



CITY OF Incorporated 1977

# FULSHEAR

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

30603 FM 1093

P.O. Box 279

Fulshear, Texas 77441

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## PLANNING AND ZONING COMMISSION MINUTES NOVEMBER 4, 2016

### **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 8:31 a.m. on Friday, November 4, 2016 in the Fulshear City Hall located at 30603 FM 1093, Fulshear, Texas.*

### **2. Quorum**

*A quorum was present.*

#### *Members Present:*

*Amy Pearce-Chairman  
Austin Weant-Co-Chair  
Dar Hakimzakeh  
Bijay Aryal  
Dawn McRea*

#### *Members Absent:*

*Jason Cherubini  
Harold Collins*

#### *City Staff:*

*Kimberly Kopecky, Deputy City Secretary  
David Leyendecker, City Engineer  
Michelle Killebrew, Building Official  
CJ Snipes, City Manager  
Michael Ross, Assistant City Manager*

#### *Others Present:*

*Trey Devillier  
Gerald Grissom  
Steve Sams  
Eric Johnson*

**FULSHEAR PLANNING AND ZONING MINUTES  
NOVEMBER 4, 2016**

*And 9 others that did not sign in*

**3. Public Comment**

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

*There were no Citizen Comments.*

**4. Public Hearing**

**SPECIAL USE PERMIT**

**Notice is hereby given that a Public Hearing shall be held by the PLANNING AND ZONING COMMISSION of the City of Fulshear at its November 4, 2016 Meeting at 8:30 A.M. in the Fulshear City Hall, Council Chambers located at 30603 FM 1093, Fulshear, Texas 77441.**

**The purpose of the hearing is to receive comments from interested individuals regarding request for SPECIAL USE PERMIT.**

**Thrive Church is requesting a Special Use Permit for the property located at 30136 FM 1093. The property is currently in the downtown District and is used as Residential. They are requesting to use the property for Commercial Use, primarily for their offices. There will be 3 offices and a conference room, they will have 5 parking spaces behind the building. There will be no modifications made to the building at this time, except for code compliance. They will follow the regulation of the sign ordinance.**

**Project Site location: 30136 FM 1093, Fulshear, Texas 77441**

**A copy of the SPECIAL USE PERMIT request is available for review. Please contact the office of the City Secretary, 30603 FM 1093, Fulshear, Texas 77441 for more information or telephone 281-346-1796 x204.**

**Posted: October 17, 2016 CITY'S WEBSITE AND BULLETIN BOARD**

*A public hearing was called to order by Planning and Zoning Chairman Pearce for a Special Use Permit for Thrive Church at 8:32 a.m. Michelle Killebrew, Building Official (City of Fulshear) explained to the Planning and Zoning members and audience that no inspections were done yet. A Fire Marshall must come inspect and approve the building. There are 5 parking spaces in the back. There will be no major changes to the building. The signage must meet the ordinance. (Tom, from Thrive Church answered a couple questions) (For full commentary, request audio)*

*No citizens wished to speak.*

*Chairman Pearce closed this public hearing at 8:34 a.m.*

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**5. Public Hearing**

**ORDINANCE NO. 2016-1228**

An Ordinance calling a Public Hearing before the City Council of the City of Fulshear, Texas to be held on the 3<sup>rd</sup> day of November 2016, at 6:30 p.m. at the City of Fulshear City Hall, 30603 FM 1093 West, Fulshear, Texas to hear any and all persons desiring to be heard on or in connection with any matter or question involving the proposed imposition of a MORATORIUM on issuance of permits or plats for the development of hotels or motels within the jurisdiction of the City of Fulshear, Texas; and directing that said notice be published in the official newspaper of the City of Fulshear and posting on the City's website, and calling a second Public Hearing before the PLANNING AND ZONING COMMISSION of the City of Fulshear, Texas to be held on the 4<sup>th</sup> day of November 2016, at 8:30 a.m. at the City of Fulshear City Hall, 30603 FM 1093 West, Fulshear, Texas on the subject referenced above and notices be published and posted as reference above.

*No Action Was Taken on Item #5*

**6. Consideration and possible action on Minutes from October 7, 2016 Planning and Zoning Meeting**

*A motion was made by Planning and Zoning member Weant to approve minutes from the Planning and Zoning meeting on October 7, 2016. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes*

**7. Consideration and possible action on Creek Falls at Cross Creek Ranch-Unrestricted Reserve/Preliminary Plat**

*David Leyendecker recommended approval of this plat. A motion was made by Planning and Zoning member Hakimzakeh to approve Creek Falls at Cross Creek Ranch-Unrestricted Reserve/Preliminary Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes*

**8. Consideration and possible action on Jordan Ranch Street Dedication No. 2 and Reserves/Preliminary Plat**

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*David Leyendecker states that he received corrections on 8-14 (all of the Jordan Ranch/Preliminary Plats) and he recommends approval of all of these plats. Chairman Pearce asks the Commission to take Items 8 through 14 (all Jordan Ranch Preliminary Plats) as corrected together. A motion was made by Planning and Zoning member Hakimzakeh to approve line Item 8 through line Item 14(Jordan Ranch Sections/Preliminary Plats). It was seconded by Planning and Zoning member Weant. The motion was carried by the following:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes*

**9. Consideration and possible action on Jordan Ranch Section 8/Preliminary Plat**

*Refer to Agenda Item 8 (Motion passes)*

**10. Consideration and possible action on Jordan Ranch Section 9/Preliminary Plat**

*Refer to Agenda Item 8 (Motion passes)*

**11. Consideration and possible action on Jordan Ranch Section 10/Preliminary Plat**

*Refer to Agenda Item 8 (Motion passes)*

**12. Consideration and possible action on Jordan Ranch Section 11/Preliminary Plat**

*Refer to Agenda Item 8 (Motion passes)*

**13. Consideration and possible action on Jordan Ranch Section 12/Preliminary Plat**

*Refer to Agenda Item 8 (Motion passes)*

**14. Consideration and possible action on Jordan Ranch Section 13/Preliminary Plat**

*Refer to Agenda Item 8 (Motion passes)*

**15. Consideration and possible action on The Brooks Section 2/Preliminary Plat**

*A motion was made by Planning and Zoning member Hakimzakeh to approve The Brooks Section 2/Preliminary Plat. It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

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*Motion Passes*

**16. Consideration and possible action on Creek Falls at Cross Creek Ranch Section 8-Partial Replat No. 1/Final Plat**

*A motion was made by Planning and Zoning member Hakimzakeh to approve Creek Falls at Cross Creek Ranch Section 8-Partial Replat No. 1/Final Plat. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes*

**17. Consideration and possible action on The Market at Cross Creek Ranch SWC, LLC/Final Plat**

*A motion was made by Planning and Zoning member Hakimzakeh to approve The Market at Cross Creek Ranch SWC, LLC/Final Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes*

**18. Consideration and possible action on Cross Creek Ranch Water Well No. 4/Final Plat**

*David Leyendecker informs the Commission members that they need to add a minimum of 14 feet to the access easement. David Leyendecker recommends to approve and he will make sure the extra 4 foot gets added before it gets recorded. It will be done by metes and bounds description. A motion was made by Planning and Zoning member Hakimzakeh to approve Cross Creek Ranch Water Well No. 4/Final Plat (changing the easement to 14 feet). It was seconded by Planning and Zoning member Aryal. (For full commentary, request audio) The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes*

**19. Consideration and possible action on Tamarron Section 32/Final Plat**

*Chairman Pearce asks the Commission to take Items 19 through 21 together. They are all Tamarron/Final Plats and all with no comments from the Engineer. David Leyendecker, City Engineer recommends approval of all 3 plats. A motion was made by Planning and Zoning member McRea to approve Items 19 through 21 (Tamarron Sections 32, 36, 57/Final Plats). It*

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*was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes*

**20. Consideration and possible action on Tamarron Section 36/Final Plat**

*Refer to Agenda Item 19 (Motion passes)*

**21. Consideration and possible action on Tamarron Section 57/Final Plat**

*Refer to Agenda Item 19 (Motion passes)*

**22. Consideration and possible action on Cross Creek Ranch Detention and Water Quality Basins/Final Plat**

*A motion was made by Planning and Zoning member Weant to approve Cross Creek Ranch Detention and Water Quality Basins/Final Plat. It was seconded by Planning and Zoning member McRea. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes*

**23. Consideration and possible action on Christian Brothers Fulshear/Final Plat**

*David Leyendecker recommended the members Deny this plat so the Title Company could fix the problems (lienholder subordination needed, discrepancy on acreage, add names of Chairman/Co-Chairman). A motion was made by Planning and Zoning member Hakimzakeh to Deny Christian Brothers Fulshear/Final Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes (Plat Denied)*

*CJ Snipes requests a brief recess (by staff) to confer on issues. Chairman Pearce calls for a brief recess at 8:48 a.m.*

*Chairman Pearce calls the meeting back to order at 8:52 a.m.*

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**24. Consideration and possible action on Shops at Cross Creek/Final Plat**

*David Leyendecker notifies the Commission that this plat has some major issues and he recommends that it be Denied. There are 2 projects with the exact same name but different owners. A motion was made by Planning and Zoning member Hakimzakeh to Deny Shops at Cross Creek/Final Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes (Plat Denied)*

**25. Consideration and possible action on Shops at Cross Creek II/Preliminary Plat**

*This plat is the same as previous and David Leyendecker recommends to deny. A motion was made by Planning and Zoning member Hakimzakeh to Deny Shops at Cross Creek II/Preliminary Plat. It was seconded by Planning and Zoning member Aryal. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*Motion Passes (Plat Denied)*

**26. Consideration and possible action on a Special Use Permit for Thrive Church**

*A motion was made by Planning and Zoning member Hakimzakeh to approve a Special Use Permit for Thrive Church. It was seconded by Planning and Zoning member Weant. The motion was carried by the following vote:*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

**27. Consideration and possible action on a proposed imposition of a Moratorium on issuance of permits or plats for the development of hotels or motels within the jurisdiction of the City of Fulshear**

*No Action Was Taken on Item #27*

**28. Adjournment**

*A motion was made by Planning and Zoning member Weant to adjourn. It was seconded by Planning and Zoning member Aryal.*

*Ayes: Planning and Zoning member Aryal, Hakimzakeh, McRea, Pearce and Weant*

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*Nays: None*

*Absent: Jason Cherubini*

*Harold Collins*

*The meeting adjourned at 8:55 a.m.*



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

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Creek Falls at Cross Creek Ranch Unrestricted Reserve / Final Plat

City Engineer Review

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

City Secretary

Processed  
 Returned for additional data

BY: K. Kopf DATE: 11-10-2016

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: 11/10/2016

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

Subdivision: CREEK FALLS AT CROSS CREEK RANCH UNRESTRICTED RESERVE Development: CROSS CREEK RANCH

**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: 2.588 ACRES OUT OF THE A.G. SHARPLESS SURVEY, A-322

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

Total Acreage: 2.588  
 Number of Streets: 0  
 Number of Lots: 0  
 Number and Types of Reserves: 1  
 Total Acres in Reserve: 2.588

Owner: CCR LOAN SUBSIDIARY1, L.P.  
 Address: 5005 RIVERWAY, STE. 500  
 City/State: HOUSTON, TX 77056  
 Telephone: 713-960-9977  
 Email Address: \_\_\_\_\_

Engineer/Planner: BROWN & GAY ENGINEERS, INC.  
 Contact Person: TREY DEVILLIER  
 Telephone: 713-488-8204  
 Fax Number: 281-558-9701  
 Email Address: tdevillier@browngay.com

| Platting Fees  |                 |
|--|-----------------|
| Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre |                 |
| Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre      |                 |
| Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre            |                 |
| Amending or Minor Plat - \$200.00                                    |                 |
| Plat Vacation - \$500.00   |                 |
| 2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)  |                 |
| <b>TOTAL PLATTING FEE</b>  | <u>\$564.70</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.

Trey Devillier  
SIGNATURE

TREY DEVILLIER  
TYPED OR PRINTED NAME/TITLE

11/10/2016  
DATE

November 29, 2016

## Engineering Review

Final Plat  
Creek Falls at Cross Creek Ranch  
Unrestricted Reserve  
City of Fulshear; Texas

### For Information only:

1. This plat will create one (1) Reserve that covers a total area of 2.588 acres of land.
2. Access to this Reserve will be from Cross Creek Bend Lane and Creek Falls Drive.
3. This Reserve has a 25-foot Front Building Line.
4. This Reserve is shown to be across the street from a future Elementary School site.

### Recommendations:

I recommend that this Final Plat of Creek Falls at Cross Creek Ranch Reserve be approved as submitted





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

November 10, 2016

File No.: 1690440CPL

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 27th day of October, 2016, the last Deed that we find, of record, reflects the record owner to be: CCR Loan Subsidiary 1, L.P., a Texas limited partnership

Legal Description:

DESCRIPTION OF A 2.588 ACRE TRACT OF LAND SITUATED  
IN THE A.G. SHARPLESS SURVEY, ABSTRACT NO. 322  
CITY OF FULSHEAR  
FORT BEND COUNTY, TEXAS

BEING a 2.588 acre (112,745 square foot) tract of land situated in the A.G. Sharpless Survey, Abstract No. 322, City of Fulshear of Fort Bend County, Texas and being a portion of a called 117.6 acre tract of land as described in a deed to CCR Loan Subsidiary 1, L.P. recorded under Fort Bend County Clerk's File Number (F.B.C.C.F. No.) 2016059209, said 2.588 acre tract of land described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the northerly northeast corner of the intersection of Cross Creek Bend Lane (70 feet wide) and Creek Falls Drive (60 feet wide) as shown on CROSS CREEK BEND LANE EXTENSION NO. 10, a subdivision plat recorded under Plat No. 20160238 of the Fort Bend County Plat Records, and being a northerly southwest corner of said 117.6 acre tract and the herein described tract;

THENCE, along and with the common line of the east right-of-way line of said Creek Falls Drive and said 117.6 acre tract the following courses and distances:

N 08°46'25" W, a distance of 70.36 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the beginning of a tangent curve to the left;

In a northerly direction, along said curve to the left, a distance of 222.90 feet, having a radius of 1,830.00 feet, a central angle of 06°58'44" and a chord which bears N 12°15'47" W, 222.76 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the point of tangency;

N 15°45'10" W, a distance of 77.61 feet to a 1/2-inch iron pipe with cap stamped "BGE INC" set for the northwest corner of the herein described tract;

THENCE, over and across said 117.6 acre tract the following courses and distances:

N 84°41'14" E, a distance of 186.15 feet to a 1/2-inch iron pipe with cap stamped "BGE INC" set for an angle point in the north line of the herein described tract;

N 55°33'28" E, a distance of 136.22 feet to a 1/2-inch iron pipe with cap stamped "BGE INC" set for the northerly northeast corner of the herein described tract;

S 34°26'32" E, a distance of 38.36 feet to a 1/2-inch iron pipe with cap stamped "BGE INC" set for the easterly northeast corner of the herein described tract;

S 01°31'59" E, a distance of 412.76 feet to a 1/2-inch iron pipe with cap stamped "BGE INC" set for the southeast corner of the herein described tract and the beginning of a non-tangent curve to the left of the north right-of-way line of said Cross Creek Bend Lane, from which its center bears S 06°28'33" E, 1,900.00 feet, same being the south line of said 117.6 acre tract;

THENCE, along and with the common line of said north right-of-way line and the south line of said 117.6 acre tract the following courses and distances:

In a westerly direction, along said curve to the left, a distance of 76.20 feet, having a radius of 1,900.00 feet, a central angle of 02°17'52" and a chord which bears S 82°22'31" W, 76.19 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the point of tangency;

S 81°13'35" W, a distance of 149.01 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" found for the beginning of a tangent curve to the right, and being the southerly northeast corner of the intersection of said Cross Creek Bend Lane and said Creek Falls Drive;

In a northwesterly direction, along said curve to the right, a distance of 39.27 feet, having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears N 53°46'25" W, 35.36 feet to the **POINT OF BEGINNING** and containing 2.588 acres (112,745 square feet) of land.

Subject to the following:

1. Restrictions:

Restrictive Covenants as set forth under Clerk's File No. 2005003096, 2009026093, 2010127400, 2011070465 and 2012016789 of the County Clerk Official Records of Fort Bend County, Texas.

Restrictive Covenants as set forth in that Community Charter For Cross Creek Ranch recorded under Clerk's File Nos. 2008039552, and 2008054441, of the Official Records of Fort Bend County, Texas. (**Encumbered only by filing a Supplement**)

2. Easements/Other Exceptions:

Storm sewer easement 20 feet wide along the westerly portion of subject property, as recorded in/under Plat No. 20160238 of the Plat Records of Fort Bend County, Texas.

sanitary sewer easement 10 feet wide along the southerly property line, as recorded in/under Plat No. 20160238 of the Plat Records of Fort Bend County, Texas.

Storm sewer easement 15 feet wide along the westerly portion of subject property, as recorded in/under Plat No. 20160238 of the Plat Records of Fort Bend County, Texas.

An easement granted to Houston Lighting and Power Company as set forth and described in Volume 514, Page 189 of the Deed Records of Fort Bend County, Texas.

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

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

All charges, liens, and assessments payable to Cross Creek Ranch Community Association Inc., including that lien to secure the payment thereof, recorded under Clerk's File No. 2008039552 of the Official Records of County, Texas. This lien being subordinate to any recorded mortgage liens. **(Applies only when annexed by filing a supplement)**

Cross Creek Ranch Foundation Fee as set forth and created in that Foundation Supplemental Amendment To The Community Charter For Cross Creek Ranch recorded under Clerk's File No. 2008054441 of the Official Records of Fort Bend County, Texas. This lien is subordinate to any first mortgage of record. **(Applies only when annexed by filing a supplement)**

Certificate Of Formation Of Cross Cross Creek Ranch Community Association, Inc., as attached to that Management Certificate For Cross Creek Ranch recorded under Clerk's File No. 2008054615 of the Official Records of Fort Bend County, Texas. **(For Information Purposes Only)**

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

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

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

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

Cross Creek Ranch Community Association, Inc., Document Retention, Access, Production And Copy Policy, recorded under Clerk's File No. 2012006437 of the Official Records of Fort Bend County, Texas. **(Applies only when annexed by filing a supplement)**

Cross Creek Ranch Community Association, Inc. Solar Energy devices And Roofing Materials Policy recorded under Clerk's File No. 2012006438 of the Official Records of Fort Bend County, Texas. **(Applies only when annexed by filing a supplement)**

Cross Creek Ranch Community Association, Inc., display Of Religious Items Policy, recorded under Clerk's File No. 2012006439 of the Official Records of Fort Bend County, Texas. **(Applies only when annexed by filing a supplement)**

Cross Creek Ranch Community Association, Inc., Flag Display Policy, recorded under Clerk's File No. 2012006443 of the Official Records of Fort Bend County, Texas. **(Applies only when annexed by filing a supplement)**

Cross Creek Ranch Community Association, Inc., Rain Barrel Policy, recorded under Clerk's File No. 2012006444 of the Official Records of Fort Bend County ,Texas. **(Applies only when annexed by filing a supplement)**

Cross Creek Ranch community Association, Inc., Collection Policy And Payment Plan Guidelines, recorded under Clerk's File No. 2012016697 of the Official Records of Fort Bend County, Texas. **(Applies only when annexed by filing a supplement)**

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

Partial Assignment And Assumption Of Founder's Rights dated effective as of April 12, 2012, by TRENDMAKER HOMES, INC., a Texas corporation as assignor to CCR TEXAS HOLDINGS LP, a Delaware limited partnership as assignee, and recorded under Clerk's File No. 2012038962 of the Official Records of

Fort Bend County, Texas, and relating to the "Assigned Founder's Rights" described in that Community Charter For Cross Creek Ranch recorded under Clerk's File No. 2008039552 of the Official Records of Fort Bend County, Texas.

