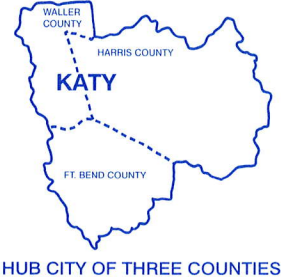




City of Katy



RESOLUTION NO. 1488

A RESOLUTION OF THE CITY OF KATY, TEXAS, AUTHORIZING THE MAYOR TO SIGN A RELEASE OF LAND FROM EXTRATERRITORIAL JURISDICTION AND NOTICE OF REVERSIONARY INTEREST BETWEEN THE CITY OF KATY, TEXAS AND THE CITY OF HOUSTON, TEXAS (2713 KATY FLEWELLEN).

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KATY, TEXAS:

Section 1. That Mayor is hereby authorized to sign a Release of Land from Extraterritorial Jurisdiction and Notice of Reversionary Interest, for a 1.24 acre tract located in the James Conner Survey, Abstract 157 in Fort Bend County and owned by Joe A. Lara & Nasrollah Amir Kavian between the City of Katy, Texas and the City of Houston, Texas; under the terms and conditions set forth in Exhibit "A" attached hereto and incorporated herein for all purposes.

PASSED AND APPROVED on this 28th day of August, 2023.

CITY OF KATY, TEXAS

By: William H Thiele
William H. Thiele, Mayor

ATTEST:

Becky L. McGrew
Becky L. McGrew, City Secretary

APPROVED:

Art Pertile III
Art Pertile, III, City Attorney

EXHIBIT A

Resolution No. 1488

**RELEASE OF LAND FROM EXTRATERRITORIAL JURISDICTION AND
NOTICE OF REVERSIONARY INTEREST**

THE STATE OF TEXAS§

COUNTY OF HARRIS §

THE CITY OF HOUSTON, TEXAS, a home rule municipal corporation situated in Harris, Fort Bend, and Montgomery Counties , Texas ("Houston"), for good and valuable consideration, and the reversionary interest set forth herein, the receipt and sufficiency of which are hereby acknowledged , has, subject to the matters hereinafter set forth, released to the **CITY OF KATY, TEXAS** ("Katy"), from Houston's extraterritorial jurisdiction ("ETJ") in Fort Bend County the property described on the attached **Exhibit A**, of an approximate 1.24-acre tract ("Property") owned by Joe A. Lara & Nasrollah Amir Kavian ("Owner"), and depicted on the map in **Exhibit B**, both attached to this Release of Land from Extraterritorial Jurisdiction and Notice of Reversionary Interest.

This release of extraterritorial jurisdiction is made by Houston pursuant to a request from the Owner, to release the Property from the extraterritorial jurisdiction of Houston, to be annexed into the City of Katy, so that Katy can provide all required infrastructure services and the further development of the Property may occur in a fashion to promote and protect the general health, safety and welfare of the public. Katy has offered, as its consideration in this matter, that it can provide services to appropriately develop the Property, and further, that Developer intends to request the annexation of the Property into Katy's extraterritorial boundaries, and Katy intends to complete the annexation of the Property into its extraterritorial boundaries for full purposes no later than five (5) years from the effective date of City of Houston Ordinance No. _____, releasing the Property from the City of Houston ETJ, approved on _____, 2023, and recorded in Fort Bend County Public Records, File No. _ _ _ _ _

Houston has agreed to release the Property from its extraterritorial jurisdiction wholly contingent on the fulfillment of this condition and the representation by Katy to annex the Property for full purposes by the date stated above.

In the event Katy has not completed the annexation by this deadline, Houston may (but is not obligated to), cause the Property to revert to Houston's extraterritorial jurisdiction by executing and recording an instrument that references this document and certifies that the annexation was not performed. No other action shall be necessary to cause the Property to revert to Houston's extraterritorial jurisdiction; however, Houston may request, and Katy agrees, to execute an appropriate instrument ratifying the reversion of the Property to Houston's extraterritorial jurisdiction. Katy further agrees that any and all such approvals will not be unreasonably withheld or delayed.

