



CITY OF Incorporated 1977

# FULSHEAR

281-346-1796 (ph) 281-346-2556 (fax)

30603 FM 1093

P.O. Box 279

Fulshear, Texas 77441

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## PLANNING AND ZONING COMMISSION MINUTES MAY 5, 2017

### **1. Call to Order**

*A Regular Meeting of the Fulshear Planning and Zoning Commission was called to order by Planning and Zoning Chairman Amy Pearce at 8:30 a.m. on Friday, May 5, 2017 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas.*

### **2. Quorum**

*A quorum was present.*

#### Members Present:

*Amy Pearce-Chairman  
Austin Weant-Co-Chair  
Dar Hakimzadeh  
Bijay Aryal  
Jason Cherubini  
Dawn McRea  
Harold Collins*

#### City Staff:

*D. (Diana) Gordon Offord, City Secretary  
Kimberly Kopecky, Deputy City Secretary  
Michelle Killebrew, Chief Building Official  
Sharon Valiante, Public Works Director  
David Leyendecker, City Engineer*

#### Others Present:

*Gerald Grissom  
Trey Devillier  
Luis Valencia  
And 1 other person that did not sign in*

### **3. Citizen's Comments**

**FULSHEAR PLANNING AND ZONING MINUTES  
MAY 5, 2017**

Citizens who desire to address the Planning and Zoning Commission with regard to matters on the agenda will be received at this time. The number of speakers will be limited to the first 10 speakers and each speaker is limited to three minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for consideration.

*No Citizen Comments*

**4. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on April 7, 2017**

*A motion was made by Planning and Zoning member Aryal to approve Minutes from Planning and Zoning Commission meeting held on April 7, 2017. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:*

*Ayes: Planning members Aryal, Cherubini, Collins, Hakimzadeh, McRea, Pearce, and Weant  
Nays: None  
Absent: None*

*Motion Passes*

**5. Consideration and possible action to approve Bonterra at Cross Creek Ranch- Section 2/Preliminary Plat**

*Per David Leyendecker, all corrections have been made and he recommends approval of this plat. A motion was made by Planning and Zoning member Collins to approve Bonterra at Cross Creek Ranch- Section 2/Preliminary Plat. It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:*

*Ayes: Planning members Aryal, Cherubini, Collins, Hakimzadeh, McRea, Pearce, and Weant  
Nays: None  
Absent: None*

*Motion Passes*

**6. Consideration and possible action to approve Creek Cove at Cross Creek Ranch- Section 11/Preliminary Plat**

*Per David Leyendecker, all corrections have been made and he recommends approval of this plat. A motion was made by Planning and Zoning member Hakimzadeh to approve Creek Cove at Cross Creek Ranch- Section 11/Preliminary Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning members Aryal, Cherubini, Collins, Hakimzadeh, McRea, Pearce, and Weant  
Nays: None  
Absent: None*

*Motion Passes*

**7. Consideration and possible action to approve Commercial Reserves at FM 1463 (Replat)/Final Plat (2<sup>nd</sup> Review)**

**FULSHEAR PLANNING AND ZONING MINUTES  
MAY 5, 2017**

*Per David Leyendecker, all corrections have been made and he recommends approval of this plat. A motion was made by Planning and Zoning member Collins to approve Commercial Reserves at FM 1463. It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:*

*Ayes: Planning members Aryal, Cherubini, Collins, Hakimzadeh, McRea, Pearce, and Weant*

*Nays: None*

*Absent: None*

*Motion Passes*

**8. Adjournment**

*A motion was made by Planning and Zoning member Hakimzadeh to adjourn. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning members Aryal, Cherubini, Collins, Hakimzadeh, McRea, Pearce, and Weant*

*Nays: None*

*Absent: None*

*Chairman Pearce adjourned the meeting at 8:34 a.m.*



**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	June 2, 2017	<b>AGENDA ITEM:</b>	5
<b>DATE SUBMITTED:</b>	May 2, 2017	<b>DEPARTMENT:</b>	Planning and Development
<b>PREPARED BY:</b>	Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development	<b>PRESENTER:</b>	David Leyendecker, City Engineer
<b>SUBJECT:</b>	<b>Plat Summaries for Planning and Zoning Commission</b>		
<b>ATTACHMENTS:</b>	<b>City Engineer's Engineering Review: Final Plat Bonterra at Cross Creek Ranch Section 2</b>		

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration a Final Plat for Bonterra at Cross Creek Ranch Section 2. The plat, as submitted, generally meets the requirements set forth in the City's Subdivision Ordinance No. 04-913, which is in alignment with Chapter 21, Texas Local Government Code.

The final plat will create 57 lots in 3 blocks and 3 reserves for 13.02 acres of development. Typical lot size is 45' x 130' (5,200 SF) with a 20' front building line. This is private subdivision. The development agreement allows the developer to vary from the minimum 6,000 SF lot size requirement when constructing non-traditional homes. Bonterra has been developed as an active adult community and this is an additional section in the development phase.

**RECOMMENDATION**

After staff review of this request, we recommend the Planning and Zoning Commission provide a positive recommendation for plat approval as submitted.

May 25, 2017

**Engineering Review**

Final Plat  
Bonterra at Cross Creek Ranch Section 2  
City of Fulshear, Texas

**For Information only:**

1. This plat will create 57 lots in three (3) Blocks with three (3) Reserves that covers a total area of 13.02 acres.
2. The typical lot for this section are 45-foot by 130-foot with a 20-foot Front Building Line.
3. Access to this Section is provided by an extension of Winding Terrace Lane
4. The streets in this section are shown to be private along with the storm sewer system.
5. This section was previously submitted with 50-foot wide lots in 2016.

**Recommendations:**

I recommend approval of this Final Plat of Bonterra at Cross Creek Ranch Section 2 as submitted.

A handwritten signature in black ink, appearing to read "Leyendecker", with a large, stylized flourish above the name.





Stewart Title Company  
 10720 West Sam Houston Pkwy N.,  
 Suite 200  
 Houston, TX 77064  
 (713) 892-8818 Phone  
 Fax

May 09, 2017

File No.: 15157031015

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 27th day of April, 2017, the last Deed that we find, of record, reflects the record owner to be:  
 CCR LOAN SUBSIDIARY 1, L.P., a Texas limited partnership by virtue of Deed recorded under Clerk's File No. 2014024650 of the Official Records of Fort Bend County, Texas.

CCR Texas Holdings LP, a Delaware limited partnership by virtue of Deed recorded in/under Clerk's File No. 2012038960 and 2012038964 of the Official Records of Fort Bend County, Texas.

Legal Description:

DESCRIPTION OF A 13.02 ACRE TRACT OF LAND SITUATED  
 IN THE M. AUTREY SURVEY, ABSTRACT NO. 100  
 CITY OF FULSHEAR, FORT BEND COUNTY, TEXAS

BEING a 13.02 acre tract of land situated in the M. Autrey Survey, Abstract No. 100, City of Fulshear of Fort Bend County, Texas and being a portion of a called 25.30 acre tract of land as described in an instrument to CCR Loan Subsidiary 1, L.P. recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2014024650 and a portion of the remainder of a called 1,913.31 acre tract of land described as Tract A in an instrument to CCR Texas Holdings, L.P. recorded under F.B.C.C.F. No. 2012038964, said 13.02 acre tract of land described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the common most Westerly corner of said 25.30 acre tract and the herein described tract, same being the most Southerly corner of Restricted Reserve "A" as shown on BONTERRA AT CROSS CREEK RANCH SECTION ONE, a subdivision per plat recorded under Plat No. 20150283 of the Fort Bend County Plat Records (F.B.C.P.R.), lying on the East right-of-way line of West Cross Creek Bend Lane (70 feet wide) as shown on WEST CROSS CREEK BEND LANE EXTENSION NO. 2, a subdivision per plat recorded under Plat No. 20150234 of the F.B.C.P.R.;

THENCE, along and with the North line of said 25.30 acre tract and the Southeast line of said Restricted Reserve "A" the following courses and distances:

N 62° 27' 19" E, a distance of 100.70 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" found for corner;

N 10° 20' 49" E, a distance of 98.49 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" found for corner;

N 34° 30' 59" E, a distance of 196.98 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" found for corner;



N 58° 41' 10" E, a distance of 144.38 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" found for corner;

THENCE, N 70° 04' 46" E, a distance of 172.52 feet continuing along and with the Southeast line of said Restricted Reserve "A" and partially along and with the North line of said 25.30 acre tract to a 1/2-inch pipe with cap stamped "Brown & Gay" found for the most Easterly Southeast corner of said Restricted Reserve "A", same being the beginning of a non-tangent curve to the right from which its center bears N 88° 58' 59" E, 155.00 feet;

THENCE, In a Northerly direction, along said curve to the right and along and with the East line of said Restricted Reserve "A", a distance of 51.85 feet, having a radius of 155.00 feet, a central angle of 19° 09' 55" and a chord which bears N 08° 33' 57" E, 51.61 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" found for the most Westerly Southwest terminus of Winding Terrace Lane (60 feet wide) as shown on BONTERRA AT CROSS CREEK RANCH SECTION THREE, a subdivision per plat recorded under Plat No. 20150284 of the F.B.C.P.R., same being the most Northerly Northwest corner of the herein described tract;

THENCE, S 71° 51' 05" E, a distance of 60.00 feet along and with the most Westerly South terminus line of said Winding Terrace Lane (60 feet wide) to a 1/2-inch pipe with cap stamped "Brown & Gay" found for the most Northerly Northeast corner of the herein described tract, same being the beginning of a non-tangent curve to the left from which its center bears S 71° 51' 05" E, 95.00 feet;

THENCE, over and across said 25.30 acre tract and said 1,913.31 acre tract the following courses and distances:

In a Southerly direction, along said curve to the left, a distance of 53.40 feet, having a radius of 95.00 feet, a central angle of 32° 12' 19" and a chord which bears S 02° 02' 45" W, 52.70 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for the point of tangency;

S 14° 03' 24" E, a distance of 41.04 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for the beginning of a curve to the left;

In a Southeasterly direction, along said curve to the left, a distance of 361.97 feet, having a radius of 770.00 feet, a central angle of 26° 56' 02" and a chord which bears S 27° 31' 25" E, 358.64 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for an interior corner of the herein described tract;

N 49° 00' 36" E, a distance of 120.50 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 86° 35' 50" E, a distance of 14.29 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 42° 12' 16" E, a distance of 49.97 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 43° 06' 17" E, a distance of 218.84 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 32° 17' 47" E, a distance of 242.67 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for the most Easterly corner of the herein described tract;

S 12° 42' 13" W, a distance of 14.14 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 57° 42' 13" W, a distance of 119.99 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for an interior corner of the herein described tract;

S 32° 17' 50" E, a distance of 31.63 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 57° 42' 13" W, a distance of 60.00 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 60° 56' 05" W, a distance of 93.37 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 64° 39' 15" W, a distance of 88.77 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 67° 11' 41" W, a distance of 133.39 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 73° 10' 40" W, a distance of 43.43 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for the most Southerly corner of the herein described tract;

N 86° 02' 50" W, a distance of 81.26 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

N 53° 24' 52" W, a distance of 81.69 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

N 28° 52' 26" W, a distance of 41.26 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

N 17° 15' 44" W, a distance of 44.99 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

N 16° 50' 46" W, a distance of 45.00 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

N 15° 28' 01" W, a distance of 77.27 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

N 20° 04' 28" W, a distance of 193.77 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

N 17° 11' 16" W, a distance of 48.71 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for an interior corner of the herein described tract;

S 32° 58' 59" W, a distance of 15.19 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for corner;

S 73° 32' 34" W, a distance of 115.00 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for the beginning of a non-tangent curve to the left from which its center bears

N 73° 32' 26" E, 270.00 feet;

In a Southerly direction, along said curve to the left, a distance of 17.04 feet, having a radius of 270.00 feet, a central angle of 03°36'59" and a chord which bears S 18°16'04" E, 17.04 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for corner;

S 69°55'27" W, a distance of 60.00 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for the beginning of a non-tangent curve to the right, from which its center bears

N 69°55'27" E, 330.00 feet;

In a Northerly direction, along said curve to the right, a distance of 40.07 feet, having a radius of 330.00 feet, a central angle of 06°57'27" and a chord which bears N 16°35'50" W, 40.05 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an interior corner of the herein described tract;

S 76°53'00" W, a distance of 120.03 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for corner;

N 58°28'11" W, a distance of 14.23 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for corner;

S 65° 59' 49" W, a distance of 25.46 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for the most Westerly Southwest corner of the herein described tract, lying on the East right-of-way line of said West Cross Creek Bend Lane (70 feet wide), same being the beginning of a non-tangent curve to the left from which its center bears S 65° 59' 50" W, 2,535.00 feet;

THENCE, In a Northwesterly direction, along said curve to the left and along and with the East right-of-way line of said West Cross Creek Bend Lane (70 feet wide), a distance of 156.72 feet, having a radius of 2,535.00 feet, a central angle of 03° 32' 31" and a chord which bears N 25° 46' 25" W, 156.69 feet to the **POINT OF BEGINNING** and containing 13.02 acres of land.

Bearing orientation and coordinates are based on the Texas Coordinate System, South Central Zone 4204, NAD-83 and is referenced to BONTERRA AT CROSS CREEK RANCH SECTION ONE as cited herein.

Subject to the following:

1. Restrictions:

Restrictive Covenants as set forth under Clerk's File No. 2005003096, 2009026093 and 2010127400 of the County Clerk Official Records of Fort Bend County, Texas.

2. Easements/Other Exceptions:

Designation of Drill Sites Access easements, as set forth and described under Clerk's File Nos. 2005115746 and 2005003095 of the County Clerk Official Records of Fort Bend County, Texas. Partial waiver of surface rights and drillsite and access easement use agreement, dated January 5, 2005, executed by Steven E. Stern, Joyce C. Herlands, Roy Howard Stern, and Judith I. Stern, recorded under Clerk's File No. 2005003095, as amended by instrument(s) recorded under Clerk's File No. 2006069769 and 2008070479 of the County Clerk Official Records of Fort Bend County, Texas. Joinder agreement recorded under Clerk's File Nos. 2005040993, 2005040994, 2005040995, 2005040996 and 2005040997 of the County Clerk Official Records of Fort Bend County, Texas.

Rights of the Board of Water Engineers of the State of Texas to control the withdrawal of water from underground water reservoir beneath the subject property in accordance with that instrument recorded in Volume 1, Page 85 of the Water Permit Records of Fort Bend County, Texas.

Memorandum of Development Agreement dated November 16, 2006, by and between the City of Fulshear, Texas, TMI, INC., and THE STODDARD GROUP, LTD, recorded under Clerk's File No. 2007001836 of the Official Records of Fort Bend County, Texas.

Waiver Of Special Appraisal For The Benefit Of Fort Bend County Municipal Utility District No. 171 recorded under Clerk's File No. 2009035249 of the Official Records of Fort Bend County, Texas.

Waiver Of Special Appraisal For The Benefit Of Fort Bend County Municipal Utility District No. 172 recorded under Clerk's File No. 2011008643 of the Official Records of Fort Bend County, Texas.

Waiver Of Special Appraisal For The Benefit Of Fort Bend County Municipal Utility District No. 173 recorded under Clerk's File No. 2011008641 of the Official Records of Fort Bend County, Texas.

Rules and regulations by the Texas Commission on environmental Quality Rules for On-Site Sewage Facilities located on the subject property as reflected by that Affidavit To The Public Certification Of OSSF Requiring Maintenance recorded under Clerk's File Nos. 2007050326 and 2009075716 of the Official Records of Fort Bend County, Texas. ( 1214.16 acres A-321; 1214.62 acres A-100)

Memorandum Of Preferential Purchase Right Agreement dated April 12, 2012, by and between CCR TEXAS HOLDINGS, LP, a Delaware limited liability company ("Grantor"), and TRENDMAKER HOMES, INC., a Texas

corporation ("Grantee"), and recorded under Clerk's File No. 2012038961 of the Official Records of Fort Bend County, Texas, and subject to the terms, conditions and provisions contained therein.

Partial Assignment And Assumption Of Founder's Rights dated effective as of April 12, 2012, by TRENDMAKER HOMES, INC., a Texas corporation as assignor to CCR TEXAS HOLDINGS LP, a Delaware limited partnership as assignee, and recorded under Clerk's File No. 2012038962 of the Official Records of Fort Bend County, Texas, and relating to the "Assigned Founder's Rights" described in that Community Charter For Cross Creek Ranch recorded under Clerk's File No. 2008039552 of the Official Records of Fort Bend County, Texas.

Temporary Access Easement with CCR Loan Subsidiary 1, LP, as Grantor and Texas Capital Bank, National Association, as Grantee dated March 6, 2014 and recorded March 14, 2014 at Clerk's File No. 2014024654, of the Official Public Records of Fort Bend County, Texas.

Building lines and utility easements as set forth by Plat recorded under Plat No. 20150283 of the Plat Records of Fort Bend County, Texas.

Memorandum of Contract between CCR Texas Holdings LP, a Delaware limited partnership and CCR Loan Subsidiary 1, L.P., a Texas limited partnership and Taylor Morrison of Texas, Inc., a Texas corporation recorded under Clerk's File No. 2016029560 of the Official Records of Fort Bend County, Texas.

Fence Easement granted to Bonterra at Cross Creek Ranch Community Association, Inc., a Texas non-profit corporation, as set forth and described in instrument recorded under Clerk's File No. 2016081169 of the Official Records of Fort Bend County, Texas.

### 3. Liens/Misc:

Construction Deed of Trust and Security Agreement and Assignment of Rents and Fixture Filing dated April 12, 2012, recorded in/under Clerk's File No. 2012038977 of the Official Records of Fort Bend County, Texas, executed by CCR Texas Holdings LP., a Delaware limited partnership, securing the payment of one note in the principal amount of \$90,000,000.00, (which Loan is evidenced and secured by (i) that certain Promissory Note, dated as of the date hereof, in the maximum principal amount of \$9,000,000 made by Grantor in favor of CCR TEXAS LENDER INC. ("Note A"), (ii) that certain Promissory Note, dated as of the date hereof, in the maximum principal amount of \$81,000,000 made by Grantor in favor of PSPIB-CCR INC. ("Note B")) bearing interest and payable as therein provided to the order of CCR Texas Agent, Inc., an Ontario corporation, in its capacity as agent for lenders.

Said lien additionally secured by Collateral Assignment of Note and Liens recorded in/under Clerk's File No. 2012054544 of the Official Records of Fort Bend County, Texas.

Intercreditor Agreement dated June 2, 2016 and recorded under Clerk's File No. 2016059210 of the Official Records of Fort Bend County, Texas.

Construction Deed of Trust (with Assignment of Leases and Rents, Security Agreement Fixture Filing) dated June 2, 2016, recorded in/under Clerk's File No. 2016059211 of the Official Records of Fort Bend County, Texas, executed by CCR Loan Subsidiary 1, L.P., a Texas limited partnership, securing the payment of one note in the principal amount of \$25,000,000.00, bearing interest and payable as therein provided to the order of U.S. Bank National Association d/b/a Housing Capital Company.

Collateral Assignment of Construction Documents, Design Contracts, Plans, Licenses, Building Lot Contracts and Permits recorded under Clerk's File No. 2016059212 of the Official Records of Fort Bend County, Texas.

Collateral Assignment of MUD Proceeds recorded under Clerk's File No. 2016059213 of the Official Records of Fort Bend County, Texas.

We require a copy of the limited partnership agreement, and all amendments thereto, in order to determine who is authorized to execute documents in connection with the closing of this transaction. We require satisfactory evidence that said limited partnership is registered with the Secretary of State and is in good standing. The Company requires the joinder of all general partners and evidence of the consent of all of the limited partners to the closing of this transaction, where appropriate.

Subject properties are located in the Fort Bend County Municipal Utilities Districts No(s). 169, 170, 171, and 172.

No examination has been made as to Abstracts of Judgments, State or Federal Tax Liens, the status of taxes, tax suits or paving assessments.

This letter is issued for platting purposes only. Liability of Stewart Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

The letter is issued with the express understanding, evidenced by the acceptance thereof, that Stewart Title Company does not undertake to give or express any opinion as to the validity or effect of the instruments listed, and this letter is neither a guaranty or warranty of title.

Liability hereunder is limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting same and should not be relied upon, as a warranty or representation as to the title to the property described herein and may not be given to or used by any third party. Stewart Title Company assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. **You agree to release, indemnify and hold harmless Stewart Title Company because of any negligence by Stewart Title Company (whether sole, joint or otherwise) for any claim, loss, liability or damages arising out of this report.** This report is not title insurance. If a policy of title insurance is purchased, any liability thereunder shall be determined solely by the terms of such policy.

Sincerely,  
Stewart Title Company



Anthony DeBorde/Nona Briscoe  
Commercial Title Examiner

**LIENHOLDER'S SUBORDINATION TO DEDICATION**

THE STATE OF TEXAS  
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, CCR LOAN SUBSIDIARY 1, L.P., a Texas limited partnership, has platted that certain 13.02 acres of land out of the M. Autrey Survey, A-100, Fort Bend County, Texas, which property was surveyed and platted on \_\_\_\_\_ by, Brown & Gay Engineers, Inc., DBA BGE, Inc., and known as BONTERRA AT CROSS CREEK RANCH SECTION TWO, recorded at Plat Number \_\_\_\_\_ in the Plat Records of the Office Public Records of Real Property of Fort Bend County, Texas; and

WHEREAS, U.S. BANK NATIONAL ASSOCIATION, D/B/A Houston Capital Company, a national banking association is the present owner and holder of a lien against the above described property, said lien being evidenced as recorded at Clerk's File No. 2016059210, 2016059211, 2016059212 and 2016059213 of the Real Property Records of Fort Bend County, Texas, and, desires to subordinate said lien to the dedication of all streets, rights-of-way, and easements as well as all other terms and conditions referred to on the plat of BONTERRA AT CROSS CREEK RANCH SECTION TWO.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the premises, and the sum of \$10.00 and other good and valuable consideration this day paid by CCR LOAN SUBSIDIARY 1, L.P., a Texas limited partnership, to said lienholder, the receipt and sufficiency of which is hereby acknowledged and confessed, the said lienholder as the agent for the present owners and holders of the notes and the lien given to secure the payment of the same, does hereby fully subordinate its lien to the plat of the subdivision of BONTERRA AT CROSS CREEK RANCH SECTION TWO and the dedication evidenced thereby and does hereby RATIFY, CONFIRM AND APPROVE in all respects the subdivision of BONTERRA AT CROSS CREEK RANCH SECTION TWO and the dedications, terms, and provisions evidenced thereby.

The said lienholder does hereby WARRANT and REPRESENT that it is the agent for the present owners and holders of the notes and the lien given to secure the payment of the same and have not assigned the same nor any part thereof.