An easement fourteen (14) feet wide, for electric distribution and communication facilities, the location of which is shown by the dot-dash symbol on Sketch No. 15-0918, attached thereto and made a part thereof, together with unobstructed aerial easements eight (8) feet wide, beginning at a plane sixteen (16) feet above the ground and extending upward, located on both sides of and adjoining said fourteen (14) foot wide easement, granted to CenterPoint Energy Houston Electric, LLC, by instrument recorded under Clerk's File No. 2016004533 of the Official Records of Fort Bend County, Texas.

### 3. Liens/Misc:

Vendors Lien retained in Deed dated April 12, 2012, recorded in/under Clerk's File No. 2012038964 and recorded in/under Clerk's File No. 2012038960 of the Official Public Records, securing the payment of one note in the principal amount of \$9,000,000.00, bearing interest and payable as therein provided to the order of CCR Texas Lender, Inc., and one note in the principal amount of \$81,000,000.00, bearing interest and payable as therein provided to the order of PSPIB\_CCR, Inc., and additionally secured by Deed of Trust of even date therewith executed by CCR Texas Holdings LP, and recorded in/under Clerk's File No. 2012038977 of the Official Public Records of Fort Bend County, Texas, for the benefit of CCR Texas Agent Inc., as Agent. (Covers other property also)

Said lien additionally secured by a Collateral Assignment Of Notes And Liens recorded in/under Clerk's File No. 2012054544 of the Official Records of County, Texas.

Said lien subject to the terms, conditions and provisions of that Amended And Restated Intercreditor Agreement recorded under Clerk's File No. 2014033471 of the Official Public Records of Fort Bend County, Texas.

Construction Deed of Trust (with Assignment of Leases and Rents, Security Agreement and Fixture Filing) dated June 2, 2016, recorded in/under Clerk's File No. 2016059211 of the Official Records of Fort Bend County, Texas, executed by CCR Loan Subsidiary 1, L.P., a Texas limited partnership, securing the payment of one note in the principal amount of \$25,000,000.00, bearing interest and payable as therein provided to the order of U.S. Bank National Association d/b/a Housing Capital Company. Said lien being given in renewal and extension of that certain lien recorded in/under Clerk's File No. 2014024651, 2013019470, 2013019471, 2013019472, 2014024652, 2014024653 of the Official Records of Fort Bend County, Texas.

Said lien additionally secured by Collateral Assignment of Construction Documents, Design Contracts, Plans, Licenses, Builder Lot Contracts and Permits recorded in/under Clerk's File No. 2016059212 of the Official Records of Fort Bend County, Texas.

Intercreditor Agreement dated June 2, 2016 by and among CCR Loan Subsidiary 1, L.P., a Texas limited partnership, U.S. Bank National Association d/b/a Housing Capital Company, a national banking association, CCR Texas Holdings LP, a Delaware limited partnership, CCR Texas Lender Inc., an Ontario corporation, PSPIB-CCR Inc., a Canadian corporation and CCR Texas Agent, Inc., an Ontario corporation, as set forth and described in instrument recorded under Clerk's File No. 2016059210 of the Official Records of Fort Bend County, Texas.

Collateral Assignment of MUD Proceeds to U.S. Bank National Association, D/B/A Housing Capital Company, as set forth and described in instrument recorded under Clerk's File No. 2016059213 of the Official Records of Fort Bend County, Texas.

Subject properties are located in the Fort Bend County Municipal Utilities Districts No(s). 173. This district may issue an unlimited amount of bonds, levy an unlimited rate of tax in payment of such bonds, and impose a standby fee on property in the district that has water or sewer facilities available but not connected. Prior to the issuance of any policy, Seller is to furnish a properly executed and acknowledged Notice in compliance with the provisions set forth in Section 49.452 of the Texas Water Code, which Notice must be signed and acknowledged by the Purchaser and subsequently filed in the property records.

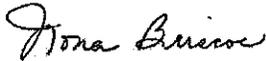
No examination has been made as to Abstracts of Judgments, State or Federal Tax Liens, the status of taxes, tax suits or paving assessments.

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

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

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

Sincerely,  
Stewart Title Company



Anthony DeBorde/Nona Briscoe  
Commercial Title Examiner

**LIENHOLDER'S SUBORDINATION TO DEDICATION**

THE STATE OF TEXAS  
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, CCR Texas Holdings LP, a Delaware limited partnership, has platted that certain 2.588 acres of land out of the A.G. Sherpleess Survey, Abstract 322, Fort Bend County, Texas, which property was surveyed and platted on \_\_\_\_\_ by, Brown & Gay Engineers, Inc. and known as CREEK FALLS AT CROSS CREEK RANCH UNRESTRICTED RESERVE recorded at Plat Number \_\_\_\_\_ in the Plat Records of the Office Public Records of Real Property of Fort Bend County, Texas; and

WHEREAS, CCR TEXAS AGENT INC., an Ontario corporation in its capacity as agent for the lenders, is the present owner and holder of a lien against the above described property, said lien being evidenced as recorded at Clerk's File No. 2012038960, 2012038964, 2012038977, 2012054544, and 2013019471 of the Real Property Records of Fort Bend County, Texas, and, in its capacity as the agent, is the agent for the holders of promissory notes secured by said lien, desires to subordinate said lien to the dedication of all streets, rights-of-way, and easements as well as all other terms and conditions referred to on the plat of CREEK FALLS AT CROSS CREEK RANCH UNRESTRICTED RESERVE.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

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

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

PROVINCE OF ONTARIO  
COUNTRY OF CANADA

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

GIVEN under my hand and Notary Seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2016

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

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

**LIENHOLDER'S SUBORDINATION TO DEDICATION**

THE STATE OF TEXAS  
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, CCR LOAN SUBSIDIARY 1, L.P., a Texas limited partnership, has platted that certain 2.588 acres of land out of the A.G. Sherpleess Survey, Abstract 322, Fort Bend County, Texas, which property was surveyed and platted on \_\_\_\_\_ by, Brown & Gay Engineers, Inc., DBA BGE, Inc., and known as CREEK FALLS AT CROSS CREEK RANCH UNRESTRICTED RESERVE, recorded at Plat Number \_\_\_\_\_ in the Plat Records of the Office Public Records of Real Property of Fort Bend County, Texas; and

WHEREAS, U.S. BANK NATIONAL ASSOCIATION, D/B/A Houston Capital Company, a national banking association is the present owner and holder of a lien against the above described property, said lien being evidenced as recorded at Clerk's File No. 2014024651, 2013019470, 2013019471, 2013019472, 2014024652, 2014024653, 2016059210, 2016059211, 2016059212 and 2016059213 of the Real Property Records of Fort Bend County, Texas, and, desires to subordinate said lien to the dedication of all streets, rights-of-way, and easements as well as all other terms and conditions referred to on the plat of CREEK FALLS AT CROSS CREEK RANCH UNRESTRICTED RESERVE.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

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



November 7, 2016

City of Fulshear  
30603 FM 1093  
Fulshear, TX 77441

**Re: Creek Falls At Cross Creek Ranch Unrestricted Reserve**

To Whom It May Concern:

CenterPoint Energy Houston Electric, LLC and CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations, hereinafter referred to as "CenterPoint Energy", has been asked to provide a Letter of No Objection for the above referenced plat dated November, 2016.

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

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

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

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

If there are any questions, please contact Samantha Richards at 713.207.6362.

Sincerely,

A handwritten signature in blue ink that reads "Samantha Richards". The signature is written in a cursive style.

Samantha Richards  
Right of Way Agent

C: Trey DeVillier <tDeVillier@bgeinc.com

PLR16.434A



Southwest OSPE  
1110 Louise St  
Rosenberg, Texas 77471

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

November 9, 2016

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

Re: CREEK FALLS AT CROSS CREEK RANCH UNRESTRICTED RESERVE

Dear Mr. DeVillier:

NOTE: This "No Objection Letter" does not represent facilities controlled by AT&T-Legacy/T. A separate "No Objection Letter" will be provided by AT&T-Legacy/T.

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

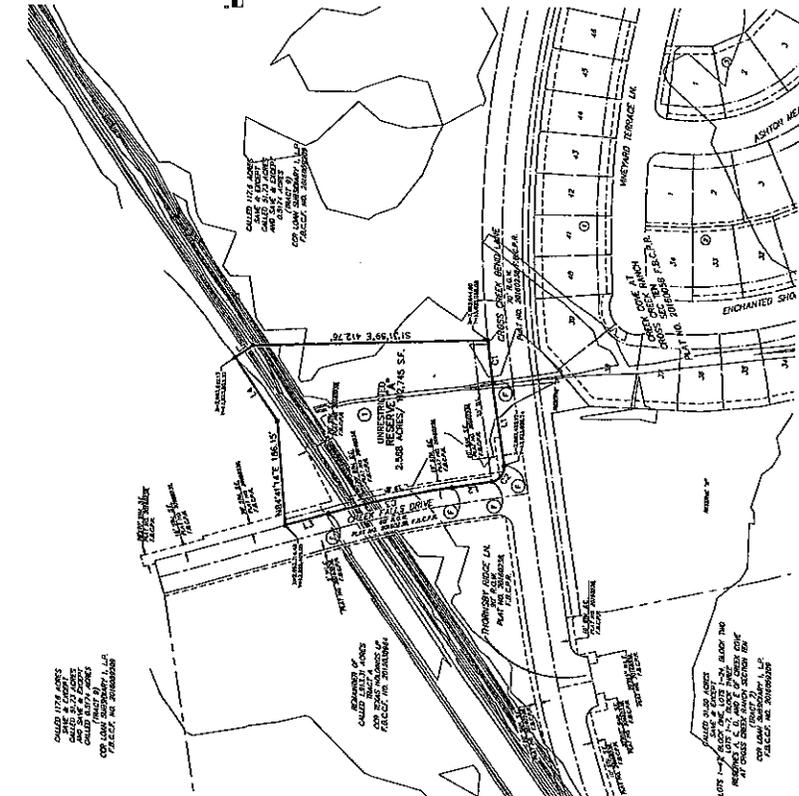
Sincerely,

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

Michael Jones  
Manager Engineering - Design



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



- GENERAL NOTES**
1. "L.C." indicates "Utility Easement".
  2. "L.U." indicates "Building Line".
  3. "L.L.E." indicates "Water Line Easement".
  4. "S.N.S.C." indicates "Sanitary Sewer Easement".
  5. "T.N.S.C." indicates "Storm Sewer Easement".
  6. "T.S.C.C.F." indicates "Post Office of Fort Bend County".
  7. "T.S.C.C.R." indicates "Post Office of Fort Bend County".
  8. "T.S.C.C.P." indicates "Post Office of Fort Bend County".
  9. "T.S.C.C.S." indicates "Post Office of Fort Bend County".
  10. The easements shown herein are those shown on the plat. The easements shown herein are those shown on the plat. The easements shown herein are those shown on the plat.
  11. There is no measurable evidence of any plat within the boundaries of the reserve.
  12. The property lines in this plat are based on the survey of the reserve.
  13. The survey of the reserve was conducted by the City of Ft. Bend.
  14. The survey of the reserve was conducted by the City of Ft. Bend.
  15. The survey of the reserve was conducted by the City of Ft. Bend.
  16. The survey of the reserve was conducted by the City of Ft. Bend.
  17. The survey of the reserve was conducted by the City of Ft. Bend.
  18. The survey of the reserve was conducted by the City of Ft. Bend.
  19. The survey of the reserve was conducted by the City of Ft. Bend.
  20. The survey of the reserve was conducted by the City of Ft. Bend.

| NUMBER | AREA   | ACREAGE | AREA   | ACREAGE |
|--------|--------|---------|--------|---------|
| 1      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 2      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 3      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 4      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 5      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 6      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 7      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 8      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 9      | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 10     | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 11     | 1.0000 | 1.0000  | 1.0000 | 1.0000  |
| 12     | 1.0000 | 1.0000  | 1.0000 | 1.0000  |

| LINE DATA | BEARING         | DISTANCE |
|-----------|-----------------|----------|
| 1         | S 89° 12' 30" E | 10.00    |
| 2         | S 89° 12' 30" E | 10.00    |
| 3         | S 89° 12' 30" E | 10.00    |
| 4         | S 89° 12' 30" E | 10.00    |
| 5         | S 89° 12' 30" E | 10.00    |
| 6         | S 89° 12' 30" E | 10.00    |
| 7         | S 89° 12' 30" E | 10.00    |
| 8         | S 89° 12' 30" E | 10.00    |
| 9         | S 89° 12' 30" E | 10.00    |
| 10        | S 89° 12' 30" E | 10.00    |
| 11        | S 89° 12' 30" E | 10.00    |
| 12        | S 89° 12' 30" E | 10.00    |

**LEGAL DESCRIPTION**  
This plat is a subdivision of the land described in the plat of the City of Ft. Bend, Texas, recorded in the Public Records of Ft. Bend County, Texas, as follows: [Detailed description of the land being subdivided, including lot numbers and bearings/distances.]

**STATE OF TEXAS**  
COUNTY OF FORT BEND

Know all men by these presents that [Name of the entity], a legal entity organized under the laws of the State of Texas, for and in consideration of the sum of \$100,000.00 (one hundred thousand and no/100ths) Dollars, to [Name of the entity] in cash paid by [Name of the entity], the undersigned, do hereby certify that the plat of the City of Ft. Bend, Texas, recorded in the Public Records of Ft. Bend County, Texas, as follows: [Detailed description of the land being subdivided.]

IN WITNESS WHEREOF, I, the undersigned, do hereby certify that the plat of the City of Ft. Bend, Texas, recorded in the Public Records of Ft. Bend County, Texas, as follows: [Detailed description of the land being subdivided.]

ATTEST:  
[Signature of the undersigned]

**COMMISSIONERS OF THE CITY OF FORT BEND, TEXAS**

Know all men by these presents that the undersigned, the undersigned, do hereby certify that the plat of the City of Ft. Bend, Texas, recorded in the Public Records of Ft. Bend County, Texas, as follows: [Detailed description of the land being subdivided.]

IN WITNESS WHEREOF, I, the undersigned, do hereby certify that the plat of the City of Ft. Bend, Texas, recorded in the Public Records of Ft. Bend County, Texas, as follows: [Detailed description of the land being subdivided.]

ATTEST:  
[Signature of the undersigned]

**NOTARIAL CERTIFICATE**

I, [Name of the Notary], a Notary Public in and for the State of Texas, do hereby certify that the plat of the City of Ft. Bend, Texas, recorded in the Public Records of Ft. Bend County, Texas, as follows: [Detailed description of the land being subdivided.]

IN WITNESS WHEREOF, I, the undersigned, do hereby certify that the plat of the City of Ft. Bend, Texas, recorded in the Public Records of Ft. Bend County, Texas, as follows: [Detailed description of the land being subdivided.]

ATTEST:  
[Signature of the Notary]

# CREEK FALLS AT CROSS CREEK RANCH UNRESTRICTED RESERVE

A SUBDIVISION OF 2.588 ACRES OF LAND LOCATED IN THE A.G. SHARPLESS SURVEY, FORT BEND COUNTY, TEXAS



**CROSS CREEK RANCH**  
BEE Inc.  
10777 Westheimer, Suite 100, Houston, TX 77040  
Tel: 281-350-8700 • www.crosscreek.com

**BCE**  
Bee Creek Enterprises, Inc.  
10777 Westheimer, Suite 100, Houston, TX 77040  
Tel: 281-350-8700 • www.bce.com

LOTS: 0 ("A-01")  
BLOCKS: 1  
SCALE: 1"=40'  
DATE: NOVEMBER, 2018  
BY: JERRY A. QUINN & ASSOCIATES, INC.  
10777 Westheimer, Suite 100, Houston, TX 77040  
Tel: 281-350-8700 • www.jaqinc.com  
JERRY A. QUINN  
JERRY A. QUINN & ASSOCIATES, INC.

APPROVED BY: [Signature]



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

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Parklane Fulshear / Preliminary Plat

City Engineer Review

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

City Secretary

Processed  
 Returned for additional data

BY: K. Koyf DATE: 11-10-2016

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: 11/10/20106 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: PARKLANE FULSHEAR Development: CROSS CREEK RANCH

**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: 21.54 Acres located in the J.W. Scott Survey, Abstract No. 321

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

Total Acreage: 21.54  
 Number of Streets: 0  
 Number of Lots: 0  
 Number and Types of Reserves: 1  
 Total Acres in Reserve: 21.54

Owner: JUDWIN REALTY GROUP  
 Address: 4295 SAN FELIPE, STE. 370  
 City/State: HOUSTON, TX 77027  
 Telephone: 713-297-4400  
 Email Address: \_\_\_\_\_

Engineer/Planner: BROWN & GAY ENGINEERS, INC.  
 Contact Person: TREY DEVILLIER  
 Telephone: 713-488-8204  
 Fax Number: 281-558-9701  
 Email Address: tdevillier@browngay.com

| Platting Fees  |                 |
|--|-----------------|
| Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre |                 |
| Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre      |                 |
| Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre            |                 |
| Amending or Minor Plat - \$200.00                                    |                 |
| Plat Vacation - \$500.00   |                 |
| 2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)  |                 |
| <b>TOTAL PLATTING FEE</b>  | <u>\$769.25</u> |
| Park Fees (due at Final Plat Application)                            | _____           |

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

Trey Devillier **TREY DEVILLIER** 11/10/2016  
 SIGNATURE TYPED OR PRINTED NAME/TITLE DATE

November 29, 2016

**Engineering Review**

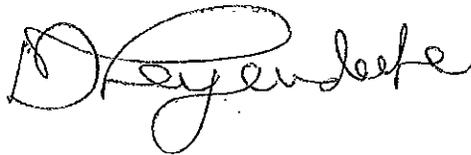
Preliminary Plat  
Parklane Fulshear  
City of Fulshear, Texas

**For Information only:**

1. This plat will create one (1) Reserve that covers a total area of 21.54 acres of land that is scheduled to be used for Multi-family residential.
2. Access to this Reserve will be from Fulshear Bend Drive along the South boundary line of the Reserve.
3. This Reserve has a 25-foot Front Building Line.

