



CITY OF Incorporated 1977

FULSHEAR

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

30603 FM 1093

P.O. Box 279
Fulshear, Texas 77441

PLANNING AND ZONING COMMISSION MINUTES DECEMBER 8, 2017

1. Call to Order

A Regular Meeting of the Fulshear Planning and Zoning Commission was called to order by Planning and Zoning Chairman Amy Pearce at 8:34 a.m. on Friday, December 8, 2017 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas.

2. Quorum

A quorum was present.

Members Present:

Amy Pearce-Chairman

Dar Hakimzadeh

Bijay Aryal

Harold Collins

Jason Cherubini

Dawn McRea arrived at 8:36 a.m.

Members Absent:

Austin Weant

City Staff:

Diana Gordon Offord, City Secretary

Kimberly Kopecky, Deputy City Secretary

Sharon Valiante, Public Works Director

David Leyendecker, City Engineer

Apryl Jensen arrived a few minutes late

Others Present:

Bobby Deden

Kreg Arnold

Mark Rosney

Lacey Bell

John Herzog

Gerald Grissom

**FULSHEAR PLANNING AND ZONING MINUTES
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Trey Devillier

And 1 more person that did not sign in

3. Public Comment

Citizens who desire to address the Planning And Zoning Commission with regard to matters on the agenda will be received at this time. The number of speakers will be limited to the first ten (10) speakers and each speaker is limited to three (3) minutes. Comments or discussion by planning and zoning members will only be made at the time the subject is scheduled for Consideration.

There were no Citizen Comments.

4. PUBLIC HEARING – VARIANCE REQUEST

IN COMPLIANCE WITH THE CITY OF FULSHEAR ZONING ORDINANCE NUMBER 2012-1069, THE PLANNING AND ZONING COMMISSION WILL HEAR A VARIANCE REQUEST FOR A SIDE PROPERTY SETBACK, THE MEETING WILL BE ON DECEMBER 8, 2017 AT 8:30 A.M. IN THE CITY COUNCIL CHAMBERS OF THE CITY OF FULSHEAR, LOCATED AT 30603 FM 1093, AT WHICH TIME AND PLACE ALL INTERESTED PERSONS WILL BE GIVEN AN OPPORTUNITY TO BE HEARD.

THE LOCATION OF THE PREMISES IN QUESTION IS LOCATED WITHIN THE CROSS CREEK RANCH SUBDIVISION AT 15 FLORAL HILLS LANE. (THE POND AT CROSS CREEK RANCH, BLOCK 2, LOT 27)

THE APPLICANT IS SEEKING A VARIANCE TO THE SIDE SETBACK OF 10 FEET AS REQUIRED IN SECTION 1-163 (5) (D). SPECIFIC RELIEF IS REQUESTED TO ALLOW A PERGOLA TO BE BUILT WITHIN 5 FT OF THE 10-FOOT SIDE SET BACK.

THE APPLICANT RESERVES THE RIGHT TO SUPPLEMENT THIS APPLICATION AND/OR SEEK AT THE TIME OF THE HEARING, SUCH OTHER APPROVALS, INTERPRETATIONS, AND/OR WAIVERS AS MAY BE REQUESTED OR REQUIRED BY THE APPLICANT OR THE BOARD.

A COPY OF SAID APPLICATION AND DOCUMENTS IS ON FILE AT THE CITY OF FULSHEAR CITY HALL LOCATED AT 30603 FM 1093 FULSHEAR, TEXAS 77441 ON MONDAY THROUGH THURSDAYS FROM 8:00 A.M. TO 5:00 P.M. AND FRIDAYS FROM 8:00 A.M. TO 3:00 P.M. IN THE CITY SECRETARY'S OFFICE FOR ALL INTERESTED PARTIES PRIOR TO SAID HEARING.

IF YOU HAVE ANY QUESTIONS REGARDING THIS REQUEST, PLEASE CALL THE CITY SECRETARY'S OFFICE AT 281-346-1796.

POSTED: 11/27/2017

Amy Pearce opened the Public Hearing at 8:34 a.m.

The owner explains the patio was built on the side yard. He wants to extend it 7 feet more (the patio) and put a cover over it. He would like some shade there. Amy Pearce asked if any of this has been run by the Fire Marshall. He answered "no." There is not a fence between property and neighbor's house.

There is a zero lot line. Amy suggests getting approval from the Fire Marshall before they take action on this. David Leyendecker explains there are 2 issues here. There is a 5 foot easement there for maintenance of the house. The other issue is a fire separation. Dar Hakimzadeh asks if there is a material that may be more fire retardant.

**FULSHEAR PLANNING AND ZONING MINUTES
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David Leyendecker states there is significant safety issues. Apryl Jensen explains he has permission from his neighbor and that this approval would set a precedence.

Amy Pearce closed the Public Hearing at 8:48 a.m.

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

Nays: None

Absent: Austin Weant

5. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on November 3, 2017

A motion was made by Planning and Zoning member Hakimzadeh to approve Minutes from Planning and Zoning Commission meeting held on November 3, 2017. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:

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

Nays: None

Absent: Austin Weant

Motion Passes

6. Consideration and possible action to approve Fulbrook Section 5C – Replat No. 1/Final Plat **Previously named: Riverbluff Court (Replat)/Final Plat*

David Leyendecker explained the applicant aske that this plat be pulled. They are needing additional information from the owner. A motion was made by Planning and Zoning member Hakimzadeh to postpone Fulbrook Section 5C – Replat No. 1/Final Plat (previously named: Riverbluff Court (Replat)/Final Plat). It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:

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

Nays: None

Absent: Austin Weant

Motion to Postpone Passes

7. Consideration and possible action to approve Jordan Ranch Section 8/Final Plat

David Leyendecker explains there is a small item hanging on this. He suggested they approve contingent to the side lot water line easement is required. He will take care of this when they submit plats. He will work with the engineer to get this resolved. A motion was made by Planning and Zoning member Hakimzadeh to approve Jordan Ranch Section 8/Final Plat with the contingency of the side lot water line easement. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:

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

Nays: None

**FULSHEAR PLANNING AND ZONING MINUTES
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Absent: Austin Weant

Motion Passes

8. Consideration and possible action to approve Jordan Ranch Section 10/Final Plat

Planning and Zoning Chairman Pearce asked to take items 8 and 9 together (Jordan Ranch Section 10/Final Plat and Jordan Ranch Section 11/Final Plat) No members objected to her request. David Leyendecker recommended approval on both plats. He stated everything has been taken care of. A motion was made by Planning and Zoning member Hakimzadeh to approve Jordan Ranch Section 10/Final Plat and Jordan Ranch Section 11/Final Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:

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

Nays: None

Absent: Austin Weant

Motion Passes

9. Consideration and possible action to approve Jordan Ranch Section 11/Final Plat

See item 8

10. Consideration and possible action to approve Kiddos Ranch/Final Plat (2nd Review)

David Leyendecker states they got everything taken care of. They are in the ETJ and will have to get approval from the county. He recommends approval. A motion was made by Planning and Zoning member Collins to approve Kiddos Ranch/Final Plat (2nd Review). It was seconded by Planning and Zoning member Hakimzadeh. It was carried by the following vote:

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

Nays: None

Absent: Austin Weant

Motion Passes

11. Consideration and possible action to approve Fulshear Bend Drive Extension No. 3 – Street Dedication/Preliminary Plat

David Leyendecker recommends approval as submitted. A motion was made by Planning and Zoning member Hakimzadeh to approve Fulshear Bend Drive Extension No. 3 – STD/Preliminary Plat. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:

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

Nays: None

Absent: Austin Weant

**FULSHEAR PLANNING AND ZONING MINUTES
DECEMBER 8, 2017**

Motion Passes

12. Consideration and possible action to approve Cross Creek Bend Lane Extension No. 11/Final Plat

David Leyendecker explains they fixed the 3 minor items and he recommends approval. A motion was made by Planning and Zoning member Collins to approve Cross Creek Bend Lane Extension No. 11/Final Plat. It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:

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

Nays: None

Absent: Austin Weant

Motion Passes

13. Consideration and possible action to approve Bonterra at Cross Creek Ranch Section 2 – Partial Replat No. 1/Preliminary Plat

David Leyendecker recommends approval. A motion was made by Planning and Zoning member Hakimzadeh to approve Bonterra at Cross Creek Ranch Section 2 – Partial Replat No. 1/Preliminary Plat. It was seconded by Planning and Zoning member Cherubini. The motion was carried by the following vote:

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

Nays: None

Absent: Austin Weant

Motion Passes

14. Consideration and possible action to approve Fulbrook Section 2 “B”/Preliminary Plat

David Leyendecker recommends approval. A motion was made by Planning and Zoning member Hakimzadeh to approve Fulbrook Section 2 “B”/Preliminary Plat. It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:

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

Nays: None

Absent: Austin Weant

Motion Passes

15. Consideration and possible action to approve Thrive Church Fulshear/Final Plat

**FULSHEAR PLANNING AND ZONING MINUTES
DECEMBER 8, 2017**

David Leyendecker recommends approval. A motion was made by Planning and Zoning member Collins to approve Thrive Church Fulshear/Final Plat. It was seconded by Planning and Zoning member Hakimzadeh. The motion was carried by the following vote:

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

Motion Passes

16. Consideration and possible action to approve a Variance Request for 15 Floral Hills Lane, Fulshear, TX 77441

David Leyendecker recommends we send this to the Fire Marshall for his review. A motion was made by Planning and Zoning member Hakimzadeh to postpone approval for a variance request for 15 Floral Hills Lane, Fulshear, TX 77441 pending Fire Marshall approval. It was seconded by Planning and Zoning member Collins. The motion was carried by the following vote:

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

Motion to Postpone Passes

17. Adjournment

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

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

The meeting is adjourned at 8:58 a.m.