EXCEPT as expressly modified hereby, the lien shall remain in full force and effect.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

U.S. BANK NATIONAL ASSOCIATION, D/B/A Houston Capital Company, a national banking association

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day, personally appeared \_\_\_\_\_, \_\_\_\_\_ of U.S. BANK NATIONAL ASSOCIATION, D/B/A Houston Capital Company, a national banking association, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My commission expires: \_\_\_\_\_

AFTER RECORDING RETURN TO:  
Trey DeVillier  
BGE, Inc.  
10777 Westheimer, Suite 400  
Houston, TX 77042

**LIENHOLDER'S SUBORDINATION TO DEDICATION**

THE STATE OF TEXAS  
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, CCR TEXAS HOLDINGS LP, a Delaware limited partnership, has platted that certain 13.02 acres of land out of the M. Autrey Survey, A-100, Fort Bend County, Texas, which property was surveyed and platted on \_\_\_\_\_ by, Brown & Gay Engineers, Inc., DBA BGE, Inc, and known as BONTERRA AT CROSS CREEK RANCH SECTION TWO, recorded at Plat Number \_\_\_\_\_ in the Plat Records of the Office Public Records of Real Property of Fort Bend County, Texas; and

WHEREAS, CCR TEXAS AGENT INC., an Ontario corporation in its capacity as agent for the lenders, is the present owner and holder of a lien against the above described property, said lien being evidenced as recorded at Clerk's File No. 2012038977, 2012054544, and 2016059210 of the Real Property Records of Fort Bend County, Texas, and, in its capacity as the agent, is the agent for the holders of promissory notes secured by said lien, desires to subordinate said lien to the dedication of all streets, rights-of-way, and easements as well as all other terms and conditions referred to on the plat of BONTERRA AT CROSS CREEK RANCH SECTION TWO.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the premises, and the sum of \$10.00 and other good and valuable consideration this day paid by CCR TEXAS HOLDINGS LP, a Delaware limited partnership, to said lienholder, the receipt and sufficiency of which is hereby acknowledged and confessed, the said lienholder as the agent for the present owners and holders of the notes and the lien given to secure the payment of the same, does hereby fully subordinate its lien to the plat of the subdivision of BONTERRA AT CROSS CREEK RANCH SECTION TWO and the dedication evidenced thereby and does hereby RATIFY, CONFIRM AND APPROVE in all respects the subdivision of BONTERRA AT CROSS CREEK RANCH SECTION TWO and the dedications, terms, and provisions evidenced thereby.

The said lienholder does hereby WARRANT and REPRESENT that it is the agent for the present owners and holders of the notes and the lien given to secure the payment of the same and have not assigned the same nor any part thereof.

EXCEPT as expressly modified hereby, the lien shall remain in full force and effect.

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CCR TEXAS AGENT INC., an Ontario corporation in its capacity as agent

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

PROVINCE OF ONTARIO  
COUNTRY OF CANADA

I, \_\_\_\_\_, a Notary Public in and for said Province, DO HEREBY CERTIFY, that \_\_\_\_\_, personally known to me to be the \_\_\_\_\_ of CCR TEXAS AGENT INC., an Ontario corporation, in its capacity as agent of CCR Texas Lender Inc. and PSPIB-CCR Inc., whose name is subscribed to the within instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument thereto as such \_\_\_\_\_ of said corporation, as his free and voluntary act and as the free and voluntary act and deed of said corporation as agent on behalf of said entities, for the uses and purposes therein set forth.

GIVEN under my hand and Notary Seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Notary Public  
My commission expires: Commission For Life

AFTER RECORDING RETURN TO:  
Trey DeVillier  
BGE, Inc.  
10777 Westheimer, Suite 400  
Houston, TX 77042



December 16, 2015

City of Fulshear  
30603 FM 1093  
Fulshear, TX 77441

**Re: Bonterra At Cross Creek Ranch Sec. 2**

To Whom It May Concern:

CenterPoint Energy Houston Electric, LLC and CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations, hereinafter referred to as "CenterPoint Energy", has been asked to provide a Letter of No Objection for the above referenced plat dated December, 2015.

At this time, CenterPoint Energy has no objection associated with the general layout and utility easements as exhibited on said plat.

In cases where utility easements are overlapping with drainage or other specific or pre-existing easements, CenterPoint Energy will require exclusive easements.

Upon completion of CenterPoint Energy's facility designs, dedicated utility easements may be determined inadequate by CenterPoint Energy. In these cases, the developer, his successors or assigns, will be required to provide CenterPoint Energy with exclusive easements.

This letter does not give consent to any encroachments, abandonments of pre-existing easements, roads, alleys or street right-of-ways. Abandonment of any of the above requires a formal review, consent and closure process.

If there are any questions, please contact Samantha Richards at 713.207.6362 or Sandra Goodall at 713.207.6347.

Sincerely,

A handwritten signature in black ink that reads 'Samantha Richards'. The signature is written in a cursive style with a large, looped initial 'S'.

Samantha Richards  
Right of Way Agent

C: Trey DeVillier<tdevillier@browngay.com>

**PLR15.453**





Southwest OSPE  
1110 Louise St  
Rosenberg, Texas 77471

T: 281-341-4130  
F: 281-341-4289  
mj524k.att.com

December 9, 2015


Trey DeVillier/ Platting Technician  
Brown & Gay Engineers, Inc.  
10777 Westheimer, Suite 400  
Houston, Texas 77042

Re: BONTERRA AT CROSS CREEK RANCH SECTION 2- No Objection Letter

Dear Mr. DeVillier:

AT&T is pleased to respond to your request for approval of subdivision plans received for the above referenced project. AT&T places facilities within Utility Easements and/or public rights-of-way adjacent to property requiring service. The easements as shown on the plat provided are adequate for AT&T service requirements. If you have any questions or comments, please contact me.

Sincerely,

  
Michael Jones  
Manager Engineering - Design



December 13, 2015

Mr. Trey DeVillier  
Platting Technician  
Brown & Gay Engineers, Inc.  
10777 Westheimer, Suite 400  
Houston, TX 77042

**Re: Bonterra at Cross Creek Ranch Section Two**

To Whom It May Concern,

Comcast of Houston LLC, a Delaware Limited Liability Company, herein referred to as "Comcast Cable", has been asked to provide a letter of "No Objection" for the above referenced plat dated December 2015

At this time, Comcast Cable has no objection associated with the general layout and utility easements as exhibited on said plat.

In cases where utility easements are overlapping with drainage or other specific or pre-existing easements, Comcast Cable will require exclusive easements.

Upon completion of Comcast Cable's facility design, if so required, dedicated utility easements may be determined inadequate by Comcast Cable. In these cases, the developer, his successors or assigns, will be required to provide Comcast with exclusive easements.

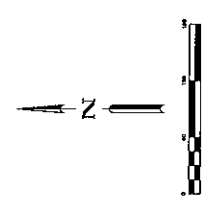
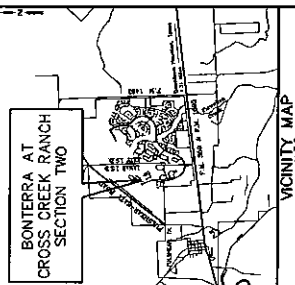
This letter does not give consent to any encroachments, abandonments of pre-existing easements, roads, alleys, or street right-of-ways. Abandonment of any of the above requires a formal review, consent and closure process.

Please feel free to contact me at 713-637-5025 with any questions that you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Grey", with a long, sweeping underline.

Chris Grey  
Construction Supervisor, Design and Serviceability



# BONTERRA AT CROSS CREEK RANCH SECTION TWO

A SUBDIVISION OF 13.02 ACRES OF LAND LOCATED IN THE M. AUTREY SURVEY, A-100 CITY OF FULSHEAR FORT BEND COUNTY, TEXAS

DATE: MAY, 2017  
 RESERVES: 3  
 BOOKS: 3  
 LOTS: 37

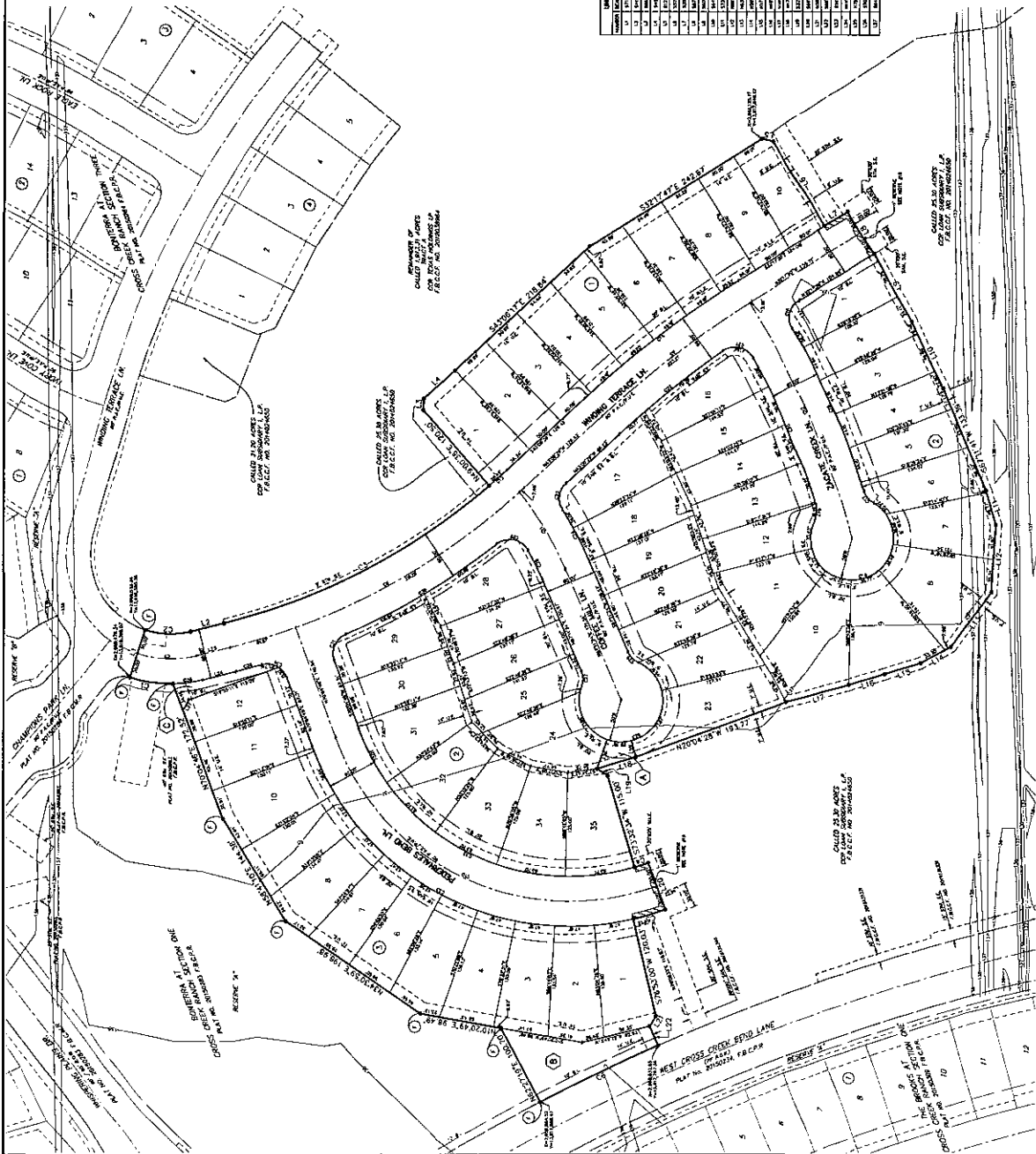


BASE: NAD 83  
 80777 Westheimer, Suite 400, Houston, TX 77062  
 Tel: 281-465-0500  
 www.bgc.com  
 TERMS: Licensed Surveying Firm No. 11088-00  
 JORDAN MAUTER, P.E.



- GENERAL NOTES**
1. "U.C." indicates "Utility Line".
  2. "B.L." indicates "Building Line".
  3. "W.A.L." indicates "Water Line Easement".
  4. "M.W.E." indicates "Water Main Easement".
  5. "F.H.C." indicates "Fire Hydrant Easement".
  6. "S.M.S.L.C." indicates "Storm Sewer Easement".
  7. "S.M.S.E.C." indicates "Storm Sewer Easement".
  8. "D.C." indicates "Drainage Easement".
  9. "A.C." indicates "Aerial Easement".
  10. "R.C.C.P." indicates "Right of Way of Fort Bend County".
  11. "R.C.C.P." indicates "Right of Way of Fort Bend County".
  12. "R.C.C.P." indicates "Right of Way of Fort Bend County".
  13. The coordinates shown herein are based on Texas State Plane Coordinate System, North Central Zone, NAD 83 datum. The coordinates are based on the datum of the Texas State Plane Coordinate System, North Central Zone, NAD 83 datum.
  14. Bearings and distances are based on the Texas State Plane Coordinate System, North Central Zone, NAD 83 datum.
  15. There is no acreage indicated on this plan with the exception of the acreage of the lots shown. The acreage of the lots is based on the survey of the City of Fulshear, Texas, and is subject to the survey of the City of Fulshear, Texas.
  16. "S.M.S.L.C." indicates "Storm Sewer Easement".
  17. "S.M.S.E.C." indicates "Storm Sewer Easement".
  18. "D.C." indicates "Drainage Easement".
  19. "A.C." indicates "Aerial Easement".
  20. All lots are subject to a 5-foot (5') front setback line on each side of the street.
  21. All lots are subject to a 5-foot (5') side setback line on each side of the street.
  22. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  23. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  24. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  25. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  26. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  27. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
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  29. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  30. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  31. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  32. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  33. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  34. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  35. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  36. All lots are subject to a 5-foot (5') rear setback line on each side of the street.
  37. All lots are subject to a 5-foot (5') rear setback line on each side of the street.

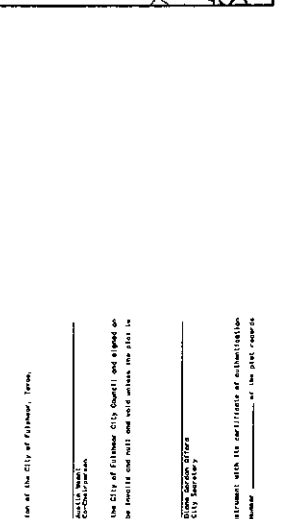
LOT	AREA (SQ. FT.)	AREA (AC.)
1	1,234	0.028
2	1,234	0.028
3	1,234	0.028
4	1,234	0.028
5	1,234	0.028
6	1,234	0.028
7	1,234	0.028
8	1,234	0.028
9	1,234	0.028
10	1,234	0.028
11	1,234	0.028
12	1,234	0.028
13	1,234	0.028
14	1,234	0.028
15	1,234	0.028
16	1,234	0.028
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27	1,234	0.028
28	1,234	0.028
29	1,234	0.028
30	1,234	0.028
31	1,234	0.028
32	1,234	0.028
33	1,234	0.028
34	1,234	0.028
35	1,234	0.028
36	1,234	0.028
37	1,234	0.028



**RESERVE TABLE**

RESERVE	PROPERTY / SURVEY / DISTRICT	SECTION
A	0.000 AC. / 0.000 S.F.	UNRESERVED / OPEN SPACE
B	0.000 AC. / 0.000 S.F.	UNRESERVED / OPEN SPACE
C	0.000 AC. / 0.000 S.F.	UNRESERVED / OPEN SPACE

**BONTERRA AT CROSS CREEK RANCH SECTION TWO**



**VICINITY MAP**  
N.T.S.

**BONTERRA AT CROSS CREEK RANCH SECTION TWO**

A SUBDIVISION OF 13.02 ACRES OF LAND LOCATED IN THE CITY OF FORT BEND COUNTY, TEXAS

SCALE: 1"=50' DATE: MAY, 2017  
RESOURCES: 3 BLOCKS: 3  
OWNER: ONE, LARRY S. JOHNSON, INC.  
2001 CROSS CREEK ROAD, #4-200  
FORT BEND COUNTY, TEXAS 78122  
LARRY JOHNSON  
LARRY JOHNSON



**CROSS CREEK RANCH**

ONE, LARRY S. JOHNSON, INC.  
2001 CROSS CREEK ROAD, #4-200  
FORT BEND COUNTY, TEXAS 78122  
LARRY JOHNSON



BCE, INC.  
10777 Highway 290, Houston, TX 77062  
P.O. Box 11111, Houston, TX 77251  
Tel: 281.466.8888  
Fax: 281.466.8889  
www.bceinc.com

This plat of Bonterra at Cross Creek Ranch Section Two is prepared by the City Planning Commission of the City of Fort Bend, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

This plat of Bonterra at Cross Creek Ranch Section Two was approved on \_\_\_\_\_ by the City of Fort Bend City Council and is being on file with the County Clerk of Fort Bend County, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, in full compliance with the provisions of the Texas Subdivision Act, Chapter 251, Texas Property Code, and the Texas Subdivision Act, Chapter 251, Texas Property Code.

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

FOR THE CITY OF FORT BEND COUNTY, TEXAS  
I, \_\_\_\_\_, City Secretary, do hereby certify that the foregoing plat of Bonterra at Cross Creek Ranch Section Two is a true and correct copy of the original plat on file with the County Clerk of Fort Bend County, Texas, and is being on file with the County Clerk of Fort Bend County, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, in full compliance with the provisions of the Texas Subdivision Act, Chapter 251, Texas Property Code, and the Texas Subdivision Act, Chapter 251, Texas Property Code.

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

FOR THE CITY OF FORT BEND COUNTY, TEXAS  
I, \_\_\_\_\_, City Secretary, do hereby certify that the foregoing plat of Bonterra at Cross Creek Ranch Section Two is a true and correct copy of the original plat on file with the County Clerk of Fort Bend County, Texas, and is being on file with the County Clerk of Fort Bend County, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, in full compliance with the provisions of the Texas Subdivision Act, Chapter 251, Texas Property Code, and the Texas Subdivision Act, Chapter 251, Texas Property Code.

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

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\_\_\_\_\_ City Secretary

FOR THE CITY OF FORT BEND COUNTY, TEXAS  
I, \_\_\_\_\_, City Secretary, do hereby certify that the foregoing plat of Bonterra at Cross Creek Ranch Section Two is a true and correct copy of the original plat on file with the County Clerk of Fort Bend County, Texas, and is being on file with the County Clerk of Fort Bend County, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, in full compliance with the provisions of the Texas Subdivision Act, Chapter 251, Texas Property Code, and the Texas Subdivision Act, Chapter 251, Texas Property Code.

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

FOR THE CITY OF FORT BEND COUNTY, TEXAS  
I, \_\_\_\_\_, City Secretary, do hereby certify that the foregoing plat of Bonterra at Cross Creek Ranch Section Two is a true and correct copy of the original plat on file with the County Clerk of Fort Bend County, Texas, and is being on file with the County Clerk of Fort Bend County, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, in full compliance with the provisions of the Texas Subdivision Act, Chapter 251, Texas Property Code, and the Texas Subdivision Act, Chapter 251, Texas Property Code.

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

FOR THE CITY OF FORT BEND COUNTY, TEXAS  
I, \_\_\_\_\_, City Secretary, do hereby certify that the foregoing plat of Bonterra at Cross Creek Ranch Section Two is a true and correct copy of the original plat on file with the County Clerk of Fort Bend County, Texas, and is being on file with the County Clerk of Fort Bend County, Texas, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017, in full compliance with the provisions of the Texas Subdivision Act, Chapter 251, Texas Property Code, and the Texas Subdivision Act, Chapter 251, Texas Property Code.

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary

\_\_\_\_\_ City Clerk

\_\_\_\_\_ City Secretary



**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	June 2, 2017	<b>AGENDA ITEM:</b>	6
<b>DATE SUBMITTED:</b>	May 30, 2017	<b>DEPARTMENT:</b>	Planning and Development
<b>PREPARED BY:</b>	Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development	<b>PRESENTER:</b>	David Leyendecker, City Engineer
<b>SUBJECT:</b>	<b>Plat Summaries for Planning and Zoning Commission</b>		
<b>ATTACHMENTS:</b>	<b>City Engineer's Engineering Review: Preliminary Plat Creek Falls at Cross Creek Ranch Section 5</b>		

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration a Preliminary Plat for Creek Falls at Cross Creek Ranch Section 5. The plat, as submitted, generally meets the requirements set forth in the City's Subdivision Ordinance No. 04-913, which is in alignment with Chapter 21, Texas Local Government Code. The plat will provide for 46 lots, 1 block and 4 reserves for 14.08 acres. Typical lot size is 63' x 125' with a 25' front building line.

Minor revisions are necessary: The plat section lines entirely within Fort Bend County. The Fort Bend County Flood Plain Map information is not current and needs to be updated. This information will be added/updated for final approval.

**RECOMMENDATION**

After staff review of this request, we recommend the Planning and Zoning Commission provide a positive recommendation for plat approval as submitted.

May 25, 2017

## Engineering Review

Preliminary Plat  
Creek Falls at Cross Creek Ranch Section 5  
City of Fulshear; Texas

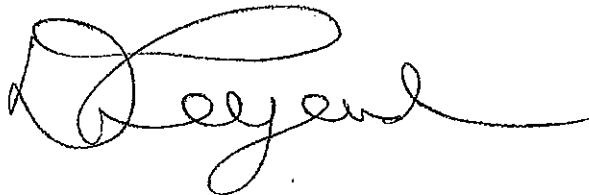
### For Information only:

1. This plat will create 46 lots in one (1) Block with four (4) Reserves that cover a total area of 14.08 acres of land.
2. Access to these lots will be from Willow Pass Lane off of Desert Springs Lane.
3. The typical lot in this section is 63-foot by 125-foot and a 25-foot Front Building Line.

### Recommendations:

I recommend that this Preliminary Plat of Creek Falls at Cross Creek Ranch Section 5 be approved with the following additions/corrections:

- A) Note No. 9 needs to be updated to show the current Fort Bend County Flood Plain Map information.
- B) A note is required on the face of the plat showing that this section lies wholly in the City Limits of the City of Fulshear.





CITY OF FULSHEAR  
PO Box 279 / 30603 FM 1093  
Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556  
www.fulsheartexas.gov

REC'D MAY 12 2017

### Subdivision/Development Platting Application

Date: 05-12-2017

Date Received by the City of Fulshear: \_\_\_\_\_

Subdivision: Creek Falls at Cross Creek

Development: Cross Creek Ranch

Ranch Sec 5

**SUBMITTAL OF PLAT:** (Check Appropriate Selection)

Preliminary

\_\_\_\_ Final

\_\_\_\_ Short Form Final

\_\_\_\_ Replat

\_\_\_\_ Vacation Plat

\_\_\_\_ Admin. (Minor) Plat

\_\_\_\_ Amending Plat

**TYPE OF PLAT:** (Check Appropriate Selection)

Single-Family Residential

\_\_\_\_ Zero Lot Line/ Patio Home

\_\_\_\_ Multi-Family Residential

\_\_\_\_ Planned Development

\_\_\_\_ Commercial

\_\_\_\_ Industrial

Plat Location:  City

\_\_\_\_ ETJ (Extraterritorial Jurisdiction)

Legal Description: Being 14.03 Acres out of the A.G. SHARPLESS SURVEY, A-322

Variance: \_\_\_\_\_ Yes (Attach a Copy of Approval Letter)  No

Total Acreage: 14.03

Number of Streets: 3

Number of Lots: 46

Number and Types of Reserves: 4 - Landscape/o.s.

