

REAL ESTATE APPLICATION

For use of this form, see SWG-RE 701i
to avoid delays update Realty Specialist on any changes of POCs



PART I - BUSINESS/COMPANY APPLICANT INFORMATION

1a. BUSINESS/COMPANY NAME

1b. LAST NAME (SIGNATORY FOR APPLICANT)

FIRST NAME

M.I.

1c. TITLE

1d. E-MAIL

1e. PHONE

1f. PHYSICAL ADDRESS

1g. CITY

1h. STATE

1i. ZIP CODE

1j. MAILING ADDRESS

1k. CITY

1l. STATE

1m. ZIP CODE

PART II - AGENT INFORMATION (IF APPLICABLE)

2a. BUSINESS/COMPANY NAME

2b. LAST NAME (AGENT)

FIRST NAME

M.I.

2c. TITLE

2d. E-MAIL

2e. PHONE

2f. ADDRESS

2g. CITY

2h. STATE

2i. ZIP CODE

PART III - LEGAL OFFICER / CERTIFYING OFFICER INFORMATION

(For dredging must be an attorney, for all others must be corporate officer)

3a. LAST NAME

FIRST NAME

M.I.

3b. TITLE

3c. E-MAIL

3d. PHONE

3e. ADDRESS

3f. CITY

3g. STATE

3h. ZIP CODE

PART IV - FINANCIAL CONTACT

4a. LAST NAME

FIRST NAME

M.I.

4b. TITLE

4c. E-MAIL

4d. PHONE

4e. ADDRESS

4f. CITY

4g. STATE

4h. ZIP CODE

PART V - PERMITTING

5a. Do you hold a current authorizing Regulatory document (i.e., Section 404, Section 10, Nationwide Permit(s) or Letter of Permission) for the requested activity?

Yes No

If "Yes", ATTACH COPIES of all permits and amendments.

5b. Have you applied for a regulatory permit for this action?

Yes No

5c. SWG-_____ - _____

If "Yes" include permit # in box 5c

PART VI - PROJECT DESCRIPTION

6a. TYPE Dredging Pipeline Construct Other	6b. DREDGING New work <input type="radio"/> Maintenance <input type="radio"/> Estimated Cubic Yards _____	6c. PIPELINE New work <input type="radio"/> Replacement <input type="radio"/> Yes No Crossing federal channel? <input type="radio"/> <input type="radio"/>	6d. DIGITAL MAPPING DATA Specify the type of mapping data included: GIS (.shp) Google Earth (.kmz)
of these PROPOSED START DATE: _____ ESTIMATED END DATE: _____		6f. PREVIOUS OUTGRANT NUMBER (if applicable) DACW64- _____ - _____ - _____	

6g. Is this request related to a Federal project, such as deepening and widening a channel?
If so, which one? _____
What is the latitude and longitude (NAD 83 DMS) for both sides of the channel?

Latitude: _____ Longitude: _____ Latitude: _____ Longitude: _____

6h. SUMMARY OF PROJECT
(Describe the project in its entirety. Do not limit the project summary to the area described in the regulatory permit. Include the placement areas that will be used, if applicable. Include all ingress, egress and temporary lay down areas.)

PART VII REQUIRED DOCUMENTS

Please include: IRS Form W9, Articles of Incorporation and GIS shapefiles. The TxRRC Form T-4 listing the name of the pipeline **OWNER** is required for all applicable pipelines. The IRS Form W9 and Articles of Incorporation must match the applicant information listed in Section 1a above. All required documents must be submitted electronically to our mailbox, SWGRE@usace.army.mil.

PART VIII - CERTIFICATION

I HEREBY CERTIFY that I am of legal age and authorized to do business in the State of Texas. I have personally examined the information contained in this application and believe that the information submitted is correct to the best of my knowledge.

