

WATERLINE EASEMENT

STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF HARRIS §

Grantor: **HARRIS COUNTY FLOOD CONTROL DISTRICT**, a political subdivision of the State of Texas

Grantor's Mailing Address:

9900 Northwest Freeway
Houston, Texas 77092

Grantee: **NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY**, a political subdivision of the State of Texas, a governmental agency, and a body politic and corporate

Grantee's Mailing Address:

North Harris County Regional Water Authority
c/o Property Acquisition Services, LLC
19855 Southwest Frwy., Suite 200
Sugar Land, Texas 77479

Consideration:

NINE HUNDRED EIGHT AND No/100 DOLLARS (\$908.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and confessed by Grantor.

Easement Area Granted:

Being a 0.0827-acre (3,603 square feet) tract of land situated in the F. Benignus Survey, A-1463, Harris County, Texas. Said 0.0827-acre tract being out of a called 6.4427-acre tract of land conveyed to Harris County Flood Control District by deed recorded under Harris County Clerk's File Number RP-2023-19837, of the Harris County Official Public Records of Real Property; and being further described by metes and bounds on **Exhibit "A"** attached hereto and incorporated herein by reference (the "**Easement Area**").

Easement Purpose:

A perpetual, non-exclusive easement for one (1) pipeline not to exceed seventy-two (72) inches in diameter for water line purposes ("**Water Line Easement**"), subject to the terms and provisions hereinafter set forth over, across, along, under and upon the Easement Area.

Reservations:

GRANTOR expressly reserves unto itself and GRANTOR's successors and assigns, the right to use and enjoy the land covered by the Easement Area for any purpose so long as said use and enjoyment does not unreasonably interfere with the rights hereby granted to GRANTEE. GRANTOR reserves the right: (i) to grant additional easements and rights-of-ways across (but not along) the Easement Area to such other persons or entities and for such purposes as GRANTOR may desire, including the right to dedicate private and public roads across (but not along) the Easement Area; (ii) to construct or locate upon or across the surface of the Easement Area landscaping (but not trees), irrigation systems, paved parking areas together with associated curbs, fences, private lighting, private electrical lines, jogging trails, sidewalks, and signage; and (iii) to construct or locate across (but not along) the Easement Area public and private roads and streets, underground water mains, storm water lines, sanitary sewer lines, and other utilities. The uses of and improvements permitted on the Easement Area, as specified in clauses (i) through (iii) above or as otherwise approved pursuant to the terms of this Waterline Right-of-Way Easement, are referred to herein as the "**Permitted Encroachments**".

GRANTOR shall grant, dedicate, or construct the Permitted Encroachments on the Easement Area only in such a manner that: GRANTEE's waterline is not endangered, obstructed, damaged, or interfered with; GRANTEE's access to the Easement Area is not interfered with; the grade of the Easement Area is not changed and cover over the waterline is not reduced below forty-eight (48) inches; GRANTEE's waterline is left with proper, sufficient, and permanent support; and any easements, rights-of-way, road or street dedications, roads, streets, water mains, storm sewer lines, sanitary sewer lines and other utilities shall cross the Easement Area at an angle not less than seventy-five (75) degrees, nor more than one-hundred-five (105) degrees to GRANTEE's waterline. Further, in connection with the design and installation of any Permitted Encroachments, vertical and horizontal separation shall be maintained between the Permitted Encroachments and GRANTEE's waterline as may be prescribed by law or good engineering practices, but in no event shall any Permitted Encroachment be constructed or installed so as to have separation of less than twenty-four (24) inches from the water line; provided, however, that with respect to roads, streets, and paved parking areas, there shall be maintained separation of not less than forty-eight (48) inches between the bottom of the road, street, or paved parking area and the top of the waterline.

Exceptions to Conveyance and Warranty:

This conveyance is made by GRANTOR and accepted by GRANTEE subject to all valid and subsisting encumbrances, conditions, covenants, restrictions, reservations, exceptions, rights-of-way, leases and easements of record in Harris County, Texas, including building and zoning

ordinances, all laws, regulations and restrictions by municipal or other government authorities, if any, applicable to and enforceable against the GRANTEE and such other matters as may be apparent to GRANTEE from an inspection of the Easement Area.

