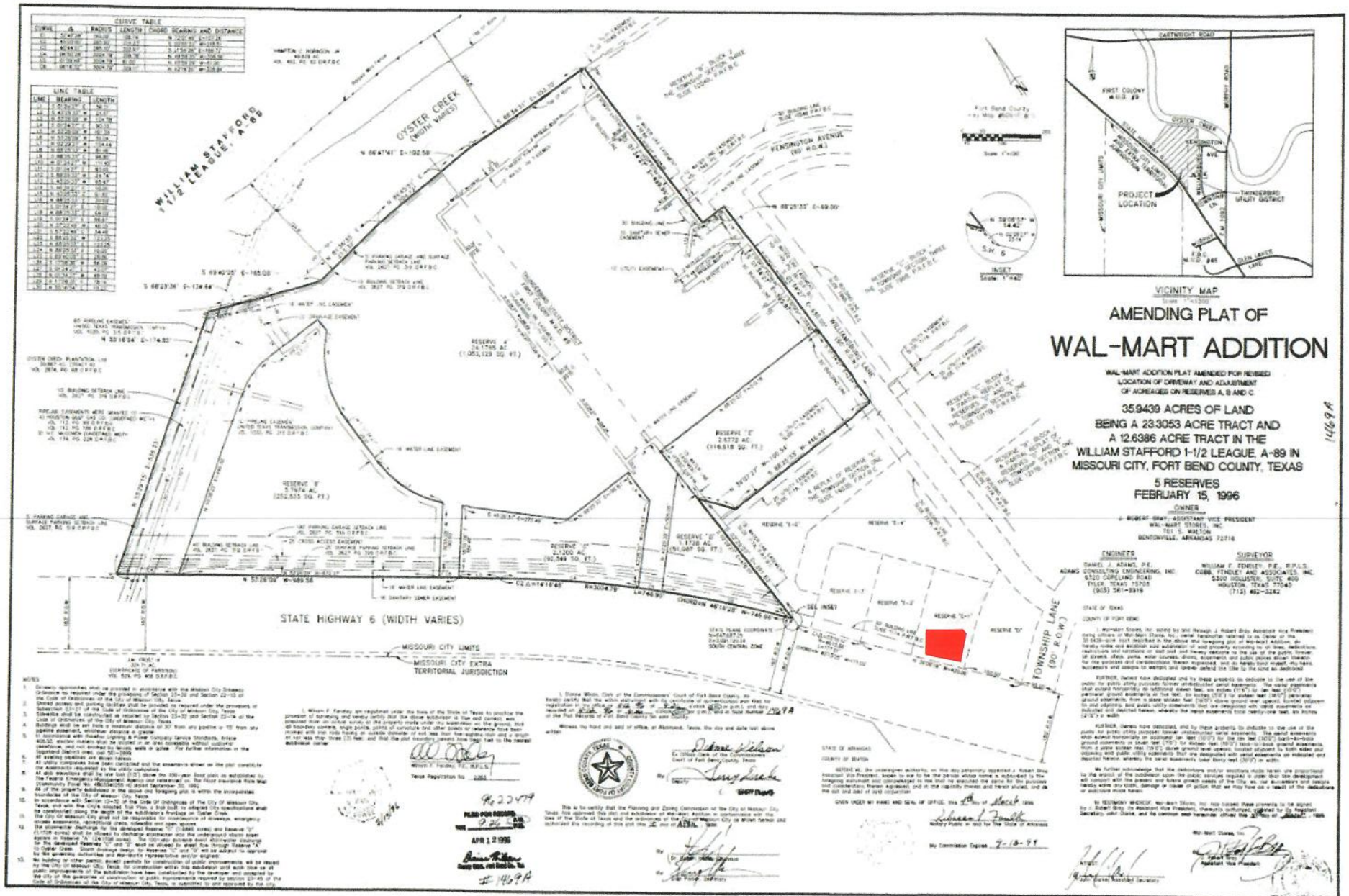

AMENDING PLAT OF
WAL-MART ADDITION

WAL-MART ADDITION PLAT AMENDED FOR REVISED LOCATION OF DRIVEWAY AND ADJUSTMENT OF ACREAGES ON RESERVES A, B AND C.

35.9439 ACRES OF LAND
BEING A 23.3053 ACRE TRACT AND
A 12.6386 ACRE TRACT IN THE
WILLIAM STAFFORD 1-1/2 LEAGUE, A-89 IN
MISSOURI CITY, FORT BEND COUNTY, TEXAS

5 RESERVES
FEBRUARY 15, 1996

OWNER
J. ROBERT GRAY - ASSISTANT VICE PRESIDENT
WAL-MART STORES, INC.
701 S. WALTON
BENTONVILLE, ARKANSAS 72716

ENGINEER
DANIEL J. ADAMS, P.E.
ADAMS CONSULTING ENGINEERING, INC.
6320 CAPELAND ROAD
TYLER, TEXAS 75703
(903) 561-3919

SURVEYOR
WILLIAM F. FENDLEY, P.E., R.P.L.S.
COBB, FENDLEY AND ASSOCIATES, INC.
5300 HOLLISTER, SUITE 400
HOUSTON, TEXAS 77040
(713) 462-3242

STATE OF TEXAS
COUNTY OF FORT BEND

I, Walmart Stores, Inc. acting by and through J. Robert Gray, Assistant Vice President thereof, owners of Wal-Mart Stores, Inc., owner hereinafter referred to as Owner of the 35.9439-acre tract described in the above and foregoing plat of Wal-Mart Addition, do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and reservations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself, my heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'-6") for sixteen feet (16'-0") perimeter ground easements, from a plane sixteen feet (16'-0") above ground level upward, located adjacent to and adjoining, said public utility easements that are designated with aerial easements on dedicated and depicted hereon, whereby the aerial easements total twenty-nine feet, six inches (29'-6") in width.

