

HARRIS COUNTY

OFFICE OF THE COUNTY ENGINEER

1001 Preston, Suite 500
Houston, Texas 77002
(713) 755-5370

March 18, 2021

Honorable County Judge
& Commissioners

SUBJECT: Conveyance

Recommendation for authorization for HCFCD to convey real estate to the North Harris County Regional Water Authority for tract E141-00-00-05-601.0, a 2.888 acre right of way easement from the E141-00-00-05-601.0 – Donation to NHCRWA project and that the County Judge execute the assignment of easement rights, Precinct 4.

Sincerely,



John R. Blount, P.E.
County Engineer

cc: Commissioner R. Jack Cagle
Cheryl Guenther
Pamela Rocchi
Freddie Jebousek
Dennis Johnston
Kiley Holbrook

ASSIGNMENT OF RIGHT OF WAY EASEMENT

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

THIS ASSIGNMENT OF EASEMENT ("this Assignment") is made this ____ day of _____, 2021 by and between HARRIS COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic under the laws of the State of Texas (hereinafter referred to as the "Assignor"), and the NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY, a governmental agency and body politic and corporate situated in Harris County, Texas, and having a mailing address of 3648 Cypress Creek Parkway, Suite 110, Houston, Texas, 77068 (hereinafter referred to as the "Assignee").

RECITALS

For valuable consideration, Assignor acquired that certain Right of Way Easement filed of record under Harris County Clerk's File No. M428085 (the "Easement"), a true and correct copy of which is attached hereto as Exhibit A, granting to Assignor a perpetual easement and right-of-way for drainage and flood control purposes as a part of Harris County Flood Control Unit E141-00-00-05-601.0, over, across, along, under and upon the Easement Area described therein; and

Assignor now desires to assign the Easement to Assignee, and Assignee will accept the assignment.

ASSIGNMENT AND AGREEMENT

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby assigns to Assignee, its successors and assigns, all of Assignor's right, title, and interest in and to the Easement. Assignee accepts this Assignment of the Easement and agrees to perform and fulfill all of the terms, covenants, conditions, and obligations of the Easement.

This Assignment shall be binding on and inure to the benefit of the parties, their successors and assigns.

HARRIS COUNTY FLOOD CONTROL DISTRICT
a body corporate and politic under the laws of
The State of Texas (“Assignor”)

By: _____
Lina Hidalgo
Harris County Judge

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on _____, 2021, by Lina Hidalgo, as County Judge of Harris County and presiding officer of the Commissioners Court of Harris County, Texas on behalf of Commissioners Court of Harris County, Texas as the governing body of the **HARRIS COUNTY FLOOD CONTROL DISTRICT**.

(Seal)

Notary Public in and for
The State of Texas

ACCEPTED AND AGREED TO:

NORTH HARRIS COUNTY REGIONAL WATER AUTHORITY,
a governmental agency and body politic and corporate situated
in Harris County, Texas ("Assignee")

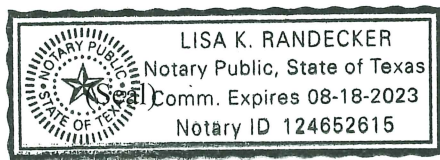
By: *Jun Chang*

Printed Name: JUN CHANG

Title: GENERAL MANAGER

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on March 15, 2021, by Jun Chang, as General Manager of the North Harris County Regional Water Authority, a governmental agency and body politic and corporate situated in Harris County, Texas



Lisa K. Randecker
Notary Public in and for
The State of Texas

RETURN TO:

Richard Harris
Harris County Real Property Division
10555 Northwest Freeway, Suite 210
Houston, Texas 77092

163-75-0289

M428085 RIGHT OF WAY EASEMENT

THE STATE OF TEXAS
COUNTY OF HARRIS }

KNOW ALL MEN BY THESE PRESENTS:

12/05/89 003-5952 M428085 \$ 9.00

THAT ~~NAME~~, BELTWAY 8 INVESTORS, a Texas General Partnership,

hereinafter known as Grantor (whether one or more), of the County of Harris

State of TEXAS , for and in consideration of the sum of TEN and No/100

(\$10.00)-----DOLLARS

cash to Grantor in hand paid by the Harris County Flood Control District, the receipt and sufficiency of which is hereby acknowledged, have Granted, Sold and Conveyed and by these presents do Grant, Sell and Convey unto the said Harris County Flood Control District, a Body Politic and Corporate, hereinafter known as District, its successors and assigns, a perpetual easement and right-of-way for drainage and flood control as a part of Harris County Flood Control Unit such easement and right-of-way being more particularly described as follows:

2.888 acres of land situated in the Washington County Railroad Company Survey, Section 11, Block 4, Abstract 924, Harris County, Texas, and being more particularly described by metes and bounds on Appendix "A" attached hereto and made a part hereof for all purposes.

Dec 5 3 23 PM '89
County Clerk
HARRIS COUNTY, TEXAS

PLEASE RETURN TO

Stephen Jacobs
Liddell, Sapp, Zhivley, Hill & LaBoon
Texas Commerce Tower
Houston, Texas 77002

TO HAVE AND TO HOLD the above described easement and right-of-way, together with all and singular the rights and appurtenances thereto in anywise belonging, including all necessary rights of ingress, egress and regress, unto the said District, its successors and assigns, forever; and Grantor does hereby bind itself

to Warrant and Forever Defend all and singular the said premises unto the said District, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof. The District may widen, straighten, clear and improve waterways and ditches located upon the above described premises, may excavate and dispose of soil, and may bring upon said described premises and operate thereon all necessary machinery and equipment to efficiently prosecute the work.

Grantor reserves all oil, gas and other minerals in, on or under said premises, but waives all rights of ingress and egress for the purpose of exploring, developing, mining or drilling for the same; however, nothing in this reservation shall prohibit or in any manner restrict the right of Grantor to develop the premises for oil and gas, by directional drilling from a nearby site; provided, however, that nothing contained herein shall ever legally authorize Grantor

to remove sand, soil, gravel or stone from said easement above described without the prior written consent and approval of the District; and provided further that no rights or privileges of Grantor in the above described property are to be used by Grantor which would interfere with or abridge the rights granted herein to said District.

The Grantor herein reserves to itself, its successors and assigns, the right to cross the property herein conveyed with any and all roads, lines, mains, bridges and other facilities and structures for all public or private transportation and/or utility purposes, or to grant to others these same rights; provided, however, that all such items shall be constructed and maintained so as not to interfere with the use of said property for drainage and flood control purposes, and provided further, that the plans for such items shall be submitted to, and approved by, the Harris County Flood Control District prior to the start of construction of such items, so that the Harris County Flood Control District may be certain that such items will create no impediment or obstruction to the waterway constructed, or to be constructed, on said property, or otherwise interfere with the use of said property for drainage and flood control purposes.

EXECUTED this 22nd day of September, 19 89 .

BELTWAY 8 INVESTORS

By Earl D. Elliott
Earl D. Elliott, President of
Leggett Properties, Inc.,
Managing General Partner

APPROVED:
Form & Execution

Assistant County Attorney

163-75-0291

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Earl D. Elliott, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same in his capacity as President of Leggett Properties, Inc., Managing General Partner of BELTWAY 8 INVESTORS, a Texas General Partnership, for the purposes and consideration therein stated and as the act and deed of said Partnership.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 22nd day of September, 1989.

Jacquelyn P. Burns
Notary Public in and for the
State of T E X A S

JACQUELYN P. BURNS
NOTARY PUBLIC IN AND FOR
HARRIS COUNTY, TEXAS

My Commission Expires June, 30-92

Printed Name of Notary

My Commission Expires: 6-30-92

EXECUTED AS OF THE 25th day of September, 1989.