**Recommendations:**

I recommend that this Preliminary Plat of Parklane Fulshear be approved as submitted.

A handwritten signature in cursive script, appearing to read "Clay & Leyendecker".





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

**PLATTING AND SUBDIVISION REVIEW**

Plan or Plat Christian Brothers Fulshear / Final Plat (2<sup>nd</sup> Review)

**City Engineer Review**

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

**City Secretary**

Processed  
 Returned for additional data

BY: X-KyJg DATE: 11-14-2016

**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

REC'D NOV 14 2016

Subdivision/Development Platting Application

Date: November 10, 2016

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

Subdivision: Christian Brothers Fulshear Development: Automotive Shop

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: 1.1808 acres in the T.W. Southerland Survey, A-421, City of Fulshear, FBC, Texas

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

Total Acreage: 1.1808
Number of Streets: 0
Number of Lots: 0
Number and Types of Reserves: 1 Commercial Reserve
Total Acres in Reserve: 1.808

Owner: Xaris Properties, LLC
Address: 17725 Katy Freeway, Suite 200
City/State: Houston, Texas 77094
Telephone: 281-675-6100
Email Address: \_\_\_\_\_

Engineer/Planner: DAC Engineers
Contact Person: David Keel
Telephone: 281-506-7119
Fax Number: \_\_\_\_\_
Email Address: david.keel@dacengineers.com

Table with 1 column: Platting Fees. Rows include Preliminary Plat, Final Plat, Replat, Amending or Minor Plat, Plat Vacation, 2nd Review of plats, TOTAL PLATTING FEE (\$100.00), and Park Fees.

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

Handwritten signature of Laurie C. Riojas

Laurie C. Riojas/Plat Coordinator
TYPED OR PRINTED NAME/TITLE

11/14/16
DATE

November 29, 2016

**Engineering Review**

Final Plat  
Christian Brothers Fulshear  
City of Fulshear, Texas

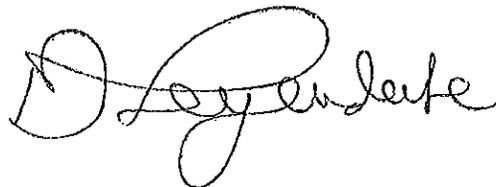
**For Information only:**

1. This plat will create one (1) Reserve with an area of 1.1808 acres that fronts on F.M. 1463.
2. Besides the access on F.M. 1463 (Thru the Texas Department of Transportation Permit Process) the Reserve also has access thru a shared access easement from the South.

**Recommendations:**

I recommend that this Final Plat of Christian Brothers Fulshear be approved with the following additions/corrections:

- A) The date for Note #5 needs to be updated to reflect the current City Planning Letter date.
- B) Note #9 needs to be removed as there does appear to be a pipeline easement shown on the plat.



## Kimberly Kopecky

---

**From:** Laurie <l.rijos@agsconsultantsllc.com>  
**Sent:** Tuesday, November 29, 2016 4:03 PM  
**To:** Kimberly Kopecky  
**Subject:** Christian Brothers Fulshear Plat  
**Attachments:** CB FULSHEAR REVISED PLAT 112916.pdf

Good Afternoon Kimberly,

I have attached the revised plat per the engineering review recommendations. I will have 8 bond copies delivered to you as well. Please let me know if you have any questions or concerns. I truly appreciate your help with this matter.

Thank you,  
Laurie A. Chapa, Survey Plat Coordinator/Public Relations  
**AGS Consultants, LLC**  
TBPLS Firm No. 10193810  
WBE/MBE/SBE/DBE/HUB  
16800 Greenspoint Park Dr. Suite 180N  
Houston, Texas 77060  
(O) 832.301.3815  
(C) 281.460.1454  
(F) 832.413.5210



[www.agsconsultantsllc.com](http://www.agsconsultantsllc.com)

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 Please consider the environment before printing this email  
Join the campaign at <http://thinkBeforePrinting.org>

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**From:** David Keel [mailto:david.keel@dacengineers.com]  
**Sent:** Tuesday, November 29, 2016 2:58 PM  
**To:** l.rijos@agsconsultantsllc.com  
**Subject:** Fwd: Send data from MFP11391318 11/29/2016 15:38

You probably received this too

Sent from my iPhone

Begin forwarded message:

**From:** Kimberly Kopecky <[kkopecky@fulsheartexas.gov](mailto:kkopecky@fulsheartexas.gov)>  
**Date:** November 29, 2016 at 2:46:07 PM CST  
**To:** Trey DeVillier <[TDeVillier@bgeinc.com](mailto:TDeVillier@bgeinc.com)>, "[david.keel@dacengineers.com](mailto:david.keel@dacengineers.com)"

<[david.keel@dacengineers.com](mailto:david.keel@dacengineers.com)>, Geoff Freeman <[gfreeman@ljaengineering.com](mailto:gfreeman@ljaengineering.com)>, "[rmoeckel@team-civil.com](mailto:rmoeckel@team-civil.com)" <[rmoeckel@team-civil.com](mailto:rmoeckel@team-civil.com)>

**Subject: FW: Send data from MFP11391318 11/29/2016 15:38**

See attachment for Engineer Reviews.

Best Regards,

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

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

From: [Scanner@Fulsheartexas.gov](mailto:Scanner@Fulsheartexas.gov) [<mailto:Scanner@Fulsheartexas.gov>]

Sent: Tuesday, November 29, 2016 3:38 PM

To: Kimberly Kopecky <[kkopecky@fulsheartexas.gov](mailto:kkopecky@fulsheartexas.gov)>

Subject: Send data from MFP11391318 11/29/2016 15:38

Scanned from MFP11391318

Date:11/29/2016 15:38

Pages:8

Resolution:200x200 DPI

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# LIENHOLDER'S SUBORDINATION TO DEDICATION

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

WHEREAS, Xaris Properties, LLC, a Texas Limited Liability Company has platted that certain 1.1808 acres of land out of the T.W. Southerland Survey, Abstract No. 421, Fort Bend County, Texas, which property was surveyed and platted on \_\_\_\_\_ by, AGS Consultants LLC, and known as CHRISTIAN BROTHERS FULSHEAR and Filed in Slide No. \_\_\_\_\_ of the plat Records of Fort Bend County, Texas; and

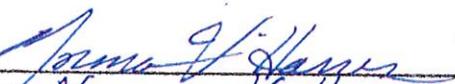
WHEREAS, Third Coast Bank SSB is the present owner and holder of liens against the above described property, said liens being evidenced as recorded in Fort Bend County Clerk's File Numbers 2016078292 and 2016078293 of the Real Property of Fort Bend County, Texas, and is the holder of promissory notes secured by said lien, desire to subordinate said lien to the dedication of all streets, rights-of-way and easements as well as all other terms and conditions referred to on the subdivision of CHRISTIAN BROTHERS FULSHEAR;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of The premises, and the sum of \$10.00 and other good and valuable consideration this day paid by, Xaris Properties, LLC, a Texas Limited Liability Company, to said lienholder, the receipt and sufficiency of which is hereby acknowledged and confessed, the said lienholder as the present owner and holder of the note and the lien given to secure the payment of the same, does hereby fully subordinate its lien to the plat of the subdivision of CHRISTIAN BROTHERS FULSHEAR And the dedication evidenced thereby and does hereby RATIFY, CONFIRM, AND APPROVE in all respects the subdivision of CHRISTIAN BROTHERS FULSHEAR and the dedication, terms and provisions evidenced thereby.

The said lienholder does hereby WARRANT AND REPRESENT that it is the present owner and holder of the note and the lien given to secure the payment of the same and that it is the owner and holder of the note and the lien.

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

EXECUTED This 3<sup>rd</sup> day of November 2016.

By:   
NAME: Norma V. Harris  
TITLE: Senior Vice President

THIRD COAST BANK, SSB

RETURN TO: AGS CONSULTANTS LLC  
ATTN: LAURIE CHAPA  
16800 GREENSPOINT PARK DRIVE, STE. 180N  
HOUSTON, TEXAS 77060

Continued on Page 2

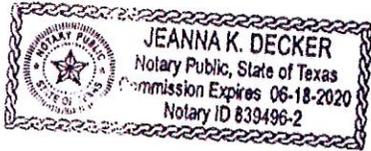
# NOTARY PUBLIC ACKNOWLEDGEMENT FOR ALL SIGNATURES

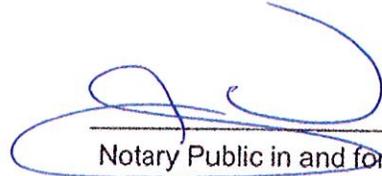
STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Norman Harris known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 3<sup>rd</sup> day of Nov, 2016.



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

My Commission expires: 6-18-2020

LIENHOLDER'S SUBORDINATION TO DEDICATION

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND

WHEREAS, Xaris Properties, LLC, a Texas Limited Liability Company has platted that certain 1.1808 acres of land out of the T.W. Southerland Survey, Abstract No. 421, Fort Bend County, Texas, which property was surveyed and platted on \_\_\_\_\_ by, AGS Consultants LLC, and known as CHRISTIAN BROTHERS FULSHEAR and Filed in Slide No. \_\_\_\_\_ of the plat Records of Fort Bend County, Texas; and

WHEREAS, CBH Properties Investments, LLC is the present owner and holder of a lien against the above described property, said lien being evidenced as recorded in Fort Bend County Clerk's File Numbers 201607829 of the Real Property of Fort Bend County, Texas, and is the holder of a promissory note secured by said lien and desires to subordinate said lien to the dedication of all streets, rights-of-way and easements as well as all other terms and conditions referred to on the subdivision of CHRISTIAN BROTHERS FULSHEAR;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of The premises, and the sum of \$10.00 and other good and valuable consideration this day paid by, Xaris Properties, LLC, a Texas Limited Liability Company, to said lienholder, the receipt and sufficiency of which is hereby acknowledged and confessed, the said lienholder as the present owner and holder of the note and the lien given to secure the payment of the same, does hereby fully subordinate its lien to the plat of the subdivision of CHRISTIAN BROTHERS FULSHEAR and the dedication evidenced thereby.

The said lienholder does hereby WARRANT AND REPRESENT that it is the present owner and holder of the note and the lien given to secure the payment of the same and that it is the owner and holder of the note and the lien.

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

EXECUTED this 27th day of November, 2016.

By: Jacques Craig
NAME: Jacques Craig
TITLE: Vice President

CBH Properties Investments, LLC

RETURN TO: AGS CONSULTANTS LLC
ATTN: LAURIE CHAPA
16800 GREENSPPOINT PARK DRIVE, STE. 180N
HOUSTON, TEXAS 77060

Continued on Page 2

NOTARY PUBLIC ACKNOWLEDGEMENT FOR ALL SIGNATURES

STATE OF TEXAS

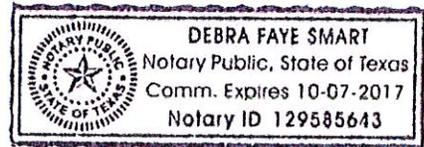
COUNTY OF HARRIS

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 7<sup>th</sup> day of November, 2016.

Debra Faye Smart  
Notary Public in and for the State of Texas

My Commission expires: 10/7/2017





# Integrity Title

## CITY PLANNING LETTER

September 22, 2016  
Effective Date: September 15, 2016

Job No. 1621358A  
Ref: XARIS PROPERTIES LLC

STATE OF TEXAS:  
COUNTY OF FORT BEND:

THIS IS TO CERTIFY: That after a careful examination of the records in the offices of the Clerk of this County (excluding U. C. C. Records), as to the property described as follows:

Being a 1.1808 acre (51,434 square feet) tract of the T.W. Southerland, Abstract No. 421, City of Fulshear, Fort Bend County, Texas and being out of a called 41.78 acre tract of land, as described in that certain Special Warranty Deed with Vendor's Lien dated July 19, 2016, from Landmark Industries and recorded in Fort Bend County Clerk's File No. 2016077883.

**We find the record title to be apparently in:**

**XARIS PROPERTIES, LLC, a Texas Limited Liability Company**

By virtue of that certain Special Warranty Deed with Vendor's Lien dated July 19, 2016, from Landmark Industries and recorded in Fort Bend County Clerk's File No. 2016077883.

**Subject to the following liens:**

Deed of Trust and Security Agreement dated July 19, 2016, payable to Third Coast Bank SSB and recorded under Fort Bend County Clerk's File No. 2016078292 and that Assignment of Leases and Rents dated July 19, 2016, from Xaris Properties, LLC to Third Coast Bank SSB and recorded under Fort Bend County Clerk's File No. 2016078293.

Deed of Trust, Assignment of Rents and Security Agreement Second Lien dated July 19,



# Integrity Title

2016, payable to CBH Properties Investments, LLC and recorded under Fort Bend County Clerk's File No. 2016078924.

**Subject to the following easements and encumbrances:**

20' Pipeline Easement as dedicated in that Relocation, Consent and Easement Agreement dated March 31, 2016, granted to Landmark Industries and Xaris Properties LLC and recorded under Fort Bend County Clerk's File No. 2016051492.

Drill Site Access Easement as dedicated in that Relocation, Consent and Easement Agreement dated March 31, 2016, granted to Landmark Industries and recorded under Fort Bend County Clerk's File No. 2016051492.

7' easement being the Easterly ½ of a 14' easement, together with an unobstructed aerial 8' easement, from a plane 16' above the ground upward, located easterly of and adjoining 7' easement and recorded under Fort Bend County Clerk's File No. 2010090494.

14' easement, together with an unobstructed aerial 7'6" easement, from a plane 16' above the ground upward, located southerly of and adjoining 449.69' said 14' easement and recorded under Fort Bend County Clerk's File No. 2010090494.

7' Public Utility Easement as set forth in that instrument recorded under Fort Bend County Clerk's File No. 20100065222.

7' Pubic Utility Easement as set forth in that instrument recorded under Fort Bend County Clerk's File No. 20102064849.

35' Building and Parking set back lines along FM 1463, 30' along the West property line, 15' along the North property line and 10' along the side property line as set forth in Fort Bend County Clerk's File No. 2006020011.

Declaration of Private Access Easement for the benefit of The Stoddard Group, Ltd. as set forth in that instrument recorded under Fort Bend County Clerk's File No. 2007089114.

Declaration of Private Access Easement for the benefit of The Stoddard Group, Ltd. as set forth in that instrument recorded under Fort Bend County Clerk's File No. 2010020750.

Easement Agreement dated July 19, 2016, by and between Landmark Industries Development, Ltd. and Xaris Properties, LLC and recorded under Fort Bend County Clerk's File No. 2016077884.



# Integrity Title

**Subject to the following restrictions:**

Restrictive Covenants as set forth in those instruments recorded in Fort Bend County Clerk's File No. 9526750, 2006020011 and 2016077789.

We have made no examination as to special assessments or conflicts.

*INTEGRITY TITLE COMPANY LLC*

John Cones

**LIMITATION OF LIABILITY:** THE LIABILITY OF EITHER PARTY WITH RESPECT TO THIS INFORMATION OR ANY ACT IN CONNECTION HEREWITH WHETHER IN CONTRACT, TORT, OR OTHERWISE, SHALL NOT EXCEED THE PRICE OF THE SERVICES OR PRODUCTS SOLD HEREUNDER OR THE PRICE OF THAT PORTION OF SUCH SERVICES OR PRODUCTS ON WHICH LIABILITY IS ASSERTED. INTEGRITY TITLE COMPANY LLC MAKES NO WARRANTY WHATSOEVER, EXPRESS, IMPLIED OR STATUTORY, AS TO THE QUALITY, FITNESS, SUITABILITY, CONFORMITY, OR MERCHANTABILITY OF THE SERVICES OR PRODUCTS SOLD.



Katy/Sealy Service Center  
P.O. Box 7  
Katy, TX 77494-0146

March 5, 2015

Hope Gomia  
Services on the Ball, LLC  
PO Box 940236  
Houston, TX 77094

Dear Mrs. Gomia:

This letter is in response to a request concerning availability of electric service for the property located north of FM 1093 on FM 1463 Rd in Fulshear, TX, 77441. CenterPoint Energy serves this area and electric service is available to this location. Electric service will be extended to this project in accordance with our standard line extension practices in effect at the time service is requested.

The point of service, voltage supplied and specific load requirements will be determined when detailed plans of the site (showing the building on the site, including proposed and existing utilities), an electrical one line diagram, and a load analysis are made available to us. The arrangement of the electric distribution facilities and any associated cost will be determined after we receive your request for service.

Sincerely,

A handwritten signature in black ink that reads "N. Favre".

Nicholas Favre  
Service Consultant



**Legend**

- Tracts
- HCAD Parcels
- City Limits
- County Boundaries
- Grand Parkway Alignment
- Groundwater Well Locations
- Oil and Gas Wells
- Pipelines
- Principal Active Faults
- 5-ft Contours
- NWI Wetlands
- Drainage Network
- FIRM Panel 48201C09551
- Effective Date 6/19/2007
- Floodway
- 100-Yr Floodplain
- Base Flood Elevation

0 500 1,000 2,000 Feet

Harris County Municipal Utility District No. 528  
 City of Baytown, Texas  
 Property Evaluation  
 680-ac Tracts

**AECOM**  
 AECOM Technical Services, Inc.  
 5248 Westchase Trail, Suite 200  
 Houston, Texas 77056  
 T365-690 No E-2000

Printed: October 2014 Scale: 04720807 Sheet: 1

4/1/2015

## Letter of Gas Availability

Project: CHRISTIAN BROTHERS  
Address: FN 1463/1093  
Contact: HOPE GOMIA  
Telephone 832-671-0414  
Fax: \_\_\_\_\_

To Whom It May Concern:

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

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

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

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

Sincerely,

IGNACIO GUERRERO  
Ignacio Guerrero  
Sr. Gas Service Coordinator  
4011 Ave H  
Rosenberg Tx 77471

Fax 281.341.4943, Phone 281.341.4936



March 16, 2015

Services On the Ball, LLC  
Attn: Hope Gomia  
PO Box 940236  
Houston, TX 77094

Dear Hope Gomia,

AT&T is pleased to respond to your request for no objection letter of plans received for the Commercial Property located in the NWC FM 1436 @ FM 1093, Fulshear, Texas. AT&T places facilities within easements and/or public right-of-way adjacent to property requiring service.

