

City of Alvin, Texas

Paul Horn, Mayor

Keith Thompson, Mayor Pro-tem, District C
Brad Richards, At Large Pos. 1
Joel Castro, At Large Pos. 2
Scott Reed, District A



Adam Arendell, District B
Glenn Starkey, District D
Gabe Adame, District E

ALVIN CITY COUNCIL AGENDA THURSDAY MARCH 7, 2019

7:00 P.M.

(Council Chambers)

Alvin City Hall, 216 West Sealy, Alvin, Texas 77511

Persons with disabilities who plan to attend this meeting that will require special services please contact the City Secretary's Office at 281-388-4255 or drobot@cityofalvin.com 48 hours prior to the meeting time. City Hall is wheel chair accessible and a sloped curb entry is available at the east and west entrances to City Hall.

NOTICE is hereby given of a Regular Meeting of the City Council of the City of Alvin, Texas, to be held on **THURSDAY, MARCH 7, 2019** at 7:00 p.m. in the Council Chambers at: City Hall, 216 W. Sealy, Alvin, Texas.

REGULAR MEETING AGENDA

1. **CALL TO ORDER**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
3. **PUBLIC COMMENT**
4. **CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:** An item(s) may be removed from the Consent Agenda for full discussion by the request of a member of Council. Item(s) removed will automatically become the first item up for discussion under Other Business.
 - A. Consider approval of the February 12, 2019 City Council workshop minutes.
 - B. Consider approval of the February 21, 2019 City Council meeting minutes.
 - C. Consider an amending plat number 2 of Cline Crossing No. 2 (located near the southeast corner of Bypass 35 and Highway 6), being a subdivision of a 21.5083 acre tract located in the I. & G. N. Railroad Company Survey, Abstract No. 400, City of Alvin, Brazoria County, Texas, and being all of Reserves A, B, C, D, E, F, G and H, Block 1, Cline Crossing No. 2 Amending Plat, according to the map or plat thereof recorded in Brazoria County Clerk's File No. 2018019058 of the official records of Brazoria County, Texas.
 - D. Consider a final plat of O'Reilly Alvin Addition (located at 1042 South Gordon), being a replat of Alvin / Hi-Lo Addition, an addition to the City of Alvin, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 14, Abstract No. 449, as recorded in Volume 22, page 295, of the Plat Records of Brazoria County, Texas.
 - E. Consider a final plat of Lenamon Grove Addition (located at the northeast corner of the intersection of Highway 35 and Moore Road), being a 3.36 acre tract of land situated in the Hennell Stevens Survey, Abstract No. 595, Brazoria County, Texas, being all that certain called 3.64 acre tract of land described in deed to Barbara Jule Lenamon, as recorded in Document No. 2014027766, official public records of Brazoria County, Texas.

- F. Consider a final plat of Huntington Place Section 3 (located in the City of Alvin's ETJ at the northeast corner of FM 521 and Juliff Manvel Road), being a planned unit development subdivision of 17.638 acres of land situated in the William Pettus League Survey, Abstract 68, Fort Bend County, Texas.
- G. Consider a preliminary plat of Southern Colony Section 5 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development, subdivision of 2.598 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas.
- H. Consider a master preliminary plat of Southern Colony Expansion Phase 1 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development, subdivision of 83.1 acres of land out of the W.M. Hall Survey, Abstract Group 3, Fort Bend County, Texas.
- I. Consider a final plat of Fairway Lake (located along Nelson Road to the north of the lake property owned by Brazoria County Conservation and Reclamation District #3), being a planned unit development, subdivision of 9.759 acres, being a replat of Reserve "A," final plat of Fairway Lake property, File No. 2018038022, O.P.R.B.C. situated in the H.T. & B.R.R. Co. survey, Abstract No. 225, City of Alvin, Brazoria County, Texas.

5. OTHER BUSINESS

- A. Consider a variance request to the building façade requirement of Chapter 35, Section 35-19 of the City of Alvin Code of Ordinances, for Southwest Refractory of Texas, located at 2443 N. Gordon Street.
- B. Consider a variance request for the property owner of the vacant lot located at 113 W. Lang Street, to reduce the street side building setback requirement of Chapter 21, Section 37(a) of the City of Alvin Code of Ordinances, from 25 feet to 10 feet, for the construction of a single-family residence or duplex.
- C. Consider Resolution 19-R-10, granting a blanket easement to CenterPoint Energy Houston Electric, LLC., for the installation of 3-Phase electrical power to the Wastewater Treatment Plant, and authorize the Mayor to sign the easement agreement upon legal review.
- D. Consider Ordinance 19-E, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 20 miles per hour within the Forest Heights Subdivision; authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto.
- E. Consider an Interlocal Agreement with the City of League City for use of the Alvin Police Department Gun Range, with a one (1) year automatic renewal; and authorize the City Manager to sign subject to legal review.
- F. Consider Resolution 19-R-11, granting consent to the creation of Brazoria-Fort Bend Counties Municipal Utility District No. 3; and other related matters thereto.

6. REPORTS FROM CITY MANAGER

- A. Review preliminary list of items for next Council meeting.

7. ITEMS OF COMMUNITY INTEREST

Pursuant to 551.0415 of the Texas Government Code reports or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

- A. Hear announcements concerning items of community interest from the Mayor, Council members, and City staff, for which no action will be discussed or taken.

8. ADJOURNMENT

I hereby certify that a copy of this notice was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City’s website: www.alvin-tx.gov, in compliance with Chapter 551, Texas Government Code on MONDAY, MARCH 4, 2019 at 4:00 P.M.



(SEAL)

Dixie Roberts, City Secretary

Removal Date: _____

**** All meetings of the City Council are open to the public, except when there is a necessity to meet in Executive Session (closed to the public) under the provisions of Chapter 551, Texas Government Code. The Council reserves the right to convene into executive session on any of the above posted agenda items that qualify for an executive session by publicly announcing the applicable section of the Open Meetings Act, including but not limited to sections 551.071 (litigation and certain consultation with the attorney), 551.072 (acquisition of interest in real property), 551.073 (contract for gift to city), 551.074 (certain personnel deliberations), or 551.087 (qualifying economic development negotiations).**

**MINUTES
CITY OF ALVIN, TEXAS
CITY PLANNING COMMISSION
January 15, 2019**

BE IT REMEMBERED, that on the above date, the Planning Commission met in the First Floor Conference Room, at Public Services Facility, 1100 West Highway 6, Alvin, Texas, at 6:00 P.M. with the following members present, Martin Vela, Chair; Jake Starkey, Vice Chair; Nicole Kelinske, Secretary; Charles Buckelew; Darrell Dailey; Ashley Davis; Richard Garivey; Santos Garza; Chris Hartman; and Carrie Parker. Also present was staff member Michelle Segovia, City Engineer. Randy Reed was absent.

1. Call To Order.

Call to order at 6:00 p.m.

2. Petition and Requests from the Public.

There were no petitions or requests from the public.

3. Oath of Office to newly appointed members.

City Secretary administered the oath of office to newly and reappointed Commission Members Carrie Parker, Richard Garivey and Chris Hartman.

4. Re-organize board.

Commission Member Jake Starkey was nominated by Santos Garza for the position of Chair. Seconded by Ashley Davis, Jake Starkey was elected unanimously. Nicole Kelinske arrived at 6:04 during agenda item #4.

Commission Member Ashley Davis was nominated by Chris Hartman for the position of Vice Chair. Seconded by Santos Garza, Ashley Davis was elected unanimously.

Commission Member Nicole Kelinske was nominated by Jake Starkey for the position of Secretary. Seconded by Santos Garza, Nicole Kelinske was elected unanimously.

5. Approve the Minutes of the Planning Commission meeting of December 18, 2018.

Commission Member Martin Vela motioned to approve the minutes of the regular Planning Commission meeting of December 18, 2018. Seconded by Charles Buckelew, the motion carried on a vote of 10 ayes and 0 nays.

6. Consider a final plat of Zuniga Place, being a subdivision of 7.9961 acres, in the A. C. H. & B. survey, section 26, A-471, Brazoria County, Texas. City Engineer recommends final plat for discussion and approval. Commission Member Vela motioned to recommend for approval to City Council. Seconded by Member Buckelew, the motion carried on a vote of 10 ayes, 0 nays.

7. Consider a master preliminary plat of Mustang Ridge, being a planned unit development of 35.35 acres of land located in H.T. & B.R.R. Co. survey, A-225, City

of Alvin, Brazoria County, Texas. City Engineer recommends final plat for discussion and approval. Commission Member Vela motioned to recommend for approval to City Council. Seconded by Member Buckelew. The motion carried on a vote of 8 ayes and 2 nays, cast by Charles Buckelew and Nicole Kelinske.

8. Items of Community Interest.

Ashley Davis asked for an update for the joint workshop between Planning Commission and City Council. Michelle Segovia stated the date has not been set. The joint workshop will probably be in February. Nicole Kelinske mentioned large pot holes at the intersection of Bypass 35 and Fairway. Michelle Segovia stated it may be in the TXDOT right of way but will turn it over to the street department. Charles Buckelew asked about taking school zone signs down at the old Mark Twain. Michelle Segovia will speak with the street department. Darrell Dailey asked about a timeline for repairing Sealy Street at Johnson Street. Michelle Segovia does not know of any timeline under the new projects, but the street department may have it under consideration. Darrell Dailey also asked who to contact regarding street light maintenance. Michelle Segovia stated Texas New Mexico can be contacted regarding street light maintenance. Chris Hartman asked about the status of Durant pond. Michelle Segovia stated the contractor is waiting for dry weather to finish grading the bottom. Nicole Kelinske stated the new section of Forest Heights has speed limit signs listed as 30mph, but the front speed limit signs are posted 20mph through the subdivision. Michelle Segovia will look into the traffic ordinance.

9. Staff report and update.

There were no staff report or update.

10. Items for the next meeting.

Michelle Segovia stated the Planning Commission will likely see a final plat for Huntington Place Section 3 and possibly another section of Martha's Vineyard.

11. Adjournment.

Commission Member Dailey motioned to adjourn the meeting, seconded by Member Garivey. The motion carried on a vote of 10 ayes. The meeting ended at 6:41 p.m.

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
CITY COUNCIL WORKSHOP
TUESDAY FEBRUARY 12, 2019
7:00 P.M.**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in a Workshop Session at 7:00 p.m. in the first floor Conference Room at City Hall, with the following members present: Paul A. Horn, Mayor; Keith Thompson, Mayor Pro-Tem and Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Brad Richards, Scott Reed and Glen Starkey.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Larry Buehler, Director of Economic Development; Michelle Segovia, City Engineer; Dan Kelinske, Parks Director; Rex Klesel, Fire Chief; Ron Schmitz, EMS/Emergency Management Director; Brian Smith, Director of Public Services; and Robert E. Lee, Police Chief.

WORKSHOP BUSINESS

Visioning and goalsetting for the Capital Improvement Program and budget and possibly include city operations and policymaking. No formal action will be taken by City Council during this workshop. Mr. Roland reviewed the following information with all in attendance.

Benefits of Strategic Planning & Goal Setting: Council’s early involvement, direction for the city manager, expedites the council work-sessions on the proposed budget.

Objectives for workshop: review the budget calendar, recap FY19 Project & Major Funds, discuss proposed amendment to the budget, present draft of Financial Policy, tax rate analysis, review status of current plans, northwest area water and wastewater system analysis, 5-year Capital Improvement Program, discuss council goals.

General Fund Projects in FY19: Police car cameras, police motor cycles, wayfinding signage (design), city hall improvements for security, Pearson Park sidewalk, downtown street parking, court video equipment, Fire/EMS station design, ugly corner.

Mr. Roland reviewed Major Funds revenue and expenditures analysis through January and discussed a proposed midyear budget amendment for monies to construct the disc golf course at Briscoe Park.

Fund	Description	FY19 Budget	FY18 Budget Savings	Budget Amendment
General Projects	Disc Golf (construction)	\$0	~ \$320,000	\$315,000
HOT Fund	Disc Golf Course (illumination)	\$300,000	~ \$197,158	\$187,530

Base Bid:	\$294,660	General Projects Fund:	\$315,000
North Illumination:	\$242,206	HOT Fund:	<u>\$487,530</u>
South Illumination:	\$206,087	Total:	\$787,530
Contingency	<u>\$ 44,577</u>		
Total:	\$787,530		

Discussion was had on the funding for the disc golf course.

Staff has drafted a financial policy that is required for 5-year financial forecasting for the General Fund, Debt Service Fund, and Utility Fund. This establishes criteria for issuing Certificate of Obligation bonds and restricts certain debt (P&I) payment structures. This policy will come before City Council for future consideration.

Mr. Roland reviewed the current tax rate information and how it is calculated and discussed how the Revenue Cap Bill (SB2) being considered this legislative session could affect the city's ability to set the tax rate.

Mr. Roland reviewed the current plans that are being worked: Parks Master Plan, Thoroughfare Plan, M-1 Ditch Watershed Plan, 2035 Comprehensive Master Plan, and the Utility Master Plan.

Richard Weatherly, P.E. with Freese and Nichols gave a water and wastewater capital improvement plan update and gave an update on projects necessary for the proposed northwest developments. Staff emphasized the importance of sticking with the water and wastewater improvement plans in an effort to improve infrastructure currently in place.

Mr. Roland asked if any members of City Council had any projects other than what was discussed this evening, to possibly include in the upcoming budget process.

Council member Arendell stated that he would like to possibly see funding included to improve the aesthetics of the City's entryways, to possibly include updated entry signs; a flashing alert light to help with the walkability on the hike and bike trail by the EMS station; and the possibility of hanging a box or platform over the National Oak Park bridge for AISD Education Foundations annual Turtle Race.

ADJOURNMENT

Mayor Horn adjourned the meeting at 9:20 p.m.

PASSED and APPROVED the 7th day of March 2019.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
AND EXECUTIVE SESSION
THURSDAY FEBRUARY 21, 2019
7:00 P.M.**

CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in Regular and Executive Session at 7:00 p.m. in the Council Chambers at City Hall, with the following members present: Paul A. Horn, Mayor; Keith Thompson, Mayor Pro-Tem and Councilmembers: Gabe Adame, Adam Arendell, Joel Castro, Brad Richards, Scott Reed and Glen Starkey.

Staff members present: Junru Roland, City Manager; Suzanne Hanneman, City Attorney; Dixie Roberts, City Secretary; Michelle Segovia, City Engineer; Dan Kelinske, Parks and Recreation Director and Robert E. Lee, Police Chief.

INVOCATION AND PLEDGE OF ALLEGIANCE

Darrell Bailey, Light Christian Center, gave the invocation.

Council member Castro led the Pledge of Allegiance to the American Flag and Council member Reed led the Pledge to the Texas Flag.

PRESENTATIONS

Proclamation: March 2019 as Centennial DeMolay Month.

Mayor Horn presented to the members of the DeMolays of the John Wayne Chapter #3667 a proclamation declaring the month of March as Centennial DeMolay Month.

Streets and Code Enforcement Departmental Presentation.

Lisa Sullivan, Code Enforcement Supervisor, gave a departmental update.

PUBLIC COMMENT

There were no comments from the public.

CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION

Consider approval of the February 7, 2019 City Council meeting minutes.

Acknowledge receipt of the 2018 Annual Racial Profiling Report.

Article 2.134 of the Texas Code of Criminal Procedure requires that not later than March 1st of each year, law enforcement agencies submit a report containing the previous year's incident-based data to the Texas Commission on Law Enforcement (TCOLE) and to the governing body of that agency's city or county.

In 2017, the State Legislature passed the Sandra Bland Act (SB1849) which, among other things, repealed Code of Criminal Procedure (CCP) section 2.135, which gave a partial exemption for racial profiling data collection to agencies with cameras installed in all vehicles routinely used to make traffic stops. With the repeal of this section, a significant increase in the amount of data collected from traffic stops has occurred and is reflected in the 2018 Racial Profiling Report. The 2018 report includes data on: gender, race or ethnicity, if race was known prior to the stop, reason for the stop, street address or approximate location of the stop, whether a search was conducted, and if a search was conducted, the reason for the search, if contraband was discovered, description of contraband, result of the stop (verbal warning, written warning, citation, arrest and if use of force resulting in bodily injury occurred), and if an arrest occurred whether it was a penal law, traffic law, city ordinance or warrant.

A comparison of demographic data collected with the latest demographic data of the City of Alvin (census.gov 2018 Estimate) and with Alvin Independent School District demographic data. The actual demographic makeup of the City is considered to be somewhere between these data sets, as neither consider or measure work, shopping, or traveling demographics of the City. The 2018 racial profiling report is representative of our population in general and does not indicate racial profiling bias. No complaints of racial profiling were filed with the Alvin Police Department in 2018.

Consider a contract for Election Services with Joyce Hudman, County Clerk, Brazoria County, Texas for the May 4, 2019 General Election; and authorize the Mayor to sign said contract subject to legal review.

This is a contract for election services with Brazoria County to conduct the May 4, 2019 General Election for City Council District A, District D, and At Large Position 2. This contract is similar to the contract authorized by City Council every year to conduct the City's election. The cost for this General Election could range anywhere from \$6,000 to \$10,000. The cost depends on how many other jurisdictions will be holding a May election. The City Secretary's Office will handle all the required notices, filings, and general paperwork as required by state election law.

Historical Election Cost (General May Election):

<i>May 2015:</i>	<i>\$9,471</i>
<i>May 2016:</i>	<i>\$6,151</i>
<i>May 2017:</i>	<i>\$9,200</i>
<i>May 2018:</i>	<i>\$4,660</i>

Early voting and Election Day voting will be held at the Alvin Library. Registered voters may vote at any Early Voting location within the County during Early Voting, or on Election Day, may vote at any Voting Center in Brazoria County. Staff recommends approval of said contract.

Council member Castro moved to approve the consent agenda as presented. Seconded by Council member Arendell; motion to approve carried on a vote of 7 Ayes.

OTHER BUSINESS

Consider Ordinance 19-D, amending the City of Alvin 2018-19 Fiscal Year (FY19) Budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached "Exhibit A."

At the end of fiscal year 2018 (FY18), the City exceeded fund balance requirements/expectations in the General Operating Fund, the Hotel Occupancy Tax Fund, and the Utility Operating Fund. The savings resulted from personnel vacancies, utility savings, lower than expected costs of materials and supplies, etc. Staff has identified capital items that could be funded in the current fiscal year (FY19) utilizing prior year budget savings.

•Staff requests that Council amend the FY19 budget to transfer \$315,000 FY18 budget savings in the General Operating Fund to the General Capital Projects Fund for the construction of the Disc Golf Course.

•Staff requests that Council amend the FY19 budget to use \$187,530 of the FY18 budget savings in the Hotel Occupancy Tax Fund for the illumination or upgrading of the Disc Golf Course once the construction is complete.

•Staff requests that council authorize the transfer of \$300,000 of FY18 budget savings from the Utility Operating Fund to the Utility Capital Projects Fund for future capital purchase(s) to support the City's water and wastewater program.

Council member Starkey moved to approve Ordinance 19-D, amending the City of Alvin 2018-19 Fiscal Year (FY19) Budget by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to the individual budget accounts in all funds set forth in the attached "Exhibit A." Seconded by Council member Richards; motion carried on a vote of 7 Ayes.

Consider an award of bid to Lucas Construction Company, Inc. for the construction of an eighteen-hole Disc Golf Course with lighting, in an amount not to exceed \$787,530.75; and authorize the City Manager to sign the contract upon legal review.

On December 11, 2018, bids were opened for the Disc Golf Course Construction Project. After review, Kimley-Horn and Associates recommends Lucas Construction Company, Inc. as the lowest cost, responsible and responsive bidder.

Contract Amount:		\$294,660.00
Alternate Bid Item# (North Illumination)		\$242,206.75
Alternate Bid Item #2 (South Illumination)		\$206,087.00
Contingency (6%)		\$ 44,577.00
Total Amount		\$787,530.75

The Disc Golf Course construction project consists of the following: 3,900 linear feet six-foot-wide concrete walking path, nineteen concrete tee pads, seeding, installation of eighteen-disc golf baskets, course signage, electrical service and related material for thirty-one light poles providing light for the eighteen-hole course.

The original location and scope of the Disc Golf Course included a 9-hole course along the Hike and Bike Trail (approved budget of \$35,000). In FY17, three temporary disc golf course locations were "tested" and the results were presented to Council at a workshop meeting on June 24, 2017. At that time, Council directed staff to consider the 42-acres of currently undeveloped (city owned) property, south of Briscoe Park as a potential site for an eighteen-hole disc golf course. As a result, staff worked with professional disc golf player Chris Vandagriff on course layout and obtained a topography survey from Gormley Surveying (\$4,500) which was completed February 2018. On March 15, 2018, City Council approved an agreement with Kimley-Horn (\$21,800) for site grading and drainage design, permit assistance and agency coordination, construction documents and construction phase services. August 2018, the City Manager approved an addendum with Kimley-Horn to include an illumination plan (\$8,800). August/September 2018, C&R District #3 removed barbed wire fencing and brush along the ditch while Road and Bridge hauled away to the landfill (\$4,500). C&R District #3 will also be responsible for the site grading and the installation of the concrete pipe (\$9,710.40) used for three ditch crossings.

The proposals are good for 90 days after receipt of bids (as noted on the Advertisement and Invitation for Bid). Staff recommends that council award Lucas Construction Company, Inc for the construction of the Disc Golf Course.

Dan Kelinske reviewed in detail the timeline of events for this project. Discussion was had on the course and the benefits it would bring to the community. Mike Shelton with Kimley Horn gave a brief overview of the project at hand. Mr. Chris Vandagriff gave a brief presentation on the benefits that this lighted course would bring to the area. He stated that there isn't another "lighted" 18-hole course in the United States and discussed the potential for this course to host sanctioned tournaments, which had the potential to bring tourism to the area. Lengthy discussion was had.

Council member Adame moved to approve award of bid to Lucas Construction Company, Inc. for the construction of an eighteen-hole Disc Golf Course with lighting, in an amount not to exceed \$787,530.75; and authorize the City Manager to sign the contract upon legal review. Seconded by Council member Richards; motion carried on a vote of 6 Ayes, with Council member Castro voting No.

REPORTS FROM CITY MANAGER

Review preliminary list of items for next Council meeting.

Mr. Junru Roland reviewed the preliminary list for the March 7, 2019 City Council meeting.

ITEMS OF COMMUNITY INTEREST

Hear announcements concerning items of community interest from the Mayor, Council members, and City staff, for which no action will be discussed or taken.

Mrs. Roberts reviewed items of community interest.

Council member Thompson thanked the city manager and staff for assisting with a citizen's concern. He recommended that staff investigate into security measures at the animal shelter.

Council member Reed thanked city staff for responding to his inquiries.

Council member Arendell announced the 20th annual Men Who Cook event on March 2nd at the Knights of Columbus.

Council member Castro complimented the city staff. He encouraged everyone to attend the Men who Cook event on March 2nd.

Council member Adame requested placing on a future agenda the discussion of pan handling, and the permitting of such.

EXECUTIVE SESSION

Mayor Horn called for an executive session at 8:13 p.m. in accordance to the following:

City Council will meet in Executive Session pursuant to:

Section 551.074 of the Local Government Code: Deliberation on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Associate Municipal Court Judge.

Employment of a Chief Financial Officer.

RECONVENE TO OPEN SESSION

Mayor Horn reconvened the meeting into open session at 9:12 p.m.

Consider possible action regarding the appointment of an Associate Municipal Court Judge.

Council member Starkey moved to reappoint Mohamed Ghuneim as Associate Municipal Court Judge. Seconded by Council member Arendell; motion carried on a vote of 7 Ayes.

Consider approval of the City Manager's selection of a Chief Financial Officer.

Councilmember Thompson moved to approve the City Manager's selection of Michael Higgins as the City of Alvin's Chief Financial Officer, with a starting salary of pay grade of 18. Seconded by Council member Reed; motion carried on a vote of 7 Ayes.

ADJOURNMENT

Mayor Horn adjourned the meeting at 9:15 p.m.

PASSED and APPROVED the 7th day of March 2019.

Paul A. Horn, Mayor

ATTEST: _____
Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider an amending plat number 2 of Cline Crossing No. 2 (located near the southeast corner of Bypass 35 and Highway 6), being a subdivision of a 21.5083 acre tract located in the I. & G. N. Railroad Company Survey, Abstract 400, City of Alvin, Brazoria County, Texas, and being all of reserves A, B, C, D, E, F, G, and H, Block 1, Cline Crossing No. 2 Amending Plat, according to the map or plat thereof recorded in Brazoria County Clerk’s File No. 2018019058 of the official records of Brazoria County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On January 31, 2019, the Engineering Department received the amending plat no. 2 of Cline Crossing No. 2 for review. The property is located near the southeast corner of Bypass 35 and Highway 6 and is being platted in order to enlarge Reserve A to accommodate future development. This plat complies with all requirements of the City’s Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on February 19, 2019.

Staff recommends approval.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Amending Plat No. 2 of Cline Crossing No. 2

Recommendation: Move to approve the amending plat number 2 of Cline Crossing No. 2 (located near the southeast corner of Bypass 35 and Highway 6), being a subdivision of a 21.5083 acre tract located in the I. & G. N. Railroad Company Survey, Abstract 400, City of Alvin, Brazoria County, Texas, and being all of reserves A, B, C, D, E, F, G, and H, block 1, Cline Crossing No. 2 Amending Plat, according to the map or plat thereof recorded in Brazoria County Clerk’s File No. 2018019058 of the official records of Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

STATE OF TEXAS
COUNTY OF BRAZORIA

WE, OC ALVIN, LTD., owners of the property subdivided in the plat of CLINE CROSSING NO. 2 AMENDING PLAT NO. 2, do hereby make subdivision of said property according to the lines, lots, building lines, streets, alleys, parks, and easements as shown hereon and dedicate for public use as such, the streets (except those streets delineated as private streets), alleys, parks and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated, against any claims made by, through, or under said owner, but not otherwise.

THIS IS TO CERTIFY THAT I, PAUL A. COYNE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION SHOWN HEREON FROM AN ACTUAL SURVEY OF THE GROUND; THAT ALL EXTERIOR BOUNDARY CORNERS HAVE BEEN SET; THAT ALL BLOCK CORNERS, LOT CORNERS, PERMANENT CONTROL POINTS WILL BE SET AT COMPLETION OF CONSTRUCTION; AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME. ALL CORNERS WILL BE MARKED BY IRON RODS 5/8 INCH IN DIAMETER AND 36 INCHES LONG, UNLESS OTHERWISE NOTED.

Paul A. Coyne
PAUL A. COYNE
Texas Registration No. 6374



ROBERT C. ORR JR.
OC ALVIN, LTD.