FURTHER, Owners have dedicated, and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'-0") for ten feet (10'-0") back-to-back ground easements or sixteen feet (16'-0") for sixteen feet (16'-0") back-to-back ground easements, from a plane sixteen feet (16'-0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements as indicated and depicted hereon, whereby the aerial easements total thirty feet (30'-0") in width.

We further acknowledge that the dedications and/or restrictions made herein are proportional to the impact of the subdivision upon the public services required to serve and that development will comport with the present and future growth needs of the City as, our successors and assigns hereby waive any claim, damage or cause of action that we may have as a result of the dedications or restrictions made hereon.

IN TESTIMONY WHEREOF, Wal-Mart Stores, Inc. has caused these presents to be signed by J. Robert Gray, its Assistant Vice President, thereunto authorized, attested by its Assistant Secretary John Deere, and its common seal hereunder affixed this 5th day of March, 1996.

Wal-Mart Stores, Inc.

J. Robert Gray
Assistant Vice President

ATTEST:
John Deere
Assistant Secretary

STATE OF ARKANSAS
COUNTY OF BENTON

BEFORE ME, the undersigned authority, on this day personally appeared J. Robert Gray Assistant Vice President, known to me to be the person 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 in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 5th day of March 1996.

Notary Public in and for the State of Arkansas

My Commission Expires 9-18-99

I, William F. Fendley, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron rods having an outside diameter of not less than five-eighths inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the nearest subdivision corner.

William F. Fendley, RPLS
Texas Registration No. 2364

I, Diane Wilson, Clerk of the Commissioners' Court of Fort Bend County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the 22nd day of March A.D. 1996 at 2:24 o'clock P.M. and duly recorded on the 1st day of April A.D. 1996 at 9:00 o'clock A.M. in the Plat Records of Fort Bend County in said County in Plat Number 1469A

Witness my hand and seal of office, at Richmond, Texas, the day and date last above written.

Diane Wilson
Ex Officio Clerk of the Commissioners Court of Fort Bend County, Texas

By: Terry Hinds Deputy

This is to certify that the Planning and Zoning Commission of the City of Missouri City, Texas, has approved this plat and subdivision of Wal-Mart Addition in conformance with the laws of the State of Texas and the ordinances of the City of Missouri City as shown hereon and authorized the recording of this plat this 5th day of March, 1996.

By: Chairman

By: Secretary

FILED FOR RECORD
9:00 A.M.
APR 1 1996
Fort Bend County, Texas

#1469A

NOTES:

1. Driveway approaches shall be provided in accordance with the Missouri City Driveway Ordinance as required under the provisions of Section 23-34 and Section 23-13 of the Code of Ordinances of the City of Missouri City, Texas.
2. Shared access and parking facilities shall be provided as required under the provisions of Subsection 23-37 of the Code of Ordinances of the City of Missouri City, Texas.
3. Sidewalks shall be constructed as required by Section 23-32 and Section 23-14 of the Code of Ordinances of the City of Missouri City, Texas.
4. Buildings shall be set back a minimum distance of 30' from any pipeline or HL&P easement, whichever distance is greater.
5. In accordance with National Electric Code and Texas Utilities Company Service Standards, Article 406.32, electric markers shall be placed in an area accessible without customer assistance, and not confined by fences, walls or gates. For further information in the Sugarland District area, call 561-3999.
6. All existing easements are shown hereon.
7. All utility companies have been contacted and the easements shown on the plat constitute the easement(s) required by the utility companies.
8. All slab elevations shall be one foot (1.0') above the 100-year flood plain as established by The Federal Emergency Management Agency and referenced on the Flood Insurance Rate Map (Community Panel No. 480306 0015 H) dated September 30, 1992.
9. All of the property subdivided in the above and foregoing plat is within the incorporate boundaries of the City of Missouri City, Texas.
10. In accordance with Section 12-32 of the Code of Ordinances of The City Of Missouri City, Texas, and with the City's adopted Trail Plan, a trail built to adopted City specifications shall be constructed along the length of the subdivision's frontage on Sabine Creek. The City Of Missouri City shall not be responsible for maintenance of driveways, emergency access easements, reconstruction costs, sidewalks and open spaces.
11. The stormwater discharge for the developed Reserve "C" (1.2200 acres) and Reserve "D" (1.1738 acres) shall be allowed to discharge stormwater into the underground storm sewer system in Reserve "A" (14.1708 acres). The 100-year outflow from stormwater discharge for the developed Reserve "C" and "D" shall be allowed to sheet flow through Reserve "A" to Oyster Creek. Storm Drainage Design for Reserves "C" and "D" will be subject to approval by the governing authorities and Wal-Mart's representative and/or engineer.
12. No building or other permits except permits for construction of public improvements, will be issued by the City Of Missouri City, Texas, for construction within this subdivision until such time as all public improvements of the subdivision have been established by the developer and accepted by the city or there is a guarantee of construction of public improvements required by section 23-45 of the Code of Ordinances of the City of Missouri City, Texas, is submitted to and approved by the city.

1469A