

RESTRICTIVE COVENANT for FLOODPLAINS

WHEN RECORDED RETURN TO:

The City of Houston
2100 Travis, 9th Floor
Houston, TX 77251-1562
Attention: Real Estate Manager – Ms. Rupa Sen, Housing and Community
Development Department

DECLARATION OF RESTRICTIVE COVENANT

26th This Declaration of Restrictive Covenant ("**Declaration**") is executed as of this day of October, 2022 (the "**Effective Date**"), by the City of Houston, a municipal corporation situated in Harris, Fort Bend, and Montgomery Counties, Texas ("**Owner**").

RECITALS

- A. Owner is the owner of that certain parcel of land located in the County of Harris, State of Texas (the "State"), which is more fully described on Exhibit A hereto (the "**Property**").
- B. That portion of the Property which is described and/or depicted on Exhibit B hereto is located within a 100-year Floodplain (said portion of the Property hereinafter referred to as the "**Floodplain**").
- C. In connection with the financing of the Property through Community Development Block Grant – Disaster Recovery 2017 funds from the United States Department of Housing and Urban Development ("**HUD**"), Owner has agreed to establish certain restrictions with respect to the use of the Floodplain that are intended to run with the land as more fully set forth herein.
- D. The purpose of this Declaration is to provide for permanent preservation of the Floodplain, as set forth herein.

NOW THEREFORE, in consideration of the foregoing premises, the making and receiving of the grant funds, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner declares as follows:

RP-2022-527290

1. Use Restrictive Covenant.

(a) From and after the Effective Date, (i) no new structure, paving, or other improvements shall be constructed on, and no new modifications or landscaping activities (except for minor grubbing, clearing of debris, pruning, sodding or seeding, or other similar activities) shall be carried out within the Floodplain; and (ii) the use of the Floodplain shall be limited solely to passive open or green space.

(b) This Declaration and the covenants set forth herein restricting the use and occupancy of the Floodplain (i) shall be and are covenants running with, touching, and encumbering the Property, binding upon the Owner and all successors in interest or title, transferees, vendees, lessees, mortgagees, and assigns who are owners and/or users of the Property, and (ii) are not merely personal covenants of the Owner.

(c) Any and all requirements of the laws of the State to be satisfied in order for the provisions of this Declaration to constitute deed restrictions and covenants running with the land shall be deemed to be satisfied in full, and any requirements or privileges of estate are intended to be satisfied, or in the alternate, an equitable servitude has been created to ensure that these restrictions run with the land. Each and every contract, deed, or other instrument hereafter executed conveying the Property or portion thereof (excluding instruments granting security interests) shall expressly provide that such conveyance is subject to this Declaration, provided, however, that the covenants contained herein shall survive and be effective regardless of whether such contract, deed or other instrument hereafter executed conveying the Property or portion thereof provides that such conveyance is subject to this Declaration.

2. Enforcement. In the event of a breach or threatened breach of this Declaration, any party adversely affected by such breach, the county or municipality where the Property is located, the State, or the United States of America shall be entitled to institute proceedings at law or in equity for relief from the consequences of said breach including seeking injunctive relief to prevent a violation thereof. The prevailing party in any such action shall be awarded its costs and expenses, including reasonable attorneys' fees, which shall be deemed to have accrued on the commencement of such action and shall be awarded whether or not such action is prosecuted to judgment.

3. Superiority. The charges and burdens of this Declaration are, and shall at all times be, prior and therefore superior to the lien or charge of any mortgage or deed of trust hereafter made affecting the Property or any part thereof, including any improvements now or hereafter placed thereon, and notwithstanding a

foreclosure or other voluntary or involuntary transfer of title pursuant to such instrument, shall remain in full force and effect, but are subordinate to the security interests of record on the Effective Date. Provided, however, that a breach of any of the restrictions hereof shall not defeat or render invalid the lien or charge of any mortgage or deed of trust. The charges and burdens of this Declaration are not intended to either create a lien upon the Property, or grant any right of foreclosure, to any person or party.

4. Release. Any person or entity having or acquiring fee or leasehold title to the Property or any portion thereof shall be required to comply with this Declaration only during the period such person or entity is the fee or leasehold owner of the Property, and thereafter shall be released therefrom, except that such person or entity shall continue to be liable for, and shall not be released from liability for, obligations, liabilities or responsibilities that accrue or accrued during said period of ownership. Although persons or entities may be released under this paragraph, the restrictions of this Declaration shall continue to be restrictions upon the Property, running with the land, and shall inure to the benefit of, and be binding upon, their successors and assigns in title or interest.
5. Notices. All notices provided for herein may be delivered in person, sent by Federal Express or other overnight courier service, mailed in the United States mail postage prepaid, or sent by electronic or facsimile transmission, and, regardless of the method of delivery used, shall be considered delivered upon the actual receipt or refusal of receipt thereof. The name, address, and other information to be used in connection with such correspondence and notices to Owner shall be the then-current owner's name and address information maintained in the official real property tax records with respect to the Property.
6. Miscellaneous.
 - (a) Headings. The headings in this Declaration are for convenience only and do not in any way limit or affect the terms and provisions hereof.
 - (b) Unenforceability. If any provision of this Declaration is held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the remainder of such provision or any other provisions hereof.
 - (c) Gender. Wherever appropriate in this Declaration, the singular shall be deemed to refer to the plural and the plural to the singular, and pronouns of certain genders shall be deemed to include either or both of the other genders.
 - (d) Governing Law. This Declaration shall be construed and enforced in accordance with the laws of the State.
 - (e) Remapping of Floodplain. In the event that a final Flood Insurance Rate Map or a Letter of Map Amendment issued by the U.S. Federal Emergency Management Agency (or successor federal agency having responsibility therefor) after the date

