

ORDER OF COMMISSIONERS COURT
(Disclaiming Any and All Interest In Certain Real Property)

The Commissioners Court of Harris County, Texas, met in regular session at its regular term at the Harris County Administration Building in the City of Houston, Texas, on _____, 2024, with all members present except _____.

A quorum was present. Among other business, the following was transacted:

ORDER DISCLAIMING ANY AND ALL INTEREST, OF ANY KIND OR CHARACTER IN A PORTION OF THAT CERTAIN 20-FOOT WIDE RIGHT OF WAY FOR ROADWAY OUT OF 0.2363 ACRES LOCATED ACROSS AND ALONG LOTS 44, 45, 46, 47, AND 48, OF GRANT PLAZA, AN UNRECORDED SUBDIVISION IN THE J.F. DEGENHARDY SURVEY, ABSTRACT NUMBER 1650, AND THE JOHN SHAW SURVEY, ABSTRACT NUMBER 721, IN HARRIS COUNTY, TEXAS, AS DEDICATED TO THE PUBLIC BY STUART AND HILL, INC., IN THAT CERTAIN DEDICATORY CERTIFICATE DATED JULY 15, 1986, AND FILED FOR RECORD ON APRIL 4, 1988, AT INSTRUMENT NUMBER L605842 OF THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, ATTACHED HERETO AS EXHIBIT "A", AND FURTHER ACKNOWLEDGING AND AFFIRMING THAT SUCH 20-FOOT WIDE ROADWAY ALLEGEDLY MADE THEREBY, WAS AT NO TIME EVER DELIVERED TO OR OTHERWISE ACCEPTED BY HARRIS COUNTY, TEXAS, OR BY ANY REPRESENTATIVE THEREOF, NOR HAVE ANY ACTS BEEN PERFORMED BY HARRIS COUNTY, TEXAS, OR ITS REPRESENTATIVES, AS TO SAID RIGHT OF WAY, OR THE LAND DESCRIBED THEREIN, AS WOULD CONSTITUTE ANY EXERCISE OF CONTROL, DOMINION, POSSESSION, OWNERSHIP, OR SUPERVISION AS TO SUCH RIGHT OF WAY, OR THE LAND DESCRIBED THEREIN, INCLUDING, IN THE CASE OF SAID RIGHT OF WAY, THE RECORDING OF THE SAME, OR IN THE CASE OF THE LAND, PLACING ANY IMPROVEMENTS UPON, OR OTHERWISE IMPROVING THE SAME.

Commissioner _____ introduced an order and moved that Commissioners Court adopt the order. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Judge Lina Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Rodney Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Adrian Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Tom S. Ramsey, P.E.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Lesley Briones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and

that the order had been duly and lawfully adopted. The order adopted follows:

RECITALS

WHEREAS, Stuart and Hill, Inc., a Texas corporation, of the County of Harris, State of Texas, dedicated a right of way for roadway being that certain portion of a 20-foot wide roadway located across Tracts 44, 45, 46, 47, and 48, of Grant Plaza, an unrecorded subdivision, in the J. F. Degenhardt Survey, Abstract Number 1650, and the John Shaw Survey, Abstract Number 721, in Harris County, Texas (the “**Land**”), more particularly depicted and described in the attached **Exhibit “B”**, and as dedicated to Harris County by that certain Dedicatory Certificate dated July 15, 1986, and filed for record on April 4, 1988, at Instrument Number L605842, of the Official Public Records of Real Property of Harris County, Texas;

WHEREAS, such instrument contains language appearing to vest in Grantee an interest in and to the Land;

WHEREAS, Harris County, Texas (herein sometimes referred to as the “**County**”), has examined and reviewed those records available to it and has found no evidence that the vesting of any interest in the Land from Stuart and Hill, Inc. to the County was ever effectuated, requested, solicited by the County, or a representative or agent thereof, as a donation, or otherwise, nor was the Land the subject matter of any offer to purchase or exchange made by the County, or was otherwise necessary or useful to the County in its operations or the conduct of its business, whether as a road or otherwise, nor were any County funds or other resources expended or paid in consideration for such grant or conveyance of the Land;

WHEREAS, the same examination and review by the County of its records has also revealed that no evidence can be found that any vesting instrument was at any time delivered to the County, or to any representative or agent thereof, nor has the County, or any representative or agent thereof, taken or performed any act that might be construed as an acceptance of such Land, including, by way of description, and not by way of limitation, acceptance of the same by a resolution, order or other official action made, taken or adopted by its Commissioners Court, acting in its capacity as the governing body of the County, or otherwise accepting delivery of any vesting or other instrument through the exercise of any control, supervision, possession, dominion, or ownership over the same; and

WHEREAS, the evidence available to the County also reflects that no action at any time was taken by County, or any representative or agent thereof, that would constitute the exercise of any control, supervision, possession, dominion, or ownership by the County over the Land described in the plat, deed, or other instrument, including, by way of description, and not by way of limitation, making any improvements or changes to the Land or otherwise entering it for the purpose of carrying out County business.