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, the undersigned authority, on this day personally appeared ROBERT C. ORR JR., known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2019

Notary Public in and for the State of Texas

My Commission expires: _____

I, T. Craig Barker, MOODY NATIONAL BANK, owner and holder of a lien (or liens) against the property described in the plat known as CLINE CROSSING NO. 2, AMENDING PLAT NO. 2, said lien (or liens) being evidenced by instrument recorded in Brazoria County Clerk's File No. 2016061204, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said subdivision plat and I (or we) hereby confirm that I am (or we are) the present over (or owners of) said lien (or liens) and have not assigned the same nor any part thereof.

By: T. Craig Barker
Executive Vice President

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, the undersigned authority, on this day personally appeared T. CRAIG BARKER, known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2019

Notary Public in and for the State of Texas

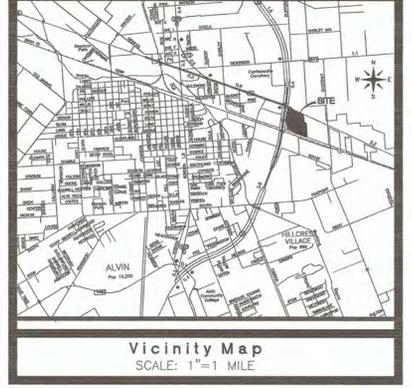
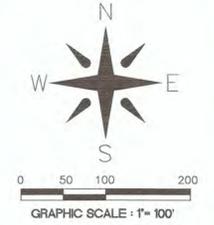
My Commission expires: _____

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	50.00'	25.13'	24.87'	N79°03'33"W

LINE	BEARING	DISTANCE
L1	S25°28'48"W	22.15'
L2	S64°31'12"E	34.04'
L3	S14°02'12"W	10.21'
L4	S86°32'30"W	30.43'

- LEGEND:
- S.T.S.E. - Storm Sewer Easement
 - S.S.E. - Sanitary Sewer Easement
 - W.S.E. - Water and Sewer Easement
 - W.L.E. - Water Line Easement
 - D.E. - Drainage Easement
 - E.E. - Electrical Easement
 - U.E. - Utility Easement
 - A.E. - Unobstructed Aerial Easement
 - B.L. - Building Line
 - M.R.B.C.T. - Map Records BRAZORIA County Texas
 - D.R.B.C.T. - Deed Records BRAZORIA County Texas
 - O.R.R.P.B.C.T. - Official Records of Real Property BRAZORIA County Texas



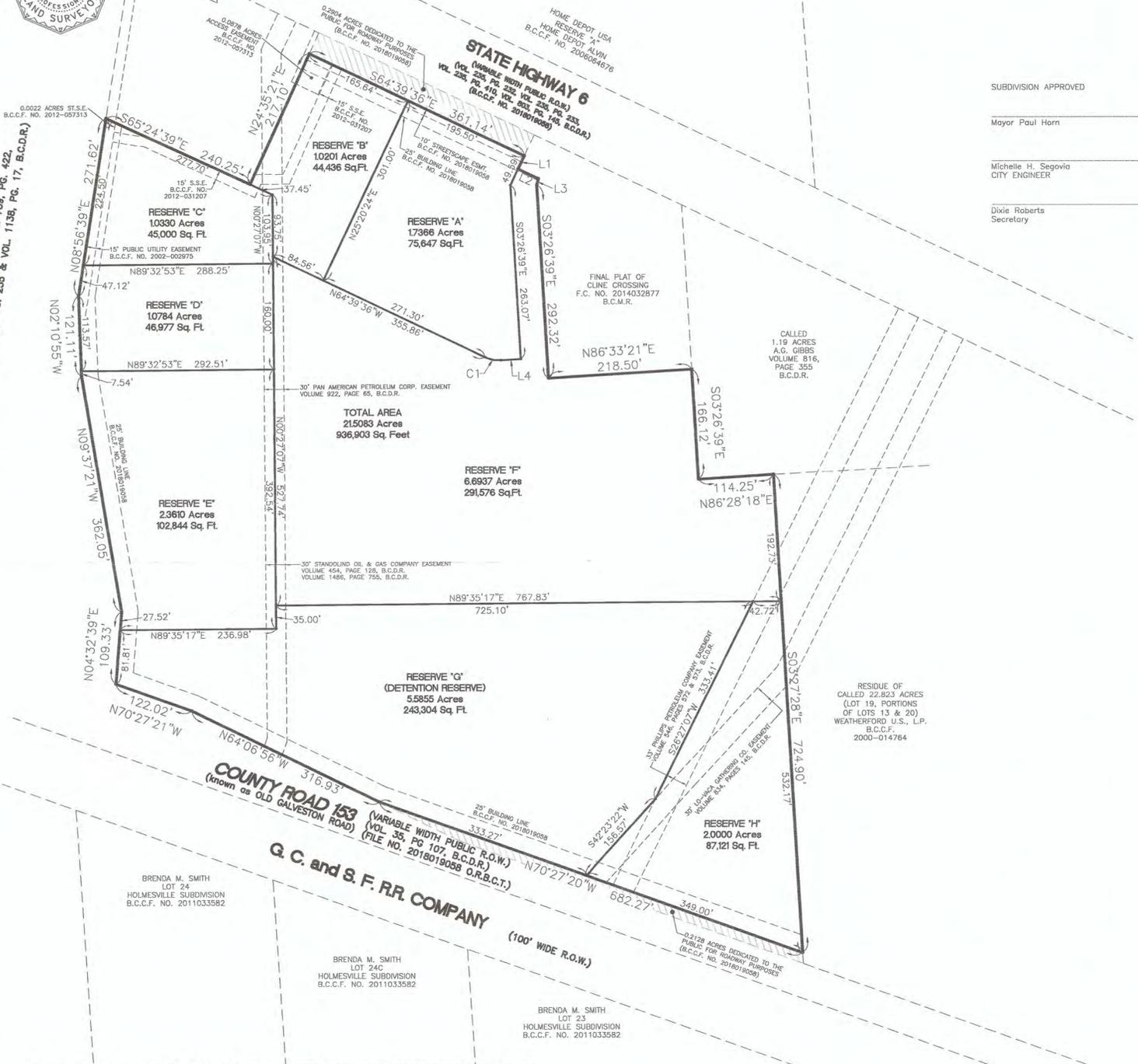
SUBDIVISION APPROVED

Mayor Paul Horn

Michelle H. Segovia
CITY ENGINEER

Dixie Roberts
Secretary

STATE HIGHWAY 35
(350' WIDE PUBLIC R.O.W.)
VOL. 803, PG. 145, VOL. 1137, PG. 255 & VOL. 1138, PG. 17, B.C.D.R.



- GENERAL NOTES:
- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF ALVIN.
 - THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, G.F. NO. 1037000593, EFFECTIVE DATE APRIL 24, 2013.
 - ALL BEARINGS REFERENCES ARE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE.
 - ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS, AND OPEN SPACE WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF ALVIN OR BRAZORIA COUNTY C & R #3.
 - FIVE-EIGHTHS INCH (5/8") IRON RODS THREE FEET IN LENGTH ARE SET ON ALL PERIMETER BOUNDARY CORNERS, UNLESS OTHERWISE NOTED. BLOCK CORNERS OR STREET RIGHT-OF-WAYS HAVE NOT BEEN MONUMENTED.
 - BENCHMARK: CITY OF ALVIN OPS BENCHMARK NO. 0115 LOCATED AT SOUTHWEST CORNER OF THE INTERSECTION OF HIGHWAY 6 AND BYPASS 35. (ELEVATION = 40.10')
 - ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 48039C0116H, WITH THE EFFECTIVE DATE OF JUNE 05, 1988, THE PROPERTY IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOODPLAIN).
 - ALL FLOODPLAIN INFORMATION NOTED IN THE PLAT REFLECTS THE STATUS PER THE FEMA FIRM MAP THAT IS EFFECTIVE AT THE TIME THAT THE PLAT IS RECORDED. FLOODPLAIN STATUS IS SUBJECT TO CHANGE AS FEMA FIRM MAPS ARE UPDATED.

- ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDERS(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES, OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE PROPERTY OWNER.
- THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 12 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET OR 12 INCHES ABOVE THE ELEVATION OF THE EDGE OF THE ROADWAY IF NO CURB EXISTS, OR (2) 12 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN.
- ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF ALVIN AND/OR BRAZORIA DRAINAGE DISTRICT #3.
- ALL SIDEWALKS MUST BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR THIS TRACT.
- NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL THE STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.
- ALL LOTS AND RESERVES SHOWN HEREON ARE SUBJECT TO A CROSS ACCESS EASEMENT AGREEMENT AS RECORDED IN CLERK'S FILE NOS. 2012057313 AND 2018030350 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS.
- REASON TO AMEND PLAT: TO REVISE THE BOUNDARY OF RESERVES "A", "B", AND "F" IN ORDER TO ACCOMMODATE FUTURE DEVELOPMENT ON RESERVE "A".

BEING A 21.5083 ACRE TRACT LOCATED IN THE I. & G. N. RAILROAD COMPANY SURVEY, ABSTRACT NUMBER 400, CITY OF ALVIN, BRAZORIA COUNTY, TEXAS, AND BEING ALL OF RESERVES A, B, C, D, E, F, G, AND H, BLOCK 1, FINAL PLAT OF CLINE CROSSING NO. 2, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BRAZORIA COUNTY CLERK'S FILE NO. 2018019058 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS.

Said 21.5083 Acre Tract being more particularly described by metes and bounds as follows:

COMMENCING at a Cut 'X' in concrete found in the South right-of-way line of State Highway 6, a public right-of-way based on a variable width, for the Northeast corner of Reserve 'A', Block 1, Raceway Market Alvin-Final Plat according to the map or plat thereof recorded in Brazoria County Clerk's File No. 2012054151 of the Official Records of Brazoria County, Texas;

THENCE South 24°35'21" East, along the East line of said Raceway Market Alvin-Final Plat and the West line of a 0.2904 acre tract of land dedicated to the public on said Final Plat of Cline Crossing No. 2, a distance of 35.00 feet to the POINT OF BEGINNING of the herein described tract of land;

THENCE South 64°39'36" East, along the South right-of-way line of State Highway 6, a distance of 361.14 feet to a 1/2-inch iron rod with cap stamped "TETRA" found at the Northwest corner of Unrestricted Reserve 'A', Block 1, Final Plat of Cline Crossing according to the map or plat thereof recorded in Brazoria County Clerk's File No. 2014032877 of the Official Records of Brazoria County, Texas being the most Northerly Northeast corner of the herein described tract;

THENCE, along the Westerly limit of the said Unrestricted Reserve 'A', Block 1, Final Plat of Cline Crossing the following courses:

- South 25°28'48" West, a distance of 22.15 feet to a 5/8-inch iron rod with cap stamped "BURY+PARTNERS";
- South 64°31'12" East, a distance of 34.04 feet to a 5/8-inch iron rod with cap stamped "BURY+PARTNERS";
- South 14°02'12" West, a distance of 10.21 feet to a point for angle;
- South 03°26'39" East, a distance of 292.32 feet to a 5/8-inch iron rod with cap stamped "BURY+PARTNERS" at the Southwest corner of the said Unrestricted Reserve 'A', Block 1, Final Plat of Cline Crossing;

THENCE, North 86°33'21" East, along the common limit between the said Unrestricted Reserve 'A' and Restricted Reserve 'B', Block 1, Final Plat of Cline Crossing, a distance of 218.50 feet to a 1/2-inch iron rod with cap stamped "TETRA" found at the Southeast corner of the said Unrestricted Reserve 'A' and the Northeast corner of Restricted Reserve 'B';

THENCE, South 03°26'39" East, along the common limit between the said Restricted Reserve 'B', Block 1, Final Plat of Cline Crossing and a Tract of land conveyed to A.G. Gibbs recorded in Volume 816, Page 355 of the Brazoria County Deed Records, Texas a distance of 166.12 feet to a 5/8-inch iron rod with cap stamped "BURY+PARTNERS" marking the Southwest corner of the said A.G. Gibbs Tract, from which a 5/8-inch iron rod found bears South 60°08'41" East, 3.77 feet;

THENCE, North 86°28'18" East, along the South line of the said A.G. Gibbs Tract, a distance of 114.25 feet to an angle point for the Southeast corner of the said A.G. Gibbs Tract and the Southwest corner of a Tract of land conveyed to Joel Griffin Gibbs, Sr., recorded in Volume 1441, Page 842 of the Brazoria County Deed Records, Texas and the Northeast corner of a Tract of land conveyed to Weatherford U.S., LP, recorded in Brazoria County Clerk's File No. 2000014764 of the Official Records of Brazoria County, Texas from which a 5/8-inch iron rod found bears South 70°51'57" West, 1.15 feet;

THENCE, South 03°27'28" East, along the West line of the said Weatherford U.S., LP, Tract, a distance of 724.90 feet to a point in the North right-of-way line of County Road 153, a public right-of-way based on a variable width, for the Northwest corner of a 0.2198 Acre tract of land dedicated to the public on said Final Plat of Cline Crossing No. 2;

THENCE, North 72°27'20" West, along the North line of said 0.2198 acre tract, a distance of 682.27 feet to a 1/2-inch iron rod with cap found for an angle point;

THENCE, North 64°06'56" West, along the North right-of-way line of County Road 153 as widened in Judgment No. 56827A, recorded in Volume 1137, Page 255 of the Brazoria County Deed Records, Texas a distance of 316.93 feet to a 5/8-inch iron rod with cap stamped "RPLS 5206";

THENCE, North 72°27'21" West, continuing along the North right-of-way line of County Road 153 a distance of 122.02 feet to a 5/8-inch iron rod found for the Southwest corner of the herein described tract;

THENCE, North 04°32'39" East, along the East right-of-way line of State Highway 35 a variable width public right-of-way, a distance of 109.33 feet to a 5/8-inch iron rod with cap stamped "RPLS 5206";

THENCE, North 09°37'21" West, along the East right-of-way line of State Highway 35, a distance of 362.05 feet to a 5/8-inch iron rod with cap stamped "BURY+PARTNERS";

THENCE, North 02°10'55" West, along the East right-of-way line of State Highway 35, a distance of 121.11 feet to a 5/8-inch iron rod;

THENCE, North 08°56'39" East, along the East right-of-way line of State Highway 35, a distance of 271.62 feet to a 1/2-inch iron rod with cap stamped "TETRA" marking the Southwest corner of the said Reserve 'A', Block 1, Raceway Market Alvin-Final Plat and the Northwest corner of the herein described tract;

THENCE, South 69°24'39" East, along the South line of the said Reserve 'A', Block 1, Raceway Market Alvin-Final Plat, a distance of 240.25 feet to a 5/8-inch iron rod with cap stamped "BURY+PARTNERS" marking the Southeast corner of the said Reserve 'A', Block 1, Raceway Market Alvin-Final Plat;

THENCE, North 24°35'21" East, along the East line of the said Reserve 'A', Block 1, Raceway Market Alvin-Final Plat, a distance of 217.10 feet to the POINT OF BEGINNING, and containing within these calls 21.5083 Acres of land.

CLINE CROSSING NO. 2 AMENDING PLAT NO. 2

A SUBDIVISION OF A 21.5083 ACRE TRACT LOCATED IN THE I. & G. N. RAILROAD COMPANY SURVEY, ABSTRACT NUMBER 400, CITY OF ALVIN, BRAZORIA COUNTY, TEXAS, AND BEING ALL OF RESERVES A, B, C, D, E, F, G, AND H, BLOCK 1, CLINE CROSSING NO. 2 AMENDING PLAT, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BRAZORIA COUNTY CLERK'S FILE NO. 2018019058 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS.

8 RESERVES, 1 BLOCK
DATE: FEBRUARY 12, 2019

OWNER:
ORR COMMERCIAL
ORR REALTY CORPORATION
5400 KATY FREEWAY, SUITE 100
HOUSTON, TEXAS 77007
ROBERT C. ORR JR.
P: (713)468-2800 F: (713)468-7714

ENGINEER:
LEVINSON • ALCOSER ASSOCIATES, L.P.
1177 W. Loop South, Suite 900 Houston, Texas 77027
tel 713.787.0000 fax 713.850.8250
Architecture • Planning • Engineering
Interior Design • Landscape Architecture

SURVEYOR:
TETRA
SURVEYS & APPRAISALS
2109 Lexington Street
Houston, Texas 77098
(713)462-6100 FAX (713)432-1003
survey@tstat.com



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of O'Reilly Alvin Addition (located at 1042 South Gordon), being a replat of Alvin / Hi-Lo Addition, an addition to the City of Alvin, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 14, Abstract No. 449, as recorded in Volume 22, page 295, of the Plat Records of Brazoria County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On January 31, 2019, the Engineering Department received the final plat of O'Reilly Alvin Addition for review. The property is located at 1042 South Gordon and consists of 1 lot and 1 block. The property is being replatted from two lots into one lot in order to build an addition to the north side of the existing O'Reilly Auto Parts building. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommends approval.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Final Plat of O'Reilly Alvin Addition

Recommendation: Move to approve the final plat of O'Reilly Alvin Addition (located at 1042 South Gordon), being a replat of Alvin / Hi-Lo Addition, an addition to the City of Alvin, Brazoria County, Texas, situated in the H.T. & B.R.R. Company Survey, Section 14, Abstract No. 449, as recorded in Volume 22, page 295, of the Plat Records of Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF BRAZORIA §

WHEREAS O'REILLY AUTO ENTERPRISES, LLC, IS THE OWNER OF A TRACT OF LAND SITUATED IN THE H.T. & B. R.R. COMPANY SURVEY, SECTION 14, ABSTRACT NO. 449, BRAZORIA COUNTY, TEXAS, AND BEING ALL OF TWO TRACTS OF LAND DESCRIBED IN INSTRUMENT TO O'REILLY AUTO ENTERPRISES, LLC, AS RECORDED UNDER DOCUMENT NO. 2014009061 AND DOCUMENT NO. 2018056798, AND BEING ALL OF ALVIN / HI-LO ADDITION, AN ADDITION TO THE CITY OF ALVIN, BRAZORIA COUNTY, TEXAS, AS RECORDED UNDER VOLUME 22, PAGE 295, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS (P.R.B.C.T.), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/8 INCH IRON ROD FOUND INSIDE OF A 1-1/2 INCH IRON PIPE FOUND AT THE NORTHEAST CORNER OF SAID LOT 2 OF THE ALVIN / HI-LO ADDITION, SAID CORNER BEING ON THE WEST RIGHT-OF-WAY LINE OF GORDON STREET (BUSINESS HIGHWAY 35), A 60.0 FOOT WIDE RIGHT-OF-WAY (DEED OF RECORD NOT FOUND);

THENCE, SOUTH 03 DEGREES 19 MINUTES 05 SECONDS EAST ALONG THE WEST RIGHT-OF-WAY LINE OF GORDON STREET AND THE EAST LINE OF SAID LOT 2, PASSING AT A DISTANCE OF 138.00 FEET A 1/2 INCH IRON ROD FOUND AT THE COMMON SOUTHEAST CORNER OF LOT 2 AND THE NORTHEAST CORNER OF LOT 1 OF THE ALVIN / HI-LO ADDITION, AND CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF GORDON STREET AND THE EAST LINE OF SAID LOT 1 A TOTAL DISTANCE OF 293.61 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF GORDON STREET AND THE NORTH RIGHT-OF-WAY LINE OF GEORGE STREET, A 60.0 FOOT WIDE RIGHT-OF-WAY (DEED OF RECORD NOT FOUND), SAME BEING THE SOUTHEAST CORNER OF SAID LOT 1, FROM WHICH A FOUND "X" CUT IN CONCRETE BEARS SOUTH 77 DEGREES 45 MINUTES 19 SECONDS WEST, A DISTANCE OF 0.27 FEET;

THENCE, SOUTH 86 DEGREES 44 MINUTES 13 SECONDS WEST, DEPARTING THE WEST RIGHT-OF-WAY LINE OF GORDON STREET ALONG THE NORTH RIGHT-OF-WAY LINE OF GEORGE STREET, SAME BEING THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 260.13 FEET TO A 1 INCH PINCHED PIPE FOUND AT THE SOUTHWEST CORNER OF SAID LOT 1;

THENCE, NORTH 03 DEGREES 15 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF LOT 1, PASSING AT A DISTANCE OF 155.81 FEET A 5/8 INCH IRON ROD FOUND WITH PLASTIC CAP STAMPED "COBB FENDLEY" AT THE COMMON SOUTHWEST CORNER OF LOT 2 AND THE NORTHWEST CORNER OF LOT 1 OF THE ALVIN / HI-LO ADDITION, AND CONTINUING ALONG THE WEST LINE OF SAID LOT 2 A TOTAL DISTANCE OF 293.61 FEET TO A 1 INCH PIPE FOUND AT THE NORTHWEST CORNER OF SAID LOT 2;

THENCE, NORTH 86 DEGREES 44 MINUTES 13 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 259.84 FEET TO THE POINT OF BEGINNING AND CONTAINING 76,334 SQUARE FEET OR 1.752 ACRES OF LAND, MORE OR LESS.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT O'REILLY AUTO ENTERPRISES, LLC, ACTING HEREIN BY AND THROUGH THEIR DULY AUTHORIZED OFFICERS, DO HEREBY CERTIFY AND ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS O'REILLY ALVIN ADDITION LOT 1, BLOCK 1, AN ADDITION TO THE CITY OF ALVIN, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER, THE STREETS AND ALLEYS SHOWN THEREON.

THIS PLAT IS APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS AND RESOLUTIONS TO THE CITY OF ALVIN, TEXAS.

WITNESS MY HAND, THIS THE _____ DAY OF _____, 2019.

O'REILLY AUTO ENTERPRISES, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____

NAME: _____

TITLE: _____

STATE OF _____ §

COUNTY OF _____ §

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF _____, ON THIS DAY PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS _____ DAY OF _____, 2019.

NOTARY PUBLIC IN AND FOR THE STATE OF _____

MY COMMISSION EXPIRES ON: _____

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MITCHELL S. PILLAR, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ALVIN, TEXAS.

MITCHELL S. PILLAR, REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5491
FIRM REGISTRATION NO. 10025600

DATE _____

PEACEFUL PASTURES HOUSING, INC.
VOL. 86364, PG. 48
O.R.B.C.T.

N 86°44'13" E 259.84'

POINT OF BEGINNING
3/8" IRF INSIDE OF
1-1/2" IRON PIPE

DISNEY'S ADDITION
VOL. 5, PG. 46
P.R.B.C.T.

LOT 8
BLOCK 22

BRAZORIA COUNTY, TEXAS
CC# 99-025890
O.R.B.C.T.

5/8" IRF w/
"COBB FENDLEY" CAP

DISNEY'S ADDITION
VOL. 5, PG. 46
P.R.B.C.T.

LOT 1
BLOCK 22

BRAZORIA COUNTY, TEXAS
CC# 99-025890
O.R.B.C.T.

BRAZORIA COUNTY, TEXAS
CC# 99-025890
O.R.B.C.T.

1" IPF (PINCHED)

HOUSTON TAP & BRAZORIA R.R. CO. SURVEY, SECTION 14
ABSTRACT NO. 449

LOT 1, BLOCK 1
1.752 ACRES OR
±76,334 SQUARE FEET

GEORGE STREET
60' RIGHT-OF-WAY
(NO DEED OF RECORD FOUND)

GORDON STREET (BUSINESS 35)
60' RIGHT-OF-WAY
(NO DEED OF RECORD FOUND)

S 03°19'05" E
138.00'

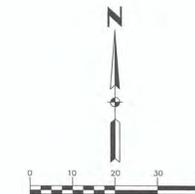
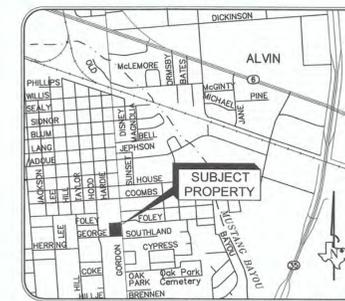
1/2" IRF

155.81'

"X" CUT FND. BEARS
S77°45'19"W-0.27'

S 86°44'13" W
260.13'

VICINITY MAP
N.T.S.



BASIS OF BEARINGS:
BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83.

SCALE: 1" = 20'
PLEASE REFER TO BAR SCALE. DRAWING MAY HAVE BEEN REDUCED OR ENLARGED

LEGEND

- IRF ----- IRON ROD FOUND, AS NOTED
- IRS ----- 5/8" IRON ROD SET W/ "HUITT-ZOLLARS" CAP, UNLESS NOTED OTHERWISE
- IPF ----- IRON PIPE FOUND, AS NOTED
- X CUT FND ----- CHISELED "X" FOUND IN CONCRETE
- VOL ----- VOLUME
- PG ----- PAGE
- DOC# ----- DOCUMENT NUMBER
- CC# ----- COUNTY CLERK'S FILE NUMBER
- P.R.B.C.T. ----- PLAT RECORDS, BRAZORIA COUNTY, TEXAS
- O.R.B.C.T. ----- OFFICIAL RECORDS, BRAZORIA COUNTY, TEXAS
- O.P.R.C.T. ----- OFFICIAL PUBLIC RECORDS, BRAZORIA COUNTY, TEXAS

NOTES:

- SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- THIS TRACT OF LAND LIES WITHIN ZONE "X" UNSHADED (AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN) AND ZONE "AE" (BASE FLOOD ELEVATIONS DETERMINED) ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48039C0165H OF BRAZORIA COUNTY, TEXAS, WITH AN EFFECTIVE DATE OF JUNE 5, 1989.
- THE PURPOSE OF THIS REPLAT IS TO PROVIDE 1 LARGE LOT FOR THE EXPANSION OF THE EXISTING BUILDING.
- SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR THIS TRACT.
- NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.