Please contact me as soon as this development is approved, or have your agent call me. I will need adequate time to place new facilities for service to this development. Thank you very much. If you have any questions or require additional information, please contact me at my office: 281-341-4312 or e-mail me at: [mb2759@att.com](mailto:mb2759@att.com).

Sincerely,

*Mike Broussard*

Mike Broussard  
Manager OSP Planning and Engineering Design

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NOS. 169 AND 173

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

April 6, 2015

Christian Brother's Automotive  
c/o DAC Engineering  
Attn: Mario Ipina  
15995 N. Barkers Landing Rd.  
Suite 180  
Houston, Texas 77079

Re: Potable Water/Sanitary Sewer Capacity Reserved by Fort Bend County Municipal Utility District No. 169 ("MUD 169") and Fort Bend County Municipal Utility District No. 173 ("MUD 173") for an approximately 1.08 acre tract of land owned or to be owned by Christian Brother's Automotive within MUD 173 located along FM 1463 near the northwest corner of FM 1093 and FM 1463, as shown generally on EXHIBIT A, (the "Tract").

Dear Christian Brother's Automotive:

Christian Brother's Automotive (referred to herein as "you" or "your") has requested that MUD 169 and MUD 173 (collectively, the "Districts") reserve potable water capacity and sanitary sewer capacity for the Tract.

This reservation will be equal to 1,200 gallons per day ("gpd") of potable water capacity and 311 gpd of sanitary sewer capacity (collectively, the "Capacity"), which amounts are sufficient according to you to develop the Tract for commercial purposes.

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

1. MUD 173 has or will: (i) construct water and sanitary sewer facilities serving land within its boundaries, (ii) convey them to the City of Fulshear (the "City") for ownership and operation, and (iii) reserve for itself all of the capacity in said facilities. MUD 169 has or will: (i) construct potable water and sanitary sewer facilities serving its approximate 3,271 acre service area, (ii) convey them to the City for ownership and operation, and (iii) reserve for itself all of the capacity in said facilities. Accordingly, MUD 169 agrees to reserve the Capacity in the facilities constructed by MUD 169 and MUD 173 agrees to reserve the Capacity in the facilities constructed by MUD 173. You

understand that the City (not the Districts) owns the potable water and sanitary sewer facilities that will serve the Tract. Accordingly, you understand and agree that this letter is only a reservation of capacity, and the City (not the Districts) is responsible for maintenance and operation of potable water and sanitary sewer facilities and for the provision of potable water and sanitary sewer service from said facilities.

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

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

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

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

[EXECUTION PAGES FOLLOW]

Very truly yours,

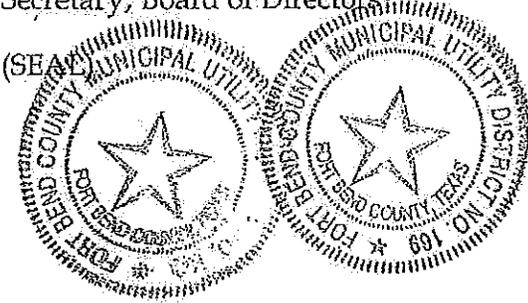
FORT BEND COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 169



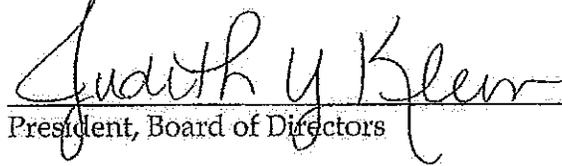
\_\_\_\_\_  
President, Board of Directors

ATTEST:

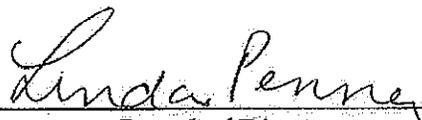
*Dot*   
\_\_\_\_\_  
Secretary, Board of Directors

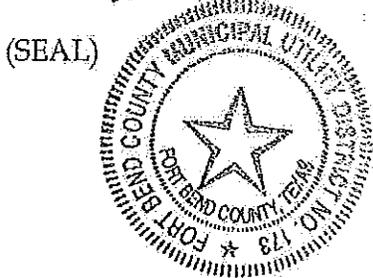


FORT BEND COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 173

  
\_\_\_\_\_  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors



Christian Brother's Automotive <sup>Corporation</sup> agrees to all of the above terms and conditions.

EXECUTED this 5<sup>th</sup> day of May, 2015.

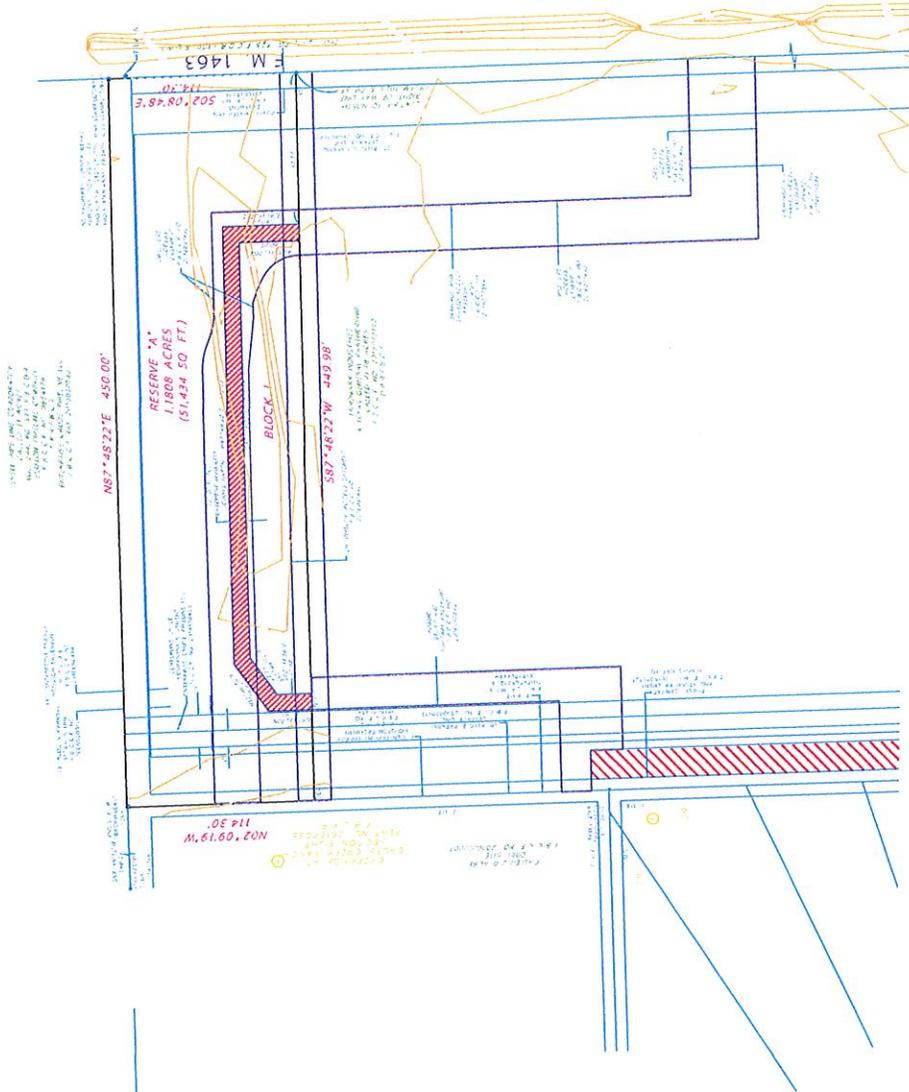
CHRISTIAN BROTHER'S  
AUTOMOTIVE Corporation

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

Name: Mark A. Carr

Title: President





E M 1463

502'08.48'E

134.30'

N87°48'22\"E 450.00'

RESERVE 'A'  
1.1808 ACRES  
(51,434 SQ. FT.)

BLOCK 1

S87°48'22\"W 449.98'

DE P11  
M.61.60.20N

RECORDS  
M.61.60.20N  
P.11  
M.61.60.20N

STATE OF SOUTH DAKOTA  
COUNTY OF BROWN  
REGISTERED PROFESSIONAL SURVEYOR  
No. 12345  
DATE: 10/15/2023

1.1808 ACRES  
(51,434 SQ. FT.)

134.30'

502'08.48'E



**CITY OF FULSHEAR  
BUILDING INSPECTIONS**

**COMMERCIAL BUILDING PERMIT**

PERMIT #: 20160861

DATE ISSUED: 5/11/2016

PROJECT ADDRESS: 6150 FM 1463 RD  
SUBDIVISION:  
ISSUED TO: EBCO GENERAL CONTRACTOR LTD  
ADDRESS: 305 W. GILLIS  
CITY STATE ZIP: CAMERON TX 76520  
PHONE: 254-697-8516

LOT #:  
BLK #:  
ZONING:  
CONTRACTOR: EBCO GENERAL CONTRACTOR LTD  
ADDRESS: 305 W. GILLIS  
CITY STATE ZIP: CAMERON TX 76520  
PHONE:

WORK: NEW COMMERCIAL BUILDING  
VALUATION: \$ 354,387.74

SQ FT 0.00  
BUILDING USE:

PROJECT CONDITIONS IF ANY:

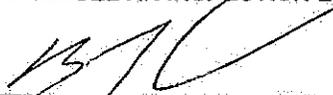
| FEE CODE | DESCRIPTION                          | AMOUNT            |
|----------|--------------------------------------|-------------------|
| BL-01    | BUILDING PERMIT FEE                  | \$ 35.00          |
| BL-02    | PLAN REVIEW FEE-VALUATION            | \$ 946.25         |
| BL-04    | COMMERCIAL BUILDING PERMIT VALUATION | \$1,892.50        |
|          | <b>TOTAL</b>                         | <b>\$2,873.75</b> |

NOTES:

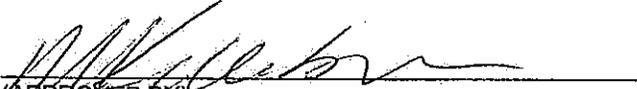
**NOTICE**

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

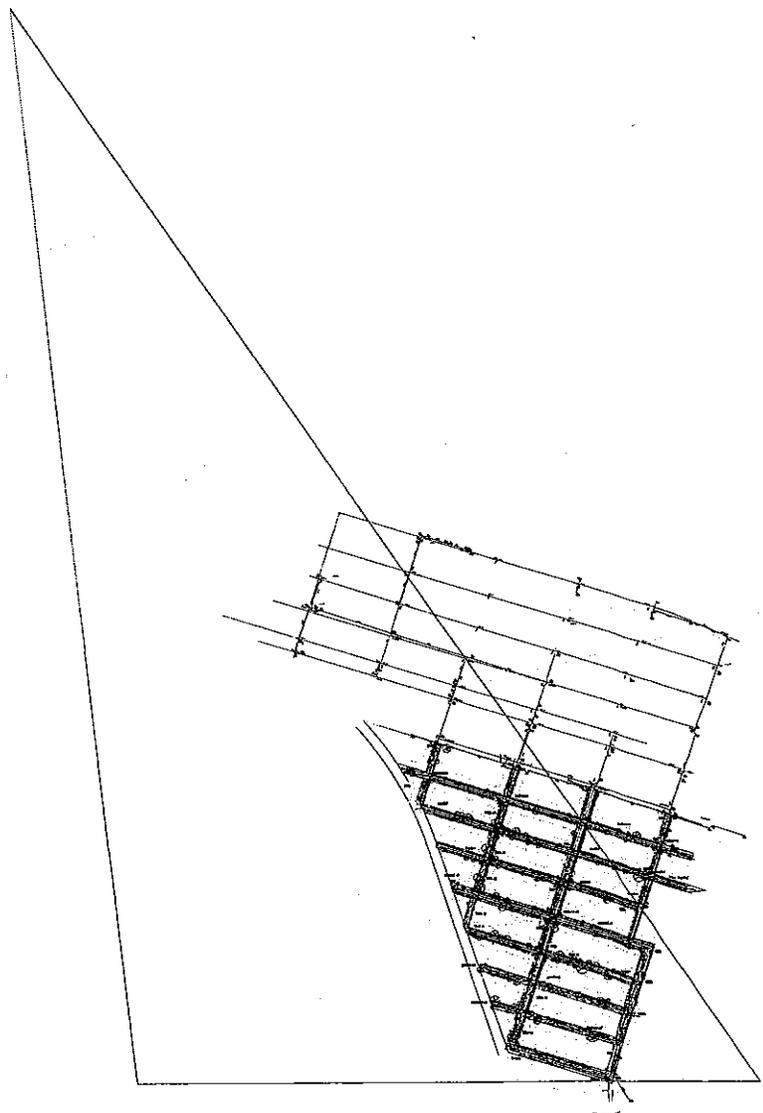
I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION. PERMIT MUST BE POSTED ON THE SITE AND VISIBLE FROM THE STREET. TO SCHEDULE AN INSPECTION EMAIL [INSPECTIONS@FULSHEARTEXAS.GOV](mailto:INSPECTIONS@FULSHEARTEXAS.GOV)

  
\_\_\_\_\_  
(SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT)

7/16/16  
DATE

  
\_\_\_\_\_  
(APPROVED BY)

7/15/16  
DATE





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

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Tamarron Crossing Section 1 - Street Dedication / Final Plat

City Engineer Review

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

City Secretary

Processed  
 Returned for additional data

BY: K. Zopf DATE: 11-14-2016

Planning Commission Review

Approved  
 Returned for additional data

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

City Council Review

Approved  
 Returned for additional data

BY: \_\_\_\_\_ DATE: \_\_\_\_\_



November 29, 2016

**Engineering Review**

Final Plat - Tamarron Crossing Section 1  
Street Dedication  
City of Fulshear, Texas

**For Information only:**

1. This plat will create approximately 1600-foot of new street right-of-way (100-foot width) for Tamarron Crossing.
2. The new street right-of-way will extend from Jarvis Bay Pass on the West to Kobuk Valley Way 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 1 Street Dedication be approved as submitted.

A handwritten signature in cursive script, appearing to read "Clay & Leyendecker". The signature is written in black ink and is positioned centrally below the recommendations section.

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

**CITY PLANNING LETTER**

November 4, 2016

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 31st day of October, 2016, 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 CROSSING STREET DEDICATION SECTION 1 (Proposed Plat)**

Being 3.919 acres of land located in the J. D. Vermillion Survey, Abstract 339, Fort Bend County, Texas, more particularly being a portion of that certain called 686.0183 acre tract (Tract I), conveyed to D. R. Horton – Texas, LTD by an instrument of record under File Number 2013000056, of the Official Public Records of said Fort Bend County, Texas (F.B.C.O.P.R.), said 3.919 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, South Central Zone, NAD83, Epoch 2010.00);

BEGINNING at a 5/8-inch iron rod with cap stamped "LJA ENG" previously set for the southerly end of a radial cut back corner of the intersection of the north right-of-way line of Tamarron Crossing (100 feet wide) and Kobuk Valley Way (width varies at this point) both shown

on Tamarron Section 22, a subdivision of record under Plat Number 20150211, same being on the south line of Reserve "B" of said Tamarron Section 22;

Thence, South  $03^{\circ} 51' 25''$  West, along the west end of Tamarron Crossing as shown on said Tamarron Section 22, 100.00 feet to 5/8-inch iron rod with cap stamped "LJA ENG" previously set for the southwest corner of said Tamarron Crossing, the beginning of a curve;

Thence, 1,078.56 feet along the arc of a non-tangent curve to the right, having a radius of 2,450.00 feet, a central angle of  $25^{\circ} 13' 24''$ , and a chord which bears North  $73^{\circ} 31' 53''$  West, 1,069.87 feet to a point for corner;

Thence, North  $60^{\circ} 55' 12''$  West, 200.00 feet to a point for corner, the beginning of a curve;

Thence, 170.72 feet along the arc of a tangent curve to the left, having a radius of 1,950.00 feet, a central angle of  $05^{\circ} 00' 59''$ , and a chord which bears North  $63^{\circ} 25' 41''$  West, 170.67 feet to a point for corner, the beginning of a compound curve;

Thence, 48.22 feet along the arc of a tangent curve to the left, having a radius of 30.00 feet, a central angle of  $92^{\circ} 05' 22''$ , and a chord which bears South  $68^{\circ} 01' 09''$  West, 43.19 feet to a point for corner;

Thence, North  $68^{\circ} 01' 32''$  West, 80.00 feet to a point for corner, the beginning of a curve;

Thence, 48.22 feet along the arc of a non-tangent curve to the left, having a radius of 30.00 feet, a central angle of  $92^{\circ} 05' 22''$ , and a chord which bears North  $24^{\circ} 04' 13''$  West, 43.19 feet to a point for corner, the beginning of a compound curve;

Thence, 72.08 feet along the arc of a tangent curve to the left, having a radius of 1,950.00 feet, a central angle of  $02^{\circ} 07' 04''$ , and a chord which bears North  $71^{\circ} 10' 26''$  West, 72.07 feet to a point for corner;

Thence, North  $17^{\circ} 46' 02''$  East, 100.00 feet to a point for corner, the beginning of a curve;

Thence, 81.53 feet along the arc of a non-tangent curve to the right, having a radius of 2,050.00 feet, a central angle of 02° 16' 43", and a chord which bears South 71° 05' 36" East, 81.52 feet to a point for corner, the beginning of a reverse curve;

Thence, 46.11 feet along the arc of a tangent curve to the left, having a radius of 30.00 feet, a central angle of 88° 04' 17", and a chord which bears North 66° 00' 37" East, 41.71 feet to a point for corner;

Thence, South 68° 01' 32" East, 80.00 feet to a point for corner, the beginning of a curve;

Thence, 46.11 feet along the arc of a non-tangent curve to the left, having a radius of 30.00 feet, a central angle of 88° 04' 17", and a chord which bears South 22° 03' 41" East, 41.71 feet to a point for corner, the beginning of a reverse curve;

Thence, 185.23 feet along the arc of a tangent curve to the right, having a radius of 2,050.00 feet, a central angle of 05° 10' 37", and a chord which bears South 63° 30' 30" East, 185.17 feet to a point for corner;

Thence, South 60° 55' 12" East, 200.00 feet to a point for corner, the beginning of a curve;

Thence, 1,034.54 feet along the arc of a tangent curve to the left, having a radius of 2,350.00 feet, a central angle of 25° 13' 24", and a chord which bears South 73° 31' 53" East, 1,026.20 feet to the POINT OF BEGINNING and containing 3.919 acres of land.

**1. Deed Restrictions:**

None of record.

NOTE; Property is subject to inclusion into restriction documents recorded in Document Nos. 2014128516 and 2014129256, Official Public Records of Fort Bend County, Texas, but is not subject to said documents unless a Notice of Applicability to the subject property is recorded.