Total Acres in Reserve: 1.0

Owner: CCR Texas Holdings LP

Address: 6450 Cross Creek Bend Lane

City/State: Fulshear, Texas 77441

Telephone: 281-341-8320

Email Address: robb@johnsondev.com

Engineer/Planner: BGE/Kerry Gilbert & Assoc.

Contact Person: Kathryn Edwards

Telephone: 281-579-0340

Fax Number: \_\_\_\_\_

Email Address: kedwards@krga.com

#### Platting Fees

Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre

Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre

Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre

Amending or Minor Plat - \$200.00

Plat Vacation - \$500.00

2<sup>nd</sup> Review of plats - \$100.00 (each additional review)

TOTAL PLATTING FEE \$836.30

Park Fees (due at Final Plat Application) n/a

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

Kathryn Edwards  
SIGNATURE

Kathryn Edwards/ Planner

TYPED OR PRINTED NAME/TITLE

May 12, 2017

DATE



## Kimberly Kopecky

---

**From:** Kathryn Edwards <kedwards@krga.com>  
**Sent:** Thursday, May 25, 2017 11:45 AM  
**To:** Kimberly Kopecky; davidleyen@aol.com  
**Cc:** landplan@krga.com  
**Subject:** RE: Engineering Reviews  
**Attachments:** 1350\_Creek Falls at Cross Creek Ranch S.5\_05-25-17.pdf; Creek Falls 05\_2017-05-25  
\_Comment Response Letter.pdf

David,

See attached Creek Falls Sec 5 Preliminary Plat. All requested revisions have been made.

### **Kathryn Edwards**

BGE | Kerry R. Gilbert & Associates  
23501 Cinco Ranch Boulevard, Suite A-250  
Katy, TX 77494  
**Main:** 281-579-0340  
Email: [kedwards@krga.com](mailto:kedwards@krga.com)

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**From:** Kimberly Kopecky [mailto:[kkopecky@fulsheartexas.gov](mailto:kkopecky@fulsheartexas.gov)]  
**Sent:** Thursday, May 25, 2017 11:20 AM  
**To:** Trey DeVillier <TDeVillier@bgeinc.com>; Kathryn Edwards <kedwards@krga.com>; jordan@aljindsey.com; dtmaler@yahoo.com; brian.mcmillan@windroseservices.com  
**Subject:** Engineering Reviews

Please see the attached engineering reviews. Please note: we are waiting for Fulbrook on Fulshear Creek Section 12-Partial Replat No. 1/Preliminary Plat and Jordan Ranch Blvd & Kingsland Blvd- Street Dedication No. 5/Preliminary Plat.

Best Regards,

**Kimberly Kopecky**  
**Deputy City Secretary**  
**City of Fulshear**  
**281-346-1796 ext. 251**  
**[kkopecky@fulsheartexas.gov](mailto:kkopecky@fulsheartexas.gov)**





KERRY R. GILBERT  
& ASSOCIATES

May 25, 2017

Mr. David Leyendecker, P.E.  
City Engineer  
City of Fulshear  
30603 FM 1093  
Fulshear, Texas 77441

**Re: CREEK FALLS AT CROSS CREEK RANCH SEC 5 – PRELIMINARY PLAT**

Dear David,

On behalf of Johnson Development Corp., we BGE|Kerry R. Gilbert & Associates respectfully submit our responses below to the City Comments dated May 25, 2017 for the above referenced plat.

- 1) Note No. 9 needs to be updated to show the current Fort Bend County Flood Plain Map information.

**Response: The note has been updated to reflect current information.**

- 2) A note is required on the face of the plat showing that this section lies wholly in the City Limits of the City of Fulshear.

**Response: The applicable note has been added.**

Enclosed is a copy of the revised plat. Please contact me if you need any additional information.

Sincerely,

Kathryn Edwards

Enclosure

**From:** [Kathryn Edwards](#)  
**To:** ["LROW@centerpointenergy.com"](mailto:LROW@centerpointenergy.com)  
**Cc:** [landplan@krga.com](mailto:landplan@krga.com)  
**Subject:** No Objection Request\_Creek Falls at CCR Sec 5  
**Date:** Wednesday, May 10, 2017 3:57:00 PM  
**Attachments:** [image001.png](#)  
[1350\\_Creek Falls at Cross Creek Ranch S.5 05-10-17.pdf](#)

---

Good Afternoon,

Please find the above referenced Creek Falls at Cross Creek Ranch Sec 5 preliminary plat for your review.

If it meets your approval, please provide our office with a No Objection Letter addressed to the City of Fulshear.

Should any questions arise, please feel free to contact our firm.

Thank you,

**Kathryn Edwards**

BGE | Kerry R. Gilbert & Associates  
23501 Cinco Ranch Boulevard, Suite A-250  
Katy, TX 77494

**Main:** 281-579-0340

Email: [kedwards@krga.com](mailto:kedwards@krga.com)



**Serving. Leading. Solving.™**

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**From:** [Kathryn Edwards](#)  
**To:** ["dm8736@att.com"](mailto:dm8736@att.com)  
**Cc:** [landplan@krga.com](mailto:landplan@krga.com)  
**Subject:** No Objection Request\_Creek Falls at CCR Sec 5  
**Date:** Wednesday, May 10, 2017 3:57:00 PM  
**Attachments:** [1350 Creek Falls at Cross Creek Ranch S.5 05-10-17.pdf](#)  
[image001.png](#)

---

Good Afternoon,

Please find the above referenced Creek Falls at Cross Creek Ranch Sec 5 preliminary plat for your review.

If it meets your approval, please provide our office with a No Objection Letter addressed to the City of Fulshear.

Should any questions arise, please feel free to contact our firm.

Thank you,

**Kathryn Edwards**

BGE | Kerry R. Gilbert & Associates  
23501 Cinco Ranch Boulevard, Suite A-250  
Katy, TX 77494

**Main:** 281-579-0340

**Email:** [kedwards@krga.com](mailto:kedwards@krga.com)



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**\*\*\*\*\*CONFIDENTIALITY NOTICE\*\*\*\*\***

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**From:** [Kathryn Edwards](#)  
**To:** ["Chris\\_Grey@cable.comcast.com"](mailto:Chris_Grey@cable.comcast.com)  
**Cc:** [landplan@krqa.com](mailto:landplan@krqa.com)  
**Subject:** No Objection Request\_Creek Falls at CCR Sec 5  
**Date:** Wednesday, May 10, 2017 3:57:00 PM  
**Attachments:** [1350\\_Creek Falls at Cross Creek Ranch S.5 05-10-17.pdf](#)  
[image001.png](#)

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Good Afternoon,

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If it meets your approval, please provide our office with a No Objection Letter addressed to the City of Fulshear.

Should any questions arise, please feel free to contact our firm.

Thank you,

**Kathryn Edwards**

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23501 Cinco Ranch Boulevard, Suite A-250  
Katy, TX 77494

**Main:** 281-579-0340

**Email:** [kedwards@krqa.com](mailto:kedwards@krqa.com)

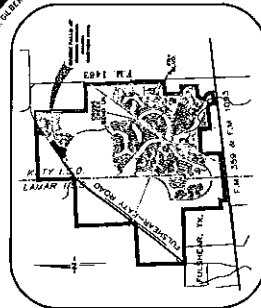
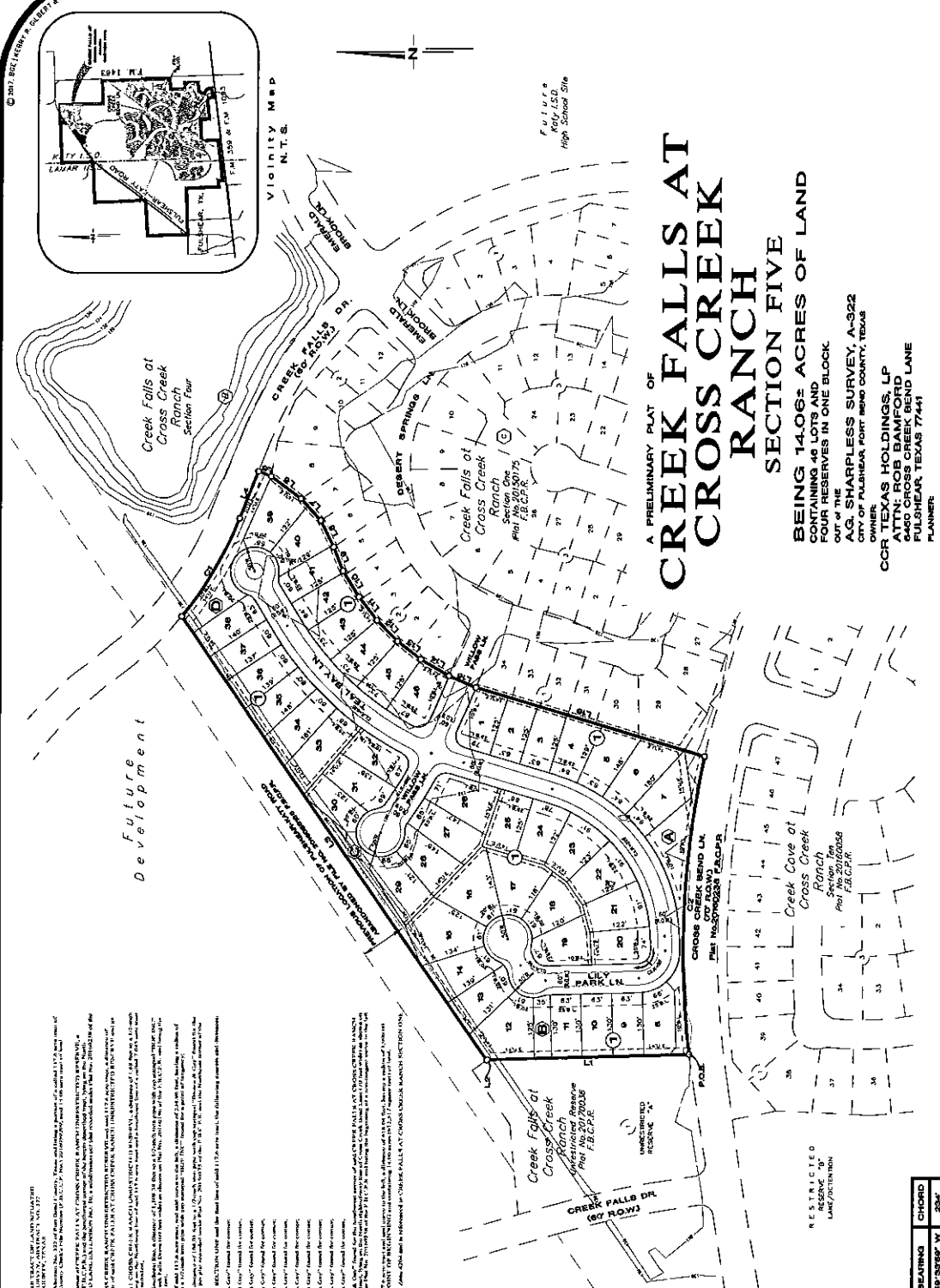


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# A PRELIMINARY PLAT OF CREEK FALLS AT CROSS CREEK RANCH SECTION FIVE

BEING 14.06± ACRES OF LAND  
CONTAINING 46 LOTS AND  
FOUR RESERVES IN ONE BLOCK  
OCC OF MARBLESS SURVEY, A-322  
CITY OF PULASKI, FORT BEND COUNTY, TEXAS

OWNER  
CCR TEXAS HOLDINGS, LP  
ATTN: ROB BAMFORD  
1450 CROSS CREEK BEND LANE  
P.O. BOX 77441  
DALLAS, TEXAS 75277

PLANNER  
KERRY R. GILBERT  
& ASSOCIATES  
- Land/Planning Consultants -  
23501 Ocho Ranch Blvd., Suite A-250  
Mey, Texas 77464  
Tel: 281-579-0340

SCALE 1" = 100'  
0 50 100 200  
MAY 12, 2017  
KSAM 1258A

**RECORDS:**

- 1) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 2) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 3) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 4) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 5) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 6) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 7) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 8) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 9) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.
- 10) THIS PROJECT IS PLOTTED IN ACCORDANCE WITH THE CITY OF PULASKI, TEXAS, SUBDIVISION MAP ACT AND THE TEXAS SUBDIVISION MAP ACT.

**RESERVES:**

- 1) RESERVE "A" IS A 4.06± ACRES RESERVE, BEING THE AREA BOUNDARY BY THE WEST LINE OF CREEK FALLS DR., THE NORTH LINE OF CREEK FALLS DR., THE EAST LINE OF CREEK FALLS DR., AND THE WEST LINE OF CREEK FALLS DR.
- 2) RESERVE "B" IS A 4.06± ACRES RESERVE, BEING THE AREA BOUNDARY BY THE WEST LINE OF CREEK FALLS DR., THE NORTH LINE OF CREEK FALLS DR., THE EAST LINE OF CREEK FALLS DR., AND THE WEST LINE OF CREEK FALLS DR.
- 3) RESERVE "C" IS A 4.06± ACRES RESERVE, BEING THE AREA BOUNDARY BY THE WEST LINE OF CREEK FALLS DR., THE NORTH LINE OF CREEK FALLS DR., THE EAST LINE OF CREEK FALLS DR., AND THE WEST LINE OF CREEK FALLS DR.
- 4) RESERVE "D" IS A 4.06± ACRES RESERVE, BEING THE AREA BOUNDARY BY THE WEST LINE OF CREEK FALLS DR., THE NORTH LINE OF CREEK FALLS DR., THE EAST LINE OF CREEK FALLS DR., AND THE WEST LINE OF CREEK FALLS DR.

**LINE DATA**

LINE	BEARING	DISTANCE
L1	N 07°38'58" W	457'
L2	N 54°26'52" W	2'
L3	N 00°08'46" E	1656'
L4	N 65°28'09" W	704'
L5	S 27°54'41" W	26'
L6	S 37°14'41" W	79'
L7	S 47°39'45" W	61'
L8	S 64°24'23" W	61'
L9	S 69°32'41" W	61'
L10	S 68°50'06" W	62'
L11	S 65°36'47" W	61'
L12	S 45°28'23" W	61'
L13	S 34°07'46" W	61'
L14	S 30°34'53" W	61'
L15	S 33°30'24" W	60'
L16	S 30°46'27" W	448'

**CURVE DATA**

CURVE	RADIUS	ARC	TANGENT	BEARING	CHORD
C1	7967'	290'	116'	N 69°32'59" W	264'
C2	1600'	619'	312'	N 67°02'28" W	619'

**NOTE:**

- 1) RESTRICTED RESERVE "A" LANDSCAPE/OPEN SPACE 4.0± ACRES
- 2) RESTRICTED RESERVE "B" LANDSCAPE/OPEN SPACE 4.0± ACRES
- 3) RESTRICTED RESERVE "C" LANDSCAPE/OPEN SPACE 4.0± ACRES
- 4) RESTRICTED RESERVE "D" LANDSCAPE/OPEN SPACE 4.0± ACRES

THIS PRELIMINARY SUBDIVISION MAP WAS PREPARED BY THE PLANNER AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNLESS IT IS APPROVED BY THE CITY OF PULASKI, TEXAS. THE PLANNER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THAT THE PROPERTY IS SUITABLE FOR THE PROPOSED SUBDIVISION. THE PLANNER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY AND HAS NOT VERIFIED THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE PLANNER HAS NOT CONDUCTED A SURVEY OF THE PROPERTY AND HAS NOT VERIFIED THE ACCURACY OF THE INFORMATION PROVIDED HEREON.





**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	June 2, 2017	<b>AGENDA ITEM:</b>	7
<b>DATE SUBMITTED:</b>	May 30, 2017	<b>DEPARTMENT:</b>	Planning and Development
<b>PREPARED BY:</b>	Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development	<b>PRESENTER:</b>	David Leyendecker, City Engineer
<b>SUBJECT:</b>	<b>Plat Summaries for Planning and Zoning Commission</b>		
<b>ATTACHMENTS:</b>	<b>City Engineer's Engineering Review: Preliminary Plat – Advance Auto FM 1463</b>		

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration a Preliminary Plat for Advance Auto FM 1463. The plat, as submitted, generally meets the requirements set forth in the City's Subdivision Ordinance No. 04-913, which is in alignment with Chapter 21, Texas Local Government Code. The preliminary plat will be an Unrestricted Reserve of 1.157 acres that will serve as a commercial development for Advance Auto. The reserve will utilize a joint use driveway that is already in existence.

**RECOMMENDATION**

After staff review of this request, we recommend the Planning and Zoning Commission provide a positive recommendation for plat approval as submitted.

May 25, 2017

## Engineering Review

Preliminary Plat  
Advance Auto FM1463  
City of Fulshear, Texas

### For Information only:

1. This plat will create one (1) Unrestricted Reserve that covers a total acreage of 1.157 acres
2. This reserve will have access to FM 1463 thru the Texas Department of Transportation's Permit Process. A joint use driveway exists along the Southeast line of the Reserve.

### Recommendations:

I recommend that this Preliminary Plat of Advance Auto FM1463 be approved with the addition of a joint access easement along the South Line of this Reserve.

A handwritten signature in cursive script, appearing to read "Clay & Leyendecker", is written in black ink. The signature is fluid and stylized, with a large loop at the beginning and a long horizontal stroke at the end.



CITY OF FULSHEAR  
 PO Box 279 / 30603 FM 1093  
 Fulshear, Texas 77441  
 Phone: 281-346-1795 ~ Fax: 281-346-2556  
 www.fulsheartexas.gov

**Subdivision/Development Platting Application**

Date: 4/10/17 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: ADVANCE AUTO FM 1463 Development: \_\_\_\_\_

**SUBMITTAL OF PLAT: (Check Appropriate Selection)**

Preliminary  Final  Short Form Final  
 Replat  Vacation Plat  Admin. (Minor) Plat  
 Amending Plat

**TYPE OF PLAT: (Check Appropriate Selection)**

Single-Family Residential  Zero Lot Line/ Patio Home  Multi-Family Residential  
 Planned Development  Commercial  Industrial

Plat Location:  City  ETJ (Extraterritorial Jurisdiction)

Legal Description: 1.157 ac T.W. SOUTHERLAND SURVEY, A-421

Variance:  Yes (Attach a Copy of Approval Letter)  No

Total Acreage: 1.157  
 Number of Streets: 0  
 Number of Lots: 0 (1)  
 Number and Types of Reserves: 1; UNRESTRICTED  
 Total Acres in Reserve: 1.157

Owner: TEXAS AA DEVELOPMENT, LLC  
 Address: P.O. BOX 1559  
 City/State: NEW SMYRNA BEACH, FLORIDA  
 Telephone: 678-296-8272  
 Email Address: jchardage@mindspring.com  
 Engineer/Planner: ALI-LINDSEY, LLC  
 Contact Person: JORDAN JOHNSON  
 Telephone: 281-301-5955  
 Fax Number: \_\_\_\_\_  
 Email Address: Jordan@alilindsey.com

Platting Fees	
Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre .	
Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre	
Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre	
Amending or Minor Plat - \$200.00	
Plat Vacation - \$500.00	
2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)	
TOTAL PLATTING FEE	<u>\$517.97</u>
Park Fees (due at Final Plat Application)	_____

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

Kyle SIGNATURE KYLE KACAR, RPLS TYPED OR PRINTED NAME/TITLE 4/10/17 DATE



*GBI PARTNERS, L.P.*  
*LAND SURVEYING CONSULTANTS*  
TBPLS FIRM # 10130300

April 25, 2017

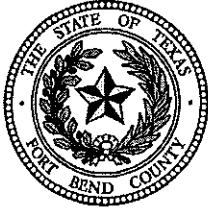
To whom it may concern,

Pursuant to the subdivision and platting regulations of the City of Fulshear, I am submitting a copy of a proposed plat for agency review, approval, and/or release. Upon review, please respond with comment and/or a plat release letter.

Thank you,

---

Kyle Kacal, RPLS  
kkacal@gbisurvey.com  
GBI Partners, L.P.  
13340 South Gessner Road  
Missouri City, Texas  
281-499-4539



FORT BEND COUNTY DRAINAGE DISTRICT  
Project Submission Form

APPLICANT INFORMATION REQUIRED		
Company Name: GBI Partners, L.P.	Date: 05/02/2017	
Contact Name: Kyle Kacal		
Office Address: 13340 South Gessner Road		
City: Missouri City	State: TX	Zip: 77489
Mailing Address: 13340 South Gessner Road		
City: Missouri City	State: TX	Zip: 77489
Office Phone: 281-499-4539	Email: kkacal@gbisurvey.com	
Cell Phone: 713-502-5306	Fax: n/a	
PROJECT INFORMATION REQUIRED		
Project Name: Advance Auto FM 1463		
Project Address: FM 1463		
City: Fulshear	State: TX	Zip: 77441
Legal Description: 1.157acre T.W. Southerland Survey, A-421, City of Fulshear, Fort Bend County, Texas		
PROJECT SUMMARY REQUIRED		
Project Summary: Plat of 1.157 acre to create one unrestricted reserve		
Commissioner Precinct No. <u>3</u>		
MUD Name: <u>FBCMUD</u>		MUD No. <u>169/173</u>
LID Name: _____		LID No. _____
City or City ETJ: <u>City of Fulshear</u>		
SUBMITTAL TYPE REQUIRED		
<input checked="" type="checkbox"/> Plat		
<input type="checkbox"/> Plans		
<input type="checkbox"/> Report		
<input checked="" type="radio"/> Initial Submittal	<input type="radio"/> Resubmittal *	
*(For resubmittal, include written response to review comments explaining how items were addressed.)		

## Kyle Kacal

---

**From:** Goertz, Neil <Neil.Goertz@fortbendcountytexas.gov>  
**Sent:** Wednesday, May 10, 2017 9:25 AM  
**To:** Kyle Kacal  
**Subject:** RE: Drainage District Plat Approval Question  
**Attachments:** FBCDD Project Submission Form.pdf

Kyle,

The city is the entity responsible for plat review, approval and permitting within their city limits. They may require a no objection letter from the Drainage District. For plats and plans within the city limits, our review is typically limited to any interactions with channels along which we have easements. If they would like our no objection, we will need a full size hard copy of the plat for review along with the attached Project Submission Form. Let me know if you have any other questions.

Thanks,

Neil Goertz  
Fort Bend County Drainage District  
281-342-2863

---

**From:** Kyle Kacal [mailto:kkacal@GBISurvey.com]  
**Sent:** Wednesday, May 10, 2017 8:57 AM  
**To:** Goertz, Neil  
**Subject:** Drainage District Plat Approval Question

Neil,

We are platting a property located near the intersection of FM 1463 and FM 1093, within the City of Fulshear City Limits. Does this plat need Fort Bend County Drainage District Approval? I've attached the preliminary plat for reference.

If it does need district approval, what all do you need from me? I am unfamiliar with the process.

Thank you,

Kyle Kacal, RPLS



***GBI PARTNERS, L.P.***

***LAND SURVEYING CONSULTANTS***

13340 S. Gessner Road • Missouri City, TX 77489  
Phone: 281-499-4539 • www.gbisurvey.com  
TBPLS FIRM # 10130300

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NOS. 169 AND 173

c/o Allen Boone Humphries Robinson LLP  
3200 Southwest Freeway, Suite 2600  
Houston, Texas 77027

April 12, 2017

Texas AA Development, LLC  
Attn: Joe Hardage  
P. O. Box 1559  
New Smyrna Beach, FL 32170

Re: Potable Water/Sanitary Sewer Capacity Reserved by Fort Bend County Municipal Utility District No. 169 ("MUD 169") and Fort Bend County Municipal Utility District No. 173 ("MUD 173") for an approximately 1.157-acre tract of land (the "Tract") owned by Texas AA Development, LLC, located off of FM 1463 and near the intersection of FM 1093 within MUD 173, as shown on Exhibit A.

