

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §



**NOTICE OF A MEETING
MANVEL PLANNING DEVELOPMENT AND ZONING COMMISSION
April 14, 2025**

**NOTICE IS HEREBY GIVEN
6:00 P.M.**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the Planning Development and Zoning Commission will convene a regular meeting at the Manvel City Hall, located at **20031 Hwy 6, Manvel Tx 77578** for the purpose of discussing and if appropriate, take action with respect to the following items:

NOTE: The PD&Z Commission of the City of Manvel reserves the right to discuss any items in Closed Session whenever authorized under the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. They may discuss the items on this agenda in any order.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-489-0630 for further information.

CITY OF MANVEL MISSION STATEMENT

The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens.

Regular Session

Call to Order

Position #1 Ryan Miller, Chair 03/2027
Position #2 Kyle Marasckin, Vice-Chair 03/2027
Position #3 Mary Ann Atkinson 03/2027
Position #4 Kenneth Haynes 03/2027
Position #5 Christy Kennard 03/2026
Position #6 Delores Martin 03/2026
Position #7 William Richardson 03/2026

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Public Comments: "Comment Card" Required

o Members of the public with business before the board, NOT scheduled on the agenda as a public hearing (that have submitted a public comment card) may have three (3) minutes to address the board. o The board may not participate in any discussion and cannot vote on the subject you present unless it is listed on the agenda as an action item.

Staff Presentation on Public Hearing Item

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF CITY RIGHT-OF-WAY CONSISTING OF A 0.4073 ACRE TRACT OF LAND IN THE MARY V. O'DONNELL SURVEY, ABSTRACT NO. 470, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS, BEING THAT PORTION OF RUSSELL STREET LOCATED BETWEEN SH 6 AND LARGE AVENUE; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNERS; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Consent PDZ

All Consent Agenda items listed are considered to be routine by the Planning Development and Zoning Commission and will be approved by one motion. There will be no separate discussion of these items unless a Planning Development and Zoning Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

- A. Approve Final Plat of Valencia Section 12;
BEING A SUBDIVISION OF 14.982 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS; BEING A PORTION OF LOTS 37, 38, 45, AND 46 IN THE ALLISON RICHEY GULF COAST HOME COMPANY, PART OF SUBURBAN GARDEN SECTION 73, A SUBDIVISION OF RECORD UNDER VOLUME 2, PAGES 91-92 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS (B.C.P.R.).
- B. Approve the meeting minutes to date.

Regular Agenda

- A. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2025-O-13;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF CITY RIGHT-OF-WAY CONSISTING OF A 0.4073 ACRE TRACT OF LAND IN THE MARY V. O'DONNELL SURVEY, ABSTRACT NO. 470, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS, BEING THAT PORTION OF RUSSELL STREET LOCATED BETWEEN SH 6 AND LARGE AVENUE; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNERS; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

- B. Discussion regarding an amendment to the Subdivision Ordinance.
- C. Discussion regarding an amendment to the Zoning Ordinance.
- D. Consideration and possible action to direct staff to provide Applicants written statements of the conditions for any conditional approvals, and the reasons for disapproval of any plans or plats that were not approved, per Texas Local Government Code §212.0091.

Adjourn

CERTIFICATION

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Planning Development and Zoning Commission is true and correct and that I posted such notice on the bulletin board at the Manvel City Hall; a place convenient and readily accessible to the public on 04/11/2025 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS



City of Manvel

P. O. Box 187
20025 Hwy 6
Manvel, Texas 77578

(281) 489-0630
Fax (281) 489-0634

AGENDA REQUEST

REQUEST MUST BE MADE 7 CALENDAR DAYS PRIOR TO MEETING

Meeting Requested: (Please check applicable meeting)

Planning, Development & Zoning	☒	City Council	☐	Both	☐
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Date of Request: 1/27/2025

YOUR REQUEST WILL BE PLACED ON THE NEXT AVAILABLE MEETING DATE. MEETINGS ARE FIRST AND THIRD MONDAYS FOR PLANNING, DEVELOPMENT & ZONING AND SECOND AND FOURTH MONDAYS FOR CITY COUNCIL. THE AGENDAS ARE POSTED TO THE GENERAL PUBLIC AT MANVEL CITY HALL AND ON OUR WEBSITE AT www.cityofmanvel.com. THE AGENDA IS POSTED AND WILL REMAIN POSTED CONTINUOUSLY FOR AT LEAST 72 HOURS PRECEDING THE SCHEDULED TIME OF THE MEETING. PLEASE CHECK THE BOARD FOR YOUR MEETING SCHEDULE. WE STRONGLY ENCOURAGE YOU TO ATTEND THE MEETING FOR QUESTIONS AND ANSWERS. IF YOU ARE UNABLE TO ATTEND ACTION MAY BE TABLED UNTIL THE FOLLOWING MEETING.

Person to Speak: Brian Edwards

Daytime Phone: 713.380.4420 Fax Number: _____

E-mail Address: Bedwards@LJA.com

Description of Request and Physical Address:
Consideration and possible action to approve a final

Plat of Valencia Section 12, A subdivision of 14.982 acres of land located in the H.T. & B.R.R. company survey, section 73 ,
abstract 301, Brazoira County, Texas; Being a portion of lots 37, 38, 45, and 46 in the Allison Richey Gulf Coast Home
Company Part of Suburban Gardens Sec 73, a subdivision of record under Vol. 2 Pages 91 & 92 of the Plat Records of
Brazoria County, Texas, Public Records (B.C.P.R.)

Plats:

Preliminary _____

Final X

ALL DOCUMENTATION AND FEES ASSOCIATED WITH THIS AGENDA REQUEST MUST BE TURNED IN 7 CALENDAR DAYS PRIOR TO THE MEETING.

BY SIGNING THIS AGENDA REQUEST FORM I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THIS AGENDA REQUEST FORM.

Lacey Bell
SIGNATURE

Digitally signed by Lacey Bell
DN: CN=Lacey Bell
Date: 2024.12.11 12:43:28-0600

01/27/2025
DATE



DEVELOPMENT SERVICES DEPARTMENT

20025 Highway 6, Manvel, TX 77578 | Ph: 281-489-0630

STAFF REPORT TO PLANNING, DEVELOPMENT AND ZONING COMMISSION **PLAT APPLICATION**

Plat Name:	Valencia Section 12- Final Plat
Applicant:	Lacey Bell – LJA Engineering
PD&Z Meeting Date:	April 14, 2025
Submitted By:	Ellie Roohbakhsh, Assistant Planner
Report Approved by:	Dan Johnson, City Manager/ City Engineer Jose Abraham, Director of Development Services
Recommendation of Approval:	<u>YES</u>

BACKGROUND/ REVIEW NOTES

- *This proposed plat is for a residential section within Valencia Master Planned Development, established as a Planned Unit Development (PUD) in July 2021.*
- *A master plan for the development was approved by City Council in August 2022.*
- *The City Council approved the PUD amendment, including the Valencia Master Plan, on April 15, 2024.*
- *This section is located at the northeast corner of the intersection of proposed Dogwood Ave and Pollard Blvd.*
- *The proposed plat subdivides a 14.98-acre tract into 59 residential lots, 2 Blocks, and 6 reserves for landscape, open space, drainage, utility, and pipeline easement.*
- *This proposed section includes traditional single-family residential lots with a minimum lot width of 50 feet and a minimum lot area of 6,000 square feet.*
- *This plat was previously submitted in February 2025 and was denied.*
- *The proposed plat generally conforms to the approved preliminary plat.*

STAFF RECOMMENDATION

The City staff recommends approval of this proposed plat - Valencia Section 12- Final Plat



DEVELOPMENT SERVICES DEPARTMENT

20025 Highway 6, Manvel, TX 77578 | Ph: 281-489-0630

Plat Exhibit

MANVEL COUNTY COMMISSIONERS AND REGISTRATION OFFICE

1. MANVEL COUNTY COMMISSIONERS AND REGISTRATION OFFICE, BEING THE OFFICE OF THE COUNTY CLERK, DO HEREBY CERTIFY THAT THE FOLLOWING PLAT OF VALERIA SECTION 12, BEING A PORTION OF LOTS 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 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1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 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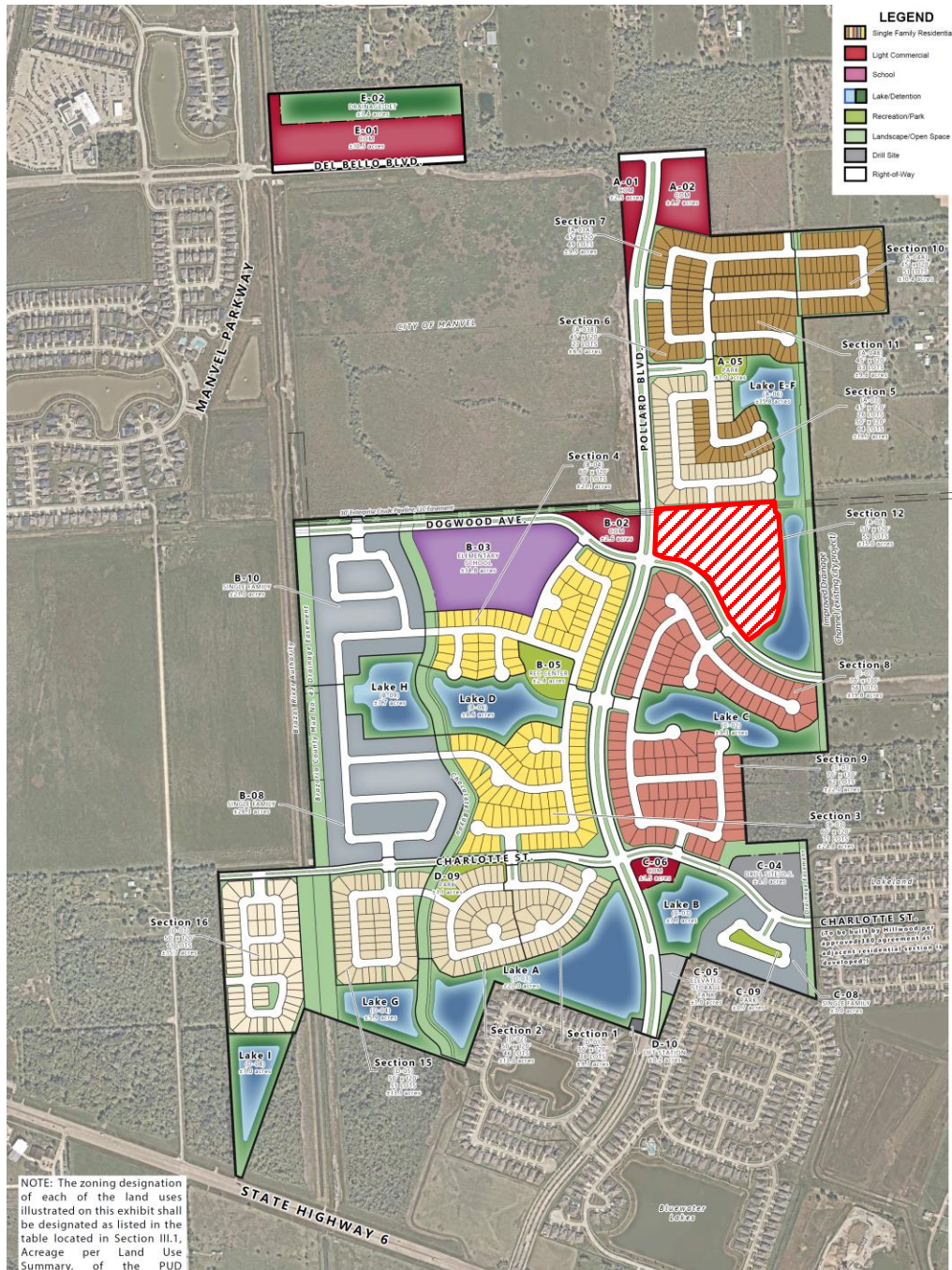
Page 4 of 5



DEVELOPMENT SERVICES DEPARTMENT

20025 Highway 6, Manvel, TX 77578 | Ph: 281-489-0630

Valencia Master Plan (dated April 15, 2024)



Prepared for
**HILLWOOD
RESIDENTIAL**

EXHIBIT E
Planned Unit Development
Conceptual Land Use Exhibit
VALENCIA
±457.0 Acres of Land
Manvel, Texas

Reference Date: 02-27-2024

**PLANNING & LANDSCAPE
ARCHITECTURE**

RELATIONSHIPS | PROCESS | DESIGN

STATE OF TEXAS
COUNTY OF BRAZORIA

WE, PULTE HOMES OF TEXAS, L.P., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH LINDY OLIVA, DIVISION PRESIDENT, BEING AN OFFICER OF PULTE HOMES OF TEXAS, L.P., A TEXAS LIMITED PARTNERSHIP, OWNERS OF THE PROPERTY SUBDIVIDED IN THE PLAT OF VALENCIA SECTION 12, BEING 14.982 ACRES OUT OF THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 37, 38, 45, AND 46 OF THE ALLISON RICHEY GULF COAST HOME COMPANY, PART OF SUBURBAN GARDENS SECTION 73, A SUBDIVISION OF RECORD UNDER VOLUME 2, PAGES 91 & 92, OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID CORPORATION, ACCORDING TO THE LINES, LOTS, BUILDING LINES, STREETS, ALLEYS, PARKS, AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE AS SUCH, THE STREETS, ALLEYS, PARKS AND EASEMENTS SHOWN HEREON FOREVER, AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED, HEREON, WHEREBY EACH AERIAL EASEMENT TOTALS TWENTY-ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER UNOBSTRUCTED AERIAL EASEMENTS, THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY EACH AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN WIDTH.

FURTHER, WE DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF ALL PROPERTY IMMEDIATELY ADJACENT TO THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION OF VALENCIA SECTION 12 WHERE BUILDING SETBACK LINES OR PUBLIC UTILITY EASEMENTS ARE TO BE ESTABLISHED OUTSIDE THE BOUNDARIES OF THE ABOVE AND FOREGOING SUBDIVISION AND DO HEREBY MAKE AND ESTABLISH ALL BUILDING SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC, ALL PUBLIC UTILITY EASEMENTS SHOWN IN SAID ADJACENT ACREAGE.

IN TESTIMONY HERETO, PULTE HOMES OF TEXAS, L.P., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY LINDY OLIVA, ITS DIVISION PRESIDENT, THEREUNTO AUTHORIZED.

THIS 10 DAY OF March, 2025.

BY: PULTE HOMES OF TEXAS, L.P.,
A TEXAS LIMITED PARTNERSHIP

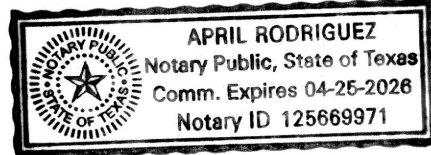
BY: Lindy Oliva
LINDY OLIVA, DIVISION PRESIDENT

STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED LINDY OLIVA, DIVISION PRESIDENT OF PULTE HOMES OF TEXAS, L.P., A TEXAS LIMITED PARTNERSHIP, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS 10 DAY OF March, 2025.

April Rodriguez
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



I, KEITH W. MONROE, A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL BOUNDARY SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION ACCORDING TO THE STANDARDS OF PRACTICE OF THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS; THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST STREET INTERSECTION; THAT THE BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE/TANGENCY AND INTERIOR CORNERS OF THIS SUBDIVISION WERE NOT SET AT THE TIME THIS PLAT WAS SIGNED BY ME AND THAT THESE CORNERS ARE TO BE SET AFTER CONSTRUCTION OF THE PUBLIC INFRASTRUCTURE AND FINAL LOT GRADING WITHIN THE SUBDIVISION; AND THAT ALL PREVIOUSLY EXISTING PROPERTY MARKERS ARE SUFFICIENTLY DESCRIBED ON THIS DOCUMENT AS FOUND AND ALL SET MARKERS ARE A MINIMUM OF 5/8-INCH DIAMETER IRON ROD WITH SURVEYOR'S CAP (SEE NOTE 5).

THE INTERIOR CORNERS OF THIS SUBDIVISION WERE NOT SET AT THE TIME THIS PLAT WAS SIGNED AND SEALED BY ME. THESE CORNERS ARE EXPECTED TO BE SET AFTER CONSTRUCTION OF THE PUBLIC INFRASTRUCTURE AND FINAL GRADING WITHIN THE SUBDIVISION.

Keith W. Monroe
KEITH W. MONROE, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4797



3-3-2025

BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 NOTES:

- DRAINAGE EASEMENTS MAY BE USED BY ANY GOVERNMENT BODY FOR THE PURPOSES OF DRAINAGE WORK, PROVIDED BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 (B.C.C.R.D. #3) IS PROPERLY NOTIFIED.
- ALL DRAINAGE EASEMENTS SHOWN HEREON SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, FOUNDATIONS, PLANTINGS AND OTHER OBSTRUCTIONS TO THE OPERATION AND MAINTENANCE OF DRAINAGE FACILITIES. LANDSCAPING SHALL BE PERMITTED WITHIN THE DETENTION PONDS LOCATED WITHIN THIS SUBDIVISION.
- MAINTENANCE OF DETENTION FACILITIES SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER OF THE PROPERTY. B.C.C.R.D. #3 SHALL PROVIDE MAINTENANCE OF REGIONAL FACILITIES OWNED AND CONSTRUCTED BY B.C.C.R.D. #3 OR SUB-REGIONAL FACILITIES CONSTRUCTED BY DEVELOPER(S) FOR WHICH OWNERSHIP HAS BEEN TRANSFERRED TO B.C.C.R.D. #3 WITH THEIR APPROVAL. B.C.C.R.D. #3 SHALL BE RESPONSIBLE ONLY FOR THE MAINTENANCE OF FACILITIES OWNED BY THEM, UNLESS B.C.C.R.D. #3 SPECIFICALLY CONTACTS OR AGREES TO MAINTAIN OTHER FACILITIES.
- THE SIDES OF DRAINAGE CHANNELS AND DETENTION FACILITIES SHALL BE HYDROMULCH SEEDED.
- OUTFALL STRUCTURES AND CULVERTS SHALL COMPLY WITH THE STORM SEWER SECTION OF THE BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 REGULATIONS. BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 HAS ADOPTED THE BRAZORIA COUNTY DRAINAGE DISTRICT CRITERIA MANUAL AS ITS GUIDE. EROSION PROTECTION FOR OUTFALL STRUCTURES MUST BE REINFORCED CONCRETE. CONCRETE RUBBLE IS NOT ALLOWED.
- B.C.C.R.D. #3 APPROVAL OF THE FINAL DRAINAGE PLANS AND FINAL PLAT (IF REQUIRED) DOES NOT AFFECT THE PROPERTY RIGHTS OF THIRD PARTIES. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING AND MAINTAINING ANY AND ALL EASEMENTS, FEE STRIPS AND/OR ANY OTHER RIGHT-OF-WAY ACROSS THIRD PARTY DRAINAGE FACILITIES AS CONTEMPLATED BY THE FINAL DRAINAGE PLANS AND THE FINAL PLAT.
- B.C.C.R.D. #3 PERSONNEL SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY FOR INSPECTION AT ANY TIME DURING CONSTRUCTION OR AS MAY BE WARRANTED TO ENSURE THE DETENTION FACILITIES ARE OPERATING PROPERLY.
- DETENTION IS REQUIRED BY B.C.C.R.D. #3 IN ORDER TO OFFSET ADDITIONAL STORM RUNOFF DUE TO THE INCREASED IMPERVIOUS COVER FROM THE DEVELOPMENT.

THIS IS TO CERTIFY THAT BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3 HAS APPROVED THIS PLAT OF "VALENCIA SECTION 12" AS SHOWN HEREON

THIS 1 DAY OF April, 2025.

