020 Park Row
Katy, Texas 77449
(281) 599-8288



Joel D. Walker
Joel D. Walker Date: 4/22/24
Texas Registration No. 5189

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk

Fort Bend County Texas

July 25, 2025 05:04:50 PM

FEE: \$0.00

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