of this Declaration revises the boundaries of the Floodplain with the effect of reducing the extent of the Property that is within the floodplain, the Use Restrictive Covenant in the Declaration shall apply within the revised boundaries of the Floodplain from and after the effective date of the revised Flood Insurance Rate Map or Letter of Map Amendment; provided, that Owner and its successors may not deposit fill within the Floodplain nor obtain a Letter of Map Revision based upon such fill, and any such Letter of Map Revision based on fill shall not alter the applicability of the Use Restrictive Covenant to the Floodplain as delineated prior to such Letter of Map Revision.

- (f) Amendments. This Declaration may be amended or canceled only by written instrument executed by HUD and the then-current owner of the Property.
- (g) No General Public Access. This Declaration does not establish any rights of access in favor of the general public for any purposes whatsoever.
- (h) Entire Agreement. This Declaration constitutes the entire agreement of Owner with respect to the subject matter hereof and supersedes all prior negotiations or discussions, whether oral or written, with respect thereto.

SIGNATURE PAGE TO RESTRICTIVE COVENANTS

IN WITNESS WHEREOF, the undersigned has executed this Declaration to be effective as of the 26th day of October, 2022.

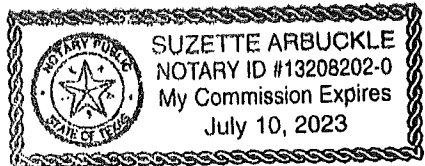
OWNER:

CITY OF HOUSTON,
a municipal corporation,

By: Keith W. Bynam
Keith W. Bynam, Director,
Housing and Community Development
Department

STATE OF TEXAS)
COUNTY OF HARRIS)

The foregoing Instrument was acknowledged before me on this 26th day of October, 2022 by Keith W. Bynam, the Director of the Housing and Community Development Department of the City of Houston, a municipal corporation, named in the foregoing instrument and acknowledged said instrument on behalf of said municipal corporation.



Suzette Ar buckle
Notary Public

Suzette Ar buckle
Printed Name of Notary

My commission expires: July 10, 2023

RP-2022-527290

EXHIBIT A

(Description of the Property)

[Legal description of the Property follows this page.]

RP-2022-527290

REAL PROPERTY DESCRIPTION
 OF
14.95 ACRES
651,051 Square Feet
Parcel No. QY22-007

Being a 14.95 acre (651,051 square feet) tract of land as surveyed, conveyed to Quasar City Park, LTD (Quasar Tract) as recorded in Harris County Clerk’s File No. (H.C.C.F.), RP-2019-36095, executed on January 28, 2019, being out of a called 17.6701 acres, (Tract two, parcel Two) conveyed to GBF/LIC 288, LTD recorded in H.C.C.F. No. V031953, executed date of April 27, 2001, situated in the James Hamilton Survey, Abstract No. 886, Harris County, Texas, said 14.95 acre (651,051 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 shown herein are surface and coordinates being in grid and may be converted to surface by applying a combined scale factor of 0.999870017;

BEGINNING North (“Y”) = 13,791,214.98 and East (“X”) = 3,116,952.01 at a 5/8-inch iron rod stamped “Windrose”, a controlling monument (CM) situated at the Northeast corner of Unrestricted Reserve “A” of Opus Park, SH 288 (Opus Tract) a subdivision recorded in Film Code Number 623127 of the Harris County Map Records (H.C.M.R.), same being situated in the existing West right-of-way line of Cityscape Avenue, 60-feet wide as recorded in Film Code Number 677259 H.C.M.R., same being the Northeast corner of a called 4.500 acre tract conveyed to City Park venture, L.P. (City Park Tract) by deed recorded in H.C.C.F. No. RP-2021-32832, dated June 11, 2021, for the Southeast corner of said Quasar tract and the herein described tract;

THENCE South 87° 16’ 24” West, along the common line between said Unrestricted Reserve “A” (Opus Tract), said City Park tract, said Quasar tract and the herein described tract, a distance of 531.57 to a 5/8-inch iron rod stamped “Windrose” found on the East right-of-way line of State Highway 288 (SH 288), (width varies) as recorded in Volume 7881, Page 283 of the Harris County Deed Records (H.C.D.R.), said point being the Northwest corner of said Opus Tract and said City Park tract for the Southwest corner of said Quasar tract and the herein described tract;