NAME

SIGNATURE

DATE

Instructions

SWG-RE Form 701i

Part I - Business/Company Applicant Information

1a - The “Applicant” is the entity in whose favor the transactional documents will be issued. Agent information should be entered in Part 2 of the form. The applicant may be as follows:

- An Individual. Provide the legal name of the individual.
- An Individual Trading as a Firm or Doing Business Under a Firm or Trade Name.
- A Partnership. The name of all the partners or the name of the partnership by one partner who signs as one of the firm. (see notes on Partnerships)
- A Corporation or Association. The name of the corporation and the name of the officer with official capacity signing on its behalf;
- State or local governmental entities. The name of the entity and the name of the officer with official capacity signing on its behalf.

For pipeline applications the **OWNER** should be placed in Part I, if there is no additional agent the operator may be placed in Part II, (please note “operator” after business name in block 2a). In cases where there is an agent and operator; please provide operator information within the Summary of Project section (6f).

Part II – Agent Information

The agent of an Applicant cannot sign on behalf of the Applicant. A signatory is typically a corporate officer. Funds for payment of administrative fees or consideration will only be accepted from the Applicant. Agents may not make payment on behalf of an Applicant.

Part III - Legal Officer / Certifying Officer Information

For Legal Officer and Certifying Officer requirements refer to notes which are applicable to your type of entity.

Notes on Partnerships

The signer will be required to furnish, for filing with the outgrant, extracts from the Partnership agreement, which indicates the names of the general partners. In order to expedite the application, please include this with the initial submission. In lieu of this evidence, the signer may furnish a Partnership Certificate, certifying that the signer has authority to bind the partnership as follows:

I, (Partner X) certify that I am a General Partner in the Partnership named as Grantee the attached outgrant, I certify further that (Partner Y), who signed said outgrant on behalf of the Partnership, is also a General Partner and has the authority to bind the Partnership by virtue of the powers vested in him/her in the Partnership agreement.

Notes on Corporations or Associations

The corporation seal will be affixed on the final outgrant documents prior to execution by USACE. The signer will furnish, for filing with the outgrant, extracts from the articles of incorporation (also known as Formation documents), the by-laws, or the minutes of the board of directors, duly certified by the custodian of such records, under the corporate seal (if there is one), which properly vest the signer with authority to bind the corporation. In lieu of this evidence the grantee may furnish a certificate signed by an appropriate corporate officer, other than the person executing the outgrant, as follows:

CORPORATE CERTIFICATE

I (Name)_certify that I am the (Secretary) of _____, Inc., that who signed the foregoing instrument on behalf of the corporation was then of the corporation. I further certify that the said officer was acting within the scope of powers delegated to this officer by the governing body of the corporation in executing said instrument.

Corporate Secretary or Appropriate Officer
(AFFIX CORPORATE SEAL)

Notes on State or Local Governmental Entities

The signer will furnish, for filing with the outgrant, an extract from the minutes of the entity indicating that the outgrant was approved by the governing body of the of the entity and authorizing a named individual to execute the outgrant on its behalf. In lieu of the minutes, the grantee may furnish a certificate signed by an appropriate official, other than the person executing the outgrant, as follows:

CERTIFICATE OF AUTHORITY

I (Name) certify that I am the__(Clerk)__ of _____that who signed the foregoing instrument on behalf of the grantee was then __of__. I further certify that the said officer was acting within the scope of powers delegated to this governing body of the grantee in executing said instrument.

Part IV – Financial Contact

The financial contact is an individual who works for the same business/company as the applicant that will be handling the payment and financial inquires for the administration fee to process the outgrant. The financial POC should be able to answer questions regarding debtor/vendor information, Tax ID or W9 issues, and address confirmation of return payments.

Part V - Regulatory Permits

Regulatory Permits control the activities of the Applicant to be performed in the Waters of the United States, including Wetlands, pursuant to applicable laws and regulations, such as Section 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean

Water Act. The Real Estate Division cannot issue an outgrant without the applicant first obtaining the proper regulatory permit.

