LITTLE CYPRESS CREEK SUB-REGIONAL FRONTIER PROGRAM L129-00-00 Tract L100-00-00-05-020.0

## ASSIGNMENT OF DRAINAGE AND DETENTION EASEMENT

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

THAT, the COUNTY OF HARRIS, a body corporate and politic under the laws of the State of Texas, hereinafter referred to as "Grantor", for and in consideration of Grantor's intent to donate to the Harris County Flood Control District, a political subdivision of the State of Texas, hereinafter called "Grantee", certain land to be used by Grantee for the public purpose of providing flood control and drainage operation and maintenance, being a public purpose that benefits and serves the public interest, such donation being made pursuant to Texas Local Government Code §272.001(1), has ASSIGNED, GRANTED, BARGAINED and CONVEYED and by these presents does ASSIGN, GRANT, BARGAIN and CONVEY unto Grantee, its successors, and assigns, an exclusive and perpetual easement (the "Easement") for drainage and detention improvements and other reasonably related purposes as set forth herein, on, along, upon, over and across the following described property in the County of Harris, Texas, which Harris County owns, more particularly described as follows, to-wit:

Being a 12.4056 acre (540,386 Sq. Ft., more or less) tract of land out of the M. H. Bundick Survey, Abstract 111, Harris County, Texas, and being a portion of a called 91.0385 acre tract conveyed to Harris County as recorded in Harris County Clerk's File Number F496923 of the Official Public Records of Real Property of Harris County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof (the "Easement Area").

The Easement hereby granted shall be for the purpose of flood control, drainage and detention of the surrounding area, and such other related and ancillary purposes and objects as Grantee shall lawfully be authorized to perform or engage in, and shall include, by way of description only and not by way of limitation, the right: 1) to construct, operate, maintain and improve all manner and form of waterways and ditches, on, across, over, along, under and upon the entirety of the Easement Area; 2) to widen, straighten, rectify, clear, excavate, desilt, level, service, repair, deepen, update, and improve waterways, floodways, drainage canals, ditches, laterals, levels, sluices, conduits, and/or detention ponds or basins thereon; 3) to clear, cut, fell, remove and dispose of any and all timber, trees, underbrush, vegetation, buildings, improvements and/or other obstructions (whether manmade or natural) therefrom; 4) to excavate, dredge, cut away, trench, dig and remove any of the land constituting

the Easement Area and to dispose of or use, on or off the Easement Area, the dirt, soil, shell, stone, gravel, sand or other overburden, trees, grass, shrubbery, vegetation, and any other material from the Easement Area as Grantee in its sole discretion shall determine without additional compensation being paid to Grantor; 5) to place on the Easement Area dirt, soil, riprap, dredge or spoil material and engage in any and all forms of silt removal; 6) to place a retaining wall with appropriate backfill; 7) to install and maintain upon the Easement Area all manner of bulkheads, bulwarks, stabilized embankments, spoil banks, roads, crossings, bridges, culverts, gated structures, sidewalks, landscaping, plants, ground cover, terraces and other forms of soil stabilization and erosion abatement, lighting, and signs (whether permanent or temporary) and to remove the same; and 8) to bring upon the Easement Area all machinery, equipment, building materials and personnel reasonably necessary to efficiently prosecute such work.

All matters concerning or relating to the design, operation, maintenance, configuration and the construction of any improvement or related facility permitted under the terms of this Easement shall be done at the sole cost and expense of that party, and that party only, who occupies or is otherwise authorized to use the Easement Area under the terms of this conveyance. Grantor reserves the right to make any use of the Easement Area, so long as such use does not unreasonably interfere with those authorized uses and occupations then being made of the Easement Area, including but not limited to, the use of the Easement Area for park and recreational purposes, together with all rights of ingress and egress for such purposes.

This Easement is subject to all valid and subsisting encumbrances, conditions, covenants, restrictions, reservations, exceptions, rights-of-way and easements of record in Harris County, Texas, including building and zoning ordinances, laws, regulations and restrictions by municipal or other governmental entities applicable to and enforceable against the Grantee, including but not limited to all wetlands and environmental laws, rules, regulations, or guidelines of the Texas Commission on Environmental Quality ("TCEQ") governing the withdrawal, discharge, or diversion of the waters of the State of Texas, and all such matters that a true and correct survey or a visual inspection of the Easement Area would reveal, which affect the property herein conveyed, to the extent they are valid and subsisting and are enforceable against a political subdivision of the State of Texas.

TO HAVE AND TO HOLD the above-described Easement, together with all and singular the rights and appurtenances thereto in anywise belonging, including all necessary right of ingress, egress and regress, over, along and across the Easement Area, unto Grantee, and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's successors and assigns against every person

whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservation from and exceptions to conveyance and warranty.