Variance Request

APPLICANT/OWNER: Mark Rosney & April Swan-Rosney

ADDRESS OF PREMISES: 15 Floral Hills Lane, Fulshear Tx 77441

REQUESTING: Extending concrete patio and adding a free-standing pergola

(to allow a 5 ft side setback from the property line instead of the required 10 ft side setback)

^{Original}
HEARING DATE: 12-8-2017

PLANNING AND ZONING COMMISSION REVIEW

GRANTED

DENIED

RETURNED FOR ADDITIONAL DATA

COMMENTS/CONDITIONS: _____

CHAIRMAN SIGNATURE: _____ DATE: _____

CITY COUNCIL REVIEW

GRANTED

DENIED

SIGNATURE: _____ DATE: _____



Variance Request

APPLICANT/OWNER: Mark Rosney & April Swan - Rosney

ADDRESS OF PREMISES: 15 Floral Hills Lane , Fulshear TX 77441

REQUESTING: Extending concrete patio and adding a free-standing pergola
(to allow a 5ft side setback from the property line instead of the required
10 ft. side setback)

HEARING DATE: 12-08-2017

PLANNING AND ZONING COMMISSION REVIEW

GRANTED

DENIED

RETURNED FOR ADDITIONAL DATA

COMMENTS/CONDITIONS: REQUIRES FIRE MARSHAL
APPROVAL BECAUSE OF FIRE SEPARATION ISSUES

CHAIRMAN SIGNATURE: [Signature] DATE: 12.8.17

CITY COUNCIL REVIEW

GRANTED

DENIED

SIGNATURE: _____ DATE: _____

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

AGENDA OF:	December 8, 2017	AGENDA ITEM:
DATE SUBMITTED:	November 22, 2017	DEPARTMENT:
PREPARED BY:		PRESENTER:
SUBJECT:	15 Floral Hills Lane	
ATTACHMENTS:	Application, Related Documents, and Recommendation	
EXPENDITURE REQUIRED:		\$0
AMOUNT BUDGETED:		\$0
ACCOUNT:	Development Services	
ADDITIONAL APPROPRIATION REQUIRED:		\$0
ACCOUNT NO:		

EXECUTIVE SUMMARY

The property owners; Mark and April Swan-Rosney have requested a variance at 15 Floral Hills Lane, Lot 27 of Block 2 within The Pond Section of Cross Creek Ranch. This section of Cross Creek Ranch has residential structures with side building setbacks of zero feet on one side and ten feet on the other side as permitted in the Zoning Ordinance 2012-1069, section 1-163 (5) (d).

The property owner is requesting a variance to allow a five-foot setback instead of the minimum required ten feet to allow for the construction of a pergola.

The property owner has submitted a site plan and a photo of the proposed pergola, and has paid the fee for the requested variance.

STAFF RECOMMENDATION

This property is common to others within this section of the subdivision in that the structures have a side patio instead of the rear yard patio and the property owner would like to have a pergola to cover the patio and allow them to shade from sunlight into the structure. The rear yard does not have direct access to or from the structure.

Staff has reviewed this request and finds that the owner has presented a letter from their neighbor that is directly affected by this request and the neighbor has given support of this request. Therefore, granting the variance will not adversely affect adjacent land.

There is a neighboring property that has received approval for a similar application. Approval was granted for a side yard that did not have an affecting neighbor, and was granted administratively.

The granting of the variance is a minimum action that will make possible the use of the land with is not contrary to the public interest, and which would carry out the spirit of the Ordinance.



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093
Fulshear, Texas 77441
Phone: 281-346-1796 ~ Fax: 281-346-2556
www.fulsheartx.com

20171879

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: October 31, 2017

ADDRESS OF PREMISES AFFECTED: 15 Floral Hills Lane, Fulshear, TX 77441

LEGAL DESCRIPTION: THE POND AT CROSS CREEK RANCH, BLOCK 2, LOT 27

OWNERS INFORMATION: NAME MARK ROSNEY & APRIL SWAN-ROSNEY

ADDRESS 15 Floral Hills Lane, Fulshear, TX 77441 STATE _____

ZIP CODE _____ EMAIL markrosney@outlook.com PHONE NUMBER 832-945-0500

APPLICANTS NAME (if different than owner) SELF

ADDRESS _____ CITY _____ STATE _____

ZIP CODE _____ EMAIL _____ PHONE NUMBER _____

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) _____

Extend our existing concrete patio and add a free-standing (not attached to building) pergola patio cover over the patio extension. Patio cover will be designed and built to comply with all local building codes including the ability to withstand a minimum of 135MPH winds. ~ 130 mph * Request for 5 ft variance to the 10 ft building line per zero lot line / 10 ft side building setbacks

Status of the Project: Existing Under Construction Proposed Ord. 2012-1069

Have there been previous variance requests for this property? No Section 1-163 (5) (a)

Are there similar situations in the area? Yes
Addresses: 47 Floral Hills Lane (photos enclosed)

Have you informed your Home Owners Association? _____ or Neighbors? _____
HOA requires city approval first, will be notified upon city approval. Neighbor approval enclosed

Request Proposal and Description: Provide a description of the existing and or proposed physical property improvements relative to this case (ie: materials, structure type and height, dimensions, ect.) Please also supply and identify photos where applicable, to support your case:

Our home was designed and built with the patio and only entrance to the yard located on the side of the home. We'd like to replace some of the existing grass with concrete as other neighbors have done to make better use of the area. The side yard also receives a lot of sun that shines through the large side windows of the home which also affects our ability to use our living room during the day. This is why we'd like the pergola patio cover in this area. The yard at the rear of the house does not have direct access to or from the house.

LETTER OF AUTHORIZATION FOR VARIANCE CASE REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO: KC ARNOLD

ACTING ON MY BEHALF AS THE OWNER OF THIS PROPERTY AS INDICATED AT THE APPRAISAL DISTRICT, TO FILE AND PRESENT AN APPLICATION TO THE CITY OF FULSHEAR, TEXAS, TO REQUEST A VARIANCE FOR THE FOLLOWING PROPERTY:

(CERTIFIED LEGAL
DESCRIPTION] _____THE POND AT CROSS CREEK RANCH, BLOCK 2, LOT 27 _____

ACKNOWLEDGEMENTS:

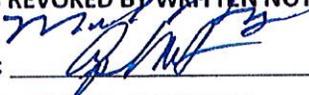
I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal before the Zoning Commission and City Council public hearings. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of my variance request.

I understand that all recommendations of the Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the third Tuesday of the month. I further understand that any actions of the Zoning Commission are considered recommendations to the City Council and that I may be heard by the City Council at the prescribed Council hearing date where a final decision will be made.

I further understand that if I am not present nor duly represented at the Commission's public hearing, the Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.

I reserve the right to withdraw this proposal at any time, upon written request filed with the City Secretary. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal, shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. I / We respectfully request approval and adoption of the proposed zoning / land use of property, within the City of Fulshear, as identified in this application.

THIS AUTHORIZATION WILL REMAIN IN FORCE UNLESS REVOKED BY WRITTEN NOTICE.

X OWNER'S SIGNATURE of the above described property: 

OWNER'S NAME (printed) MARK ROSNEY & APRIL SWAN-ROSNEY

ADDRESS: 15 Floral Hills Lane, Fulshear, TX 77441

TELEPHONE: _____ EMAIL: _____
832-945-0500 markrosney@outlook.com

Continued.... Request Proposal and Description

Extend our existing concrete patio and add a free-standing (not attached to building) pergola patio cover over the patio extension. Patio cover will be designed and built to comply with all local building codes including the ability to withstand a minimum of 135MPH winds.