GRANTEE shall have access across, under and upon the Easement Area, and may enter such Easement Area to engage in such activities, as may be necessary, requisite, convenient or appropriate in connection with the purposes for which the Water Line Easement is granted. GRANTEE'S rights in and to the Easement Area shall include, without limitation, the right to bring and operate such equipment thereupon as may be necessary or appropriate to effectuate the purposes for which the Water Line Easement in and to the Easement Area is granted. Any and all plans and specifications for any such use and/or improvements to be constructed upon the Easement Area by GRANTEE will be submitted to and approved by GRANTOR prior to the initiation of any such use or construction.

Within a reasonable time following completion of construction and thereafter following each entry upon the Easement Area for the purposes authorized herein, GRANTEE shall, to the same extent reasonably practicable: (i) repair all damage to Permitted Encroachments directly caused by its activities and promptly restore the surface of the Easement Area to a condition the same as or better than immediately preceding installation of the water line; and (ii) clean-up and restore the surface of the Easement Area to the condition that existed immediately prior to or better than the condition that existed immediately prior to such entry and activities on the Easement Area by the GRANTEE. Nothing contained herein is intended to circumvent or relieve GRANTEE of any existing permitting or approval requirements of Harris County or any other governing agency with jurisdiction.

GRANTOR for the consideration, and subject to the reservations from and exceptions to conveyance and warranty described herein, GRANTS, and CONVEYS to GRANTEE, the above-described Water Line Easement, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and to hold unto GRANTEE, its successors and assigns forever. GRANTOR hereby binds itself, its successors and assigns to warrant and forever defend all and singular said Water Line Easement, subject to the exceptions to and reservations from warranty and conveyance set out above, to GRANTEE, its successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, and under GRANTOR, but not otherwise.

The Water Line Easement herein conveyed is an underground easement, and it is expressly agreed and provided that Grantee shall not have the right to make use of the surface of the Easement Area other than for appurtenances that are related to the Water Line Easement and are necessary, requisite, convenient or appropriate in connection with the purposes for which this Water Line Easement is granted, with the prior written consent of Grantor. In the event the County Grantor shall construct a pedestrian trail on or across the easement, and the trail conflicts with or endangers the integrity of the water line, the cost of any reasonable relocation or encroachment of the line shall be borne by the Grantee, its successors, or assigns.

Should this easement fail to be used by Grantee, its successors, or assigns, for the purpose herein granted, for a period of twenty-four (24) months or longer, the easement shall at their option revert to Grantor, its successors, or assigns

GRANTOR makes no representation, warranty, or guarantee with respect to the condition of the Easement Area. GRANTEE accepts the Easement Area “as is, where is and with all faults”.

GRANTEE agrees to comply at all times, and at its sole cost, with all applicable federal, state and local laws, rules, regulations and safety standards in connection with GRANTEE's activities hereunder, including, without limitation, the construction, use, operation, maintenance, repair, removal and service of the water line.

[Signature pages to follow]

EXECUTED this _____ day of _____, 2025.

GRANTOR:

HARRIS COUNTY FLOOD CONTROL
DISTRICT, a political subdivision of the
State of Texas

By: _____
Lina Hidalgo, County Judge

APPROVED AS TO FORM:
Christian D. Menefee
Harris County Attorney

Signed by:
By: Holland Banks
468B798593434F5...
Holland Samantha Banks
Assistant County Attorney
CAO File No.: 25RPD0070

STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____, 2025,
by Lina Hidalgo, as County Judge of Harris County, Texas and the presiding officer of the
Commissioners Court of Harris County, Texas, on behalf of Commissioners Court of Harris
County, Texas, as the governing body of Harris County Flood Control District.


[Seal]

Notary Public in and for the State of Texas

EXECUTED this 28th day of April, 2025.

GRANTEE:

NORTH HARRIS COUNTY REGIONAL WATER
AUTHORITY

By: 
Jun Chang, General Manager

STATE OF TEXAS

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COUNTY OF HARRIS

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This instrument was acknowledged before me on the 28 day of April, 2025, by Jun

Chang, as General Manager of North Harris County Regional Water Authority on behalf of said organization.