**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.

Grazing Lease by and between BFH Mining, Ltd., Lessor, and Bar M Cattle Company, Lessee, recorded in Document No. 2010127261, corrected in Document No. 2011001553, of the Official Public Records of Fort Bend County, Texas. Assignment and Assumption of Grazing Lease, from BFH Mining, Ltd., to D.R. Horton – Texas, Ltd., recorded in Document No. 2013000062 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.

Pipeline Easement and Right of Way Agreement recorded in Document No. 2016026573, 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,

A handwritten signature in black ink, appearing to read "Tatanisha Walker", with a long horizontal flourish extending to the right.

Tatanisha Walker  
DHI Title of Central Texas



September 16, 2016

City of Fulshear  
30603 FM 1093  
Fulshear, TX 77441

**Re: Preliminary Plat of Tamarron Crossing Section 1 STD - PLR16.409**

To Whom It May Concern:

CenterPoint Energy Houston Electric, LLC and CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations, hereinafter referred to as "CenterPoint Energy", has been asked to provide a Letter of No Objection for the above referenced plat dated September 16, 2016.

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

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

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

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

If there are any questions, please contact Lisa Adams at 713.207.6351 or Ken Vacek at 713.207.6308.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Adams". The signature is fluid and cursive.

Lisa Adams  
Lead Agent - Property Rights

C: Ashley Fuller <Afuller@ljaengineering.com>

PLR16.409

May 25, 2015

Ms. Ashley Fuller  
LJA Engineering, Inc.  
2929 Briarpark Drive, Suite 600  
Houston, TX 77042-3703

**Re: Preliminary Plat of Tamarron Crossing Street Dedication Section 1**

To Whom It May Concern,

Comcast of Houston LLC, a Delaware Limited Liability Company, herein referred to as "Comcast Cable", has been asked to provide a letter of "No Objection" for the above referenced plat dated April 20, 2015

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

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

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

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

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

Sincerely,



Chris Grey  
Construction Supervisor, Design and Serviceability







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

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Tamarron Crossing Section 2 - Street Dedication / Final Plat

City Engineer Review

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

City Secretary

Processed  
 Returned for additional data

BY: K. Kempf DATE: 11-14-2016

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: 11/11/2016 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: TAMARRON CROSSING SECTION 2 STD. 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: 2.565 ACRES IN THE A.G. SHARPLESS SURVEY, A-322

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

Total Acreage: 2.565  
 Number of Streets: 1  
 Number of Lots: 0  
 Number and Types of Reserves: 0  
 Total Acres in Reserve: \_\_\_\_\_

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: GEOFF FREEMAN  
 Telephone: 713-358-8830  
 Fax Number: \_\_\_\_\_  
 Email Address: gfreeman@ljaengineering.com

| Platting Fees  |                 |
|--|-----------------|
| Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre |                 |
| Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre      |                 |
| Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre            |                 |
| Amending or Minor Plat - \$200.00                                    |                 |
| Plat Vacation - \$500.00   |                 |
| 2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)  |                 |
| <b>TOTAL PLATTING FEE</b>  | <u>\$564.13</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

Geoffrey A. Freeman / Platting Manager  
 TYPED OR PRINTED NAME/TITLE

11-11-2016  
 DATE

November 29, 2016

**Engineering Review**

Final Plat - Tamarron Crossing Section 2  
Street Dedication  
City of Fulshear, Texas

**For Information only:**

1. This plat will create approximately 1130-foot of new street right-of-way (100-foot width) for Tamarron Crossing.
2. The new street right-of-way will extend from Jarvis Bay Pass on the West for approximately 1130-foot.
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 Crossing Section 2 Street Dedication be approved as submitted.



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

**CITY PLANNING LETTER**

November 4, 2016

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 31st day of October, 2016, 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 CROSSING STREET DEDICATION SECTION 2 (Proposed Plat)**

Being 2.565 acres of land located in the J. D. Vermillion Survey, Abstract 339, Fort Bend County, Texas, more particularly being a portion of that certain called 686.0183 acre tract (Tract I), conveyed to D. R. Horton – Texas, LTD by an instrument of record under File Number 2013000056, of the Official Public Records of said Fort Bend County, Texas (F.B.C.O.P.R.), said 2.565 acre tract being more particularly described by metes and bounds as follows (all bearings referenced to the Texas Coordinate System, South Central Zone, NAD83, Epoch 2010.00);

COMMENCING for reference at a 1-inch iron pipe found for the northwest corner of said 686.0183 acre tract, same being an angle corner on the south line of that certain called 1,352.43 acre tract conveyed to Fort Bend Jordan Ranch LP by an instrument of record under File Number 2015027940, F.B.C.O.P.R., also being on the easterly line of that certain called 473.246 acre tract conveyed to Harrison Interests LTD by an instrument of record in Volume 1289, Page 625 in the Deed Records of Fort Bend County, Texas (F.B.C.D.R.) and described in Volume 528, Page

132, F.B.C.D.R., and said point being on the common survey line of said J. D. Vermillion Survey and the J. G. Bennett Survey, Abstract 611, Fort Bend County, Texas, from which a 1-inch pinched top pipe found for the southwest corner of said 686.0183 acre tract and on the common line of said J. D. Vermillion Survey, and the Micajah Autrey Survey, Abstract 100, bears South 01° 55' 13" East, 4,920.00 feet;

Thence, North 87° 51' 41" East, along the north line of said 686.0183 acre tract and a south line of said 1,352.43 acre tract, 100.00 feet to a point;

Thence, South 01° 55' 13" East, departing the north line of said 686.0183 acre tract and a south line of said 1,352.43 acre tract, 746.94 feet to a point;

Thence, South 46° 55' 13" East, 184.23 feet to the northwest corner and the POINT OF BEGINNING of the herein described tract;

Thence, North 88° 04' 47" East, 429.91 feet to a point for corner, the beginning of a curve;

Thence, 704.41 feet along the arc of a tangent curve to the right, having a radius of 2,050.00 feet, a central angle of 19° 41' 15", and a chord which bears South 82° 04' 36" East, 700.95 feet to a point for corner;

Thence, South 17° 46' 02" West, 100.00 feet to a point for corner, the beginning of a curve;

Thence, 670.05 feet along the arc of a non-tangent curve to the left, having a radius of 1,950.00 feet, a central angle of 19° 41' 15", and a chord which bears North 82° 04' 36" West, 666.75 feet to a point for corner;

Thence, South 88° 04' 47" West, 429.91 feet to a point for corner;

Thence, North 01° 55' 13" West, 100.00 feet to the POINT OF BEGINNING and containing 2.565 acres of land.

**Deed Restrictions:**

None of record.

NOTE; Property is subject to inclusion into restriction documents recorded in Document Nos. 2014128516 and 2014129256, Official Public Records of Fort Bend County, Texas, but is not subject to said documents unless a Notice of Applicability to the subject property is recorded.

**1. 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.

Grazing Lease by and between BFH Mining, Ltd., Lessor, and Bar M Cattle Company, Lessee, recorded in Document No. 2010127261, corrected in Document No. 2011001553, of the Official Public Records of Fort Bend County, Texas. Assignment and Assumption of Grazing Lease, from BFH Mining, Ltd., to D.R. Horton – Texas, Ltd., recorded in Document No. 2013000062 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.

**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,

A handwritten signature in black ink, appearing to read "Tatanisha Walker", with a long horizontal flourish extending to the right.

Tatanisha Walker  
DHI Title of Central Texas



September 16, 2016

City of Fulshear  
30603 FM 1093  
Fulshear, TX 77441

**Re: Preliminary Plat of Tamarron Crossing Section 2 STD - PLR16.408**

To Whom It May Concern:

CenterPoint Energy Houston Electric, LLC and CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Texas Gas Operations, hereinafter referred to as "CenterPoint Energy", has been asked to provide a Letter of No Objection for the above referenced plat dated September 16, 2016.

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

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

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

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

If there are any questions, please contact Lisa Adams at 713.207.6351 or Ken Vacek at 713.207.6308.

Sincerely,

A handwritten signature in blue ink that reads "Lisa Adams". The signature is written in a cursive, flowing style.

Lisa Adams  
Lead Agent - Property Rights

C: Ashley Fuller <Afuller@ljaengineering.com>

**PLR16.408**







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

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Bonterra at Cross Creek Ranch Section 2 / Final Plat

City Engineer Review

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

City Secretary

Processed  
 Returned for additional data

BY: K. Kopf DATE: 11-18-2016

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: 11/18/2016

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

Subdivision: BONTERRA AT CROSS CREEK RANCH SECTION TWO Development: CROSS CREEK RANCH

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

Preliminary  
 Final  
 Replat  
 Vacation Plat  
 Amending Plat  
 Short Form Final  
 Admin. (Minor) 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: 13.02 ACRES OUT OF THE M. AUTREY SURVEY, A-100

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

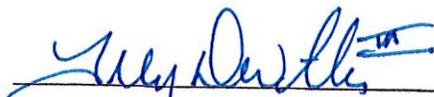
Total Acreage: 13.02  
 Number of Streets: 4  
 Number of Lots: 54  
 Number and Types of Reserves: 3  
 Total Acres in Reserve: 0.2838

Owner: CCR LOAN SUBSIDIARY1, L.P. & CCR TEXAS HOLDINGS L.P.  
 Address: 5005 RIVERWAY, STE. 500  
 City/State: HOUSTON, TX 77056  
 Telephone: 713-960-9977  
 Email Address: \_\_\_\_\_

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

| Platting Fees  |                   |
|--|-------------------|
| Preliminary Plat - \$500.00 plus 3.50 per lot, plus \$12.50 per acre |                   |
| Final Plat - \$500.00 plus \$5.00 per lot plus \$25.00 per acre      |                   |
| Replat - \$500.00 plus 5.00 per lot plus \$25.00 per acre            |                   |
| Amending or Minor Plat - \$200.00                                    |                   |
| Plat Vacation - \$500.00   |                   |
| 2 <sup>nd</sup> Review of plats - \$100.00 (each additional review)  |                   |
| <b>TOTAL PLATTING FEE</b>  | <b>\$1,095.50</b> |
| Park Fees (due at Final Plat Application)                            | _____             |

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

  
 SIGNATURE

TREY DEVILLIER  
 TYPED OR PRINTED NAME/TITLE

11/18/2016  
 DATE

November 29, 2016

## Engineering Review

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

### For Information only:

1. This plat will create 54 lots in three (3) Blocks with three (3) Reserves that covers a total area of 13.02 acres.
2. The typical lot for this section are 50-foot by 130-foot with a 20-foot Front Building Line.
3. Access to this Section is provided by an extension of Winding Terrace Lane
4. The streets in this section are shown to be private along with the storm sewer system.

### Recommendations:

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





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

November 17, 2016

File No.: 15157031015

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 6th day of November, 2016, the last Deed that we find, of record, reflects the record owner to be: CCR LOAN SUBSIDIARY 1, L.P., a Texas limited partnership by virtue of Deed recorded under Clerk's File No. 2014024650 of the Official Records of Fort Bend County, Texas.

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

Legal Description:

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

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

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

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

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

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

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

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

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

THENCE, In a Northerly direction, along said curve to the right and along and with the East line of said Restricted Reserve "A", a distance of 51.85 feet, having a radius of 155.00 feet, a central angle of 19° 09' 55" and a chord which bears N 08° 33' 57" E, 51.61 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" found for the most Westerly Southwest terminus of Winding Terrace Lane (60 feet wide) as shown on BONTERRA AT CROSS CREEK RANCH SECTION THREE, a subdivision per plat recorded under Plat No. 20150284 of the F.B.C.P.R., same being the most Northerly Northwest corner of the herein described tract; THENCE, S 71° 51' 05" E, a distance of 60.00 feet along and with the most Westerly South terminus line of said Winding Terrace Lane (60 feet wide) to a 1/2-inch pipe with cap stamped "Brown & Gay" found for the most Northerly Northeast corner of the herein described tract, same being the beginning of a non-tangent curve to the left from which its center bears S 71° 51' 05" E, 95.00 feet;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S 73° 32' 34" W, a distance of 115.00 feet to a 1/2-inch pipe with cap stamped "Brown & Gay" set for the beginning of a non-tangent curve to the left from which its center bears  
N 73° 32' 26" E, 270.00 feet;

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

S 69°55'27" W, a distance of 60.00 feet to a 1/2-inch iron pipe with cap stamped "Brown & Gay" set for the beginning of a non-tangent curve to the right, from which its center bears  
N 69°55'27" E, 330.00 feet;

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

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

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

for corner;

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

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

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

Subject to the following:

1. Restrictions:

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

2. Easements/Other Exceptions:

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

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

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

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

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

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

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

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

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

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

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

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

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

### 3. Liens/Misc:

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

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

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

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

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

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

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

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

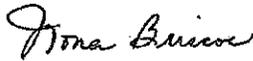
No examination has been made as to Abstracts of Judgments, State or Federal Tax Liens, the status of taxes, tax suits or paving assessments.

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

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

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

Sincerely,  
Stewart Title Company

A handwritten signature in cursive script, appearing to read "Nona Briscoe".

Anthony DeBorde/Nona Briscoe  
Commercial Title Examiner

**LIENHOLDER'S SUBORDINATION TO DEDICATION**

THE STATE OF TEXAS  
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

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

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

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

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

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

**LIENHOLDER'S SUBORDINATION TO DEDICATION**

THE STATE OF TEXAS  
COUNTY OF FORT BEND

KNOW ALL MEN BY THESE PRESENTS

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

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

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

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

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

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

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

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

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

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

PROVINCE OF ONTARIO  
COUNTRY OF CANADA

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

GIVEN under my hand and Notary Seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2016

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

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



December 16, 2015

City of Fulshear  
30603 FM 1093  
Fulshear, TX 77441

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

To Whom It May Concern:

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

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

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

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Samantha Richards". The signature is written in black ink and is positioned above a horizontal dotted line.

Samantha Richards  
Right of Way Agent

C: Trey DeVillier<tdevillier@browngay.com>

PLR15.453



Southwest OSPE  
1110 Louise St  
Rosenberg, Texas 77471

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

December 9, 2015

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

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

Dear Mr. DeVillier:

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

Sincerely,

  
Michael Jones  
Manager Engineering - Design



December 13, 2015

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

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

To Whom It May Concern,

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

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

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

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

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

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

Sincerely,

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

Chris Grey  
Construction Supervisor, Design and Serviceability







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

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Fulbrook on Fulshear Creek Section 8 / Preliminary Plat  
(Already approved but did not record in time)

City Engineer Review

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

City Secretary

Processed  
 Returned for additional data

BY: K. Kopf DATE: 11-21-2016

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: 11-21-2016 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: FULBROOK ON FULSHEAR CREEK SECTION EIGHT Development: \_\_\_\_\_

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

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

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

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

Plat Location:  City  ETJ (Extraterritorial Jurisdiction)

Legal Description: METES & BOUNDS ON FACE OF PLAT

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

Total Acreage: 18.3333 AC.  
 Number of Streets: 4  
 Number of Lots: 50  
 Number and Types of Reserves: 2 LANDSCAPE/OPEN SPACE  
 Total Acres in Reserve: 1.1083 AC.

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

Engineer/Planner: COSTELLO, INC.  
 Contact Person: RALPH WISSEL / MARK ARMSTRONG  
 Telephone: 713-783-7788  
 Fax Number: 713-783-3580  
 Email Address: RWISSEL@COSTELLOINC.COM / M.ARMSTRONG@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 <sup>nd</sup> Review of plats -         | \$100.00 (each additional review)                  |
| TOTAL PLATTING FEE                        | <del>\$1,208.33</del> <u>208.34</u>                |
| Park Fees (due at Final Plat Application) | _____  |

\* Paid final Plat fees on this submittal but this is actually Prelim.  
 \* Need to pay Prelim fees at time of Final Plat subm.

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

JORGE L. DELAROSA PLAT COORDINATOR

TYPED OR PRINTED NAME/TITLE

11-21-16

DATE

11/29/16 Spoke w/ Kristi Brashear. She OK to have them pay Preliminary Fees at time of final instead of refunding

November 29, 2016

## Engineering Review

Preliminary Plat  
Fulbrook on Fulshear Creek Section 8  
City of Fulshear, Texas

### For Information only:

1. This plat will create a total of 50 lots and two (2) Reserves that cover a total acreage of 18.3333 acres.
2. The lot sizes for this section average about 80 foot by 130 foot.
3. Access to this section will be from Farm Hill Way off of Fulshear Trace.
4. This is a resubmission of a plat approved in November 17, 2015 but was not recorded in the 12 month deadline. The plat will need to start back over as a Preliminary Plat.

### Recommendations:

I recommend that this Preliminary Plat of Fulbrook on Fulshear Creek Section 8 be approved once Note #1 is updated to reflect the current City Planning Letter. A variance will be needed to allow a 50-foot street right-of-way width for Garden Ridge Court, Garden Glenn Court and Wild Garden Way Court. This variance was original granted with the previously approved plat.