NOW THEREFORE, IT IS ORDERED AND DECREED THAT:

1. The Court, presented with the above recitals, has determined the findings to be true and correct.

2. That Harris County, Texas, acting by and through its Commissioners Court, hereby disclaims any and all interest, of any kind or character, as to that certain tract of Land more particularly described as:

Any such right of way for roadway in that certain portion of a 20-foot wide roadway out of 0.2363 acres located across and along Tracts 44, 45, 46, 47, and 48, of Grant Plaza, an unrecorded subdivision, in the J. F. Degenhardt Survey, Abstract No 1650, and the John Shaw Survey, Abstract Number 721, in Harris County, as set forth and dedicated in that certain Dedicatory Certificate dated July 15, 1986, and filed for record on April 4, 1988, at Instrument Number L605842, of the Official Public Records of Real Property of Harris County, Texas.

3. This order shall constitute, for all purposes, evidence of the disclaimer, by Harris County, Texas, acting by and through its Commissioners Court, of any and all interest, of any kind or character, in and to the Land described herein, and of its determination and finding that neither Harris County, Texas, nor any authorized representative or agent thereof, performed any acts as would be deemed an acceptance of that certain portion of the above-described Land, nor is it now, or has it ever been, the desire of Harris County, Texas, that such right of way easement be accepted or that any actions for that purpose be performed.
4. It is further ordered that the appropriate representatives, agents, personnel, and officials of Harris County, Texas, including, but not limited to the County Judge of Harris County, Texas, be authorized to take such further action as shall be necessary to carry out and accomplish the purposes of this Order.

DEDICATORY CERTIFICATE

112-78-0483

Ded

THE STATE OF TEXAS
COUNTY OF HARRIS

*
* KNOW ALL MEN BY THESE PRESENTS:
*

WHEREAS, STUART AND HILL, INC., a Texas Corporation, hereinafter called "Owner" is the owner of a certain parcel of land situated in Harris County, Texas, described by metes and bounds on Exhibit "A" attached hereto and incorporated herein by reference, and hereinafter referred to as the "Twenty (20') Foot Roadway; and

WHEREAS, Owner is the owner of a forty (40') foot roadway and utility easement abutting and contiguous with the Twenty (20') Foot Roadway described hereinabove, said forty (40') foot easement and Twenty (20') Foot Roadway being hereinafter collectively referred to as the "Easement Property", and more fully and legally described on Exhibit "B" attached hereto and incorporated herein by reference; and

WHEREAS, numerous tracts of land have been sold to various purchasers in reliance upon an unrecorded map attached hereto as Exhibit "C", and the Twenty (20') Foot Roadway has been accepted and used by the public as a dedicated roadway; and

WHEREAS, owner desires to expressly dedicate to the public all of its rights, title and interest in and to the Easement Property as a public roadway;

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is acknowledged, Owner hereby dedicates the Twenty (20') Foot Roadway (i.e., that portion of the Easement Property described in Exhibit "A" attached hereto and incorporated herein by reference) to public use as vehicular traffic thoroughfares and, to facilitate such use, may be improved and maintained as necessary, provided, however, the roadway shall not be devoted to one-way traffic only and shall always be accessible from the paved county roadway known as Telge Road. This dedication is subject to and shall in no way affect

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all to the public

COPY

the private rights of ingress and egress created by that certain Easement Agreement dated 7/2, 1986, executed by Owner in favor of abutting land owners and recorded under Clerk's File No. L576354 of the Real Property Records of Harris County, Texas.

Any other provision of this instrument to the contrary notwithstanding, Owner shall not be bound, except by Contracts expressly made for the purpose, to construct, install, or maintain any roadway or other improvement whatever anywhere within the easement property, or to cause any such construction, installation or maintenance to be done.

