

Post-It® Fax Note	7671	Date	6/15/04	# of pages	1
To	Ransom Dacey	From	Linna Gastins		
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BASED ON RULING BELOW,  
EACH HOMEOWNER IS RESPONSIBLE  
FOR MAINTENANCE OF SIDEWALKS  
ON THEIR PROPERTY (AS SHOWN  
ON PLAT/REPLAT).

Generally, a "dedication" of property for road purposes, as on a plat, grants only an easement in and to the property, but the intent of the grantor is controlling and will be determined from the language of the granting instrument considered in connection with the circumstances attending the transaction. Green v. Kunkel, 183 S.W.2d 585 (Tex.Civ.App.--Fort Worth 1944, no writ). When a road is dedicated, fee title remains in the grantor, subject to the easement rights dedicated for road purposes, and there is a presumption, unless a contrary intention is expressed, that when the grantor conveys the property abutting the road the conveyance includes the underlying fee title to the center of the road. Cantley v. Gulf Production Co., 143 S.W.2d 912 (1940).