**CITY PLANNING LETTER**

GF No.: 1045002646CS  
Time frame covered by this report:

Effective Date: 11/14/2016

**PROPERTY**

Legal Description:

County: Fort Bend  
Project: Fulbrook on Fulshear Creek - Section Eight Boundary  
C.I. No.: 1056-15R5 (Plat prepared)  
Job Number: 2014-371-011

Being an 18.3333 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 18.3333 acre tract being a part of a called 74.1858 acre tract of land (Tract 2) recorded in the name of Fulshear Land Partners, LTD. in Fort Bend County Clerk's File (F.B.C.C.F.) No. 2016032015 of the Official Public Records of Fort Bend County (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 F.B.C.C.F. No. 2006163186 of the O.P.R.F.B.C.; said 18.3333 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 1-inch iron pipe found at the northeast corner of a called 200.7181 acre tract of land recorded in the name of Fulshear Land Investment Partners, LTD. in F.B.C.C.F. No. 2006137093 of the O.P.R.F.B.C. and the southeast corner of a called 59.93 acre tract of land recorded in the name of Robert Judson Pickard, Tr. in F.B.C.C.F. No. 2011067776 of the O.P.R.F.B.C., and being on the westerly line of a called 39.98 acre tract of land recorded in the name of DHK Fulshear, LP. in F.B.C.C.F. No. 2013000442 of the O.P.R.F.B.C.;

Thence, with the northerly line of said 200.7181 acre tract, the southerly line of said 59.93 acre tract, and the northerly line of said 74.1858 acre tract, South 88 degrees 30 minutes 31 seconds West, a distance of 1,709.53 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the **Point of Beginning** of the herein described tract;

Thence, across said 74.1858 acre tract, the following eighteen (18) courses:

1. South 01 degrees 29 minutes 29 seconds East, a distance of 15.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
2. South 57 degrees 36 minutes 14 seconds East, a distance of 122.58 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;

3. South 51 degrees 36 minutes 24 seconds East, a distance of 105.87 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
4. South 37 degrees 07 minutes 32 seconds East, a distance of 105.87 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
5. South 22 degrees 38 minutes 40 seconds East, a distance of 105.87 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
6. South 08 degrees 00 minutes 06 seconds East, a distance of 109.13 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
7. South 00 degrees 52 minutes 49 seconds West, a distance of 324.25 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
8. South 16 degrees 32 minutes 07 seconds East, a distance of 79.99 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
9. South 25 degrees 50 minutes 41 seconds East, a distance of 72.78 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
10. South 38 degrees 08 minutes 33 seconds East, a distance of 74.53 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
11. South 32 degrees 57 minutes 59 seconds East, a distance of 40.19 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
12. 46.88 feet along the arc of a curve to the right, said curve having a central angle of 05 degrees 04 minutes 05 seconds, a radius of 530.00 feet and a chord that bears North 63 degrees 15 minutes 15 seconds East, a distance of 46.87 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
13. North 65 degrees 47 minutes 18 seconds East, a distance of 51.81 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
14. South 24 degrees 12 minutes 42 seconds East, a distance of 60.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
15. South 65 degrees 47 minutes 18 seconds West, a distance of 51.81 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
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17. South 41 degrees 16 minutes 10 seconds West, a distance of 81.87 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
18. 41.58 feet along the arc of a curve to the left, said curve having a central angle of 95 degrees 17 minutes 19 seconds, a radius of 25.00 feet and a chord that bears South 06 degrees 22 minutes 29 seconds East, a distance of 36.95 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set on the easterly right-of-way line of Fulshear Trace (width varies) as established by Fulshear Trace Street Dedication Plat recorded under Plat No. 20140163 of the Plat Records of Fort Bend County;

Thence, with said easterly right-of-way line of Fulshear Trace, the following three (3) courses:

19. North 54 degrees 01 minutes 09 seconds West, a distance of 613.78 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;

*RAB*

20. 733.59 feet along the arc of a curve to the right, said curve having a central angle of 45 degrees 11 minutes 44 seconds, a radius of 930.00 feet and a chord that bears North 31 degrees 25 minutes 17 seconds West, a distance of 714.72 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
21. North 08 degrees 49 minutes 25 seconds West, a distance of 262.07 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
22. Thence, with the northerly line of said 74.1858 acre tract and aforesaid southerly line of the 59.93 acre tract, North 88 degrees 30 minutes 31 seconds East, a distance of 629.52 feet to the **Point of Beginning** and containing 18.3333 acres of land.

*Note: Any statement in the legal description contained in Schedule A 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 Partners, Ltd., a Texas limited partnership by virtue of Deed recorded under FBCCF# 2006163186 & 2016032015**

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

#### **RESTRICTIONS:**

None of record

#### **EASEMENTS:**

1. Easement Agreement by and between Fulshear Municipal Utility District No. 1 of Fort Bend County, Fulshear Land Investments Partners, Ltd., a Texas limited partnership and Fulshear Land Partners, Ltd., a Texas limited partnership, recorded April 30, 2014 under Fort Bend County Clerk's File No. 2014043620.
2. Easement Agreement by and between Fulshear Municipal Utility District No. 1 of Fort Bend County, Fulshear Land Investments Partners, Ltd., a Texas limited partnership and Fulshear Land Partners, Ltd., a Texas limited partnership, recorded April 30, 2014 under Fort Bend County Clerk's File No. 2014043622.
3. Easement Agreement by and between Fulshear Municipal Utility District No. 1 of Fort Bend County, Fulshear Land Investments Partners, Ltd., a Texas limited partnership and Fulshear Land Partners, Ltd., a Texas limited partnership, recorded April 30, 2014 under Fort Bend County Clerk's File No. 2014043619.
4. Failure of the subject property to have a means of ingress and egress to a dedicated public roadway pursuant pursuant to existing One foot reserve dedicated for buffer purposes to the public in fee as a buffer separation between the side or ends of streets where such streets abut adjacent property. the condition of such dedication being that when the adjacent property is subdivided or re-subdivided in a recorded plat the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title there to shall revert to and revert in the dedicator, his heirs, assigns, or successors, as shown on plat of Fulshear Trace Street Dedication recorded

KAB

under Plat No. 20140163 of the Plat Records of Fort Bend County, Texas. . (THIS WILL NO LONGER APPLY UPON RECORDATION OF PROPOSED PLAT)

5. Subject property lies within the boundaries of FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 1 FORT BEND COUNTY.
6. 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.
7. 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.
8. All of the remaining 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.

9. 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.

**LIENS:**

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

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

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

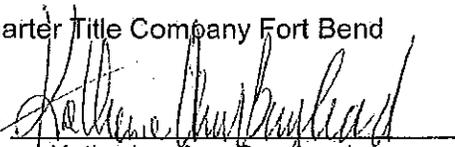
**SPECIAL NOTE AND LIMITATION OF LIABILITY:** This report is issued with the express understanding, evidenced by the acceptance of same, that this report does not undertake to give or express any opinion as to the validity of the title hereinabove described or the authority of those executing the above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

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

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

Charter Title Company Fort Bend

BY:

  
Katherine Ann Burghard  
Commercial Title Officer

County: Fort Bend  
Project: Fulbrook on Fulshear Creek – Section Eight Boundary  
C.I. No.: 1056-15R5 (Plat prepared)  
Job Number: 2014-371-011

METES AND BOUNDS DESCRIPTION  
18.3333 ACRES

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

**PLATTING AND SUBDIVISION REVIEW**

Plan or Plat Fulbrook on Fulshear Creek Section 12 / Preliminary Plat  
(Already approved but did not record in time)

**City Engineer Review**

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

**City Secretary**

Processed  
 Returned for additional data

BY: \_\_\_\_\_ DATE: 11-21-2016

**Planning Commission Review**

Approved  
 Returned for additional data

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**City Council Review**

Approved  
 Returned for additional data

BY: \_\_\_\_\_ DATE: \_\_\_\_\_



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 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: 11-21-16 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: FULBROOK ON FULSHEAR CREEK SECTION TWELVE Development: \_\_\_\_\_

**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: METES & BOUNDS ON FACE OF PLAT

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

Total Acreage: 35.8850 AC.

Number of Streets: 10

Number of Lots: 84

Number and Types of Reserves: 6 LANDSCAPE / DRAINAGE

Total Acres in Reserve: 10.6974 AC.

Owner: FULSHEAR LAND PARTNERS, LTD

Address: THREE RIVERWAY, SUITE 120

City/State: HOUSTON, TEXAS 77056

Telephone: 713-623-2466

Email Address: \_\_\_\_\_

Engineer/Planner: COSTELLO, INC.

Contact Person: RALPH WISSEL / MARK ARMSTRONG

Telephone: 713-783-7788

Fax Number: 713-783-3580

Email Address: R.WISSEL@COSTELLOINC.COM  
M.ARMSTRONG@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 <sup>nd</sup> Review of plats - \$100.00 (each additional review)  |                   |
| TOTAL PLATTING FEE   | <u>\$1,817.13</u> |
| Park Fees (due at Final Plat Application)                            | _____             |

\* Paid Final Plat fees instead of Prelim.  
 - need to pay Prelim fees when submit Final

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

JONGEL DELA ROSA, PLAT COORDINATOR

TYPED OR PRINTED NAME/TITLE

11-21-16

DATE

\* 11/29/16 Spoke w/ Kristi Bashear  
 She ok to charge Prelim Fees at  
 time of Final Submission instead of  
 refunding overage

November 29, 2016

## Engineering Review

Preliminary Plat  
Fulbrook on Fulshear Creek Section 12  
City of Fulshear, Texas

### For Information Only:

1. This plat will create 84 Lots in 5 Blocks with 6 Restricted Reserves that cover a total acreage of 35.8850 acres.
2. Access to this section will be from Meadow Wood Drive which will extend from James Lane.
3. The typical lot sizes in this section are 62-foot by 125-foot along with 70-foot by 120 foot.
4. This plat was approved in October 20, 2015 but has not been recorded so it needs approval again as it has expired. The plat will need to start over as a Preliminary Plat

### Recommendations:

I recommend that this Preliminary Plat of Fulbrook on Fulshear Creek Section 12 be approved with the following items being addressed. I also recommend a variance be allowed for the Street Right-of-Way for Streamside Trail, Field Creek Court and Long Branch Court being 50-foot in width. This variance was approved previously.



**CITY PLANNING LETTER**

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

Effective Date: 11/14/2016

**PROPERTY**

Legal Description:

County: Fort Bend  
Project: Fulbrook on Fulshear Creek - Section Twelve Boundary  
C.I. No.: 1172-15R4 (Boundary Map prepared)  
Job Number: 2014-371-071

Being a 35.8850 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 35.8850 acre tract being all of a called 26.6532 acre tract (Tract 1) of land recorded in the name of Fulshear Land Partners, LTD. in Fort Bend County Clerk's File (F.B.C.C.F.) No. 2016032015 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), a part of a called 11.1500 acre tract of land recorded in the name of Fulshear Land Partners, Ltd. in F.B.C.C.F. No. 2013133948 of the O.P.R.F.B.C., and all of a called 6.8294 acre tract of land recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in F.B.C.C.F. No. 2016120216 of the O.P.R.F.B.C.; said 35.8850 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 said 26.6532 acre tract and being on the northerly line of a called 80.00 acre tract of land recorded in the name of Canaan Ranch Corporation in F.B.C.C.F. No. 1999103046 of the O.P.R.F.B.C;

1. Thence, with the southerly line of said 26.6532 acre tract and the northerly line of said 80.00 acre tract, South 88 degrees 28 minutes 15 seconds West, a distance of 605.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;

Thence, across said 26.6532 acre tract the following three (3) courses:

2. North 01 degrees 31 minutes 45 seconds West, a distance of 482.03 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
3. North 83 degrees 59 minutes 33 seconds West, a distance of 106.37 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
4. South 88 degrees 28 minutes 15 seconds West, a distance of 162.26 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set in James Lane (width varies) and being on the westerly line of said 26.6532 acre tract;

5. Thence, with said westerly line of the 26.6532 acre tract, North 22 degrees 04 minutes 41 seconds East, a distance of 346.36 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
6. Thence, continuing with said westerly line of the 26.6532 acre tract, North 03 degrees 34 minutes 43 seconds East, a distance of 569.09 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the southwest corner of a called 0.5994 acre tract of land recorded in the name of Fort Bend County, Texas in F.B.C.C.F. No. 2012125881 of the O.P.R.F.B.C.;
7. Thence, with the southerly line of said 0.5994 acre tract, South 83 degrees 43 minutes 01 seconds East, a distance of 26.28 feet to a 3/8-inch iron rod with "Landtech" cap found at the southeast corner of said 0.5994 acre tract;
8. Thence, with the easterly line of said 0.5994 acre tract and the westerly line of aforesaid 11.1500 acre tract, North 20 degrees 01 minutes 16 seconds East, a distance of 124.82 feet to a 3/8-inch iron rod with "Landtech" cap found;
9. Thence, continuing with said easterly line of the 0.5994 acre tract and said westerly line of the 11.1500 acre tract, North 04 degrees 46 minutes 27 seconds East, a distance of 182.57 feet to a 3/8-inch iron rod with "Landtech" cap found;
10. Thence, continuing with said easterly line of the 0.5994 acre tract and said westerly line of the 11.1500 acre tract, North 04 degrees 33 minutes 40 seconds West, a distance of 63.27 feet to a 1/2-inch iron rod with "Landtech" cap found at the northwest corner of said 11.1500 acre tract and the southwest corner of Restricted Reserve "B" of Fulbrook on Fulshear Creek Section Three, a 37.0961 acre subdivision recorded in Plat No. 20140072 of the Plat records of Fort Bend County, and being on the northerly line of Fulshear Creek (width varies);
11. Thence, with the northerly lines of said 11.1500 acre tract and said Fulshear Creek and the southerly line of said Fulbrook on Fulshear Creek Section Three, South 78 degrees 21 minutes 08 seconds East, a distance of 604.08 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
12. Thence, continuing with said northerly lines of the 11.1500 acre tract and Fulshear Creek and said southerly line of Fulbrook on Fulshear Creek Section Three, South 86 degrees 42 minutes 40 seconds East, a distance of 609.71 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;

Thence, across said 11.1500 acre tract and with the easterly lines of aforesaid 26.6532 acre tract, the following fifteen (15) courses:

13. South 04 degrees 56 minutes 26 seconds West, a distance of 485.31 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
14. South 85 degrees 03 minutes 34 seconds East, a distance of 36.35 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
15. South 04 degrees 56 minutes 26 seconds West, a distance of 170.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
16. North 85 degrees 03 minutes 34 seconds West, a distance of 70.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
17. South 81 degrees 59 minutes 17 seconds West, a distance of 41.08 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
18. South 34 degrees 07 minutes 23 seconds West, a distance of 56.25 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
19. North 55 degrees 52 minutes 37 seconds West, a distance of 95.00 feet to a 5/8-inch iron rod with cap

KAB

stamped "COSTELLO INC" set;

20. South 34 degrees 07 minutes 23 seconds West, a distance of 188.97 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
21. North 80 degrees 25 minutes 31 seconds West, a distance of 276.27 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
22. South 35 degrees 40 minutes 13 seconds West, a distance of 29.98 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
23. South 54 degrees 19 minutes 47 seconds East, a distance of 158.69 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
24. South 35 degrees 40 minutes 13 seconds West, a distance of 180.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
25. South 54 degrees 19 minutes 47 seconds East, a distance of 93.35 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
26. South 36 degrees 54 minutes 55 seconds West, a distance of 57.04 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
27. South 01 degrees 31 minutes 45 seconds East, a distance of 441.47 feet to the **Point of Beginning** and containing 35.8850 acres of land.

*Note: Any statement in the legal description contained in Schedule A 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 PARTNERS, LTD., a Texas partnership by virtue of Deed recorded under Fort Bend County Clerk's File No. 2013133948 & 2016032015**

**FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 1 OF FORT BEND COUNTY by virtue of Deed recorded under Fort Bend County Clerk's File No. 2016120216**

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:**

Item 1, Schedule B is hereby deleted.

**EASEMENTS:**

1. Storm sewer easement 25 feet in width easement affecting proposed **Reserve "B"**, granted to Fulshear Municipal Utility District No. 1 of Fort Bend County in instrument recorded March 14, 2014 under Fort Bend County Clerk's File No. 2014024296, shown on plat recorded in Plat No. 20140072 of the Flat Records of Fort Bend County, Texas.
2. Reservation by Grantor of the entire mineral estate of the property owned by Grantor, if any, including all oil, gas and other minerals, the royalties, bonuses, rentals and all other rights in connection with same as set out in Deeds filed under Clerk's File Nos. 2008000215 of the Official Public Records of

Real Property of Fort Bend County, Texas. *Said instruments containing the following language: "Reserved Minerals. Grantors reserve all of the oil, gas and other minerals which may be produced in and under the Property ("Reserved Minerals") on behalf of Grantors and on behalf of all future oil, gas and mineral owners, mineral lessees and others acting by, through or under Grantors, but not otherwise ("Mineral Owners"), but waiving for themselves and all Mineral Owners any and all right of ingress and egress to and from the surface of the Property. Nothing in this waiver will restrict or prohibit the pooling or unitization of the Reserved Minerals with land other than the Property; or the exploration or production of the Reserved Minerals or other minerals by means of wells that are drilled or mines that open on land other than the Property but enter or bottom under the Property Surface Waiver. Grantors waive the right to explore, develop, drill, produce, mine, treat or store the Reserved Minerals from the surface of the Property."*

3. Easement Agreement by and between Fulshear Land Partners, Ltd., a Texas limited partnership and Fulshear Creek Crossing Homeowners Association, Inc., a Texas non-profit corporation, recorded under Fort Bend County Clerk's File No. 2013134157.
4. Waiver of Special Appraisal for the Benefit of Fulshear Municipal Utility District No. 1 of Fort Bend County recorded under Fort Bend County Clerk's File No. 2014068483.
5. Rights of parties in possession.