CERTIFICATE OF APPROVAL

APPROVED THIS _____ DAY OF _____, 2019, BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS

PAUL HORN MAYOR

MICHELLE SEGOVIA CITY ENGINEER

DIXIE ROBERTS CITY SECRETARY

FINAL PLAT OF O'REILLY ALVIN ADDITION LOT 1, BLOCK 1

BEING A REPLAT OF
ALVIN / HI-LO ADDITION
AN ADDITION TO THE CITY OF ALVIN,
BRAZORIA COUNTY, TEXAS,
AS RECORDED IN VOLUME 22, PAGE 295,
OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS
1.752 ACRES
SITUATED IN THE
H.T. & B. R.R. COMPANY SURVEY, SECTION 14,
ABSTRACT NO. 449
JANUARY, 2019

OWNER:



233 SOUTH PATTERSON
SPRINGFIELD, MO 65802
PHONE: (417) 882-3333

PREPARED BY:

HUITT-ZOLLARS
Huitt-Zollars, Inc. Dallas
1717 McKinney Avenue, Suite 1400, Dallas, TX 75202
Phone (214) 871-3311 Fax (214) 871-0757



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Lenamon Grove Addition (located at the northeast corner of the intersection of Highway 35 and Moore Road), being a 3.36 acre tract of land situated in the Hennell Stevens Survey, Abstract No. 595, Brazoria County, Texas, being all that certain called 3.64 acre tract of land described in deed to Barbara Jule Lenamon, as recorded in Document No. 2014027766 official public records of Brazoria County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On January 31, 2019, the Engineering Department received the final plat of Lenamon Grove Addition for review. The property is located in the City of Alvin Extraterritorial Jurisdiction (ETJ) at the northeast corner of the intersection of Highway 35 and Moore Road. The plat consists of 2 lots and 1 block and is being platted for future development. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommends approval.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Final Plat of Lenamon Grove Addition

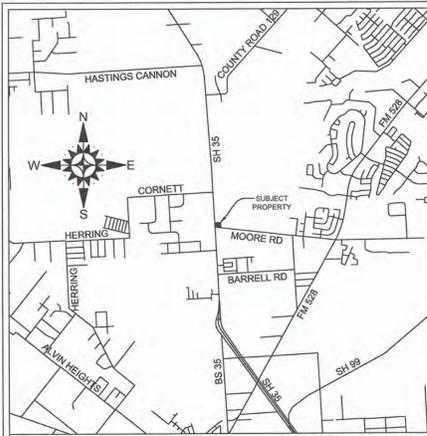
Recommendation: Move to approve the final plat of Lenamon Grove Addition (located at the northeast corner of the intersection of Highway 35 and Moore Road), being a 3.36 acre tract of land situated in the Hennell Stevens Survey, Abstract No. 595, Brazoria County, Texas, being all that certain called 3.64 acre tract of land described in deed to Barbara Jule Lenamon, as recorded in Document No. 2014027766 official public records of Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



VICINITY MAP
(1" = 1 MILE)

- LEGEND**
- O.R.B.C.T. OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS
 - D.R.B.C.T. DEED RECORDS OF BRAZORIA COUNTY, TEXAS
 - SET 5/8" IRON ROD WITH CAP STAMPED "FRONTIER 10082900"
 - ⊙ FOUND 5/8" IRON ROD
 - FOUND IRON PIPE
 - ⊕ BENCHMARK

METES AND BOUNDS DESCRIPTION

BEING a 3.36 acre tract of land situated in the Hennell Stevens Survey, Abstract No. 595, Brazoria County, Texas, being all that certain called 3.64 acre tract of land described in deed to Barbara Jule Lenamon, as recorded in Document No. 2014027766, Official Public Records of Brazoria County, Texas (O.P.R.B.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 2.5-inch iron pipe found (Y = 13,739,243.59; X = 3,162,780.74) marking the intersection of the east line of State Highway 35 (an apparent 100-foot wide right-of-way) and the north line of Moore Road (a variable width right-of-way), being the southwest corner of said called 3.64 acre tract;

THENCE North 03°14'03" West, along said east line, a distance of 440.99 feet to 1.5-inch pipe found marking the common west corner of said called 3.64 acre tract and that certain called 1.0 acre tract of land described in deed to Charles M. Jackson, Jr., as recorded in Document No. 1994009467, O.P.R.B.C.T.;

THENCE South 87°32'14" East, along the north line of said called 3.64 acre, passing at a distance of 224.57 feet a 1-inch iron pipe found marking the common south corner of said called 1.0 acre tract and that certain called 0.8222 acre tract of land described in deed to Charlene Elkins, as recorded in Document No. 1993006439, O.P.R.B.C.T., and continuing a total distance of 332.79 feet to a 1-inch iron pipe found marking the common north corner of said called 3.64 acre tract and that certain called 2.8757 acre tract of land described in deed to Jerome A. Isbell and Autumn N. Cates, as recorded in Document No. 2018024716, O.P.R.B.C.T.;

THENCE South 01°21'32" East, along the common line of said called 3.64 acre and 2.8757 acre tracts, a distance of 171.33 feet to a 5/8-inch iron rod found;

THENCE South 00°09'39" West, continuing along said common line, a distance of 297.05 feet to a 5/8-inch iron rod with cap stamped "FRONTIER 10082900" set marking the southeast corner of said called 3.64 acre tract, from which a 5/8-inch iron rod found marking the southwest corner of said called 2.8757 acre tract bears South 00°09'39" West, a distance of 1.59 feet;

THENCE North 82°14'32" West, along the aforesaid line of Moore Road, a distance of 313.70 feet to the POINT OF BEGINNING and containing 3.36 acres (146,406 square feet) of land.

SURVEYOR'S CERTIFICATION:

I, Allen W. Kerley, Registered Professional Land Surveyor No. 5427, do hereby certify that this plat correctly represents a survey made under my supervision on the ground in accordance with the information provided me and correctly represents the facts as found at the time of survey and is true and correct and that all boundary corners, lot corners, angle points, and points of curvature are properly marked as shown on the plat.

This 12th day of February, 2019.

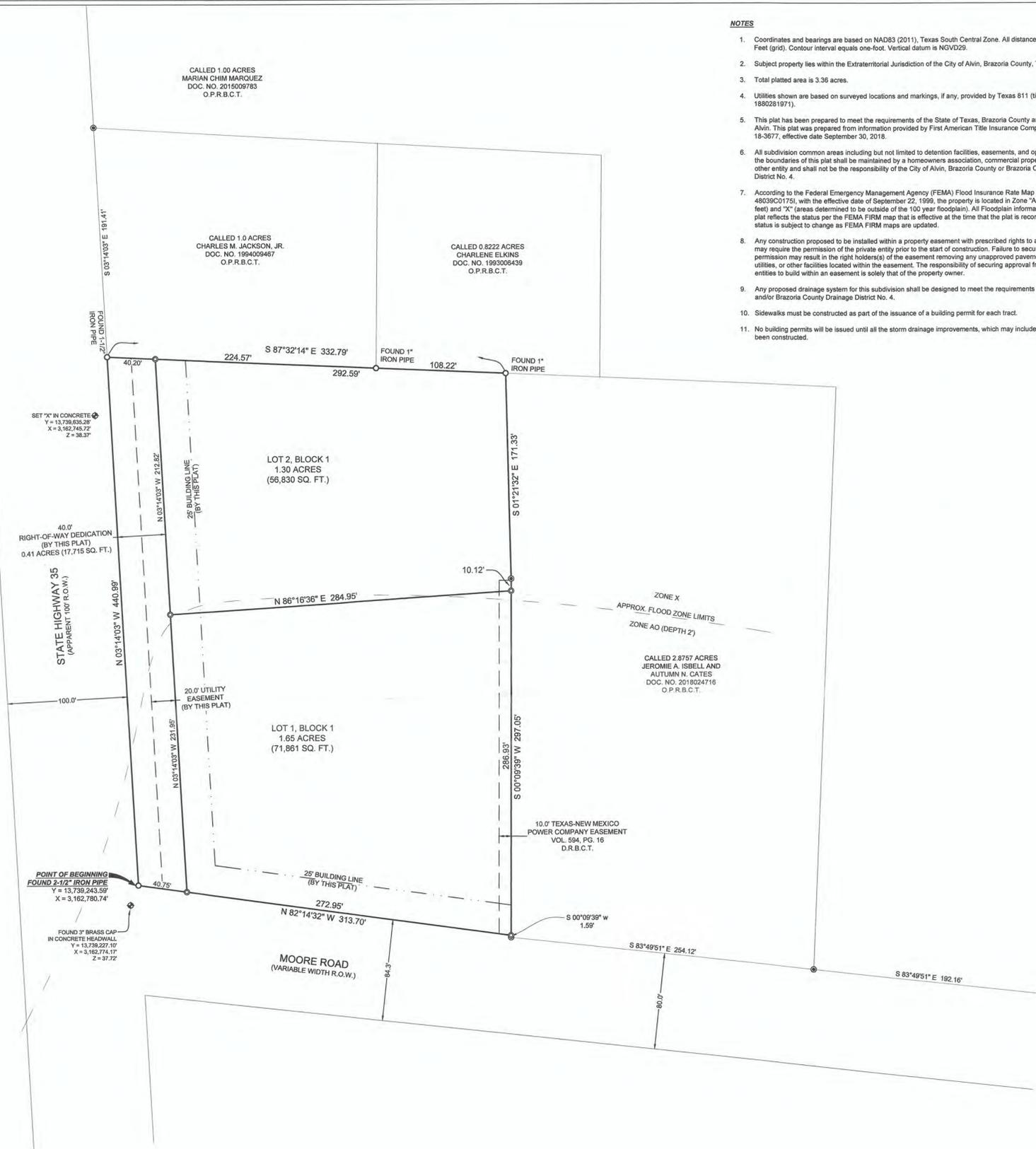


Registered Professional Land Surveyor
Allen W. Kerley, R.P.L.S. No. 5427

TITLE COMMITMENT EXCEPTION

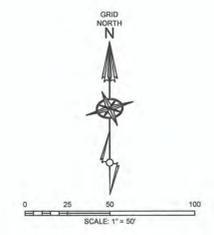
THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:

(10d)-Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: Stanolind Oil and Gas Company
Purpose: pipe lines
Recording Date: September 30, 1946
Recording No: Volume 388, Page 347 and Volume 407, Page 575, Deed Records, Brazoria County, Texas
(LOCATION NOT DESCRIBED)



NOTES

1. Coordinates and bearings are based on NAD83 (2011), Texas South Central Zone. All distances are U.S. Survey Feet (grid). Contour interval equals one-foot. Vertical datum is NGVD29.
2. Subject property lies within the Extraterritorial Jurisdiction of the City of Alvin, Brazoria County, Texas.
3. Total platted area is 3.36 acres.
4. Utilities shown are based on surveyed locations and markings, if any, provided by Texas 811 (ticket number 1880281971).
5. This plat has been prepared to meet the requirements of the State of Texas, Brazoria County and the City of Alvin. This plat was prepared from information provided by First American Title Insurance Company, G.F. No. 18-3677, effective date September 30, 2018.
6. All subdivision common areas including but not limited to detention facilities, easements, and open space within the boundaries of this plat shall be maintained by a homeowners association, commercial property association or other entity and shall not be the responsibility of the City of Alvin, Brazoria County or Brazoria County Drainage District No. 4.
7. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map No. 48039C01751, with the effective date of September 22, 1998, the property is located in Zone "AO" (flood depth 2 feet) and "X" (areas determined to be outside of the 100 year floodplain). All Floodplain information noted in the plat reflects the status per the FEMA FIRM map that is effective at the time that the plat is recorded. Floodplain status is subject to change as FEMA FIRM maps are updated.
8. Any construction proposed to be installed within a property easement with prescribed rights to a private entity may require the permission of the private entity prior to the start of construction. Failure to secure such permission may result in the right holder(s) of the easement removing any unapproved pavement, structures, utilities, or other facilities located within the easement. The responsibility of securing approval from the private entities to build within an easement is solely that of the property owner.
9. Any proposed drainage system for this subdivision shall be designed to meet the requirements of the City of Alvin and/or Brazoria County Drainage District No. 4.
10. Sidewalks must be constructed as part of the issuance of a building permit for each tract.
11. No building permits will be issued until all the storm drainage improvements, which may include detention, have been constructed.



OWNER'S CERTIFICATION:

Barbara Jule Lenamon, owner of the property subdivided in this plat of LENAMON GROVE ADDITION, 3.36 acres situated in the Hennell Stevens Survey, Abstract No. 595, do hereby make subdivision of said property, according to the lines, lots, streets, alleys, reserves, parks, and easements as shown hereon and dedicate for public use as such the streets, alleys, parks, and easements shown hereon forever, and do hereby waive all claims for damages occasioned by the establishment of grades as approved for the streets and drainage easements dedicated, or occasioned by the alteration of the surface, or any portion of the streets or drainage easements to conform to such grades, and do hereby bind ourselves, our heirs, successors and assigns to warrant and defend the title to the land so dedicated.

This _____ day of _____, 2019.

BY: _____
Barbara Jule Lenamon
Owner

NOTARY CERTIFICATION

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Barbara Jule Lenamon, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated.

Given under my hand and seal of office, this _____ day of _____, 2019.

Notary Public

BRAZORIA COUNTY DRAINAGE DISTRICT NO. 4 CERTIFICATE:

APPROVED BY THE BOARD OF COMMISSIONERS ON _____

Brazoria Drainage District No. 4

District Engineer

The above have signed these plans and/or plat based on the recommendation of the DISTRICT'S Engineer who has reviewed all sheets provided and found them to be in general compliance with the DISTRICT'S "Rules, Regulations, and Guidelines". This approval is only valid for three hundred sixty-five (365) calendar days. After that time re-approval is required. Please note, this does not necessarily mean that all the calculations provided in these plans and/or plat have been completely checked and verified. Plans submitted have been prepared, signed and sealed by a Professional Engineer licensed to practice engineering in the State of Texas and plat has been signed and sealed by a Registered Professional Land Surveyor licensed to practice in the State of Texas, which conveys the engineer's and/or surveyor's responsibility and accountability.

CITY COUNCIL CERTIFICATION:

This is to certify that the City Council of the City of Alvin, Texas has approved this plat and subdivision of LENAMON GROVE ADDITION and is in conformance with the laws of the State of Texas and the ordinances of the City of Alvin as shown hereon and authorizes the recording of this plat this _____ day of _____, 2019.

Paul Horn, Mayor

Dixie Roberts, City Secretary

Michelle H. Segovia, P.E., City Engineer

**FINAL PLAT
of
LENAMON GROVE ADDITION
2 Lots, 1 Block**

Being a 3.36 acre tract of land situated in the Hennell Stevens Survey, Abstract No. 595, Brazoria County, Texas, being all that certain called 3.64 acre tract of land described in deed to Barbara Jule Lenamon, as recorded in Document No. 2014027766, Official Public Records of Brazoria County, Texas.

Date: February 5, 2019

Owner
Barbara Jule Lenamon
PO Box 519
Pearland, TX 77588
Ph: (281) 831-8213

Surveyor
Frontier Surveying Company
FRM No. 10082900
710 Buffalo St., Suite 700
Corpus Christi, TX 78401
Ph: (361) 881-8044



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Huntington Place Section 3 (located in the City of Alvin’s ETJ at the northeast corner of FM 521 and Juliff Manvel Road), being a planned unit development subdivision of 17.638 acres of land situated in the William Pettus League Survey, Abstract 68, Fort Bend County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On January 31, 2019, the Engineering Department received the final plat of Huntington Place Section 3 for review. This section consists of sixty-three (63) single-family residential lots, three (3) blocks, and four (4) reserves, and is located northeast of the intersection of FM 521 and Juliff Manvel Road in the City of Alvin’s Extraterritorial Jurisdiction (ETJ) within Fort Bend County. The Master Preliminary Plat of Huntington Place was approved by City Council on June 6, 2017. The property is being subdivided for a new single family residential planned unit development subdivision. This plat complies with all requirements of the City’s Subdivision Ordinance.

The Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommends approval.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Final Plat of Huntington Place Section 3

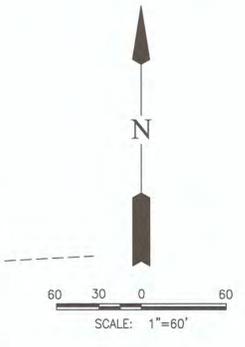
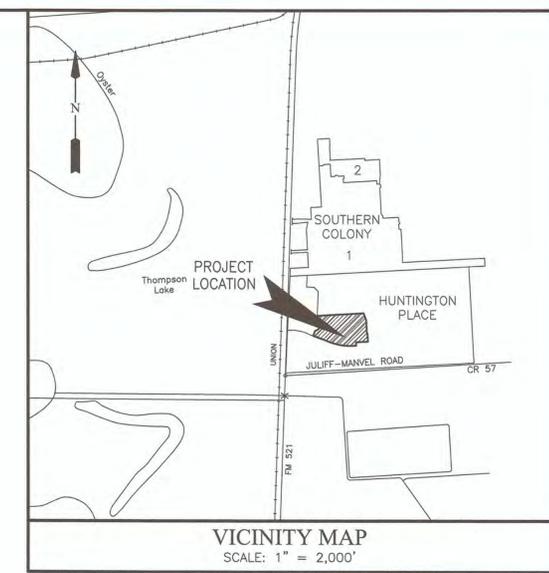
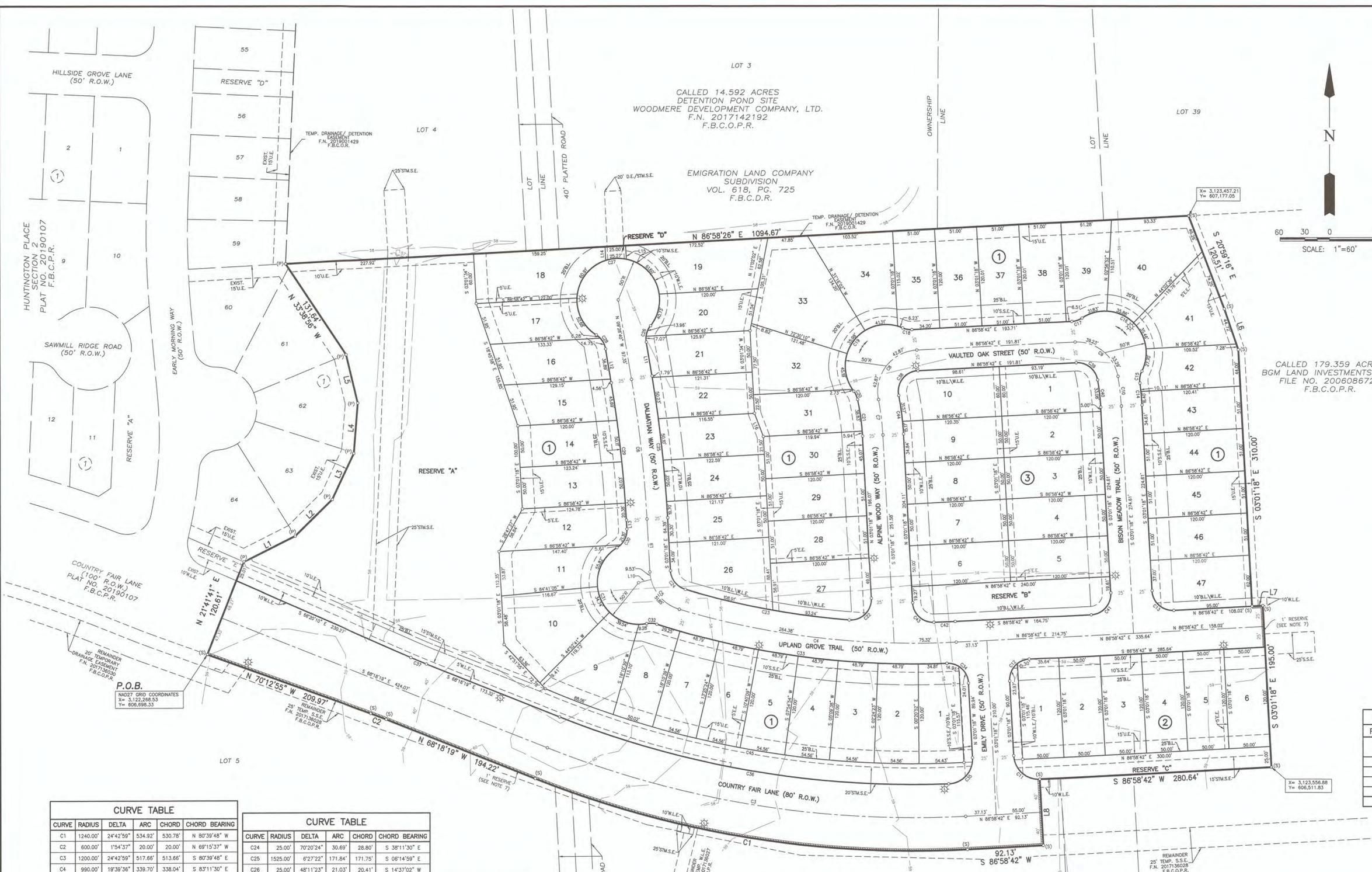
Recommendation: Move to approve the final plat of Huntington Place Section 3 (located in the City of Alvin’s ETJ at the northeast corner of FM 521 and Juliff Manvel Road), being a planned unit development subdivision of 17.638 acres of land situated in the William Pettus League Survey, Abstract 68, Fort Bend County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



CALLLED 179.359 ACRES
BGM LAND INVESTMENTS, LTD.
FILE NO. 2006086726
F.B.C.O.P.R.

LOT	SQ. FT.	LOT FRONTAGE
BLOCK 1		
LOT 1	6,201	50.00'
LOT 2	6,201	50.00'
LOT 3	6,201	50.00'
LOT 4	6,201	50.00'
LOT 5	6,201	50.00'
LOT 6	6,201	50.00'
LOT 7	6,201	50.00'
LOT 8	5,944	50.00'
LOT 9	7,879	50.67'
LOT 10	9,374	50.86'
LOT 11	8,431	53.47'
LOT 12	6,971	50.00'
LOT 13	6,208	50.00'
LOT 14	6,088	50.00'
LOT 15	6,236	50.00'
LOT 16	6,851	50.00'
LOT 17	6,092	52.56'
LOT 18	5,592	74.31'
LOT 19	9,021	74.90'
LOT 20	6,014	52.02'
LOT 21	6,205	50.31'
LOT 22	5,940	50.21'
LOT 23	6,070	50.10'
LOT 24	6,086	50.02'
LOT 25	6,051	50.00'
LOT 26	6,586	50.00'
LOT 27	8,022	84.13'
LOT 28	6,120	51.00'
LOT 29	6,120	51.00'
LOT 30	6,120	51.00'
LOT 31	6,331	51.41'
LOT 32	7,485	52.23'
LOT 33	11,955	52.67'

LOT	SQ. FT.	LOT FRONTAGE
BLOCK 1		
LOT 34	8,307	52.23'
LOT 35	6,089	51.00'
LOT 36	6,120	51.00'
LOT 37	6,120	51.00'
LOT 38	8,121	51.00'
LOT 39	6,332	52.14'
LOT 40	10,112	52.47'
LOT 41	8,158	52.89'
LOT 42	5,949	51.00'
LOT 43	6,122	51.00'
LOT 44	6,120	51.00'
LOT 45	6,120	51.00'
LOT 46	6,120	51.00'
LOT 47	7,306	52.00'
BLOCK 2		
LOT 1	5,379	50.00'
LOT 2	6,000	50.00'
LOT 3	6,000	50.00'
LOT 4	6,000	50.00'
LOT 5	6,000	50.00'
LOT 6	6,000	50.00'
BLOCK 3		
LOT 1	7,004	50.16'
LOT 2	6,000	50.00'
LOT 3	6,000	50.00'
LOT 4	6,000	50.00'
LOT 5	6,000	50.00'
LOT 6	6,000	50.00'
LOT 7	6,000	50.00'
LOT 8	6,000	50.00'
LOT 9	6,002	50.01'
LOT 10	7,219	50.12'

RESERVE	ACREAGE	SQ.FT.	TYPE
A	2.835	123,478	RESTRICTED TO LANDSCAPE/OPENS PACE/PLAYGROUND/TRAILS/SPLASHPAD
B	0.239	10,426	RESTRICTED TO LANDSCAPE/OPEN SPACE
C	0.201	8,736	RESTRICTED TO LANDSCAPE/OPEN SPACE
D	0.009	388	RESTRICTED TO LANDSCAPE/OPEN SPACE/ DRAINAGE
TOTAL	3.284	143,028	

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	1240.00'	24°42'59"	534.92'	530.78'	N 80°39'48" W
C2	600.00'	1°54'37"	20.00'	20.00'	N 69°15'37" W
C3	1200.00'	24°42'59"	517.66'	513.66'	S 80°39'48" E
C4	990.00'	19°39'36"	339.70'	338.04'	S 83°11'30" E
C5	50.00'	70°20'24"	61.36'	57.60'	S 38°11'30" E
C6	1500.00'	6°27'22"	169.02'	168.93'	N 06°14'59" W
C7	300.00'	8°14'23"	43.14'	43.11'	N 07°08'30" W
C8	50.00'	98°14'23"	85.73'	75.61'	S 37°51'30" W
C9	50.00'	83°06'28"	72.53'	66.33'	N 51°28'04" W
C10	300.00'	6°53'32"	36.09'	36.07'	N 06°28'04" W
C11	30.00'	90°00'00"	47.12'	42.43'	S 48°01'18" E
C12	300.00'	90°00'00"	39.27'	35.35'	S 41°58'42" W
C13	25.00'	90°00'00"	39.27'	35.35'	S 48°01'18" E
C14	325.00'	4°40'27"	26.51'	26.51'	S 05°21'31" E
C15	25.00'	34°06'51"	14.89'	14.67'	S 09°21'41" W
C16	50.00'	149°56'54"	130.85'	96.58'	S 48°33'21" E
C17	25.00'	30°30'30"	13.31'	13.16'	N 71°43'27" E
C18	25.00'	26°13'54"	11.45'	11.35'	S 79°54'21" E
C19	50.00'	150°37'30"	131.45'	108.55'	N 37°53'51" E
C20	25.00'	25°03'58"	10.94'	10.85'	N 24°52'56" W
C21	275.00'	9°19'39"	44.77'	44.72'	N 07°41'07" W
C22	25.00'	97°39'26"	42.61'	37.64'	N 45°48'25" E
C23	985.00'	12°00'10"	202.16'	201.79'	S 79°21'47" E

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C24	25.00'	70°20'24"	30.69'	28.80'	S 38°11'30" W
C25	1925.00'	6°27'22"	171.84'	171.75'	S 06°14'59" E
C26	25.00'	48°11'23"	21.03'	20.41'	S 14°37'02" W
C27	50.00'	27°6'22'46"	241.19'	66.67'	N 80°31'20" E
C28	25.00'	48°11'23"	21.03'	20.41'	N 33°54'21" W
C29	1475.00'	6°27'22"	166.20'	166.12'	N 06°14'59" W
C30	25.00'	61°40'10"	26.91'	25.63'	N 27°48'47" E
C31	50.00'	159°42'53"	139.38'	98.44'	N 21°12'35" W
C32	25.00'	28°53'44"	12.61'	12.47'	N 86°37'09" W
C33	1015.00'	20°08'28"	356.80'	354.97'	N 82°14'32" W
C34	25.00'	89°17'28"	38.96'	35.14'	N 47°40'02" W
C35	30.00'	90°54'22"	47.60'	42.76'	N 42°25'53" E
C36	1160.00'	23°48'37"	482.06'	478.60'	S 80°12'37" E
C37	800.00'	158°09"	20.62'	20.62'	S 67°19'14" E
C38	25.00'	98°14'23"	42.87'	37.80'	N 37°51'30" E
C39	25.00'	83°06'28"	36.26'	33.17'	S 51°28'04" E
C40	275.00'	6°53'32"	33.08'	33.06'	S 06°28'04" E
C41	25.00'	90°00'00"	39.27'	35.36'	S 41°58'42" W
C42	965.00'	13°21'21"	25.93'	25.92'	S 87°44'53" W
C43	25.00'	88°27'39"	38.60'	34.88'	N 47°15'07" W
C44	325.00'	8°14'23"	46.74'	46.70'	N 07°08'30" W
C45	1135.00'	26°14'35"	519.86'	515.33'	S 79°58'26" E

LINE	BEARING	DISTANCE
L1	N 63°32'48" E	69.35'
L2	N 45°46'01" E	62.79'
L3	N 25°00'53" E	61.85'
L4	N 04°36'44" E	60.71'
L5	N 13°37'06" W	59.77'
L6	S 18°58'13" E	52.00'
L7	N 86°58'42" E	13.02'
L8	S 03°01'18" E	80.00'
L9	S 03°01'18" E	64.39'
L10	N 76°03'20" E	15.60'
L11	S 09°28'40" E	41.45'
L12	N 09°28'40" W	41.45'
L13	N 03°01'18" W	10.80'
L14	S 03°01'34" E	16.59'
L15	N 03°01'34" W	16.59'
L16	S 20°49'40" E	29.94'

- LEGEND**
- B.L. INDICATES BUILDING LINE
 - U.E. INDICATES UTILITY EASEMENT
 - D.E. INDICATES DRAINAGE EASEMENT
 - W.L.E. INDICATES WATERLINE EASEMENT
 - S.S.E. INDICATES SANITARY SEWER EASEMENT
 - STM.S.E. INDICATES STORM SEWER EASEMENT
 - F.B.C.P.R. INDICATES FORT BEND COUNTY PLAT RECORDS
 - F.B.C.O.R. INDICATES FORT BEND COUNTY OFFICIAL RECORDS
 - F.B.C.O.P.R. INDICATES FORT BEND COUNTY OFFICIAL PUBLIC RECORDS
 - F.B.C.D.R. INDICATES FORT BEND COUNTY DEED RECORDS
 - INDICATES STREET NAME CHANGE
 - F.N. INDICATES FILE NUMBER
 - E.E. INDICATES ELECTRICAL EASEMENT
 - A.E. INDICATES AERIAL EASEMENT
 - R.O.W. INDICATES RIGHT OF WAY
 - I.R. INDICATES IRON ROD
 - I.P. INDICATES IRON PIPE
 - (P) FOUND PREVIOUSLY SET 5/8" I.R. WITH CAP STAMPED "LJA ENG"
 - (S) FOUND 5/8" I.R. WITH CAP STAMPED "LJA SURVEY"

HUNTINGTON PLACE

SECTION 3

A PLANNED UNIT DEVELOPMENT SUBDIVISION OF 17.638 ACRES OF LAND SITUATED IN THE WILLIAM PETTUS LEAGUE SURVEY, ABSTRACT 68, FORT BEND COUNTY, TEXAS.