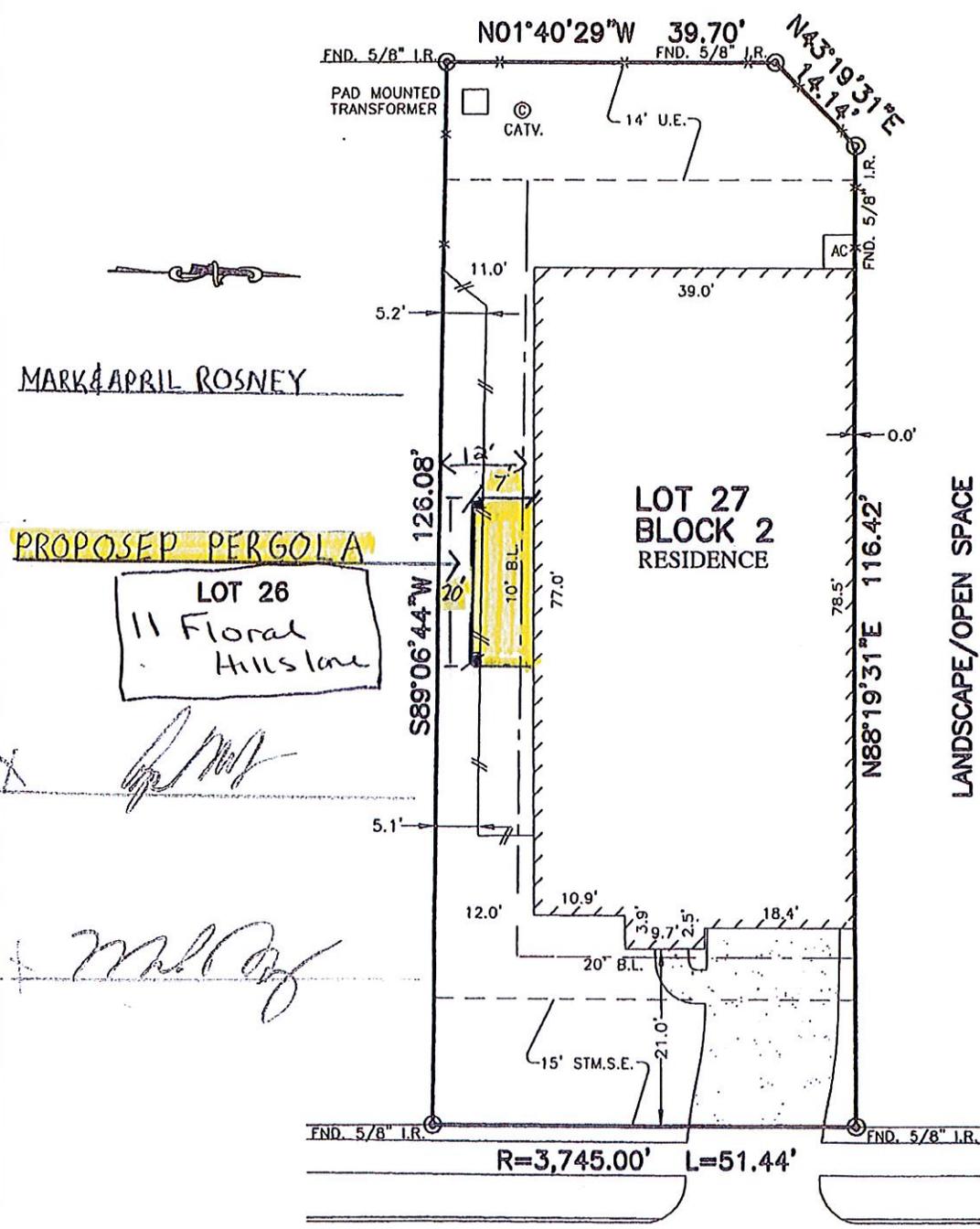
130 MPH

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

X Signed by the Applicant/Owner Agent:  Date: October 31, 2017

LEGEND		ELEV.		(B.O.)		E		T		P	
—//—	WOODEN FENCE	T.O.F.	TOP OF FORM	FND.	FOUND	ELECTRIC BOX	TELEPHONE PEDESTAL	□	PAD MOUNTED TRANSFORMER	⊞	GRATE DRAIN
—/—/—	WROUGHT IRON FENCE	F.F.	FINISHED FLOOR	I.R.	IRON ROD	⊙	FIRE HYDRANT	⊞	GAS METER	⊞	GAS METER
—○—	CHAIN LINK FENCE	EXT.	EXTENDED	I.P.	IRON PIPE	⊞	POLE	⊞	MANHOLE	⊞	MANHOLE
—E—	OVERHEAD ELECTRIC	PVT.	PRIVATE	R.O.W.	RIGHT-OF-WAY	⊞	WATER VALVE	⊞	GUY ANCHOR	⊞	POWER POLE
—B.L.—	BUILDING LINE	CONC.	CONCRETE	BLDO.	BUILDING	⊞	PROPERTY CORNER	⊞			
—U.E.—	UTILITY EASEMENT	S.S.E.	SANITARY SEWER EASEMENT	D.E.	DRAINAGE EASEMENT						
—EASEMENT		STM.S.E.	STORM SEWER EASEMENT	E.E.	ELECTRIC EASEMENT						

LANDSCAPE/OPEN SPACE



MARK & APRIL ROSNEY

PROPOSED PERGOLA

LOT 26
11 Floral Hills Lane

LOT 27
BLOCK 2
RESIDENCE

LANDSCAPE/OPEN SPACE

15 FLORAL HILLS LANE
(50' R.O.W.)

- NOTES:
1. ALL BEARINGS SHOWN HEREON ARE BASED ON THE RECORDED PLAT.
 2. SUBJECT TO APPLICABLE RESTRICTIVE COVENANTS LISTED IN ITEM NO. 1, SCHEDULE "B" OF TITLE

FLOOD MAP:
THIS PROPERTY LIES IN ZONE "X"
AS DEPICTED ON COMMUNITY PANEL
NO. 48157 C0085 L, DATED: 4-2-14

BY A.P.C. SURVEY



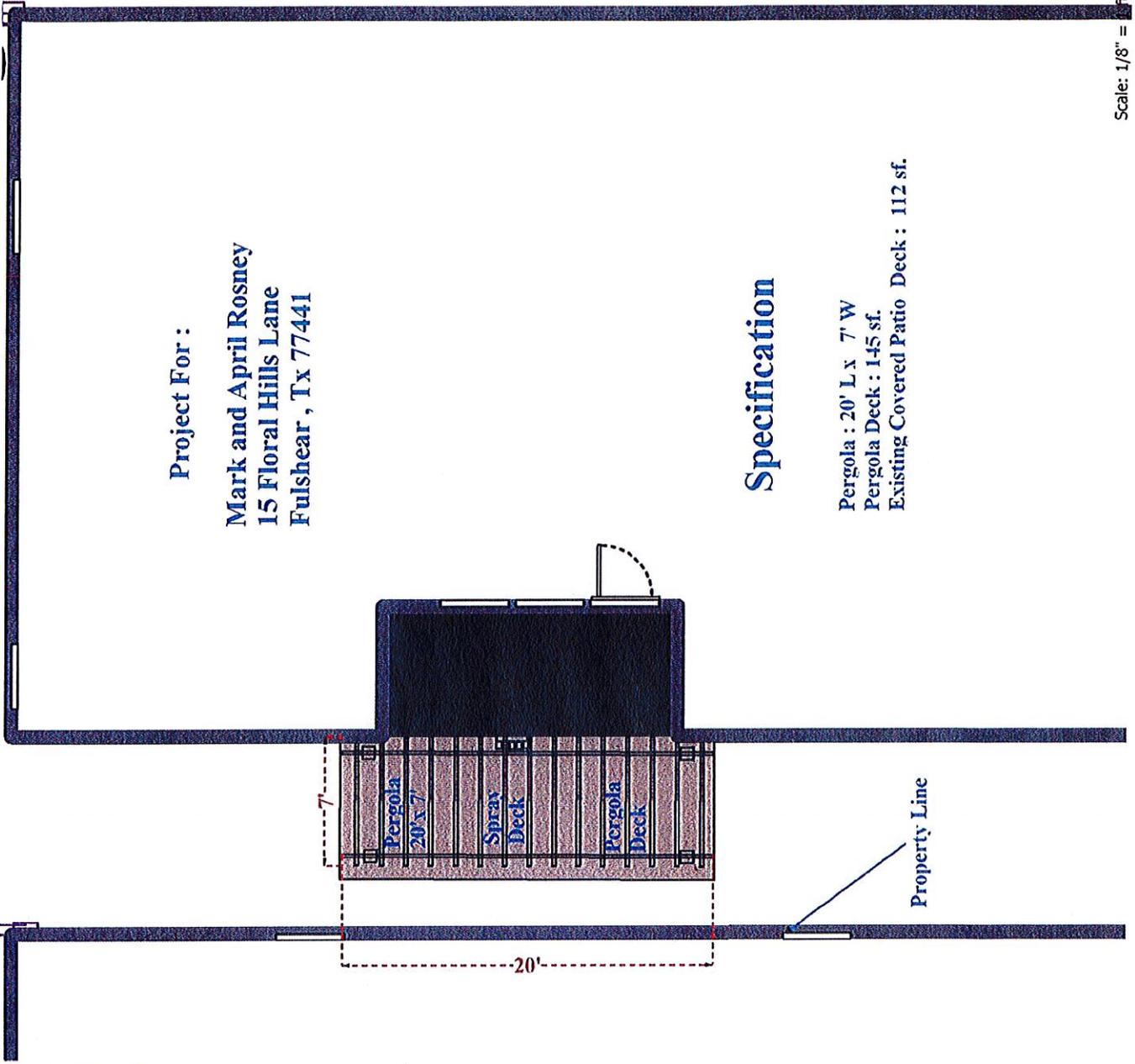
Neighbors House
#11 Floral Hills Lane

Project For :

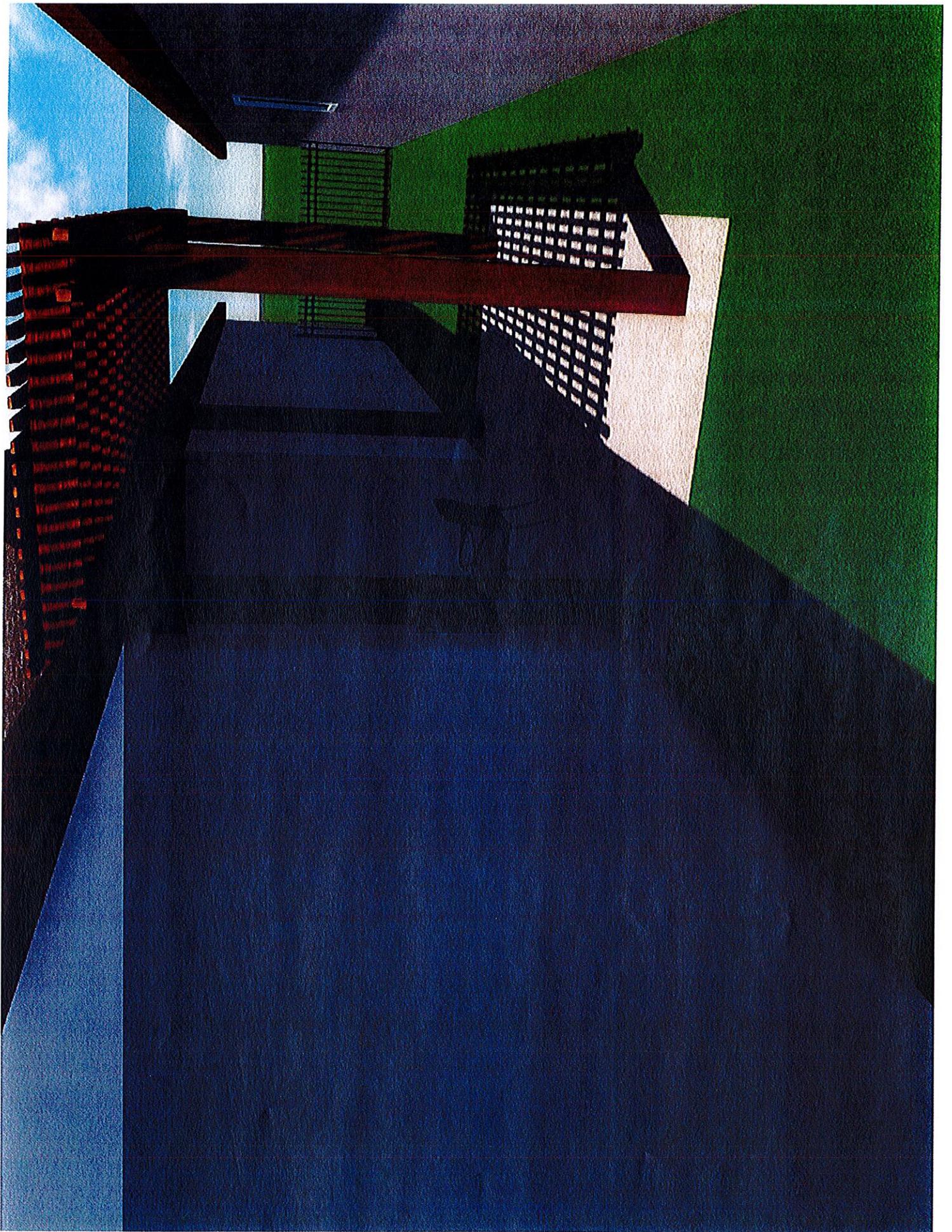
Mark and April Rosney
15 Floral Hills Lane
Fulshear, Tx 77441