WITNESS MY HAND this 15 day July, 1986 at Houston, Texas.

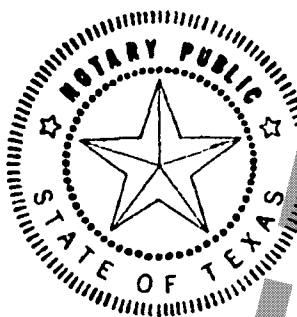
STUART AND HILL, INC.,
a Texas Corporation

lv

By: *Beau S. King*
Beau S. King, President

THE STATE OF TEXAS *
COUNTY OF HARRIS *

This instrument was executed on the 15 day of July 1986, by BEAU S. KING, as its President.



Mary Ann Adams
Notary Public in and for
The State of Texas

Printed Name/Commission Expires:
MARY ANN ADAMS
12-30-89

FILED FOR RECORD
8:30 A.M.

APR 4 1988

Quita Rodhammer
County Clerk, Harris County, Texas

After Recording Return to:
O. BRUCE LARSON
P.O. Box 2666
Conroe, TX 77305

20 FOOT WIDE ROAD
 J.F. DEGENHARDT SURVEY, A-1650
 JOHN SHAW SURVEY, A-721
 HARRIS COUNTY, TEXAS

BEING a road twenty foot (20') in width and containing 3.2010 acres of land in the J.F. DEGENHARDT SURVEY, A-1650, and the JOHN SHAW SURVEY, A-721, Harris County, Texas and being out of and a part of that certain 113.6323 acre tract recorded in Volume 7576, Page 442 of the Deed Records of Harris County, Texas; said road being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Northeasterly line of Grant Road and being located North 46 degrees 41' West, 1.66 feet from a point for the most southerly Southwest corner of the said 113.6323 acre tract;

THENCE North 46 degrees 41' West, 23.44 feet along said line of Grant Road to a point for corner;

THENCE North 74 degrees 20'36" East, 722.51 feet to an angle point;

THENCE North 38 degrees 40'08" East, 127.08 feet to an angle point;

THENCE North 00 degrees 39'00" West, 1420.30 feet to a point for corner;

THENCE South 89 degrees 28'00" West, 490.00 feet to a point for corner;

THENCE South 00 degrees 39'00" East, 563.43 feet to a point for corner;

THENCE South 89 degrees 28'00" West, 20.00 feet to a point for corner;

THENCE North 00 degrees 39'00" West, 563.43 feet to a point for corner;

THENCE South 89 degrees 28'00" West, 946.89 feet to a point for corner;

THENCE North 00 degrees 39'00" West, 20.00 feet to a point for corner;

THENCE North 89 degrees 28'00" East, 1456.90 feet to a point for corner;

THENCE North 00 degrees 39'00" West, 358.79 feet to a point for corner;

THENCE South 89 degrees 28'00" West, 2274.26 feet to a point for corner;

THENCE North 00 degrees 39'00" West, 20.00 feet to a point for corner in the North line of the said 113.6323 acre tract;

THENCE North 89 degrees 28'00" East, 2294.19 feet along said North line to a point for corner;

THENCE South 00 degrees 39'00" East, 1826.40 feet to an angle point;

THENCE South 38 degrees 40'08" West, 140.49 feet to an angle point;

THENCE South 74 degrees 20'36" West, 716.92 feet back to the POINT OF BEGINNING and being a road twenty feet in width containing 3.2010 acres of land.

EXHIBIT "A"

100 FOOT WIDE ROAD EASEMENT
J.F. DEGENHARDT SURVEY, A-1650
JOHN SHAW SURVEY, A-721
HARRIS COUNTY, TEXAS

112-78-0486

BEING an easement, 100 feet in width and containing 16.0356 acres of land in the J.F. DEGENHARDT SURVEY, A-1650, and the JOHN SHAW SURVEY, A-721, Harris County, Texas and being out of and a part of that certain 113.6323 acre tract recorded in Volume 7576, Page 442 of the Deed Records of Harris County, Texas; said easement being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Northeasterly line of Grant Road and being the most Southerly Southwest corner of the said 113.6323 acre tract;

THENCE North 46 degrees 41' West, 71.78 feet along said line of Grant Road to a point for corner;

THENCE North 74 degrees 20'36" East, 733.70 feet to an angle point;

THENCE North 38 degrees 40'08" East, 99.92 feet to an angle point;