THENCE North 01° 49’ 49” West, along the common line between said SH 288 tract, said Quasar tract and the herein described tract, a distance of 797.93 to a 5/8-inch iron rod found for an angle point, in the West line of the herein described tract;

THENCE North 04° 25’ 09” East, continuing along the common line between said SH 288 tract and the herein described tract, a distance of 505.62 to a 5/8-inch iron rod stamped “Windrose” found an angle point, in the West line of the herein described tract;

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QUASAR CITY PARK LTD

Parcel No. QY22-007

Job No. _____

Drawing No. 72789

THENCE North 01° 47' 29" West, continuing along the common line between said SH 288 tract, said Quasar tract and the herein described tract, a distance of 32.50 to a 5/8-inch iron rod found situated in the South line of a called 0.918 acre tract conveyed to the State of Texas, for drainage purposes (0.918 acre tract), by deed recorded in H.C.C.F. No. D469271, dated September 15, 1971, and for the Northwest corner of the herein described tract;

THENCE North 88° 12' 31" East, along the common line between said 0.918 acre tract, said Quasar tract and the herein described tract, a distance of 435.08 to a 5/8-inch iron rod stamped "Windrose" found situated in the South line of said 0.918 acre tract and the West line of said Cityscape Avenue, for the Northeast corner of said Quasar tract and the herein described tract;

THENCE South 01° 53' 20" East, along the common line between said Cityscape Avenue, said Quasar tract and the herein described tract, a distance of 852.57 to a 5/8-inch iron rod stamped "Windrose" found for the point of curvature of a tangent curve to the left in the East line of the herein described tract;

THENCE in a Southeasterly direction, along the common line between said Cityscape Avenue, said Quasar tract and along the East line of the herein described tract, along the and the arc of said tangent curve to the left having a radius of 330.00 feet, a central angle of 16°47'06", whose chord bears N. 10° 16' 52" E. – 96.33, an arc length of 96.68 feet to a 5/8-inch iron rod stamped "Windrose" found for the point of tangency in the East line of the herein described tract;

THENCE South 18° 40' 24" East, continuing along the common line between said Cityscape Avenue, said Quasar tract and the herein described tract, a distance of 50.00 to a 5/8-inch iron rod stamped "Windrose" found for the point of curvature of a tangent curve to the right in the East line of the herein described tract;

THENCE in a Southeasterly direction, along the common line between said Cityscape Avenue, said Quasar tract and along the East line of the herein described tract, along the arc of said tangent curve to the right having a radius of 270.00 feet, a central angle of 16°47'02", whose chord bears S. 10° 16' 52" E. – 78.81, an arc length of 79.09 feet to a 5/8-inch iron rod stamped "Windrose" found for the point of tangency in the East line of the herein described tract;

THENCE South 01° 53' 20" East, continuing along the common line between said Cityscape Avenue, said Quasar tract and along the East line of the herein described tract, a distance of 250.77 feet, returning to the **POINT OF BEGINNING** of the herein described tract of land containing 14.95 acre (651,051 square feet) of land, more or less.

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QUASAR CITY PARK LTD

Parcel No. QY22-007
Job No. _____
Drawing No. 72789

Notes:

1. The bearings shown hereon are based on GPS observations on The Leica GPS network based on the Texas Coordinate System, South Central Zone (4204), NAD 83 (2011 adj.), all distances, bearings shown are in surface & coordinates are grid and can be converted by applying the average scale factor of 0.999870017:

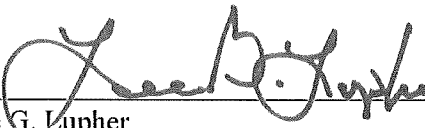
2. A survey plat of even date accompanies this legal description.

3. The unit of measurement is the U.S. Survey Foot and distances shown hereon are surface.

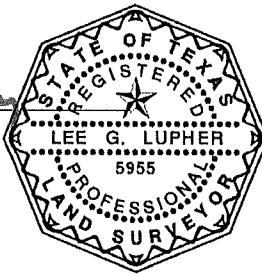
This Real Property Description is based upon a Texas Society of Professional Surveyors Category 1B, Condition III, Standard Land Survey performed under the direct supervision of Lee G. Lupher RPLS in April 18, 2022.

Revised May 2, 2022 to address City Survey Dept. redlines.

