HARRIS COUNTY

OFFICE OF THE COUNTY ENGINEER

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

May 26, 2021

Honorable County Judge & Commissioners

SUBJECT: Conveyance – Crosby Eastgate Mitigation Bank Q700-01-00-Y001

Recommendation for authorization for Harris County to convey real estate to the Harris County Flood Control District for tract Q700-01-00-01-007.0, a 240.6 acre tract of land for the Crosby Eastgate Mitigation Bank Q700-01-00-Y001 project and that the County Judge execute the Special Warranty Deed, UPIN 21090MF1SR01, Precinct 2.

Sincerely,

Alise Max for JRB

John R. Blount, P.E. County Engineer

Attachment

cc: Commissioner Adrian Garcia Mike Lykes Milton Rahman, P.E. Tiko Reynolds-Hausman Faustino Bendavidez Misty Rios Rosalie Brockman Juan Hernandez Jose Jimenez Chris Saddler Tiffany Harding Crosby Eastgate Mitigation Bank Q700-01-00-Y001 Tract Q700-01-00-01-007.0

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS § COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

THAT, **County of Harris**, a body corporate and politic under the laws of the State of **Texas**, hereinafter known as Grantor, for and in consideration of Grantor's intention of donating to the **Harris County Flood Control District**, a political subdivision of the State of Texas, hereinafter known as "Grantee", certain land to be used by the Grantee for the respective public purpose of establishing a wetlands mitigation bank within the Galveston Bay watershed limits, being a public purpose that benefits and serves the public interest of Grantor, such donation being made pursuant to Local Government Code §272.001(l.), have GRANTED and CONVEYED, and by these presents do GRANT and CONVEY unto the Grantee all that certain tract or parcel of land situated in the County of Harris, State of Texas: [Unit Q700-01-00, Tract 01-007.0]

240.6 acres of land, more or less, situated in the D. Kokernot Survey, A-39, the W.R. Holbrooks Survey, A-688, the B.F. Strawbridge Survey, A-714, and the E. Carson Survey, A-1384, Harris County, Texas, being more particularly described by metes and bounds and survey in <u>Exhibit "A"</u> attached hereto and made a part hereof, together with any improvements located thereon and any and all appurtenances belonging or appertaining thereto.

The above described property conveyed shall include all right, title and interest, if any, of Grantor in and to, (1) any narrow strip of land lying between the described property, as described herein, and any adjacent or abutting land, which narrow strip of land was intended by the Grantor and Grantee to be conveyed hereby as part of the described property, but which because of surveying error or omission was inadvertently excluded as part of the described property and (2) all reversionary rights attributable to the above described property.

This conveyance is made by Grantor and accepted by Grantee subject to all valid and subsisting encumbrances, conditions, covenants, restrictions, reservations, exceptions, rights-of-way and easements appearing of record in the Official Public Records of Real Property of Harris County, Texas, relative to the above described property, but only to the extent the same are applicable to and enforceable against Grantee.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns, forever, and Grantor does hereby bind itself, its successors and assigns to Warrant and Forever Defend all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by through or under Grantor, but not otherwise, subject however only to those matters (other than liens) recorded in the Office of the County Clerk of Harris County, Texas to the extent same are valid and affect the property.

[Signature pages to follow]

GRANTOR: COUNTY OF HARRIS, a body corporate and politic under the laws of the State of Texas

By:__

Lina Hidalgo, County Judge

Grantor's Address: 9900 Northwest Freeway Houston, TX 77092

APPROVED AS TO FORM: **CHRISTIAN D. MENEFEE Harris County Attorney**

By:

Justina Daniel-Wariya Assistant County Attorney CAO File No. 21RPD0089

THE STATE OF TEXAS § § § COUNTY OF HARRIS

This instrument was acknowledged before me on the day of 2021, by Lina Hidalgo as County Judge of Harris County and the presiding officer of the Commissioner's Court of Harris County, Texas, on behalf of Commissioner's Court of Harris County, Texas, as the governing body of the COUNTY OF HARRIS.