THENCE North 00 degrees 39'00" West, 1366.09 feet to a point for corner;

THENCE South 89 degrees 28'00" West, 410.00 feet to a point for corner;

THENCE South 00 degrees 39'00" East, 523.37 feet to a point for a curve to the right;

THENCE with said curve having as its elements: a radius of 50 feet, a central angle of 179-53'49", and an arc length of 156.99 feet to a point;

THENCE North 00 degrees 39'00" West, 523.58 feet to a point for corner;

THENCE South 89 degrees 28'00" West, 907.04 feet to a point for a curve to the right;

THENCE with said curve having as its elements a radius of 50 feet, a central angle of 179-53'45", and an arc length of 156.99 feet to a point;

THENCE North 89 degrees 28'00" East, 1416.84 feet to a point for corner;

THENCE North 00 degrees 39'00" West, 238.79 feet to a point for corner;

THENCE South 89 degrees 28'00" West, 2234.40 feet to a point for a curve to the right;

THENCE with said curve having as its elements a radius of 100 feet, a central angle of 90-00'37", and an arc length of 157.10 feet to a point;

THENCE North 89 degrees 28'00" East, 2434.19 feet along said North line to a point for corner;

THENCE South 00 degrees 39'00" East, 1840.60 feet to an angle point;

THENCE South 38 degrees 40'08" West, 167.65 feet to an angle point;

THENCE South 74 degrees 20'36" West, 586.36 feet to a point for corner;

THENCE South 89 degrees 28'00" West, 147.71 feet to the POINT OF BEGINNING.

EXHIBIT "B"

05/15/66
D10/E1

RECORDER'S MEMORANDUM

AT THE TIME OF RECORDATION, THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBILITY, CARBON OR PHOTO COPY, DISCOLORED PAPER, ETC.

UNOFFICIAL

112-78-0487

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THE STATE OF TEXAS }
COUNTY OF HARRIS }

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED, in the Official Public Records of Real Property of Harris County, Texas on

APR 4 1988



Opita Radebeaver
COUNTY CLERK
HARRIS COUNTY, TEXAS

COPY

EXHIBIT "B"

NWHCMUD NO 5 WWTP NO 2
0.2363 OF ONE ACRE
ABANDONMENT OF A 20' UNIMPROVED RIGHT-OF-WAY

MAY 24, 2024
JOB NO. 11097-00

DESCRIPTION OF A 0.2363 ACRE TRACT OF LAND SITUATED
IN THE J. SHAW SURVEY, ABSTRACT NO. 721
J. COCKE SURVEY, ABSTRACT NO. 207
HARRIS COUNTY, TEXAS

BEING a 0.2363 acre (10,293 square foot) tract of land situated in the J. Shaw Survey, Abstract No. 721 and J. Cocke Survey, Abstract No. 207 of Harris County, Texas and being a portion of a called 5.236 acre tract of land as described in an instrument to Northwest Harris County MUD No. 5 recorded under File Number (F.N.) Z295647 of the Official Public Records of Harris County (O.P.R.H.C.) and a portion of a 20 foot right-of-way recorded under F.N. L605842 of the O.P.H.R.C., said 0.2363 acre tract of land described by metes and bounds as follows, with all bearings based on the Texas Coordinate System of 1983 (NAD83), South Central Zone 4204 and referenced to monuments found along the Easterly line of said 5.236 acre tract as cited herein:

COMMENCING at a found 1/2-inch iron rod with cap stamped "PLSI RPLS 4902", lying on the Northwesterly right-of-way line of Grant Road (width varies) recorded under Volume 131, Page 615 of the Harris County Dead Records, same being the Southwest corner of said 5.236 acre tract and the Northwest corner of a called 2.4691 acre tract as described in an instrument to Northwest Harris County MUD #5 recorded under F.N. X874902 of the O.P.R.H.C.;

THENCE, N 48°17'17" W, a distance of 1.34 feet along and with the Northwesterly right-of-way line of said Grant Road and the Southwesterly line of said 5.236 acre tract to the **POINT OF BEGINNING** and the Southwest corner of the herein described tract;

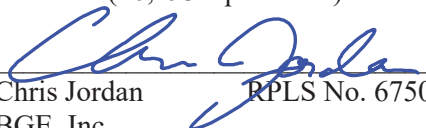
THENCE, N 48°17'17" W, a distance of 23.30 feet continuing along and with the Northwesterly right-of-way line of said Grant Road and the Southwesterly line of said 5.236 acre tract to the Northwest corner of the herein described tract;