Houston and Katy agree and acknowledge that the failure by Katy to timely annex the Property would cause irreparable harm to Houston. The Parties agree that (i) Houston

need not establish immediate and/or irreparable harm, and stipulate that such failure to annex will cause immediate and irreparable harm; (ii) that Houston need not establish that the balance of harm weighs in favor of granting injunctive relief and stipulate that failure to annex the Property substantially outweighs any possible harm to any other person; (iii) Houston need not establish that the injunctive relief will serve, and will not disserve, the public interest and so stipulate; and (iv) Houston need not establish the inadequacy of other remedies at law or in equity and stipulate that there is no adequate alternative remedy. The Parties agree that (i) the foregoing agreements and stipulations are a material consideration for this agreement, (ii) such agreements and stipulations were a material inducement for Houston's legislative approval of the release of the Property from its extraterritorial jurisdiction and the execution of this document; and (iii) but for such agreements and stipulations, Houston would not have agreed to release the Property from its extraterritorial jurisdiction to Katy. Each party waives its right to assert any claim or argument contrary to the foregoing agreements and stipulations. The parties agree that upon approval of Houston's application for injunctive relief Houston shall not be required to post a bond.

No failure or delay of the Parties, in any one or more instances (i) in exercising any power, right or remedy under this document or (ii) in insisting upon the strict performance by Katy, its successors or assigns, of the covenants, obligations or agreements hereunder, shall operate as a waiver, discharge or invalidation thereof, nor shall any single or partial exercise of any such right, power or remedy or insistence on strict performance, or any abandonment or discontinuance of steps to enforce such a right, power or remedy or to enforce strict performance, preclude any other or future exercise thereof or insistence thereupon or the exercise of any other right, power or remedy. The covenants, obligations and agreements of Katy, its successors and assigns and the rights and remedies of the Parties upon a default shall continue and remain in full force and effect with respect to any subsequent breach, act or omission, unless a written instrument which specifically waives such restrictions, covenants, obligations and agreements executed by each of the Parties is recorded in the real property records of Harris County, Texas.

This instrument may be executed and delivered in any number of counterparts, each of which so executed and delivered shall be deemed to be an original and all of which shall constitute one and the same instrument.

[Signature pages follow]

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the ____ day of _____, 2023.

THE CITY OF HOUSTON, TEXAS

ATTEST:

Pat J. Daniels
City Secretary

Sylvester Turner
Mayor of the City of Houston

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the ____ day of _____, 2023, by Sylvester Turner, Mayor of **THE CITY OF HOUSTON, TEXAS**, a municipal corporation situated in Harris, Fort Bend, and Montgomery Counties, Texas, on behalf of said corporation.

Notary Public, State of Texas

(Notary Seal)

APPROVED AS TO FORM:

Senior Assistant City Attorney

ATTEST:


Becky L. McGrew, City Secretary

THE CITY OF KATY, TEXAS


William H. Thiele, Mayor, City of Katy

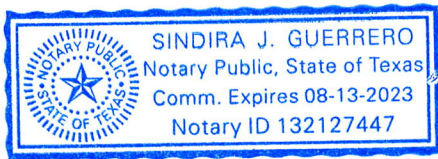
THE STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the 28th day of August, 2023, by William H. Thiele, Mayor of the **CITY OF KATY, TEXAS**, a municipal corporation situated in Harris, Fort Bend and Waller Counties, Texas, on behalf of said corporation.


Notary Public, State of Texas

(Notary Seal)



The Honorable Sylvester Turner
Mayor
c/o Ms. Margaret Wallace Brown
City of Houston
P.O. Box 1562
Houston, Texas 77251-1562

Re: Request for release of an approximate 1.24-acres of land from the City of Houston Extraterritorial Jurisdiction

Dear Mayor Turner:

I am writing this letter to express the City of Katy's support of Joe A. Lara & Nasrollah Amir Kavian (together, the "Applicant") request for the release of approximately 1.24-acres of land, as described in Exhibit A attached hereto (together, the "Tract"), from the City of Houston ETJ.