Notary Public Signature

GRANTEE: HARRIS COUNTY FLOOD CONTROL DISTRICT, a political subdivision of the State of Texas

By:___

§ § § Lina Hidalgo, County Judge

Grantee's Address: 9900 Northwest Freeway Houston, TX 77092

THE STATE OF TEXAS COUNTY OF HARRIS

This instrument was acknowledged before me on the _____ day of ______, 2021, by Lina Hidalgo, as County Judge of Harris County, Texas and the presiding officer of the Commissioner's Court of Harris County, Texas, on behalf of Commissioners Court of Harris County, Texas, as governing body of the Harris County Flood Control District.

Notary Public Signature

Tract: Q700-01-00-01-007.0

D. Kokernot Survey, A-39 W.R. Holbrooks Survey, A-688 B.F. Strawbridge Survey, A-714 E. Carson Survey, A-1384

EXHIBIT "A" 240.6 Acre Tract

Being a tract or parcel containing 240.6 acres (10,478,706 square feet) of land situated in the D. Kokernot Survey, A-39, the W.R. Holbrooks Survey, A-688, the B.F. Strawbridge Survey, A-714, and the E. Carson Survey, A-1384, Harris County, Texas; same being out of and a portion of a called 100.2762 acre tract conveyed to Harris County by deed recorded under Harris County Clerk's File Number (H.C.C.F. No.) K881346, out of and a portion of a called 161.4375 acre tract conveyed to Harris County by deed recorded under H.C.C.F. No. K165268, all of a called 3.712 acre tract being a 50-foot wide strip of land conveyed to Fidelity Bank and Trust by Quit-Claim Deed recorded under H.C.C.F. No. F396409, all of a called 4.4543 acre tract conveyed to Harris County by deed recorded under H.C.C.F. No. K852582, all of a called 13.8471 acre tract conveyed to Harris County by deed recorded under H.C.C.F. No. K852583 and all of a called 3.6635 acre tract conveyed to Harris County by deed recorded under H.C.C.F. No. K881351, said 240.6 acre tract being more particularly described as follows (bearings and distances are referenced to the Texas Coordinate System of 1983, South Central Zone No. 4204):

COMMENCING for reference at a 5/8-inch iron rod with unknown cap found on the north line of a called 4.014 acre tract conveyed to Robert C. Mauldin by deed recorded under H.C.C.F. No. S472123 marking the southwest corner of a called 23.29 acre tract conveyed to Douglas P. Finn by deed recorded under H.C.C.F. No. X706340 and marking the southeast corner of a called 42.2182 acre tract dedicated to the public for use as a cemetery by deed recorded under H.C.C.F. No. 20110291931;

THENCE, North 12°33'06" West, at a distance of 1,071.85 feet passing a found 5/8-inch iron rod with cap stamped "BSTD" marking the southwest corner of Shady Lane (called 60 feet wide), and continuing in al a total distance of 1,104.52 feet along the east line of said called 42.2182 acre tract to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking the southeast corner and **POINT OF BEGINNING** the herein described tract;

THENCE, South 88°17'02" West, departing the west R.O.W. line of said Shady Lane and along the north line of said called 42.2182 acre tract, a distance of 288.46 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set five feet east of the east line of a called 10.0000 acre Drill Site (Parcel "B") granted to Mobil Producing Texas & New Mexico, Inc. by deed recorded under H.C.C.F. No. K881349 and marking an angle point in the southerly line of the herein described tract;

THENCE, North 10°23'26" West, departing the north line of said called 42.2182 acre tract, lying five feet east of and parallel with the east line of said Drill Site, a distance of 76.31 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" marking an interior corner of the herein described tract;



THENCE, South 79°36'34" West, lying five feet north of and parallel with the north line of said Drill Site, a distance of 500.20 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set in the north line of the aforesaid called 42.2182 acre tract, same marking an angle point in the south line of the herein described tract;

THENCE, South 88°17'02" West, along the north line of said called 42.2182 acre tract, a distance of 679.93 feet to a found 5/8-inch iron rod marking the common east corner of a called 2.34 acre tract conveyed to Darlene A. Mullins by deed recorded under H.C.C.F. No. RP-2016-34586 and of a called 1.5532 acre tract conveyed to Michael J. Cooley and Karen C. Cooley by deed recorded under H.C.C.F. No. S751740, same marking the northwest corner of said called 42.2182 acre tract and marking the most southerly southwest corner of the herein described tract;