THENCE, N 72°35'22" E, a distance of 514.57 feet over and across said 5.236 acre tract to a 3/4-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found for the Northeast corner of the herein described tract, same being an interior corner of said 5.236 acre tract;

THENCE, S 48°41'01" E, a distance of 23.40 feet along and with the Easterly line of said 5.236 acre tract to the Southeast corner of the herein described tract, same being the Northwest corner of a called 2.1686 acre tract as described in an instrument to Ivan Hernandez recorded under F.N. 20150145588 of the O.P.R.H.C., from which a 5/8-inch iron rod bears S 17°49' E, 0.27 feet;

THENCE, S 72°35'22" W, a distance of 514.76 feet over and across said 5.236 acre tract to the **POINT OF BEGINNING** and containing 0.2363 acre of one acre (10,293 square feet) of land.




Chris Jordan RPLS No. 6750
BGE, Inc.
10777 Westheimer Road, Suite 500
Houston, Texas 77042
Telephone: (281) 558-8700
TBPLS Licensed Surveying Firm No. 10106500

LEGEND

P.O.B. POINT OF BEGINNING
 P.O.C. POINT OF COMMENCING
 R.O.W. RIGHT-OF-WAY
 SAN. S.E. SANITARY SEWER EASEMENT
 SQ. FT. SQUARE FEET

CALLED 1.0000 ACRES
 IVAN HERNANDEZ



0.2363 ACRES
 10,293 SQ. FT.
 20' WIDE R.O.W.
 ABANDONMENT

EXISTING 20' R.O.W.

CALLED 2.1686 ACRES
 IVAN HERNANDEZ

CALLLED 5.236 ACRES
 NORTHWEST HARRIS
 COUNTY MUD NO 5

J. SHAW SURVEY, A-721

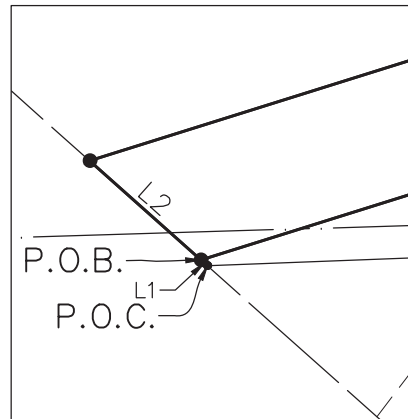
J. COCKE SURVEY, A-207

CALLLED 2.9258 ACRES
 WASTEWATER TREATMENT
 PLANT & SAN. S.E.
 NORTHWEST HARRIS COUNTY
 MUNICIPAL UTILITY DISTRICT NO. 5

NOTE: THIS EXHIBIT IS FOR GRAPHICAL PURPOSES ONLY IN RELATION TO THE PROPOSED EASEMENT(S) SHOWN HEREON AND MAY NOT SHOW ALL RECORDED EASEMENTS OR OTHER ENCUMBRANCES THAT AFFECT THE SUBJECT TRACT. THIS IS NOT A BOUNDARY SURVEY NOR SHALL IT BE CONSTRUED IN ANY WAY AS A BOUNDARY SURVEY.

CALLLED 2.4691 ACRES
 NORTHWEST HARRIS COUNTY MUD #5

SEE DETAIL 1



DETAIL 1 (1"=30')

JOSE JAIME MARTINEZ & FRANCISCO MARTINEZ
 CALLED 1,000 ACRE
 AZUCENA LUGO
 CALLED 1,000 ACRE

NORTHWEST HARRIS COUNTY MUD NO 5
 CALLED 5.236 ACRES

N 72°35'22" E 514.57'
 S 72°35'22" W 514.76'

RESTRICTED RESERVE "D"
 RESTRICTED RESERVE "C"

BLOCK 1 GRANT MEADOWS SEC. 1
 TRACT 1 NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

GRANT ROAD (R.O.W. VARIES)
 RESTRICTED RESERVE "F"

LINE TABLE

NUMBER	BEARING	DISTANCE
L1	N 48°17'17" W	1.34'
L2	N 48°17'17" W	23.30'
L3	S 48°41'01" E	23.40'

BGE, Inc.
 10777 Westheimer, Suite 400, Houston, TX 77042
 Tel: 281-558-8700 • www.bgeinc.com
 TBPLS Licensed Surveying Firm No. 10106500