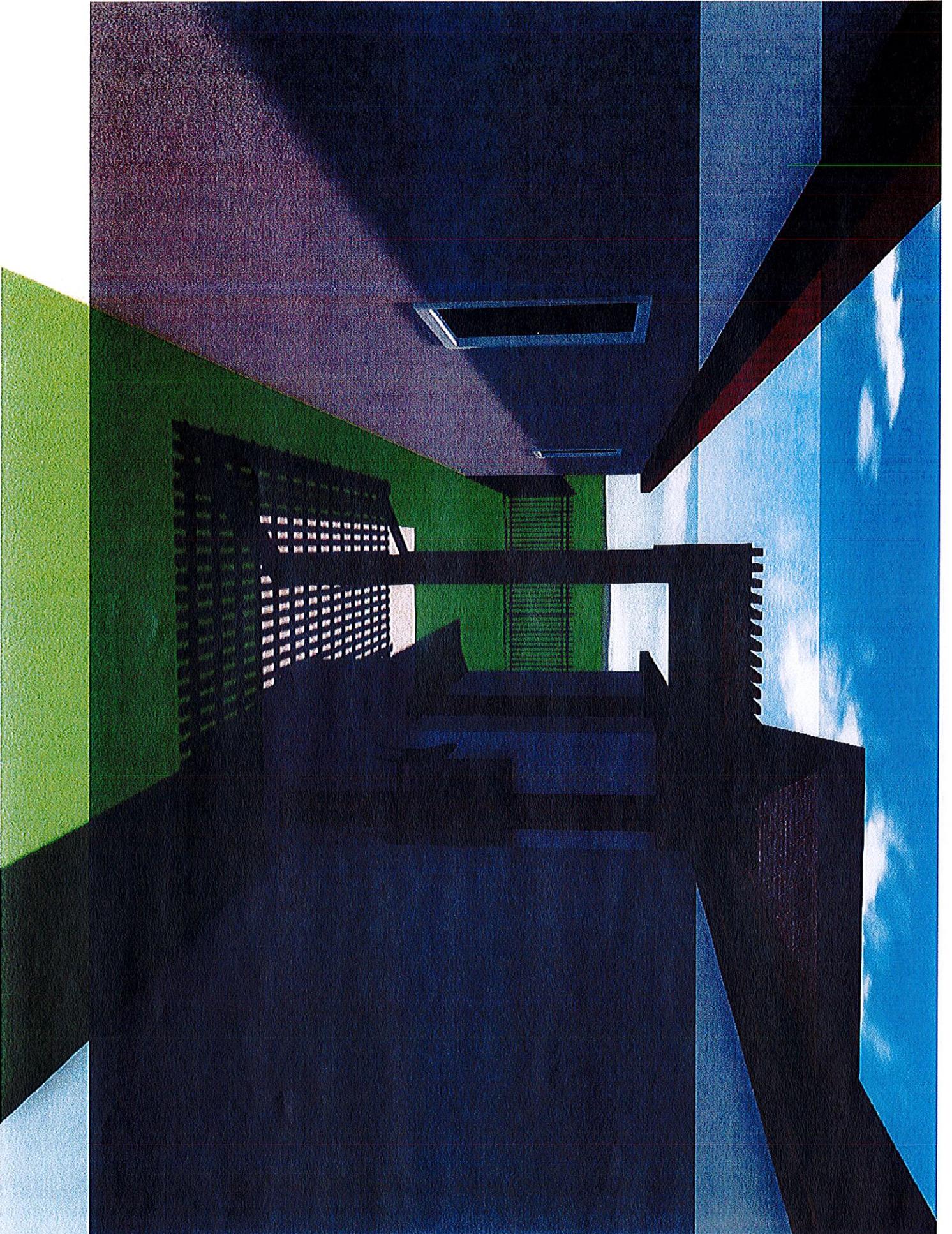
Specification

Pergola : 20' L x 7' W
Pergola Deck : 145 sf.
Existing Covered Patio Deck : 112 sf.

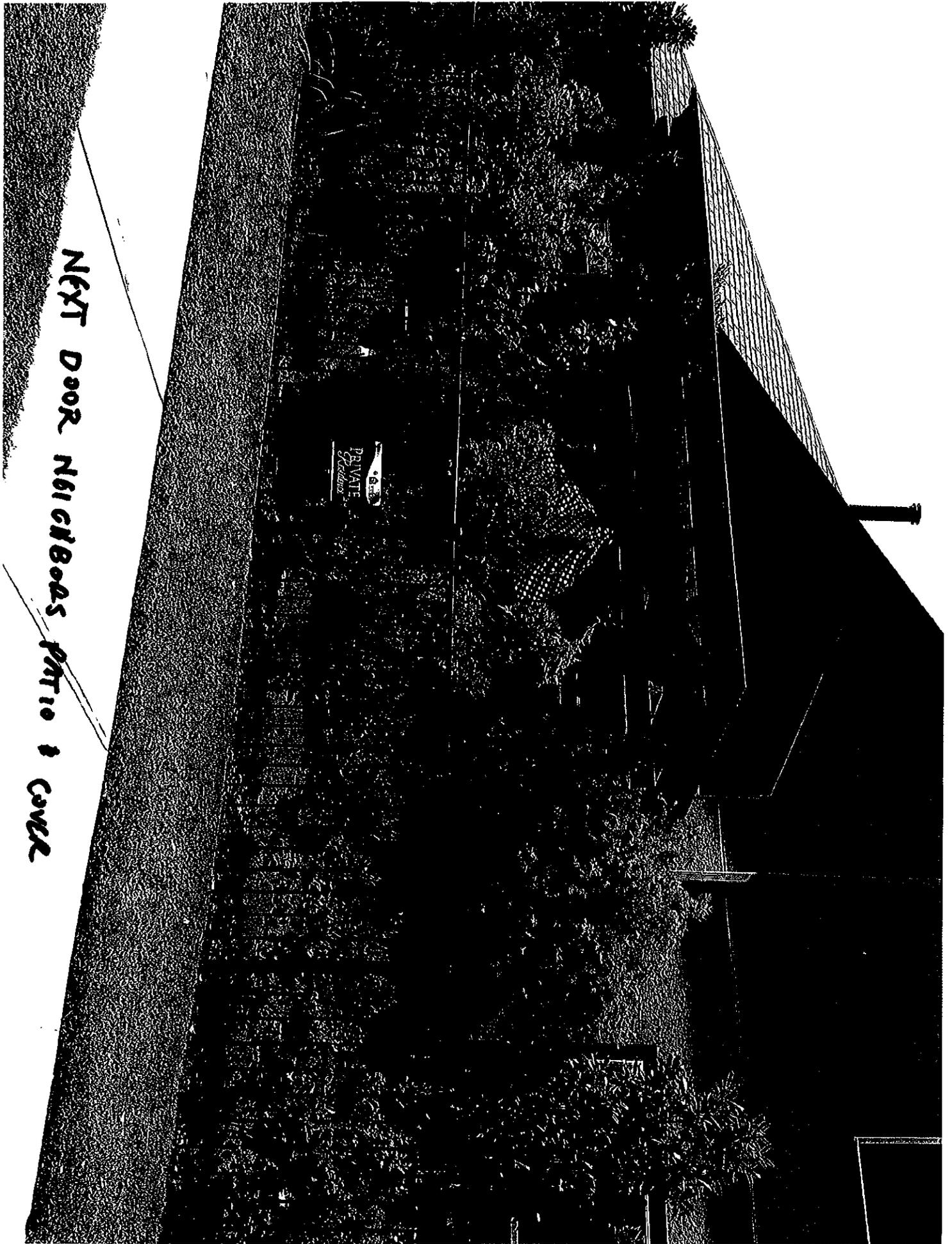


Scale: 1/8" = 1 ft.





NEXT DOOR NEIGHBOORS PHOTO & COVER





NEFT DOOR NEIGHBOUR'S PATIO & COVER

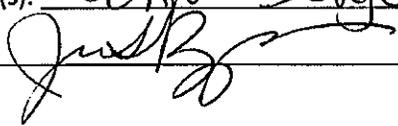
Next-Door Neighbor Approval

For construction of:

7' Patio Extension and Pergola Patio Cover at 15 Floral Hills Lane, Fulshear TX 77441

I have reviewed the plans for the project and grant my approval to proceed.

Homeowner Name(s): Joan Berger

Signature (s): 

Address:

11 Floral Hills Lane

Fulshear, TX 77441

Phone: 281-242-5522

Email: joan.berger@comcast.net



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www.fulsheartexas.gov

11/17/2017

Notice of Variance Request

TO WHOM IT MAY CONCERN;

In compliance with the City of Fulshear Zoning Ordinance Number 2012-1069, the Planning and Zoning Commission will hear a variance request for a side property setback, the meeting will be on December 8, 2017 at 8:30 a.m. in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093, at which time and place all interested persons will be given an opportunity to be heard.

The location of the premises in question is located within the Cross Creek Ranch Subdivision at 15 Floral Hills Lane. (The Pond at Cross Creek Ranch, Block 2, Lot 27)

The applicant is seeking a variance to the side setback of 10 feet as required in Section 1-163 (5) (D). Specific relief is requested to allow a pergola to be built within 5ft of the 10-foot side set back.