THENCE, North 09°47'47" West, along the east line of said called 1.5532 acre tract, a distance of 415.44 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking the common east corner of said called 1.5532 acre tract at the southeast corner of a called 18.75 acre tract conveyed to Crosby Church, A Fellowship of Believers by deed recorded under H.C.C.F. No. 20110283593 and marking an angle point in a westerly line of the herein described tract;

THENCE, North 16°26'01" West, along the easterly line of said 18.75 acre tract and along the easterly line of a called 50.00 acre tract conveyed to Douglas Patrick Finn and wife, Irene A. Finn, by deed recorded under H.C.C.F. No. L901173, a distance of 1,031.41 feet to a found 2-inch iron pipe marking the northeast corner of said called 50.00 acre tract, same being the southeast corner of the aforesaid called 161.4375 acre tract and marking an interior corner of the herein described tract;

THENCE, South 87°27'07" West, along the common line of said called 50.00 acre tract and said called 161.4375 acre tract, a distance of 3,112.51 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking an angle point of the herein described tract;

THENCE, departing the north line of said called 50.00 acre tract, over and across said called 161.43756 acre tract, the following four (4) courses;

North 02°37'14" West, a distance of 500.00 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking an angle point;

South 87°27'07" West, a distance of 290.00 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking an angle point;

South 02°37'14" East, a distance of 472.09 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking an angle point;



South 87°27'03" West, at a distance of 16.80 feet passing a found 5/8-inch iron rod with cap in the north Right-of-Way (R.O.W.) line of Crosby-Eastgate Road (called 60 feet wide), at a distance of 119.71 feet passing a found 5/8-inch iron rod marking the southeast corner of the aforesaid called 3.6635 acre tract, and continuing along the north R.O.W. line of said Crosby-Eastgate Road in all a total distance of 376.69 feet to a 5-8 inch iron rod with cap stamped "MBCO ENG" set marking the southeast corner of the remainder of a called 4.5266 acre tract of land conveyed to Vivian Edmonds by deed recorded under H.C.C.F. No. E695616;

THENCE, departing the north R.O.W. line of said Crosby-Eastgate Road, along the remainder of said called 4.5266 acre tract, the following three (3) courses;

North 01°07'28" East, a distance of 284.78 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking an angle point;

South 87°27'03" West, a distance of 141.25 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking an angle point;

South 02°32'58" East, a distance of 284.19 feet to a point in the north R.O.W. line of said Crosby-Eastgate Road and being an angle point in a most westerly south line of the herein described tract, from which a found 5/8-inch iron rod bears South 00°56' East, 3.30 feet;

THENCE, South 87°27'03" West, along the north R.O.W. line of said Crosby-Eastgate Road, a distance of 763.45 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking the most westerly southwest corner of the herein described tract;

THENCE, North 11°45'34" West, a distance of 1,882.46 feet along the east R.O.W. line of said Crosby-Eastgate Road to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking the intersection of the east right-of-way of said Crosby-Eastgate Road with the centerline of Cedar Bayou (Unit No. Q100-00-00), same being the common line of Harris County and Liberty County, and the northwest corner of the herein described tract;

THENCE, departing the east R.O.W. line of said Crosby-Eastgate Road, along the centerline of said Cedar Bayou and said common county line, the following six (6) courses:

South 87°30'01" East, a distance of 648.48 feet to an angle point (Corner not set);

North 81°17'00" East, a distance of 913.98 feet to an angle point (Corner not set);

South 82°48'17" East, a distance of 950.50 feet to a 5/8-inch iron rod with cap stamped "MBCO ENG" set marking an angle point;



D. Kokernot Survey, A-39 W.R. Holbrooks Survey, A-688 B.F. Strawbridge Survey, A-714 E. Carson Survey, A-1384

South 68°29'54" East, a distance of 743.38 feet to an angle point (Corner not set);

South 75°46'44" East, a distance of 1,699.41 feet to the southwest corner of a called 30.0 acre tract conveyed to Juan M. Gonzalez and Ana M. Gonzalez by deed recorded in Liberty County Clrk's File (L.C.C.F.) No. 2012016239, same being the southeast corner of a called 181.32 acre tract conveyed to Charles A. Bates & Meridith D. Bates by deed recorded under L.C.C.F. No. 2005004920 to an angle point (Corner not set);