[Seal]


Notary Public in and for the State of Texas

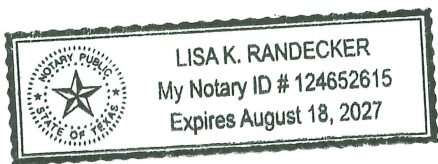


EXHIBIT A

37H-67 WLE

Page 1 of 2

**TRACT 37H-67 WLE
NHCRWA
WATER LINE EASEMENT (WLE)****METES AND BOUNDS OF
0.0827 ACRE OF LAND SITUATED IN THE
THE F. BENIGNUS SURVEY, A-1463
HARRIS COUNTY, TEXAS**

Being a 0.0827-acre (3,603 square feet) tract of land situated in the F. Benignus Survey, A-1463, Harris County, Texas. Said 0.0827-acre tract being out of a called 6.4427-acre tract of land conveyed to Harris County Flood Control District by deed recorded under Harris County Clerk's File Number RP-2023-19837 (hereinafter HCCF), of the Harris County Official Public Records of Real Property, (hereinafter HCOPRRP), and being further described by metes and bounds as follows with the basis of bearings being the Texas State Plane Coordinate System, South Central Zone No. 4204, (NAD 83) (2001 Adj.);

BEGINNING at a 5/8-inch iron rod (Having a Grid coordinate of N:13,933,696.21, E:3,012,769.61) found for the northeast corner of said 6.4427-acre tract and said tract herein described, same being the northwest corner of a called 10.00-acre conveyed to Jatin Investments, LLC by an deed recorded in HCCF No RP-2022-27433, HCOPRRP, and on the south right-of-way line of KZ Road (60 feet wide) as described in Volume 3744, Page 141, Volume 3744, Page 145, Volume 3744, Page 149, and Volume 3744, Page 154 of the Deed Records of Harris County, Texas (herein after HCDR);

THENCE South 02° 21' 25" East, along the east line of said 6.4427-acre tract common to the west line of said 10.000-acre tract, 20.02 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the southeast corner of the tract herein described;

THENCE South 89° 57' 41" West, departing said common line and over and across said 6.4427-acre tract, 180.15 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set on the west line of said 6.4427-acre tract for the southwest corner of the tract herein described;

THENCE North 02° 21' 10" West, along the west line of said 6.4427-acre tract, 20.02 feet to a 5/8-inch iron rod with cap stamped "WEISSER ENG HOUSTON, TX" set for the northwest corner of said 6.4427-acre tract and said tract herein described, same being of the south right-of-way line of said KZ Road, from which a 5/8-inch iron rod (Having a Grid coordinate of N:13,933,695.99, E:3,012,429.51) found for the northeast corner of Lot 1 of KZ Estates, a subdivision of record in Film Code Number 698652 (herein after F.C. No.) of the Map Records of Harris County, Texas (herein after HCMR) and the northeast corner of a called 6.072-acre tract conveyed to Vallecillos Garden, LLC by deed recorded under HCCF No RP-2022-511698, HCOPRRP bears South 89° 57' 41" West, 159.98 feet;

EXHIBIT A

37H-67 WLE Continued

37H-67 WLE

Page 2 of 2

THENCE North 89° 57' 41" East, along the north line of said 6.4427-acre tract and the south right-of-way line of said KZ Road, 180.15 feet to the **POINT OF BEGINNING** and containing 0.0827 acre (3,603 square feet) of land.

NOTES

The distances are surface and may be converted to grid by multiplying by the combined scale factor of 0.99992513. Coordinates are grid and may be converted to surface by multiplying by the combined scale factor of 1.000074876.

Property and easement corners referenced herein will be set at a later date after the conveyance has been executed and recorded in the public record.

A separate Exhibit map dated April 29, 2024 accompanies this Metes & Bounds Description.