#### **LIENS:**

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

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

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

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

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

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

*WLB*

Charter Title Company

BY: \_\_\_\_\_

*Katherine Ann Burghard*  
Katherine Ann Burghard  
Commercial Title Officer

County: Fort Bend  
Project: Fulbrook on Fulshear Creek – Section Twelve Boundary  
C.I. No.: 1172-15R4 (Boundary Map prepared)  
Job Number: 2014-371-071

METES AND BOUNDS DESCRIPTION  
35.8850 ACRES

Being a 35.8850 acre tract of land located in the Churchill Fulshear League, Abstract No. 29, Fort Bend County, Texas; said 35.8850 acre tract being all of a called 26.6532 acre tract (Tract 1) of land recorded in the name of Fulshear Land Partners, LTD. in Fort Bend County Clerk's File (F.B.C.C.F.) No. 2016032015 of the Official Public Records of Fort Bend County (O.P.R.F.B.C.), a part of a called 11.1500 acre tract of land recorded in the name of Fulshear Land Partners, Ltd. in F.B.C.C.F. No. 2013133948 of the O.P.R.F.B.C., and all of a called 6.8294 acre tract of land recorded in the name of Fulshear Municipal Utility District No. 1 of Fort Bend County in F.B.C.C.F. No. 2016120216 of the O.P.R.F.B.C.; said 35.8850 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 said 26.6532 acre tract and being on the northerly line of a called 80.00 acre tract of land recorded in the name of Canaan Ranch Corporation in F.B.C.C.F. No. 1999103046 of the O.P.R.F.B.C.;

1. Thence, with the southerly line of said 26.6532 acre tract and the northerly line of said 80.00 acre tract, South 88 degrees 28 minutes 15 seconds West, a distance of 605.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;

Thence, across said 26.6532 acre tract the following three (3) courses:

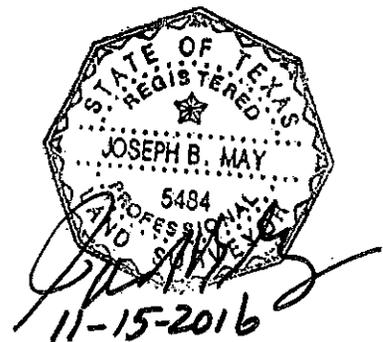
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5. Thence, with said westerly line of the 26.6532 acre tract, North 22 degrees 04 minutes 41 seconds East, a distance of 346.36 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;

6. Thence, continuing with said westerly line of the 26.6532 acre tract, North 03 degrees 34 minutes 43 seconds East, a distance of 569.09 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the southwest corner of a called 0.5994 acre tract of land recorded in the name of Fort Bend County, Texas in F.B.C.C.F. No. 2012125881 of the O.P.R.F.B.C.;
7. Thence, with the southerly line of said 0.5994 acre tract, South 83 degrees 43 minutes 01 seconds East, a distance of 26.28 feet to a 3/8-inch iron rod with "Landtech" cap found at the southeast corner of said 0.5994 acre tract;
8. Thence, with the easterly line of said 0.5994 acre tract and the westerly line of aforesaid 11.1500 acre tract, North 20 degrees 01 minutes 16 seconds East, a distance of 124.82 feet to a 3/8-inch iron rod with "Landtech" cap found;
9. Thence, continuing with said easterly line of the 0.5994 acre tract and said westerly line of the 11.1500 acre tract, North 04 degrees 46 minutes 27 seconds East, a distance of 182.57 feet to a 3/8-inch iron rod with "Landtech" cap found;
10. Thence, continuing with said easterly line of the 0.5994 acre tract and said westerly line of the 11.1500 acre tract, North 04 degrees 33 minutes 40 seconds West, a distance of 63.27 feet to a 1/2-inch iron rod with "Landtech" cap found at the northwest corner of said 11.1500 acre tract and the southwest corner of Restricted Reserve "B" of Fulbrook on Fulshear Creek Section Three, a 37.0961 acre subdivision recorded in Plat No. 20140072 of the Plat records of Fort Bend County, and being on the northerly line of Fulshear Creek (width varies);
11. Thence, with the northerly lines of said 11.1500 acre tract and said Fulshear Creek and the southerly line of said Fulbrook on Fulshear Creek Section Three, South 78 degrees 21 minutes 08 seconds East, a distance of 604.08 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" found;
12. Thence, continuing with said northerly lines of the 11.1500 acre tract and Fulshear Creek and said southerly line of Fulbrook on Fulshear Creek Section Three, South 86 degrees 42 minutes 40 seconds East, a distance of 609.71 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;

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26. South 36 degrees 54 minutes 55 seconds West, a distance of 57.04 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
27. South 01 degrees 31 minutes 45 seconds East, a distance of 441.47 feet to the **Point of Beginning** and containing 35.8850 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

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Shops at Cross Creek / Final Plat (Re-submittal)  
\* Changed name to: Cross Creek Commercial

City Engineer Review

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

City Secretary

Processed  
 Returned for additional data

BY: TC Kopf DATE: 11-22-2016

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

171-34

**Subdivision/Development Platting Application**

Date: 11-21-16 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: Sheeps at Cross Creek Development: Commercial

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

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

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

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

Plat Location:  City \_\_\_ ETJ (Extraterritorial Jurisdiction)

Legal Description: 4.1278 in the T.W. Sutherland Survey, Abstract No 421

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

Total Acreage: 4.1278  
 Number of Streets: 0  
 Number of Lots: 0  
 Number and Types of Reserves: 2  
 Total Acres in Reserve: 4.1278

Owner: Yudy, LLC and Texas Petroleum Group, LLC  
 Address: 15301 Dallas Parkway, Suite 1100  
 City/State: Addison, Texas 75001  
 Telephone: 713-623-6944  
 Email Address: n/a

Engineer/Planner: Texas Engineering and Mapping Co.  
 Contact Person: Ryan Moetzal  
 Telephone: 281-491-2525  
 Fax Number: 281-491-2535  
 Email Address: rmoezel@team-civil.com

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

R Moetzal SIGNATURE  
Ryan Moetzal/Platting Manager TYPED OR PRINTED NAME/TITLE  
11-21-16 DATE

November 29, 2016

## Engineering Review

Final – Shops at Cross Creek  
City of Fulshear, Fort Bend County, Texas

### For Information only:

1. This plat will create two (2) Reserves that cover a total area of 4.1278 acres. Reserve "A" (3.8752 acres) is unrestricted while Reserve "B" (0.2526 acres) is restricted to Access.
2. Reserve "A" appears to be owned by the Yurdy, LLC and Reserve "B" is owned by Texas Petroleum Group LLC.
3. Access to both the Reserves will be off of F.M. 1463 thru the Texas Department of Transportation Permitting process

### Recommendations:

I recommend that this Final Plat of the Shops at Cross Creek be approved once the following items are addressed:

- A) In the dedication language, the ownership of each reserve needs to be called out. For example, Yurdy, LLC, owners of the 3.8752 acre tract (Reserve A) and Texas Petroleum Group, owners of the 0.2526 acre tract (Reserve B).
- B) Plat already exist in Fulshear with similar names. The plat name needs to be changed



## Kimberly Kopecky

---

**From:** Ryan Moeckel <rmoeckel@team-civil.com>  
**Sent:** Tuesday, November 29, 2016 3:43 PM  
**To:** Kimberly Kopecky  
**Subject:** RE: Send data from MFP11391318 11/29/2016 15:38  
**Attachments:** Cross Creek Commercial.pdf; Cross Creek Commercial II.pdf

Please see attached revised plats per comments from David Leyendecker. I will have 8 copies of each plat delivered hopefully tomorrow.

Thanks Kim

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

**From:** Kimberly Kopecky [mailto:kkopecky@fulsheartexas.gov]  
**Sent:** Tuesday, November 29, 2016 2:46 PM  
**To:** Trey DeVillier <TDeVillier@bgeinc.com>; david.keel@dacengineers.com; Geoff Freeman <gfreeman@ljaengineering.com>; rmoeckel@team-civil.com  
**Subject:** FW: Send data from MFP11391318 11/29/2016 15:38

See attachment for Engineer Reviews.

Best Regards,

Kimberly Kopecky  
Deputy City Secretary  
City of Fulshear  
281-346-1796 ext. 251  
kkopecky@fulsheartexas.gov

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

**From:** Scanner@Fulsheartexas.gov [mailto:Scanner@Fulsheartexas.gov]  
**Sent:** Tuesday, November 29, 2016 3:38 PM  
**To:** Kimberly Kopecky <kkopecky@fulsheartexas.gov>  
**Subject:** Send data from MFP11391318 11/29/2016 15:38

Scanned from MFP11391318  
Date:11/29/2016 15:38  
Pages:8  
Resolution:200x200 DPI  
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November 2, 2016

### Engineering Review

Final – Shops at Cross Creek  
City of Fulshear, Fort Bend County, Texas

For Information only:

1. This plat will create two (2) Reserves that cover a total area of 4.1278 acres. Reserve "A" (3.8752 acres) is unrestricted while Reserve "B" (0.2526 acres) is restricted to Access.
2. Reserve "A" appears to be owned by the Shops at Cross Creek, LLC and Reserve "B" is owned by Texas Petroleum Group LLC.
3. Access to both the Reserves will be off of F.M. 1463 thru the Texas Department of Transportation Permitting process
4. This plat was previously approved in 2014.

Recommendations:

I recommend that this Final Plat of the Shops at Cross Creek be approved once the following items are addressed:

- entered updated CPL (includes)* - 1. The Title Commitment covers only the area of Reserve "A". A City Planning Letter or Title Commitment is needed for Reserve "B".
- revised legal to cover entire acreage of plat* - 2. A Metes and Bounds description for Reserve "B"; is needed on the face of the plat.
- updated names* - 3. The Chairman of the City Planning Commission is Amy Pearce and the Co-Chairman's name is Austin Weant. These need to be added to the plat.
- already does* - 4. In the dedication language, the ownership of each reserve needs to be called out.



STARTEX TITLE COMPANY  
1177 West Loop South, Suite 1475  
Houston, Texas 77027

CITY PLANNING LETTER

Date: November 8, 2016

To: City Planning Commission  
City Hall Annex Building  
2220 Fourth Street  
Rosenberg, Texas 77471

To Whom It May Concern:

STARTEX TITLE COMPANY certifies that a diligent search of the real property records has been made, as to the herein described property, and as of 8:00 AM on the 2nd day of November, 2016, we find the following:

The RECORD OWNER of this property as of the above date is:

Yurdy, LLC, a Texas limited liability company by virtue of Deed filed for record under Fort Bend County Clerk's File No. 2016122274. (As to 3.8752 acres of land); and

Texas Petroleum Group, LLC, a Delaware limited liability company by virtue of Deed filed for record under Fort Bend County Clerk's File No. 2012123217 and as corrected under Fort Bend County Clerk's File No(s). 2012124359 and 2012126762. (As to 0.2534 acres of land)

PROPERTY:

Proposed Plat of SHOPS AT CROSS CREEK, a subdivision of 4.1278 acres of land in the T. W. Southerland Survey, Abstract No. 421, City of Fulshear, Fort Bend County, Texas, being more particularly described by metes and bounds attached hereto.

Subject to:

RESTRICTIONS:

Those recorded under Fort Bend County Clerk's File No(s). 9526750, 2006020011, 2013146106, 2016077789, 2016116587 and 2016116513, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, U.S.C. Section 3604(c) of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.

EASEMENTS:

Easement 10 feet wide, location shown on plat attached thereto, together with an unobstructed aerial easement 10 feet wide from a plane 16 feet above the ground upward located adjacent thereto, granted to Houston Lighting & Power Company by instrument dated July 17, 1997, recorded under Fort Bend County Clerk's File No. 9750920.

Building set back lines thirty-five (35) feet wide along Flewellen Way, F.M. 1463 and F.M. 359 and F.M. 1093, and ten (10) feet wide along side property lines and fifteen (15) feet wide along the rear property line, as set forth in instrument filed for record under Harris County Clerk's File No. 2006020011.

Terms, conditions and stipulations contained in that certain Declaration of Private Access Easement by Landmark Industries Development, Ltd., a Texas limited partnership for the benefit of The Stoddard Group, Ltd., a Texas limited partnership, as set forth in instrument filed for record under Fort Bend County Clerk's File No. 2007089114.

Terms, conditions and stipulations contained in that certain Declaration of Private Access Easement by Landmark Industries Development, Ltd., a Texas limited partnership for the benefit of S. G. Partners, LP, a Texas limited partnership and Trendmaker Homes, Inc., a Texas corporation, as set forth in instrument filed for record under Fort Bend County Clerk's File No. 2010020750.

Terms, conditions and stipulations contained in that certain Easement Agreement between Landmark Industries and Texas Petroleum Group, LLC as set forth and described in instrument filed for record under Fort Bend County Clerk's File No. 2013146105.

Terms, conditions and stipulations contained in that certain Memorandum of Permanent Easement Agreement granted to Enterprise Crude Pipeline LLC, a Texas limited liability company as set forth and described in instrument filed for record under Fort Bend County Clerk's File No. 2014130423.

Public Water Line Easement granted to the public as set forth and described in instrument filed for record under Harris County Clerk's File No. 2015035321.

Terms, conditions and stipulations contained in that certain Easement Agreement dated November 18, 2013, recorded November 21, 2013, under Fort Bend County Clerk's File No. 2013146105, being further amended by instrument filed under Fort Bend County Clerk's File No. 2016116619.

**MISCELLANEOUS:**

Ordinance of the City of Fulshear, Texas, including but not limited to the Service Plan as set forth in instrument filed for record under Fort Bend County Clerk's File No. 2011021836.

The real property described herein, which you are about to purchase is located within the Fort Bend County Municipal Utility District No. 173.

The subject property is in the Fort Bend County Rural Fire Prevention District No. 1, Fort Bend ESD 4, and Fort Bend County LFRC.

**LIENS:**

Deed of Trust dated November 18, 2013, filed for record in the office of the county Clerk of Fort Bend County, Texas, on November 21, 2013 under Clerk's file No. 2013146107, from The Shops at Cross Creek, LLC, a Texas limited liability company to Jay Rogers, Trustee, securing the payment of one certain Promissory Note of even date therewith in principal amount of \$6,052,200.00, payable to International Bank of Commerce. Additionally secured by Assignment of Leases filed for record in the office of the county Clerk of Fort Bend County, Texas, on November 21, 2013, under Clerk's File No. 2013146108.

Vendor's Lien retained in Deed dated October 26, 2016, filed for record under Fort Bend County Clerk's File No(s). 2016122274, executed by The Shops At Cross Creek, LLC, a Texas limited liability company to Yurdy, LLC, a Texas limited liability company, securing one promissory note of even date therewith in the principal amount of \$6,714,000.00, payable to Wells Fargo Bank, National Association, said note additionally secured by a Deed of Trust of even date therewith to Jennifer L. Norris, Trustee, and all terms conditions and stipulations contained therein, including any additional indebtedness secured thereby, filed for record under Fort Bend County Clerk's File No(s). 2016122275.

Said note and lien being further subject to Subordination, Non-Disturbance, Attornment and Estoppel Agreement as set forth in instruments filed for record under Fort Bend County Clerk's File No(s). 2016122276, 2016122277 and 2016122278.

ABSTRACTS OF JUDGMENTS AND/OR FEDERAL TAX LIENS:

None of record.

NOTICE: STARTEX TITLE COMPANY ASSUMES NO LIABILITY FOR ERRORS OR OMISSIONS IN THIS REPORT OR FOR VERBAL STATEMENTS. THIS IS A COPY OF A PRELIMINARY REPORT MADE FOR STARTEX TITLE COMPANY ONLY, FOR SPECIFIC PURPOSES, AND IT MAY OR MAY NOT BE COMPLETE FOR THE PURPOSE OF OTHERS. If a copy is furnished to other parties, it is to facilitate preparation of the necessary instruments, to point out curative requirements, if any, and to show the result of the Company's title research (upon which only the Company may rely). None of the information contained herein, or the absence of other information, constitutes a representation to any party, other than the Company, as to the status of the title. If a title defect or encumbrance should exist which is not disclosed hereon, the Company shall not be liable by reason of furnishing this report or for any verbal statements related thereto. This shall in no way be construed as Commitment for Title Insurance.

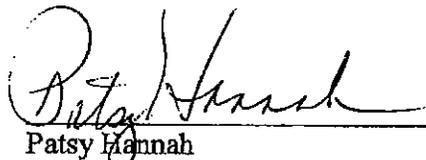
THIS CERTIFICATE SHALL NOT CONSTITUTE A COMMITMENT TO ISSUE TITLE INSURANCE, AND THE LIABILITY HEREUNDER IS LIMITED TO THE CONSIDERATION PAID HEREOF.

We trust this is the information you desire.

WITNESS Our Hand this 8th day of November, 2016.

STARTEX TITLE COMPANY

By:



Patsy Hannah  
Examiner

May 23, 2014

***4.1278 acres of land in the T.W. Southerland Survey, Abstract No. 421,  
City of Fulshear, Fort Bend County, Texas***

A FIELD NOTE DESCRIPTION of a 4.1278 acre (179,807 square feet) tract of land in the T.W. Southerland Survey, Abstract No. 421, City of Fulshear, Fort Bend County, Texas; said 4.1278 acre tract of land being all of a 5.957 acre tract of land, save and except a 5.704 acre tract of land, conveyed to Texas Petroleum Group, LLC, as recorded in Fort Bend County Clerk's File No. 2012126762 and being out of a tract of land conveyed to Landmark Industries, as recorded in Fort Bend County Clerk's File No. 2013073162; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a 3/4-inch iron pipe with cap stamped "Brown & Gay" found in the west right-of-way line of F.M. 1463 (100 feet wide), as recorded in Volume 275, Page 525 of the Fort Bend County Deed Records for the northeast corner of Unrestricted Reserve "A", F.M. 1093 at F.M. 1463 Reserves, according to the map or plat recorded in Plat No. 20120043 of the Fort Bend County Plat Records, conveyed to Texas Petroleum Group, LLC, as recorded in Fort Bend County Clerk's File No. 2011119388 and for the southeast corner of this tract;

THENCE, South 87° 51' 20" West – 92.31 feet with a north line of said Unrestricted Reserve "A" to a cut "x" set for an angle point of this tract;

THENCE, North 76° 22' 20" West – 208.17 feet with a north line of said Unrestricted Reserve "A" to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for the northwest corner of said Unrestricted Reserve "A" and for a southwest corner of this tract; from which a found pk nail bears South 13° 37' 36" West – 436.87 feet;

THENCE, North 13° 37' 36" East – 19.97 feet with the northwest line of said 5.957 acre tract to a 3/4-inch iron pipe with cap stamped "Brown & Gay" found for the northwest corner of said 5.957 acre tract and for an interior corner of this tract;

THENCE, South 87° 50' 33" West – 92.80 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for the most westerly southwest corner of this tract;

THENCE, North 02° 09' 27" West – 429.83 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for the northwest corner of this tract;

THENCE, North 87° 50' 33" East – 380.00 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set in the west right-of-way line of said F.M. 1463 for the northeast corner of this tract;

THENCE, South 02° 09' 27" East with the west right-of-way line of said F.M. 1463, at a distance of 439.63 feet pass a 3/4-inch iron pipe with cap stamped "Brown & Gay" found for the northeast corner of said 5.957 acre tract and continuing for a total distance of 505.70 feet to the POINT OF BEGINNING and containing 4.1278 acres (179,807 square feet) of land.

Note: This metes and bounds description was compiled in conjunction with a survey performed on even date.

Compiled By:

Texas Engineering And Mapping  
Civil Engineers - Land Surveyors  
Firm Registration No. 10119000  
Stafford, Texas  
171-34\_Combo\_Tract.doc

---

Brian Nesvadba  
Registered Professional Land Surveyor  
State of Texas No. 5776



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

PLATTING AND SUBDIVISION REVIEW

Plan or Plat Shops at Cross Creek II / Preliminary Plat (Re-submittal)

\* Changed name to : Cross Creek Commercial II

City Engineer Review

Reviewed  
 See Attached Letter

BY: \_\_\_\_\_ DATE: 11-29-2016

City Secretary

Processed  
 Returned for additional data

BY: JC Kopf DATE: 11-22-2016

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: 11-21-16 Date Received by the City of Fulshear: \_\_\_\_\_  
 Subdivision: Shops at Cross Creek II Development: Commercial

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

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

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

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

Plat Location:  City \_\_\_\_\_ ETJ (Extraterritorial Jurisdiction)

Legal Description: 4.6733 acres in the Two Southland survey, Abstract No 421

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

Total Acreage: 4.6733  
 Number of Streets: n/a  
 Number of Lots: n/a  
 Number and Types of Reserves: 1 unrestricted reserve  
 Total Acres in Reserve: 4.6733

Owner: Irreverance, LLC  
 Address: 109 North Post Oak Lane  
 City/State: Houston TX 77024  
 Telephone: 713-623-6944  
 Email Address: n/a

Engineer/Planner: Texas Engineering and Mapping Co  
 Contact Person: Ryan Moeckel  
 Telephone: 281-491-2525  
 Fax Number: 281-491-2535  
 Email Address: rmoeckel@team-civil.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  |                 |
| <b>2<sup>nd</sup> Review of plats - \$100.00 (each additional review)</b> |                 |
| <b>TOTAL PLATTING FEE</b>   | <u>\$100.00</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.