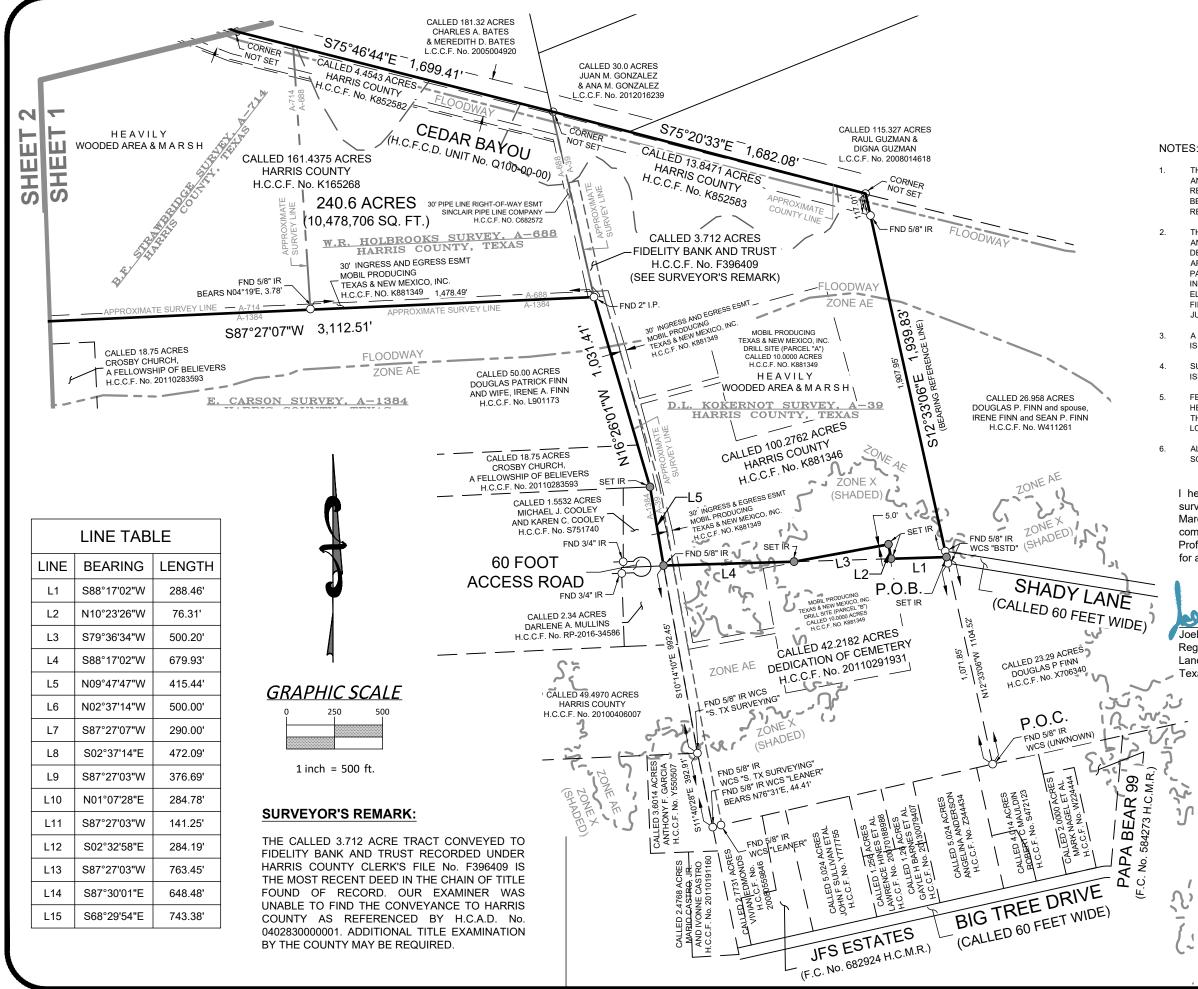
South 75° 20' 33" East, a distance 1,682.08 feet to a point in the south line of a called 115.327 acre tract conveyed to Raul Guzman and Digna Guzman by deed recorded under L.C.C.F. No. 2008014618, same being the northwest corner of a called 26.958 acre tract conveyed to Douglas P. Finn and spouse, Irene Finn and Sean P. Finn as recorded under H.C.C.F. No. W411261 and the northeast corner of the herein described tract (Corner not set);

