

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

AGENDA OF:	July 6, 2018	AGENDA ITEM:	6
DATE SUBMITTED:	June 29, 2018	DEPARTMENT:	Planning & Development
PREPARED BY:	Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development	PRESENTER:	Sharon Valiante, Director of Public Works Brant Gary, Executive Director of Planning & Development
SUBJECT:	PUBLIC HEARING REGARDING A REQUEST FOR A ZONING CHANGE FROM DOWNTOWN DISTRICT TO COMMERCIAL FOR 4.99 ACRES LOCATED AT 30200 FM 1093		
ATTACHMENTS:	<ol style="list-style-type: none"> 1.) Publisher's Affidavit 2.) Copy of Published Notice 3.) Full Text of Notice 4.) Letter to Area Property Owners 5.) Map Showing Radius for Notification Requirements 6.) Listing of Property Owners (1 of 2) 7.) Listing of Property Owners (2 of 2) 		

EXECUTIVE SUMMARY

The owner of the property located at 30200 FM 1093, through his authorized representatives, has requested a Zoning Change for the property indicated. The property is currently zoned as Downtown District and is being requested to be rezoned as Commercial.

All documents as required by the City's Zoning Ordinance have been received. In addition, the requirements have been met so that the public hearings may take place.

RECOMMENDATION

Staff recommends the Planning and Zoning Commission conduct the public hearing for the requested zoning change from Downtown District to Commercial for the property located at 30200 FM 1093.

PUBLISHER'S AFFIDAVIT

2010-1028

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)

PUBLIC HEARING ZONING CHANGE
In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on July 6, 2018 at 8:30 a.m., the hearing will be held at City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on July 17, 2018 at 7:00 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard.
The location of the premises in question is in the Downtown District, C Fulshear League, Abstract 29, Acres 4.99, specifically the location is at the northeast corner of FM 1093 and Syms Rd, Fulshear, Texas 77441.
The applicant's agent, Anderson Smith, of Capital Retail Properties, is seeking a Zoning Change pursuant to the Zoning Ordinance, Section 1-279, to take the current zoning from Downtown District to Commercial Use for commercial, retail, restaurant, office and/or medical space.
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/Council.
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

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

6-25

_____, A.D. 2018

[Signature]

Lee Hartman
Publisher

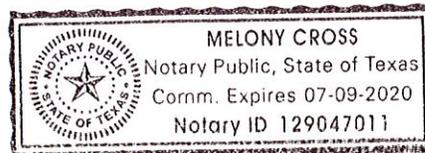
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

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

on this the 26th day of June, A.D. 2018 to certify which witness my hand and seal of office.

Melony Cross
Notary Public, State of Texas



PUBLIC HEARING – ZONING CHANGE

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; **the first Public Hearing will be held by the Planning and Zoning Commission on July 6, 2018 at 8:30 a.m.**, the hearing will be held at City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on July 17, 2018 at 7:00 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard.

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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.

Posted: June 25, 2018



CITY OF FULSHEAR

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

Notice of Zoning Change Request

June 25, 2018

TO WHOM IT MAY CONCERN;

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on July 6, 2018 at 8:30 a.m., the hearing will be held at City Hall located at 30603 FM 1093. The second hearing will be held by the City Council on July 17, 2018 at 7:00 p.m. the hearing will be held at the Irene Stem Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard.

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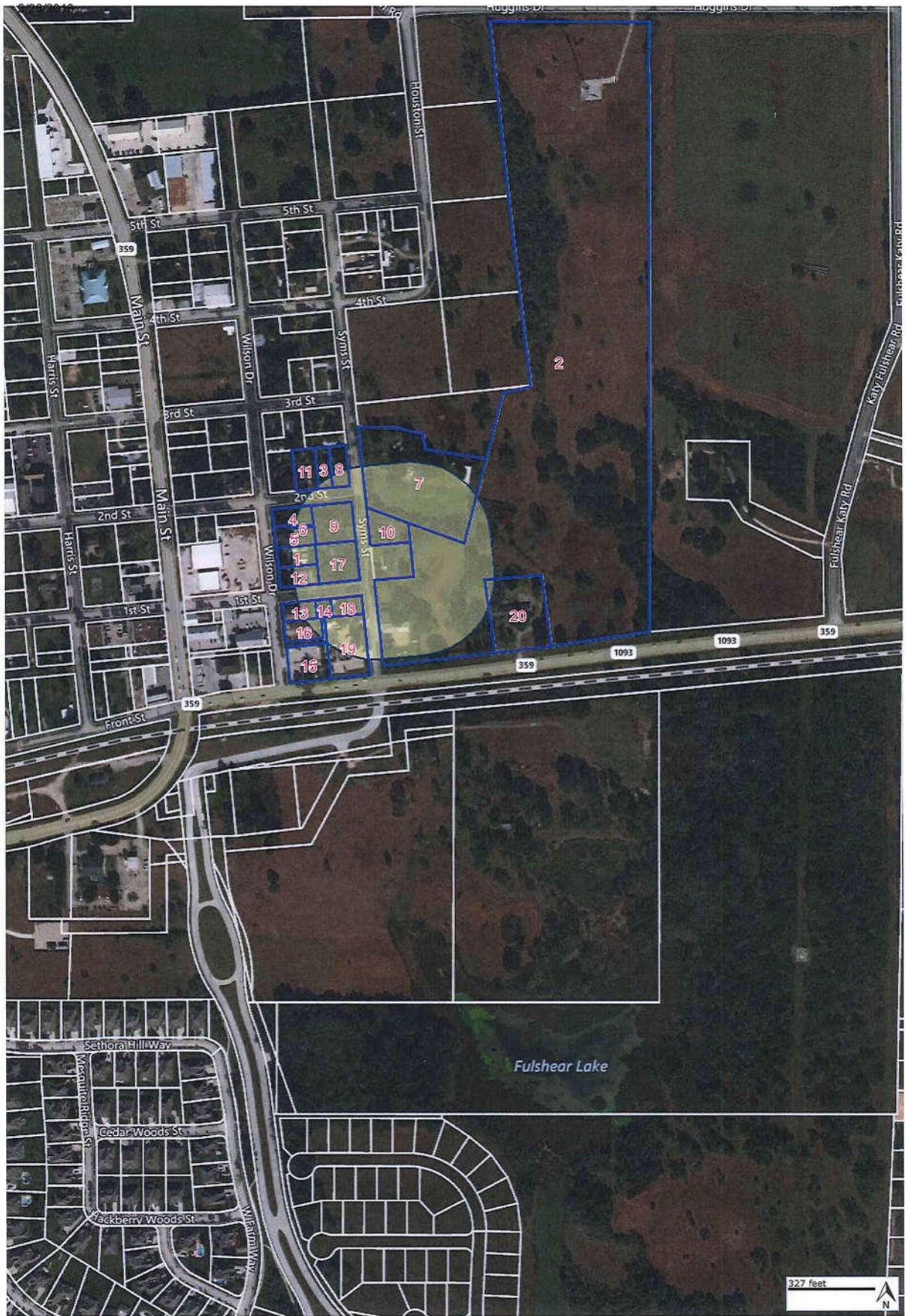
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If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

Sincerely,

John R. Brown
Interim Building Official



1						
ID		APN	3380-00-008-0060-901	Site Address		8409 WILSON DR
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	GRACE, JASON	Owner 1 Address	PO BOX 432	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		
Building Square Feet	534					
2						
ID		APN	0029-00-000-0870-901	Site Address		8509 SYMS ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	WOODHAM FAMILY TRUST	Owner 1 Address	63 BIG CHIEF TRL	Owner 1 City		BOZEMAN
Owner 1 State	MT	Owner 1 Zip Code	59718	Owner 2 Name		
Building Square Feet	1200					
3						
ID		APN	3380-00-009-0011-901	Site Address		30306 2ND ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	AUSTIN, CHERRILYN ELIZABETH	Owner 1 Address	PO BOX 701	Owner 1 City		STAFFORD
Owner 1 State	TX	Owner 1 Zip Code	77497	Owner 2 Name		
Building Square Feet	1056					
4						
ID		APN	3380-00-008-0102-901	Site Address		30315 2ND ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	FULSHEAR COUNTRY ENTERPRISES LLC	Owner 1 Address	31311 RIVERLAKE RD	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		
Building Square Feet						
5						
ID		APN	3380-00-008-0070-901	Site Address		8407 WILSON DR
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	FULSHEAR COUNTRY ENTERPRISES INC	Owner 1 Address	31311 RIVERLAKE RD	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		
Building Square Feet	1312					
6						
ID		APN	3380-00-008-0072-901	Site Address		30315 2ND ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	FULSHEAR COUNTRY ENTERPRISES LLC	Owner 1 Address	31311 RIVERLAKE RD	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		
Building Square Feet						
7						
ID		APN	0029-00-000-0665-901	Site Address		8319 SYMS ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	BURGIN REAL (ESTATE) LLC	Owner 1 Address	PO BOX 395	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		
Building Square Feet	2077					
8						
ID		APN	3380-00-009-0014-901	Site Address		30302 2ND ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	BURGIN, JAMES N	Owner 1 Address	PO BOX 395	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		BURGIN, BARBARA
Building Square Feet	3164					
9						
ID		APN	3380-00-008-0080-901	Site Address		30307 2ND ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	RIGGS, RODGER G	Owner 1 Address	PO BOX 675	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		RIGGS, CAROL L
Building Square Feet	4202					
10						
ID		APN	0029-00-000-0873-901	Site Address		SYMS ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	DESHAZO, VELA JEAN	Owner 1 Address	15707 ENSENADA DR	Owner 1 City		HOUSTON
Owner 1 State	TX	Owner 1 Zip Code	77083	Owner 2 Name		
Building Square Feet	1350					
11						
ID		APN	3380-00-009-0024-901	Site Address		30312 2ND ST
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	PECK, ROBERT	Owner 1 Address	209 CALETA CIR	Owner 1 City		RICHMOND
Owner 1 State	TX	Owner 1 Zip Code	77406	Owner 2 Name		PECK, CANDACE
Building Square Feet	1665					
12						
ID		APN	3380-00-008-0020-901	Site Address		8415 WILSON DR
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	SIMMONS, SONYA LUNCEFORD	Owner 1 Address	PO BOX 98	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		
Building Square Feet	2382					
13						
ID		APN	3380-00-001-0093-901	Site Address		8503 WILSON DR
Site City	FULSHEAR	Site State	TX	Site Zip Code		77441
Owner 1 Name	KRPEC, MARK	Owner 1 Address	32619 WALTHAM XING	Owner 1 City		FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name		KRPEC, MONICA
Building Square Feet	1540					

14

ID		APN	3380-00-001-0094-901	Site Address	30315 1ST ST
Site City	FULSHEAR	Site State	TX	Site Zip Code	77441
Owner 1 Name	UNKER, JOHN PAUL	Owner 1 Address	PO BOX 423	Owner 1 City	FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name	
Building Square Feet	704				

15

ID		APN	3380-00-001-0041-901	Site Address	E FRONT ST
Site City		Site State	TX	Site Zip Code	77441
Owner 1 Name	QSR REAL (ESTATE) HOLDINGS LLC	Owner 1 Address	5015 FM 723 RD	Owner 1 City	RICHMOND
Owner 1 State	TX	Owner 1 Zip Code	77406	Owner 2 Name	
Building Square Feet					

16

ID		APN	3380-00-001-0040-901	Site Address	WILSON ST
Site City	FULSHEAR	Site State	TX	Site Zip Code	77441
Owner 1 Name	LIPPMAN, LOUIS M	Owner 1 Address	1616 FOUNTAIN VIEW DR APT 611	Owner 1 City	HOUSTON
Owner 1 State	TX	Owner 1 Zip Code	77057	Owner 2 Name	
Building Square Feet					

17

ID		APN	3380-00-008-0010-901	Site Address	8414 SYMS ST
Site City	FULSHEAR	Site State	TX	Site Zip Code	77441
Owner 1 Name	JONES, SELWIN W	Owner 1 Address	PO BOX 207	Owner 1 City	FULSHEAR
Owner 1 State	TX	Owner 1 Zip Code	77441	Owner 2 Name	JONES, DORIS J
Building Square Feet	2457				

18

ID		APN	3380-00-001-0092-901	Site Address	8502 SYMS ST
Site City	FULSHEAR	Site State	TX	Site Zip Code	77441
Owner 1 Name	ROSH PROPERTIES LTD	Owner 1 Address	431 W GAYWOOD DR	Owner 1 City	HOUSTON
Owner 1 State	TX	Owner 1 Zip Code	77079	Owner 2 Name	
Building Square Feet	952				

19

ID		APN	3380-00-001-0010-901	Site Address	8506 SYMS ST
Site City	FULSHEAR	Site State	TX	Site Zip Code	77441
Owner 1 Name	PAWLEK, CLAUDE A	Owner 1 Address	34333 PECAN HILL DR	Owner 1 City	BROOKSHIRE
Owner 1 State	TX	Owner 1 Zip Code	77423	Owner 2 Name	
Building Square Feet					

20

ID		APN	0029-00-000-0871-901	Site Address	30136 FM 1093 RD
Site City	FULSHEAR	Site State	TX	Site Zip Code	77441
Owner 1 Name	WOODHAM, B A	Owner 1 Address	63 BIG CHIEF TRL	Owner 1 City	BOZEMAN
Owner 1 State	MT	Owner 1 Zip Code	59718	Owner 2 Name	WOODHAM, JEAN
Building Square Feet	3705				



CITY OF FULSHEAR

“FIND YOUR FUTURE IN FULSHEAR”

30603 FM 1093 WEST/ PO Box 279 ~ FULSHEAR, TEXAS 77441

PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

CHAIRMAN- AMY PEARCE
MEMBER- HAROLD COLLINS
Member- Jason Cherubini

CITY COUNCIL:
CO-CHAIR- AUSTIN WEANT
MEMBER- BJ ARYAL
Ex-Officio- Brent Anderson

MEMBER- DAR HAKIMZADEH
MEMBER- DAWN MCREA

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

PLANNING AND ZONING COMMISSION MINUTES JUNE 1, 2018

1. Call to Order

A Regular Meeting of the Fulshear Planning and Zoning Commission was called to order by Planning and Zoning Chairman Amy Pearce at 8:30 a.m. on Friday, June 1, 2018 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas.

2. Quorum

A quorum was presnt.

Members Present:

*Amy Pearce – Chairman
Austin Weant- Co-Chairman
Dar Hakimzadeh
Bijay Aryal*

Members Absent:

*Jason Cherubini
Harold Collins
Dawn McRea*

City Staff:

*Kimberly Kopecky, Interim City Secretary
Sharon Valiante, Public Works Director*

**FULSHEAR PLANNING AND ZONING MINUTES
JUNE 1, 2018**

David Leyendecker, City Engineer

Others Present:

Gerald Grissom

Josue Sandoval

Trey Devillier

And 5 others that did not sign in.

3. Citizen's Comments

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.

No citizen comments.

4. Consideration and possible action to approve Minutes from Planning and Zoning Commission meeting held on May 4, 2018

A motion was made by Planning and Zoning member Hakimzadeh to approve Minutes from the Planning and Zoning Commission meeting held on May 4, 2018. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Planning and Zoning members Jason Cherubini, Harold Collins, Dawn McRea

Motion Passes

5. Consideration and possible action to approve Tamarron Section 36 Partial Replat No. 1/Preliminary Plat

David Leyendecker recommends approval. A motion was made by Planning and Zoning member Weant to approve Tamarron Section 36 Partial Replat No. 1/Preliminary Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Planning and Zoning members Jason Cherubini, Harold Collins, Dawn McRea

Motion Passes

FULSHEAR PLANNING AND ZONING MINUTES

JUNE 1, 2018

6. Consideration and possible action to approve Creek Falls at Cross Creek Ranch Section 12/Preliminary Plat

David Leyendecker recommends approval. A motion was made by Planning and Zoning member Hakimzadeh to approve Creek Falls at Cross Creek Ranch Section 12/Preliminary Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Planning and Zoning members Jason Cherubini, Harold Collins, Dawn McRea

Motion Passes

Chairman Pearce asked the members to take items 7-9 together (Creek Cove at Cross Creek Ranch Section 14, 15, and 16/Final Plats) There were no objections by the members.

7. Consideration and possible action to approve Creek Cove at Cross Creek Ranch Section 14/Final Plat

8. Consideration and possible action to approve Creek Cove at Cross Creek Ranch Section 15/Final Plat

9. Consideration and possible action to approve Creek Cove at Cross Creek Ranch Section 16/Final Plat

David Leyendecker recommends approval with adding the words "Electrical transmission" on 2 plats. A motion was made by Planning and Zoning member Hakimzadeh to approve Creek Cove at Cross Creek Ranch Section 14/Final Plat, Creek Cove at Cross Creek Ranch Section 15/Final Plat, and Creek Cove at Cross Creek Ranch Section 16/Final Plat adding to the easement information on Section 14 and Section 16 "Electrical transmission and incidental utilities." It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Planning and Zoning members Jason Cherubini, Harold Collins, Dawn McRea

Motion Passes

10. Consideration and possible action to approve Jade Springs Lane- Street Dedication/Final Plat

David Leyendecker recommended approval. A motion was made by Planning and Zoning member Hakimzadeh to approve Jade Springs Lane-Street Dedication/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

**FULSHEAR PLANNING AND ZONING MINUTES
JUNE 1, 2018**

Ayes: Planning and Zoning members Aryal, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Planning and Zoning members Jason Cherubini, Harold Collins, Dawn McRea

Motion Passes

11. Consideration and possible action to approve The Market at Cross Creek Ranch Partial Replat No. 2/Final Plat

Per David Leyendecker, Items A-D on his review has been taken care of. The developer is in the process of getting the City Planning Letter for E. The developer does not have it yet but will have it to provide for the next city council meeting.

A motion was made by Planning and Zoning member Hakimzadeh to approve The Market at Cross Creek Ranch Partial Replat No. 2/Final Plat pending the receipt of the City Planning letter. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:

Ayes: Planning and Zoning members Aryal, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Planning and Zoning members Jason Cherubini, Harold Collins, Dawn McRea

Motion Passes

12. Adjournment

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

Ayes: Planning and Zoning members Aryal, Hakimzadeh, Pearce, and Weant

Nays: None

Absent: Planning and Zoning members Jason Cherubini, Harold Collins, Dawn McRea

Chairman Pearce adjourned the meeting at 8:39 a.m.

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

AGENDA OF:	July 6, 2018	Items:	7 - 15
DATE SUBMITTED:	July 2, 2018	DEPARTMENT:	Planning and Development
PREPARED BY:	Sharon Valiante, Public Works Director, John Brown, Interim 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: Preliminary Plats for: Tamarron Section 29 Partial Replat No. 1 & Tamarron Section 53; Final Plats for: Fulbrook on Fulshear Creek Section 5, Fulbrook on Fulshear Creek Section 13, Fulbrook on Fulshear Creek Lift Station Site No. 9, Tamarron Section 36 Partial Replat No. 1, Tamarron Lift Station No. 3, and Tamarron Crossing Section 4 Street Dedication		

EXECUTIVE SUMMARY

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

- 1. Preliminary Plat for Tamarron Section 29 Partial Replat No. 1,**
- 2. Preliminary Plat for Tamarron Section 53**
- 3. Final Plat for Fulbrook on Fulshear Creek Section 5,**
- 4. Final Plat for Fulbrook on Fulshear Creek Section 13,**
- 5. Final Plat for Fulbrook on Fulshear Creek Lift Station Site No. 9,**
- 6. Final Plat for Tamarron Section 36 Partial Replat No. 1**
- 7. Final Plat for Tamarron Lift Station No 3 and**
- 8. Final Plat for Tamarron Crossing Section 4 Street Dedication**

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 provided in support of the rules and regulations governing plats and subdivisions of land within the City’s territorial limits and the extra territorial jurisdiction to promote safe, orderly, and healthful development of the City.

The Preliminary Plat Engineer's comments were sent to the applicants. The applicants were asked to address most of those comments noted in the Engineer's review prior to the July 6 meeting. The Final Plat Engineer's comments for Fulbrook on Fulshear Creek Section 5 and 13, Tamarron Lift Station Site No. 3 were sent to the applicants for corrections so that corrections can be made prior to the Planning and Zoning Commission meeting of July 6, 2018.

RECOMMENDATION

After staff review of the City Engineer's report, staff recommends the Planning and Zoning Commission provide the following recommendations:

1. Positive for Approval, with the associated conditions as represented in the City Engineer's report/review of plats submitted herein for consideration for the Preliminary Plats:
Tamarron Section 29 Partial Replat No. 1 & Tamarron Section 53;
2. Positive for Approval, of plats submitted for consideration for the Final Plats:
Fulbrook on Fulshear Creek Lift Station Site No. 9, Tamarron Section 36 Partial Replat No. 1, and Tamarron Crossing Section 4 Street Dedication
3. Positive approval of plats submitted for consideration provided the associated conditions as represented in the City Engineer's report/review have been addressed for the Final Plats: **Fulbrook on Fulshear Creek Section 5, Fulbrook on Fulshear Creek Section 13, and Tamarron Lift Station Site No. 3.**

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Tamarron Section 29 Partial Replat No. 1 / Preliminary Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: _____

City Secretary

Processed
 Returned for additional data

BY: K. Koyf DATE: 6-22-2018

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____



Subdivision/Development Platting Application

Date: 2018-06-21 Date Received by the City of Fulshear: 2018-06-21

Subdivision: TAMARRON SECTION 29 PARTIAL REPLAT NO. 1 Development: TAMARRON

SUBMITTAL OF PLAT: (Check Appropriate Selection)

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

TYPE OF PLAT: (Check Appropriate Selection)

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

Plat Location: City ETJ (Extraterritorial Jurisdiction)

Legal Description: 1.4812 ACRES IN THE J.D. VERMILLION SURVEY, A-339

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

Total Acreage: 1.4812
 Number of Streets: 0
 Number of Lots: 0
 Number and Types of Reserves: 3 - Landscape / Open Space / Drainage
 Total Acres in Reserve: 1.4812

Owner: D.R. HORTON-TEXAS, LTD.
 Address: 14100 SOUTHWEST FREEWAY, SUITE 500
 City/State: SUGAR LAND, TEXAS 77478
 Telephone: 281-566-2100
 Email Address: _____

Engineer/Planner: LJA ENGINEERING, INC.
 Contact Person: JOSUE SANDOVAL
 Telephone: 713-953-5252
 Fax Number: _____
 Email Address: josandoval@lja.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>\$537.03</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

Josue Sandoval / Platting Coordinator
 TYPED OR PRINTED NAME/TITLE

2018-06-21
 DATE

July 2, 2018

Engineering Review

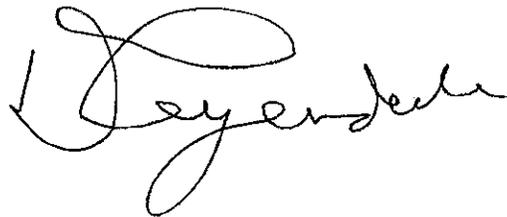
✓ Preliminary Plat – Tamarron Section 29 - Partial Replat No. 1
City of Fulshear, Texas

For Information only:

1. This plat will create three (3) Reserves out of Reserve 'E' that covers a total area of 1.4812 acres.
2. Access to this section is from Tamarron Crossing.
3. Since this section is located in the ETJ of the City it will need approval from the City, Fort Bend County and Fort Bend County Drainage District.