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
Office (281) 501-8718

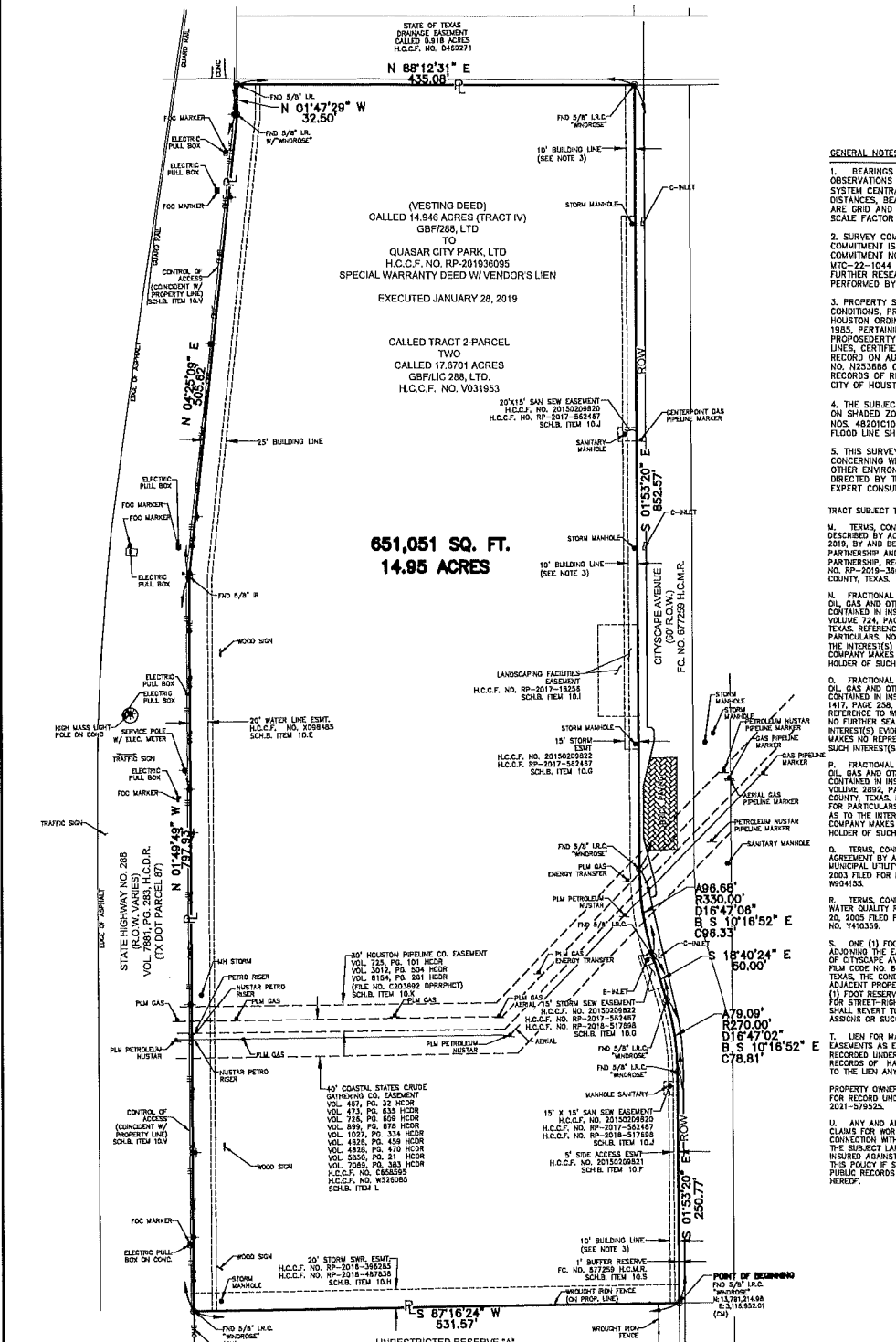
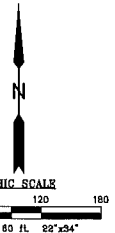
Checked:  _____

Date: 5/05/22 _____

Approved:  _____

RP-2022-527290

J. HAMILTON SURVEY, ABSTRACT NO. 886



GENERAL NOTES:

- BEARINGS SHOWN HEREON ARE BASED ON GPS OBSERVATIONS THE LEICA GPS NETWORK TEXAS COORDINATE SYSTEM CENTRAL ZONE, 4204, NAD83 (2011 ADJ.) ALL DISTANCES, BEARINGS SHOWN ARE IN SURFACE & COORDINATES ARE GRID AND CAN BE CONVERTED BY APPLYING THE AVERAGE SCALE FACTOR OF 0.999870017.
- SURVEY COMPLETED IN ACCORDANCE WITH A TITLE COMMITMENT ISSUED BY MAGNOLIA TITLE COMPANY, HAVING A COMMITMENT NO. MTC-22-1044-2ND AND A G.P. NO. MTC-22-1044 WITH AN EFFECTIVE DATE: 03/09/2022. NO FURTHER RESEARCH FOR EASEMENTS OR ENCUMBRANCES WAS PERFORMED BY LUPHER, LLC.
- PROPERTY SHOWN HEREON IS SUBJECT TO THE TERMS, CONDITIONS, PROVISIONS AND STIPULATIONS OF CITY OF HOUSTON ORDINANCE NO. 85-1876, ENACTED OCTOBER 23, 1985, PERTAINING TO THE PLATING AND REPLATING OF REAL PROPERTY AND THE ESTABLISHMENT OF BUILDING SETBACK LINES, CERTIFIED COPY OF SAID ORDINANCE WAS FILED FOR RECORD ON AUGUST 1, 1991, UNDER CLERK'S FILE NO. N253886 OF THE HARRIS COUNTY OFFICIAL PUBLIC RECORDS OF REAL PROPERTY. TRACT ALSO SUBJECT TO CITY OF HOUSTON ORDINANCE NO. 1999-262.
- THE SUBJECT TRACT IS LOCATED IN ZONE "A" AND PARTLY ON SHADED ZONE X, AS SHOWN ON THE FEMA FIRM PANEL NOS. 48201C1010M AND 48201C2070M, DATED: 5/02/2019. FLOOD LINE SHOWN ARE APPROXIMATE.
- THIS SURVEY DOES NOT PROVIDE ANY DETERMINATION CONCERNING WETLANDS, FAULT LINES, TOXIC WASTE OR ANY OTHER ENVIRONMENTAL ISSUES. SUCH MATTERS SHOULD BE DIRECTED BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN EXPERT CONSULTANT.

TRACT SUBJECT TO SCHEDULE B EXCEPTIONS:

V. TERMS, CONDITIONS AND STIPULATIONS AS SET FORTH AND AGREED BY ACCESS EASEMENT AGREEMENT DATED JANUARY 28, 2019, BY AND BETWEEN QUASAR CITY PARK, LTD., A TEXAS LIMITED PARTNERSHIP AND GDFJZ 288, LTD., A TEXAS LIMITED PARTNERSHIP, RECORDED JANUARY 29, 2019, UNDER CLERK'S FILE NO. RP-2019-36996, OF THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS.

N. FRACTIONAL ROYALTY INTEREST IN AND TO ALL COAL, LIGHT, OIL, GAS AND OTHER MINERALS, AND ALL RIGHTS INCIDENT THERETO, CONTAINED IN INSTRUMENT DATED DECEMBER 1, 1997, RECORDED IN VOLUME 724, PAGE 704, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, REFERENCE TO WHICH INSTRUMENT IS HERE MADE FOR PARTICULARS. NO FURTHER SEARCH OF TITLE HAS BEEN MADE AS TO THE INTEREST(S) EVIDENCED BY THIS INSTRUMENT, AND THE COMPANY MAKES NO REPRESENTATION AS TO THE OWNERSHIP OR HOLDER OF SUCH INTEREST(S).

O. FRACTIONAL ROYALTY INTEREST IN AND TO ALL COAL, LIGHT, OIL, GAS AND OTHER MINERALS, AND ALL RIGHTS INCIDENT THERETO, CONTAINED IN INSTRUMENT DATED JULY 14, 1984, RECORDED IN VOLUME 1417, PAGE 256, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, REFERENCE TO WHICH INSTRUMENT IS HERE MADE AS TO THE INTEREST(S) EVIDENCED BY THIS INSTRUMENT, AND THE COMPANY MAKES NO REPRESENTATION AS TO THE OWNERSHIP OR HOLDER OF SUCH INTEREST(S).

P. FRACTIONAL ROYALTY INTEREST IN AND TO ALL COAL, LIGHT, OIL, GAS AND OTHER MINERALS, AND ALL RIGHTS INCIDENT THERETO, CONTAINED IN INSTRUMENT DATED OCTOBER 20, 1954, RECORDED IN VOLUME 2892, PAGE 494, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS, REFERENCE TO WHICH INSTRUMENT IS HERE MADE AS TO THE INTEREST(S) EVIDENCED BY THIS INSTRUMENT, AND THE COMPANY MAKES NO REPRESENTATION AS TO THE OWNERSHIP OR HOLDER OF SUCH INTEREST(S).

Q. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN WAIVER AGREEMENT BY AND BETWEEN GDFJZ 288, LTD. AND HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 300, BY INSTRUMENT DATED MAY 7, 2003 FILED FOR RECORD UNDER HARRIS COUNTY CLERK'S FILE NO. W954152.

R. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN STORM WATER QUALITY REQUIREMENTS DISCLOSED BY NOTICE DATED APRIL 20, 2005 FILED FOR RECORD UNDER HARRIS COUNTY CLERK'S FILE NO. Y410355.

S. ONE (1) FOOT BUFFER RESERVED ALONG CITYSCAPE AVENUE ADDING THE EAST PROPERTY LINES, AS DEDICATED BY THE MAP OF CITYSCAPE AVENUE STREET DEDICATION, SEC. 1, AS RECORDED IN FIRM CODE NO. 877259 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, THE CONDITIONS OF SUCH DEDICATION BEING THAT THE ADJACENT PROPERTY IS SUBDIVIDED IN A RECORDED MAP, THE ONE (1) FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET-RIGHT-OF-WAY PURPOSES AND THE TITLE FEE THEREIN SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS OR SUCCESSORS.