THENCE, South 12°33'06" East, along the westerly line of said called 26.958 acre tract, at a distance of 117.01 feet passing a found 5/8-inch iron rod, at a distance of 1,907.95 feet passing a 5/8-inch iron rod with cap stamped "BSTD" marking the northwest corner of the north R.O.W. line of the aforesaid Shady Lane, same being the southwest corner of said 26.958 acre tract, and continuing in all a total distance of 1,939.83 feet to the said **POINT OF BEGINNING** and containing 240.6 acre (10,478,706 square feet) of land. This description is based on a Standard Land Survey dated April 6, 2021 (MBCO Project No. 5-0082-2002).

well Nell







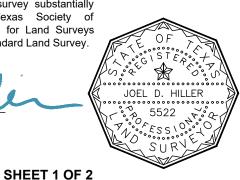
ABBREVIATIONS LEGEND:

F.C.	FILM CODE
FND	FOUND
H.C.A.D.	HARRIS COUNTY APPRAISAL DISTRICT
H.C.C.F.	HARRIS COUNTY CLERK'S FILE
H.C.M.R.	HARRIS COUNTY MAP RECORDS
L.C.C.F.	LIBERTY COUNTY CLERK'S FILE
IP	IRON PIPE
IR	IRON ROD
No.	NUMBER
SET IR	SET 5/8" IR WITH CAP STAMPED "MBCO ENG"

- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. ESMTS AND RESTRICTIONS MAY EXIST WHICH ARE NOT REFERENCED HEREON; NO ADDITIONAL RESEARCH REGARDING THE EXISTENCE OF ESMTS OR RESTRICTIONS OF RECORD HAS BEEN PERFORMED BY MBCO ENGINEERING LLC. EASEMENT INFORMATION HAS BEEN REFERENCED HEREON BASED ON A STANDARD LAND SURVEY PERFORMED BY OTHERS.
- THIS TRACT LIES PARTIALLY ZONE "X" (SHADED), DESIGNATED AS "AREAS OF THE 0.2% ANNUAL CHANCE FLOOD; AREAS OF THE 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FORM 1% ANNUAL CHANCE FLOOD", AND THIS TRACT LIES PARTIALLY IN ZONE "AE", DEFINED AS "SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 0.1% ANNUAL CHANCE FLOOD EVENT, WHERE THE BASE FLOOD ELEVATIONS ARE DETERMINED". AS PER THE NATIONAL FLOOD INSURANCE PROGRAM FIRM COMMUNITY PANEL NUMBER 0535L, LATEST AVAILABLE PUBLISHED REVISION DATED JUNE 18, 2007. THE BASE FLOOD ELEVATION IS ± 61.5' AS SCALED HEREON
- A ZONING REPORT WAS NOT PROVIDED AT THE TIME OF THIS SURVEY; HOWEVER, THERE IS NO ZONING IN THE CITY OF HOUSTON OR IN HARRIS COUNTY, TEXAS
- SURFACE OR SUBSURFACE FAULTING, HAZARDOUS WASTE OR OTHER ENVIRONMENTAL ISSUES HAVE NOT BEEN ADDRESSED WITHIN THE SCOPE OF THIS SURVEY.
- FENCE LINES. TREE DRIP LINES AND/OR LIMITS OF VEGETATION/WOODED AREAS SHOWN HEREON ARE GRAPHIC, WITH DIMENSIONED TIES SHOWN AT SPECIFIC LOCATIONS WHERE THEY WERE PHYSICALLY MEASURED. SAID LINES MAY MEANDER BETWEEN SAID I OCATIONS
- ALL BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE NO. 4204.