63 LOTS 4 RESERVES (3.284 ACRES) 3 BLOCKS
FEBRUARY 11, 2019 JOB NO. 1037-2025.403

OWNERS:
WOODMERE DEVELOPMENT COMPANY, LTD.
A TEXAS LIMITED PARTNERSHIP
BY: WOODMERE GP, L.L.C., ITS GENERAL PARTNER
RICHARD RUE, PRESIDENT
15915 KATY FREEWAY, SUITE 405, HOUSTON, TEXAS 77094
PH: (281) 450-9172

SURVEYOR: **LJA Surveying, Inc.** ENGINEER: **LJA Engineering, Inc.**

2929 Briarpark Drive Phone 713.953.5200
Suite 175 Fax 713.953.5026
Houston, Texas 77042 T.B.P.L.S. Firm No. 10194382 Houston, Texas 77042 Phone 713.953.5200
Suite 600 Fax 713.953.5026
Houston, Texas 77042 FRN - F-1386

Date/Time: Mon, 11 Feb 2019 9:29am Path Name: R:\Projects\PC\Huntington Place Sec.3_PFD.dwg

CAD: NMF MTLAR CHECK: SUR DIR: SHEET 2 OF 2



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle H. Segovia, City Engineer

Agenda Item: Consider a preliminary plat of Southern Colony Section 5 (located in the City of Alvin’s ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development subdivision of 2.598 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On January 31, 2019, the Engineering Department received the Preliminary Plat of Southern Colony Sections 5 for review. This subdivision is in the City of Alvin’s Extraterritorial Jurisdiction (ETJ) located along the east side of FM 521 and north of Juliff-Manvel Road. This Preliminary Plat consists of 8 lots, 4 reserves, and 1 block. This plat complies with all requirements of the Planned Unit Development Section of the City’s Subdivision Ordinance.

The Southern Colony Subdivision currently consists of four previously platted sections.

The City Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommends approval.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Preliminary Plat of Southern Colony Section 5

Recommendation: Move to approve the preliminary plat of Southern Colony Section 5 (located in the City of Alvin’s ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development subdivision of 2.598 acres of land situated in the William Hall League, Abstract 31, Fort Bend County, Texas.

Reviewed by Department Head, if applicable

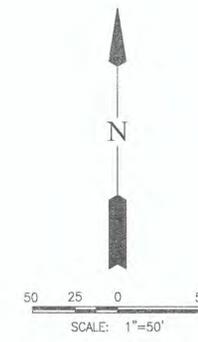
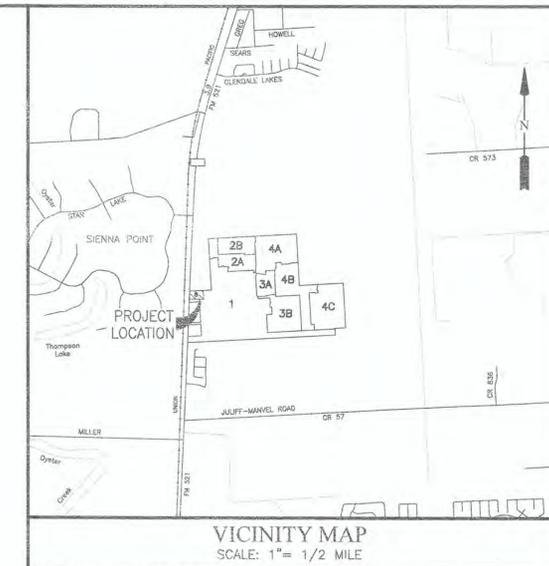
Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

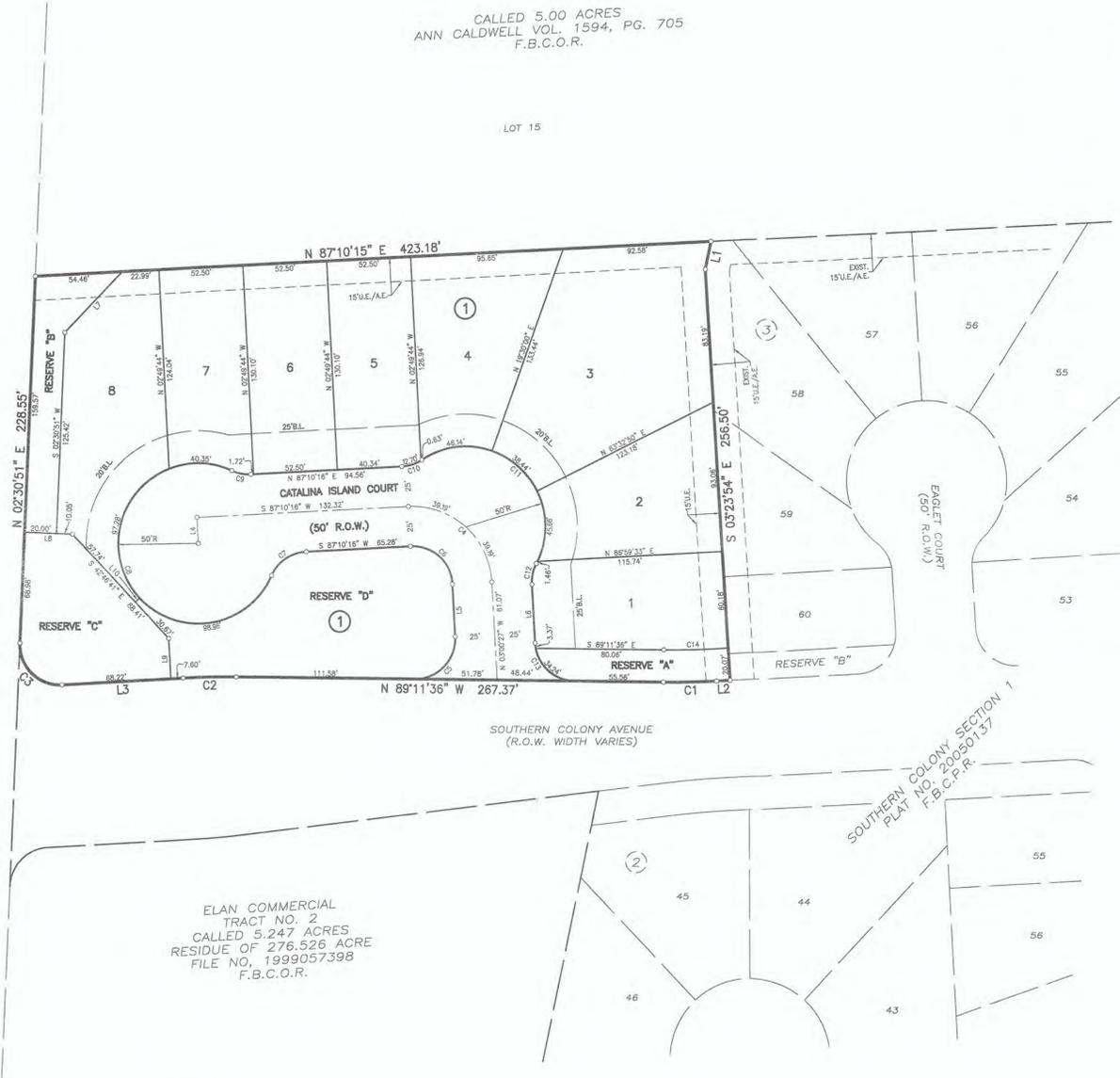
RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	TYPE
A	0.053	2,298	RESTRICTED TO LANDSCAPE/OPEN SPACE
B	0.088	3,827	RESTRICTED TO LANDSCAPE/OPEN SPACE
C	0.148	6,457	RESTRICTED TO LANDSCAPE/OPEN SPACE
D	0.284	11,505	RESTRICTED TO LANDSCAPE/OPEN SPACE
TOTAL	0.553	24,087	

LOT	SQ. FT.	LOT WIDTH AT B.L.
BLOCK 1		
LOT 1	6,908	55.52
LOT 2	7,670	54.17
LOT 3	14,534	56.63
LOT 4	8,594	54.65
LOT 5	6,818	52.50
LOT 6	6,830	52.50
LOT 7	6,538	52.53
LOT 8	9,597	105.40



NOTES:

- THERE ARE NO PIPELINE EASEMENTS WITHIN THIS PLAT.
- ALL SLAB ELEVATIONS SHALL BE ONE FOOT ABOVE THE 100-YEAR FLOOD ELEVATION AS ESTABLISHED BY FEMA. IN ACCORDANCE WITH FEDERAL EMERGENCY MANAGEMENT AGENCY COMMUNITY PANEL NO. 48157C0465 L MAP REVISED APRIL 2, 2014, THIS PLAT LIES IN UNSHADED ZONE "X", OUTSIDE THE 100-YEAR FLOOD PLAIN.
- THE TOP OF ALL FLOOR SLABS SHALL BE A MINIMUM OF 61.50 FEET (NGVD 29, 73 ADJ.) ABOVE MEAN SEA LEVEL. IN ADDITION TO THIS MINIMUM, NO FLOOR SLAB SHALL BE LESS THAN 1.5 FEET ABOVE NATURAL GROUND.
- 0.553 ACRES OF COMMON LANDSCAPE AREA ARE SUPPLIED IN THIS SECTION. 2.598 OVERALL ACRES X 7% = 0.182 ACRES OF COMMON LANDSCAPE AREA ARE REQUIRED FOR THE PLANNED UNIT DEVELOPMENT.
- THIS PLAT LIES WHOLLY WITHIN FORT BEND COUNTY UTILITY DISTRICT NO. 131, SIENNA PLANTATION LEVEE IMPROVEMENT DISTRICT, FORT BEND COUNTY SUBSIDENCE DISTRICT, FORT BEND COUNTY DRAINAGE DISTRICT, THE ETJ OF THE CITY OF ALVIN AND FORT BEND COUNTY.
- ALL BUILDING LINE TRANSITIONS ARE AT 45° ANGLES TO THE STRAIGHT SIDE LOT LINE WHERE THE TRANSITION OCCURS.
- ALL REQUIRED UTILITY COMPANIES HAVE BEEN CONTACTED AND ALL PUBLIC UTILITY EASEMENTS AS SHOWN ON THE ABOVE AND FOREGOING PLAT CONSTITUTE ALL OF THE EASEMENTS REQUIRED BY THE UTILITY COMPANIES CONTACTED.
- THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD27) AND MAY BE BROUGHT TO SURFACE BY DIVIDING BY THE FOLLOWING COMBINED SCALE FACTOR OF 0.99986797.
- PRIOR TO THE BEGINNING OF THE ONE-YEAR MAINTENANCE PERIOD FOR UTILITIES AND PAVING BY FORT BEND COUNTY, ALL BLOCK CORNERS AND STREET RIGHTS-OF-WAY WILL BE MONUMENTED.
- THE DRAINAGE SYSTEM FOR THIS SUBDIVISION IS DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET PONDING WITH INTENSE RAINFALL EVENTS.
- IN ACCORDANCE WITH CENTER POINT ENERGY ELECTRICAL SERVICE MANUAL, ARTICLE 421.2, ELECTRIC METERS SHALL BE LOCATED IN A POSITION THAT IS ACCESSIBLE AT ALL TIMES WITHOUT CUSTOMER ASSISTANCE. ACCESS TO THE METER SHALL NOT BE BLOCKED BY GATES, WALLS OR FENCES.
- THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY DHI TITLE OF CENTRAL TEXAS, DATED _____, 2019, EFFECTIVE DATE OF _____, 2019. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "LJA SURVEY" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS. LOT, BLOCK, AND RESERVE CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION.
- ALL LOT LINES SHALL HAVE A MINIMUM 5' SIDE YARD SETBACK LINE.
- THIS PLAT LIES WITHIN FORT BEND COUNTY LIGHTING ORDINANCE ZONE NO. 2.
- SIDEWALKS MUST BE CONSTRUCTED AS A PART OF ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT.
- NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL THE STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.
- T.B.M. INDICATES TEMPORARY BENCHMARK; TBM-B; CHISELED BOX ON TOP OF A TYPE "C" CURB INLET LOCATED AT THE WESTERLY SIDE OF THE INTERSECTION OF FARTHING LANE AND DAPPLED OAK STREET. ELEVATION = 60.50', NGVD29, 1973 ADJ.
- ALL DRAINAGE EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, VEGETATION AND OTHER OBSTRUCTIONS.
- THE PROPERTY SHALL DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
- A MINIMUM DISTANCE OF 10' SHALL BE MAINTAINED BETWEEN RESIDENTIAL DWELLINGS.
- SIDEWALKS SHALL BE BUILT OR CAUSED TO BE BUILT NOT LESS THAN 5- FEET IN WIDTH ON BOTH SIDES OF ALL DEDICATED RIGHTS-OF-WAY WITHIN SAID PLAT AND ON CONTIGUOUS RIGHT-OF-WAY OF ALL PERIMETER ROADS SURROUNDING SAID PLAT, IN ACCORDANCE WITH ADA REQUIREMENTS.
- THE HOMEOWNERS' ASSOCIATION WILL OWN AND MAINTAIN RESERVES "A" THROUGH "D".
- SITE PLANS SHALL BE SUBMITTED TO FORT BEND COUNTY AND ANY OTHER APPLICABLE JURISDICTION FOR REVIEW AND APPROVAL. DEVELOPMENT PERMITS AND ALL OTHER APPLICABLE PERMITS SHALL BE OBTAINED FROM FORT BEND COUNTY PRIOR TO BEGINNING CONSTRUCTION.



LEGEND

- B.L. INDICATES BUILDING LINE
- U.E. INDICATES UTILITY EASEMENT
- D.E. INDICATES DRAINAGE EASEMENT
- W.L.E. INDICATES WATERLINE EASEMENT
- S.S.E. INDICATES SANITARY SEWER EASEMENT
- STM.S.E. INDICATES STORM SEWER EASEMENT
- F.M.E. INDICATES FORCE MAIN EASEMENT
- E.E. INDICATES ELECTRICAL EASEMENT
- F.B.C.P.R. INDICATES FORT BEND COUNTY PLAT RECORDS
- F.B.C.O.R. INDICATES FORT BEND COUNTY OFFICIAL RECORDS
- F.B.C.O.P.R. INDICATES FORT BEND COUNTY OFFICIAL PUBLIC RECORDS
- F.B.C.D.R. INDICATES FORT BEND COUNTY DEED RECORDS
- INDICATES STREET NAME CHANGE
- F.N. INDICATES FILE NUMBER
- E.E. INDICATES ELECTRICAL EASEMENT
- A.E. INDICATES AERIAL EASEMENT
- R.O.W. INDICATES RIGHT OF WAY
- (F) INDICATES FOUND 5/8" IR W/"LIA ENG" CAP
- (S) INDICATES SET 5/8" IR W/"LIA ENG" CAP
- I.R. INDICATES IRON ROD

LINE TABLE			CURVE TABLE					
LINE	BEARING	DISTANCE	CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
L1	S 11°41'43" W	17.67'	C1	500.00'	3°48'51"	33.28'	33.28'	S 88°53'58" W
L2	S 88°59'33" W	8.44'	C2	500.00'	3°48'51"	33.28'	33.28'	S 88°53'58" W
L3	S 88°59'33" W	75.82'	C3	25.00'	93°31'18"	41.68'	37.02'	N 48°14'49" W
L4	S 02°49'44" E	18.37'	C4	50.00'	89°49'17"	78.38'	70.60'	N 47°55'05" W
L5	N 03°00'27" W	32.68'	C5	25.00'	93°48'51"	40.93'	36.51'	N 43°53'59" E
L6	S 03°00'27" E	36.53'	C6	25.00'	89°49'17"	39.19'	35.30'	N 47°55'05" W
L7	S 43°37'12" W	52.06'	C7	25.00'	63°21'17"	27.64'	26.26'	S 55°29'38" W
L8	S 87°29'09" E	30.05'	C8	50.00'	271°07'10"	236.60'	70.02'	N 20°37'26" W
L9	N 03°00'27" W	25.22'	C9	25.00'	27°45'53"	12.11'	12.00'	S 78°58'47" E
L10	S 47°13'19" W	3.89'	C10	25.00'	30°32'56"	13.33'	13.17'	N 71°53'48" E
			C11	50.00'	150°56'10"	131.70'	96.80'	S 47°55'05" W
			C12	25.00'	30°32'56"	13.33'	13.17'	S 12°16'01" W
			C13	25.00'	86°11'09"	37.61'	34.18'	S 48°06'01" E
			C14	480.00'	4°48'18"	40.25'	40.24'	N 88°24'14" E

PRELIMINARY PLAT
OF
SOUTHERN COLONY
SECTION 5

A PLANNED UNIT DEVELOPMENT
A SUBDIVISION OF 2.598 ACRES OF LAND SITUATED IN THE WILLIAM HALL LEAGUE, ABSTRACT 31, FORT BEND COUNTY, TEXAS
8 LOTS 4 RESERVES (0.553 ACRES) 1 BLOCK
FEBRUARY 11, 2019 JOB NO. 1019-8005
OWNERS:
FORESTAR (USA) REAL ESTATE GROUP INC.
A DELAWARE CORPORATION
JUSTINE C. KLINKE, VICE PRESIDENT
10700 PECAN PARK BOULEVARD, SUITE 150, AUSTIN, TEXAS 78750
PH. (817) 835-0650

ENGINEER:
LJA Engineering, Inc.
1904 W. Grand Parkway North
Suite 100
Katy, Texas 77449
Phone 713.953.5200
Fax 713.953.5026
FRN-F-1386

SURVEYOR:
LJA Surveying, Inc.
2929 Briarpark Drive
Suite 175
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
T.B.P.L.S. Firm No. 10194382



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle H. Segovia, City Engineer

Agenda Item: Consider a master preliminary plat of Southern Colony Expansion Phase 1 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development subdivision of 83.1 acres of land out of the W. M. Hall Survey, Abstract Group 3, Fort Bend County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On January 31, 2019, the Engineering Department received the Master Preliminary Plat of Southern Colony Expansion Phase 1 for review. This subdivision is in the City of Alvin's Extraterritorial Jurisdiction (ETJ) located along the east side of FM 521 and north of Juliff-Manvel Road. This Preliminary Plat consists of 379 lots, 16 reserves, and 15 blocks. This plat complies with all requirements of the Planned Unit Development Section of the City's Subdivision Ordinance.

The Southern Colony Subdivision currently consists of four previously platted sections.

The City Planning Commission unanimously approved the plat at their meeting on February 19, 2019. Staff recommends approval.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Master Preliminary Plat of Southern Colony Expansion Phase 1

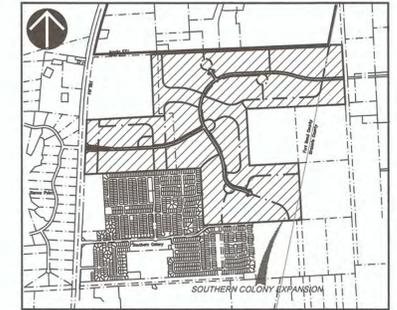
Recommendation: Move to approve the master preliminary plat of Southern Colony Expansion Phase 1 (located in the City of Alvin's ETJ along the east side of FM 521 and north of Juliff-Manvel Road), being a planned unit development subdivision of 83.1 acres of land out of the W. M. Hall Survey, Abstract Group 3, Fort Bend County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager



- GENERAL NOTES:
- "BL" INDICATES BUILDING LINE
 - "U.E." INDICATES UTILITY EASEMENT
 - "W.L.E." INDICATES WATER LINE EASEMENT
 - "S.M. SWR. ESMT." INDICATES STORM SEWER EASEMENT
 - "S.S.E." INDICATES SANITARY SEWER EASEMENT
 - "S.L.E." INDICATES STREET LIGHT EASEMENT
 - "M.U.E." INDICATES MUNICIPAL UTILITY EASEMENT
 - "1' RES." INDICATES A ONE FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS IN SUBDIVISION PLATS WHERE SUCH STREETS ABUT ADJACENT ACREAGE TRACTS, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED IN A RECORDED PLAT, THE ONE FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES (AND THE FEE TITLE THERETO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS, OR SUCCESSORS).
 - ALL EASEMENTS ON LOT LINES ARE CENTERED UNLESS OTHERWISE SHOWN.
 - ALL STREET INTERSECTION RIGHT-OF-WAY RETURN RADI ARE 25 FEET UNLESS OTHERWISE NOTED. ALL STREETS SHALL COMPLY WITH THE MINIMUM STANDARDS SET FORTH IN SECTION 102-5, RIGHTS-OF-WAY, PRIVATE STREETS AND ACCESS GENERAL DESIGN REQUIREMENTS.
 - ALL STREETS WILL BE PAVED WITH CONCRETE AND BE CURB AND GUTTER STREETS WITH STORM SEWERS.

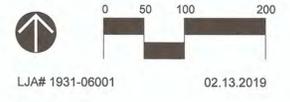
AN OVERALL CONCEPTUAL PLAN OF
SOUTHERN COLONY EXPANSION

±369.3 ACRES
 OUT OF THE
 0031 WM HALL SURVEY, ABSTRACT GROUP 3
 ALVIN, FORT BEND COUNTY, TEXAS
 OWNER:
 DR Horton
 400 Carriage Hills Blvd
 Conroe, Texas 77384

PLANNER:

Land & Master Planning
 Land Use/Feasibility
 Studies
 Sustainable Design
 Urban Design
 Landscape Architecture

2929 Briarpark Drive Suite 600
 Houston, Texas 77042-3703
 713.953.5200 • f 713.953.5026



LJA# 1931-06001 02.13.2019

Sheet 1 of 2

DISCLAIMER AND LIMITED WARRANTY
 THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ALVIN ORDINANCES GOVERNING LAND PLATTING IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFORESAID ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE ALVIN PLANNING COMMISSION. THIS PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER LJA ENGINEERING INC. NOR ANY OF ITS OFFICES, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL CONSTRUCTION, SAFETY OR SUITABILITY TO THE PURPOSES INTENDED, OR ANY UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT. ANY DRY UTILITIES SHOWN ON THIS PLAT (POWER, GAS, TELEPHONE CABLE, ETC.) HAVE NOT BEEN DESIGNED, REVIEWED NOR APPROVED BY ANY DRY UTILITY PROVIDER. ANY DRY UTILITY ONE-LINES SHOWN ON THIS PLAT ARE CONCEPTUAL AND BASED SOLELY ON THE LOCATION OF THE PROPOSED DRY UTILITY EASEMENTS LOCATED IN THE LOTS.



- GENERAL NOTES:**
- "BL" INDICATES BUILDING LINE
 - "U.E." INDICATES UTILITY EASEMENT
 - "W.L.E." INDICATES WATER LINE EASEMENT
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 - "1' RES." INDICATES A ONE FOOT RESERVE DEDICATED TO THE PUBLIC IN FEE AS A BUFFER SEPARATION BETWEEN THE SIDE OR END OF STREETS IN SUBDIVISION PLATS WHERE SUCH STREETS ABUT ADJACENT ACREAGE TRACTS, THE CONDITION OF SUCH DEDICATION BEING THAT WHEN THE ADJACENT PROPERTY IS SUBDIVIDED IN A RECORDED PLAT, THE ONE FOOT RESERVE SHALL THEREUPON BECOME VESTED IN THE PUBLIC FOR STREET RIGHT-OF-WAY PURPOSES (AND THE FEE TITLE THEREO SHALL REVERT TO AND REVEST IN THE DEDICATOR, HIS HEIRS, ASSIGNS, OR SUCCESSORS).
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 - ALL STREETS WILL BE PAVED WITH CONCRETE AND BE CURB AND GUTTER STREETS WITH STORM SEWERS.