Dear Mr. Hardage:

Texas AA Development, LLC (referred to herein as "you" or "your") has requested that MUD 169 and MUD 173 (collectively, the "Districts") reserve potable water capacity, sanitary sewer capacity and detention capacity for the Tract.

This reservation will be equal to 1,260 gallons per day ("gpd") of potable water capacity, 500 gpd of sanitary sewer capacity, and drainage/detention capacity to serve the Tract (collectively, the "Capacity"), which amounts are sufficient according to you to develop the Tract for an auto parts store.

The Boards of Directors of the Districts hereby agree to reserve the Capacity for the Tract, subject to all of the following terms and conditions:

1. MUD 173 has or will: (i) construct potable water, sanitary sewer, and storm sewer facilities serving land within its boundaries, (ii) convey them to the City of Fulshear (the "City") for ownership and operation, and (iii) reserve for itself all of the capacity in said facilities. MUD 169, in its capacity as Master District, has or will: (i) construct certain potable water, sanitary sewer, and storm sewer facilities serving its approximate 3,271 acre service area, (ii) convey them to the City for ownership and operation, and (iii) reserve for itself all of the capacity in said facilities. You understand that the City (not the Districts) owns or will own the potable water, sanitary sewer, and storm sewer facilities that will serve the Tract, and that the detention/drainage

ditch facilities serving the Tract are owned by MUD 169. Accordingly, you understand and agree that this letter is only a reservation of capacity, and the City (not the Districts) is responsible for maintenance and operation of potable water, sanitary sewer, and storm sewer facilities and for the provision of potable water, sanitary sewer, and storm sewer service from said facilities. The Districts will not be responsible to provide you any water, sanitary sewer, or storm sewer service.

2. This reservation of Capacity shall be valid only in amounts not exceeding those indicated above. Furthermore, this reservation shall be subject to all other terms and conditions of this reservation and shall be valid only for the Tract and not for any area outside of the Tract.
3. You represented that the land use for the Tract will be for an auto parts store. This reservation of Capacity shall be valid only for that land use, and for no other land use without the Districts' written approval.
4. You must commence design of the facilities to serve the Tract within one year from the date hereof or the Districts may, in their sole discretion, terminate this reservation.
5. You must commence construction of your development on the Tract within two years from the date hereof or the Districts may, in their sole discretion, terminate this reservation. You shall have the right to request from the Districts a one-year extension of this reservation immediately succeeding the expiration of the two-year term and the Districts shall determine in their sole discretion whether or not to grant such extension.
6. If not previously platted, you must prepare a plat of the acreage which you are developing within your Tract in accordance with City subdivision requirements and receive City approval of your plat and file and record said plat with Fort Bend County prior to receipt of water or sanitary sewer service from the City.
7. All plans and specifications for the water, sanitary sewer, and drainage facilities to serve the Tract must be reviewed and approved by the City, the Districts, and all other regulatory authorities having jurisdiction prior to commencement of construction of such facilities.
8. You will be responsible for providing and maintaining the private, internal water, sanitary sewer, and drainage facilities within the Tract.
9. All sanitary sewage discharges from your Tract must be solely domestic in nature and must comply with all of the City's (and Districts', if any) orders,



ordinances, rules, and regulations, and with any amendments hereafter to such orders, ordinances, rules, and regulations.

10. The Districts shall not be responsible for making any tap or connection to any facilities constructed by the Districts. You will be responsible for obtaining from the City a connection(s) to the City's water system and sanitary sewer system. You will be responsible for paying the City any fees or charges required by the City in accordance with the City's rules, regulations, orders and ordinances, which fees and charges may be adjusted by the City from time to time.
11. As a user of the City's water and sewer services, you shall pay the applicable rates provided in, and the terms of services shall be subject to, the City's orders, ordinances, rules, and regulations, which may be amended from time to time.
12. This reservation shall not be assignable by you to anyone or any entity without the prior written consent of the Boards of Directors of the Districts.
13. This represents the entire agreement between the parties regarding the reservation of capacity for the Tract, any prior discussion or agreements being displaced hereby. Any prior reservations issued by the District with respect to the Tract are hereby withdrawn and are replaced by this reservation.
14. You are aware and acknowledge that the Districts lie entirely within the corporate boundaries of the City, and you are further aware and acknowledge that the City has the legal authority to dissolve the Districts. The Districts make no representation regarding when such dissolution might occur or what the effect of such dissolution might be upon this reservation letter.
15. Any Capacity not needed for the Tract following its development, as determined by the Districts' Boards of Directors, shall be freed of this reservation and shall automatically revert to the Districts, as applicable.

The Districts look forward to dealing with you in the development of the Tract.

[EXECUTION PAGES FOLLOW]

Very truly yours,

FORT BEND COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 169

---

President, Board of Directors

ATTEST:

---

Secretary, Board of Directors

(SEAL)

FORT BEND COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 173

---

President, Board of Directors

ATTEST:

---

Secretary, Board of Directors

(SEAL)

TEXAS AA DEVELOPMENT, LLC agrees to all of the above terms and conditions.

EFFECTIVE as of the date shown on the cover page of this letter.

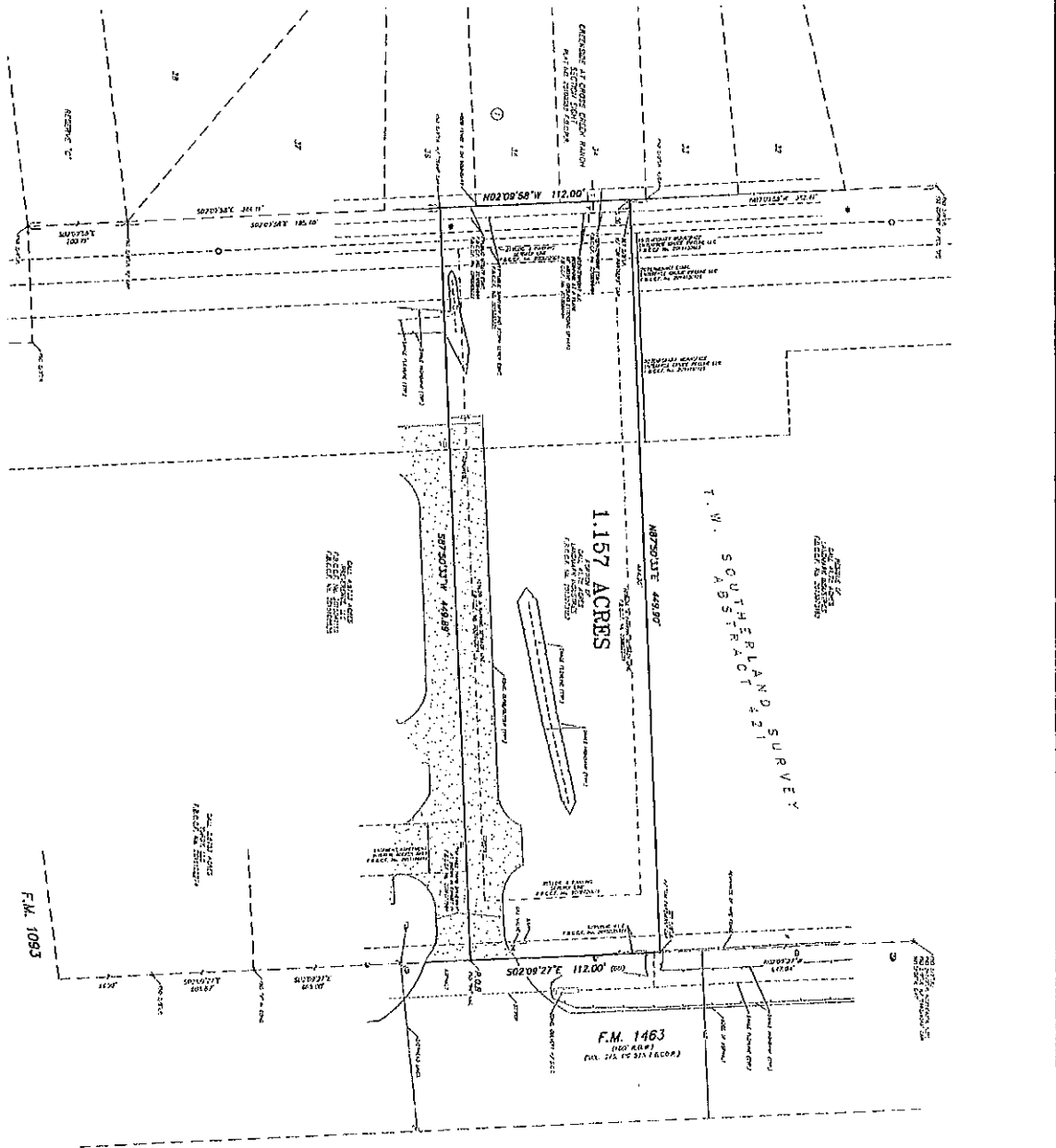
TEXAS AA DEVELOPMENT, LLC

By: AO Brannen

Name: ARTHUR O. BRANNEN

Title: MEMBER

EXHIBIT A



F.M. 1093

1.157 ACRES

T.W. SOUTHERLAND SURVEY  
ABSTRACT 21

F.M. 1463  
SEC. 24, T25N, R21E, CO. 2



LEGEND	
○	WATER
●	WATER
○	WATER
●	WATER
○	WATER
●	WATER
○	WATER
●	WATER
○	WATER
●	WATER

*[Handwritten notes and signatures]*

*[Detailed survey notes and legal descriptions]*

Official record information and filing details.

**LAND TITLE SURVEY**  
**1.157 ACRES**

T.W. SOUTHERLAND SURVEY, A-121  
CITY OF PUSHERS  
FORT BEND COUNTY, TEXAS

GPI PARTNERS, L.P.  
LAND SURVEYING CONSULTANTS  
P.O. BOX 10488  
HOUSTON, TEXAS 77230

BEING A PORTION OF A CALL-4174 ABE TRACT OF LAND RECORDED IN THE NAME OF LADMARK INDUSTRIES UNDER FORT BEND COUNTY CLERK'S FILE NO. 201007932

LOCATED IN THE  
CITY OF PUSHERS  
FORT BEND COUNTY, TEXAS



*[Detailed survey notes and legal descriptions]*

RECORD NUMBER FOR 1.157 ACRES



**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	June 2, 2017	<b>AGENDA ITEM:</b>	8
<b>DATE SUBMITTED:</b>	May 30, 2017	<b>DEPARTMENT:</b>	Planning and Development
<b>PREPARED BY:</b>	Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development	<b>PRESENTER:</b>	David Leyendecker, City Engineer
<b>SUBJECT:</b>	<b>Plat Summaries for Planning and Zoning Commission</b>		
<b>ATTACHMENTS:</b>	<b>City Engineer's Engineering Review: Preliminary Plat Fullbrook on Fulshear Creek Section 12 – Partial Replat 1</b>		

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration a Preliminary Plat Fullbrook on Fulshear Creek Section 12 – Partial Replat 1. The plat, as submitted, generally meets the requirements set forth in the City's Subdivision Ordinance No. 04-913, which is in alignment with Chapter 21, Texas Local Government Code. The partial replat is to remove an aerial easement from 10 lots. There are no objections from CenterPoint.

**RECOMMENDATION**

After staff review of this request, we recommend the Planning and Zoning Commission provide a positive recommendation for plat approval as submitted.

May 26, 2017

## Engineering Review

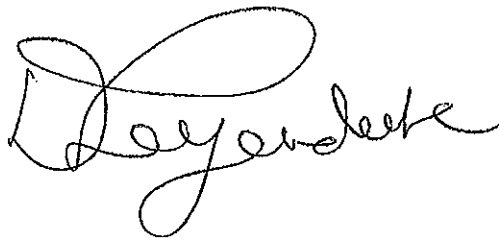
Preliminary Plat  
Fulbrook on Fulshear Creek Section Twelve Partial Replat No. 1  
Fort Bend County, Texas

### For Information only:

1. This plat will remove the Aerial Easement that was on the original plat for 10 lots.
2. According to the Replat submitted, no other changes are being made to dimensions, bearings, building lines, etc.

### Recommendations:

I recommend that this Preliminary Plat for Fulbrook on Fulshear Creek Section Twelve – Partial Replat No. 1 be approved as submitted.

A handwritten signature in cursive script, appearing to read "Leyendecker", is centered on the page. The signature is written in black ink and is the only handwritten element on the document.





CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

Subdivision/Development Platting Application

Date: 5-18-2017

Date Received by the City of Fulshear: \_\_\_\_\_

Subdivision: FULBROOK ON FULSHEAR Development: FULBROOK ON FULSHEAR CREEK CREEK SECTION TWELVE PARTIAL REPLAT NO. 1

SUBMITTAL OF PLAT: (Check Appropriate Selection)

- Checkboxes for Preliminary, Replat, Amending Plat, Final, Vacation Plat, Short Form Final, Admin. (Minor) Plat

TYPE OF PLAT: (Check Appropriate Selection)

- Checkboxes for Single-Family Residential, Planned Development, Zero Lot Line/ Patio Home, Commercial, Multi-Family Residential, Industrial

Plat Location: City ETJ (Extraterritorial Jurisdiction)

Legal Description: 2.0801 AC. 10 LOTS 1 BLOCK 0 RESERVES

Variance: Yes (Attach a Copy of Approval Letter) No

Total Acreage: 2.0801 AC.
Number of Streets: 0
Number of Lots: 10
Number and Types of Reserves: 0
Total Acres in Reserve: 0

Owner: FULSHEAR LAND PARTNERS, LTD.
Address: THREE RIVERWAY, #120
City/State: HOUSTON, TEXAS 77056
Telephone: 713-623-2466
Email Address: \_\_\_\_\_

Engineer/Planner: COSTELLO INC.
Contact Person: MARK ARMSTRONG
Telephone: 713-783-7788
Fax Number: 713-783-3580
Email Address: MARMSTRONG@COSTELLOINC.COM

Table with title 'Platting Fees' and rows for Preliminary Plat, Final Plat, Replat, Amending or Minor Plat, Plat Vacation, 2nd Review of plats, TOTAL PLATTING FEE \$602.00, and Park Fees.

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

Handwritten signature of Jorge L. De La Rosa

JORGE L. DE LA ROSA / PLAT COORD.

5-18-17

SIGNATURE TYPED OR PRINTED NAME/TITLE DATE

County: Fort Bend  
Project: Fulbrook on Fulshear Creek Section Twelve Partial Replat No. 1 Boundary  
C.I. No.: 1084-17 (Plat prepared)  
Job Number: 2017-082-020

METES AND BOUNDS DESCRIPTION  
2.0801 ACRES

Being a 2.0801 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 2.0801 acre tract being all of Lots 5 - 7 and 9 - 15, Block 4 of Fulbrook on Fulshear Creek Section Twelve, a 35.8850 acre subdivision recorded in Plat No. 20170031 of the Plat Records of Fort Bend County (P.R.F.B.C.); said 2.0801 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

**Beginning** at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the most westerly corner of Lot 5, Block 4, the most southerly corner of Restricted Reserve "D", and being on the northeasterly line of Restricted Reserve "E" of said Fulbrook on Fulshear Creek Section Twelve;

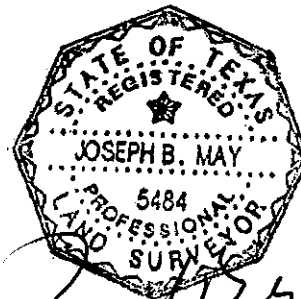
1. Thence, with the common line of said Lot 5 and said Restricted Reserve "D", North 22 degrees 04 minutes 41 seconds East, a distance of 132.17 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the most northerly corner of said Lot 5 and the most westerly corner of Lot 4;
2. Thence, with the common line of said Lot 5 and said Lot 4, South 71 degrees 24 minutes 09 seconds East, a distance of 119.99 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northeast corner of said Lot 5 and the southeast corner of said Lot 4, being on the right-of-way line of Long Branch Court (width varies) as established by the plat of said Fulbrook on Fulshear Creek Section Twelve;
3. Thence, with said right-of-way line of Long Branch Court, 153.19 feet along the arc of a curve to the left, said curve having a central angle of 175 degrees 32 minutes 27 seconds, a radius of 50.00 feet and a chord that bears South 69 degrees 10 minutes 22 seconds East, a distance of 99.92 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
4. Thence, continuing with said right-of-way line of Long Branch Court, 10.30 feet along the arc of a curve to the right, said curve having a central angle of 23 degrees 36 minutes 46 seconds, a radius of 25.00 feet and a chord that bears North 34 degrees 51 minutes 48 seconds East, a distance of 10.23 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northeast corner of Lot 7 and the northwest corner of Lot 8, Block 4;

5. Thence, with the common line of said Lots 7 and 8, South 03 degrees 34 minutes 43 seconds West, a distance of 120.50 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the common southerly corner of said Lot 7 and said Lot 8, being on the northerly line of Lot 9, Block 4;
6. Thence, with the common line of said Lots 8 and 9, North 88 degrees 28 minutes 15 seconds East, a distance of 67.25 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the common easterly corner of said Lot 8 and said Lot 9, being on the westerly right-of-way line of Long Branch Bend (60 feet wide) as established by said plat of Fulbrook on Fulshear Creek Section Twelve;

Thence, with said westerly right-of-way line of Long Branch Bend, the following four (4) courses:

7. 43.09 feet along the arc of a curve to the left, said curve having a central angle of 03 degrees 56 minutes 59 seconds, a radius of 625.00 feet and a chord that bears South 00 degrees 26 minutes 44 seconds West, a distance of 43.08 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
8. South 01 degrees 31 minutes 45 seconds East, a distance of 223.08 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
9. 21.03 feet along the arc of a curve to the right, said curve having a central angle of 48 degrees 11 minutes 23 seconds, a radius of 25.00 feet and a chord that bears South 22 degrees 33 minutes 56 seconds West, a distance of 20.41 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
10. 122.59 feet along the arc of a curve to the left, said curve having a central angle of 140 degrees 28 minutes 56 seconds, a radius of 50.00 feet and a chord that bears South 23 degrees 34 minutes 50 seconds East, a distance of 94.11 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northeast corner of Lot 15 and the northwest corner of Lot 16, Block 4;
11. Thence, with the common line of said Lots 15 and 16, South 01 degrees 31 minutes 45 seconds East, a distance of 95.04 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the common southerly corner of said Lots 15 and 16, being on the northerly line of Restricted Reserve "F";
12. Thence, with the common line of said Lot 15 and said Restricted Reserve "F", South 88 degrees 28 minutes 15 seconds West, a distance of 152.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the southwest corner of Lot 15 and the northwest corner of said Restricted Reserve "F", being on the westerly line of said Block 4;

13. Thence, with said westerly line of Block 4, North 01 degrees 31 minutes 45 seconds West, a distance of 467.03 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northwest corner of aforesaid Lot 9, being on the southerly line of aforesaid Lot 7;
14. Thence, with the southerly lines of said Lot 7 and Lot 6, Block 4, North 83 degrees 59 minutes 33 seconds West, a distance of 106.37 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
15. Thence, continuing with said southerly line of Lot 6, South 88 degrees 28 minutes 15 seconds West, a distance of 69.49 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the southwest corner of said Lot 6 and the southeast corner of aforesaid Restricted Reserve "E";
16. Thence, with the common line of said Lot 6 and said Restricted Reserve "E", North 22 degrees 04 minutes 41 seconds East, a distance of 43.65 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northwest corner of said Lot 6, the northeast corner of said Restricted Reserve "E", and the most southerly corner of aforesaid Lot 5;
17. Thence, with the common line of said Restricted Reserve "E" and said Lot 5, North 67 degrees 55 minutes 19 seconds West, a distance of 40.00 feet to the **Point of Beginning** and containing 2.0801 acres of land.



*Joseph B. May*  
05-02-2017

**CITY PLANNING LETTER**

GF No.: 1045002628CSA  
Time frame covered by this report:

Effective Date: April 30, 2017

**PROPERTY**

Legal Description:

All of Lots Five (5), Six (6), Seven (7), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), all in Block Four (4), of FULBROOK ON FULSHEAR CREEK, SECTION TWELVE, a subdivision in Fort Bend County, Texas, according to the plat thereof recorded under Plat Number 20170031 of the Plat Records of Fort Bend County, Texas.

Based on a search of the Public Records of FORT BEND County, Texas, the last instrument purporting to convey title to the land described above was:

FULSHEAR LAND PARTNERS, LTD., a Texas partnership by virtue of Deed recorded under Fort Bend County Clerk's File No. 2013133948 & 2016032015

This report hereby reports that the instruments listed below have been filed for record in the office of the County Clerk of FORT BEND, County, Texas, and are affecting title to the property above described during the time frame as set out above:

**RESTRICTIONS:**

Covenants, conditions and restrictions shown and/or noted on plat recorded under Plat Number 20170031 of the Plat Records of Fort Bend County, Texas and those recorded under Fort Bend County Clerk's File No. 2008054643, as supplemented and annexed by instrument recorded under Fort Bend County Clerk's File No. 2017039006, as amended by instruments recorded under Fort Bend County Clerk's File No. 2009052045, 2009080566, 2012053236, 2013016885, 2013016886, 2013016887, 2013016922, 2013016931, 2013016936, 2013016937, 2013016950, 2013059507, 2013151906, 2013152070, and 2016050372, all of the Real Property records of FORT BEND County, Texas but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.

## EASEMENTS:

1. Easements and building setbacks shown and/or noted on plat recorded under Plat Number 20170031 of the Plat Records of Fort Bend County, Texas.
2. Drainage Easement 20 feet in width on each side of the center line of all natural drainage courses noted on plat recorded under Plat Number 20170031 of the Plat Records of Fort Bend County, Texas.
3. Agreement for Underground Electric Service - Fulbrook on Fulshear Creek Section Twelve by and between CenterPoint Energy Houston Electric, LLC and Fulshear Land Partners, LTD., recorded March 8, 2017 under Fort Bend County Clerk's File No. 2017024489.
4. Reservation by Grantor of the entire mineral estate of the property owned by Grantor, if any, including all oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set out in Deeds filed under Clerk's File Nos. 2008000215 of the Official Public Records of Real Property of Fort Bend County, Texas. *Said instruments containing the following language: "Reserved Minerals. Grantors reserve all of the oil, gas and other minerals which may be produced in and under the Property ("Reserved Minerals") on behalf of Grantors and on behalf of all future oil, gas and mineral owners, mineral lessees and others acting by, through or under Grantors, but not otherwise ("Mineral Owners"), but waiving for themselves and all Mineral Owners any and all right of ingress and egress to and from the surface of the Property. Nothing in this waiver will restrict or prohibit the pooling or unitization of the Reserved Minerals with land other than the Property; or the exploration or production of the Reserved Minerals or other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property Surface Waiver. Grantors waive the right to explore, develop, drill, produce, mine, treat or store the Reserved Minerals from the surface of the Property."*
5. Easement Agreement by and between Fulshear Land Partners, Ltd., a Texas limited partnership and Fulshear Creek Crossing Homeowners Association, Inc., a Texas non-profit corporation, recorded under Fort Bend County Clerk's File No. 2013134157.
6. Waiver of Special Appraisal for the Benefit of Fulshear Municipal Utility District No. 1 of Fort Bend County recorded under Fort Bend County Clerk's File No. 2014068483.
7. Assessments and/or maintenance charges payable to Fulshear Creek Crossing Homeowners Association, Inc., a Texas non-profit corporation, as set forth in instrument recorded in/under Fort Bend County Clerk's File No. 2008054643, as annexed by instrument recorded under Fort Bend County Clerk's File No. 2017039006 of the Real Property Records of FORT BEND County, Texas.

