

THE CITY OF LEAGUE CITY CONSENT TO DRAINAGE EASEMENT

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY 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.

WHEREAS, Galveston County Management District No. 1 ("MD 1") and Galveston County Municipal Utility District No. 14 ("MUD 14") have heretofore entered into that certain Drainage Easement (the "Easement") to be recorded in the Real Property Records of Galveston County, Texas over and across that certain tract of land described by metes and bounds on Exhibit "A" attached hereto (the "Easement Tract"); and

WHEREAS, within the Easement Tract are certain drainage and detention facilities (the "Facilities") that were conveyed by MUD 14 to the City of League City (the "City") for ownership, operation and maintenance by that certain Utility Conveyance and Security Agreement associated with Bay View, Section One approved by the City Council of the City of League City on August 28, 2012, under Agenda Item 10D, and that certain Utility Conveyance and Security Agreement associated with Bay Colony Parkside, Section One approved by the City Council of the City of League City on June 23, 2009, under Agenda Item 10F, both pursuant to that certain Restated Utility Agreement dated January 22, 1999, as amended, by and between MUD 14 and the City; and

WHEREAS, the Easement provides MD 1 with the right to convey storm water from its boundaries through the Easement Tract, and thereby the Facilities; with such storm water, as well as storm water from the City Property, as defined in the Detention Agreement described below, flowing to a regional detention pond (the "Pond") to be constructed by MD 1 on behalf of itself, MUD 14 and the City pursuant to that certain Detention Pond Financing Agreement dated May 1, 2014 (the "Detention Agreement"); and

WHEREAS, as owner and operator of the Facilities, and pursuant to the terms of the Easement, the City must consent to the Easement.

NOW THEREFORE, the undersigned, the City of League City, being the owner and operator of the Facilities heretofore described, hereby consents to the foregoing Easement, to be recorded in the Real Property Records of Galveston County, Texas and does hereby RATIFY, CONFIRM and APPROVE in all respects the Easement, and the terms and provisions evidenced thereby.

FOR THE CITY OF LEAGUE CITY:

By: _____
Mark Rohr, City Manager

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2014 by Mark Rohr, City Manager of the City of League City, Texas.

Notary Public, in and for the State of Texas

EXHIBIT "A"
DESCRIPTION
TRACT 6
DRAINAGE EASEMENT

0.5110 of one acre or 22,259 square feet of land situated in the Perry and Austin Upper League, Abstract Number 19, Galveston County, Texas, being a portion of Restricted Reserves "A" and "D" of Final Plat Bay View Section 1, a subdivision as shown on map or plat recorded under Plat Record 2008A, Map Number 2 of the Map Records of Galveston County, Texas, a portion of Restricted Reserve "E" of Bay Colony Parkside Section One, a subdivision as shown on map or plat recorded under Plat Record 18, Map Numbers 1164 and 1165 of the Map Records of Galveston County, Texas, a portion of Flower Creek Lane (60 foot right-of-way) and a portion of Marble Cove Drive (60 foot right-of-way), said 0.5110 of one acre or 22,259 square feet of land being more particularly described by metes and bounds as follows;

COMMENCING at a 5/8 inch iron rod with cap found for the most Northwesterly corner of said Restricted Reserve "D";

Thence, N 87°06'33" E, along the Northerly line of said Restricted Reserve "D", a distance of 161.59 feet to the POINT OF BEGINNING of the herein described tract of land;

Thence, N 87°06'33" E, continuing along the Northerly line of said Restricted Reserve "D", a distance of 10.00 feet to a point for corner;

Thence, S 02°53'27" E, a distance of 257.27 feet to a point of curvature to the left;

Thence, in a Southerly direction, with said curve to the left, having a central angle of 33°36'37", a radius of 575.00 feet, an arc length of 337.30 feet, a chord bearing of S 19°41'46" E and a chord distance of 332.49 feet to a point of tangency;

Thence, S 36°30'04" E, a distance of 31.99 feet to a point of curvature to the right;