A MASTER PRELIMINARY PLAT OF
SOUTHERN COLONY EXPANSION
 Phase 1
 Planned Unit Development

BEING ±83.1 ACRES OF LAND
 CONTAINING 379 LOTS (60' X 120' TYP.) AND
 SIXTEEN RESERVES IN FIFTEEN BLOCKS

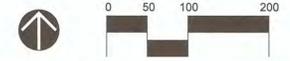
OUT OF THE
 0031 WM HALL SURVEY, ABSTRACT GROUP 3
 ALVIN, FORT BEND COUNTY, TEXAS

OWNER:
 DR Horton
 400 Carriage Hills Blvd
 Conroe, Texas 77384

PLANNER:



Land & Master Planning
 Land Use/Feasibility
 Studies
 Sustainable Design
 Urban Design
 Landscape Architecture



LJA# 1931-06001 02.13.2019
 Sheet 2 of 2

NOTE SECTION 1:

- (A) RESTRICTED RESERVE "A"
PARK
±0.87 ACRES
- (B) RESTRICTED RESERVE "B"
LANDSCAPE/OPEN SPACE
±0.20 ACRES
- (C) RESTRICTED RESERVE "C"
LANDSCAPE/OPEN SPACE
±0.21 ACRES
- (D) RESTRICTED RESERVE "D"
LANDSCAPE/OPEN SPACE
±0.03 ACRES
- (E) RESTRICTED RESERVE "E"
LANDSCAPE/OPEN SPACE
±0.03 ACRES
- (F) RESTRICTED RESERVE "F"
LANDSCAPE/OPEN SPACE
±0.11 ACRES
- (G) RESTRICTED RESERVE "G"
LANDSCAPE/OPEN SPACE
±0.21 ACRES

NOTE SECTION 2:

- (A) RESTRICTED RESERVE "A"
PARK
±1.16 ACRES
- (B) RESTRICTED RESERVE "B"
LANDSCAPE/OPEN SPACE
±0.11 ACRES
- (C) RESTRICTED RESERVE "C"
LANDSCAPE/OPEN SPACE
±0.21 ACRES
- (D) RESTRICTED RESERVE "D"
LANDSCAPE/OPEN SPACE
±0.13 ACRES
- (E) RESTRICTED RESERVE "E"
LANDSCAPE/OPEN SPACE
±0.10 ACRES

NOTE SECTION 3:

- (A) RESTRICTED RESERVE "A"
PARK
±0.82 ACRES
- (B) RESTRICTED RESERVE "B"
LANDSCAPE/OPEN SPACE
±0.14 ACRES
- (C) RESTRICTED RESERVE "C"
LANDSCAPE/OPEN SPACE
±0.38 ACRES
- (D) RESTRICTED RESERVE "D"
LANDSCAPE/OPEN SPACE
±1.36 ACRES

DISCLAIMER AND LIMITED WARRANTY

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AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a final plat of Fairway Lake (located along Nelson Road to the north of the lake property owned by Brazoria County Conservation and Reclamation District #3), being a planned unit development subdivision of 9.759 acres, being a replat of Reserve "A," final plat of Fairway Lake Property, File No. 2018038022, O.P.R.B.C. situated in the H.T. & B.R.R. Co. Survey, Abstract 225, City of Alvin, Brazoria County, Texas.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On January 31, 2019, the Engineering Department received the final plat of Fairway Lake for review. The property is located along the south side of Nelson Road north of the lake property owned by the Brazoria County Conservation and Reclamation District #3. This final plat consists of fifty (50) single-family lots, four (4) reserves, and two (2) blocks. This plat complies with all requirements of the City's Subdivision Ordinance.

The City Planning Commission voted 8 votes to 1 vote to approve the final plat of Fairway Lake at their meeting on February 19, 2019. The Commission Member that voted against approval of the plat did not state a reason for their denial of the plat. Staff recommends approval.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Final Plat of Fairway Lake

Recommendation: Move to approve the final plat of Fairway Lake (located along Nelson Road to the north of the lake property owned by Brazoria County Conservation and Reclamation District #3), being a planned unit development subdivision of 9.759 acres, being a replat of Reserve "A," final plat of Fairway Lake Property, File No. 2018038022, O.P.R.B.C. situated in the H.T. & B.R.R. Co. Survey, Abstract 225, City of Alvin, Brazoria County, Texas.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

STATE OF TEXAS
COUNTY OF BRAZORIA

We, Alvin Fairway Lakes LLC, owners of the property subdivided in the above and foregoing map of FAIRWAY LAKE, do hereby make subdivision of said property according to the lines, streets, alleys, parks, and easements herein shown, and designate said subdivision as FAIRWAY LAKE in the H.T. & B.R.R. Co. Survey, Abstract No. 225, City of Alvin, Brazoria County, Texas, and dedicate to the public use as such, the streets, alleys, and easements shown herein forever, and do hereby waive any claims for damages occasioned by the establishment of grades as approved for the streets and alleys dedicated or occasioned by the affirmation of the surfaces of any portion of streets or alleys to conform to such grades; and do hereby bind ourselves, our successors and assigns to warrant and forever assign the title of the land so dedicated. There is also dedicated for utilities an unobstructed aerial easement three (3) feet wide from a plane (20) feet above ground upward located adjacent to all easements and alleys shown hereon that are labeled with the A.E. "Aerial Easement" designation.

IN TESTIMONY WHEREOF, the Alvin Fairway Lakes LLC, has caused these presents to be signed by William A. Benson, its President and Clint A. Mann, its Vice President, thereunto authorized, this _____ day of _____ 20____

Owner: Alvin Fairway Lake LLC
By: William A. Benson, President
By: Clint A. Mann, Vice President

STATE OF TEXAS
COUNTY OF BRAZORIA
Before me, the undersigned authority, on this day personally appeared William A. Benson, President and Clint A. Mann, Vice President of Alvin Fairway Lakes LLC, 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 _____ day of _____ 20____

Notary Public In and for the State of _____
My Commission Expires: _____

This is to certify that I, Robert Kness, a licensed surveyor of the State of Texas, do hereby certify this plat correctly represents a boundary survey made under my supervision on the ground in accordance with the information provided to me and correctly represents the facts found at the time of the survey. There are no encroachments except as those shown.

Witness my hand and seal this 18 day of February, 2019.



Robert Kness
Registered Professional Land Surveyor
Texas Registration No. 6486

CITY OF ALVIN APPROVALS

Paul Horn, Mayor
Michelle H. Segovia, P.E., C.F.M.,
City Engineer
Dixie Roberts, T.R.M.C.,
City Secretary

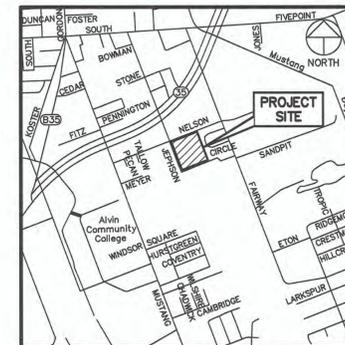


ABBREVIATIONS

- A.E. - AERIAL EASEMENT
- D.E. - DRAINAGE EASEMENT
- ESMT. - EASEMENT
- FND - FOUND
- O.P.R.B.C. - OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY
- B.C.P.R. - BRAZORIA COUNTY PLAT RECORDS
- IP - IRON PIPE
- IR - IRON ROD
- NO - NUMBER
- PG. - PAGE
- R.O.W. - RIGHT-OF-WAY
- SQ. FT. - SQUARE FEET
- VOL. - VOLUME
- B.L. - BUILDING LINE
- W.L.E. - WATER LINE EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- U.E. - UTILITY EASEMENT

LOT SUMMARY

LOT	SQ. FT.	WIDTH AT B.L.
BLOCK 1		
1	5,954	50.04'
2	6,000	50.00'
3	6,000	50.00'
4	6,000	50.00'
5	6,000	50.00'
6	6,000	50.00'
7	6,000	50.00'
8	6,000	50.00'
9	6,000	50.00'
10	5,996	50.00'
11	7,684	50.00'
12	11,321	50.00'
13	8,238	50.00'
14	6,211	50.00'
15	6,250	50.00'
16	6,250	50.00'
17	6,250	50.00'
18	5,898	50.00'
19	6,302	50.00'
20	5,675	50.02'
21	5,996	50.00'
22	6,000	50.00'
23	6,000	50.00'
24	6,000	50.00'
25	6,000	50.00'
26	6,000	50.00'
27	6,000	50.00'
28	6,000	50.00'
29	6,000	50.00'
30	5,950	50.00'
BLOCK 2		
1	6,000	50.00'
2	6,000	50.00'
3	6,000	50.00'
4	6,000	50.00'
5	6,000	50.00'
6	6,000	50.00'
7	6,000	50.00'
8	6,000	50.00'
9	6,000	50.00'
10	7,130	60.03'
11	7,127	60.00'
12	6,000	50.00'
13	6,000	50.00'
14	6,000	50.00'
15	6,000	50.00'
16	6,000	50.00'
17	6,000	50.00'
18	6,000	50.00'
19	6,000	50.00'
20	6,000	50.00'



CITY OF ALVIN, BRAZORIA COUNTY, TEXAS
VICINITY MAP
SCALE: 1" = 2000'



60 0 60 120 180 Feet
GRAPHIC SCALE: 1" = 60'

DESCRIPTION

A TRACT OR PARCEL CONTAINING 9.759 ACRES OR 425,100 SQUARE FEET OF LAND, SITUATED IN THE H.T. & B.R.R. CO. SURVEY, ABSTRACT NO. 225, BRAZORIA COUNTY, TEXAS, BEING OUT OF RESERVE "A" OF FINAL PLAT OF ALVIN FAIRWAY LAKE PROPERTY, MAP OR PLAT THEREOF RECORDED UNDER PLAT NO. 2018038022 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.), CONVEYED TO THE CITY OF ALVIN AS RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE (B.C.C.F.) NO. 2010053145, AND 20100484, AND BEING PART OF LOT 56 AND LOT 59 OF SECTION 13 OF THE H. L. & B. CO. SURVEY MAP OR PLAT THEREOF RECORDED UNDER VOLUME 19, PAGE 147 OF THE BRAZORIA COUNTY DEED RECORDS (B.C.D.R.), BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83):
BEGINNING AT A 1/2-INCH IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY LINE OF NELSON STREET, 60 FEET WIDE FOR THE NORTHWEST CORNER OF LOT 8, BLOCK 2, CAMBRIDGE VILLAGE, AS RECORDED IN VOL. 12, PGS. 79-80, B.C.P.R.; THE NORTHWEST CORNER OF SAID RESERVE "A"; AND THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;
THENCE, SOUTH 21 DEG. 06 MIN. 36 SEC. EAST, A DISTANCE OF 630.12 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTHWEST CORNER OF SAID RESERVE "A"; AND OF THE HEREIN DESCRIBED TRACT;
THENCE, SOUTH 68 DEG. 54 MIN. 09 SEC. WEST, A DISTANCE OF 596.15 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;
THENCE, NORTH 21 DEG. 05 MIN. 51 SEC. EAST, A DISTANCE OF 83.00 FEET TO A CAPPED 5/8-INCH IRON ROD STAMPED "WINDROSE" SET ON THE SOUTH RIGHT-OF-WAY LINE OF SAID NELSON STREET, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND CAPPED 1/2-INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF A CALLED 10.00 ACRE TRACT OF LAND CONVEYED TO WHITESTONE HOLDINGS, L.L.C. AS RECORDED UNDER B.C.C.F. NO. 201803517 AND THE NORTHEAST CORNER SAID RESERVE "A" BEARS SOUTH 68 DEG. 54 MIN. 49 SEC. WEST, A DISTANCE OF 60.00 FEET;
THENCE, NORTH 68 DEG. 54 MIN. 49 SEC. EAST, ALONG THE SOUTH LINE OF SAID NELSON STREET, A DISTANCE OF 596.96 FEET TO THE PLACE OF BEGINNING AND CONTAINING 9.759 ACRES OR 425,100 SQUARE FEET OF LAND.

FINAL PLAT OF
FAIRWAY LAKE

A PLANNED UNIT DEVELOPMENT
SUBDIVISION OF 9.759 AC. / 425,100 SQ. FT.
BEING A REPLAT OF RESERVE "A",
FINAL PLAT OF FAIRWAY LAKE PROPERTY,
FILE NO. 2018038022, O.P.R.B.C.
SITUATED IN THE
H.T. & B.R.R. CO. SURVEY, ABSTRACT NO. 225,
CITY OF ALVIN, BRAZORIA COUNTY, TEXAS.

2 BLOCKS 4 RESERVES 50 LOTS

FEBRUARY 12, 2019

Owner

Alvin Fairway Lakes LLC
PO Box 2331
Tomball, TX 77377

Surveyor



WINDROSE
LAND SURVEYING | PLATING

11111 RICHMOND AVE., SUITE 150 | HOUSTON, TX 77082 | 713.458.2281
FIRM REGISTRATION NO. 10108800 | WINDROSESERVICES.COM

GENERAL NOTES

- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE STATE OF TEXAS, BRAZORIA COUNTY AND THE CITY OF ALVIN.
- SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN TITLE COMMITMENT OF NO. 1559-16-1047 OF TITLE RESOURCES GUARANTY COMPANY, EFFECTIVE DATE OF FEBRUARY 7, 2016, ISSUED DATE OF FEBRUARY 17, 2016, AND IS SUBJECT TO THE LIMITATIONS OF THAT COMMITMENT.
- BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83). ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES AND MAY BE BROUGHT TO GRID BY APPLYING THE FOLLOWING SCALE FACTOR: 0.999866375.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM) FOR BRAZORIA COUNTY, TEXAS, MAP NO. 480300016H REVISED/DATED JUNE 5, 1989, THE SUBJECT TRACT APPEARS TO LIE WITHIN UNSHADED ZONE "X". THIS DETERMINATION WAS DONE BY GRAPHIC PLOTTING AND IS APPROXIMATE ONLY, AND HAS NOT BEEN FIELD VERIFIED. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, ON RARE OCCASIONS FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MAN-MADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF WINDROSE LAND SERVICES.
- SIDEWALKS WILL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH LOT/TRACT.
- NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL THE STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.
- ALL RESERVES ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND NOT THE CITY OF ALVIN.

FINAL PLAT OF FAIRWAY LAKE PROPERTY
2018038022, O.P.R.B.C.

CALLED 48.71 ACRES
CITY OF ALVIN
2011004842, O.P.R.B.C.

CALLED 10.00 ACRES
WHITESTONE HOLDINGS, LLC
2018003517, O.P.R.B.C.

CALL 10.820 ACRES
JERALD A TURBOFF, TRUSTEE
91874-893, O.P.R.B.C.

LINE	BEARING	DISTANCE
L1	S 23°53'28" W	14.14'
L2	S 66°06'32" E	14.14'
L3	S 48°24'28" W	20.00'
L4	S 33°38'38" W	30.36'

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	89°58'40"	25.00'	39.26'	N 66°05'51" W	35.35'
C2	90°01'20"	25.00'	39.28'	S 23°54'09" W	35.36'
C3	89°58'40"	25.00'	39.26'	N 66°05'51" W	35.35'
C4	90°01'20"	25.00'	39.28'	S 23°54'09" E	35.36'
C5	89°59'20"	25.00'	39.27'	N 66°06'11" W	35.35'
C6	90°00'40"	25.00'	39.27'	N 23°53'49" E	35.36'
C7	24°57'05"	25.00'	10.89'	S 08°37'59" E	10.80'
C8	12°45'48"	50.00'	11.14'	S 49°58'28" E	11.12'
C9	29°55'35"	25.00'	13.06'	S 53°56'21" W	12.91'
C10	29°55'35"	25.00'	13.06'	N 83°51'56" E	12.91'
C11	144°53'20"	50.00'	126.44'	N 26°23'04" E	95.34'
C12	24°57'05"	25.00'	10.89'	S 33°35'04" E	10.80'
C13	89°59'20"	50.00'	78.53'	S 66°06'11" E	70.70'
C14	90°00'40"	50.00'	78.55'	S 23°53'49" W	70.72'
C15	144°52'00"	50.00'	126.42'	S 68°35'27" E	95.34'

RESERVE	AC.	SQ. FT.	REST ICTION
A	0.0715	3,114	LANDSCAPE AND OPEN USE
B	0.2195	9,563	DRAINAGE
C	0.4831	21,045	LANDSCAPE AND OPEN USE
D	0.1462	6,370	LANDSCAPE AND OPEN USE



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a variance request to the building façade requirement of Chapter 35, Section 35-19 of the City of Alvin Code of Ordinances for Southwest Refractory of Texas, located at 2443 N. Gordon Street.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On January 31, 2019, the Engineering Department received a variance request from Rodney Rudell of Southwest Refractory of Texas (2443 N. Gordon St.), for a waiver to the façade requirement of Section 35-19 of the City Code of Ordinances. Mr. Rudell is proposing to construct building #4 on the property and has requested a variance to allow the proposed building to be constructed with an Exterior Insulation and Finish System (EISF) façade on the front elevation and 75 feet down the north and south elevations. Mr. Rudell was granted a similar variance several years ago when building #3 was constructed. Section 35-19 requires that the exterior façade on all sides of the building that are visible from the corridor (Gordon Street) to be constructed of brick, stone, stucco, EISF, or masonry.

The City Planning Commission voted unanimously to approve this variance request at their meeting on February 19, 2019.

Staff recommends approval.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Variance Request Letter
- Site Development Plan
- Exterior Elevation Renderings
- Chapter 35 Variance Process

Recommendation: Move to approve a variance to the building façade requirement of Chapter 35, Section 35-19 of the City of Alvin Code of Ordinances for Southwest Refractory of Texas, located at 2443 N. Gordon Street.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

Lledur Real Estate
P.O. Box 1308
Alvin, Texas 77512

(281) 824-9342

February 1, 2019

Mrs. Michelle Segovia
Building Official
City Of Alvin
1100 West Highway 6
Alvin, Texas 77511

Re: 2443 North Gordon Street, Alvin Industrial Park; Variance Request concerning building facade as it relates to the Corridor Land Use Ordinance.

Mrs. Segovia,

We are proposing to construct Building #4 (M) at our site located at 2443 North Gordon Street. While performing the design phase of this project, we learned that section 35-19 of the Corridor Land Use Ordinance requires that within 300 feet of the right-a-way along North Gordon, we are required to place a façade over the metal structure within public view of the corridor. In our design we have placed EIFS / Stucco on the front (east), north and south sides as depicted under the ordinance.

Upon review of the new building profiles against our previously constructed building #3, we feel that this building will "stand out" in our overall Master Planned Industrial Park. We were granted a variance for the EIFS on Building #3. The EIFS was placed on the East wall (front), 50' down the north wall and 50' down the south wall.

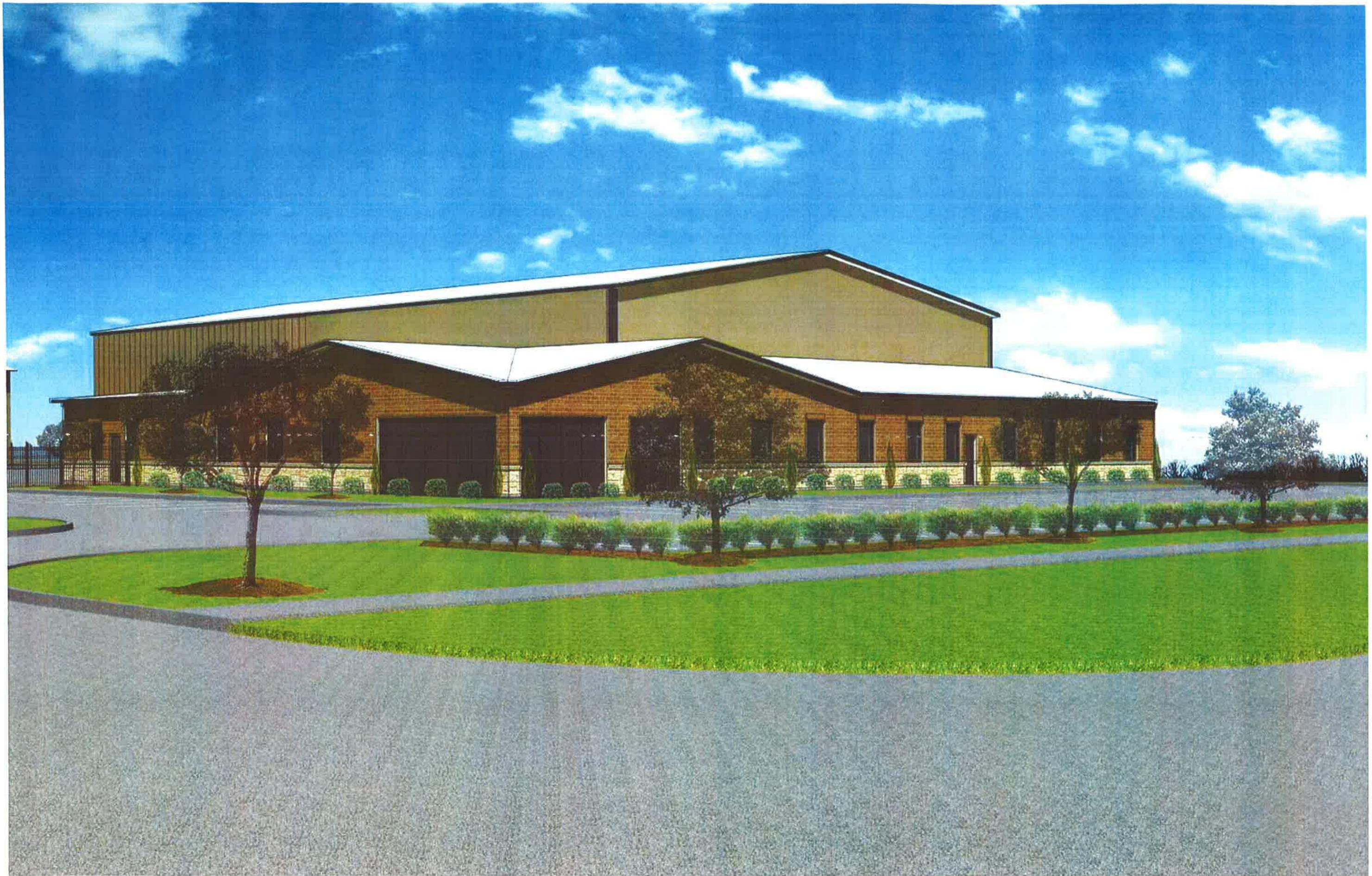
We are requesting a variance for Building #4 (M) to place the EIFS, on the East wall (front), 75' down the north wall and 75' down the south wall. In allowing us to place the EIFS in this manner, it will help the building blend with the other buildings that are currently in our complex. We believe the transition of the EIFS to metal structure in lieu of having this large 150' 0" x 30' wall solid EIFS and then the other buildings surrounding it with metal will be more appealing. (See Attached Drawings)

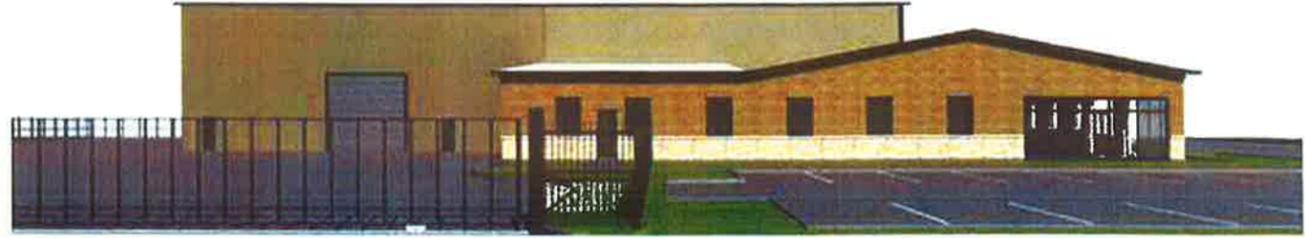
In our design, we are also placing the brick column with black railings fence to contain our work area. All existing equipment and materials that are currently stored outside will be placed inside Building #2, Building #3 and Building #4 providing a clean aesthetic industrial area.

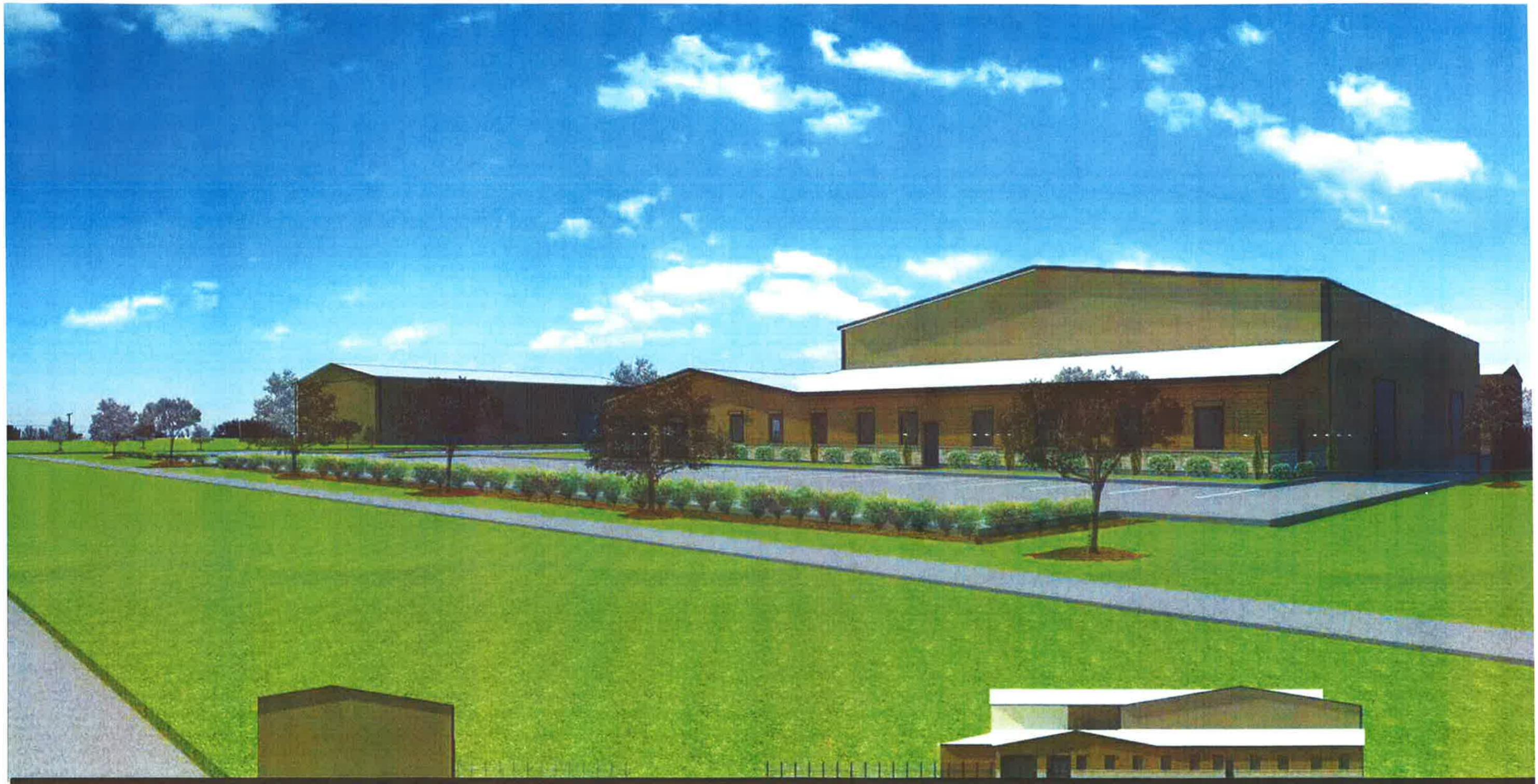
Also attached is our non refundable check in the amount of \$ 250.00 as required by the Variance Process, Sec. 35-4 of Ordinance No. 07-D. Please contact me with any questions you may have and thank you, The Planning Commission and City Council for this consideration.