Part VI- Project Description

The project description is the most critical part of the application. For a multi-faceted project, please check all required activities box 5a and complete boxes for corresponding activities. Provide a detailed description of the project and include GIS and/or CADD files with the application (see Cadastral Data and Format Requirements). The following sections detail additional requirements for Dredging and Pipeline activities:

Dredging

Please provide complete scope of work along with maps showing the area to be dredged, placement areas to be used and location or alignment of temporary dredge pipelines. A hydrographic survey showing the area to be dredged must also be submitted.

- List placement areas identified in Regulatory Permit in order of preference.
- If both new and maintenance dredging are required please select new in the form and discuss maintenance portion within the project description.
- Include detailed timelines for as well as completing line 6e of form.

Sediment Testing Requirement: Approval of sediment testing plans and reports prior to issuance of a Real Estate clearance is required for all Applicants. Contact the Operations Division to obtain information on sediment testing requirements. Email: SWG-NB@usace.army.mil: phone: 409-766-3973.

Pipelines

Please provide a complete narrative of the project. The narrative should include the pipeline starting and ending points, route, channel crossings, tie-ins, valve stations, access roads, ingress, egress, ROW needed, etc., for the pipeline.

If available please submit:

- Railroad Commission of Texas Form T-4 which identifies the pipeline **OWNER**.
- Railroad commission of Texas PS - 8000A Form
- Geotechnical study

If a pipeline crosses a Federal Channel, Placement Area(s) or Placement Area Levee, Hurricane Levee, or Tributary waters of the United States, the Applicant must provide cross section diagrams depicting depth and entry and exit points for each crossing. Applicants must also provide any and all standoff distances between the pipeline and any of the features listed above, including other pipelines. Identify diameter of each pipeline, type of fuel or product being transported, and pipeline configuration for each bundle. If there will be ground disturbance (e.g. trenching, excavation) please address the following

- What are the dimensions (i.e., length, width, depth) of each type of ground disturbance (e.g., trench, fence post hole, leveling, etc.)?
- Will more than an acre of ground surface be disturbed? How much?
- What kind of equipment will be used? How will the work be done?
- Will access across Government controlled property in addition to the area identified for the requested activity be required for equipment? If so, where?
- Will there be a staging and/or storage areas required? If so, where are they located and what are their dimensions? Will staging/storage areas be at locations different

than the site of the proposed action?

Additionally, please address the following:

- Are there any cultural resources known to exist in the area? If so, what?
- Describe other reasonable alternative routes or locations considered and reasons not selected Note: Pipelines 24-inches in diameter or larger, which impact fee simple land owned by the United States require Congressional approval. Applicants should anticipate a delay in processing such outgrants.

Administrative Fees & Consideration

Two types of funds are collected from applicants; administrative fees and consideration. Administrative fees are paid in advance. Consideration is paid at the time the transactional documents are executed.

Administrative fees. Title 10 U.S.C. 2695 authorizes the collection of the administrative fees to cover the costs to the Government for processing requests for the use of Government controlled property. These costs include but are not limited to payment for work products such as environmental, cultural and historical assessments, contract preparation, determinations of value, and preparation of land surveys, maps, and legal descriptions.

After initial screening, the Realty Specialist assigned to the application performs a scope of work analysis for the purpose of developing an administrative fee cost estimate. Once a cost estimate is established an administrative fee letter will be sent to the Applicant requesting payment of administrative fees. Payment of administrative fees is required before further work can occur.

Upon notification, applicants are required to pay administrative fees within **45 days** to avoid having their application cancelled for lack of response.

Administrative fees must be remitted using either Electronic Funds Transfer (EFT) or Automated Clearing House (ACH). **Checks are no longer accepted as a form of payment.**

If the actual administrative costs for processing the application are greater than the initial request the Applicant will be notified and required to pay the additional amount for processing of the application to continue. If excess funds exist at the time processing of the application is complete, the balance will be refunded to the Applicant.

Cadastral Data & Format Requirements

Applicants must submit their GIS data in either the equivalent or lesser version of the following: AutoCAD 2020 (.dwg) or ESRI ArcMap 10.8.1 (.shp) file to help us in this endeavor. Upon receiving a design CADD or a GIS file we will better determine the location of projects interest and limits. We ask that you please include the Regulatory Permit Tracking Number or Application Number and also indicate the coordinate system and datum that the drawing is currently in. The design data should consist of simple lines and polygons indicating the limits of the completed project.