Clerk's File No. 2008054643 states therein "SECTION 10. SUBORDINATION OF THE LIEN TO MORTGAGES. As herein above provided, the title to each Lot shall be subject to a lien securing the payment of all assessments and charges due the Association, but the lien shall be subordinate to the lien of any mortgage or deed of trust. Sale or transfer of any Lot shall not affect the lien in favor of the Association provided, however, the sale or transfer of any Lot pursuant to mortgage foreclosure or any proceeding in lieu thereof shall extinguish the lien securing such assessment or charge as to payments which became due prior to such sale or transfer. No sale or transfer shall relieve such Lot or the Owner thereof from liability for any charges or assessments thereafter becoming due or from the lien thereof. In addition to the automatic subordination provided for hereinabove, the Association, in the sole discretion of its Board of Directors, may subordinate the lien securing any assessment provided for herein to any other mortgage lien or encumbrance, subject to such limitations, if any, as the Board of Directors may determine."

8. Subject property lies within the boundaries of FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 1.

**LIENS:**

1. Deed of Trust executed by FULSHEAR LAND PARTNERS, LTD., a Texas limited partnership to John D. Hudgens, Trustee, dated March 29, 2016, filed March 30, 2016, recorded in/under Fort Bend County Clerk's File No. 2016032016 of the Real Property Records of FORT BEND County, Texas, securing **TEXAS CAPITAL BANK**, National Association in the payment of one note in the principal sum of Twelve Million (\$12,000,000.00), due and payable and bearing interest as therein provided; and all the terms, conditions and stipulations contained therein, including, but not limited to, any additional indebtedness, if any, secured by said instrument.

Additionally secured by ASSIGNMENT OF REIMBURSEMENT CONTRACT AND PROCEEDS dated March 29, 2016, filed March 30, 2016, recorded in/under Fort Bend County Clerk's File No. 2016032017 of the Real Property Records of FORT BEND County, Texas.

This report is issued for the use of and shall inure to the benefit of and is issued in consideration of amount paid by the benefited party named above, and no others, and to whom said sum shall be returned as agreed liquidated damages in the event of any mistakes herein. By accepting this search, the benefited party agrees that the said sum and no more shall constitute the full measure for damages against the issuing company.

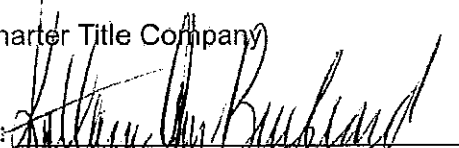
**SPECIAL NOTE AND LIMITATION OF LIABILITY:** This report is issued with the express understanding, evidenced by the acceptance of same, that this report does not undertake to give or express any opinion as to the validity of the title hereinabove described or the authority of those executing the above listed instruments, but is simply reporting herein and hereby as to the recitals of instruments listed. The Company assumes no liability greater than the consideration paid for this certificate by reason of issuance, delivery and/or use of same, nor for any error or omissions herein.

This report does NOT reflect title to any of the oil, gas and other mineral interests affecting subject property, nor any documents creating and/or affecting said estates, nor the validity of any rights, privileges and immunities relating thereto.

Further, this report does not address and no search has been performed regarding the following: claims and rights of parties in possession; discrepancies in area and boundaries; unpaid bills for labor or material in connection with repairs or new improvements; unpaid taxes; change in marital status or corporate status of owner(s) since date of purchase; homestead rights or claims; easements and restrictions.

Charter Title Company

BY:

  
Katherine Ann Burghard  
Commercial Title Officer



*Laura Richard*  
Laura Richard, County Clerk  
Fort Bend County Texas  
Pages: 2 Fee: \$15.00

**RELEASE OF EASEMENT**

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

STATE OF TEXAS §

COUNTY OF FORT BEND §

WHEREAS, under the platting and dedication of that certain subdivision known as Fulbrook on Fulshear Creek Section Twelve, certain utility easements were dedicated as reflected by the official plat of said subdivision, recorded under Plat No. 20170031 of the Plat Records of Fort Bend County, Texas; and,

WHEREAS, CenterPoint Energy Houston Electric, LLC has been requested to release its right of use of a portion of the dedicated easements, which CenterPoint Energy Houston Electric, LLC is willing to do;

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS: That in consideration of the premises, CenterPoint Energy Houston Electric, LLC has **RELEASED**, and does by these presents **FOREVER RELEASE**, all of its right of use of the following portion of the aforesaid dedicated easements, which released portion is described as follows:

- 1) An unobstructed aerial easement seven (7) feet, six (6) inches wide located northerly of and adjoining the dedicated fourteen (14) feet wide foot utility easement located northerly of and adjoining the southerly line of Reserve "D" and Lots 5 through 7, inclusive, in Block 4.



- 2) An unobstructed aerial easement seven (7) feet, six (6) inches wide located easterly of and adjoining the dedicated fourteen (14) feet wide foot utility easement located easterly of and adjoining the western line of Lots 9 through 14, inclusive, in Block 4.
- 3) A portion of an unobstructed aerial easement seven (7) feet, six (6) inches wide, located easterly of and adjoining a portion of the dedicated fourteen (14) feet wide foot utility easement located easterly of and adjoining the western line of Lot 15 in Block 4.

This is a partial release, which affects only that part of the easement described in the preceding paragraph and which does not in any manner affect the rights of CenterPoint Energy Houston Electric, LLC's to use the remainder of the dedicated easements in the aforesaid subdivision.

EXECUTED this 11<sup>th</sup> day of May, 2017.

Centerpoint Energy Houston Electric, LLC

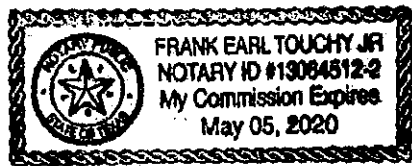
BY: *Mark L. Kouwe*

Mark L. Kouwe, Manager, Surveying & Right of Way Division  
Agent & Attorney-in-Fact

STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on May 11, 2017, by Mark L. Kouwe, Manager of the Surveying & Right of Way Division of CenterPoint Energy Houston Electric, LLC, Agent and Attorney-in-Fact, on behalf of said corporation.



*Frank Earl Touchy, Jr.*  
Notary's Signature



May 16, 2017

City of Fulshear  
30603 FM 1093  
Fulshear, TX 77441

**Re: Fulbrook on Fulshear Creek Section Twelve Partial Replat No. 1**

To Whom It May Concern:

CenterPoint Energy Houston Electric, LLC and CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations, hereinafter referred to as "CenterPoint Energy", has been asked to provide a Letter of No Objection for the above referenced plat dated May 2017.

At this time, CenterPoint Energy has no objection associated with the general layout and utility easements as exhibited on said plat.

In cases where utility easements are overlapping with drainage or other specific or pre-existing easements, CenterPoint Energy will require exclusive easements.

Upon completion of CenterPoint Energy's facility designs, dedicated utility easements may be determined inadequate by CenterPoint Energy. In these cases, the developer, his successors or assigns, will be required to provide CenterPoint Energy with exclusive easements.

This letter does not give consent to any encroachments, abandonments of pre-existing easements, roads, alleys or street right-of-ways. Abandonment of any of the above requires a formal review, consent and closure process.

If there are any questions, please contact Frankie Touchy at 713.207.5783.

Sincerely,

A handwritten signature in black ink that reads "Frankie Touchy". The signature is written in a cursive, slightly slanted style.

Frankie Touchy  
Associate Right of Way Agent

C: Jorge L. De La Rosa, Sr. <jdelarosa@costelloinc.com>

STATE OF TEXAS  
COUNTY OF FULTON

I, \_\_\_\_\_, a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that the above is a true and correct copy of the original as recorded in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Surveyor

STATE OF TEXAS  
COUNTY OF FULTON

I, \_\_\_\_\_, a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that the above is a true and correct copy of the original as recorded in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Surveyor

STATE OF TEXAS  
COUNTY OF FULTON

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Surveyor

STATE OF TEXAS  
COUNTY OF FULTON

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COUNTY OF FULTON

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\_\_\_\_\_  
Surveyor

STATE OF TEXAS  
COUNTY OF FULTON

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\_\_\_\_\_  
Surveyor

STATE OF TEXAS  
COUNTY OF FULTON

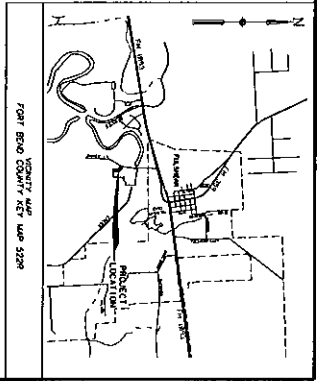
I, \_\_\_\_\_, a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that the above is a true and correct copy of the original as recorded in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Surveyor

STATE OF TEXAS  
COUNTY OF FULTON

I, \_\_\_\_\_, a duly qualified and licensed Surveyor in the State of Texas, do hereby certify that the above is a true and correct copy of the original as recorded in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Surveyor



**PRELIMINARY PLAT**

**FULBROOK ON FULSHEAR CREEK SECTION TWELVE PARTIAL REPLAT NO. 1**

A SUBDIVISION OF 2.0801 ACRES LOCATED IN THE CHURCHILL, FULSHEAR LEAGUE, A-29 PORT BEND COUNTY, TEXAS ALSO BEING A PARTIAL REPLAT OF FULBROOK ON FULSHEAR CREEK SECTION TWELVE AS RECORDED IN PLAT NO. 20170031, PORT BEND COUNTY, TEXAS

REASON FOR REPLAT: (TO REMOVE THE AERIAL EASEMENT IN LOTS 5 THRU 7 AND 9 THRU 14 AND A PORTION OF THE AERIAL EASEMENT IN LOT 15 OF BLOCK 4)

10 LOTS 1 BLOCK 0 RESERVES

DATE: MAY, 2017

OWNERS: FULSHEAR LAND PARTNERS, LTD. A TEXAS LIMITED LIABILITY COMPANY

PLANNERS: SWEITZER AND ASSOCIATES

ENGINEER/DRAWER: Costello

NO.	DATE	DESCRIPTION
1	05/22/17	ISSUED FOR PERMITS
2	05/22/17	ISSUED FOR PERMITS
3	05/22/17	ISSUED FOR PERMITS
4	05/22/17	ISSUED FOR PERMITS
5	05/22/17	ISSUED FOR PERMITS
6	05/22/17	ISSUED FOR PERMITS
7	05/22/17	ISSUED FOR PERMITS
8	05/22/17	ISSUED FOR PERMITS
9	05/22/17	ISSUED FOR PERMITS
10	05/22/17	ISSUED FOR PERMITS
11	05/22/17	ISSUED FOR PERMITS
12	05/22/17	ISSUED FOR PERMITS
13	05/22/17	ISSUED FOR PERMITS
14	05/22/17	ISSUED FOR PERMITS
15	05/22/17	ISSUED FOR PERMITS
16	05/22/17	ISSUED FOR PERMITS
17	05/22/17	ISSUED FOR PERMITS
18	05/22/17	ISSUED FOR PERMITS
19	05/22/17	ISSUED FOR PERMITS
20	05/22/17	ISSUED FOR PERMITS

CALL TO  
FOR MORE INFORMATION  
1-800-888-8888

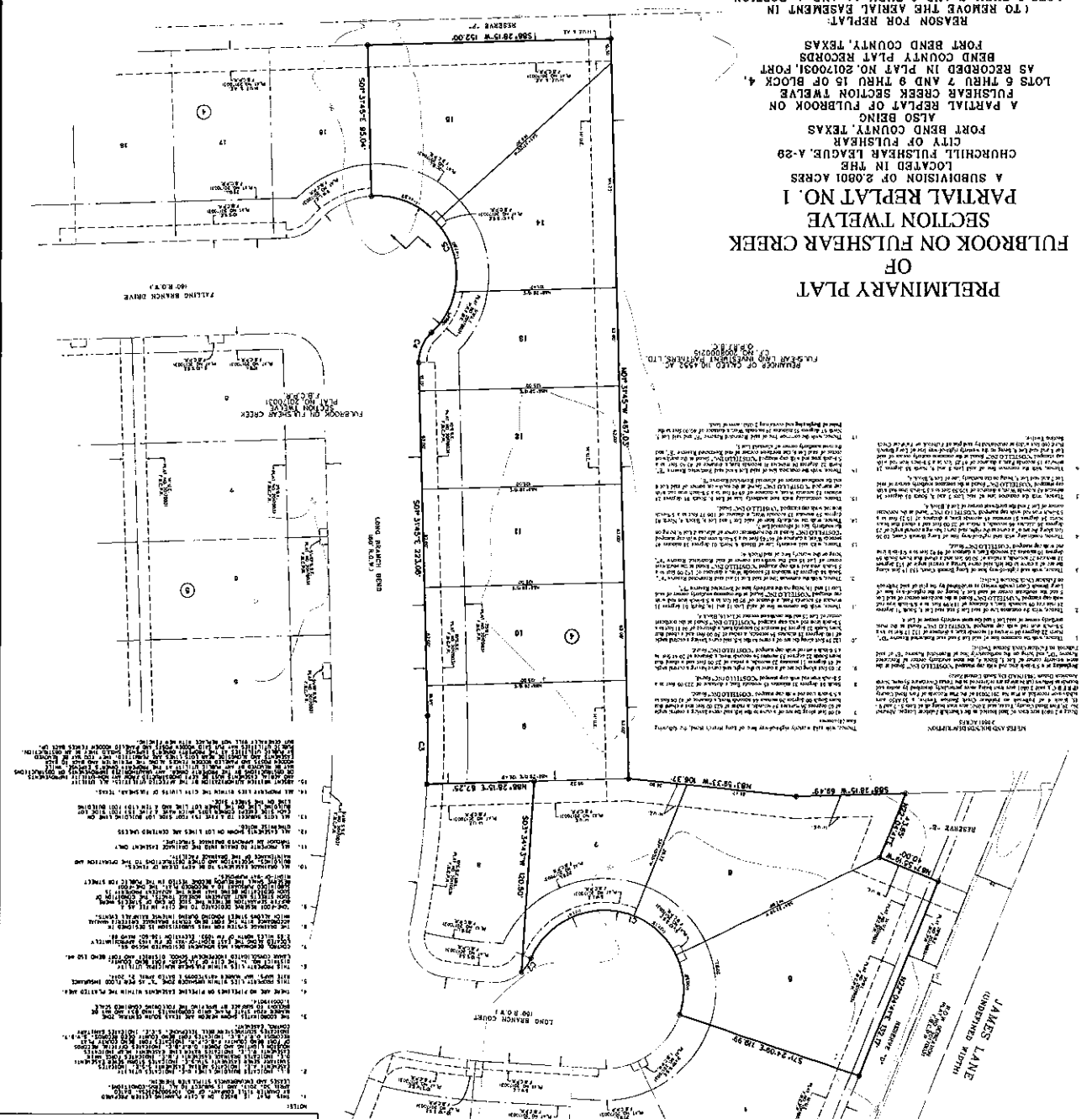


PLANNER  
SHEPHERD AND ASSOCIATES  
REGISTERED PROFESSIONAL ENGINEERS  
TELEPHONE: 714.942.1100  
FAX: 714.942.1101  
WWW.COSTELLO-ENGINEERS.COM

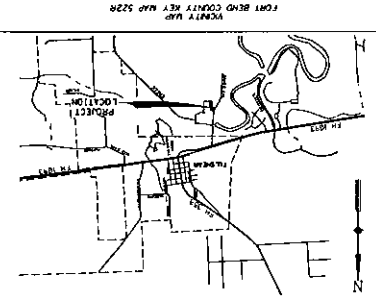
FULSHEAR LAND PARTNERSHIP  
A TEXAS PARTNERSHIP  
DATE: MAY, 2017  
SCALE: 1" = 30'

10 LOTS 1 BLOCK 0 RESERVES  
(TO REMOVE THE AERIAL EASEMENT IN LOT 15 OF BLOCK 4)  
OF THE AERIAL EASEMENT IN LOT 15 OF BLOCK 4)

**PRELIMINARY PLAN  
OF  
SECTION TWELVE  
ON FULSHEAR CREEK  
PARTIAL REPLAT NO. 1  
LOCATED IN THE  
CITY OF PLSHEAR  
PORT BEND COUNTY, TEXAS  
A SUBDIVISION OF 2.0801 ACRES  
A PARTIAL REPLAT NO. 1  
SECTION TWELVE  
ON FULSHEAR CREEK  
ALSO BEING  
A PARTIAL REPLAT OF FULBROOK ON  
LOTS 7 THRU 9 AND 14 AND A PORTION  
OF THE AERIAL EASEMENT IN LOT 15 OF BLOCK 4  
PORT BEND COUNTY, TEXAS  
REASON FOR REPLAT:**



NOTICE: THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE AN OFFER OF ANY FINANCIAL PRODUCT OR SERVICE. THE INFORMATION IS NOT INTENDED TO BE USED AS A BASIS FOR INVESTMENT DECISIONS. THE INFORMATION IS SUBJECT TO CHANGE WITHOUT NOTICE AND IS NOT GUARANTEED. THE INFORMATION IS NOT INTENDED TO BE USED AS A BASIS FOR INVESTMENT DECISIONS. THE INFORMATION IS SUBJECT TO CHANGE WITHOUT NOTICE AND IS NOT GUARANTEED.



LEGEND  
 \* 3/16/17 PERMITS FOR CONSTRUCTION  
 COSTELLO INC. WAREHOUSE NOTES  
 FOUND 3/16/17 PERMITS FOR CONSTRUCTION  
 \* 3/16/17 PERMITS FOR CONSTRUCTION  
 COSTELLO INC. WAREHOUSE NOTES  
 FOUND 3/16/17 PERMITS FOR CONSTRUCTION

1 INDICATES LOT NUMBERS  
 2 INDICATES BLOCK NUMBERS  
 3 INDICATES RESERVES

SCALE: 1" = 30'

N



**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	June 2, 2017	<b>AGENDA ITEM:</b>	9
<b>DATE SUBMITTED:</b>	May 30, 2017	<b>DEPARTMENT:</b>	Planning and Development
<b>PREPARED BY:</b>	Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development	<b>PRESENTER:</b>	David Leyendecker, City Engineer
<b>SUBJECT:</b>	<b>Plat Summaries for Planning and Zoning Commission</b>		
<b>ATTACHMENTS:</b>	<b>City Engineer's Engineering Review: Preliminary Plat The Replat of Commons at Fulshear</b>		

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration a Preliminary Plat for a Replat of Commons at Fulshear. The plat, as submitted, generally meets the requirements set forth in the City's Subdivision Ordinance No. 13-1091, which is in alignment with Chapter 21, Texas Local Government Code. The replat is a result of a pre-development session with the applicant/owner to facilitate the development of the property. The replat provides for 9 reserves, including 1 reserve for detention. The right of way dedication is in alignment with the desired development by the owner/applicant. Huggins Road will serve as a minor collector within the development and will provide for mobility between Charger Way and Katy Fulshear Road, where the City has plans to widen and extend Huggins to the west, which is alignment with the City's Major Thoroughfare Plan as adopted and amended – Ordinances: 13-1115, 14-1141, and 15-1173.

The replat has some administrative errors that will be corrected prior to final plat approval. There is a proposed building line that does not conform to the requirements in the City's Subdivision Ordinance 13-1091, that will need a variance request and subsequent approval by the Planning Commission and City Council prior to Final Plat approval.

**RECOMMENDATION**

After staff review of this request, we recommend the Planning and Zoning Commission provide a positive recommendation for plat approval as submitted.

May 25, 2017

## Engineering Review

Preliminary Plat - The Replat of Commons at Fulshear  
Fort Bend County, Texas

### For Information only:

1. This plat will create a total of nine (9) Reserves including one (1) Reserve for Detention plus Right-of-Way for two (2) streets covering a total of 11.6667 acres.
2. This tract will have access to Fulshear-Katy Road on the West and to Bois D Arc Lane on the East. It will include an extension of Huggins Street from Fulshear-Katy to Bois D Arc.

### Recommendations:

I recommend that this Preliminary Plat of The Replat of Commons at Fulshear be approved with the following items being addressed:

- A) I recommend that the Plat be titled The Commons at Fulshear – Replat No. 1. This will make research easier as the plats are filed alphabetically and in its current configuration there are hundreds of plat that start with the word Replat
- B) The names of the Chairman and Co-Chairman of the Planning Commission need to be updated.
- C) On Sheet 2 of 3 the plat boundary line needs to be made darker for clarity.
- D) The Title Block needs to refer to the Recording information for the Commons at Fulshear.
- E) A variance will need to be approved to allow the 10-foot Front Building Line.





CITY OF FULSHEAR  
 PO Box 279 / 30603 FM 1093  
 Fulshear, Texas 77441  
 Phone: 281-346-1796 ~ Fax: 281-346-2556  
 www.fulsheartexas.gov

**Subdivision/Development Platting Application**

Date: 5/18/2017 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: The Commons at Fulshear Development: The Commons at Fulshear

**SUBMITTAL OF PLAT: (Check Appropriate Selection)**

Preliminary  Final  Short Form Final  
 Replat  Vacation Plat  Admin. (Minor) Plat  
 Amending Plat

**TYPE OF PLAT: (Check Appropriate Selection)**

Single-Family Residential  Zero Lot Line/ Patio Home  Multi-Family Residential  
 Planned Development  Commercial  Industrial

Plat Location:  City  ETJ (Extraterritorial Jurisdiction)

Legal Description: 0050 E Latham, Tract 32 (PT), ACRES 3.786; 0500 E, Latham, Tract 1, ACRES 1; 0050 E Latham, Tract 2, ACRES 1; 0050 E Latham, Tract 3, ACRES, 5.869

Variance:  Yes (Attach a Copy of Approval Letter)  No

Total Acreage: Aproximately 12' 11.667  
 Number of Streets: 2  
 Number of Lots: 0  
 Number and Types of Reserves: 9  
 Total Acres in Reserve: 11.6667

Owner: Mike Roller, Vincent Reina, Perry Stevenson  
 Address: 29818 FM 1093 Suite 108  
 City/State: Fulshear, TX  
 Telephone: 281-346-0222  
 Email Address: mike@movewest.net

Engineer/Planner: Don Maler/David Kelly  
 Contact Person: Don Maler/David Kelly  
 Telephone: 832-526-4720/281-300-1869  
 Fax Number: 281-346-0225  
 Email Address: dtmaler@yahoo.com/david.kelly@dpkengineering.com

Platting Fees	
Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre	
Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre	300
Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre	
Amending or Minor Plat - \$200.00	
Plat Vacation - \$500.00	
2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)	
TOTAL PLATTING FEE	791.68
Park Fees (due at Final Plat Application)	

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

SIGNATURE

Mike Roller

TYPED OR PRINTED NAME/TITLE

5/18/2017

DATE





**RE/MAX**

Realty West

May 18, 2017

**TO: City of Fulshear Planning Commission**

**RE: New Development on Fulshear/Katy Road**

**Dear Planning Commission:**

We would like to request to be added to the agenda for the next scheduled Planning and Zoning Commission Meeting scheduled for Friday June 2<sup>nd</sup> 2017 at 8:30 am.

