

FINDINGS AND DECLARATIONS:

WHEREAS, Commissioners Court of Harris County, Texas, acting on behalf of the Harris County Flood Control District, has received and reviewed the survey(s) of property to be acquired for the public project known as known Cypress Creek Right-of-Way Acquisition and Floodplain Preservation - K100-00-00-R005, for the purpose of floodplain preservation, one (1) fee simple tract in Harris County, Texas (referred to herein as “the Project”), it is **FOUND AND DECLARED** that:

Public necessity exists for the acquisition of the real property identified and/or described in the survey(s) attached hereto as exhibits and any improvements thereon (referred to herein as “the Property”).

IT IS, THEREFORE, DECLARED that:

1. Public necessity exists for the Project and for the voluntary acquisition of the Property;
2. The Real Property Division is authorized and directed to obtain appraisal(s), survey(s), title information pertaining to the Property; that official purchase offer(s) be made based on appraised value and to negotiate for the purchase of fee simple in the Property, including, but not necessarily limited to closing costs;
3. The Real Property Division is authorized and directed to provide relocation assistance to displaced property owners or tenants;
4. The Real Property Division is authorized and directed to sign any and all documents required to close the transactions contemplated hereby;
5. The County Judge, County Attorney, the County Clerk, the County Auditor, the County Treasurer; and Harris County Engineering Department are authorized and directed to perform any and all necessary acts, within their respective duties, toward the final acquisition of the Property within the Project and the payment of compensation therefor.

<u>Tract No.</u>	<u>Size</u>	<u>Property interest</u>
K100-00-00-09-018.0	28.135 acres	fee simple

EXHIBIT "A"

Being a tract of land containing 28.135 acres out of the Daniel Harmon Survey, A-315 and the Abraham Scales Survey, A-687, Harris County, Texas. Said 28.135 acre tract being part of a 44.9254 acre

tract as described by deed dated June 21, 1961 from Mickey D. Altman, Trustee, to F.C.H. #7, Inc., and recorded under County Clerk's File No. H-075449 in the Official Public Records of Real Property in Harris County, Texas. Said 28.135 acre tract being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the intersection of the East right-of-way line of Interstate Highway No. 45 as widened by that certain Deed dated June 21, 1951 from Walter R. Booth et ux Hazel Cecilia Booth to the State of Texas and recorded in Volume 2303, Page 432, Harris County Deed Records, Harris County, Texas with the South right-of-way line of Kelly Street (60.00 feet wide) as described by that certain deed dated August 30, 1967, from Albert W. Westerhaus to the County of Harris and recorded under County Clerk's File No. C-575942 of the Official Public Records of Real Property in Harris County, Texas, from which a 3/4 inch iron pipe found bears North 20 degrees 46 minutes 25 seconds West, a distance of 2.67 feet;

THENCE South 07 degrees 25 minutes 30 seconds East with the East right-of-way line of said Interstate Highway No. 45, a distance of 400.00 feet with the East right-of-way line of said to the Northwest corner of a 0.825 acre tract conveyed to the State of Texas for the widening of said Interstate Highway No. 45 as described by deed recorded under County Clerk's File No. N-670212 of the Official Public Records of Real Property of Harris County, Texas, from which a 1/2 inch iron rod found bears North 00 degrees 14 minutes 31 seconds West, a distance of 3.38 feet;

THENCE North 75 degrees 17 minutes 32 seconds East with the Northwest line of said 0.825 acre tract, a distance of 78.98 feet to a 5/8 inch iron rod set for the Northwest corner and Point of Beginning of said tract herein described, located in the East right-of-way line of said Interstate Highway No. 45;

THENCE North 75 degrees 17 minutes 32 seconds East with the Northwest line of said tract herein described, a distance of 1712.20 feet to a 1/2 inch iron rod found for the Northeast corner of said tract herein described and being located in a West line of a 52.48 acre tract of land as described by deed dated March 3, 1970 from Gelta Realty Corporation to S. Conrad Weil, Jr., Trustee and recorded under County Clerk's File No. D-071975 in the Official Public Records of Real Property in Harris County, Texas;

THENCE South 31 degrees 04 minutes 25 seconds East with a West line of said 52.48 acre tract, a distance of 433.85 feet to a 3/4 inch iron pipe found for the Southeast corner of said tract herein described, located in the Southeast line of said Abraham Scales Survey, A-687, and the Northwest line of the Benjamin Barrow Survey,

A-126, Harris County, Texas, also being a Southwest corner of said 52.48 acre tract and being the Northwest line of that certain Parcel No. 1, called 42.6563 acres and described by deed dated January 20, 1979 from Marguerite Tautenhahn and Carl H. Tautenhahn, Jr. individually and as independent executors of the estate of Carl H. Tautenhahn, Sr. (Deceased) to the County of Harris and recorded under County Clerk's File No. G-093418 of the Official Public Records of Real Property of Harris County, Texas;

THENCE South 58 degrees 24 minutes 14 seconds West with the Southeast line of said Abraham Scales Survey, A-687 and with the Northwest line of said Benjamin Barrow Survey, A-126, at a distance of 1375.56 feet pass the Northwest corner of said 42.6563 acre tract and continuing for a total distance of 1431.38 feet to a 5/8 inch iron rod found for a South corner of said tract herein described, also being the Northeast corner of a 2.678 acre tract as described by deed dated July 21, 1980 from Mickey D. Altman, Trustee to the Harris County Flood Control District and recorded under County Clerk's File No. G-876931 in the Official Public Records of Real Property in Harris County, Texas;

THENCE North 87 degrees 58 minutes 23 seconds West with the North line of said 2.678 acre tract, at 285.97 feet pass the Northeast line of said Daniel Harmon Survey, A-315 and the Southwest line of said Abraham Scales Survey, A-687 and continuing for a total distance of 611.24 feet to a 5/8 inch iron rod set for a Southwest corner of said tract herein described, located in the East right-of-way line of said Interstate Highway No. 45, being a Southeast corner of said 0.825 acre tract;

THENCE North 04 degrees 19 minutes 14 seconds West with the East right-of-way line of said Interstate Highway No. 45, a distance of 566.24 feet to a 5/8 inch iron rod set for an angle point;

THENCE North 04 degrees 09 minutes 36 seconds West with the East right-of-way line of said Interstate Highway No. 45, a distance of 100.84 feet to the POINT OF BEGINNING and containing 28.135 acres of land.