If a CADD drawing is provided, please ensure that all layers are properly named to describe that specific feature. If the layers are named using acronyms we would need a legend or shoe boxes with leader lines, identifying each feature class within the drawing. All areas must be created in real-world (model space) with an assigned coordinate system. Please do not send drawings with XREFs or reference files, simply insert all needed files or feature layers into one design file. Cut-sheet or plate layouts in CADD are not needed however, PDF's of proposed project plans and/or as-built would be greatly appreciated for further review.

If a GIS shape file is provided, again the same applies about assigning a proper name sequence to describe that specific feature or it can also be defined in the spatial data within the shape file.

To help keep file sizes to the minimum imagery and USGS Quads do not need to be provided.

PERFERED PROJECTED COORDINATE SYSTEM

Datum: North American 1983 (SurveyFeet)

Projection: State Plane

Zone: Use the appropriate zone location of the project.

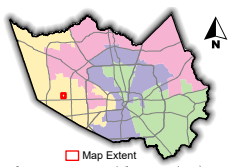
Example: (Texas South Central Zone)

If you have any questions pertaining to cadastral requirements please contact Carlos Hidalgo at (409) 766-3169.



Unit No: U101-20-00
Watershed: Addicks Reservoir
Precinct: 4

- Project Boundary
- Harris County Precincts**
- Judge Lina Hidalgo
- 1 - Rodney Ellis
- 2 - Adrian Garcia
- 3 - Tom S. Ramsey, P.E.
- 4 - Lesley Briones





SURVEY DEPARTMENT

7522 Prairie Oak
Houston, TX 77086
713.316.4875

FIELD NOTES U101-20-00 Easement

Description of 2.933 acres (127,751 square feet) of land situated in the C. Williams Survey, Abstract No. 835, Harris County, Texas; being a portion of Addicks Reservoir a tract to the United States of America as recorded under Volume 1623, Page 369 of the Harris County Deed Records, said 2.933 acre tract being more particularly described as follows (all bearings are based on the NAD'83 Texas State Plane Coordinate System, Southcentral Zone with a scale factor of 0.99989740774631):

COMMENCING at a found concrete monument U.S. Engineer Monument (held for bearing) in the south line of Estates at Cullen Park as recorded under Film Code No. 424140 of the Harris County Map Records, the northeast corner of a called 20 foot wide Harris County Road as recorded under Volume 807, Page 831 of the Harris County Deed Records, 20.14 feet from a found 5/8-inch iron rod for the interior boundary corner of said Estates at Cullen Park, from which a found U.S. Engineer Monument (held for bearing) bears North 88°05'09" East, 864.83 feet;

THENCE, South 02°00'18" East, along an east line of said 20 foot wide Harris County Road and the west line of said Addicks Reservoir, a distance of 669.61 feet to a the **POINT OF BEGINNING**, and ell corner of said 20 foot wide Harris County Road and interior of said Addicks Reservoir, the northeast corner of said C. Williams Survey, the southeast corner of the F. Schmidt Survey, Abstract No. 1022 and in the west line of G. Richardson Survey, Abstract No. 647 and the northeast corner of the herein described tract;

THENCE, South 01°59'00" East, along the east line of the herein described tract a distance of 1021.00 feet to a point for the southeast corner of the herein described tract, in South Mayde Creek;

THENCE, South 33°00'00" West, over and across said Addicks Reservoir a distance of 70.00 feet to a point in South Mayde Creek;

THENCE, North 83°10'00" West, over and across said Addicks Reservoir a distance of 80.82 feet to a point for the southwest corner of the herein described tract;

THENCE, North 01°59'00" West, over and across said Addicks Reservoir and the west line of the herein described tract, a distance of 1065.89 feet to a set 5/8-inch iron rod with aluminum cap, in the north line of said Addicks Reservoir and the south line of said 20 foot wide Harris County Road;

THENCE, North 87°58'51" East, for the north line of the herein described tract, Addicks Reservoir and south line of said 20 foot wide Harris County Road, a distance of 120.00 feet to the **POINT OF BEGINNING** and containing a computed area of 2.933 acres (127,751 square feet) of land. This description is based on a ground survey and plat prepared by Mark Sherley, Registered Professional Land Surveyor and dated July 31, 2023.