The Tract is located adjacent to the corporate boundary of the City of Katy. A map showing the location of the Tract is attached hereto as Exhibit B. If the City of Houston releases the Tract from the City of Houston ETJ, the City of Katy expects to annex the Tract into our corporate limits upon receipt of a petition for annexation from the Applicant. The Tract will not be annexed into a municipal utility district.

The Applicant has informed us that they expect to develop the Tract for commercial and similar uses. They are seeking the release of the Tract from the City of Houston ETJ for the purpose of establishing a comprehensive development plan. The release of the Tract from the City of Houston ETJ and the annexation of the Tract into the City of Katy corporate limits will allow the Tract to be developed in the City of Katy under uniform standards and the provision of utility services by the City of Katy and clean up a portion of the City of Houston and the City of Katy ETJ boundary lines.

I appreciate your consideration of the Applicant's request for the release of the Tract from the City of Houston ETJ. If you have any questions, please do not hesitate to contact me.

Sincerely,

William H. "Dusty" Thiele
Mayor, City of Katy

EXHIBIT "A"

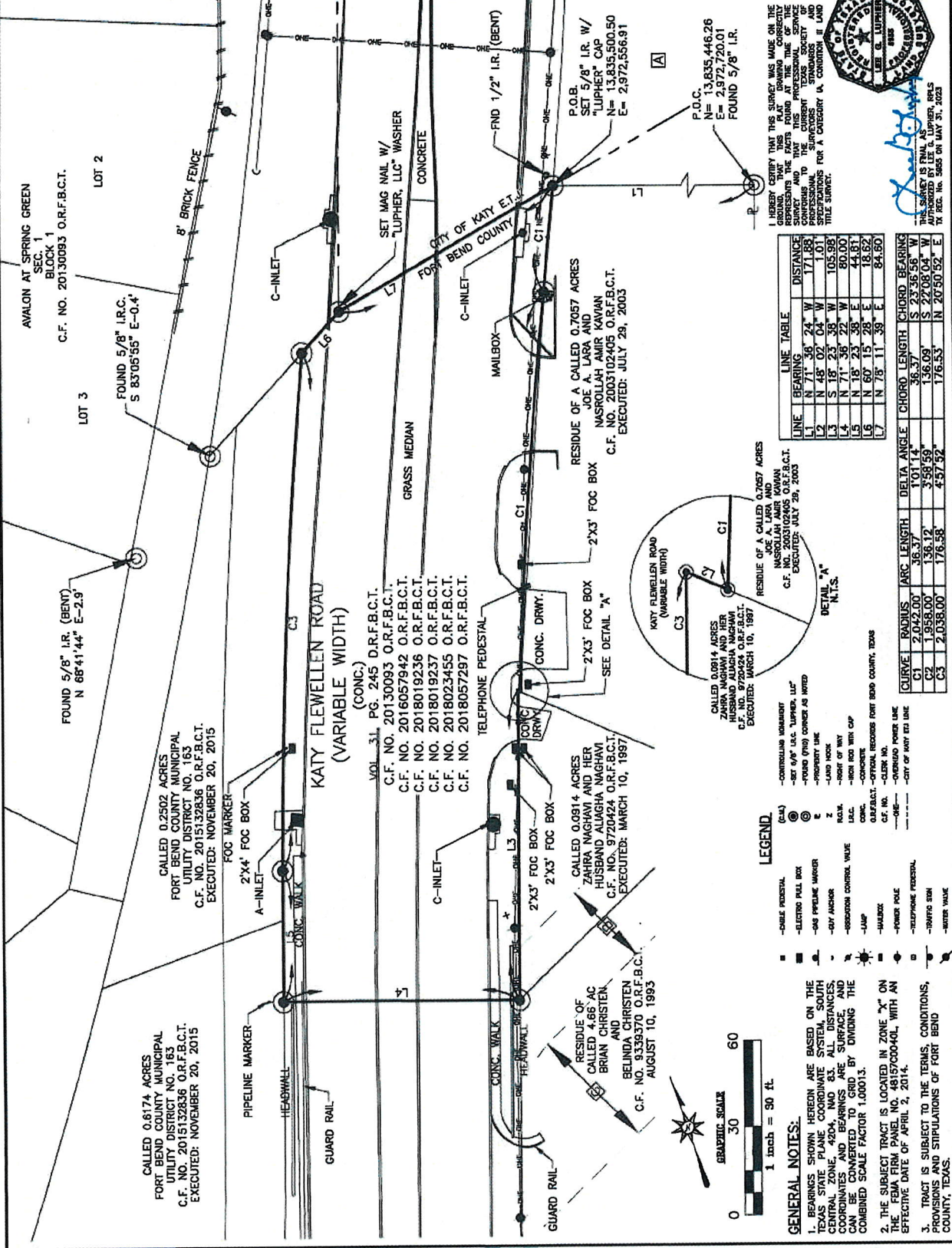
OWNERSHIP CHART

A RESIDUE OF A
STONEY CREEK CENTER, LTD.
C.F. NO. 201709592
O.R.F.B.C.T.
EXECUTED: SEPTEMBER 11, 2017
AND
(CORRECTION DEED)
C.F. NO. 2018113577 O.R.F.B.C.T.