LIENHOLDER:

TRANSAMERICA REALTY INVESTMENT
CORPORATION

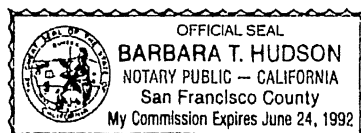
Harry Fish
Printed Name: HARRY FISH
Title: Vice President

THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

BEFORE ME, the undersigned authority, on this day personally appeared Harry Fish of TRANSAMERICA REALTY INVESTMENT CORPORATION, a Delaware corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and as the act of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 25th day of September, 1989.



Barbara T. Hudson
Notary Public in and for
The State of CAL I F O R N I A

My Commission Expires: June 24, 1992

BARBARA T. HUDSON
Printed Name of Notary

DESCRIPTION
Proposed 100 Foot Drainage Easement

2.888 acres of land situated in the Washington County Railroad Company Survey, Section 11, Block 4, Abstract 924, Harris County, Texas, the subject 2.888 acre tract being part of a 34.756 acre tract out of that certain 484.157 acre tract as recorded under Film Code Number 197-83-1502 in the Official Public Records of Real Property of Harris County, Texas, said 2.888 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for the Northwest corner of the said 34.756 acre tract, same being the most Northerly Northwest corner of the said 484.157 acre tract and in the Southerly line of a 150 foot wide Houston Lighting and Power Company Fee Strip as recorded in Volume 1380, Page 165 of the Deed Records of Harris County, Texas;

Thence, S 89° 59' 40" E, with the Northerly line of the said 34.756 acre tract and said 484.157 acre tract and the Southerly line of said 150 foot wide Houston Lighting and Power Company Fee Strip for a distance of 100.00 feet to a 5/8 inch iron rod set for corner;

Thence, S 00° 00' 11" W, a distance of 1110.81 feet to a 5/8 inch iron rod set for an angle point;

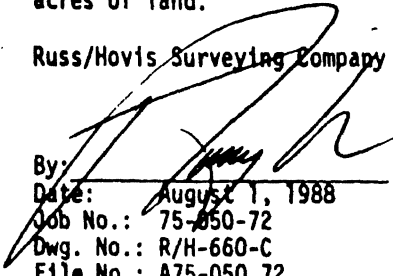
Thence, S 25° 13' 57" E, a distance of 124.72 feet to a 5/8 inch iron rod set for corner in the Southerly line of two 30 foot wide (60 feet in total width) Transcontinental Pipeline Company Easements as recorded in Volume 2077, Page 393 and Volume 3469, Page 261 of the Deed Records of Harris County, Texas and the Northerly right-of-way line of West Belt Toll Road (based on a width of 400 feet);

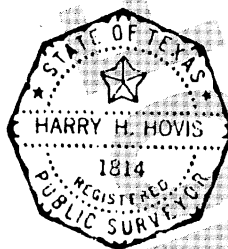
Thence, S 64° 46' 03" W, with the Southerly line of said Transcontinental Pipeline Company easements and the Northerly right-of-way line of said West Belt Toll Road for a distance of 100.00 feet to a 5/8 inch iron rod found for corner;

Thence, N 25° 13' 57" W, a distance of 147.11 feet to a 5/8 inch iron rod found in the Westerly line of the aforementioned 34.756 acre tract and the most Northerly West side of the aforementioned 484.157 acre tract;

Thence, N 00° 00' 11" E, with the said Westerly line of the 34.756 acre tract and the 484.157 acre tract for a distance of 1133.19 feet to the POINT OF BEGINNING of the herein described tract and containing 2.888 acres of land.

Russ/Hovis Surveying Company

By: 
Date: August 1, 1988
Job No.: 75-050-72
Dwg. No.: R/H-660-C
File No.: A75-050.72