Thence, in a Southerly direction, with said curve to the right, having a central angle of 71°49'00", a radius of 90.00 feet, an arc length of 112.81 feet, a chord bearing of S 00°35'36" E and a chord distance of 105.57 feet to a point of tangency;

Thence, S 35°18'53" W, a distance of 663.46 feet to a point of curvature to the left;

Thence, in a Southerly direction, with said curve to the left, having a central angle of 56°53'08", a radius of 65.00 feet, an arc length of 64.53 feet, a chord bearing of S 06°53'19" W and a chord distance of 61.92 feet to a point of reverse curvature to the right;

Thence, in a Southerly direction, with said curve to the right, having a central angle of 53°40'51", a radius of 110.00 feet, an arc length of 103.06 feet, a chord bearing of S 05°16'10" W and a chord distance of 99.33 feet to a point of tangency;

Thence, S 30°02'09" W, a distance of 210.55 feet to a point of curvature to the left;

Thence, in a Southerly direction, with said curve to the left, having a central angle of 30°32'08", a radius of 745.00 feet, an arc length of 397.04 feet, a chord bearing of S 14°46'06" W and a chord distance of 392.36 feet to a point of tangency;

Thence, S 00°29'58" E, a distance of 47.83 feet, to the Southerly line of said Restricted Reserve "E";

Thence, S 86°11'32" W, along the Southerly line of said Restricted Reserve "E", a distance of 10.02 feet to a point from which a 5/8 inch iron rod with cap for the most Southerly corner of said Restricted Reserve "E", bears S 86°11'32" W, 98.34 feet;

Thence, N 00°29'58" W, a distance of 48.40 feet, to a point of curvature to the right;

Thence, in a Northerly direction, with said curve to the right, having a central angle of 30°32'08", a radius of 755.00 feet, an arc length of 402.37 feet, a chord bearing of N 14°46'06" E and a chord distance of 397.63 feet, to a point of tangency;

Thence, N 30°02'09", a distance of 210.74 feet to a point of curvature to the left;

Thence, in a Northerly direction, with said curve to the left, having a central angle of 53°46'55", a radius of 100.00 feet, an arc length of 93.87 feet, a chord bearing of N 05°19'13" E and a chord distance of 90.46 feet to a point of reverse curvature to the right;

Thence, in a Northerly direction, with said curve to the right, having a central angle of 56°53'08", a radius of 75.00 feet, an arc length of 74.46 feet, a chord bearing of N 06°53'19" E and a chord distance of 71.44 feet to a point of tangency;

Thence, N 35°18'53" E, a distance of 663.46 feet to a point of curvature to the left;

Thence, in a Northerly direction, with said curve to the left, having a central angle of 71°49'00", a radius of 80.00 feet, an arc length of 100.27 feet, a chord bearing of N 00°35'36" W and a chord distance of 93.84 feet to a point of tangency;

Thence, N 36°30'04" W, a distance of 31.99 feet to a point of curvature to the right;

Thence, in a Northerly direction, with said curve to the right, having a central angle of 33°36'37", a radius of 585.00 feet, an arc length of 343.17 feet, a chord bearing of N 19°41'46" W and a chord distance of 338.27 feet to a point of tangency;

Thence N 02°53'27" W, a distance of 257.27 feet to the POINT OF BEGINNING and containing 0.5110 of one acre or 22,259 square feet of land.

BEARING ORIENTATION BASED ON TEXAS STATE PLANE COORDINATE GRID SYSTEM OF 1983 (SOUTH CENTRAL ZONE NUMBER 4204), BASED ON CORS SITE TXLM.

TRACT BEING SHOWN ON MAP (DRAWING NUMBER HSC 02028-E-1 and 02028-E-2).

HOVIS SURVEYING COMPANY, INC.

BY: *B. K. Lunell*

Date: June 29, 2012
Job No.: 12-045-00
Dwg. No.: HSC 02028-E-1 and 02028-E-2
File No.: F12-045.00D