EXECUTED: OCTOBER 05, 2018

EASEMENT CHART

B FORT BEND COUNTY
30' DRAINAGE EASEMENT
VOL. 481, PG. 224 FBGDR

C FORT BEND COUNTY
DRAINAGE EASEMENT
C.F. NO. 2019118739
O.R.F.B.C.T.



NO.	REVISION	DATE
1		
2		
3		
4		

LUPHER, LLC
2025 PROFESSIONAL LAND SURVEYORS
1400 WESTWIND DRIVE
HOUSTON, TEXAS 77057-3014
TEL: 281-461-9718

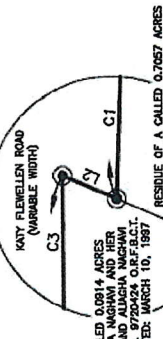
BOUNDARY SURVEY
OF A
0.4637 ACRE
(20,200 SQ. FEET) TRACT
OF KATY FLEWELLEN ROAD
SITUATED IN THE
JAMES CONNER SURVEY, ABST-157

SUBMITTED: 06/07/2023
SCALE: 1" = 30'
DRAWN BY: JGA
JOB NO. 23-166-004
SHEET No. 1 OF 1



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE
GROUND, THAT THIS IS A PLAT
DRAWING CORRECTLY
PREPARED AND THAT THIS
SURVEY AND THE PROFESSIONAL
CONTRIBUTION TO THE PUBLIC
INTEREST OF THE SURVEY AND
SPREADSHEET FOR A CATEGORY I-A,
CONFORMS TO THE REQUIREMENTS
OF THE TEXAS PROFESSIONAL
LAND SURVEYING ACT AND
THE RULES OF THE BOARD OF
LAND SURVEYING.

LINE	BEARING	DISTANCE	CHORD BEARING	CHORD LENGTH
1	N 71° 36' 24" W	171.88	S 23° 36' 56" W	169.50
2	N 48° 02' 04" W	1.01	S 22° 08' 04" W	1.00
3	S 18° 23' 38" W	105.98	N 60° 15' 28" E	104.81
4	N 71° 36' 22" W	80.00	N 60° 15' 28" E	78.62
5	N 18° 23' 38" E	44.81	N 78° 11' 39" E	44.80
6	N 18° 23' 38" E	18.62		
7	N 78° 11' 39" E	84.60		



CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING
C1	2,042.00	36.37	1°01'14"	S 23°36'56" W
C2	1,958.00	136.12	3°58'59"	S 22°08'04" W
C3	2,038.00	176.58	4°57'52"	N 20°50'52" E