Weisser Engineering & Surveying
19500 Park Row
Houston, Texas 77084
(281)-579-7300



Acting By/Through Gregory M. Donelan
Registered Professional Land Surveyor
No. 6804
GDonelan@WeisserEng.com
Texas Board of Professional Land Surveying
Registration No. 10194324
TBPE Reg. No.: F-68
April 29, 2024

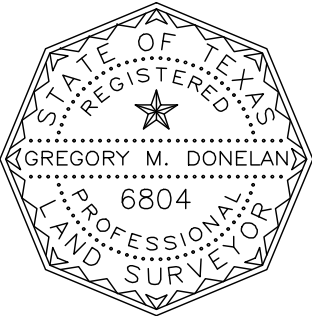


GENERAL NOTES:

1. Surveyor relied upon a Limited Title Certificate GF No.7910-24-0279 by Abstract Services of Houston dated January 17, 2024. No additional research for easements or encumbrances was performed by Weisser Engineering & Surveying.
2. Bearings and coordinates shown hereon are referenced to the Texas Coordinate System of 1983, South Central Zone No. 4204 (NAD 83) (2001 Adj.) and based on the control monumentation provided to the Surveyor. All distances shown are surface and may be converted to grid by multiplying by the combined scale factor of 0.99992513. Coordinates are grid and may be converted to surface by multiplying by a combined scale factor of 1.000074876.
3. A separate metes and bounds description dated April 29, 2024 accompanies this exhibit.

I Gregory M. Donelan a registered professional land surveyor, do hereby certify that the plat hereon and the accompanying legal description represent an actual survey made on the ground under my supervision.

Gregory M. Donelan
Registered Professional Land Surveyor
State of Texas No. 6804



LEGEND

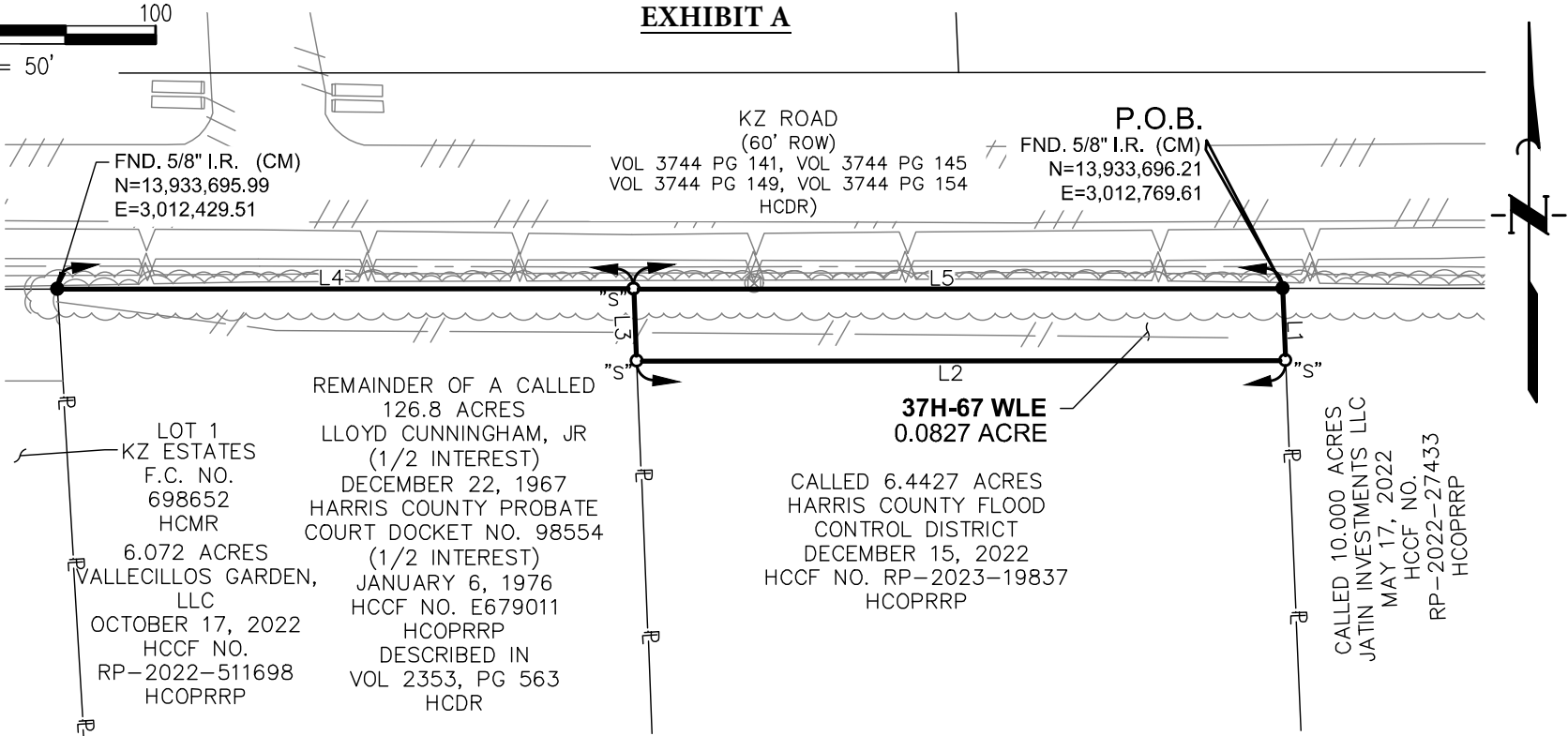
AE	ACCESS EASEMENT
AER	AERIAL EASEMENT
BL	BUILDING SETBACK LINE
BRS	BEARS
HCCF NO.	HARRIS COUNTY CLERK'S FILE NUMBER
DE	DRAINAGE EASEMENT
ESMT	EASEMENT
"F"	FOUND 5/8 IRON ROD
FC No.	FILM CODE
FND	FOUND
FV	FLUSH VALVE
HCDR	HARRIS COUNTY DEED RECORDS
HCFC	HARRIS COUNTY FLOOD CONTROL DISTRICT
HCMR	HARRIS COUNTY MAP RECORDS
HCOPRRP	HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY
IR	IRON ROD
LT	LEFT
PFC	POINT FOR CORNER
PG	PAGE
PL	PROPERTY LINE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCING
POT	POINT OF TANGENCY
PROP.	PROPOSED
ROW	RIGHT OF WAY
RT	RIGHT