Ricky Kuleczka
RICKY KULECZKA
COMMISSIONER

Alfred Probert Jr.
ALFRED PROBERT JR.
COMMISSIONER

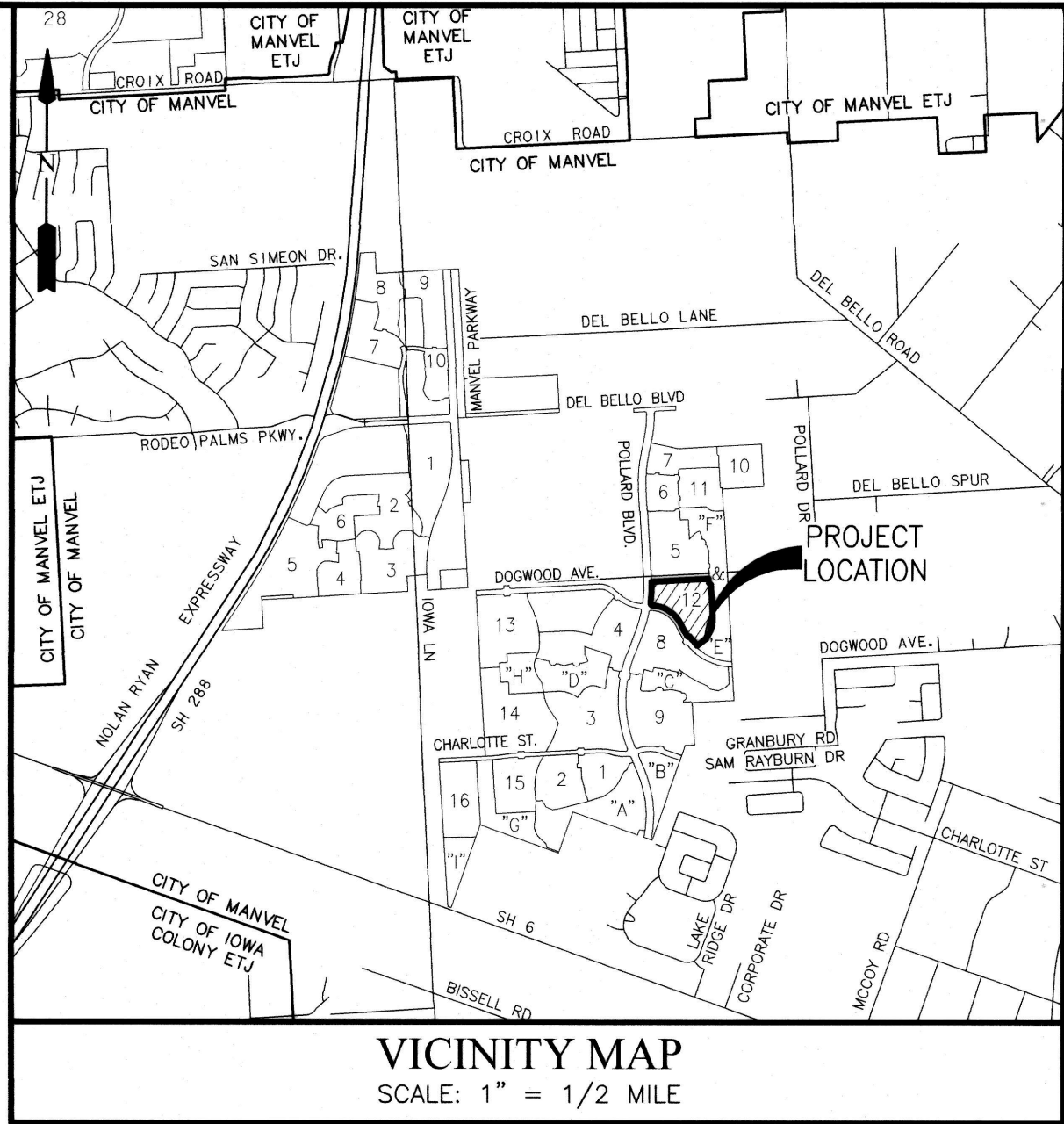
Jody Schuchman
JODY SCHUCHMAN
COMMISSIONER

Dong Guven, P.E., C.F.M.
DONG GUVEN, P.E., C.F.M.
DISTRICT ENGINEER

THIS IS TO CERTIFY THAT THE PLANNING, DEVELOPMENT AND ZONING COMMISSION OF THE CITY OF MANVEL, TEXAS, HAS APPROVED THIS PLAT OF VALENCIA SECTION 12 IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT

THIS _____ DAY OF _____, 20____.

PLANNING, DEVELOPMENT, AND ZONING COMMISSION



VICINITY MAP
SCALE: 1" = 1/2 MILE

KEY MAP NO. 653Q

FINAL PLAT OF VALENCIA SECTION 12

A SUBDIVISION OF 14.982 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 37, 38, 45, AND 46 OF THE ALLISON RICHEY GULF COAST HOME COMPANY, PART OF SUBURBAN GARDENS SECTION 73, A SUBDIVISION OF RECORD UNDER VOLUME 2, PAGES 91-92 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS. (B.C.P.R.)

59 LOTS 6 RESERVES (2.484 ACRES) 2 BLOCKS

FEBRUARY 25, 2025 JOB NO. 2791-4112P

OWNER:

PULTE HOMES OF TEXAS, L.P.,

A TEXAS LIMITED PARTNERSHIP
LINDY OLIVA, DIVISION PRESIDENT
1311 BROADFIELD BOULEVARD, SUITE 100
HOUSTON, TX 77084
PH: 281-749-8004

SURVEYOR:

LJA Surveying, Inc.
3600 W. Sam Houston Parkway S. Phone 713.953.5200
Suite 175 Fax 713.953.5026
Houston, Texas 77042 T.B.P.E.L.S. Firm No. 10194382

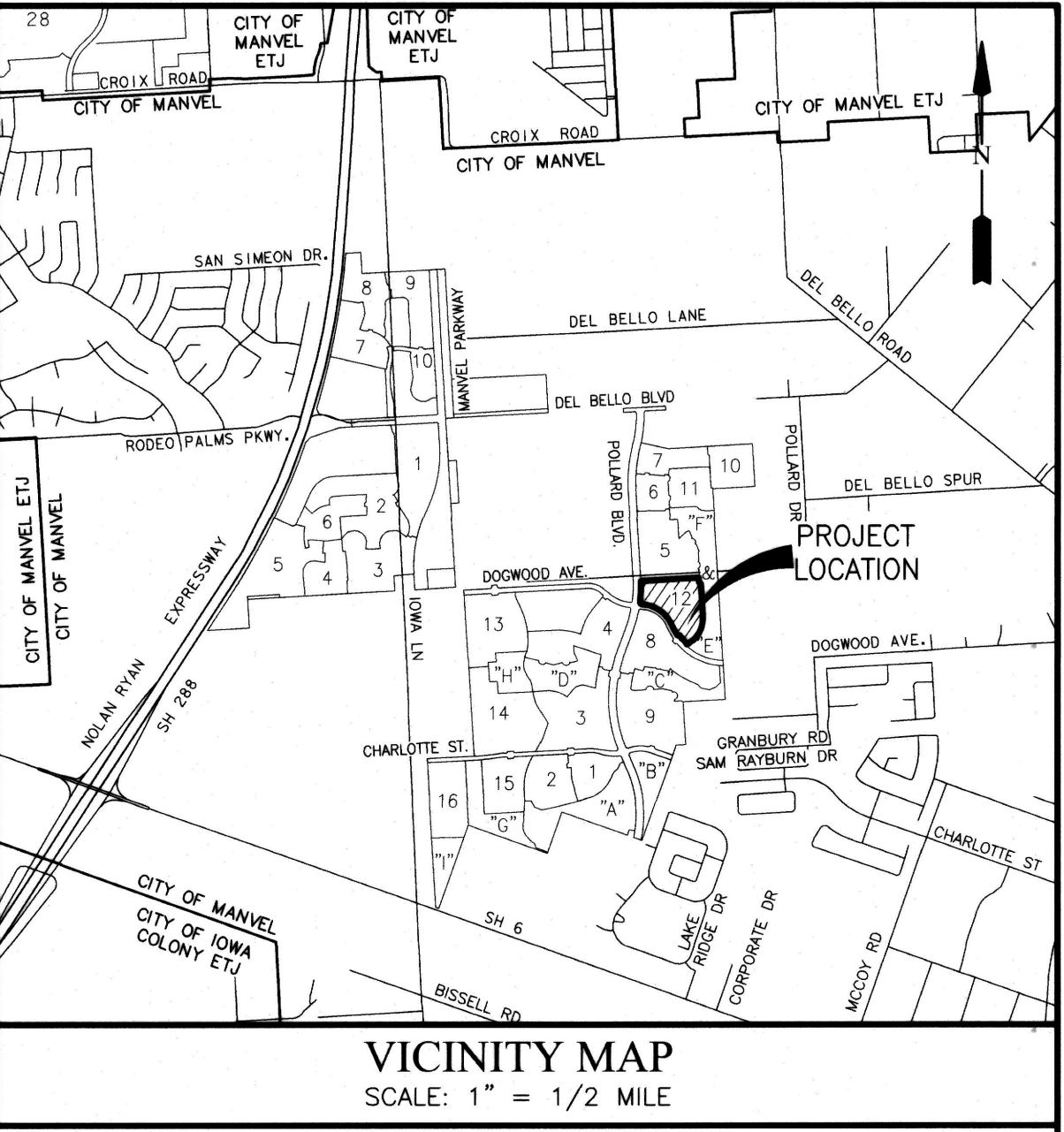
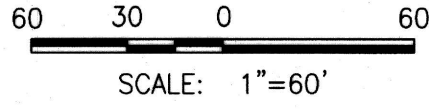
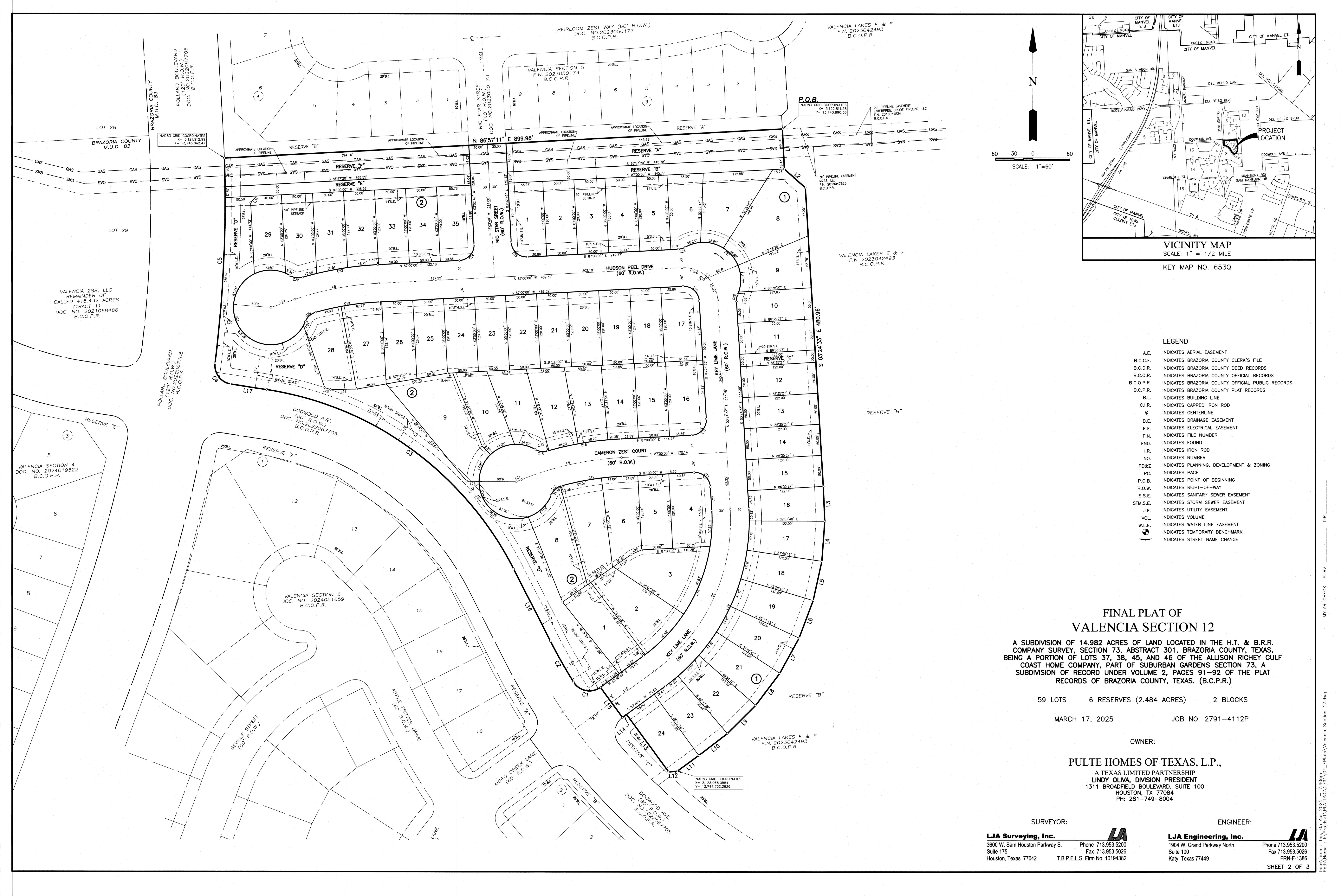


ENGINEER:

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



SHEET 1 OF 3



VICINITY MAP
SCALE: 1" = 1/2 MILE
KEY MAP NO. 653Q

- LEGEND**
- A.E. INDICATES AERIAL EASEMENT
 - B.C.C.F. INDICATES BRAZORIA COUNTY CLERK'S FILE
 - B.C.D.R. INDICATES BRAZORIA COUNTY DEED RECORDS
 - B.C.O.R. INDICATES BRAZORIA COUNTY OFFICIAL RECORDS
 - B.C.O.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
 - B.C.P.R. INDICATES BRAZORIA COUNTY PLAT RECORDS
 - B.L. INDICATES BUILDING LINE
 - C.I.R. INDICATES CAPPED IRON ROD
 - C. INDICATES CENTERLINE
 - D.E. INDICATES DRAINAGE EASEMENT
 - E.E. INDICATES ELECTRICAL EASEMENT
 - F.N. INDICATES FILE NUMBER
 - FND. INDICATES FOUND
 - I.R. INDICATES IRON ROD
 - NO. INDICATES NUMBER
 - PD&Z INDICATES PLANNING, DEVELOPMENT & ZONING
 - PG. INDICATES PAGE
 - P.O.B. INDICATES POINT OF BEGINNING
 - R.O.W. INDICATES RIGHT-OF-WAY
 - S.S.E. INDICATES SANITARY SEWER EASEMENT
 - STM.S.E. INDICATES STORM SEWER EASEMENT
 - U.E. INDICATES UTILITY EASEMENT
 - VOL. INDICATES VOLUME
 - W.L.E. INDICATES WATER LINE EASEMENT
 - INDICATES TEMPORARY BENCHMARK
 - INDICATES STREET NAME CHANGE

**FINAL PLAT OF
VALENCIA SECTION 12**

A SUBDIVISION OF 14.982 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 37, 38, 45, AND 46 OF THE ALLISON RICHEY GULF COAST HOME COMPANY, PART OF SUBURBAN GARDENS SECTION 73, A SUBDIVISION OF RECORD UNDER VOLUME 2, PAGES 91-92 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS. (B.C.P.R.)

59 LOTS 6 RESERVES (2.484 ACRES) 2 BLOCKS
MARCH 17, 2025 JOB NO. 2791-4112P

OWNER:
PULTE HOMES OF TEXAS, L.P.,
A TEXAS LIMITED PARTNERSHIP
LINDY OLIVA, DIVISION PRESIDENT
1311 BROADFIELD BOULEVARD, SUITE 100
HOUSTON, TX 77084
PH: 281-749-8004

SURVEYOR: **LJA Surveying, Inc.**
3600 W. Sam Houston Parkway S. Phone 713.953.5200
Suite 175 Fax 713.953.5026
Houston, Texas 77042 T.B.P.E.L.S. Firm No. 10194382

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

NOTES:

1. THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS FOR THE STATE OF TEXAS, THE INCORPORATED LIMITS OF THE CITY OF MANVEL AND BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3.
2. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY CHARTER TITLE COMPANY, ORDER NO. 2024-0443, DATED MARCH 26, 2025. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
3. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM (NAD 83), SOUTH CENTRAL ZONE. THE COORDINATES SHOWN ARE GRID AND CAN BE BROUGHT TO SURFACE BY DIVIDING BY AN ADJUSTMENT FACTOR OF 0.99986357.
4. ALL SUBDIVISION COMMON AREAS INCLUDING BUT NOT LIMITED TO DETENTION FACILITIES, EASEMENTS AND OPEN SPACES WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE MAINTAINED BY A HOMEOWNERS ASSOCIATION, COMMERCIAL PROPERTY ASSOCIATION OR OTHER ENTITY AND SHALL NOT BE THE RESPONSIBILITY OF THE CITY OF MANVEL.
5. FIVE EIGHTHS INCH (5/8") IRON RODS THREE FEET (3') IN LENGTH WITH A PLASTIC CAP MARKED "LJA SURVEY" WILL BE SET ON ALL PERIMETER BOUNDARY CORNERS. CORNER MONUMENTS WILL BE SET AFTER CONSTRUCTION AND BEFORE RECORDATION OF THE ASSOCIATED SUBDIVISION PLAT.
6. BENCHMARK: BRAZORIA COUNTY LIDAR GROUND CONTROL POINT #609: A PK NAIL FLUSH WITH THE PAVEMENT AT CENTERLINE OF THE INTERSECTION OF PALMETTO STREET AND RODGERS ROAD. THE POINT IS LOCATED ±336' SOUTH OF THE INTERSECTION OF PALMETTO STREET AND SH 6.

ELEV. = 51.98 FEET, NAVD88 GEOID 2003 (B.C. LIDAR DATUM)
7. TBM: INDICATES TEMPORARY BENCHMARK -- A 5/8" IRON ROD WITH CAP STAMPED "LJA ENG. CONTROL," LOCATED AT THE NORTH SIDE OF RIDGE CREST LANE. THE POINT IS LOCATED ±107' EAST OF THE CENTERLINE OF POLLARD BOULEVARD AND ±19' NORTH OF THE CENTERLINE OF RIDGE CREST LANE.

ELEV. = 53.29 FEET, NAVD88 GEOID 2003 (B.C. LIDAR DATUM)
8. IN ACCORDANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, MAP NO. 48039C0130K, WITH THE REVISED DATE OF DECEMBER 30, 2020, BY GRAPHICAL PLOTTING, THE SUBJECT TRACT LIES WITHIN ZONE "X" (UNSHADED). ZONE "X" (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN. "LJA" DOES NOT WARRANT NOR SUBSCRIBE TO THE ACCURACY OR SCALE OF SAID MAPS."
9. ANY CONSTRUCTION PROPOSED TO BE INSTALLED WITHIN A PROPERTY EASEMENT WITH PRESCRIBED RIGHTS TO A PRIVATE ENTITY MAY REQUIRE THE PERMISSION OF THE PRIVATE ENTITY PRIOR TO THE START OF CONSTRUCTION. FAILURE TO SECURE SUCH PERMISSION MAY RESULT IN THE RIGHT HOLDER(S) OF THE EASEMENT REMOVING ANY UNAPPROVED PAVEMENT, STRUCTURES, UTILITIES OR OTHER FACILITIES LOCATED WITHIN THE EASEMENT. THE RESPONSIBILITY OF SECURING APPROVAL FROM THE PRIVATE ENTITIES TO BUILD WITHIN AN EASEMENT IS SOLELY THAT OF THE OWNER.
10. THE MINIMUM SLAB ELEVATION FOR ALL BUILDINGS LOCATED WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE THE HIGHER OF (1) EITHER 18 INCHES ABOVE THE TOP OF CURB ELEVATION FOR A CURB STREET, (2) 24 INCHES ABOVE THE 100 YEAR FLOODPLAIN WATER SURFACE ELEVATION FOR STRUCTURES TO BE LOCATED WITHIN THE 100 YEAR FLOODPLAIN, (3) 12 INCHES ABOVE NATURAL GRADE.
11. ANY PROPOSED DRAINAGE SYSTEM FOR THIS SUBDIVISION SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF MANVEL AND BRAZORIA COUNTY CONSERVATION AND RECLAMATION DISTRICT NO. 3.
12. THIS PROPERTY IS LOCATED WITHIN BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 83, THE INCORPORATED LIMITS OF THE CITY OF MANVEL, ALVIN INDEPENDENT SCHOOL DISTRICT, AND BRAZORIA COUNTY CONSERVATION & RECLAMATION DISTRICT NO. 3, AT THE TIME OF PLATTING.
13. ALL LANDSCAPING AND STRUCTURES, INCLUDING FENCES AT INTERSECTIONS SHALL CONFORM TO THE CITY OF MANVEL AND ASHTO SITE DISTANCE REQUIREMENTS FOR MOTORISTS.
14. BOUNDARY CLOSURE CALCULATIONS IS AT LEAST 1:15,000.
15. SIDEWALKS SHALL BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH TRACT.
16. THE FINAL PLAT WILL EXPIRE TWO (2) YEARS AFTER FINAL APPROVAL BY PD&Z, IF CONSTRUCTION OF THE IMPROVEMENTS HAS NOT COMMENCED WITHIN THE TWO-YEAR INITIAL PERIOD OR THE ONE-YEAR EXTENSION PERIOD GRANTED BY PD&Z.
17. BUILDING PERMITS WILL NOT BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION PONDS, HAVE BEEN CONSTRUCTED.
18. THE DEVELOPMENT REGULATIONS AND CITY PERMITS ARE REQUIRED ON ALL PROPERTY.
19. A 2-YEAR MAINTENANCE BOND WILL BE REQUIRED FOR CONSTRUCTED IMPROVEMENTS.
20. THE VALENCIA DEVELOPMENT AGREEMENT, APPROVED BY CITY OF MANVEL ORDINANCE NO. 2021-0-18, EFFECTIVE JULY 19, 2021, AND THE AMENDMENT APPROVED BY THE CITY OF MANVEL ORDINANCE NO. 2024-0-12, EFFECTIVE APRIL 15, 2024 APPLIES TO THIS PLAT.
21. FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT THE MINIMUM SIDE YARD SETBACKS SHALL BE FIVE FEET, MINIMUM FRONT YARD SETBACKS SHALL BE 20 FEET FOR FRONT BUILDING LINE AND 25 FEET FOR GARAGES, AND MINIMUM CORNER SIDE YARD SETBACK SHALL BE TEN FEET. IF THE REAR PROPERTY LINE OF A CORNER PARCEL ABUTS THE SIDE PROPERTY LINE OF A NEIGHBORING PARCEL, THE STREET SIDE SETBACK OF THE CORNER PARCEL MUST BE A MINIMUM OF FIFTEEN FEET.
22. ALL PIPELINES WITHIN THE BOUNDARY OF THIS PLAT ARE SHOWN HEREON. NO RESIDENTIAL, COMMERCIAL, OR INDUSTRIAL STRUCTURE, OTHER THAN STRUCTURES NECESSARY TO OPERATE THE PIPELINE, SHALL BE ERRECTED OR MOVED TO A LOCATION NEARER THAN 50 FEET TO ANY PIPELINE, EXCEPT FOR LOW PRESSURE DISTRIBUTION SYSTEM PIPELINE.