At that time, we will be requesting the opportunity to present plans for a re-plat for the new development named "The Commons at Fulshear". This comprises approximately 12-acres and includes the extension of Huggins Road which will enable it to connect to Bois d' Arc Lane and the new schools.

Please feel free to contact me if you need any additional information.

Sincerely,

RE/MAX Realty West

Michael S. Roller

Broker/Owner

5/16/2017

## Letter of Gas Availability

Project: THE COMMONS AT FULSHEAR  
Address: HUGGINS/ KATY FULSHEAR RD  
Contact: MIKE ROLLER  
Telephone 281/346-0222  
Fax: \_\_\_\_\_

To Whom It May Concern:

Based on the information you have provided, my preliminary investigation shows that CenterPoint Energy has gas mains in the vicinity of the above mentioned address adequate to supply your natural gas demands.

Cost (if applicable) of installation and location of service line will be determined after I have received the following information:

1. A copy of the "recorded" site plan (with scale, meets and bounds).
2. A copy of the site plan showing the meter location.
3. A copy of the plumbing plan or a detailed list of all gas equipment and BTU input rating of each appliance. Include estimated days and hours of operation.
4. Required delivery pressure.

Thank you for your interest in natural gas. I look forward to working with you. If you have any further questions, please give me a call. 281-341-4936.

Sincerely,  
IGNACIO GUERRERO



**CenterPoint  
Energy**



**COMMITMENT FOR TITLE INSURANCE (Form T-7)**

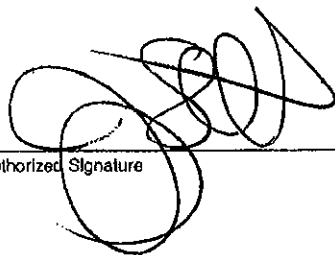
**Issued by**

**TITLE RESOURCES GUARANTY COMPANY**

We, Title Resources Guaranty Company, will issue our title insurance policy or policies (the Policy) to You (the proposed insured) upon payment of the premium and other charges due, and compliance with the requirements in Schedule C. Our Policy will be in the form approved by the Texas Department of Insurance at the date of issuance, and will insure your interest in the land described in Schedule A. The estimated premium for our Policy and applicable endorsements is shown on Schedule D. There may be additional charges such as recording fees, and expedited delivery expenses.

This Commitment ends ninety (90) days from the effective date, unless the Policy is issued sooner, or failure to issue the Policy is our fault. Our liability and obligations to you are under the express terms of this Commitment and end when this Commitment expires.

**THE FOLLOWING COMMITMENT FOR TITLE INSURANCE IS NOT VALID UNLESS YOUR NAME AND THE POLICY AMOUNT ARE SHOWN IN SCHEDULE A, AND OUR AUTHORIZED REPRESENTATIVE HAS COUNTERSIGNED BELOW.**

  
An Authorized Signature



*Title Resources Guaranty Company*

By: Paul M. [Signature]  
Executive Vice President

Michael P. [Signature]  
Secretary

## TEXAS TITLE INSURANCE INFORMATION

<p>Title insurance insures you against loss resulting from certain risks to your title.</p> <p>The commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The commitment is a legal document. You should review it carefully to completely understand it before your closing date.</p>	<p>El seguro de título le asegura en relación a pérdidas resultantes de ciertos riesgos que pueden afectar el título de su propiedad.</p> <p>El Compromiso para Seguro de Título es la promesa de la compañía aseguradora de títulos de emitir la póliza de seguro de título. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entenderlo completamente antes de la fecha para finalizar su transacción.</p>
--	---

Your Commitment for Title Insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the Title Insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

Minerals and Mineral Rights may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Minerals and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, ensure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown in Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your Policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

- **EXCEPTIONS** are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Conditions section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.
- **EXCLUSIONS** are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.
- **CONDITIONS** are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.

You can get a copy of the policy form approved by the Texas Department of Insurance by calling the Title Insurance Company at 1-800-526-8018 or by calling the title insurance agent that issued the Commitment. The Texas Department of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the policy. Some of the changes to consider are:

- Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner's Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.
- Allow the Company to add an exception to "rights of parties in possession." If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

**DELETION OF ARBITRATION PROVISION**  
(Not applicable to the Texas Residential Owner's Policy)

Arbitration is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is \$2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company.

The arbitration provision in the Policy is as follows:

"Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction."

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

COMMITMENT FOR TITLE INSURANCE T-7

ISSUED BY

TITLE RESOURCES GUARANTY COMPANY

SCHEDULE A

Effective Date: **September 23, 2014, 8:00 am**

GF No. 1409901-HKHF

Commitment No. \_\_\_\_\_, issued **October 1, 2014, 8:00 am**

1. The policy or policies to be issued are:

- a. OWNER'S POLICY OF TITLE INSURANCE (Form T-1)  
(Not applicable for improved one-to-four family residential real estate)  
Policy Amount:  
PROPOSED INSURED:
- b. TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE  
ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)  
Policy Amount: **\$222,000.00**  
PROPOSED INSURED: **Vincent Reina, and/or Assigns**
- c. LOAN POLICY OF TITLE INSURANCE (Form T-2)  
Policy Amount:  
PROPOSED INSURED:  
Proposed Borrower:
- d. TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)  
Policy Amount:  
PROPOSED INSURED:  
Proposed Borrower:
- e. LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)  
Binder Amount:  
PROPOSED INSURED:  
Proposed Borrower:
- f. OTHER  
Policy Amount:  
PROPOSED INSURED:

2. The interest in the land covered by this Commitment is: **Fee Simple**

3. Record title to the land on the Effective Date appears to be vested in:

**Charles Randle also known as Charles Ray Randle (Tract 1 and a portion of Tract 2) and Carolyn Randle (Tract 1)**

**Erma Lee Harris, Harrison Randle, Jr., Ida Grant Wiltz, Mary Lorane Smith also known as Mary Lorene Smith, James Randle, Carlette Hammond Muhammad, Marlon Bedford and Mary Jo Blackwood, Danny Davis aka Danny Ray Davis, Independent Executric of the Estate of Corine Oliver aka Corine Penrice, deceased, Cause No. 13-CPR-026003, County Court No. 1, Fort Bend County, Texas (Tract 2)**

4. Legal description of land:

**Tract 1: 0.846 of an acre of land, more or less, out of the Enoch Latham Survey, Abstract No. 50, in Fort Bend County, Texas and being the same land conveyed to Charles Randle and his wife, Carolyn Randle in deed recorded in Volume 1347, Page 127, Official Records, Fort Bend County, Texas and said 0.846 acre tract being more particularly described by metes and bounds in EXHIBIT "A" attached hereto and made a part hereof.**

**Tract 2: 2.923 acres of land, more or less, out of the Enoch Latham Survey, Abstract No. 50, in Fort**

**Bend County, Texas and being a portion of a 8 1/3 acre tract conveyed to Harrison Randle and wife, Beatrice Randle in deed recorded in Volume 266, Page 39, Deed Records, Fort Bend County, Texas and said 2.923 acre tract being more particularly described by metes and bounds in new survey as required in Schedule C of this commitment. This is a PRELIMINARY LEGAL DESCRIPTION only and should not be used for conveyance purposes or the issuance of any title insurance policy.**

***The Company is prohibited from insuring the area or quantity of the land described herein. Therefore, the Company does not represent that the acreage or square footage calculations are correct and references to the quantity are for informational purposes only.***

**SCHEDULE B**  
**EXCEPTIONS FROM COVERAGE**

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorney's fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):

**Item No. 1, Schedule B, is hereby deleted.**

2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any of any spouse of any insured. (Applies to the Owner's Policy only.)
4. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
  - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
  - b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
  - c. to filled-in lands, or artificial islands, or
  - d. to statutory water rights, including riparian rights, or
  - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.(Applies to the Owner's Policy only.)
5. Standby fees, taxes and assessments by any taxing authority for the year 2014, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax year. (If Texas Short Form Residential Loan Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year \_\_\_\_ and subsequent years.")
6. The terms and conditions of the documents creating your interest in the land.
7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Loan Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)
8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Loan Policy (T-2) only.)
9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Loan Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Loan Policy of Title Insurance (T-2R) only.) Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Loan Policy of Title Insurance (T-2R).
10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception.):



- a. **Rights of parties in possession. (Owner Title Policy)**
- b. **Any and all visible and/or apparent easements located on, over or across subject property.**
- c. **Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.**
- d. **Rights of tenants, as tenants only, under any and all unrecorded leases or rental agreements. (NOTE: This Item can be deleted upon receipt of an Affidavit executed by the seller evidencing there are not any outstanding leases or rental agreements. If the Affidavit reveals unrecorded outstanding leases or rental agreements the exception may be modified to make specific exception to those matters.)**
- e. **Any portion of subject property lying within the boundaries of a dedicated or undedicated public or private roadway.**
- f. **Inclusion within the Fort Bend County Drainage District.**
- g. **Easement:**
  - Recorded: Volume 1045, Page 602, Deed Records, Fort Bend County, Texas.
  - To: Houston Lighting & Power Company
  - Purpose: electric distribution facilities and appurtenances
- h. **Easement:**
  - Recorded: Volume 2451, Page 2244, Official Records, Fort Bend County, Texas.
  - To: City of Fulshear, Fort Bend County, Texas
  - Purpose: 20 foot utility
- i. **Lack of a right of access to and from the land. Covered Risk Number 4 is hereby deleted. (Owner Policy) (Tract 1)**
- j. **All leases, grants, exceptions or reservation of coal, lignite, oil, gas and other mineral, together with all rights, privileges, and immunities relating thereto appearing in the public records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.**

## SCHEDULE C

Your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.
2. Satisfactory evidence must be provided that:
  - a. no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
  - b. all standby fees, taxes, assessments and charges against the property have been paid,
  - c. all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
  - d. there is legal right of access to and from the land,
  - e. (on a Loan Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.
3. You must pay the seller or borrower the agreed amount for your property or interest.
4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.
5. **We find no outstanding liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in subject property.**
6. **Company requires a Dismissal of the Tax Suit or acceptable evidence that all delinquent taxes and court costs have been paid in full:**
  - Cause No:** 08-DCV-165350, District Clerk's Office, Fort Bend County, Texas.
  - Plaintiff(s):** Fort Bend County, Town of Fulshear, Lamar Consolidated ISD, Fort Bend County ESD No. 4, Fort Bend County Drainage District, Fort Bend County General Fund and Fort Bend County Lateral Road & Flood Control
  - Defendant(s):** Harrison Randle and Beatrice Randle and unknown heirs
  - Filed:** 2/10/2010
7. **Lien in Favor of Mildred McCoy:**
  - Recorded:** Clerk's File Nos. 2006037011 and partially released in 2012135805, Official Public Records, Fort Bend County, Texas.
  - Obligor:** James Randle
  - Amount:** \$28,200.00
  - Dated:** 3/29/2006
  - Purpose:** child support
8. Ascertain that there is legal access from the subject property to a dedicated public road. (Tract 1)
9. Company requires current marital status of purchaser(s).
10. The Company requires for its review a satisfactory survey plat and field notes of the subject property showing all improvements, easements, right-of-ways, building setback lines, roads, alleys, and all other matters that affect or may affect the subject property. If the survey plat reveals

any encroachments, overlaps, boundary line disputes, or other adverse matters, they may appear as exceptions in the Policy. (Tract 2)

11. **District:** Fort Bend County Drainage District  
**Requirement:** Company requires Notice to Purchaser be executed and filed of record.
12. Payment of any and all ad valorem taxes which may be due and payable on the subject property.
13. Company requires Owner, Seller and/or Borrower to complete an Affidavit of Debts and Liens prior to the issuance of the Title Insurance Policy.
14. Company must be furnished with a properly executed Waiver of Inspection signed by the Purchaser.
15. Good Funds in an amount equal to all disbursements must be received and deposited before any funds may be disbursed. Partial disbursements prior to the receipt and deposit of good funds are not permitted. Good Funds means cash, wire transfer, certified checks, cashier's checks and teller checks. Company reserves the right to require wired transfer of funds in accordance with Procedural Rule P-27 where immediate disbursement is requested.
16. **ARBITRATION:** The Owner Policy of Title Insurance (Form T-1) and the Loan Policy of Title Insurance (Form T-2) contain an arbitration provision. It allows the Insured or the Company to require arbitration if the amount of insurance is \$2,000,000 or less. If the Insured wants to retain the right to sue the Company in case of a dispute over a claim, the Insured must request deletion of the arbitration provision before the Policy is issued. The Insured may do this by signing the Deletion of Arbitration Provision form and returning it to the Company at or before the closing of the real estate transaction or by writing to the Company. (The Arbitration Provision may not be deleted on the Texas Residential Owner Policy of Title Insurance (Form T-1R).)
17. **NOTICE:** Title Company is unwilling to issue the Title Policy without the general mineral exception(s) set out in Schedule B hereof pursuant to Procedural Rule P-5.1. Optional endorsements (T19.2 and T19.3) insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase upon request of the Proposed Insured. Neither this Policy, nor the optional endorsements, insure that the purchaser has title to the mineral rights related to the surface estate. The promulgated cost for said endorsement is \$50 per policy.
18. **NOTICE:** Pursuant to Procedural Rule P-71, Company may, upon request and if a licensed Agent in the County, issue a T-53 Texas Residential Limited Coverage Chain of Title Policy covering a period of 60 months, showing the following documents filed in the Official Public Records: none of record (vesting deeds - 1347/127 and 266/39, Deed Records)

Countersigned  
Independence Title Company

By  \_\_\_\_\_  
Authorized Signatory

**COMMITMENT FOR TITLE INSURANCE**

**SCHEDULE D**

GF No. 1409901-HKHF

Effective Date: **September 23, 2014, 8:00 am**

Pursuant to the requirements of Rule P-21, Basic Manual of Rules, Rates and Forms for the writing of Title Insurance in the State of Texas, the following disclosures are made:

1. The following individuals are directors and/or officers, as indicated, of the Title Insurance Company issuing this Commitment

The issuing Title Insurance Company, Title Resources Guaranty Company, is a corporation whose shareholders owning or controlling, directly or indirectly, 10% of said corporation, directors and officers are listed below:

Shareholders: Title Resources Incorporated which is owned 100% by TAW Holding, Inc.

Directors: Donald J. Casey; Michael P. Gozdan; Anthony E. Hull; J. Scott McCall; Thomas N. Rispoli; Hilry S. Stroup; Marilyn J. Wasser

Officers: Michael P. Gozdan-Sr. VP/General Counsel/Secretary, E. Paul McNutt, Jr.-EVP/Asst. Secretary, Paul Myers-VP; Anthony E. Hull-EVP Treasurer, Thomas N. Rispoli-SVP, Wade Thunhorst-VP, Marilyn J. Wasser-EVP/Asst. Secretary, Jason Bragg-SVP, John T. Updegraff, Jr.-VP J. Scott McCall-President/CEO, Clayton E. Greenberg-VP

2. (a) A listing of each shareholder, owner, partner, or other person having, owning or controlling one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium:

**ITCOT, LLC**

- (b) A listing of each shareholder, owner, partner, or other person having, owning or controlling 10 percent (10%) or more of an entity that has, owns or controls one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium:

**Jay Southworth  
Brian Pitman  
FSBT Holdings, LLC.**

- (c) The following is a list of it's officers and directors:

**Brian Pitman, President/COO  
Jay Southworth, Chairman/CEO**

3. You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement.

You are further advised that the estimated title premium<sup>1</sup> is:

Owner's Policy	<u>\$0.00</u>
Loan Policy	<u>\$0.00</u>
Endorsement Charges	<u>\$0.00</u>
Other	<u>\$0.00</u>
Total	<u>\$0.00</u>

Of this total amount: 15% will be paid to the policy issuing Title Insurance Company; 85% will be retained by the Issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

<u>Amount</u>	<u>To Whom</u>	<u>For Services</u>
60.00%	Rebecca M. Hafner, Attorney at Law	Closing the Transaction

" The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance."

**COMMITMENT FOR TITLE INSURANCE (Form T-7)**

**TEXAS TITLE INSURANCE INFORMATION**

Title insurance insures you against loss resulting from certain risks to your title.

The commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The commitment is a legal document. You should review it carefully to completely understand it before your closing date.

El seguro de título le asegura en relación a pérdidas resultantes de ciertos riesgos que pueden afectar el título de su propiedad.

El Compromiso para Seguro de Título es la promesa de la compañía aseguradora de títulos de emitir la póliza de seguro de título. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entenderlo completamente antes de la fecha para finalizar su transacción.

Your Commitment of Title insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the Title Insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

- **MINERALS AND MINERAL RIGHTS** may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Minerals and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, ensure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown in Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

- **EXCEPTIONS** are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Conditions section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.

- **EXCLUSIONS** are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.

- **CONDITIONS** are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.

You can get a copy of the policy form approved by the Texas Department of Insurance by calling the Title Insurance Company at 1-800-526-8018 or by calling the title insurance agent that issued the Commitment. The Texas Department of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the policy. Some of the changes to consider are:

- Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner's Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.

- Allow the Company to add an exception to "rights of parties in possession." If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

The entire premium for a Policy must be paid when the Policy is issued. You will not owe any additional premiums unless you want to increase your coverage at a later date and the Company agrees to add an Increased Value Endorsement.

**DELETION OF ARBITRATION PROVISION**

(Not applicable to the Texas Residential Owner's Policy)

ARBITRATION is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Insurance Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is \$2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company.

The arbitration provision in the Policy is as follows:

"Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction."

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE



**Title Resources Guaranty Company**

Premium Amount	Rate Rules	Property Type	County Code	Liability at Reissue Rate	6	7	8
1	2	3 3	4 157	5	6	7	8

# Title Resources Guaranty Company Privacy Policy Notice

## PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Title Resources Guaranty Company

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

**Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.**

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

**WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.**

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

# INDEPENDENCE TITLE COMPANY

## PRIVACY NOTICE

You have chosen to do business with Independence Title Company and we are obligated to honor the relationship with great care, beginning with the confidential information that may come into our possession during the course of your transaction with us. We believe that your privacy should not be compromised and are committed to maintaining the confidentiality of that information.

You can be assured that we are respecting your privacy and safeguarding your "*nonpublic personal information*". Nonpublic personal information is information about you that we collect in connection with providing a financial product or service to you. Nonpublic personal information does not include information that is available from Public sources, such as telephone directories or government records.

We collect nonpublic personal information about you from the following sources:

- Information we receive from you on applications or other forms
- Information about your transaction with us
- Information about your transactions with nonaffiliated third parties
- Information we receive from a consumer-reporting agency

We respect the privacy of our customers, and we will not disclose nonpublic personal information about our customers or former customers to anyone, except as permitted by law.

We restrict access to nonpublic personal information about you to those employees who need that information to provide products or services to you.

We maintain physical, electronic, and procedural safeguards that comply with federal standards to guard your nonpublic personal information.

We will not disclose nonpublic personal information about our customers or former customers to nonaffiliated third parties, except as permitted by law.

**Independence Title Company** recognizes and respects the privacy expectations of our customers. We want our customers to understand our commitment to privacy in our use of customer information. Customers who have any questions about this Privacy Policy or have any questions about the privacy of their customer information should call **Independence Title Company** at (512) 454-4500.

## 1 IMPORTANT NOTICE

To obtain information or make a complaint:

2 You may contact your **Title Resources Guaranty Company** at 1-800-526-8018.

3 You may call **Title Resources Guaranty Company** is toll-free telephone number for information or to make a complaint at:

**1-800-526-8018**

4 You may also write to **Title Resources Guaranty Company** at: 8111 LBJ Freeway, Suite 1200 Dallas, TX, 75251

5 You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

**1-800-252-3439**

6 You may write the Texas Department of Insurance:

P.O. Box 149104  
Austin, TX 78714-9104  
Fax: (512) 475-1771  
Web: <http://www.tdi.state.tx.us>  
E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

**7 PREMIUM OR CLAIM DISPUTES:**  
Should you have a dispute concerning your premium or about a claim you should contact the (agent) (company) (agent or the company) first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

**8 ATTACH THIS NOTICE TO YOUR POLICY:**  
This notice is for information only and does not become a part or condition of the attached document.

## AVISO IMPORTANTE

Para obtener informacion o para someter una queja:

Puede comunicarse con su **Title Resources Guaranty Company** al 1-800-526-8018.

Usted puede llamar al numero de telefono gratis de **Title Resources Guaranty Company** para informacion o para someter una queja al:

**1-800-526-8018**

Usted tambien puede escribir a **Title Resources Guaranty Company** al: 8111 LBJ Freeway, Suite 1200 Dallas, TX, 75251

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al:

**1-800-252-3439**

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104  
Austin, TX 78714-9104  
Fax: (512) 475-1771  
Web: <http://www.tdi.state.tx.us>  
E-mail: [ConsumerProtection@tdi.state.tx.us](mailto:ConsumerProtection@tdi.state.tx.us)

**DISPUTAS SOBRE PRIMAS O RECLAMOS:**  
Si tiene una disputa concierne a su prima o a un reclamo, debe comunicarse con el (agente) (la compania ) (agente o la compania) primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

**UNA ESTE AVISO A SU POLIZA:**  
Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.

# Introducing...Your Title Commitment

## The ABC's of a Title Commitment

Thank you again for working with Independence Title Company on your transaction. Enclosed is your Commitment for Title Insurance. This document is our commitment to insure your transaction and issue a title policy if conditions described in schedule C are met.

Below is a general guide to reading the title commitment. Please contact your escrow officer with any questions about your specific transaction.

### Schedule

# A

## "Actual Facts"

"A" is for "Actual Facts." In other words, this is the "Who, What, Where and How Much" of the transaction. You'll see the names of the seller and buyer, a description of the property, the sales price, and the name of the lender, if any.

### Schedule

# B

## "Buyer Notification"

"B" is for "Buyer Notification" of items in which other parties have some interest or control of the use of property. An example would be a utility easement, where the city would have a part of the land reserved for their use, or a building setback requirement that prevents the homeowner from building within a certain distance from the front, side or back of the property. These items are not covered by the title policy.

### Schedule

# C

## "Clear to Close"

"C" is for "Clear in order to Close." These items must be resolved in order to transfer title to the new owner. This might include such things as a mortgage to be paid off, home improvement liens, unpaid taxes, or a requirement that another person - such as an heir or a former spouse - participate in the sale of the property. All items shown on Schedule C must be resolved before or at the closing.

### Schedule

# D

## "Disclosure"

"D" is for "Disclosure." This last section outlines all parties who will share any part of the insurance premium, including underwriters, title agents and attorneys.