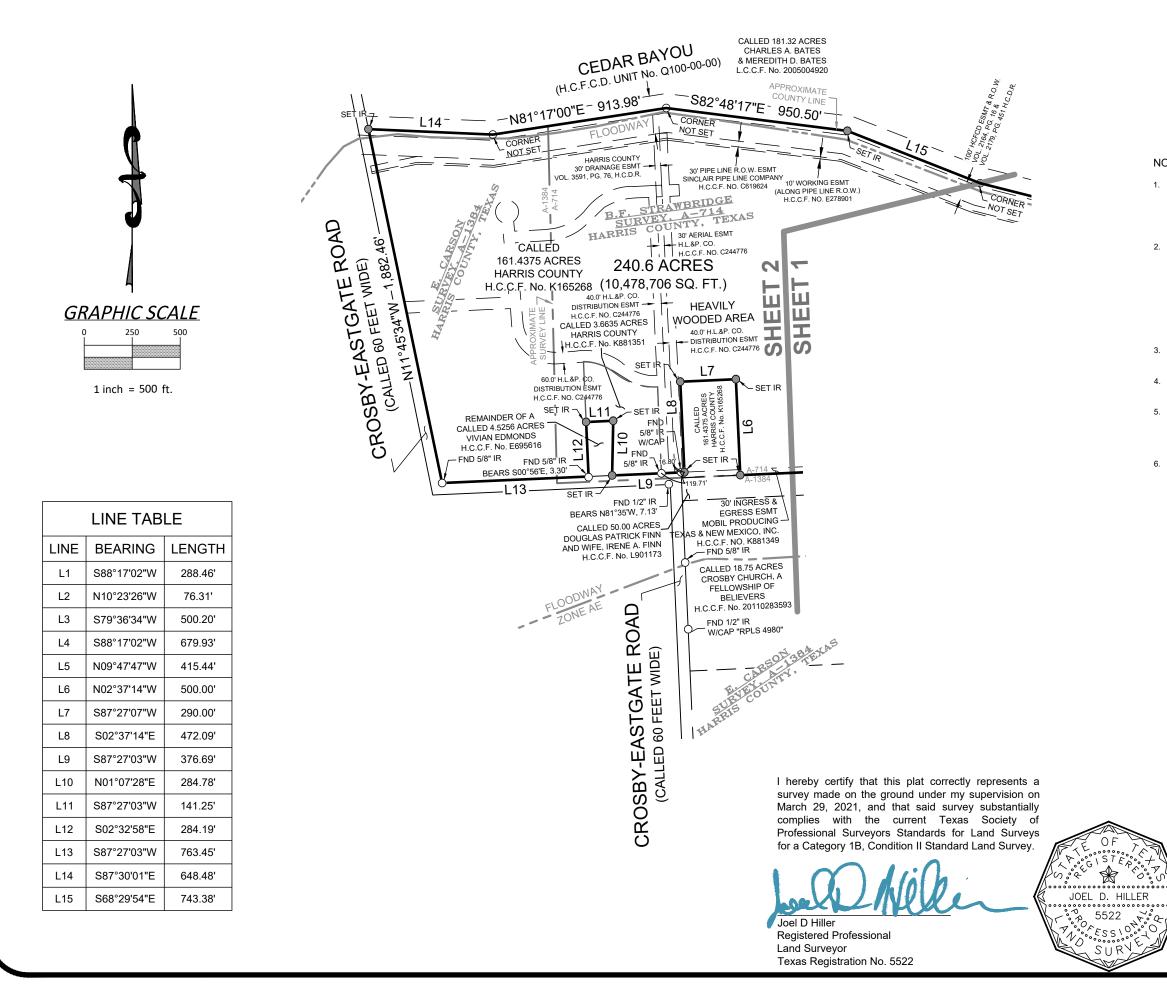
I hereby certify that this plat correctly represents a survey made on the ground under my supervision on March 29, 2021, and that said survey substantially complies with the current Texas Society of Professional Surveyors Standards for Land Surveys for a Category 1B, Condition II Standard Land Survey.

Joel D Hiller Registered Professional Land Surveyor Texas Registration No. 5522



STANDARD LAND SURVEY CEDAR BAYOU MITIGATION BOUNDARY EXHIBIT 240.6 ACRES (10,478,706 SQ. FT.) HARRIS COUNTY, TEXAS

	MBC			1505 Highway 6 South Suite 180 Houston, Texas 77077 TBPE Reg. No. F16850 TBPLS Reg. No. 10194112 Phone: 281-760-1656 www.mbcoengineering.com
)	PROJECT No.	5-0082-2002	DATE:	April 6, 2021
(KEY MAP:	380D	DRAW	N BY: R.FALCON / GM
<pre>~)</pre>	FIELD BOOK:	219	CHEC	KED BY: G. MATA
4	SCALE:	1" = 500'	DWG. I	No. CEDAR BAYOU 1B2