T. LIEN FOR MAINTENANCE CHARGES AND/OR ASSESSMENTS AND EASEMENTS AS ESTABLISHED AND DEFINED BY INSTRUMENT(S) RECORDED UNDER DOCUMENT NO(S) X496189, OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, SAID LIEN BEING SUBORDINATE TO THE LIEN ANY FIRST MORTGAGE.

PROPERTY OWNERS' ASSOCIATION MANAGEMENT CERTIFICATE FILED FOR RECORD UNDER HARRIS COUNTY CLERK'S FILE NO. RP-2018-575525.

U. ANY AND ALL LIENS ARISING BY REASON OF UNPAID BILLS OR CLAIMS FOR WORK PERFORMED OR MATERIALS FURNISHED IN CONNECTION WITH IMPROVEMENTS PLACED, OR TO BE PLACED, UPON THE SUBJECT LAND, HOWEVER, THE COMPANY, DOES NOT INSURE AGAINST LOSS, IF ANY, SUSTAINED BY THE INSURED UNDER THIS POLICY IF SUCH LIENS HAVE BEEN FILED IN THE PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, PRIOR TO THE DATE HEREOF.

- LEGEND**
- ⊙ - SET 5/8" IR W/ LUPHER, LLC CAP
 - ⊙ - FOUND (FND) CORNER AS NOTED
 - (CM) - CONTROLLING MONUMENT
 - - PROPERTY LINE
 - R - RIGHT OF WAY
 - IR/AR - IRON ROD WITH CAP/IRON ROD H.C.M.R. MAP RECORDS
 - F.C. NO. - FIRM CODE NUMBER
 - VOL. PG. - VOLUME AND PAGE
 - H.C.D.R. - HARRIS COUNTY DEED RECORDS
 - H.C.C.F. NO. - HARRIS COUNTY CLERK'S FILE NUMBER
 - EXIST. - EXISTING
 - ESMT. - EASEMENT
 - OHE - OVER HEAD ELECTRIC LINE
 - ☀ - LIGHT POLE
 - ⚡ - POWER POLE
 - ⊞ - ELECTRIC PULL BOX
 - ⊞ - MANHOLE (SAN/SEW)
 - - STORM INLET
 - - WATER FIRE HYDRANT
 - - SIGN
 - - PIPE LINE MARKER
 - - FOC MARKER
 - - GUY ANCHOR
 - - WROUGHT IRON FENCE

UNRESTRICTED RESERVE "A"
 OPUS PARK, SH 288 SUBDIVISION
 CITY PARK STORAGE VENTURE, L.P.
 CALLED 4,500 ACRES
 H.C.C.F. NO. RP-2021-338832
 JUNE 11, 2021

4	
5	
6	
7	
1	ADDRESS CITY SURVEY DEPARTMENT RECORDS 5/2/22

LUPHER, LLC
 TEXAS PROFESSIONAL LAND SURVEYOR
 TPELS FIRM REGISTRATION NO. 10193807
 5421 BRYNSTONE DRIVE
 HOUSTON, TX 77041
 TELE: 281-501-8718

T.S.P.S. CATEGORY 1B, CONDITION III
 STANDARD LAND SURVEY
 OF A CALLED 14.95 ACRE TRACT
 BEING OUT OF THE
 J. HAMILTON SURVEY, A-886
 HOUSTON, TEXAS

HOUSTON PUBLIC WORKS

APPROVAL: [Signature] DATE: 5/08/2022

SURVEY SECTION: [Blank] RIGHT OF WAY SECTION: [Blank]

KEY MAP NO. 573N GIS MAP NO. 3331B

PARCEL NO. Q122-007

JOB NO. [Blank]

WBS NO. [Blank]

PLANS NO. [Blank]

72789
 CITY OF HOUSTON NUMBER
 HOUSTON, TEXAS

TO: CITY OF HOUSTON, QUASAR CITY PARK, LTD. AND MAGNOLIA TITLE COMPANY
 I SOLEMNLY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND.
 AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION III, STANDARD LAND SURVEY.
 THIS SURVEY IS FILED AS AUTHORIZED BY LEE A. LUPHER, RPLS TO REG. NO. 5435 ON APRIL 14, 2022

[Signature]
 LEE A. LUPHER, RPLS
 TEXAS SOCIETY OF PROFESSIONAL SURVEYORS

RP-2022-527290

EXHIBIT B

(Description and/or Depiction of the Floodplain)

[Legal description of the Floodplain follows this page.]