163-75-0293

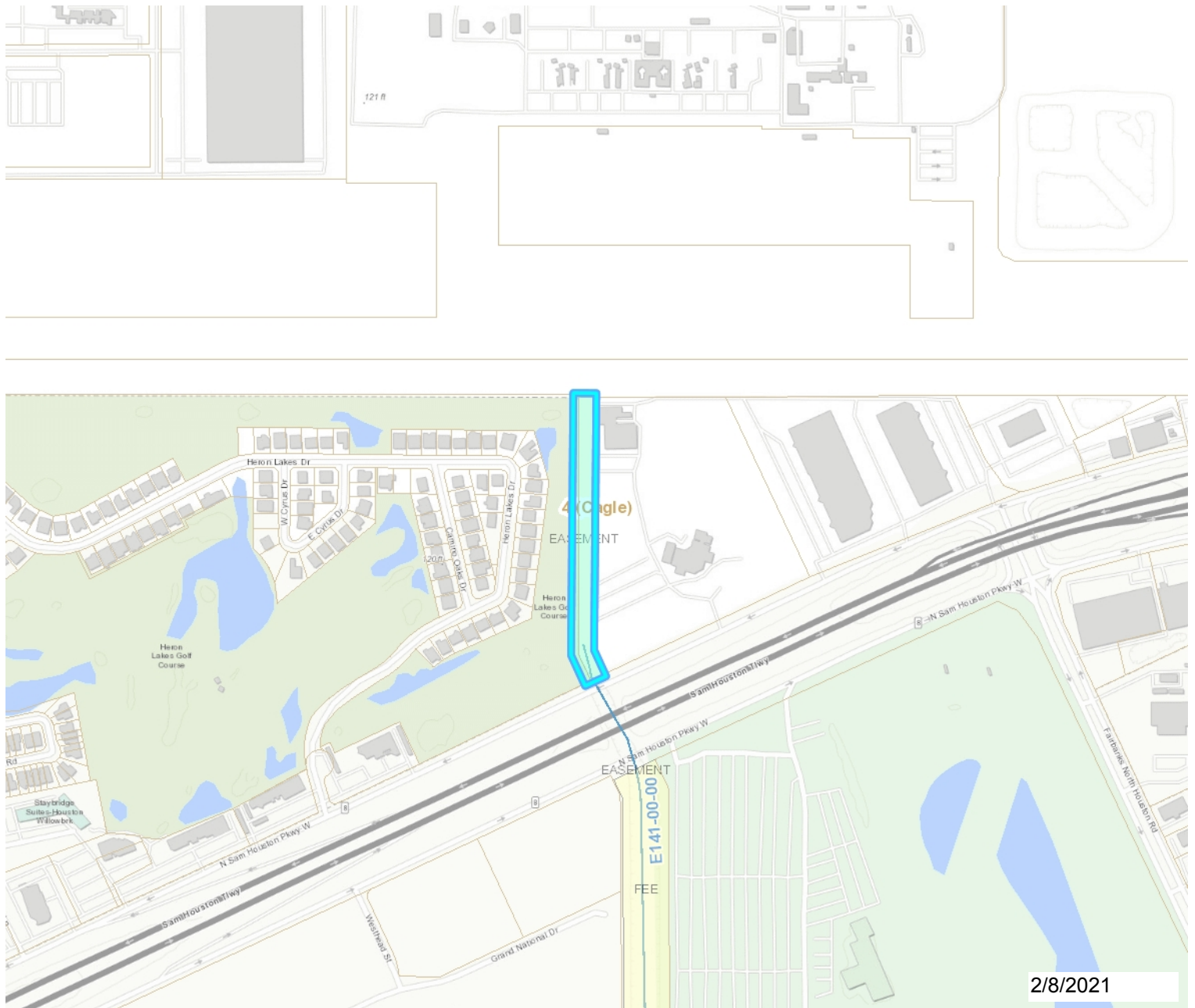
ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, REUSE, OR USE OF THE DESCRIBED REAL
PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS

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

DEC 5 1989



Quita Roddenberry
COUNTY CLERK,
HARRIS COUNTY, TEXAS



Legend

Buyout Areas of Interest

- No
- Yes

eBuilder Property Status

- Null
- Null (Temporary Boundary)
- In Process
- In Process (Temporary Boundary)
- Dropped
- Dropped (Temporary Boundary)
- Purchased
- Purchased (Temporary Boundary)
- Hold

County Vicinity Map



Notes

The roadway data used in this map are derived from the STARMap®. STARMap is a registered trademark of the Houston-Galveston Area Council and the Geographic Data Committee.

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1: 9,028

ft