Recommendations:

I recommend that this Final Plat of Tamarron Section 29 – Partial Replat No. 1 be approved with the name of the Mayor being updated.





FORT BEND COUNTY DRAINAGE DISTRICT

Project Submission Form

APPLICANT INFORMATION REQUIRED		
Company Name: LJA Engineering, Inc.		Date: 2018-06-07
Contact Name: Josue Sandoval		
Office Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Mailing Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Office Phone: (713) 953-5252	Email: josandoval@lja.com	
Cell Phone:	Fax: (713) 953-5026	
PROJECT INFORMATION REQUIRED		
Project Name: Tamarron Section 29 Partial Replat No. 1		
Project Address: Tamarron Crossing		
City: Fulshear	State: TX	Zip: 77441
Legal Description: 1.4812 of land situated in the J.D. Vermillion Survey, A-339		
PROJECT SUMMARY REQUIRED		
Project Summary: 1.4812 acres of land, being a replat of reserve "e" of Tamarron Section 29		
Commissioner Precinct No. <u>3</u>		
MUD Name: <u>FBC</u>	MUD No. <u>182</u>	
LID Name: <u>N/A</u>	LID No. _____	
City or City ETJ: <u>Fulshear ETJ</u>		
SUBMITTAL TYPE REQUIRED		
<input checked="" type="checkbox"/> Plat		
<input type="checkbox"/> Plans		
<input type="checkbox"/> Report		
<input checked="" type="radio"/> Initial Submittal	<input type="radio"/> Resubmittal *	
*(For resubmittal, include written response to review comments explaining how items were addressed.)		



DRAINAGE DISTRICT
Fort Bend County, Texas

June 14, 2018

Mr. Josue Sandoval
LJA Engineering, Inc.
1904 West Grand Parkway North, Suite 100
Katy, Texas 77449
Ph.: 713-953-5200
Email: josandoval@lja.com

Re: Tamarron Section 29 Partial Replat No. 1

Dear Mr. Sandoval:

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

1. Please provide a letter from the Fort Bend County MUD No. 182 engineer offering no objection to the plat and including the following statements:
 - a. Acknowledgement that detention and outfall capacity are in place to serve the proposed development or that no impervious cover will be added until they are constructed.
 - b. "Fort Bend County MUD No. ___ certifies that the design of this section of development is in full compliance with the most up-to-date master drainage plan titled _____, dated _____, and approved by the Fort Bend County Drainage District on _____."
2. Please add a note to the plat stating who will have ownership and maintenance responsibility for the drainage facilities within Reserve "E".
3. Please provide a final copy of the plat signed and sealed by the professional engineer.

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

Please let me know if you have any questions.

Sincerely,

Neil J. Goertz
Engineer
Fort Bend County Drainage District

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

**DHI TITLE OF CENTRAL TEXAS
14100 Southwest Freeway, Suite 510
Sugar Land, Texas 77478**

CITY PLANNING LETTER

June 11, 2018

City Planning Commission

To Whom It May Concern:

This company ("Title Company") certifies that a diligent search of the real property records of Title Company's title plant has been made, as to the herein described property, and as of 8:00 AM on the 4th day of June, 2018, we find the following:

Record Owner:

D. R. Horton-Texas, Ltd., a Texas limited partnership

Recording Instrument:

Special Warranty Deed, executed by BFH Mining, Ltd., a Texas limited partnership to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated December 31, 2012, recorded in Document No. 2013000056 of the Official Public Records of Fort Bend County, Texas.

Special Warranty Deed, executed by Richard R. Humphreys to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated July 9, 2014, effective July 22, 2015, recorded in Document No. 2015081416 of the Official Public Records of Fort Bend County, Texas.

Special Warranty Deed, executed by Stedman Grigsby to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated June 25, 2015, recorded in Document No. 2015081417 of the Official Public Records of Fort Bend County, Texas.

Special Warranty Deed, executed by D. Scott Sullivan to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated June 25, 2015, recorded in Document No. 2015081418 of the Official Public Records of Fort Bend County, Texas.

Special Warranty Deed, executed by Tim Hardin to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated September 17, 2013, effective June 25, 2015, recorded in Document No. 2015081419 of the Official Public Records of Fort Bend County, Texas.

Special Warranty Deed, executed by Brandon Nelson to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated July 9, 2014, effective June 25, 2015, recorded in Document No. 2015081420 of the Official Public Records of Fort Bend County, Texas.

Legal Description:

PARTIAL REPLAT NO. 1 TAMARRON SECTION 29 (Proposed Plat)

Being a partial re-plat of Reserve E, TAMARRON SECRION 29, a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded in Plat No. 20180043, Plat Records of Fort Bend County, Texas.

1. Deed Restrictions:

Those recorded in Document No(s). 2014128516, 2014129256, 2014129257, 2014129659, 2014131098, 2015009263, 2015099721, 2016002359, 2016003325, 2017040845, 2017102507, 2018010115, 2018019010 and 201802028519, Official Public Records of Fort Bend County, Texas.

2. Easements and other encumbrances (Oil, Gas and other Minerals excluded):

Unrecorded development agreement by and between the City of Fulshear, Texas, and Tamarron Lakes, L. P., as evidenced by Memorandum of Development Agreement recorded in Document No. 2007077611, amended and restated in Document No. 2014049738, of the Official Public Records of Fort Bend County, Texas.

Notice of Intention to Introduce a Bill in the Legislature of Texas, pertaining to the Fulshear Parkway Improvement District, recorded in Document No. 2013025598 of the Official Public Records of Fort Bend County, Texas.

Memorandum of Fulshear Parkway Private Participation Agreement, dated August 30, 2013, recorded in Document No. 2013119270 of the Official Public Records of Fort Bend County, Texas.

Short Form Blanket Easement, 3-Phase Overhead and Underground, to CenterPoint Energy Houston Electric, LLC, recorded in Document No. 2014039155, of the Official Public Records of Fort Bend County, Texas.

Storm Sewer Easement and Water Line Easements created by the plat of Tamarron Crossing Section 1 Street Dedication plat recorded in Plat NO. 20170061, Plat Records of Fort Bend County, Texas.

Short Form Blanket Easement for Certain Utilities recorded in Document No. 2018030056, Official Public Records of Fort Bend County, Texas.

Agreement for Underground Electric Service recorded in Document No. 2018017209, Official Public Records of Fort Bend County, Texas.

3. Lien Holders: None of record.

No examination has been made as to oil, gas or other minerals, or documents affecting the title thereto, abstracts of judgments, state or federal tax liens, the status of taxes, tax suits or paving assessments.

This letter is issued for the use of, and shall inure to the benefit of PLATTING. Liability of Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

This letter is issued with the express understanding, evidenced by the acceptance thereof, that 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 nor 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, 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 TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY 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,

George T. Dunn

George T. Dunn
DHI Title of Central Texas

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

Agenda Item: 9

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Tamarron Section 53 / Preliminary Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: _____

City Secretary

Processed
 Returned for additional data

BY: X. Neff DATE: 6-22-2018

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____



Subdivision/Development Platting Application

Date: 2018-06-21 Date Received by the City of Fulshear: 2018-06-21
 Subdivision: TAMARRON SECTION 53 Development: TAMARRON

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: 24.104 ACRES IN THE J.D. VERMILLION SURVEY, A-339

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

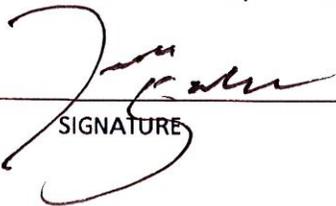
Total Acreage: 24.104
 Number of Streets: 6
 Number of Lots: 117
 Number and Types of Reserves: 6 - Landscape / Open Space
 Total Acres in Reserve: 1.127

Owner: D.R. HORTON-TEXAS, LTD.
 Address: 14100 SOUTHWEST FREEWAY, SUITE 500
 City/State: SUGAR LAND, TEXAS 77478
 Telephone: 281-566-2100
 Email Address: _____

Engineer/Planner: LJA ENGINEERING, INC.
 Contact Person: JOSUE SANDOVAL
 Telephone: 713-953-5252
 Fax Number: _____
 Email Address: josandoval@lja.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>\$1,210.80</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
 _____ Josue Sandoval / Platting Coordinator TYPED OR PRINTED NAME/TITLE
 _____ 2018-06-21 DATE

July 2, 2018

Engineering Review

Preliminary Plat – Tamarron Section 53
City of Fulshear, Texas

For Information only:

1. This plat will create 117 Lots in five (5) Blocks and six (6) Reserves that covers a total area of 24.104 acres.
2. Access to this section is from the extension of Scout Island from Tamarron Section 43.
3. Since this section is located in the ETJ of the City it will need approval from the City, Fort Bend County and Fort Bend County Drainage District.
4. The typical lot in this section is 50-foot by 117-foot with a 25-foot Front Building Line.

Recommendations:

I recommend that this Preliminary Plat of Tamarron Section 53 be approved with the following corrections/additions:

- A) The blanks left in Note # 10 need to be filled in on the face of the Plat.
- B) I recommend that the corner lot sizes be increased as there is only approximately 30-foot of width to install a driveway with the 25-foot corner radius. Parking is also limited in these cases.
- C) At the time when the Final Plat is prepared the name of the major will need to be upgraded.
- D) Several of the lots appear to have less than the minimum square footage required. These need to be checked.

*add need to
address
prior
to plat
8/2/18*





FORT BEND COUNTY DRAINAGE DISTRICT

Project Submission Form

APPLICANT INFORMATION REQUIRED		
Company Name: LJA Engineering, Inc.	Date: 2018-06-07	
Contact Name: Josue Sandoval		
Office Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Mailing Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Office Phone: (713) 953-5252	Email: josandoval@lja.com	
Cell Phone:	Fax: (713) 953-5026	
PROJECT INFORMATION REQUIRED		
Project Name: Tamarron Section 53		
Project Address: Tamarron Crossing		
City: Fulshear	State: TX	Zip: 77441
Legal Description: 24.104 of land situated in the J.D. Vermillion Survey, A-339		
PROJECT SUMMARY REQUIRED		
Project Summary: 117 Lots, 6 Reserves, 5 Blocks		
<p style="text-align: center;">Commissioner Precinct No. <u>3</u></p> <p style="text-align: center;">MUD Name: <u>FBC</u> MUD No. <u>182</u></p> <p style="text-align: center;">LID Name: <u>N/A</u> LID No. _____</p> <p style="text-align: center;">City or City ETJ: <u>Fulshear ETJ</u></p>		
SUBMITTAL TYPE REQUIRED		
<input checked="" type="checkbox"/> Plat <input type="checkbox"/> Plans <input type="checkbox"/> Report		
<input checked="" type="radio"/> Initial Submittal <input type="radio"/> Resubmittal *		
<i>*(For resubmittal, include written response to review comments explaining how items were addressed.)</i>		



DRAINAGE DISTRICT

Fort Bend County, Texas

June 14, 2018

Mr. Josue Sandoval
LJA Engineering, Inc.
1904 West Grand Parkway North, Suite 100
Katy, Texas 77449
Ph.: 713-953-5200
Email: josandoval@lja.com

Re: Tamarron Section 53 – Plat

Dear Mr. Sandoval:

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

1. Please provide a copy of any plans associated with the plat for review.
2. Please provide a letter from the Fort Bend County MUD No. 182 engineer offering no objection to the plat and including the following statements:
 - a. Acknowledgement that detention and outfall capacity are in place to serve the proposed development or that no impervious cover will be added until they are constructed.
 - b. "Fort Bend County MUD No. ___ certifies that the design of this section of development is in full compliance with the most up-to-date master drainage plan titled _____, dated _____, and approved by the Fort Bend County Drainage District on _____."
3. Please provide a "Minimum Slab Elevation Analysis" and insert the elevation into Note 10.
4. Please add natural ground contours at maximum 1' intervals to the plat.
5. Please provide a final copy of the plat signed and sealed by the professional engineer.

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

Please let me know if you have any questions.

Sincerely,

Neil J. Goertz
Engineer
Fort Bend County Drainage District

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

Engineering/Administration: P.O. Box 1028 • 1124 Blume Road • Rosenberg, Texas 77471 • (281) 342-2863
Construction/Maintenance: 1022 Blume Road • Rosenberg, Texas 77471 • (281) 342-0141

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Fulbrook on Fulshear Creek Section 5 / Final Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: _____

City Secretary

Processed
 Returned for additional data

BY: X. Keyf DATE: 6-22-2018

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: 6-21-2018

Date Received by the City of Fulshear: _____

Subdivision: FULBROOK ON FULSHEAR CREEK SECTION FIVE

Development: FULBROOK ON FULSHEAR CREEK

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: METES & BOUNDS ON FACE OF THE PLAT

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

Total Acreage: 33.69 AC.

Number of Streets: 9

Number of Lots: 97

Number and Types of Reserves: 3 LANDSCAPE/OPEN SPACE

Total Acres in Reserve: 2.04 AC.

Owner: FULSHEAR LAND INV. PARTNERS, LTD

Address: THREE RIVERWAY #120

City/State: HOUSTON, TEXAS

Telephone: 713-623-2466

Email Address: _____

Engineer/Planner: COSTELLO, INC.

Contact Person: ALEX KHOSHAKHLAGH, P.E.

Telephone: 713-783-7788

Fax Number: 713-783-3580

Email Address: AKHOSHAKHLAGH@COSTELLOINC.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

2nd Review of plats - \$100.00 (each additional review)

TOTAL PLATTING FEE \$1,827.25

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] SIGNATURE

JORGE L. DELAROSA / PLAT COORDINATOR TYPED OR PRINTED NAME/TITLE

6-21-18 DATE

July 2, 2018

Engineering Review

Final Plat
Fulbrook on Fulshear Creek Section 5
City of Fulshear, Texas

For Information Only:

1. This plat will create 97 Lots in 4 Blocks with 3 Restricted Reserves that cover a total acreage of 33.69 acres.
2. Access to this section will be from Fulshear Trace on the Southeast corner and the extension of South Creek Way thru Section 12 which extends to James Lane.
3. The typical lot sizes in this section are 70-foot by 120-foot along with 80-foot by 130 foot.

Recommendations:

I recommend that this Final Plat of Fulbrook on Fulshear Creek Section 5 be approved with the following additions/ corrections:

- A) A Flood Plain Certification is required on the face of the plat showing if any of this area is in a Flood Hazard Zone.
- B) A Note is needed on the plat calling out a 5-foot Side Yard Building Line.
- C) All Utility Easements need to have a minimum width of 14-foot unless they adjoin a street R.O.W.
- D) A variance is required to allow a 50-foot street right-of-way for both Streamside Trace and Creekside Court.

These items will need to be addressed prior to plat





June 26, 2018

Ms. Sharon Valiante
Public Works Director
City of Fulshear
P.O. Box 279
Fulshear, Texas 77441

Via US Mail and Email

RE: Fulshear MUD No. 1
Fulbrook on Fulshear Creek, Sections 5 and 13
CI Job No. 2012.101-004

Dear Ms. Valiante:

We are sending this letter to inform you that the following two sections are currently under design by our firm and will require wastewater and water capacity from the City of Fulshear:

Fulbrook on Fulshear Creek	Lots	Equiv. Single Family Connections	Wastewater Flow	Water Capacity
Section 5	97	97	29,100 gpd	46,075 gpd
Section 13	61	61	18,300 gpd	28,975 gpd
TOTAL	158	158	47,400 gpd	75,050 gpd

Preliminary plats for these sections have been approved by the City. We expect construction of the infrastructure serving Sections 5 and 13 to be completed in the fourth quarter of 2018 and for homebuilding to start upon lot delivery. Please note these sections are within Fulshear MUD No. 1 and the City of Fulshear. The Utility Agreement in place between Fulshear MUD No. 1 and the City of Fulshear defines wastewater service and water capacity for one equivalent single-family connection as 300 gallons per day of wastewater flow, and 475 gpd of water capacity which is the criteria used in calculating the figures shown above.

Please consider this letter formal notice of the need for water and wastewater capacity and formal notice that we are proceeding with design of Sections 5 and 13 under the terms of the Utility Agreement between Fulshear MUD No. 1 and the City of Fulshear. Please contact us if you have any questions or require further information on this matter.

Sincerely,
Costello, Inc.



DeKécha P. Shepherd, P.E.
Senior Project Manager

CC: Mr. Brant Gary – City of Fulshear
Mr. David Leyendecker, P.E. – Clay & Leyendecker
Mr. Rob Fondren – Fulshear Land Partners
Mr. David A. Cannon – Fulshear Land Partners
Mr. Ryan Harper – Allen Boone Humphries Robinson, LLP



DRAINAGE DISTRICT

Fort Bend County, Texas

October 30, 2014

Mr. William A. Sweitzer
Sweitzer+Associates Landscape Architects, Inc.
13300 Katy Freeway
Houston, TX 77079
Ph.: (281) 496-3111
Fax: (281) 496-3113

Re: Fulbrook on Fulshear Creek Sec. 5 & Sec. 7 - Preliminary Plats

Dear Mr. Sweitzer:

The Fort Bend County Drainage District has received the above referenced preliminary plats for review and comment. The proposed development appears to lie within Fulshear MUD No. 1 and the City of Fulshear city limits. Our review of the preliminary plats is limited to evaluating any impacts along the Fulshear Creek right-of-way. The required ultimate right-of-way along Fulshear Creek was determined to be "the larger of 300' or the distance between top banks of Fulshear Creek", in a document titled "Fulshear Creek Crossing Drainage" by Robert T. Deden, Services dated Nov. 28, 2007. The following items need to be addressed prior approval:

1. Section 5: Block 1, Lots 3, 8, 16-17, & 22 show the Fulshear Creek top-of-bank crossing into the back of lots. Revise to show no lots lines crossing into the top-of-bank.
2. Section 7: Provide additional contours within the Fulshear Creek right-of-way behind Block 2, Lots (8-12) to define the location of the Fulshear Creek top-of-bank ensuring that it does not cross into any proposed lot lines.
3. Provide additional information concerning the proposed grading of lots backing up to Fulshear Creek to confirm that they will no drainage to the back of lot in such a way that would cause additional erosion of the Fulshear Creek top-of-bank.

These items will need to 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.

CITY PLANNING LETTER

GF No.: FFC-5
Time frame covered by this report:

Effective Date: 06/13/2018

PROPERTY

Legal Description:

County: Fort Bend
Project: Fulbrook on Fulshear Creek Section Five Preliminary Boundary
C.I. No.: 1205-17R (Plat Prepared)
Job Number: 2014121-W232-011

METES AND BOUNDS DESCRIPTION
33.69 ACRES

Being a 33.69 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 33.69 acre tract being a part of a called 110.4552 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in County Clerk's File (C.F.) No. 2008000215 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), a part of a called 57.379 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2006137088 of the O.P.R.F.B.C., a part of a called 53.7273 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2006150741 of the O.P.R.F.B.C., a part of a called 217.8392 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2005107659 of the O.P.R.F.B.C., and a part of a called 96.1496 acre tract of land recorded in the name of Fulshear Land Partners, LTD. in C.F. No. 2006163186 of the O.P.R.F.B.C.; said 33.69 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

Beginning at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northeast corner of Restricted Reserve "A" and the southeast corner of Restricted Reserve "B" of Fulbrook on Fulshear Creek Section Twelve, a 35.8850 acre subdivision recorded in Plat No. 20170031 of the Plat Records of Fort Bend County (P.R.F.B.C.), being on the southerly line of a called 11.150 acre tract recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in C.F. No. 2016071925 of the O.P.R.F.B.C., and being the southerly line of Fulshear Creek (width varies);

1. Thence, with the southerly lines of said 11.1500 acre tract and said Fulshear Creek, South 85 degrees 03 minutes 34 seconds East, a distance of 264.50 feet to the southeast corner of said 11.1500 acre tract and the southwest corner of Restricted Reserve "F" of Fulshear Creek Crossing Section One, a subdivision recorded in Plat No. 20080065 of the P.R.F.B.C.;

Thence, with said southerly line of Restricted Reserve "F" and said southerly line of Fulshear Creek, the following five (5) courses:

2. South 82 degrees 33 minutes 19 seconds East, a distance of 224.69 feet;
3. South 75 degrees 00 minutes 10 seconds East, a distance of 309.66 feet;
4. South 55 degrees 40 minutes 11 seconds East, a distance of 75.57 feet;
5. South 52 degrees 13 minutes 17 seconds East, a distance of 105.96 feet;
6. South 56 degrees 09 minutes 13 seconds East, a distance of 277.68 feet;
7. Thence, with said southerly line of Restricted Reserve "F", said southerly line of Fulshear Creek, and the southerly line of Restricted Reserve "C" of Fulshear Creek Crossing Section Two, a subdivision recorded in Plat No. 2008066 of the P.R.F.B.C., South 58 degrees 33 minutes 07 seconds East, a distance of 113.54 feet;

Thence, with said southerly line of Restricted Reserve "C" and said southerly line of Fulshear Creek, the following four (4) courses:

8. South 51 degrees 56 minutes 53 seconds East, a distance of 474.94 feet;
9. South 55 degrees 19 minutes 18 seconds East, a distance of 143.40 feet;
10. South 41 degrees 36 minutes 22 seconds East, a distance of 329.03 feet;
11. South 38 degrees 00 minutes 24 seconds East, at a distance of 330.49 feet passing the southeasterly corner of said Restricted Reserve "C" and the westerly corner of a called 20.3661 acre tract of land recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in C.F. No. 2016071925 of the O.P.R.F.B.C. and continuing with the southerly line of said 20.3661 acre tract and said southerly line of Fulshear Creek a total distance of 432.90 feet;

Thence, across said 217.8392 acre tract, aforesaid 53.7273 acre tract, aforesaid 57.379 acre tract, and aforesaid 110.4552 acre tract, the following forty (40) courses:

12. South 46 degrees 51 minutes 53 seconds West, a distance of 32.69 feet;
13. South 43 degrees 08 minutes 07 seconds East, a distance of 100.00 feet;
14. South 46 degrees 51 minutes 53 seconds West, a distance of 87.91 feet;
15. 319.92 feet along the arc of a curve to the left, said curve having a central angle of 08 degrees 08 minutes 48 seconds, a radius of 2,250.00 feet and a chord that bears South 42 degrees 47 minutes 29 seconds West, a distance of 319.65 feet;
16. North 51 degrees 16 minutes 55 seconds West, a distance of 100.00 feet;
17. 15.04 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 22 minutes 00 seconds, a radius of 2,350.00 feet and a chord that bears South 38 degrees 32 minutes 05 seconds West, a distance of 15.04 feet;
18. North 51 degrees 38 minutes 55 seconds West, a distance of 17.77 feet;
19. North 06 degrees 20 minutes 05 seconds West, a distance of 28.96 feet;
20. North 49 degrees 57 minutes 19 seconds West, a distance of 116.19 feet;

21. 5.59 feet along the arc of a curve to the left, said curve having a central angle of 12 degrees 48 minutes 28 seconds, a radius of 25.00 feet and a chord that bears South 45 degrees 10 minutes 40 seconds West, a distance of 5.58 feet;
22. North 51 degrees 13 minutes 34 seconds West, a distance of 60.00 feet;
23. 44.16 feet along the arc of a curve to the right, said curve having a central angle of 00 degrees 59 minutes 11 seconds, a radius of 2,565.00 feet and a chord that bears North 39 degrees 16 minutes 02 seconds East, a distance of 44.16 feet;
24. North 50 degrees 14 minutes 22 seconds West, a distance of 120.00 feet;
25. North 40 degrees 32 minutes 04 seconds East, a distance of 72.55 feet;
26. North 42 degrees 11 minutes 16 seconds East, a distance of 82.41 feet;
27. North 44 degrees 10 minutes 48 seconds West, a distance of 141.39 feet;
28. North 44 degrees 45 minutes 15 seconds West, a distance of 83.28 feet;
29. North 46 degrees 25 minutes 48 seconds West, a distance of 33.19 feet;
30. North 46 degrees 55 minutes 24 seconds West, a distance of 304.87 feet;
31. North 47 degrees 03 minutes 32 seconds West, a distance of 85.72 feet;
32. North 48 degrees 28 minutes 26 seconds West, a distance of 82.65 feet;
33. North 50 degrees 56 minutes 31 seconds West, a distance of 81.88 feet;
34. North 53 degrees 17 minutes 54 seconds West, a distance of 81.82 feet;
35. North 54 degrees 53 minutes 42 seconds West, a distance of 85.91 feet;
36. South 30 degrees 43 minutes 54 seconds West, a distance of 97.24 feet;
37. 37.60 feet along the arc of a curve to the left, said curve having a central angle of 86 degrees 10 minutes 39 seconds, a radius of 25.00 feet and a chord that bears South 12 degrees 21 minutes 25 seconds East, a distance of 34.16 feet;
38. South 34 degrees 33 minutes 15 seconds West, a distance of 60.00 feet;
39. 50.70 feet along the arc of a curve to the left, said curve having a central angle of 03 degrees 55 minutes 33 seconds, a radius of 740.00 feet and a chord that bears North 57 degrees 24 minutes 31 seconds West, a distance of 50.69 feet;
40. South 30 degrees 37 minutes 43 seconds West, a distance of 120.00 feet;
41. North 62 degrees 31 minutes 53 seconds West, a distance of 68.35 feet;
42. North 68 degrees 51 minutes 11 seconds West, a distance of 68.39 feet;
43. North 75 degrees 10 minutes 38 seconds West, a distance of 68.41 feet;
44. North 81 degrees 30 minutes 09 seconds West, a distance of 68.42 feet;
45. North 86 degrees 31 minutes 05 seconds West, a distance of 68.77 feet;

46. North 86 degrees 52 minutes 37 seconds West, a distance of 70.09 feet;
47. South 89 degrees 49 minutes 55 seconds West, a distance of 82.58 feet;
48. South 88 degrees 28 minutes 15 seconds West, a distance of 195.96 feet;
49. North 46 degrees 56 minutes 13 seconds West, a distance of 354.33 feet;
50. North 55 degrees 52 minutes 37 seconds West, a distance of 312.19 feet;
51. North 80 degrees 25 minutes 31 seconds West, a distance of 9.55 feet to the southeast corner of Lot 10, Block 3 of aforesaid Fulbrook on Fulshear Creek Section Twelve;

Thence, with the easterly line of said Section Twelve, the following eight (8) courses:

52. North 34 degrees 07 minutes 23 seconds East, a distance of 188.97 feet;
53. South 55 degrees 52 minutes 37 seconds East, a distance of 95.00 feet;
54. North 34 degrees 07 minutes 23 seconds East, a distance of 56.25 feet;
55. North 81 degrees 59 minutes 17 seconds East, a distance of 41.08 feet;
56. South 85 degrees 03 minutes 34 seconds East, a distance of 70.00 feet;
57. North 04 degrees 56 minutes 26 seconds East, a distance of 170.00 feet;
58. North 85 degrees 03 minutes 34 seconds West, a distance of 36.35 feet;
59. North 04 degrees 56 minutes 26 seconds East, a distance of 140.00 feet to the **Point of Beginning** and containing 33.69 acres of land.

Note: Any statement in the legal description as to area or quantity of land is not a representation that such area or quantity is correct but is for informal identification purposes .

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

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2008000215

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2006137088

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2006150741

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2005107659

Fulshear Land Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2006163186

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

RESTRICTIONS:

None found

EASEMENTS:

1. Easement Agreement by and among Fulshear Municipal Utility District No. 1 of Fort Bend County, Fulshear Land Investment Partners, Ltd., and Fulshear Land Partners, Ltd., recorded under Fort Bend County Clerk's File No. 2016020610.
2. Easement Agreement by and among Fulshear Municipal Utility District No. 1 of Fort Bend County and Fulshear Land Investment Partners, Ltd., recorded under Fort Bend County Clerk's File No. 2016020609.
3. Temporary Public Utility Easement dedicated by instrument recorded under Fort Bend County Clerk's File No. 2016140058.
4. Public Utility Easement dedicated by instrument recorded under Fort Bend County Clerk's File No. 2016140059.
5. Terms, conditions and provisions contained in Waiver of Special Appraisal for the benefit of Fulshear Municipal Utility District No. 1 of Fort Bend County, by instrument dated May 14, 2014 filed for record under Fort Bend County Clerk's File No. 2014068483.
6. Easement Agreement by and among Fulshear Municipal Utility District No. 1 of Fort Bend County, Fulshear Land Investment Partners, Ltd., and Fulshear Land Partners, Ltd., recorded under Fort Bend County Clerk's File No. 2014043621
7. Easement for Certain Utilities granted to CenterPoint Energy Houston Electric, LLC, , CenterPoint Energy Resources Corp. dba Centerpoint Energy Texas Gas Operations, Southwestern Bell Telephone Company dba AT&T Texas and Comcast of Houston, LLC, in instrument recorded under Fort Bend County Clerk's File No. 2017050779, as affected by Partial Release recorded under Fort Bend County Clerk's File No. 2018040659.
8. Easement for Certain Utilities granted to CenterPoint Energy Houston Electric, CenterPoint Energy Resources Corp. dba Centerpoint Energy Texas Gas Operations, Southwestern Bell Telephone Company dba AT&T Texas and Comcast of Houston, LLC, in instrument recorded under Fort Bend County Clerk's File No. 2017050779, as affected by Partial Release recorded under Fort Bend County Clerk's File No. 2018054231.
9. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated December 28, 2007, recorded under County Clerk's File No. 2008000215 of the Official Records of Fort Bend County, Texas. . Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
10. All oil, gas and other minerals in, on, under or that may be produced are reserved in instrument from Glenwood Franklin Heizer, Independent Executor of the Will and Estate of Sethora Bell Nott West, Deceased to Fulshear Land Investment Partners, Ltd., dated November 16, 2006 and recorded on December 1, 2006, filed under Clerk's File No. 2006150741 in the Official Public Records of Real Property of Fort Bend County, Texas. Surface rights waived therein except for an access easement benefitting a 2.009-acre drill site, said drill site parcel excluded from legal

description on Schedule A hereof.

11. All oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as set forth in instrument recorded in Volume 1511, Page 20 of the Official Records of Fort Bend County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument.
12. All oil, gas and other minerals, the royalties, bonuses rentals and all other rights in connection with same are excepted herefrom as set forth in instrument filed for record under County Clerk's File No (s). 2000051944 of the Official Records of Fort Bend County, Texas. Waiver of surface rights contained therein. Title to said interest not checked subsequent to date of aforesaid instrument.
13. All oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as set forth in instrument filed under Clerk's File No. 2004057070 of the Official Public Records of Real Property of Fort Bend County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument. Waiver of surface rights contained therein.
14. 1/2 of all oil, gas and other minerals in, on, under or that may be produced are reserved in instrument recorded in Volume 593, Page 369 of the deed records of Fort Bend County, Texas. Title to said interest has not been investigated subsequent to date of aforesaid instrument.
15. 1/2 of all oil, gas and other minerals in, on, under or that may be produced reserved as set forth in instrument recorded in Volume 593, Page 365, Deed Records, Fort Bend County, Texas. Title to said interest has not been investigated subsequent to date of aforesaid instrument.
16. Mineral interest reserved in instrument from Carolyn Ann Huggins Michnoff f/k/a Carolyn Ann Huggins to Fulshear Land Investment Partners, Ltd., dated October 30, 2006 and recorded on October 31, 2006, filed under Clerk's File No. 2006137093 in the Official Public Records of Real Property of Fort Bend County, Texas. Surface rights waived therein except for an approximately 2.00 acre drill site located on the subject property and access easement thereto, said instrument stating therein: *"Grantor hereby excepts and reserves all of the interest currently owned by Grantor in the oil, gas and other minerals (the "Minerals") in and under or that may be produced from the Property; however, Grantor, on behalf of itself, its successors and assigns, hereby forever releases, waives and relinquishes all rights to use the surface of the Property for seismic activities and for any and all other mineral exploration or production purposes including, without limitation, exploring, drilling for, developing, producing, storing, and processing Minerals from the Property ("Mineral Operations") with the exception of the two (2) acre tract of land described on Exhibit "C" attached hereto (the "Drill Site"). Such release, waiver and relinquishment shall not be construed as a release, waiver or relinquishment by Grantor of the right to explore, drill for, develop or produce Minerals from the Land (and to have access to and control of underground mineral formations) without the use of any portion of the surface of the Land other than the Drill Site, including production through wells at surface locations situated on the Drill Site or outside the Land, including, without limitation, directional wells drilled under or through or bottomed beneath the Land."*

Subject to Waiver of Surface Rights and Designation of Drill Site recorded on May 16, 2014 under Fort Bend County Clerk's File No. 2014050220.

17. Coal, lignite, oil, gas or other mineral interest(s), together with rights incident thereto, contained in instrument dated August 31, 2005, recorded September 1, 2005 at Fort Bend County Clerk's File No. 2005107659 of the Official Records of FORT BEND County, Texas, which document contains the following language *"Grantor hereby excepts and reserves all of the interest currently owned by Grantor, if any, in the oil, gas and other hydrocarbon minerals (the "Minerals") in and under or that may be produced from the Property; however, Grantor, on behalf of itself, its successors and assigns, hereby forever releases, waives and relinquishes all rights to use the surface of the Property for seismic activities and for any and all other mineral exploration or production purposes including, without limitation, exploring, drilling for, developing, producing, storing, and processing*

Minerals from the Property with the exception of that certain approximately two (2) acre drill site (the "Drill Site") the location of which shall be agreed to between Grantor and Grantee, as hereafter described. With respect to the Drill Site, Grantee shall designate the proposed location of the Drill Site and the location of an easement granting access to such Drill Site (the "Access Easement"). At such time as Grantee designates the location of the Drill Site and the Access Easement, it shall notify Grantor who shall have the right to approve such location of the Drill Site and the Access Easement, which such approval shall not be unreasonably withheld, conditioned or delayed. At such time as the location of the Drill Site and Access Easement is agreed upon, Grantor and Grantee shall execute and instrument in the property records confirming the location of the Drill Site and Access Easement and Grantor, its successors and assigns agree that any mineral operations with respect to the Property shall be limited to such Drill Site and Access Easement. In addition to operations that may be conducted upon the Drill Site, Grantor shall also have and retain the right to operations, development and production of oil, gas, and associated hydrocarbons produced therewith, and other minerals in and under the Property by pooling or by off-site directional drilling below the surface of the Property." Reference to which instrument is here made for full particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

Said interest subject to Waiver of Surface Rights and Designation of Drill Site recorded on October 31, 2006 under Fort Bend County Clerk's File No. 2006137086, same designating access easements, drill sites and pipeline easements located offsite of subject property.

18. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
19. Subject property appears to be in Fulshear Municipal Utility District No. 1, a Municipal Utility District

LIENS:

None of Record

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

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

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

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



FPS
KAB

Charter Title Company

BY:


Katherine Ann Burghard
Commercial Title Officer

County: Fort Bend
Project: Fulbrook on Fulshear Creek Section Five Preliminary Boundary
C.I. No.: 1205-17R (Plat Prepared)
Job Number: 2014121-W232-011

METES AND BOUNDS DESCRIPTION
33.69 ACRES

Being a 33.69 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 33.69 acre tract being a part of a called 110,4552 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in County Clerk's File (C.F.) No. 2008000215 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), a part of a called 57.379 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2006137088 of the O.P.R.F.B.C., a part of a called 53.7273 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2006150741 of the O.P.R.F.B.C., a part of a called 217.8392 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2005107659 of the O.P.R.F.B.C., and a part of a called 96.1496 acre tract of land recorded in the name of Fulshear Land Partners, LTD. in C.F. No. 2006163186 of the O.P.R.F.B.C.,; said 33.69 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

Beginning at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northeast corner of Restricted Reserve "A" and the southeast corner of Restricted Reserve "B" of Fulbrook on Fulshear Creek Section Twelve, a 35.8850 acre subdivision recorded in Plat No. 20170031 of the Plat Records of Fort Bend County (P.R.F.B.C.), being on the southerly line of a called 11.150 acre tract recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in C.F. No. 2016071925 of the O.P.R.F.B.C., and being the southerly line of Fulshear Creek (width varies);

1. Thence, with the southerly lines of said 11.1500 acre tract and said Fulshear Creek, South 85 degrees 03 minutes 34 seconds East, a distance of 264.50 feet to the southeast corner of said 11.1500 acre tract and the southwest corner of Restricted Reserve "F" of Fulshear Creek Crossing Section One, a subdivision recorded in Plat No. 20080065 of the P.R.F.B.C.;

Thence, with said southerly line of Restricted Reserve "F" and said southerly line of Fulshear Creek, the following five (5) courses:

2. South 82 degrees 33 minutes 19 seconds East, a distance of 224.69 feet;
3. South 75 degrees 00 minutes 10 seconds East, a distance of 309.66 feet;
4. South 55 degrees 40 minutes 11 seconds East, a distance of 75.57 feet;
5. South 52 degrees 13 minutes 17 seconds East, a distance of 105.96 feet;

6. South 56 degrees 09 minutes 13 seconds East, a distance of 277.68 feet;
7. Thence, with said southerly line of Restricted Reserve "F", said southerly line of Fulshear Creek, and the southerly line of Restricted Reserve "C" of Fulshear Creek Crossing Section Two, a subdivision recorded in Plat No. 2008066 of the P.R.F.B.C., South 58 degrees 33 minutes 07 seconds East, a distance of 113.54 feet;

Thence, with said southerly line of Restricted Reserve "C" and said southerly line of Fulshear Creek, the following four (4) courses:

8. South 51 degrees 56 minutes 53 seconds East, a distance of 474.94 feet;
9. South 55 degrees 19 minutes 18 seconds East, a distance of 143.40 feet;
10. South 41 degrees 36 minutes 22 seconds East, a distance of 329.03 feet;
11. South 38 degrees 00 minutes 24 seconds East, at a distance of 330.49 feet passing the southeasterly corner of said Restricted Reserve "C" and the westerly corner of a called 20.3661 acre tract of land recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in C.F. No. 2016071925 of the O.P.R.F.B.C. and continuing with the southerly line of said 20.3661 acre tract and said southerly line of Fulshear Creek a total distance of 432.90 feet;

Thence, across said 217.8392 acre tract, aforesaid 53.7273 acre tract, aforesaid 57.379 acre tract, and aforesaid 110.4552 acre tract, the following forty (40) courses:

12. South 46 degrees 51 minutes 53 seconds West, a distance of 32.69 feet;
13. South 43 degrees 08 minutes 07 seconds East, a distance of 100.00 feet;
14. South 46 degrees 51 minutes 53 seconds West, a distance of 87.91 feet;
15. 319.92 feet along the arc of a curve to the left, said curve having a central angle of 08 degrees 08 minutes 48 seconds, a radius of 2,250.00 feet and a chord that bears South 42 degrees 47 minutes 29 seconds West, a distance of 319.65 feet;
16. North 51 degrees 16 minutes 55 seconds West, a distance of 100.00 feet;
17. 15.04 feet along the arc of a curve to the left, said curve having a central angle of 00 degrees 22 minutes 00 seconds, a radius of 2,350.00 feet and a chord that bears South 38 degrees 32 minutes 05 seconds West, a distance of 15.04 feet;
18. North 51 degrees 38 minutes 55 seconds West, a distance of 17.77 feet;
19. North 06 degrees 20 minutes 05 seconds West, a distance of 28.96 feet;

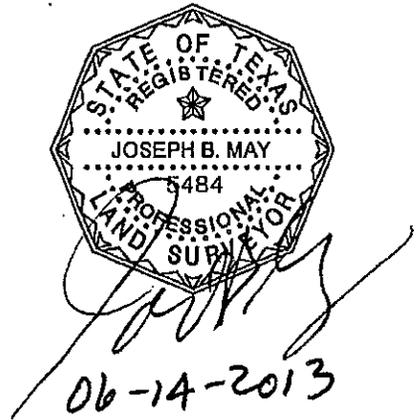
20. North 49 degrees 57 minutes 19 seconds West, a distance of 116.19 feet;
21. 5.59 feet along the arc of a curve to the left, said curve having a central angle of 12 degrees 48 minutes 28 seconds, a radius of 25.00 feet and a chord that bears South 45 degrees 10 minutes 40 seconds West, a distance of 5.58 feet;
22. North 51 degrees 13 minutes 34 seconds West, a distance of 60.00 feet;
23. 44.16 feet along the arc of a curve to the right, said curve having a central angle of 00 degrees 59 minutes 11 seconds, a radius of 2,565.00 feet and a chord that bears North 39 degrees 16 minutes 02 seconds East, a distance of 44.16 feet;
24. North 50 degrees 14 minutes 22 seconds West, a distance of 120.00 feet;
25. North 40 degrees 32 minutes 04 seconds East, a distance of 72.55 feet;
26. North 42 degrees 11 minutes 16 seconds East, a distance of 82.41 feet;
27. North 44 degrees 10 minutes 48 seconds West, a distance of 141.39 feet;
28. North 44 degrees 45 minutes 15 seconds West, a distance of 83.28 feet;
29. North 46 degrees 25 minutes 48 seconds West, a distance of 33.19 feet;
30. North 46 degrees 55 minutes 24 seconds West, a distance of 304.87 feet;
31. North 47 degrees 03 minutes 32 seconds West, a distance of 85.72 feet;
32. North 48 degrees 28 minutes 26 seconds West, a distance of 82.65 feet;
33. North 50 degrees 56 minutes 31 seconds West, a distance of 81.88 feet;
34. North 53 degrees 17 minutes 54 seconds West, a distance of 81.82 feet;
35. North 54 degrees 53 minutes 42 seconds West, a distance of 85.91 feet;
36. South 30 degrees 43 minutes 54 seconds West, a distance of 97.24 feet;
37. 37.60 feet along the arc of a curve to the left, said curve having a central angle of 86 degrees 10 minutes 39 seconds, a radius of 25.00 feet and a chord that bears South 12 degrees 21 minutes 25 seconds East, a distance of 34.16 feet;
38. South 34 degrees 33 minutes 15 seconds West, a distance of 60.00 feet;

39. 50.70 feet along the arc of a curve to the left, said curve having a central angle of 03 degrees 55 minutes 33 seconds, a radius of 740.00 feet and a chord that bears North 57 degrees 24 minutes 31 seconds West, a distance of 50.69 feet;
40. South 30 degrees 37 minutes 43 seconds West, a distance of 120.00 feet;
41. North 62 degrees 31 minutes 53 seconds West, a distance of 68.35 feet;
42. North 68 degrees 51 minutes 11 seconds West, a distance of 68.39 feet;
43. North 75 degrees 10 minutes 38 seconds West, a distance of 68.41 feet;
44. North 81 degrees 30 minutes 09 seconds West, a distance of 68.42 feet;
45. North 86 degrees 31 minutes 05 seconds West, a distance of 68.77 feet;
46. North 86 degrees 52 minutes 37 seconds West, a distance of 70.09 feet;
47. South 89 degrees 49 minutes 55 seconds West, a distance of 82.58 feet;
48. South 88 degrees 28 minutes 15 seconds West, a distance of 195.96 feet;
49. North 46 degrees 56 minutes 13 seconds West, a distance of 354.33 feet;
50. North 55 degrees 52 minutes 37 seconds West, a distance of 312.19 feet;
51. North 80 degrees 25 minutes 31 seconds West, a distance of 9.55 feet to the southeast corner of Lot 10, Block 3 of aforesaid Fulbrook on Fulshear Creek Section Twelve;

Thence, with the easterly line of said Section Twelve, the following eight (8) courses:

52. North 34 degrees 07 minutes 23 seconds East, a distance of 188.97 feet;
53. South 55 degrees 52 minutes 37 seconds East, a distance of 95.00 feet;
54. North 34 degrees 07 minutes 23 seconds East, a distance of 56.25 feet;
55. North 81 degrees 59 minutes 17 seconds East, a distance of 41.08 feet;
56. South 85 degrees 03 minutes 34 seconds East, a distance of 70.00 feet;
57. North 04 degrees 56 minutes 26 seconds East, a distance of 170.00 feet;
58. North 85 degrees 03 minutes 34 seconds West, a distance of 36.35 feet;

59. North 04 degrees 56 minutes 26 seconds East, a distance of 140.00 feet to the **Point of Beginning** and containing 33.69 acres of land.