Mark L. Sherley
Registered Professional Land Surveyor No. 5326



F. SCHMIDT SURVEY ABSTRACT No.1022

ESTATES AT CULLEN PARK
F.C. No. 424140 H.C.M.R.

ESTATES AT CULLEN PARK
F.C. No. 424140 H.C.M.R.

ADDICKS RESERVOIR (U.S.A.)
(U.S. GOVERNMENT, VOL. 1623,
PG. 369, H.C.D.R.)

C. WILLIAMS SURVEY ABSTRACT No. 835

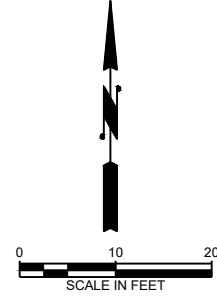
ADDICKS RESERVOIR (U.S.A.)
(U.S. GOVERNMENT, VOL. 1623,
PG. 369, H.C.D.R.)

G. RICHARDSON SURVEY ABSTRACT No. 647

2.933 Acres
127,751 Sq. Feet

P.O.C.

P.O.B.



- NOTES:
1. THIS SURVEY WAS PERFORMED IN CONNECTION WITH DEED RESEARCH PREPARED BY TITLE HOUSTON HOLDINGS. RELIANCE BY THE SURVEYOR HAS BEEN MADE UPON SAID DEED RESEARCH AS BEING ACCURATE AND COMPLETE. NO EASEMENTS, OTHER THAN THOSE REFERENCED IN SAID DEED RESEARCH OR SPECIFICALLY ADDRESSED HEREON HAVE BEEN REVIEWED BY THE SURVEYOR.
 2. BEARINGS BASIS PER TEXAS STATE PLANE COORDINATE SYSTEM, SOUTHCENTRAL ZONE.
 3. SQUARE FOOTAGE TOTALS SHOWN HEREON OR REFERENCED HEREIN ARE BASED ON MATHEMATICAL CLOSURES AND DO NOT NECESSARILY REPRESENT THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTS.
 4. THIS SURVEY DOES NOT PROVIDE A DETERMINATION OR OPINION CONCERNING THE LOCATION OR EXISTENCE OF WETLANDS, FAULT LINES, TOXIC OR HAZARDOUS WASTE AREAS, SUBSIDENCE, OVERHEAD, SUBSURFACE AND ENVIRONMENTAL CONDITIONS OR GEOLOGICAL ISSUES. NO STATEMENT IS MADE CONCERNING THE SUITABILITY OF THE SUBJECT TRACT FOR ANY INTENDED USE, PURPOSE OR DEVELOPMENT.
 5. THE WORD "CERTIFY" OR "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
 6. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.


SURVEYOR'S CERTIFICATE

I hereby certify that this survey was made on the ground and completed on July 31, 2023, that this drawing accurately represents the facts found at the time of survey and that this professional service substantially conforms to the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B, Condition II Survey.


 Mark L. Sherley
 Registered Professional Land Surveyor No. 5326

This certification is revoked and this survey is null and void if this document is altered in any manner, used or relied upon by anyone other than the parties addressed above, or does not bear an original signature and seal of the Surveyor.