RP-2022-527290

REAL PROPERTY DESCRIPTION
OF
0.0025 ACRES
108 Square Feet

Being a 0.0025 acre (108 square feet) tract of land out of called 14.946 acre tract of land, conveyed to Quasar City Park, LTD (Quasar Tract) as recorded in Harris County Clerk’s File No. (H.C.C.F.), RP-2019-36095, executed on January 28, 2019, being out of a called 17.6701 acres, (Tract two, parcel Two) conveyed to GBF/LIC 288, LTD recorded in H.C.C.F. No. V031953, executed date of April 27, 2001, situated in the James Hamilton Survey, Abstract No. 886, Harris County, Texas, said 0.0025 acre (108 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 shown herein are surface and coordinates being in grid and may be converted to surface by applying a combined scale factor of 0.999870017;

Commencing North (“Y”) = 13,790,744.61 and East (“X”) = 3,116,463.23 at a 5/8-inch iron rod stamped “Windrose”, a controlling monument (CM) situated at the Southeast corner of called 0.918 acre tract conveyed to the State of Texas, for drainage easement (0.918 acre tract), by deed recorded in H.C.C.F. No. D469271, dated September 15, 1971, same being situated in the existing West right-of-way line of Cityscape Avenue, 60-feet wide as recorded in Film Code Number 677259 H.C.M.R., same being the Northeast corner of said 14.946 acre tract;

THENCE South 88°12’31” West departing the West right-of-way line of Cityscape Avenue, along with the common line between said 0.918 acre tract State of Texas drainage easement and the said 14.946 acre tract, a distance of 19.39 feet to a 5/8” iron rod with cap stamped “LUPHER LLC” set for the **POINT OF BEGINNING** and for the Northeast corner of the herein described tract, having coordinates of North (“Y”) =13,790,744.00 and East (“X”)=3,116,443.85;

THENCE South 25°49’41” West, over and across the said 14.946 acre tract and along the Southeast line of the here and described tract, a distance of 11.87 feet to a 5/8” iron with cap stamped “LUPHER LLC” set for the Southeast corner of here in described tract;

THENCE North 56°43’54” West, continuing over and across the said 14.946 acre tract and along the Southwest line of the herein described tract, a distance of 18.31 feet to a 5/8” iron rod cap stamped “LUPHER LLC” set in the North line of the said 14.946 acre tract and the South line of said 0.918 acre Texas Drainage Easement;

THENCE North 88°12’31” East, along the common line between said 0.918 acre Texas Drainage Easement, said 14.946 acre tract and along the North line of the herein described tract, a distance of 20.49 feet, returning to the **POINT OF BEGINNING** of the herein described tract of land containing 0.0025 acre (108 square feet) of land, more or less.

RP-2022-527290

QUASAR CITY PARK LTD

Parcel No. QY22-007A
Job No. QY22-007A
Drawing No. 72789

Notes:

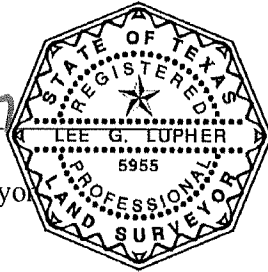
1. The bearings shown hereon are based on GPS observations on The Leica GPS network based on the Texas Coordinate System, South Central Zone (4204), NAD 83 (2011 adj.), all distances, bearings shown are in surface & coordinates are grid and can be converted by applying the average scale factor of 0.999870017:
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 1B, Condition III, Standard Land Survey performed under the direct supervision of Lee G. Lupher RPLS in September 7, 2022