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

Agenda Item: 11

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Fulbrook on Fulshear Creek Section 13 / Final Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: _____

City Secretary

Processed
 Returned for additional data

BY: K. Kopf DATE: 6-22-2018

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: 6-21-18 Date Received by the City of Fulshear: _____
 Subdivision: FULBROOK ON FULSHEAR CREEK SECTION THIRTEEN Development: FULBROOK ON FULSHEAR CREEK

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: METES & BOUNDS ON FACE OF THE PLAT

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

Total Acreage: 19.64 AC.
 Number of Streets: 5
 Number of Lots: 61
 Number and Types of Reserves: 2 DRAINAGE/ LANDSCAPE OPEN SPACE
 Total Acres in Reserve: 3.76 AC.

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

Engineer/Planner: COSTELLO, INC.
Contact Person: ALEX KHOSHAKHLAGH, P.E.
Telephone: 713-783-7788
Fax Number: 713-783-3580
Email Address: AKHOSHAKHLAGH@COSTELLOINC.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>\$1,296.00</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.

Jorge Dela Rosa SIGNATURE JORGE DELA ROSA / PLAT COORDINATOR TYPED OR PRINTED NAME/TITLE 6-21-18 DATE

July 2, 2018

Engineering Review

Final Plat
Fulbrook on Fulshear Creek Section 13
City of Fulshear, Texas

For Information Only:

1. This plat will create 61 Lots in 2 Blocks with 2 Restricted Reserves that cover a total acreage of 19.64 acres.
2. Access to this section will be from an extension of Meadow Wood Drive out of Section 12.
3. The typical lot sizes in this section are 62-foot by 120-foot with a 25-foot Front Building Line.

Recommendations:

I recommend that this Final Plat of Fulbrook on Fulshear Creek Section 13 be approved with the following items being addressed:

A) There is a dashed line extending thru Lot 17, Block 1 and Lot 14, Block 3 that is not identified.

B) All utility Easements need to have a minimum width of 14-foot unless they adjoin a street.

*Shorter
will need to
be addressed
points
R & Z
SMV*

David Leyendecker



June 26, 2018

Ms. Sharon Valiante
Public Works Director
City of Fulshear
P.O. Box 279
Fulshear, Texas 77441

Via US Mail and Email

RE: Fulshear MUD No. 1
Fulbrook on Fulshear Creek, Sections 5 and 13
CI Job No. 2012.101-004

Dear Ms. Valiante:

We are sending this letter to inform you that the following two sections are currently under design by our firm and will require wastewater and water capacity from the City of Fulshear:

Fulbrook on Fulshear Creek	Lots	Equiv. Single Family Connections	Wastewater Flow	Water Capacity
Section 5	97	97	29,100 gpd	46,075 gpd
Section 13	61	61	18,300 gpd	28,975 gpd
TOTAL	158	158	47,400 gpd	75,050 gpd

Preliminary plats for these sections have been approved by the City. We expect construction of the infrastructure serving Sections 5 and 13 to be completed in the fourth quarter of 2018 and for homebuilding to start upon lot delivery. Please note these sections are within Fulshear MUD No. 1 and the City of Fulshear. The Utility Agreement in place between Fulshear MUD No. 1 and the City of Fulshear defines wastewater service and water capacity for one equivalent single-family connection as 300 gallons per day of wastewater flow, and 475 gpd of water capacity which is the criteria used in calculating the figures shown above.

Please consider this letter formal notice of the need for water and wastewater capacity and formal notice that we are proceeding with design of Sections 5 and 13 under the terms of the Utility Agreement between Fulshear MUD No. 1 and the City of Fulshear. Please contact us if you have any questions or require further information on this matter.

Sincerely,
Costello, Inc.



DeKécha P. Shepherd, P.E.
Senior Project Manager

CC: Mr. Brant Gary – City of Fulshear
Mr. David Leyendecker, P.E. – Clay & Leyendecker
Mr. Rob Fondren – Fulshear Land Partners
Mr. David A. Cannon – Fulshear Land Partners
Mr. Ryan Harper – Allen Boone Humphries Robinson, LLP

CITY PLANNING LETTER

GF No.: FFC-13
Time frame covered by this report:

Effective Date: 06/13/2018

PROPERTY

Legal Description:

County: Fort Bend
Project: Fulbrook on Fulshear Creek Section Thirteen Preliminary Boundary
C.I. No.: 1077-18 (Plat Prepared)

Being a 19.64 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 19.64 acre tract being a part of a called 110.4552 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in County Clerk's File (C.F.) No. 2008000215 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), a part of a called 57.379 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2006137088 of the O.P.R.F.B.C., and a part of a called 46.8106 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2006150741 of the O.P.R.F.B.C.; said 19.64 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

Beginning at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the southeast corner of Fulbrook on Fulshear Creek Section Twelve, a 35.8850 acre subdivision recorded in Plat No. 20170031 of the Plat Records of Fort Bend County (P.R.F.B.C.), same being on the southerly line of aforesaid 110.4552 acre tract and the northerly line a called 80.00 acre tract of land recorded in the name of Canaan Ranch Corporation in C.F. No. 1999103046 of the O.P.R.F.B.C.;

Thence, with the easterly line of said Fulbrook on Fulshear Creek Section Twelve, the following eight (8) courses:

1. North 01 degrees 31 minutes 45 seconds West, a distance of 441.47 feet;
2. North 36 degrees 54 minutes 55 seconds East, a distance of 57.04 feet;
3. North 54 degrees 19 minutes 47 seconds West, a distance of 93.35 feet;
4. North 35 degrees 40 minutes 13 seconds East, a distance of 180.00 feet;
5. North 54 degrees 19 minutes 47 seconds West, a distance of 158.69 feet;
6. North 35 degrees 40 minutes 13 seconds East, a distance of 29.98 feet;
7. South 80 degrees 25 minutes 31 seconds East, a distance of 276.27 feet;
8. North 34 degrees 07 minutes 23 seconds East, a distance of 3.97 feet;

Thence, through aforesaid 110.4552 acre tract, aforesaid 57.379 acre tract, and aforesaid 46.8106 acre tract, the follow twenty-one (21) courses:

9. South 55 degrees 52 minutes 37 seconds East, a distance of 320.88 feet;
10. South 46 degrees 56 minutes 13 seconds East, a distance of 354.33 feet;
11. North 88 degrees 28 minutes 15 seconds East, a distance of 195.96 feet;
12. North 89 degrees 49 minutes 52 seconds East, a distance of 82.56 feet;
13. South 86 degrees 52 minutes 37 seconds East, a distance of 70.11 feet;
14. South 86 degrees 31 minutes 05 seconds East, a distance of 48.13 feet;
15. South 01 degrees 30 minutes 08 seconds East, a distance of 285.94 feet;
16. South 01 degrees 50 minutes 23 seconds East, a distance of 61.57 feet;
17. South 05 degrees 13 minutes 55 seconds East, a distance of 60.95 feet;
18. South 09 degrees 22 minutes 07 seconds East, a distance of 60.95 feet;
19. South 13 degrees 32 minutes 44 seconds East, a distance of 60.95 feet;
20. South 17 degrees 21 minutes 25 seconds East, a distance of 60.95 feet;
21. South 21 degrees 07 minutes 00 seconds East, a distance of 176.16 feet;
22. South 21 degrees 07 minutes 00 seconds East, a distance of 54.12 feet;
23. South 20 degrees 38 minutes 03 seconds East, a distance of 18.86 feet;
24. South 18 degrees 25 minutes 16 seconds East, a distance of 67.65 feet;
25. South 14 degrees 57 minutes 34 seconds East, a distance of 67.66 feet;
26. South 76 degrees 46 minutes 18 seconds West, a distance of 121.03 feet;
27. 5.67 feet along the arc of a curve to the right, said curve having a central angle of 00 degrees 11 minutes 08 seconds, a radius of 1,750.00 feet and a chord that bears South 14 degrees 45 minutes 03 seconds East, a distance of 5.67 feet;
28. South 75 degrees 20 minutes 32 seconds West, a distance of 60.00 feet;
29. South 88 degrees 26 minutes 42 seconds West, a distance of 304.94 feet to the west line of said 46.8106 acre tract and the east line of aforesaid 80.00 acre tract;
30. Thence, with the common line of said 46.8106 acre tract, said 80.00 acre tract, and aforesaid 57.379 acre tract, North 01 degrees 32 minutes 04 seconds West, a distance of 687.95 feet to the northeast corner of said 80.00 acre tract and the southeast corner of aforesaid 110.4552 acre tract;
31. Thence, with the common line of said 80.00 acre tract and said 110.4552 acre tract, South 88 degrees 28 minutes 15 seconds West, a distance of 824.32 feet to the Point of Beginning and containing 19.64 acres of land.

Note: Any statement in the legal description contained in this commitment as to area or quantity of land is not a representation that such area or quantity is correct but is for informal identification purposes a.

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

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2008000215

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2006137088

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2006150741

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

RESTRICTIONS:

None found

EASEMENTS:

1. Easement Agreement by and among Fulshear Municipal Utility District No. 1 of Fort Bend Count, Fulshear Land Investment Partners, Ltd., and Fulshear Land Partners, Ltd., recorded under Fort Bend County Clerk's File No. 2016020610.
2. Temporary Public Utility Easement dedicated by instrument recorded under Fort Bend County Clerk's File No. 2016140058.
3. Public Utility Easement dedicated by instrument recorded under Fort Bend County Clerk's File No. 2016140059.
4. Terms, conditions and provisions contained in Waiver of Special Appraisal for the benefit of Fulshear Municipal Utility District No. 1 of Fort Bend County, by instrument dated May 14, 2014 filed for record under Fort Bend County Clerk's File No. 2014068483.
5. Easement for Certain Utilities granted to CenterPoint Energy Houston Electric, CenterPoint Energy Resources Corp. dba Centerpoint Energy Texas Gas Operations, Southwestern Bell Telephone Company dba AT&T Texas and Comcast of Houston, LLC, in instrument recorded under Fort Bend County Clerk's File No. 2017050779, as affected by Partial Release recorded under Fort Bend County Clerk's File No. 2018054231.
6. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated December 28, 2007, recorded under County Clerk's File No. 2008000215 of the Official Records of Fort Bend County, Texas. . Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).
7. All oil, gas and other minerals in, on, under or that may be produced are reserved in instrument from Glenwood Franklin Heizer, Independent Executor of the Will and Estate of Sethora Bell Nott West, Deceased to Fulshear Land Investment Partners, Ltd., dated November 16, 2006 and recorded on December 1, 2006, filed under Clerk's File No. 2006150741 in the Official Public Records of Real Property of Fort Bend County, Texas. Surface rights waived therein except for an access easement benefitting a 2.009-acre drill site, said drill site parcel excluded from legal description on Schedule A hereof.
8. All oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as set forth in instrument recorded in Volume 1511, Page 20 of the Official Records of Fort Bend County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument.
9. All oil, gas and other minerals, the royalties, bonuses rentals and all other rights in connection with same are excepted herefrom as set forth in instrument filed for record under County Clerk's File No (s). 2000051944 of the Official Records of Fort Bend County, Texas. Waiver of surface rights contained therein. Title to said interest not checked subsequent to date of aforesaid instrument.
10. All oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as set forth in instrument filed under Clerk's File No. 2004057070 of the Official Public Records of Real Property of Fort Bend County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument. Waiver of surface rights contained therein.
11. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.

12. Subject property appears to be in Fulshear Municipal Utility District No. 1, a Municipal Utility District

LIENS:

None of Record

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

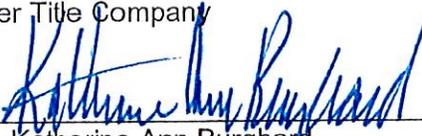
SPECIAL NOTE AND LIMITATION OF LIABILITY: This report is issued with the express understanding, evidenced by the acceptance of same, that this report does not undertake to give or express any opinion as to the validity of the title hereinabove described or the authority of those executing the above listed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

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

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

Charter Title Company

BY:


Katherine Ann Burghard
Commercial Title Officer

County: Fort Bend
Project: Fulbrook on Fulshear Creek Section Thirteen Boundary
C.I. No.: 1077-18R (Plat Prepared)
Job Number: 2018-044-011

METES AND BOUNDS DESCRIPTION
19.64 ACRES

Being a 19.64 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 19.64 acre tract being a part of a called 110.4552 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in County Clerk's File (C.F.) No. 2008000215 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), a part of a called 57.379 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2006137088 of the O.P.R.F.B.C., and a part of a called 46.8106 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in C.F. No. 2006150741 of the O.P.R.F.B.C.; said 19.64 acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

Beginning at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the southeast corner of Fulbrook on Fulshear Creek Section Twelve, a 35.8850 acre subdivision recorded in Plat No. 20170031 of the Plat Records of Fort Bend County (P.R.F.B.C.), same being on the southerly line of aforesaid 110.4552 acre tract and the northerly line a called 80.00 acre tract of land recorded in the name of Canaan Ranch Corporation in C.F. No. 1999103046 of the O.P.R.F.B.C.;

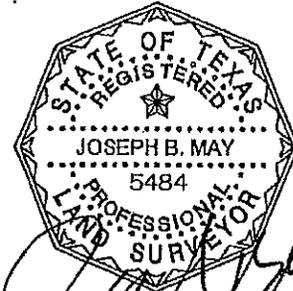
Thence, with the easterly line of said Fulbrook on Fulshear Creek Section Twelve, the following eight (8) courses:

1. North 01 degrees 31 minutes 45 seconds West, a distance of 441.47 feet;
2. North 36 degrees 54 minutes 55 seconds East, a distance of 57.04 feet;
3. North 54 degrees 19 minutes 47 seconds West, a distance of 93.35 feet;
4. North 35 degrees 40 minutes 13 seconds East, a distance of 180.00 feet;
5. North 54 degrees 19 minutes 47 seconds West, a distance of 158.69 feet;
6. North 35 degrees 40 minutes 13 seconds East, a distance of 29.98 feet;
7. South 80 degrees 25 minutes 31 seconds East, a distance of 276.27 feet;
8. North 34 degrees 07 minutes 23 seconds East, a distance of 3.97 feet;

Thence, through aforesaid 110.4552 acre tract, aforesaid 57.379 acre tract, and aforesaid 46.8106 acre tract, the follow twenty-two (22) courses:

9. South 55 degrees 52 minutes 37 seconds East, a distance of 320.88 feet;
10. South 46 degrees 56 minutes 13 seconds East, a distance of 354.33 feet;
11. North 88 degrees 28 minutes 15 seconds East, a distance of 195.96 feet;
12. North 89 degrees 49 minutes 52 seconds East, a distance of 82.56 feet;
13. South 86 degrees 52 minutes 37 seconds East, a distance of 70.11 feet;
14. South 86 degrees 31 minutes 05 seconds East, a distance of 48.13 feet;
15. South 01 degrees 30 minutes 08 seconds East, a distance of 285.18 feet;
16. South 01 degrees 50 minutes 10 seconds East, a distance of 61.56 feet;
17. South 05 degrees 13 minutes 14 seconds East, a distance of 60.92 feet;
18. South 09 degrees 19 minutes 39 seconds East, a distance of 60.92 feet;
19. South 13 degrees 26 minutes 05 seconds East, a distance of 60.92 feet;
20. South 17 degrees 32 minutes 31 seconds East, a distance of 60.92 feet;
21. South 20 degrees 50 minutes 13 seconds East, a distance of 61.37 feet;
22. South 21 degrees 07 minutes 00 seconds East, a distance of 62.00 feet;
23. South 21 degrees 21 minutes 34 seconds East, a distance of 62.45 feet;
24. South 19 degrees 50 minutes 47 seconds East, a distance of 65.32 feet;
25. South 17 degrees 50 minutes 43 seconds East, a distance of 65.32 feet;
26. South 15 degrees 50 minutes 39 seconds East, a distance of 68.71 feet;
27. South 76 degrees 46 minutes 18 seconds West, a distance of 120.39 feet;
28. 5.67 feet along the arc of a curve to the right, said curve having a central angle of 00 degrees 11 minutes 08 seconds, a radius of 1,750.00 feet and a chord that bears South 14 degrees 45 minutes 03 seconds East, a distance of 5.67 feet;
29. South 75 degrees 20 minutes 32 seconds West, a distance of 60.00 feet;

30. South 88 degrees 26 minutes 42 seconds West, a distance of 304.94 feet to the west line of said 46.8106 acre tract and the east line of aforesaid 80.00 acre tract;
31. Thence, with the common line of said 46.8106 acre tract, said 80.00 acre tract, and aforesaid 57.379 acre tract, North 01 degrees 32 minutes 04 seconds West, a distance of 687.95 feet to the northeast corner of said 80.00 acre tract and the southeast corner of aforesaid 110.4552 acre tract;
32. Thence, with the common line of said 80.00 acre tract and said 110.4552 acre tract, South 88 degrees 28 minutes 15 seconds West, a distance of 824.32 feet to the **Point of Beginning** and containing 19.64 acres of land.



Joseph B. May
06-14-2018

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

Agenda Item: 12

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Fulbrook on Fulshear Creek Lift Station Site No. 9 / Final Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: _____

City Secretary

Processed
 Returned for additional data

BY: X-7678 DATE: 6-22-2018

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____



Subdivision/Development Platting Application

Date: 6-21-2018 Date Received by the City of Fulshear: _____
 Subdivision: FULBROOK ON FULSHEAR CREEK LIFT STATION SITE NO. 9 Development: FULBROOK ON FULSHEAR CREEK

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: METES & BOUNDS ON FACE OF THE PLAT

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

Total Acreage: 0.2312 AC.
 Number of Streets: N/A
 Number of Lots: N/A
 Number and Types of Reserves: 1 LIFT STATION
 Total Acres in Reserve: 0.2312 AC.

Owner: FULSHEAR LAND INV. PARTNERS, LTD
Address: THREE RIVERWAY, SUITE 120
City/State: HOUSTON, TEXAS
Telephone: 713-623-2466
Email Address: _____

Engineer/Planner: COSTELLO, INC.
Contact Person: ALEX KHOSHAKHLAGH, P.E.
Telephone: 713-783-7788
Fax Number: 713-783-3580
Email Address: AKHOSHAKLAGH@COSTELLOINC.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	# 505.78
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.

 JORGE L. DELA ROSA / PLAT COORDINATOR 6-21-18
 SIGNATURE TYPED OR PRINTED NAME/TITLE DATE

July 2, 2018

Engineering Review

Final Plat
Fulbrook on Fulshear Creek Lift Station No. 9
City of Fulshear, Texas

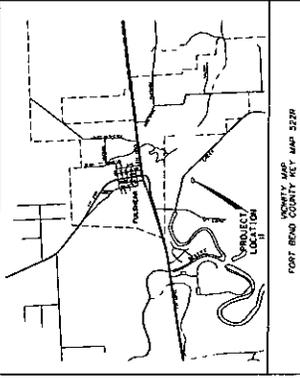
For Information only:

1. This plat will create one (1) Reserve with an area of 0.2312 acres for a Sanitary Sewer Lift Station
2. Access to this Reserve is from a 30-foot wide access easement that extends down from Fulshear Trace.

Recommendations:

I recommend that this Final Plat of Fulbrook on Fulshear Creek Lift Station No. 9 be approved with the addition of a 25-foot Front Building Line.





TO WHOM IT MAY COME, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

BOOK & PAGE
DEED REGISTRATION NO. 1484

STATE OF TEXAS, COUNTY OF FORT BEND, TEXAS, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

BOOK & PAGE
DEED REGISTRATION NO. 1482

STATE OF TEXAS, COUNTY OF FORT BEND, TEXAS, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

BOOK & PAGE
DEED REGISTRATION NO. 1482

STATE OF TEXAS, COUNTY OF FORT BEND, TEXAS, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

BOOK & PAGE
DEED REGISTRATION NO. 1482

STATE OF TEXAS, COUNTY OF FORT BEND, TEXAS, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

BOOK & PAGE
DEED REGISTRATION NO. 1482

CITY OF FULBROOK
COUNTY OF FORT BEND

STATE OF TEXAS, COUNTY OF FORT BEND, TEXAS, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

STATE OF TEXAS, COUNTY OF FORT BEND, TEXAS, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

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STATE OF TEXAS, COUNTY OF FORT BEND, TEXAS, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

STATE OF TEXAS, COUNTY OF FORT BEND, TEXAS, I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD AS FILED IN THE PUBLIC RECORDS OF FORT BEND COUNTY, TEXAS, THIS _____ DAY OF _____, 2018.

FINAL PLAT OF FULBROOK ON FULSHEAR CREEK LIFT STATION SITE NO. 9

A SUBDIVISION OF 0.2312 ACRES
LOCATED IN THE
CHURCHILL CREEK LIFT STATION, A-29
CITY OF FULBROOK,
FORT BEND COUNTY, TEXAS
0 LOTS 1 BLOCK 1 RESERVE

DATE: JUNE, 2018

OWNER:
FULSHEAR LAND INVESTMENT PARTNERS, LTD.
11111 WINDY HILL ROAD
HOUSTON, TEXAS 77036
PLANNED DEVELOPMENT

PLANNER:
SWETZER AND ASSOCIATES
1111 WINDY HILL ROAD
HOUSTON, TEXAS 77036
PLANNED DEVELOPMENT



ENGINEER/SURVEYOR
Castello
1111 WINDY HILL ROAD
HOUSTON, TEXAS 77036
PLANNED DEVELOPMENT



FORT BEND COUNTY DRAINAGE DISTRICT
Project Submission Form

APPLICANT INFORMATION REQUIRED		
Company Name: <u>COSTELLO, INC.</u>	Date: <u>6-22-2018</u>	
Contact Name: <u>ALEX KOSHAKHLAGH, P.E.</u>		
Office Address: <u>2107 CITYWEST BLVD. 3RD FLOOR</u>		
City: <u>HOUSTON</u>	State: <u>TX</u>	Zip: <u>77042</u>
Mailing Address: <u>SAME</u>		
City:	State:	Zip:
Office Phone: <u>713-783-7888</u>	Email: <u>AKOSHAKHLAGH@COSTELLOINC.COM</u>	
Cell Phone: <u>832-455-7425</u>	Fax: <u>713-783-3580</u>	
PROJECT INFORMATION REQUIRED		
Project Name: <u>FULBROOK ON FULSHEAR CREEK</u>		
Project Address: <u>FULSHEAR TRACE</u>		
City: <u>FULSHEAR</u>	State: <u>TEXAS</u>	Zip: <u>77441</u>
Legal Description: <u>FULBROOK ON FULSHEAR CREEK LIFT STATION SITE NO. 9</u>		
PROJECT SUMMARY REQUIRED		
Project Summary:		
Commissioner Precinct No. <u># 3</u>		
MUD Name: <u>FULSHEAR</u>	MUD No. <u>1</u>	
LID Name: _____	LID No. _____	
City or City ETJ: <u>CITY OF FULSHEAR</u>		
SUBMITTAL TYPE REQUIRED		
<input checked="" type="checkbox"/> Plat		
<input type="checkbox"/> Plans		
<input type="checkbox"/> Report		
<input checked="" type="radio"/> Initial Submittal	<input type="radio"/> Resubmittal *	
*(For resubmittal, include written response to review comments explaining how items were addressed.)		