HCFCO PROJECT ID #	U101-20-00			
	SURVEY OF U101-20-00			
	FROM GROESCHKE ROAD			
	SOUTH TO THE CONFLUENCE			
	OF U101-00-00			
PREPARED: WB	CHECKED: WB	APPROVED: MS		
				
9900 Northwest Freeway Houston, Texas 77092				
DATE:	07-31-23			
SCALE:	1"=200'			
DRAWING NUMBER				
1 OF 1				



Unit Tract: U101-20-00-01-001.0

Unit No: U101-20-00

Filed As: UNITED STATES ARMY*

Volume:

Page:

Records: D

CFNo: P826080

FCNo: 096-61-2062

Grantee: HCFCD

D_Accept: 2/21/1974

CCVol: 84

CCPage: 42

Instr_ID: 2499100

P826080

096-61-2062

04/27/94 00007248 P826080 \$ 0.00

Easmt

860-05-2567

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT-OF-WAY
DRAINAGE DITCH ON
ADDICKS DAM AREA, TEXAS

DACW64-2-74-53

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2668, hereby grants to Harris County Flood Control District, a body politic and corporate under the laws of the State of Texas, hereinafter designated as the grantee, for a period not exceeding fifty (50) years from the date hereof, an easement for a right-of-way for a drainage ditch over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "B", and described in Exhibit "A", attached hereto and made a part hereof.

THIS EASEMENT is granted subject to the following conditions:

1. The installation and/or operation and maintenance of said drainage ditch shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property, hereinafter designated as "said officer" and in such manner as not to endanger personnel or property of the United States, its grantees or the general public on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

2. The installation and/or operation and maintenance of said drainage ditch shall be in accordance with the following conditions:

- a. That topsoil be stripped, stockpiled and replaced on the excavated ditch sideslopes and grass established thereon to retard erosion.
- b. That any surplus material excavated from the ditch be removed from the reservoir area or spread uniformly and grass established thereon.
- c. That measures be taken at the confluence of the drainage ditch and South Mayde Creek to prevent erosion and degradation by installing riprap over a filter blanket, pipes and headwalls, weirs and/or a combination thereof.
- d. A vehicular crossing shall be provided across the drainage ditch at a location approved by the said officer.
- e. Temporary fencing of the work area will be provided during construction and resodding if required by the surface lessee.
- f. If treated effluent is to be discharged into the drainage ditch, the following applies:
 - (1) Necessary permits shall be obtained from local and state regulatory agencies, including the Texas Water Quality Board, to empty effluent into the streams.

HARRIS COUNTY NO. FEE

R

Incl

U101-20-00

A: CERTIFIED COPY

ATTEST: APR 28 1994
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

Billy W. Gage Deputy
BILLY W. GAGE

HARRIS COUNTY CLERK
HARRIS COUNTY, TEXAS

54 APR 27 PM 3:54

FILED

(2) The treated effluent will meet the required standards at all times as determined by periodic inspections by the Harris County Health Officer.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said drainage ditch and cause it to be inspected at reasonable intervals, and shall immediately repair any defects found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said drainage ditch and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right-of-way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right-of-way granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. In the event all or any portion of said land occupied by said drainage ditch shall be needed by the United States, or in the event the existence of said drainage ditch shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said drainage ditch and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said drainage ditch shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

A CERTIFIED COPY

ATTEST: APR 19 1994
 BEVERLY B. KAUFMAN, County Clerk
 Harris County, Texas

Billy W. Gage Deputy
 BILLY W. GAGE

096-61-2064

860-05-2569


10. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right-of-way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, for a period of two consecutive years, or for abandonment.

11. Upon the expiration or termination of this grant, the grantee shall without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said drainage ditch from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said drainage ditch and so restore the premises, the United States shall have the option either to take over the said drainage ditch as the property of the United States, without compensation therefor, or to remove the said drainage ditch and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said drainage ditch or on account of its removal.

12. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the representatives, successors and assigns of the grantee.

THIS EASEMENT is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand by authority of the Secretary of the Army this 7th day of February 1977.