NOTES:

BEING 14.982 ACRES OF LAND LOCATED IN THE H.T.& B. R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS, AND ALSO BEING A PORTION OF LOTS 37, 38, 45, AND 46 OF THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS SUBDIVISION, SECTION 73, ACCORDING TO THE PLAT RECORDED IN VOLUME 2, PAGES 91-92, OF THE PLAT RECORDS OF SAID BRAZORIA COUNTY, TEXAS, (B.C.P.R.), AND ALL OF THAT CERTAIN CALLED 14.982 ACRE TRACT CONVEYED TO PULTE HOMES OF TEXAS, L.P., BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2024013248, OF THE OFFICIAL PUBLIC RECORDS OF SAID BRAZORIA COUNTY, TEXAS, (B.C.O.P.R.), SAID 14.982 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83, 1993 ADJUSTMENT);

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" FOUND FOR THE SOUTHEAST CORNER OF VALENCIA SECTION 5, A SUBDIVISION OF RECORD IN DOCUMENT NUMBER 2023050173, B.C.O.P.R., SAME BEING THE SOUTHEAST CORNER OF RESERVE "A" OF SAID VALENCIA SECTION 5, AND ON THE WESTERLY LINE OF RESERVE "B" OF VALENCIA LAKES E AND F, A SUBDIVISION OF RECORD UNDER DOCUMENT NUMBER 2023042493, B.C.O.P.R., SAME BEING THE NORTHEAST CORNER OF SAID 14.982 ACRE TRACT;

THENCE, ALONG THE WESTERLY LINE OF SAID RESERVE "B," AND THE EASTERLY LINE OF SAID 14.982 ACRES, THE FOLLOWING TWELVE (12) COURSES;

1.SOUTH 03° 00' 00" EAST, DEPARTING SAID SOUTHERLY LINE, 64.47 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

2.SOUTH 48° 11' 45" EAST, 45.41 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

3.SOUTH 03° 24' 33" EAST, 480.96 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

4.SOUTH 02° 31' 41" EAST, 56.28 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

5.SOUTH 04° 13' 58" WEST, 64.57 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

6.SOUTH 12° 25' 29" WEST, 64.57 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

7.SOUTH 20° 37' 01" WEST, 64.57 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

8.SOUTH 28° 48' 33" WEST, 64.57 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

9.SOUTH 37° 00' 04" WEST, 64.57 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

10. SOUTH 45° 11' 36" WEST, 64.57 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

11. SOUTH 52° 25' 25" WEST, 58.09 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

12. SOUTH 53° 48' 42" WEST, 43.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR THE MOST EASTERLY CORNER OF RESERVE "C" OF SAID VALENCIA LAKES E AND F, SAME BEING THE SOUTHEAST CORNER OF SAID 14.982 ACRE TRACT;

THENCE, ALONG SAID RESERVE "C," AND SAID 14.982 ACRES, THE FOLLOWING THREE (3) COURSES;

1.SOUTH 84° 04' 05" WEST, 13.89 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

2.NORTH 36° 11' 18" WEST, 115.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

3.SOUTH 53° 48' 42" WEST, 8.20 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER ON A NORTHEASTERLY RIGHT-OF-WAY LINE OF DOGWOOD AVE (WIDTH VARIES AT THIS POINT) AS SHOWN ON POLLARD BOULEVARD, CHARLOTTE STREET AND DOGWOOD AVENUE STREET DEDICATION, A SUBDIVISION OF RECORD IN DOCUMENT NUMBER 2022067705, B.C.O.P.R.;

THENCE, NORTH 36° 11' 18" WEST, ALONG A SOUTHWESTERLY LINE OF SAID 14.982 ACRES AND THE NORTHEASTERLY LINE OF SAID DOGWOOD AVENUE, 60.00 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER, THE BEGINNING OF A CURVE;

THENCE, CONTINUING WITH SAID SOUTHWESTERLY LINE AND DOGWOOD AVENUE, 49.29 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 94° 08' 44", AND A CHORD WHICH BEARS NORTH 79° 06' 56" WEST, 43.93 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF DOGWOOD AVENUE (80 FEET WIDE), AS SHOWN ON SAID POLLARD BOULEVARD, CHARLOTTE STREET AND DOGWOOD AVENUE STREET DEDICATION THE BEGINNING OF A COMPOUND CURVE;

THENCE, ALONG THE SOUTHWESTERLY LINE OF SAID 14.982 ACRES AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID DOGWOOD AVENUE, THE FOLLOWING FOUR (4) COURSES;

1.75.88 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 860.00 FEET, A CENTRAL ANGLE OF 05° 03' 20", AND A CHORD WHICH BEARS NORTH 29° 30' 54" WEST, 75.86 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

2.NORTH 26° 59' 14" WEST, 129.68 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER, THE BEGINNING OF A CURVE;

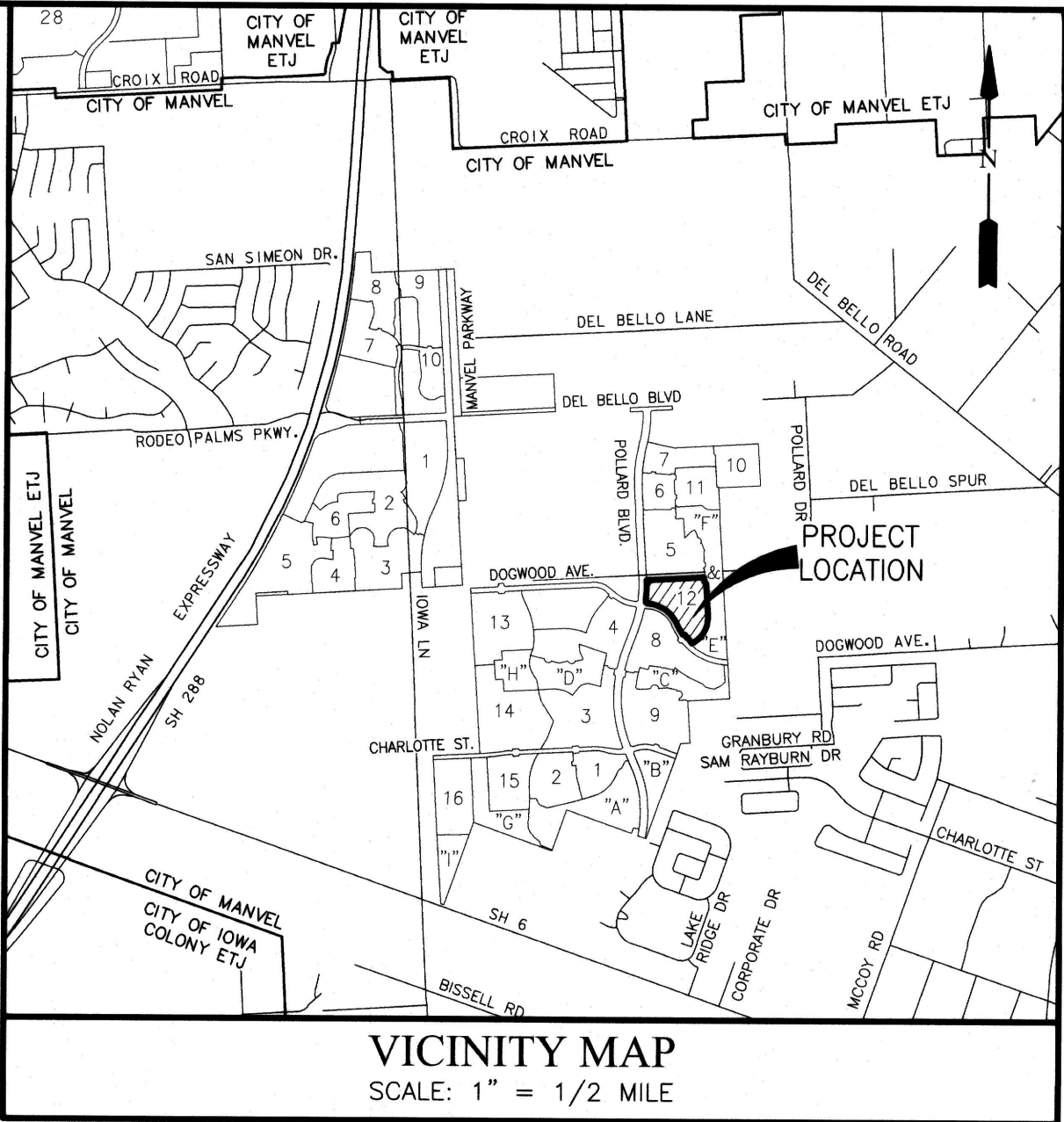
3.510.73 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 540.00 FEET, A CENTRAL ANGLE OF 54° 11' 24", AND A CHORD WHICH BEARS NORTH 54° 04' 56" WEST, 491.91 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER;

4.NORTH 81° 10' 38" WEST, 58.32 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER, THE BEGINNING OF A CURVE, SAME BEING THE SOUTHWEST CORNER OF SAID 14.982 ACRE TRACT;

THENCE, 46.29 FEET WITH A WESTERLY LINE OF SAID 14.982 ACRE TRACT, ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 88° 24' 48", AND A CHORD WHICH BEARS NORTH 36° 58' 14" WEST, 41.83 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" SET FOR CORNER, THE BEGINNING OF A REVERSE CURVE, SAME BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF POLLARD BOULEVARD (120 FEET WIDE), AS SHOWN ON SAID POLLARD BOULEVARD, CHARLOTTE STREET AND DOGWOOD AVENUE STREET DEDICATION;

THENCE, WITH SAID EASTERLY RIGHT-OF-WAY LINE, AND THE WESTERLY LINE OF SAID 14.982 ACRE TRACT, 330.45 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2060.00 FEET, A CENTRAL ANGLE OF 09° 11' 27", AND A CHORD WHICH BEARS NORTH 02° 38' 26" EAST, 330.10 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "LJA SURVEY" FOUND FOR THE SOUTHWEST CORNER OF THE AFOREMENTIONED VALENCIA SECTION 5, SAME BEING THE SOUTHWEST CORNER OF RESERVE "B" OF SAID VALENCIA SECTION 5, AND THE NORTHWEST CORNER OF SAID 14.982 ACRE TRACT ;

THENCE, NORTH 86° 57' 11" EAST, ALONG THE NORTH LINE OF SAID 14.982 ACRE TRACT AND THE SOUTH LINE OF SAID VALENCIA SECTION 5, 899.98 FEET TO THE POINT OF BEGINNING AND CONTAINING 14.982 ACRES OF LAND.



VICINITY MAP
SCALE: 1" = 1/2 MILE

KEY MAP NO. 653Q

LEGEND

- A.E. INDICATES AERIAL EASEMENT
- B.C.C.F. INDICATES BRAZORIA COUNTY CLERK'S FILE
- B.C.D.R. INDICATES BRAZORIA COUNTY DEED RECORDS
- B.C.O.R. INDICATES BRAZORIA COUNTY OFFICIAL RECORDS
- B.C.O.P.R. INDICATES BRAZORIA COUNTY OFFICIAL PUBLIC RECORDS
- B.C.P.R. INDICATES BRAZORIA COUNTY PLAT RECORDS
- B.L. INDICATES BUILDING LINE
- C.I.R. INDICATES CAPPED IRON ROD
- € INDICATES CENTERLINE
- D.E. INDICATES DRAINAGE EASEMENT
- E.E. INDICATES ELECTRICAL EASEMENT
- F.N. INDICATES FILE NUMBER
- FND. INDICATES FOUND
- I.R. INDICATES IRON ROD
- NO. INDICATES NUMBER
- PD&Z INDICATES PLANNING, DEVELOPMENT & ZONING
- PG. INDICATES PAGE
- P.O.B. INDICATES POINT OF BEGINNING
- R.O.W. INDICATES RIGHT-OF-WAY
- S.S.E. INDICATES SANITARY SEWER EASEMENT
- STM.S.E. INDICATES STORM SEWER EASEMENT
- U.E. INDICATES UTILITY EASEMENT
- VOL. INDICATES VOLUME
- W.L.E. INDICATES WATER LINE EASEMENT
- INDICATES TEMPORARY BENCHMARK
- INDICATES STREET NAME CHANGE

FINAL PLAT OF
VALENCIA SECTION 12

A SUBDIVISION OF 14.982 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOTS 37, 38, 45, AND 46 OF THE ALLISON RICHEY GULF COAST HOME COMPANY, PART OF SUBURBAN GARDENS SECTION 73, A SUBDIVISION OF RECORD UNDER VOLUME 2, PAGES 91-92 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS. (B.C.P.R.)

59 LOTS 6 RESERVES (2.484 ACRES) 2 BLOCKS

MARCH 17, 2025 JOB NO. 2791-4112P

OWNER:

PULTE HOMES OF TEXAS, L.P.,

A TEXAS LIMITED PARTNERSHIP
LINDY OLIVA, DIVISION PRESIDENT
1311 BROADFIELD BOULEVARD, SUITE 100
HOUSTON, TX 77084
PH: 281-749-8004

SURVEYOR:

ENGINEER:

LJA Surveying, Inc.
3600 W. Sam Houston Parkway S. Phone 713.953.5200
Suite 175 Fax 713.953.5026
Houston, Texas 77042 T.B.P.E.L.S. Firm No. 10194382

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

SHEET 3 OF 3

LOT AREA TABLE BLOCK 1		
LOT NO.	SQ.FT.	LOT WIDTH AT B.L.
1	6,573	55.35'
2	6,000	50.00'
3	6,000	50.00'
4	6,000	50.00'
5	6,000	50.00'
6	6,186	50.20'
7	8,858	50.39'
8	12,170	50.49'
9	7,288	51.03'
10	6,077	50.00'
11	6,100	50.00'
12	6,100	50.00'
13	6,100	50.00'
14	6,100	50.00'
15	6,100	50.00'
16	6,391	50.01'
17	6,771	50.13'
18	6,771	50.13'
19	6,771	50.13'
20	6,771	50.13'
21	6,771	50.13'
22	6,771	50.13'
23	6,478	50.10'
24	6,668	55.00'

LOT AREA TABLE BLOCK 2		
LOT NO.	SQ.FT.	LOT WIDTH AT B.L.
1	7,811	52.10'
2	9,465	84.28'
3	9,700	111.47'
4	7,681	65.33'
5	6,000	50.00'
6	7,092	57.27'
7	8,735	64.52'
8	8,478	60.77'
9	13,278	55.99'
10	6,715	50.05'
11	7,295	52.37'
12	7,053	50.05'
13	6,588	50.05'
14	6,189	50.01'
15	6,000	50.00'
16	7,137	60.35'
17	7,201	60.35'
18	6,000	50.00'
19	6,000	50.00'
20	6,000	50.00'

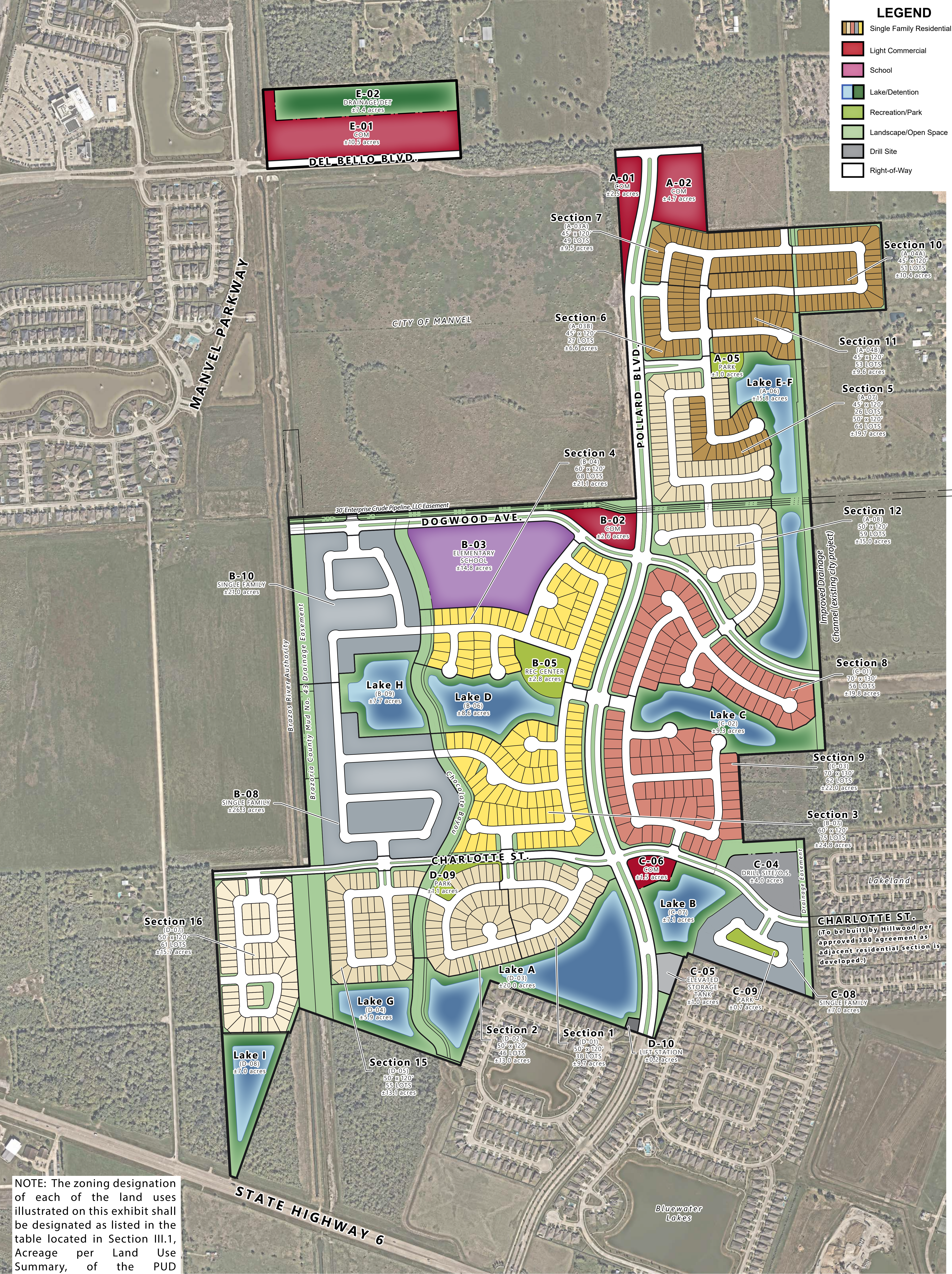
LOT AREA TABLE BLOCK 2		
LOT NO.	SQ.FT.	LOT WIDTH AT B.L.
21	6,000	50.00'
22	6,000	50.00'
23	6,000	50.00'
24	6,000	50.00'
25	6,152	50.00'
26	6,455	50.00'
27	7,677	63.52'
28	7,391	64.07'
29	6,040	50.00'
30	6,599	50.00'
31	6,267	50.00'
32	6,036	50.00'
33	6,000	50.00'
34	6,000	50.00'
35	6,565	55.35'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	30.00'	94°08'44"	49.29'	N 79°06'56" W	43.93'
C2	860.00'	5°03'20"	75.88'	N 29°30'54" W	75.86'
C3	540.00'	54°11'24"	510.73'	N 54°04'56" W	491.91'
C4	30.00'	88°24'48"	46.29'	N 36°58'14" W	41.83'
C5	2060.00'	9°11'27"	330.45'	N 02°38'26" E	330.10'
C6	300.00'	57°13'15"	298.61'	N 25°12'05" E	287.31'
C7	55.00'	89°35'27"	86.00'	N 48°12'16" W	77.50'
C8	500.00'	15°49'29"	138.10'	S 79°05'15" W	137.66'
C9	500.00'	18°54'28"	165.00'	S 77°32'46" W	164.25'
C10	270.00'	57°13'15"	269.65'	N 25°12'05" E	258.58'
C11	25.00'	89°35'27"	39.09'	N 48°12'16" W	35.23'
C12	470.00'	12°06'27"	99.32'	S 80°56'47" W	99.13'
C13	25.00'	53°39'07"	23.41'	S 48°04'00" W	22.56'
C14	60.00'	27°09'44"	292.34'	N 19°10'41" W	77.80'
C15	25.00'	46°19'05"	20.21'	S 82°45'22" E	19.66'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C16	530.00'	12°54'55"	119.47'	N 80°32'33" E	119.22'
C17	25.00'	90°24'33"	39.45'	N 41°47'44" E	35.48'
C18	25.00'	89°35'27"	39.09'	N 48°12'16" W	35.23'
C19	470.00'	12°45'59"	104.72'	S 80°37'01" W	104.51'
C20	25.00'	52°10'32"	22.77'	S 48°08'45" W	21.99'
C21	60.00'	279°17'00"	292.46'	N 18°18'01" W	77.71'
C22	25.00'	47°36'37"	20.77'	S 82°27'49" E	20.18'
C23	530.00'	13°16'08"	122.74'	N 80°21'56" E	122.47'
C24	25.00'	90°02'49"	39.29'	N 41°58'36" E	35.37'
C25	25.00'	89°57'11"	39.25'	S 48°01'24" E	35.34'
C26	25.00'	26°41'53"	11.65'	N 73°39'04" E	11.54'
C27	60.00'	142°59'13"	149.74'	S 48°12'16" E	113.79'
C28	25.00'	26°41'53"	11.65'	S 09°56'24" W	11.54'
C29	330.00'	57°13'15"	329.57'	S 25°12'05" W	316.04'

RESERVE TABLE			
RESERVE	ACREAGE	SQ.FT.	
A	0.471	20,521	RESTRICTED TO LANDSCAPE/OPEN SPACE/PIPELINE EASEMENT HOA
B	0.187	8,139	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE BCMUD83
C	0.056	2,440	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE BCMUD83
D	1.190	51,833	RESTRICTED TO LANDSCAPE/OPEN SPACE/ UTILITIES HOA
E	0.163	7,081	RESTRICTED TO LANDSCAPE/OPEN SPACE/DRAINAGE BCMUD83
F	0.417	18,164	RESTRICTED TO LANDSCAPE/OPEN SPACE/PIPELINE EASEMENT HOA
TOTAL	2.484	108,178	

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 03°00'00" E	64.47'
L2	S 48°11'45" E	45.41'
L3	S 02°31'41" E	56.28'
L4	S 04°13'58" W	64.57'
L5	S 12°25'29" W	64.57'
L6	S 20°37'01" W	64.57'
L7	S 28°48'33" W	64.57'
L8	S 37°00'04" W	64.57'
L9	S 45°11'36" W	64.57'
L10	S 52°25'25" W	58.09'
L11	S 53°48'42" W	43.00'
L12	S 84°04'05" W	13.89'
L13	N 36°11'18" W	115.00'
L14	S 53°48'42" W	8.20'
L15	N 36°11'18" W	60.00'
L16	N 26°59'14" W	129.68'
L17	N 81°10'38" W	58.32'
L18	N 53°48'42" W	85.63'



LEGEND

Single Family Residential

Light Commercial

NOTE: The zoning designation of each of the land uses illustrated on this exhibit shall be designated as listed in the table located in Section III.1, Acreage per Land Use Summary, of the PUD document.

