

HARRIS COUNTY  
NO FEE

FEB-26-68 312784 C 664146 LS D 11

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## RIGHT OF WAY EASEMENT

DEED RECORDS

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THE STATE OF TEXAS  
COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

THAT I/We, KIRKWOOD DEVELOPMENT COMPANY, INC., a Texas Corporation

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

State of Texas, for and in consideration of the sum of THIRTEEN THOUSAND

ONE HUNDRED FIVE AND 73/100 (\$13,105.73)-----DOLLARS

cash to Grantor in hand paid by the Harris County Flood Control District, the receipt and sufficiency of which is hereby acknowledged, has Granted, Sold and Conveyed, and by these presents does 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 D 122-00-00 such easement and right-of-way being more particularly described as follows:

A tract of land situated in the County of Harris, State of Texas, being part of the H.T. & B. R.R. CO. SURVEY, Abstract No. 405; and also being part of that 36.834 acre tract conveyed to Kirkwood Development Co., Inc., by deed of record in Volume 6848 at Page 273 of the Harris County Deed Records, and being more particularly described as follows:

FROM the southeast corner of said 36.834 acre tract along the easterly line of said 36.834 acre tract North, at 603.30 feet pass the southwest corner of Bellaire West, Section 4, as recorded in Volume 147 at Page 65 of the Harris County Map Records, a total distance of 1166.62 feet to the POINT OF BEGINNING;

THENCE North 88° 44' 49" West, 1214.52 feet to a point on the easterly right-of-way line for Cook Road (80 feet wide);

THENCE along said easterly right-of-way line North 00° 08' 00" East, 100.00 feet to a point;

THENCE South 89° 51' 00" East, 1214.00 feet to a point on the easterly line of said 36.834 acre tract;

THENCE along said easterly line South, 123.38 feet to the POINT OF BEGINNING, containing 3.113 acres, more or less.

FILED  
1968 FEB 25 AM 11 04  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

DESCRIPTION APPROVED  
FLOOD CONTROL DIST.

BY MAC DATE 12/21/67

090-24-0752

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, its successors and assigns

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, its successors and assigns

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 District shall have the right to cut and dispose of all trees, brush or other natural growth within the easement area necessary in the operation of the equipment in the work.

The District shall replace or re-establish such fences as it may disturb.

EXECUTED this

14th

day of December, 1967

KIRKWOOD DEVELOPMENT COMPANY, INC.

ATTEST

L. C. Owens, Secretary

By: Johnnie Attaway, President

APPROVED:  
Form & Execution

Assistant County Attorney

PLEASE RETURN TO:  
Harris County Flood Control District  
3615 North Main Houston, Texas

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS,

County of \_\_\_\_\_

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

known to me to be the person whose name \_\_\_\_\_ subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_

(L. S.)

Notary Public in and for \_\_\_\_\_ County, Texas

JOINT ACKNOWLEDGMENT

THE STATE OF TEXAS,

County of \_\_\_\_\_

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

\_\_\_\_\_ and \_\_\_\_\_, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said \_\_\_\_\_

\_\_\_\_\_, wife of the said \_\_\_\_\_, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said \_\_\_\_\_ acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_

(L. S.)

Notary Public in and for \_\_\_\_\_ County, Texas

CORPORATE ACKNOWLEDGMENT

THE STATE OF TEXAS,

County of HARRIS

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared

Johnnie Attaway, President

of KIRKWOOD DEVELOPMENT COMPANY, INC.

known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of said KIRKWOOD DEVELOPMENT COMPANY, INC.

a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14 day of December, A.D. 1967

(L. S.)

Patricia A. Lawson  
Notary Public in and for Harris County, Texas

PLEASE RETURN TO:  
Harris County Flood Control District  
3615 North Main Houston, Texas

090-24-0754

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

DEED RECORDS  
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090-24-0755

COPY UNOFFICIAL

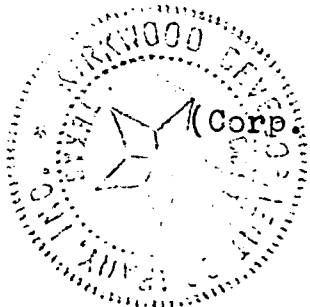
CERTIFIED COPY OF RESOLUTION AUTHORIZING  
EXECUTION AND DELIVERY OF EASEMENT TO HARRIS  
COUNTY FLOOD CONTROL DISTRICT

090-24-0756

RESOLVED, that Johnnie Attaway, President of KIRKWOOD DEVELOPMENT COMPANY, INC., and L. C. Owens, Secretary of KIRKWOOD DEVELOPMENT COMPANY, INC., are hereby authorized on behalf of the corporation to execute, seal with the corporate seal, acknowledge to be the act of the corporation, and deliver to Harris County Flood Control District an easement and right-of-way for drainage and flood control along Flood Control Unit D 122-00-00, as per copy of said conveyance displayed at this meeting and attached hereto.

I hereby certify that the above stated resolution is a true and correct copy of a resolution adopted by Kirkwood Development Company, Inc., at a called meeting of such corporation, a quorum being present, held on the 14th day of December, 1967, which resolution is of record in the minute book of said corporation and has not been altered, amended or rescinded, and is now in full force and effect.

Dated December 14, 1967.



(Corp. Seal)

Elizabeth C. Paul  
Elizabeth C. Paul, Asst. Secretary

THE STATE OF TEXAS )

COUNTY OF HARRIS )

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared ELIZABETH C. PAUL, Asst. Secretary of KIRKWOOD DEVELOPMENT COMPANY, INC., known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of said KIRKWOOD DEVELOPMENT COMPANY, INC., and that she executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 14th day of December, 1967.

Pattie A. Ransom  
Notary Public in and for Harris  
County, Texas

PLEASE RETURN TO:  
Harris County Flood Control District  
3615 North Main Houston, Texas

APPROVED AS TO FORM  
AND EXTENT  
Charles H. [Signature]  
Assistant County Attorney

090-24-0757

STATE OF TEXAS  
COUNTY OF HARRIS

I hereby certify that this instrument was FILED on  
the date and at the time stamped hereon by me; and was  
duly RECORDED, in the Volume and Page of the named  
RECORDS of Harris County, Texas, as stamped hereon by  
me, on

FEB 26 1968



*Robertson*  
COUNTY CLERK  
HARRIS COUNTY, TEXAS

UNOFFICIAL COPY

RECEIVED

DEC 15 1967

Harris County  
Flood Control Dist.