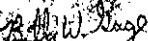


J. BRUCE WALTERS
Chief, Real Estate Division
Corps of Engineers
Galveston District

A CERTIFIED COPY

APR 19 1994

ATTEST:
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas



BILLY W. GAGE

Deputy

096-61-2065

860-05-2570

FIELD NOTES:

All that certain parcel of land located in the Christiana Williams Survey, Abstract No. 835, Harris County, Texas, more particularly described as follows (all coordinates and bearings being referred to the Texas Plane Coordinate System, South Central Zone as established by the U. S. Coast and Geodetic Survey, 1934):

BEGINNING at U. S. Government Monument No. 25 marking a corner of the Addicks Reservoir, said monument being located at a fence corner where the south line of Groschke Road intersects the east line of Groschke Road at a turn in said road, said monument being further located approximately 2645 feet east and 20 feet south of the northwest corner of said Christiana Williams Survey, and having coordinates of X = 3,053,066.18 feet and Y = 732,195.77 feet;

THENCE S.1°59'E. 1021 feet to the center of South Mayde Creek;

THENCE up the center of South Mayde Creek with its meanders S.33°00'W. 70 feet and N.83°10'W. 80.82 feet to the southwest corner of the land herein described;

THENCE N.1°59'W. 1065.89 feet to the south line of Groschke Road;

THENCE N.87°59'E. 120 feet along the south line of Groschke Road to the PLACE OF BEGINNING, and containing 2.93 acres of land, more or less.

PLEASE RETURN TO:
Harris County Flood Control District
8615 North Main
Houston, Texas