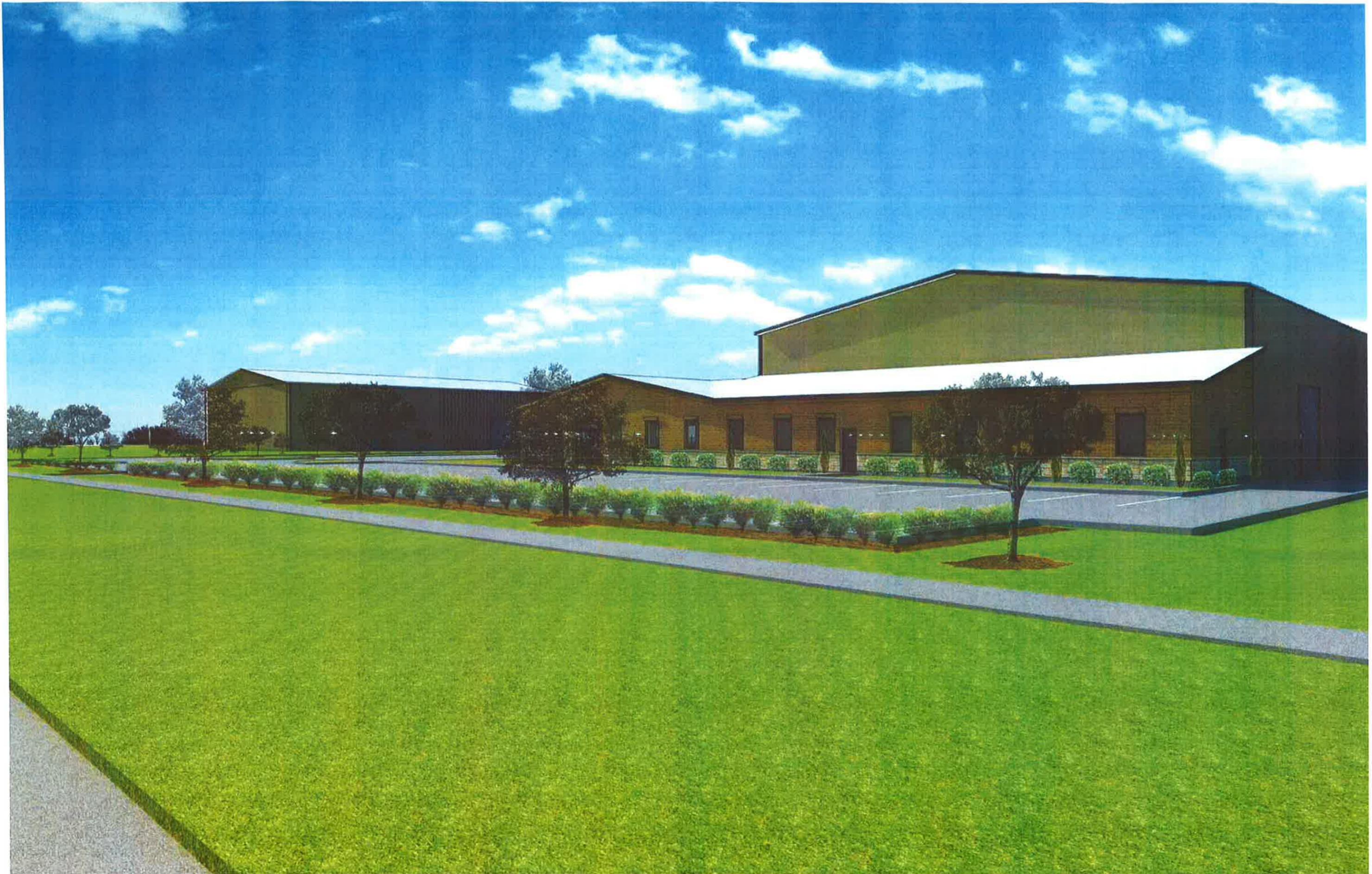
Sincerely,

Rodney Rudell
Southwest Refractory of Texas









Sec. 35-4. - Variance process

- (a) Where unique natural features such as soil and geological characteristics, topography, or significant vegetation; historical features such as building design and materials and site configuration; or man-made features such as peculiarly-shaped lots, joint or split ownership patterns or location of existing structures and infrastructure on the site inhibit creative site design or pose unnecessary constraints to appropriate development as a result of strict compliance with these requirements, the building official may approve an alternative plan upon determining that such plan meets or exceeds the intent of these standards.

- (b) If the building official determines alternative compliance is not applicable, an applicant may file a written request for a variance or exception from these standards with the building official who will forward the request to the planning commission. An applicant for a waiver shall pay a non-refundable fee, in an amount provided for in the fee schedule in chapter 28. The planning commission shall review all requests for variances and exceptions to these requirements regarding appropriate measures for compliance with the intent of these standards. The city council shall take action on the recommendation of the planning commission.

(Ord. No. 07-D, § 2, 4-19-07)



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider a variance request for the property owner of the vacant lot located at 113 W. Lang Street, to reduce the street side building setback requirement of Chapter 21, Section 37(a) of the City of Alvin Code of Ordinances, from 25 feet to 10 feet, for the construction of a single-family residence or duplex.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On February 19, 2019, the Engineering Department received a variance request from the property owner of the vacant lot located at 113 W. Lang Street, to reduce the street side building setback along Hardie Street from 25 feet to 10 feet for the construction of a single-family home or duplex. The construction of a home/duplex with a street side building setback of 10 feet will not cause any traffic safety concerns and will blend with the existing structures in the area. If the variance is granted the new structure would be 28 feet from the edge of the Hardie Street pavement.

The City Planning Commission voted unanimously to deny this variance request at their meeting on February 19, 2019. The consensus of the Commission was that approval of the variance would allow for a denser development of the property in an already congested area of town near a major thoroughfare (Gordon Street).

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Variance Request Letter
- Photos of 113 W. Lang
- Sec. 21-4 Variance

Recommendation: Move to approve/deny the variance request for the property owner of the vacant lot located at 113 W. Lang Street, to reduce the street side building setback requirement of Chapter 21, Section 37(a) of the City of Alvin Code of Ordinances, from 25 feet to 10 feet, for the construction of a single-family residence or duplex.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

From: Roney Jacob

01/30/2019

1619 Crescent Oak Dr.

Missouri City, TX, 77459

Phone # 832-453-3717 (cell)

Subject: 113 W. Lang St., Alvin, TX, 77511

To, The City of Alvin

This is a request for a variance to reduce the current street side building setback (from Hardie Street) from the required 25 feet to 10 feet for my property at 113 W. Lang Street, Alvin, TX, 77511. My intention is to build a new single family or duplex residence at the above-mentioned property. I am attaching a few photos of the building located behind my backyard to satisfy this request.

Your support in the approval of this variance request would be greatly appreciated.

Sincerely,

Roney Jacob







Sec. 21-4. - Variances.

Upon written request, city council may authorize a variance from this chapter. An applicant for a variance shall pay a non-refundable fee, in an amount provided for in the fee schedule in chapter 28.

In granting a variance, the council shall prescribe those conditions it deems necessary or desirable to the public interest. In making the findings hereinabove required, the council shall take into account the nature of the proposed use of the land involved, the existing use of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon public health, safety, convenience and welfare in the vicinity.

Any variance request shall first be reviewed by the planning commission, with a recommendation to city council.

(Ord. No. 02-AA, § 1, 6-20-02; Ord. No. 06-WW, § 3, 12-21-06; Ord. No. 12-UU, § 2, 11-1-12)



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider Resolution 19-R-10, granting a blanket easement to CenterPoint Energy Houston Electric, LLC., for the installation of 3-Phase electrical power to the Wastewater Treatment Plant, and authorize the Mayor to sign the easement agreement upon legal review.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: Resolution 19-R-10 grants a blanket easement across the Wastewater Treatment Plant property to CenterPoint Energy for the installation of 3-phase electrical power with associated equipment to the plant. This work is part of the ongoing Wastewater Treatment Plant Optimization Improvements Phase II Project. Once the installation is complete and energized a defined 10' wide ground easement and 30' aerial easement along the overhead lines will be requested and once granted CenterPoint will release this blanket easement.

Staff recommends approval of Resolution 19-R-10.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Resolution 19-R-10
- Exhibit A- Short Form Blanket Easement 3-Phase Overhead and Underground

Recommendation: Move to approve Resolution 19-R-10, granting a blanket easement to CenterPoint Energy for the installation of 3-Phase electrical power to the Wastewater Treatment Plant, and authorize the Mayor to sign the easement agreement upon legal review.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

RESOLUTION 19-R-10

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, GRANTING A BLANKET EASEMENT TO CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC FOR THE INSTALLATION OF ELECTRICAL POWER AND AUTHORIZE THE MAYOR TO EXECUTE THE EASEMENT DOCUMENT; AND OTHER MATTERS RELATED THERETO.

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

Section 1. That the City Council hereby grants that certain Blanket Easement, described and attached hereto as Exhibit "A" and made a part hereof for all purposes, to CenterPoint Energy Houston Electric, LLC for installation of 3-phase electrical power and associated equipment at the City's Wastewater Treatment Plant.

Section 2. That the City Council hereby authorizes the Mayor to execute and notarize the easement evidencing the City's acceptance thereof, and such easement shall be recorded in the Deed Records of Brazoria County, Texas.

Section 3. That this Resolution shall take effect immediately upon its passage.

Section 4. Open Meetings Act. It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this the 7th day of March 2019.

CITY OF ALVIN, TEXAS:

ATTEST:

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary

**SHORT FORM BLANKET EASEMENT
3-PHASE OVERHEAD AND UNDERGROUND**

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 }
 } KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF BRAZORIA }

THAT, City of Alvin, a municipal corporation of Brazoria County, Texas, its successors and assigns, hereinafter referred to as "Grantor", whether one or more, for and in consideration of the sum of ONE DOLLAR (\$1.00) CASH to Grantor paid by CenterPoint Energy Houston Electric, LLC, its successors and assigns, hereinafter referred to as "Grantee", whose principal address is P. O. Box 1700, Houston, Texas 77251-1700, has **GRANTED, SOLD AND CONVEYED** and by these presents, does **GRANT, SELL AND CONVEY** unto said Grantee, all or in part, a perpetual **blanket** easement, hereinafter referred to as the "Easement", for electric distribution and related communication facilities consisting of a variable number of wires and cables and all necessary and desirable equipment and appurtenances, including, but not limited to, towers or poles made of wood, metal or other materials, props and guys, hereinafter referred to as "Facilities", lying on, over, under, and across the following described lands owned by Grantor, ("Grantor's Property"), to wit:

The residue of that certain 119-acre tract of land situated in the Hooper and Wade Survey, Abstract 424, Brazoria County, Texas, being the same property described in a deed from Henry Brenek, Trustee, of the County of Brazoria and State of Texas to City of Alvin, dated March 16, 1965 and filed for record under Volume 906, Page 77 in the Deed Records of said County and State, (the "Easement Area").

The Easement Area herein granted is a blanket easement and shall apply only insofar as the boundaries of Grantor's Property will permit. Grantee further reserves the right to extend services and drops within Grantor's Property and to adjacent land owners from said Facilities.

Grantor or its successors or assigns shall observe and exercise all notification laws as per the Underground Facility Damage Prevention and Safety Act, also known as "ONE CALL" & "CALL BEFORE YOU DIG" when working in or near the Easement Area.

To the extent that such laws and codes apply to Grantor, its successors and assigns, Grantor, its successors and assigns shall observe all safety codes and laws which apply to working along, within and or near the Easement Area and Facilities during construction activities and safe clearance from such Facilities, including the Occupational Safety and Health Administration ("O.S.H.A."), Chapter 752 of the Texas Health and Safety Code, the National Electric Code, and the National Electrical Safety Code.

Grantor herein reserves the right to grant easements in favor of third parties across the herein described Easement Area in a near perpendicular fashion to Grantee's Facilities, the approximate locations of which are shown on Exhibit "A", attached hereto and made a part hereof, provided (i) no other utilities are permitted to cross within a vertical distance of twenty-four (24) inches of Grantee's below ground Facilities, (ii) no other facilities or structures shall be permitted longitudinally within a distance of five (5) feet of the centerline of any of Grantee's below ground and above ground Facilities, (iii) no other utilities or structures shall be permitted longitudinally within a distance of fifteen (15) feet of the centerline of any of Grantee's overhead Facilities, beginning at a plane sixteen (16) feet above the ground and extending upward, hereinafter collectively referred to as "Grantee's

Exclusive Easement Area”, and, (iv) doing so does not, in the sole opinion of Grantee, endanger or interfere with the efficient, safe and proper operation and maintenance of Grantee’s Facilities.

Grantor herein covenants and agrees that, in the event that any third party facilities or obstructions are located within Grantee’s Exclusive Easement Area, Grantor will take immediate action to remove and/or relocate said facilities and/or obstructions to a location outside of Grantee’s Exclusive Easement Area at Grantor’s sole cost and expense.

If Grantor, its successors or assigns should, at any future date, request that the Easement Area herein granted be further defined, Grantee agrees, at Grantor’s expense, to prepare a new, defined easement described by a sealed survey sketch. Defined easements shall be unobstructed and may be further described by, but not limited to, the following descriptions:

- 1.) A ten (10) foot wide easement (for above and below ground facilities);
- 2.) A ten (10) foot wide easement together with ten (10) foot aerial easements adjoining both sides of said ten (10) foot wide easement (for above ground and overhead facilities that are not along a perimeter);
- 3.) A ten (10) foot wide easement together with an adjoining eleven (11) foot, six (6) inch wide aerial easement (for above ground and overhead perimeter facilities);
- 4.) A fourteen (14) foot wide easement together with an adjoining seven (7) foot, six (6) inch wide aerial easement (for above ground and overhead perimeter facilities);
- 5.) An easement sixteen (16) feet wide and twenty-four (24) feet long (for Grantee’s pad-mounted transformer station purposes).

Grantee further agrees to release this Easement upon execution and delivery of the new defined easement by Grantor.

In the event that Grantor, its successors and assigns, desires that Grantee’s Facilities be relocated, then Grantee agrees to relocate said Facilities provided that Grantor furnishes a suitable and feasible site or location for such relocation and, provided that

Grantor, its successors and assigns, shall, if requested by Grantee, furnish to Grantee a suitable and acceptable easement covering the new location. Any and all costs associated with relocating said Facilities will be at Grantor's sole expense.

Grantee shall also have reasonable rights of ingress and egress to and from said Easement Area, together with reasonable working space, for the purposes of erecting, installing, operating, maintaining, replacing, inspecting, and removing said Facilities, together with the additional right to remove from said Easement Area, all bushes, trees and parts thereof, or other structures which, in the opinion of Grantee, endanger or may interfere with the efficiency, safe and proper operation, and maintenance of said Facilities.

TO HAVE AND TO HOLD the above described Easement, together with all and singular the rights and appurtenances thereto in anywise belonging, unto Grantee forever, and Grantor does hereby bind itself and its successors, heirs, assigns, and legal representatives, to fully warrant and forever defend all and singular the above described Easement and rights unto said Grantee, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise. In the event of a deficiency in title or actions taken by others which results in the relocation of Grantee's Facilities, the Grantor herein, its successors and assigns, will be responsible for all costs associated with the relocation and/or removal of Grantee's Facilities.

The terms, conditions and provisions contained herein constitute the complete and final agreement between Grantor and Grantee, (collectively the "Parties") with respect to the subject matter hereof and supersedes all prior agreements, representations and understandings of the Parties and, by Grantor's signature affixed hereto and Grantee's use of the Easement, the Parties evidence their agreement thereof. No oral or written agreements made or discussed prior to, or subsequent to, the execution of this Easement shall supersede those contained herein. Any and all revisions, amendments and/or exceptions to the terms, conditions and provisions contained in this Easement shall be in

written, recordable form and executed by both parties, or their respective successors or assigns in order to be deemed valid.

EXECUTED this _____ day of _____, 2019.

City of Alvin, a municipal corporation
of Brazoria County, Texas

BY: _____
Signature

Name typed or printed

Title

STATE OF TEXAS }

COUNTY OF _____ }

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared _____, _____ of City of Alvin, a municipal corporation of Brazoria County, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that ()he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said municipal corporation.

Given under my hand and seal of office this _____ day of _____, 2019.

Notary's Signature

Name typed or printed

Commission Expires

**ATTACHMENT
AFFIDAVIT**

STATE OF TEXAS }

COUNTY OF }

BEFORE me the undersigned authority on this day personally appeared

_____ the _____

of City of Alvin, a municipal corporation of Brazoria County, Texas, hereinafter referred to as Affiant, who being duly sworn, deposes and says that Affiant is the current owner of the tract of land described in an easement instrument executed by the same on even date herewith, said tract of land is further described as follows:

The residue of that certain 119-acre tract of land situated in the Hooper and Wade Survey, Abstract 424, Brazoria County, Texas, being the same property described in a deed from Henry Brenek, Trustee, of the County of Brazoria and State of Texas to City of Alvin, dated March 16, 1965 and filed for record under Volume 906, Page 77 in the Deed Records of said County and State, (the "Easement Area").

Affiant further says that the said premises have been held by Affiant, that possession thereof has been peaceable and undisturbed, and that the title thereto has never been disputed or questioned to Affiant's knowledge, nor does Affiant know of any facts by reason of which said possession or title might be disturbed or questioned, or by reason of which any claim to said premises, or any part thereof, might arise or be set up adverse to this Affiant.

EXECUTED this _____ day of _____, 2019.

City of Alvin, a municipal corporation
of Brazoria County, Texas

BY: _____
Signature

Title

Name typed or printed

SUBSCRIBED and SWORN before me this ____ day of _____, 2019.

Notary's Signature

Name typed or printed

Commission Expires

**AFTER RECORDING RETURN TO:
SURVEYING & RIGHT OF WAY
CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC
P. O. BOX 1700
HOUSTON, TX 77251-1700**

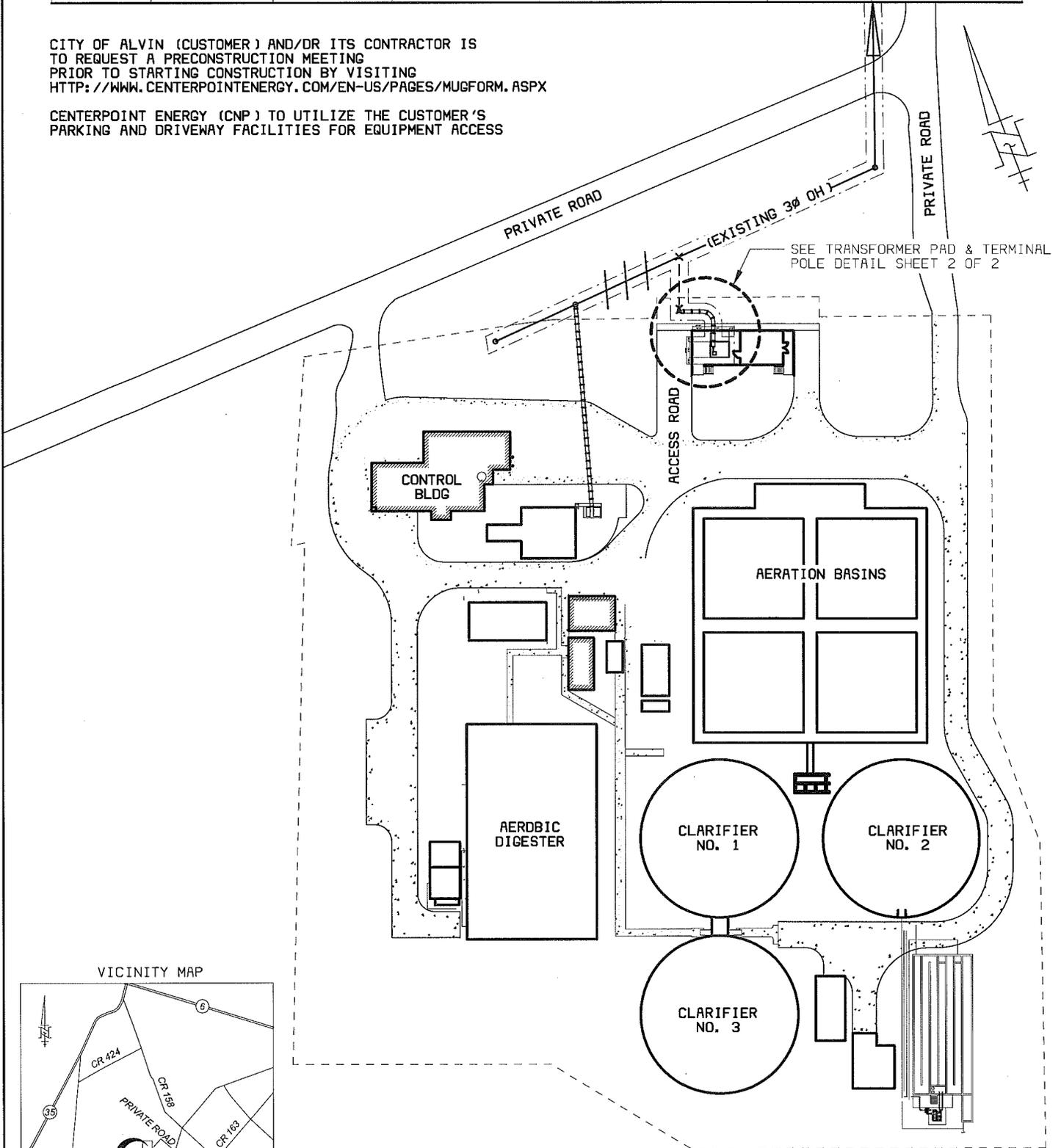


GENERAL LOCATION SKETCH

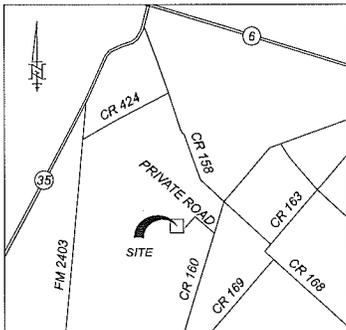
LAMBERT	SECTION	KEY MAP	FUNCTIONAL LOCATION	SCALE	CIRCUIT	ORDER NO.
5741	D3	732N	EXHIBIT "A"	N. T. S.	MU02	87846585

CITY OF ALVIN (CUSTOMER) AND/OR ITS CONTRACTOR IS TO REQUEST A PRECONSTRUCTION MEETING PRIOR TO STARTING CONSTRUCTION BY VISITING [HTTP://WWW.CENTERPOINTENERGY.COM/EN-US/PAGES/MUGFORM.ASPX](http://www.centerpointenergy.com/en-us/pages/mugform.aspx)

CENTERPOINT ENERGY (CNP) TO UTILIZE THE CUSTOMER'S PARKING AND DRIVEWAY FACILITIES FOR EQUIPMENT ACCESS



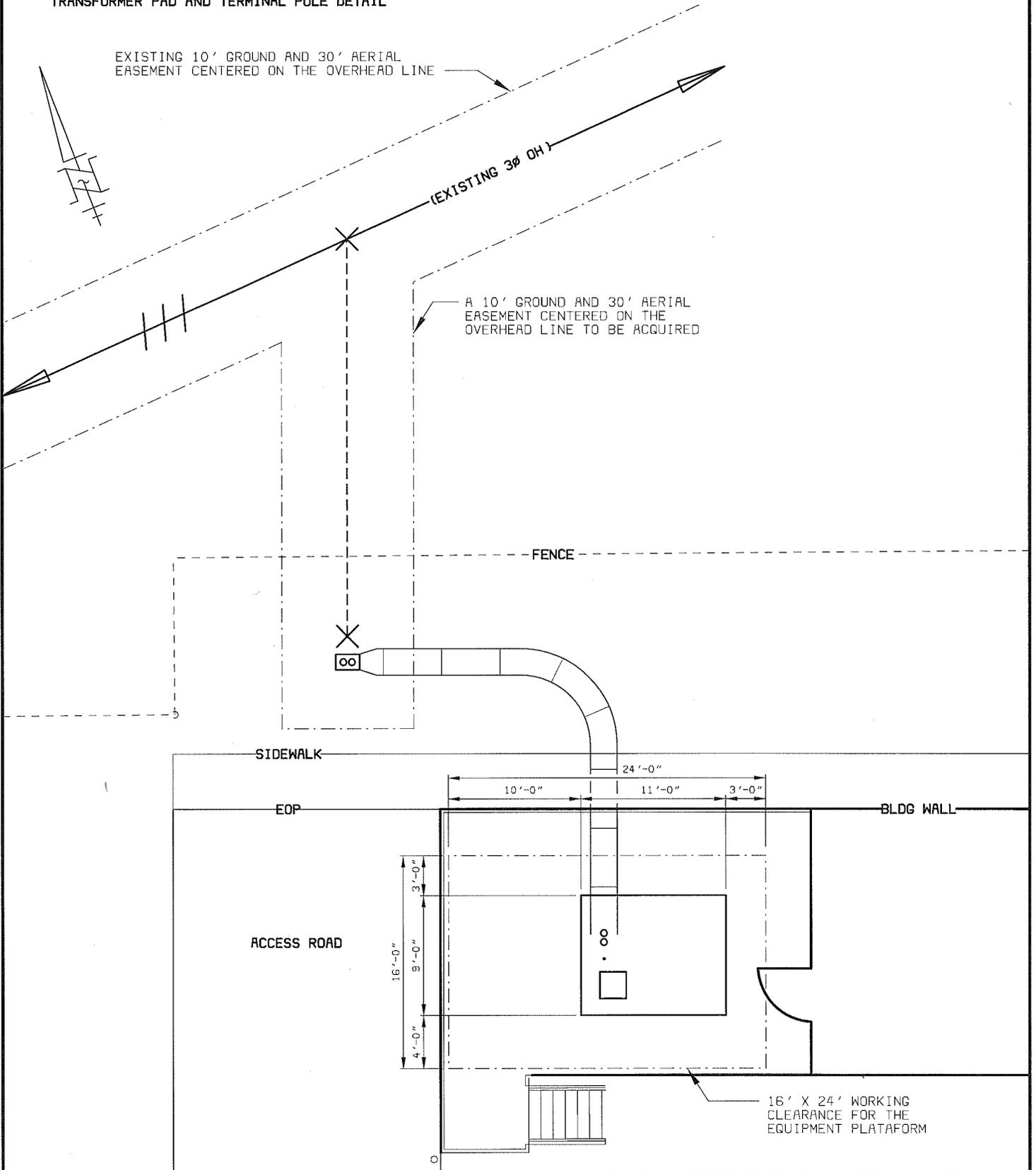
VICINITY MAP



DETAIL SKETCH

LAMBERT	SECTION	KEY MAP	FUNCTIONAL LOCATION	SCALE	CIRCUIT	ORDER NO.
5741	D3	732N	EXHIBIT "A"	N.T.S.	MU02	87846585

TRANSFORMER PAD AND TERMINAL POLE DETAIL



Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: Engineering

Contact: Michelle Segovia, City Engineer

Agenda Item: Consider Ordinance 19-E, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 20 miles per hour within the Forest Heights Subdivision; authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: In January 2019, it was brought to the Engineering Department’s attention that the speed limit signs at the entrance to the Forest Heights Subdivision state 20 miles per hour (MPH) for the entire subdivision, and that the recently constructed Forest Heights Section 7 has speed limit signs showing 30 MPH. After reviewing Chapter 24 of the City Code of Ordinances, it was discovered that Barras Street was the only street within Forest Heights that was included in the ordinance to be posted at 20 MPH. In order for the 20 MPH speed limit to be enforceable, the City must approve an ordinance to amend Chapter 24 Traffic to incorporate the speed limit. Ordinance 19-E establishes a posted speed limit of 20 MPH within the entire Forest Heights Subdivision; authorizes Staff to install the appropriate signage and provides for enforcement of the designated speed limit.