CITY PLANNING LETTER

GF No.: FFC-LS9
Time frame covered by this report:

Effective Date: 06/13/2018

PROPERTY

Legal Description:

County: Fort Bend
Project: Fulbrook on Fulshear Creek Lift Station Site No. 9 Boundary
C.I. No.: 1122-18 (Plat prepared)
Job Number: 2014-121-011

METES AND BOUNDS DESCRIPTION
0.2312 ACRES

Being a 0.2312-acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 0.2312-acre tract being a part of a called 217.8392-acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in Fort Bend County Clerk's File (F.B.C.C.F.) No. 2005107659 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), and a part of a called 46.8106-acre tract recorded in the name of Fulshear Land Investment Partners, LTD. in F.B.C.C.F. No. 2006150741 of the O.P.R.F.B.C.; said 0.2312-acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

Commencing at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northeast corner of said 46.8106-acre tract and the southeast corner of a called 53.7273-acre tract recorded in the name of Fulshear Land Investment Partners, LTD. in F.B.C.C.F. No. 2006150741 of the O.P.R.F.B.C., same being on the west line of said 217.8392-acre tract;

Thence, through said 46.8106-acre tract, South 17 degrees 35 minutes 36 seconds West, a distance of 216.83 feet to the **Point of Beginning** of the herein described tract of land;

Thence, through said 46.8106-acre tract and said 217.8392-acre tract, the following four (4) courses:

1. North 88 degrees 33 minutes 13 seconds East, a distance of 169.91 feet;
2. South 35 degrees 09 minutes 58 seconds West, a distance of 87.21 feet;
3. South 88 degrees 33 minutes 13 seconds West, a distance of 117.90 feet;
4. North 01 degrees 26 minutes 47 seconds West, a distance of 70.00 feet to the **Point of Beginning** and containing 0.2312 acres of land.



Note: Any statement in the legal description as to area or quantity of land is not a representation that such area or quantity is correct but is for informal identification purposes .

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

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2006150741

Fulshear Land Investment Partners, LTD. by virtue of instrument recorded in Fort Bend County Clerk's File No. 2005107659

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

RESTRICTIONS:

None of record

EASEMENTS:

1. All oil, gas and other minerals in, on, under or that may be produced are reserved in instrument from Glenwood Franklin Heizer, Independent Executor of the Will and Estate of Sethora Bell Nott West, Deceased to Fulshear Land Investment Partners, Ltd., dated November 16, 2006 and recorded on December 1, 2006, filed under Clerk's File No. 2006150741 in the Official Public Records of Real Property of Fort Bend County, Texas. Surface rights waived therein except for an access easement benefitting a 2.009-acre drill site, said drill site parcel excluded from legal description on Schedule A hereof.
2. All oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same are excepted herefrom as set forth in instrument recorded in Volume 1511, Page 20 of the Official Records of Fort Bend County, Texas. Title to said interest not checked subsequent to date of aforesaid instrument.
3. 1/2 of all oil, gas and other minerals in, on, under or that may be produced are reserved in instrument recorded in Volume 593, Page 369 of the deed records of Fort Bend County, Texas. Title to said interest has not been investigated subsequent to date of aforesaid instrument.
4. 1/2 of all oil, gas and other minerals in, on, under or that may be produced reserved as set forth in instrument recorded in Volume 593, Page 365, Deed Records, Fort Bend County, Texas. Title to said interest has not been investigated subsequent to date of aforesaid instrument.
5. Coal, lignite, oil, gas or other mineral interest(s), together with rights incident thereto, contained in instrument dated August 31, 2005, recorded September 1, 2005 at Fort Bend County Clerk's File No. 2005107659 of the Official Records of FORT BEND County, Texas, which document contains the following language *"Grantor hereby excepts and reserves all of the interest currently owned by Grantor, if any, in the oil, gas and other hydrocarbon minerals (the "Minerals") in and under or that may be produced from the Property; however, Grantor, on behalf of itself, its successors and assigns, hereby forever releases, waives and relinquishes all rights to use the surface of the*

Property for seismic activities and for any and all other mineral exploration or production purposes including, without limitation, exploring, drilling for, developing, producing, storing, and processing Minerals from the Property with the exception of that certain approximately two (2) acre drill site (the "Drill Site") the location of which shall be agreed to between Grantor and Grantee, as hereafter described. With respect to the Drill Site, Grantee shall designate the proposed location of the Drill Site and the location of an easement granting access to such Drill Site (the "Access Easement"). At such time as Grantee designates the location of the Drill Site and the Access Easement, it shall notify Grantor who shall have the right to approve such location of the Drill Site and the Access Easement, which such approval shall not be unreasonably withheld, conditioned or delayed. At such time as the location of the Drill Site and Access Easement is agreed upon, Grantor and Grantee shall execute and instrument in the property records confirming the location of the Drill Site and Access Easement and Grantor, its successors and assigns agree that any mineral operations with respect to the Property shall be limited to such Drill Site and Access Easement. In addition to operations that may be conducted upon the Drill Site, Grantor shall also have and retain the right to operations, development and production of oil, gas, and associated hydrocarbons produced therewith, and other minerals in and under the Property by pooling or by off-site directional drilling below the surface of the Property." Reference to which instrument is here made for full particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

Said interest subject to Waiver of Surface Rights and Designation of Drill Site recorded on October 31, 2006 under Fort Bend County Clerk's File No. 2006137086, same designating access easements, drill sites and pipeline easements located offsite of subject property.

6. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
7. Subject property appears to be in Fulshear Municipal Utility District No. 1, a Municipal Utility District

LIENS:

None found of record

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

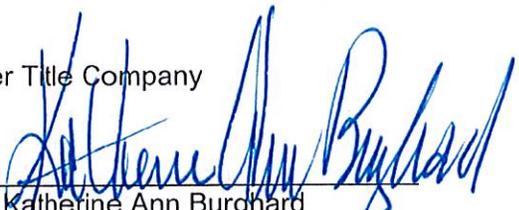
SPECIAL NOTE AND LIMITATION OF LIABILITY: This report is issued with the express understanding, evidenced by the acceptance of same, that this report does not undertake to give or express any opinion as to the validity of the title hereinabove described or the authority of those executing the above listed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

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

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

Charter Title Company

BY:


Katherine Ann Burghard
Commercial Title Officer

#FC-159
KAB

County: Fort Bend
Project: Fulbrook on Fulshear Creek Lift Station Site No. 9 Boundary
C.I. No.: 1122-18 (Plat prepared)
Job Number: 2014-121-011

METES AND BOUNDS DESCRIPTION
0.2312 ACRES

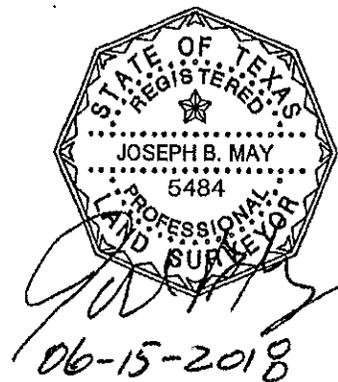
Being a 0.2312-acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 0.2312-acre tract being a part of a called 217.8392-acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in Fort Bend County Clerk's File (F.B.C.C.F.) No. 2005107659 of the Official Public Records of Fort Bend County (O.P.R.F.B.C), and a part of a called 46.8106-acre tract recorded in the name of Fulshear Land Investment Partners, LTD. in F.B.C.C.F. No. 2006150741 of the O.P.R.F.B.C.; said 0.2312-acre tract being more particularly described by metes and bounds as follows (all bearings are referenced to the Texas Coordinate System, North American Datum 1983 (NAD 83), South Central Zone):

Commencing at a 5/8-inch iron rod with cap stamped "COSTELLO INC" found at the northeast corner of said 46.8106-acre tract and the southeast corner of a called 53.7273-acre tract recorded in the name of Fulshear Land Investment Partners, LTD. in F.B.C.C.F. No. 2006150741 of the O.P.R.F.B.C., same being on the west line of said 217.8392-acre tract;

Thence, through said 46.8106-acre tract, South 17 degrees 35 minutes 36 seconds West, a distance of 216.83 feet to the **Point of Beginning** of the herein described tract of land;

Thence, through said 46.8106-acre tract and said 217.8392-acre tract, the following four (4) courses:

1. North 88 degrees 33 minutes 13 seconds East, a distance of 169.91 feet;
2. South 35 degrees 09 minutes 58 seconds West, a distance of 87.21 feet;
3. South 88 degrees 33 minutes 13 seconds West, a distance of 117.90 feet;
4. North 01 degrees 26 minutes 47 seconds West, a distance of 70.00 feet to the **Point of Beginning** and containing 0.2312 acres of land.



PLATTING AND SUBDIVISION REVIEW

Plan or Plat Tamarron Section 36 Partial Replat No. 1 / Final Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: _____

City Secretary

Processed
 Returned for additional data

BY: KE Keyf DATE: 6-22-2018

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____



Subdivision/Development Platting Application

Date: 2018-06-21 Date Received by the City of Fulshear: 2018-06-21

Subdivision: TAMARRON SECTION 36 PARTIAL REPLAT NO. 1 Development: TAMARRON

SUBMITTAL OF PLAT: (Check Appropriate Selection)

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

TYPE OF PLAT: (Check Appropriate Selection)

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

Plat Location: City ETJ (Extraterritorial Jurisdiction)

Legal Description: 1.771 ACRES IN THE J.D. VERMILLION SURVEY, A-339

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

Total Acreage: 1.771
 Number of Streets: 0
 Number of Lots: 10
 Number and Types of Reserves: N/A
 Total Acres in Reserve: 0

Owner: D.R. HORTON-TEXAS, LTD.
 Address: 14100 SOUTHWEST FREEWAY, SUITE 500
 City/State: SUGAR LAND, TEXAS 77478
 Telephone: 281-566-2100
 Email Address: _____

Engineer/Planner: LJA ENGINEERING, INC.
 Contact Person: JOSUE SANDOVAL
 Telephone: 713-953-5252
 Fax Number: _____
 Email Address: josandoval@lja.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>\$594.28</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.


Josue Sandoval / Platting Coordinator
2018-06-21

 SIGNATURE TYPED OR PRINTED NAME/TITLE DATE

July 2, 2018

Engineering Review

Final Plat
Tamarron Section 36 Partial Replat No. 1
City of Fulshear, Texas

For Information only:

1. The reason for this replat is to reduce the building line along the (Future) Texas Heritage Parkway from 40' to 30'. This includes Lots 26-35 in Block 1.
2. Access to this section is from McDonough Way and the Lots have a 25-foot Front Building Line
3. Since this tract is located in the E.T.J. of the City of Fulshear approval will be required from Fort Bend County and the City of Fulshear.

Recommendations:

I recommend that this Final Plat of Tamarron Section 36 Partial Replat No. 1 be approved with the name of the Mayor being updated.





FORT BEND COUNTY DRAINAGE DISTRICT

Project Submission Form

APPLICANT INFORMATION REQUIRED		
Company Name: LJA Engineering, Inc.		Date: 2018-05-22
Contact Name: Josue Sandoval		
Office Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Mailing Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Office Phone: (713) 953-5252	Email: josandoval@lja.com	
Cell Phone:	Fax: (713) 953-5026	
PROJECT INFORMATION REQUIRED		
Project Name: Tamarron Section 36 Partial Replat No. 1		
Project Address: Tamarron Crossing		
City: Fulshear	State: TX	Zip: 77441
Legal Description: 1.771 Acres of land situated in the J.D. Vermillion Survey, A-339		
PROJECT SUMMARY REQUIRED		
Project Summary: Replatting 10 lots of Tamarron Section 36, changing the 40' BL to 30'.		
Commissioner Precinct No. <u>3</u>		
MUD Name: <u>FBC</u>		MUD No. <u>182</u>
LID Name: <u>N/A</u>		LID No. _____
City or City ETJ: <u>Fulshear ETJ</u>		
SUBMITTAL TYPE REQUIRED		
<input checked="" type="checkbox"/> Plat		
<input type="checkbox"/> Plans		
<input type="checkbox"/> Report		
<input checked="" type="radio"/> Initial Submittal	<input type="radio"/> Resubmittal *	
*(For resubmittal, include written response to review comments explaining how items were addressed.)		



DRAINAGE DISTRICT
Fort Bend County, Texas

May 29, 2018

Mr. Josue Sandoval
LJA Engineering, Inc.
1904 West Grand Parkway North, Suite 100
Katy, Texas 77449
Ph.: 713-953-5200
Email: josandoval@lja.com

Re: Tamarron Section 36 Partial Replat No. 1

Dear Mr. Sandoval:

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

1. It looks like the natural ground contour of 147.00' used to set the minimum slab elevation for Sec. 36 was located on the east side of the original plat. The proposed replat appears to be on the west side, with contours of 148.00' crossing the lots. Please check and revise the "Minimum Slab Elevation Analysis" ("MSEA") and Note 10 to reflect the conditions within the boundaries of the proposed replat.
2. Similar to Comment 1 above, please check that the ponding elevation used in the "MSEA" considers the maximum ponding affecting the lots within the proposed replat.
3. Please provide a final copy of the plat signed and sealed by the professional engineer.

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

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil J. Goertz".

Neil J. Goertz
Engineer
Fort Bend County Drainage District

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

**DHI TITLE OF CENTRAL TEXAS
14100 Southwest Freeway, Suite 510
Sugar Land, Texas 77478**

CITY PLANNING LETTER

June 8, 2018

City Planning Commission

To Whom It May Concern:

This company ("Title Company") certifies that a diligent search of the real property records of Title Company's title plant has been made, as to the herein described property, and as of 8:00 AM on the 3rd day of June, 2018, we find the following:

Record Owner:

D. R. Horton-Texas, Ltd., a Texas limited partnership

Recording Instrument:

Special Warranty Deed, executed by BFH Mining, Ltd., a Texas limited partnership to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated December 31, 2012, recorded in Document No. 2013000056 of the Official Public Records of Fort Bend County, Texas.

Legal Description:

TAMARRON SECTION 36 (Proposed Partial Re-Plat)

Lots 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35, TAMARRON SECTION 36, a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded in Plat No. 20180045, Plat Records of Fort Bend County, Texas.

1. Deed Restrictions:

Those recorded in Document No(s). 2014128516, 2014129256, 2014129257, 2014129659, 2014131098, 2015009263, 2015099721, 2016002359, 2016003325, 2017040845, 2017102507, 2018010115, 2018019010, and 2018028522 of the Official Public Records of Fort Bend County, Texas.

2. Easements and other encumbrances (Oil, Gas and other Minerals excluded):

Unrecorded development agreement by and between the City of Fulshear, Texas, and Tamarron Lakes, L. P., as evidenced by Memorandum of Development Agreement recorded in Document No. 2007077611, amended and restated in Document No. 2014049738, of the Official Public Records of Fort Bend County, Texas.

Notice of Intention to Introduce a Bill in the Legislature of Texas, pertaining to the Fulshear Parkway Improvement District, recorded in Document No. 2013025598 of the Official Public Records of Fort Bend County, Texas.

Memorandum of Fulshear Parkway Private Participation Agreement, dated August 30, 2013, recorded in Document No. 2013119270 of the Official Public Records of Fort Bend County, Texas.

Short Form Blanket Easement, 3-Phase Overhead and Underground, to CenterPoint Energy Houston Electric, LLC, recorded in Document No. 2014039155, of the Official Public Records of Fort Bend County, Texas.

Agreement for Underground Electric Service Tamarron Section 36 recorded in Document No. 2017013050, Official Public Records of Fort Bend County, Texas.

Short form Blanket Easement for Certain Utilities recorded in Document No. 2017013523, Official Public Records of Fort Bend County, Texas.

All easements, building setback lines, restrictions and dedications as set out on the plat recorded in 20180045 of the Plat Records of Fort Bend County, Texas.

3. Lien Holders:

Affidavit for Mechanic's and Materialman's Lien claiming lien in the amount of \$33,338.75, recorded in Document No. 2018052510, Official Public Records of Fort Bend County, Texas.

No examination has been made as to oil, gas or other minerals, or documents affecting the title thereto, abstracts of judgments, state or federal tax liens, the status of taxes, tax suits or paving assessments.

This letter is issued for the use of, and shall inure to the benefit of PLATTING. Liability of Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

This letter is issued with the express understanding, evidenced by the acceptance thereof, that 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 nor 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, 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 TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY 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,

George T. Dunn

DHI Title of Central Texas

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

Agenda Item: 14

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Tamarcon Lift Station No. 3 / Final Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: _____

City Secretary

Processed
 Returned for additional data

BY: X Keyf DATE: 6-22-2018

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____



Subdivision/Development Platting Application

Date: 2018-06-20 ²¹ Date Received by the City of Fulshear: 2018-06-21
 Subdivision: TAMARRON LIFT STATION NO. 3 Development: TAMARRON

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: 0.307 ACRES IN THE J.D. VERMILLION SURVEY, A-339

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

Total Acreage: 0.307
 Number of Streets: 0
 Number of Lots: 0
 Number and Types of Reserves: 1 - Lift Station
 Total Acres in Reserve: 0.307

Owner: D.R. HORTON-TEXAS, LTD.
 Address: 14100 SOUTHWEST FREEWAY, SUITE 500
 City/State: SUGAR LAND, TEXAS 77478
 Telephone: 281-566-2100
 Email Address: _____

Engineer/Planner: LJA ENGINEERING, INC.
 Contact Person: JOSUE SANDOVAL
 Telephone: 713-953-5252
 Fax Number: _____
 Email Address: josandoval@lja.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 \$507.68	<input checked="" type="checkbox"/>
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
 Josue Sandoval / Platting Coordinator TYPED OR PRINTED NAME/TITLE
 21
 2018-06-21 DATE

July 2, 2018

Engineering Review

Final Plat – Tamarron Lift Station Site No. 3
Fort Bend County, Texas

For Information only:

1. This plat will create one (1) Reserve of 0.307 acre for Sanitary Sewer Lift Station for Tamarron.
2. Access for this tract is from a 30 foot wide Access easement shown on the plat.
3. This tract is located in the E.T.J. of the City of Fulshear and will require approval from the City and Fort Bend County.

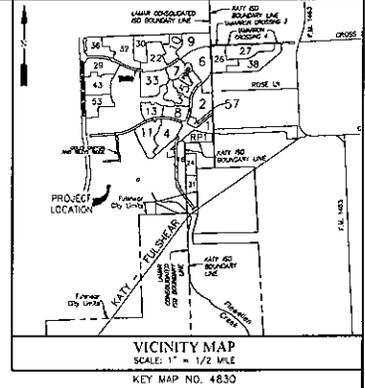
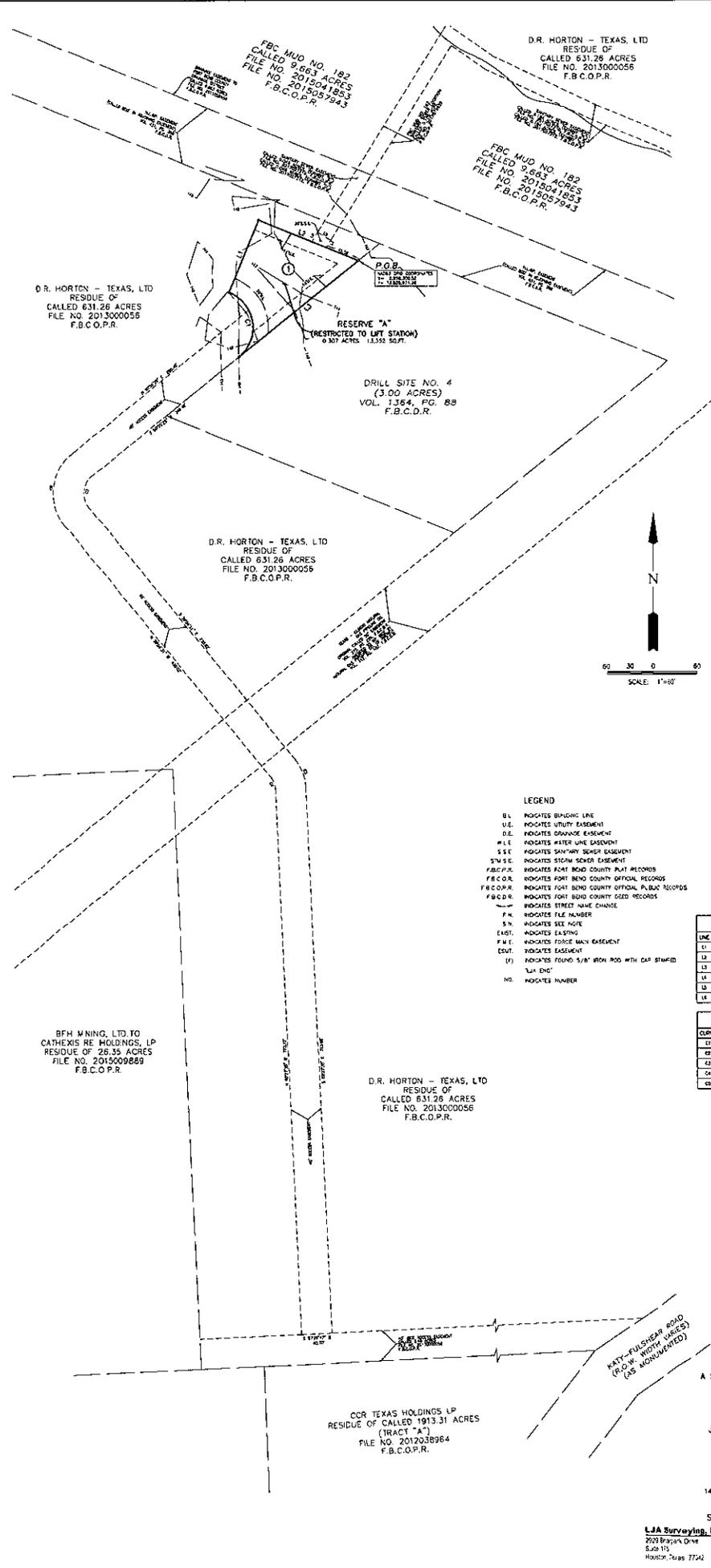
Recommendations:

I recommend that this Final Plat of Tamarron Lift Station Site No. 3 be approved with the following items being addressed:

- A) The name of the Mayor will need to be updated on the plat.
- B) The existing H. & L. P. Easement appears to be 80-foot in width not the 800-foot shown on the plat.