- LEGEND**
- (GL) - CURVE
 - (S) - SCHEDULED PEDESTAL
 - (E) - ELECTRIC FULL BOX
 - (M) - GAS PIPELINE MARKER
 - (A) - 8" GAS ANCHOR
 - (Z) - 8" GAS ANCHOR
 - (R) - 8" GAS ANCHOR
 - (L) - 8" GAS ANCHOR
 - (J) - JUMP
 - (P) - POWER POLE
 - (T) - TELEPHONE PEDESTAL
 - (S) - SCHEDULED SIGN
 - (V) - WATER VALVE
 - (C) - CONC. WALK
 - (D) - CONC. DRIVE
 - (M) - MAIL BOX
 - (P) - PIPELINE MARKER
 - (H) - HEADWALL
 - (G) - GUARD RAIL
 - (F) - FENCE
 - (B) - BOUNDARY
 - (L) - LAND MARK
 - (I) - IRON ROD WITH CAP
 - (O) - OBJECT - OFFICIAL RECORDS FORT BEND COUNTY, TEXAS
 - (C) - CURVE
 - (R) - CITY OF KATY ED LINE

GENERAL NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 4204, M.D. 83. ALL DISTANCES, COORDINATES AND BEARINGS ARE SURFACE AND CAN BE CONVERTED TO GRID BY DIVIDING THE COMBINED SCALE FACTOR 1.00013.
- THE SUBJECT TRACT IS LOCATED IN ZONE "X" ON THE FEMA FIRM PANEL NO. 48157C0040L WITH AN EFFECTIVE DATE OF APRIL 2, 2014.
- TRACT IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS AND stipulations OF FORT BEND COUNTY, TEXAS.



CONTROLING INSTRUMENT

- SET 6" I.C. LUPHER, LLC
- FOUND (FND) CORNER AS NOTED
- PROPERTY LINE
- LAND MARK
- NEAR BY WAY
- NEAR BY WITH CAP
- OBJECT - OFFICIAL RECORDS FORT BEND COUNTY, TEXAS
- CURVE
- CITY OF KATY ED LINE

**RESIDUE OF 0.0914 ACRES
ZAHRA NAGHAI AND HER
HUSBAND ALIAGHA NAGHAI
C.F. NO. 9720424 O.R.F.B.C.T.
EXECUTED: MARCH 10, 1997**

**RESIDUE OF 0.0914 ACRES
ZAHRA NAGHAI AND HER
HUSBAND ALIAGHA NAGHAI
C.F. NO. 9720424 O.R.F.B.C.T.
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EXECUTED: MARCH 10, 1997**

**RESIDUE OF 0.0914 ACRES
ZAHRA NAGHAI AND HER
HUSBAND ALIAGHA NAGHAI
C.F. NO. 9720424 O.R.F.B.C.T.
EXECUTED: MARCH 10, 1997**

"Exhibit A"

0.7057 ACRES
JAMES CONNER SURVEY A-157

Being a 0.7057 acre tract of land out of a certain 5.007 acre tract of land recorded under 9619874 of the official records in the clerk's records of Fort Bend County, Texas, and being in the James Conner survey, Abstract 157, Fort Bend County, Texas and more particularly described as follows with all bearings recited herein based on the call east right-of-way line of said Katy-Flewellen Road running North 20° 36' 05" East.

COMMENCING: At the south corner of said 5.007 acre tract of land at the intersection of the easterly right-of-way line of Katy-Flewellen Road with the centerline of Fort Bend County Drainage District Right-of-Way Easement recorded in Volume 418, Page 224, of the deed records of said Fort Bend County, Texas, the same being the northwest corner of a 2.645 acre tract of land recorded in Volume 2554, Page 2091 of the official records of said Fort Bend County, Texas, from which a found ½" iron rod bears 0.2 feet West;

THENCE: North 20° 36' 05" East, 105.98 feet along the easterly right-of-way line of said Katy-Flewellen Road to a point for corner, from which a found ½" iron rod bears North 0.1 feet and East 0.1 feet, said point being the Place of Beginning of the herein described tract of land;

THENCE: North 20° 36' 05" East, along the easterly right-of-way line of said Katy-Flewellen Road to a point for corner, at 163.62 feet pass a found ⅝" iron rod, in all 171.62 feet;

THENCE: South 69° 23' 55" East, 185.00 feet to a point for corner;