Independence Title

Explore [www.independence.com](http://www.independence.com)

We live here, work here, invest here. - We are locally owned and operated in the heart of Texas.

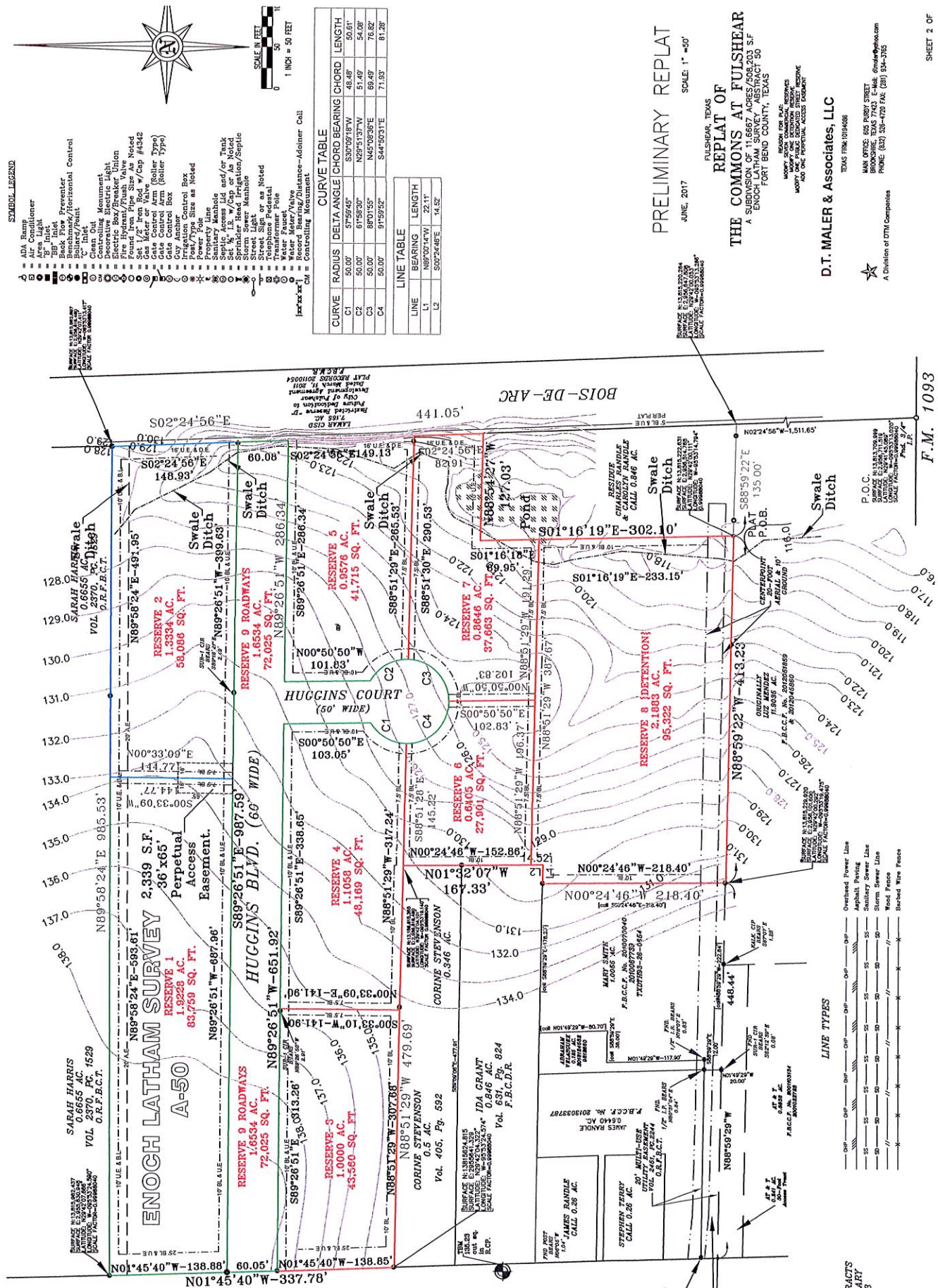


FIG. 3/4  
L.P.

FIG. 3/4  
L.P.

INS. RD.

KATY FULSHEAR RD. (VARYING TO 80')



- SYMBOL LEGEND**
- ◊ ADA Ramp
  - Air Conditioner
  - Air Light
  - "BB" Inlet
  - Precipitator
  - Backwash/Horizontal Control
  - Backwash/Vertical Control
  - Inlet
  - Clean Out
  - Controlling Monument
  - Electrical Box/Electric Light
  - Fire Hydrant/Flush Valve
  - Found from Pipe Size As Noted
  - Gas Meter or Valve
  - Gas Meter or Valve (C/Sep #434)
  - Gate Control Arm (Roller Type)
  - Gate Control Box (Roller Type)
  - Gate Control Box (Julier Type)
  - Guy Anchor
  - Mechanical Box
  - Post/Type Size as Noted
  - Power Pole
  - Sanitary Manhole
  - Sprinkler Access Lid (4" or Tank)
  - Sprinkler Head Irrigation/Sepic
  - Storm Sewer Manhole
  - Street Light or as Noted
  - Telephone Pedestal
  - Water Meter
  - Water Meter/Valve
  - Water Meter/Diameter-Admoter Call
  - Controlling Monument

**CURVE TABLE**

CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.00'	57°59'45"	S30°09'17"W	48.48'
C2	50.00'	61°58'30"	N29°51'37"W	51.49'
C3	50.00'	80°01'55"	N45°08'38"E	69.49'
C4	50.00'	91°59'52"	S44°09'31"E	71.93'

**LINE TABLE**

LINE	BEARING	LENGTH
L1	N89°00'14"W	22.11'
L2	S89°24'48"E	14.52'

PRELIMINARY REPLAT  
JUNE, 2017  
SCALE: 1" = 40'

FULSHEAR, TEXAS  
REPLAT OF  
THE COMMONS AT FULSHEAR  
A SUBDIVISION OF THE COMMONS AT FULSHEAR, S.F.  
ENOCH LATHAM SURVEY ABSTRACT 50  
FORT BEND COUNTY, TEXAS

REASON FOR RE-PLAT:  
MAY 2006 CONVERSION RESERVES  
MAY 2006 PUBLIC DEDICATED STREET RESERVE  
MAY 2006 RESERVE ACCESS EASEMENT

**D.T. MALER & Associates, LLC**  
TEXAS REG. 10184086

MAIN OFFICE: 556 PERRY STREET  
FULSHEAR, TEXAS 78036  
PHONE: (832) 527-1720 FAX: (832) 524-3352  
dmaler@dtm.com

A Division of DTM Companies

**LINE TYPES**

- Overhead Power Line
- Asphalt Paving
- Sanitary Sewer Line
- Storm Sewer Line
- Wood Fence
- Barbed Wire Fence

\*SEE PARENT TRACTS  
& PLAT BOUNDARY  
SHT. 3 OF 3







**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	June 2, 2017	<b>AGENDA ITEM:</b>	10
<b>DATE SUBMITTED:</b>	May 30, 2017	<b>DEPARTMENT:</b>	Planning and Development
<b>PREPARED BY:</b>	Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development	<b>PRESENTER:</b>	David Leyendecker, City Engineer
<b>SUBJECT:</b>	<b>Plat Summaries for Planning and Zoning Commission</b>		
<b>ATTACHMENTS:</b>	<b>City Engineer's Engineering Review: Preliminary Plat – Jordan Ranch Commercial</b>		

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration a Preliminary Plat for Jordan Ranch Commercial. The plat, as submitted, generally meets the requirements set forth in the City's Subdivision Ordinance No. 04-913, which is in alignment with Chapter 21, Texas Local Government Code.

The preliminary plat will be an Unrestricted Reserve of 6.059 acres that will serve as a commercial development. The reserve is located in Waller County within the Waller County Road Improvement District No. 1. The tract is adjacent to Jordan Ranch Boulevard to the west, Kingsland Boulevard to the north and Pappas Dr. to the east.

**RECOMMENDATION**

After staff review of this request, we recommend the Planning and Zoning Commission provide a positive recommendation for plat approval as submitted.

May 25, 2017

## Engineering Review

Preliminary Plat - Jordan Ranch Commercial  
Waller County, Texas

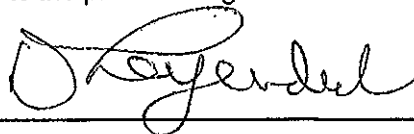
### For Information only:

1. This plat will create one (1) Unrestricted Reserve that will have a total acreage of 6.059 acres.
2. This Unrestricted Reserve will have access to Jordan Ranch Drive on its West, Kingsland Blvd on its North and Pappas Drive on its East.
3. Since this tract is located in the ETJ of the City of Fulshear it will need approval of the City, Waller County and Brookshire Katy Drainage District.

### Recommendations:

I recommend that this Preliminary Plat of Jordan Ranch Commercial be approved with the following additions/correction:

- A) Building Lines need to be shown along the roadways that abut this tract.
- B) The abbreviations are shown for Harris County. These need to reflect Waller County.
- C) The Title Block reflects this tract as being in two (2) surveys while the Metes and Bounds description shows it located in only one survey and Abstract.
- D) The names of the Chairman and Co-Chairman of the Planning Commissions need to be updated.
- E) The name of the Mayor needs to be updated.
- F) In the dedication language, the owner is shown as Jordan Ranch Investments, LLC while the Notary Certification shows CCR Venture Management, LLC. The date in this certification is shown as 2015.
- G) A Note needs to be added to the plat showing that this tract is located in the ETJ of the City of Fulshear.





**CITY OF FULSHEAR**  
 PO Box 279 / 30603 FM 1093  
 Fulshear, Texas 77441  
 Phone: 281-346-1796 ~ Fax: 281-346-2556  
 www.fulsheartexas.gov

**Subdivision/Development Platting Application**

Date: 5/19/2017 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: JORDAN RANCH Development: COMMERCIAL

**SUBMITTAL OF PLAT:** (Check Appropriate Selection)

Preliminary  Final  Short Form Final  
 Replat  Vacation Plat  Admin. (Minor) Plat  
 Amending Plat

**TYPE OF PLAT:** (Check Appropriate Selection)

Single-Family Residential  Zero Lot Line/ Patio Home  Multi-Family Residential  
 Planned Development  Commercial  Industrial

Plat Location:  City  ETJ (Extraterritorial Jurisdiction)

Legal Description: 6.059 ac situated in the H&TCRR CO. Survey No. 168 & the J.G. BENNETT SURVEY, A-292, Waller County, TX  
 Variance:  Yes (Attach a Copy of Approval Letter)  No

Total Acreage: 6.059  
 Number of Streets: 0  
 Number of Lots: 0  
 Number and Types of Reserves: 1 Unrestricted  
 Total Acres in Reserve: 6.059

Owner: JORDAN RANCH INVESTMENTS, LLC  
 Address: 1814 RUSTIC HILLS Ct.  
 City/State: Sugar Land, TX  
 Telephone: 281-458-2281  
 Email Address: \_\_\_\_\_

Engineer/Planner: WINDROSE LAND SERVICES  
 Contact Person: BRIAN McMillan  
 Telephone: 832-360-1693  
 Fax Number: \_\_\_\_\_  
 Email Address: Brian.McMillan@WINDROSESERVICES.COM

Platting Fees	
Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre	
Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre	
Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre	
Amending or Minor Plat - \$200.00	
Plat Vacation - \$500.00	
2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)	
TOTAL PLATTING FEE	<del>\$575.00</del> <u>\$575.74</u>
Park Fees (due at Final Plat Application)	_____

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

[Signature] Brian McMillan / Platting Project Mgr. 5/19/2017  
 SIGNATURE TYPED OR PRINTED NAME/TITLE DATE

## Kimberly Kopecky

---

**From:** davidleyen@aol.com  
**Sent:** Friday, May 26, 2017 2:02 PM  
**To:** Kimberly Kopecky  
**Cc:** Sharon Valiante  
**Subject:** Fwd: Jordan Ranch Commercial & Jordan Ranch/Kingsland Street Dedication Amending Plat  
**Attachments:** Jordan Ranch Blvd and Kingsland Blvd Street Dedication No 5 - 48639 - 26MAY2017.pdf; Jordan Ranch Commercial - 51694 - 26MAY2017.pdf

| Good afternoon David,

-----Original Message-----

**From:** Andrew Allemand <andrew.allemand@windroseservices.com>  
**To:** Davidleyen <Davidleyen@aol.com>  
**Cc:** Brian McMillan <brian.mcmillan@WindroseServices.com>  
**Sent:** Fri, May 26, 2017 12:32 pm  
**Subject:** Jordan Ranch Commercial & Jordan Ranch/Kingsland Street Dedication Amending Plat

Good afternoon David,

Note the attached, updated PDFs for the referenced projects. I printed/scanned the drawing pages so they display correctly and clearly (and also so you can email and print on your end without any issues with the wipeouts from AC2004). We are sending revised paper copies to the City (along with the check for \$0.74 for the application fee shortage).

Just let me know if you need anything else in advance of these preliminary plats going to Planning Commission.

Sincerely,



**WINDROSE**  
LAND SURVEYING | PLATTING

**ANDREW ALLEMAND**  
PLATTING MANAGER  
3200 WILCREST, SUITE 325 | HOUSTON, TX 77042  
O: (713) 458-2281 | D: (832) 360-1694 | C: (281) 975-9065  
WINDROSESERVICES.COM | FIRM REGISTRATION NO. 10108800

STATE OF TEXAS  
COUNTY OF FORT BEND

The City of Fort Bend Commission, is approved by the City Planning Commission of the City of Fort Bend, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

City Manager  
City Commissioner  
City Council

The City of Fort Bend Commission, is approved by the City Planning Commission of the City of Fort Bend, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

City Manager  
City Commissioner  
City Council

The City of Fort Bend Commission, is approved by the City Planning Commission of the City of Fort Bend, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

City Manager  
City Commissioner  
City Council

The City of Fort Bend Commission, is approved by the City Planning Commission of the City of Fort Bend, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

City Manager  
City Commissioner  
City Council

The City of Fort Bend Commission, is approved by the City Planning Commission of the City of Fort Bend, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

TITLE \_\_\_\_\_  
NAME \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

By \_\_\_\_\_, \_\_\_\_\_  
Notary Public in and for State of Texas

By \_\_\_\_\_, \_\_\_\_\_  
Notary Public in and for State of Texas

By \_\_\_\_\_, \_\_\_\_\_  
Notary Public in and for State of Texas

By \_\_\_\_\_, \_\_\_\_\_  
Notary Public in and for State of Texas

By \_\_\_\_\_, \_\_\_\_\_  
Notary Public in and for State of Texas

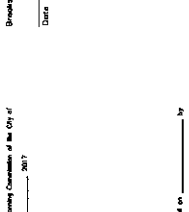
By \_\_\_\_\_, \_\_\_\_\_  
Notary Public in and for State of Texas

By \_\_\_\_\_, \_\_\_\_\_  
Notary Public in and for State of Texas

GENERAL NOTES

1. THE PLAT IS NOT TO BE CONSIDERED AS A CONTRACT. THE CITY OF FORT BEND, TEXAS, IS NOT A PARTY TO THIS CONTRACT.
2. THE CITY OF FORT BEND, TEXAS, IS NOT A PARTY TO THIS CONTRACT.
3. THE CITY OF FORT BEND, TEXAS, IS NOT A PARTY TO THIS CONTRACT.
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9. THE CITY OF FORT BEND, TEXAS, IS NOT A PARTY TO THIS CONTRACT.
10. THE CITY OF FORT BEND, TEXAS, IS NOT A PARTY TO THIS CONTRACT.

VICINITY MAP  
SCALE: 1" = 500'



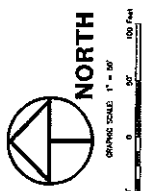
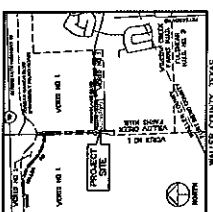
JORDAN RANCH COMMERCIAL  
A SUBDIVISION OF 8,039 AC. / 285,928 SQ. FT. OF LAND  
IN THE COUNTY OF FORT BEND, TEXAS  
H.B. C.R.R. CO. SURVEY NO. 165, AND THE U.G.  
BENNETT SURVEY ABSTRACT NO. 282  
WALLER COUNTY, TEXAS

1 RESERVES  
MAY 24, 2017  
Surveyor

Owner  
Jordan Ranch Investments, LLC  
a Texas limited liability partnership

WINDROSE  
LAND SURVEYING & MAPPING, INC.  
2300 W. C. C. ROAD, SUITE 100, FORT WORTH, TEXAS 76102  
PHONE: (817) 552-1234 FAX: (817) 552-1235  
WWW.WINDROSE-SURVEYING.COM

SHEET 1 OF 2



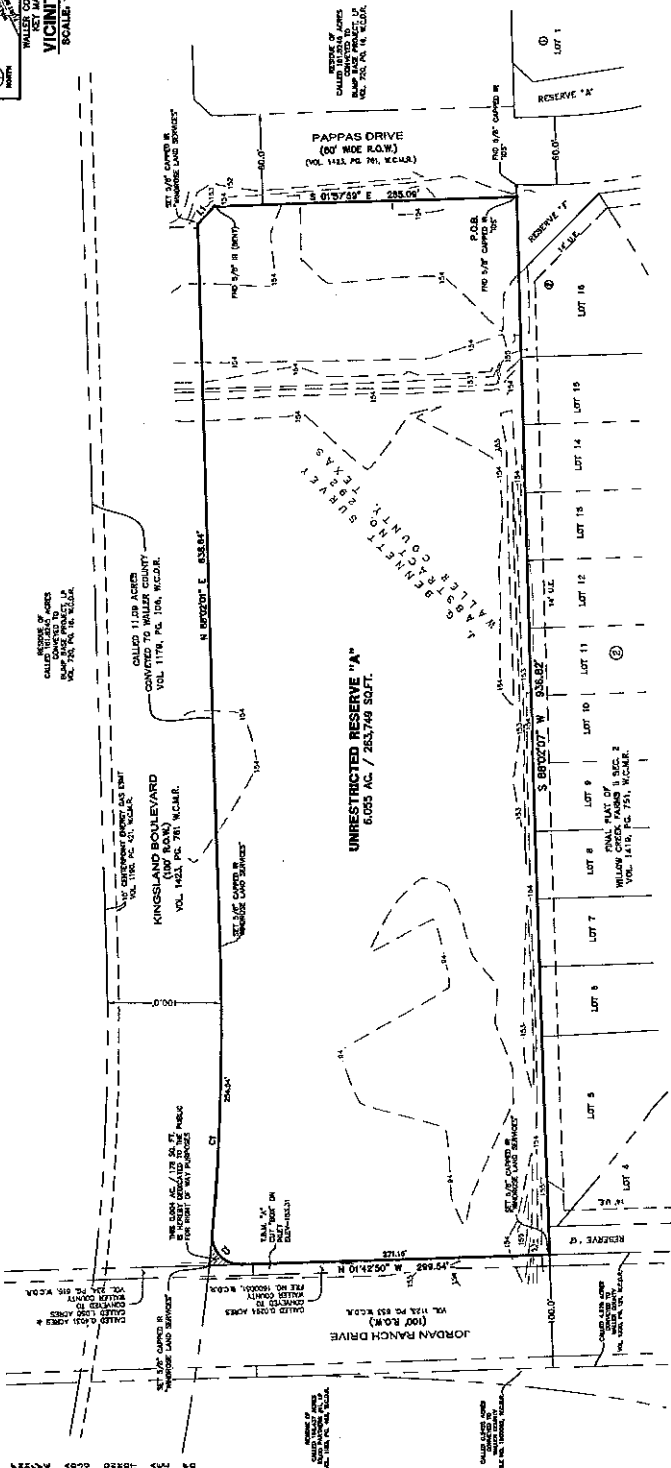
**VICINITY MAP**  
SCALE: 1" = 2,000'

**LEGAL DESCRIPTION**

THE PART OF THE UNRESTRICTED RESERVE "A" 6,055 AC. / 263,749 SQ. FT. SITUATED IN THE S.W. 1/4 OF SEC. 2, T. 10N., R. 10E., S. 22E., BERNHARD COUNTY, TEXAS, AS SHOWN ON THE SURVEY MAP RECORDED IN PUBLIC RECORDS UNDER INSTRUMENT NO. 292, H.A.T.C.R. CO. SURVEY NO. 188, AND THE U.G. SURVEY MAP RECORDED IN PUBLIC RECORDS UNDER INSTRUMENT NO. 1,100, H.A.T.C.R. CO. SURVEY NO. 292, BERNHARD COUNTY, TEXAS.

THE PART OF THE UNRESTRICTED RESERVE "A" 6,055 AC. / 263,749 SQ. FT. SITUATED IN THE S.W. 1/4 OF SEC. 2, T. 10N., R. 10E., S. 22E., BERNHARD COUNTY, TEXAS, AS SHOWN ON THE SURVEY MAP RECORDED IN PUBLIC RECORDS UNDER INSTRUMENT NO. 292, H.A.T.C.R. CO. SURVEY NO. 188, AND THE U.G. SURVEY MAP RECORDED IN PUBLIC RECORDS UNDER INSTRUMENT NO. 1,100, H.A.T.C.R. CO. SURVEY NO. 292, BERNHARD COUNTY, TEXAS.

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**JORDAN RANCH COMMERCIAL**

A SUBDIVISION OF 6,055 AC. / 263,749 SQ. FT. OF LAND SITUATED IN THE S.W. 1/4 OF SEC. 2, T. 10N., R. 10E., S. 22E., BERNHARD COUNTY, TEXAS.

H.A.T.C.R. CO. SURVEY NO. 188, AND THE U.G. SURVEY MAP RECORDED IN PUBLIC RECORDS UNDER INSTRUMENT NO. 1,100, H.A.T.C.R. CO. SURVEY NO. 292, BERNHARD COUNTY, TEXAS.

1 RESERVED

MAY 28, 2017

Surveyor

**WINDROSE**  
LAND SURVEYING & PLATTING  
INCORPORATED  
A TEXAS LIMITED LIABILITY PARTNERSHIP

**LINE TABLE**

LINE	BEARINGS	DISTANCE
L1	S 49°37'59" E	213.37'

**CURVE TABLE**

CURVE	BEARINGS	DELTA	ARC	BEARING	CHORD
C1	S 75°14'10" W	133.33°	133.33'	S 80°53'54" W	202.43'
C2	S 85°31'12" E	42.26°	42.26'	S 63°53'01" E	27.41'

# Abstract Services of Houston

7500 San Felipe, Suite 1020

Houston, Texas 77063

832-818-4445 Phone

281-489-0434 Fax

**City Planning Letter No. 2017-04-0026**

**Courthouse Posting Date: April 17, 2017**

The City of Hempstead  
C/O: Mr. Brian McMillan  
Windrose Services  
3200 Wilcrest, Suite 325  
Houston, Texas 77042

RE: **Jordan Ranch Commercial (Job No: 51964-24030)**

To Whom It May Concern:

Abstract Services of Houston certifies that a diligent search of the Real Property Records of the County Clerk of Waller County, has been made, as to the following described property and the following was found filed of record:

Legal Description: Being a tract or parcel containing 6.0590 acres or 263,928 square feet of land situated in the J. G. Bennett Survey, Abstract No. 292, Waller County, Texas, being out of the residue of a called 161.8245 acre tract of land conveyed to Blimp Base Project, L.P., recorded in Volume 720, Page 16, Waller County Deed Records, said 6.0590 acre tract being more particularly described by metes and bounds in 2016008803.

and find the following information filed of record:

**RECORD OWNER(S): Jordan Ranch Investments, LLC**, a Texas limited liability partnership.

By virtue of Special Warranty Deed with Vendor's Lien in favor of Mortgagee dated December 12, 2016 recorded under County Clerk's File No. 2016008803.