Staff recommends approval of Ordinance 19-E.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Ordinance 19-E

Recommendation: Move to approve Ordinance 19-E, amending Chapter 24, Traffic, of the Code of Ordinances, City of Alvin, Texas, for the purpose of designating the prima facie speed limit of 20 miles per hour within the Forest Heights Subdivision; authorizing and directing the placement and installation of speed control signage; providing for a penalty and publication; and setting forth other provisions related thereto.

Reviewed by Department Head, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Attorney, if applicable

Reviewed by City Manager

ORDINANCE NO. 19-E

AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, AMENDING CHAPTER 24 OF THE CODE OF ORDINANCES FOR THE PURPOSE OF AUTHORIZING AND DIRECTING THE INSTALLATION AND ERECTION OF SPEED CONTROL SIGNS FOR THE RATE OF SPEED IN FOREST HEIGHTS SUBDIVISION; ESTABLISHING A PENALTY; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

WHEREAS, the regulation of traffic, motor vehicles and conveyances upon all public streets, roadway and right-of-ways constituting a speed zone within the City limits is essential and necessary to protect and to preserve the public safety of the City of Alvin, Texas (the “City”); and

WHEREAS, Section 545.356 of the Texas Transportation Code provides that a governing body of a city may determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City; and

WHEREAS, an Engineer for the City conducted an engineering and traffic study and recommended the installation and erection of speed control signs; and

WHEREAS, after review, inquiry, and the opportunity for citizen participation at a public meeting, the City Council has found the speed control signs hereinafter set forth and listed in this ordinance are reasonable and necessary for the public safety and are supported by sound and accepted public safety and traffic engineering criteria;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. That Section 24-6 of the Code of Ordinances, City of Alvin, Texas is hereby amended to read as follows:

“Sec. 24-6. Same - On specified streets and highways.

...

(rr) All streets in the Forest Heights Subdivision shall be 20 miles per hour.

Section 3. Ratification and Confirmation. The installation, placement, erection and enforcement of the traffic and speed control signs as set forth are hereby confirmed and ratified by the City Council. Each speed control location shall require traffic or motor vehicles in the designated locations to be in effect at all times and signs will be erected giving notice of the prima facie speed limit so declared to be as indicated above unless otherwise changed by another traffic control device duly placed, such as a school speed zone.

Section 4. Traffic Control Speed Signs. The City Council hereby orders and directs that the traffic speed zone signs hereinafter set forth above be placed, installed and erected at the locations designated, and that each such sign and device be hereafter maintained and enforced by the City. The signs indicate the prima facie speed limit in the direction facing the sign.

Section 5. Violation and Penalties. It shall be unlawful for any person to drive or operate a motor vehicle that enters the speed zone identified above without observing the prima facie maximum speed limit which shall remain in effect at all times unless changed by another traffic control device duly placed. It shall be unlawful for any person to drive or operate a motor vehicle upon any roadway constituting an urban district being unmarked with a speed control sign at a speed of greater than 30 miles per hour or upon any alley being unmarked with a speed control sign at a speed of greater than 15 miles per hour. Further, it shall be unlawful for any person to tamper with, alter, remove, destroy, cover or hinder the visibility, of any traffic device control device erected by this ordinance in a manner which is inconsistent with its use as a traffic control device. Any person who violates this ordinance or part thereof shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine as determined in Section 1-5 of the City of Alvin Code of Ordinances.

Section 6. Repeal of Conflicting Ordinances. That except as amended herein, all other provisions of Chapter 24 of the Code of Ordinances, City of Alvin, Texas shall remain in full force and effect. To the extent of any conflict or inconsistency between the provisions of this ordinance and any other ordinance, the provisions of this ordinance shall control.

Section 7. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 8. Effective Date. This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of Chapter 52 of the Texas Local Government Code, and the City of Alvin Charter.

Section 9. Open Meetings Act. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this the 7th day of March 2019.

CITY OF ALVIN, TEXAS:

ATTEST:

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: City Attorney

Contact: Suzanne Hanneman, City Attorney

Agenda Item: Consider an Interlocal Agreement with the City of League City for use of the Alvin Police Department Gun Range, with a one (1) year automatic renewal; and authorize the City Manager to sign subject to legal review.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Discussion & Direction

Summary: This Interlocal Agreement will memorialize an agreement between the Alvin Police Department and the League City Police Department, for the League City Police Department’s use of the City of Alvin’s gun range for law enforcement training purposes. The League City Police Department has agreed to adhere to the City of Alvin’s rules and guidelines for use of the gun range and has agreed to provide its own certified instructors for its law enforcement training purposes.

This Interlocal Agreement will continue until June 30, 2020 and contains a one (1) year automatic renewal.

Staff recommends approval of the Interlocal Agreement.

Funding Expected: Revenue Expenditure N/A Budgeted Item: Yes No N/A

Account Number: _____ Amount: _____ 1295 Form Required? Yes No

Legal Review Required: N/A Required Date Completed: 2/27/2019 SLH

Supporting documents attached:

- Interlocal Agreement for League City Police Department’s Use of the City of Alvin Police Department’s Gun Range

Recommendation: Move to approve an Interlocal Agreement with the City of League City for use of the Alvin Police Department’s gun range, with one (1) year automatic renewal; and authorize the City Manager to sign subject to legal review

Reviewed by Department Head, if applicable
Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable
Reviewed by City Manager

INTERLOCAL AGREEMENT BETWEEN
THE CITY OF LEAGUE CITY AND THE CITY OF ALVIN

§

§

This Interlocal Agreement (“Agreement”) is entered into on the date indicated below between the City of League City, Texas (“League City”), a municipal corporation, and the City of Alvin, Texas (“Alvin”), a municipal corporation, and known together as the “Parties.”

RECITALS

WHEREAS, Chapter 791 of the Texas Government Code, as amended, entitled Interlocal Cooperation Contracts, authorizes contracts between political subdivisions for the performance of governmental functions and services; and

WHEREAS, Alvin owns certain property containing a gun range (the “Property”), and the League City Police Department desires to use the Property to conduct law enforcement training; and

WHEREAS, the functions and services specified in this Agreement are governmental functions or services that either party to the contract is authorized to perform individually;

NOW THEREFORE, for valuable consideration the receipt and sufficiency of which is acknowledged, the parties agree to the following terms:

TERMS

1. Incorporation of Recitals. The recitals set forth above are true and correct and are hereby incorporated into this Agreement.

2. Term.
 - 2.1. The term of this Agreement shall be from March 7, 2019 to June 30, 2020.

 - 2.2. This Agreement shall automatically renew for an additional one (1) year period from June 30, 2020, and terminating June 30, 2021, if no changes or objections are raised by either party.

 - 2.3. This Agreement may be terminated at any time by either party, with or without cause, by giving the other party a minimum of seven (7) days written notice of its intention to terminate, such notice to be delivered by hand or U.S. Certified Mail to the other party.

3. Use of Property.

3.1. Alvin hereby authorizes the League City Police Department to use the Property for its law enforcement training activities, so long as such activities do not interfere with Alvin Police Department's law enforcement training activities.

3.2. The League City Police Department shall adhere to all the rules and guidelines for use of the Property as set forth by Alvin.

3.3. League City shall provide training instructors who are certified in the field of law enforcement firearm training to conduct the training on either the tactical range or the rifle range.

4. Relationship of Parties. Nothing contained herein shall be deemed or construed by the Parties, or by any third party, as creating the relationship of principal and agent, partners, joint venturers, or any other similar such relationship. Alvin shall have no liability to League City for injuries to person or damages to property when the cause of such injuries or damages are the cause of League City negligent use of the Property.

5. Governmental Immunity. Each party hereto reserves and does not waive any immunity or defense available to it at law or in equity as to any claim or cause of action whatsoever that may arise or result from the services provided and/or any circumstance arising under the Agreement. Neither Alvin nor League City waive, modify, or alter to any extent whatsoever the availability of the defense of governmental immunity under the laws of the State of Texas on behalf of itself, its trustees, council members, officers, employees, and agents. Furthermore, nothing in this Agreement shall waive or limit the entitlement of any employee or officer of either Party to official or qualified immunity.

6. Amendments. No amendments to this Agreement shall be considered valid by either party unless they are in writing and approved by each party's respective governing body.

7. Miscellaneous Provisions.

7.1. Assignment. No assignment of this Agreement, in whole or in part for any purpose shall be made by either party without the written consent of the other party. Subject to this limitation, this Agreement shall bind and inure to the benefit of the successors and assigns of the Parties.

- 7.2. Notices. All written notices required by the terms of this agreement shall be in writing and mailed via certified mail to the address set forth below:

If to League City:

City of League City, Texas
300 West Walker Street
League City, Texas 77573
Attn: City Manager

If to Alvin:

City of Alvin, Texas
216 West Sealy Street
Alvin, Texas 77511
Attn: City Manager

These addresses and addressees may be changed by either party by notice in writing to the other party.

- 7.3. Interpretation of Agreement. This Agreement or any portion thereof shall not be interpreted by a court of law to the detriment of a party based solely upon that party's authorship of the Agreement or any portion thereof.
- 7.4. Severability. If for any reason, any one or more paragraphs of this Agreement are held legally invalid, such judgement shall not prejudice, affect, impair or invalidate the remaining paragraphs of this Agreement as a whole.
- 7.5. Entire Agreement. This Agreement constitutes the entire Agreement between the parties hereto and supersedes all prior Agreements, understandings and arrangements, oral or written, between the parties thereto with respect to the subject thereof.
- 7.6. Governing Law and Venue. This Agreement shall be construed and enforced in accordance with and governed by the laws of the State of Texas and the venue for any cause of action shall be brought in Brazoria County, Texas.
- 7.7. Execution in Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall be deemed to one and the same instrument.
- 7.8. No Waivers. The waiver by any party hereto of a breach of any term or provision of this Agreement shall not be construed as a waiver of any subsequent breach.

- 7.9. Current Revenues Available and No Tax Revenue. Both parties agree that any payments that are made under this Agreement for government functions or services will be made from current revenues available to the paying party. Tax revenue may not be pledged to the payment of amounts agreed to be paid under this Agreement.
- 7.10. No Third-Party Beneficiary. Nothing in this Agreement shall entitle any third party to any claim, cause of action, remedy or right of any kind, it being the intent of the parties that this Agreement shall not be construed as a third-party beneficiary contract.
- 7.11. Force Majeure. If by reason of Force Majeure, the parties shall be unable in whole or in part to carry out its obligations under this Agreement in accordance with the terms and conditions of this Agreement, it shall not be considered a breach by this Agreement. The term "Force Majeure" as used in this Agreement shall mean acts of God, strikes, lock-outs, or other industrial disturbances, acts of public enemy, orders of any kind of the federal or state government, or any civil or military authority, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or canals, the partial or entire failure of the parties, or any other causes not reasonably within the control of the parties.

(signature blocks on the next page)

Executed as of the _____ day of _____, 2019, by the City of League City, Texas.

THE CITY OF LEAGUE CITY, TEXAS

John Baumgartner, Deputy City Manager

Attest:

Diana Stapp, City Secretary

Approved as to Form:

Nghiem V. Doan, City Attorney

Executed as of the _____ day of _____, 2019, by the City of Alvin, Texas.

THE CITY OF ALVIN, TEXAS

Junru Roland, City Manager

Attest:

Dixie Roberts, City Secretary

Approved as to Form:

Suzanne Hanneman, City Attorney



AGENDA COMMENTARY

Meeting Date: 3/7/2019

Department: City Attorney

Contact: Suzanne Hanneman, City Attorney

Agenda Item: Consider Resolution 19-R-11, granting consent to the creation of Brazoria-Fort Bend Counties Municipal District Number 3; and other matters related thereto.

Type of Item: Ordinance Resolution Contract/Agreement Public Hearing Plat Discussion & Direction Other

Summary: On or about February 5, 2019, the landowners of real property located in Brazoria and Fort Bend Counties petitioned the City for consent to the creation of Brazoria-Fort Bend Counties Municipal Utility District No. 3 to serve approximately 362.666 acres of land in Brazoria and Fort Bend Counties, Texas, all of which is located within the extraterritorial jurisdiction of the City of Alvin. This property is along the east side of FM 521 and north of the Southern Colony Subdivision

This property is located within an area which will experience a substantial and sustained residential growth within the foreseeable future, is urban in nature, and is not supplied with adequate water, sanitary sewer, drainage facilities and services, and roads. The health and welfare of the future inhabitants of the proposed MUD require the provision of adequate water, storm and sanitary sewer facilities and services, and roads. The property cannot be developed without the creation of the District to finance the water, sanitary sewer, drainage facilities and services, and roads; therefore, a public necessity for the creation of a municipal utility exists. The proposed improvements are practicable and feasible, and the terrain of the territory to be included in the proposed District is of such a nature that water, storm and sanitary sewer facilities and services, and roads can be constructed or provided at a reasonable cost; and said District will be rapidly developed primarily for residential purposes with some commercial and retail use.

Staff recommends approval of Resolution 19-R-11.

Funding Expected: Revenue Expenditure N/A **Budgeted Item:** Yes No N/A

Funding Account: _____ **Amount:** _____ **1295 Form Required?** Yes No

Legal Review Required: N/A Required **Date Completed:** 2/27/2019 SLH

Supporting documents attached:

- Res 19-R-11
- Exhibit A – Property Description
- Exhibit B – Consent Conditions
- Petition for Creation of MUD 3

Recommendation: Move to approve Resolution 19-R-11, consenting to the creation of Brazoria-Fort Bend Counties Municipal Utility District No. 3; and other matters related thereto.

Reviewed by Department Head, if applicable

Reviewed by City Attorney, if applicable

Reviewed by Chief Financial Officer, if applicable

Reviewed by City Manager

EXHIBIT "A"

County: Fort Bend/Brazoria
Project: Southern Colony
Job No. 185567
MBS No. 18-229

FIELD NOTES FOR 362.666 ACRES

Being a tract containing 362.666 acres of land, located in the William Hall Survey, Abstract 31, in Fort Bend County, Texas and Abstract 713 in Brazoria County, Texas; Said 362.666 acre tract being a call 363.942 acre tract recorded in the name of J.H.Caldwell, et al in Volume 796, Page 565 of the Official Records of Fort Bend County (O.R.F.B.C.) and being Lots 1, 2, 3, 4, 7, 11, 12 and a portion of Lot 6, T.W. & J.H.B. House Subdivision, a subdivision recorded in Volume 7, Page 301 of the Fort Bend County Deed Records (F.B.C.D.R.); Said 362.666 acre tract being more particularly described by metes and bounds as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS Observations):

Beginning at a 2-inch iron pipe found at the northeasterly corner of a call 1.284 acre tract recorded in the name of Fort Bend County Municipal Utility District Number 141 in File Number 2018043550 of the O.R.F.B.C., the southeasterly corner of a call 48.6 acre tract recorded in the name of Emma Ruth Bly in File Number 2004149678 of the O.R.F.B.C., the southerly southwest corner of a call 484.4229 acre tract recorded in the name of Hannover Estates, LTD. in File Number 2002140473 of the O.R.F.B.C. and being the southeasterly corner of the David Fitzgerald League, Abstract 25, the southwesterly corner of the I.&G.N. R.R. Co. Survey, Abstract 352 and being on the northerly line of the William Hall Survey, Abstract 31, from which a 3/4-inch iron rod found at the northeasterly corner of Reserve "A", Fort Bend ISD Ferndell Henry Center for Learning, a subdivision recorded in Plat Number 20110173 of the Fort Bend County Plat Records (F.B.C.P.R.), bears South 86 degrees 55 minutes 29 seconds West, a distance of 175.06 feet;

Thence, with the northerly line of said William Hall Survey and with the southerly line of aforesaid 484.4229 acre tract and a call 17.478 acre tract recorded in the name of JNC Development, Inc. in File Number 2017115756 of the O.R.F.B.C., North 86 degrees 55 minutes 29 seconds East, at a distance of 1755.20 pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 2340.21 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 3151.64 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 3753.58 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 4801.72 feet pass the Fort Bend/Brazoria County line, in all, a distance of 5137.14 feet to a 5/8-inch iron rod set at the northeast corner of aforesaid William Hall Survey, the southeasterly corner of aforesaid 484.4229 acre tract and being the northeasterly corner of aforesaid Lot 1;

Thence, with the easterly line of said William Hall Survey, South 03 degrees 04 minutes 56 seconds East, a distance of 1591.83 feet to a 2-inch PVC stand pipe found at the southeasterly corner of aforesaid Lot 1 and the northeasterly corner of Lot 9, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the southerly line of aforesaid Lots 1 and 2, South 86 degrees 55 minutes 29 seconds West, at a distance of 775.90 feet pass the aforesaid Fort Bend/Brazoria County line, in all, a distance of 2735.60 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 2, 3, 7 and Lot 8, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the easterly line of said Lot 7, South 03 degrees 04 minutes 56 seconds East, a distance of 1591.23 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 7, 8, 11 and 12;

Thence, with the common line between Lots 8 and 11, North 86 degrees 55 minutes 29 seconds East, a distance of 1367.28 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 8, 9, 11 and Lot 10, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the common line between aforesaid Lots 10 and 11, South 03 degrees 04 minutes 56 seconds East, a distance of 1592.64 feet to a 3/4-inch iron pipe found at the common corner of aforesaid Lots 10 and 11 and Lots 20 and 21, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the southerly line of aforesaid Lot 11, South 86 degrees 55 minutes 29 seconds West, a distance of 1367.22 feet to a 5/8-inch iron rod set at the common corner of aforesaid Lots 11, 12, 20 and Lot 19, aforesaid T.W. & J.H.B. House Subdivision and being the easterly northeast corner of a call 91.100 acre tract recorded in the name of Forestar (USA) Real Estate Group, Inc. in File Number 2017121652 of the O.R.F.B.C.;

Thence, with the northerly and easterly lines of said 91.100 acre tract, the following four (4) courses:

- 1) South 86 degrees 42 minutes 23 seconds West, at a distance of 29.30 feet pass a found 1/2-inch iron rod, in all, a distance of 1368.62 feet to a found 5/8-inch iron rod;
- 2) North 03 degrees 03 minutes 31 seconds West, a distance of 1594.92 feet to a found 5/8-inch iron rod;
- 3) South 86 degrees 57 minutes 25 seconds West, a distance of 675.85 feet to a 5/8-inch iron rod set;
- 4) South 86 degrees 48 minutes 40 seconds West, a distance of 3.88 feet to a 5/8-inch iron rod found at the southeasterly corner of a call 162.2524 acre tract recorded in the name of Hannover Estates, LTD. in File Number 2004018462 of the O.R.F.B.C.;

Thence, with the easterly lines of said 162.2524 acre tract, the following three (3) courses:

- 1) North 03 degrees 04 minutes 56 seconds West, a distance of 1593.59 feet to a 5/8-inch iron rod set;
- 2) South 86 degrees 57 minutes 10 seconds West, a distance of 353.80 feet to a 5/8-inch iron with cap found;
- 3) North 03 degrees 05 minutes 12 seconds West, at a distance of 1272.29 feet pass the southeasterly corner of aforesaid 1.284 acre tract, in all, a distance of 1591.86 feet to the **POINT OF BEGINNING** and containing 362.666 acres of land.

THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH A PLAT OF SURVEY DATED AUGUST 23, 2018 AND FILED UNDER JOB NUMBER 185567 AT GBI PARTNERS, L.P.

GBI PARTNERS, L.P.
TBPLS Firm No. 10130300
Ph: 281.499.4539
August 23, 2018

Exhibit B

Conditions to Consent

(a) The District may issue bonds, including refunding bonds, for any purposes authorized by law, including but not limited to, purchasing, refinancing, designing and constructing, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, and drainage facilities, recreational facilities, road facilities or parts of such systems or facilities, and to make any and all necessary purchases, constructions, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds must provide that the District reserves the right to redeem said bonds on any date subsequent to the 15th anniversary of the date of issuance (or any earlier date at the discretion of the District) without premium, and none of such bonds, other than refunding bonds, will be sold for less than 95 percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date of the sale of such bonds. The resolution authorizing the issuance of the District's bonds will contain a provision that the pledge of any revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds will terminate when and if the City annexes the District, takes over the assets of the District, and assumes all of the obligations of the District.

(b) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the City, or to its designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage and road facilities to serve the District and obtain the approval of such plans and specifications therefrom. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform to the specifications of the City. All water service lines and sewer service lines, lift stations, roads and appurtenances thereto, installed or used within the District will comply with the City's standard plans and specifications as amended from time to time. Prior to the construction of such facilities within or by the District, the District or its engineer will give written notice by registered or certified mail to the City, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications and with applicable standards and specifications of the City; and during the progress of the construction and installation of such facilities, the City may make periodic on-the-ground inspections.

(c) In the event that the District operates a sewage treatment plant, the District will agree to employ a sewage plant operator holding an applicable, valid certificate of competency issued under the direction of the Texas Department of Health. The District will agree to make periodic analyses of its discharge pursuant to the rules of the Texas Commission on Environmental Quality (“TCEQ”) and further, to send copies of all such effluent data to the City, as well as to the TCEQ. The District will agree that representatives of the City may supervise the continued operations of the sewage treatment facility by making periodic inspections thereof.

(d) The District, its board of directors, officers, developers, and/or landowners will not permit the construction, or commit to any development within, the District that will result in a wastewater flow to the serving treatment facility which exceeds that facility’s legally permitted average daily flow limitations or the District’s allocated capacity therein.

(e) Prior to the sale of any lot or parcel of land, the owner or the developer of the land included within the limits of the District will obtain the approval of the appropriate officials of the City of a plat which will be duly recorded in the Official Records of Fort Bend County, Texas, and otherwise comply with the rules and regulations of the City.

PETITION FOR CONSENT TO CREATION OF
BRAZORIA-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3

THE STATE OF TEXAS §

COUNTIES OF BRAZORIA AND FORT BEND §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF ALVIN:

The undersigned, appearing through their duly authorized agent(s) and representative(s), acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, and Section 42.042 of the Texas Local Government Code, respectfully petition this Honorable Council for its consent to the creation of a municipal utility district, and for cause would respectfully show the following:

I.

The name of the District shall be "Brazoria-Fort Bend Counties Municipal Utility District No. 3" ("District").

II.

The District shall be organized under the terms and provisions of Article III, Section 52 and Article XVI, Section 59 of the Constitution of Texas, Chapters 49 and 54 of the Texas Water Code, together with all amendments and additions thereto, and any special act of the Texas Legislature applicable to the District.

III.

The proposed District will contain an area of approximately 362.666 acres of land, situated within Brazoria and Fort Bend Counties, Texas, described by metes and bounds in Exhibit "A", attached hereto and incorporated herein. The District is wholly within the

extraterritorial jurisdiction of the City of Alvin, Brazoria and Fort Bend Counties. The District is not within the extraterritorial jurisdiction or corporate limits of any other city.

IV.

The undersigned constitute a majority in value of the holders of title to the lands in the proposed District, as shown by the county tax rolls and conveyances of record since the date of preparation of said county tax rolls. No one resides on the Property.

V.

The proposed District shall be organized for the following purposes:

- (1) provide a water supply for the District for municipal uses, domestic uses and commercial purposes;
- (2) collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;
- (3) gather, conduct, divert and control local storm water or other local harmful excesses of water in the District;
- (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and
- (5) such other construction, installation, maintenance, purchase, and operation of such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized.

The aforementioned purposes may be accomplished by any mechanical and chemical means and processes incident, necessary or helpful to such purposes, to the extent authorized by law and the creation of the District, to the end that public health and welfare may be conserved and prompted and the purity and sanitary condition of the State's waters protected, effected and restored.

VI.

The general nature of the work to be done by and within the District at the present time is: (i) the construction of a water distribution system for domestic and commercial purposes; (ii)

the construction of a sanitary sewer system; (iii) the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the District; (iv) the construction of macadamized, graveled, or paved roads, or improvements in aid of those roads; and (v) such other construction, installation, maintenance, purchase, and operation of such additional facilities, systems, plants and enterprises, all to the extent authorized by law from time to time.

VII.

There is a necessity for the improvements above described because the District is located within an area which will experience a substantial and sustained residential growth within the foreseeable future, is urban in nature and is not supplied with adequate water, sanitary sewer, drainage facilities and services, and roads. The health and welfare of the future inhabitants of the District require the provision of adequate water, storm and sanitary sewer facilities and services, and roads.

The provision of such water, storm and sanitary sewer facilities and services, and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters, and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the organization of said District.

The property cannot be developed without the creation of the District to finance the water, sanitary sewer, drainage facilities and services, and roads; therefore a public necessity exists.

VIII.

The proposed improvements are practicable and feasible, in that the terrain of the territory to be included in the proposed District is of such a nature that water, storm and sanitary

sewer facilities and services, and roads can be constructed or provided at a reasonable cost; and said territory will be rapidly developed primarily for residential purposes with some commercial and retail use.

IX.

A preliminary investigation has been instituted to determine the cost of the proposed project, and it is now estimated by those filing this petition, from such information as they have at this time, that the ultimate cost of the project contemplated will be approximately \$65,000,000.

X.

The undersigned request consent to the creation of the District encompassing the land described in the attached Exhibit "A".

XI.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City Council of the City of Alvin, Texas, adopt a resolution giving its written consent to the creation of the District.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

RESPECTFULLY SUBMITTED to be effective the 5th day of February, 2019.

John Caldwell

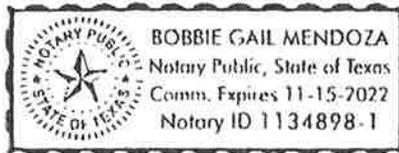
John Caldwell

STATE OF TEXAS §
 §
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5th day of February, 2019, by John Caldwell.