Prepared for
HILLWOOD
RESIDENTIAL

EXHIBIT E

Planned Unit Development
Conceptual Land Use Exhibit

VALENCIA

±457.0 Acres of Land
Manvel, Texas

Reference Date: 02.27.2024

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NORTH

0150300600

LJA

PLANNING & LANDSCAPE ARCHITECTURE

RELATIONSHIPS | PROCESS | DESIGN

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §



**MANVEL PLANNING DEVELOPMENT AND ZONING COMMISSION
NOTICE IS HEREBY GIVEN
6:00 P.M.**

MINUTES 3/24/2025

Swearing in of Board Members

Position #1 - Ryan Miller 03/2027
Position #2 - Kyle Marasckin 03/2027
Position #3 - Mary Ann Atkinson 03/2027
Position #4 - Kenneth Haynes 03/2027

Mayor Dan Davis swore in the Commissioners.

Regular Session

Call to Order

Position #1 Ryan Miller, Chair 03/2027
Position #2 Kyle Marasckin, Vice-Chair 03/2027
Position #3 Mary Ann Atkinson 03/2027
Position #4 Kenneth Haynes 03/2027
Position #5 Christy Kennard 03/2026
Position #6 Delores Martin 03/2026
Position #7 William Richardson 03/2026

PDZ Member Ryan Miller called the meeting of the PDZ to order at 6:04 p.m.
Those in attendance were:

Present: Ryan Miller
Kyle Marasckin
Mary Ann Atkinson
Kenneth Haynes
Christy Kennard
Delores Martin

Absent: William Richardson

Also Present: Dan Johnson, City Manager
Tammy Bell, City Secretary
Jose Abraham, Director of Development Services
Keith Traylor, Chief of Police

Pledge

Public Comments: "Comment Card" Required

Online comment submissions read into the record:

Peter & Jenny Nyugen - against the proposed ER

Jessica Wells - against the proposed ER

Jesse Rios - against the proposed ER

Lorena and Edmund Montini - against the proposed ER

Eduardo Baez - against the proposed ER

Myra Garza - spoke against the proposed ER

Rick Gutierrez - spoke against the proposed ER

Alena Antones - spoke in favor of the proposed ER

Kayla Duarte - spoke in favor of the proposed ER

Chris Wells - spoke against the proposed ER

Jason Suchecki, Commercial Broker at Thomas Developers - spoke in favor of the proposed ER, read out the names of the 16 residents he got signatures for in favor of the ER

Names read into the record who are with the ER and in favor:

Lauren Cotten, Tanya Sylvia, Sarah, Steven Hall, Jose Flores, Alan Swift

William Murphy - spoke against the proposed ER

Jared Browning - spoke in favor of the proposed ER

Stevan Vora, CFO - spoke in favor of the proposed ER

Dr. Thomas - spoke in favor of the proposed ER

Presentation

Overview of Open Meetings Act and Meeting Decorum

Postponed

Consent PDZ

- A. Approve Final Plat for Meridiana Section 82;
BEING A SUBDIVISION OF 28.69 ACRES OUT OF OUTLOTS 137, 138, AND 162 OF THE DR. A.A. LUTHER LANDS IN THE TOWN OF MANVEL LOCATED IN THE H.T. & B.R.R. CO. SURVEY, SECTION 62, A-484 CITY OF MANVEL, BRAZORIA COUNTY, TEXAS.
- B. Approve Final Plat of Valencia Section 13;
BEING A SUBDIVISION OF 20.953 ACRES OF LAND SITUATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 73, ABSTRACT 301, BRAZORIA COUNTY, TEXAS; BEING A PART OF LOTS 5, 6, 13, AND 14 IN THE ALLISON RICHEY GULF COAST HOME COMPANY PART OF SUBURBAN GARDENS SEC 73, A SUBDIVISION RECORDED IN VOL. 2, PAGES 91 & 92 IN BRAZORIA COUNTY PLAT RECORDS (B.C.P.R).
- C. Approve Final Plat of Valencia Section 15;
BEING A SUBDIVISION OF 13.057 ACRES OF LAND LOCATED IN THE H.T. & B.R.R. COMPANY SURVEY, SECTION 64, (A.K.A) MARY V. O'DONNELL SURVEY, ABSTRACT 483, BRAZORIA COUNTY, TEXAS, BEING A PART OF OUTLOTS 174 & 175 OF THE DR. A.A. LUTHER SUBDIVISION OF THE TOWN OF MANVEL AND SURROUNDING ACREAGE PROPERTY, VOLUME 1, PAGES 71 & 72 AND VOLUME 3, PAGES 139 & 140 OF THE BRAZORIA COUNTY PLAT RECORDS (B.C.P.R.).

- D. Approve the meeting minutes to date.

PDZ Member Kyle Marasckin made the motion to approve the Consent Agenda. PDZ Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Delores Martin

No: None

Absent: William Richardson

Abstained: None

Regular Agenda

- A. Consideration and possible action to approve and forward with recommendation to City Council, Ordinance 2025-O-07;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 1.07 ACRES TRACT OF LAND GENERALLY LOCATED ALONG NORTH SIDE OF MORRIS AVENUE / HIGHWAY 6 (PID: 228682), WEST OF THE UNDER-CONSTRUCTION AUTOZONE AT 19201 MORRIS AVE, MANVEL, TX, FROM LIGHT COMMERCIAL DISTRICT / STATE HIGHWAY 6 OVERLAY DISTRICT (LC/SH6) TO LIGHT COMMERCIAL / STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (LC/SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 621493 "FREESTANDING AMBULATORY SURGICAL AND EMERGENCY CENTERS"; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF. (Tabled by PD&Z on 3/10/2025)

Jose Abraham, Director of Development Services, provided the overview. Since the last meeting, staff has worked to resolve the hours issue. The new recommendation will allow for 24 hours, as required by the state. The PD&Z and City Council will need to amend the zoning ordinance to allow ER facilities to be open 24 hours.

Dr. Thomas provided a presentation and highlighted the property tax investment, employment opportunities, and current and future projects.

PD&Z Member concerns were over the other proposed ER being in such close proximity, and the location specifically being behind the neighborhood.

PDZ Member Ryan Miller made the motion to approve with conditions. PDZ Member Kenneth Haynes seconded the motion.

The motion FAILED with a vote: 1/5

Yes: Ryan Miller

No: Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Delores Martin

Absent: William Richardson

Abstained: None

- B. Consideration and possible action to direct staff to provide Applicants written statements of the conditions for any conditional approvals, and the reasons for disapproval of any plans or plats that were not approved, per Texas Local Government Code §212.0091.

PDZ Member Mary Ann Atkinson made the motion to approve. PDZ Member Delores Martin seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Delores Martin
No: None
Absent: William Richardson
Abstained: None

- C. Development Services staff update.

Jose Abraham provided the update.

- D. Consideration and possible action to appoint a Planning Development and Zoning Commission Chairperson.
E. Consideration and possible action to appoint a Planning Development and Zoning Commission Vice Chairperson.
F. Consideration and possible action to appoint a Planning Development and Zoning Commission Secretary.

Kenneth Haynes made the motion to reappoint Ryan Miller as Chair, Kyle Marasckin as Vice-Chair, and Christy Kennard as Secretary. PDZ Member Mary Ann Atkinson seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Delores Martin
No: None
Absent: William Richardson
Abstained: None

Adjourn

PDZ Member Christy Kennard made the motion to adjourn the meeting at 7:17 p.m. PDZ Member Kenneth Haynes seconded the motion.

The motion carried with a vote: 6/0

Yes: Ryan Miller, Kyle Marasckin, Mary Ann Atkinson, Kenneth Haynes, Christy Kennard, Delores Martin
No: None
Absent: William Richardson
Abstained: None

CERTIFICATION

TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

ORDINANCE NO. 2025-O-13

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF CITY RIGHT-OF-WAY CONSISTING OF A 0.4073 ACRE TRACT OF LAND IN THE MARY V. O'DONNELL SURVEY, ABSTRACT NO. 470, CITY OF MANVEL, BRAZORIA COUNTY, TEXAS, BEING THAT PORTION OF RUSSELL STREET LOCATED BETWEEN SH 6 AND LARGE AVENUE; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING RESPECTIVE INTERESTS IN SAID ABANDONED RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNERS; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, the JBB&D Family Partnership (west side) and 7303 Russell, LLC (east side) are the property owners of land located west and east of Russell Street, between SH 6 and Large Avenue (Applicants);

WHEREAS, the Applicants have petitioned the City of Manvel, Texas, to vacate, abandon, and close the hereinafter described right-of-way abutting their property; and

WHEREAS, said right-of-way is known as a 0.4073 acre tract of land in the Mary V. O'Donnell Survey, Abstract No. 470, City of Manvel, Brazoria County, Texas, being a portion of Russell Street located between SH 6 and Large Avenue; and

WHEREAS, Applicants have submitted the necessary application and information and fees to the City to review the request for abandonment, said application attached hereto as Exhibit A;

WHEREAS, the City Council has determined that such public right-of-way, being a portion of Russell Street located between SH 6 and Large Avenue, is no longer necessary for public convenience and necessity and should be vacated, abandoned, and closed, and any interest in said right of way released; now, therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, STATE OF TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City Council of the City of Manvel, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of city right-of-way consisting of 0.4073 acre tract of land in the Mary V. O'Donnell Survey, Abstract No. 470, City of Manvel, Brazoria County, Texas, being a portion of Russell Street located between SH 6 and Large Avenue. Said right-of-way to be abandoned is more particularly described by metes and bounds, and shown by map, as attached as Exhibit B, attached hereto and incorporated herein.

Section 3. The right-of-way consisting of 0.4073 acre tract of land in the Mary V. O'Donnell Survey, Abstract No. 470, City of Manvel, Brazoria County, Texas, being a portion of Russell Street located between SH 6 and Large Avenue, is hereby vacated, abandoned, and closed, and any public right of way interest therein is released.

Section 4. This abandonment is subject to, and contingent upon, payment of all fees and consideration (as determined by the appraisal commissioned in connection with this abandonment request, as may be modified by city council) by the Applicant, or other satisfaction of said consideration requirement as may determined in advance by Council, as well as fulfillment of all other requirements of state law, city ordinances, and the City's abandonment policy. Until satisfactory completion of this requirement, this abandonment shall not be effective.

Section 5. Upon satisfaction of the above, this abandonment shall be effective and the Mayor and City Secretary are hereby authorized to execute and attest, respectively, a quitclaim deed, conveying the respective abandoned right of way interests to the abutting property owner(s), upon request.

Section 6. Repealer. All ordinances or parts of ordinances, or resolutions, official or unofficial policies, or practices inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

Section 7. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this _____ day of _____, 2025.

PASSED, APPROVED, AND ADOPTED on second and final reading this _____ day of _____, 2025.

Dan Davis, Mayor

ATTEST:

Tammy Bell, City Secretary

APPROVED AS TO FORM:

Robert Gervais, City Attorney

Exhibit A

Abandonment application

Exhibit B

Metes and bounds
Map of area to be abandoned



DEVELOPMENT SERVICES

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-668-5061

ROW ABANDONMENT

Date: February 13, 2025

Name of property owner: (Proof of ownership must be provided)

JBB & D Family Partnership (west side) and 7303 Russell LLC (east side) - Deeds Attached

Address: 902 S. Friendswood Dr, Suite E Phone # 832-512-1200

Friendswood TX 77546

Reason and intent for requested action:

Close an under-utilized ROW and and remove a poorly spaced intersection at SH 6.

Improve safety and mobility on SH 6.

Encourage cohesive development of the property as a restaurant and service hub.

Consolidate property holdings of single ownership group on both sides of the street in this block.

Entire limits and extent of the property to be abandoned, vacated, closed or relocated:

Russell Street between SH 6 and Large Avenue consisting of 0.4073 acres. Survey and M&B attached.

alan mueller

Signature of Applicant

Alan Mueller, Owner's Representative, on behalf of JBB & D Family Partnership



DEVELOPMENT SERVICES

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-668-5061

Procedures:

Date of Action: _____

FEES PAID \$1,000.00

Check Number 6035

Collect the following documents

☒ A formal recent survey prepared by a registered professional land surveyor that identifies the location and physical configuration of the site. The survey shall also specify the acreage or square footage;

☒ The proper legal description of the property to be considered for abandonment, including, if appropriate, a metes and bounds description verified by a registered surveyor or by county records (that will identify the property by a legal instrument with volume, page, etc.); and

☒ Collect administration processing fee of \$1,000.00 to cover the cost of the title report, appraisal, staff and consultant review time, and the ordinance and deed preparation legal fees;

Staff procedures:

_____ Commission a title report of the area to be abandoned.

_____ Commission an independent appraisal of the area to be abandoned

_____ Send letters to all utility companies, drainage districts, affected city departments, and/or other interested agencies identifying the proposed action and requesting a letter of "no objection" from each of the concerned entities within thirty (30) days; and

_____ Determine if a utility easement is needed in the area considered to be abandoned and, if determined to be necessary, to have the new utility easement reserved in the deed of conveyance or obtained separately and recorded in the property deed record to be filed with the Brazoria County Clerk.

_____ Schedule Public Hearing Date for Planning, Development and Zoning

_____ Schedule Public Hearing Date for City Council (1st reading of the ordinance)

_____ Notice to property owners will be initiated ten (10) days prior to the scheduled hearing. The city shall provide written notice of such public hearing to each owner of real property, as indicated by the most recently approved city tax roll, whose property abuts or lies within 200 feet of the subject street, alley, right-of-way or easement.

_____ Collect tender/escrow by the applicant(s) of the appraised value of the abandoned area (must be collected prior to the second reading of the ordinance)

_____ Upon request by applicant, and the pre-payment of all recordation fees, a quitclaim deed will be prepared and filed in the deed records of the Brazoria County Clerk. The Mayor and City Manager are authorized to execute said quitclaim deeds.

BEING 0.4073 acres of land out of the Russell Street Right-of-Way, located in the Mary V. O'Donnell Survey, Abstract Number 470, City of Manvel, Brazoria County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a TxDOT Monument found in the east line of Russell Street being 60 feet wide marking the most westerly corner of Block 3 of the Town of Matvel Subdivision as recorded under Volume 1, Page 69 of the Brazoria County, Texas, Records.

ENCE N 70°23'14" W 119.97 feet along the north line of said Highway 6 to a 1/2 inch iron rod with "SADAMS RPLS 3666" can found for the most southerly corner of Minor Plot M-3850 known as Morr's Avenue having a right of way of 120 feet;

to a 1/2 inch iron rod found for corner in the west line of said Russell Street;

THENCE S 70°23'43" E 60.00 feet along said Large Avenue to a 1/2 inch iron rod found for the north corner of said Block 3 of Town of Marvel Subdivision;

ACCORDING TO FEMA PANEL 48039C0130K, EFFECTIVE ON 12/30/2020 THIS TRACT OF LAND LIES IN THE FOLLOWING ZONE:

ZONE AO WITH A DEPTH OF 2 FEET THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD.

NOTE: ALL BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE.



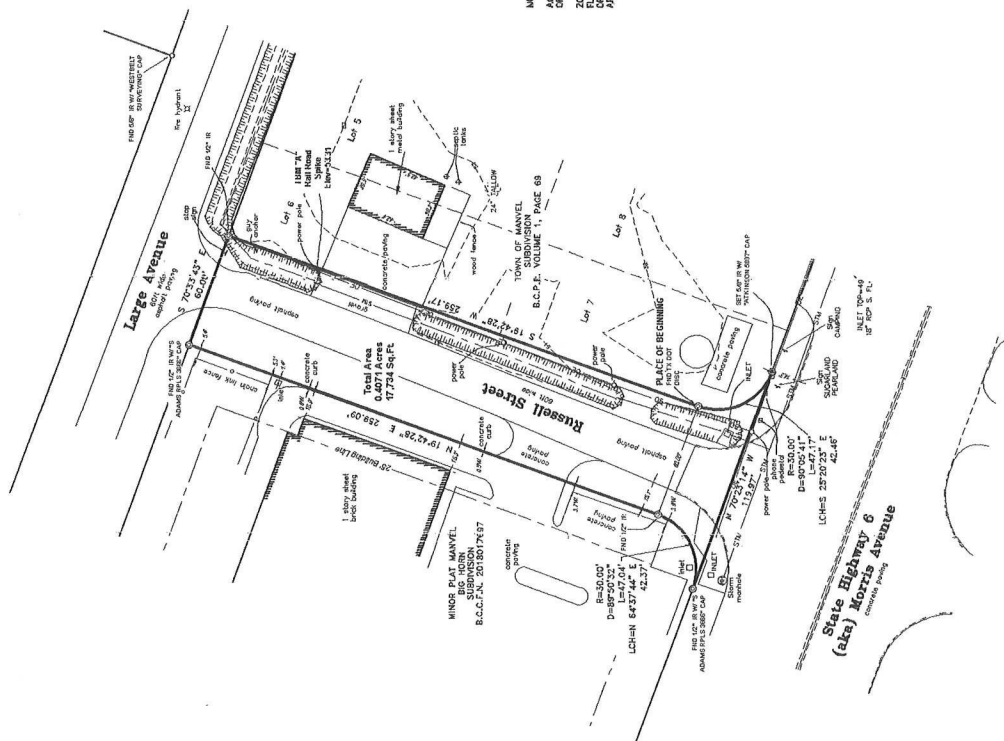
103-5-31825

BOUNDARY SURVEY OF 0.4073 ACRES
OF LAND IN THE MARY V. O'DONNELL SURVEY,
ABSTRACT NO 470, CITY OF MANVEL,
BRAZORIA COUNTY, TEXAS

**ATKINSON
ENGINEERS**

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AT THE TIME OF THIS SURVEY AND THAT THIS PROFESSIONAL ENGINEER CONFORMS TO THE CURRENT TEXAS SURVEYORS ASSOCIATION STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A CONDITION 1 LAND TITLE SURVEY.

THIS SURVEY WAS PREPARED WITH THE ASSISTANCE OF A TITLE REPORT
PREPARED BY FIDELITY NATIONAL TITLE OF NUMBER FTH-225-FH24010382D



- [illegible]

LEGAL DESCRIPTION
0.4073 ACRES

BEING 0.4073 acres of land out of the Russell Street Right-of-Way, located in the Mary V. O'Donnell Survey, Abstract Number 470, City of Manvel, Brazoria County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a TXDot Monument found in the east line of Russell Street being 60 feet wide marking the most westerly corner of Block 3 of the Town of Manvel Subdivision as recorded under Volume 1, Page 69 of the Brazoria County Property Records;

THENCE in a southeasterly direction along the arc of a curve to the left 47.17 feet, having a radius of 30.00 feet, a central angle of $90^{\circ}05'41''$ and a long chord of $S\ 25^{\circ}20'23''\ E$, 42.46 feet to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the north line of Highway 6 also known as Morris Avenue having a right of way of 120 feet;

THENCE $N\ 70^{\circ}23'14''\ W$ 119.97 feet along the north line of said Highway 6 to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the most southerly corner of Minor Plat Manvel Big Horn Subdivision as recorded under Brazoria County Clerk's File Number 2018017097 in the north line of said Highway 6;

THENCE in a northeasterly direction along the arc of a curve to the left 47.04 feet, having a radius of 30.00 feet, a central angle of $89^{\circ}50'32''$ and a long chord of $N\ 64^{\circ}37'44''\ E$, 42.37 feet to a 1/2 inch iron rod found for corner in the west line of said Russell Street;

THENCE $N\ 19^{\circ}42'28''\ E$ 259.09 feet along the east line of said Minor Plat Manvel Big Horn Subdivision and the west line of said Russell Street to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the northeast corner of said Minor Plat Manvel Big Horn Subdivision, in the south line of Large Avenue being 60 feet wide;

THENCE $S\ 70^{\circ}33'43''\ E$ 60.00 feet along said Large Avenue to a 1/2 inch iron rod found for the north corner of said Block 3 of Town of Manvel Subdivision;

THENCE $S\ 19^{\circ}42'28''\ W$ 259.17 feet along the east line of said Russell Street and the west line of Block 3 of said Town of Manvel Subdivision to the **PLACE OF BEGINNING**.