ABBREVIATIONS LEGEND:

F.C.	FILM CODE
FND	FOUND
H.C.A.D.	HARRIS COUNTY APPRAISAL DISTRICT
H.C.C.F.	HARRIS COUNTY CLERK'S FILE
H.C.M.R.	HARRIS COUNTY MAP RECORDS
L.C.C.F.	LIBERTY COUNTY CLERK'S FILE
IP	IRON PIPE
IR	IRON ROD
No.	NUMBER
SET IR	SET 5/8" IR WITH CAP STAMPED "MBCO ENG"

NOTES:

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. ESMTS AND RESTRICTIONS MAY EXIST WHICH ARE NOT REFERENCED HEREON; NO ADDITIONAL RESEARCH REGARDING THE EXISTENCE OF ESMTS OR RESTRICTIONS OF RECORD HAS BEEN PERFORMED BY MBCO ENGINEERING LLC. EASEMENT INFORMATION HAS BEEN REFERENCED HEREON BASED ON A STANDARD LAND SURVEY PERFORMED BY OTHERS.

THIS TRACT LIES PARTIALLY ZONE "X" (SHADED), DESIGNATED AS "AREAS OF THE 0.2% ANNUAL CHANCE FLOOD; AREAS OF THE 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FORM 1% ANNUAL CHANCE FLOOD", AND THIS TRACT LIES PARTIALLY IN ZONE "AE", DEFINED AS "SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 0.1% ANNUAL CHANCE FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 0.1% ANNUAL CHANCE FLOOD EVENT, WHERE THE BASE FLOOD ELEVATIONS ARE DETERMINED", AS PER THE NATIONAL FLOOD INSURANCE PROGRAM FIRM COMMUNITY PANEL NUMBER 0535L, LATEST AVAILABLE PUBLISHED REVISION DATED JUNE 18, 2007. THE BASE FLOOD ELEVATION IS ± 61.5' AS SCALED HEREON.

A ZONING REPORT WAS NOT PROVIDED AT THE TIME OF THIS SURVEY; HOWEVER, THERE IS NO ZONING IN THE CITY OF HOUSTON OR IN HARRIS COUNTY, TEXAS.

SURFACE OR SUBSURFACE FAULTING, HAZARDOUS WASTE OR OTHER ENVIRONMENTAL ISSUES HAVE NOT BEEN ADDRESSED WITHIN THE SCOPE OF THIS SURVEY.

FENCE LINES, TREE DRIP LINES AND/OR LIMITS OF VEGETATION/WOODED AREAS SHOWN HEREON ARE GRAPHIC, WITH DIMENSIONED TIES SHOWN AT SPECIFIC LOCATIONS WHERE THEY WERE PHYSICALLY MEASURED; SAID LINES MAY MEANDER BETWEEN SAID LOCATIONS.

ALL BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE NO. 4204.

SURVEYOR'S REMARK:

THE CALLED 3.712 ACRE TRACT CONVEYED TO FIDELITY BANK AND TRUST RECORDED UNDER HARRIS COUNTY CLERK'S FILE No. F396409 IS THE MOST RECENT DEED IN THE CHAIN OF TITLE FOUND OF RECORD. OUR EXAMINER WAS UNABLE TO FIND THE CONVEYANCE TO HARRIS COUNTY AS REFERENCED BY H.C.A.D. No. 0402830000001. ADDITIONAL TITLE EXAMINATION BY THE COUNTY MAY BE REQUIRED.

SHEET 2 OF 2

STANDARD LAND SURVEY CEDAR BAYOU MITIGATION BOUNDARY EXHIBIT 240.6 ACRES (10,478,706 SQ. FT.) HARRIS COUNTY, TEXAS

	MBCO ENGINEERING & SURVEYING		
)	PROJECT No.	5-0082-2002	DATE: April 6, 2021
<i>'</i>	KEY MAP:	380D	DRAWN BY: R.FALCON / GM
	FIELD BOOK:	219	CHECKED BY: G. MATA
	SCALE:	1" = 500'	DWG. No. CEDAR BAYOU 1B2