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

Sincerely,

Michelle Killebrew
Building Official



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

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

www.fulsheartexas.gov

Variance Request for 15 Floral Hills Lane

This letter was mailed to the following property owners:

Joel Berger
11 Floral Hills Lane

Edwin R Jr Busch
7 Floral Hills Lane

Chang Wang
3 Floral Hills Lane

Louis Mayeux
35 Sweet Creek Lane

John Shaw
39 Sweet Creek Lane

Parley Acker
9908 Hanford Drive
Denton TX 76207

Linda Johnson
10 Floral Hills Lane

Patricia Carroll
14 Floral Hills Lane

Lek Mui Lim
18 Floral Hills Lane

Kyle Booker
22 Floral Hills Lane

Sitterle Homes
2015 Evans Rd Suite 100
San Antonio TX 78258

Richard Hartz



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30 Floral Hills Lane

Dwight Brown
47 Floral Hills Lane

John McCoy
51 Floral Hills Lane

James Speer
55 Floral Hills Lane

Henry Keil III
59 Floral Hills Lane

Dale Labeau
63 Floral Hills Lane

Susan Harris
67 Floral Hills Lane

Cross Creek Ranch Community Association Inc
CIA Services PO BOX 63178
Pipe Creek Texas 78063

David Lee Tope
42 Sweet Creek Lane

Nancy Walker
46 Sweet Creek Lane

Richard Grasshoff
43 Sweet Creek Lane

Clay Border
2 Floral Hills Lane

Notice of Variance Request

In compliance with the City of Fulshear Zoning Ordinance Number 2012-1069, the Planning and Zoning Commission will hear a variance request for a side property setback, the meeting will be on December 8, 2017 at 8:30 a.m. in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093, at which time and place all interested persons will be given an opportunity to be heard.

The location of the premises in question is located within the Cross Creek Ranch Subdivision at 15 Floral Hills Lane. (The Pond at Cross Creek Ranch, Block 2, Lot 27)

The applicant is seeking a variance to the side setback of 10 feet as required in Section 1-163 (5) (D). Specific relief is requested to allow a pergola to be built within 5ft of the 10-foot side set back.

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

PUBLISHER'S AFFIDAVIT

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)
ON Back

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

11-27

_____, A.D. 2017



Lee Hartman
Publisher

SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

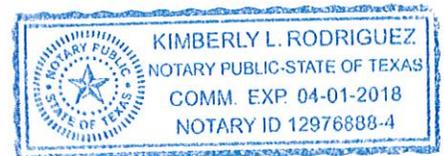
X a) is personally known to me, or

_____ b) provided the following evidence to establish his/her identity, _____

on this the 29 day of November, A.D. 2017 to certify which witness my hand and seal of office.



Notary Public, State of Texas



Notice of Variance Request

In compliance with the City of Fulshear Zoning Ordinance Number 2012-1069, the Planning and Zoning Commission will hear a variance request for a side property setback, the meeting will be on December 8, 2017 at 8:30 a.m. in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093, at which time and place all interested persons will be given an opportunity to be heard.

The location of the premises in question is located within the Cross Creek Ranch Subdivision at 15 Floral Hills Lane (The Pond at Cross Creek Ranch, Block 2, Lot 27)

The applicant is seeking a variance to the side setback of 10 feet as required in Section 1-163 (5) (D). Specific relief is requested to allow a pergola to be built within 5ft of the 10-foot side setback.

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

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

AGENDA OF:	January 5, 2018		
DATE SUBMITTED:	January 3, 2018	DEPARTMENT:	Planning and Development
PREPARED BY:	Sharon Valiante, Public Works Director, Michelle Killebrew Building Official, Brant Gary, Executive Director of Planning and Development	PRESENTER:	David Leyendecker, City Engineer
SUBJECT:	Plat Summaries for Planning and Zoning Commission		
ATTACHMENTS:	City Engineer's Engineering Reviews: Final Plats for –Fullbrook Section 5C (replat/Riverbluff Court), Bonterra at Cross Creek Ranch Section 2 (Partial Replat), Bonterra at Cross Creek Ranch Section 5 (2 nd review); Preliminary Plats for Polo Ranch Boulevard Street Dedication Section 1, Polo Ranch Section 1, Polo Ranch Section 2, Polo Ranch Section 3 (Removed by applicant)		

EXECUTIVE SUMMARY

The Planning and Zoning Commission has for its consideration the plats for:

- Fullbrook Section 5C – Final Plat (Replat of Riverbluff Ct)
- Bonterra at Cross Creek Ranch Section 2 – Partial Replat/Final Plat
- Bonterra at Cross Creek Ranch Section 5 – Final Plat (2nd Review)
- ~~Polo Ranch Boulevard Section One Preliminary Plat Removed by applicant~~
- ~~Polo Ranch Section 1 Preliminary Plat Removed by applicant~~
- ~~Polo Ranch Section 2 Preliminary Plat Removed by applicant~~
- ~~Polo Ranch Section 3 Preliminary Plat Removed by applicant~~

The plats, as submitted for consideration, generally meet the requirements set forth in the City's Subdivision Ordinance No. 04-913 and/or 013-1091, which is in alignment with Chapter 21, Texas Local Government Code. Plat comments noted in the City Engineer's report are minor in nature and pose no major concerns that would warrant a negative recommendation.

RECOMMENDATION

After staff review of the City Engineer's report, staff recommends the Planning and Zoning Commission provide a positive recommendation for approval of all the plats submitted herein for consideration with exceptions/requirements as noted.

CITY OF FULSHEAR
Registration & Permit Department
Ph: (281) 346- 1796 fax: (281) 346-2556
30603 FM 1093 P.O. Box 279 Fulshear, TX 77441

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Fulbrook Sec. 5C Replat No. 1 / Final Plat
(Previously named: Riverbluff Court (Replat)/Final Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: 1-2-2018

City Secretary

Processed
 Returned for additional data

BY: K. Keyf DATE: 12-20-2017

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____



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

Subdivision/Development Platting Application

Date: 12/20/17

Date Received by the City of Fulshear: _____

Subdivision: _____ Development: Fulbrook Sec 5C Replat No 1

SUBMITTAL OF PLAT: (Check Appropriate Selection)

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

TYPE OF PLAT: (Check Appropriate Selection)

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

Plat Location: City ETJ (Extraterritorial Jurisdiction)

Legal Description: _____

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

Total Acreage: 2.81
 Number of Streets: _____
 Number of Lots: 0
 Number and Types of Reserves: 1
 Total Acres in Reserve: 2.81

Owner: Ryan and Shannon McGeachie
 Address: 10806 Pebblecreek Crossing
 City/State: Katy, TX 77494
 Telephone: 281-396-4690
 Email Address: ryan.mcgeachie@bp.com

Engineer/Planner: Windrose Land Services
 Contact Person: Lacey Skelton
 Telephone: 713-458-2281
 Fax Number: 713-461-1151
 Email Address: lacey.skelton@windroseservices.com

Platting Fees	
Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre	
Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre	
Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre	
Amending or Minor Plat - \$200.00	
Plat Vacation - \$500.00	
2 nd Review of plats - \$100.00 (each additional review)	
TOTAL PLATTING FEE	<u>\$775.25</u>
Park Fees (due at Final Plat Application)	_____

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

Lacey Bell Lacey Bell 12/20/17
 SIGNATURE TYPED OR PRINTED NAME/TITLE DATE

January 2, 2018

Engineering Review

Revised Final Plat
Fulbrook Section 5C Replat No. 1
Fort Bend County, Texas

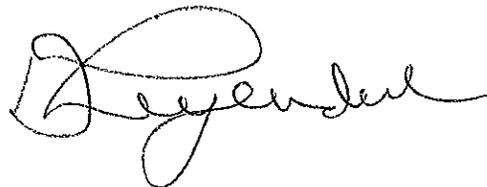
For Information only:

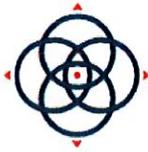
1. This plat will create one large Lot (2.813 acres) by replatting two (2) smaller existing lots.
2. This tract has access to Riverlake Road along its Northwest line and to River Bluff Court along its Southwest line.
3. This tract is located in the ETJ of the City of Fulshear and as such the plat will need approval of both the City of Fulshear and Fort Bend County.

Recommendations:

I recommend that this Revised Final Plat of Fulbrook Section 5C Replat No. 1 be approved with the following correction/additions:

- A) The blanks in Note #6 need to be filled in.
- B) The City Planning Letter shows that there is an easement to Fort Bend County Drainage District. This needs to be addressed.





WINDROSE
LAND SURVEYING | PLATTING

LETTER OF TRANSMITTAL

TO:	Comcast 7033 Airport Rd. Houston, TX 77061	FROM:	Samantha Vickroy
		DATE:	December 20, 2017
ATTN:	Subdivision/Plat Review Contact	WJN	53982-101938
PHONE:		FAX:	
PROJECT:	Riverbluff Court		

ITEM#	COPIES	DESCRIPTION
1	1	Copy of plat for review

REMARKS:

NOTICE: This correspondence serves as notice that the property owner identified on the attached subdivision application and associated plat document has filed said application and plat with the City with the intent to subdivide the subject property for the purposes of light industrial or commercial uses. Notice is being provided to you, a utility company or companies, whether public or private, in accordance with City Code of Ordinances. If this notice does not reach your organization's subdivision/plat review contact, please notify me immediately.

Sincerely,
Samantha Vickroy
Platting Project Coordinator

U.S. Mail	
FedEx	
Courier	
Hot Shot	
Request Time:	
ASAP	2hr 4hr 6hr

**TEXAS ABSTRACT SERVICES
167 Pine Post Cove
Driftwood, Texas 78619**

CITY PLANNING LETTER

December 1, 2017

Control No. 20830

Ms. Samantha Vickroy
Windrose Land Surveying
3200 Wilcrest, Suite 325
Houston, Texas 77042

Job No. 53982-101938

SUBJECT PROPERTY: A tract of land containing 2.81 acres or 122,551 square feet, being all of Lots 16 and 17, in Block 1 of Fulbrook, Section 5 "C", according to the map or plat thereof recorded under Clerk's File No. 20130183, of the Fort Bend County Plat Records.