NOTE: ALL BEARINGS SHOWN HEREIN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204. NAD 1983 DATUM.

FILED BY FIDELITY NATIONAL
TITLE**GENERAL WARRANTY DEED WITH VENDOR'S LIEN****NOTICE OF CONFIDENTIALITY RIGHTS:**

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BRAZORIA

That RANDY BOFF AND JANICE SEDDON, hereinafter called "Grantors" (whether one or more), for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration to the undersigned paid by the Grantees herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by 7303 RUSSELL, LLC, a Texas limited liability company, of its one certain promissory note of even date herewith, payable to the order of HOMETOWN BANK, NATIONAL ASSOCIATION, in the total sum of SEVEN HUNDRED TWENTY THOUSAND AND 00/100 DOLLARS (\$720,000.00), payable in monthly installments and bearing interest as therein provided and containing the usual clauses relating to acceleration of maturity and for attorney's fees, and providing for acceleration of maturity, at the option of the holder, the payment of which said note of even date herewith is secured by a vendor's lien herein retained and is additionally secured by a Deed of Trust of even date herewith to ALLAN RASMUSSEN, JR., Trustee, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto 7303 RUSSELL, LLC, a Texas limited liability company, herein called "Grantees" (whether one or more), all of the following real property (together with all improvements thereon the "Property") situated in Brazoria County, Texas, to-wit:

See Exhibit "A" attached hereto and incorporated for all purposes.

This conveyance is made and accepted subject to any and all easements, rights of way, valid restrictions, mineral reservations of any kind, maintenance charges, building set back lines, and governmental regulations, if any, to the extent, but only to the extent that they are reflected by the records of the Office of the County Clerk of the above mentioned County and State.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantees, their heirs and assigns forever; and Grantors do hereby bind themselves, their heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said Property unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof except as to the reservations from and exceptions to conveyance and warranty.

When Grantor and/or Grantee are more than one entity, the pertinent nouns, verbs and pronouns shall be construed to correspond. When Grantor and/or Grantee are a corporation, a trustee or other legal entity that is not a natural person, the pertinent words "heirs, executors and administrators" and/or "heirs and assigns" shall be construed to mean "successors and assigns," respectively. Reference to any gender shall include either gender and, in the case of a legal entity that is not a natural person, shall include the neuter gender, all as the case may be.

But it is expressly agreed that the Vendor's Lien, as well as the Superior Title in and to the above described Property, is retained against the above described Property until the above described note and indebtedness has been fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

HOMETOWN BANK, NATIONAL ASSOCIATION, at the instance and request of the Grantees herein, having advanced and paid in cash to the Grantors herein that portion of the purchase price of the herein described Property as evidenced by the hereinbefore described \$720,000.00 note, the Vendor's Lien, together with the Superior Title in and to the above described Property, is retained herein for the benefit of said HOMETOWN BANK, NATIONAL ASSOCIATION

HTBNA
MEMBER
FDIC

Warranty Deed w/Vendor's Lien
Page 1 of 3

and the same are hereby TRANSFERRED and ASSIGNED to said HOMETOWN BANK, NATIONAL ASSOCIATION, such transfer and assignment being without recourse against Grantors.

Current ad valorem taxes on the Property have been prorated, the payment thereof is assumed by Grantees.

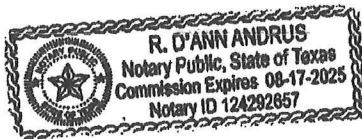
EXECUTED THIS 20 day of December, 2024.

Randy Boff
RANDY BOFF
Janice Seddon
JANICE SEDDON

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 COUNTY OF Galveston §

This instrument was acknowledged before me on this 20 day of December, 2024, by **RANDY BOFF**.

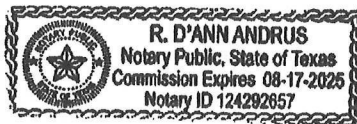


[Signature]
 Notary Public in and for
 The State of TEXAS

ACKNOWLEDGMENT

THE STATE OF TEXAS §
 COUNTY OF Galveston §

This instrument was acknowledged before me on this 20 day of December, 2024, by **JANICE SEDDON**.



[Signature]
 Notary Public in and for
 The State of TEXAS

GRANTEES' ADDRESS:

7303 RUSSELL, LLC
 2300 Smith Ranch Road
 Pearland, Texas 77584

AFTER RECORDING, RETURN TO:

7303 RUSSELL, LLC
 2300 Smith Ranch Road
 Pearland, Texas 77584



PREPARED IN THE LAW OFFICE OF:

MURRAY | LOBB, PLLC
2200 Space Park Drive, Suite 350
Houston, Texas 77058
Telephone 281.488.0630

GF# FAH24010382 (12.24)

HTBNA
MEMBER
FDIC

Warranty Deed w/Vendor's Lien
Page 3 of 3

EXHIBIT A**LEGAL DESCRIPTION
1.9737 ACRES**

BEING the remainder of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 3, of the Town of Marvel, Texas, a subdivision in Brazoria County, Texas according to the map or plat there recorded in Volume 1, Page 69 of the Plat Records of Brazoria County, Texas, in the Mary V. O'Donnell Survey, Abstract No. 470, City of Marvel, Brazoria County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a found TxDot Monument at the southern cutback corner of the intersection of Highway 6 also known as Morris Avenue having a right of way of 120 feet and School Road being 60 feet right of way;

THENCE N 70°23'14" W 243.91 feet along the north line of said Highway 6 to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the north line of Highway 6;

THENCE in a northwesterly direction along the arc of a curve to the right 47.17 feet, having a radius of 30.00 feet, a central angle of 90°05'41" and a long chord of N 25°20'23" W, 42.46 feet to a TxDot Monument found for corner;

THENCE N 19°42'28" E 259.17 feet along the east line of Russell Street being 60 feet wide to a 1/2 inch iron rod found in the south line of Large Avenue being 60 feet wide;

THENCE S 70°33'43" E 297.88 feet along said Large Avenue to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the west line of said School Road;

THENCE S 19°26'17" W 265.15 feet along the west line of said School Road to a TxDot Monument found for corner for the northerly cutback corner;

THENCE S 64°51'48" W 35.49 feet along the cutback corner to the **PLACE OF BEGINNING**.

NOTE: ALL BEARINGS SHOWN HEREIN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD 1983 DATUM.

HTBNA
MEMBER
FDIC

FILED and RECORDED

Instrument Number: 2024055858

Filing and Recording Date: 12/26/2024 08:37:29 AM Pages: 5 Recording Fee: \$42.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-jessie

General Warranty Deed

Date: April 28, 2017

Grantor: KENNETH R. SMITH, a married person; and ROBERT E. MERRILL, a married person, each owning, occupying and claiming other property as their homestead

Grantor's Mailing Address:

KENNETH R. SMITH
110 Harris Dr.
Austin, Tx. 78737

ROBERT E. MERRILL
110 Harris Dr.
Austin Tx 78737

Grantee: JBB & D FAMILY LIMITED PARTNERSHIP, a Texas limited partnership

Grantee's Mailing Address:

JBB & D FAMILY LIMITED PARTNERSHIP
2300 Smith Ranch Road
Pearland, TX 77584

Consideration:

Ten dollars (\$10.00) Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

0.86 acres of land, being a part of lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 4, of the Dr. A. A. Luther Subdivision of the Town of Manvel, Brazoria County, Texas, according to the tile Plat recorded in Volume 1, Pages 69-70, Plat Records of Brazoria County, Texas, said 0.86 acres being more particularly described in Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

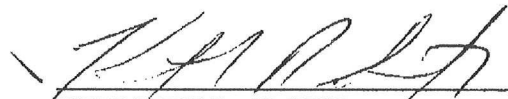
1
STEWART TITLE 16039032118

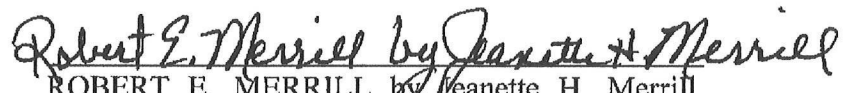
This General Warranty Deed and the conveyance above are executed by Grantor and accepted by Grantee subject to any and all restrictions, easements, mineral reservations, and other matters of record, to the extent they are validly existing and applicable to the Property.

GRANTOR IS CONVEYING THE PROPERTY TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS, OR GUARANTEES, EITHER EXPRESS OR IMPLIED, OF ANY KIND, NATURE, OR TYPE FROM OR ON BEHALF OF GRANTOR, EXCEPT FOR GRANTOR'S WARRANTY OF TITLE STATED ABOVE. GRANTEE ACKNOWLEDGES AND STIPULATES THAT GRANTEE IS NOT RELYING ON ANY REPRESENTATION, STATEMENT, OR OTHER ASSERTION ABOUT THE CONDITION OF THE PROPERTY MADE BY GRANTOR, OR ANYONE ACTING ON GRANTOR'S BEHALF, BUT IS RELYING ON GRANTEE'S OWN EXAMINATION OF THE PROPERTY.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.


KENNETH R. SMITH

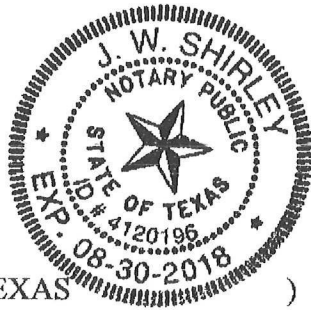

ROBERT E. MERRILL by Jeanette H. Merrill,
Attorney-in-Fact

STATE OF TEXAS

)

COUNTY OF GALVESTON)

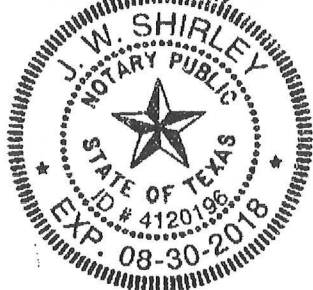
This instrument was acknowledged before me on 5/1, 2017, by
KENNETH R. SMITH.



STATE OF TEXAS)

COUNTY OF GALVESTON)

This instrument was acknowledged before me on 4/28, 2017, by
Jeanette H. Merrill, Attorney-in-Fact for ROBERT E. MERRILL.

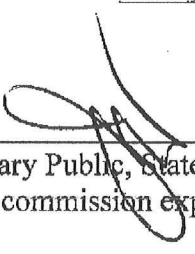


PREPARED IN THE OFFICE OF:

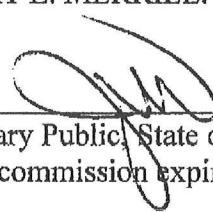
CROUCH LAW OFFICE
235 W. Sealy Street
Alvin, Texas 77511
Tel: (281) 331-5288
Fax: (281) 331-9346

AFTER RECORDING RETURN TO:

JBB & D FAMILY LIMITED PARTNERSHIP
2300 Smith Ranch Road
Pearland, TX 77584



Notary Public, State of Texas
My commission expires: _____



Notary Public, State of Texas
My commission expires: _____

EXHIBIT "A"
LEGAL DESCRIPTION

File No.: 16039032778

0.86 ACRES OF LAND, BEING A PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK 4, OF THE DR. A. A. LUTHER SUBDIVISION OF THE TOWN OF MANVEL, BRAZORIA COUNTY, TEXAS, ACCORDING TO TILE PLAT RECORDED IN VOLUME 1, PAGES 69-70, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, SAID 0.86 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a 1/2 inch iron rod set For the Northeast corner of the herein described tract at tile Northeast, corner of Lot 1, Block 4, said point being the intersection of the South right-of-way line of Large Avenue with the West line of a 10.0 foot alley, said point being located North 70 deg. 25 min. 27 sec. West - 160.0 feet from a 1/2 inch iron rod found at the Northeast corner of Lot 16, Block 4;

THENCE South 19 deg. 35 min. 03 sec. West, along the East line of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 4, and the West line of said 10.0 foot alley, a distance of 289.50 feet to a 5/8 inch iron rod (disturbed) found for the Southeast corner of the herein described tract at the Northeast corner of 0.033 acre tract described as Parcel 201 in a deed to the State of Texas recorded in Clerk's File 93-036570;

THENCE North 70 deg. 28 min. 57 sec. West, along the North line of Parcel 201, being the North right-of-way line or State Highway 6, a distance of 105.18 feet to a 1/2 inch iron rod set at the P.C. of a curve to the right;

THENCE with the line of Parcel 201, following said curve to the right having a Radius of 25.0 feet, Central Angle of 90 deg. 06 min. 41 sec., Chord Bearing and Distance of North 25 deg. 25 min. 37 sec. West 35.39 feet, for an arc distance of 39.32 feet to a 1/2 inch iron rod set at the P.T. of said curve, said point being in the East line of a 10.0 foot strip described in a deed to Brazoria County recorded in Volume 276, Page 615, Deed Records, and the East right-of-way line of F. M. 1128;

THENCE North 19 deg. 37 min. 44 sec. East, along the East line of said 10.0 foot strip, being the East right-of-way line of F. M. 1128, a distance of 264.58 feet to a 1/2 inch iron rod set for the Northwest corner of the herein described tract, said point being in the North line of Lot 1, Block 4, and the South right-of-way line of Large Avenue;

THENCE South 70 deg. 25 min. 27 sec. East, along the North line of Lot 1, Block 4, and the South right-of-way line of Large Avenue, a distance of 130.0 foot to the PLACE OF BEGINNING and containing 0.86 acres of land.

FILED and RECORDED

Instrument Number: 2017020745

Filing and Recording Date: 05/01/2017 10:49:06 AM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-nygtra

LEGAL DESCRIPTION
0.4073 ACRES

BEING 0.4073 acres of land out of the Russell Street Right-of-Way, located in the Map V, O'Dell Survey, Brazoria County, Texas and being more particularly described by area and bounds as follows:

BEGINNING at a TYPICAL Monument fixed in the east line of Russell Street being 60 feet wide marking the corner of Block 3 of said Town of Marvel Subdivision as recorded under Volume 1, Page 68 of the Brazoria County Property Records;

THENCE in a southeasterly direction along the arc of a curve to the left, 42.37 feet, bearing S 42°23'14" E, a central angle of 57°05'47" and a long chord of S 25°20'23" E, 42.46 feet to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the north line of Highway 6 also known as Morris Avenue having a right of way of 120 feet;

THENCE N 70°23'14" W 113.97 feet along the north line of said Highway 6 to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the most southerly corner of Minor Plat Marvel Subdivision as recorded under Volume 1, Page 68 of the Brazoria County Property Records;

THENCE S 42°23'14" E 42.46 feet along the east line of said Minor Plat Marvel Subdivision to a 1/2 inch iron rod found for corner in the west line of said Russell Street;

THENCE N 19°42'28" E 263.00 feet along the east line of said Minor Plat Marvel Subdivision and the west line of said Russell Street to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the southeast corner of said Minor Plat Marvel Subdivision, in the south line of Large Avenue being 60 feet wide;

THENCE S 70°23'14" E 60.00 feet along said Large Avenue to a 1/2 inch iron rod found for the north corner of said Block 3 of Town of Marvel Subdivision;

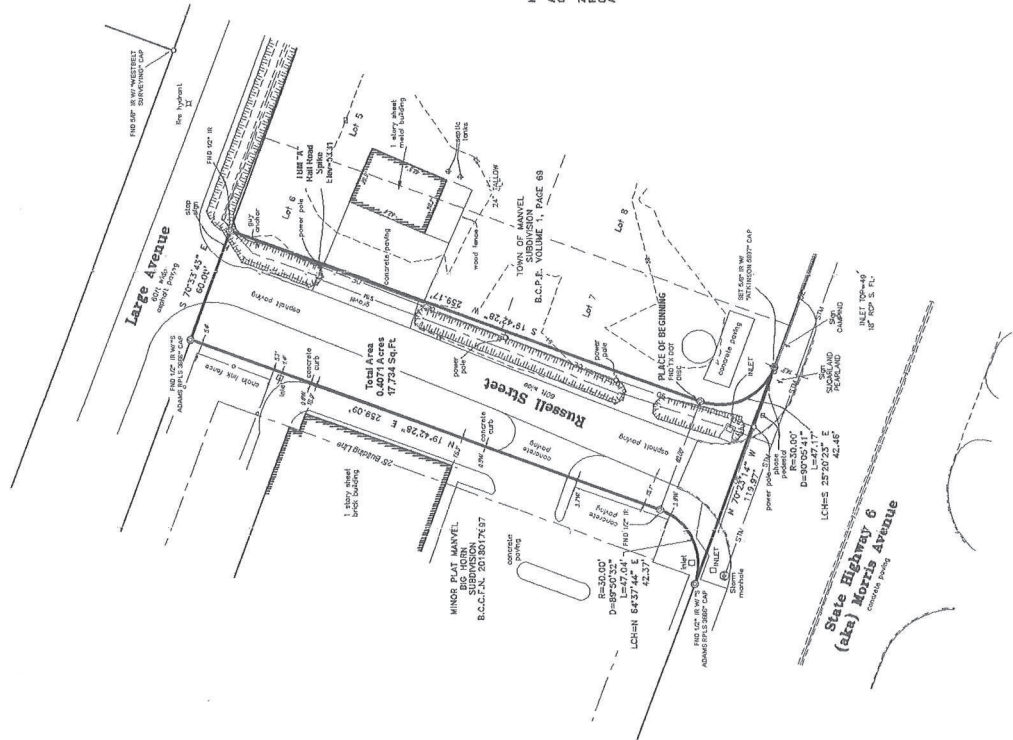
THENCE S 19°42'28" W 253.17 feet along the east line of said Russell Street and the west line of Block 3 of said Town of Marvel Subdivision to the PLACE OF BEGINNING;

NOTE: ALL BEARINGS SHOWN HEREIN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4284, NAD 1983 DATUM.

NOTE:

RECORDS TO FINAL PANEL 483350210K, EFFECTIVE ON 12/30/2020 THIS TRACT OF LAND LIES IN THE FLOODING ZONE.

ZONE OF 100-YEAR FLOODING AND 100-YEAR ANNUAL CHANCE FLOOD 100-YEAR FLOOD, AS SHOWN ON THE FLOOD MAP, IS NOT TO BE CONSIDERED AS BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD.



NOTE: ALL BEARINGS SHOWN HEREIN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4284, NAD 1983 DATUM.



SCALE: 1"=30'

THIS SURVEY WAS PREPARED WITH THE ASSISTANCE OF A TITLE REPORT PREPARED BY THE BROWNSVILLE TITLE COMPANY, BROWNSVILLE, TEXAS, DATED NOVEMBER 18, 2024.

BOUNDARY SURVEY OF 0.4073 ACRES OF LAND LIES IN THE FLOODING ZONE OF 100-YEAR FLOODING AND 100-YEAR ANNUAL CHANCE FLOOD, AS SHOWN ON THE FLOOD MAP, IS NOT TO BE CONSIDERED AS BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD.

ATKINSON ENGINEERS



Matthew V. O'Dell
Civil Engineer - Land Surveying

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, OF THE PERSONS WHOSE INTERESTS ARE AFFECTED BY THIS SURVEY, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE REQUIREMENTS OF THE TEXAS PROFESSIONAL LAND SURVEYING ACT AND THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYING FOR A CATEGORY I LAND TITLE SURVEY.

DATE: 12/12/2024 SCALE: 1"=30' DRAWN BY: JB DWGNO: 220470-24

LEGAL DESCRIPTION
0.4073 ACRES

BEING 0.4073 acres of land out of the Russell Street Right-of-Way, located in the Mary V. O'Donnell Survey, Abstract Number 470, City of Manvel, Brazoria County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a TXDot Monument found in the east line of Russell Street being 60 feet wide marking the most westerly corner of Block 3 of the Town of Manvel Subdivision as recorded under Volume 1, Page 69 of the Brazoria County Property Records;

THENCE in a southeasterly direction along the arc of a curve to the left 47.17 feet, having a radius of 30.00 feet, a central angle of $90^{\circ}05'41''$ and a long chord of $S\ 25^{\circ}20'23''\ E$, 42.46 feet to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the north line of Highway 6 also known as Morris Avenue having a right of way of 120 feet;

THENCE $N\ 70^{\circ}23'14''\ W$ 119.97 feet along the north line of said Highway 6 to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the most southerly corner of Minor Plat Manvel Big Horn Subdivision as recorded under Brazoria County Clerk's File Number 2018017097 in the north line of said Highway 6;

THENCE in a northeasterly direction along the arc of a curve to the left 47.04 feet, having a radius of 30.00 feet, a central angle of $89^{\circ}50'32''$ and a long chord of $N\ 64^{\circ}37'44''\ E$, 42.37 feet to a 1/2 inch iron rod found for corner in the west line of said Russell Street;

THENCE $N\ 19^{\circ}42'28''\ E$ 259.09 feet along the east line of said Minor Plat Manvel Big Horn Subdivision and the west line of said Russell Street to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the northeast corner of said Minor Plat Manvel Big Horn Subdivision, in the south line of Large Avenue being 60 feet wide;

THENCE $S\ 70^{\circ}33'43''\ E$ 60.00 feet along said Large Avenue to a 1/2 inch iron rod found for the north corner of said Block 3 of Town of Manvel Subdivision;

THENCE $S\ 19^{\circ}42'28''\ W$ 259.17 feet along the east line of said Russell Street and the west line of Block 3 of said Town of Manvel Subdivision to the **PLACE OF BEGINNING**.

NOTE: ALL BEARINGS SHOWN HEREIN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204. NAD 1983 DATUM.