Ryan Moeckel SIGNATURE  
Ryan Moeckel / Platting Manager TYPED OR PRINTED NAME/TITLE  
11-21-16 DATE

November 29, 2016

## Engineering Review

Preliminary – Shops at Cross Creek II  
City of Fulshear, Fort Bend County, Texas

### For Information only:

1. This plat will create one (1) Reserve that covers a total area of 4.6733 acres.
2. Access to this Reserve will be off of F.M. 1463 thru the Texas Department of Transportation Permitting process. The City of Fulshear has an access Ordinance that will need to be complied with.

### Recommendations:

I recommend that this Preliminary Plat of the Shops at Cross Creek II be approved but before the Final Plat is submitted the following items need to be updated:

- A) Plats already exist in the city of Fulshear with similar names. The name needs to be changed.
- B) The Utility Commitment from Fort Bend County MUDS 169 & 173 is to The Shops at Cross Creek, LLC while the ownership on the plat appears as Irreverance, LLC.

A handwritten signature in black ink, consisting of a large, stylized initial 'C' followed by a series of loops and a long horizontal line extending to the right.

## Kimberly Kopecky

---

**From:** Ryan Moeckel <rmoeckel@team-civil.com>  
**Sent:** Tuesday, November 29, 2016 3:43 PM  
**To:** Kimberly Kopecky  
**Subject:** RE: Send data from MFP11391318 11/29/2016 15:38  
**Attachments:** Cross Creek Commercial.pdf; Cross Creek Commercial II.pdf

Please see attached revised plats per comments from David Leyendecker. I will have 8 copies of each plat delivered hopefully tomorrow.

Thanks Kim

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

**From:** Kimberly Kopecky [mailto:kkopecky@fulsheartexas.gov]  
**Sent:** Tuesday, November 29, 2016 2:46 PM  
**To:** Trey DeVillier <TDeVillier@bgeinc.com>; david.keel@dacengineers.com; Geoff Freeman <gfreeman@ljaengineering.com>; rmoeckel@team-civil.com  
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See attachment for Engineer Reviews.

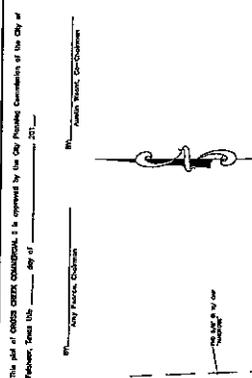
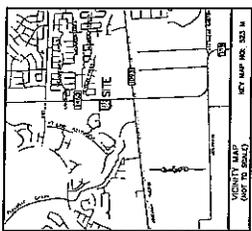
Best Regards,

Kimberly Kopecky  
Deputy City Secretary  
City of Fulshear  
281-346-1796 ext. 251  
kkopecky@fulsheartexas.gov

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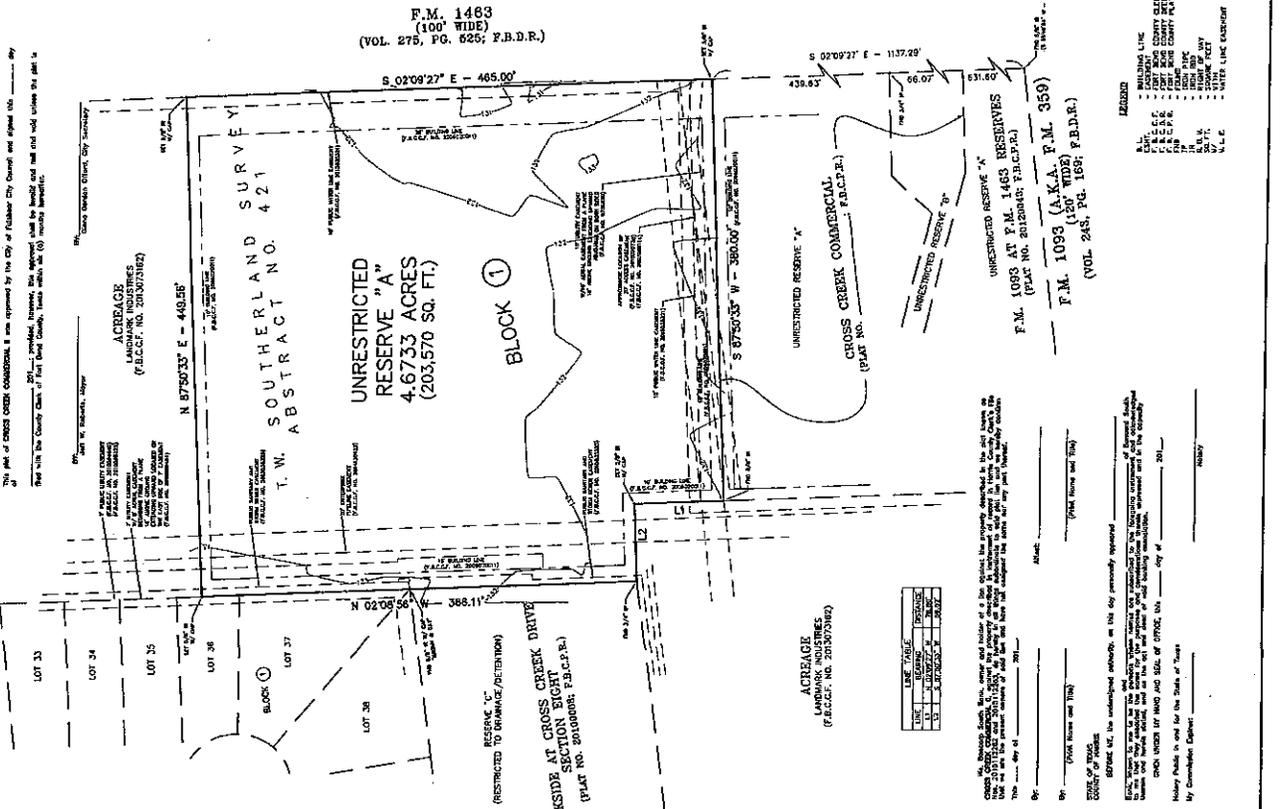
NOTES: 1. THIS INSTRUMENT IS SUBJECT TO THE EASEMENTS, RIGHTS AND INTERESTS SHOWN ON THE SURVEY MAPS AND RECORDS OF THE PUBLIC RECORDS OF THE COUNTY OF FORT BEND, TEXAS, AND TO ALL OTHERS WHICH MAY BE RECORDED HEREIN OR IN THE PUBLIC RECORDS OF THE COUNTY OF FORT BEND, TEXAS, AND TO ALL OTHERS WHICH MAY BE RECORDED HEREIN OR IN THE PUBLIC RECORDS OF THE COUNTY OF FORT BEND, TEXAS, AND TO ALL OTHERS WHICH MAY BE RECORDED HEREIN OR IN THE PUBLIC RECORDS OF THE COUNTY OF FORT BEND, TEXAS...

1. LARRY MENDOZA, COUNTY CLERK IN AND FOR FORT BEND COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS COMPLETE AND CORRECT COPY HAS BEEN FILED FOR RECORDATION IN THE OFFICE OF THE PUBLIC RECORDS OF THIS COUNTY.

FORT BEND COUNTY CLERK  
RECORDATION  
STICKER

CROSS CREEK COMMERCIAL II  
A SUBDIVISION OF 4.6733 ACRES OF LAND  
IN THE T.W. SOUTHERLAND SURVEY,  
CITY OF FULSHEAR,  
FORT BEND COUNTY, TEXAS

OWNER: PREFERENCE, LLC  
102 North Fort Oak Lane  
Houston, Texas 77054  
SURVEYOR: TEXAS ENGINEERING AND MAPPING COMPANY  
18210 Century Drive  
Stafford, Texas 77477  
DATE: NOVEMBER 15, 2016



F.M. 1463  
(100' WIDE)  
(VOL. 275, PG. 625; F.B.D.R.)

F.M. 1093 (A.K.A. F.M. 359)  
(VOL. 245, PG. 169; F.B.D.R.)

- RESERVE: 1. BUILDING LINE 2. FORT BEND COUNTY SHIPYARD TRAIL 3. F.B.C.P. 4. FORT BEND COUNTY PLAT RESERVE 5. F.B.C.P. 6. FORT BEND COUNTY PLAT RESERVE 7. F.B.C.P. 8. FORT BEND COUNTY PLAT RESERVE 9. F.B.C.P. 10. FORT BEND COUNTY PLAT RESERVE 11. F.B.C.P. 12. FORT BEND COUNTY PLAT RESERVE

THE CITY OF FORT BEND, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS COMPLETE AND CORRECT COPY HAS BEEN FILED FOR RECORDATION IN THE OFFICE OF THE PUBLIC RECORDS OF THIS COUNTY.

1. LARRY MENDOZA, COUNTY CLERK IN AND FOR FORT BEND COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS COMPLETE AND CORRECT COPY HAS BEEN FILED FOR RECORDATION IN THE OFFICE OF THE PUBLIC RECORDS OF THIS COUNTY.

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1. LARRY MENDOZA, COUNTY CLERK IN AND FOR FORT BEND COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS COMPLETE AND CORRECT COPY HAS BEEN FILED FOR RECORDATION IN THE OFFICE OF THE PUBLIC RECORDS OF THIS COUNTY.

November 2, 2016

## Engineering Review

Preliminary – Shops at Cross Creek II  
City of Fulshear, Fort Bend County, Texas

### For Information only:

1. This plat will create one (1) Reserve that covers a total area of 4.6733 acres.
2. Access to this Reserve will be off of F.M. 1463 thru the Texas Department of Transportation Permitting process. The City of Fulshear has an access Ordinance that will need to be complied with.

### Recommendations:

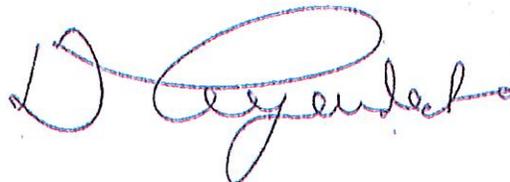
I recommend that this Preliminary Plat of the Shops at Cross Creek II be approved but before the Final Plat is submitted the following items need to be updated:

*updated* - A) Mayor (update name).

*updated* - B) Planning Commission Chairman & Co-Chairman (update names).

*lien is on - C)* The City Planning Letter also shows a Lien that will need to be addressed at the time of Final Platting.

*plat and will  
be signed off  
on mylar.*



**FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NOS. 169 AND 173**

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

**September 14, 2015**

**The Shops at Cross Creek, LLC  
Attn: Sandy P. Aron, President  
109 N. Post Oak Lane, #550  
Houston, Texas 77042**

**Re: Potable Water/Sanitary Sewer Capacity Reserved by Fort Bend County Municipal Utility District No. 169 ("MUD 169") and Fort Bend County Municipal Utility District No. 173 ("MUD 173") for an approximately 4.6733-acre tract of land (the "Tract") owned or to be owned by The Shops at Cross Creek, LLC, within MUD 173, as shown generally on Exhibit A.**

**Dear Mr. Aron:**

**The Shops at Cross Creek, LLC (referred to herein as "you" or "your") has requested that MUD 169 and MUD 173 (collectively, the "Districts") reserve potable water capacity and sanitary sewer capacity for the Tract.**

**This reservation will be equal to 12,562 gallons per day ("gpd") of potable water capacity and 9,812 gpd of sanitary sewer capacity (collectively, the "Capacity"), which amounts are sufficient according to you to develop the Tract for a restaurant and retail purposes.**

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

- 1. MUD 173 has or will: (i) construct water and sanitary sewer facilities serving land within its boundaries, (ii) convey them to the City for ownership and operation, and (iii) reserve for itself all of the capacity in said facilities. MUD 169 has or will: (i) construct potable water and sanitary sewer facilities serving its approximate 3,271 acre service area, (ii) convey them to the City for ownership and operation, and (iii) reserve for itself all of the capacity in said facilities. You understand that the City of Fulshear (the "City") (not the Districts) owns the potable water and sanitary sewer facilities that will serve the Tract. Accordingly, you understand and agree that this letter is only a reservation of capacity, and the City (not the Districts) is responsible for maintenance and operation of potable water and sanitary sewer facilities and**

for the provision of potable water and sanitary sewer service from said facilities.

2. This reservation of Capacity shall be valid only in amounts not exceeding those indicated above and is subject to your purchase of the Tract. In the event that you do not purchase the Tract by October 30, 2015, then the Districts may, in their sole discretion, declare this reservation letter as void and terminate this reservation. Furthermore, this reservation shall be subject to all other terms and conditions of this reservation and shall be valid only for the Tract and not for any area outside of the Tract.
3. You represented that the land use for the Tract will be for commercial development, specifically, a restaurant and other retail development. This reservation of Capacity shall be valid only for that land use, and for no other land use without the Districts' written approval.
4. You must commence design of the facilities to serve the Tract within one year from the date hereof or the Districts may, in their sole discretion, terminate this reservation.
5. You must commence construction of your development on the Tract within two years from the date hereof or the Districts may, in their sole discretion, terminate this reservation. You shall have the right to request from the Districts a one-year extension of this reservation immediately succeeding the expiration of the two-year term and the Districts shall determine in their sole discretion whether or not to grant such extension.
6. If not previously platted, you must prepare a plat of the acreage which you are developing within your Tract in accordance with City subdivision requirements and receive City approval of your plat and file and record said plat with Fort Bend County prior to receipt of potable water or sanitary sewer service from the City.
7. All plans and specifications for the potable water, sanitary sewer, and drainage facilities to serve the Tract must be reviewed and approved by the City, the Districts, and all other regulatory authorities having jurisdiction prior to commencement of construction of such facilities.
8. You will be responsible for providing and maintaining the private, internal utilities within the Tract.
9. All sanitary sewage discharges from your Tract must be solely domestic in nature and must comply with all of the City's (and Districts', if any) orders, ordinances, rules, and regulations, and with any amendments hereafter to such orders, ordinances, rules, and regulations.

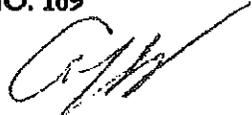
10. The Districts shall not be responsible for making any tap or connection to any facilities constructed by the Districts. You will be responsible for obtaining from the City a connection(s) to the City's water system and sanitary sewer system. You will be responsible for paying the City any fees or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

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

[EXECUTION PAGES FOLLOW]

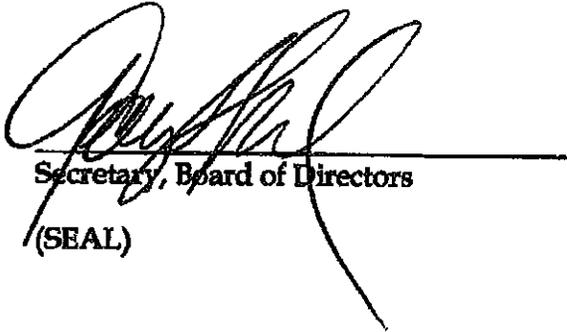
Very truly yours,

FORT BEND COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 169



\_\_\_\_\_  
President, Board of Directors

ATTEST:



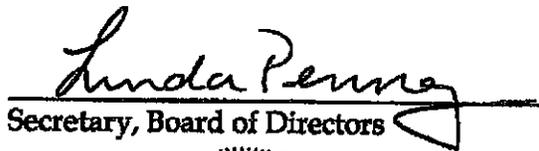
\_\_\_\_\_  
Secretary, Board of Directors  
(SEAL)

FORT BEND COUNTY MUNICIPAL UTILITY  
DISTRICT NO. 173



\_\_\_\_\_  
President, Board of Directors

ATTEST:



\_\_\_\_\_  
Secretary, Board of Directors

(SEAL)



The Shops at Cross Creek, LLC agrees to all of the above terms and conditions.

EXECUTED this 29<sup>th</sup> day of SEPTEMBER, 2015.

THE SHOPS AT CROSS CREEK, LLC, a  
Texas limited liability company

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

Name: Sandra P. Aron

Title: Partner

**EXHIBIT A**

558479





# Texas Department of Transportation

P.O. BOX 1386 • HOUSTON, TEXAS 77251-1386 • (713) 802-5000

September 12, 2014

Landmark Industries  
c/o Greg Ofield, P.E.  
Brown & Gay Engineers, Inc.  
10777 Westheimer, Suite 400  
Houston, Texas 77042

RE: Roadway Improvements  
Permit 14-1673RD  
Fort Bend County  
FM 1463 at FM 1093  
Control Section 0188-10-031

Dear Mr. Ofield:

Reference is made to the modification of the roadway within the right-of-way of FM 1463 at FM 1093 in Fort Bend County. We offer no objection to your request, as submitted by, Brown & Gay Engineers, Inc., Inc., subject to the following provisions:

1. It is expressly understood that the State does not purport hereby to grant any right, claim, title, or easement in or upon this highway.
2. Pavement structure within State right-of-way shall equal or exceed the existing pavement structure.
3. The grantee acknowledges and fully accepts responsibility and liability for the design, construction, maintenance, and operation of this proposed improvement. It is mutually agreed and understood that the grantee will indemnify and save harmless the State from any and all damage or loss that may develop due to this project.
4. All work on highway right-of-way shall be performed in accordance with State instructions. The installation shall not damage any part of the highway, and adequate provisions must be made to cause minimum inconvenience to traffic and adjacent property owners.
5. Barricades and warning signs, and flagmen, when necessary, shall be provided by the contractor or the owner. It is understood that the State considers proper traffic control measures as those complying with applicable portions of the Texas Manual on Uniform Traffic Control Devices required for adoption by the "Uniform Act Regulating Traffic on Highways" (V.C.S. 6701d).

C

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P

Y

THE TEXAS PLAN  
REDUCE CONGESTION • ENHANCE SAFETY • EXPAND ECONOMIC OPPORTUNITY • IMPROVE AIR QUALITY  
PRESERVE THE VALUE OF TRANSPORTATION ASSETS

*An Equal Opportunity Employer*

6. The work covered by this permit shall be so conducted that it will not interfere in any way with any highway contract construction or repair work, or any State maintenance work that may be done on this road. In the event that such interference occurs, you will cease operations in the area involved until such time as the roadwork referred to above is completed.
7. Performance of work within highway right-of-way will constitute your acceptance of the terms herein listed.
8. This approval void if installation not complete within one year from date of approval.
9. This permit issued subject to a traffic control plan, which will be approved by the Area Engineer. No work within State right-of-way shall begin until this approval has been given.
10. It is mutually agreed and understood that the implementation and maintenance of the traffic control plan shall be the responsibility of the grantee and the grantee shall indemnify and save harmless the State from any and all damage or loss that may develop due to this project.

Please notify Royce Macha, our Maintenance Section Supervisor, at telephone number (281) 238-7950 at least 48 hours before beginning work so that he may have a representative present.

Sincerely,



James V. Hunt, P.E.  
Director of Maintenance  
Houston District

LHM

Attachment

cc: Royce Macha, w/attachment  
Brown & Gay Engineers, Inc., w/attachment