**RESTRICTIONS:**

Any Restrictions in Volume 1424, Page 286 of the Map Records of Waller County, Texas.

**EASEMENTS:**

1 foot Reserve as set forth in Volume 1424, Page 286 of the Map Records of Waller County, Texas.

**MINERAL ESTATE NOT SEARCHED.**

**VOLUNTARY LIENS:**



Deed of Trust, Security Agreement, Financing Statement and Assignment of Rents dated December 12, 2016 recorded under County Clerk's File No. 2016008804, executed by Jordan Ranch Investments, for the benefit of Texas Capital Bank, N.A.

No examination has been made as to Abstracts of Judgment, State or Federal Tax Liens, Tax suits utility assessments or paving assessments.

No research has been made regarding any obligations, restrictions, terms or conditions arising from the purchase or rental of mobile homes located on the subject property.

**AD VALOREM TAXES:** All taxes owed are the responsibility of the owners of said property.

If you have any questions or comments, please feel free to contact us.

Said property may be subject to mineral reservations, and assessments, if any, of record. No search has been made as to State U.C.C. filings, rights of parties in possession or conflicts of legal description.

This title information, being provided at your request, is obtained from the Real Property Records of the County Clerk of Waller County, Texas. However, this title information does not constitute a title opinion or title commitment and Title Houston Holdings, D/B/A Abstract Services of Houston assumes no responsibility for any error or omission that may be found herein. By acceptance of this certificate it is understood and agreed that the liability of Title Houston Holdings, D/B/A Abstract Services of Houston for any error or omission is hereby limited to the amount paid for this certificate.

Sincerely,

*Vladimir Andreev*

Vladimir Andreev



**AGENDA MEMO**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF FULSHEAR, TEXAS**

<b>AGENDA OF:</b>	June 2, 2017	<b>AGENDA ITEM:</b>	11
<b>DATE SUBMITTED:</b>	May 30, 2017	<b>DEPARTMENT:</b>	Planning and Development
<b>PREPARED BY:</b>	Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development	<b>PRESENTER:</b>	David Leyendecker, City Engineer
<b>SUBJECT:</b>	<b>Plat Summaries for Planning and Zoning Commission</b>		
<b>ATTACHMENTS:</b>	<b>City Engineer's Engineering Review: Amending Plat for Right of Way Correction on Jordan Ranch Boulevard and Kingsland Boulevard Street Dedication No. 5</b>		

**EXECUTIVE SUMMARY**

The Planning and Zoning Commission has for its consideration an Amending Plat to correct the Right of Way for Jordan Ranch Boulevard and Kingsland Boulevard Street Dedication No. 5. The plat was previously record as a street dedication to Waller County, but needs to correct an error in the placement of the right of ways for Jordan Ranch Boulevard and Kingsland Boulevard.

**RECOMMENDATION**

After staff review of this request, we recommend the Planning and Zoning Commission provide a positive recommendation for plat approval as submitted.

May 30, 2017

## Engineering Review

Revised Preliminary Plat - An Amending Plat of  
Jordan Ranch Boulevard and Kingsland Boulevard  
Street Dedication No.5  
Waller County, Texas

### For Information only:

1. This plat serves to correct an error in the placement of the Right-of-Way for Jordan Ranch Boulevard and Kingsland Boulevard.
2. Both boulevards exist now and are constructed on the ground. The only change will be in the street right-of-way lines.
3. Since this tract is located in the E.T.J. of the City of Fulshear, approval will be required by the City, Waller County and Brookshire-Katy Drainage District.

### Recommendations:

I recommend that this Revised Preliminary Plat of Jordan Ranch Boulevard and Kingsland Boulevard be approved.





**CITY OF FULSHEAR**  
 PO Box 279 / 30603 FM 1093  
 Fulshear, Texas 77441  
 Phone: 281-346-1796 ~ Fax: 281-346-2556  
 www.fulsheartexas.gov

**Subdivision/Development Platting Application**

Date: 5/19/2017 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: Jordan Ranch Development: Kingsland Blvd. & 16400 Rd. Street Dedication

**SUBMITTAL OF PLAT: (Check Appropriate Selection)**

Preliminary  Final  Short Form Final  
 Replat  Vacation Plat  Admin. (Minor) Plat  
 Amending Plat

**TYPE OF PLAT: (Check Appropriate Selection)**

Single-Family Residential  Zero Lot Line/ Patio Home  Multi-Family Residential  
 Planned Development  Commercial  Industrial

Plat Location:  City  ETJ (Extraterritorial Jurisdiction)

Legal Description: 6.7538 ac situated in the H & TCRP CO. Survey, A-168, & the J.G. Bennett Survey, A-297  
Waller County, Texas  
 Variance:  Yes (Attach a Copy of Approval Letter)  No

Total Acreage: 6.7538  
 Number of Streets: 2  
 Number of Lots: 0  
 Number and Types of Reserves: 0  
 Total Acres in Reserve: 0

Owner: WILLOW CREEK FARMS MUD  
 Address: 2310 Baker Rd.  
 City/State: Houston, TX 77094  
 Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

Engineer/Planner: WINDROSE LAND SERVICES  
 Contact Person: Brian McMillan  
 Telephone: 713-458-2281  
 Fax Number: \_\_\_\_\_  
 Email Address: BRIAN.MCMILLAN@WINDROSESERVICES.COM

Platting Fees	
Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre	
Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre	
Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre	
<u>Amending or Minor Plat - \$200.00</u>	
Plat Vacation - \$500.00	
2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)	
TOTAL PLATTING FEE <u>200</u>	
Park Fees (due at Final Plat Application)	_____

This is to certify that the information on this form is complete, true and correct and the undersigned is authorized to make this application. I understand that if all necessary information, required documents, and plat fees are required at time of submittal or the City of Fulshear will not complete the review needed in order to submit to the P&Z board.

[Signature] Brian McMillan/Platting Project Mgr. 5/19/2017  
 SIGNATURE TYPED OR PRINTED NAME/TITLE DATE

## Kimberly Kopecky

---

**From:** davidleyen@aol.com  
**Sent:** Friday, May 26, 2017 2:02 PM  
**To:** Kimberly Kopecky  
**Cc:** Sharon Valiante  
**Subject:** Fwd: Jordan Ranch Commercial & Jordan Ranch/Kingsland Street Dedication Amending Plat  
**Attachments:** Jordan Ranch Blvd and Kingsland Blvd Street Dedication No 5 - 48639 - 26MAY2017.pdf; Jordan Ranch Commercial - 51694 - 26MAY2017.pdf

| Good afternoon David,

-----Original Message-----

**From:** Andrew Allemand <andrew.allemand@windroseservices.com>  
**To:** Davidleyen <Davidleyen@aol.com>  
**Cc:** Brian McMillan <brian.mcmillan@WindroseServices.com>  
**Sent:** Fri, May 26, 2017 12:32 pm  
**Subject:** Jordan Ranch Commercial & Jordan Ranch/Kingsland Street Dedication Amending Plat

Good afternoon David,

Note the attached, updated PDFs for the referenced projects. I printed/scanned the drawing pages so they display correctly and clearly (and also so you can email and print on your end without any issues with the wipeouts from AC2004). We are sending revised paper copies to the City (along with the check for \$0.74 for the application fee shortage).

Just let me know if you need anything else in advance of these preliminary plats going to Planning Commission.

Sincerely,



**WINDROSE**  
LAND SURVEYING | PLATTING

ANDREW ALLEMAND  
PLATTING MANAGER  
3200 WILCREST, SUITE 325 I HOUSTON, TX 77042  
O: (713) 458-2281 I D: (832) 360-1694 I C: (281) 975-9065  
WINDROSESERVICES.COM I FIRM REGISTRATION NO. 10108800

STATE OF TEXAS  
COUNTY OF WALLER

We, Kevin Lobban, President and Steven Burjachs, Secretary of Windrose Creek Farms Municipal Utility District, hereafter referred to as "OWNER" of the above and last recited plat, do hereby make one plat and one plat of said subdivision of said property according to all laws, regulations, restrictions and conditions on said plat and hereby certify to the use of the public, private, streets, alleys, easements, easements, rights, easements and public utility easements that are designated with said easements (E, E.C., E.C.I.) as indicated and depicted thereon, whereby the same easements later to be used in the future.

We further acknowledge that the dedications and/or easements made herein are in addition to the plat of the subdivision upon the public records and that the development will conform with all present and future growth needs of the plat. We, the undersigned, hereby certify that we are the owners of the plat and we have no other claims, interests or claims of action that we may have as a result of the dedication or easements made here.

Further, covenants have been dedicated and by these presents do dedicate to the use of the public for public utility purposes forever undisturbed easements. The said easements shall extend horizontally to 15 feet, the depth for the full perimeter ground easement to 15 feet, and the depth for the full perimeter ground easement to 15 feet. We hereby certify that the plat and easements are in accordance with the laws, regulations, restrictions and conditions on said plat and hereby certify to the use of the public, private, streets, alleys, easements, easements, rights, easements and public utility easements that are designated with said easements (E, E.C., E.C.I.) as indicated and depicted thereon, whereby the same easements later to be used in the future.

Further, covenants have been dedicated and by these presents do dedicate to the use of the public for public utility purposes forever undisturbed easements. The said easements shall extend horizontally to 15 feet, the depth for the full perimeter ground easement to 15 feet, and the depth for the full perimeter ground easement to 15 feet. We hereby certify that the plat and easements are in accordance with the laws, regulations, restrictions and conditions on said plat and hereby certify to the use of the public, private, streets, alleys, easements, easements, rights, easements and public utility easements that are designated with said easements (E, E.C., E.C.I.) as indicated and depicted thereon, whereby the same easements later to be used in the future.

IN WITNESS WHEREOF, Windrose Creek Farms Municipal Utility District, has caused these presents to be signed by Kevin Lobban, its President and Steven Burjachs, its Secretary, and its common seal hereunto affixed, this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Windrose Creek Farms Municipal Utility District

By: \_\_\_\_\_  
Kevin Lobban  
President

Attest By: \_\_\_\_\_  
Steven Burjachs  
Secretary

STATE OF TEXAS  
COUNTY OF WALLER

BEFORE ME, the undersigned authority, on this day personally appeared Kevin Lobban, President and Steven Burjachs, Secretary of Windrose Creek Farms Municipal Utility District, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Public in and for the  
State of Texas

My Commission Expires \_\_\_\_\_

I, Robert Parks, Sr., an engineer under the laws of the State of Texas, do hereby certify that the above subdivision is true and correct and that the plat and easements are in accordance with the laws, regulations, restrictions and conditions on said plat and hereby certify to the use of the public, private, streets, alleys, easements, easements, rights, easements and public utility easements that are designated with said easements (E, E.C., E.C.I.) as indicated and depicted thereon, whereby the same easements later to be used in the future.



ROBERT PARKS, SR.  
Professional Engineer License No. 6424

This plat of JORDAN RANCH BOULEVARD AND KINGSLAND BOULEVARD STREET DEDICATION NO 5 is approved by the City Planning Commission of the City of Fulshear, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

City Planner  
Justin Keast  
City Planner

This plat of JORDAN RANCH BOULEVARD AND KINGSLAND BOULEVARD STREET DEDICATION NO 5 was approved on \_\_\_\_\_ by the City of Fulshear City Council and signed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

provided, however, the approval shall be invalid and void unless the plat is filed with the County Clerk of Fort Bend County, Texas within six (6) months hereafter.

Julie M. Roberts  
Mayor

Doris Gordon Wilson  
City Secretary

Brookshire-Roty Drainage District

Chris J.R. Ouellet, Sr., President

Ruth Olin, Secretary

Christie Robinson, P.E., District Engineer

I, Tracy Scott, P.E., Civil, County Engineer of Waller County, Texas, do hereby certify that the above subdivision is true and correct and that the plat and easements are in accordance with the laws, regulations, restrictions and conditions on said plat and hereby certify to the use of the public, private, streets, alleys, easements, easements, rights, easements and public utility easements that are designated with said easements (E, E.C., E.C.I.) as indicated and depicted thereon, whereby the same easements later to be used in the future.

Date Tracy Scott, P.E., Civil, County Engineer

APPROVED BY Commissioners Court of Waller County, Texas, this day of \_\_\_\_\_, 2017.

Courtney "Trey" J. Duhon III  
County Judge

John A. Amador  
Commissioner, Precinct 1

Justin Burdick  
Commissioner, Precinct 4

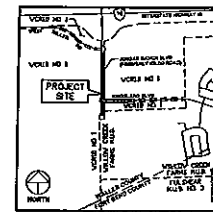
Janet Barnett  
Commissioner, Precinct 3

Ronald Weisbe  
Commissioner, Precinct 2

I, Debbie Hester, Clerk of the County Court of Waller County, Texas, do hereby certify that the above instrument with its certificate of authentication was filed for registration in my office on \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_\_\_\_, and duly recorded on \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_\_\_\_, and of Page \_\_\_\_\_ of \_\_\_\_\_ of the Official Public Records of Waller County, Texas.

Debbie Hester  
County Clerk

By: \_\_\_\_\_  
Deputy



WALLER COUNTY, TEXAS  
VICINITY MAP  
SCALE: 1"=2,000'

GENERAL NOTES

- 1. ALL PROPERTIES SUBMITTED IN THIS PLAT ARE WITHIN THE EXTRAJURISDICTIONAL JURISDICTION OF THE CITY OF FULSHEAR, WALLER COUNTY, TEXAS.
- 2. RECORDS WERE BASED ON RECORDS IN VOLUME 1418, PAGE 367 IN THE WALLER COUNTY DEED RECORDS.
- 3. ACCORDING TO THE PUBLIC UTILITY DISTRICT ACT, PUBLIC UTILITY DISTRICTS ARE REQUIRED TO MAINTAIN RECORDS OF ALL RECORDS IN ACCORDANCE WITH THE ACT. THE RECORDS OF THE DISTRICTS ARE REQUIRED TO BE MAINTAINED IN ACCORDANCE WITH THE ACT. THE RECORDS OF THE DISTRICTS ARE REQUIRED TO BE MAINTAINED IN ACCORDANCE WITH THE ACT.
- 4. ONE-FOOT BUFFER REQUIRED TO BE MAINTAINED BETWEEN THE CENTER OF ANY OF THE STREETS AND ADJACENT PROPERTY. THE BUFFER SHALL BE MAINTAINED BETWEEN THE CENTER OF ANY OF THE STREETS AND ADJACENT PROPERTY. THE BUFFER SHALL BE MAINTAINED BETWEEN THE CENTER OF ANY OF THE STREETS AND ADJACENT PROPERTY.
- 5. IN ACCORDANCE WITH CHAPTER 201, SUBCHAPTER B, ARTICLE 404.01, SECTION 201.001, THE BUFFER SHALL BE MAINTAINED BETWEEN THE CENTER OF ANY OF THE STREETS AND ADJACENT PROPERTY. THE BUFFER SHALL BE MAINTAINED BETWEEN THE CENTER OF ANY OF THE STREETS AND ADJACENT PROPERTY.
- 6. THERE IS NO GUARANTEE OF ANY KIND BY THE ENGINEER FOR THE ACCURACY OF THE PLAT. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE PLAT. THE ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE PLAT.

AN AMENDING PLAT OF  
JORDAN RANCH BOULEVARD  
AND KINGSLAND BOULEVARD  
STREET DEDICATION NO 5

BEING 6.7538 ACRES OR 284,197 SQ. FT. OF LAND, BEING AN AMENDING PLAT OF ALL OF KINGSLAND BOULEVARD AND IGLOO ROAD STREET DEDICATION, CLERK'S FILE NUMBER 1404288, W.C.M.R., SITUATED IN THE H & T.C. R.R. CO. SURVEY, A-292, AND THE J.G. BENNETT SURVEY, A-292, CITY OF FULSHEAR, E.T.J., WALLER COUNTY, TEXAS.

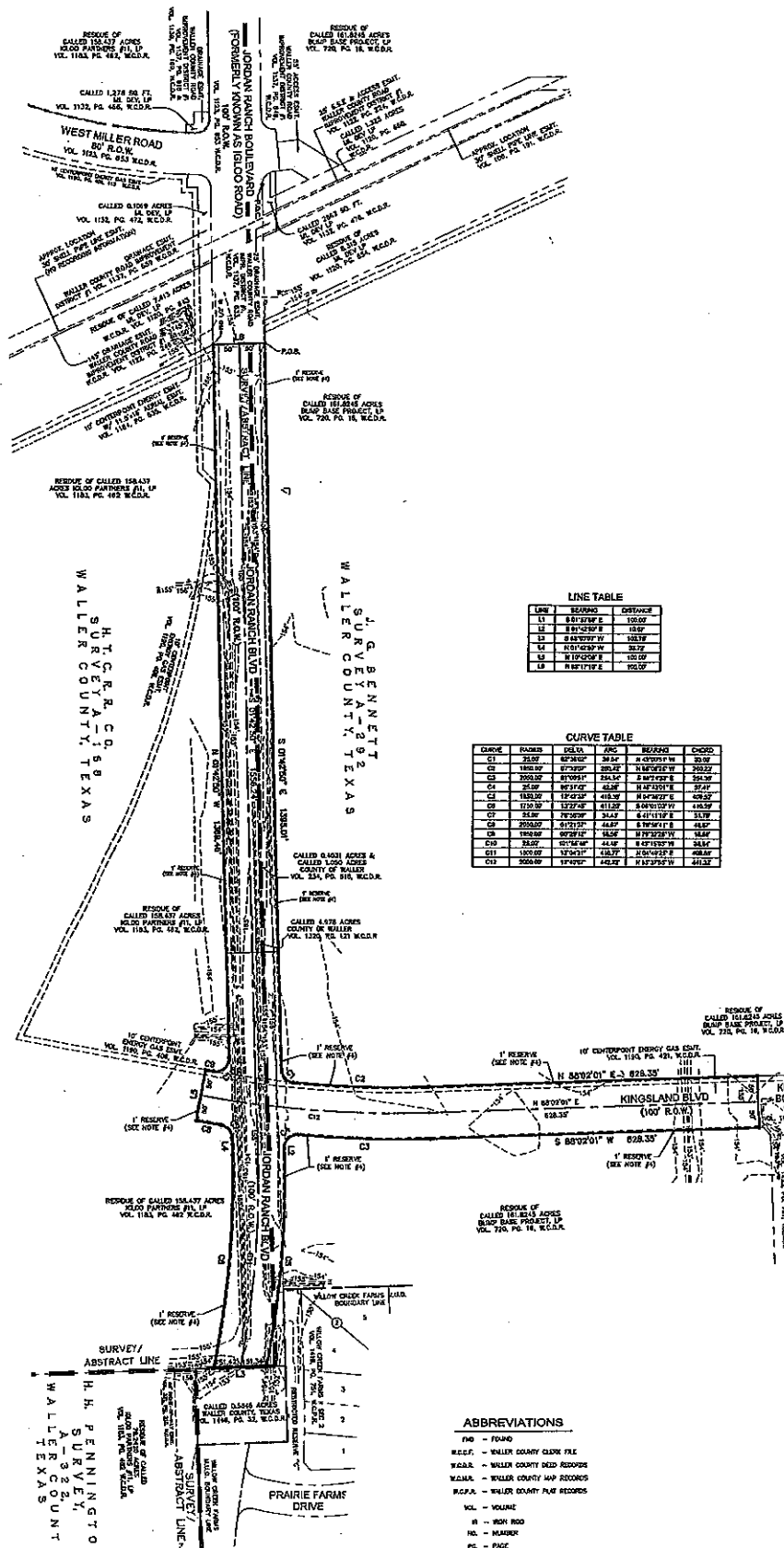
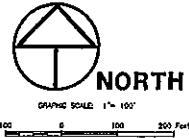
REASON FOR REPEAT: TO CORRECT ERROR IN RIGHT-OF-WAY LOCATION

MAY 24 2017

Owner  
Windrose  
Municipal Utility District  
210 West Loop  
Austin, TX 78701  
P: 512.454.2444



WINDROSE  
LAND SURVEYING & PLATTING  
2100 WILLOW CREEK DRIVE, SUITE 111 | HOUSTON, TEXAS 77057 | 713.454.2311  
FAX: 713.454.2311 | WWW.WINDROSELANDSURVEYING.COM



DESCRIPTION OF 8,7538 AC. / 294,197 SQ. FT. OF LAND
A TRACT OF PARCEL OF LAND CONTAINING 8,7538 ACRES OR 294,197 SQUARE FEET, BEING A PORTION OF A CALLED 401 1/2 ACRES TRACT AND A CALLED 1000 ACRES TRACT...

LINE TABLE with columns: LINE, BEARING, DISTANCE. Lists lines 11 through 16 with their respective bearings and distances.

CURVE TABLE with columns: CHAIN, CHAIN, CHAIN, BEARING, CHAIN. Lists curve data for lines 11 through 16.

CONTAINING AT A 1/2-INCH FROM THE SURFACES OF THE CURVES...
INDICED ALONG THE EAST SIDE OF SAID ROAD FROM SOUTH TO NORTH 45 MINUTES 50 SECONDS EAST, A DISTANCE OF 241.10 FEET TO A CAPPED 5/8-INCH FROM ROAD STAMPED 'WINDROSE LAND SERVICES' SET MARKING A POINT OF TANGENCY...

- ABBREVIATIONS
FND - FOUND
REC.F. - WALLER COUNTY CLERK FILE
W.C.R. - WALLER COUNTY DEED RECORDS

AN AMENDING PLAT OF
JORDAN RANCH BOULEVARD
AND KINGSLAND BOULEVARD
STREET DEDICATION NO 5

BEING 8,7538 ACRES OR 294,197 SQ.FT. OF LAND, BEING AN AMENDING PLAT OF ALL OF KINGSLAND BOULEVARD AND IGLOU ROAD STREET DEDICATION, CLERKS FILE NUMBER 1404298, W.C.M.R., SITUATED IN THE H & T. C. R.R. CO. SURVEY, A-292, AND THE I.G. BENNETT SURVEY, A-292, CITY OF FULSHEAR E.T.J., WALLER COUNTY, TEXAS.

REASON FOR REPLAT: TO CORRECT ERROR IN RIGHT-OF-WAY LOCATION
DATE: MAY 11, 2017

Windrose Land Surveying & Platting logo and contact information: 200 WINDROSE HWY. 221, WASHINGTON, TX 75781-7114, PHONE: 817-436-3261, FAX: 817-436-3262, WEBSITE: WWW.WINDROSELANDSURVEYING.COM

2, VACES-WALLER COUNTY ROAD IMPROVEMENT DISTRICT NO. 1 PLAT, JORDAN RANCH HIGH STREET DEDICATION, 2017, JORDAN RANCH STREET DEDICATION