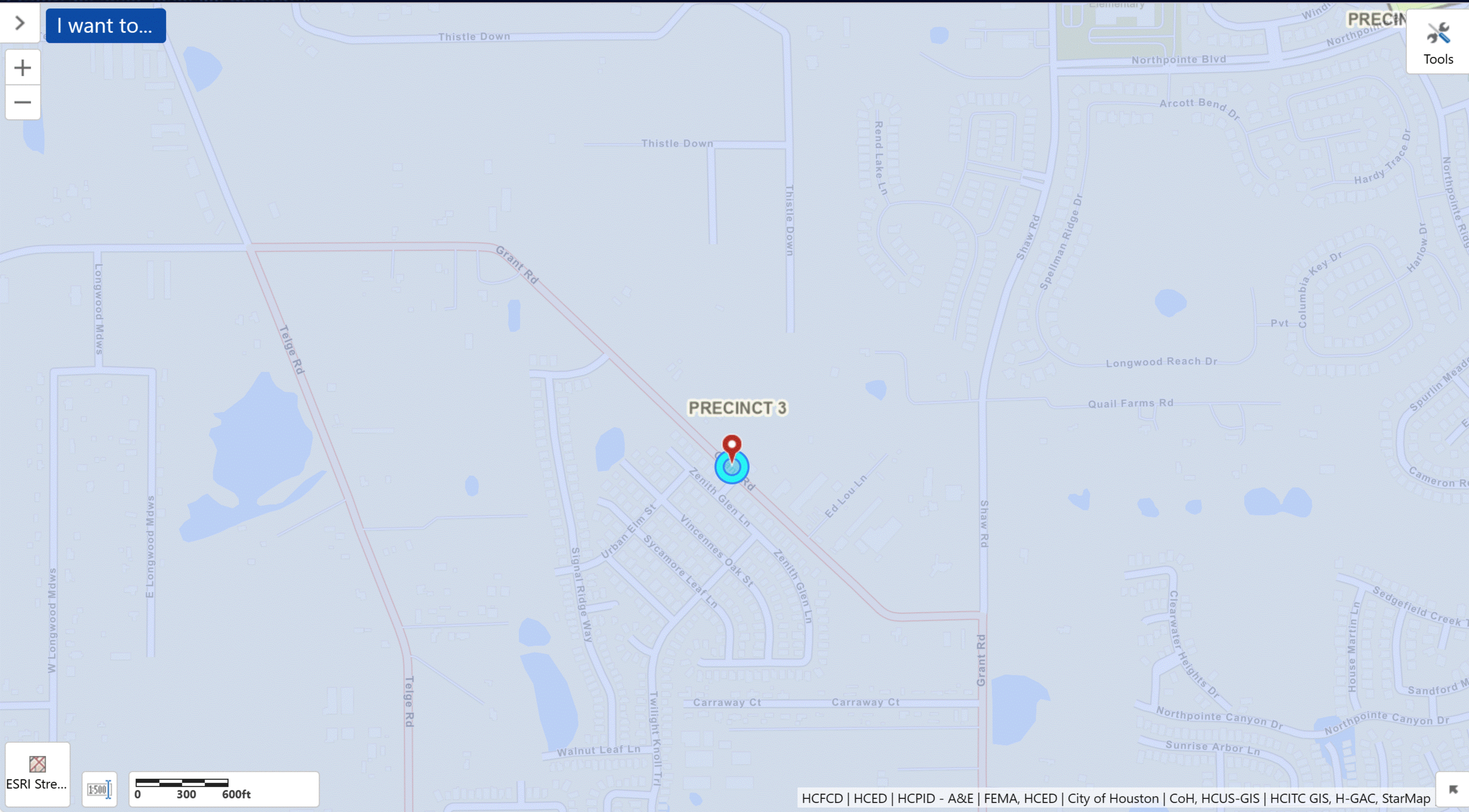
EXHIBIT OF A PROPOSED 0.2363 ACRE / 20' WIDE R.O.W. ABANDONMENT SITUATED IN THE J. COCKE SURVEY, A-207 AND THE J. SHAW SURVEY, A-721 HARRIS COUNTY, TEXAS

Scale: 1" = 100'	Job No.: 11097-00	Date: 5/2024	Drawing: 1 OF 1
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Tools



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1:500

0 300 600ft