Dear Ms. Vickroy:

At your request, we have searched the records of the County Clerk of Fort Bend County, Texas, pertaining to the property referenced above and have determined the following:

OWNERSHIP: Ryan McGeachie and wife Shannon McGeachie, by General Warranty Deed dated August 1, 2016, recorded under Clerk's File No. 2016083707 (As to Lot 17) and by General Warranty Deed dated August 10, 2016, recorded under Clerk's File No. 2016087606 (As to Lot 16). Said deed amended by Correction Affidavit As To A Recorded Original Instrument, recorded under Clerk's File No. 2017013844.

RESTRICTIONS: Restrictive covenants set out on the plat of Fulbrook, Section 5 "B", recorded under Clerk's File No. 20100077, Plat Records and by the plat of Fulbrook, Section 5 "C", recorded under Clerk's File No. 20130183, Plat Records and those set out in instruments recorded Clerk's File No.s 1999051521, 2005075239, 2006070090, 2013104664 and 2015005478.

LIENS: None of record.

INVOLUNTARY LIENS: None of record.

EASEMENTS: Fort Bend County Drainage District Easement dated May 24, 1999, granted to the Fort Bend County Drainage District, recorded under Clerk's File No. 1999075620.

continued

Job No. 53982-101938

Page 2

Easement For Certain Utilities dated November 4, 2010, granted to CenterPoint Energy Houston Electric, LLC, CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations, Southwestern Bell Telephone Company, d/b/a AT&T Texas and Comcast Of Houston, LLC , recorded under Clerk's File No. 2010114621.

OTHER: None of record.

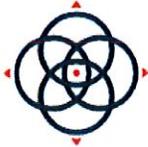
The liability of TEXAS ABSTRACT SERVICES for mistakes or errors is hereby limited to the cost of this certificate.

Certified through October 27, 2017.

TEXAS ABSTRACT SERVICES

A handwritten signature in black ink, appearing to read "Charles Williams", written in a cursive style.

Charles Williams



WINDROSE
LAND SURVEYING | PLATTING

LETTER OF TRANSMITTAL

TO:	Verizon 2611 45 th Street Dickson, TX 77539	FROM:	Samantha Vickroy
		DATE:	December 20, 2017
ATTN:	Subdivision/Plat Review Contact	WJN	53982-101938
PHONE:		FAX:	
PROJECT:	Riverbluff Court		

ITEM#	COPIES	DESCRIPTION
1	1	Copy of plat for review

REMARKS:

NOTICE: This correspondence serves as notice that the property owner identified on the attached subdivision application and associated plat document has filed said application and plat with the City with the intent to subdivide the subject property for the purposes of light industrial or commercial uses. Notice is being provided to you, a utility company or companies, whether public or private, in accordance with City Code of Ordinances. If this notice does not reach your organization's subdivision/plat review contact, please notify me immediately.

Sincerely,
Samantha Vickroy
Platting Project Coordinator

U.S. Mail	
FedEx	
Courier	
Hot Shot	
Request Time:	
ASAP	2hr 4hr 6hr



DRAINAGE DISTRICT
Fort Bend County, Texas

October 20, 2017

Ms. Lacey Bell
Windrose Land Survey & Platting
3200 Wilcrest, Ste 325
Houston, TX 77042
Ph.: (713) 458-2281

Re: Fulbrook Sec. 5C Replat – Riverbluff Court

Dear Ms. Bell:

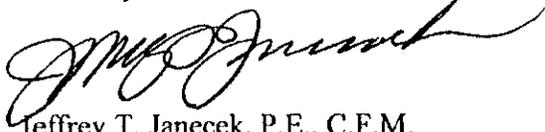
The Fort Bend County Drainage District has received the above referenced replat for review and comment. The following items will need to be addressed prior to Drainage District approval:

- 1) Provide a “Minimum Slab Elevation Analysis” for this specific tract.
- 2) Add the Minimum Slab Elevation note to the plat stating, “The minimum slab elevation shall be _____ feet above Mean Sea Level, or at least two feet above natural ground, whichever is higher.”
- 3) Add natural ground contours at minimum 1’ intervals.
- 4) Add the following rural subdivision plat note: “This subdivision employs a natural drainage system which is intended to provide drainage for the subdivision that is similar to that which existing under pre-development conditions. Thus, during large storm events, ponding of water should be expected to occur in the subdivision to the extent it may have prior to development, but should not remain for an extended period of time.”
- 5) Add the following drainage easement plat notes:
 - a. “All drainage easements shall be kept clear of fences, buildings, vegetation and other obstructions for the purpose of the operation and maintenance of the drainage facility by the appropriate entity.”
 - b. “All property to drain into the drainage easement only through an approved drainage structure”.
- 6) Provide a final copy of the plat stamped and signed by the engineer.

The items listed above shall be addressed prior to our releasing the Drainage District approval form to the Fort Bend County Engineering Department.

Please give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey T. Janecek', written in a cursive style.

Jeffrey T. Janecek, P.E., C.F.M.
First Assistant to the Chief Engineer
Fort Bend County Drainage District

cc: Ms. Maggie Dalton– Fort Bend County Engineering Department

CITY OF FULSHEAR
Registration & Permit Department
Ph: (281) 346- 1796 fax: (281) 346-2556
30603 FM 1093 P.O. Box 279 Fulshear, TX 77441

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Bonterra at Cross Creek Ranch Section 2 - Partial Replat No. 1 /
Final Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: 1-2-2018

City Secretary

Processed
 Returned for additional data

BY: X-767f DATE: 12-21-2017

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

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

www.fulsheartexas.gov

Subdivision/Development Platting Application

Date: 12/22/2017

Date Received by the City of Fulshear: _____

Subdivision: BONTERRA AT CROSS CREEK RANCH SECTION TWO Development: CROSS CREEK RANCH
PARTIAL REPLAT NO. 1

SUBMITTAL OF PLAT: (Check Appropriate Selection)

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

TYPE OF PLAT: (Check Appropriate Selection)

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

Plat Location: City ETJ (Extraterritorial Jurisdiction)

Legal Description: 0.4728 ACRES OF LAND IN THE M. AUTREY SURVEY, A-100

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

Total Acreage: 0.4728
Number of Streets: 0
Number of Lots: 1
Number and Types of Reserves: 1
Total Acres in Reserve: 0.2103

Owner: CCR LOAN SUBSIDIARY 1, L.P.
Address: 5005 RIVERWAY, STE. 500
City/State: HOUSTON, TX 77056
Telephone: 713-960-9977
Email Address: _____

Engineer/Planner: BGE, INC.
Contact Person: TREY DEVILLIER
Telephone: 713-488-8204
Fax Number: 281-558-9701
Email Address: tdevillier@bgeinc.com

Platting Fees	
Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre	
Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre	
Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre	
Amending or Minor Plat - \$200.00	
Plat Vacation - \$500.00	
2 nd Review of plats - \$100.00 (each additional review)	
TOTAL PLATTING FEE	<u>\$516.82</u>
Park Fees (due at Final Plat Application)	_____

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

SIGNATURE

Trey DeVillier

TYPED OR PRINTED NAME/TITLE

12/22/2017

DATE

January 2, 2018

Engineering Review

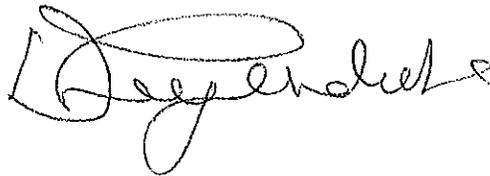
Final Plat
Bonterra at Cross Creek Ranch Section 2
Partial Replat No. 1
City of Fulshear, Texas

For Information only:

1. This plat will create one (1) lot in one (1) Block with one (1) Reserve that covers a total area of .4728 acres.
2. The typical lot for this section are 85-foot by 142-foot with a 20-foot Front Building Line.
3. Access to this Section is provided by an extension of Pedernales Bend Lane
4. The streets in this section are shown to be private along with the storm sewer system.
5. This section was previously submitted with 50-foot wide lots in 2016.

Recommendations:

I recommend approval of this Final Plat of Bonterra at Cross Creek Ranch Section 2 Partial Replat No. 1 be approved as submitted.





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

December 12, 2017

City Planning Commission
402 Morton Street
Richmond, TX 77469

File No.: 1750732CPL

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 30th day of November, 2017, the last Deed that we find, of record, reflects the record owner to be:

CCR LOAN SUBSIDIARY 1, L.P., by virtue of Deed recorded under Clerk's File No. 2014024650 of the Official Records of Fort Bend County, Texas.

Legal Description:

DESCRIPTION OF A 0.4728 ACRE TRACT OF LAND SITUATED
IN THE M. AUTREY SURVEY, ABSTRACT NO. 100
CITY OF FULSHEAR
FORT BEND COUNTY, TEXAS

BEING a 0.4728 acre (20,594 square foot) tract of land situated in the M. Autrey Survey, Abstract No. 100, City of Fulshear, Fort Bend County, Texas and being all of Lot 1 of Block 3 of BONTERRA AT CROSS CREEK RANCH SECTION TWO, a subdivision per plat recorded under Plat No. 20170193 of the Fort Bend County Plat Records (F.B.C.P.R.) and a portion of Reserve "B" of said BONTERRA AT CROSS CREEK RANCH SECTION TWO, and a portion of a called 25.30 acre tract of land described in an instrument to CCR Loan Subsidiary 1, LP recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2014024650, said 0.4728 acre tract of land described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "Brown & Gay" found for the common corner of said Lot 1 and Lot 2 of said Block 3, lying on the Westerly right-of-way line of Pedernales Bend Lane (60 feet wide) as shown on said BONTERRA AT CROSS CREEK RANCH SECTION TWO and being the beginning of a curve to the left from which its center bears N 85°04'26" E, 330.00 feet;

THENCE, in a Southerly direction, along said Westerly right-of-way line and said curve to the left, a distance of 69.88 feet, having a radius of 330.00 feet, a central angle of 12°07'57" and a chord which bears S 10°59'33" E, 69.75 feet to a 1/2-inch iron pipe with cap stamped "BGE INC" set for the Southeast corner of the herein described tract;