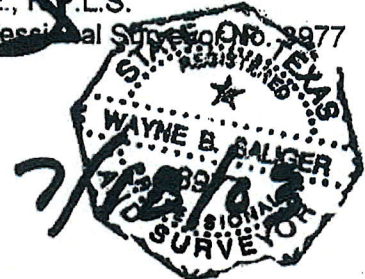
THENCE: South 20° 36' 05" West, along a line parallel to and 185.00' east of the easterly line of Katy-Flewellen Road, 97.78 feet to a point for corner in the centerline of a Fort Bend County Drainage Easement as recorded in Volume 418, Page 224 F.B.C.D.R.;

THENCE: South 66° 24' 55" West, along the above mentioned centerline, 153.22 feet to a point for corner, being a found ½" iron rod;

THENCE: North 45° 42' 49" West, 82.04 feet to the Place of Beginning and containing 0.7057 Acres of Land

WBS/ms
File:489-1
Date: July 17, 2003


Wayne B. Saliger, P.E., P.L.S.
Texas Registered Professional Surveyor No. 9977



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

2003 JUL 29 10:50 AM 2003102405
DM \$11.00

DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS

Special Warranty Deed

Date: July 28, 2003

Grantor: Nasrin Masri Anvar, wife of Joe A. Lara, as her separate property

Grantor's Mailing Address:

Nasrin Masri Anvar
2709 Katy Flewellen Rd
Katy, Texas 77494
Ft. Bend County

Grantees: Joe A. Lara and Nasrollah Amir Kavian

Grantee's Mailing Address:

Joe A. Lara and Nasrollah Amir Kavian
2709 Katy Flewellen Rd
Katy, Texas 77494
Ft. Bend County

Consideration:

Love of, and affection for, Grantees.

Property (including any improvements):

Being a 0.7057 acre tract of land out of a certain 5.007 acre tract of land recorded under 9619874 of the official records of the Ft. Bend County Clerk, Ft. Bend, Texas, James Conner Svy., A-157, Ft. Bend County, Texas, and being further described by metes and bounds as attached hereto and incorporated in Exhibit "A".

Reservations from Conveyance:

For Grantor and Grantor's assigns, a reservation of the full possession, benefit, and use of the Property for the remainder of the life of Grantor, as a life estate. Grantor retains complete power, without the joinder of any person, to mortgage, sell, and convey the Property and to spend any proceeds: to exchange it for other property; to lease the surface and subsurface of the Property; to execute and deliver oil, gas, and other mineral leases for any term of years and for a term based on the continuing production of oil, gas, or other minerals from the Property, ending either before or after Grantor's death; and to invest and reinvest all proceeds from the sale or other disposition of the Property. This life estate carries with it the right to possess and consume all bonuses, delay rentals, royalties, and other benefits payable on any mortgage, sale, or conveyance under oil, gas, and other mineral leases covering the Property at the inception of this life estate without any duty to the remainderman and without liability for waste. The intent of this instrument is to convey an undivided one-third interest to Grantor's husband, Joe A. Lara, and an undivided one-third interest to Grantor's son, Nasrollah Amir Kavian, retaining an undivided one-third interest to Grantor and the life estate as herein described.

Exceptions to Conveyance and Warranty:

None

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantees the Property, together with all and singular the rights

and appurtenances thereto in any way belonging, to have and to hold it to Grantees and Grantces' heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Rescrvations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

Nasrin Masri Anvar

Nasrin Masri Anvar

STATE OF TEXAS)

COUNTY OF FT. BEND)

This instrument was acknowledged before me on July 29, 2003, by Nasrin Masri Anvar.



Sarah Wilburn
Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

Law Offices of Wallace T. Sisk, Jr.
1503 Avenue C
Katy, Tx 77493-1903
281 391-2989
Fax 281 391-3009

AFTER RECORDING RETURN TO:

Nasrin Masri Anvar
2709 Katy Flewellen Rd
Katy, Texas 77494

KATY FLEWELLEN ROAD

Parcel No. _____
Job No. _____
Drawing No. _____

REAL PROPERTY DESCRIPTION
OF
0.4637 ACRES
20,200 Square Feet

Being a 0.4637 acre (20,200 square feet) tract of land as surveyed, being part of Katy Flewellen Road (width varies) as recorded in Volume 31, Page 245 Deed Records of Fort Bend County, Texas (D.R.F.B.C.T.), Clerk File (C.F.) No. 20130093 Official Records of Fort Bend County, Texas (O.R.F.B.C.T.), C.F. No. 2016087942 O.R.F.B.C.T., C.F. No. 2018019236 O.R.F.B.C.T., C.F. No. 2018019237 O.R.F.B.C.T., C.F. No. 2018023455 O.R.F.B.C.T., C.F. No. 2018057297 O.R.F.B.C.T., situated in the James Conner Survey, Abstract No. 157, Fort Bend County, Texas, said 0.4637 acre (20,200 square feet) tract being more particularly described by metes and bounds as follows with all bearings being referenced to the Texas State Plane Coordinate System (NAD 83), South Central Zone (No. 4204); all distances, coordinates and bearings shown herein are surface, and may be converted to grid by dividing the combined scale factor of 1.00013;

COMMENCING North ("N") = 13,835,446.26 and East ("E") = 2,972,720.01 at a 5/8-inch iron rod found for an angle point in the south line of the residue of a called 1.8403 acre tract conveyed by deed to Stoney Creek Center, LTD., recorded in C.F. No. 2017099392 O.R.F.B.C.T., executed October 05, 2018, and the Northeast corner of the residue of a called 0.7057 of an acre tract conveyed by deed to Joe A. Lara and Nasrollah Amir Kavian, recorded in C.F. No. 2003102405 O.R.F.B.C.T., executed July 29, 2003;

THENCE North 71° 36' 24" West, along the common line between said 1.8403 acre tract and said 0.7057 of an acre tract, a distance of 171.88 feet to a 5/8-inch iron rod with cap stamped "LUPHER, LLC" set for the Western most Southwest corner of said 1.8403 acre tract, and the Northwest corner of said 0.7057 of an acre tract, situated in the East right-of-way line of said Katy Flewellen Road and the City of Katy Extra Territorial Jurisdiction (ETJ) Line, for the **POINT OF BEGINNING** and Northeast corner of the herein described tract, having coordinates of North ("N") = 13,835,500.50 and East ("E") = 2,972,556.91, said point being a point of curvature of a non-tangent curve to the left;

THENCE in a Southwesterly direction along the common line of said 0.7057 acre tract, said Katy Flewellen Road, the herein described tract and said non-tangent curve to the left having a radius of 2,042.00 feet, a central angle of 1° 01' 14", whose chord bears S. 23° 36' 56" W. – 36.37 feet and arc length of 36.37 feet to a 5/8-inch iron rod with cap stamped "LUPHER, LLC" point of curvature of a compound curve in the East line of the herein described tract;

KATY FLEWELLEN ROAD

Parcel No. _____
Job No. _____
Drawing No. _____

THENCE in a Southwesterly direction, continuing along the common line between said Katy Flewellen Road, said 0.7075 acre tract and the herein described tract, same being along said compound curve to the left having a radius of 1,958.00 feet, a central angle of $3^{\circ} 58' 59''$, whose chord bears S. $22^{\circ} 08' 04''$ W. – 136.09 feet, an arc length of 136.12 feet to a 5/8-inch iron rod with caps stamped “LUPHER, LLC” set in the common line of said 0.7057 acre tract and that called 0.0914 acre tract conveyed to Zahra Naghavi and her Husband Aliagha Naghavi by deed recorded in C.F. No. 9720424 O.R.F.B.C.T., dated March 10, 1997 for a jog in the East line of said Katy Flewellen Road and the herein described tract;

THENCE North $48^{\circ} 02' 04''$ West, along the North line of said 0.0914 acre tract, same being along said jog in the common line of said Katy Flewellen Road and the herein described tract, a distance of 1.01 feet to a 5/8-inch iron rod with cap stamped “LUPHER, LLC” set for the Northwest corner of said 0.0914 acre tract and the end of said jog in the common East line of said Katy Flewellen Road and the herein described tract;