MANVEL PD&Z

DATA SHEET

MEETING DATE: March 14, 2025

TOPIC: Public hearing to received input on a request by JBB&D Family Partnership and 7303 Russel LLC (applicant), to abandon the portion of Russell St right-of-way (ROW) located between Highway 6 and Large Avenue (abutting Big Horn restaurant on the east side). The portion of the ROW requested to be abandoned is 60-foot-wide and approximately 0.4071 acres.

BACKGROUND: The applicant owns the property on both sides of the portion of Russell St proposed for abandonment and intends to develop the property at 7303 Russell St as a restaurant. The abandonment of said ROW will allow inclusion of additional acreage to the new development so that the existing Big Horn development and the proposed restaurant can function as a unified complex. This will also allow better management of parking and traffic flow for both properties.

The portion of Russel St proposed for abandonment does not extend beyond Large Avenue to the north. School Rd ROW, which abuts the restaurant site on the east side, provides connectivity between Highway 6 and Lewis Lane. Therefore, the proposed ROW abandonment will not cause a detrimental impact on connectivity and public convenience.

The portion of School Rd between Highway 6 and Large Ave is an asphalt road and the remaining portion is a concrete road. Staff has discussed the possibility of considering improving the asphalt portion and inclusion of sidewalks along the entire property in lieu of the payment associated with this ROW abandonment.

STAFF RECOMMENDATION: Staff recommends PD&Z to forward a favorable recommendation of approval to City Council for Ordinance No. 2025-O-13 granting the proposed right-of-way abandonment subject to, and contingent upon, payment of all fees and consideration (as determined by the appraisal commissioned in connection with this abandonment request, as may be modified by city council) by the Applicant, or other satisfaction of said consideration requirement as may be determined by City Council.

ATTACHMENTS: Ordinance No. 2025-O-13, ROW Abandonment Application, Russel Street ROW Survey, Legal Description, and Russell St Abandonment Exhibit.

FUNDING ISSUES

- ☒ **Not applicable**
- ☐ **Not budgeted**
- ☐ **Full amount already budgeted**
- ☐ **Funds to be transferred from Acct.#**

SUBMITTING STAFF MEMBER Jose Abraham Director of Development Services	FINANCE DIRECTOR APPROVAL _____ CITY MANAGER APPROVAL _____
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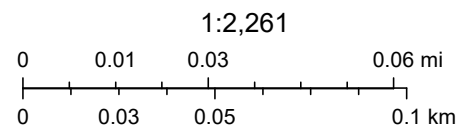


Russell St ROW Abandonment



4/10/2025

- Parcels
- City of Manvel - City Limits
- Streets
- TXDOT
- City of Manvel



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community



DEVELOPMENT SERVICES

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-668-5061

ROW ABANDONMENT

Date: February 13, 2025

Name of property owner: (Proof of ownership must be provided)

JBB & D Family Partnership (west side) and 7303 Russell LLC (east side) - Deeds Attached

Address: 902 S. Friendswood Dr, Suite E Phone # 832-512-1200
Friendswood TX 77546

Reason and intent for requested action:

Close an under-utilized ROW and and remove a poorly spaced intersection at SH 6.

Improve safety and mobility on SH 6.

Encourage cohesive development of the property as a restaurant and service hub.

Consolidate property holdings of single ownership group on both sides of the street in this block.

Entire limits and extent of the property to be abandoned, vacated, closed or relocated:
Russell Street between SH 6 and Large Avenue consisting of 0.4073 acres. Survey and M&B attached.

alan mueller

Signature of Applicant

Alan Mueller, Owner's Representative, on behalf of JBB & D Family Partnership



DEVELOPMENT SERVICES

20025 HIGHWAY 6
MANVEL, TX 77578
P: 281-489-0630
F: 281-668-5061

Procedures:

Date of Action: _____

FEES PAID \$1,000.00

Check Number 6035

Collect the following documents

☒ A formal recent survey prepared by a registered professional land surveyor that identifies the location and physical configuration of the site. The survey shall also specify the acreage or square footage;

☒ The proper legal description of the property to be considered for abandonment, including, if appropriate, a metes and bounds description verified by a registered surveyor or by county records (that will identify the property by a legal instrument with volume, page, etc.); and

☒ Collect administration processing fee of \$1,000.00 to cover the cost of the title report, appraisal, staff and consultant review time, and the ordinance and deed preparation legal fees;

Staff procedures:

_____ Commission a title report of the area to be abandoned.

_____ Commission an independent appraisal of the area to be abandoned

_____ Send letters to all utility companies, drainage districts, affected city departments, and/or other interested agencies identifying the proposed action and requesting a letter of "no objection" from each of the concerned entities within thirty (30) days; and

_____ Determine if a utility easement is needed in the area considered to be abandoned and, if determined to be necessary, to have the new utility easement reserved in the deed of conveyance or obtained separately and recorded in the property deed record to be filed with the Brazoria County Clerk.

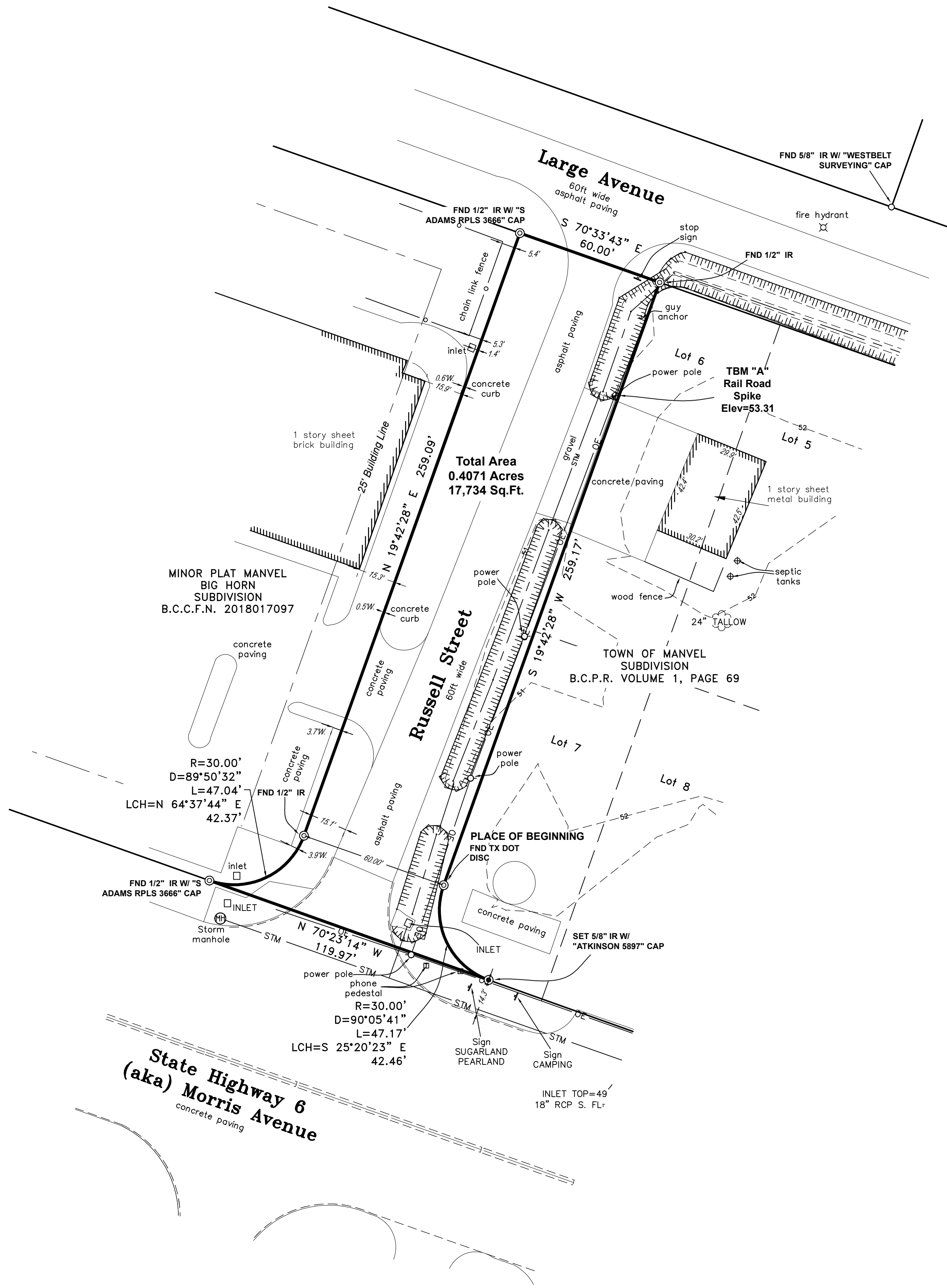
_____ Schedule Public Hearing Date for Planning, Development and Zoning

_____ Schedule Public Hearing Date for City Council (1st reading of the ordinance)

_____ Notice to property owners will be initiated ten (10) days prior to the scheduled hearing. The city shall provide written notice of such public hearing to each owner of real property, as indicated by the most recently approved city tax roll, whose property abuts or lies within 200 feet of the subject street, alley, right-of-way or easement.

_____ Collect tender/escrow by the applicant(s) of the appraised value of the abandoned area (must be collected prior to the second reading of the ordinance)

_____ Upon request by applicant, and the pre-payment of all recordation fees, a quitclaim deed will be prepared and filed in the deed records of the Brazoria County Clerk. The Mayor and City Manager are authorized to execute said quitclaim deeds.



LEGAL DESCRIPTION
0.4073 ACRES

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THENCE in a southeasterly direction along the arc of a curve to the left 47.17 feet, having a radius of 30.00 feet, a central angle of 90°05'41" and a long chord of S 25°20'23" E, 42.46 feet to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the north line of Highway 6 also known as Morris Avenue having a right of way of 120 feet;

THENCE N 70°23'14" W 119.97 feet along the north line of said Highway 6 to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the most southerly corner of Minor Plat Manvel Big Horn Subdivision as recorded under Brazoria County Clerk's File Number 2018017097 in the north line of said Highway 6;

THENCE in a northeasterly direction along the arc of a curve to the left 47.04 feet, having a radius of 30.00 feet, a central angle of 89°50'32" and a long chord of N 64°37'44" E, 42.37 feet to a 1/2 inch iron rod found for corner in the west line of said Russell Street;

THENCE N 19°42'28" E 259.09 feet along the east line of said Minor Plat Manvel Big Horn Subdivision and the west line of said Russell Street to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the northeast corner of said Minor Plat Manvel Big Horn Subdivision, in the south line of Large Avenue being 60 feet wide;

THENCE S 70°33'43" E 60.00 feet along said Large Avenue to a 1/2 inch iron rod found for the north corner of said Block 3 of Town of Manvel Subdivision;

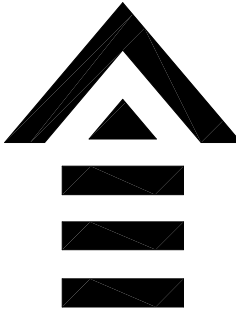
THENCE S 19°42'28" W 259.17 feet along the east line of said Russell Street and the west line of Block 3 of said Town of Manvel Subdivision to the **PLACE OF BEGINNING**.

NOTE: ALL BEARINGS SHOWN HEREIN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204. NAD 1983 DATUM.

NOTE:

ACCORDING TO FEMA PANEL 48039C0130K, EFFECTIVE ON 12/30/2020 THIS TRACT OF LAND LIES IN THE FOLLOWING ZONE:

ZONE AO WITH A DEPTH OF 2 FEET THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALED OR EXCEEDED IN ANY GIVEN YEAR.THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD.



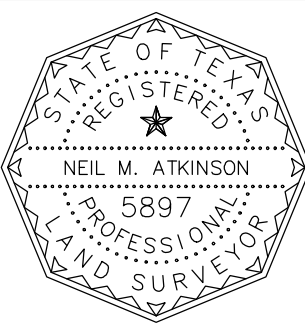
NOTE: ALL BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204. NAD 1983 DATUM



SCALE: 1"=30'

THIS SURVEY WAS PREPARED WITH THE ASSISTANCE OF A TITLE REPORT PREPARED BY FIDELITY NATIONAL TITLE GF NUMBER FTH-225-FAH24010382D ISSUED NOVEMBER 06,2024

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SURVEYORS ASSOCIATION STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A CONDITION II LAND TITLE SURVEY.



ATKINSON ENGINEERS
150 Years Improving Texas
1832 Chimney Road
Houston, Texas 77056
Phone: 281.872.7600
Fax: 281.872.7601

Civil Engineers — Land Surveyors

Neil M. Atkinson

BY: **REGISTERED PROFESSIONAL LAND SURVEYOR**
TBPLS Firm# 10045000

DATE: 12/12/2024 SCALE: 1"=30' DRAWN BY: JB DWG.NO. BZ0470-24

LEGEND

- | | |
|----------------|---|
| BC | denotes back of curb |
| G | denotes gutter |
| CL | denotes center line |
| EP | denotes edge of pavement |
| EC | denotes edge of concrete |
| HB | denotes top or high bank |
| FL | denotes flow line |
| IP | denotes iron pipe |
| IR | denotes iron rod |
| TXDoT Monument | denotes concrete Monument w/ alu. cap stamped TXDoT |
| PVC | denotes polyvinyl chloride pipe |
| RCP | denotes reinforced concrete pipe |
| HDPE | denotes high density polyethylene |
| CMP | denotes corrugated metal pipe |
| TBM | denotes temporary benchmark |
| UE | denotes utility easement |
| BL | denotes building line |
| ⊙ | denotes monument found and held for boundary |
| ⊙ | denotes set monument |
| ⊙ | denotes monument found for boundary |
| ⊙ | denotes power pole |
| ⊙ | denotes fire hydrant |
| ⊙ | denotes light pole |
| ⊙ | denotes guy wire |
| ⊙ | denotes telephone pull box |
| ⊙ | denotes cleanout |
| ⊙ | denotes water valve |
| ⊙ | denotes storm sewer manhole |
| ⊙ | denotes sanitary sewer manhole |
| ⊙ | denotes underground telecomm line |
| ⊙ | denotes sanitary sewer line |
| ⊙ | denotes storm sewer line |

LEGAL DESCRIPTION

0.4073 ACRES

BEING 0.4073 acres of land out of the Russell Street Right-of-Way, located in the Mary V. O'Donnell Survey, Abstract Number 470, City of Manvel, Brazoria County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a TXDot Monument found in the east line of Russell Street being 60 feet wide marking the most westerly corner of Block 3 of the Town of Manvel Subdivision as recorded under Volume 1, Page 69 of the Brazoria County Property Records;

THENCE in a southeasterly direction along the arc of a curve to the left 47.17 feet, having a radius of 30.00 feet, a central angle of $90^{\circ}05'41''$ and a long chord of S $25^{\circ}20'23''$ E, 42.46 feet to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the north line of Highway 6 also known as Morris Avenue having a right of way of 120 feet;

THENCE N $70^{\circ}23'14''$ W 119.97 feet along the north line of said Highway 6 to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the most southerly corner of Minor Plat Manvel Big Horn Subdivision as recorded under Brazoria County Clerk's File Number 2018017097 in the north line of said Highway 6;

THENCE in a northeasterly direction along the arc of a curve to the left 47.04 feet, having a radius of 30.00 feet, a central angle of $89^{\circ}50'32''$ and a long chord of N $64^{\circ}37'44''$ E, 42.37 feet to a 1/2 inch iron rod found for corner in the west line of said Russell Street;

THENCE N $19^{\circ}42'28''$ E 259.09 feet along the east line of said Minor Plat Manvel Big Horn Subdivision and the west line of said Russell Street to a 1/2 inch iron rod with "S ADAMS RPLS 3666" cap found for the northeast corner of said Minor Plat Manvel Big Horn Subdivision, in the south line of Large Avenue being 60 feet wide;

THENCE S $70^{\circ}33'43''$ E 60.00 feet along said Large Avenue to a 1/2 inch iron rod found for the north corner of said Block 3 of Town of Manvel Subdivision;

THENCE S $19^{\circ}42'28''$ W 259.17 feet along the east line of said Russell Street and the west line of Block 3 of said Town of Manvel Subdivision to the **PLACE OF BEGINNING**.

NOTE: ALL BEARINGS SHOWN HEREIN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD 1983 DATUM.

GENERAL WARRANTY DEED WITH VENDOR'S LIEN

NOTICE OF CONFIDENTIALITY RIGHTS:

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BRAZORIA

That **RANDY BOFF AND JANICE SEDDON**, hereinafter called "Grantors" (whether one or more), for and in consideration of the sum of **TEN AND NO/100 (\$10.00) DOLLARS** and other valuable consideration to the undersigned paid by the Grantees herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by **7303 RUSSELL, LLC**, a Texas limited liability company, of its one certain promissory note of even date herewith, payable to the order of **HOMETOWN BANK, NATIONAL ASSOCIATION**, in the total sum of **SEVEN HUNDRED TWENTY THOUSAND AND 00/100 DOLLARS (\$720,000.00)**, payable in monthly installments and bearing interest as therein provided and containing the usual clauses relating to acceleration of maturity and for attorney's fees, and providing for acceleration of maturity, at the option of the holder, the payment of which said note of even date herewith is secured by a vendor's lien herein retained and is additionally secured by a Deed of Trust of even date herewith to **ALLAN RASMUSSEN, JR.**, Trustee, have **GRANTED, SOLD AND CONVEYED**, and by these presents do **GRANT, SELL AND CONVEY** unto **7303 RUSSELL, LLC**, a Texas limited liability company, herein called "Grantees" (whether one or more), all of the following real property (together with all improvements thereon the "Property") situated in Brazoria County, Texas, to-wit:

See Exhibit "A" attached hereto and incorporated for all purposes.

This conveyance is made and accepted subject to any and all easements, rights of way, valid restrictions, mineral reservations of any kind, maintenance charges, building set back lines, and governmental regulations, if any, to the extent, but only to the extent that they are reflected by the records of the Office of the County Clerk of the above mentioned County and State.

TO HAVE AND TO HOLD the above described Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantees, their heirs and assigns forever; and Grantors do hereby bind themselves, their heirs, executors and administrators to **WARRANT AND FOREVER DEFEND** all and singular the said Property unto the said Grantees, their heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof except as to the reservations from and exceptions to conveyance and warranty.

When Grantor and/or Grantee are more than one entity, the pertinent nouns, verbs and pronouns shall be construed to correspond. When Grantor and/or Grantee are a corporation, a trustee or other legal entity that is not a natural person, the pertinent words "heirs, executors and administrators" and/or "heirs and assigns" shall be construed to mean "successors and assigns," respectively. Reference to any gender shall include either gender and, in the case of a legal entity that is not a natural person, shall include the neuter gender, all as the case may be.

But it is expressly agreed that the Vendor's Lien, as well as the Superior Title in and to the above described Property, is retained against the above described Property until the above described note and indebtedness has been fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

HOMETOWN BANK, NATIONAL ASSOCIATION, at the instance and request of the Grantees herein, having advanced and paid in cash to the Grantors herein that portion of the purchase price of the herein described Property as is evidenced by the hereinbefore described **\$720,000.00** note, the Vendor's Lien, together with the Superior Title in and to the above described Property, is retained herein for the benefit of said **HOMETOWN BANK, NATIONAL ASSOCIATION**



and the same are hereby TRANSFERRED and ASSIGNED to said HOMETOWN BANK, NATIONAL ASSOCIATION, such transfer and assignment being without recourse against Grantors.

Current ad valorem taxes on the Property have been prorated, the payment thereof is assumed by Grantees.

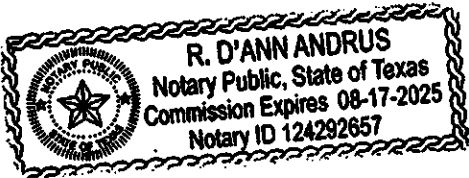
EXECUTED THIS 20 day of December, 2024.

Randy Boff
RANDY BOFF
Janice Seddon
JANICE SEDDON

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF Galveston §

This instrument was acknowledged before me on this 20 day of December, 2024, by RANDY BOFF.

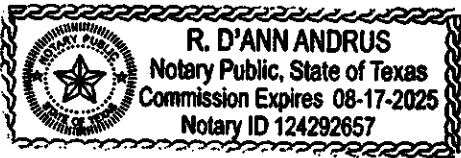


[Signature]
Notary Public in and for
The State of TEXAS

ACKNOWLEDGMENT

THE STATE OF TEXAS §
COUNTY OF Galveston §

This instrument was acknowledged before me on this 20 day of December, 2024, by JANICE SEDDON



[Signature]
Notary Public in and for
The State of TEXAS

GRANTEES' ADDRESS:

7303 RUSSELL, LLC
2300 Smith Ranch Road
Pearland, Texas 77584

AFTER RECORDING, RETURN TO:

7303 RUSSELL, LLC
2300 Smith Ranch Road
Pearland, Texas 77584



PREPARED IN THE LAW OFFICE OF:

MURRAY | LOBB, PLLC
2200 Space Park Drive, Suite 350
Houston, Texas 77058
Telephone 281.488.0630

GF# FAH24010382 (12.24)

HTBNA
MEMBER
FDIC

Warranty Deed w/Vendor's Lien
Page 3 of 3

EXHIBIT A**LEGAL DESCRIPTION
1.9737 ACRES**

BEING the remainder of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, Block 3, of the Town of Marvel, Texas, a subdivision in Brazoria County, Texas according to the map or plat there recorded in Volume 1, Page 69 of the Plat Records of Brazoria County, Texas, in the Mary V. O'Donnell Survey, Abstract No. 470, City of Marvel, Brazoria County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a found TxDot Monument at the southern cutback corner of the intersection of Highway 6 also known as Morris Avenue having a right of way of 120 feet and School Road being 60 feet right of way;

THENCE N 70°23'14" W 243.91 feet along the north line of said Highway 6 to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the north line of Highway 6;

THENCE in a northwesterly direction along the arc of a curve to the right 47.17 feet, having a radius of 30.00 feet, a central angle of 90°05'41" and a long chord of N 25°20'23" W, 42.46 feet to a TxDot Monument found for corner;

THENCE N 19°42'28" E 259.17 feet along the east line of Russell Street being 60 feet wide to a 1/2 inch iron rod found in the south line of Large Avenue being 60 feet wide;

THENCE S 70°33'43" E 297.88 feet along said Large Avenue to a 5/8 inch iron rod with "ATKINSON 5897" cap set for corner in the west line of said School Road;

THENCE S 19°26'17" W 265.15 feet along the west line of said School Road to a TxDot Monument found for corner for the northerly cutback corner;

THENCE S 64°51'48" W 35.49 feet along the cutback corner to the **PLACE OF BEGINNING**.