THENCE, S 70°08'33" W, a distance of 148.68 feet over and across said 25.30 acre tract to a 1/2-inch iron pipe with cap stamped "BGE INC" set for the Southwest corner of the herein described tract, lying on the Easterly right-of-way line of West Cross Creek Bend Lane (70 feet wide) as shown on WEST CROSS CREEK BEND LANE EXTENSION NO. 2, a subdivision per plat recorded under Plat No. 20150234 and being the beginning of a non-tangent curve to the left from which its center bears S 67°02'19" W, 2,535.00 feet;

THENCE, in a Northwesterly direction, along said Easterly right-of-way line and said curve to the left, a distance of 202.79 feet, having a radius of 2,535.00 feet, a central angle of 04°35'00" and a chord which bears N 25°15'11" W, 202.73 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the Northwest corner said Reserve "B" and the herein described tract, same being the Southeast corner of BONTERRA AT CROSS CREEK RANCH SECTION ONE, a subdivision per plat recorded under Plat No. 20150283 of the F.B.C.P.R.;

THENCE, N 62°27'19" E, a distance of 100.70 feet along and with the common line of said Reserve "B" and said BONTERRA AT CROSS CREEK RANCH SECTION ONE to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the North corner of said Reserve "B" lying on the Westerly line of Lot 3 of said Block 3;

THENCE, S 10°20'49" W, a distance of 98.49 feet to a 1/2-inch iron rod with cap stamped "Brown & Gay" found for an interior corner of said Reserve "B", lying on the Westerly line of said Block 3;

THENCE, S 13°49'22" E, a distance of 26.48 feet along and with the common line of said Reserve "B" and said Block 3 to a 1/2-inch iron rod with cap stamped "Brown & Gay" found for the common West corner of said Lots 1 and 2;

THENCE, N 85°04'26" E, a distance of 135.60 feet along and with the common line of said Lots 1 and 2 to the **POINT OF BEGINNING** and containing 0.4728 of one acre (20,594 square feet) of land.

Note: Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes.

Subject to the following:

1. Restrictions:

Restrictive Covenants as set forth in/under Plat No. 20170193 of the Map/Plat Records of Fort Bend County, Texas as set forth under Clerk's File No. 2005003096, 2009026093 and 2010127400 of the County Clerk Official Records of Fort Bend County, Texas.

2. Easements/Other Exceptions:

All easements, building lines and public dedications established in plat recorded in/under Plat No. 20170193 of the Map/Plat Records of Fort Bend County, Texas.

Sanitary sewer easement granted to Fort Bend County Municipal Utility District No. 169, as set forth in instrument recorded in/under Clerk's File No. 2015131340 of the Official Public Records of Fort Bend County, Texas.

An exclusive, perpetual easement, for the following purposes: (i) to CNP Electric, an easement for electric distribution and related communication facilities, (ii) to AT&T, an easement for telephone, fiber and/or cable communication facilities and (iii) to Comcast, an easement for telephone, fiber and/or cable communication facilities, together within the easement area(s), 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 collectively referred to as the "Facilities", as set forth in instrument recorded in/under Clerk's File No. 2017130645 of the Official Public Records of Fort Bend County, Texas.

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

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

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

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

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

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

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

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

Agreement for Underground Electric Service recorded in/under Clerk's File No. 2017076645 of the Official Public Records of Fort Bend County, Texas.

3. Liens/Misc:

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

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

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

Lienholder's Subordination to Dedication, as set forth in instrument recorded under Clerk's File No. 2017102420 of the Official Public Records of Fort Bend County, Texas.

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

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

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

Lienholder's Subordination to Dedication, as set forth in instrument recorded under Clerk's File No. 20171024219 of the Official Public Records of Fort Bend County, Texas.

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

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

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

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

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

Sincerely,
Stewart Title Company



Brenda Bean
Title Officer

LIENHOLDER'S SUBORDINATION TO DEDICATION

THE STATE OF TEXAS
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, CCR TEXAS HOLDINGS LP, a Delaware limited partnership, has platted that certain 12.16 acres of land out of the A.G. Sharpless Survey, Abstract 322, Fort Bend County, Texas, which property was surveyed and platted on _____ by, Brown & Gay Engineers, Inc., DBA BGE, Inc., and known as BONTERRA AT CROSS CREEK RANCH SECTION FIVE, recorded at Plat Number _____ in the Plat Records of the Office Public Records of Real Property of Fort Bend County, Texas; and

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

EXECUTED this the _____ day of _____, 2018.

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

By: _____

Printed Name: _____

Title: _____

PROVINCE OF ONTARIO
COUNTRY OF CANADA

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

GIVEN under my hand and Notary Seal, this _____ day of _____, 2018

Notary Public
My commission expires: _____

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

LIENHOLDER'S SUBORDINATION TO DEDICATION

THE STATE OF TEXAS
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, CCR LOAN SUBSIDIARY I, L.P., a Texas limited partnership, has platted that certain 12.16 acres of land out of the A.G. Sherpless Survey, Abstract 322, Fort Bend County, Texas, which property was surveyed and platted on _____ by, Brown & Gay Engineers, Inc., DBA BGE, Inc., and known as BONTERRA AT CROSS CREEK RANCH SECTION FIVE, recorded at Plat Number _____ in the Plat Records of the Office Public Records of Real Property of Fort Bend County, Texas; and

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

EXECUTED this the _____ day of _____, 2018.

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

By: _____
Printed Name: _____
Title: _____

STATE OF TEXAS

COUNTY OF _____

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2018.

Notary Public in and for the State of Texas

My commission expires: _____

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



December 7, 2017

City of Fulshear
30603 FM 1093
Fulshear, TX 77441

Re: Bonterra At Cross Creek Ranch Section 5

To Whom It May Concern:

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

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

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

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

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

If there are any questions, please contact LaWanda J. Grant at 713.207.6539.

Sincerely,

A handwritten signature in black ink that reads "LaWanda J. Grant". The signature is written in a cursive, flowing style.

LaWanda J. Grant, SR/WA
Senior Right of Way Agent

C: Trey DeVillier <tdevillier@bgeinc.com>

PLR16.269A



Southwest OSPE
1110 Louise St
Rosenberg, Texas 77471

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

December 12, 2017

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

Re: BONTERRA AT CROSS CREEK RANCH SECTION FIVE (revised boundary)
No Objection Letter

Dear Mr. DeVillier:

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

Sincerely,

A handwritten signature in cursive script that reads "Michael Jones".

Michael Jones
Manager Engineering - Design



July 29, 2016

Mr. Trey DeVillier
Platting Technician
Brown and Gay Engineers, Inc.
10777 Westheimer
Houston, Texas 77042

Re: Request for Comcast service availability for Bonterra at Cross Creek Ranch
Sections Five and Six.

To Whom It May Concern,

Please accept this letter as notification that Comcast of Houston LLC, herein referred to as Comcast has facilities or can build facilities to Bonterra at Cross Creek Ranch Sections Five and Six as of July 29, 2016, to serve the project, with Comcast Cable if the project is a "Joint Trench" development with the Center Point Energy partners or if built as a "Non-Joint Trench", if cost is within our payback model. If pay back model is not meet then customer contribution may be required to complete construction.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Grey".

Chris Grey
Construction Supervisor, Design and Serviceability

CITY OF FULSHEAR
Registration & Permit Department
Ph: (281) 346- 1796 fax: (281) 346-2556
30603 FM 1093 P.O. Box 279 Fulshear, TX 77441

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Bonterra at Cross Creek Ranch Section 5 / Final Plat (2nd Review)

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: 1-2-2018

City Secretary

Processed
 Returned for additional data

BY: KC Keys DATE: 12-21-2017

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____

January 2, 2018

Engineering Review

Revised Final Plat
Bonterra at Cross Creek Ranch Section 5
City of Fulshear, Texas

For Information only:

1. This plat will create 53 lots in three (3) Blocks with four (4) Reserves that covers a total area of 12.16 acres.
2. The typical lot for this section are 45-foot by 130-foot with a 20-foot Front Building Line.
3. Access to this Section is provided by an extension of Pedernales Bend Lane and Alpine Terrace Drive.
4. The streets in this section are shown to be private along with the storm sewer system.

Recommendations:

I recommend that this Revised Final Plat of Bonterra at Cross Creek Ranch Section 5 be approved as submitted.

A handwritten signature in cursive script, appearing to read "Leyendecker", with a large, stylized initial "C" on the left.

stewart title

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

December 05, 2017

File No.: 1690277CPL

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 28th day of November, 2017, the last Deed that we find, of record, reflects the record owner to be:

CCR LOAN SUBSIDIARY 1, L.P., a Texas limited partnership by virtue of Deed recorded under Clerk's File No. 2014024650 of the Official Records of Fort Bend County, Texas.