Bobbie Gail Mendoza
Notary Public in and for
the State of Texas

(SEAL)



Ann Chaffin

Ann Chaffin

STATE OF TEXAS §

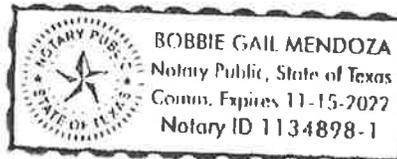
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5th day of February, 2019,
by Ann Chaffin.

Bobbie Gail Mendoza

Notary Public in and for
the State of Texas

(SEAL)



Waller Family Revocable Living Trust

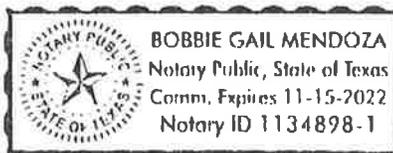
By: Lois Waller Marchal
Lois Waller Marchal, as Trustee of the Waller
Family Revocable Living Trust

STATE OF TEXAS §
 §
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5th day of February, 2019,
by Lois Waller Marchal, as Trustee of the Waller Family Revocable Living Trust.

Bobbie Gail Mendoza
Notary Public in and for
the State of Texas

(SEAL)



**BLSR Operating, Ltd.,
a Texas limited partnership**

By: BLSR Management Corp.
Its: General Partner

By: John Caldwell
Name: John Caldwell
Title: President

THE STATE OF TEXAS

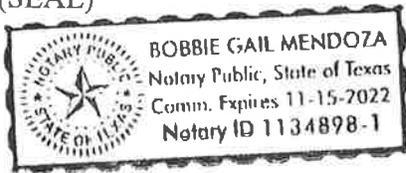
COUNTY OF Brazoria

§
§
§

This instrument was acknowledged before me on this 5th day of February, 2019, by John Caldwell, President of BLSR Management Corp., a Texas corporation, general partner of BLSR Operating, Ltd., a Texas limited partnership, on behalf of said corporation and said limited partnership.

Bobbie Gail Mendoza
Notary Public in and for
the State of Texas

(SEAL)



Frances Underwood

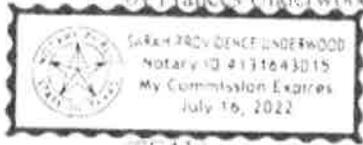
Frances Underwood

STATE OF TEXAS

COUNTY OF *Brazoria*

§
§
§

This instrument was acknowledged before me on the 1 day of February, 2019,
by Frances Underwood.



(SEAL)

Sarah Providence Underwood
Notary Public in and for
the State of TEXAS

EXHIBIT "A"

County: Fort Bend/Brazoria
Project: Southern Colony
Job No. 185567
MBS No. 18-229

FIELD NOTES FOR 362.666 ACRES

Being a tract containing 362.666 acres of land, located in the William Hall Survey, Abstract 31, in Fort Bend County, Texas and Abstract 713 in Brazoria County, Texas; Said 362.666 acre tract being a call 363.942 acre tract recorded in the name of J.H.Caldwell, et al in Volume 796, Page 565 of the Official Records of Fort Bend County (O.R.F.B.C.) and being Lots 1, 2, 3, 4, 7, 11, 12 and a portion of Lot 6, T.W. & J.H.B. House Subdivision, a subdivision recorded in Volume 7, Page 301 of the Fort Bend County Deed Records (F.B.C.D.R.); Said 362.666 acre tract being more particularly described by metes and bounds as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS Observations):

Beginning at a 2-inch iron pipe found at the northeasterly corner of a call 1.284 acre tract recorded in the name of Fort Bend County Municipal Utility District Number 141 in File Number 2018043550 of the O.R.F.B.C., the southeasterly corner of a call 48.6 acre tract recorded in the name of Emma Ruth Bly in File Number 2004149678 of the O.R.F.B.C., the southerly southwest corner of a call 484.4229 acre tract recorded in the name of Hannover Estates, LTD. in File Number 2002140473 of the O.R.F.B.C. and being the southeasterly corner of the David Fitzgerald League, Abstract 25, the southwesterly corner of the I.&G.N. R.R. Co. Survey, Abstract 352 and being on the northerly line of the William Hall Survey, Abstract 31, from which a 3/4-inch iron rod found at the northeasterly corner of Reserve "A", Fort Bend ISD Ferndell Henry Center for Learning, a subdivision recorded in Plat Number 20110173 of the Fort Bend County Plat Records (F.B.C.P.R.), bears South 86 degrees 55 minutes 29 seconds West, a distance of 175.06 feet;

Thence, with the northerly line of said William Hall Survey and with the southerly line of aforesaid 484.4229 acre tract and a call 17.478 acre tract recorded in the name of JNC Development, Inc. in File Number 2017115756 of the O.R.F.B.C., North 86 degrees 55 minutes 29 seconds East, at a distance of 1755.20 pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 2340.21 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 3151.64 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 3753.58 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 4801.72 feet pass the Fort Bend/Brazoria County line, in all, a distance of 5137.14 feet to a 5/8-inch iron rod set at the northeast corner of aforesaid William Hall Survey, the southeasterly corner of aforesaid 484.4229 acre tract and being the northeasterly corner of aforesaid Lot 1;

Thence, with the easterly line of said William Hall Survey, South 03 degrees 04 minutes 56 seconds East, a distance of 1591.83 feet to a 2-inch PVC stand pipe found at the southeasterly corner of aforesaid Lot 1 and the northeasterly corner of Lot 9, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the southerly line of aforesaid Lots 1 and 2, South 86 degrees 55 minutes 29 seconds West, at a distance of 775.90 feet pass the aforesaid Fort Bend/Brazoria County line, in all, a distance of 2735.60 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 2, 3, 7 and Lot 8, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the easterly line of said Lot 7, South 03 degrees 04 minutes 56 seconds East, a distance of 1591.23 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 7, 8, 11 and 12;

Thence, with the common line between Lots 8 and 11, North 86 degrees 55 minutes 29 seconds East, a distance of 1367.28 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 8, 9, 11 and Lot 10, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the common line between aforesaid Lots 10 and 11, South 03 degrees 04 minutes 56 seconds East, a distance of 1592.64 feet to a 3/4-inch iron pipe found at the common corner of aforesaid Lots 10 and 11 and Lots 20 and 21, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the southerly line of aforesaid Lot 11, South 86 degrees 55 minutes 29 seconds West, a distance of 1367.22 feet to a 5/8-inch iron rod set at the common corner of aforesaid Lots 11, 12, 20 and Lot 19, aforesaid T.W. & J.H.B. House Subdivision and being the easterly northeast corner of a call 91.100 acre tract recorded in the name of Forestar (USA) Real Estate Group, Inc. in File Number 2017121652 of the O.R.F.B.C.;

Thence, with the northerly and easterly lines of said 91.100 acre tract, the following four (4) courses:

- 1) South 86 degrees 42 minutes 23 seconds West, at a distance of 29.30 feet pass a found 1/2-inch iron rod, in all, a distance of 1368.62 feet to a found 5/8-inch iron rod;
- 2) North 03 degrees 03 minutes 31 seconds West, a distance of 1594.92 feet to a found 5/8-inch iron rod;
- 3) South 86 degrees 57 minutes 25 seconds West, a distance of 675.85 feet to a 5/8-inch iron rod set;
- 4) South 86 degrees 48 minutes 40 seconds West, a distance of 3.88 feet to a 5/8-inch iron rod found at the southeasterly corner of a call 162.2524 acre tract recorded in the name of Hannover Estates, LTD. in File Number 2004018462 of the O.R.F.B.C.;

Thence, with the easterly lines of said 162.2524 acre tract, the following three (3) courses:

- 1) North 03 degrees 04 minutes 56 seconds West, a distance of 1593.59 feet to a 5/8-inch iron rod set;
- 2) South 86 degrees 57 minutes 10 seconds West, a distance of 353.80 feet to a 5/8-inch iron with cap found;
- 3) North 03 degrees 05 minutes 12 seconds West, at a distance of 1272.29 feet pass the southeasterly corner of aforesaid 1.284 acre tract, in all, a distance of 1591.86 feet to the **POINT OF BEGINNING** and containing 362.666 acres of land.

THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH A PLAT OF SURVEY DATED AUGUST 23, 2018 AND FILED UNDER JOB NUMBER 185567 AT GBI PARTNERS, L.P.

GBI PARTNERS, L.P.
TBPLS Firm No. 10130300
Ph: 281.499.4539
August 23, 2018

RESOLUTION NO. 19-R-11

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, GIVING CONSENT TO CREATION OF BRAZORIA-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3; AND OTHER MATTERS RELATED THERETO.

WHEREAS, pursuant to Chapters 49 and 54 of the Texas Water Code, the owners of real property located in Brazoria and Fort Bend Counties, Texas (the “Petitioners”), have petitioned for consent to the creation of Brazoria-Fort Bend Counties Municipal Utility District No. 3 (the “District”) to serve the approximately 362.666 acres of land in Brazoria-Fort Bend Counties, Texas, described in the attached Exhibit “A” (“Petitioners’ Land”); and

WHEREAS, all of the land within the District is located within the extraterritorial jurisdiction of the City of Alvin, Texas (the “City”); and

WHEREAS, Texas Local Government Code, Section 42.042, provides that land within the extraterritorial jurisdiction of a city may not be included within a municipal utility district without the written consent of such city, town, or village; and

WHEREAS, Petitioner has submitted to the Mayor and City Council of the City, a petition for Consent to Creation of Brazoria-Fort Bend Counties Municipal Utility District No. 3; and

WHEREAS, the general nature of the work to be done in the District is the (i) construction, maintenance and operation of a waterworks system for residential and commercial purposes; (ii) construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant; (iii) control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflow lands within the District; (iv) construction, maintenance and operation of macadamized, graveled or paved roads or turnpikes, inside or outside of the District; and (v) such other construction, installation, maintenance, purchase and operation of such additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is organized; and

WHEREAS, the City Council of the City desires to adopt Resolution No. 19-R-11 as set forth herein for the purpose of consenting to the creation of the District;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:

Section 1. That all of the above recitals are hereby found to be true and correct and are incorporated into this Resolution as findings of fact by the City Council of Alvin, Texas.

Section 2. The City Council of the City of Alvin, Texas, hereby specifically gives its written consent, as provided by Texas Local Government Code, Section 42.042, to the creation of

Brazoria-Fort Bend Counties Municipal Utility District No. 3, all of which is within the extraterritorial jurisdiction of the City of Alvin, the boundaries of such land being described by metes and bounds described in Exhibit "A," attached hereto and made a part of hereof for all purposes.

Section 3. That the City Council of Alvin, Texas, hereby specifically imposes the terms and conditions set forth in Exhibit "B," attached hereto and made a part hereof for all purposes.

Section 4. The City Council further hereby notifies the referenced District, its residents and property owners of the provisions of applicable law allowing the City to annex any portion of the District located within the City's extraterritorial jurisdiction, including without limitation, the land authorized to be included in the District hereby. The District shall include a statement in the form required under Texas Water Code, Section 49.455, reflecting the possibility of such annexation by the City.

Section 5. Open Meetings Act. It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this the _____ day of March 2019.

CITY OF ALVIN, TEXAS:

ATTEST:

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary

EXHIBIT "A"

County: Fort Bend/Brazoria
Project: Southern Colony
Job No. 185567
MBS No. 18-229

FIELD NOTES FOR 362.666 ACRES

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Thence, with the southerly line of aforesaid Lots 1 and 2, South 86 degrees 55 minutes 29 seconds West, at a distance of 775.90 feet pass the aforesaid Fort Bend/Brazoria County line, in all, a distance of 2735.60 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 2, 3, 7 and Lot 8, aforesaid T.W. & J.H.B. House Subdivision;

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GBI PARTNERS, L.P.
TBPLS Firm No. 10130300
Ph: 281.499.4539
August 23, 2018

Exhibit B

Conditions to Consent

(a) The District may issue bonds, including refunding bonds, for any purposes authorized by law, including but not limited to, purchasing, refinancing, designing and constructing, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, and drainage facilities, recreational facilities, road facilities or parts of such systems or facilities, and to make any and all necessary purchases, constructions, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. Such bonds must provide that the District reserves the right to redeem said bonds on any date subsequent to the 15th anniversary of the date of issuance (or any earlier date at the discretion of the District) without premium, and none of such bonds, other than refunding bonds, will be sold for less than 95 percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date of the sale of such bonds. The resolution authorizing the issuance of the District's bonds will contain a provision that the pledge of any revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds will terminate when and if the City annexes the District, takes over the assets of the District, and assumes all of the obligations of the District.

(b) Before the commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the City, or to its designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage and road facilities to serve the District and obtain the approval of such plans and specifications therefrom. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform to the specifications of the City. All water service lines and sewer service lines, lift stations, roads and appurtenances thereto, installed or used within the District will comply with the City's standard plans and specifications as amended from time to time. Prior to the construction of such facilities within or by the District, the District or its engineer will give written notice by registered or certified mail to the City, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications and with applicable standards and specifications of the City; and during the progress of the construction and installation of such facilities, the City may make periodic on-the-ground inspections.

(c) In the event that the District operates a sewage treatment plant, the District will agree to employ a sewage plant operator holding an applicable, valid certificate of competency issued under the direction of the Texas Department of Health. The District will agree to make periodic analyses of its discharge pursuant to the rules of the Texas Commission on Environmental Quality ("TCEQ") and further, to send copies of all such effluent data to the City, as well as to the TCEQ. The District will agree that representatives of the City may supervise the continued operations of the sewage treatment facility by making periodic inspections thereof.

(d) The District, its board of directors, officers, developers, and/or landowners will not permit the construction, or commit to any development within, the District that will result in a wastewater flow to the serving treatment facility which exceeds that facility's legally permitted average daily flow limitations or the District's allocated capacity therein.

(e) Prior to the sale of any lot or parcel of land, the owner or the developer of the land included within the limits of the District will obtain the approval of the appropriate officials of the City of a plat which will be duly recorded in the Official Records of Fort Bend County, Texas, and otherwise comply with the rules and regulations of the City.

PETITION FOR CONSENT TO CREATION OF
BRAZORIA-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3

THE STATE OF TEXAS §

COUNTIES OF BRAZORIA AND FORT BEND §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF ALVIN:

The undersigned, appearing through their duly authorized agent(s) and representative(s), acting pursuant to the provisions of Chapters 49 and 54 of the Texas Water Code, and Section 42.042 of the Texas Local Government Code, respectfully petition this Honorable Council for its consent to the creation of a municipal utility district, and for cause would respectfully show the following:

I.

The name of the District shall be "Brazoria-Fort Bend Counties Municipal Utility District No. 3" ("District").

II.

The District shall be organized under the terms and provisions of Article III, Section 52 and Article XVI, Section 59 of the Constitution of Texas, Chapters 49 and 54 of the Texas Water Code, together with all amendments and additions thereto, and any special act of the Texas Legislature applicable to the District.

III.

The proposed District will contain an area of approximately 362.666 acres of land, situated within Brazoria and Fort Bend Counties, Texas, described by metes and bounds in Exhibit "A", attached hereto and incorporated herein. The District is wholly within the

extraterritorial jurisdiction of the City of Alvin, Brazoria and Fort Bend Counties. The District is not within the extraterritorial jurisdiction or corporate limits of any other city.

IV.

The undersigned constitute a majority in value of the holders of title to the lands in the proposed District, as shown by the county tax rolls and conveyances of record since the date of preparation of said county tax rolls. No one resides on the Property.

V.

The proposed District shall be organized for the following purposes:

- (1) provide a water supply for the District for municipal uses, domestic uses and commercial purposes;
- (2) collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;
- (3) gather, conduct, divert and control local storm water or other local harmful excesses of water in the District;
- (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads, or improvements in aid of those roads; and
- (5) such other construction, installation, maintenance, purchase, and operation of such additional facilities, systems, plants and enterprises as shall be consistent with the purposes for which the District is organized.

The aforementioned purposes may be accomplished by any mechanical and chemical means and processes incident, necessary or helpful to such purposes, to the extent authorized by law and the creation of the District, to the end that public health and welfare may be conserved and prompted and the purity and sanitary condition of the State's waters protected, effected and restored.

VI.

The general nature of the work to be done by and within the District at the present time is: (i) the construction of a water distribution system for domestic and commercial purposes; (ii)

the construction of a sanitary sewer system; (iii) the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the District; (iv) the construction of macadamized, graveled, or paved roads, or improvements in aid of those roads; and (v) such other construction, installation, maintenance, purchase, and operation of such additional facilities, systems, plants and enterprises, all to the extent authorized by law from time to time.

VII.

There is a necessity for the improvements above described because the District is located within an area which will experience a substantial and sustained residential growth within the foreseeable future, is urban in nature and is not supplied with adequate water, sanitary sewer, drainage facilities and services, and roads. The health and welfare of the future inhabitants of the District require the provision of adequate water, storm and sanitary sewer facilities and services, and roads.

The provision of such water, storm and sanitary sewer facilities and services, and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters, and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the organization of said District.

The property cannot be developed without the creation of the District to finance the water, sanitary sewer, drainage facilities and services, and roads; therefore a public necessity exists.

VIII.

The proposed improvements are practicable and feasible, in that the terrain of the territory to be included in the proposed District is of such a nature that water, storm and sanitary

sewer facilities and services, and roads can be constructed or provided at a reasonable cost; and said territory will be rapidly developed primarily for residential purposes with some commercial and retail use.

IX.

A preliminary investigation has been instituted to determine the cost of the proposed project, and it is now estimated by those filing this petition, from such information as they have at this time, that the ultimate cost of the project contemplated will be approximately \$65,000,000.

X.

The undersigned request consent to the creation of the District encompassing the land described in the attached Exhibit "A".

XI.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City Council of the City of Alvin, Texas, adopt a resolution giving its written consent to the creation of the District.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

RESPECTFULLY SUBMITTED to be effective the 5th day of February, 2019.

John Caldwell

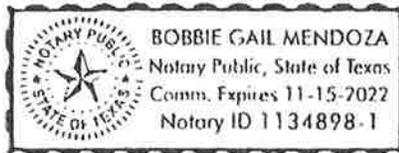
John Caldwell

STATE OF TEXAS §
 §
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5th day of February, 2019, by John Caldwell.

Bobbie Gail Mendoza
Notary Public in and for
the State of Texas

(SEAL)



Ann Chaffin

Ann Chaffin

STATE OF TEXAS §

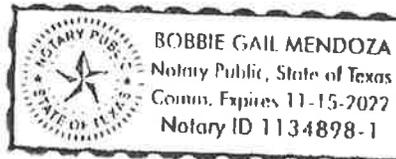
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5th day of February, 2019,
by Ann Chaffin.

Bobbie Gail Mendoza

Notary Public in and for
the State of Texas

(SEAL)



Waller Family Revocable Living Trust

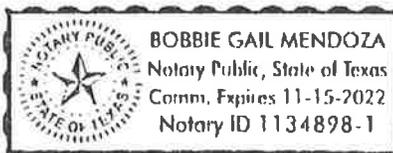
By: Lois Waller Marchal
Lois Waller Marchal, as Trustee of the Waller
Family Revocable Living Trust

STATE OF TEXAS §
 §
COUNTY OF Brazoria §

This instrument was acknowledged before me on the 5th day of February, 2019,
by Lois Waller Marchal, as Trustee of the Waller Family Revocable Living Trust.

Bobbie Gail Mendoza
Notary Public in and for
the State of Texas

(SEAL)



**BLSR Operating, Ltd.,
a Texas limited partnership**

By: BLSR Management Corp.
Its: General Partner

By: John Caldwell
Name: John Caldwell
Title: President

THE STATE OF TEXAS

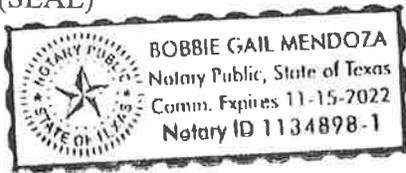
COUNTY OF Brazoria

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§

This instrument was acknowledged before me on this 5th day of February, 2019, by John Caldwell, President of BLSR Management Corp., a Texas corporation, general partner of BLSR Operating, Ltd., a Texas limited partnership, on behalf of said corporation and said limited partnership.

Bobbie Gail Mendoza
Notary Public in and for
the State of Texas

(SEAL)



Frances Underwood

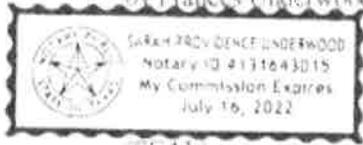
Frances Underwood

STATE OF TEXAS

COUNTY OF *Brazoria*

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§

This instrument was acknowledged before me on the 1 day of February, 2019,
by Frances Underwood.



(SEAL)

Sarah Providence Underwood
Notary Public in and for
the State of TEXAS

EXHIBIT "A"

County: Fort Bend/Brazoria
Project: Southern Colony
Job No. 185567
MBS No. 18-229

FIELD NOTES FOR 362.666 ACRES

Being a tract containing 362.666 acres of land, located in the William Hall Survey, Abstract 31, in Fort Bend County, Texas and Abstract 713 in Brazoria County, Texas; Said 362.666 acre tract being a call 363.942 acre tract recorded in the name of J.H.Caldwell, et al in Volume 796, Page 565 of the Official Records of Fort Bend County (O.R.F.B.C.) and being Lots 1, 2, 3, 4, 7, 11, 12 and a portion of Lot 6, T.W. & J.H.B. House Subdivision, a subdivision recorded in Volume 7, Page 301 of the Fort Bend County Deed Records (F.B.C.D.R.); Said 362.666 acre tract being more particularly described by metes and bounds as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS Observations):

Beginning at a 2-inch iron pipe found at the northeasterly corner of a call 1.284 acre tract recorded in the name of Fort Bend County Municipal Utility District Number 141 in File Number 2018043550 of the O.R.F.B.C., the southeasterly corner of a call 48.6 acre tract recorded in the name of Emma Ruth Bly in File Number 2004149678 of the O.R.F.B.C., the southerly southwest corner of a call 484.4229 acre tract recorded in the name of Hannover Estates, LTD. in File Number 2002140473 of the O.R.F.B.C. and being the southeasterly corner of the David Fitzgerald League, Abstract 25, the southwesterly corner of the I.&G.N. R.R. Co. Survey, Abstract 352 and being on the northerly line of the William Hall Survey, Abstract 31, from which a 3/4-inch iron rod found at the northeasterly corner of Reserve "A", Fort Bend ISD Ferndell Henry Center for Learning, a subdivision recorded in Plat Number 20110173 of the Fort Bend County Plat Records (F.B.C.P.R.), bears South 86 degrees 55 minutes 29 seconds West, a distance of 175.06 feet;

Thence, with the northerly line of said William Hall Survey and with the southerly line of aforesaid 484.4229 acre tract and a call 17.478 acre tract recorded in the name of JNC Development, Inc. in File Number 2017115756 of the O.R.F.B.C., North 86 degrees 55 minutes 29 seconds East, at a distance of 1755.20 pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 2340.21 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 3151.64 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 3753.58 feet pass a found 5/8-inch iron rod with "Miller" cap, at a distance of 4801.72 feet pass the Fort Bend/Brazoria County line, in all, a distance of 5137.14 feet to a 5/8-inch iron rod set at the northeast corner of aforesaid William Hall Survey, the southeasterly corner of aforesaid 484.4229 acre tract and being the northeasterly corner of aforesaid Lot 1;

Thence, with the easterly line of said William Hall Survey, South 03 degrees 04 minutes 56 seconds East, a distance of 1591.83 feet to a 2-inch PVC stand pipe found at the southeasterly corner of aforesaid Lot 1 and the northeasterly corner of Lot 9, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the southerly line of aforesaid Lots 1 and 2, South 86 degrees 55 minutes 29 seconds West, at a distance of 775.90 feet pass the aforesaid Fort Bend/Brazoria County line, in all, a distance of 2735.60 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 2, 3, 7 and Lot 8, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the easterly line of said Lot 7, South 03 degrees 04 minutes 56 seconds East, a distance of 1591.23 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 7, 8, 11 and 12;

Thence, with the common line between Lots 8 and 11, North 86 degrees 55 minutes 29 seconds East, a distance of 1367.28 feet to a 2-inch PVC stand pipe found at the common corner of aforesaid Lots 8, 9, 11 and Lot 10, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the common line between aforesaid Lots 10 and 11, South 03 degrees 04 minutes 56 seconds East, a distance of 1592.64 feet to a 3/4-inch iron pipe found at the common corner of aforesaid Lots 10 and 11 and Lots 20 and 21, aforesaid T.W. & J.H.B. House Subdivision;

Thence, with the southerly line of aforesaid Lot 11, South 86 degrees 55 minutes 29 seconds West, a distance of 1367.22 feet to a 5/8-inch iron rod set at the common corner of aforesaid Lots 11, 12, 20 and Lot 19, aforesaid T.W. & J.H.B. House Subdivision and being the easterly northeast corner of a call 91.100 acre tract recorded in the name of Forestar (USA) Real Estate Group, Inc. in File Number 2017121652 of the O.R.F.B.C.;

Thence, with the northerly and easterly lines of said 91.100 acre tract, the following four (4) courses:

- 1) South 86 degrees 42 minutes 23 seconds West, at a distance of 29.30 feet pass a found 1/2-inch iron rod, in all, a distance of 1368.62 feet to a found 5/8-inch iron rod;
- 2) North 03 degrees 03 minutes 31 seconds West, a distance of 1594.92 feet to a found 5/8-inch iron rod;
- 3) South 86 degrees 57 minutes 25 seconds West, a distance of 675.85 feet to a 5/8-inch iron rod set;
- 4) South 86 degrees 48 minutes 40 seconds West, a distance of 3.88 feet to a 5/8-inch iron rod found at the southeasterly corner of a call 162.2524 acre tract recorded in the name of Hannover Estates, LTD. in File Number 2004018462 of the O.R.F.B.C.;

Thence, with the easterly lines of said 162.2524 acre tract, the following three (3) courses:

- 1) North 03 degrees 04 minutes 56 seconds West, a distance of 1593.59 feet to a 5/8-inch iron rod set;
- 2) South 86 degrees 57 minutes 10 seconds West, a distance of 353.80 feet to a 5/8-inch iron with cap found;
- 3) North 03 degrees 05 minutes 12 seconds West, at a distance of 1272.29 feet pass the southeasterly corner of aforesaid 1.284 acre tract, in all, a distance of 1591.86 feet to the **POINT OF BEGINNING** and containing 362.666 acres of land.

THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH A PLAT OF SURVEY DATED AUGUST 23, 2018 AND FILED UNDER JOB NUMBER 185567 AT GBI PARTNERS, L.P.

GBI PARTNERS, L.P.
TBPLS Firm No. 10130300
Ph: 281.499.4539
August 23, 2018