*These
address
prior to
PAZ
SAY*





- NOTES:
1. BENCHMARK: NGS MONUMENT HCC65 65' TOP OF A STAINLESS STEEL ROD THAT IS ENCASED IN A 3 INCH DIAMETER WITH A LOGIC STAR BRASS NICKEL 18-8. THE POINT IS LOCATED 17'-73 FEET WEST OF THE CENTERLINE OF FM 1463 AND 1/2" - 0.14 MILES NORTH OF THE INTERSECTION OF FM 1463 AND CHURCHMAN KANAS ROAD. ELEV. = 134.21 FEET NAVD83.
 2. THE INDICATES BENCHMARK: TBN 1: TOP OF 5/8 INCH ROD WITH ALUMINUM DISK SET IN CONCRETE 1'-20 FEET NORTH OF THE CENTERLINE OF KATY FULSHEAR ROAD. THE POINT IS LOCATED 17'-347 FEET WEST OF THE CENTERLINE OF THE INTERSECTION WITH FULSHEAR ROAD AND FM 1463. ELEV. = 130.15 FEET NAVD83.
 3. TO ADJUST TO FORT BEND CO. LEV. DATUM ADD 0.34 FEET.
 4. ELEVATIONS FOR DRAINAGE CONTROL LINES ARE BASED UPON NAVD-83.
 5. THIS PLAT WAS PREPARED TO MEET THE CITY OF FORT-BEND AND FORT BEND COUNTY REQUIREMENTS.
 6. THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY ONE TITLE OF CENTRAL TEXAS. EFFECTIVE MAY 14, 2018 AND ISSUED MAY 14, 2018. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
 7. THIS PLAT LIES WHOLLY WITHIN FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 102, FORT BEND SUBURBANE DISTRICT, FORT BEND COUNTY DRAINAGE DISTRICT, LAMAR CONSOLIDATED SCHOOL DISTRICT AND THE CITY OF FORT-BEND AND FORT BEND COUNTY.
 8. THIS SUBDIVISION LIES WITHIN UNDEVELOPED ZONE X AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 4816C C0014 REVISED APRIL 9, 2014. DEFEND AS SHOWN OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN. LIA DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAP.
 9. APPROVAL OF THIS PLAT WILL EXPIRE ONE YEAR FROM PLANNING AND ZONING APPROVAL. IF NOT RECORDED IN THE REAL PROPERTY RECORDS OF THE COUNTY OF FORT BEND.
 10. THERE ARE NO PIPELINES AND/OR PIPELINE EASEMENTS WITHIN THE LIMITS OF THE SUBDIVISION.
 11. THE DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE FORT BEND COUNTY DRAINAGE CRITERIA MANUAL WHICH ALLOWS STREET FLOWING DURING INTENSE RAINFALL EVENTS.
 12. ALL DRAINAGE EASEMENTS TO BE KEPT CLEAR OF FENCES, BUILDINGS, VEGETATION AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF THE DRAINAGE FACILITY.
 13. ALL PROPERTY TO DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED DRAINAGE STRUCTURE.
 14. THIS PLAT LIES WITHIN FORT BEND COUNTY LIGHTING ORDINANCE ZONE NO. 3.
 15. THE COORDINATES AND BEARINGS SHOWN HEREIN ARE TEXAS COORDINATE SYSTEM SOUTH CENTRAL ZONE NO. 1024 STATE PLANE (NAD 83) COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING CORRECTION SCALE: 1.00011581965.
 16. OWNERSHIP AND MAINTENANCE RESPONSIBILITY OF THE DETENTION FACILITY IS VESTED IN FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 102.
 17. FIVE (5) FEET MINIMUM COVER SHALL BE SET ON ALL PROPERTY ADJACENT CORNERS, LOT BOUNDARIES AND STREET CORNERS WILL BE SET UPON COMPLETION OF ROAD CONSTRUCTION AND PRIOR TO LOT CONSTRUCTION.
 18. FORT BEND COUNTY M.U.D. NO. 102 WILL OWN AND MAINTAIN RESERVE "A".
 19. THE MINIMUM SLAB ELEVATION SHALL BE 143.50 FEET (FWO) 88.16 EIGHTEEN INCHES (18") ABOVE THE 100-YEAR FLOOD PLANE ELEVATION AND MINIMUM FINISH ELEVATION. COUPLER INCHES (18") ABOVE NATURAL GROUND, OR TWELVE INCHES (12") ABOVE THE TOP OF CURB AT THE POINT OF THE LOT. MINIMUM IS 18" ABOVE THE TOP OF SLAB ELEVATION AT ANY POINT ON THE PERIPHERY OF THE SLAB SHALL NOT BE LESS THAN EIGHTEEN INCHES (18") ABOVE NATURAL GROUND. FUTURE DEVELOPMENT SHOULD VERIFY THAT THE MINIMUM SLAB ELEVATION IS AT LEAST TWELVE INCHES (12") ABOVE MAXIMUM FINISH GRADE AT THE SITE.
 20. SITE PLANS SHALL BE SUBMITTED TO FORT BEND COUNTY AND ANY OTHER APPLICABLE JURISDICTION FOR REVIEW AND APPROVAL. DEVELOPMENT PERMITS AND ALL OTHER APPLICABLE PERMITS SHALL BE OBTAINED FROM FORT BEND COUNTY PRIOR TO BEGINNING CONSTRUCTION.

- LEGEND
- BL INDICATES BUILDING LINE
 - U.E. INDICATES UTILITY EASEMENT
 - D.E. INDICATES DRAINAGE EASEMENT
 - W.E. INDICATES WATER LINE EASEMENT
 - S.S.E. INDICATES SANITARY SEWER EASEMENT
 - S.W.S.E. INDICATES SEWAGE SEWER EASEMENT
 - F.B.C.P.R. INDICATES FORT BEND COUNTY PLAT RECORDS
 - F.B.C.O.R. INDICATES FORT BEND COUNTY OFFICIAL RECORDS
 - F.B.C.D.R. INDICATES FORT BEND COUNTY DEED RECORDS
 - INDICATES STREET NAME CHANGE
 - P.N. INDICATES FILE NUMBER
 - S.N. INDICATES SEE NOTE
 - EAST. INDICATES EASTING
 - F.M.E. INDICATES FORCE MAIN EASEMENT
 - EASMT. INDICATES EASEMENT
 - (F) INDICATES FOUND "A"/"B" BROW ROAD WITH CAP STAMPED "A" END
 - NO. INDICATES NUMBER

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 20°18'11" E	143.37
L2	S 87°13'11" E	143.37
L3	S 50°28'31" E	238.17
L4	N 27°2'0" E	11.28
L5	N 88°25'1" E	28.00
L6	S 37°20'0" W	114.87

CURVE TABLE

CURVE	BACKSIGHT	SIGHT	CHORD	CHORD BEARING
C1	36.00	118.87	124.31	S 69°17'17" W
C2	36.00	105.20	111.12	S 69°17'17" W
C3	13.25	36.26	37.12	S 27°42'07" E
C4	23.25	56.26	57.12	N 20°48'52" E
C5	11.00	30.27	30.94	S 69°17'17" E

FINAL PLAT OF TAMARRON LIFT STATION NO. 3

A SUBDIVISION OF 0.307 ACRES OF LAND SITUATED IN THE MICHAEL ALMUTRY SURVEY, ABSTRACT 100, FORT BEND COUNTY, TEXAS.

0 LOTS 1 RESERVE (0.307 ACRES) 1 BLOCK

JUNE 15, 2018 JOB NO. 1931-1324C

OWNERS:
D.R. HORTON - TEXAS, LTD
 A TEXAS LIMITED PARTNERSHIP
 CHRIS LINDHORST, PRESIDENT
 14100 SOUTHWEST FREEMAN, SUITE 500, SUGAR LAND, TEXAS 77478
 PH (281) 566-2100

SURVEYOR: **LJA Surveying, Inc.**
 2920 Bayport Drive
 Houston, Texas 77042
 Phone 713 953 5200
 Fax 713 953 5205
 T8 P.L.S. F.C. No. 19184362

ENGINEER: **LJA Engineering, Inc.**
 1824 W. Grand Parkway South
 Suite 100
 Katy, Texas 77449
 Phone 713 953 5200
 Fax 713 953 5206
 RR# P. 1156



FORT BEND COUNTY DRAINAGE DISTRICT

Project Submission Form

APPLICANT INFORMATION REQUIRED		
Company Name: LJA Engineering, Inc.		Date: 2018-05-23
Contact Name: Josue Sandoval		
Office Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Mailing Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Office Phone: (713) 953-5252	Email: josandoval@lja.com	
Cell Phone:	Fax: (713) 953-5026	
PROJECT INFORMATION REQUIRED		
Project Name: Tamarron Lift Station No. 3		
Project Address: Tamarron Crossing		
City: Fulshear	State: TX	Zip: 77441
Legal Description: 0.307 of land situated in the Micajah Autrey Survey, A-100		
PROJECT SUMMARY REQUIRED		
Project Summary: 0.307 acre reserve restricted to lift station.		
Commissioner Precinct No. <u>3</u>		
MUD Name: <u>FBC</u> MUD No. <u>182</u> LID Name: <u>N/A</u> LID No. _____		
City or City ETJ: <u>Fulshear ETJ</u>		
SUBMITTAL TYPE REQUIRED		
<input checked="" type="checkbox"/> Plat <input type="checkbox"/> Plans <input type="checkbox"/> Report		
<input checked="" type="radio"/> Initial Submittal		
<input type="radio"/> Resubmittal *		
<i>*(For resubmittal, include written response to review comments explaining how items were addressed.)</i>		



DRAINAGE DISTRICT
Fort Bend County, Texas

May 29, 2018

Mr. Josue Sandoval
LJA Engineering, Inc.
1904 West Grand Parkway North, Suite 100
Katy, Texas 77449
Ph.: 713-953-5200
Email: josandoval@lja.com

Re: Tamarron Lift Station No. 3 – Plat

Dear Mr. Sandoval:

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

1. Please provide a letter from the Fort Bend County MUD No. 182 engineer offering no objection to the plat and including the following statements:
 - a. Acknowledgement that detention and outfall capacity are in place to serve the proposed development or that no impervious cover will be added until they are constructed.
 - b. "Fort Bend County MUD No. ___ certifies that the design of this section of development is in full compliance with the most up-to-date master drainage plan titled _____, dated _____, and approved by the Fort Bend County Drainage District on _____."
2. Please provide a "Minimum Slab Elevation Analysis" and add the minimum slab elevation note to the plat.
3. Please provide a final copy of the plat signed and sealed by the professional engineer.

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

Please let me know if you have any questions.

Sincerely,

Neil J. Goertz
Engineer
Fort Bend County Drainage District

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

**DHI TITLE OF CENTRAL TEXAS
10700 Pecan Park Blvd., Suite 220
Austin, Texas 78750**

CITY PLANNING LETTER

June 8, 2018

City Planning Commission

To Whom It May Concern:

This company ("Title Company") certifies that a diligent search of the real property records of Title Company's title plant has been made, as to the herein described property, and as of 8:00 AM on the 3rd day of June, 2018, we find the following:

Record Owner:

D. R. Horton-Texas, Ltd., a Texas limited partnership

Recording Instrument:

Special Warranty Deed, executed by BFH Mining, Ltd., a Texas limited partnership to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated December 31, 2012, recorded in Document No. 2013000056 of the Official Public Records of Fort Bend County, Texas.

Legal Description:

TAMARRON LIFT STATION NO. 3 (Proposed Plat)

Being 0.307 acres of land, more or less, situated in the Micajah Autrey Survey, Abstract No. 100, Fort Bend County, Texas, being out of and a part of that certain 631.26 acre tract described in deed conveyed to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated December 31, 2012, recorded in Document No. 2013000056 of the Official Public Records of Fort Bend County, Texas, said 0.307 acres, more or less, being more particularly described by metes and bounds shown on Exhibit "A" attached hereto and made a part hereof.

1. Deed Restrictions:

None of record.

2. Easements and other encumbrances (Oil, Gas and other Minerals excluded):

Terms and conditions of Development Agreement by and between Tamarron Lakes, L. P. and Pederson 631, LP, recorded in Document No. 2007020120, of the Official Public Records of Fort Bend County, Texas.

Unrecorded development agreement by and between the City of Fulshear, Texas, and Tamarron Lakes, L. P., as evidenced by Memorandum of Development Agreement recorded in Document No. 2007077611, amended and restated in Document No. 2014049738, of the Official Public Records of Fort Bend County, Texas.

Texas Commission on Environmental Quality Notice of Petition for Creation of Fort Bend County Municipal Utility District No. 188, recorded in Document No. 2008063993, and Petition for Creation of Fort Bend County Municipal Utility District No. 188, recorded in Document No. 2008064844, both of the Official Public Records of Fort Bend County, Texas.

Deed - Minerals, Resources and Groundwater conveyed to DRH Energy, Inc., a Colorado corporation, recorded in Document No. 2013000063 of the Official Public Records of Fort Bend County, Texas.

Notice of Intention to Introduce a Bill in the Legislature of Texas, pertaining to the Fulshear Parkway Improvement District, recorded in Document No. 2013025598 of the Official Public Records of Fort Bend County, Texas.

Memorandum of Fulshear Parkway Private Participation Agreement, dated August 30, 2013, recorded in Document No. 2013119270 of the Official Public Records of Fort Bend County, Texas.

Waiver of Special Appraisal for the Benefit of Fort Bend County Municipal Utility District No. 182, dated August 4, 2015, recorded in Document No. 2015088919 of the Official Public Records of Fort Bend County, Texas.

The rights of Fort Bend County Municipal Utility District No. 182 to levy taxes and issue bonds.

The rights of Fort Bend County Municipal Utility District No. 188 to levy taxes and issue bonds.

3. Lien Holders: None of record.

No examination has been made as to oil, gas or other minerals, or documents affecting the title thereto, abstracts of judgments, state or federal tax liens, the status of taxes, tax suits or paving assessments.

This letter is issued for the use of, and shall inure to the benefit of PLATTING. Liability of Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

This letter is issued with the express understanding, evidenced by the acceptance thereof, that 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 nor 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, 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 TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY 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,

George T. Dunn

George T. Dunn
DHI Title of Central Texas

PLATTING AND SUBDIVISION REVIEW

Plan or Plat: Tamarcon Crossing Section 4 STD / Final Plat

City Engineer Review

Reviewed
 See Attached Letter

BY: _____ DATE: _____

City Secretary

Processed
 Returned for additional data

BY: K. King DATE: 6-22-2018

Planning Commission Review

Approved
 Returned for additional data

BY: _____ DATE: _____

City Council Review

Approved
 Returned for additional data

BY: _____ DATE: _____



Subdivision/Development Platting Application

Date: 2018-06-21 Date Received by the City of Fulshear: 2018-06-21

Subdivision: TAMARRON CROSSING SECTION 4 STREET DEDICATION Development: TAMARRON

SUBMITTAL OF PLAT: (Check Appropriate Selection)

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

TYPE OF PLAT: (Check Appropriate Selection)

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

Plat Location: City ETJ (Extraterritorial Jurisdiction)

Legal Description: 4.0491 ACRES IN THE J.D. VERMILLION SURVEY, A-339

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

Total Acreage: 4.0491
 Number of Streets: 1
 Number of Lots: 0
 Number and Types of Reserves: 0
 Total Acres in Reserve: 0

Owner: D.R. HORTON-TEXAS, LTD.
 Address: 14100 SOUTHWEST FREEWAY, SUITE 500
 City/State: SUGAR LAND, TEXAS 77478
 Telephone: 281-566-2100
 Email Address: _____

Engineer/Planner: LJA ENGINEERING, INC.
 Contact Person: JOSUE SANDOVAL
 Telephone: 713-953-5252
 Fax Number: _____
 Email Address: josandoval@lja.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	\$601.23 ✓
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

Josue Sandoval / Platting Coordinator

 TYPED OR PRINTED NAME/TITLE

2018-06-21

 DATE

July 2, 2018

Engineering Review

Final Plat - Tamarron Crossing Section 4
Street Dedication
City of Fulshear, Texas

For Information only:

1. This plat will create approximately 3300-foot of new street right-of-way (50-foot width) for Tamarron Crossing. This is one-half of the total 100-foot of R.O.W. with the remainder coming from Firethorne
2. The new street right-of-way will extend from Dunlin Terrace Drive on the West to just West of F.M. 1463 on the East.
3. This tract is located in the E.T.J. of the City of Fulshear and will need the approval of both Fort Bend County and the City of Fulshear.

Recommendations:

I recommend that this Final Plat of Tamarron Crossing Section 4 Street Dedication be approved as submitted.





FORT BEND COUNTY DRAINAGE DISTRICT

Project Submission Form

APPLICANT INFORMATION REQUIRED		
Company Name: LJA Engineering, Inc.	Date: 2018-06-07	
Contact Name: Josue Sandoval		
Office Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Mailing Address: 1904 W. Grand Parkway North		
City: Katy	State: TX	Zip: 77449
Office Phone: (713) 953-5252	Email: josandoval@lja.com	
Cell Phone:	Fax: (713) 953-5026	
PROJECT INFORMATION REQUIRED		
Project Name: Tamarron Crossing Section 4		
Project Address: Tamarron Crossing		
City: Fulshear	State: TX	Zip: 77441
Legal Description: 4.049 of land situated in the A.G. Sharpless Survey, A-322		
PROJECT SUMMARY REQUIRED		
Project Summary: 4.049 acre Street Dedication.		
Commissioner Precinct No. <u>3</u>		
MUD Name: <u>FBC</u> MUD No. <u>182</u> LID Name: <u>N/A</u> LID No. _____		
City or City ETJ: <u>Fulshear ETJ</u>		
SUBMITTAL TYPE REQUIRED		
<input checked="" type="checkbox"/> Plat <input type="checkbox"/> Plans <input type="checkbox"/> Report		
<input checked="" type="radio"/> Initial Submittal <input type="radio"/> Resubmittal *		
<i>*(For resubmittal, include written response to review comments explaining how items were addressed.)</i>		



DRAINAGE DISTRICT

Fort Bend County, Texas

June 14, 2018

Mr. Josue Sandoval
LJA Engineering, Inc.
1904 West Grand Parkway North, Suite 100
Katy, Texas 77449
Ph.: 713-953-5200
Email: josandoval@lja.com

Re: Tamarron Crossing Section 4 Street Dedication – Plat

Dear Mr. Sandoval:

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

1. Please provide a copy of any plans associated with the plat for review.
2. Please provide a letter from the Fort Bend County MUD No. 182 engineer offering no objection to the plat and including the following statements:
 - a. Acknowledgement that detention and outfall capacity are in place to serve the proposed development or that no impervious cover will be added until they are constructed.
 - b. "Fort Bend County MUD No. ___ certifies that the design of this section of development is in full compliance with the most up-to-date master drainage plan titled _____, dated _____, and approved by the Fort Bend County Drainage District on _____."
3. Note 7 shows the plat to be on FIRM map 48157C0085L, but it appears to be on map 48157C0105L. Please check and revise if needed.
4. Please add natural ground contours at maximum 1' intervals to the plat.
5. Please provide a final copy of the plat signed and sealed by the professional engineer.

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

Please let me know if you have any questions.

Sincerely,

Neil J. Goertz
Engineer
Fort Bend County Drainage District

cc: Ms. Maggie Dalton – Fort Bend County Engineering Department
Engineering/Administration: P.O. Box 1028 • 1124 Blume Road • Rosenberg, Texas 77471 • (281) 342-2863
Construction/Maintenance: 1022 Blume Road • Rosenberg, Texas 77471 • (281) 342-0141

**DHI TITLE OF CENTRAL TEXAS
14100 Southwest Freeway, Suite 510
Sugar Land, Texas 77478**

CITY PLANNING LETTER

June 21, 2018

City Planning Commission

To Whom It May Concern:

This company ("Title Company") certifies that a diligent search of the real property records of Title Company's title plant has been made, as to the herein described property, and as of 8:00 AM on the 14th day of June, 2018, we find the following:

Record Owner:

D. R. Horton-Texas, Ltd., a Texas limited partnership

Recording Instrument:

Special Warranty Deed, executed by Dan Harrison, III, and BFH Mining, Ltd., a Texas limited partnership to D. R. Horton-Texas, Ltd., a Texas limited partnership, dated April 16, 2014, recorded in Document No. 2014039914 of the Official Public Records of Fort Bend County, Texas.