THENCE South $18^{\circ} 23' 38''$ West, along the common line of said 0.0914 acre tract, said Katy Flewellen Road and the herein described tract, a distance of 105.98 feet to a 5/8-inch iron rod with cap stamped “LUPHER, LLC” set at the Southwest corner of said 0.0914 acre tract, said point also being the Northwest corner of the residue of that called 4.66 acre tract conveyed to Brain Christen and Belinda Christen by deed recorded in C.F. No. 9339370 O.R.F.B.C.T., dated August 10, 1993, for the Southeast corner of the herein described tract;

THENCE North $71^{\circ} 36' 22''$ West, across said Katy Flewellen Road, along the South line of the herein described tract, a distance of 80.00 feet to a 5/8-inch iron rod with cap stamped “LUPHER, LLC” set in the common line of said Katy Flewellen Road and the residue of that called 0.6174 acre tract conveyed to Fort Bend County Municipal District No. 163 by deed recorded in C.F. No. 2015132836 O.R.F.B.C.T., dated November 20, 2015, for the Southwest corner of the herein described tract;

THENCE North $18^{\circ} 23' 38''$ East, along the common line of said 0.6174 acre tract, said Katy Flewellen Road and the herein described tract, a distance of 44.81 feet to a 5/8-inch iron rod with cap stamped “LUPHER, LLC” set in the common line of said Katy Flewellen Road and the residue of that called 0.2502 acre tract conveyed to the Fort Bend County Municipal District No. 163 by deed recorded in C.F. No. 2015132836 O.R.F.B.C.T., dated November 20, 2015, for the point of curvature of a curve to the right in the West line of the herein described tract;

THENCE in a Northeasterly direction, along the common line of said 0.2502 acre tract, said Katy Flewellen Road and the herein described tract, same being along the arc of said curve to the right having a radius of 2,038.00 feet, a central angle of $4^{\circ} 57' 52''$, whose chord bears N. $20^{\circ} 50' 52''$ E. – 176.53 feet, an arc length of 176.58 feet to a 5/8-inch iron rod with cap stamped “LUPHER, LLC” set for the Northeast corner of the residue of said 0.2502 acre tract, being an angle point in the West right of way of Katy Flewellen Road, situated in the City of Katy ETJ line, for the Northwest corner of the herein described tract;

KATY FLEWELLEN ROAD

Parcel No. _____
Job No. _____
Drawing No. _____

THECNE North 60° 15' 28" East, over and across said Katy Flewellen Road, along the North line of the herein described tract, a distance of 18.62 feet to a Mag Nail with washer stamped "LUPHER, LLC" set for an angle point in the North line of the herein described tract;


THENCE North 78° 11' 39" East, continuing over an across said Katy Flewellen Road and along the North line of the herein described tract, a distance of 84.60 feet returning to the **POINT OF BEGINNING** of the herein described tract of land containing 0.4637 of an acre (20,200 square feet) of land, more or less.

Notes:

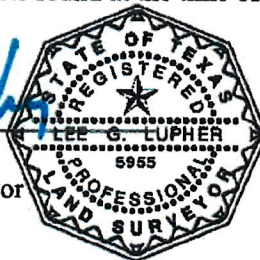
1. The coordinates and bearings shown hereon based on the Texas Coordinate System, South Central Zone (4204), NAD 83, as derived by GPS methods and determined from multiple observations on control points utilizing the Leica Smartnet GPS Network. The coordinates shown hereon are surface and may be converted to grid by dividing the surface coordinate by the average combined scale factor of 1.00013:
2. A survey plat of even date accompanies this legal description.
3. The unit of measurement is the U.S. Survey Foot and distances shown hereon are surface.

This Real Property Description is based upon a Texas Society of Professional Surveyors Category 1A, Condition III, Standard Land Survey performed under the direct supervision of Lee G. Lupher RPLS in May of 2023.

I, Lee G. Lupher, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey was prepared from an actual on-the-ground survey of the property described herein, conducted by me or under my supervision, and that this survey correctly represents the facts found at the time of the survey.



Lee G. Lupher
Registered Professional Land Surveyor
No. 5955



LUPHER, LLC
T.B.P.E.L.S. REGISTRATION NO. 10193807
5421 Brystone Drive
Houston, Texas 77041
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EXHIBIT "B"

2713 Katy Flewellen Proposed Annexation