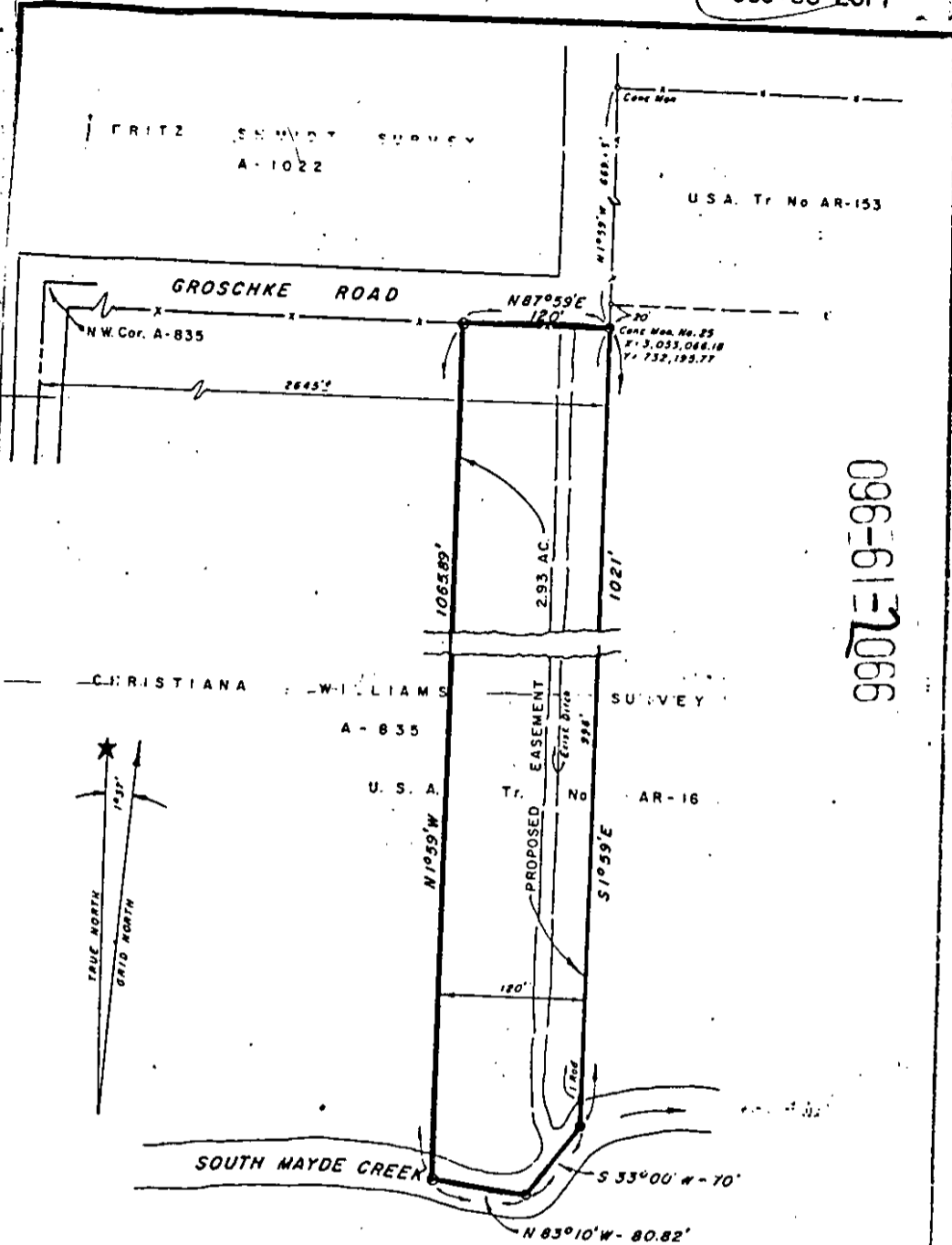
EXHIBIT A

A CERTIFIED COPY
APR 19 1994

ATTEST:
BEVERLY B. KAUFMAN, County Clerk
Harris County, Texas

Billy W. Gage
BILLY W. GAGE, Deputy

860-05-2571



096-61-2066

SKETCH OF PROPOSED DRAINAGE EASEMENT
 IN ADDICKS RESERVOIR AREA
 TO SERVE ADDICKS UTILITY DISTRICT
 HARRIS COUNTY, TEXAS

RECORDERS MEMORANDUM:
 All Or Parts Of The Text On This Page
 Was Not Clearly Legible For Satisfactory
 Recording

ROBT. M. ATKINSON & ASSOCIATES, INC.
 CIVIL ENGINEERS
 2403 BAGBY HOUSTON, TEXAS, 77004
 BY: *Robt. M. Atkinson* REGISTERED PROFESSIONAL ENGINEER

EXHIBIT B

SCALE:	1" = 100'
DATE:	OCT. 26, 1973
FILE NO:	3888

RECORDERS MEMORANDUM:
 All Or Parts Of The Text On This Page
 Was Not Clearly Legible For Satisfactory
 Recording

A CERTIFIED COPY

ATTEST: APR 19 1994
 BEVERLY B. KAUFMAN, County Clerk
 Harris County, Texas

Billy W. Gage
 BILLY W. GAGE, Deputy

PLEASE RETURN TO:
 Harris County Flood Control District
 9600 Northwest Freeway, Suite 200
 Houston, Texas 77092

Attn. Anne Sipes

THE STATE OF TEXAS §
§
COUNTY OF HARRIS §

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on _____, with the following members present, to-wit:

Lina Hidalgo	County Judge
Rodney Ellis	Commissioner, Precinct No. 1
Adrian Garcia	Commissioner, Precinct No. 2
Tom S. Ramsey, P.E.	Commissioner, Precinct No. 3
Lesley Briones	Commissioner, Precinct No. 4

and the following members absent, to-wit: _____, constituting a quorum, when among other business, the following was transacted:

**ORDER AUTHORIZING THE HARRIS COUNTY FLOOD CONTROL DISTRICT
TO SUBMIT TO THE US ARMY CORPS OF ENGINEERS
A MULTI-PURPOSE APPLICATION FOR REAL ESTATE OUTGRANTS
UNIT NO. U101-20-00**

Commissioner _____ introduced an order and made a motion that the same be adopted. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

		Yes	No	Abstain
AYES:	Judge Lina Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAYS:	Comm. Rodney Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABSTENTIONS:	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.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HARRIS COUNTY, TEXAS THAT:

County Judge Lina Hidalgo is hereby authorized to execute for and on behalf of the Harris County Flood Control District authorization to submit a Multi-Purpose Application for Real Estate Outgrants for access along a reach of channel referred to by the Harris County Flood Control District as Unit No. U101-20-00 within the Addicks Reservoir.