Legal Description:

**DESCRIPTION OF
4.0491 ACRES
TAMARRON CROSSOVER ROAD (Proposed Plat)**

Being 4.0491 acres of land located in the A. G. Sharpless Survey, Abstract 322, Fort Bend County, Texas, more particularly being a portion of that certain called 119.4655 acre tract (described as Tract 1) conveyed to D.R. Horton – Texas, LTD by an instrument of record under File Number 2014039914 in the Official Public Records of said Fort Bend County, Texas (F.B.C.O.P.R.), said 4.0491 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, North American Datum of 1983 (NAD83), South Central Zone);

COMMENCING for reference at a 1-inch pinched top iron pipe found marking the common west corner of said 119.4655 acre tract and that certain called 650.105 acre tract (described as Tract Two) conveyed to JDC/Firethorne, LTD by an instrument of record in File Number 2003138620, F.B.C.O.P.R., said point also being on the east line of Tamarron Section 9, a subdivision of record in Plat Number 20150023, of the Plat Records of said Fort Bend County, Texas (F.B.C.M.R.), said point also being the common west corner of said A. G. Sharpless Survey and the William Ames Survey, Abstract 104, and on the east line of the J. D. Vermillion Survey, Abstract 339 of said Fort Bend County;

Thence, North 87° 54' 59" East, along the common line of said 119.4655 acre tract and said 650.105 acre tract, and the common survey line of said A.G. Sharpless Survey and said William Ames Survey, 688.44 feet to the northwest corner and POINT OF THE BEGINNING of the herein described tract;

Thence, North 87° 54' 59" East, continuing along the common line of said 119.4655 acre tract and said 650.105 acre tract, and said common survey line, 3,240.46 feet to a 5/8-inch iron rod found marking the northeast corner of said 119.4655 acre tract, said point being on the westerly right-of-way line of FM Highway 1463 (width varies) as described in Volume 275, Page 518, Volume 275, Page 531, Volume 275, Page 547, and Volume 275, Page 548, of the Deed Records of said Fort Bend County, Texas (F.B.C.D.R.);

Thence, South 01° 59' 53" East, along the east line of said 119.4655 acre tract and said westerly right-of-way line, 60.00 to the southeast corner of the herein described tract;

Thence, South 87° 54' 59" West, departing said east line and said westerly right-of-way line, 243.30 feet to a point for corner;

Thence, North 47° 46' 22" East, 62.04 feet to a point for corner;

Thence, South 87° 54' 59" West, 329.73 feet to a point for corner, the beginning of a curve;

Thence, 47.12 feet along the arc of a non-tangent curve to the left, having a radius of 30.00 feet, a central angle of $90^{\circ} 00' 00''$, and a chord which bears South $42^{\circ} 54' 59''$ West, 42.43 feet to a point for corner;

Thence, South $87^{\circ} 54' 59''$ West, 80.00 feet to a point for corner, the beginning of a curve;

Thence, 47.12 feet along the arc of a non-tangent curve to the left, having a radius of 30.00 feet, a central angle of $90^{\circ} 00' 00''$, and a chord which bears North $47^{\circ} 05' 01''$ West, 42.43 feet to a point for corner;

Thence, South $87^{\circ} 54' 59''$ West, 1,244.06 feet to a point for corner, the beginning of a curve;

Thence, 47.12 feet along the arc of a tangent curve to the left, having a radius of 30.00 feet, a central angle of $90^{\circ} 00' 00''$, and a chord which bears South $42^{\circ} 54' 59''$ West, 42.43 feet to a point for corner;

Thence, South $87^{\circ} 54' 59''$ West, 80.00 feet to a point for corner, the beginning of a curve;

Thence, 47.12 feet along the arc of a non-tangent curve to the left, having a radius of 30.00 feet, a central angle of $90^{\circ} 00' 00''$, and a chord which bears North $47^{\circ} 05' 01''$ West, 42.43 feet to a point for corner;

Thence, South $87^{\circ} 54' 59''$ West, 1,190.66 feet to the southwest corner of the herein described tract;

Thence, North $02^{\circ} 05' 01''$ West, 50.00 feet to the POINT OF BEGINNING and containing 4.0491 acres of land.

1. Deed Restrictions:

None of record.

2. Easements and other encumbrances (Oil, Gas and other Minerals excluded):

Pipeline or pipelines easement for transportation of gas, oil, petroleum products or other liquids, gases, or other substances, together with all rights granted therein, conveyed to Texas Illinois Natural Gas Pipeline Company, as described in document recorded in Volume 274, Page 120 of the Deed Records of Fort Bend County, Texas.

Pipeline or pipelines easement for transportation of gas, oil, petroleum products or other liquids, gases, or other substances, together with all rights granted therein, conveyed to Texas Illinois Natural Gas Pipeline Company, as described in document recorded in Volume 274, Page 475 of the Deed Records of Fort Bend County, Texas.

Agreement as to Use of Private Road recorded in Volume 1079, Page 723, Deed Records of Fort Bend County, Texas.

Easement for pipeline and appurtenant facilities, together with all rights granted therein, conveyed to Intrastate Gathering Corporation, as described in document recorded in Volume 1023, Page 468 of the Deed Records of Fort Bend County, Texas. Assignment thereto in favor of Tangram Transmission Corporation recorded in Volume 1086, Page 555 of the Deed Records of Fort Bend County, Texas.

Easement for access strips recorded in Document No. 2005052339, as affected by instruments recorded in Document Nos. 2014100229 and 2016127931, Official Public Records of Fort Bend County, Texas.

Deed - Minerals, Resources and Groundwater recorded in Document No. 2014039915 of the Official Public Records of Fort Bend County, Texas.

Water Line & Storm Sewer Easement recorded in Document No. 2017115257, Official Public Records of Fort Bend County, Texas.

Unrecorded surface lease, and rights incidental thereto, dated January 6, 2014, by and between Dan J. Harrison III and William B. Harrison, as Lessor, and Greg Marr, as Lessee.

The rights of Fort Bend County Municipal Utility District No. 182 to levy taxes and issue bonds.

Easements, and other matters, to be created by the proposed plat.

3. Lien Holders: None of record.

No examination has been made as to oil, gas or other minerals, or documents affecting the title thereto, abstracts of judgments, state or federal tax liens, the status of taxes, tax suits or paving assessments.

This letter is issued for the use of, and shall inure to the benefit of PLATTING. Liability of Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

This letter is issued with the express understanding, evidenced by the acceptance thereof, that 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 nor 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, 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 TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY 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,

George T. Dunn

DHI Title of Central Texas

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

AGENDA OF:	July 6, 2018	ITEM:	16
DATE SUBMITTED:	June 29, 2018	DEPARTMENT:	Planning and Development
PREPARED BY:	Sharon Valiante, Public Works Director; Brant Gary, ACM / Executive Director P&D	PRESENTER:	Brant Gary, ACM/Exec. Dir. of P&D Sharon Valiante, Public Works Director
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION TO APPROVE A ZONING CHANGE FOR THE NORTHEAST CORNER OF FM 1093 AND SYMS ROAD (30200 FM 1093) FROM DOWNTOWN DISTRICT TO COMMERCIAL		
ATTACHMENTS:	<ol style="list-style-type: none"> 1.) Zoning Map 2.) Letter of Request & Application 3.) Vicinity Map 4.) Site Map 5.) Survey & Legal Description 6.) Notice of Public Hearing 7.) Staff Report/Compliance with the Comprehensive Plan 8.) Preliminary Site Plan 9.) Excerpts from the following ordinances: <ul style="list-style-type: none"> Sec. 1-193. - Downtown District (DD) regulations, Sec. 1-225. - Supplementary use standards, Sec. 1-72. - Defined terms, Sec. 1-279. - Amendments (Zoning) 		

EXECUTIVE SUMMARY

The owner of the property located at 30200 FM 1093, represented by George S Gayle, along with their designated local representative, Anderson Smith, are requesting a Zone Change for the property indicated. The requested change is to rezone the parcel from a Downtown District zoning classification to a Commercial zoning classification. They are proposing to develop the property into a Retail, Restaurant, Office, Medical and/or Service Tenants use. It is currently being used as mixed use with an Auto Repair Shop, a Barber Shop and a house. The current Downtown District zoning classification allows for single family residential, safety services, and park uses as well as special uses (not requiring a special use permit) for school, convenience retail, home occupations, and hospital uses.

The representatives have provided the following documents as required by Article V, Section 1.279 Amendments, of the City's Zoning Ordinance (2012-1069), which include the attached items referenced:

- **Zoning Map of Area** – Shows Zoning of the Area (See Item 1)
- **Zoning Change Request & Application:** Completed Letter of Request and Application by Owner/Owner's Representative (See Item 2)
- **Vicinity Map:** Map shows the location of the property in relation to the surrounding areas (See Item 3)
- **Site Map:** Map shows existing layout, pavement, access points. Staff accepts this document as representation of the existing site and current uses. (See Item 4)
- **Survey/Legal Description:** A survey which shows the existing lot and the buildings that sit on it, along with a metes and bounds for the property (See Item 5)
- **Notification to the Public:** In accordance with the Ordinance, Section 1.278: A mailing notice was sent to adjacent property owners within 300 feet of the subject property (4.99 acres). A Notice was published in an approved newspaper advertising the request for the change in zoning. Signs were installed on Syms Rd and on FM 1093. (Included in Public Hearing Items and Item 6)

- **Staff Report/Compliance with the Comprehensive Plan:** After review of the request from the applicants, City Staff find that the requested zone change from Downtown District to Commercial is appropriate. The intended zoning change supports the orderly urban development through the land use, which promotes the unique sense of place in concert with the City's other regulations and Ordinances. In addition, it is in alignment with the current zoning in the area as shown on the current Zoning Map. The property fronts FM 1093 which would promote the existing commercial corridor within the area. The zoning change will promote economic development and protect the individual property rights. (Item 7)

The City Attorney has indicated that the City may impose conditions on the approval of the requested change. As this would be a unilateral decision by the City to impose these conditions, this would be acceptable and not considered "contract zoning" since there is no bilateral agreement between the two parties. Based on this, the Staff recommendation has been amended to include conditions that would be applied to the zoning classification for the property. In addition, a representative from the City Attorney's office will be present to answer any questions that the Commission may have.

This request has been previously reviewed by the P&Z Commission on April 13, 2018 and May 4, 2018. In April, the Planning and Zoning Commission provided a negative recommendation for this item. In May, after considering proposed conditions to this request, a positive recommendation was provided.

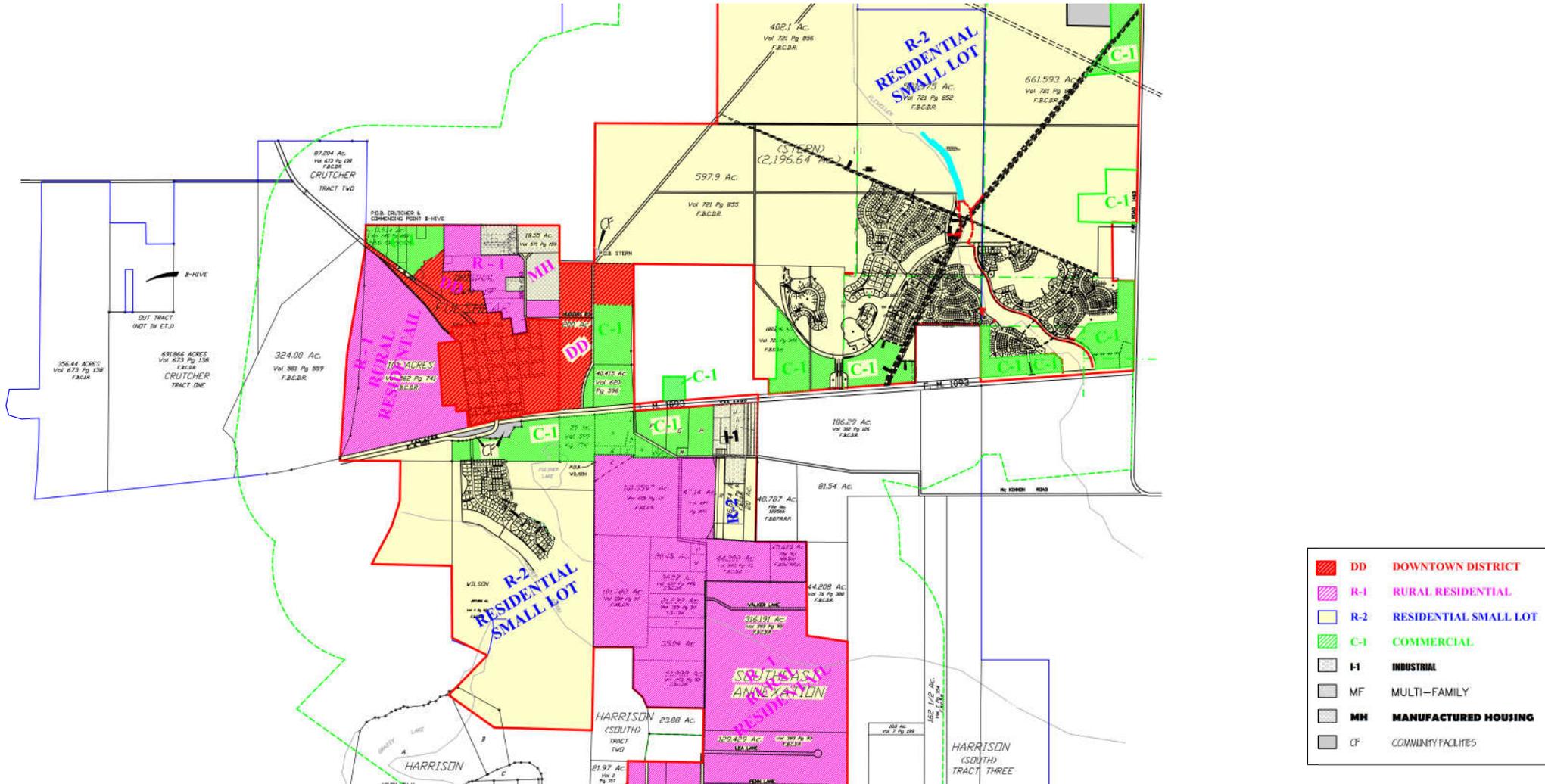
The first condition would be that the prohibited uses listed in Sec. 1-193 for the Downtown District zoning would be applied to the rezone of this property. Second, the Architectural Design Standards for the Downtown District zoning classification would also be attached to the development of this property. Finally, as recommended by the P&Z Commission in May, the Downtown District Sign Ordinance requirements would also be applied to the development of this tract.

RECOMMENDATION

Staff recommends the Planning and Zoning Commission review the request, offer any additional comments/recommendations, and recommend for approval the following items:

1. Consideration of a request for a Zoning Change of the 4.99 Acres, located at 30200 FM 1093 (northeast corner of Syms Rd. and FM 1093), from Downtown District to Commercial with the three added conditions as presented:
 - 1.) The prohibited uses listed in Sec. 1-193 for the Downtown District zoning would be applied to the rezone of this property.
 - 2.) The Architectural Design Standards for the Downtown District zoning classification will be attached to the development of this property.
 - 3.) The Downtown District Sign Ordinance requirements will be applied to the development of this property.
2. Amendment of the Zoning Map to reflect the change in zoning of this property from Downtown District to Commercial.

City of Fulshear - Zoning Map of Area



Zoning Change Request:
 30200 FM 1093 4.99 acres
 Item 1: Zoning Map of Area

March 26, 2018

Brant Gary
City of Fulshear
30603 FM 1093 West – P.O. Box 279
Fulshear, Texas 77441

Re: Proposed Zone Change of 30200 FM 1093 Approximately 4.99 Acres

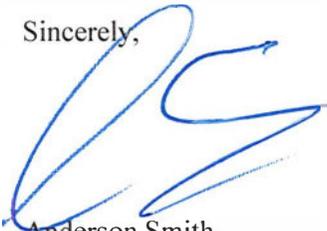
Mr. Gary:

Timbergrove Properties an affiliate of Capital Retail Properties is under contract to purchase 30200 FM 1093 in Fulshear, Texas from the Woodam Family Trust who is represented by George Gayle. The Subject Property is 4.99 Acres and we are requesting a zone change from Downtown District to Commercial.

Our intent is for a future Commercial Development that will encompass Retail, Restaurant, Office, Medical and or Service Tenants. Our goal is to have local, regional and a national Tenant mix. The property is currently an auto repair shop, barber shop and a house.

If you have any other questions or concerns feel free to email at the address below or call our office at 281-816-6550.

Sincerely,



Anderson Smith
Capital Retail Properties
Asmith@capitalretailproperties.com

Zoning Change Request:
30200 FM 1093 4.99 acres

Item 2: Letter of Request
and Application
1 of 4



APPLICATION TO AMEND THE ZONING ORDINANCE/SITE PLAN
 (Must be a complete application for acceptance)

PROPERTY OWNER: WOODHAM FAMILY TRUST
 Mailing Address 63 BIG CREEK TR. City Bozeman State MT Zip 59718
 Telephone (406) 539-7979 Email Abwoodham@gmail.com

APPLICANT / AGENT: WILLIAM G. GRIFFIN (CAPITAL ZONING PRODUCTS)
 Mailing Address 3631 Woodmont City Houston State TX Zip 77055
 Telephone (281) 644-5522 Cell (409) 283-4174 Email wggriffin@capitalzoning.com

OTHER CONTACT Name _____ Phone _____

PURPOSE OF PROPOSAL:

Amend the ZONING MAP to change the zoning district boundaries on the following parcel(s):

Lot / Tract No. Lot / Tract No. Lot / Tract No. Lot / Tract No.
 From DD From _____ From _____ From _____
 To C-1 To _____ To _____ To _____

Location address or Legal lot and block range: See attached survey

Present use of this property is: Auto shop, Barber shop, House

Describe proposed *new* use and purpose for zoning change:

Maxed out; Retail, Restaurant, Office, Medical
COMMERCIAL

PROPERTY DESCRIPTION

Total net land area 4.99 acres (acres /or square feet)
 Sketch Drawing of Area to be Re-Zoned, including Location Map (8 1/2" x 11")

Certified Legal Description:

NOT PLATTED: A Registered Texas Surveyor's certified metes and bounds legal description is required with case exhibit drawings of the entire area to be rezoned. The boundary description shall be furnished on 8 1/2" x 11" paper, bearing the surveyor's name, seal and date. If the area to be rezoned is entirely encompassed by a recorded deed, a copy of the deed description is acceptable. An Electronic copy of survey may be provided by CD, email or other method within 2 days of application. Send to bds@fulsheartexas.gov.

PLATTED: If it is within a recorded subdivision, provide a copy of the plat with the subdivision name and recording information. Any partial or non-surveyed parcel or tract, extracted from a recorded deed, will require a certified legal description as noted above.

Subdivision Name _____
 Block _____ Lot(s) _____; Block _____ Lot(s) _____; Block _____ Lots(s) _____

Zoning Change Request:
 30200 FM 1093 4.99 acres

Item 2: Letter of Request
 and Application
 2 of 4

Posting Requirements:

Notice of required Public Hearings shall be provided by the **applicant** by way of a sign posted on the land that is the subject of the application. One sign shall be posted for each 200 feet of frontage along a public street, with a maximum of 2 signs required per frontage. Signs shall be located so that the lettering is visible from the street. Where the land does not have frontage on a public street, signs shall be posted on the nearest public street with an attached notation indicating the location of the land subject to the application. The sign shall state "The property has requested a Zoning Change, for information regarding this request contact the City of Fulshear at 30603 FM 1093 Fulshear, Texas 77441, 281-346-1796. 2 Public Hearings will be held for this request."

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 zoning 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.*

Signature of Owner/ Agent*  Date 3-15-18

(circle one) Printed name George S. Gayle, IV Phone No. 281-660-9440

*Note: An Agent must furnish a signed Letter of Authorization from the owner when submitting this application.

Zoning Change Request:
30200 FM 1093 4.99 acres

Item 2: Letter of Request
and Application
3 of 4

281-346-1796

REC#: 00139104 3/27/2018 3:52 PM
OPER: AJ TERM: 002
REF#: 1106

CUSTOMER
COPY

TRAN: 3.0000 BUILDING PERMITS
20180608 674.85CR
ANDERSON G. SMITH
FM 1093 RD
VARIANCE 674.85CR

TENDERED: 674.85 CHECK
APPLIED: 674.85-

CHANGE: 0.00

Thank You!

Zoning Change Request:
30200 FM 1093 4.99 acres

Item 2: Letter of Request
and Application
4 of 4

LETTER OF AUTHORIZATION FOR ZONING CASE REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO: George Gayle

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 CHANGE IN ZONING CLASSIFICATION FOR THE FOLLOWING PROPERTY:

(CERTIFIED	LEGAL	DESCRIPTION]
4.99 ac. in C. Fulshear, Abs. 29, Ft. Bend County, TX being part of a 34.23 ac. tract.		

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 zoning 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.

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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.

OWNER'S SIGNATURE of the above described property: Joseph F. Woodham

OWNER'S NAME (printed) Joseph F. Woodham

ADDRESS: 63 Big Chief Tr. Bozeman, MT 59718

TELEPHONE: 406-539-7929 EMAIL: fbwoodham@gmail.com

LETTER OF AUTHORIZATION FOR ZONING CASE REPRESENTATION

AUTHORITY IS HEREBY GRANTED TO: Anderson Smith

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 CHANGE IN ZONING CLASSIFICATION FOR THE FOLLOWING PROPERTY:

(CERTIFIED	LEGAL	DESCRIPTION]
4.99 ac. in C. Fulshear, Abs. 29, Ft. Bend County, TX being part of a 34.23 ac. tract.		

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 zoning 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.