Legal Description:

BEING a 12.16 acre (529,649 square foot) tract of land situated in the M. Autrey Survey, Abstract No. 100, City of Fulshear, Fort Bend County, Texas and being a portion of a called 25.30 acre tract of land as described in a deed to CCR Loan Subsidiary 1, L.P. recorded under Fort Bend County Clerk's File Number (F.B..C.C.F. No.) 2014024650, said 12.16 acre tract of land described by metes and bounds as follows:

COMMENCING at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the southeast corner of said 25.30 acre tract, same being the south corner of a called 1.023 acre fence easement as recorded under F.B.C.C.F. No. 2016081170;

THENCE, N 36°31'38" W, along and with the east line of said 25.30 acre tract, a distance of 1.96 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for the **POINT OF BEGINNING** and the southeast corner of the herein described tract, same being the beginning of a curve to the right, from which its center bears N 36°37'06" W, 1,750.00 feet;

THENCE, over and across said 25.30 acre tract and along the North right-of-way line of Fulshear Bend Lane (100 feet wide) as shown on WEST CROSS CREEK BEND LANE EXTENSION NO. 2, a subdivision per plat recorded under Plat No. 20150234 of the Fort Bend County Plat Records (F.B.C.P.R.) the following courses and distances:

In a westerly direction, along said curve to the right, a distance of 1,073.78 feet, having a radius of 1,750.00 feet, a central angle of 35°09'22" and a chord which bears S 70°57'35" W, 1,057.02 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for the southerly southwest corner of the herein described tract and the point of tangency;

S 88°32'16" W, a distance of 2.23 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the southerly southwest corner of the herein described tract and said 25.30 acre tract, same being the beginning of a tangent curve to the right;

THENCE, along and with the west line of said 25.30 acre tract, same being the East right of way line of West Cross Creek Bend Lane (width varies) as shown on said WEST CROSS CREEK BEND LANE EXTENSION NO. 2 the following courses and distances:

In a northwesterly direction, along said curve to the right, a distance of 50.55 feet, having a radius of 35.00 feet, a central angle of 82°44'59" and a chord which bears N 50°05'16" W, 46.27 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the westerly southwest corner of the herein described tract and said 25.30 acre tract, and being a point of reverse curvature to the left;

In a northerly direction, along said curve to the left, a distance of 142.53 feet, having a radius of 4,050.00 feet, a central angle of 02°00'59" and a chord which bears N 09°43'16" W, 142.52 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the point of compound curvature to the left;

In a northerly direction, along said curve to the left, a distance of 58.39 feet, having a radius of 500.00 feet, a central angle of 06°41'28" and a chord which bears N 14°04'29" W, 58.36 feet to a point for corner;

N 17°25'13" W, a distance of 125.50 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the beginning of a tangent curve to the right;

In a northerly direction, along said curve to the right, a distance of 30.83 feet, having a radius of 500.00 feet, a central angle of 03°31'58" and a chord which bears N 15°39'14" W, 30.82 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the beginning of a non-tangent curve to the left from which its center bears S 76°06'45" W, 2,535.00 feet;

In a northerly direction, along said curve to the left, a distance of 401.46 feet, having a radius of 2,535.00 feet, a central angle of 09°04'26" and a chord which bears N 18°25'28" W, 401.04 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for the northwest corner of the herein described tract;

THENCE, N 70°08'33" E, a distance of 148.68 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for the beginning of a non-tangent curve to the left from which its center bears N 72°56'28" E, 330.00 feet, lying on the west right-of-way line of Pedernales Bend Lane (60 feet wide) as shown on BONTERRAAT CROSS CREEK RANCH SECTION TWO, a subdivision per plat recorded under Plat No. 20170193 of the F.B.C.P.R.;

THENCE, along and with the Southwesterly lines of said BONTERRAAT CROSS CREEK RANCH SECTION TWO, the following courses and distances:

In a southerly direction, along said curve to the left, a distance of 17.38 feet, having a radius of 330.00 feet, a central angle of 03°01'01" and a chord which bears S 18°34'02" E, 17.37 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for an interior corner of the herein described tract;

N 69°55'27" E, a distance of 60.00 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for an interior corner of the herein described tract, and the beginning of a non-tangent curve to the right, from which its center bears N 69°55'27" E, 270.00 feet;

In a northerly direction, along said curve to the right, a distance of 17.04 feet, having a radius of 270.00 feet, a central angle of 03°36'59" and a chord which bears N 18°16'04" W, 17.04 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for corner lying on the east right-of-way line of said Pedernales Bend Lane;

N 73°32'34" E, a distance of 115.00 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for an angle point in the north line of the herein described tract;

N 32°58'59" E, a distance of 15.19 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the northwest corner of the herein described tract;

S 17°11'16" E, a distance of 48.71 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for an angle point in an east line of the herein described tract;

S 20°04'28" E, a distance of 193.77 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in an east line of the herein described tract;

S 15°28'01" E, a distance of 77.27 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set point an angle point in an east line of the herein described tract;

S 16°50'46" E, a distance of 45.00 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in an east line of the herein described tract;

S 17°15'44" E, a distance of 44.99 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in an east line of the herein described tract;

S 28°52'26" E, a distance of 41.26 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point;

S 53°24'52" E, a distance of 81.69 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point;

S 86°02'50" E, a distance of 81.26 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in a north line of the herein described tract;

N 73°10'40" E, a distance of 43.43 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in the north line of the herein described tract;

N 67°11'41" E, a distance of 133.39 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in the north line of the herein described tract;

N 64°39'15" E, a distance of 88.77 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in the north line of the herein described tract;

N 60°56'05" E, a distance of 93.37 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in the north line of the herein described tract;

N 57°42'10" E, a distance of 60.00 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an interior corner of the herein described tract;

N 32°17'50" W, a distance of 31.63 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an exterior corner of the herein described tract;

N 57°42'13" E, a distance of 119.99 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for an angle point in the north line of the herein described tract;

N 12°42'13" E, a distance of 14.15 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the southeast corner of said BONTERRA AT CROSS CREEK RANCH SECTION TWO, laying on the west line of BONTERRA AT CROSS CREEK RANCH SECTION SIX, a subdivision per plat recorded under Plat No. 20170194 of the F.B.C.P.R.;

THENCE, along and with said west line, same being the east line of said 25.30 acre tract, the following courses and distances:

S 32°17'47" E, a distance of 96.44 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for an angle point;

S 33°14'01" E, a distance of 55.01 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for an angle point;

S 34°14'41" E, a distance of 70.45 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for an angle point;

S 08°24'23" E, a distance of 96.47 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found

for an angle point;

S 36°31'38" E, a distance of 64.21 feet to the **POINT OF BEGINNING** and containing 12.16 acres (529,649 square feet) of land.

Bearing orientation is based on the Texas Coordinate System, South Central Zone 4204, NAD-83 and is referenced to said 25.30 acre tract as cited herein.

Subject to the following:

1. Restrictions:

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

2. Easements/Other Exceptions:

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

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

Storm Sewer Easement granted to Fort Bend County Municipal Utility District No. 169 as set forth and described in instrument recorded under Clerk's File No. 2015131331 of the Official Records of Fort Bend County, Texas.

Sanitary Sewer Easement granted to Fort Bend County Municipal Utility District No. 169 as set forth and described in instrument recorded under Clerk's File No. 2015131340 of the Official Records of Fort Bend County, Texas.

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

Easements as reflected by plat recorded in Plat Number 20170193 of the Plat Records of Fort Bend County, Texas.

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

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

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

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

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

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

Memorandum Of Preferential Purchas Right Agreement dated April 12, 2012, by and between CCR TEXAS HOLDINGS, LP, a Delaware limited liability company ("Grantor"), and TRENDMAKER HOMES, INC., a Texas corporation ("Grantee"), and recorded under Clerk's File No. 2012038961 of the Official Records of Fort Bend County, Texas, and subject to the terms, conditions and provisions contained therein.

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

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

3. Liens/Misc:

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

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

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

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

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

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

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

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

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

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

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

Sincerely,
Stewart Title Company

A handwritten signature in cursive script, appearing to read "Al Stewart", with a horizontal line extending from the end of the signature.

Al Stewart
Title Examiner Senior

LIENHOLDER'S SUBORDINATION TO DEDICATION

THE STATE OF TEXAS
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, CCR TEXAS HOLDINGS LP, a Delaware limited partnership, has platted that certain 12.16 acres of land out of the A.G. Sharpless Survey, Abstract 322, Fort Bend County, Texas, which property was surveyed and platted on _____ by, Brown & Gay Engineers, Inc., DBA BGE, Inc., and known as BONTERRA AT CROSS CREEK RANCH SECTION FIVE, recorded at Plat Number _____ in the Plat Records of the Office Public Records of Real Property of Fort Bend County, Texas; and

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

EXECUTED this the _____ day of _____, 2018.

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

By: _____

Printed Name: _____

Title: _____

PROVINCE OF ONTARIO
COUNTRY OF CANADA

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

GIVEN under my hand and Notary Seal, this _____ day of _____, 2018

Notary Public
My commission expires: _____

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

LIENHOLDER'S SUBORDINATION TO DEDICATION

THE STATE OF TEXAS
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, CCR LOAN SUBSIDIARY 1, L.P., a Texas limited partnership, has platted that certain 12.16 acres of land out of the A.G. Sherpless Survey, Abstract 322, Fort Bend County, Texas, which property was surveyed and platted on _____ by, Brown & Gay Engineers, Inc., DBA BGE, Inc., and known as BONTERRA AT CROSS CREEK RANCH SECTION FIVE, recorded at Plat Number _____ in the Plat Records of the Office Public Records of Real Property of Fort Bend County, Texas; and

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

EXECUTED this the _____ day of _____, 2018.

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

By: _____
Printed Name: _____
Title: _____

STATE OF TEXAS
COUNTY OF _____

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2018.

Notary Public in and for the State of Texas

My commission expires: _____

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



December 7, 2017

City of Fulshear
30603 FM 1093
Fulshear, TX 77441

Re: Bonterra At Cross Creek Ranch Section 5

To Whom It May Concern:

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

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

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

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

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

If there are any questions, please contact LaWanda J. Grant at 713.207.6539.

Sincerely,

A handwritten signature in black ink that reads "LaWanda J. Grant". The signature is written in a cursive, flowing style.

LaWanda J. Grant, SR/WA
Senior Right of Way Agent

C: Trey DeVillier <tdevillier@bgeinc.com>

PLR16.269A



Southwest OSPE
1110 Louise St
Rosenberg, Texas 77471

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

December 12, 2017

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

Re: BONTERRA AT CROSS CREEK RANCH SECTION FIVE (revised boundary)
No Objection Letter

Dear Mr. DeVillier:

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

Sincerely,

A handwritten signature in cursive script that reads "Michael Jones".

Michael Jones
Manager Engineering - Design



December 2017

Trey DeVillier | Platting Coordinator
BGE, Inc.
10777 Westheimer, Suite 400
Houston, Texas 77042
Tel: 281-558-8700 x8204
Direct: 713-488-8204
Fax: 281-558-9701
tdevillier@bgeinc.com
www.bgeinc.com

Re: BONTERRA AT CROSS CREEK RANCH SECTION FIVE

To Whom It May Concern,

Comcast of Houston LLC, a Delaware Limited Liability Company, herein referred to as "Comcast Cable", has been asked to provide a letter of "No Objection" for the above referenced plat dated December 2017

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

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

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

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

Please feel free to contact me at 713-637-5169 with any questions that you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "David Miller", written over a horizontal line.

David Miller
Construction, Technician 3, Designer