[Signature pages to follow]

EXECUTED this	day of	
		GRANTOR: COUNTY OF HARRIS, a body corporate and politic under the laws of the State of Texas
		BY: Lina Hidalgo, County Judge
APPROVED AS TO FO CHRISTIAN D. MEN Harris County Attorne  By:  Kevin E. Mason Senior Assistant CAO File No.25	EFEE ey  06-18-202 t County Attorney	
	knowledged before ris County and the fore of Commissioner	e me on, 2025, by Lina Hidalgo e presiding officer of the Commissioners Court of Harris rs Court of Harris County, Texas, as the governing body o
	_	Notary Public Signature

AGREED TO AND ACCEPTED on this	day of
HARI	NTEE: RIS COUNTY FLOOD CONTROL DISTRICT, tical subdivision of the State of Texas
BY:	Lina Hidalgo, County Judge
APPROVED AS TO FORM: CHRISTIAN D. MENEFEE Harris County Attorney  By:  06-18-2025  Kevin E. Mason Senior Assistant County Attorney CAO File No. 25RPD0068	
THE STATE OF TEXAS \$ \$ COUNTY OF HARRIS \$	
	is County, Texas and the presiding officer of the Texas, on behalf of Commissioners Court of Harris
	Notary Public Signature

## **EXHIBIT 'A'**

Being a 12.4056 acre (540,386 Sq. Ft., more or less) tract of land out of the M. H. Bundick Survey, Abstract 111, Harris County, Texas, and being a portion of a called 91.0385 acre tract conveyed to Harris County as recorded in Harris County Clerk's File Number F496923 of the Official Public Records of Real Property of Harris County, Texas, and being more particularly described by metes and bounds as follows:

The bearings and coordinates used in this description are based on Texas Coordinate System, South Central Zone, NAD 83, and were determined using GPS Observations utilizing the Leica Smartnet Network; All coordinates are GRID; distances are surface and may be converted to GRID by multiplying by a factor of 0.99992938

COMMENCING at a 5/8 inch iron rod found for the northwest corner of said 91.0385 acre tract, the southwest corner of a called 41.86469 acre tract of land conveyed to Ronnie G. Smith and Claudia L. Smith as recorded in Harris County Clerk's File No (HCCF) M666845 of the Official Public Records of Real Property of Harris County and in the east line of Fristche Cemetery Road having a 50 feet Right-of-Way as described in Harris County Clerk's File Number B438422 and B464884; said point having GRID coordinates X=3,023,071.06 and Y=13,930,006.67;

THENCE, N 87°45′42″ E, along the north line of said 91.0385 acre tract and the south line of said 41.86469 acre tract, a distance of 1,193.92 feet to a 5/8 inch iron rod with plastic cap stamped "Pape-Dawson" to be set in the north line of said 91.0385 acre tract and the south line of said 41.86469 acre tract and for the POINT OF BEGINNING of the herein described tract; said point having GRID coordinates X=3,024,263.99 and Y=13,930,053.30;

THENCE, N 87°45'42" E, continuing along the north line of said 91.0385 acre tract and the south line of said 41.86469 acre tract, a distance of 180.00 feet to a 5/8 inch iron rod found for the northeast corner of said 91.0385 acre tract and the southeast corner of said 41.86469 acre tract and in the west line of a called 72.9071 acre tract conveyed to Michael Khanh and Kim Nguyen as described in a deed recorded in Harris County Clerk's File Number (HCCF) U383744 of the Official Public Records of Real Property;

THENCE, S 02°08'43" E, along the east line of said 91.0385 acre tract, the west line of said 72.9071 acre tract, a distance of 1,096.77 feet to a 1/2 inch iron pipe found for an angle point of said 91.0385 acre tract, the southwest corner of said 72.9071 acre tract and the northwest corner of a called 8.4316 acre tract of land conveyed to Charlotte Lynne Coaton as described in a deed recorded in Harris County Clerk's File Number (HCCF) 2017324735 of the Official Public Records;

THENCE, S 02°19'34" E, along the east line of said 91.0385 acre tract, the west line of said 8.4316 acre tract, the west line of a called 5.4158 acre tract of land conveyed to John Paul Peterson and Charlotte Lynne Coaton as described in a deed recorded in Harris County Clerk's File Number (HCCF) 2017324951 of the Official Public Records and the west line of Stable Gate Section 2 as recorded in Film Code 434078 of the Map Records of Harris County, Texas, passing at a distance of 878.47 feet, 0.70' left a 1/2 inch iron rod found for the southwest corner of said 8.4316 acre tract, continuing for a total distance of 1,787.76 feet a 5/8 inch iron rod with cap stamped "Pape-Dawson" to be set for the southeast corner of said 91.0385 acre tract, in the north line of a called 21.624 acre tract of land conveyed to The Stable Gate Homeowners Association Inc. described as a "Nature Reserve A" as recorded in Harris County Clerk's File Number (HCCF) U361220 of the Official Public Records and in the west line of said Stable Gate Section 2;

THENCE, S 87°56'35" W, along the south line of said 91.0385 acre tract, the north line of said 21.624 acre tract, a distance of 230.00 feet to a 5/8 inch iron rod with cap stamped "Pape-Dawson" to be set for the southwest corner of the herein described tract and in the south line of said 91.0385 acre tract and the north line of said 21.624 acre tract;

THENCE, departing the south line of said 91.0385 acre tract and the north line of said 21.624 acre tract, over and across said 91.0385 acre tract the following courses and distances:

N 00°48'43" W, a distance of 914.62 feet to a 5/8 inch iron rod with cap stamped "Pape-Dawson" set for corner, and

N 02°13'39" W, a distance of 1,970.48 feet to the POINT OF BEGINNING, containing 12.4056 acres (540,386 Sq. Ft., more or less).

This description is based on the Land Title Survey and Plat made by Austan W. Lupher #6711 Registered Professional Land Surveyor, July 8, 2020. Revised January 17, 2022, February 6, 2024.

AUSTAN W. LUPHER D

Austan W. Lupher, RPLS 6711 Pape Dawson Engineers

TBPLS 10194495

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