NOTE: ALL BEARINGS SHOWN HEREIN ARE BASED ON GRID NORTH OF THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD 1983 DATUM.

HTBNA
MEMBER
FDIC

FILED and RECORDED

Instrument Number: 2024055858

Filing and Recording Date: 12/26/2024 08:37:29 AM Pages: 5 Recording Fee: \$42.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, which appears to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-jessie

General Warranty Deed

Date: April 28, 2017

Grantor: KENNETH R. SMITH, a married person; and ROBERT E. MERRILL, a married person, each owning, occupying and claiming other property as their homestead

Grantor's Mailing Address:

KENNETH R. SMITH

110 Harris Dr.

Austin, Tx. 78737

ROBERT E. MERRILL

110 Harris Dr.

Austin Tx 78737

Grantee: JBB & D FAMILY LIMITED PARTNERSHIP, a Texas limited partnership

Grantee's Mailing Address:

JBB & D FAMILY LIMITED PARTNERSHIP

2300 Smith Ranch Road

Pearland, TX 77584

Consideration:

Ten dollars (\$10.00) Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

0.86 acres of land, being a part of lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, Block 4, of the Dr. A. A. Luther Subdivision of the Town of Manvel, Brazoria County, Texas, according to the tile Plat recorded in Volume 1, Pages 69-70, Plat Records of Brazoria County, Texas, said 0.86 acres being more particularly described in Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance:

None

Exceptions to Conveyance and Warranty:

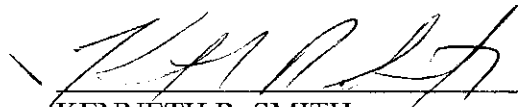
1
STEWART TITLE 16039032778

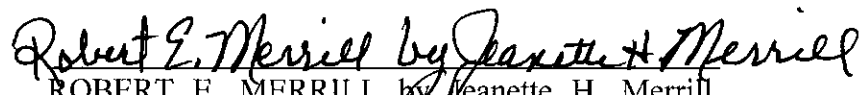
This General Warranty Deed and the conveyance above are executed by Grantor and accepted by Grantee subject to any and all restrictions, easements, mineral reservations, and other matters of record, to the extent they are validly existing and applicable to the Property.

GRANTOR IS CONVEYING THE PROPERTY TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS, OR GUARANTEES, EITHER EXPRESS OR IMPLIED, OF ANY KIND, NATURE, OR TYPE FROM OR ON BEHALF OF GRANTOR, EXCEPT FOR GRANTOR'S WARRANTY OF TITLE STATED ABOVE. GRANTEE ACKNOWLEDGES AND STIPULATES THAT GRANTEE IS NOT RELYING ON ANY REPRESENTATION, STATEMENT, OR OTHER ASSERTION ABOUT THE CONDITION OF THE PROPERTY MADE BY GRANTOR, OR ANYONE ACTING ON GRANTOR'S BEHALF, BUT IS RELYING ON GRANTEE'S OWN EXAMINATION OF THE PROPERTY.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.


KENNETH R. SMITH

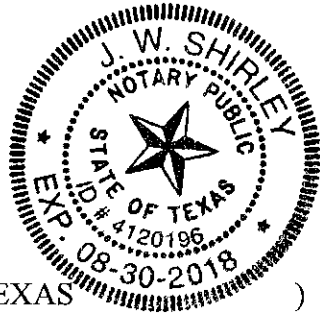

ROBERT E. MERRILL by Jeanette H. Merrill,
Attorney-in-Fact

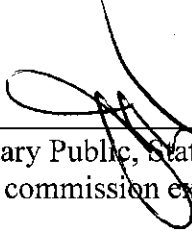
STATE OF TEXAS

)

COUNTY OF GALVESTON)

This instrument was acknowledged before me on 5/1, 2017, by
KENNETH R. SMITH.



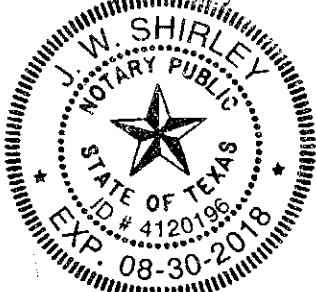


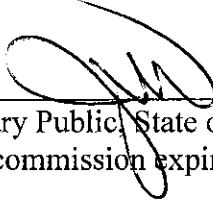
Notary Public, State of Texas
My commission expires: _____

STATE OF TEXAS)

COUNTY OF GALVESTON)

This instrument was acknowledged before me on 4/28, 2017, by
Jeanette H. Merrill, Attorney-in-Fact for ROBERT E. MERRILL.





Notary Public, State of Texas
My commission expires: _____

PREPARED IN THE OFFICE OF:

CROUCH LAW OFFICE
235 W. Sealy Street
Alvin, Texas 77511
Tel: (281) 331-5288
Fax: (281) 331-9346

AFTER RECORDING RETURN TO:

JBB & D FAMILY LIMITED PARTNERSHIP
2300 Smith Ranch Road
Pearland, TX 77584

EXHIBIT "A"

LEGAL DESCRIPTION

File No.: 16039032778

0.86 ACRES OF LAND, BEING A PART OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10, BLOCK 4, OF THE DR. A. A. LUTHER SUBDIVISION OF THE TOWN OF MANVEL, BRAZORIA COUNTY, TEXAS, ACCORDING TO TILE PLAT RECORDED IN VOLUME 1, PAGES 69-70, PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, SAID 0.86 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a 1/2 inch iron rod set For the Northeast corner of the herein described tract at tile Northeast, corner of Lot 1, Block 4, said point being the intersection of the South right-of-way line of Large Avenue with the West line of a 10.0 foot alley, said point being located North 70 deg. 25 min. 27 sec. West - 160.0 feet from a 1/2 inch iron rod found at the Northeast corner of Lot 16, Block 4;

THENCE South 19 deg. 35 min. 03 sec. West, along the East line of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block 4, and the West line of said 10.0 foot alley, a distance of 289.50 feet to a 5/8 inch iron rod (disturbed) found for the Southeast corner of the herein described tract at the Northeast corner of 0.033 acre tract described as Parcel 201 in a deed to the State of Texas recorded in Clerk's File 93-036570;

THENCE North 70 deg. 28 min. 57 sec. West, along the North line of Parcel 201, being the North right-of-way line or State Highway 6, a distance of 105.18 feet to a 1/2 inch iron rod set at the P.C. of a curve to the right;

THENCE with the line of Parcel 201, following said curve to the right having a Radius of 25.0 feet, Central Angle of 90 deg. 06 min. 41 sec., Chord Bearing and Distance of North 25 deg. 25 min. 37 sec. West 35.39 feet, for an arc distance of 39.32 feet to a 1/2 inch iron rod set at the P.T. of said curve, said point being in the East line of a 10.0 foot strip described in a deed to Brazoria County recorded in Volume 276, Page 615, Deed Records, and the East right-of-way line of F. M. 1128;

THENCE North 19 deg. 37 min. 44 sec. East, along the East line of said 10.0 foot strip, being the East right-of-way line of F. M. 1128, a distance of 264.58 feet to a 1/2 inch iron rod set for the Northwest corner of the herein described tract, said point being in the North line of Lot 1, Block 4, and the South right-of-way line of Large Avenue;

THENCE South 70 deg. 25 min. 27 sec. East, along the North line of Lot 1, Block 4, and the South right-of-way line of Large Avenue, a distance of 130.0 foot to the PLACE OF BEGINNING and containing 0.86 acres of land.

FILED and RECORDED

Instrument Number: 2017020745

Filing and Recording Date: 05/01/2017 10:49:06 AM Pages: 5 Recording Fee: \$38.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink, appearing to read "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-nygtra



MANVEL PD&Z

DATA SHEET

MEETING DATE: April 14, 2025

TOPIC: Discuss possible text amendment to the Subdivision Ordinance to revise the boundaries of Original Manvel Townsite Area. Staff is also reviewing other sections of the ordinance that need amendment for added clarity or effective application.

This is not an action item. Discussion Only.

BACKGROUND: Staff is preparing to present amendments to the subdivision ordinance to address the following:

- Original Manvel Townsite area: Currently, the Original Manvel Townsite (OMT) area is bounded by Cemetery Road on the east, Large Drive on the north, McCoy Road on the west, and the railroad tracks (sitting just north of Bissell Road), on the south. This area was established to allow the following regulations to be less restrictive than other areas:
 - (1) Streets: Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
 - (2) Drainage: Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.
 - (3) Water: Subdivider/developer may install a water well, instead of extending any city water line. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.
 - (4) Wastewater: Subdivider/developer may install an on-site sewage (septic), instead of extending the wastewater line. Subdivider/developer must still comply with all laws and regulations concerning septic systems.
 - (5) Detention/mitigation: In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

Please note that the OMT area allowances applied only to properties zoned Light Commercial (LC) or Planned Unit Development (PUD).

Staff is proposing to expand the north and south boundaries to Lewis Lane and Jordan Road respectively. This would include properties that are zoned for residential use as well.

- Other Possible amendments: Staff is also reviewing the ordinance to identify any provisions or requirements that may need to be revised to allow for an efficient development process; ensure clarity; and avoid confusions.

RECOMMENDATION: This is not an action item. Staff is seeking to input on the upcoming proposed amendments.

ATTACHMENTS: Boundary Map Exhibit

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Jose Abraham
Director of Development Services

FINANCE DIRECTOR APPROVAL _____

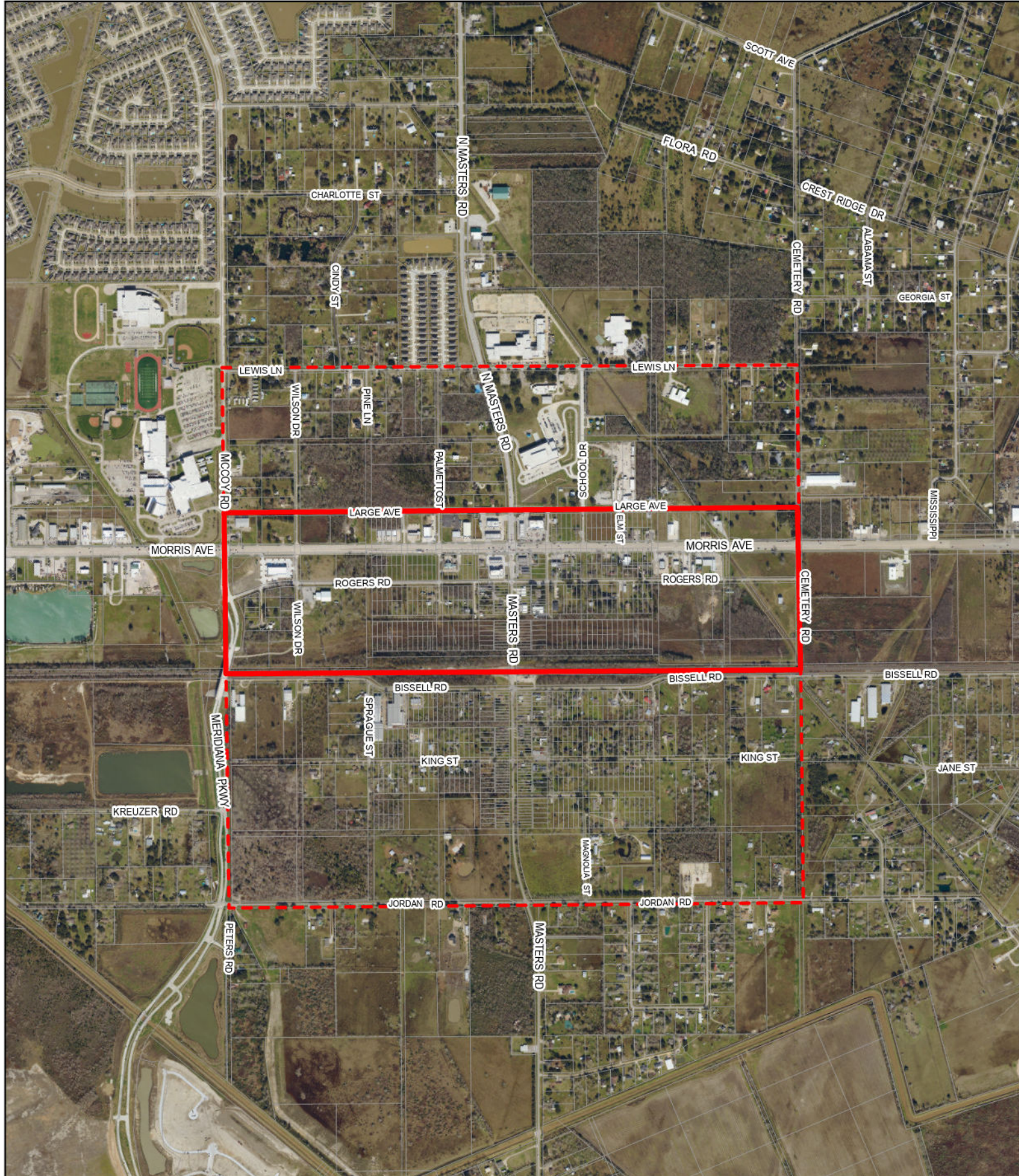
CITY MANAGER APPROVAL _____



Sec. 62-119. Additional requirements for subdivisions in the Original Manvel Townsite area.

- (a) Original Manvel Townsite area. The regulations in this section shall apply to all applicable subdivisions and development of land within the Original Manvel Townsite (OMT) area. The Original Manvel Townsite area shall be bounded by Cemetery Road on the east, Lewis Lane on the north, McCoy Road on the west, and Jordan Road, on the south.
- (b) Applicability. The regulations in this section shall apply to lots that are ten acres or less.
- (c) These regulations are specific to subdivisions and development in the Original Manvel Townsite area, and supersede any conflicting regulations in other sections of the City Code.
- (d) The following regulations shall apply to subdivisions and development in the Original Manvel Townsite area:
 - (1) *Streets*. Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
 - (2) *Drainage*. Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.
 - (5) *Detention/mitigation*. In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

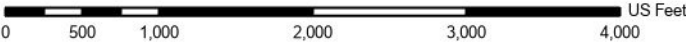
(Ord. No. 2016-O-10, § 1, 4-25-2016; Ord. No. 2019-O-24, § 4, 8-5-2019)



Old Manvel Town Site Area

 Old Manvel Town Site Area  Proposed Manvel Town Site Area  Parcels

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.



Date: April 2025
Reference: 2025025
Data Source: City of Manvel,
Brazoria County Open Data



MANVEL PD&Z

DATA SHEET

MEETING DATE: April 14, 2025

TOPIC: Discuss possible text amendment to the *Manvel Code of Ordinances*, Chapter 77, *Zoning* (The Zoning Ordinance) to amend and include several requirements and provisions pertaining to landscaping and tree preservation; conditions of SUP approval for medical and other personal care service uses; North American Industry Classification system (NAICS) code version update; process for rezoning; and possible correction of typographic errors.

This is not an action item. Discussion Only.

BACKGROUND: Staff is preparing to present amendments to several sections of the Zoning Ordinance. A joint public hearing with City Council is scheduled for April 28, 2025. The amendment under consideration includes the following topics:

- *Landscaping and Tree Preservation:* Currently, the zoning ordinance does not include strong requirements for tree preservation. There is interest amongst citizens and Council members in considering adoption of standards and requirements pertaining to Tree Preservation. Staff is also suggesting some changes to the existing landscaping-related standards for new development. The draft is based on research by staff and input from City Council members. Staff also intends to seek input from the Parks Board prior to presenting it to the City Council. *(A redline draft version of the suggested amendment is attached)*
- *Conditions of SUP approval for medical and personal care service uses:* Currently, the conditions of SUP approval for medical uses and other personal care uses include limited hours of operation from 8 am to 10 pm, unless approved by an SUP. During consideration of an SUP application for a freestanding Emergency Room (ER), staff was made aware that State legislature requires ER to have 24-hour operation. City Attorney has recommended that the ordinance be amended to include provision for 24-hour operation based on State requirement. This recommendation is to allow conformance with Texas Occupations Code which requires that a political subdivision may not adopt certain regulations that is more restrictive for massage therapists than for other health care professionals.
- *North American Industry Classification system (NAICS):* Currently, the land use allowances of the zoning ordinance is based on 2007 version of the NAICS code. Staff is working on reviewing changes made on the most recent version of the code, so that the most recent version can be adopted and associated amendments to the Land use table can be made.
- *Rezoning:* The Zoning Ordinance does not include a section detailing the rezoning process. It would be beneficial to include this section to be in alignment with State requirements.
- *Typographic Errors and Clarifications:* Staff is also reviewing the ordinance to rectify any typographic errors in the ordinance or text editing needed to provide added clarity.

RECOMMENDATION: This is not an action item. Staff is seeking to input on the upcoming proposed amendments.

ATTACHMENTS: Redline version of draft Landscaping and Tree Preservation Section.

FUNDING ISSUES

- ☒ Not applicable
☐ Not budgeted
☐ Full amount already budgeted
☐ Funds to be transferred from Acct.#

SUBMITTING STAFF MEMBER
Jose Abraham
Director of Development Services

FINANCE DIRECTOR APPROVAL _____
CITY MANAGER APPROVAL _____



Sec. 77-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The word "building" shall include the meaning of the word "structure"; the word "lot" shall include the meaning of the word "plot"; and the term "used for" shall include the meaning of the terms "designed for" or "intended for."

Accessory use means a use of a building or land which serves an incidental function to the principal use of a building, structure, or land.

Administratively complete application means any application containing all the required documents listed on any application in the appropriate format, the correct number of copies, paid fees, and any required signatures when submitted to the city, in a final form to be deemed complete for processing.

Adult day care means a group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping management plan based on an intentionally structured relationship providing organization and stability.

Adult entertainment business shall have the same meaning as "sexually oriented business" as that term is defined in V.T.C.A., Local Government Code § 243.001 et seq., and shall include, but not be limited to, an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult tanning salon, adult theater, escort agency, nude modeling studio, sexual encounter center, or any other commercial enterprise, the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer. Such uses shall be allowed only as specifically authorized under the terms of this article. The determination of what constitutes an adult entertainment business shall be made by the police chief or his designee, and such determination shall be appealable to the zoning board of adjustment.

Alley means minor ways that are used primarily for vehicle service access to the back or the side of properties otherwise abutting a street.

Americans with Disabilities Act means a law enacted in 1990, which is intended to make American society more accessible to persons with disabilities.

Apartments means a structure containing three or more dwelling units with common walls, including units that are located one over the other.

Applicant means any developer that submits an administratively complete application.

Automobile/vehicle sales and rentals means a business which provides for the sale or rental of new or used automobiles and other vehicles, including automobiles, trailers, recreational vehicles, travel trailers, water craft and other similar land or water-form vehicles, but shall not include auto or motor vehicle repair work, except minor reconditioning of automobiles or motor vehicles to be displayed, sold or rented on the premises; provided, however, such term shall not include the sale or rental of salvaged parts, nor shall it include the storage of either new or used automobiles or motor vehicles that are not on display or for sale or rent.

Bar/lounge means a place of business whose revenues from mixed drink liquor service are more than 20 percent and whose revenues from food service are less than 80 percent of the total gross revenues of the establishment.

Building, accessory or structure means a structure detached from a principal building and located on the same lot and incidental and subordinate to the principal building or use.

City means the City of Manvel, Texas.

Community fence means a fence located at the perimeter of a residential neighborhood, visible to the public and maintained by a home owners association or municipal utility district. Residential fences owned and maintained by an individual are not considered community fence.

Council means the city council of the city.

Corner lot side yard setback means the open space extending from the front yard to the rear yard and lying between the side lot line adjacent to the public right of way or easement and the closest point of the building or structure on a lot at the junction of and abutting two or more intersecting streets.

Critical Root Zone means the area around a tree's trunk where the most vital roots are located, generally measured five feet beyond the outer base of the branching system, requiring protection from disturbance during construction or development.

Developer means any person or entity that develops land within the city. This term shall be synonymous with the term "subdivider" in cases where the subdivision of land is involved.

Development plat means a plan for a development project that is not part of and does not require the subdivision of property.

Diameter at Breast Height (DBH) means the diameter of the tree trunk at 4.5 feet above ground.

Family means two or more persons related by blood, marriage, adoption, or guardianship living together as a single housekeeping unit with a single kitchen facility. The term "single kitchen facility" shall not exclude one outdoor kitchen facility per single housekeeping unit with one kitchen.