LEGEND (CONTINUED)

"S"	SET 5/8-INCH IRON ROD (WITH CAP STAMPED "WEISSER ENG HOUSTON, TX)
"S-MAG"	SET MAG NAIL
SQ. FT.	SQUARE FEET
SSE	SANITARY SEWER EASEMENT
STM SE	STORM SEWER EASEMENT
SL	SUBDIVISION LINE
SWBT	SOUTH WESTERN BELL TELEPHONE
"TxDOT"	FND 5/8-INCH IRON ROD (WITH 4" TxDOT DISK)
UE	UTILITY EASEMENT
VOL	VOLUME
W/	WITH
WLE	WATER LINE EASEMENT
"X"	CHISELED X IN CONCRETE

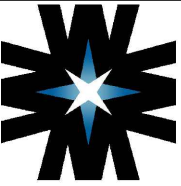
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 02°21'25" E	20.02'
L2	S 89°57'41" W	180.15'
L3	N 02°21'10" W	20.02'
L4	S 89°57'41" W	159.98'
L5	N 89°57'41" E	180.15'

EXHIBIT A



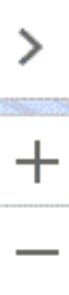
HCFC D General Sales Tr. L100-00-00-08-601.0

EXHIBIT MAP
TRACT 37H-67 WLE
0.0827 ACRE (3,603 SQ. F.T.) OUT OF A
CALLED 6.4427 ACRES
HARRIS COUNTY FLOOD CONTROL DISTRICT
HCCF NO. RP-2023-19837
HCOPRRP
OUT OF THE F. BENIGNUS SURVEY, A-1463
HARRIS COUNTY, TEXAS



WEISSER
Engineering & Surveying
19500 Park Row | Houston, Texas 77084
T.B.P.E. Reg. No. F-68 | T.B.P.L.S. Reg. No. 10194324
www.weissereng.com | 281.579.7300

REV	COMMENTS	DATE	Checked By: G.D.	Date: 04/29/2024	Scale: 1"=50'
			Project No: EC059	Drawing Name: 37H-67 WLE	Sheet No. 1 OF 1



I want to...