OWNER'S SIGNATURE of the above described property: Joseph F. Woodham

OWNER'S NAME (printed) Joseph F. Woodham

ADDRESS: 63 Big Cities Tr. Bozeman, MT. 59718

TELEPHONE: 406-539-7979 EMAIL: fbwoodham@gmail.com



Vicinity Map



Zoning Change Request:
30200 FM 1093 4.99
acres

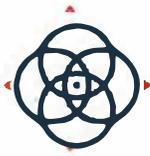
Item 4: Zoning Change
Site Map; 1 of 1

Syms Street

4.99 acres; 30200 FM 1093

FM 1093

Google Earth



WINDROSE
LAND SURVEYING | PLATTING

Zoning Change Request: 30200
FM 1093 4.99 acres

Item 5: Zoning Change - Survey &
Legal Description
2 of 2

**DESCRIPTION OF
4.990 ACRES OR 217,364 SQ. FT.**

A TRACT OR PARCEL CONTAINING 4.990 ACRES OR 217,364 SQUARE FEET OF LAND, SITUATED IN THE C. FULSHEAR LEAGUE, ABSTRACT NO. 29, FORT BEND COUNTY, TEXAS, AND BEING PART OF AND OUT OF THE RESIDUE OF A CALLED 34.23 ACRE TRACT OF LAND CONVEYED TO B.A. WOODHAM AS RECORDED UNDER VOL. 485, PG. 209 OF THE FORT BEND COUNTY DEED RECORDS (F.B.C.D.R.), AND A PORTION OF THIRD STREET, FOURTH STREET, FIFTH STREET, AND HOUSTON STREET, (ALL CALLED 60' WIDE) AS RECORDED UNDER VOL. U, PGS. 177-179, F.B.C.D.R., CONVEYED TO HUGGINS RANCH, LTD. AS RECORDED UNDER F.B.C.C.F. NO. 2009007110, AND ALL OF BLOCKS 18, 19, AND 30 OF THE TOWN OF FULSHEAR, MAP OR PLAT THEREOF RECORDED UNDER VOL. U, PGS. 177-179, F.B.C.D.R., AND A PORTION OF A CALLED 2-1/4 ACRE TRACT OF LAND CONVEYED TO HUGGINS RANCH, LTD. AS RECORDED UNDER FORT BEND COUNTY CLERK'S FILE (F.B.C.C.F.) NO. 2009007110, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83):

BEGINNING AT A 1/2 INCH IRON PIPE FOUND MARKING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF FARM-TO-MARKET (F.M.) ROAD NO. 1093 (120' WIDE) AND THE EAST R.O.W. LINE OF SYMS ROAD (CALLED 60' WIDE) AS RECORDED UNDER VOL. U, PGS. 177-179, F.B.C.D.R. AND THE SOUTHWEST CORNER OF SAID CALLED 34.23 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE EAST R.O.W. LINE OF SAID SYMS ROAD, NORTH 07 DEG. 09 MIN. 04 SEC. WEST, A DISTANCE OF 295.09 FEET A 1/2 INCH IRON ROD AND AN ANGLE IRON FOUND MARKING THE SOUTHWEST CORNER OF A CALLED 0.447 ACRE TRACT CONVEYED TO BRETT EDWARD DESHAZO AS RECORDED UNDER F.B.C.C.F. NO. 2012008871 AND THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE EAST R.O.W. LINE OF SAID SYMS ROAD, NORTH 82 DEG. 50 MIN. 56 SEC. EAST, A DISTANCE OF 150.00 FEET TO AN ANGLE IRON FOUND MARKING THE SOUTHEAST CORNER OF SAID CALLED 0.447 ACRE TRACT AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE EAST LINE OF SAID CALLED 0.447 ACRE TRACT AND THE EAST LINE OF A CALLED 0.3714 ACRE TRACT OF LAND CONVEYED TO VELA JEAN DESHAZO AS RECORDED UNDER F.B.C.C.F. NO. 2013061638, NORTH 07 DEG. 09 MIN. 04 SEC. WEST, PASSING AT A DISTANCE OF 130.00 FEET A 5/8 INCH IRON ROD FOUND MARKING THE COMMON EAST CORNER OF SAID CALLED 0.447 ACRE TRACT AND SAID CALLED 0.3714 ACRE TRACT, AND CONTINUING FOR A TOTAL DISTANCE OF 200.93 FEET TO A POINT ON THE SOUTH LINE OF A CALLED 3.114 ACRE TRACT OF LAND CONVEYED TO BURGIN REAL ESTATE, LLC AS RECORDED UNDER F.B.C.C.F. NO. 2013004934, SAME BEING A WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 5/8 INCH IRON ROD FOUND BEARS FOR REFERENCE, NORTH 81 DEG. 42 MIN. 13 SEC. WEST - 0.28 FEET;

THENCE, ALONG THE COMMON LINE OF SAID CALLED 34.23 ACRE TRACT AND SAID CALLED 3.114 ACRE TRACT, SOUTH 71 DEG. 04 MIN. 16 SEC. EAST, A DISTANCE OF 222.29 FEET TO A 1/2 INCH IRON PIPE FOUND MARKING THE SOUTHEAST CORNER OF SAID CALLED 3.114 ACRE TRACT AND AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

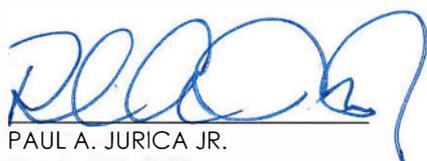
THENCE, THROUGH AND ACROSS SAID CALLED 34.23 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES;

SOUTH 07 DEG. 09 MIN. 04 SEC. EAST A DISTANCE OF 103.20 FEET TO A CAPPED "5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

NORTH 82 DEG. 50 MIN. 56 SEC. EAST A DISTANCE OF 282.82 FEET TO A CAPPED "5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

SOUTH 07 DEG. 01 MIN. 00 SEC. EAST A DISTANCE OF 296.57 FEET TO A CAPPED "5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE NORTH R.O.W. LINE OF SAID F.M. 1093, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE NORTH R.O.W. LINE OF SAID F.M. 1093, SOUTH 82 DEG. 59 MIN. 00 SEC. WEST, A DISTANCE OF 631.78 FEET TO THE PLACE OF BEGINNING, AND CONTAINING 4.990 ACRES OR 217,364 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 52726_4.99AC, PREPARED BY WINDROSE LAND SERVICES.


PAUL A. JURICA JR.
R.P.L.S. NO. 4264
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800



12/20/2017
DATE:

PUBLIC HEARING – ZONING CHANGE

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; **the first Public Hearing will be held by the Planning and Zoning Commission on May 4, 2018 at 8:30 a.m.**, the hearing will be held at City Hall located at 30603 FM 1093. ~~The second hearing will be held by the City Council on May 9, 2018 at 6:30 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road.~~ The second hearing has been re-scheduled to be held by the City Council on May 15, 2018 at 7:00 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearings will allow all interested persons an opportunity to be heard.

The location of the premises in question is in the Downtown District, C Fulshear League, Abstract 29, Acres 4.99, specifically the location is at the northeast corner of FM 1093 and Syms Rd, Fulshear, Texas 77441.

The applicant's agent, Anderson Smith, of Capital Retail Properties, is seeking a Zoning Change pursuant to the Zoning Ordinance, Section 1-279, to take the current zoning from Downtown District to Commercial Use for commercial, retail, restaurant, office and/or medical space.

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/Council.

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.



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

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

www.fulsheartexas.gov

April 4, 2018
Zoning Change Request
Staff Report (Item 7)

RE: Zoning Change application for 30200 FM 1093, 4.99 Acres located at the southwest corner of Syms Street and FM 1093, Fulshear TX 77441

The owner of the property located at 30200 FM 1093, along with their designated representatives, Mr. Anderson Smith, Capital Retail Properties, 6363 Woodway Dr., Suite 1125, Houston, TX 77057, and Mr. George Gayle, George Gayle Properties, 7007 Hunt Ln Fulshear, TX 77441, are requesting a change in zoning for the property indicated. The property is currently zoned Downtown District and lies at the lower southeast section of the Downtown District zone. It also is adjacent to the FM 1093 corridor, where much of the property fronting FM 1093 is zoned Commercial. They are requesting the zoning change to use the property as a commercial use, which would include retail, restaurant, medical, office, and commercial.

As it concerns the requested zoning change of this property in the Downtown District, the City of Fulshear's Comprehensive Plan generally addresses the ability to provide for prime consideration in efficient land use and a focus on community character integrated with all other aspects of the Comprehensive Plan.

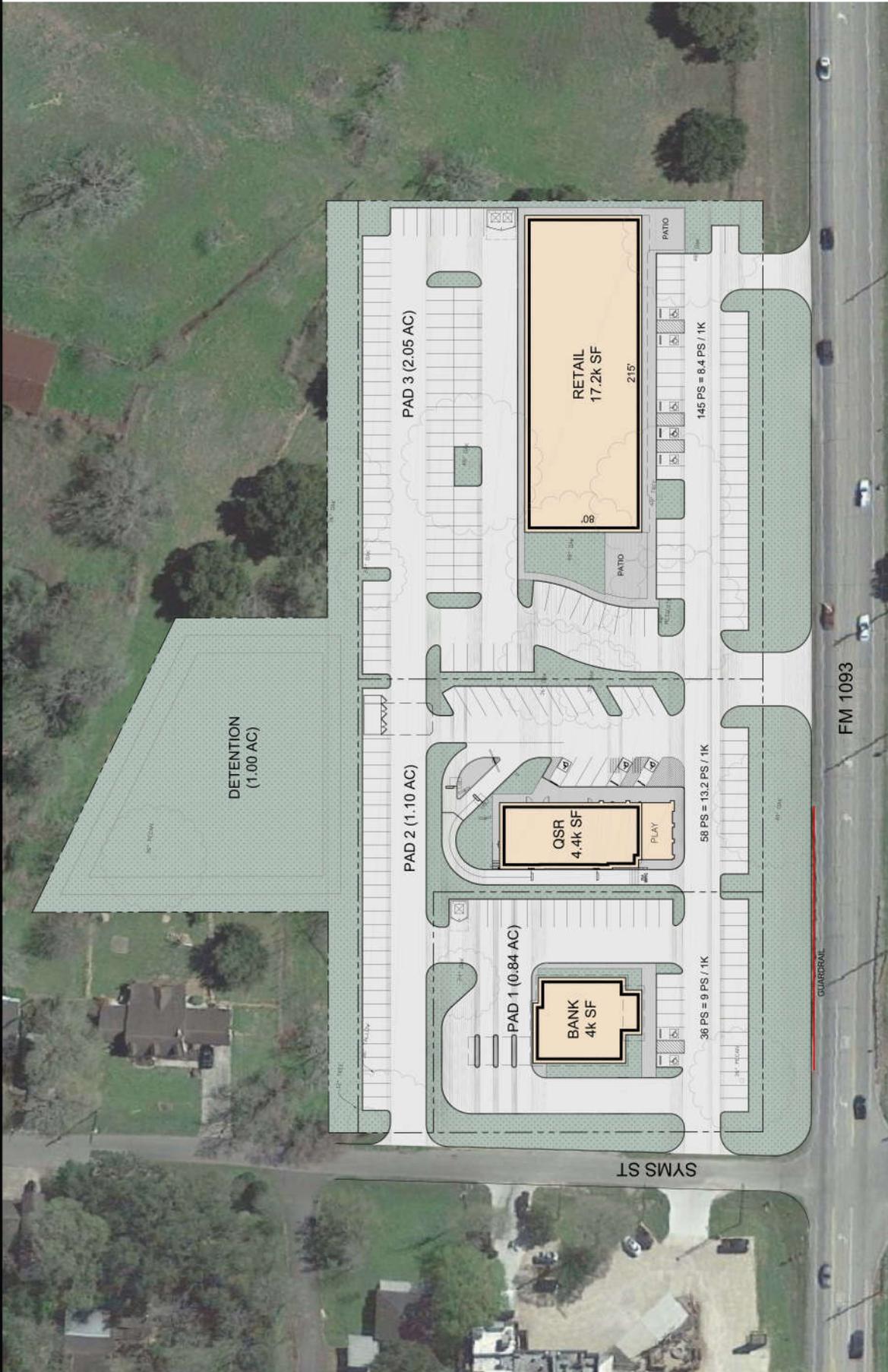
The future land use map is intended to show the general pattern of uses anticipated and/or desired in and around the community in the years ahead and can be seen as an interim situation. As the development occurs, it is common to review or re-evaluate a land use.

Based on a review of the documentation and of the Comprehensive Plan, City Staff have reason to believe the proposed zoning change requested by the applicant(s) will offer a variety of mixed uses that are permitted by the zoning change from Downtown District to Commercial, and will support the intent of the Zoning Ordinance and the Comprehensive Plan. The change will not adversely affect the public health, safety and well-being; nor will it diminish or impair the property values within the area and surrounding neighborhood. Thus, we find that the request to change the zoning classification for the property at 30200 FM 1093, 4.99 acres, is in line with the Comprehensive Plan.

Sincerely,

Sharon Valiante – Public Works Director
Brant Gary – Assistant City Manager/
Executive Director of Planning and Development
City of Fulshear

Zoning Change Request:
30200 FM 1093 4.99 acres
Item 7: Staff Report/Comp Plan Alignment



SITE PLAN B

identityARCHITECTS
 111 Travis Street, Houston, Texas 77002
 www.identityarchitects.com 713.566.2150



CR
 CAPITAL RETAIL
 PROPERTIES

March 8, 2018
 30200 FM 1093
 FM 1093, TX
 17255-01, 16.02.28

COMMERCIAL DEVELOPMENT

Sec. 1-193. - Downtown District (DD) regulations.

- (a) *Purpose.* The Downtown (DD) District is intended to allow the development of a town center (a mixed use traditional small town core) as outlined in the City comprehensive plan. The District will incorporate existing Commercial and institutional uses at the heart of the new town area and accommodate a variety of future neighborhood retail and community services, as well as housing. To ensure that future Commercial development is consistent with the town center concept and does not detract from residential development within the District, site plan reviews are required for all Commercial uses conditionally permitted in the District.
- (b) *Uses permitted by right.* In the Downtown (DD) District, no building or land shall be used and no building erected except for one or more of the following specified uses, unless otherwise provided in this division:
- (1) Single-family, detached dwellings on single lots;
 - (2) Single-family townhouses on separate lots;
 - (3) Safety services; and
 - (4) Parks and recreational facilities (public).
- (c) *Special uses.*
- (1) The following uses of land and structures are permitted in this District if they meet the supplementary use standards outlined in section 1-225.
 - a. School;
 - b. Convenience retail;
 - c. Home occupations; and
 - d. Hospital.
 - (2) Special use permits. The following uses of land and structure are permitted in this District if they are approved in the process outlined in section 1-283:
 - a. Temporary use stands, such as fruit or vegetable stands, hot dog or taco stands, snow cone shacks, and other establishments of a similar nature. Exceptions may be permitted for special events (e.g., carnivals, parades, etc.), but such exceptions shall be for a maximum period of seventy-two (72) hours (three operational days).
 - b. Animal shelters or veterinary offices housing animals outdoors, kennels, stables, or any other use that keeps animals outdoors; and
 - c. Automobile repair—new and used parts and service, enclosed (not salvage yards or similar).
 - d. Multifamily dwellings;
 - e. Eating and drinking places;
 - f. Retail (including grocery stores and large-scale retail establishments);
 - g. Office;
 - h. Place of worship;
 - i. Day care center;
 - j. Library;
 - k. Public House; and
 - j. Thrift shops or secondhand stores.
- (d) *Prohibited uses.* The following uses of land and structure are expressly prohibited in this District:
- (1) Gambling halls, parlors, or other establishments for gaming (including 8-liners, card tables, slot machines for prizes, etc.);

- (2) Retail liquor establishments, except grocery stores;
- (3) Private clubs;
- (4) Tattoo parlors and body piercing establishments;
- (5) Palm readers, palmistry shops, psychics, and tarot card readers;
- (6) Smoking Paraphernalia establishments or any other kind of associated paraphernalia retail outlets;
- (7) Stores or shops where tobacco sales account for more than fifty percent (50%) of the retail sales;
- (8) Outdoor storage, mini-storage, self-storage, or facilities requiring the storage of goods or equipment outside (e.g., truck or van rentals, heavy equipment rentals, outdoor nurseries, etc.);
- (9) Automobile repair facilities, auto parts retail or wholesale facilities, tire repair or replacement facilities, and other automotive related establishments, including express lube shops;
- (10) Pawnshops or shops containing remaindered goods;
- (11) Check cashing, title loan, short term loan, or payday loan offices; and
- (12) Other uses not conducive to the orderly and attractive function of the main street area of the City.

These uses include those that affect the health, safety, and welfare, offend the morals and values, or create a nuisance to the community. The City Council shall give a reasoned determination for the prohibition of any proposed use which must be approved by a unanimous vote of all Council members.

This prohibition does not imply that these uses will be allowed in other Districts.

(e) *Permitted accessory uses.* The following are permitted accessory uses:

- (1) Those accessory uses permitted under section 1-226;
- (2) Any structural or mechanical use customarily incidental to the permitted use; and
- (3) Off-street parking attributable to the permitted use.

(Ord. No. 2012-1069, § 1-193, 5-17-2012)

Sec. 1-225. - Supplementary use standards.

No permit shall be issued for any development or use of land unless the activity is in compliance with all applicable supplementary use standards in this section. Unless otherwise indicated, the listed standards apply in all Zoning Districts in which the subject use is permitted.

- (a) *Places of worship.*
- (b) **School.** Schools shall not be allowed in the R1 or R2 Zoning District unless direct vehicle access is provided from a collector or arterial street or major thoroughfare. This standard shall not apply to schools located in the C Zoning District.
- (c) **Hospital.** Hospitals shall not be allowed in the R1 Zoning District unless direct vehicle access is provided from a collector or arterial street or major thoroughfare. This standard shall not apply to hospitals located in the C Zoning District.
- (d) *Library.*
- (e) **Home occupations.** All home occupations shall comply with the following standards:
 - a. There shall be no visible storage of equipment, materials, or vehicles that have more than two (2) axles;
 - b. The home occupation shall be conducted entirely within the principal residential building or within a permitted accessory structure, and shall not be conducted within a garage or modified garage area;
 - c. No signage shall be permitted indicating the existence of any home occupation;
 - d. No retail sales of products not produced as a result of the home occupation shall be allowed;
 - e. No equipment shall be used that creates undue noise, vibration, electrical interference, smoke, or particulate matter emissions, excessive power demands or odors;
 - f. No goods, chattels, materials, supplies, or items of any kind shall be delivered either to or from the premises in connection with the home occupation in vehicles with more than two (2) axles;
 - g. No persons other than the immediate family residing at the home may work at the home occupation;
 - h. No more than two (2) private automobiles of clients, patrons, or customers of the home occupation can be parked off the premises at any given time. Off-street parking shall be provided (driveway parking spaces may be counted towards meeting this requirement);
 - i. The following are expressly prohibited as home occupations and must be located in an appropriate Commercial or office area:
 - i. Doctor's or dentist's offices;
 - ii. Real Estate offices;
 - iii. Insurance offices;
 - iv. Retail operations;
 - v. Storage facilities;
 - vi. Auto repair;
 - vii. Beauty shops;
 - viii. Barbershops;
 - ix. Nail salons;
 - x. Hair salons;
 - xi. Tattoo or body piercing establishments; or
 - xii. Any other business that is disruptive of the quiet use and enjoyment of surrounding property owners.
- (f) *Sexually Oriented Businesses.*
- (g) *Heavy industry.*
- (h) *Manufactured Homes.*

(Ord. No. 2012-1069, § 1-225, 5-17-2012)

DIVISION 2. - DEFINITIONS

Sec. 1-72. - Defined terms.

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Convenience retail means an establishment offering for retail sale prepackaged food products, household items and other goods commonly associated with the same, and having a gross floor area of less than five thousand (5,000) square feet.

Home occupation means any activity carried out for gain by a resident and conducted as a customary, incidental, and accessory use in the resident's dwelling.

Hospital means an institution that is licensed by the State or operated by an agency of the government to provide medical, surgical, psychiatric or emergency medical services to sick or injured persons, primarily on an in-patient basis. The term "hospital" shall not include nursing homes.

School means the use of a site for instructional purposes on an elementary or secondary level, approved under the regulations of the State.

(Ord. No. 2012-1069, § 1-72, 5-17-2012; Ord. No. 2012-1085, § 3, 10-16-2012; Ord. No. 2013-1121, §§ 2, 9, 11-19-2013; Ord. No. 2015-1176, § 2, 2-17-2015; Ord. No. 2016-1205, § 2, 1-19-2016)

Sec. 1-73. - Purpose and scope.

For the purposes of interpreting and administering the provisions of this Ordinance, the terms defined in this division shall be given the meanings set forth in section 1-72. All other terms shall be given their common, ordinary meanings, as the context may reasonably suggest. In case of dispute over the meaning of a term not defined here or over the application of a definition set forth here, the City Manager shall give an interpretation in accordance with sections 1-127 and 1-277(c).

(Ord. No. 2012-1069, § 1-73, 5-17-2012)

Secs. 1-74—1-104. - Reserved.

Sec. 1-279. - Amendments

- (a) *Purpose.* The purpose of this section is to provide a means for changing the text of this Ordinance or the District boundaries shown on the official Zoning map as necessary or for special use permits. Since this Ordinance represents the City's effort to provide for the orderly development of the community, no change shall be made in these regulations except to:
- (1) Correct an error in the regulations or map;
 - (2) Recognize changed or changing conditions or circumstances in a particular locality or area; or
 - (3) Recognize a change in public plans or policies that affect the property.
- (b) *Authority.* The City Council may, after recommendation of the Planning and Zoning Commission, adopt an Ordinance amending the text of this Ordinance or the boundaries of the official Zoning map upon compliance with the provisions of this section.
- (c) *Initiation.* An application for an amendment to the official Zoning map may be proposed by the mayor, a member of the City Council, the City Manager, the City Engineer or a qualified applicant for a proposed development. An amendment to the text of this Ordinance may be proposed by the mayor, a member of the City Council or the City Manager.
- (d) *Procedure.*
- (1) *Submission of application.* A complete application shall be submitted to the City Manager in a form established by the City, along with a nonrefundable fee that is established from time to time by the City Council to defray the actual cost of processing the application. No application shall be processed until the established fee has been paid and the application has been deemed complete by the City Manager. No application fee shall be required when such amendment is being proposed by the mayor, a member of the City Council or the City Manager.
 - (2) *Review and recommendation by the City Manager.* After determining that the application is complete, the City Manager shall prepare a staff report, which may include a recommendation for approval or disapproval based on the criteria in subsection (f) of this section. A copy of the staff report on a proposed amendment to the official Zoning map shall be mailed to the applicant at least five (5) days prior to the Public Hearing on the application.
 - (3) *Recommendation by Planning and Zoning Commission.* The Planning and Zoning Commission shall, after due notice, conduct a Public Hearing on the report, in accordance with V.T.C.A., Local Government Code ch. 211, or other applicable law. At the Public Hearing, the Planning and Zoning Commission shall consider the application, the staff report, the relevant support materials and public testimony given at the Public Hearing. After the close of the Public Hearing, the Planning and Zoning Commission shall prepare and deliver a report and recommendation to the City Council to approve or disapprove the proposed amendment based on the criteria in subsection (f) of this section.
 - (4) *Action by City Council.*
- (e) *Public Hearing.* After receiving the final report of the Planning and Zoning Commission, the City Council shall, after due notice, conduct a Public Hearing on the proposed amendment in accordance with V.T.C.A., Local Government Code ch. 211, or other applicable law. At the Public Hearing, the City Council shall consider the application, the staff report, the relevant support materials and public testimony given at the Public Hearing.
- (f) *Amendment criteria.* The wisdom of amending the text of this Ordinance or the Zoning map is a matter committed to the sound legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt, adopt with modifications or disapprove the proposed amendment, the City Council shall consider the following factors:
- (1) *Consistency with Ordinance.* Whether and the extent to which the proposed amendment would conflict with any portion of this Ordinance.

- (2) *Compatibility with surrounding area.* Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate Zoning District for the land.
- (3) *Changed conditions.* Whether and the extent to which there are changed conditions that require an amendment.
- (4) *Effect on natural environment.* Whether and the extent to which the proposed amendment would not result in significantly adverse impacts on the natural environment including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
- (5) *Community need.* Whether and the extent to which the proposed amendment addresses a demonstrated community need.
- (6) *Comprehensive plan.* Whether and the extent to which the proposed amendment is compatible with the vision set forth in the City's comprehensive plan and would result in a logical and orderly development pattern and not constitute spot Zoning.
- (7) *Vote required for action.* Action to amend the text of this Ordinance or the official Zoning map shall require an affirmative vote of at least three (3) members (three-fifths ($\frac{3}{5}$)) of the City Council.

(Ord. No. 2012-1069, § 1-279, 5-17-2012)