Fence means a constructed vertical structure, barrier or partition of any material or combination of materials erected to enclose, screen, or separate outdoor areas, and which has no roof or overhead covering. A masonry wall with a foundation serving the purpose of enclosing, screening, or separating outdoor areas is considered a fence.

Front of building means the part of side which contains the principal entrance of the side adjacent to a public roadway.

Game-room means a business or commercial establishment or building or location wherein machines or apparatus may be played or operated by the insertion of a coin or slug and on which games or tests of skill, chance or ability are played, including pinball machines, and any machine initiating games of sport, shooting or guiding objects, or any machine designed for amusement or relaxation, but not including machines for vending food, drink and tobacco products, music playing or recording or apparatus commonly known as kiddie rides.

Garage means an accessory building or a part of a main building comprised of a minimum of 200 square feet, enclosed on all sides, with an overhead door, and capable of enclosing one or more vehicles.

Garage sales, also referred to by such names as "back yard sale," "yard sale," or "porch sale," shall mean a sale or an offer for sale of miscellaneous items to the general public, upon residential property not otherwise being used for commercial purposes (see section 77-33(c)).

Gross square feet means the entire floor area of a building, including uninhabitable space such as bathrooms, closets, halls, and similar areas.

Guest quarters means an attached or detached building or secondary living area of residential use that provides living quarters for guest of the occupants of the principal residence, and:

- (1) Contains no kitchen or cooking facility;
- (2) Is clearly subordinate and incidental to the principal residence on the same building site; and
- (3) Is not rented or leased, whether compensation be direct or indirect.

Home business means a business operation that takes place in a home.

HUD-Code manufactured home means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width and 40 body feet or more in length, or, when erected on-site is 320 or more square feet and which is built on a permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems.

Legal nonconforming land use means a land use that lawfully existed immediately prior to the effective date of these regulations and not listed as a permitted use in the zoning district in which it is located.

Legal nonconforming structure means a structure that was lawfully existing prior to the effective date of these regulations, but as of the effective date of these regulations, the site of the use, the structure in which the use is situated, does not comply with these regulations.

Lot means a physically undivided tract or parcel of land having frontage on a public or private street, which is, or in the future may be offered for sale, conveyance, transfer or improvement, and which is designated as a separate and distinct tract and identified by numerical or letter identification on a duly and properly recorded subdivision plat.

Lot, tract, or parcel means a designated area of land established by a properly recorded subdivision plat or otherwise permitted by law to be separately owned, used, developed, or built upon.

Lot line means the boundary of a lot separating it from an abutting lot.

Mobile home or manufactured home means a structure constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width and 40 body feet or more in length, or, when erected on-site is 320 or more square feet and which is built on a permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems.

Non-Protected Tree means any tree that is not established as a protected tree or is exempt from the provisions of Section 77-44 (B) of the city of Manvel Zoning Ordinance.

Off-street parking means a concrete parking surface other than a street or alley accessible from an approved driveway approach and upon which vehicles may be parked.

Open-planned unit development plan means a development plan for a project located within the open-planned unit development district.

Parking aisle means the area of a parking lot or off-street parking area which provides vehicular access to parking spaces (stalls). The term "parking aisle" does not include the words "driveway" or "access point".

Parking space means an area designated for the parking of motor vehicles, and connected to an approved driveway approach, street, parking aisle, access easement, or other accessway.

Patio home/zero lot line home means a single-family home built on a separate lot with building setbacks on the front, rear and one side.

Planned unit development plan means a development plan for a project located within the planned unit development district.

Planning commission means a commission appointed by the council that is responsible for certain planning and zoning items, as provided in the zoning ordinance and applicable state law.

Plat means an instrument prepared by a registered professional land surveyor in conformity with the provisions of chapter 62, Subdivisions, used to describe subdivided land, with ties to permanent landmarks or monuments, approved by the city or a governmental entity with jurisdiction of the land in accordance with V.T.C.A., Local Government Code § 212.023, and recorded in the Brazoria County Property Records.

Protected Tree means any tree that is established as a protected tree within Section 77-44 of the City of Manvel Zoning Ordinance.

Principal building or use means the primary use and chief purpose of a premises or building.

Restaurant means a place of business whose revenues from food sales are 80 percent or more and whose revenues for mixed drink liquor service are 20 percent or less.

Rot board means a horizontal board installed along the bottom of the fence panel which runs along the base of the entire fence panel for a finished look and added protection. Rot boards are also commonly known as base-boards and kick-boards.

Setback means a minimum distance that is required from a lot line to a building or structure.

Single-family residence means a residence that is to be occupied by only one family.

Sight distance triangle means the triangle formed on any corner lot measured from the point of intersection of the front and exterior side lot lines a distance of 25 feet along said front and side lot lines and connecting the points so established to form a sight triangle on the area of the lot adjacent to the street intersections. Except for single-family residential accessways, a sight triangle at the intersection of a public street and a private access way shall have sides of 15 feet along the accessway and 25 feet along the public street. In order to minimize sight obstructions, no parking, wall, fence, sign, structure or any plant growth other than grasses shall be placed or maintained within the sight distance triangle so as not to impede vision between a height of two feet six inches, and ten feet above the center line grades of the intersecting streets and/or drives.

State means the State of Texas.

Structure means anything constructed or erected with a fixed location upon, under, or above the ground or attached to something having a fixed location on the ground.

Tavern means a place of business, which includes the sale of beer and wine beverages, but does not provide mixed drink liquor sales.

Telecommunications means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the content of the information as sent and received.

Top cap is a horizontal element of a wood fence included to cover the top end of pickets and posts. A privacy fence with a top cap is commonly referred to as a cap and trim fence.

Tower or tower structure means a fixed, freestanding or guyed, uninhabitable structure, not designed as a shelter or to be occupied for any use. This definition includes, but is not limited to, any such structure supporting antennae that transmit or receive any portion of the electromagnetic spectrum of radio waves. The following are by way of example but not limitation, towers or tower structures: guyed or freestanding monopole structures, lattice or open framed structures, antennae sports, water towers, and other similar self-supporting, trussed, or open framed structures.

Tree means any woody perineal plant with a single stem or trunk, typically supporting branches and leaves.

Tree Survey means an on-the-ground survey drawing containing the location of the trees, their circumference, type (species) and protected root zone limits.

Tree Preservation Plan means a plan that identifies trees being preserved on a site proposed for development and shows details of tree protection and preservation measures being taken during construction activity.

Zoning board of adjustment means a board appointed by the council that is responsible for certain zoning items, as provided in the zoning regulations and applicable state law.

Zoning official means the person appointed by council to administer and enforce the zoning regulations of the city.

(Ord. No. 2020-O-15, § 2, 10-19-2020; Ord. No. 2023-O-40, § 2, 12-4-2023)

Sec. 77-44. Trees **Preservation, landscaping, fencing and screening.**

(A) *Intent and Purpose:* Certain species of mature trees greatly contribute to the image, aesthetics, and identity of the City of Manvel. Development will invariably result in the removal of trees, however, uncontrolled and indiscriminate destruction of trees would detrimentally impact the aesthetic value and enjoyment of the natural environment. Protection and preservation of mature trees along with planting requirements for new development will benefit citizens by maintaining a positive image of the city as a place to live and locate a business. These standards and regulations are intended to:

1. Prohibit the indiscriminate clearing of property and promoting responsible design decisions that will preserve as many protected trees as possible;
2. Protect the natural ecological environmental and aesthetic qualities of the city;
3. Establish permitting process and standards required to preserve protected trees during construction; and
4. Establish planting, screening, and buffering requirements for new development.

(B) *Tree Preservation:* Any tree that qualifies as a protected tree as identified by this ordinance shall be preserved unless the removal is unavoidable based on the Tree removal criteria in Section 77-44 (B) 6.

1. *Applicability:* Tree preservation requirements only apply to City of Manvel city limits.
2. *Exemptions:* The following are exempt from tree preservation requirements:
 - a. Individual lots and lots of record that are less than twenty (20) acres in lot size that are existing as single-family detached or attached dwellings;
 - b. Non-protected trees;
 - c. Any tree damaged by natural disasters or by disease/ rot and deemed to be a hazard by the Zoning Official;
 - d. Any tree that requires removal by Public works, Fire, Police, or other emergency services personnel actively engaged in fighting a fire or other emergency services response;
 - e. Any tree planted, grown and/or held for sale as part of a licensed nursery / greenhouse, retail or wholesale business;
 - f. Properties for which construction plans or Final plats have been approved prior to the adoption of this ordinance;
3. *Protected Trees:*
 - a. Any tree with a diameter at breast height (DBH – 4.5 feet) of 19 inches or a circumference of 60 inches, or more, identified in the list of protected tree species in Section 77-44 (B) 4.
 - b. Any tree shown on an approved landscape plan that is necessary to meet the development standards of the zoning ordinance (Chapter 77 of the Manvel, Code of Ordinances) or to meet a condition of approval of the development to which the landscape plan applies.
 - c. Any tree identified in the list of protected tree species located in the public right-of-way or a property owned by the city of Manvel.

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- d. A tree of any size that serves as a screening between commercial and residential uses and zoning district.
4. *List of Protected Tree Species:*
- a. Oak (all variety);
 - b. Pecan
 - c. Magnolia
 - d. Elm
5. *Clear Cutting Prohibited:* Clear cutting of trees on undeveloped land is prohibited. Parcels proposed for development that include stands of trees shall not be clear cut in preparation for development. Development shall be designed to, completely, or partially preserve existing stands of trees unless:
- a. No reasonable alternative design at the same density and intensity could be approved.
 - b. Relocation of the protected trees to another location on-site or within the City is not practical or economically feasible as certified by an arborist or a landscape professional.
6. *Tree Removal Permit Required:*
- a. No person shall cut down, destroy, remove, move, or effectively destroy through damaging or encroach into the protected root zone of any protected tree on any public or private property unless a valid tree removal permit has been issued based on the tree removal criteria provided in Section 77-44 (B) 9.
 - b. Before a permit can be issued, a tree survey shall be submitted as set out in Section 77-44 (B) 7.
 - c. The Zoning Official or designee may require an applicant to provide aerial photograph interpretation of the site and/or additional data for preliminary analysis of large-scale development projects involving tree removal.
 - d. For applications that do not meet the Tree Removal Criteria (below), the applicant shall have the right to appeal to the Manvel City Council. An appeal to the Manvel City Council must be filed within sixty (60) days after receiving notice of permit denial. A final decision on the application shall be made by City Council upon receiving a recommendation from City of Manvel Parks Board.
 - e. Where the dangerous condition of a protected tree requires its immediate removal to protect against a serious and immediate risk to health, safety or property, a property owner may remove a protected tree without first obtaining a permit. However, within fourteen (14) calendar days after removing the tree, the property owner must apply for a tree removal permit and file a written statement describing the protected tree by size, species, and location and explaining the emergency conditions that required its immediate removal.
 - f. A tree removal permit is not required for the removal of a non-protected tree.
7. *Tree Survey and Preservation Plan Required:*
- a. Generally, all application for a tree removal permit must include information pertaining to specifications and location of all protected trees; identification of protected trees to be removed and preserved; reason for tree removal; details and specifications of proposed tree replacement; tree preservation plan showing tree protection measures during construction activities, and any other relevant details.

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- b. For removal of one or more protected trees from a property proposed for construction, a property owner must submit a written application accompanied by a current tree survey and a tree preservation plan prepared by an arborist or a landscape professional.
 - c. For removal of an individual protected tree from a property not proposed for construction, a property owner must file a written application may accompany a survey, map, or plat of the property showing the location, species, and size of the protected tree that is to be removed and explaining the reason that removal is desired in lieu of a tree survey and preservation plan.
 - d. The City may accept a partial tree survey in lieu of a full tree survey if the Zoning Official finds that protected trees only exist on a portion of the site.
8. *Tree Protection Requirement:* All existing trees intended to be made part of a proposed development shall be protected during construction activities. The following minimum standards apply to tree protection during construction activities:
- a. Barricades made of wood or fencing material, not less than 3 feet in height with horizontal and vertical structural members shall be installed at the critical root zone.
 - b. In situations where a tree remains in the immediate area of intended development activity where tree protection fence is not feasible, the tree shall be protected by enclosing the entire circumference of the tree's trunk with fence pickets, at least six feet high, banded by wire or other means that does not damage the tree.
 - c. Barricades shall be removed only to prepare development site for final landscaping.
 - d. Parking or storing of vehicles, equipment or materials within critical root zone is prohibited.
 - e. Parking or storing of vehicles, equipment or materials within critical root zone is prohibited.
 - f. Protected trees shall be pruned only for clearance, dead, or hazard branches. Corrective pruning should occur after construction is complete.
9. *Tree Removal Criteria:* No individual protected tree shall be removed unless it meets one or more of the following criteria based on which a tree removal permit is issued:
- a. The tree is infected with an epidemic insect or disease where a recommended control is not applicable, and removal is the recommended practice to prevent transmission.
 - b. The tree poses an extreme public nuisance because of its species, size, location, or condition.
 - c. The tree poses a severe safety hazard that cannot be corrected by pruning, transplanting, or other treatments.
 - d. The tree severely interferes with the growth and development of a more protected desirable tree.
 - e. The aesthetic value of the tree is so low or negative that the site is visually enhanced by the tree's removal.
 - f. The tree is in, and within 10 feet of, an approved building footprint and results in a dangerous condition.
 - g. The tree is located within six feet of a utility easement, and the tree would interfere with the use of the easement.
 - h. On properties proposed for development, no reasonable alternative site design at the same density and intensity could be approved and relocation of the protected tree to another location on-site or within the City is not practical or feasible for the survival of the tree.

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- i. The tree has a negative impact on the aesthetics and visibility of an existing or proposed development in a manner that the intended purpose of the development cannot be achieved.

10. Tree Replacement Requirement and Standards:

- a. If a protected tree is removed in violation of this ordinance, it shall be replaced in accordance with the requirements of this section.
- b. Tree replacement requirement for removal of individual protected trees with a valid tree replacement permit may be modified or waived when a replacement tree can potentially result in hazardous and unsafe conditions due to existing development or insufficient area for healthy growth of existing or replacement trees, as determined by the City Council based on recommendation from the City of Manvel Parks Board.
- c. On properties proposed for development, replacement trees shall be counted towards the landscaping requirements of the zoning ordinance based on its location.
- d. Tree replacement shall be based on the following standards:
 - 0-10 inches DBH – One 3-inch or more
 - 10-15 inches DBH – One equivalent caliper or Two 3-inch caliper
 - 15–19 inches DBH - One equivalent caliper or Four 3-inch caliper
 - 19-inch DBH or more - One equivalent caliper or Six 3-inch caliper.
- e. On properties proposed for development, replacement trees shall be installed as part of site development.
- f. On properties not proposed for development, replacement trees shall be installed within 30 days of removal.

11. Tree Preservation Credits: Existing protected trees that are preserved shall be applied towards development landscaping requirements if the site development plan indicates compliance with standards for tree protection of this ordinance during construction activities.

(C) Development Landscaping: The following regulations shall apply to all new land development projects, except new single- family residential:

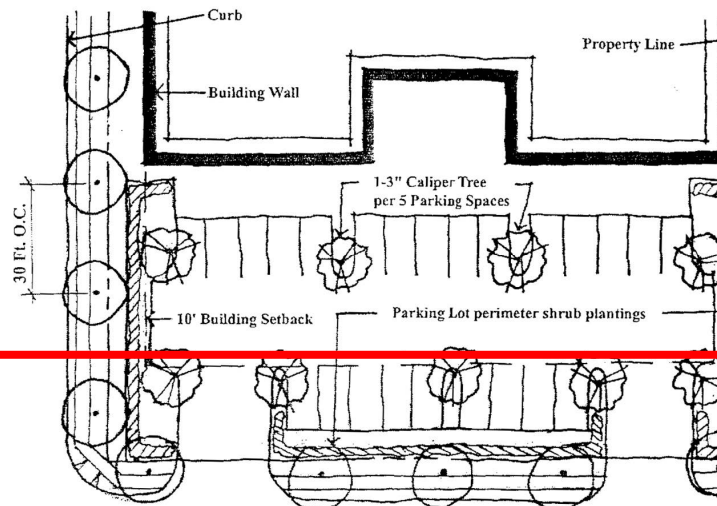
~~(1) Trees.~~

- ~~a. Preservation required of existing street trees. Trees located in any public street right-of-way must be preserved and may not be removed without prior written approval of the zoning official.~~
- ~~b. Retention of existing trees. Where appropriate, new development should be located to take advantage of existing mature trees. The protection and retention of existing trees which are at least 1½ inches in caliper shall be credited to the tree planting requirements except for street tree planting requirements.~~
- ~~c. Protection of existing trees. Trees that are to be protected and retained shall be protected during construction. The tree protection area shall not be used for the parking or storage of any soil, vehicles, equipment, or materials. No waste or surplus products of any nature shall be disposed of within or near the tree preservation area. Grade changes around existing trees are limited to three inches.~~
- ~~d. Planting of new street trees. Street trees shall be reasonably regularly spaced with at least one tree for each 30 feet of street frontage for each street on which the property fronts.~~

- ~~1. Street trees shall be planted within the right-of-way line with adjustments in spacing allowed for driveways, streetlights, visibility triangles, transit shelters, and utility or traffic control appurtenances. If sufficient street trees to meet the requirement already exist along the frontage of a site, no additional trees are required, provided they are protected and retained in accordance with these regulations.~~
 - ~~2. The minimum planting size for street trees is 1½ inches in caliper measured at the base of the tree.~~
1. *Planting of new yard trees.*
 - a. New trees shall be planted with at least one tree for each 30 feet of street frontage along front and street side yards.
 - b. The minimum planting size for yard trees is 2½ inches in caliper measured at the base of the tree.
 - c. No new trees shall be planted in public rights-of-way, utility easements, or existing access easement.
 - d. For new development, if planting on yard trees is not possible due to existing easements along the street frontage, additional parking lot trees at the rate of one (1) tree for each five (5) parking spaces shall be planted. Such trees shall be a minimum of 1½ inches in caliper measured at the base of the tree.
 - e. 2. *Planting of trees and shrubs for new parking lots.* Trees for new parking lots shall total at least one tree for each ~~five~~ ten parking spaces and at the end of each parking row. Trees and landscaping must be located within the parking area in ~~areas~~ 9 feet X 18 feet planting islands protected by a curb or other vehicle obstruction. Such trees shall be a minimum of 1½ inches in caliper measured at the base of the tree. Shrub plantings shall be placed along the perimeter of a parking lot in an amount to provide a visible screen for the parking lot. The shrubs must be maintained at a ~~maximum~~ height of 30 to 36 inches for safety and visibility purposes.

Example:

~~REQUIRED STREET AND PARKING LOT TREES AND SHRUBS~~



Scale: 1 inch = 30 feet

~~(2)~~ 3. *Maintenance of landscaping.* All landscaping must be perpetually maintained in good health by the property owner on which the landscaping lies or by the adjacent property owner. In the case of street trees planted within the right-of-way, the owner of the adjacent property shall have the responsibility for tree maintenance. Trees lost for any reason, with the exception of street or utility work, shall be replaced by the property owner within six months. Replacement trees must be a minimum of three-inch caliper. The responsibility for replacement of trees removed because of natural disaster, vehicular accident, or other similar circumstance, is that of the adjacent property owner regardless of whether that owner is reimbursed by the responsible party.

~~(3)~~ 4. *Planting areas.*

- a. *Site areas.* All site areas not covered by buildings or paving shall be planted with trees, shrubs, grass, ground covers or other plant materials. Special ground covering materials are permissible in playgrounds or active sports areas or other areas as determined by the city zoning official.
- b. *Landscape plans.* Landscape plans shall be submitted to the city zoning official at the time of submittal of all other construction plans for all new construction. In the open-planned unit development district landscape plans shall be submitted to the city zoning official prior to consideration of the plan by the planning commission.
- c. *Irrigation.* All planting areas shall be irrigated. Irrigation plans must be submitted with the landscaping plans and all irrigation materials shall be installed prior to occupancy of the building.

~~(4)~~ 5. *Land uses requiring Required landscape screening and/or fencing.*

- a. *Air conditioning and other mechanical equipment.* Ground mounted mechanical equipment of all types must be fenced or screened with shrub planting from pedestrian view. This requirement does not apply to traffic control equipment boxes, telecommunication housings (smaller than three feet by six feet) or similar public facilities.
- b. *Utility facilities.* All utility facilities must be screened from pedestrian view subject to a screening and buffering plan approved by the zoning official.
- c. *Parking lots.* All parking lots for nonresidential uses must be landscaped according to these regulations.
- d. *Drive-through facilities.* Where drive-through lanes or stacking bays and/or service windows are within 50 feet of a side or rear property line that adjoins an existing residential use, a six foot high wooden fence must be constructed and retained adjacent to the property line.

6. *Transitional buffer yard between residential and non-residential uses.*

- a. Non-residential development shall provide a ten (10) foot wide landscape buffer yard when abutting an existing residential development or undeveloped residential zoning district. The buffer yard shall include one (1) tree per thirty (30) linear feet. A screening fence in accordance with Section 77-43 is required when a fence is not already present on the abutting residential development or undeveloped zoning district along the property line.
- b. New master-planned residential development shall provide a ten (10) foot wide landscape buffer yard when abutting undeveloped properties zoned for non-residential uses. The buffer yard shall be maintained by the Homeowner's Association and shall include one (1) tree per thirty (30) linear feet. A screening fence in accordance with Section 77-43 is required when a fence is not present on the abutting residential development or undeveloped zoning district along the property line.

(Ord. No. 2020-O-15, § 3, 10-19-2020; Ord. No. 2023-O-40, § 3, 12-4-2023)