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
Office (281) 501-8718

Checked:  _____

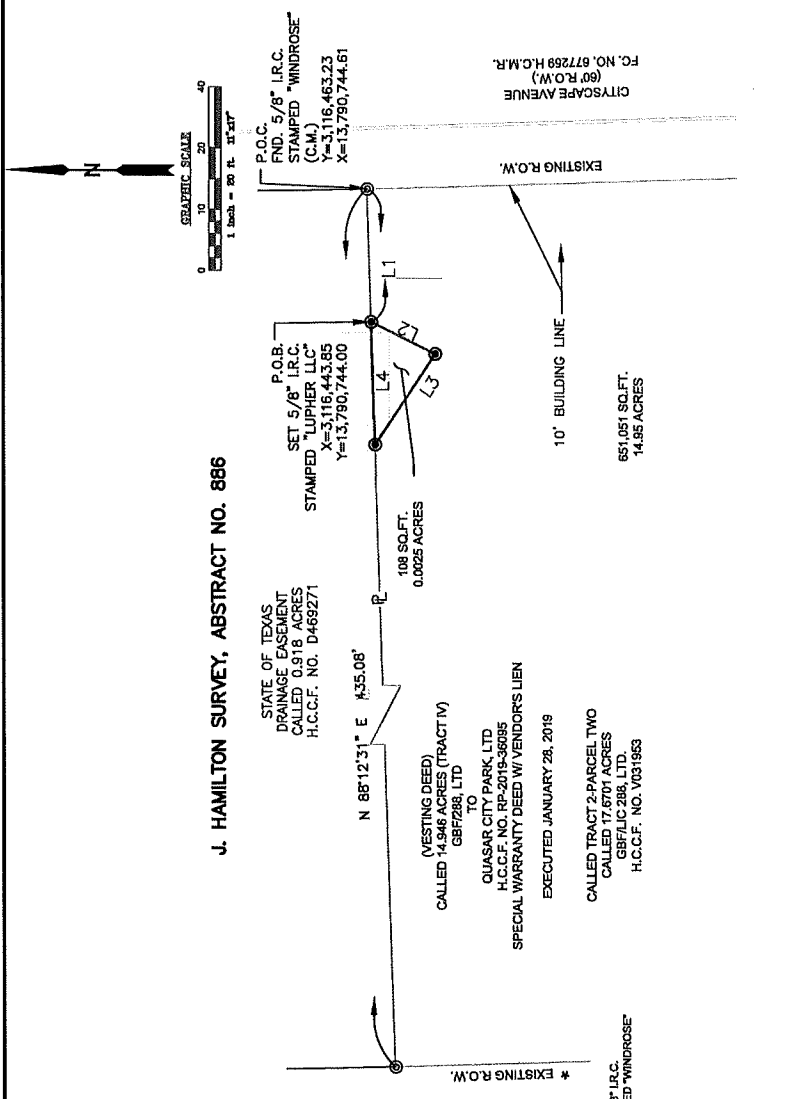
Date: 10/18/2022

Approved:  _____

RP-2022-527290

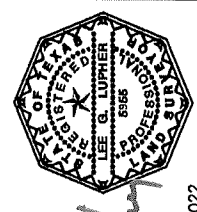
LEGEND

- - SET 5/8" IR W/ LUPHER, LLC CAP
- - FOUND (FND) CORNER AS NOTED
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCING
- (CH) - CONTROLLING MONUMENT
- PL - PROPERTY LINE
- ROW - RIGHT OF WAY
- IRC/IR - IRON ROD WITH CAP/IRON ROD
- H.C.A.I.R. - HARRIS COUNTY MAP RECORDS
- F.C. NO. - FILM CODE NUMBER
- VOL. PG. - VOLUME AND PAGE
- H.C.D.B. - HARRIS COUNTY DEED RECORDS
- H.C.C.F. NO. - HARRIS COUNTY CLERK'S FILE NUMBER
- EXIST. - EXISTING
- ESMT. - EASEMENT
- OHE - OVER HEAD ELECTRIC LINE
- - LIGHT POLE
- - POWER POLE
- - ELECTRIC PULL BOX
- - MANHOLE (SAN/SEW)
- - STORM INLET
- - WATER FIRE HYDRANT
- - SIGN
- - PIPE LINE MARKER
- - FOC MARKER
- - GUY ANCHOR
- ⊕ - WROUGHT IRON FENCE



SH. 2

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION III, STANDARD LAND SURVEY.



THIS SURVEY IS FINAL AS AUTHORIZED BY LEE G. LUPER, RPLS TX REG. NO. 5955 ON SEPTEMBER 7, 2022

SHEET 1 OF 3

4	
3	
2	
1	REVISED POC COORDINATES 10/19/22

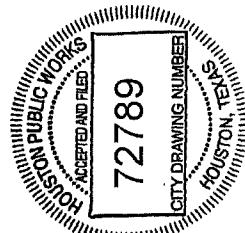
LUPHER, LLC
 TEXAS PROFESSIONAL LAND SURVEYORS
 TBPELS FIRM REGISTRATION NO.10193807
 5421 BRYSTONE DRIVE
 HOUSTON, TX 77041
 TELE: 281-501-8718

T.S.P.S. CATEGORY 1B, CONDITION III
 STANDARD LAND SURVEY
 OF A CALLED 0.0025 ACRE TRACT
 (108 SQ.FT.)
 BEING OUT OF THE
 J. HAMILTON SURVEY, A-886
 HOUSTON, TEXAS

HOUSTON PUBLIC WORKS

APPROVAL: *[Signature]* DATE: 10/18/2022
 SURVEY SECTION: RIGHT OF WAY SECTION
 KEY MAP NO. 573N
 GIMS MAP No. 5351B
 PARCEL NO. QY22-007A

JOB NO. _____
 WBS NO. _____
 IMLS NO. _____



RP-2022-527290
Pages 15
10/27/2022 01:41 PM
e-Filed & e-Recorded in the
Official Public Records of
HARRIS COUNTY
TENESHIA HUDSPETH
COUNTY CLERK
Fees \$70.00

RECORDERS MEMORANDUM

This instrument was received and recorded electronically and any blackouts, additions or changes were present at the time the instrument was filed and recorded.

Any provision herein which restricts the sale, rental, or use of the described real property because of color or race is invalid and unenforceable under federal law.

THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me; and was duly RECORDED in the Official Public Records of Real Property of Harris County, Texas.



Teneshia Hudspeth
COUNTY CLERK
HARRIS COUNTY, TEXAS

RP-2022-527290